

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:

Prepared on: October 11, 2005
Department Name: Planning & Development
Department No.: 053
Agenda Date: October 25, 2005
Placement: Administrative
Estimate Time: 3.0 hours on November 15, 2005
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Permitting\Case Files\APL\2000s\05 cases\05APL-00000-00019, PSM\Board letter set hearing.DOC

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

STAFF CONTACT: Peter Imhof, Planner, Development Review (x2518)
June Pujo, Planning Supervisor, Development Review (x2056)
Steve Chase, Deputy Director, Development Review (x2520)

SUBJECT: Set Hearing for the Appeal by San Marcos Foothills Coalition and Small Wilderness Area Preserve of the Planning Commission's Approval on July 27, 2005 of the Preserve at San Marcos project, 01TRM-00000-00005 (TM 14,585), 01DVP-00000-00071, 04EIR-00000-00003 [Appeal Case No. 05APL-00000-00019]

Recommendation:

That the Board of Supervisors set a hearing to consider the San Marcos Foothills Coalition and Small Wilderness Area Preserve Appeal of the Planning Commission approval of the Preserve at San Marcos project, 01TRM-00000-00005 (TM 14,585), 01DVP-00000-00071, 04EIR-00000-00003 [Appeal Case No. 05APL-00000-00019], located in the San Marcos Foothills on the east side of Highway 154, north of Foothill Road, Second Supervisorial District, Santa Barbara Planning Area.

Set Hearing for November 15, 2005 (Estimated time 3.0 hours).

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On July 27, 2005, the County Planning Commission approved 01TRM-00000-00005 (TM 14,585) and 01DVP-00000-00071 (FEIR Revised Alternative 4) to:

- Merge and re-subdivide a 177-acre portion of the 377-acre subject property into 22 lots, not including a 200-acre designated remainder;
- Construct 15 market-rate, single-family residences and five affordable condominiums on 177 acres of the 377-acre subject property, consisting of eight market-rate units on the western "Terrace" portion of the project site, seven units in the center or "Meadows" portion of the project site at the northern terminus of Cieneguitas Road, and five affordable condominiums adjacent to the current terminus of Cieneguitas Road;
- Dedicate easements over approximately 100 acres of Private Conservation Areas on Lots 1-15;
- Dedicate a 10-acre public park site for dedication to the County south of the proposed residences on "The Terrace";
- Dedicate a 6-acre dedicated open space and hang-glider landing area on Lots 18 and 19;
- Dedicate a 20-acre Open Space Area on Lot 22; and
- Certify the environmental impact report, 04EIR-00000-00003.

Planning Commission approval was based on the consistency of the project with the requirements of the Comprehensive Plan, the Planned Residential Development (PRD) zone district and other provisions of Article III of Chapter 35 and Chapter 21 of the County Code.

On August 8, 2005, San Marcos Foothills Coalition and Small Wilderness Area Preserve filed an appeal to the Board of Supervisors of the County Planning Commission approval of this project. A full discussion of the appeal issues will be provided in the final Board Letter for the November 15, 2005 Board hearing.

County Counsel has conducted a formal facilitation between the appellants and applicants. Results in the form of a memorandum from County Counsel will accompany the staff Board letter.

Mandates and Service Levels:

Section 35-327.3.1 of Article III (the Inland Zoning Ordinance) of Chapter 35 of the County Code provides that the decisions of the Planning Commission may be appealed to the Board of Supervisors.

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation, at least 10 calendar days prior to the hearing.

Pursuant to Government Code Section 65091, required mailed notice required to owners of the affected property, property owners within 300 feet of the project property boundaries, the project

applicant and local agencies expected to provide essential services, shall be done at least 10 calendar days prior to the hearing.

Fiscal and Facilities Impacts:

Costs to process this appeal are partially offset by the \$435.00 appeal fee paid by the appellant. Costs beyond that fee are absorbed by Planning and Development. These funds are budgeted in the Permitting and Compliance Program of the Development Review South Division, as shown on page D-294 of the adopted 05/06 fiscal year budget.

Special Instructions: Clerk of the Board shall complete noticing in the Santa Barbara News Press and shall complete the mailed noticing for the project at least ten (10) days prior to the hearing (mailing labels attached.)

Clerk of the Board shall forward a copy of the Minute Order to Planning and Development Hearing Support Section, Attention Cintia Mendoza.

Concurrence: None