

# Memorandum

**Date:** December 9, 2011  
**To:** Santa Barbara County Board of Supervisors  
**From:** Glenn Russell, Ph.D.  
Director, Planning and Development  
**Subject:** Rice Ranch - Item A-19 for December 13, 2011  
Board Meeting



---

Several of your Board members received the attached email from Laurie Tamura on behalf of Jim Laloggia and the Rice Ranch project. The purpose of this memo is to provide responses to the issues raised in the email.

## **Noticing:**

The Planning Commission's consideration of the consistency determination pursuant to Government Code Section 65402 was properly noticed under the Brown Act by the publishing of the Planning Commission's agenda 72 hours in advance of their meeting.

## **Consistency with the General Plan:**

The Planning Commission determined that acceptance of trail easements and land dedications would be consistent with the County's General Plan based on staff's report (provided to the Board in the Board Agenda Letter for this item). The acceptance of the open space dedication and trail easements are consistent with the project approvals, which were found consistent with the Orcutt Community Plan and County Land Use Element.

## **Status of Bonds:**

The County holds bonds for compliance with installation and maintenance requirements required by several project conditions, including conditions 12M, 14M, 15M and 65. The project conditions of approval are controlling and compliance with the conditions is required by the Rice Ranch Developer, independent of whether or when County accepts those offers of dedications. For example, the County currently holds a bond for maintenance of the Orcutt Community Park for five years. This park was dedicated to the County and yet its maintenance is still a developer responsibility secured by a maintenance bond.

**Timing of Compliance with Conditions of Approval:**

As is explained above, the Rice Ranch Developer is required to comply with the conditions of approval, regardless of whether or not County accepts land and/or trails are offered in dedication. It is not against any adopted policy of the County to accept easements or dedications prior to installation of required improvements.

**Proposed Project Amendment:**

The applicant requested initiation of a General Plan amendment to modify aspects of the project, including the location of trails and neighborhood parks. That request was initiated by the Planning Commission in March of 2011 and is currently being processed by the County. Acceptance of the open space dedications and trail easements is consistent with the approved Rice Ranch project, but would require modification of the pending application or the involved dedications. The Board may accept the dedications and trail easements. The Board may also consider the policy implications on the pending application of acceptance of the dedications and trail easements. If a revised project is approved with a different configuration of open space and trails, the dedications could be modified consistent with the revised project approvals.

Attachment: December 7, 2011 Email from Laurie Tamura, Urban Planning Concepts

## Black, Dianne

---

**From:** Laurie Tamura [Laurie@urbanplanningconcepts.com]  
**Sent:** Wednesday, December 07, 2011 4:58 PM  
**To:** Laurie Tamura; Dan Blough; Michael Cooney; Brown, Cecilia; mebrooms@sbceo.org; Gray, Joni; Lavagnino, Steve; Wallar, Chandra  
**Cc:** Russell, Glenn; Black, Dianne; Anthony, Doug; Karamitsos, John; Zorovich, John; jimlaloggia@yahoo.com; Garciacelay, Claude  
**Subject:** RE: PC meeting Rice Ranch Open space

To all

We understand that the Planning Commission reviewed a very focused item at the meeting today on the open space consistency. Although a number of procedural concerns were raised staff assured the Commission that they would be resolved before going to the Board of Supervisors.

All of the issues we outlined below are still critical to the legal transfer of this land to the county ownership. This issues of completing the conditions of approval, construction of the trails and trail heads, releasing the bonds that the county is holding, and biological mitigation still need to be resolved. Also there is an Specific Plan application in process that will change the open space lots based on the Parks Departments recommendations. Why would the county accept an incomplete project and the related liability prematurely? Clearly no one has looked at the costs of completing this project?

This item is on the Board's agenda for December 13, 2011 and we are asking that it be removed or continued until staff has time to resolve these issues with the landowner.

Jim LaLoggia and I are available to meet with P&D, Parks and County Council Staff tomorrow and Friday. Please let us know what time works for you.

Laurie Tamura, AICP  
Principal Planner



2624 Airpark Drive  
Santa Maria, CA 93455  
Phone: 805.934.5760  
Fax: 805.934.3448

<http://www.@urbanplanningconcepts.com>

---

**From:** Laurie Tamura  
**Sent:** Tuesday, December 06, 2011 1:43 PM  
**To:** 'Dan Blough'; 'Michael Cooney'; 'Cecilia Brown'; 'mebrooms@sbceo.org'; 'jgray@co.santa-barbara.ca.us'; 'Lavagnino, Steve'  
**Cc:** 'Russell, Glenn'; 'Black, Dianne'; 'Anthony, Doug'; 'Karamitsos, John'; 'Zorovich, John'; 'jimlaloggia@yahoo.com'; 'Garciacelay, Claude'  
**Subject:** PC meeting Rice Ranch Open space

To all

Thank you for continuing the item the Rice Ranch item to the December 7<sup>th</sup> Planning commission meeting. We had requested that this item be removed from the PC agenda completing until a number of items can be resolved.

First the request was not noticed to the public and Rice Ranch Ventures was not contacted until last Friday that this item was on the agenda.

Second the staff report is incorrect in the statement that this is consistent with the Orcutt Community Plan. The Rice Ranch Specific Plan is part of the community plan and there are a number of conditions and requirements that must be met before the county can accept this open space. These conditions include completing infrastructure trails, access, landscaping and signage. Also the Open Space management plan has not been implemented on the open space in the Valley View or the Groves neighborhoods.

Third there are a number of standing bonds to assure that these improvements are completed and no one has contacted Rice Ranch Ventures to determine how these bonds will be dealt with if the county becomes the owner of the open space.

Fourth it is against standing county policy to take public land until all of the conditions of approval have been completed. The county would not accept a public road until it has been built so why would the county accept incomplete open space until the improvements (trail and landscaping) have been completed.

Fifth last March the Planning Commission reviewed the amendments to the Rice Ranch Specific Plan and initiated the process to amend the open space lots. The key reason for the changes were to remove the four neighborhood parks from public parks and place in private HOA maintenance because the parks department does not have the funds to maintain these parks in the future. Also the Parks department does not want developed slopes in the open space lots.. so we have work with them to revise the open space lots so that the slopes are maintained by the HOA. Rice Ranch Ventures has spent over \$400,000 revising the project to address a number of county park, planning and public Work conditions in and around the open space lots.

It is clear that the staff report did not address many of the legal and planning issues associated with the final dedication of the open space lots at Rice Ranch. It is premature to make a find of consistency and the county should not take on this liability until all of the conditions of approval have been resolved.

For the record RRV agrees that there is over 300 acres to be dedicated to the county as open space however the lots to be dedicated are not consistent yet with the county policies and the conditions of approval.

We hereby request that this item be pulled from the agenda and that staff set a meeting with the landowner to resolve these items before it is returned to the Planning Commission.

Thank you for your time on this matter.

Laurie Tamura, AICP  
Principal Planner



2624 Airpark Drive  
Santa Maria, CA 93455  
Phone: 805.934.5760  
Fax: 805.934.3448

<http://www.@urbanplanningconcepts.com>