



The voice of our community

Land Use Committee Meeting

April 4, 2017 – 4:00 PM

1469 East Valley Road

MINUTES

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Present: Lee, Blue, Johnson, Hayman, Bollay, Bridley, van Duinwyk, Emmens

Absent: Thielscher, Eidelson

I. Call to Order

II. Approval of Minutes – March 7, 2017, Bridley/van Duinwyk, unanimous (Blue and Johnson abstained).

III. Public Comment for Items not on Agenda - None

IV. Conference Agenda Items

- A. The Process of Water Deliveries to Lake Cachuma - Tom Fayram (rescheduled to May 2, 2017).
- B. Consider Further Comments to the Montecito Planning Commission (MPC) Regarding Proposed Accessory Dwelling Units Ordinance Amendment – Greene provided an update on our effort to date and the March MPC hearing. Bridley thanked Watson for his input. Greene described a list of items recommended for inclusion in further comments to the Montecito Planning Commission for their hearing on April 12. Committee discussed the resource constraints described in the 2017 annual report on the Montecito Growth Management Ordinance. Motion to recommend that the Board send a letter to the MPC identifying the specific ordinance terms specified by Greene (maintaining maximum unit size tied to lot size, requiring conversion of existing guesthouse or nonconforming additional dwelling unit rather than construction of a new structure, maintaining MBAR chair, or designee, review, maintaining lot coverage maximum, requiring owner occupancy, requiring minimum rental term, incorporating development standard requiring onsite parking where necessitated by narrow road widths, and requiring landscape screening); questioning adequacy of resources in light of the 2017 MGMO report constraints analysis; encouraging deference to expert comments received; and requesting new detached ADU to (1) comply with setback requirements; (2) be limited to a single story; (3) have a 25 foot height limit, Blue/ Bridley, unanimous.
- C. Consider Comments Regarding the Hair and Sturgess Appeal of the MBAR Preliminary Approval of the Residence at 1154 Channel Drive – Greene provided procedural background on the project and suggested that committee focus on higher level issue of supporting the principle that the MBAR's action must conform to the Board of Supervisor's action on the project.

Hayman surveyed each committee member as to his/her position regarding LUC's scope of review (high level vs. detailed level). Susan Petrovich, representing neighbors, described the material project components that appellants believe do not conform to the project approved by the Board of Supervisors. These are related to the presence of a balcony, elimination of the green roof, elimination of exterior shutters, noncompliance with landscape restrictions, among other issues. She requests that the Association express concerns about project components that are not compliant with the Board action. Derek Westen, representing property owner, stated the appeal is not legitimate and raises no issues that rise to the level of community interest. MBAR spent time to ensure the project conformed to the Board action. Mr. Westen further stated that (1) there is a modified balcony, (2) applicant complied with MBAR direction on roof plantings, (3) applicant proposed window not a door onto the roof in place of using a ladder for access. Mr. Westen recommended LUC support the MBAR or recommend that MPC support the process. Motion that the Committee take no action, van Duinwyk/Lee, motion failed, 4-4 (Lee abstained). Motion to send a letter to the MPC stating that project must conform to Board of Supervisors conditions of approval. Gray/Blue, 4-4 (Lee abstained), motion failed.

V. Committee/Staff Member Reports

- A. Channel Drive Walking Path, Discuss Next Steps - continued
- B. East Valley Road Pedestrian Safety Projects - continued
- C. Montecito Board of Architectural Review – Johnson reported that Sturgess project was reviewed and suggested that LUC MBAR attendees review the plans together to determine scope of comment to MBAR.
- D. Montecito Planning Commission – Greene reported on the Casa Dorinda Open Space Management Program review.

VI. Planning Commission Items – April 12 and 18, 2017

- A. Transitional Housing Ordinance Amendments (4/12)
- B. Accessory Dwelling Units Ordinance Amendment (4/12)
- C. All Saints by the Sea Addition/Renovations (4/18)
- D. Casa Dorinda Open Space Management Plan (4/18)
- E. Hair Appeal of Olsten Project MBAR Preliminary Approval, 1154 Channel Drive (4/18)

VII. Old Business

VIII. New Business

Hayman reported on the Board of Supervisor's earlier discussion of the Adult Marijuana Use ordinance today. The Board adopted an emergency ordinance putting a moratorium on non-personal cultivation (as defined by the statute). Town Halls have been scheduled. The first Town Hall will take place on April 25, 12 p.m. and will focus on land use and permit requirements related to cultivation. Hayman questioned how the committee wishes to participate. Bollay noted that current residential land use codes and regulations do not contain any restrictions as to agricultural products cultivated on residential property. Bridley suggests Hayman attend and report back to the committee.

IX. Adjournment– 6:00 pm

Next meeting May 2, 2017