

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: 3/30/05
Department Name: Planning & Development
Department No.: 053
Agenda Date: 04/5/05
Placement: Departmental
Estimate Time: 30 minutes
Continued Item: NO
If Yes, date from:
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TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

STAFF CONTACT: Steve Goggia, Supervising Planner (x2067)
Alex Tuttle, Planner (x6844)

SUBJECT: Tompkins Appeal of the Montecito Planning Commission Approval of a Time Extension, case number 05TEX-00000-00005, for the Miramar Hotel Final Development Plan Amendment, case number 02AMD-00000-00007, [Appeal Case No. 05APL-00000-00003]

Recommendations:

That the Board of Supervisors:

1. Dismiss the Tompkins appeal of the Montecito Planning Commission decision on the Miramar Hotel Time Extension as the appellant did not articulate a legally sufficient basis for appeal, leaving the Montecito Planning Commission's approval of a one-year time extension for the Miramar Hotel Final Development Plan Amendment located at 1555 South Jameson Lane, APNs 009-333-010, 009-371-003, 009-371-004, 009-372-001, 009-010-002, First Supervisorial District in place; **OR**
2. Set a hearing to consider the Tompkins appeal of the Montecito Planning Commission approval of a one year time extension for the Miramar Hotel Final Development Plan Amendment located at 1555 South Jameson Lane, APNs 009-333-010, 009-371-003, 009-371-004, 009-372-001, 009-010-002, First Supervisorial District.

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 March 16, 2005, the Montecito Planning Commission approved a one-time, one-year time extension for the Miramar Hotel Final Development Plan Amendment, case number 02AMD-00000-00007, based on the findings and conditions set forth in the Montecito Planning Commission Action Letter dated March 22, 2005, the requirements of Article II of Chapter 35 of the County Code, and the project's consistency with the policies and development standards of the Local Coastal Plan and the Montecito Community Plan. On March 28, 2005, Stephan Tompkins submitted an appeal of the Montecito Planning Commission approval. A copy of the appeal and the Planning Commission's record is attached.

Staff recommends that the Board dismiss the appeal as the appellant did not submit a legally sufficient basis for the appeal as part of his filing. This dismissal of the appeal leaves the Planning Commission's decision in place.

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.

Fiscal and Facilities Impacts:

As this project is located within the state-designated Appeals Jurisdiction of the Coastal Zone, no appeal application fee is required per the Planning & Development fee schedule (Resolution No. 96-323, adopted by the Board of Supervisors on August 6, 1996). Therefore, the entire cost of processing this appeal represents a net County cost borne by the Department.

Special Instructions:

If recommendation 2 is selected, the 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

Attachments:

- Attachment A: Planning Commission Staff Report dated March 3, 2005
- Attachment B: County Counsel Memorandum dated March 10, 2005
- Attachment C: Planning Commission Action Letter dated March 22, 2005
- Attachment D: Appeal to the Board of Supervisors dated March 28, 2005