

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal
Second District - Janet Wolf, Chair
Third District - Doreen Farr
Fourth District - Joni Gray, Vice Chair
Fifth District - Joseph Centeno

Michael F. Brown, County Executive Officer

Agenda

Tuesday, March 16, 2010

9:00 AM

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 8:00 A.M. and 9:00 A.M. and between 1:00 P.M. and 2:00 P.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

7:50 A.M. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[10-00009](#)

Closed Session Agenda

Approval of Minutes of the previous Meeting

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Honorary Resolutions

A-1) SUPERVISOR CARBAJAL

[10-00259](#)

Adopt a Resolution of Commendation honoring Casa Serena upon receiving the First District 2010 Commission for Women Annual Service Award.

A-2) SUPERVISOR WOLF

[10-00246](#)

Adopt a Resolution of Commendation honoring Santa Barbara City College's Single Parent Arriving Ready for College program upon receiving the Second District 2010 Commission for Women Annual Service Award.

A-3) SUPERVISOR FARR

[10-00244](#)

Adopt a Resolution of Commendation honoring People Helping People's Family Strengthening Program upon receiving the Third District 2010 Commission for Women Annual Service Award.

A-4) SUPERVISOR GRAY

[10-00258](#)

Adopt a Resolution of Commendation honoring the Women's Fund of Northern Santa Barbara County upon receiving the Fourth District 2010 Commission for Women Annual Service Award.

A-5) SUPERVISOR CENTENO [10-00260](#)

Adopt a Resolution of Commendation honoring the Marian Medical Breast Care Center upon receiving the Fifth District 2010 Commission for Women Annual Service Award.

Administrative Items**A-6) COUNTY COUNSEL [10-00247](#)**

Approve the Conflicts of Interest Code of the Santa Barbara County Employees' Retirement System.

A-7) COUNTY COUNSEL [10-00248](#)

Adopt a Resolution in support of the Land Trust's application for state and federal funding for the purpose of acquiring a California Farmland Conservation Easement on the Hibbits property, APNs 099-150-003, 099-150-029, 099-150-030, and 099-150-005, Fourth District.

A-8) COUNTY EXECUTIVE OFFICE [10-00263](#)

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).

A-9) GENERAL SERVICES [10-00253](#)

Consider recommendations regarding Permission to Bid for the Lompoc Veterans Memorial Building Roof Replacement Project, located at 100 E. Locust Ave. in Lompoc, CA, County Project No. 8584, estimated cost of the project is \$255,000.00 and it is being funded by a grant from the Wood-Claeysens Foundation, Fourth District, as follows:

a) Adopt the Final Mitigated Negative Declaration CEQA and NEPA documents dated August 24, 2010 on file in the General Services Department;

b) Approve the plans and specifications on file in the General Services Department and prepared by CSA Architects (a local vendor) for the Lompoc Veterans Memorial Building Roof Replacement project; and

c) Authorize the General Services Department to advertise the Lompoc Veterans Memorial Building Roof Replacement project for public bidding.

A-10) PLANNING AND DEVELOPMENT [10-00159](#)

Consider the adoption (second reading) of an Ordinance amending the Building and Safety Fee Schedule to include a penalty fee provision on building permits submitted in response to a building violation, to be effective 60 days from adoption.

A-11) PLANNING AND DEVELOPMENT**[10-00249](#)**

Approve and authorize the Chair to execute an Agreement to provide planning services between the County of Santa Barbara and the City of Carpinteria for a period ending on February 16, 2015, on a time and materials basis, First District.

A-12) PUBLIC HEALTH**[10-00245](#)**

Adopt a Resolution authorizing the Santa Barbara County Emergency Medical Services Agency to conduct State and Federal Bureau of Investigation criminal background checks on prospective Emergency Medical Technician certification applicants.

