City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

November 3, 2016

CALL TO ORDER:
Chair Campanella called the meeting to order at 1:00 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
Danny Kato, Senior Planner
Susan Reardon, Senior Planner
N. Scott Vincent, Assistant City Attorney
Jessica W. Grant, Project Planner
George Thomson, Parks Capital Project Supervisor
Cameron Benson, Creeks, Restoration/Clean Water Manager
Andrew Perez, Planning Technician
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.
   None.

C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:
   1. October 6, 2016
   2. PC Resolution No. 027-16
      6100 Hollister Avenue
MOTION: Schwartz/Pujo
Approve the minutes and resolutions as presented.

This motion carried by the following vote:
Ayes: 5  Noes: 0  Abstain: 2 (Jordan, Lodge)  Absent: 0

3. October 13, 2016
4. PC Resolution No. 028-16
   245 San Clemente Avenue

MOTION: Lodge/Pujo
Approve the minutes and resolutions as presented.

This motion carried by the following vote:
Ayes: 7  Noes: 0  Abstain: 0  Absent: 0

5. October 14, 2016 Special Meeting

MOTION: Schwartz/Jordan
Approve the minutes as presented.

This motion carried by the following vote:
Ayes: 6  Noes: 0  Abstain: 1 (Pujo)  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. and, with no one wishing to speak, closed the hearing.

III. CONSENT ITEM:

ACTUAL TIME: 1:03 P.M.

APPLICATION OF CITY OF SANTA BARBARA PARKS AND RECREATION DEPARTMENT FOR ANDREE CLARK BIRD REFUGE VEGETATION MAINTENANCE AND HABITAT RESTORATION PROJECT, 1400-1700 BLOCKS EAST CABRILLO BLVD (ANDREE CLARK BIRD REFUGE) AND 1414 PARK PLACE (CULVERT), APN 017-382-001; 017-381-001, PR/SD3 ZONES, GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: OPEN SPACE (MST2016-00344/CDP2011-00014)

The Andree Clark Bird Refuge is a 42 acre open space park and wildlife refuge that includes a 29 acre lake, with three islands, that is an artificially modified estuary containing brackish wetlands. The Refuge supports a varied resident and transient bird population including cormorants, coots, various migrating ducks, egrets, geese, gulls and herons. The Bird Refuge provides passive recreation opportunities to bird watchers, hikers, and bikers through onsite trails, viewing platforms, and 15 parking spaces.
The project involves an amendment to an existing Coastal Development Permit (MST2011-00315/CDP2011-00014) to include an additional five years of routine maintenance to remove marsh vegetation and maintain a culvert in the Andree Clark Bird Refuge, located at the 1400 to 1700 blocks of East Cabrillo Blvd; and maintain in perpetuity a culvert along Old Coast Highway, located at 1414 Park Place that has a hydrological connection to the Bird Refuge.

The original Andree Clark Bird Refuge Vegetation Maintenance Project included 0.93 acres of vegetation removal and 0.89 acres of restoration planting as mitigation for impacts to native wetland marsh habitat. During 2011 and 2012, four thousand native plants were installed in eight habitats on the northern shore of the Bird Refuge. The City’s Parks and Recreation Department has been monitoring and providing reports to the appropriate agencies regarding the restoration. Monitoring will be completed in 2017, pending approval from the various permitting agencies.

For the next five year maintenance period, it is anticipated that 0.18 acres of wetland vegetation including rhizomes and roots in the lake (0.04 acres; rooted), floating vegetation at the beach (0.10 acres) and vegetation in two man-made culverts (up to 0.04 acres plus sediment removal at 1414 Park Place in perpetuity) would be removed. The purpose of the project is to restore water flow and conveyance in the culverts and lake for the purpose of reducing mosquito production and flooding in the vicinity. The discretionary applications required for this project are:

1. **An amendment to the existing Coastal Development Permit** (MST2011-00315/CDP2011-00014) to include indefinite vegetation and sediment removal within a grouted sandstone culvert located at the City of Santa Barbara Municipal Tennis Center, 1414 Park Place, paralleling Old Coast Highway, which is in the Non-Appealable Jurisdiction of the City’s Coastal Zone (SBMC §28.44.060); and

2. **Planning Commission recommendation to the California Coastal Commission** to amend the existing Coastal Development Permit Recommendation (MST2011-00315/CDP2011-00014) and continue another five year routine maintenance period to remove marsh vegetation in the lake and maintain a culvert in the Andree Clark Bird Refuge. The locations of the work are located in the Permanent Jurisdiction of the Coastal Zone (SBMC §28.44.060) which requires approval by the California Coastal Commission.

The original project included the adoption of a Final Mitigated Negative Declaration (MND) on November 10, 2011. An addendum to the MND has been prepared to reflect the next five year maintenance period for the areas located in the Permit Jurisdiction of the Coastal Zone, and for indefinite vegetation and sediment maintenance to the culvert located in the Non-Appealable Jurisdiction of the Coastal Zone at 1414 Park Place.

Contact: Jessica W. Grant, Project Planner
Email: JGrant@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4550
MOTION: Thompson/Jordan
Waive the Staff Report.
This motion carried by the following vote:

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

Jessica W. Grant, Project Planner, answered any of the Planning Commission’s questions.

George Thomson, Parks Capital Project Supervisor, and Cameron Benson, Creeks, Restoration/Clean Water Manager were available to answer any of the Commission’s questions.

