



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and
Development
Department No.: 053
For Agenda Of: 10/14/08
Placement: Set Hearing on 10/28/08
Departmental
Estimated Tme: 1 hour
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department John Baker, Director
Director(s) (805) 568-2085
Contact Info: Zoraida Abresch, Deputy Director
(805) 934-6585
SUBJECT: Hearing to Consider the Request for a General Plan Amendment, Zoning Map Amendment, Tentative Parcel Map, and Development Plan to allow a sixteen lot subdivision and the construction of fourteen detached townhomes, located in the Vandenberg Village Area.

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

Set a hearing for October 28, 2008 to consider:

- 1) Case Number 06GPA-00000-00009 to change the Comprehensive Plan's land use designation of 2.35 acres from Recreation/Open Space to Residential-8.0 and to change the land use designation of 0.47 acres from Recreation/Open Space to Residential-1.8;
- 2) Case Number 07RZN-00000-00009 for a Zoning Map Amendment to change the Land Use and Development Code's zone district for 2.35 acres from Recreation to Design Residential (DR-6), and to change the zone district for 0.47 acres from Recreation to Residential, single-family (20-R-1);
- 3) Case Number 07TRM-00000-00019 for a Tentative Tract Map in accordance with County Code Chapter 21 to subdivide a 2.82 acre site and create 16 new parcels: Lot Numbers 1, 2, and 11-14

at 2,368 s.f. each; Lot Numbers 3-9 at 2,952 s.f. each; Lot 15 at 65,165 s.f.; and Lot 16 at 20,478 s.f.;

- 4) Case Number 07DVP-00000-00016 for a Development Plan under the provisions of the DR zone district and in compliance with Land Use Development Code section 35.82.080 to develop 14 two-story, residential units.

The application involves AP No. 097-730-021 located on Oakhill Drive, in the Vandenberg Village area, 3rd Supervisorial District.

At the October 28, 2008 hearing, the Board of Supervisor's action should include the following:

1. Adopt the required findings for denial of the project specified in the Planning Commission Action Letter dated October 1, 2008 (included as Attachment B), including CEQA findings.
2. Deny 06GPA-00000-00009 and the associated Comprehensive Plan Amendment Resolution (refer to the Planning Commission Staff Report dated August 22, 2008).
3. Deny 06RZN-00000-00009 and the associated Zoning Map Amendment Ordinance (refer to the Planning Commission Staff Report dated August 22, 2008 included as Attachment A).
4. Deny 07TRM-00000-00003.
5. Deny 07DVP-00000-00016.

Refer back to staff for appropriate findings and conditions if the Board of Supervisors takes other than the recommended action.

Summary Text:

The project includes the request for a General Plan Amendment, Zoning Map Amendment, Tentative Parcel Map, and Development Plan to create a 16-lot subdivision and develop 14 detached townhomes in Vandenberg Village. The proposed General Plan Amendment would change the County's Comprehensive Plan Land Use Designation of 2.35 acres of the site from Recreation/Open Space to Residential-8.0 and would change the land use designation of 0.47 acres of the site from Recreation/Open Space to Residential-1.8. The proposed Zoning Map Amendment would change the Land Use and Development Code's zone district for 2.35 acres from Recreation to Design Residential (DR-6), and would change the zone district for 0.47 acres from Recreation to Residential, single-family (20-R-1). The requested Tentative Tract Map would result in the subdivision of a 2.82 acre site and create 16 new parcels: Lot Numbers 1, 2, and 11-14 at 2,368 s.f. each; Lot Numbers 3-9 at 2,952 s.f. each; Lot 15 (Common Open Space) at 65,165 s.f.; and Lot 16 at 20,478 s.f. The requested Development Plan would allow construction of 14 two-story, residential units varying in size from 2,657 square feet to 2,949 square feet.

Background:

At the regular Planning Commission meeting of September 10, 2008, staff recommended that the County's Planning Commission recommend that the Board of Supervisors approve the project. (See Attachments A&B for the staff report and staff memorandum to the Planning Commission) However, the Planning Commission's motion supporting staff's recommendation failed to pass (by a vote of 2-3). Instead, the Planning Commission, by a vote of 3-2, continued the project for two weeks (to the hearing of September 24, 2008) so that staff could prepare findings for a recommendation of denial.

During its hearing of September 10, 2008, the Planning Commission concluded that the required findings for approval of the requested General Plan Amendment could not be made as such an action would not be in the interest of the public. The Commission stated that amending the Comprehensive Plan in a manner which would convert 2.82 acres of land designated for Recreation/Open Space to Residential land use should only be done in the context of either a Community Plan for the Lompoc Valley or as part of a comprehensive update to the County's General Plan. Therefore, at its regular hearing of September 24, 2008, the Commission approved a motion (3-0-1, Blough abstained, Brown absent) recommending that the Board of Supervisors deny the proposed project. Attachment D, the Planning Commission Action Letter, includes the Planning Commission's findings supporting denial of the project.

If the Board agrees with the Planning Commission's recommendation and subsequently denies the project, the approval of an environmental document is no longer necessary. In accordance with CEQA Section 15270, the California Environmental Quality Act does not apply to projects which are disapproved by the lead agency.

Fiscal and Facilities Impacts:

All costs of permit processing are reimbursed by the project applicant. Costs to process this application are fully reimbursed by the applicant per the department's adopted fee schedule. Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-305 of the adopted 2008 – 2009 fiscal year budget. There are no facilities impacts. The costs to process this project are borne by the applicant.

Special Instructions:

The Clerk of the Board shall complete noticing for the project in a newspaper of general circulation in the County of Santa Barbara ten (10) days prior to the hearing (mailing labels are attached).

The Clerk of the Board shall forward a copy of the Minute Order to Planning & Development, Attention: David Villalobos, Hearing Support.

Planning & Development will prepare all final action letters and notify all interested parties of the Board of Supervisors final action.

Attachments:

Attachment A -- Planning Commission Staff Report dated August 22, 2008.

Attachment B-- Staff Memorandum to the Planning Commission dated September 10, 2008.

Attachment C-- Planning Commission Action Letter dated September 16, 2008.

Attachment D*-- Planning Commission Action Letter dated October 1, 2008.

*Attachment D includes Findings for Denial and Planning Commission Resolution recommending denial of the Rezone.

Authored by:

Nathan Eady, Planner III, (805) 943-6261

Development Review Division-North, Planning and Development Department

cc: Case File: 06GPA-00000-00009
Records Management
John Baker, Director, Planning and Development
Dianne M. Black, Director Development Services
Agent/Owner: Mike Stoker, 431 Valley Dairy Road, Buellton, CA 93427
Rachel VanMulle, Deputy County Counsel
Nathan Eady, Planner

ATTACHMENT A: PLANNING COMMISSION STAFF REPORT

ATTACHMENT B: STAFF MEMORANDUM DATED 9/10/08

ATTACHMENT C: PLANNING COMMISSION ACTION LETTER DATED 9/16/08

ATTACHMENT D: PLANNING COMMISSION ACTION LETTER DATED 10/1/08