



COUNTY OF SANTA BARBARA

MONTECITO PLANNING COMMISSION APPROVED MINUTES

Hearing of October 18, 2017
9:00 a.m.

The regular hearing of the Montecito Planning Commission was called to order by Susan Keller, at 9:02 a.m., in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California.

COMMISSIONERS PRESENT:

SUSAN KELLER, CHAIR
J'AMY BROWN, 1ST VICE-CHAIR
CHARLES NEWMAN
DANIEL EIDELSON

COMMISSIONERS ABSENT:

DONNA SENAUER

STAFF MEMBERS PRESENT:

Glenn Russell, Director, Planning and Development
Jeff Wilson, Deputy Director, Development Review
David Villalobos, Recording Secretary to the Montecito Planning Commission
Johannah Hartley, Deputy County Counsel
Alex Tuttle, Supervising Planner, Development Review South
Tess Harris, Planner, Development Review South
Nicole Lieu, Planner, Development Review South
Dan Klemann, Deputy Director, Long Range Planning
Allen Bell, Supervising Planner, Long Range Planning
Jessica Steele, Planner, Long Range Planning

NUMBER OF INTERESTED PERSONS: Approximately 5

ADMINISTRATIVE AGENDA:

- I. **HEARING CALLED TO ORDER:** by Chair, Susan Keller.
- II. **PLEDGE OF ALLEGIANCE**
- III. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- IV. **ROLL CALL:** Commissioner Senauer was absent.
- V. **AGENDA STATUS REPORT:** by Jeff Wilson.
- VI. **PROJECTION REPORT:** by Jeff Wilson.

VII. **PUBLIC COMMENT:** None.

VIII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** Commissioner Brown recognized former County Supervisor Jeanne Graffy, who recently passed away. A memorial service will be held at the old Mission Santa Barbara tomorrow at 2:00 p.m. and is open to the public. She also attended a Montecito Board of Architectural Review (MBAR) meeting on August 24 in which the architectural guidelines limited update was discussed, as well as the Joint Chairs meeting on September 27 where the topic of accessory dwelling units (ADUs) was discussed. She also met with Supervisor Das Williams on October 9 and discussed the work of the Commission, and attended the October 10 Montecito Association board meeting. She also noted that it was reported at the Montecito Association meeting that the association has not yet selected a new executive director. Chair Keller also attended the Joint Chairs meeting and met with Supervisor Williams on October 11 regarding the Commission's recommendation on ADUs. Additionally, she and Commissioner Brown met with Chris Sneddon and Scott McGolpin to discuss an idea to install a 4-way stop sign at the off ramp at San Ysidro on the south side, which could be temporary and inexpensive fix for the backup problems occurring there. They were encouraged by the discussion.

IX. **MINUTES:** The Minutes of August 16, 2017 were considered as follows:

ACTION: Approved the Minutes of August 16, 2017.

Brown/Eidelson

Vote: 3-0-1 (Senauer absent; Newman abstained)

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

XI. **INTENT TO WAIVE A PUBLIC HEARING:** *The County of Santa Barbara has waived the required public hearing for the proposed time extension and coastal development permit applications.*

17TEX-00000-00015

Lufkin Addition Time Extension

135 Pomar Lane

Joe Dargel, Planner (805) 568-3573

Time Extension to 15CDH-00000-00034: The project is for a Coastal Development Permit to allow interior and exterior remodeling of an existing 2,209 net square foot single family residence, constructing a 280 net square foot addition, removing 6 net square feet from the western entry, converting a 470 net square foot attached garage to habitable space, constructing a new 800 net square foot detached 2-car garage and storage structure, constructing a new pool and spa, remodeling outdoor patios and walkways, and new landscaping. The property is a 0.46-acre parcel zoned 1-E-1 and shown as Assessor Parcel Number 007-322-002, located at 135 Pomar Lane in the Montecito Area, First Supervisorial District.

ACTION: Acknowledged waived public hearing. No action was taken.

17CDH-00000-00018

Damery Carport

72 La Vuelta Road

Sean Stewart, Planner (805) 568-3560

The project is for a Coastal Development Permit with hearing to allow the conversion of the single family dwelling's existing attached garage of 363 square feet to habitable space. The project also includes the following changes to the dwelling: a new covered porch would be constructed on the north and east side of the existing dwelling, a new covered trellis would be constructed on the west side of the existing dwelling, the existing Juliet balcony on the north side of the dwelling would be converted to a dormer, new dormers on the north and east side of the dwelling would be constructed, and the Juliet balcony on the south side of the dwelling would be converted to a closet. A new carport is proposed to be constructed along the west side

of the existing pool cabana, an uncovered trellis is proposed to be attached to the east side of the existing pool cabana, and a proposed surfboard storage area is proposed to be attached to the north side of the existing pool cabana. The existing dwelling and cabana would also receive new siding and windows. The property is a .44 acre parcel zoned 1-E-1and shown as Assessor Parcel Number 007-340-030, located at 72 La Vuelta in the Montecito area, First Supervisorial District

ACTION: Acknowledged waived public hearing. No action was taken.

