



City of Santa Barbara

PLANNING COMMISSION

MINUTES

JUNE 10, 2021

1:00 P.M.

This Meeting was Conducted Electronically
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Deborah L. Schwartz, Chair
Gabriel Escobedo, Vice Chair
Roxana Bonderson
Jay D. Higgins
Sheila Lodge
Barrett Reed
Lesley Wiscomb

STAFF:

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Gillian Fennessy, Commission Secretary

CALL TO ORDER

Chair Schwartz called the meeting to order at 1:01 p.m.

I. ROLL CALL

Chair Deborah L. Schwartz, Vice Chair Gabriel Escobedo, Commissioners Roxana Bonderson, Jay D. Higgins (until 4:11), Sheila Lodge, Barrett Reed, and Lesley Wiscomb

STAFF PRESENT

Tava Ostrenger, Assistant City Attorney
John Doimas, Assistant City Attorney
Renee Brooke, City Planner
Allison DeBusk, Senior Planner
Timmy Bolton, Associate Planner
Todd Stoney, Police Captain, SBPD
Janet Ahern, City TV Production Specialist
Gillian Fennessy, Commission Secretary

II. PRELIMINARY MATTERS

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

No requests.
- B. Announcements and appeals:

No announcements.
- C. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

1. May 20, 2021 Planning Commission Minutes
2. Planning Commission Resolution No. 002-21

MOTION: Higgins / Wiscomb

Approve the minutes and resolution as amended.

The motion carried by the following vote:

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

- D. Comments from members of the public pertaining to items not on this agenda:

Public comment opened at 1:09 p.m.

The following individual spoke:

1. Anna Marie Gott

Public comment closed at 1:15 p.m.

III. CONTINUED ITEM CONTINUED FROM MAY 13, 2021

ACTUAL TIME: 1:16 P.M.

OFF-SALE ALCOHOL ZONING ORDINANCE AMENDMENTS

The Planning Commission will consider proposed amendments to the Santa Barbara Municipal Code (SBMC), which would require conditional use permits (CUPs) for newly established alcoholic beverage retail establishments; confer a deemed approved status for legal existing alcoholic beverage retail establishments; provide standards for the continued operation of alcoholic beverage retail establishments; and set forth grounds and appeal process for the modification, revocation and termination of conditional use permits and deemed approved status establishments violating the Municipal Code.

The purpose of this hearing is for the Planning Commission to receive public input and consider the proposed amendments to the Municipal Code and forward a recommendation to City Council. This is a draft of the amendments and the scope of the amendments may change upon review by the Planning Commission, and upon future review by the Ordinance Committee and City Council.

John Doimas, Assistant City Attorney, gave the Staff presentation. Todd Stoney, Police Captain, SBPD, was available to answer questions.

Public comment opened at 1:29 p.m., and the following individuals spoke:

1. Adriana Tejada-Sanchez
2. Anna Marie Gott
3. Daniel Gonzalez
4. Dawn Dunn
5. E. Patrick Morris
6. Layhearn Tep
7. Natalia Govoni
8. Virginia Rehling
9. Mary Robles

Public comment closed at 1:50 p.m.

Written correspondence from Greg Horne, Kate Connell, Mario Espinoza-Kulick, Anna Munoz, Adriana Sanchez, Melisa Villafuerte, Angel Lopez, Matt Olufs, Dawn Dunn, Elie Genadry, Brandon Ristaino, and Natalia Govoni was acknowledged.

*** THE COMMISSION RECESSED FROM 3:05 P.M. TO 3:15 P.M. ***

MOTION: Wiscomb / Bonderson

Recommend approval of the proposed Ordinance Amendments and to forward to the Ordinance Committee with the following amendments:

1. To Section 28.80.010, add language for clarification that this chapter will not apply to on-sale establishments, such as restaurants and bars.
2. To Section 28.80.030, add a definition for the terms “nuisance” and referencing the definition “licensing” and “transfer licensing,” to what is provided by the California Alcohol and Beverage Control Department.
3. Also, to Section 28.80.030 under Substantial Modifications, “transfer of licensing” will be added to number four.
4. To Section 28.80.040, add mandatory language by replacing “must” with “will.” In addition, provide a definition to what a PCN letter is and change to state that a PCN letter “will” be issued.
5. In Section 28.80.060, remove the 10 percent exception and ensure that the Planning Commission has discretion with a finding requirement to apply for a modification to allow an establishment within 500 feet of sensitive areas. Additionally, change “census track” to “barometer.” To Section B., add facilities for substance recovery, and “middle schools.” To Section H., change “area” to business “premises.”
6. To Section 28.80.070, leave in “crime rate” and take some of the activities defined as nuisances, in Section 28.80.300, and place them under Section 28.80.070 (Required Findings). To Section A, consider adding “potentially” and change the sentence to read “The proposed use shall not have a potentially significant adverse effect on the crime rate...”
7. To Section 28.80.200, add requirements for storefront signage to provide assistance for someone who needs help with substance abuse.
8. To Section 28.80.300, add “such as” after “proximity of the premises” to ensure that the language of the ordinance is not considered as limited only to those examples provided. Additionally, after “City Administrator” add “or authorized representative.”
9. To Section 28.80.400, add that this is going to be an annual “public” Planning Commission hearing” and that the Planning Commission shall “review a written report with the said violation(s) documented with date and time and specifics of the violation(s).”

10. To Section 28.87.360, subsection C.2, add the word “altered” to the sentence. Additionally to subsection C.3, add the word “documented” before violation.

The motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Higgins)

IV. **ADMINISTRATIVE AGENDA**

ACTUAL TIME: 5:53 P.M.

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

No report.

2. Other Committee and Liaison Reports

a. Commissioner Lodge reported on the June 9, 2021 meeting of Historic Landmarks Commission.

b. Commissioner Bonderson reported on the June 1, 2021 meeting of Architectural Board of Review.

V. **ADJOURNMENT**

Chair Schwartz adjourned the meeting at 6:00 p.m.

Submitted by,

Gillian Fennessy

Gillian Fennessy, Commission Secretary