A-13) PUBLIC WORKS**[10-00256](#)**

Consider recommendations regarding the Stubblefield Extension easement and authorization to construct, County Project No. 720767, Fourth District, as follows: (4/5 Vote Required)

a) Accept an Exclusive Easement Deed for road improvements on County APNs 101-400-001 and 101-400-002 from Rice Ranch Ventures, L.L.C. by authorizing the Clerk of the Board to execute the Certificate of Acceptance;

b) Authorize the Director of Public Works to enter into a reimbursement agreement for an amount not to exceed \$325,000.00 with Martin-Ferrell Homes (a local vendor) for the construction of the Stubblefield Road extension; and

c) Approve Budget Revision No.0000801.

A-14) PUBLIC WORKS**[10-00257](#)**

Consider recommendations regarding parking restrictions on Antone Road, Second District, as follows:

a) Adopt a Resolution for the establishment of a No Parking Zone on Antone Road; and

b) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the establishment of a No Parking Zone on Antone Road.

A-15) TREASURER-TAX COLLECTOR**[10-00254](#)**

Receive and file the DNA Identification Fund Report for the 2009 calendar year.

Board of Supervisors**A-16) SUPERVISOR WOLF****[10-00261](#)**

Approve the appointment of Takashi Michael Wada, MD to the CenCal Health Board of Directors, term ending December 31, 2012, Second District.

Hearing Requests**A-17) PLANNING AND DEVELOPMENT****[10-00250](#)**

Set hearing to consider recommendations regarding options for allocating Coastal Resource Enhancement Fund (CREF) Grants in the 2010 Cycle, as follows:
(Set hearing for 3/23/10. Time estimate 45 minutes.)

a) Choose one of the following two options provided, as to the types (internal or internal/external) of General Allocation projects the Board would like to fund with fees collected in the 2010 cycle:

i) Conduct a solicitation from County agencies only; or

ii) Conduct a full solicitation from all eligible applicants, internal and external; and

b) Choose among the following options provided, regarding the minimum percentage of annual fees that is deferred for coastal acquisitions in 2010:

i) Defer 50% of the 2010 CREF fees to Acquisitions for a total of \$383,698.88 in General Allocations and \$689,576.87 in Acquisitions;

ii) Defer 65% of the 2010 CREF fees to Acquisitions for a total of \$290,248.88 in General Allocations and \$783,026.87 in Acquisitions;

iii) Defer 0% of the 2010 CREF Fees to Acquisitions for a total of \$695,198.88 in General Allocations and \$378,076.87 in Acquisitions; or

iv) Defer 100% of the 2010 CREF Fees to Acquisitions for a total of \$72,198.88 in General Allocations and \$1,001,076.87 in Acquisitions; and

c) Continue this hearing to April 6, 2010 to approve revisions to Section 3.6, entitled "Fund Deferral Program" of the CREF Guidelines, if necessary.

A-18) PLANNING AND DEVELOPMENT**[10-00252](#)**

Set hearing to consider recommendations regarding information and a discussion on Coastal Commission suggested modifications to County and Montecito Land Use and Development Codes, as follows:
(Set hearing for 4/6/10. Time estimate 45 minutes.)

a) Receive and file a report from the Planning and Development Department regarding modifications to the County and Montecito Land Use and Development Codes as recommended by Coastal Commission Staff; and

b) Provide comments for the Planning and Development Department to transmit to the Coastal Commission at their April, 2010 hearing.

A-19) PLANNING AND DEVELOPMENT**10-00262**

Set hearing to consider recommendations regarding options for allocating additional, unanticipated Federal Coastal Impact Assistance Program (CIAP) revenue, as follows:
(Set hearing for 3/23/10. Time estimate 45 minutes.)

a) Approve the allocation of additional, unanticipated CIAP funds in the amount of \$555,081.80, choosing projects from established lists, or revising these lists to add one or more projects, and direct staff to return with a Resolution on the April 6, 2010 Administrative Agenda to memorialize the allocation;

b) Adopt a Resolution approving a minor revision to the Agricultural Commissioner's Santa Ynez River Restoration grant; and

c) Direct staff to return to the Board of Supervisors to adopt a major or minor amendment to the current Coastal Impact Assistance Plan concurrent with the Board's decision of Goleta Beach.

