



COUNTY OF SANTA BARBARA

PLANNING COMMISSION UNAPPROVED MINUTES

**Special Hearing of September 18, 2013
9:00 a.m.**

The regular hearing of the Santa Barbara County Planning Commission was called to order by Chair Joan Hartmann, at 9:01 a.m., in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California.

COMMISSIONERS PRESENT:

C. MICHAEL COONEY	1ST DISTRICT
CECILIA BROWN	2ND DISTRICT
JOAN HARTMANN	3RD DISTRICT, CHAIR
LARRY FERINI	4TH DISTRICT
DANIEL BLOUGH	5TH DISTRICT, VICE-CHAIR

COMMISSIONERS ABSENT: None

STAFF MEMBERS PRESENT:

Dianne M. Black, Secretary to the Planning Commission/Assistant Director
David Villalobos, Recording Secretary to the Planning Commission
Rachel Van Mullem, Chief Deputy County Counsel
Gabrielle Janssens, Deputy County Counsel
Jeff Hunt, Deputy Director, Long Range Planning
David Lackie, Supervising Planner, Long Range Planning
Brian Tetley, Planner, Long Range Planning
Heather Allen, Planner, Long Range Planning
Claude Garciacelay, Planner, Community Services Department

NUMBER OF INTERESTED PERSONS: Approximately 18

ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- III. **ROLL CALL:** All Commissioners were present.
- IV. **PROJECTION REPORT:** by Dianne M. Black.
- V. **PUBLIC COMMENT:** Bret McNulty spoke about the upcoming Santa Barbara Citizen's Planning Academy, which will be held from October 8 to November 9, 5:30 p.m. to 8:30 p.m.

VI. **STANDARD AGENDA:**

1. **Gaviota Coast Plan Initiation for Environmental Review** **Gaviota**

David Lackie, Supervising Planner (805) 568-2023
Brian Tetley, Planner (805) 884-6848

Hearing on the request of the Planning and Development Department (P&D) that the County Planning Commission:

1. Review and comment on the Initiation Draft Gaviota Coast Plan.
2. Recommend that the Board of Supervisors initiate the Initiation Draft Gaviota Coast Plan as the project description for environmental review. (Continued from 6/11/13, 6/26/13, 7/16/13, 7/30/13, 8/07/13, 8/19/13, 8/28/13, and 9/4/13)

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

1. **Review and consider the *Initiation Draft Gaviota Coast Plan*;**
2. **Recommend that the Board of Supervisors initiate for environmental review the *Initiation Draft Gaviota Coast Plan*, as revised at the hearing of September 18, 2013; and**
3. **Adopt a resolution recommending the Board of Supervisors initiate the *Initiation Draft Gaviota Coast Plan* as the project description for environmental review, including proposed amendments to portions of the Santa Barbara County Comprehensive Plan, Coastal Land Use Plan, land use and zoning maps, the Land Use and Development Code and Article II Coastal Zoning Code, as revised at the hearing of September 18, 2013.**

There being no further business to come before the Commission the hearing was adjourned until 9:00 a.m. on September 25, 2013, in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California 93101.

Meeting adjourned at 4:51 p.m.

Dianne M. Black
Secretary to the Planning Commission



COUNTY OF SANTA BARBARA

PLANNING COMMISSION UNAPPROVED MINUTES

**Hearing of September 25, 2013
9:00 a.m.**

The regular hearing of the Santa Barbara County Planning Commission was called to order by Chair Joan Hartmann, at 9:01 a.m., in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California.

