

County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY

September 17, 2002

**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 Urbanske

Invocation: Stephen Shane Stark, County Counsel

Report from Closed Session

County Counsel announced the following:

By a Vote of 5-0, on September 10, 2002, the Board authorized the County Administrator to contract with the Local Government executive recruiting firm of Jensen-Oldani to assist the County Administrator, Board of Supervisors, and Human Resources Director in the recruitment of a new Planning and Development Director.

Details of this announcement may be obtained in the Office of County Counsel.

Approval of Minutes of the September 10, 2002 meeting

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

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR MARSHALL [File Reference No. 02-00944](#)

Adopt a resolution to celebrate the 30th anniversary of the County of Santa Barbara Affirmative Action Commission.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-321

The motion carried unanimously.

A-2) SUPERVISOR MARSHALL [File Reference No. 02-00950](#)

Adopt a Resolution of Commendation for John Patton, Director of Planning and Development, upon his retirement after 16 years of service to the County of Santa Barbara.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-322

The motion carried unanimously.

A-3) SUPERVISOR ROSE [File Reference No. 02-00948](#)

Adopt a resolution proclaiming September 2002 as Pesticide Awareness Month.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-323

The motion carried unanimously.

A-4) SUPERVISOR SCHWARTZ [File Reference No. 02-00939](#)

Adopt a Resolution of Commendation for Susan (Cici) Menchen, Customer Service Manager - General Services, upon her retirement after 26 years of service to the County of Santa Barbara.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-324

The motion carried unanimously.

Administrative Items

A-5) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 02-00930](#)

Consider an agreement for the provision of facilities management services, as follows:

a) Approve and execute a payroll contract with Anthony R. Murguia for the period of September 16, 2002 through June 30, 2003, in an amount not to exceed \$56,277;

b) Authorize the Director of Alcohol, Drug and Mental Health Services to approve amendments to the contract, providing that any such amendments do not exceed ten percent (10%) of the total contract value.

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

a) Approved; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[File Reference No. 02-00931](#)

Approve plans and specifications for the second phase of the Santa Rosa Creek Riparian Restoration Project, Third District.

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

A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[File Reference No. 02-00932](#)

Approve and authorize the Chair to execute Amendment No. 1 to the agreement with Enviroscaping, Inc. (a local vendor) increasing the contract amount from \$125,000 to \$300,000 for revegetation and maintenance work and extending the contract end date from September 30, 2002 to September 30, 2003, All Districts.

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

A-8) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00943](#)

Consider recommendations regarding HOME funding for Valentine Court III, Santa Maria, Fifth District, as follows:

a) Approve the commitment of \$110,000 from the unincorporated County formula share HOME allocation for various soft costs, including local city and legal fees and taxes associated with the development of Valentine Court III (VC III) Apartments in Santa Maria by Valentine Court III, Inc., a California not-for-profit public benefit corporation sponsored by People's Self Help Housing Corporation (PSHHC);

b) Authorize the County Administrator to execute a Loan Agreement, Residual Receipts Note and a Regulatory Agreement (Attachment A) with Valentine Court III, Inc. for soft costs for this project, in substantially the forms attached thereto, consistent with the terms and conditions detailed in the Board letter and attachments dated September 17, 2002;

c) Authorize the County Administrator to execute a Subordination Agreement to the State Housing and Community Development Multifamily Housing Program (MHP) in the future when the State MHP funds are introduced into the project.

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

a) Approved.

b) and c) Authorized.

The motion carried unanimously.

A-9) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 02-00928](#)

Adopt one resolution, effective September 16, 2002 as follows:

a) PUBLIC WORKS (#4510)

Add: 1.0 FTE Accountant I/II (Class 0014/0015), Range 5210/5370 (\$3,261-\$3,982/\$3,532-\$4,312 per month) approved as part of Fiscal Year 2002-03 Adopted Budget;

b) ESTABLISH JOB CLASSIFICATION

Project Manager-Process Improvements-General Services (Class 006104), Range 6020 (\$4,885-\$5,963 per month).

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-325

The motion carried unanimously.

