



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

February 3, 2011

#### CALL TO ORDER:

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

#### I. ROLL CALL

Chair Bruce Bartlett, Vice-Chair John Jostes, Commissioners Charmaine Jacobs, Mike Jordan, Stella Larson, Sheila Lodge, and Deborah L. Schwartz.

#### STAFF PRESENT:

Danny Kato, Senior Planner  
 Susan Reardon, Senior Planner and Staff Hearing Officer  
 N. Scott Vincent, Assistant City Attorney  
 Dan Gullett, Associate Planner  
 Julie Rodriguez, Planning Commission Secretary

#### II. PRELIMINARY MATTERS:

A. Nominations and election of Chair and Vice Chair.

##### MOTION: Schwartz/Larson

Nomination of Commissioner John Jostes as Chair and Commissioner Sheila Lodge as Vice Chair.

This motion carried by the following vote:

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

The Commission thanked Chair Bartlett for his year of service.

B. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of December 16, 2010

2. Resolution 019-10  
 1032 E. Mason Street

##### MOTION: Lodge/Bartlett

Approve the minutes as corrected.

This motion carried by the following vote:

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

**MOTION: Lodge/Larson**

Approve resolution 019-10 as corrected.

This motion carried by the following vote:

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

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

None.

- D. Announcements and appeals.

None.

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

Chair Jostes opened the public hearing at 1:04 P.M. and, with no one wishing to speak on matters not on the agenda, closed the hearing at 1:07 P.M.

**III. STAFF HEARING OFFICER APPEAL:**

**ACTUAL TIME: 1:07 P.M.**

**RECUSALS:** To avoid any actual or perceived conflict of interest, Commissioner Bartlett recused himself from hearing this item due to owning commercial property within 500' of the project.

Commissioner Bartlett left the dais at 1:07 P.M.

**APPEAL BY PATRICK FOURMY OF THE STAFF HEARING OFFICER'S DENIAL OF THE APPLICATION OF PATRICK FOURMY FOR COMPASSION CENTER OF SANTA BARBARA COUNTY, 2915 DE LA VINA STREET, APN 051-202-007, C-2 AND SD-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE/BUFFER (MST2009-00497)**

The proposed project involves permitting of an existing Medical Marijuana Storefront Collective Dispensary within a 1,060 square foot commercial building located at 2915 De la Vina Street.

The discretionary application required for this project is a Medical Marijuana Storefront Collective Dispensary Permit (SBMC §28.80.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (Existing Facilities).

Case Planner: Daniel Gullett, Associate Planner  
Email: DGullett@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4559

Daniel Gullett, Associate Planner, gave the Staff presentation. Susan Reardon, Staff Hearing Officer and Captain Armando Martel, Santa Barbara Police Department were also available to answer any Planning Commission questions.

Gilbert Gaynor, Attorney for Appellant/Applicant Patrick Fourmy for the Compassion Center of Santa Barbara County, gave the appellant presentation.

Chair Jostes opened the public hearing at 2:07 P.M.

The following people spoke in support of the appeal:

1. Austin MacRae submitted a speaker slip but had to leave early.
2. Mona Mansfield-Erhardt submitted a speaker slip but had to leave early
3. Ruth Hammett
4. Jim Coleman
5. Paul Noleman
6. David Bearman, M.D.
7. Gregory Franks
8. Stephen Hosea, M.D.
9. Bill Dods

With no one else wishing to speak, the public hearing was closed at 2:26 P.M.

A majority of Commissioners indicated that the application did not meet the Criteria for Issuance for a dispensary permit. With regard to Issuance Criterion 12, a majority of Commissioners stated that sufficient information was not provided by the applicant in support of applicant's claim that the dispensary was currently operating legally, as provided in the Municipal Code.

**MOTION: Jordan/Jacobs**

**Assigned Resolution No. 001-11**

Denied the appeal and upheld the decision of the Staff Hearing Officer.

This motion carried by the following vote:

Ayes: 4 Noes: 2 (Lodge, Schwartz) Abstain: 0 Absent: 1(Bartlett)

Chair Jostes announced the ten calendar day appeal period.

