



# City of Santa Barbara

## PLANNING COMMISSION

### MINUTES

### OCTOBER 4, 2018

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

#### COMMISSION MEMBERS:

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

#### STAFF:

N. Scott Vincent, Assistant City Attorney  
Allison DeBusk, Senior Planner  
Krystal M. Vaughn, Senior Commission Secretary

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#### CALL TO ORDER

Chair Wiscomb called the meeting to order at 1:01 p.m.

#### I. ROLL CALL

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

#### STAFF PRESENT

Tava Ostrenger, Assistant City Attorney  
Allison De Busk, Senior Planner  
Joe Poire, Fire Prevention Division Chief  
Tony Boughman, Assistant Planner  
Krystal M. Vaughn, Senior Commission Secretary

#### II. PRELIMINARY MATTERS

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

Ms. De Busk announced that the applicant for Item III.A, PATH Update, has requested a continuance to December 6, 2018.

B. Announcements and appeals.

No announcements.

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

1. September 6, 2018 Minutes

2. PC Resolution No. 020-18  
Westmont College

**MOTION: Schwartz/Lodge**

Approve the minutes and resolution as amended.

The motion carried by the following vote:

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

3. September 13, 2018 Minutes

4. PC Resolution No. 021-18  
1220 State Street, 1222 State Street And 20 E. Victoria Street

**MOTION: Schwartz/Lodge**

Approve the minutes and resolution as amended.

The 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:

No public comment.

### III. **NEW ITEM**

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

**STATUS REPORT FROM PEOPLE ASSISTING THE HOMELESS (PATH), 816 CACIQUE AND 100 SOUTH QUARANTINA STREETS, APNS 017-240-021, 017-113-035 & -017-113-034, M-1 LIGHT MANUFACTURING, C2 GENERAL COMMERCE AND S-D-3 COASTAL OVERLAY ZONES, LOCAL COASTAL PLAN DESIGNATION: INDUSTRIAL (MST99-00432)**

The purpose of this meeting is for People Assisting the homeless (PATH) to provide its Two-Year Progress Report on the operation of the Emergency Homeless Shelter, located at 816 Cacique Street, as required by Condition II.F of Planning Commission Resolution 008-09.

**MOTION: Schwartz/Campanella**

Postpone the PATH Update to the December 6, 2018 agenda as requested by the applicant and agreed to by the City.

The motion carried by the following vote:

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

**B. ACTUAL TIME: 1:07 P.M.****APPLICATION OF MARK LLOYD, APPLICANT FOR JASON L. RICK, PROPERTY OWNER, 104 JORGENSEN LANE, APN 021-110-038, RS-1A ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL 1 DWELLING UNIT/ACRE (MST2017-00713)**

The project consists of a two-lot subdivision of an existing 4.37 acre lot resulting in Lot 1 at 2.28 acres and Lot 2 at 2.09 acres (1.66 acres net), and construction of a new two-story single residential unit and attached three-car garage on Lot 2. The proposed house and garage on proposed Lot 2 total approximately 5,114 square feet and is 95% of the guideline maximum floor-to-lot area ratio (FAR). Proposed grading consists of 625 cubic yards of cut and 300 cubic yards of fill. The project would be served by an existing 20 foot private street. A development envelope on Lot 1 exists for the existing house, and a development envelope is proposed for the new Lot 2.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map to allow the division of one lot into two lots (SBMC Chapter 27.07);
2. Two Street Frontage Modifications to allow the proposed lots to have less than the required street frontage on a public street because Jorgensen Lane is a private street (SBMC §30.250.020.B); and
3. Two Public Street Waivers to create two new lots that are not served by a public street because Jorgensen Lane is a private street (SBMC §22.60.300.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, New Construction and Section 15183, Projects Consistent with a Community Plan or Zoning.

Tony Boughman, Assistant Planner, gave the Staff presentation. Joe Poire, Fire Prevention Division Chief was available to answer questions.

Mark Lloyd, Agent, gave the Applicant presentation, and was joined by Jason L. Rick, Property Owner.

Public comment opened at 2:27 p.m.

The following people spoke in opposition or with concerns:

1. John Warnock explained that the Planning Commission, in 2007, approved the subject property with four lots and that decision was subsequently overturned by the City Council. Though he understands that decision is not binding, the concerns, logic, and rationale behind that decision by the City Council back in 2007 have not been eliminated over time but have increased. Mr. Warnock also submitted written correspondence to the Commission.
2. Dr. David Unger expressed concerns regarding the property being in a high fire zone, explained that the proposed home is very large for the neighborhood, and noted the bottleneck at Jorgensen Lane and Mountain Drive and expressed concern regarding egress and ingress for safety personnel.

3. Randall Wade commented that the project will damage the neighborhood and surrounding wildlife, and will not aid the city's housing crisis.
4. Cody Cammbell explained that the proposed project is in a high fire area and the risk of fire has only increased since the City Council passed Resolution 07-086, in which the Council agreed with the neighborhood's concerns and limited the subdivision to three lots instead of the four proposed. Stated that Staff did not consider the surrounding community in evaluating neighborhood compatibility; the proposed house is too large. The five proposed parking spaces could double the number of cars exiting Jorgensen Lane in an emergency.
5. Dr. Jill Stein is surprised that this is being brought back to City even though a decision was made years ago to keep the development to three lots and not four. Dr. Stein explained that the project will impose negative impacts on the community's housing market, traffic, and will create safety concerns in this high fire zone area. Concerned with evacuation.
6. Bill Mahan explained that if this lot merger were to be approved, an easement for service should be included in the conditions of its approval because the City of Santa Barbara Public Works Department does not have access to maintain or service existing manholes north of the project site. Noted that the existing culvert across the drainage needs to be repaired.
7. Leslie Gutierrez Jones discussed concerns with emergency evacuation and over development of the area. Ms. Jones also submitted written correspondence to the Commission.