XII. CONSENT AGENDA ITEMS AND PROCEDURE:

Pulice/Moller Lot

C-1. 17TEX-00000-00009 Line Adjustment Time Extension 296/280 Las Entradas
Exempt, CEQA Guidelines Sections 15305 Anne Almy, Supervising Planner (805) 568-2053
Mark Friedlander, Planner (805) 568-2046

Hearing on the request of Alicia Harrison, agent for the applicant, to consider Case No. 17TEX-00000-00009 [application filed on May 5, 2017] for a 18 month time extension to a Lot Line Adjustment (Case No. 14LLA-00000-00002, approved June 18, 2014) in compliance with Chapter 21, the Subdivision Ordinance, Section 21-92.f, which allows for time extensions for period(s) not to exceed 36 months; and to determine the project is exempt from environmental review, pursuant Section 15305 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves Assessor Parcel Number 007-500-024, located at 296 Las Entradas Drive (Existing Parcel One), and APN 007-500-025, located at 280 Las Entradas Drive (Existing Parcel Two), in the Montecito Community Plan area, First Supervisorial District.

ACTION: Commissioner Brown moved, seconded by Commissioner Newman and carried by a vote of 4 to 0 (Senauer absent) to accept a late submittal from Susan F. Petrovich into the record.

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

- 1. Make the required findings for approval of the project, Case No. 17TEX-00000-00009, as specified in Attachment A of the staff report dated October 10, 2017, including CEQA findings;**
- 2. Determine the project is exempt from environmental review pursuant to Section 15305 of the State Guidelines for Implementation of the California Environmental Quality Act, as specified in Attachment C of the staff report dated October 10, 2017; and**
- 3. Approve the project, Case No. 17TEX-00000-00009, subject to the original conditions of approval in the Montecito Planning Commission Action Letter dated June 23, 2014, included herein as Attachment B of the staff report dated October 10, 2017.**

XII. STANDARD AGENDA:

1. Miramar Beach Resort and Bungalows Status Briefing 1555 S. Jameson Lane
Anne Almy, Supervising Planner (805) 568-2053
Nicole Lieu, Planner (805) 884-8068

The Montecito Planning Commission will receive a status briefing on the Miramar Beach Resort and Bungalows project.

ACTION: The Montecito Planning Commission received a status briefing on the Miramar Beach from planner Nicole Lieu. No action was taken.

2. 17APL-00000-00007 Klein Appeal of Hughes Addition and Remodel 1930 Jelinda Drive

Exempt, CEQA Guidelines Sections 15301 & 15303 Alex Tuttle, Supervising Planner (805) 884-6844
Tess Harris, Planner (805) 568-3319

Hearing on the request of Theodore M. Klein, Appellant, to consider the Appeal of Case No. 17CDP-00000-00017 [appeal filed on June 27, 2017], of the Director's decision to approve a Coastal Development Permit allowing for the addition and a remodel of an existing single family dwelling, including a new swimming pool and other associated improvements, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the 2-E-1 zone; and determine the project is exempt from CEQA pursuant to Sections 15301 and 15303 of the Statue Guidelines for Implementation of the California Environmental Quality Act. The application involves Assessor Parcel No. 007-490-024 located at 1930 Jelinda Drive, in the Montecito Community Plan area, First Supervisorial District.

ACTION: Commissioner Newman moved, seconded by Commissioner Eidelson and carried by a vote of 4 to 0 (Senauer absent) to:

- 1. Deny the appeal, Case No. 17APL-00000-00007;**
- 2. Make the required findings for approval of the project, Case No. 17CDP-00000-00017, as specified in Attachment A of the staff report dated September 28, 2017, including CEQA findings;**
- 3. Determine the project is exempt from CEQA pursuant to CEQA Guideline Sections 15301 and 15303 of CEQA, included as Attachment C of the staff report dated September 28, 2017;**
- 4. Grant *de novo* approval of Case No. 17CDP-00000-00017, subject to the conditions included as Attachment B of the staff report dated September 28, 2017, thereby affirming the decision of the Director.**

**3. Cannabis Land Use Ordinance
Amendments and Licensing Program Update Countywide
Dan Klemann, Deputy Director, Planner (805) 5682-2072**

The Montecito Planning Commission will receive an update on the Cannabis Land Use Ordinance Amendments and Licensing Program, which would amend the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance to allow certain types of cannabis activities by zone district. The Project also involves other amendments to the County Code, in order to establish a County licensing program for cannabis-related activities. (Continued from 8/16/17)

ACTION: The Montecito Planning Commission received an update on the Cannabis Land Use Ordinance Amendments and Licensing Program from Planning and Development staff. No action was taken.

