



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning &  
Development  
**Department No.:** 053  
**For Agenda Of:** February 13, 2024  
**Placement:** Set Hearing  
**Estimated Time:** 1.5 hours on March 12,  
2024  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Lisa Plowman, Director, Planning and Development  
Director(s) (805) 568-2086  
Contact Info: Travis Seawards, Deputy Director, Planning and Development  
(805) 568-2518

**SUBJECT:** Set Hearing to Consider the Key Site H Development Agreement, Case No.  
23ORD-00004

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

On February 13, 2024, set a hearing for March 12, 2024, to consider the recommendations of the County Planning Commission to approve the Key Site H Development Agreement project (23ORD-00004).

On March 12, 2024, to follow the recommendations of the County Planning Commission, your Board's action would include the following:

- a) Receive and file the County Planning Commission's recommendation to approve the Key Site H Development Agreement project (23ORD-00004);
- b) Approve the introduction (first reading) of an Ordinance approving the Key Site H Development Agreement (23ORD-00004);
- c) Read the title of the Ordinance into the record and waive full reading of the Ordinance; and
- d) Set a hearing for the Administrative Agenda of March 19, 2024, to consider recommendations, as follows:

- i. Make the required findings for approval of the project, Case No. 23ORD-00004, including CEQA findings.
- ii. Determine that the ninety-nine (99) unit multifamily residential development project as described in the Development Agreement, including Example Project Plans Implementing Development Agreement Provisions, is exempt from CEQA pursuant to State CEQA Guidelines Section 15194, Affordable Housing Exemption, and Public Resource Code Section 21159.23, Low Income Housing; and
- iii. Approve the adoption (second reading) of an Ordinance approving the Key Site H Development Agreement (23ORD-00004).

**Summary Text:**

This Board item is a set hearing for Case No. 23ORD-00004, which is for a Development Agreement to allow for a future maximum 99-unit affordable housing project in compliance with Government Code Section 65864 and County Land Use and Development Code (LUDC) Chapter 35.86, inclusive of the granting of an additional density bonus of 37 units pursuant to LUDC Subsection 35.32.030.A. The analysis related to this item will be docketed with a separate Board Agenda Letter for the Departmental agenda of March 12, 2024, for the first reading of the ordinance.

**Background:**

Pursuant to Government Code Section 65864 et seq, development agreements are contracts negotiated between project proponents and public agencies that govern the land uses that may be allowed in a particular project. Neither the developer nor the public agency is required to enter into a development agreement. When they do, the allowable land uses and other terms negotiated between the municipality and developer are subject to the municipality's ultimate approval.

The developer has an approved entitlement for a 61-unit affordable multi-family development in a single three-story structure under the provisions of Senate Bill 35 (Case No. 21ZCI-00000- 00232), which limits the jurisdiction of the County. The proposed Development Agreement includes provisions at the request of the developer, primarily the provision of an additional 37-unit local density bonus for a maximum future development of up to 99 units, a provision to process a future 99-unit affordable project with a Development Plan on an expedited basis, and other negotiated components.

**Special Instructions:**

Planning & Development shall publish a legal notice in the *Santa Maria Times* at least 10 days prior to the hearing on March 12, 2024. The Clerk of the Board shall also fulfill mailed noticing requirements at least 10 days before the scheduled hearing. The Clerk of the Board shall forward the minute order of the hearing as well as a copy of the notice and proof of publication to the Planning and Development Department, Attention: Shannon Reese.

**Authored by:**

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Development Review Division, Planning and Development Department