

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

October 26, 2004

**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.

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

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

Roll Call

Present: Supervisor Schwartz, Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Centeno

Invocation: Bobbie Overgaard, General Services Department

Report from Closed Session

No reportable action taken.

Approval of Minutes of the October 19, 2004 meeting

A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, to Approve the Minutes. The motion carried unanimously.

Administrative Agenda

Resolutions to be Presented

A-1) SUPERVISOR ROSE

[File Reference No. 04-01018](#)

Adopt a resolution proclaiming October 2004 as Breast Cancer Awareness Month.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 04-291

The motion carried unanimously.

Administrative Items

A-2) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 04-01015](#)

Accept a Grant of Easement from Harris Grade Limited Partnership, a California Limited Partnership located on Harris Grade Road north of Highway 1 and Purisima Road (APNs 097-250-47-00-6, 097-250-47-00-4, 097-250-00-2), by authorizing the Clerk of the Board to sign the Certificates of Acceptance attached to the easement, Lompoc area, Fourth District. (4/5 vote required)

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Accepted. The motion carried unanimously.

A-3) COUNTY EXECUTIVE OFFICE [File Reference No. 04-01032](#)

Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.

A-4) DISTRICT ATTORNEY [File Reference No. 04-01025](#)

Consider recommendations regarding renewal of agreement with the California Department of Insurance for a Workers' Compensation Prosecution Unit in the District Attorney's Office, as follows:

a) Adopt a resolution authorizing the District Attorney to renew the agreement with the California Department of Insurance for a Workers' Compensation Insurance Fraud Prosecution Unit for Fiscal Year 04-05;

b) Approve Budget Revisions increasing appropriations and revenues by \$9,100 to finance one time operating expenses funded by the State.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 04-292

b) Approved.

The motion carried unanimously.

A-5) GENERAL SERVICES [File Reference No. 04-01017](#)

Approve and execute Addendum No. 1 to the Access and Use Agreement between the County of Santa Barbara and Culligan International Company for the purpose of adding one additional groundwater remediation well in the County's Garden Street employee parking lot (Folio No. 003148), First District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-6) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 04-01016](#)

Adopt a resolution, effective October 25, 2004, to implement changes approved during Fiscal Year 2004-05 budget hearings, as follows:

SOCIAL SERVICES - Reclassifications

From: 2.0 FTE Administrative Secretary (Class 0236), Range 4786 (\$2,640-\$3,223 per month)

To: 2.0 FTE Departmental Assistant (Class 2165), Range 5206 (\$3,255-\$3,974 per month).

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 04-293

The motion carried unanimously.

A-7) Law Library Board of Trustees [File Reference No. 04-01031](#)

Adopt a resolution increasing the Santa Barbara County Law Library's portion of the filing fee for the Superior Court from \$32 to \$35, effective January 1, 2005.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 04-294

The motion carried unanimously.

A-8) PARKS [File Reference No. 04-01021](#)

Approve and execute an amendment to the agreement to provide municipal services for the City of Goleta to correct payment and compensation terms for park maintenance and related services.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-9) PARKS [File Reference No. 04-01022](#)

Authorize the Director of Parks to advertise for construction bids for the Arroyo Burro Beach County Park Trash Enclosure Improvements (Project No. D40025), Second District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Authorized. The motion carried unanimously.

A-10) PARKS [File Reference No. 04-01023](#)

Adopt a Resolution approving the pass through of Proposition 40 per capita funds (California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002) to the City of Solvang in the amount of \$400,000 for the Alamo Pintado Triangle Park, Third District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 04-295

The motion carried unanimously.

A-11) PROBATION [File Reference No. 04-01027](#)

Consider recommendations regarding a Bureau of Justice Assistance Local Law Enforcement Block Grant, as follows:

a) Authorize the County Administrator, on behalf of Santa Barbara County, to accept the 2004 Local Law Enforcement Block Grant Funding in the amount of \$23,706 from the Bureau of Justice Assistance of the U.S. Department of Justice;

b) Authorize the County Administrator to execute the County's application for grant funds, as well as all related contracts, amendments, or extensions with the Bureau of Justice Assistance, subject to Board of Supervisors approval.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows:

a) and b) Authorized.

The motion carried unanimously.

A-12) PUBLIC WORKS [File Reference No. 04-01011](#)

Approve an Agreement for the County of Santa Barbara to provide Integrated Solid Waste Management Services to the City of Santa Barbara for the period of October 1, 2004 to June 30, 2005, in an amount not to exceed \$435,610.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.

