

**Attachment 3: Planning Commission Resolution No. 21-08 Denial of Amendment
to the Comprehensive Plan to Revise the Orcutt Community Plan**

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO
THAT THE BOARD OF SUPERVISORS DENY
REQUESTED AMENDMENTS TO THE
ORCUTT COMMUNITY PLAN; ORCUTT
COMMUNITY PLAN POLICY KS3-1,
DEVELOPMENT STANDARDS DEVSTDKS3-5,
-6, -7, AND -10, AND FIGURE 14 (ORCUTT
COMMUNITY PLAN PARKS, RECREATION
AND TRAILS [PRT] MAP)

RESOLUTION NO.: 21 - 08

CASE NO.: 13GPA-00000-00005

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on July 22, 1997, by Resolution No. 97-314, the Board of Supervisors of the County of Santa Barbara adopted the Orcutt Community Plan.
- B. WHEREAS on July 10, 2001, by Resolution No. 01-225, the Board of Supervisors of the County of Santa Barbara adopted amendments (Case No. 01-GP-005) to various water policies, development standards and actions of the Orcutt Community Plan.
- C. WHEREAS on September 21, 2004, by Resolution No. 04-261, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 04-GPA-00000-00011), including text amendments to Action OT-O-2.2 to support revitalization efforts in Old Town Orcutt.
- D. WHEREAS on July 25, 2006, by Resolution No. 06-236, the Board of Supervisors of the County of Santa Barbara adopted the Old Town Orcutt Streetscape Concept Plan.
- E. WHEREAS on July 25, 2006, by Resolution No. 06-238, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 05GPA-00000-00006), including amendments to the Land Use Designations Map, the Parks, Recreation, and Trails Map, and Development Standard KS30-2.
- F. WHEREAS on February 24, 2009, by Resolution No. 09-034, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 08GPA-00000-00009), including amendments to the text and to land use designations to ensure consistency with the General Plan Housing Element Focused Rezone Program.
- G. WHEREAS on December 11, 2012 by Resolution No.12-293, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00001), including text amendments to various flood control policies, development standards and actions, and amendments to Figure 31 (Regional Basins Map).

- H. WHEREAS on December 11, 2012 by Resolution No.12-294, the Board of Supervisors of the County of Santa Barbara adopted text amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00002).
- I. WHEREAS on June 4, 2013 by Resolution No.13-160, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 13GPA-00000-00), including amendments to Key Site 22 text and to Figure KS22-2, Figure 24 (Significant Vegetation Map), Figure 25 (Biological Habitat Map), and Figure 22-2 (Key Site 22 Map p. KS22-11).
- J. WHEREAS on January 5, 2016, by Resolution No. 16-7, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (14GPA-00000-00006) amending Key Site 12 Policy 12-2A and B, which address provision of affordable housing and parks.
- K. WHEREAS on June 27, 2013, an application (Case No. 13GPA-00000-00005) was submitted to: 1) amend the Comprehensive Plan and Orcutt Community Plan to change the Land Use Designation on APN 129-151-026 from Residential Ranchette to Planned Development; and 2) amend Orcutt Community Plan Policy KS3-1, Development Standards DevStdKS3-5, -6, -7, and -10, and Figure 14.
- L. WHEREAS proposed amendment to the Orcutt Community Plan Parks, Recreation and Trails (PRT) Map, were included in the project description for the Key Site 3 General Plan Amendment project (Case No. 13GPA-00000-00005).
- M. The Planning Commission now finds that the proposed amendments to the Orcutt Community Plan are not in the interest of orderly development of the County and not important to the preservation of the health, safety, and general welfare of the residents of said County for the reasons identified below. The Planning Commission recommends that the Board of Supervisors adopt a resolution denying the requested revisions to Policy KS3-1, DevStd KS3-5, DevStd KS3-6, DevStd KS3-7, DevStd KS3-10, the PRT map.
- 1) The proposed project density and smaller lot size is not compatible with the existing rural ranchette development to the west of Key Site 3.
 - 2) The developer does not have a private maintenance agreement in place to delineate maintenance responsibilities on Chancellor Street, thus amending the Orcutt Community Plan to move secondary access from Oakbrook Lane to Chancellor Street is not in the interests of the general community welfare.
- N. WHEREAS public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been consulted on and have advised the Planning Commission on said proposed amendments in a public hearing pursuant to Section 65353 of the Government Code.
- O. WHEREAS the County Planning Commission has held a duly noticed public hearing, as required by Section 65353 of the Government Code, on the proposed amendments at which hearing the proposed amendments were explained and comments invited from the persons in attendance.

