



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: June 21, 2016
Placement: Administrative
Estimated Time:
Continued Item: Yes
If Yes, date from: April 19, 2016
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn Russell, Ph.D, Director, Planning and Development
Director (805) 568-2085
Contact Info: Jeff Wilson, Deputy Director, Development Review Division,
(805) 934-6559
SUBJECT: Accept Verizon's Withdrawal of its Appeal (Case No. 15APL-00000-00022) of the
County Planning Commission's Denial of the Verizon at Kenneth Avenue Project
(Case No. 14CUP-00000-00011), Fourth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Staff recommends that your Board take the following actions:

- a) Accept Verizon's withdrawal (Attachment 2) of its Appeal of the Planning Commission's denial (Attachment 1, Case No. 15APL-00000-00022) and acknowledge that upon withdrawal of the Appeal, the Planning Commission's denial of Case No. 14CUP-00000-00011 will stand; and
- b) Determine that acceptance of the withdrawal is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15378(b)(5).

Summary Text:

The proposed project was on the County Planning Commission agenda for eight hearings (3/11/15, 3/25/15, 6/11/15, 6/24/15, 7/01/15, 7/08/15, and 9/30/15). On December 9, 2015 the County Planning Commission denied the project by a vote of 5 to 0.

Verizon's appeal of the Planning Commission's denial to your Board was filed in a timely manner on December 18, 2015 (Attachment 1). On June 6, 2016, Verizon withdrew its appeal of the Planning

Commission's denial of a Major Conditional Use Permit (Attachment 2). Upon your Board's acceptance of the withdrawal of appeal, the Planning Commission's denial of the Conditional Use Permit will stand.

Fiscal and Facilities Impacts:

Budgeted: Yes

The costs for processing appeals are provided through a fixed appeal fee and funds in P&D's adopted budget. In regards to this appeal, the appellants paid an appeal fee of \$648.26. P&D will absorb the costs beyond that fee, estimated at approximately \$8,305.00 (44 hours). This work is funded in the Planning and Development Permitting Budget Program on page D-289 of the adopted 2015-2017 fiscal year budget.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on June 21, 2016. The notice shall appear in the Santa Maria Times. The Clerk of the Board shall fulfill noticing requirements. A minute order of the hearing and copy of the notice and proof of publication shall be returned to Planning and Development, attention David Villalobos.

Attachments:

1. Appeal Application to the Board of Supervisors
2. Withdrawal of Appeal

Authored by: Florence Trotter-Cadena, Planner, P&D Development Review Division

ATTACHMENT 1:
Appeal Application to the Board of Supervisors

ATTACHMENT 2:
Verizon Withdrawal of Appeal