



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 and  
Development  
Department No.: 053  
For Agenda Of: 04/01/08  
Placement: Administrative  
Estimated Tme: 0 hours on 04/01/08  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department John Baker, P&D Director 568-2085  
Director  
Contact Info: Dave Ward, P&D Deputy Director 568-2520  
**SUBJECT: Peterson Appeal of Montecito Planning Commission Approval of the Largura New  
Single-Family Dwelling, Case No's 08APL-00000-00005, 08APL-00000-00007**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: N/A

**Recommended Actions:**

Modify the decision of the Montecito Planning Commission as agreed to by the applicant and appellant through facilitation with County Counsel on March 5, 2008. To effectuate the agreement of the parties, the Department recommends that at the April 1, 2008 hearing, the Board of Supervisors:

1. Adopt the required findings for approval of Case No. 07LUP-00000-00336, included in the January 18, 2008 Montecito Planning Commission Action Letter,
2. Accept the exemption, included as Attachment B of the Montecito Planning Commission staff report dated November 14, 2007, pursuant to CEQA Section 15303(a); and
3. Approve Land Use Permit Case No. 07LUP-00000-00336, included as Attachment B to this Supplemental Board letter, which specifically includes the revised proposed project plans, dated March 12, 2008.

**Summary Text:**

County Counsel held facilitation between the parties on March 5, 2008. Deputy County Counsel Rachel Van Mullem and Planner Nicole Mashore attended for the County. Appellants Dave and Kaye Peterson and applicant Robert Largura were present. Agent Harwood White was also present representing Mr. Largura. An agreement was reached to modify the proposed project to include additional screening vegetation and dark earthtone exterior paint colors. These modifications have been reflected in the updated Land Use Permit and project plans prepared by Landscape Architect Sam Maphis (see attachments B and C). All parties have concurred with the modified project and a revised project can be approved.

**Background:**

**Current Case Background**

The Land Use Permit application for the project, Case No. 07LUP-00000-00336, was filed on May 17, 2007. The Montecito Board of Architectural Review (MBAR) reviewed the project, under Case No. 07BAR-00000-00129, on June 18, 2007, July 2, 2007, July 30, 2007 and September 24, 2007. On September 24, 2007, the MBAR granted preliminary approval to the project. MBAR approval was appealed on October 4, 2007. The Land Use Permit was approved October 8, 2007 and appealed October 18, 2007. The project went before the Montecito Planning Commission (MPC) on December 19, 2007, where the MPC made preliminary findings for denial and continued the project to the hearing of January 16, 2008. On January 11, 2008, the applicant submitted revised project plans. At the hearing of January 16, 2008, the MPC approved the revised project. The appeal to the Board of Supervisors was received January 28, 2008. As discussed above, the appeal was resolved through a facilitation meeting held March 5, 2008.

**Related Case Background**

Prior to application and approval of the current project, an application was submitted on April 6, 2006, under Case No. 06LUP-00000-00349, for a new residence and accessory uses on the subject property. That application was denied by Planning and Development (P&D) on July 19, 2006. P&D denial was appealed by the project applicant under Case No. 06APL-00000-00023, and heard at the November 15, 2007 and January 17, 2007 Montecito Planning Commission (MPC) hearings. At the January 17 hearing, the Montecito Planning Commission denied the project on a vote of 3-0. MPC denial of the project was appealed to the Board of Supervisors on January 26, 2007. The appeal to the Board of Supervisors was withdrawn May 10, 2007, prior to the current application process.

**Performance Measure:**

N/A

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

The fee for processing an appeal is \$443 per the current Planning and Development fee schedule adopted by the Board of Supervisors, effective January 15, 2007. Fees were collected when the appeal was filed. The remaining cost of processing these appeals is budgeted in the Permitting and Compliance

program of the Development Review South Division on page D-286 of the Fiscal Year 2007/08 adopted budget.

**Staffing Impacts:**

**Legal Positions:**  
N/A

**FTEs:**  
N/A

**Special Instructions:**

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on April 1, 2008. The notice shall appear in the Santa Barbara News Press or other paper of general circulation. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the mailed notice are attached. A minute order of the hearing and copy of the notice and proof of publication shall be returned to P&D, attention David Villalobos.

**Attachments:**

- A. County Counsel Memo
- B. Land Use Permit with Modifications per Facilitation Agreement
- C. Landscape Plans, dated March 12, 2008

**Authored by:**

Nicole Mashore, Planner, (805) 884-8068  
Development Review Division – South, P&D

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