

Music Academy of the West CUP Revision

Case Nos. 23APL-00021, 21RVP-00000-00109 and 21CDP-
00000-00129

Board of Supervisors
November 5, 2024



County of Santa Barbara
Planning and Development
Steve Conner

Project Location



Background

- Operating with CUP in this location since 1951
- Current CUP approved in 2004 for phased Campus Master Plan
 - Final Phase of construction completed in 2017
 - Attendance caps established
 - 47,000 annual
 - Summer 22,000, Non-summer 25,000
 - 900 daily
 - 330 any-given-time
 - Student enrollment limited to 150

Background

- Established Limits on Events
 - Annual Maximum of 41 events (meetings/seminars/non-profit)
 - Maximum 350 public attendees
 - Weddings prohibited
- Established Limits on Amplified Sound
 - Two times/year, two hours per event
 - Only in designated outdoor courtyard or indoors
 - Limited to spoken voice and not to be audible outside of MAW property
- Transportation/Circulation
 - Cut Through Reduction Plan (CTRP) for Traffic

Proposed Project

- Update and clarify the CUP and revise operational conditions
 - No new structural development or increase in annual, any-given-time or daily attendance caps
 - Key Operational Revisions
 - Increase student enrollment from 150 to 175
 - Reintroduce Significant Life Events (up to 15/year) and provide staff management of associated traffic and noise (max. 175 attendees)
 - Eliminate resale shops and reintroduce residential use of those structures
 - Increase number of allowed events and locations with amplified spoken word and non-amplified acoustic music (from twice/yr to 17/yr)
 - Increase fixed seating in Hahn Hall from 300 to 350; decrease seating in Yzurdiaga Hall from 92 to 42

Outdoor Event Locations



Cut Through Reduction Plan

- The Cut Through Reduction Plan (CTRP) would be revised as follows:
 - Formalize open hours for entrance gate
 - Summer weekdays and Saturdays 10 AM – 4 PM; closed on Sundays
 - Non-summer weekdays 11 AM – 3 PM; closed Saturdays and Sundays
 - Gates open during events that utilize traffic attendants
 - Provide traffic attendant for events
 - Record license plates
 - Verbal warnings

Appeal Issues

- Montecito Planning Commission erred in approving a revised CUP
 - Intensified uses beyond scope of 2004 CUP
 - Advisory Statement from Board of Supervisors' approval of 90-CP-111 RV01
 - "...the operation and site development at the Music Academy have reached a maximum level able to be found consistent with the health, safety, and convenience of the neighborhood and the Board of Supervisors recommends that no further increase in use, density, or development be allowed."
- Response:
 - Educational facility is an allowed use with an approved Major CUP

Appeal Issues

- Project inconsistency with Coastal Zoning Ordinance
 - Violates intent of Single Family Residential Zoning
 - Use equivalent to an entertainment/commercial venue
 - Increased traffic and noise creates incompatibility
- Response:
 - Educational facility is an allowed use with an approved Major CUP
 - New uses offset by removing existing uses
 - Attendance caps remain unchanged
 - Traffic Management

Appeal Issues

- Environmental Impacts not sufficiently analyzed under CEQA
 - Change of predominant land use
 - Impacts to Traffic, GHG Emissions, Noise, Land Use
- Response:
 - Addendum to EIR was prepared
 - Addressed land use compatibility, noise, and transportation
 - No new impacts to these issues or aesthetics, air quality, cultural, biological, and water quality
 - Request is for operational changes only; no new physical development
 - Additional Transportation/Parking and Noise Analyses

Appeal Issues

- Required Findings for CDP and CUP cannot be made
 - Inconsistent with Comprehensive Plan and Coastal Zoning Ordinance
- Response:
 - Educational facility is an allowed use with an approved Major CUP

Appeal Issues

- CUP creates a use not allowed by the CZO
 - Renting out facilities is a commercial enterprise
- Response:
 - Conditional Use Permits and Revisions are allowed under the CZO

Appeal Issues

- Full public record was not made available
- Response:
 - Digital copies of more recent documents were provided
 - Older hardcopy records were made available at the Planning and Development Office

Appeal Issues

- Lack of a Fair and Impartial Hearing
 - No advance notice of agenda order changes
 - Prevented engagement between parties
- Response:
 - Montecito Planning Commission (MPC) provided multiple testimony opportunities to accommodate the attending participants' schedules

Ordinance and Policy Compliance

- Ordinance
 - Educational Institutions are a permitted use with a CUP
 - No new structural development – no change to lot, setbacks, or height
 - Parking is adequate
- Policy
 - Adequate Services are available
 - Designed to maintain compatibility with surrounding land uses
 - Noise levels will be monitored and managed consistent with current standards
 - Transportation and Circulation capacities/levels not exceeded

Environmental Review

- Previously-certified EIR (03-EIR-06) addressed impacts of Master Plan and operations associated with 2004 CUP Revision
- EIR Addendum prepared for proposed project under CEQA Guidelines Section 15164
 - No new significant impacts
 - Impacts associated with proposed project within scope of Certified EIR
- Proposed CUP Revision includes previous mitigation measures
 - Maintain Annual, Seasonal, Any-Given Time, and Daily Public Attendance caps
 - Noise control measures
 - Retail shop uses will be eliminated to reduce traffic/parking demands

Recommended Actions

1. Deny Appeal
2. Make required findings for approval of the project specified in Attachment 1 of Board Letter, including CEQA findings
3. After considering the environmental review documents included in Attachments 4 and 7 (Addendum to 03-EIR-06, dated November 5th, 2024 together with the previously certified Final EIR [03-EIR-06]), determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project.
4. Grant *de novo* approval of the project, Case Nos. 21RVP-00000-00109 and 21CDP-00000-00129 subject to the conditions included as Attachment 2