A-10) PLANNING AND DEVELOPMENT[File Reference No. 02-00788](#)

Approve and direct the Clerk of the Board to execute the Carrari Agricultural Preserve Replacement Contract (Case No. 02AGP-00000-00020), replacing a portion of the original Agricultural Preserve 00-AP-009, located 1 1/4 miles southwest of the intersection of Highway 135 and Bell Street (APNs 099-030-02, -050 [portion of], and -051), Los Alamos area, Third District.

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

A-11) PLANNING AND DEVELOPMENT[File Reference No. 02-00866](#)

Consider the Brand Agricultural Preserve Non-Renewal (Case No. 97-AP-022), as follows:

a) Accept the request for non-renewal of Agricultural Preserve 97-AP-022;

b) Approve and execute the Notice of Nonrenewal by the County Land Conservation Contract for APN 133-130-030, -032 and -036, located approximately 1/4 mile north of the intersection of US Highway 101 frontage road and Price Ranch Road, known as 224 Price Ranch Road, Los Alamos area, Third District.

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

a) Accepted.

b) Approved; Chair to execute.

The motion carried unanimously.

A-12) PROBATION[File Reference No. 02-00924](#)

Consider recommendations regarding the Bureau of Justice Assistance Local Law Enforcement Block Grants Program, as follows:

a) Authorize the County Administrator, on behalf of Santa Barbara County, to accept the 2002 Local Law Enforcement Block Grant Funding in the amount of \$99,481 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 Schwartz, seconded by Supervisor Urbanske, that this matter be Acted on as follows:

a) and b) Authorized.

The motion carried unanimously.

A-13) PUBLIC HEALTH

[File Reference No. 02-00940](#)

Approve the Local Emergency, Resolution Number 00-193, due to the spread and on-going epidemic of blood-borne viral hepatitis (Hepatitis B and C) and human immunodeficiency virus (HIV) infections among injection drug users and authorize Pacific Pride as the agent of the County to carry out the Needle Exchange and Education Program.

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

A-14) PUBLIC WORKS

[File Reference No. 02-00793](#)

Consider the vacation of a portion of St. Joseph Street and Shaw Street County Project No. 762009, Los Alamos, Third District, as follows:

a) Approve the California Environmental Quality Act (CEQA) Notice of Exemption;

b) Adopt the Resolution of Order to Vacate, thereby vacating the County's easement interest in a portion of St. Joseph Street and Shaw Street (the portions adjacent to APN 101-241-022) in the town of Los Alamos, which portion of the road right-of-way is no longer needed by the public for road or bike path purposes.

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

a) Approved.

b) Adopted.

RESOLUTION NO. 02-326

The motion carried unanimously.

A-15) PUBLIC WORKS

[File Reference No. 02-00946](#)

Consider recommendations regarding the construction of 2002-03 County Wide Measure 'D' Preventive Maintenance Application of Slurry Seal (County Project No. 820489), as follows:

a) Approve plans and specifications for the project;

b) Award the construction contract in the amount of \$ 524,728.10 to the lowest responsible bidder, Bond Blacktop, Inc. (not a local vendor) subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project and as required by law;

c) Authorize the Chair to execute the construction contract upon return of the Contractor's executed contract documents and the review and approval of the County Counsel, Auditor Controller and Risk Manager or their authorized representatives;

d) Approve a contingency fund in the amount of \$ 38,736.41 for the project.

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

a) and b) Approved.

c) Authorized; Chair to execute.

d) Approved.

The motion carried unanimously.

A-16) PUBLIC WORKS

[File Reference No. 02-00927](#)

Consider recommendations regarding Change Order No. 1 for the Tajiguas Landfill Sedimentation Control Structure (County Project No. 720625), Third District, as follows:

a) Approve Change Order No. 1 for an amount of \$58,488 and a time extension of 12 working days for the project;

b) Authorize the Chair to execute Change Order No. 1.

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

a) Approved.

b) Authorized; Chair to execute.

The motion carried unanimously.

