



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and Development
Department No.: 053
For Agenda Of: April 2, 2024
Placement: Administrative; Set Hearing on April 2, 2024, for May 7, 2024
Estimated Time: 1 hour on May 7, 2024
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Lisa Plowman, Director, Planning and Development
Director(s) (805) 568-2086
Contact Info: Travis Seawards, Deputy Director, Planning and Development
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SUBJECT: Set Hearing to Consider the Sanford Appeal, Case No. 23APL-00021, of the Montecito Planning Commission Approval of the Music Academy of the West Revised Conditional Use Permit, Case Nos. 21RVP-00000-00109 and 21CDP-00000-00129, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions: On April 2, 2024, set a hearing for May 7, 2024, to consider Case No. 23APL-00021, an appeal of the Montecito Planning Commission's April 5, 2023, approval of the Music Academy of the West Revised Conditional Use Permit, Case Nos. 21RVP-00000-00109 and 21CDP-00000-00129.

On May 7, 2024, staff recommends that your Board take the following actions to deny the appeal and approve the Project.

- a) Deny the appeal, Case No. 23APL-00021;
- b) Make the required findings for approval of the Project, Case Nos. 21RVP-00000-00109 and 21CDP-00000-00129, including CEQA findings;
- c) Determine that the previously certified Final Environmental Impact Report (FEIR) (03-EIR-06) and Addendum are adequate and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162, 15164, and 15168(c)(2); and
- d) Grant de novo approval of the Project, Case Nos. 21RVP-00000-00109 and 21CDP-00000-00129, subject to the conditions of approval.

Summary Text:

This Board Letter sets a Hearing for May 7, 2024, to consider an appeal of the Montecito Planning Commission's approval of the Music Academy of the West Revised Conditional Use Permit (Project). The Proposed Project updates and revises operational conditions with no new structural development or increase in annual or daily attendance caps.

In the appeal application, the Appellant raises the following issues with the proposed project:

- Project inconsistency with the Coastal Zoning Ordinance
- Insufficient analysis under CEQA
- Lack of a fair and impartial hearing

The analysis related to this agenda item will be docketed with a separate Board Agenda Letter for the hearing on May 7, 2024.

Background:

On April 5, 2023, the Montecito Planning Commission approved the proposed project, finding it consistent with the policies and goals of the Comprehensive Plan and the Montecito Community Plan. A timely appeal of the Montecito Planning Commission's decision was filed on April 14, 2023.

The proposed project site is located within the 1-E-1 (Single Family Residential) Zone District in the Montecito Community Plan area and adjacent to the southbound lane of Highway 101. The Music Academy of the West (MAW) has been operating under various Conditional Use Permits (CUP) at the subject site since 1951. The previous CUP revision (90-CP-111 RV01) was approved in 2004 for various operational changes and a phased construction of the MAW Master Plan. A Final Environmental Impact Report (03-EIR-06) was prepared for the 2004 Revised CUP and approved by the Board of Supervisors. The final phase of the Master Plan was completed in 2017.

In approving the 2004 Revised CUP, the Board of Supervisors made the following advisory statement in the findings for approval:

In granting this permit, the Board of Supervisors advises future decision-makers that based on the evidence in the record at this time, the operation and site development at the Music Academy have reached a maximum level able to be found consistent with the health, welfare, safety, and convenience of the neighborhood and the Board of Supervisors recommends that no further increase in use, density, or development be allowed.

Two programmatic developments have occurred since the 2004 Revised CUP that consequently reduced the demand for events to be located on-site. MAW has reprogrammed some of its larger events to occur off-site, including a concert series at the Granada and Lobero Theatres, and annual Community Concerts at the Granada Theatre, La Playa Stadium (Santa Barbara City College), and the Santa Barbara Bowl. In addition, during the pandemic in 2020-2021, the MAW's Remote Learning Institute and Innovation online seminars required very few administrators to be on campus during regular business hours and more programming for online activities is anticipated to continue in the future. Based on these programmatic

developments, the Applicant is requesting to revise certain operational conditions to reflect current activities on the MAW campus (site). No new structural development or increase in annual or daily attendance caps is proposed.

Special Instructions:

The Planning and Development Department shall publish a legal notice in *The Independent* at least 10 days prior to the hearing on May 7, 2024. The Planning and Development Department shall also fulfill mailed noticing requirements. The Clerk of the Board shall forward the minute order of the hearing, proof of publication, and return one printed copy of the FEIR and Addendum to the attention of the Planning and Development Hearing Support.

Authored by:

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Development Review Division, Planning and Development Department