COMMISSIONERS PRESENT:

C. MICHAEL COONEY	1ST DISTRICT (Left at 4:00 P.M.)
CECILIA BROWN	2ND DISTRICT
JOAN HARTMANN	3RD DISTRICT, CHAIR
LARRY FERINI	4TH DISTRICT
DANIEL BLOUGH	5TH DISTRICT, VICE-CHAIR

COMMISSIONERS ABSENT:

STAFF MEMBERS PRESENT:

Glenn Russell, Director, Planning and Development
Dianne M. Black, Secretary to the Planning Commission/Director, Development Services
David Villalobos, Recording Secretary to the Planning Commission
Rachel Van Mullem, Chief Deputy County Counsel
Bill Dillon, Senior Deputy County Counsel
Jenna Richardson, Deputy County Counsel
Doug Anthony, Deputy Director, Energy and Minerals
Nancy Minick, Planner, Energy and Minerals
J. Ritterbeck, Planner, Development Review South
Florence Trotter-Cadena, Planner, Development Review North
Errin Briggs, Planner, Development Review South

NUMBER OF INTERESTED PERSONS: Approximately 82

ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- III. **ROLL CALL:** All Commissioners were present.
- IV. **AGENDA STATUS REPORT:** by Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.
- VI. **PUBLIC COMMENT:** None.

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

VIII. **MINUTES:** The Minutes of September 4, 2013 and September 11, 2013 were considered as follows:

ACTION: Commissioner Blough moved, seconded by Commissioner Brown and carried by a vote of 5 to 0 to approve the Minutes of September 4, 2013.

ACTION: Commissioner Blough moved, seconded by Commissioner Cooney and carried by a vote of 4 to 0 to 1 (Brown abstained) to approve the Minutes of September 11, 2013.

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

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

C-1. 13GOV-00000-00011 **North County Jail Bed and Transitional Reentry Program Building Government Code Conformity Santa Maria**
John Karamitsos, Supervising Planner (805) 934-6255

Hearing on the request of John Green, Capital Projects Manager for the Santa Barbara County General Services Department, to consider Case No. 13GOV-00000-00011, [application filed on September 6, 2013], for a determination that an additional structure for 228 beds and inmate transitional reentry programs on the same 50 acre site as and within approximately 15 feet of the approved 376-bed detention facility, to be funded primarily by State financing via SB 1022, conforms with the Comprehensive Plan of the County of Santa Barbara pursuant to California Government Code Section 65402(a). This site is located at the southwest corner of Black and Betteravia Roads within the unincorporated area immediately adjacent to Santa Maria City Limit line, AP No. APN 113-210-021, Third Supervisorial District.

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

1. Determine that the project conforms with the Comprehensive Plan; and
2. Transmit the conformity report required by Government Code Section 65402(a) to John Green, Santa Barbara County General Services Department, and the Board of Supervisors. The memo dated September 16, 2013, and the letter reflecting the Planning Commission's action shall constitute the required report.

XI. **STANDARD AGENDA:**

1. 09PPP-00000-00002 **Santa Maria Energy Oil Drilling and**
12DVP-00000-00008 **Production Project and Laguna Sanitation**
13LUP-00000-00102 **District Phase 3 Recycled Water Pipeline** **Orcutt**
12EIR-00000-00003 Kevin Drude, Deputy Director (805) 568-2519
Nancy Minick, Planner (805) 884-8050

Hearing on the request of Santa Maria Energy LLC to consider approval of the following permits:

- a) **09PPP-00000-00002** [application filed on November 12, 2009] Oil Drilling and Production Plan (ODPP) in order to produce oil using a cyclic steaming process from the Diatomite

formation within the Careaga Lease in compliance with Section 35.53.040 of the County Land Use and Development Code (LUDC) on property zoned AG-II-100;

- b) **12DVP-00000-00008** [application filed on August 2, 2012] Development Plan to install a crude oil transmission pipeline from the Careaga Lease in compliance with Section 35.82.080 of the LUDC, on property zoned AG-II-100. (The pipeline would be operated by the Laguna County Sanitation District upon the District's acceptance of the pipeline as constructed by Santa Maria Energy.);
- c) **13LUP-00000-00102** [application filed on March 25, 2013] Land Use Permit to install the Recycled Water Pipeline and pump station from the terminus of the District's existing recycled water distribution pipeline to the Careaga Lease on various parcels and within public road rights-of-way in compliance with Allowable Uses as described in LUDC Sections 35.21 through 35.25, primarily on property zoned AG-II-100;