A-17) PUBLIC WORKS

[File Reference No. 02-00933](#)

Adopt a personnel resolution, effective September 16, 2002, adding one (1.0 FTE) Office Assistant Senior (Class 1702) Range 4410 (\$2,188-\$2,672 per month) and deleting one (0.8 FTE) Office Assistant Senior (Class 1702) Range 4410 (\$1,750-\$2,138 per month) in Budget Unit 4510.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-327

The motion carried unanimously.

A-18) PUBLIC WORKS

[File Reference No. 02-00934](#)

Consider recommendations regarding construction of STIP Asphalt Concrete Overlay and Class II Bikelanes on Los Carneros Road (Project No. 862027), Third District, as follows:

a) Review and approve the Statement of Final Quantities for work performed and materials supplied by the Contractor, Granite Construction Company (a local vendor), in the amount of \$357,004.49;

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

a) Approved.

b) Accepted.

The motion carried unanimously.

A-19) PUBLIC WORKS

[File Reference No. 02-00935](#)

Consider recommendations regarding the San Marcos Road Bridge Seismic Retrofit (Br. No. 51C-002) (County Project No. 862037), Second District, as follows:

a) Approve the Project and Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the project;

b) Authorize the Director of Public Works to advertise for construction bids for the San Marcos Road Bridge Seismic Retrofit Project.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-20) PUBLIC WORKS

[File Reference No. 02-00936](#)

Consider recommendations regarding the Hollister Avenue Underpass Bridge Seismic Retrofit (Br. No. 51C-018) (County Project No. 862040), Second District, as follows:

a) Approve the Project and the Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the project;

b) Authorize the Director of Public Works to advertise for construction bids for the Hollister Ave Underpass Bridge Seismic Retrofit Project.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-21) PUBLIC WORKS

[File Reference No. 02-00937](#)

Consider recommendations regarding the Santa Rosa Road Bridge Seismic Retrofit (Br. No. 51C-173) (County Project No. 862041), Third District, as follows:

a) Approve the Project and the Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the project;

b) Authorize the Director of Public Works to advertise for construction bids for the Santa Rosa Road Bridge Seismic Retrofit Project.

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

a) **Approved.**

b) **Authorized.**

The motion carried unanimously.

A-22) PUBLIC WORKS

[File Reference No. 02-00938](#)

Consider recommendations regarding preliminary engineering services for the Goleta Old Town Infrastructure Project (County Project No. 862035 - Ekwill Street and No. 862036 - Fowler Road), Second District, as follows:

a) Accept the Goleta City Council's approval that the County of Santa Barbara is authorized to execute professional services contracts for the Goleta Old Town Infrastructure Project with following the companies, RBF Consulting (not a local vendor) for preliminary design services in the amount of \$815,584; COM3 Consulting (a local vendor) for project management services in the amount of \$93,050; and Associated Transportation Engineers (a local vendor) for traffic modeling services in the amount of \$29,346;

b) Authorize the Chair to execute an agreement with RBF Consulting for preliminary design services for the Goleta Old Town Infrastructure Project, in the amount of \$815,584 (Attachment A);

c) Authorize the Chair to execute an agreement with COM3 Consulting, for project management services for the Goleta Old Town Infrastructure Project, in the amount of \$93,050 (Attachment B);

d) Authorize the Chair to execute an agreement with ATE for traffic modeling services for the Goleta Old Town Infrastructure Project, in the amount of \$29,346 (Attachment C);

e) Authorize County Chair to execute a Cooperative Agreement with the City of Goleta for County staff time necessary to administer the Consultant Agreements listed above in the amount of \$40,000 (Attachment D).

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

a) **Accepted.**

b) through e) **Authorized; Chair to execute.**

The motion carried unanimously.

A-23) SHERIFF

[File Reference No. 02-00929](#)

Adopt a personnel resolution, effective September 16, 2002, adding one (1.0 FTE) Forensic Pathologist (Class 3696) Range 7380 (\$11,751 per month).

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted

RESOLUTION NO. 02-328

The motion carried unanimously.