Public comment closed at 2:45 p.m.

Commissioner comments:

Commissioner Jordan:

- Is comfortable with the project and staff's recommendation.
- The Fire Department is the expert on fire safety and they are comfortable with the project.
- The Single Family Design Board was comfortable with the house size, so it is acceptable to him.
- The proposed project meets the City's Zoning Ordinance Requirements for lot area including dueling units per acre and slope restrictions and therefore agrees with the staff reports findings.
- Would like a condition added to monitor tree planting and habitat restoration. Something simpler than a bond could be acceptable for monitoring, such as a 5 year monitoring period.

Commissioner Higgins:

- Would like to see language added to the findings specifically noting that the project is consistent with the Safety Element, including policies S33 and S34, in that there are no evacuation route obstacles, restrictions or retardants. Adding this language would make the document more defensible.
- The decision that was made 11 years ago by City Council was not a denial of the project but rather a compromise to bring a project forward that was more acceptable to the neighbors; so supporting the project today would not create any conflict.

**Commissioner Schwartz:**

- Noted that she considers precedence and values prior Commissions and their decisions, but also looks at the current circumstances.
- Acknowledges the concerns of neighbors but also acknowledges that it is a personal choice for those who live in high fire zones and there is inherent risk with that choice.
- Agrees with Commissioner Higgins that additional language should be included from the city's Safety Element to support the findings in the staff report.
- Is in support of a dedicated access easement, as volunteered by the applicant.
- Is in support of repair and ongoing maintenance of the old culvert, as volunteered by the applicant.
- Unused, natural boulders should not remain onsite unsecured as they could pose a risk.
- Agrees with Commissioner Jordan's comment regarding landscape maintenance and implementing monitoring for the first five years.
- Recommends updated language for Condition of Approval F2, Construction Storage/Staging, to specifically prohibit storage and staging in the private right of way.
- Is uncomfortable applying policies that should be in place on a project-by-project basis, and will be reaching out to reprioritize the effort to officially update the city's Wildland Fire Plan.

**Commissioner Campanella:**

- Agrees with fellow commissioners and the added conditions that are being considered.
- Focusing on the public street waiver, there will now be four property owners contributing financially to maintenance of the street, which will benefit all who use the road.
- Finds that the development of the new residence will provide a benefit for fire suppression due to creating fire break and providing defensible space.

**Commissioner Lodge:**

- Disagrees with fellow commissioners and explained that things such as extended drought, climate change, extreme heat, etcetera have all influenced the community over the years.
- Because of increased density associated with Accessory Dwelling Units (ADU's) and Junior ADUs now being allowed in high fire zones, including the lots on Jorgensen Lane, approving the proposed tentative subdivision map will also allow the potential of an ADU on the three existing and one new proposed lot which is too much density and intensity for the area considering recent events and the new climate.

**Commissioner Thompson:**

- Since 2007, when the original subdivision was considered, a 20-foot wide access road has been installed to enable fire department access and enhances the exit, and there are now fire-hydrants where there was once wildland vegetation and unkept trees.

- With the building envelopes being cleared, as stated by the Fire Chief, the safety of the neighborhood is being enhanced instead of being degraded by the development.
- The restoration of the riparian corridor is a positive both from the standpoint of fire and wildlife.
- Is in support because the subdivision meets all of the requirements of state and city law.

Chair Wiscomb:

- Can support the project.
- Concurs with augmenting the findings related to Safety Element policies.
- Provided a list of recommended conditions based on commission discussion.

**MOTION: Jordan/Thompson**

**Assigned Resolution No. 022-18**

Approve the project, making the findings for the Tentative Subdivision Map, Two Street Frontage Modifications, and Grant Two Public Street Waivers as outlined in the Staff Report dated September 27, 2018, subject to the Conditions of Approval as outlined in the Staff Report, with the following comments and revisions to the Conditions of Approval and Findings:

1. The Commission makes the finding that the project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and CEQA Certificate of Determination on file for this project.
2. Add the following language to the findings under Section A, The Tentative Map: The project is consistent with the Safety Element, specifically with regard to the policies in the Safety Element concerning fire hazard programs and evacuation routes.
3. Any oak trees removed shall be replaced with 24-inch box coast live oaks at a replacement ratio of 3 to 1.
4. Dedicate an access easement that is 10 feet wide, with 11 feet of vertical clearance, to the City for the maintenance of the existing manholes and repair and maintain said unimproved access and the culvert.
5. Require a vegetation monitoring period of five years for the oaks and creek restoration vegetation.
6. Add language regarding boulders, including how they will be removed and disposed of safely, or if they are to remain on site, an anchoring system must be in place that the City has deemed safe

The motion carried by the following vote:

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

The ten calendar day appeal period was announced.

**IV. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 3:45 P.M.**

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

Commissioner Higgins reported on the Staff Hearing Officer meeting of September 26, 2018.

2. Other Committee and Liaison Reports

- a. Commissioner Schwartz reported on the ribbon cutting for the Natural History Museum's Oak Woodland Area which took place on September 21, 2018.
- b. Commissioner Thompson reported on the 1909 El Camino De La Luz City Council appeal hearing of September 19, 2018.
- c. Chair Wiscomb reported on the Downtown Parking Committee meeting of September 20, 2018 and the Sea Level Rise meeting on September 25, 2018.
- d. Commissioner Higgins announced the American Planning Association's Citizen's Planning Academy, which started on October 3, 2018.

**V. ADJOURNMENT**

Chair Wiscomb adjourned the meeting at 3:52 p.m.

Submitted by,

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Krystal M. Vaughn, Senior Commission Secretary