

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal
Second District - Janet Wolf, Vice Chair
Third District - Doreen Farr
Fourth District - Joni Gray
Fifth District - Joseph Centeno, Chair

Michael F. Brown, County Executive Officer

Action Summary

Tuesday, November 3, 2009

9:00 AM

**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.

Live Web Streaming of the Board of Supervisors Meetings, 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**

CONVENED AT 9:20 A.M.

Roll Call

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,
and Supervisor Centeno

Pledge of Allegiance**Report from Closed Session**

COUNTY COUNSEL

[09-00957](#)

Closed Session Agenda

No Reportable Action

Approval of Minutes of the October 27, 2009 Meeting

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, to
Approve the Minutes. The motion carried by the following vote:**

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor
Gray, and Supervisor Centeno

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Resolutions to be Presented at 9:15 A.M.**A-1) SUPERVISOR CARBAJAL****[09-00920](#)**

Adopt a Resolution of Commendation honoring Senior Deputy District Attorney Allan Kaplan upon his retirement from the Santa Barbara County District Attorney's Office after 27 years of dedicated service to all residents of Santa Barbara County.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 09-329

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-2) BOARD OF SUPERVISORS**[09-00931](#)**

Adopt a Resolution of Commendation honoring John Meredith and Matt Murray of the Information Technology Department as the November 2009 Santa Barbara County Employees of the Month.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 09-330

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Honorary Resolutions**A-3) SUPERVISOR CARBAJAL****[09-00933](#)**

Adopt a Resolution of Commendation honoring Dana Newquist as a recipient of the Montecito Association's 2009 Citizen of the Year Award.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 09-331

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-4) SUPERVISOR WOLF[09-00930](#)

Adopt a Resolution of Commendation honoring Nicholas Vanhecke upon achieving the rank of Eagle Scout.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 09-332

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Administrative Items**A-5) GENERAL SERVICES**[09-00923](#)

Consider recommendations regarding the Notice of Completion for the Lompoc Fire and Sheriff Facility Air Conditioning Project, County Project No. 8657AC, Fourth District, as follows:

a) Accept the Notice of Completion for work performed by All Star Heating and Air Conditioning of Buellton, California (a local vendor), for the Lompoc Fire and Sheriff Air Conditioning Project; and

b) Approve and authorize the Clerk to record.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:.

a) Accepted.

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-6) GENERAL SERVICES[09-00926](#)

Accept a Notice of Completion for work performed by Alltech Services to remove and replace 14 failing HVAC units and install a new automated building control system in Betteravia Building No. B, Project No. T02001, Fifth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Accepted. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-7) GENERAL SERVICES**09-00929**

Approve and authorize the Chair to execute the Second Amendment to the Lease Agreement between the County of Santa Barbara and the Santa Barbara Community Housing Corporation (SBCHC) for the SBCHC's use of the approximately 5,000 square foot County-owned building known as Casa Del Mural, located at 4570 Calle Real, in Santa Barbara, which will amend and further define the responsibilities of the SBCHC and the County in regard to maintenance, utilities, and management of the property, Project No. ORES 002874, Second District. (4/5 Vote Required)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-8) HOUSING AND COMMUNITY DEVELOPMENT**09-00921**

Consider recommendations regarding a Grant Application for Housing and Urban Development Continuum of Care Homeless Assistance Programs, as follows:

- a) Approve and authorize the Director of the Housing and Community Development Department to submit a Countywide comprehensive application to the United States Department of Housing and Urban Development (HUD), for the Fiscal Year 2009 Continuum of Care Homeless Assistance Programs; and
- b) Approve and authorize the Director of Housing and Community Development to execute all certifications, standard forms, and other related documents required for submission of the Fiscal Year 2009 Continuum of Care grant application.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-9) PUBLIC WORKS[09-00935](#)

Consider recommendations regarding the Seismic Retrofit of Two Bridges, Nos. 51C-014 and 51C-016, located on Jalama Road at Salsipuedes and Ramajal Creeks, Federal Aid Project No. BRLSZD-5951(113) and (117), combined County Project Numbers 862276 and 862277, Third District, as follows:

