



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

January 16, 2014

CALL TO ORDER:

Chair Jordan called the meeting to order at 1:00 P.M.

I. ROLL CALL

Chair Mike Jordan, Vice Chair Deborah L. Schwartz, Commissioners Bruce Bartlett, John P. Campanella, Sheila Lodge, June Pujo, and Addison Thompson.

STAFF PRESENT:

Renee Brooke, Senior Planner
Jill Zachary, Assistant Parks and Recreation Director
N. Scott Vincent, Assistant City Attorney
Barbara Shelton, Project Planner/Environmental Analyst
Mandy Burgess, Parks and Recreation Planning Technician
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

Chair Jordan announced a change in the order of preliminary matters, with agenda item A being heard last.

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Jordan opened the public hearing at 1:01 P.M. and, with no one wishing to speak, closed the hearing.

D. Nominations and election of Chair and Vice Chair.

MOTION: Bartlett/Lodge

Nomination of Deborah Schwartz as Chair.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

MOTION: Bartlett/Lodge

Nomination of Addison Thompson as Vice Chair

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

III. RECOMMENDATIONS TO CITY COUNCIL:

ACTUAL TIME: 1:03 P.M.

A. URBAN FORESTRY MANAGEMENT PLAN

The Planning Commission reviewed the Urban Forestry Management Plan, and considered recommending that City Council adopt the plan.

Case Planner: Jill Zachary, Assistant Parks and Recreation Director

Email: JZachary@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 5437

Jill Zachary, Assistant Parks and Recreation Director; and Mandy Burgess, Parks and Recreation Planning Technician, gave the Staff presentation.

Chair Schwartz opened the public hearing at 1:54 P.M., and with no one wishing to speak, closed the public hearing.

Commissioners' comments:

The Commission thanked Staff for developing guidelines and believes they will help applicants, property owners, and design review boards. Staff was encouraged to move forward after reviewing the document for editing, clarification, and some condensing.

The environmental benefits of trees to public health were acknowledged along with funding restrictions. Staff was encouraged to develop more public/private partnerships, especially when trying to fill empty street tree wells.

MOTION: Jordan/Lodge

Assigned Resolution No. 001-14

Recommend to City Council adoption of the Urban Forest Master Plan with the following recommendations:

1. Include neighborhood associations in public/private partnerships.
2. Develop a resource for the public, similar to the tool guide for Storm Water Management.
3. Make program a policy level process, rather than ancillary level process.
4. Correct last item in the chart on page 22 to read "Average Unit-Size Density".
5. Make sure the 60 foot height limit range in the overlay zone is the most current information.
6. Clarify solar access versus tree shading.
7. Include "tree pruning" in the glossary.
8. Benefits of the Urban Forest should be at the beginning of the document.
9. Encourage more of the 3,500-7,000 empty tree wells to be filled.
10. Include Parma Park in the Plan.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Schwartz called a recess at 2:19 P.M. and resumed the meeting at 2:27 P.M.

ACTUAL TIME: 2:27 P.M.

B. AIR QUALITY DESIGN STANDARDS FOR DEVELOPMENT NEAR HIGHWAY 101

The Planning Commission held a public hearing on a draft ordinance to establish air quality design standards for new development of sensitive uses within 250 feet of Highway 101. The intent of the ordinance is to reduce health risks from highway vehicle exhaust for any future development of residences, nursing or retirement homes, schools, or family day care. Project design criteria involve site layouts, vegetative screening, and interior air filtration. The Planning Commission will consider recommendations to City Council regarding ordinance adoption. Public comment is welcome.

Case Planner: Barbara Shelton, Project Planner/Environmental Analyst

Email: BShelton@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4467.

Barbara Shelton, Project Planner/Environmental Analyst, gave the Staff presentation. Public comment received was acknowledged that included three new

letters and one phone call. An additional late communication from Cynthia Ruano was also acknowledged.

Molly Pearson and Carly Wilburton from the Santa Barbara Air Pollution Control District (APCD) were present to answer any of the Commission's questions.

Chair Schwartz opened the public hearing at 2:47 P.M.

The following people commented on the project:

1. Azam Mirtorabi, affected property owner, submitted written and verbal comments objecting to the ordinance and noting improvements in air quality.
2. Mary Rose Bryson, affected neighbor, was concerned with the ordinance impact on the ability to upgrade her 1902 home. She was also concerned with trees that were removed from buffering the freeway and asked the City to plant trees on City property.
3. Steven Johnson, affected property owner, submitted written and verbal comments objecting to underlying City air quality studies and supporting a wider corridor.

With no one else wishing to speak, the public hearing was closed at 2:56 P.M.

Commissioners' comments:

- Commissioner Pujo recommended changes to the ordinance to clarify that design measures apply to primary structures and not accessory structures.
- Commissioners Campanella and Schwartz appreciated Staff's time on the report. The ordinance implements the General Plan and the intent of City Hall, and represents the best job with information available.
- Commissioner Thompson requested clarification on whether the ordinance was addressing only particulates, and on the effectiveness of Caltrans sound walls. He recommended clarifying applicable types of fences.
- Commissioner Bartlett expressed concern about the overall benefits of the policy and ordinance for residents. He requested clarification regarding application of the ordinance to new vacant lots created through subdivision; whether properties become legal non-conforming under the ordinance; and why the ordinance does not apply to temporary stay facilities. He suggested that the hedges and fences ordinance establish a different standard for the highway corridor.
- Commissioners Bartlett and Jordan suggested addition of an automatic sunset clause based on time frame and/or specific air quality criteria. Commissioner Schwartz was not entirely comfortable with the absence of a sunset clause but would not push for it.

