

**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:** October 28, 2005  
**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** November 8, 2005  
**Placement:** Administrative  
**Estimate Time:** 1.5 hours on November 22, 2005  
**Continued Item:** NO  
**If Yes, date from:**  
**Document File Name:** G:\GROUP\Permitting\Case Files\APL\2000s\05 cases\05APL-00000-00021\Board Letter set hearing -- 10-27-05 .DOC

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**TO:** Board of Supervisors

**FROM:** Dianne Meester, Assistant Director  
Planning and Development

**STAFF CONTACT:** Laura Bridley, Contract Planner (966-7260)  
Tina Ryder, Supervising Planner (x2001)  
Steve Chase, Deputy Director, Development Review (x2520)

**SUBJECT:** Set Hearing for the Coral Casino Preservation Committee appeal of the Montecito Planning Commission Approval of the Coastal Development Permit for the Coral Casino Selective Salvage Plan Case No. 05CDP-00000-00091 [Appeal Case No. 05APL-00000-00021]

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**Recommendation:**

That the Board of Supervisors **set a hearing for November 22, 2005** to consider:

The anticipated appeal by the Coral Casino Preservation Committee, c/o Brandt Hawley Law Group of the Montecito Planning Commission approval of the Coastal Development Permit for the Coral Casino Selective Salvage Plan Case No. 05CDP-00000-00091 [Appeal Case No. 05APL-00000-00021]. The application involves AP No. 009-351-015 located at 1281 Channel Drive (Coral Casino), Montecito area, First Supervisorial District.

**Alignment with Board Strategic Plan:** The recommendation is primarily aligned with actions required by law or by routine business necessity.

**Executive Summary and Discussion:**

On October 28, 2005, the Montecito Planning Commission upheld the staff approval of Coastal Development Permit Case No. 05CDP-00000-00091 for the Selective Salvage Plan for the Coral Casino project, subject to conditions.

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The appeal filed by the Coral Casino Preservation Committee of the Montecito Planning Commission's approval of Case No. 05CDP-00000-00091 and denial of 05APL-00000-00021 and the Montecito Planning Commission Action Letter regarding its October 28, 2005 consideration will be forwarded in the Board Letter for the November 22<sup>nd</sup> Board hearing. The appellant has indicated verbally that it intends to appeal the Montecito Planning Commission decision if that body denies the current appeal and upholds the issuance of 05CDP-00000-00091. The project applicant has also indicated verbally that this appeal is procedurally related to the appellant's pending litigation with the County.

County Counsel has determined that no facilitation will be required prior to this appeal hearing.

**Mandates and Service Levels:**

Section 35-182.3.1 of Article II (the Coastal Zoning Ordinance) of Chapter 35 of the County Code provides that the decisions of the Planning Commission may be appealed to the Board of Supervisors.

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation.

Pursuant to Government Code Section 65091, required mailed notice to property owners within 300 feet of the project's property boundaries, including the real property owners, and residents within 100 feet of the property, project applicant and local agencies expected to provide essential services, shall be done at least 10 days prior to the hearing.

**Fiscal and Facilities Impacts:**

This project is located within the state-designated Appeals Jurisdiction of the Coastal Zone; therefore, the California Coastal Commission retains appeal authority over discretionary projects within this geographic area. The County does not charge a fee for appeals within the Coastal Zone per the Planning & Development Department fee schedule (Resolution No. 04-060, adopted by the Board of Supervisors on March 15, 2004). The cost of processing this appeal is budgeted in the Permitting and Compliance program of the Development Review South Division on page D-294 of the adopted 05/06 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 10 days prior to the November 22<sup>nd</sup> hearing (mailing labels attached).

Clerk of the Board shall forward a copy of the Minute Order to Planning & Development, Hearing Support Section, Attention: Cintia Mendoza.

**Concurrence:** None

**Attachments:** Mailing Labels

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