



**PLANNING COMMISSION
MEETING MINUTES
MONDAY, MARCH 8, 2010**

6:00 P.M.
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the Planning Commission

*Julie Kessler Solomon, Chair
Bill Shelor, Vice Chair
Brent Daniels, Commissioner
Jonny Wallis, Commissioner*

*Patricia Miller, Secretary
Joanna Smith, Assistant City Attorney
Linda Gregory, Recording Clerk*

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. by Chair Daniels followed by the Pledge of Allegiance.

ROLL CALL OF PLANNING COMMISSION

Present: Planning Commissioners Daniels, Shelor, Solomon, and Wallis.
Absent: None.

Staff present: Current Planning Manager Patricia Miller, Advance Planning Manager Anne Wells, Assistant City Attorney Joanna Smith, Associate Planner Laura Vlk, and Recording Clerk Linda Gregory.

PUBLIC FORUM

No speakers.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

A. PLANNING COMMISSION ORGANIZATION

A.1 Elect 2010 Chair/Vice-Chair

Chair Daniels nominated Commissioner Solomon to serve as Chair for 2010.
Commissioner Shelor seconded the nomination made by Chair Daniels.

MOTION: Chair Daniels moved/Commissioner Shelor seconded, to appoint Vice Chair Solomon to serve as Chair for 2010.
VOTE: Motion carried by the following voice vote: Ayes: Chair Daniels; Commissioners Shelor and Wallis. Abstain: Vice Chair Solomon.

Commissioner Wallis thanked Commissioner Daniels for his fine work as Chair. Chair Solomon commended Commissioner Daniels on his work as Chair. Commissioner Shelor expressed appreciation for Commissioner Daniel's work as Chair for 2009.

Commissioner Wallis nominated Commissioner Shelor to serve as Vice Chair for 2010. Commissioner Daniels seconded the nomination made by Commissioner Wallis.

MOTION: Commissioner Wallis moved/Commissioner Daniels seconded, to appoint Commissioner Shelor to serve as Vice Chair for 2010.
VOTE: Motion carried by the following voice vote: Ayes: Chair Solomon; Commissioners Daniels and Wallis. Abstain: Commissioner Shelor.

B. ADMINISTRATIVE AGENDA

B-1. Planning Commission Minutes for the Planning Commission Meeting of January 11, 2010.

Recommendation:

1. Approve the Planning Commission minutes for the meeting of January 11, 2010.

MOTION: Vice Chair Shelor moved/Commissioner Wallis seconded, to approve the Planning Commission minutes for the meeting of January 11, 2010, as submitted.
VOTE: Motion carried by the following voice vote. Ayes: Chair Solomon, Vice Chair Shelor; Commissioners Daniels and Wallis.

C. PUBLIC HEARING

C-1. 06-058-DP: ARCO Dos Pueblos Pipeline Removal Project located within and adjacent to Tecolote and Bell Creeks; APN 079-200-013, 079-210-059, 079-210-042.

Recommendation:

1. Adopt Planning Commission Resolution No. 10-___, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Approving a Development Plan for the ARCO Doe Pueblos Pipeline Removal Project, Case No. 060-058-DP; APNs 079-200-013, 079-210-059 and 09-210-042".

Staff speakers:

Laura Vlk, Associate Planner
Anne Wells, Advance Planning Manager
Patricia Miller, Current Planning Manager
Joanna Smith, Assistant City Attorney

Site Visits and Ex-parte Conversations: Site visits were reported by Chair Solomon and Commissioner Shelor. Commissioner Wallis reported that she has visited the site, but not in preparation for this public hearing. No ex-parte conversations were reported.

Laura Vlk, Associate Planner, presented the staff report and a PowerPoint entitled, "City of Goleta Planning Commission Public Hearing March 8, 2010, ARCO Dos Pueblos Pipeline Removal Project".

Staff responded to questions from the Planning Commissioners.

Commissioner Shelor requested that staff add a procedure for the future that would notify Planning Commissioners when there are environmental documents on the agendas for action by other jurisdictions that would affect the decision-making process.