Commissioner Schwartz left the dais at 2:47 P.M.

**IV. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 2:48 P.M.**

**A. Committee and Liaison Reports.**

**1. Staff Hearing Officer Liaison Report**

Commissioner Larson reported on the Staff Hearing Officer meeting held on January 26, 2011.

**2. Other Committee and Liaison Reports**

a. Commissioner Larson reported on the Historic Landmarks Commission meeting of February 2, 2011.

b. Commissioner Lodge reported on the Water Committee meeting of January 10, 2011.

c. Commissioner Lodge reported on the Airport Commission meeting of January 19, 2011.

d. Commissioner Jacobs reported on the Highway 101 Improvements Design Subcommittee.

e. Commissioner Jordan reported on the Creeks Committee meeting of January 19, 2011.

f. Commissioner Jordan announced First Thursday events taking place.

**B. Appointment of 2011 Primary and Alternate Liaisons to the City Boards and Commissions made in B.1 of this agenda.**

**Airport Commission**

Sheila Lodge

Stella Larson – Alternate

**Architectural Board of Review**

Bruce Bartlett

Stella Larson – Alternate

**Creeks Restoration & Water Quality Improvement**

**Program Citizen Advisory Committee**

Mike Jordan

Deborah L. Schwartz. – Alternate

**Downtown Parking Committee**

Deborah L. Schwartz

Mike Jordan- Alternate

**Harbor Commission**

Mike Jordan.

Deborah L. Schwartz – Alternate

**Highway 101 Improvements Design Subcommittee**

Bruce Bartlett  
Charmaine Jacobs  
Deborah L. Schwartz - Alternate

**Historic Landmarks Commission**

Stella Larson  
Sheila Lodge – Alternate

**Housing Policy Steering Committee**

Bruce Bartlett  
John Jostes  
Charmaine Jacobs– Alternate

**Mission Creek Design Subcommittee**

John Jostes  
Sheila Lodge  
Stella Larson – Alternate

**Park and Recreation Commission**

Charmaine Jacobs  
Deborah L. Schwartz - Alternate

**Plan Santa Barbara Subcommittee\***

(\*Subcommittee appointments deferred pending further discussion)

**Single Family Design Board**

Mike Jordan  
Charmaine Jacobs - Alternate

**Staff Hearing Officer/ Modification Liaison**

Stella Larson  
Sheila Lodge – Alternate

**Sustainability Council Committee**

Stella Larson  
Mike Jordan – Alternate

**Transportation and Circulation Committee**

Deborah L. Schwartz  
Bruce Bartlett – Alternate

**Water Commission**

Sheila Lodge  
John Jostes – Alternate

**MOTION: Larson/Jordan**  
Approved the 2011 Planning Commission Liaison Appointments

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Bartlett, Schwartz)

**VII. ADJOURNMENT**

Chair Jostes adjourned the meeting at 3:01 P.M.

Submitted by,

  
Julie Rodriguez, Planning Commission Secretary

Historic Landmarks Commission  
Bruce Bartlett  
Chairman Jacobs - Alternate  
Deborah L. Schwartz - Alternate  
Historic Landmarks Commission  
Shella Lodge - Alternate  
Housing Policy Planning Committee  
Bruce Bartlett  
John Jostes  
Chairman Jacobs - Alternate  
Historic Creek Design Subcommittee  
John Jostes  
Shella Lodge  
Stella Larson - Alternate  
Park and Recreation Commission  
Chairman Jacobs  
Deborah L. Schwartz - Alternate  
Plan Santa Barbara Subcommittee  
(\* Subcommittee appointments deferred pending further discussion)  
Single Family Design Board  
Mike Jostes  
Chairman Jacobs - Alternate  
Staff Hearing Officer/Mediation Liaison  
Stella Larson  
Shella Lodge - Alternate  
Sustainability Council Committee  
Stella Larson  
Mike Jordan - Alternate  
Transportation and Circulation Committee  
Deborah L. Schwartz  
Bruce Bartlett - Alternate  
Water Commission  
Shella Lodge  
John Jostes - Alternate