



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

August 11, 2016

### CALL TO ORDER:

Chair Campanella called the meeting to order at 1:01 P.M.

### I. ROLL CALL

Chair John P. Campanella, Vice-Chair June Pujo, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, Deborah L. Schwartz, and Addison Thompson.

### STAFF PRESENT:

Beatriz Gularte, Senior Planner  
N. Scott Vincent, Assistant City Attorney  
Steven Greer, Environmental Project Planner  
Tony Boughman, Assistant Planner  
Julie Rodriguez, Planning Commission Secretary

### II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

Ms. Gularte made the following announcements:

1. The Planning Commission meeting of August 18, 2016 has been cancelled.
2. There will be a Special Meeting of the Planning Commission on August 25, 2016, at 1 P.M., in Council Chambers, to hear 1925 El Camino de la Luz.

C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:

1. Minutes of July 14, 2016
2. PC Resolution No. 018-16  
200 Helena Avenue

3. PC Resolution No. 019-16  
116 Castillo Street

**MOTION: Schwartz/Higgins**

Approve the minutes and resolutions of July 14, 2016.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 1 (Lodge). Absent: 0

4. Minutes of July 21, 2016

**MOTION: Lodge/Thompson**

Approve the minutes of July 21, 2016.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Campanella opened the public hearing at 1:03 P.M.

1. Cheryl Kelman addressed the Commission regarding credit for uncovered parking and 6' setbacks in residential neighborhoods.
2. Susan Owens submitted a petition with over 1100 signatures from neighbors concerned with a potential project, identified as Playa Mariposa, at the corner of Cliff Drive and Loma Alta. Understanding that the project has not yet been submitted to the City, the neighbors wanted to submit the petition sharing their concerns.
3. Dave Blunk expressed concerns with zoning for the Santa Barbara Fish Market and the zoning change from seafood processing to food product manufacturing when the market changed to the Quarantina Street location.

With no one wishing to speak, the hearing was closed at 1:09 P.M.

**III. CONTINUED ITEM: Continued from April 21, 2016**

**ACTUAL TIME: 1:09 P.M.**

**APPLICATION OF LAUREL PEREZ, APPLICANT FOR UNKNOWN DREAM LLC, 801 CLIFF DRIVE, APN 045-250-008, R-2 ZONE, LOCAL COASTAL PLAN DESIGNATION: MEDIUM RESIDENTIAL/BUFFER (MST2014-00586)**

This item is continued from the April 21, 2016 Planning Commission hearing. The project addresses violations in enforcement case ENF2014-00616 for work done without required City review, approval, and permits at the 97 unit apartment complex located on a 6.72 acre parcel in the Coastal Zone. The violations include tree and other vegetation removal in an environmentally sensitive habitat area (ESHA) along a portion of Honda Valley Creek

(including an established Monarch Butterfly overwintering site), as well as unpermitted remodeling of existing buildings, site work, and other landscaping alterations. The current project proposes to abate/correct these violations. While a large part of the site is in the non-appealable jurisdiction of the Coastal Zone, the Honda Valley Creek drainage is within the appealable jurisdiction, and removal or placement of vegetation in this environmentally sensitive habitat area triggers the requirement for a Coastal Development Permit for the project.

The unpermitted work proposed to be permitted consists of the removal of 32 mature Eucalyptus trees which provided Monarch butterfly overwintering habitat, removal of canopy trees and planting of palm trees in areas around buildings, other landscaping alterations, replacement of irrigation system, and various exterior building changes, outdoor amenities, bike racks, and parking lot improvements and reconfiguration with 25 additional spaces.

The unpermitted work proposed to be removed consists of a concrete slab and seat wall, concrete pads with gym equipment, non-compliant exterior lighting, prohibited banner signs, entry pilasters with lighting, non-permitted stairs near street intersection, and eight Mexican Fan Palms planted along driveway near the restoration area.

Proposed new improvements include restoration of Monarch butterfly and riparian habitat, a Monarch Butterfly and riparian habitat maintenance and monitoring program, drainage improvements in the restoration area, tree mitigation planting, removal of Palm trees near Loma Alta, and planting of Cypress trees adjacent to buildings as well as other minor miscellaneous exterior improvements.

The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2015-00012) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
2. Two Front Setback Modifications to allow as-built and proposed encroachments into the required 30-foot front setback along Cliff Drive and into the required 30-foot front setback along Loma Alta Drive (SBMC §28.92.110.2);
3. Two Fence Height Modifications to allow the as-built fencing to exceed 3 ½ feet in height within 10 feet of the front lot line along Cliff Drive and within 10 feet of the front lot line along Loma Alta Drive (SBMC §28.92.110.3).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section CEQA Guidelines Section 15333, Small Habitat Restoration Projects not exceeding five acres, Section 15303 for New Construction, Section 15304 for Minor Alterations to Land, and Section 15301 for miscellaneous minor alterations to Existing Facilities.

