

# COUNTY OF SANTA BARBARA



---

## PLANNING COMMISSION APPROVED MINUTES

Hearing of May 11, 2011  
9:00 a.m.

---

The regular meeting of the Santa Barbara County Planning Commission was called to order by Chair Joe H. Valencia, at 9:04 a.m., at the Santa Maria Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, California.

### COMMISSIONERS PRESENT

C. MICHAEL COONEY	1ST DISTRICT, VICE-CHAIR
CECILIA BROWN	2ND DISTRICT
MARELL BROOKS	3RD DISTRICT
JOE H. VALENCIA	4TH DISTRICT, CHAIR
DANIEL BLOUGH	5TH DISTRICT

COMMISSIONERS ABSENT: None.

### STAFF MEMBERS PRESENT:

Glenn Russell, Director, Planning and Development (Via Remote)  
Dianne M. Black, Secretary to the Planning Commission/Director, Development Services  
Leticia I. Rodriguez, Board Assistant Specialist  
Rachel Van Mullem, Deputy County Counsel  
Alice McCurdy, Supervising Planner, Development Review South (Via Remote)  
John Karamitsos, Supervising Planner, Development Review North  
Dana Carmichael, Planner, Development Review North  
Gary Kaiser, Planner, Development Review North  
Jack Williams, Facilities Manager, General Services Department (Via Remote)  
Roy Hapeman, Facilities Services Office, General Service Department (Via Remote)  
Juan Beltranena, Capital Projects Manager, Parks Department  
Martin J. Wilder, Engineer/Manager, Laguna Sanitation District

NUMBER OF INTERESTED PERSONS: Approximately 16

### ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by Leticia I. Rodriguez.
- III. **ROLL CALL:** All Commissioners were present.
- IV. **AGENDA STATUS REPORT:** by Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.

VI. **PUBLIC COMMENT:** Gene Zannon spoke to his concerns regarding the water deficit in the Cuayama Valley, as pumping in the valley has increased substantially. He referenced a 1994 directive from the Board of Supervisors regarding development of new projects in the valley, as well as a water study that will be published in 2012. John Thorndike spoke to litigation relating to his Toro Canyon property.

VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** None.

VIII. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** by Glenn Russell, Director.

IX. **CONSENT AGENDA ITEMS AND PROCEDURE:**

**TPM 14,572**

C-1.	<b>08TPM-00000-00012</b>	<b>Rancho Real Tentative Parcel Map</b>	<b>Orcutt</b>
	11NGD-00000-00006	John Karamitsos, Supervising Planner (805) 934-6255	Dana Carmichael, Planner (805) 934-6266

Hearing on the request of Steve Fort of Suzanne Elledge Planning and Permitting Services, agent for Resource Land Holdings, LLC, owner, to consider Case No. 08TPM-00000-00012, [application filed on July 9, 2008] for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 436.20 acres into 4 lots of 107.5 acres, 100.3 acres, 117.3 acres, and 111.1 acres, on property zoned AG-II-100; and to adopt the Negative Declaration (11NGD-00000-00006) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Processes, Land Use, Noise, and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara and 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara. The application involves AP No. 101-020-013, located on the eastern frontage of Highway 101, approximately 4 miles south of the City of Santa Maria, in the Orcutt area, Fourth Supervisorial District. (Continued from 04/13/11)

**ACTION:** Commissioner Valencia moved, seconded by Commissioner Brown and carried by a vote of 5 to 0 to:

1. **Make the required findings for the project specified in Attachment A of the staff report dated March 25, 2011, including CEQA findings;**
2. **Adopt the Negative Declaration included as Attachment C of the staff report, dated March 25, 2011, as revised at the April 13, 2011 hearing, and adopt the mitigation monitoring program contained in the conditions of approval; and**
3. **Approve the project subject to the conditions included as Attachment B of the staff report dated March 25, 2011, as revised at the April 13 and 27, 2011 hearings.**

## REVISIONS TO STAFF REPORT

*Section 6.2, Comprehensive Plan Consistency, Visual Resources Policy 2 is modified as follows:*

**Consistent:** Future structures located within the Hwy 101 view corridor and/or as required by the Ridgeline/Hillside Development Guidelines would be required to obtain Board of Architectural Review approval, ~~as required by the Land Use and Development Code.~~ Adherence to these requirements would ensure that the proposed project would be consistent with the surrounding area architecturally and in terms of use and would not significantly change the visual character of the area. Therefore, the proposed project would be consistent with this policy.