Public hearing opened at 6:50 p.m.

The project was presented by agents Paul R. Krause, ARCADIS U.S., Inc., and Greg McGowan, LFR, Inc.; and Don Pratt of Atlantic Richfield Company, applicant. Greg McGowan presented a PowerPoint entitled, "ARCADIS U.S., Inc., Dos Pueblos Pipeline Removal Project".

Speakers:

Barbara Massey, Goleta, stated that both the Dos Pueblos property and the Eagle Canyon Ranch have proposed to develop on the bluffs, which is why she believes the project is moving forward. She questioned the noticing process by the County for both the draft Mitigated Negative Declaration (MND) and the permits. She does not believe that the DRB is the appropriate body to review the Habitat Restoration Plan. She submitted a transcript of her comments regarding the proposed project, entitled "ARCO Dos Pueblos Pipeline Removal Project". She questioned whether this is the appropriate time to do the pipe removal. She requested that the personal vehicles of the people working on this project not be parked in the beach access parking lot. Another concern is that pulling the pipe could break it, causing leaks and soil contamination. She requested that the liner be inspected each day. She requested that the City do periodic checks to see that the environmental resources are being protected and that public access parking is kept available to the public. Another concern is that the bonding for the work to be done may not be sufficient to cover future costs.

Dr. Ingeborg Cox, Goleta, expressed concern that there is the potential for a large accidental fire. She believes that any removal, excavation or tapping of a portion of the pipeline segment near Bell Creek should be postponed until the gas line is no longer active and the City of Goleta has a new fire station. She stated that all of the

archeological sites should be respected and the Native American community should be consulted. She believes there is a conflict because according to the Department of Fish and Game, the proposed structures to be removed are above ground but it appears that there are many excavations to be done. She submitted copies of pictures showing runoff and also the pipeline.

Frank Arredondo, Chumash MLD, stated that he has concerns with regard to the Mitigated Negative Declaration (MND) that was certified by the County of Santa Barbara. He stated that he submitted a comment letter during the public review period for the draft MND and he does not believe that his points were addressed. Since then, he noted that he has had some very good communications with the applicant's agent, Greg McGowan. However, his concern is whether the archaeological resources have been addressed. He appreciates that some of his suggestions for changes were pointed out in the presentation at today's hearing. Some of his specific concerns include the eucalyptus trees in Eagle Canyon, impacts underground on the western property line, the gangways in the creek area, and backfill impacts from excavation. He pointed out that the reference to the "most likely descendant" should be removed from the language in the Cultural Resources conditions of approval that refer to the Chumash Native American observer.

Laura Vlk, Associate Planner, responded to some of the public comments. She also pointed out that the Eagle Canyon portion of the project is located within the jurisdiction of the County of Santa Barbara. She noted that the Habitat Restoration Plan will be supervised by a City biologist but does not call out for review by the DRB.

Patricia Miller, Current Planning Manager, acknowledged that it will be appropriate to remove the "most likely descendant" language with regard to the Chumash Native American observer in Cultural Resources Conditions #30 and #32.

Greg McGowan, agent, stated that the Project Description requires that a dedicated fire truck be on the project site full-time.

Public hearing closed at 7:35 p.m.

Commissioner Wallis commented that she believes it would be appropriate to include succinct language that indicates the Findings of Approval are justified from the City's point of view rather than by the applicant's determination. She also believes that there should be some method to ensure that best efforts will be made to keep the accessibility to Haskell's Beach open during the project. She requested consideration be given to shortening the schedule for the Bell Creek Scope of Work to the shortest time that would be needed to begin and complete the project.

Vice Chair Shelor commented that it would be helpful to schedule the work in Bell Canyon for some time other than during the summer so the public beach access would be least restricted.