A-13) PUBLIC WORKS [File Reference No. 04-01030](#)

Adopt a resolution establishing a No Parking zone on Foxen Canyon Road, Sisquoc area, Fifth District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 04-296

The motion carried unanimously.

A-14) PUBLIC WORKS [File Reference No. 04-01028](#)

Review and approve the Statement of Final Quantities for work performed and materials supplied for Construction of Tajiguas Landfill West Side 48-inch Storm Drain Replacement 2004 (County Project No. 828718) by John Madonna Construction (not a local vendor), in the amount of \$251,055.85, Third District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.

A-15) PUBLIC WORKS [File Reference No. 04-01013](#)

Review and approve the Statement of Final Quantities for work performed and materials supplied for Construction of Bell Street Bridge No. 51C-0157 Replacement and Approach Roadway at San Antonio Creek, Los Alamos area, (Federal Project No. BRLSZD-5951 (070); County Project No. 862042) by Whitaker Contracting, Inc. (not a local vendor) in the amount of \$1,222,179.57, Third District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.

A-16) PUBLIC WORKS [File Reference No. 04-01020](#)

Adopt a resolution to authorize the submittal of a regional application for a Reuse Assistance Grant not to exceed \$50,000 from the California Integrated Waste Management Board.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 04-297

The motion carried unanimously.

Hearing Requests

A-17) COUNTY EXECUTIVE OFFICE [File Reference No. 04-01024](#)

Set a hearing to consider the first quarter FY 04-05 Budget Update and FY 05-06 Budget Workshop No.1, as follows:

a) Accept and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2004-05 Financial Status Report as of September 30, 2004 showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;

b) Approve the attached Budget Principles for use in development of the FY 05-06 Operating Budget.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: November 23, 2004 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-18) PUBLIC HEALTH [File Reference No. 04-01019](#)

Set a hearing to receive a report from the Public Health Department regarding the requirements for the establishment of Maddy Emergency Medical Services (EMS) Fund.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: November 2, 2004 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-19) PUBLIC HEALTH [File Reference No. 04-01026](#)

Set a hearing to consider contract for ambulance services with American Medical Response for the period from January 1, 2005 through December 31, 2009.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: November 23, 2004 (EST. TIME: 45 MIN.) The motion carried unanimously.

A-20) PUBLIC WORKS [File Reference No. 04-01014](#)

Set hearings to consider annexation of Tract 14,303, Mesa Verde, into the Santa Barbara North County Lighting District and creation of the Zone of Benefit, Fourth District, as follows:

a) Set a hearing for December 7, 2004, as follows: (EST. TIME: 10 MIN)

i. Consider the introduction (first reading) of an ordinance approving the annexation of territory (Tract 14,303) to the Santa Barbara North County Lighting District, creating a new zone of benefit and imposing an annual assessment for street lighting services;

ii. Approve the Notice of Exemption pursuant to Section 15320 of the California Environmental Quality Act (CEQA) Guidelines;

b) Set a hearing for December 14, 2004, as follows: (EST. TIME: 15 MIN.)

i. Receive testimony that a written protest has not been filed;

ii. Count written property owner ballots;

iii. Consider the adoption (second reading) of an ordinance approving the annexation of territory to Santa Barbara North County Lighting District, creating a new zone of benefit and imposing an annual assessment if there is majority support by the results of the ballots received.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: December 7, 2004 (EST. TIME: 10 MIN.) The motion carried unanimously.

A-21) SHERIFF

[File Reference No. 04-01029](#)

Set a hearing to consider approval of \$735,026 in resource and use allocation of State COPS funds for supplemental law enforcement equipment, programs and/or personnel in Fiscal Year 2004-05.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: November 2, 2004 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-22) SUPERVISOR ROSE

[File Reference No. 04-01033](#)

Approve the reappointment of Harvey R. Wolf to the Assessment Appeals Board No. 2, Second District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.

A-23) SUPERVISOR MARSHALL

[File Reference No. 04-01034](#)

Set a hearing to consider dedicating funds from the Redevelopment Agency's Isla Vista Project Area to the Isla Vista Recreation and Park District to be used for the design and planning of a Community Center, Third District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: November 2, 2004 (EST. TIME: 40 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

[File Reference No. 04-00316](#)

PUBLIC COMMENT

Accepted Public Comment

People 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. 92-398) (04-00,316)

RE: "Oasis in a Troubled World" - Richard Robinson addressed the Board.

RE: Health care Issues / Food Bank Warehouse Donations / Uninsured - Sister Janet Corcoran addressed the Board.

RE: Health Insurance for Children in Santa Barbara County - First District Supervisor Naomi Schwartz addressed the Board.