- Commissioner Lodge requested clarification for the public that a single-family home could be upgraded under the ordinance (i.e., remodels and minor additions would be exempt, and substantial additions and new units could be permitted with design compliance). She would have preferred a 500 foot corridor, as other communities have used, but thinks that 250 feet is as good as we will get. She recommended that Caltrans be encouraged to build additional sound walls in those areas without, such as by Mission Terrace and the nearby nursery school.
- Commissioner Campanella confirmed with Staff that walls, vegetation, and other design measures have precedents in other communities and are supported by evidence of effectiveness. He requested confirmation that off-site structures may be used as a measure toward compliance with ordinance design standards.
- Commissioner Jordan expressed concern that design boards might apply ordinance provisions outside of the 250 foot corridor, and recommended an upfront exemption for parcels partially within the corridor when applicable new development is outside of it. He suggested clarification of the general exemption based on site-specific conditions, so that the submittal analysis and basis of determination is clear. He expressed concern about the ordinance, asserting that tangible benefits and quantifiable criteria are unclear.
- Commissioners Jordan and Bartlett could support a recommendation to Council with the following exceptions: 1) Ordinance needs an exemption when the parcel is partly within the corridor but the project is outside; and 2) Ordinance needs a sunset provision.
- Commissioner Schwartz noted a questionable benefit of interior filtration given the local climate

Scott Vincent, Assistant City Attorney, stated that the ordinance would apply to lots that are in whole or in part within 250 feet of the freeway, but that the design standards would only apply to new development within 250 feet. He will address accessory uses in the ordinance language found in Section 22.65.040 Design Standards for Air Quality, subsection A (Proximity to Highway 101 and Project Design Features), on page 3 of the draft ordinance dated January 9, 2014 with inclusion of "...*that will be occupied by or for Sensitive Land Uses...*" in the first sentence. He noted that the provision for exempting one new unit on a vacant lot could be changed because ordinance design measures provide for a means of permitting potentially precluded development such that a property taking is not a concern.

Chair Schwarz left the dais at 4:34 P.M and returned at 4:36 P.M.

- Commissioner Campanella recommended that the ordinance purpose and intent be clarified.
- Commissioner Thompson could accept the ordinance without a sunset clause, and would support a recommendation moving it to Council.
- Commissioner Lodge supports the ordinance and sending it to Council.
- Commissioner Jordan supports the ordinance philosophically and supports the applicability provisions and flexibility exemption. He cannot support recommending the ordinance without an exemption for development outside of the 250 foot corridor and a sunset clause.
- Commissioner Bartlett supports Mr. Vincent's revised wording of the draft ordinance language regarding accessory structures; and supports use of the property as trigger for applying the ordinance. He does not support the "*in whole or part*" provision without an exemption for development outside of 250 feet; or the lack of a sunset provision.
- Commissioner Pujo felt that the ordinance needed more clarity on what we are trying to capture and the workability of the ordinance. She does not support subsection C, applying the ordinance to substantial residential additions and suggested removing it. Commissioner Pujo felt that in the absence of a sunset clause, tracking and monitoring are needed as a part of adaptive management.
- Commissioners Pujo and Schwartz commented that the ordinance is flexible and open-ended and can be interpreted differently, and recommended templates or handouts for applicants with examples of what would fit some of the design standards.
- Commissioner Schwartz noted that air pollution monitoring and air quality control measures are an ever changing issue, and a number of national studies of this issue are underway. She requested more clarity in the site-specific analysis exemption. She noted the tie-in with the Urban Forest Plan, and agreed with Commissioner Lodge that adding vegetation should be the preferred mitigation over hardscape solutions, and provides for more visual compatibility and other benefits.

MOTION: Jordan/Bartlett

Continue indefinitely for Staff to return with ordinance refinements that could be supported by a Commission majority.

Commissioner Pujo asked that when this item returns to the Commission, examples be provided to show applicants and homeowners how design standards apply.

Commissioner Bartlett asked Staff to review Page 6 of the Staff report dated, December 12, 2014, requesting that the sentence "*Following such studies, the*

City may reassess the Ordinance provisions for amendment or appeal.” to add something more quantifiable rather than “may”.

This motion carried by the following vote:

Ayes: 5 Noes: 2 (Lodge, Thompson) Abstain: 0 Absent: 0

Commissioners Lodge and Thompson believed the ordinance should be forwarded to City Council.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:16 P.M.

Chair Schwartz prefaced the Commission’s reports with comments from the Chair.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report
None.
2. Other Committee and Liaison Reports
 - a. Commissioner Thompson reported on the Single Family Design Board meeting of January 13, 2014.
 - b. Commissioner Thompson reported on the Airport Committee meeting of January 15, 2014.
 - c. Commissioner Schwartz reported on the Downtown Parking Committee meeting of January 15, 2014.
 - d. Chair Schwartz summarized agenda items of upcoming January 23, 2014.

V. ADJOURNMENT-

Chair Schwartz adjourned the meeting at 5:25 P.M.

Submitted by,



Julie Rodriguez, Planning Commission Secretary

