

# 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:** 1/9/06  
**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** 1/24/06  
**Placement:** Administrative  
**Estimate Time:** 1 hour on 2/7/06  
**Continued Item:** NO  
**If Yes, date from:**  
**Document File Name:** G:\GROUP\Permitting\Case Files\APL\2000s\05 cases\05APL-00000-00031\Board letter set hearing.DOC

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**TO:** Board of Supervisors

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

**STAFF CONTACT:** Alice Daly, Planner (x 2059)  
June Pujo, Supervising Planner (x 2067)

**SUBJECT:** Set Hearing for the Thorson Appeal of the Planning Commission Denial of the Shadow Hills Archeological Easement Recorded Map and Development Plan Modifications to Allow Archaeological Testing, under case numbers 02RMM-00000-00011 and 04DVP-00000-000030, [Appeal Case No. 05APL-00000-00031]

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### Recommendation:

Set a hearing to consider the Thorson appeal of the Planning Commission denial of Recorded Map and Development Plan Modifications to Allow Archaeological Testing at the recorded open space easement in the Shadow Hills condominium development, Shadow Hills Boulevard, located west of Highway 154 at the north end of Via Chaparral, Goleta Community Plan Area, APN 059-380-022, Second Supervisorial District.

### Set a Hearing for February 7, 2006.

### Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

### Executive Summary and Discussion:

On November 9, 2005, the Planning Commission denied the Shadow Hills Archeological Easement Recorded Map and Development Plan Modifications request for new Archaeological Testing, under case numbers 02RMM-00000-00011 and 04DVP-00000-000030, based on the

findings set forth in the Planning Commission Action Letter dated November 14, 2005, the requirements of Article III of Chapter 35 of the County Code, and the project's inconsistency with the policies and development standards of the Goleta Community Plan.

On November 18, 2005, Susan Petrovich, on behalf of the applicant, Hugh Thorson, submitted an appeal of the Planning Commission denial. A full discussion of the appeal issue will be provided in the final Board Letter for the February 7, 2006, Board hearing.

**Mandates and Service Levels:**

Section 35-327.3 of Article III 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, mailed notice required to property owners within 300 feet of the project, including the real property owners, 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:**

As this is an applicant appeal to the Board, an appeal application flat fee of \$2,000 is required per the Planning & Development fee schedule (Resolution No. 04-060, adopted by the Board of Supervisors on March 15, 2004). Therefore, any costs for processing this appeal over the amount of \$2,000 are borne by the Department.

**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 the hearing (mailing labels attached.)

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

**Concurrence:** None