*Section 6.2, Comprehensive Plan Consistency, Hillside and Watershed Protection Policy 1 is modified as follows:*

**Consistent:** Future development would be located ~~within~~ outside of proposed development exclusionary areas containing sensitive biological resources (Attachment G). No structural development (ag. or otherwise) would be allowed in the designated development exclusionary areas. Future building pads would be constructed outside of development exclusionary areas. Two project specific conditions addressing fuel management requirements and habitat buffers (Nos. 18, and 19) have been added to ensure consistency with these policies. Therefore, the proposed project would be consistent with these policies.

## REVISIONS TO CONDITIONS OF APPROVAL (ATTACHMENT B)

*Condition #3 is modified as follows:*

3. **Special Condition: BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for the design of all structures ~~as required by the Land Use Development Code~~ located within the Hwy 101 view corridor and/or as required by the Ridgeline/Hillside Development Guidelines. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Land Use Permits for proposed structures. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

**MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

*Condition #9 is modified as follows:*

9. **Special Condition: Tree Protection without a Tree Protection Plan.** ~~This condition does not apply to agricultural structures, grading and other agricultural activities unless otherwise provided in the Land Use Development Code, Grading Ordinance or Building Code.~~ All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all oak trees.

- a. Prior to the approval of a Land Use Permit for grading or construction, all oak trees shall be fenced at least six feet beyond the dripline. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15 foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.
- b. No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 (15:1 for Valley or Blue Oaks) ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.
- c. To help ensure the long term survival of oak trees, no permanent irrigation systems are permitted within six feet of the dripline of oak trees. Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

**PLAN REQUIREMENTS:** Fencing shall be graphically depicted on project plans.  
**TIMING:** This condition shall be printed on project plans submitted for Land Use Permit approval, and shall be recorded with the final map, and installed prior to Grading or Building Permit issuance.

**MONITORING:** P&D compliance monitoring staff shall review plans and confirm fence installation. Compliance staff shall conduct site inspections to ensure compliance during grading and construction.

*Condition #18 is modified as follows:*

18. **Special Condition. Fuel Management Plan Required.** Applicant shall submit a Fuel Management Plan prepared by a County-approved biologist and approved by P&D and the Fire Department. The purpose of the Plan is to identify (1) fuel management areas that are determined by the Fire Dept. to be necessary for any structures, and (2) measures to be used to avoid sensitive vegetation and ensure that fuel management is balanced with resource protection. ~~This condition does not apply to grading and other agricultural activities unless otherwise provided in the Land Use Development Code, Grading Ordinance or Building Code.~~ **Plan Requirements:** The plan shall stipulate that all fuel management requiring between 50 and 100% native vegetation clearing or thinning will not encroach within development exclusionary areas as required by Condition No. 6. Mowing of native grasslands and native grasses is acceptable, provided individual plants are not mowed to a height shorter than 4 inches. Mowing of non-native annual grass is acceptable to any height. In addition, the plan shall stipulate that during the breeding season, pre-construction surveys for ground-nesting birds shall be conducted prior to any vegetation thinning and/or mowing. **Timing:** The Plan

shall be reviewed and approved prior to approval of a Land Use permit for future development on the newly created parcels. Site plans shall show any proposed fuel management zones and measures to protect any sensitive habitat occurring within the zones.

*Condition #19 is modified as follows:*

19. **Special Condition. Buffer from Sensitive Habitat.** All future residences, guest houses and other habitable structures must be positioned so that the fuel modification zones that required clearing will not encroach within development exclusionary areas. Within native grasslands, mowing shall not reduce biomass of native grasses to lower than 4-6 inches in height. ~~This condition does not apply to grading and other agricultural activities unless otherwise provided in the Land Use Development Code, Grading Ordinance or Building Code.~~ Plan Requirements and Timing: Prior to recordation of the Final Map, this requirement shall be included as text on an Informational Sheet to be recorded with the map, and shall be reviewed and approved by P&D. This requirement shall be included on all building and grading plans submitted for future residential development.