and to certify the Environmental Impact Report (12EIR-00000-00003; SCH #2011091085) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of the SME project, Class I significant environmental effects are anticipated in the following categories: Water Resources and Biological Resources. Class II significant but mitigable environmental effects are anticipated in the following categories: Air Quality, Aesthetic, Biological, Cultural and Water Resources, and Transportation. The EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara or 624 West Foster Road, Santa Maria. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara, the Santa Maria Public Library, 421 South McClelland Street, Santa Maria, and the UCSB Reference Library. The Final EIR and appendices are also posted on the P&D website, <http://www.sbcountyplanning.org>. The application involves APNs 101-020-074, 101-080-089, 101-020-070, 101-080-089, 105-060-022, 105-140-087, 111-231-007, -008, -010, -011, and -017 located south of the Orcutt area, in the Third and Fourth Supervisorial Districts. (Continued from 4/24/13 and 5/01/13)

Commissioner Ferini moved, seconded by Commissioner Blough and failed by a vote of 2 to 3 (Cooney, Hartmann, Brown no) to adopt staff recommendations with a 16% below BAU threshold for greenhouse gas emissions.

Commissioner Ferini moved, seconded by Commissioner Blough and carried by a vote of 3 to 2 (Cooney and Hartmann no) to:

- 1. Make the required findings for approval of the Santa Maria Energy Oil Drilling and Production Plan and Recycled Water Pipeline project specified in Attachment A to the September 13, 2013 staff memorandum, including CEQA findings, and as revised at the September 25, 2013 Planning Commission hearing;**
- 2. Certify the Environmental Impact Report 12EIR-00000-00003, including the revision to mitigation measure SME AQ-4 that identifies the SME project's fair share mitigation of greenhouse gas emissions, and adopt the mitigation monitoring program contained in the conditions of approval; and**
- 3. Approve the project (Case Nos. 09PPP-00000-00002, 12DVP-00000-00008, and 13LUP-00000-00102), subject to the conditions included in Attachment B to the September 13, 2013 staff memorandum and including the revision to SME Condition 10 adopted at the September 25, 2013 hearing.**

Revisions to Final EIR Mitigation Measure AQ-4 and to Condition of Approval #10

10. **MM SME AQ-4. GHG Reporting and Reduction:** The Applicant shall implement a program to quantify and reduce greenhouse gas emissions associated with operations to achieve a reduction below the applicable threshold, which for this project has been determined to be 29% below Business-As-Usual. The standard of performance for this mitigation is a reduction of greenhouse gas emissions at a 1:1 ratio, meaning that the project must achieve an equivalent reduction for every metric tonne of greenhouse gases emitted over the applicable threshold.

Measures to be implemented shall include the following:

- 1) Using high efficiency pumps and electrical devices to reduce field-wide electrical use,
- 2) Requiring all crude oil produced at the site to utilize pipeline transport, except during short-term pipeline outages; and,
- 3) Other onsite or offsite measures and/or purchased GHG offset credits, as described in the EIR, that could achieve the performance standard stated above.

A GHG Reporting and Reduction Plan shall be submitted to the APCD and County detailing the measures to be implemented to achieve the required reductions, updated annually, and shall include specifications on the protocol, vintage, and registry for the offsite mitigation. The following mitigation credits shall not require prior County approval:

- 1) Credits generated within Santa Barbara County per an approved County protocol;
- 2) Credits generated within the State of California per an approved Santa Barbara County Air Pollution Control District protocol;
- 3) Credits that meet the requirements of the AB 32 Cap-and-Trade regulation protocols;
- 4) Credits that are generated and verified under the CAPCOA GHG Rx program;
- 5) Credits that are generated and verified under the voluntary SCAQMD Regulation XXVII;
- 6) Verified credits registered with the Climate Action Reserve or the American Carbon Registry.

In addition, independently verified GHG credits available through other carbon registries that follow specific protocols may be eligible for offsite mitigation, subject to review and prior approval by the County in consultation with APCD.

General criteria for acceptable credits include:

- **Real:** emission reduction must have actually occurred, as the result of a project yielding quantifiable and verifiable reductions or removals.
- **Additional/Surplus:** an emission reduction cannot be required by a law, rule, or other requirement.
- **Quantifiable:** reductions must be quantifiable through tools or tests that are reliable, based on applicable methodologies, and recorded with adequate documentation.
- **Verifiable:** The action taken to produce credits can be audited and there is sufficient evidence to show that the reduction occurred and was quantified correctly.