- a) Approve plans and specifications for seismic retrofit of two bridges, Nos. 51C-014 and 51C-016, located on Jalama Road at Salsipuedes and Ramajal Creeks, Federal Aid Project No. BRLSZD-5951(113) and (117), combined County Project Numbers 862276 and 862277;
- b) Award the construction contract in the amount of \$618,838.20 to the lowest responsive bidder, Souza Construction, 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) Approve and authorize the Chair to execute the construction contract upon return of the Contractor's executed contract documents, and upon the review and approval of County Counsel, Auditor-Controller, Risk Manager or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$43,441.91.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:.

a) through d) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-10) SHERIFF[09-00922](#)

Authorize the transfer of an Armored Personnel Carrier, County Vehicle No. 3319, to the Lompoc Police Department.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Authorized. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-11) TREASURER-TAX COLLECTOR[09-00932](#)

Adopt a Resolution Authorizing the Cold Spring Elementary School District to Issue and Sell Bonds on its Own Behalf in Accordance with Education Code Section 15140 in an amount not to exceed \$2,440,000, Election of 2008, Series 2009.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 09-333

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Board of Supervisors**A-12) SUPERVISOR WOLF**[09-00928](#)

Approve the appointment of Ariana C. Alvarez to the Commission for Women, term ending October 30, 2011, Second District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Hearing Requests**A-13) COUNTY COUNSEL**[09-00927](#)

Set hearing to adopt a Resolution accepting and approving a Development Impact Fee update to the Fire Protection Mitigation Fee of the Carpinteria-Summerland Fire Protection District.
(Set hearing for 11/10/09. Time estimate 15 minutes.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this Agenda Item be Set for a hearing, as follows: November 10, 2009 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-14) PUBLIC HEALTH**09-00925**

Set hearing to consider recommendations regarding the approval of an Ordinance which establishes the Santa Barbara County Public Health Department (PHD) Community Health Center Board (CHC) and Approve the CHC Membership and By-Laws, as follows:

(Set hearing for 11/10/09. Time estimate 15 minutes.)

a) Consider the introduction (first reading) of an Ordinance establishing the Santa Barbara County CHC Board;

b) Set hearing for December 1, 2009 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance establishing the Santa Barbara County CHC Board;

ii) Approve the eight (8) CHC Board Consumer Members recommended by the PHD with the remaining 5 members to be appointed by the Board of Supervisors (one 1 member from each district) by December 11, 2009; and

iii) Approve the recommended Santa Barbara County CHC Board By-Laws.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: November 10, 2009 in Santa Maria (EST. TIME: 15 MIN.) The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-15) SUPERVISOR CARBAJAL**09-00934**

Set hearing to consider a request to fund a Public Health winter ocean water quality testing program from November 2009 through March 2010 using Tobacco Settlement Advisory Committee (TSAC) or other non-General Fund sources.

(Set hearing for 11/10/09. Time estimate 15 minutes.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: November 10, 2009 in Santa Maria (EST. TIME: 15 MIN.) The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Administrative Items**A-16) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES****09-00183**

Receive and file a report on the County of Santa Barbara's Pharmacy Discount Card Program.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Approval of Administrative Agenda

HEARING TIME: 9:25 A.M. - 9:55 A.M. (30 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, to Approve the minutes, as amended. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

09-00001

Public Comment

HEARING TIME: 9:57 A.M. - 10:13 A.M. (16 MIN.)

Persons 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. 03-282) (09-00001)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR IS NOT APPROPRIATE.

RE: Legal issues regarding County - Katherine Anne Smith Addressed the Board.

RE: Racism / California Welfare System - Dr. Robert L. Johns, Ph.D. Addressed the Board.

RE: Santa Barbara County Foster Youth / Santa Barbara Foster Parent Association - Sherol Migrado, Shelly Best and Kira Redmond Addressed the Board.