*Condition #30 is modified as follows:*

30. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:

1. Air Pollution Control District dated March 8, 2011;
2. Environmental Health Services Division dated February 24, 2011;
3. Fire Department dated ~~August 20, 2008~~ April 21, 2011.
4. Flood control Water Agency dated July 23, 2008;
5. Parks Department dated March 22, 2011;
6. Transportation Division dated March 17, 2011.

**REVISIONS TO FINAL MITIGATED NEGATIVE DECLARATION  
(ATTACHMENT C)**

*Section 4.1, Aesthetics/Visual Resources, Impact Discussion (a-b,d) is modified as follows:*

*(a-b,d) Less than significant impact with mitigation.* The western property line of the proposed project site is adjacent to US Highway 101 and development on each of the proposed parcels would most likely be visible for approximately 1-2 minutes to travelers on Highway 101. Future residential development at a density of one primary dwelling per 100 acres is consistent with the pattern of development in the surrounding area. However, due to the project site's exposure to public views along the US Highway 101 corridor, the potential remains for future residential development to result in structural development open to public views, which could result in a negative change to the project site area. To mitigate this potentially significant aesthetic impact, mitigation measures would be applied to the project which: 1) prohibit residential-structural development from being constructed on slopes greater than 20%; and 2) require Board of Architectural Review (BAR) for future structures located within the Hwy 101 view corridor and/or as required by the Ridgeline/Hillside Development Guidelines. ~~all residential development on the project site.~~ The County's existing land use policies (contained in the Environmental Resource

Management Element, Land Use Element, and LUDC) already prohibit development on slopes greater than 30%, discourage development on slopes greater than 20%, and require BAR review for development on slopes greater than 15%. These aforementioned policies are applied to all development in the County regardless of whether or not such development is open to public views or requires discretionary review. Due to this project site's expansive exposure to public views from the US Highway 101 corridor, mitigation which exceeds the County's standard land use policies is warranted. With the application of these aforementioned mitigation measures, the aesthetic impacts of new residential development resulting from the proposed project would be less than significant.

*Mitigation Measure #2 is modified as follows:*

**Special Condition: BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for the design of all structures ~~as required by the Land Use Development Code located within the Hwy 101 view corridor and/or as required by the Ridgeline/Hillside Development Guidelines.~~ All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Land Use Permits for proposed structures. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

**MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

C-2.	<u>11GOV-00000-00005</u>	<u>Calle Real Photovoltaic Facility Government Code Consistency</u>	<u>Santa Barbara</u> Alice McCurdy, Deputy Director (805) 568-2518
------	--------------------------	---	---

Hearing on the request of Roy Hapeman, agent for Santa Barbara County General Services Department, to consider Case No. 11GOV-00000-00005, [application filed on April 28, 2011], for a determination that installation and operation of a photovoltaic facility is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code Section 65402. This site is County owned land adjacent to the County Jail at 4434 Calle Real in Santa Barbara, identified as a portion of Assessor Parcel Number 059-140-029, Second Supervisorial District.

**ACTION:** Commissioner Brown moved, seconded by Commissioner Blough and carried by a vote of 5 to 0 to:

1. Determine that the proposed Calle Real photovoltaic project is consistent with the Comprehensive Plan; and
2. Transmit the consistency report required by Government Code Section 65402 to Roy Hapeman, General Services and the Board of Supervisors. The memo from Roy Hapeman dated April 28, 2011 and the letter reflecting the Planning Commission's action shall constitute the required report.