P. WHEREAS, in compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed amendments and ordinances to include the reasons for the recommendation and the relationship of the proposed ordinances and amendments to applicable general and specific plans, the County Planning Commission has determined that the proposed amendments are not consistent with the Orcutt Community Plan and Land Use and Development Code findings as discussed in the Findings, Attachment A of the Planning Commission Staff Memo dated May 18, 2021, incorporated herein by reference.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65354 of the Government Code, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings for denial included as Attachment A of the Planning Commission staff memo, dated May 18, 2021.
3. The Planning Commission of the County of Santa Barbara has endorsed and transmitted to the Board of Supervisors said recommended resolution pursuant to Government Code Section 65354.
4. The Planning Commission now recommends that the Board of Supervisors adopt a Resolution denying the Orcutt Community Plan Amendment (Case 13GPA-00000-00005).
5. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above-mentioned action by the County Planning Commission.

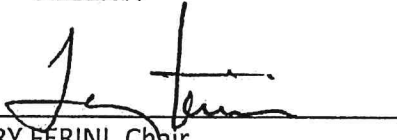
PASSED, APPROVED AND ADOPTED this 26 day of May 20 21, by the following vote:

AYES: Cooney, Parke, Ferini, Blough

NOES: Bridley

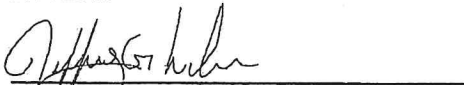
ABSTAIN:

ABSENT:



LARRY FERINI, Chair
Santa Barbara County Planning Commission

ATTEST:



JEFF WILSON
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL GHIZZONI
COUNTY COUNSEL

By  _____
Deputy County Counsel

EXHIBITS:

1. Board of Supervisors Resolution

ATTACHMENT 1

**RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF DENYING THE
AMENDMENTS TO THE ORCUTT COMMUNITY
PLAN; ORCUTT COMMUNITY PLAN POLICY
KS3-1, DEVELOPMENT STANDARDS
DEVSTDKS3-5, -6, -7, AND -10, AND FIGURE
14 (ORCUTT COMMUNITY PLAN PARKS,
RECREATION AND TRAILS [PRT] MAP)

RESOLUTION NO.: 21 - _____

CASE NO.: 13GPA-00000-00005

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- A. WHEREAS on July 22, 1997, by Resolution No. 97-314, the Board of Supervisors of the County of Santa Barbara adopted the Orcutt Community Plan.
- B. WHEREAS on July 10, 2001, by Resolution No. 01-225, the Board of Supervisors of the County of Santa Barbara adopted amendments (Case No. 01-GP-005) to various water policies, development standards and actions of the Orcutt Community Plan.
- C. WHEREAS on September 21, 2004, by Resolution No. 04-261, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 04-GPA-00000-00011), including text amendments to Action OT-O-2.2 to support revitalization efforts in Old Town Orcutt.
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- G. WHEREAS on December 11, 2012 by Resolution No.12-293, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00001), including text amendments to various flood control policies, development standards and actions, and amendments to Figure 31 (Regional Basins Map).

- H. WHEREAS on December 11, 2012 by Resolution No.12-294, the Board of Supervisors of the County of Santa Barbara adopted text amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00002).
- I. WHEREAS on June 4, 2013 by Resolution No.13-160, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 13GPA-00000-00), including amendments to Key Site 22 text and to Figure KS22-2, Figure 24 (Significant Vegetation Map), Figure 25 (Biological Habitat Map), and Figure 22-2 (Key Site 22 Map p. KS22-11).
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- K. WHEREAS on June 27, 2013, an application (Case No. 13GPA-00000-00005) to: 1) amend the Comprehensive Plan and Orcutt Community Plan to change the Land Use Designation on APN 129-151-026 from Residential Ranchette to Planned Development; and 2) amend Orcutt Community Plan Policy KS3-1, Development Standards DevStdKS3-5, -6, -7, and -10, and Figure 14.
- L. WHEREAS proposed amendment to the Orcutt Community Plan Parks, Recreation and Trails (PRT) Map, were included in the project description for the Key Site 3 General Plan Amendment project (Case No. 13GPA-00000-00005).
- M. The Board of Supervisors now finds that the proposed amendments to the Orcutt Community Plan are not in the interest of orderly development of the County and are not important to the preservation of the health, safety, and general welfare of the residents of said County for the reasons identified below. The Board of Supervisors adopts a resolution denying the requested revisions to Policy KS3-1, DevStd KS3-5, DevStd KS3-6, DevStd KS3-7, DevStd KS3-10, the PRT map.
 - 1) The proposed project density and smaller lot size is not compatible with the existing rural ranchette development to the west of Key Site 3.
 - 2) The developer does not have a private maintenance agreement in place to delineate maintenance responsibilities on Chancellor Street, thus amending the Orcutt Community Plan to move secondary access from Oakbrook Lane to Chancellor Street is not in the interests of the general community welfare.
- O. WHEREAS public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been consulted on and have advised the Planning Commission on said proposed amendments in a public hearing pursuant to Section 65351 of the Government Code.
- P. WHEREAS the County conducted consultations with Native American tribes as required by Government Code Section 65352.3 and 65352.4.
- Q. WHEREAS the County Planning Commission has held a duly noticed public hearing, as required by Section 65353 of the Government Code, on the proposed amendments, at which hearing the proposed amendments were explained and comments invited from the persons in attendance and has transmitted a written recommendation for denial of the amendments to the Board of Supervisors pursuant to Government Code Section 65354.