RE: Planning Commission Issues - David Diaz addressed the Board.

RE: Toro Canyon Property Issues - John Thorndike addressed the Board.

RE: North County Issues / Measure "W" - Ernest Armenta addressed the Board.

RE: "Pledge of Allegiance" / Town Meeting Regarding Housing Issues in the Second District - Steve Musick addressed the Board.

Departmental Agenda -- Public Hearings

Department requests continuance of Departmental Item No. 1 to February 15, 2005.

- 1) PLANNING AND DEVELOPMENT [File Reference No. 04-00070](#)
HEARING - Consider recommendations regarding the Zoning Ordinance Reformatting Project.
A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Continued, as follows: February 15, 2005 (EST. TIME: 60 MIN.) The motion carried unanimously.

- 2) COUNTY EXECUTIVE OFFICE [File Reference No. 04-01001](#)
HEARING - Appoint one member of the Board of Supervisors as the 2005 Santa Barbara County representative on the CSAC Board of Directors and one member as the alternate representative. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE
A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Continued, as follows: November 2, 2004. The motion carried unanimously.

- 3) PLANNING AND DEVELOPMENT [File Reference No. 04-00936](#)
HEARING - Consider the Planning Commission's recommendation to approve the Ocean Meadows Residences project, located at 6925 Whittier Drive near Storke Road in the Goleta area (APNs 073-090-062 and -013) (03GPA-00000-00003, 03RZN-00000-00002, 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00020, 04CUP-00000-00038, and 04CUP-00000-00046), Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)
 - a) Adopt the required findings for approval for Case Numbers 03GPA-00000-00003, 03RZN-00000-00002, 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00020, 04CUP-00000-00038, and 04CUP-00000-00046, including CEQA findings for the quasi-adjudicative actions;
 - b) For the quasi-adjudicative actions, certify the Environmental Impact Report and adopt the mitigation monitoring program contained in the conditions of approval contained in the September 17, 2004 Planning Commission Action Letter (Attachment A) as amended by the Board letter dated October 19, 2004;
 - c) Adopt a Resolution amending the Comprehensive Plan Land Use Element, the Goleta Community Plan and the County's Coastal Land Use Plan to change the Land Use Designation of Lot 41, resulting after subdivision under TM 14,628, from PRD to Recreation;
 - d) Adopt an Ordinance rezoning Lot 41 of TM 14,628 from PRD-58 to REC and amending the Coastal Zoning Map for the Coastal Land Use Plan Zoning Districts accordingly;
 - e) Approve Case Numbers 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00020, 04CUP-00000-00038, and 04CUP-00000-00046 (the quasi-adjudicative actions affiliated with the Ocean Meadows Residences project), subject to the conditions of approval contained in the September 17, 2004 Planning Commission Action Letter

(Attachment A) as amended by the Board letter dated October 19, 2004;

f) Obtain proof of easement or right of access to the project site from Whittier Drive and Storke Road prior to approval of 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, and 04CDP-00000-00078;

g) Consider request for fee waiver for proposed affordable housing units pursuant to Article II, Section 35-144C.4 of County Zoning Ordinance.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Acted on and continued, as follows: a) Adopted required findings for approval for 03GPA-00000-00003 and 03RZN-00000-00002. Conceptually adopted required findings and continued 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00038 and 04CUP-00000-00046 to December 7, 2004. Continued adoption of CEQA findings for the quasi-adjudicative actions to December 7, 2004.

b) Conceptually approved. Continued to December 7, 2004.

c) Adopted.

RESOLUTION NO. 04-298

d) Adopted.

ORDINANCE NO. 4553

e) Conceptually approved. Continued to December 7, 2004.

f) and g) Continued to December 7, 2004.

In the event that the BOS does not approve associated quasi-adjudicative actions associated with the project, the BOS intends to revoke the submittal of the Local Coastal Plan amendment and Rezone to the California Coastal Commission.

Regarding Mitigation Bio-2: Western Snowy Plover Protection. Directed staff to amend language in paragraph one as follows: "... the Ocean Meadows Residences project applicant will contribute to a trust deposit of \$200,000 unless a lesser amount is deemed appropriate by the Board of Supervisors as determined by a programmatic study...". Amended language in paragraph two to read as follows: "Plan Requirements and Timing. The Western Snowy Plover mitigation endowment shall be funded prior to land use clearance. In the event that the status of the Western Snowy Plover is reclassified so that this species is no longer listed or protected under State and Federal Law, the trust deposit and any interest that may have accrued since the reclassification shall be returned to the applicant.