4. **17ORD-00000-00011** *Montecito Architectural Guidelines and Development Standards Limited Update -*
17ORD-00000-00012 *Phase II Detached Accessory Buildings* **Montecito**
Exempt, CEQA Guidelines Sections 15061(b)(3) & 15265 Allen Bell, Supervising Planner (805) 568-2056
Jessica Steele, Planner (805) 884-8082

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

- a) Recommend that the Board of Supervisors adopt a resolution amending the *Montecito Architectural Guidelines and Development Standards*;
- b) **17ORD-00000-00011**. Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00011) amending Division 35.2, Montecito Zones and Allowable Land Uses, and Division 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code;
- c) **17ORD-00000-00012**. Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00012) amending Division 15, Montecito Community Plan Overlay District, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code;

and recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for Implementation of the California Environmental Quality Act.

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

1. **Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board of Supervisors make the required findings for approval of the proposed amendments to the *Montecito Architectural Guidelines and Development Standards*, Montecito Land Use and Development Code, and the Coastal Zoning Ordinance.**
2. **Recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265 (Attachment B).**
3. **Adopt a resolution (Attachment C) recommending that the Board of Supervisors take the following actions:**
 - a) **Adopt a resolution amending the *Montecito Architectural Guidelines and Development Standards* (Exhibit 1) as revised at the hearing of October 18, 2017;**
 - b) **Adopt an ordinance amending the Montecito Land Use and Development Code (Case No. 17ORD-00000-00011), Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code (Exhibit 2) as revised at the hearing of October 18, 2017; and**
 - c) **Adopt an ordinance amending the Coastal Zoning Ordinance (Case No. 17ORD-00000-00012), of Chapter 35, Zoning, of the Santa Barbara County Code (Exhibit 3) as revised at the hearing of October 18, 2017.**

As part of its recommendation to the Board of Supervisors, the Montecito Planning Commission (MPC) also directed staff to make the following revisions. For the revisions, language that the MPC added is shown as underlined, and language that the MPC deleted is shown as strike-through. The use of an ellipsis indicates ordinance language that has been omitted for the sake of brevity since the language is unchanged.

1. Clarify the meaning of “detached accessory building” in the *Montecito Architectural Guidelines and Development Standards (Guidelines)* by revising *Guidelines* Sections III.B.3.b and IV.D.2 (Exhibit 1-A, Pages 2, 3, and 8 of the MPC staff report dated October 10, 2017) as follows:

... detached accessory buildings mean detached accessory structures located beneath a solid roof or other permanent covering, which shall include but not be limited to, any fully enclosed, partially enclosed, or unenclosed portions of detached accessory structures; ~~any fully enclosed, partially enclosed, or unenclosed structures with a supported by columns or walls and intended to provide shelter, housing or enclosure of persons, animals or chattel;~~ ...

2. Clarify the meaning of “existing” by making the following revisions to Exhibits 1-A, 2, and 3 of the MPC staff report dated October 10, 2017:

- a. Replace “existing” with “approved” in *Guidelines* Sections III.B.3.b, IV.C.5.b and IV.D.2 (Exhibit 1-A, Pages 2, 3, and 8), Montecito Land Use and Development Code (MLUDC) Sections 35.428.070.C.5.b, 35.442.020.B.6.b, and 35.442.120.E.(2) (Exhibit 2, Pages 2 and 5-7), and Coastal Zoning Ordinance (CZO) Sections 35-210.3 and 35-211.2.b (Exhibit 3, Pages 1 and 3).
- b. Revise *Guidelines* Sections III.B.3.b.2), IV.C.5.b.4) and IV.D.2.b (Exhibit 1-A, Pages 3, 5, and 8), MLUDC Sections 35.428.070.C.5.b.(3), 35.442.020.B.6.b.(3), and 35.442.120.E.(2)(c) (Exhibit 2, Pages 2, 6, and 7), and CZO Sections 35-210.3.d and 35-211.2.b.3) (Exhibit 3, Pages 2 and 3) as follows:

... ~~“existing”~~ “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, there is an active, unexpired planning or building permit, including an exemption or zoning clearance, that allows for the construction of the detached accessory building or accessory dwelling unit, or that construction of the detached accessory building or accessory dwelling unit has been completed. ...