Hearing Requests

- A-24) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00945](#)
- Set a hearing to provide direction regarding the use of the County-owned Garden Street parking lot, Santa Barbara, First District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 1, 2002 (EST. TIME: 60 MIN.) The motion carried unanimously.**
- A-25) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00949](#)
- Set a hearing to receive the annual State Legislative Report and consider the renewal of the State Legislative Advocacy Contract with Governmental Advocates, Inc.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 8, 2002 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.**
- A-26) PLANNING AND DEVELOPMENT [File Reference No. 02-00923](#)
- Set a hearing to consider the Sandpiper Liquors Appeal of Planning and Development's denial of a sign variance 01VAR-00000-00007 (02APL-00000-00022), Summerland area, First District, as follows:
- a) Adopt the required findings for the project, specified in the Zoning Administrator Action Letter dated June 7, 2002;
- b) Deny the appeal, upholding the Zoning Administrator's denial of Variance 01VAR-00000-00007.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 22, 2002 (EST. TIME: 60 MIN.) The motion carried unanimously.**
- A-27) PLANNING AND DEVELOPMENT [File Reference No. 02-00941](#)
- Set a hearing regarding the request of Daniel Hansen to consider 1) an amendment to the Comprehensive Plan Land Use Element Lompoc Area Map by changing the Land Use Designation from Residential Ranchette -10 to Residential Ranchette-5 property zoned RR-10 under Article III; 2) a rezone of 10.01 acres from RR-10 to RR-5 under the provisions of Santa Barbara County Code Chapter 35 of Article III; 3) a minor conditional use permit for a shared water well; and 4) for approval under County Code Chapter 21 to divide 10.01 acres into two (2) parcels of 5.00 and 5.01 acres in the RR-5 zone district under Article III (Case Nos. 00-GP-011, 00-RZ-008, 01CUP-00000-00156 and TPM 14,560), located approximately 1,000 feet north of State Highway 246, east of Tularosa road (APN 099-650-017), Lompoc area, Fourth District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 8, 2002 in Santa Maria (EST. TIME: 30 MIN.) The motion carried unanimously.**
- A-28) PUBLIC WORKS [File Reference No. 02-00925](#)
- Set a hearing to consider the Solid Waste and Utilities Division's current and planned recycling programs for Santa Barbara County.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 15, 2002 The motion carried unanimously.**
- A-29) PUBLIC WORKS [File Reference No. 02-00926](#)

Set a hearing to receive a presentation on the Solid Waste and Utilities Division's surface water testing of Pila Creek, Third District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 1, 2002 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-30) SUPERVISOR GRAY and SUPERVISOR URBANSKE

[File Reference No. 02-00947](#)

Set a hearing to consider recommendations regarding winery permit process streamlining, as follows:

a) Receive an oral report from Kevin Merrill, President of the Central Coast Wine Growers' Association and Lisa Bodrogi, Chair of the Winery Sub-Committee for the Wine Industry Task Force, regarding the work on streamlining the winery permitting process in Santa Barbara County.

b) Direct Planning & Development staff to prepare new winery permitting guidelines based on the recommendations from the Wine Industry Task Force and return to the Board on November 12, 2002 for consideration and a vote.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: December 10, 2002 in Santa Maria (EST. TIME 20 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, to Approve the Administrative Agenda. The motion carried unanimously.

[File Reference No. 02-00025](#)

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) (02-00,025)

RE: Coalition for Water - Fourth District Supervisor Joni Gray addressed the Board.

RE: Pesticides Issues - Eric Cardenas addressed the Board.

RE: Warehouse Needs - Sister Janet Corcoran addressed the Board.

Departmental Agenda -- Public Hearings

1) **PUBLIC WORKS**

[File Reference No. 02-00803](#)

HEARING - Consider the adoption (Second Reading) of an ordinance amending Section 23-11 and 23-11.2 and removing Section 23-11.3 and 23-11.4 of Chapter 23 of the Santa Barbara County Code, regarding one hour parking regulations, All Districts. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Adopted

ORDINANCE NO. 4476

The motion carried unanimously.

