

Appeal of the Richards Ranch Application Incompleteness Determination Case No. 25APL-00009

Board of Supervisors
April 8, 2025



County of Santa Barbara
Planning and Development
Alia Vosburg

Vicinity Map



Application Overview

Project Application is a request for approval of TRM, DVP, and CUP to allow subdivision of the project site and construction of:

- 750 residential units with associated residential amenities
- Approximately 13,000 sq. ft. commercial development (car wash, drive-thru restaurant, convenience store, and gas station)
- Approximately 141,160 sq. ft. personal storage facility



Timeline

APPLICATION DATES	INCOMPLETE LETTER DATES	INCOMPLETE ITEMS
SB 330 Pre-Application: December 5, 2023	N/A	N/A
Initial Application: May 31, 2024	June 28, 2024	Plan set items, CUP application, Intent to Serve letters, items from other departments, technical studies, etc.
1st Resubmittal: September 23, 2024	October 23, 2024	Plan set items and items from other departments, etc.
2nd Resubmittal: January 21, 2025	February 20, 2025	Floor plans and Public Works Transportation items

Jurisdiction

- Section 35.102.050 of the LUDC - “any final action on decisions that are appealed to the Planning Commission in compliance with Section 35.102.040” may be appeal to the Board of Supervisors
- Gov. Code Section 65943(c) – “There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant’s written appeal.”



Appeal Issue 1

Applicant asserts:

- Resubmittal application was submitted to P&D on January 20, 2025, and P&D missed the deadline to respond; thus application should be automatically deemed complete

Response to Issue 1

- Gov Code Section 65943(a) states: “Not later than 30 calendar days after any public agency has received an application...”
- P&D could not have received the Applicant’s resubmittal on January 20, 2025, because P&D was closed for Federal holiday.
- P&D received the resubmittal on January 21, 2025, and issued a timely response to the resubmittal on February 20, 2025, within 30 calendar days of receipt.



Appeal Issue 2

Applicant asserts determination in violation of PSA and HAA because County cannot:

- require items for completeness that were not on an intake checklist;
- request new information for completeness;
- characterize inconsistency items as incompleteness items; or
- require submittal of the informational equivalent of an EIR as part of a complete application.



Appeal Issue 3

Applicant asserts:

- Notwithstanding Issue 2, resubmittal was responsive to all incompleteness items and should be deemed complete

Response to Issues 2 & 3

Incompleteness Item 1 – Floor Plans

- Applicant did not provide the required floor plans with required details specified on P&D's application intake checklist
- Request for floor plans is not a new request
- Lack of corresponding floor plans are not merely an issue of inconsistency with County standards

Response to Issues 2 & 3

Incompleteness Item 2 – Public Works (PW) Items

- PW provided list of items required for completeness in the first incomplete letter
- PW has indicated that identified completeness items remain outstanding

Recommendation

- a) Deny the Appeal, Case No. 25APL-00009;
- b) Determine and find that the Application, Case Nos. 24DVP-00018, 24CUP-00033, and 24TRM-00003, is incomplete for the reasons discussed in the Board Letter and the Staff Report included as Attachment G; and
- c) Determine that the above recommended action is an administrative activity of the County that will not result in direct or indirect physical changes in the environment and is therefore not a “project” defined for the purposes of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15378(b)(5).



Alternative Action

- a) Uphold the Appeal, Case No. 25APL-00009;
- b) Determine that the Application, Case Nos. 24DVP-00018, 24CUP-00033, and 24TRM-00003, is complete; and
- c) Determine that the above recommended action is an administrative activity of the County that will not result in direct or indirect physical changes in the environment and is therefore not a “project” defined for the purposes of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15378(b)(5).