

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: 5/30/06
Department Name: P&D
Department No.: 053
Agenda Date: 6/20/06
Placement: Administrative
Estimate Time: n/a (15 min. staff presentation on 7/18/06; 45 min. total)
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

STAFF CONTACT: Steve Chase, Deputy Director (568-2520)

SUBJECT: Set Hearing for the Appeal of the Rancho Danza del Sol Commercial Horse Facility

Recommendation(s):

That the Board of Supervisors set hearing to consider the Appeal of the Rancho Danza del Sol Commercial Horse Facility. **SET HEARING FOR JULY 18, 2006 (ESTIMATED TIME 45 MINUTES)** to consider the following:

1. Adopt the required findings for the project, as specified in the Planning Commission action letter dated October 3, 2005, including CEQA findings;
2. Approve the Negative Declaration (05NGD-00000-00001) as revised by staff memorandum dated September 12, 2005 and adopt the mitigation monitoring program contained in the conditions of approval;
3. Deny the appeal, upholding the Planning Commission's approval of Conditional Use Permit 99-CP-059;
4. Grant *de novo* approval of the project subject to the conditions included in the Planning Commission's action letter.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Case Nos. TPM 14,447 for a three-way lot split and 99-CP-059 for a Minor Conditional Use Permit were considered at the Planning Commission hearing of September 28, 2005 at the request of Joe Handerman, representative for the applicant, Rancho Danza del Sol Partners. The Conditional Use Permit would allow the boarding of a maximum of 15 horses and the construction of a new 16,000 square foot covered riding arena, caretaker's residence, septic system, barn and access road. The development would occur on proposed Parcel 2 of the lot split, in the 3-E-1 Zone District under Article III. The property is located in the Second Supervisorial District. On September 28, 2005 the Tentative Parcel Map and Minor Conditional Use Permit were approved by the Planning Commission, but the Conditional Use Permit was appealed by Charles D. Kimbell, Esq., attorney for Oscar and Sharon Nunez on October 7, 2005. The appeal issues will be discussed in the staff report docketed for the departmental hearing.

Mandates and Service Levels:

Pursuant to Section 35-327.3 of Article III of Chapter 35 of the County Zoning Ordinances, the decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person adversely affected by such decision. The appeal was filed on October 7, 2005, prior to the adoption of new appeal procedures under Ordinance No. 4579 on October 18, 2005, and would therefore be subject to the appeal procedures in effect at the time of filing.

Fiscal and Facilities Impacts:

The costs for processing appeals are typically provided through a fixed appeal fee and funds in P&D's adopted budget. In regards to this appeal, the appellant paid an appeal fee of \$435. P&D will absorb the costs beyond that fee. 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 2005/2006 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 hearing (mailing labels will be attached).

Clerk of the Board shall forward a copy of the Minute Order to P&D, Hearing Support Section, Attn: Cintia Mendoza.

Concurrence: n/a

Prepared by: Mark Walter, Ph.D., Planner