RE: Memorial service beginning at 1 p.m., Wednesday, Nov. 4, at the Sunken Gardens / County Courthouse for California Highway Patrol Officer Jarrod Martinez who was recently killed in a vehicle accident - Fifth District Supervisor Joe Centeno and County Executive Officer Michael F. Brown addressed the Board.

Persons 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. 03-282) (09-00001)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR IS NOT APPROPRIATE.

HEARING TIME: 9:57 A.M. - 10:13 A.M. (16 MIN.)

Departmental Agenda
Planning Items and Public Hearings

1) PLANNING AND DEVELOPMENT

[09-00358](#)

HEARING - Consider recommendations regarding the Santa Barbara Ranch Development, as follows: (EST. TIME: 15 MIN.)

- a) Accept the Addendum dated October 5, 2009 to the Santa Barbara Ranch FEIR as adequate environmental review for the actions;
- b) Adopt a finding that the Coastal Development Agreement approved by Ordinance 4694 is not yet effective because certification by the Coastal Commission of the Local Coastal Program Amendments has not occurred; and
- c) Consider the adoption (second reading) of an Ordinance rescinding the Board's previous approval of the Coastal Development Agreement for Santa Barbara Ranch and vacating its previous authorization for the owners of Dos Pueblos Ranch to seek their own Development Agreement.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:38 A.M. - 10:43 A.M. (5 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Accepted.**
- b) Adopted.**
- c) Adopted.**

ORDINANCE NO. 4731

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

Noes: 2 - Supervisor Gray, and Supervisor Centeno

2) PUBLIC WORKS

[09-00843](#)

HEARING - Consider recommendations regarding speed limits on various roads, First, Second, and Fourth Districts, as follows: (4/5 Vote Required) (EST. TIME: 20 MIN.)

a) Consider the adoption (second reading) of an Ordinance amending Chapter 23 Sections 23-15.3, 23-15.4, 23-15.5, 23-15.6 and 23-15.7 of the Santa Barbara County Code pertaining to speed limits on Rincon Hill Road and Via Real in the Carpinteria area, Middle Road in the Montecito area, Mission Canyon Road and Turnpike Road in the Santa Barbara area, and Rucker Road in the Mission Hills area.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:44 A.M. - 10:49 A.M. (5 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Adopted.

ORDINANCE NO. 4732

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

3) SHERIFF, FIRE, PUBLIC HEALTH, PARKS

[09-00919](#)

HEARING - Consider recommendations regarding a report on the Urgency Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista and adoption of a Permanent Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas, and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista, Third District, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a six month update on Urgency Ordinance Restricting Use of Alcohol in Certain Parks, Beaches, Access Ways and Recreation Areas located in the Community of Isla Vista;
- b) Consider the introduction (first reading) of an Ordinance Restricting use of Alcohol in Certain Parks, Beaches, Access Ways, and Recreation Areas located in the Community of Isla Vista; and
- c) Set hearing for December 1, 2009 to consider the adoption (second reading) of an Ordinance Restricting use of Alcohol in Certain Parks, Beaches, Access Ways and Recreation Areas located in the Community of Isla Vista.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:50 A.M. - 12:15 P.M. (85 MIN.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Acted on and set for a hearing, as follows:

- a) Received and filed staff presentation and conducted public hearing.**
- b) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for December 1, 2009.**
- c) Set for December 1, 2009 in Santa Barbara (EST. TIME: 10 MIN.)**

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

4) PLANNING AND DEVELOPMENT

[09-00766](#)

HEARING - Consider the request of Susan Petrovich, agent for William Foley, owner, regarding the Crossroads Special Events and Rezone, Third District, as follows: (EST. TIME: 15 MIN.)