Chair Campanella opened public comment at 1:04 P.M., and with no one wishing to speak, public comment was closed.

Public comment was reopened at 1:19 P.M.

Cameron Goodman, Price, Postel & Parma, submitted a letter to the Commission wanting to see the City initiate a Memorandum of Understanding (MOU) with Caltrans and UPRR on coordinated maintenance of the culvert. He was also available to answer any questions.

With no one else wishing to speak, public comment was closed.

MOTION: Thompson/Higgins
Approved the project as outlined in the Staff Report, dated October 27, 2016., making the findings for an amendment to the existing Coastal Development Permit (MST2011-00315/CDP2011-00014) to include indefinite vegetation and sediment removal within a grouted sandstone culvert located at the City of Santa Barbara Municipal Tennis Center, 1414 Park Place, paralleling Old Coast Highway, which is in the Non-Appealable Jurisdiction of the City’s Coastal Zone; and a Planning Commission recommendation to the California Coastal Commission to amend the existing Coastal Development Permit Recommendation and continue another five year routine maintenance period to remove marsh vegetation in the lake and maintain a culvert in the Andree Clark Bird Refuge that is located in the original permit jurisdiction of the Coastal Zone.

This motion carried by the following vote:

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

Chair Campanella announced the ten calendar day appeal period.
IV. STAFF HEARING OFFICER APPEAL:

ACTUAL TIME: 1:28 P.M.

APPLICATION OF MARK MORANDO, DESIGNER FOR BRUCE BIVENS AND LESLIE BRUECKNER, 1127 BATH STREET, APN 039-212-010, R-4 (HOTEL-MOTEL-MULTIPLE RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: HIGH DENSITY RESIDENTIAL (28-36 DU/ACRE) (MST2016-00070)

On August 31, 2016, the Staff Hearing Officer approved an Interior Setback Modification located two feet from the interior setback on the site. The decision of the Staff Hearing Officer has been appealed by the applicant and this hearing is for the Planning Commission to consider the appeal. The 6,026 square foot site is currently developed with a 1,100 square foot, single family dwelling, a detached 298 square foot, two-car garage, and a rear dwelling of 560 square feet. The proposed project involves the demolition of the existing garage and constructing a new, 480 square foot, two-car garage, as well as alterations to the existing rear deck, the infill of an exterior door out of the utility room, and to permit the as-built full bathroom in the utility room.

The discretionary application required for this project is an Interior Setback Modification to allow the proposed garage to encroach into the required 6-foot interior setback (SBMC §28.21.060 and SBMC §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

Contact: Andrew Perez, Planning Technician
Email: ACPerez@SantaBarbaraCA.gov
Phone: (805) 564-5470, ext. 4559

Andrew Perez, Planning Technician, gave the Staff presentation. Danny Kato, Zoning Supervisor, was available to answer any of the Commission’s questions.

Susie Reardon, Staff Hearing Officer was present to provide justification to her decision.

Mark Morando, Designer, gave the appellant presentation. Bruce Bivens and Leslie Brueckner, Owners, were also present to answer any of the Commission’s questions.

Chair Campanella opened public comment at 2:35 P.M. and with no one wishing to speak, closed public comment.
MOTION: Pujo/Thompson

Uphold the appeal, making the findings for the Interior Setback Modification and amend Staff Hearing Officer Resolution No. 053-16 to include the following conditions:

1. Revise Condition II.A to read “the rear garage door shall be subject to approval of the Public Works Department”.
2. Eliminate Condition II.C.
3. Add a new Condition II.C to read “Any runoff, including roof runoff, shall be retained onsite and the garage shall be setback at least the minimum distance required to accommodate the method of stormwater retention chosen by the applicant.”
4. Add a new Condition II.D. to read “The Applicant shall submit proof of access for construction prior to the start of construction.”

Regarding the access issue, Scott Vincent, Assistant City Attorney, recommended to the makers of the motion that they consider the following language: “Demonstrate that they have access to use the adjacent parcel or that they demonstrate to the building official’s satisfaction that they have a construction methodology that does not require that access.”

The Motion maker’s agreed to include Mr. Vincent’s comment and replace No. 4:

4. Add a new Condition II.D. to read “The Applicant shall demonstrate that they have access to use the adjacent parcel or that they demonstrate to the building official’s satisfaction that they have a construction methodology that does not require that access”.

This motion carried by the following vote:

Ayes: 6  Noes: 1 (Jordan)  Abstain: 0  Absent: 0

Commissioner Jordan supports the Staff Hearing Officer’s decision on the setback and cannot support the appeal.

Chair Campanella announced the ten calendar day appeal period.

V. ADMINISTRATIVE AGENDA

ACTUAL TIME: 2:44 P.M.

A. Committee and Liaison Reports
   1. Staff Hearing Officer Liaison Report
      a. Commissioner Jordan reported on the Staff Hearing Officer meeting of October 26, 2016.
2. Other Committee and Liaison Reports


b. Commissioner Lodge reported on the Historic Landmarks Commission meeting of November 2, 2016.

c. Commissioner Campanella reported that he and Commissioner Lodge recently attended the South Coast Affordable Housing meeting.


e. Commissioner Campanella announced that it was First Thursday and encouraged everyone to attend activities.

VI. ADJOURNMENT

Chair Campanella adjourned the meeting at 3:01 P.M.

Submitted by,

[Signature]

Julie Rodriguez, Planning Commission Secretary