



COUNTY OF SANTA BARBARA

Planning and Development

www.countyofsb.org/plndev

Appeal to the Board of Supervisors or Planning Commission (County or Montecito)

APPEAL TO THE BOARD OF SUPERVISORS OR PLANNING COMMISSION (APL) on the issuance, revocation, or modification of:

- **All Discretionary projects heard by one of the Planning Commissions**
- **Board of Architectural Review decisions**
- **Coastal Development Permit decisions**
- **Land Use Permit decisions**
- **Planning & Development Director's decisions**
- **Zoning Administrator's decisions**

THIS PACKAGE CONTAINS

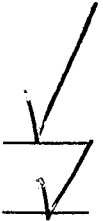
✓ **APPLICATION FORM**

✓ **SUBMITTAL REQUIREMENTS**

AND, IF ✓'D, ALSO CONTAINS

South County Office 123 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2000 Fax: (805) 568-2030	North County Office 624 W. Foster Road, Suite C Santa Maria, CA 93455 Phone: (805) 934-6250 Fax: (805) 934-6258	Clerk of the Board 105 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2240 Fax: (805) 568-2249
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SUBMITTAL REQUIREMENTS



8 Copies of the attached application.

8 Copies of a written explanation of the appeal including:

- If you are not the applicant, an explanation of how you are an “**aggrieved party**” (“Any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by the other nature of his concerns or who for good cause was unable to do either.”);
- A clear, complete and concise statement of the **reasons or grounds for appeal**:
 - Why the decision or determination is consistent with the provisions and purposes of the County’s Zoning Ordinances or other applicable law; or
 - There was error or abuse of discretion;
 - The decision is not supported by the evidence presented for consideration;
 - There was a lack of a fair and impartial hearing; or
 - There is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

N/A

1 Check payable to County of Santa Barbara.

Note: There are additional requirements for certain appeals including:

- a. **Appeals regarding a previously approved discretionary permit** – If the approval of a Land use permit required by a previously approved discretionary permit is appealed, the applicant shall identify: 1) How the Land Use Permit is inconsistent with the previously approved discretionary permit; 2) How the discretionary permit’s conditions of approval that are required to be completed prior to the approval of a Land Use Permit have not been completed; 3) How the approval is inconsistent with Section 35.106 (Noticing).
- b. **Appeals regarding Residential Second Units (RSUs)** – The grounds for an appeal of the approval of a Land Use Permit for a RSU in compliance with Section 35.42.230 (Residential Second Units) shall be limited to whether the approved project is in compliance with development standards for RSUs provided in Section 35.42.230.F (Development Standards).



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: OLIVE MILL & COAST VILLAGE ROAD
ASSESSOR PARCEL NUMBER: _____

Are there previous permits/applications? no yes numbers: _____
(include permit# & lot # if tract)

Is this appeal (potentially) related to cannabis activities? no yes

Are there previous environmental (CEQA) documents? no yes numbers: EIR (2014) REIR (2017)

1. Appellant: THOMAS BECKER Phone: 805 448-8557 FAX: _____
Mailing Address: 453 KENDALE ROAD, BUENTON E-mail: TS BECKER069@GMAIL.COM
Street City State Zip

2. Owner: _____ Phone: _____ FAX: _____
Mailing Address: _____ E-mail: _____
Street City State Zip

3. Agent: _____ Phone: _____ FAX: _____
Mailing Address: _____ E-mail: _____
Street City State Zip

4. Attorney: _____ Phone: _____ FAX: _____
Mailing Address: _____ E-mail: _____
Street City State Zip

COUNTY USE ONLY

Case Number: _____ Companion Case Number: _____
Supervisorial District: _____ Submittal Date: _____
Applicable Zoning Ordinance: _____ Receipt Number: _____
Project Planner: _____ Accepted for Processing _____
Zoning Designation: _____ Comp. Plan Designation _____

RECEIVED
2021 SEP 22 A 10:30
COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

COUNTY OF SANTA BARBARA APPEAL TO THE:

X BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title OLIVE MILL ROUNDABOUT
Case No. 19 DVP-00000-00024, 19CDP-00000-00048
Date of Action 9/16/20

I hereby appeal the X approval approval w/conditions denial of the:

Board of Architectural Review - Which Board?

X Coastal Development Permit decision

Land Use Permit decision

X Planning Commission decision - Which Commission? MPC

Planning & Development Director decision

Zoning Administrator decision

Is the appellant the applicant or an aggrieved party?

Applicant

X Aggrieved party - if you are not the applicant, provide an explanation of how you are and "aggrieved party" as defined on page two of this appeal form:

I ATTENDED ALL MPC MEETINGS FOR PROJECT.

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

SEE ATTACHED LETTER

Specific conditions imposed which I wish to appeal are (if applicable):

- a. _____
- b. _____
- c. _____
- d. _____

Please include any other information you feel is relevant to this application.

CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

THOMAS BECKER T. Becker 9/20/20
Print name and sign - Firm Date

APPEALANT/aggrieved Party
Print name and sign - Preparer of this form Date

Print name and sign - Applicant Date

Print name and sign - Agent Date

Print name and sign - Landowner Date

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I am an aggrieved appellant, and am not an applicant. I Do not authorize any Person to enter into any Property. I Do not sign under Penalty of Perjury, or any other penalty. I am not bound by the ab statement found above the signatures, since that statement is addressed to the applicant.

T. Becker
9/20/20

Appeal of Decision of the Montecito Planning Commission.

Date of decision: September 16, 2020

Description of appealed decision: Approval of Coastal Development Permit 19CDP-00000-00048.

Grounds for appeal: Project, as approved, violates Coastal Act Section 30253(4) and County CLUP 3.11.1, project fails to minimize Vehicle Miles Traveled (VMT), failed to evaluate VMT impacts associated with the project and failed to identify and analyze environmentally superior alternatives to the project.

The project applicant and county staff failed to prepare or submit any environmental study that analyzed VMT impacts associated with the project, and failed to identify and study environmentally superior alternatives to the project that would minimize VMT in compliance with Coastal Act Section 30253(4) and county CLUP 3.11.1. The project is integral to and inseparable from to the Highway 101 HOV project, which is acknowledged by the applicant and county staff to be a VMT inducing project. The applicant and county staff acknowledge the purpose of the project is to provide added intersection capacity to handle the VMT that will be induced into the intersection by the HOV project. The applicant and staff acknowledge that the project is lawfully required for and inseparable from the Highway 101 HOV project. Applicant and staff invoked and relied on CEQA Section 15064.3 to determine project's compliance with the Coastal Act and the county's CLUP. Use of Section 15064.3 was a determining factor in MPC's approval of the project's CDP. Applicant used the Highway 101 EIR (2014) and revised EIR (2017) as environmental documents supporting applicant's and staff's position that the project conforms with Coastal Act Section 30253(4) and CLUP 3.11.1.

Submitted on 9/22/20 to the Santa Barbara County Clerk of the Board.