**Laguna County Sanitation**

**C-3. 11GOV-00000-00006 Solar Array Government Code Consistency Santa Maria  
John Karamitsos, Supervising Planner (805) 934-6255**

Hearing on the request of Marty Wilder, Laguna County Sanitation District, to consider Case No. 11GOV-00000-00006, [application filed on April 29, 2011], for a determination that the construction and operation of a photovoltaic solar energy array on an approximately five acre portion of a 157 acre parcel owned by the Laguna County Sanitation District (LCSD) is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code Section 65402. The photovoltaic system, to be located immediately north of the existing LCSD facility, will produce approximately one megawatt (MW) of electricity, offsetting current energy costs at the site. The system would consist of approximately 4,100 individual solar panels, each measuring approximately six feet by three feet in size. The fixed (non-tracking) photo-voltaic panels (inclined at 20 degrees, and oriented 10 degrees west of south) would be installed on driven steel piles; each panel would be mounted three feet above ground level at the bottom, and eight feet above ground level at the top. Electronic equipment, would be installed on small concrete pads and would connect to two existing PG&E meters. The application involves AP No. 113-240-013, located at 3500 Black Road in the unincorporated area of the Santa Maria Valley, Fourth Supervisorial District.

**ACTION: Commissioner Valencia moved, seconded by Commissioner Blough and carried by a vote of 5 to 0 to:**

- 1. Determine that the proposed Laguna County Sanitation District photovoltaic project is consistent with the Comprehensive Plan; and**
- 2. Transmit the consistency report required by Government Code Section 65402 to Martin Wilder, LCSD, and the Board of Supervisors. This memorandum and the letter reflecting the Planning Commission's action shall constitute the required report.**

**X. STANDARD AGENDA:**

- 1. Waller Park Sports Field Briefing Santa Maria  
Juan Beltranena, Capital Projects Manager, Parks Department (805) 568-2470**

The County Planning Commission will receive a briefing on plans for the development of sports fields at Waller Park, located at 300 Goodwin Road in the Santa Maria area, Fourth Supervisorial District.

**ACTION: The Commission received a briefing on plans for the development of sports fields at Waller Park from Juan Beltranena, Parks Department. Commissioner Blough moved, seconded by Commissioner Cooney and carried by a vote of 5 to 0 to recommend to the Board of Supervisors that they expedite reviewing and approving the project.**

**Appeal of a Time Extension for the  
Previously Approved Diamond**

2. 11APL-00000-00006 Rock Mine and Processing Facility Maricopa/Ventucopa  
05EIR-00000-00001 Zoraida Abresch, Supervising Planner (805) 934-6585  
Gary Kaiser, Planner (805) 934-6259

Hearing on the request of the Cuyama Valley Conservancy, represented by Gene Zannon and Jennifer Lee, appellant to consider the appeal, Case No. 11APL-00000-00006 [appeal filed on March 24, 2011] of the Planning Director's decision to grant a Time Extension (Case No. 10TEX-00000-00014) for the Diamond Rock Mine and Processing Facility Conditional Use Permit and Reclamation Plan (Case Nos. 03CUP-00000-00037 and 03RRP-00000-00002), in compliance with Section 35.84.030 of the County Land Use and Development Code; and to accept 05EIR-00000-00001 as adequate Environmental Review for Case No. 10TEX-00000-00014 pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act. The subject property is approximately 280 acres located west of State Highway 33, approximately six miles south of its junction with State Highway 166, in the Maricopa/Ventucopa area, Fifth Supervisorial District.

**ACTION:** Commissioner Blough moved, seconded by Commissioner Cooney and carried by a vote of 5 to 0 to continue the item to the hearing of June 8, 2011, at the request of Planning Commission.

**Revision to the Previously  
Approved Diamond**

3. 11RVP-00000-00032 Rock Mine and Processing Facility Maricopa/Ventucopa  
Addendum to 05EIR-00000-00001 Zoraida Abresch, Supervising Planner (805) 934-6585  
Gary Kaiser, Planner (805) 934-6259

