



The voice of our community

**Land Use Committee Meeting
September 2, 2014 – 4:00 PM
1469 East Valley Road**

MINUTES

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Present: Thielscher, Petersen, Emmens, Budgor, Bollay, Kern, Williams

Absent: Abatemarco, Kupiec

I. Call to Order

II. Approval of Minutes, August 5, 2014 – MSC, Thielscher/Williams, unanimous.

III. Public Comment for Items not on Agenda - None

IV. Conference Agenda

- A. Receive a Presentation Regarding the Proposed Montecito Union School Facilities Plan – Superintendent Murphy introduced the project as part of the school’s strategic plan. Measure Q on November ballot would authorize a general obligation bond of \$27 million to fund proposed facilities improvements through a property tax assessment of \$12 per \$100,000 of assessed value. The project includes life and safety, plumbing, electrical, circulation improvements for school and neighborhood safety. The project architect reviewed the main components. New development would include: relocated/expanded parking and drop-off areas with a new parking lot extending onto property to the south; new access points along San Ysidro; a 6,000 s.f. cafeteria building; classroom building; and outdoor amphitheater. MUS is planning additional public presentations on the project and bond measure on September 25 and October 10. Several neighbors residing on the west side of campus expressed concerns about the proposed location and height of the cafeteria building and resulting noise, odors, delivery traffic and grading/construction impacts.

The committee identified a list of concerns that the district and architect should consider: 1) Development and operation should minimize impacts to neighbors; including delivery noise and traffic and siting of trash collection areas; 2) Restudy setback of retaining wall to provide adequate landscaping in front of retaining wall on San Ysidro; 3) Prepare a historic structures report to address the adobe and main building; and 4) Reconsider the height of the cafeteria.

Subsequent to bond approval, the District would conduct environmental review of the project. The project does not require County review and approval.

- B. Discuss the Use of Single Family Homes as Short-term Vacation Rentals – Greene described problem noting that 120 Montecito properties are advertised on one of numerous websites. Short-term rentals have generated complaints to the Association related to noise, traffic, parties and the transient nature of occupants. Though commercial uses in residential zones are allowed only under specific circumstances, the County has not enforced the ordinance for several years due to County Counsel’s determination that the existing code is not enforceable because it lacks specificity as to a minimum term of residential occupancy. The County does collect transient occupancy tax. Sybil Rosen described her experiences living next to a vacation rental as a result of intensive use and noise from the pool and outdoor living areas. She requested appointment of a committee to research solutions. It was suggested that the Association survey property owners on the scope of the problem. Bollay and Greene will work on a survey for review by the committee.
- C. Revised Miramar Project – Bollay discussed actions since LUC workshop. He presented the Associations letter to MBAR. MBAR had limited comments on the project and forwarded it to the MPC. P&D has written an incomplete letter identifying items required before permit processing can begin and including advisories related to potential inconsistencies with the Comprehensive Plan. Evan Krenzien, project representative, stated that in response to comments and the incomplete letter, they are working to reconfigure Miramar Avenue parking, adding sidewalks along most frontages, reworking parking lot landscape, jogging the sound wall, and looking at grading. Bollay stated that he would like an open dialogue with Caruso representatives to address concerns. Comments for consideration include: using the Lanai buildings for noise reduction instead of a sound wall thus providing additional landscape area and a more residential presentation to S. Jameson; constructing the main building on a pedestal to avoid excessive import of fill; and that the Eucalyptus Lane public parking spaces be angled with an adequate separation between cars and the roadway for bicyclists.

V. Committee/Staff Member Reports

- A. Montecito Board of Architectural Review – No additional items to report
- B. Montecito Planning Commission and Board of Supervisors Actions – Greene reported on the Board of Supervisors action to uphold the Crown Castle appeal subject to removal of all battery backup units from utility poles.

VI. Planning Commission Items – September 17, 2014

- A. Phillipides Lot Line Adjustment, 740 Arcady Road – This project is recommended for denial by staff due to lack of documentation of two legal lots. Proposed lots would be substantially below the zone district minimum lot size.
- B. Energy and Climate Action Plan – MPC continued for further consideration of several proposed requirements related to improved residential energy efficiency.
- C. Olive Mill Trust Private Water Well, 1169 Hill Road; Schlesinger Private Water Well, 1685 Fernald Point Lane; and Makarechian Private Water Well, 1150 Channel Drive – These projects would allow construction of irrigation wells in the Coastal Zone. Staff is recommending denial as the parcels have residential service

from the MWD and the adequacy of groundwater resources for the proposed use cannot be established.

- D. Berg New Single Family Dwelling Development Plan, 1355 Oak Creek Canyon Road – This development plan for a residence in the Resource Management zone district would reinstate an expired approval. We commented to the MBAR last June that the proposed residence does not appear to comply with floor area recommendations, requires excessive grading and may not comply with height limitations.

VII. Old Business

- A. Butterfly Beach Pathway – Greene relayed that Ms. Brown was unable to make contact with Mr. Lundegard regarding his potential involvement with this effort. At this time, there is no one willing to spearhead this project.

VIII. New Business - None

- IX. **Adjournment** – The meeting was adjourned at 6:45 pm.

Next meeting October 7, 2014

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