Contact: Tony Boughman, Assistant Planner

Email: TBoughman@SantaBarbaraCA.gov Phone: (805) 564-5470, extension 4539

Tony Boughman, Assistant Planner, gave the Staff presentation. Steven Greer, Environmental Project Planner, was available to answer any of the Commission's questions.

Laurel Fisher Perez, Suzanne Elledge Planning and Permitting Services, gave the Applicant presentation. Lawrence Hunt, Hunt & Associates Biological Consulting Services, and Dr. Dan Meade, biologist, were available to answer any of the Commission's questions on habitat restoration.

Ed St. George, Owner, apologized for the removal of the trees and stated he would never have removed the trees had he known all the issues that would have come about. He described how he cleaned up of the creek area of the property.

Chair Campanella opened the public hearing at 1:53 P.M.

Lanny Ebenstein spoke in support of the project.

The following people spoke in opposition to the project or with concerns:

1. Diane Greenwood, neighbor, commented that Ed St. George has over fifty properties and is well aware of the rules and should have known better than to do work without permits. Robin Bisio deferred speaking time to Ms. Greenwood.
2. Mary Turley, Mesa resident, Mesa Protection Alliance, submitted written comments with suggestions for corrective action. Maggie Day, Kathy McInerney, Ida Valente, and Elaine Kaufmann deferred speaking time to Ms. Turley.
3. Tama Takahashi, Mesa homeowner, shared pictures of infractions that were not done 'by accident' and stated that Mr. St. George should not be above the law.
4. Mike Larbig asked that Mr. St. George take all laws seriously and strictest penalties be imposed.
5. Frank Surber, neighbor across the street from the project, Mesa Protection Alliance, submitted written comments requesting a construction moratorium and conservation easement on the property, and an Environmental Impact Report.
6. Susan Owens, Mesa Protection Alliance, submitted written comments and agreed with Mr. Surber's request for granting a conservation easement. Dawn McGrew deferred speaking time to Ms. Mellor.
7. Beebe Longstreet expressed concern about precedence of a developer doing work without permits.

With no one else wishing to speak, the public hearing was closed at 2:31 P.M.

Chair Campanella called for a recess at 4:09 P.M. and reconvened the meeting at 4:17 P.M.

**STRAW VOTE:**

How many Commissioners are in favor of 100% performance security with a 15% contingency?

Ayes: 6 Noes: 1 (Thompson)

**MOTION: Higgins/Jordan**

**Assigned Resolution No. 020-16**

Approved the project, making the findings for the Coastal Development Permit and Zoning Modifications, as outlined in the Staff Memorandum, dated August 4, 2016, subject to the Conditions of Approval in Attachment 5 of the Staff Memorandum with the following revisions to the Conditions of Approval:

1. Revise Condition B.1. to use current name of restoration plan: Honda Valley Monarch Butterfly Habitat Restoration and Monitoring Plan and include two as-built sets of wooden steps as part of the project description.
2. Revise Condition D.2.b. to delete "quarterly".
3. Revise Condition D.2.c. Performance Security to read:  
**Performance Security.** The Owner shall post a performance security in a form acceptable to the City Attorney and Community Development Director to ensure implementation of the restoration, and monitoring, and maintenance until the city accepts the restoration and monitoring plan as complete. The amount of the security shall be 115% (100% plus 15% contingency fee) of the total estimated cost of completing the implementation of the approved Honda Valley Monarch Butterfly Habitat Restoration and Monitoring Plan. The cost estimate of the approved Honda Valley Monarch Butterfly Habitat Restoration and Monitoring Plan shall be signed off by a licensed landscape architect, a biologist, and the Project Environmental Coordinator (PEC). The amount of the performance security shall be approved by the Community Development Director, and the security shall be posted prior to any building permit for the project approved on August 11, 2016.
4. Add Condition G.1: **Restoration Plan Update.** The Applicant shall be required to return to the Planning Commission at a public hearing at year three (3) and year five (5) to present status reports of the restoration plan.
5. Include five year monitoring and reporting for the 27 new Monterey Cypress trees around the buildings, and the new vines on the chain link fence along the top of creek bank in the Honda Valley Monarch Butterfly Habitat Restoration and Monitoring Plan.

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Campanella announced the ten calendar day appeal period.

**IV. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 5:03 P.M.**

**A. Committee and Liaison Reports**

**1. Staff Hearing Officer Liaison Report**

Commissioner Jordan reported on the Staff Hearing Officer meeting of August 3, 2016.

2. Other Committee and Liaison Reports

Commissioner Lodge reported on the Historic Landmarks Commission meeting of August 10, 2016.

V. ADJOURNMENT

Chair Campanella adjourned the meeting at 5:05 P.M.

Submitted by,



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Julie Rodriguez, Planning Commission Secretary