Hearing on the request of Troesh Materials, Inc., represented by Sespe Consulting, to consider Case No. 11RVP-00000-00032 for approval of an revision to the previously approved Diamond Rock Mine and Processing facility (Case No. 03CUP-00000-00037 and 03RRP-00000-00002, respectively) in compliance with Sections 35.84.040.E.2, 35.080.020 and 35.80.060 of the County Land Use and Development Code, on property zoned U (Ordinance 661) & AG-II-40; and to accept the Addendum to Environmental Impact Report (05EIR-00000-00001 ) pursuant to Section 15164 of the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant environmental impacts as a result of this modification request. The original EIR identified significant effects on the environment in the following categories: Air Quality due to emission of oxides of nitrogen (NOx) from equipment at the project site, as well as significant but mitigable effects related to Drainage and Flooding, Geologic Hazards, Biological Resources, Traffic, Noise, Air Quality, Visual Resources and "Quality of Life" issues in the vicinity of the project site. The subject property is 280 acres located west of State Highway 33, approximately six miles south of its junction with State Highway 166, in the Maricopa/Ventucopa area, Fifth Supervisorial District.

**ACTION:** Commissioner Blough moved, seconded by Commissioner Cooney and carried by a vote of 5 to 0 to continue the item to the hearing of June 8, 2011, at the request of Planning Commission.



**09GPA-00000-00005**  
**10RZN-00000-00003**  
**10DVP-00000-00011**  
**10TRM-00000-00003**  
**TM 14,770**

4. **10RDN-00000-00007** **Terrace Villas** **Orcutt**  
**11NGD-00000-00007** John Karamitsos, Supervising Planner (805) 934-6255  
Dana Carmichael, Planner (805) 934-6266

Hearing on the request of Frances Romero of Urban Planning Concepts, agent for Western Sky Development, owner, to consider the following:

- a) **09GPA-00000-00005** [application filed on May 1, 2009] proposing to amend the Orcutt Community Plan (OCP) Land Use Designations Map to change the land use designation from Residential 8.0 units/acre (Res-8.0) to Residential 4.6 units/acre (Res-4.6) on property zoned Design Residential, 3.3 units/acre (DR-3.3);
- b) **10RZN-00000-00003 & 10DVP-00000-00011** [applications filed on July 27, 2010] proposing to rezone 5.39 acres from Design Residential 3.3 units/acre (DR-3.3) to Small Lot Planned Development (SLP) in compliance with Chapter 35.104 of the County Land Use and Development Code; and approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code to develop 16 single family custom homes, tract grading, installation of tract roads, public services and utilities, common open space, and landscaping, on property zoned DR-3.3;
- c) **10TRM-00000-00003/TM 14,770** [application filed on July 27, 2010] for approval of a Tentative Map in compliance with County Code Chapter 21 to divide 5.39 acres into 20 lots ranging from 7,555 square feet. to 39,999 square feet, on property zoned DR-3.3;
- d) **10RDN-00000-00007** [application filed on July 27, 2010] for approval of the naming of a proposed private road which will serve the Terrace Villas subdivision in compliance with Chapter 35.76 of the County Land Use and Development Code, on property zoned DR-3.3 ; and to

adopt the Negative Declaration (11NGD-00000-00007) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Processes, Noise, Public Facilities and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara or 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara. The application involves 18 existing parcels identified as AP Nos. 129-300-001 through -021 located on the east side of Stillwell Road, approximately 1,250 feet south of the Clark Avenue/Stillwell Road intersection, and 1,800 feet west of U.S. Highway 101 commonly known as 5320 Stillwell Road, Orcutt Community Planning area, Fourth Supervisorial District.

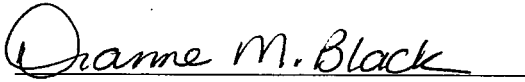
**ACTION:** **Commissioner Blough moved, seconded by Commissioner Brown and carried by a vote of 5 to 0 to continue the item to the hearing of July 20, 2011, at the request of Planning Commission.**

SANTA BARBARA COUNTY PLANNING COMMISSION APPROVED MINUTES

Hearing of May 11, 2011

Page 10

There being no further business to come before the Commission the hearing was adjourned until 9:00 a.m. on June 1, 2011, in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California 93101.

A handwritten signature in cursive script that reads "Dianne M. Black". The signature is written in black ink and is positioned above a horizontal line.

Dianne M. Black

Secretary to the Planning Commission

G:\GROUP\PC\_STAFF\WP\PC\MINUTES\2011\05-11-11MIN.DOC