- **Enforceable:** An enforcement mechanism must exist to ensure that the reduction project is implemented correctly.
- **Permanent:** Emission reductions or removals must continue to occur for the expected life of the reduction project.

Annual GHG Emissions Reporting Requirements

Operational GHG emissions from stationary and mobile sources shall be quantified and reported to the County and to the APCD annually. For emissions sources subject to the Cap-and-Trade Regulation and the Mandatory Reporting Rule, emissions reporting will follow the same reporting format and procedures as required by those programs.

GHG Emissions Mitigation Reporting

In addition to the annual GHG emissions reporting, the GHG emission reductions generated through the above and/or additional programs/credits/allowances, as required for CEQA mitigation, shall be quantified and reported to the County and to the APCD in the same manner as required by the Cap-and-Trade Regulation. Emission reduction credits for CEQA mitigation shall be retired following the same compliance schedule as outlined in the Cap-and-Trade Regulation, with the balance of the compliance obligation due at the end of the Cap and Trade compliance period.

Laguna County Sanitation District Permanent Easement Acceptance and Parcel Fee

2. **13GOV-00000-00006** **Ownership Government Code Conformity** **Santa Maria**
Kevin Drude, Deputy Director (805) 568-2519
Nancy Minick, Planner (805) 884-8050

Hearing on the request of Jeff Havlik, Santa Barbara County Public Works Dept. to consider Case No. 13GOV-00000-00006, [application filed on September 11, 2013], for a determination that the Laguna County Sanitation District's proposed acceptance of a permanent easement and fee ownership of a portion of a privately owned parcel in the Santa Maria Valley conforms with the Comprehensive Plan of the County of Santa Barbara pursuant to California Government Code §65402(c). The site for the easement is identified as AP No. 105-140-087 and the site for the fee is located on AP No. 101-020-070, in the Third and Fourth Supervisorial Districts.

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

1. **Determine that the proposed easement and fee acquisition are in conformity with the Comprehensive Plan; and**
2. **Transmit the conformity report required by Government Code Section 65402(c) to the Public Works Department, the Laguna County Sanitation District, and the Board of Supervisors. This memorandum dated September 12, 2013, including attachment, and the letter reflecting the Planning Commission's action shall constitute the required report.**

Gaviota Coast Conservancy Appeal of Ballantyne

3. **13APL-00000-00006** **Barn and Temporary Agricultural Office Trailer** **Gaviota**
Exempt, CEQA Guidelines Section 15303 and 15304 Anne Almy, Supervising Planner (805) 568-2053
J. Ritterbeck, Planner (805) 568-3509

Hearing on the request of Ana Citrin, attorney for the Gaviota Coast Conservancy, to consider Case No. 13APL-00000-00006, [application filed on March 4, 2013] to appeal the Santa Barbara County Planning Department's approval of Case No. 10LUP-00000-00427, in compliance with Chapter 35.102 of the County Land Use and Development Code, on property located in the AG-II-100 zone district; and to determine the project is exempt from the provisions of CEQA pursuant to Sections 15303 and 15304 of the State Guidelines for the Implementation of the California Environmental Quality Act. The application involves AP No. 079-090-036, located at 500 Farren Road in the inland, rural area of the Goleta Community Plan area, Third Supervisorial District. (Continued from 5/15/13, 6/05/13, and 8/28/13)

ACTION: Commissioner Blough moved, seconded by Commissioner Ferini and carried by a vote of 4 to 0 (Cooney absent) to continue the item to the hearing of October 30, 2013, at the request of the Commission.

