



# City of Santa Barbara

## STAFF HEARING OFFICER AGENDA MARCH 13, 2019

9:00 A.M.  
David Gebhard Public Meeting Room  
630 Garden Street  
[SantaBarbaraCA.gov](http://SantaBarbaraCA.gov)

**STAFF:**  
Susan Reardon, Staff Hearing Officer/Senior Planner  
Heidi Reidel, Commission Secretary

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**PUBLIC HEARING PROCEDURE:** This agenda is subject to change. Applicants and interested parties should plan to arrive at 9:00 a.m.

The order of presentation after the Staff Hearing Officer introduces an item is as follows: 1. Staff Presentation (3 minutes)\*; 2. Applicant Presentation (5 minutes)\*; 3. Public Hearing\*; 4. Additional response by Applicant/Staff (5 minutes)\*; 5. Staff Hearing Officer questions and comments; 6. Staff Hearing Officer consideration of Findings and Conditions of Approval; and 7. Action taken by the Staff Hearing Officer. \**Time may be extended or limited by the Staff Hearing Officer.*

**PUBLIC COMMENT:** The public is invited to comment on any item on the agenda. The Staff Hearing Officer will announce when public testimony can be given for each item. Speaker slips are available by the door and should be handed to staff before the agenda item begins. Due to time constraints, individual comments are typically limited to two minutes. Written comments are also welcome. Mail to SHO Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990 or email to [SHOSecretary@SantaBarbaraCA.gov](mailto:SHOSecretary@SantaBarbaraCA.gov). Please note that the Staff Hearing Officer may not have time to consider written comments received after 4:30 p.m. on the Monday before the meeting.

**AGENDAS, MINUTES, & REPORTS:** Documents relating to agenda items are available for review in the Community Development Department at 630 Garden Street, and agendas, minutes, and reports are also posted online at [SantaBarbaraCA.gov/SHO](http://SantaBarbaraCA.gov/SHO). Please note that online Staff Reports may not include some exhibits. Materials related to an item on this agenda submitted to the Staff Hearing Officer after distribution of the agenda packet are available for public inspection in the Community Development Department at 630 Garden Street during normal business hours.

**PLANS & ADDITIONAL INFORMATION:** The scope of a project may be modified as it proceeds through the planning process. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, contact the Case Planner as listed in the project description. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday (see [SantaBarbaraCA.gov/Calendar](http://SantaBarbaraCA.gov/Calendar) for closure dates).

**AMERICANS WITH DISABILITIES ACT:** If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, contact the SHO Secretary at (805) 564-5470. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

**TELEVISION COVERAGE:** Staff Hearing Officer meetings are broadcast live on City TV-Channel 18 and online at [SantaBarbaraCA.gov/CityTV](http://SantaBarbaraCA.gov/CityTV). See [SantaBarbaraCA.gov/CityTVProgramGuide](http://SantaBarbaraCA.gov/CityTVProgramGuide) for a rebroadcast schedule. An archived video of this meeting will be available at [SantaBarbaraCA.gov/SHOVideos](http://SantaBarbaraCA.gov/SHOVideos).

**APPEALS & SUSPENSIONS:** Most items before the Staff Hearing Officer may be appealed to the Planning Commission. In addition, the Planning Commission may take action to suspend any decision of the Staff Hearing Officer and schedule a public hearing before the Planning Commission to review said decision. Any appeal or suspension must be filed with the Community Development Department within 10 calendar days of the date of the Staff Hearing Officer decision.

### **NOTICE OF CASE NUMBER FORMAT CHANGE**

*The City has recently updated permit tracking software necessitating a change to the case number prefix from "MST" to "PLN."*

#### **I. PRELIMINARY MATTERS**

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
- B. Announcements and appeals.
- C. Comments from members of the public pertaining to items not on this agenda. Due to time constraints, each person is limited to two minutes.

#### **II. CONTINUED ITEM CONTINUED FROM FEBRUARY 27, 2019**

#### **APPLICATION OF RYAN HOWE, APPLICANT, MERRY MILPAS LLC, OWNER, 118 NORTH MILPAS STREET, APN 017-091-016, C-G (COMMERCIAL GENERAL) ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL (PLN2015-00319)**

The approved Medical Marijuana Storefront Collective Dispensary known as "The Canopy" proposes to amend its approved Dispensary Permit. Revisions are proposed to the Operations Plan and Security Plan, and would allow serving patients age 18 and over, would remove residency requirements for patients, and would increase security guard coverage. Other revisions consist of removal and additions of management members, and changes to the Canopy's By-Laws, Board Resolutions, and Articles of Incorporation. The proposed changes, with City staff's recommended revisions, would be consistent with current State Law and City Ordinance. No changes are proposed for the existing 2,264 square foot commercial building or the site.

The discretionary application required for this project is an Amendment to the Medical Cannabis Dispensary permit (SBMC §30.185.250.C).

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).

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

Phone: (805) 564-5470

**III. PROJECTS****A. APPLICATION OF KIMBERLY SCHIZAS, AGENT FOR STEPHEN MCHUGH, 1633 OVERLOOK LANE, APN 015-191-001, RS-15 ZONE (RESIDENTIAL SINGLE UNIT), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (PLN2018-00064)**

The 24,818 square-foot site is currently developed with a two-story single family residence and detached two-car garage. The proposed project involves a residential addition, permitting two “as-built” pergolas, trimming the hedges in the right-of-way, and permitting of the “as-built” location of pool equipment in the interior setback.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Front Setback Modification to allow for “as-built” pergolas to remain in the 30’-0” required front setback (SBMC Table 30.20.030.A and SBMC §30.250.030.B).

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

Case Planner: Stephanie Swanson, Assistant Planner  
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**B. APPLICATION OF BRITTON JEWETT, PROPERTY OWNER, 403 LOMA ALTA DRIVE, APN 035-243-002, RS-15 ZONE (RESIDENTIAL SINGLE UNIT), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (PLN2016-00245)**

The 23,187 square-foot site is currently developed with a two-story single family residence that is a designated City Landmark. The lot is located at the intersection of Loma Alta Drive and Weldon Drive.

The proposed project involves abatement of all remaining violations listed in ENF2011-00952, which includes replacing a garage that was previously demolished without the required building permit. Abatement of more minor violations of ENF2011-00952 (“as-built” fencing, shed, patio cover, and laundry hook-ups) has been resolved, but not documented with an approved permit to close the case. A detached two-car garage is proposed as part of the subject application.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Front Setback Modification to allow for construction of a detached two-car garage within the required 30'-0" front setback (SBMC Table 30.20.030.A and SBMC §30.250.030.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 or Conversion of Small Structures) and 15305 (Minor Alterations in Land Use Limitations).

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**IV. ADJOURNMENT**