

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
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June 2, 2017

Susan F. Petrovich
Brownstein Hyatt Farber Schreck, LLP
1020 State Street
Santa Barbara, CA 93101

PLANNING COMMISSION
HEARING OF MAY 31, 2017

***RE: Rancho La Laguna Tract Map and State Small Water System; 06TRM-00000-00002/TM
14.709, 16CUP-00000-00030***

Hearing on the request of Susan Petrovich, agent/attorney for Rancho La Laguna LLC, and La Laguna Ranch Co. LLC, owners, to consider the following:

- a) **06TRM-00000-00002** [application filed on July 25, 2006] for approval of a Vesting Tentative Tract Map in compliance with County Code Chapter 21 to subdivide 3,951 acres into 13 lots ranging in size from 160 acres to 605 acres, on property zoned AG-II-100;
- b) **16CUP-00000-00030** [application filed on December 20, 2016] for approval of a Minor Conditional Use Permit for a state small water system with a total of 14 connections and the installation of appurtenant equipment and water utility lines in compliance with Section 35.82.060 of the County Land Use and Development Code, on property zoned AG-II-100; and to

certify the Environmental Impact Report (16-EIR-1) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetic/Visual resources; Biological Resources; Cultural Resources; and Geology. The EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 624 West Foster Road, Suite C, Santa Maria. The EIR is also available for review at the Solvang branch (1745 Mission Drive) and Orcutt branch (175 S Broadway St) libraries, and online at: <http://sbcountyp Planning.org/projects/06TRM-00002RanchLaLaguna/index.cfm>. The application involves Assessor Parcel Nos. 133-080-026, 133-080-036, and a portion of 133-080-037, located approximately 7.5 miles north of the town of Los Olivos and 7.5 miles northeast of the town of Los Alamos, in the Third and Fifth Supervisorial Districts. (Continued from 1/25/17, 3/29/17, and 4/26/17)

Dear Ms. Petrovich:

At the Planning Commission hearing of May 31, 2017, Commissioner Brooks moved, seconded by Commissioner Brown and carried by a vote of 3 to 2 (Ferini and Blough no) to:

1. Make the required findings for denial of the project (Case Nos. 06TRM-00000-00002/TM 14,709, 16CUP-00000-00030), including CEQA findings (Attachment A of the staff memorandum dated

May 11, 2017);

2. Determine that denial of the project (Case Nos. 06TRM-00000-00002/TM 14,709, 16CUP-00000-00030) is exempt from CEQA pursuant to CEQA Guidelines Section 15270, included in the attached Notice of Exemption (Attachment B of the staff memorandum dated May 11, 2017); and
3. Deny the project (Case Nos. 06TRM-00000-00002/TM 14,709, 16CUP-00000-00030).

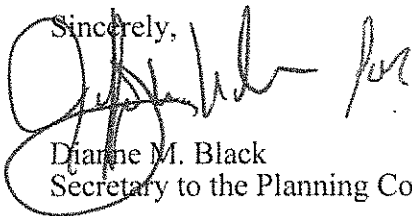
The attached findings reflect the Planning Commission's actions of May 31, 2017.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, June 12, 2017 at 5:00 p.m.**

If this decision is appealed, the filing fee for both non-applicant and applicant is \$659.92 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed.

Sincerely,



Dianne M. Black
Secretary to the Planning Commission

cc: Case File: 06TRM-00000-00002/TM 14,709, 16CUP-00000-00030
Planning Commission File
Owner: Leo A. Hanly, La Laguna Ranch Co. LLC, 2221 Meridian Blvd., Ste. A, Minden, NV 89423-8360
Owner: Charles V. Roven, Rancho La Laguna LLC, 9200 Sunset Blvd., 10th Floor, Los Angeles, CA 90069
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Joan Hartmann, Third District Supervisor
Third District Planning Commissioner
Steve Lavagnino, Fifth District Supervisor

Planning Commission Hearing of May 31, 2017

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Dan Blough, Fifth District Planning Commissioner

Danielle Drossel, Deputy County Counsel

Dana Eady, Planner

Attachments: Attachment A - Findings

DMB/dmv

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ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 CEQA Exemption

The Planning Commission finds that the denial of the proposed project (Case Nos. 06TRM-00000-00002/TM 14,709, 16CUP-00000-00030) is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270. Please see Attachment B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 CONDITIONAL USE PERMIT FINDINGS

Findings required for all Conditional Use Permits. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the findings, as applicable. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

2.1.4 **The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.**

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the Tentative Tract Map for which the proposed State Small Water System will serve is inconsistent with the Santa Barbara County Comprehensive Plan Agricultural Element. Therefore, the proposed State Small Water System is also not consistent with the Comprehensive Plan and this finding cannot be made.

2.2 TENTATIVE MAP FINDINGS (SUBDIVISION MAP ACT)

A. Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Rancho La Laguna Vesting Tentative Tract map, Case No. 06TRM-00000-00002/TM 14,709. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the proposed project is inconsistent with the Santa Barbara County Comprehensive Plan Agricultural Element. Therefore this finding cannot be made.

3. State Government Code §66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required if it makes any of the following findings:

a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning

Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the proposed project is inconsistent with the Santa Barbara County Comprehensive Plan Agricultural Element. Therefore, this finding can be made and the County shall deny approval of the tentative map.

- e. **The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The future development of residential structures and uses, access roads, driveways, and utilities on the project site are likely to result in direct and indirect impacts to wildlife habitat. In addition to the direct removal of vegetation for the future development of single family dwellings and accessory structures, the location of additional agricultural development throughout the project site is likely to fragment habitats and impact wildlife corridors. Therefore, this finding can be made and the county shall deny approval of the tentative map.

2.3 TENTATIVE MAP FINDINGS (COUNTY CODE CHAPTER 21)

- A. **The following findings shall be cause for disapproval of a tentative map but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant. As a result of the recommendation for project denial, only those findings which cannot be made are discussed below.**
- 6. **Nonconformance with any adopted general plan of the County or with any alignment of a state highway officially approved or adopted by the Department of Transportation.**

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the proposed project is inconsistent with the Santa Barbara County Comprehensive Plan Agricultural Element. There are no circumstances which warrant approval of the tentative map in spite of the inconsistency with the Comprehensive Plan. Therefore, this finding can be made and the tentative map shall not be approved.