2) **COUNTY EXECUTIVE OFFICE**

[File Reference No. 02-00690](#)

HEARING - Consider recommendations regarding impacts of the State's Fiscal Year 2002-03 Budget on the County as follows: (EST. TIME: 2 HRS.)

a) Receive and file an update on the impacts of the State's FY 02-03 Budget on the County.

b) Direct departments to initiate whatever actions they deem appropriate to live within the funding provided by the State.

c) Direct the County Administrator to return to the Board in November 2002 with a FY 02-03 budget update. This update would include discussions and recommendations on Budget Expansions deferred until after the 1st quarter at the June FY 02-03 Budget Hearings as well as any added Budget Expansions resulting from State budget impacts.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Received and Filed.

b) Directed.

c) Directed the County Administrator to return to the Board on November 12, 2002, in Santa Maria, with a FY 02-03 budget update.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards

Planning Items and Public Hearings

Request Continuance of Departmental Item No. 3.

3) PLANNING AND DEVELOPMENT[File Reference No. 02-00147](#)

HEARING - Consider recommendations regarding the Oak Protection Program, as follows: (EST. TIME: 2 HRS.)

- a) Receive a report from the Oak Protection Working Group;
- b) Consider options for the remaining unresolved details of the Working Group's Consensus Program;
- c) Identify preferred Oak Protection Program;
- d) Direct staff to return with the preferred program for adoption.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Continued, as follows: October 15, 2002. The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Urbanske

4) PLANNING AND DEVELOPMENT[File Reference No. 02-00742](#)

HEARING - Consider the appeals of Richard Monk, agent for Lawrence Lambert, of the Planning Commission's decision to uphold the Planning & Development Department's decision to revoke a minor change to the Land Use Permit for a retaining wall in conjunction with a driveway (97-LUS-509 MO AP01), to deny Land Use Permits for a guest house (99-LUS-585 AP01), a pool (99-LUS-506 AP01), and to deny a Land Use Permit for a retaining wall adjacent to an existing garage (99-LUS-525 AP01), located at 910 Hot Springs Road (APN 011-050-024) in Montecito, First District, as follows: (EST. TIME: 2 HRS.)

- a) Affirm the following Planning Commission decisions:
 - i) Uphold Planning & Development's decision to revoke a minor change to the Land Use Permit for a retaining wall in conjunction with a driveway (97-LUS-509 MO);
 - ii) Deny a Land Use Permit for a guesthouse (99-LUS-585);
 - iii) Deny a Land Use Permit for a pool (99-LUS-506);
 - iv) Deny a Land Use Permit for a retaining wall adjacent to an existing garage (99-LUS-525);
- b) Deny the appeals;
- c) Provide direction to the applicant to work with staff and to submit a new Land Use Permit application for a project that would be consistent with the Montecito Community Plan and the Article IV Zoning Ordinance.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

A Motion was made by Supervisor Schwartz, seconded by Supervisor Rose, as follows:

a) Affirmed the Planning Commission's decision as follows: Upheld Planning & Development's decision to revoke a minor change to the Land Use Permit for a retaining wall in conjunction with a driveway (97-LUS-509 MO); Denied a Land Use Permit for a guesthouse (99-LUS-585); Denied a Land Use Permit for a pool (99-LUS-506); Denied a Land Use Permit for a retaining wall adjacent to a existing garage (99-LUS-525).

b) Denied the appeals, and adopted the Planning Commission's findings as contained in Exhibit 2 (97-LUS-509 Rev. 2), Exhibit 9 (99-LUS-506, 99-LUS-585), and Exhibit 10 (99-LUS-525), as modified by the Board at its September 17, 2002 hearing.

The motion carried by the following Vote:

Ayes: 3 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall

Noes: 1 - Supervisor Gray

Absent: 1 - Supervisor Urbanske

A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, as follows:

c) Encouraged the applicant to submit a new Land Use Permit application for a project that would be consistent with the Montecito Community Plan and the Article IV Zoning Ordinance.

The motion carried by the following Vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall, Supervisor Gray

Absent: 1 - Supervisor Urbanske

Adjourn to September 24, 2002

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

Adjourn

Announcements

THE MEETING OF SEPTEMBER 17, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, SEPTEMBER 19, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>