4. 12LLA-00000-00005 Quail H Trust Lot Line Adjustment Santa Ynez
Exempt, CEQA Guidelines Section 15305(a) John Karamitsos, Supervising Planner (805) 934-6255
Florence Trotter-Cadena, Planner (805) 934-6253

Hearing on the request of Steve Welton, SEPPS, Inc. agent for Quail H. Trust to consider Case No. 12LLA-00000-00005, [application filed on December 3, 2012] for approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21 and Section 35.30.110 of the County Land Use and Development Code to adjust lines between two parcels of 84.98-acres, and 211.70-acres reconfiguring into two parcels of 103.72-acres Lot 1 (APN 141-250-026), and 192.96-acres Lot 2 (APN 141-250-027), on property located in the AG-II-100 Zone; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15305(a). The application involves AP Nos. 141-250-026, and -027, located southeast at the intersection of Happy Canyon Road and Alisos Avenue, known as 1162 Alisos Avenue, in the Santa Ynez Area, Third Supervisorial District.

ACTION: Commissioner Brown moved, seconded by Commissioner Blough and carried by a vote of 4 to 0 (Cooney absent) to:

1. Make the required findings for approval of the project specified in Attachment A of the staff report, dated August 22, 2013, including CEQA findings;
2. Determine the project is exempt from CEQA pursuant to CEQA Guideline Section 15305(a) of CEQA, included as Attachment B of the staff report, dated August 22, 2013;
3. Approve the project (12LLA-00000-00005) subject to the conditions included as Attachment C of the staff report, dated August 22, 2013.

06CUP-00000-00045
07CUP-00000-00027
13CDP-00000-00067
13CDP-00000-00068

5. 10CDP-00000-00003 Villa Sevillano Equestrian Center Project Carpinteria
13NGD-00000-00006 Anne Almy, Supervising Planner (805) 568-2053
Errin Briggs, Planner (805) 568-2047

Hearing on the request of Eva Turenchalk, agent for the owner Michael Rothbard, to consider:

- a) **06CUP-00000-00045**, [application filed on July 19, 2006] for a Conditional Use Permit to allow the operation of a commercial horse boarding & breeding facility in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned Ag-I-10;

- b) **07CUP-00000-00027**, [application filed on November 9, 2007] for a Conditional Use Permit to allow for a change of use of an existing 2,400 square foot single-family residence to a farm-employee dwelling in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned Ag-I-10;
- c) **13CDP-00000-00067**, [application filed on August 13, 2013] for a Coastal Development Permit to effectuate Conditional Use Permit 06CUP-00000-00045 which would allow the operation of a commercial horse boarding & breeding facility and the keeping of up to 45 horses on the subject property in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned Ag-I-10;
- d) **13CDP-00000-00068**, [application filed on August 13, 2013] for a Coastal Development Permit to effectuate Conditional Use Permit 07CUP-00000-00027 which would allow for a change of use of an existing 2,400 square foot single-family residence to a farm-employee dwelling in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned Ag-I-10;
- e) **10CDP-00000-00003**, [application filed on January 7, 2010] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned Ag-I-10, to allow the construction of several barns and storage structures with related improvements;

and to adopt the Mitigated Negative Declaration, Case No. 13NGD-00000-00006 pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Resources, Hazardous Materials, Land Use, Noise, Recreation and Water Resources. The ND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara. The application involves AP No. 005-270-006, located at 3215 Foothill Road, in the Carpinteria area, First Supervisorial District.

ACTION: Commissioner Cooney moved, seconded by Commissioner Ferini and carried by a vote of 5 to 0 to:

1. **Make the required findings for approval of the project specified in Attachment A of the staff report, dated September 5, 2013, including the California Environmental Quality Act (CEQA) findings;**
2. **Adopt the Negative Declaration, Case No. 13NGD-00000-00006, and adopt the mitigation monitoring program contained in the conditions of approval (Attachment G of the staff report, dated September 5, 2013); and**
3. **Approve the project, Case Nos. 06CUP-00000-00045, 07CUP-00000-00027, 10CDP-00000-00003, 13CDP-00000-00067 & 13CDP-00000-00068, subject to the conditions included as Attachments B-F of the staff report, dated September 5, 2013.**

There being no further business to come before the Commission the hearing was adjourned until 9:00 a.m. on October 30, 2013, in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California 93101.

Meeting adjourned at 4:57 p.m.

Dianne M. Black
Secretary to the Planning Commission

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