a) Consider recommendations regarding the Rezone, Case No. 07RZN-00000-00004, as follows:

i) Adopt the required findings for the Rezone, Case No. 07RZN-00000-00004, including CEQA findings;

ii) Adopt an Ordinance Zoning Map Amendment for APN 133-190-014, amending the Inland Zoning Map for the Santa Ynez Valley Rural Areas Zone;

iii) Adopt the revised Mitigated Negative Declaration No. 08NGD-00000-00013 for the limited purpose of approving the consistency rezone; and

iv) Approve case No. 07RZN-00000-00004; and

b) Consider recommendations regarding the Conditional Use Permit, Case No. 09CUP-00000-00021, as follows:

i) Adopt the required findings for denial of Conditional Use Permit Case No. 09CUP-00000-00021;

ii) Accept the exemption pursuant to CEQA Guidelines Section 15270 (projects which are disapproved); and

iii) Deny Case No. 09CUP-00000-00021.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:25 P.M. - 1:40 P.M. (15 MIN.)

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

a) i) Adopted.

ii) Adopted.

ORDINANCE NO. 4733

iii) Adopted revised Mitigated Negative Declaration.

iv) Approved case no. 07RZN-00000-00004.

b) i) Adopted.

ii) Accepted.

iii) Denied Case No. 09CUP-00000-00021.

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

Noes: 2 - Supervisor Gray, and Supervisor Centeno

Lunch reception in the Board of Supervisors' Conference Room, 4th Floor, County Administration Building, Santa Barbara.

HEARING TIME: 12:20 P.M. 1:20 P.M. (60 MIN.)

Received and filed presentation by Agricultural Commissioner.

5) PUBLIC HEALTH

09-00901

HEARING - Consider recommendations regarding the Spay-Neuter Task Force Report and Recommendations, as follows: (EST. TIME: 3 HRS.)

a) Consider recommendations from the Spay-Neuter Task Force and consider the introduction (first reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule effective January 1, 2010;

b) Set hearing for December 1, 2009 to consider the adoption (second reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule;

c) Approve a Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines;

d) Commend the Task Force members on their work and the completion of their duties; and

e) Direct staff to return to the Board of Supervisors in 24-36 months with data to report on the effectiveness of any Ordinance approved by the Board, as well as performance measures on licensing levels resulting from the Responsible Pet Ownership Program.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:40 P.M. - 4:25 P.M. (2 HRS. 45 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through e) Continued hearing in Santa Maria on November 10, 2009 (EST. TIME: 3 HRS.)

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

6) PLANNING AND DEVELOPMENT

[09-00902](#)

HEARING - Consider recommendations regarding Case No. 09APL-00000-00025, the Sipple appeal of the Montecito Planning Commission's July 28, 2009 denial of Case Nos. 09APL-00000-00013 and 09APL-00000-00014, located at 660 Stonehouse Lane, APN 155-060-028, Montecito Area, First District, as follows: (EST. TIME: 1 HR.)

a) Deny the appeal, Case No. 09APL-00000-00025 thereby upholding the Montecito Planning Commission's (MPC) denial of the Sipple appeals, case numbers 09APL-00000-00013 and 09APL-00000-00014, as shown in the July 28, 2009 MPC Action Letter;

b) Accept the CEQA Notice of Exemption;

c) Grant de novo approval of Case No. 06BAR-00000-00182, upholding the Montecito Board of Architectural Review's (MBAR) decision of approval; and

d) Grant de novo approval of Case No. 09LUP-00000-00166, as revised by the Montecito Planning Commission and subject to the conditions of approval in the originally-approved Land Use Permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:30 P.M. - 6:30 P.M. (2 HRS.)

