



The voice of our community

**Land Use Committee Meeting  
February 4, 2014 – 3:30 PM  
1469 East Valley Road**

**MINUTES**

Present: Thielscher, Abatamarco, Emmens, Johnson, Williams, Petersen, Kupiec, Kern

Absent: Bollay

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**I. Call to Order**

**II. Approval of Minutes – January 7, 2014** – Petersen/Kern, unanimous (Kupiec abstained).

**III. Public Comment for Items not on Agenda** - None

**IV. Conference Agenda**

A. *Receive Presentation Regarding Water Supplies, Proposed Water Shortage Emergency Declaration Ordinance and Water Use Restrictions* - Tom Mosby and Karl Meier, MWD described current water supply conditions, noting that estimated demand this year, at current rates of use, will fully deplete the available supply in July. The District intends to declare a water emergency and implement restrictions on water use and rate penalties for exceedance of allocations. The MWD board will consider the emergency declaration and proposed restrictions at a public hearing on February 11 at 2 p.m. at the Fire District Headquarters. Proposed restrictions include no new water meters, limits on the hours that irrigation can occur, prohibition on private pool draining and refilling, car washing and cleaning of exterior hard surfaces. Future phase will include adoption of a water allocation system based on parcel size. The District is working to identify supplemental water sources but availability is extremely limited and very expensive. If the City of Santa Barbara decides to restart the desalination plant, MWD would purchase some of that water. Carolee Krieger commented on the importance of getting desalination plant reopened. City believes it would take 2 years to open, may be able to open faster. Estimated cost is \$20 million. Greene noted that the Association is planning to conduct a water conservation workshop at the end of February.

B. *Receive Presentation Regarding Westmont College Compliance Reporting and Phase II Plans* - Randy Jones and Laurel Perez discussed requirement to provide condition compliance report to the MPC two years after completion of the first phase of development. The report will include evaluation of condition effectiveness and revisions to update conditions of approval. Described the components of the first phase of construction.

Only 50% of square footage permitted in Phase I was constructed. Would like to increase the size of the next allowed phase by 7,000 s.f. to 67,000 s.f. They are readying a second phase of development comprised of residence hall buildings for construction. Hope to modify building footprints to construct fewer but larger buildings with same approximate square footage. Conceptual plans will be reviewed by MBAR later this month. Westmont will have the condition compliance review and consideration of condition modifications at the MPC this spring. Phase II development will require MPC review as well which will happen at a later date. The Chair thanked the presenters for the update.

*Peppers Estate Adult Day Care* – Greene described that owner currently operates a special care home for up to 6 adults on the estate and previously opened an adult day care facility. The facility did not have appropriate land use permits and was closed. The zoning code has provisions for permitting of child day care facilities but none for adults. In order to resume the use, the zoning code would need to be amended to allow the use and then the owner would need to obtain the appropriate permit. The owner would like to gauge community support for an ordinance amendment before he moves forward.

Dave Sullins, owner of Peppers Estate at 430 Hot Springs, would like to provide day care for more acute seniors. Total allowed would be 8 in addition to the 6 current residential clients. The residence is approximately 9,000 s.f. with ballroom on 1.6 acre property. Neighbor expressed concern regarding number of cars and maintenance of the property. Asks the committee to visit the site. Thielscher recommends reaching out to neighbors and is familiar with neighbor concerns regarding traffic. Abatamarco favors use in theory but concerned about making a broad ordinance change. Projects should be considered on an individual basis. Emmens agrees with Thielscher. Johnson likes idea of care facilities, not sure if this is appropriate location. Petersen noted it is important to start with the neighbors. Perhaps include some limit on the number per population. Kupiec recommends he engage neighbors, agrees facilities are necessary. Urschel concerned about conversion of property from residential to commercial and cited the MA's goal to protect the semi-rural residential character of the community. Kern has noticed number of vehicles on the property. Talk to the neighbors.

- C. *101 Project Update and Discussion of Role of Transportation Subcommittee* – Bob Short provided a presentation describing the project components and issues that still need attention. These include the Cabrillo underpass and railroad bridge design, the merge design at the southbound start of HOV lane, Olive Mill intersection improvements, San Ysidro interchange deficiencies, the Posilipo onramp and reduced lane widths south of San Ysidro. There are a number of questions to be answered regarding the SBCAG motion to hire an independent engineer and we've yet to see the conclusions of the final environmental document.

Urschel stated that in light of the SBCAG action of January 16, the MA does not have a position on the 101 project or the individual components described by Short. The Association needs to make some decisions regarding how it wishes to engage on these issues and whether to continue the Transportation Subcommittee to work on this. Public comment was made regarding various aspects of the Caltrans project and the intent of the SBCAG motion. Nordlund believes the Association needs to advocate for the issues that affect the community. Gottsdanker believes the Association should have a Transportation Committee that addresses transportation issues through the community, not just the 101 project. After discussion among the committee, Petersen moved to recommend the board establish a Transportation Committee as a committee of the board comprised of the members of the current subcommittee. Thielscher seconded the motion. After further

discussion and clarification that committee appointments are made by the President and ratified by the Board, the motion was modified to delete the recommendation regarding committee composition. Motion carried, unanimous.

**V. Committee/Staff Member Reports**

A. Montecito Board of Architectural Review

Crown Castle – Greene reported that MBAR consideration of the project is ongoing and summarized our recommendation that the number of nodes proposed was visually inappropriate and that MBAR should comment to that effect to the Montecito Planning Commission.

B. Historic Landmarks Advisory Commission

Juarez-Hosmer Adobe – HLAC approval of changes to this designated historic landmark has been appealed by the Pearl Chase Society. The HLAC action basically allows the adobe to be demolished and reconstructed. Appeal will go to the Board of Supervisors in 8-10 weeks. The Association will have the opportunity to discuss and submit comments to the Board of Supervisors at our meetings next month. Johnson provided information on the discussion at HLAC. Hattie Beresford on behalf of Pearl Chase Society described the structure as one of only 4 remaining stand alone adobes in the area. Information submitted to HLAC did not support the need for demolition. Demolition may have the result of loss of the Historic Landmark status of the structure. An appropriately skilled engineer needs to review the structure and determine whether it can be restored. The item will be agendaized for the March LUC meeting.

**VI. Planning Commission Items – February 19, 2014**

Appeal of MBAR and Land Use Permit Approval for the Kasztelan Single Family Demolition and Rebuild, 137 Sierra Vista Road – After discussion and comment from the property owners, the committee elected not to comment.

Work Program – The committee recommended that the Board request that our proposed changes to the zoning ordinance and Architectural Guidelines be included and funded in the next year.

Article II (Coastal Zone) Amendments – These will add changes that were made as part of the zoning ordinance reformat project into the ordinance.

**VII. Old Business - none**

**VIII. New Business - none**

**IX. Adjournment** – The meeting was adjourned at 7 p.m.

Next meeting March 4, 2014