A-20) PUBLIC WORKS**10-00255**

Set hearing to consider recommendations regarding the County of Santa Barbara's Exclusive Franchise Agreements for Solid Waste Collection, Second, Third, Fourth and Fifth Districts, as follows:
(Set hearing for 4/6/10. Time estimate 1 hour.)

a) Approve the following Subcommittee recommendations:

i) Approve franchise agreement term limits of 8 years with an expiration date of June 30, 2019 for franchises now under consideration in Zones 2, 4 and 5;

ii) Approve requiring a minimum of 2 service providers in the County unincorporated area, which will require a future amendment to County Code Chapter 17;

iii) Approve reconfiguring the service areas, Zones 4 and 5, in the North County;

iv) Approve maintaining the current Zone 2 boundaries on the South Coast and cooperating with the City of Goleta in the procurement process to the extent possible; and

v) Approve competitive procurement paths for both the northern and southern service areas that limit competition to the 3 existing service providers, Allied Industries, MarBorg Industries, and Waste Management; and

b) Direct the Solid Waste Franchise Project Team to incorporate these recommendations into the procurement process and return to the Board in the summer of 2010 with Request For Proposals for solid waste collection.

A-21) PUBLIC WORKS[10-00251](#)

Set hearing to consider recommendations regarding the appeal of denial of issuing a Certificate of Compliance by the County Surveyor on APN 133-070-035, 09CC100, Foxen Oaks, Fifth District, as follows:

(Set hearing for 3/23/10. Time estimate 30 minutes.)

a) Uphold the decision by the County Surveyor and deny issuing a Certificate of Compliance on APN 133-070-035; or

b) Direct the County Surveyor to issue a Certificate of Compliance on APN 133-070-035.

ADDENDUM

Item A-22) is added to the Administrative Agenda, as follows:

A-22) SUPERVISOR CENTENO[10-00193](#)

Set hearing to consider the establishment of a limited term (six months) Advisory Commission on Retirement Benefit Alternatives.

(Set hearing for 3/23/10. Time estimate 30 minutes.)

Approval of Administrative Agenda**Board Member Reports****Public Comment Period**

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (10-00001)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR IS NOT APPROPRIATE.

Departmental Agenda
Planning Items and Public Hearings

Reception to follow Item No. 1) in the Board of Supervisors' Conference Room

1) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [10-00217](#)

HEARING - Receive a Women's History Month Service Awards Presentation from the County of Santa Barbara Commission for Women for the following five organizations: (EST. TIME: 20 MIN.)

- a) First District - Casa Serena;
- b) Second District - Single Parents Arriving Ready for College (SPARC) Program, Santa Barbara City College;
- c) Third District - Family Strengthening Program, People Helping People of Santa Ynez Valley;
- d) Fourth District - Women's Fund of Northern Santa Barbara County; and
- e) Fifth District - Marion Medical Breast Cancer Care Center.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) COUNTY EXECUTIVE OFFICE [10-00123](#)

HEARING - Consider recommendations regarding the Fiscal Year 2010-2011 Budget Development Workshop: Potential Service Level Impacts, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Receive and file the Fiscal Year 2010-2011 Potential Service Level Impacts Report; and
- b) Direct staff to proceed with the Fiscal Year 2010-2011 budget development process in accordance with the Board of Supervisor's adopted budget principles and other policy priorities.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) HOUSING AND COMMUNITY DEVELOPMENT[09-00969](#)

HEARING - Consider recommendations regarding the Municipal Energy Financing Program Resolution of Intention, as follows: (EST. TIME: 30 MIN.)