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

- a) Denied the appeal, Case No. 09APL-00000-00025 thereby upholding the Montecito Planning Commission's denial of the Sipple appeals, case numbers 09APL-00000-00013 and 09APL-00000-00014, as shown in the July 28, 2009 MPC Action Letter, included as Attachment A to the Board Letter dated November 3, 2009. Adopted the required findings for revised final approvals of 06BAR-00000-00182 and 09LUP-00000-00166, included as Attachment A to the Montecito Planning Commission Action Letter dated July 28, 2009;
- b) Approved the CEQA exemption, included as Attachment B to the Board Letter dated November 3, 2009; and
- c) and d) Granted de novo approval of Case Nos. 06BAR-00000-00182 and 09LUP-00000-00166 subject to the conditions of approval in the originally approved Land Use Permit included as Attachment C to the Board Letter dated November 3, 2009, revised at the Board hearing of November 3, 2009 as follows:

REVISION TO CONDITIONS OF APPROVAL

Condition of Approval No. 1, Project Description, was revised as follows:

1. Project Description. This Land Use Permit is based upon and limited to compliance with the project description, the exhibits, and the conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The project is for a Land Use Permit to allow the installation of additional landscaping in the rear of the property to provide adequate screening to and from the neighboring properties. Additional landscaping is to include the following:

- a) Adopt the "Easton Plan #2" that proposes to plant 7 new Podocarpus trees that measure no less than 16-17 feet in height and are at least 5-6 feet in width regardless of box-size (36", 48" or 60" boxes). Adopt the July 22, 2009 Montecito Planning Commission landscape plan, as revised at the Board of Supervisors' hearing of November 3, 2009, to plant a total of nine new Podocarpus trees for screening purposes along the rear of the property (adjacent to the south western property line). Of the nine trees, seven shall be planted from 48" boxes and shall measure no less than 16-17 in height and 5-6 feet in width. Two of the trees (the second and third trees in the alignment as counted from south to north) shall be planted from 60" boxes and shall measure no less than 18-19 feet in height. Landscaping shall be maintained for the life of the project.
- b) The addition of 2 more Podocarpus trees to be planted north of and adjacent to the 7 trees from the Easton Plan #2 and of the same measurements of size as the 7 other trees.

- c) The 9 total Podocarpus trees are to be planted no more than 9 feet apart (on center).
- d) The exact location of the 9 new Podocarpus trees shall be situated so as to maximize the effect of screening, as viewed from the Sipple yard and pool area, as the line of new trees curves between the critical root zones of existing oak trees, around the new dispersion pits located in the drainage swale and along the new boulder wall.
- e) To the maximum extent feasible, the off-setting and undulation of the 9 new Podocarpus trees should create an optical overlapping effect at the widest areas of the trees as viewed from the Sipple property.
- f) All 9 Podocarpus trees must be planted within 30 days of the Effective Date of Land Use Permit 09LUP-00000-00166.
- g) P&D staff shall verify that all landscaping trees associated with this LUP are planted and appropriately located so as to maximize screening as viewed from the Sipple property within the prescribed period of time.
- h) Implement the irrigation recommendations of the arborist, outlined in the Duke McPherson letter, dated 3/11/09.
- i) Maintain consistency with the approved tree protection plan.
- j) Construction of a 5-foot garden/retaining wall of boulder material.

The parcel will continue to be served by the Montecito Water District, the Montecito Sanitary District, and the Montecito Fire District. Access will continue to be provided off of Stonehouse Lane. The property is a 2.04-acre parcel zoned 2-E-1 and shown as Assessor's Parcel Number 155-060-028, located at 660 Stonehouse Lane in the Montecito Community Plan Area, 1st Supervisorial District.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Adjourned at 6:05 PM

Adjourned to

**The Board of Supervisors Adjourned the Meeting of November 3, 2009 in honor of
California Highway Patrol Officer Jarrod Martinez.**

November 10, 2009

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Challenges

**IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON
THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY
THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC
HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN
CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR
PRIOR TO, THE PUBLIC HEARING.**

Announcements

The meeting of Tuesday, November 3, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 5, 2009, at 5:00 PM and on Saturday, November 7, 2009, at 10:00 AM on CSBTV Channel 20.

The Board of Supervisors will not meet on Tuesday November 17, 2009 due to the California State Association of Counties (CSAC) Conference and Tuesday November 24, 2009 due to the Thanksgiving Holiday.

<http://www.countyofsb.org>