- R. WHEREAS, in compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed amendments and ordinances to include the reasons for the recommendation and the relationship of the proposed ordinances and amendments to applicable general and specific plans, the County Planning Commission has determined that the proposed amendments do not represent good planning and are inconsistent with the Orcutt Community Plan and Land Use and Development Code findings as discussed in the Findings, Attachment A of the Planning Commission Staff Memo dated May 18, 2021, incorporated herein by reference.
- S. WHEREAS this Board has held a duly noticed public hearing, as required by Section 65353 of the Government Code on the proposed amendments, at which hearing the proposed amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of Section 65356 of the Government Code, the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, hereby denies the Amendments to the Orcutt Community Plan based on the findings for denial included as Attachment A of the County Planning Commission staff memo dated May 18, 2021.
- 3. The Chair and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution, to reflect the above-described action by the Board.

PASSED, APPROVED AND ADOPTED this ___ day of _____, 20___, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

BOB NELSON, Chair
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. Amendment to Language of Orcutt Community Plan Policy KS3-1 and Development Standards
DevStdKS3-5, -6, -7, and -10
2. Amendment to Orcutt Community Plan Parks, Recreation, and Trails Map (Figure 14)

EXHIBIT 1

ORCUTT COMMUNITY PLAN AMENDMENT

**Orcutt Community Plan Policy KS3-1 and Development Standards DevStdKS3-5, -6, -7,
and -10**

Amended language shown below:

Proposed Orcutt Community Plan Amendments	
OCP Policy	Proposed Text Amendment
Policy KS3-1	Key Site 3 (APN 129-151-26) is designated Res Ranch and PD, <u>Residential 20.0, and Open Space</u> and zoned RR 10 and PRD-119, and MR-O. Any proposed development on Key Site 3 shall comply with the following development standards.
DevStd KS3-5	The bikepath, hiking <u>public multi-use trails</u> , rest area, and secondary access roads shall be located to minimize loss of significant vegetation.
DevStd KS3-6	No development, other than a secondary access road from Oakbrook Lane to Chancellor Street, shall occur within 100 feet of the dripline of the vegetation in the southwest corner of the northern mesa, or within a 25 foot-buffer from the top of bluff of the canyon in the northeast corner of the site.
DevStd KS3-7	Primary access to the site shall be from the frontage road along US Hwy 101. The existing easement over Site 2 shall be renegotiated to accommodate development of Site 2 and to align with the "preferred access point" intersection. The developer shall coordinate with P&D, Public Works Transportation Division, and the Fire Department to ensure appropriate secondary access from Oakbrook Lane, <u>Chancellor Street</u> using the developer's existing Chancellor Street easement.
DevStd KS3-10	The developer shall dedicate an easement for, and construct, a flood control/emergency access route along Orcutt Creek which can also be used as <u>an off road Class I bikepath</u> as well as hiking <u>public multi-use trails</u> through Key Site 3, with appropriate links to new onsite development.
Orcutt Community Plan PRT Map	The OCP PRT Map is revised to show the proposed multi-use trails. The trails will be realigned in conformance with the approved final development plans. The planned trail connection between Key Site 3 and the southeast endpoint of Chancellor Street will remain to enable a future connection when development occurs there.

EXHIBIT 2
ORCUTT COMMUNITY PLAN
Amendment to Parks, Recreation and Trails Map

Exhibit 2 : Orcutt Community Plan PRT Map Changes

- Proposed Trail according to Adopted PRT Map (to Remain on PRT Map)
- Proposed Realignment of Previously Adopted Trail on PRT Map
- Proposed New Trail to be Added to PRT Map