3. Add formulas to *Guidelines* Tables 2 and 4 (Exhibit 1-A, Pages 3 and 8 of the MPC staff report dated October 10, 2017) as shown below and in Slide 18 of the staff presentation at the MPC hearing on October 18, 2017:

| Size of Lot (Gross Acres) | Recommended Detached Accessory Building Allowance (Net Square Feet) |
|------------------------------|---|
| 0.25 acres or less | 180 + (250 x L ¹) Where L is lot area in acres |
| Over 0.25 acres – 0.5 acres | 245 + <u>(800 x (L – 0.25))</u> 800 for each acre over 0.25 |
| Over 0.5 acres – 1 acre | 445 + <u>(730 x (L – 0.50))</u> 730 for each acre over 0.50 |
| Over 1 acre – 2 acres | 810 + <u>(690 x (L – 1))</u> 690 for each |

| | |
|---------------------|---|
| | acre over 1 |
| Over 2 acres | $1,500 + \frac{(495 \times (L - 2))}{2} - 495$ for each acre over 2 |

¹ L equals lot area in acres (gross).

4. Amend *Guidelines* Section III.A.3.e as follows:

“Height and visibility of buildings from roads, particularly multi-story buildings proposed near property lines.”

5. Amend *Guidelines* Section III.B.3.a as follows:

... **Note:** In certain neighborhoods, the recommended maximum size in Table 1 may not reflect the appropriate level of development. In those cases, neighborhood compatibility shall be the determining factor.

The MBAR shall consider total potential development on the lot, including the Detached Accessory Building Allowances provided in Table 2, prior to approving a project that proposes to exceed the Recommended Maximum House Net Floor Area provided in Table 1. . . .

6. Amend *Guidelines* Section IV.D as follows:

... For intermediate and values beyond those included in Table 23 . . .

The MBAR shall consider total potential development on the lot, including the Recommended Detached Accessory Building Allowances provided in Table 3, prior to approving a project that proposes to exceed the Recommended Maximum House Net Floor Area provided in Table 4. . . .

7. Change all references from “parcel(s)” to “lot(s)” in the *Guidelines*.

8. Clarify that the building footprint of detached accessory buildings includes the portions of roof eaves more than three feet in depth by making the following revisions to Guideline IV.C.5.a.2) (Exhibit 1-A, Page 4 of the MPC staff report dated October 10, 2017), MLUDC Sections 35.428.070.C.5.a.(2), 35.442.020.B.6.a.(2), and 35.442.120.E.(1) (Exhibit 2, Pages 2, 5, and 6 of the MPC staff report dated October 10, 2017), and CZO Sections 35-210.2.b and 35-211.2.a (Exhibit 3, Pages 1 and 2 of the MPC staff report dated October 10, 2017):

... The building footprint includes the following, ~~but does not include roof eaves that extend no more than three feet from the exterior wall of the building:~~

- a) Any cantilevered portions . . .
- b) Any fully enclosed, partially enclosed, or unenclosed portions . . .
- c) **The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.**

9. Clarify that the floor area limitation does not apply to accessory dwelling units by making the revisions as shown in Slide 8 of the staff presentation at the MPC hearing on October 18, 2017 and as shown below to *Guidelines* Section IV.C.5.b. (Exhibit 1-A,

Page 5 of the MPC staff report dated October 10, 2017), MLUDC Sections 35.428.070.C.5.b, 35.442.020.B.6.b, and 35.442.120.E.(2) (Exhibit 2, Pages 2, 5, and 6 of the MPC staff report dated October 10, 2017), and CZO Sections 35-210.3 and 35-211.2.b (Exhibit 3, Pages 1-3 of the MPC staff report dated October 10, 2017):

. . . Detached accessory buildings. The total gross floor area of all ~~existing approved~~ and proposed buildings located on a lot, ~~including an approved accessory dwelling unit but excluding a proposed accessory dwelling unit~~, shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.

- 1) For purposes of this Subsection . . .**
- 2) The gross floor area limitation in this Subsection shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.**
- 2)3) If an application includes . . .**
- 3)4) For purposes of this Subsection . . .**

There being no further business to come before the Commission the hearing was adjourned until 9:00 a.m. on November 15, 2017, in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California 93101.

Meeting adjourned at 5:01 p.m.

Dianne M. Black
Secretary to the Montecito Planning Commission