a) Determine that the proposed Contractual Assessment Program (program) is not a 'project', pursuant to Section 15378(b)(4) of the California Environmental Quality Act (CEQA) Guidelines;

b) Adopt a Resolution Declaring Intention to Finance Installation of Distributed Generation Renewable Energy Sources, and Energy Efficiency and Water Efficiency Improvements (Resolution of Intention); and

c) Set a hearing on April 13, 2010 to consider the adoption of the proposed program, including all associated documentation.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PLANNING AND DEVELOPMENT[10-00206](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB02 permit, Case No. 09CDP-00000-0052, located in the public right of way of Middle Road adjacent to APN 009-170-005 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

a) Uphold the appeal, Case No. 10APL-00000-00007, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-0052;

b) Make the required findings for approval of Case No. 09CDP-00000-0052, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;

c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;

d) Grant de novo approval of Case No. 09CDP-00000-0052, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and

e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) PLANNING AND DEVELOPMENT[10-00202](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB03 permit, Case No. 09LUP-00000-00381, located in the public right of way of Park Lane adjacent to APN 007-120-013 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00008, thereby overturning the Montecito Planning Commission's denial of Case No. 09LUP-00000-00381;
- b) Make the required findings for approval of Case No. 09LUP-00000-00381, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09LUP-00000-00381, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

6) PLANNING AND DEVELOPMENT[10-00212](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB06 permit, Case No. 09CDP-00000-00053, located in the public right of way of Olive Mill Road adjacent to APN 009-230-027 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00005, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-00053;
- b) Make the required findings for approval of Case No. 09CDP-00000-00053, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;

d) Grant de novo approval of Case No. 09CDP-00000-00053, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and

e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

7) PLANNING AND DEVELOPMENT

[10-00207](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB08 permit, Case No. 09LUP-00000-00317, located in the public right of way of Olive Mill Road adjacent to APN 009-130-015 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

a) Uphold the appeal, Case No. 10APL-00000-00004, thereby overturning the Montecito Planning Commission's denial of Case No. 09LUP-00000-00317;

b) Make the required findings for approval of Case No. 09LUP-00000-00317, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;

c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;

d) Grant de novo approval of Case No. 09LUP-00000-00317, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and

e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

8) PLANNING AND DEVELOPMENT

[10-00214](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB09 permit, Case No. 09CDP-00000-00055, located in the public right of way of San Ysidro Road adjacent to APN 009-262-003 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

a) Uphold the appeal, Case No. 10APL-00000-00003, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-00055;

- b) Make the required findings for approval of Case No. 09CDP-00000-00055, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09CDP-00000-00055, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

9) PLANNING AND DEVELOPMENT

[10-00210](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB13 permit, Case No. 09CDP-00000-00056, located in the public right of way of N. Jameson Lane adjacent to APN 007-350-010 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00002, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-00056;
- b) Make the required findings for approval of Case No. 09CDP-00000-00056, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09CDP-00000-00056, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

10) PLANNING AND DEVELOPMENT[10-00205](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB14 permit, Case No. 09LUP-00000-00319, located in the public right of way of Sheffield Drive adjacent to APN 007-240-012 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00006, thereby overturning the Montecito Planning Commission's denial of Case No. 09LUP-00000-00319;
- b) Make the required findings for approval of Case No. 09LUP-00000-00319, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09LUP-00000-00319, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

11) PLANNING AND DEVELOPMENT[10-00216](#)

HEARING - Consider recommendations regarding the Montecito Planning Commission on Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 and 10TEX-00000-00011 regarding a request by the applicant, Caruso Affiliated, for time extensions for the Miramar Beach Resort & Bungalows Project, First District, as follows: (EST. TIME: 1 HR.)

- a) Accept the required findings for approval of the project specified in the Montecito Planning Commission staff report dated February 24, 2010, including the California Environmental Quality Act (CEQA) findings;
- b) Accept 08EIR-00000-00003 and 00-ND-003, as revised in the Addendum dated September 25, 2008, as adequate Environmental Review for Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 and 10TEX-00000-00011, pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act; and
- c) Approve the project, Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 and 10TEX-00000-00011.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to**March 23, 2010****Betteravia Government Center****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****Challenges**

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, March 16, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 18, 2010, at 5:00 PM and on Saturday, March 20, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>