



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 & Development  
**Department No.:** 053  
**For Agenda Of:** 9/13/11  
**Placement:** Set Hearing on 9/13/11 for 10/11/11  
**Estimated Tme:** 10 min. on 10/11/11  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Glenn Russell, PhD., Director (568-2085)  
Director Planning and Development  
Contact Info: Doug Anthony, Deputy Director, 568-2046  
Development Review Division – North County  
**SUBJECT: Nelson Appeal of the Zoning Administrator Approval of the JET Conditional Certificate of Compliance**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

On September 13, 2011, set a hearing for October 11, 2011 to consider the Nelson (agent for applicant) Appeal of the conditions of approval in the Zoning Administrator's approval of 09COC-00000-00004 (11APL-00000-00012); Assessor Parcel Nos. portion of 131-090-076, and -078, (one of six appeals filed separately for individual Conditional Certificate of Compliance involving approximately 860 contiguous acres). The project site is located approximately ½ mile southeast of the intersection of Tepusquet Road and an existing unnamed jeep road, in the Tepusquet area, Fifth Supervisorial District.

On October 11, 2011, your Board's action should include the following:

1. Make the required findings for the project, including CEQA findings;
2. Determine the project is exempt pursuant to Section 15061(b)(3) of CEQA, included as Attachment B;
3. Approve the project subject to the Conditions of Approval in Attachment C; and
4. Deny the appeal; and

5. Grant *de novo* approval of Case No. 09COC-00000-00004 as approved by the Zoning Administrator.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

The costs for processing appeals are partially offset through payment of a fixed appeal fee of \$643 (\$500 of which covers P&D costs). The total estimated time to process this appeal will be provided in the full Board Agenda Letter for the October 11, 2011 hearing. These funds are budgeted in the Permitting and Compliance Program of the Development Review North Division, as shown on page D-316 of the adopted 2011/2012 fiscal year budget.

**Special Instructions:**

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on October 11, 2011, 2011. The notice shall appear in the Santa Maria Times (labels attached). 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.

**Authored by:** Florence Trotter-Cadena, Planner (934-6253)