Further directed staff to return on December 7, 2004 with recommendations regarding the de-silting of the culvert under Storke Rd. The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno

Abstentions: 1 - Supervisor Gray

4) PLANNING AND DEVELOPMENT

[File Reference No. 04-00937](#)

HEARING - Consider the Ellwood-Devereux Open Space and Habitat Management Plan, Third District, as follows: (EST. TIME: 30 MIN.)

a) Adopt the CEQA Findings for amending the Comprehensive Plan - Parks, Recreation and Trails Map that incorporates the public trail segments of the Ellwood-Devereux Open Space Plan and certify the Environmental Impact Report;

b) Adopt a Resolution amending the Comprehensive Plan, Goleta Community Plan and Coastal Land Use Plan to add policies incorporating the Ellwood-Devereux Open Space Plan (OSP) (Case Number 04GPA-00000-00008);

c) Adopt a Resolution amending Comprehensive Plan Parks, Recreation and Trails Map, Goleta Community Plan and Coastal Land Use Plan to add public trail segments provided by the OSP located on the Ocean Meadows property (APN 073-090-062 & -012), Camino Corto Open Space Reserve

(APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) OSP (Case Number 04GPA-00000-00009).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows: Received and filed staff report and conducted public hearing.

a) Adopted the findings.

b) Adopted.

RESOLUTION NO. 04-299

c) Adopted.

RESOLUTION NO. 04-300

The motion carried unanimously.

2:00 PM Presentation of Resolutions and Awards

Planning Items and Public Hearings

5) PLANNING AND DEVELOPMENT

[File Reference No. 04-00781](#)

HEARING - Consider the Goldstein Appeal (04APL-00000-00019) of the Montecito Planning Commission (MPC) approval of the Music Academy of the West Revised Conditional Use Permit (90-CP-111 RV01) (APNS 009-282-029, and -030) located south of Highway 101 between the Montecito Sanitary District Facilities and Butterfly Lane, at 1070 Fairway Road (also known as The Fairway), Montecito Area, First District, as follows: (EST. TIME: 15 MIN.)

a) Adopt the required findings for the project consistent with the MPC's action on June 16, 2004, as revised to reflect:

i. the amended condition language (Attachment 3);

ii. the change in the final County decision-maker (Board of Supervisors rather than the Montecito Planning Commission);

iii. the final action date (October 26, 2004 rather than June 16, 2004);

b) Certify the Final Environmental Impact Report, 03-EIR-06 as updated by the EIR Revision Letter dated April 20, 2004 and CEQA Revision Letter dated June 7, 2004 (Attachment B of staff memorandum dated June 7, 2004 and staff memorandum dated June 14, 2004), and adopt the mitigation monitoring program contained in the conditions of approval, as revised at the hearing of October 26, 2004;

c) Grant the requested modifications to the height limitation (for existing Abravanel Hall) and side yard setback (paving only) for the 1-E-1 zone district pursuant to Article II §35-172.12, specified in Attachment C of staff memorandum dated June 7, 2004;

d) Grant the requested modification to the number of required parking spaces required pursuant to

Article II §35-109, Parking Regulations, (Attachment C of staff memorandum dated June 7, 2004 and staff memorandum dated June 14, 2004), and in the parking analyses in 03-EIR-06, the 4/20/04 EIR revision letter, and the 6/7/04 CEQA revision letter, as revised at the hearing of June 16, 2004;

e) Approve Major Conditional Use Permit, 90-CP-111 RV01, subject to the conditions included as Attachment 3 of the Board letter dated October 26, 2004.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Acted on as follows:

Received and filed staff report and conducted public hearing.

- a) **Adopted the findings.**
- b) **Certified.**
- c) **and d) Granted the modifications.**
- e) **Approved.**

The motion carried unanimously.

6) PLANNING AND DEVELOPMENT

[File Reference No. 04-00143](#)

HEARING - Consider the appeal of Deborah (Satya) Kirsch, Jon Warner, and Donald Sharpe of the Montecito Planning Commission's approval of the Hill proposed new single family dwelling located at 640 Cowles Road (APN 013-180-014) Land Use Permit (02LUP-00000-01133), First District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project, specified in Attachment A to the Board Letter dated October 14, 2004;
- b) Partially uphold the appeal, modifying the design of the dwelling approved by the Montecito Planning Commission;
- c) Approve issuing of the Land Use Permit 02LUP-00000-01133, subject to the conditions of approval attached to the permit.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Acted on and continued, as follows: Received and filed staff report and conducted public hearing.

