



# **SANTA BARBARA COUNTY BOARD OF SUPERVISORS**

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## **Salentine Appeal**

**(12APL-00000-00006)**

**of the**

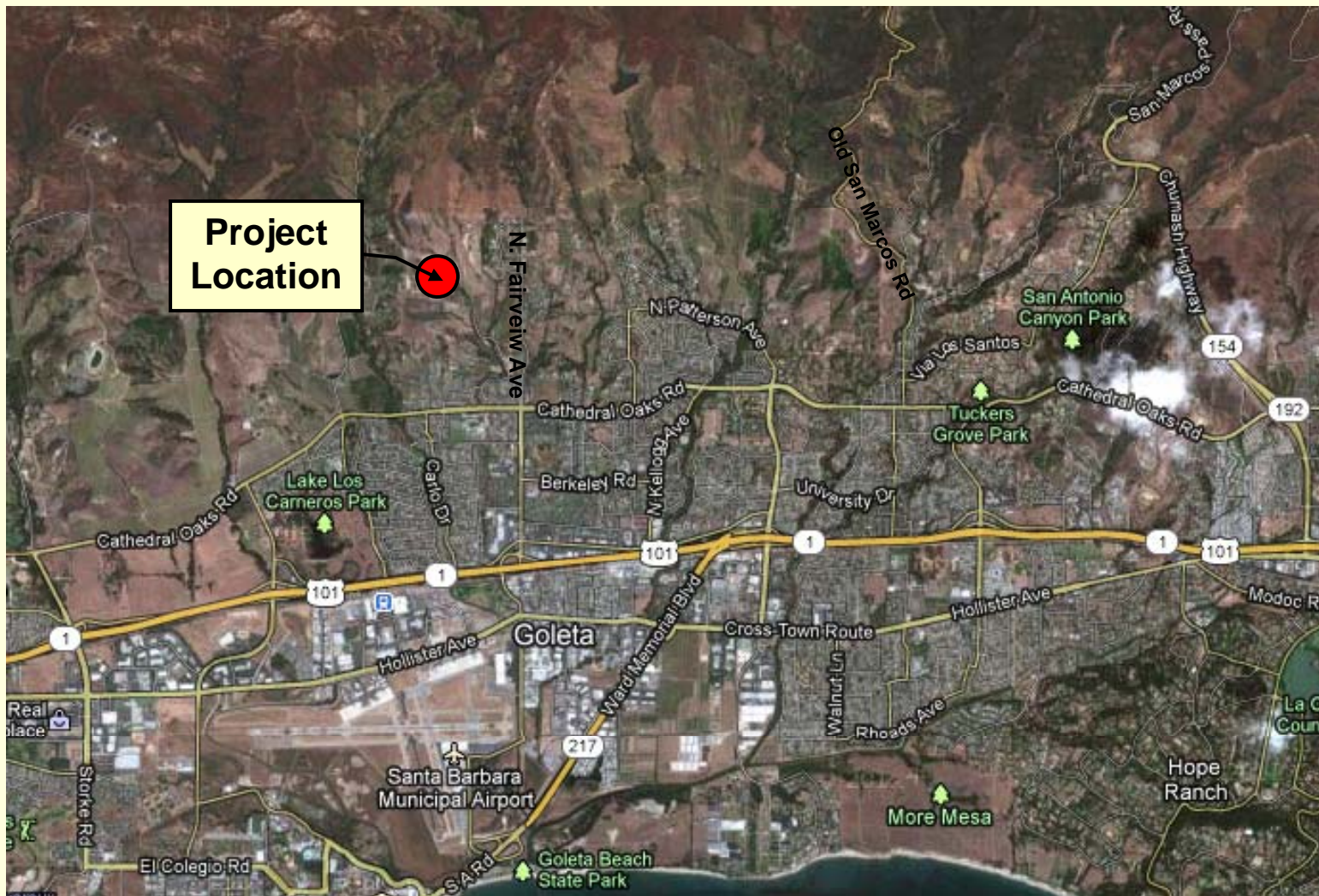
## **Brown Grading and Horse Arena Project**

**(07LUP-00000-00830)**

July 10, 2012

J. Ritterbeck, Planner

# Vicinity Map





# Permit Timeline

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**November 2007** – Complaint received & LUP opened.

**September 23, 2011** – Land Use Permit 07LUP-00000-00830 approved.


**September 30, 2011** – Appeal filed.

**January 10, 2012** – EMP approved and issued by P&D.

**March 7, 2012** – County PC denied Salentine Appeal and re-approved 07LUP-00000-00830 with modifications.

**March 16, 2012** – Salentine appeals the Commission's decision to the Board.





# Appeal Issue #1

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**Appellant raises issue with:**

- 1) Comprehensive Plan – Hillside & Watershed Protection Policies**
  - 2) Goleta Community Plan - Geologic Policies**
  - 3) County LUDC – Hillside and Ridgeline Standards**
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- Grading minimized given need to remove fill from C.O.M.B. waterline.
- Project includes drainage/runoff controls and BMPs.
- Grading not subject to Hillside and Ridgeline standards.




# Appeal Issue #2

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**Appellant raises issue with:**

- 1) Goleta Community Plan E.S.H. & Biological Policies**
  - 2) Adequacy of CEQA Exemption**
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- Project includes protection & enhancement of off-site ESH, provides drainage control, a waste management plan & includes planting of ten new Oak trees.
- Project is exempt from CEQA.



# Appeal Issue #3

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**Appellant raises issue that:**

**1) Existing violations were ignored**

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- **07ZEV-00000-00309** – Grading and Agricultural structures.
- **12BDV-00000-00019** – Exceeding scope of Emergency Permit.

Approval of 07LUP-00000-00830 would abate remaining violations.



# Appeal Issue #4

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**Appellant raises issue with:**

## **1) Planning Commission's *de novo* review & decision**

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The evidence provides a clear basis for the Commission's decision;

- staff report
- testimony
- presentations
- deliberation

Furthermore, the Board's decision is *de novo* as well.





# Appeal Issue #5

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**Appellant raises issue that:**

**1) Planning Commission's procedure inconsistent with  
Robert's Rules of Order**

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The Commission's decision process was consistent with the Santa Barbara County Planning Commission Procedures Manual.



# Staff Recommendation

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P&D recommends the Board:

- Make the required findings for approval, as specified in Attachment A;
- Determine the project is exempt from CEQA, as specified in Attachment C;
- Deny the Appeal, Case No. 12APL-00000-00006; and
- Grant *de novo* approval of Case No. 07LUP-00000-00830, subject to the conditions, included as Attachment B.