Patricia Miller, Current Planning Manager, summarized the amendments to the proposed project made by the Planning Commission at the public hearing on March 8, 2010, as follows: 1) Add language to Condition of Approval #2 that would shorten the

schedule for the Bell Creek Scope of Work to 30 days. 2) Remove the “most likely descendant” language with regard to the Chumash Native American observer reference in Conditions of Approval #30 and #32. 3) Add to Condition of Approval #51, a reference that the public access at Haskell’s Beach shall not be impacted by the project. 4) Revise the text in the project documents to indicate succinctly that the Findings reflect the City’s determination and not the determination of the applicant.

MOTION: Commissioner Wallis moved/Commissioner Daniels seconded, to adopt Planning Commission Resolution No. 10-02, entitled, “A Resolution of the Planning Commission of the City of Goleta, California, Approving a Final Development Plan for the ARCO Dos Pueblos Pipeline Removal Project; Case No. 06-058-DP; APNs 079-200-013; 079-210-059 and 079-210-042”, as amended by the Planning Commission at the public hearing on March 8, 2010.

VOTE: Motion carried by the following voice vote: Ayes: Chair Solomon; Vice Chair Shelor; Commissioners Daniels and Wallis.

RECESS HELD FROM 7:53 P.M. TO 8:00 P.M.

D. DISCUSSION

D-1. General Plan Amendment Report.

Staff Speakers:

Anne Wells, Advance Planning Manager
Patricia Miller, Current Planning Manager
Joanna Smith, Assistant City Attorney

Anne Wells, Advance Planning Manager, presented the staff report and PowerPoint entitled, “General Plan/Coastal Land Use Plan 2009 Progress Report, City of Goleta Planning Commission, March 2010”. She requested that the Planning Commission acknowledge that staff may make some editorial non-substantive changes to the Progress Report document as it is reviewed further.

Commissioner Daniels suggested that the Implementation Programs and Actions Summary (2009) be modified for clarity to indicate that some of the In Progress items will continually be ongoing items and that some will have an end date.

Commissioner Wallis suggested consideration that the items related to the Zoning Code and ordinance could be removed from the No Action category and moved to the pending actions.

Commissioner Daniels commented that the Progress Report is a good detailed summary of all the work that is being done at the City.

Commissioner Wallis commented that the Progress Report is an annual report and that it highlights how much work is being performed by staff.

MOTION: Vice Chair Shelor moved/Commissioner Daniels seconded, to recommend to the City Council approval of the General Plan/Coastal Land Use Plan 2009 Progress Report for submittal to the Governor's Office of Planning and Research and State Department of Housing and Community Development, and to acknowledge that staff may make some editorial, non-substantive changes to the document.

VOTE: Motion carried by the following voice vote: Ayes: Chair Solomon; Vice Chair Shelor; Commissioners Daniels and Wallis.

E. DIRECTOR'S REPORT

Patricia Miller, Current Planning Manager, reported: 1) Security training for the Planning Commissioners and DRB members will be conducted on March 9, 2010, at 6:00 p.m., in the Council Chambers. 2) The ground-breaking ceremony for the Goleta Valley Cottage Hospital project will be held on March 11, 2010, from 4:00 to 6:00 p.m. 3) The appointment process to fill the vacancy on the Planning Commission is continuing. 4) The amendments to the CEQA Guidelines that were recently adopted by the State will be effective on March 18, 2010. The issue of greenhouse gases is the primary purpose of these amendments. Staff has reviewed the requirements and made the changes to meet the deadline. 5) The City's Municipal Code, which is the consolidation of the ordinances adopted by the City, is now online. 6) On February 16, 2010, the City Council granted the applicant's appeal to the Planning Commission decision granting an appeal to the DRB approval of the proposed project at 7837 Langlo Ranch Road, thereby restoring the DRB Preliminary approval. 7) The next regular meeting of the Planning Commission will be held on March 22, 2010.

F. PLANNING COMMISSION COMMENTS

None.

E. ADJOURNMENT: 9:15 P.M.

Prepared by Linda Gregory, Recording Clerk

GOLETA PLANNING COMMISSION

Minutes approved on March 22, 2010.