Conceptually granted the appeal and continued the matter to November 23, 2004 for final action. The motion carried by the following vote:

Ayes: 3 - Supervisor Schwartz, Supervisor Rose and Supervisor Marshall
Abstentions: 2 - Supervisor Gray and Supervisor Centeno

7) PLANNING AND DEVELOPMENT

[File Reference No. 04-00804](#)

HEARING - Adopt a resolution containing revisions to the County's Land Use Element, adding a new policy (13) to "Land Use Development Policies". (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted Received and filed staff report and conducted public hearing.

RESOLUTION NO. 04-301

The motion carried unanimously.

8) PLANNING AND DEVELOPMENT

[File Reference No. 04-00941](#)

HEARING - Consider recommendations regarding amendments to Oil Transportation Policies and Regulations, as follows: (EST. TIME: 15 MIN.)

- a) Adopt a resolution (Attachment A) to revise Chapter 3.6.4 of the County's Coastal Plan, modifying text and policies to specify pipeline as the primary mode of transporting oil extracted from offshore reservoirs;
- b) Adopt a resolution (Attachment B) to revise the Land Use Development Policies of the County's Land Use Element, modifying text and policies to specify pipeline as the primary mode of transporting oil extracted from offshore reservoirs;
- c) Adopt an ordinance (Attachment C) to revise Sections 35-87, 35-92, 35-154, and 35-156 of Article II (Coastal Zoning Ordinance) of Chapter 35 of the Santa Barbara County Code, as follows:
 - i. Repeal Sections 35-87.3.3 and 35-92.3.3, delisting marine terminals as a permitted use in the Coastal Dependent Industry (M-CD) and Coastal Related Industry (M-CR) zone districts, respectively;
 - ii. Revise Section 35-154.5.i, amending development standards for approval of oil/gas processing facilities, regarding transport of crude oil to final refining destination;
 - iii. Repeal Section 35-156, Marine Terminals;
- d) Adopt an ordinance (Attachment D) to revise Sections 35-236, 35-296, 35-298 of Article III (Inland Zoning Ordinance) of Chapter 35 of the Santa Barbara County Code, as follows:
 - i. Repeal Section 35-236.3.3, delisting marine terminals as a permitted use in the Coastal Related Industry (M-CR) zone district;
 - ii. Revise Section 35-296.5.1.h and 35-296.5.1.k, amending development standards for approval of oil/gas processing facilities, regarding transport of crude oil to final refining destination;
 - iii. Repeal Section 35-298, Marine Terminals;
- e) Adopt the CEQA finding (Attachment E) determining the foregoing amendments to be categorically exempt from environmental evaluation pursuant to the Public Resource Code Sec. 21084(a) and CEQA Guidelines Sec. 15308.
- f) Adopt the legislative findings of approval (Attachment F) for amendments to Articles II and III of Chapter 35 of the Santa Barbara County Code.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, that this matter be Acted on as follows:
Received and filed staff report and conducted public hearing.

a) Adopted as revised at the hearing of October 26, 2004 per Planning and Development Power Point handout entitled Attachment 1.

RESOLUTION NO. 04-302

b) Adopted as revised at the hearing of October 26, 2004 per Planning and Development Power Point handout entitled Attachment 1.

RESOLUTION NO. 04-303

c) Adopted as revised at the hearing of October 26, 2004 per Planning and Development Power Point handout entitled Attachment 1.

ORDINANCE NO. 4554

d) Adopted as revised at the hearing of October 26, 2004 per Planning and Development Power Point handout entitled Attachment 1.

ORDINANCE NO. 4555

The motion carried unanimously.

9) PLANNING AND DEVELOPMENT

[File Reference No. 04-01005](#)

HEARING - Consider adoption of a resolution and direct staff to submit the following Local Coastal Program (LCP) amendments to the California Coastal Commission, as follows: (EST. TIME: 5 MIN.)

a) Amendments concerning proper and timely abandonment of oil and gas facilities (04GPA-00000-00006 and 04ORD-00000-00008);

b) Amendments to update oil transportation policies and ordinances (04GPA-00000-00014 and 04ORD-00000-00014);

c) Amendment and rezone for Ocean Meadows Residences project (03GPA-00000-00003 and 03RZN-00000-00002);

d) Amendments concerning the Ellwood-Devereux Open Space and Habitat Management Plan (04GPA-00000-00008 and 04GPA-00000-00009).

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Acted on as follows:
Received and filed staff report and conducted public hearing.

a) through d) Adopted.

RESOLUTION NO. 04-304

The motion carried unanimously.

Adjourn to November 2, 2004

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Adjourn

Announcements

THE MEETING OF OCTOBER 26, 2004 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, OCTOBER 28, 2004 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>