



**City of Santa Barbara**  
**PLANNING COMMISSION**  
**MINUTES**  
**AUGUST 24, 2017**

1:00 P.M.  
City Hall, Council Chambers  
735 Anacapa Street  
[SantaBarbaraCA.gov](http://SantaBarbaraCA.gov)

**COMMISSION MEMBERS:**

Jay D. Higgins, *Chair*  
Lesley Wiscomb, *Vice Chair*  
John P. Campanella  
Mike Jordan  
Sheila Lodge  
Deborah L. Schwartz  
Addison Thompson

**STAFF:**

N. Scott Vincent, Assistant City Attorney  
Beatriz Gularte, Senior Planner  
Kathleen Goo, Planning Commission Secretary

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**CALL TO ORDER**

Chair Higgins called the meeting to order at 1:04 p.m.

**I. ROLL CALL**

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

Absent: None

**STAFF PRESENT**

N. Scott Vincent, Assistant City Attorney  
Susan Reardon, Senior Planner  
Beatriz Gularte, Senior Planner  
Tony Boughman, Assistant Planner  
Kathleen Goo, Commission Secretary

**II. PRELIMINARY MATTERS**

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

No requests.

B. Announcements and appeals:

No announcements.

C. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

**\* Item C was moved to the end of the meeting. \***

1. July 6, 2017

**MOTION: Thompson/Jordan**

Approve the July 6, 2017 minutes as amended.

This motion carried by the following vote:

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

Commissioner Wiscomb abstained from the related Minutes of July 6, 2017 pertaining to Item 1903 El Camino de la Luz.

2. PC Resolution No. 011-17  
1903 El Camino de la Luz

**MOTION: Campanella/Jordan**

Approve Resolution No. 011-17 as amended.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 1 Absent: 0

Commissioner Wiscomb abstained from Resolution 011-17.

3. August 10, 2017

**MOTION: Thompson/Jordan**

Approve the August 10, 2017 minutes as amended.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 1 Absent: 0

Commissioner Schwartz abstained from the vote.

4. PC Resolution No. 013-17  
Airport EIR and Airport Master Plan

**MOTION: Thompson/Jordan**

Approve Resolution No. 013-17 as presented.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 1 Absent: 0

Commissioner Schwartz abstained from the vote.

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

No public comment.

**III. STAFF HEARING OFFICER APPEAL**

**ACTUAL TIME: 1:05 P.M.**

**APPLICATION OF IHAB GHANNAM, 2609 DE LA VINA STREET, APN 051-292-003, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (MST2016-00202)**

On June 7, 2017, the Staff Hearing Officer approved an application for a Medical Marijuana Storefront Collective Dispensary Permit at 2609 De La Vina Street. On June 15, 2017, Mr. Peter L. Candy, representing Neighbors Opposed to the De La Vina Dispensary, filed an appeal of the Staff Hearing Officer's approval. A public hearing will be held for the Planning Commission to hear the appeal. The project involves operations and security plans, and proposes interior floor plan improvements, security improvements, and minor exterior alterations to the tenant space in the existing commercial building.

The discretionary application required for this project is a Storefront Collective Dispensary Permit (SBMC §28.80.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

Contact: Tony Boughman, Assistant Planner  
Email: [TBoughman@SantaBarbaraCA.gov](mailto:TBoughman@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4539

Tony Boughman, Assistant Planner, gave the Staff presentation. Tava Ostrenger, Assistant City Attorney and Anthony Wagner, Santa Barbara Police Department Health & Safety Manager were available to answer questions.

Peter Candy, Attorney, gave the Appellant presentation, representing Neighbors Opposed to the De La Vina Dispensary.

Rebecca Eggeman, Attorney, gave the Applicant presentation. Ihab Ghannam, Applicant and Bill Wolf, Architect, Pacific Architects were available to answer questions.

Public comment opened at 1:57 p.m.

The following people spoke in support of the Appeal:

1. Kathryn Richardson cited issues of security, parking, neighborhood compatibility, and nuisance factors.
2. Bill Weil cited issues of parking, security factors, and neighborhood compatibility.

Correspondence from a "Robert-SB Guy" was acknowledged.

The following people spoke in opposition to the Appeal:

1. Josiah Jenkins, local business owner, spoke in support of the improvements that the dispensary would bring to the area, such as improvements to previous neighborhood homeless problems, graffiti, neighborhood cleanliness, and a security presence in the area.
2. Dan Fox spoke in support of storefront dispensaries in general.

Correspondence of concern from Anna Marie Byrne, Thomas Bryne, Florence J. Sanchez, Nora Gallagher, and Richard Kandler were acknowledged.

Public comment closed at 2:07 p.m.

**\* THE COMMISSION RECESSED FROM 3:09 TO 3:15 P.M. \***

Commissioners Wiscomb, Jordan, Schwartz, Campanella, Thompson, and Lodge explained their reasons for denying the appeal and supporting the Staff Hearing Officer decision. In summary, they felt that with some added conditions, the application adequately addresses concerns regarding traffic, parking, security, and operation requirements.

Commissioners also expressed support for the project because it has been reviewed by Planning and Police Department staff and the Staff Hearing Officer, and found that sufficient security measures have been taken.

Commissioners Jordan and Thompson expressed that any commercial project would have similar difficulty meeting design requirements, such as parking, given the location of the site.

Commissioner Higgins differed from the rest of the Commission and did not support the project because the bar should be set high for projects proposing this dispensary use; Council did not look parcel-by-parcel when it determined allowed areas for dispensaries; parking in front of a dispensary use is preferred; this application could be continued for another few months to consider it with regard to future cannabis regulations; and the application was not well developed by the Applicant.

Mr. Boughman and Ms. Reardon stated that the staff recommendation is to clarify the operations to require that security escorts to parking for members/patrons shall be on a request basis and is not mandatory.

**MOTION: Wiscomb/Schwartz**

**Assigned Resolution No. 014-17**

Deny the appeal and uphold the Staff Hearing Officer decision, having considered the twelve Criteria for Issuance, with additional conditions of approval to the Staff Hearing Officer Resolution No. 041-17, dated June 7, 2017, as follows:

1. Consumption of cannabis shall not be allowed on the premises by anyone, including staff.
2. Parking on site shall be allocated on a "first-come, first-served" basis, not reserved for staff.
3. When the managing member logs an incident into the log-of-concern, a copy shall be sent to the Santa Barbara Police Department immediately on an incident-by-incident basis. When the incident is resolved, a copy of how it was resolved shall be sent to the Santa Barbara Police Department for tracking.
4. The Operation Plan shall reflect that upon members requesting a security guard escort to their transportation vehicle, said escort shall be provided, and that this escort is not mandatory.

This motion carried by the following vote:

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

The ten calendar day appeal period was announced.

**IV. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 3:55 P.M.**

**A. Committee and Liaison Reports:**

**1. Staff Hearing Officer Liaison Report**

No report.

**2. Other Committee and Liaison Reports**

- a. Commissioner Lodge reported on the Historic Landmarks Committee meeting of August 23, 2017.
- b. Commissioner Campanella reported on the Architectural Board of Review meeting of August 14, 2017.
- c. Commissioner Schwartz reported on the Local Coastal Plan Subcommittee for next month's meeting and on the Highway 101 HOV parallel projects, and asked Ms. Gularte to request Transportation Planning staff to brief the Planning Commission on those two parallel City projects.

**V. ADJOURNMENT**

Chair Higgins adjourned the meeting at 4:00 p.m.

Submitted by,

  
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Kathleen Goo, Commission Secretary