



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: 8/14/12  
Placement: Set Hearing on 8/14/12  
for 8/21/12  
Estimated Tme: 50 min on 8/21/12  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

---

**TO:** Board of Supervisors  
**FROM:** Department Glenn Russell, Ph.D. Director, Planning and Development  
Director(s) (805) 568-2085  
Contact Info: Alice McCurdy, Deputy Director, Development Review South  
(805) 568-2518  
**SUBJECT:** **Set Hearing for Olson Appeal (Case No. 12APL-00000-00014) of Planning Commission Approval of The Trust for Public Land/Devereux Creek Properties Lot Split (Case Nos. 11TPM-00000-00007, 12CDH-00000-00009, Third Supervisorial District)**

---

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

On August 14, 2012, set a hearing for August 21, 2012, to consider the appeal filed by John Olson of the County Planning Commission's June 20, 2012, approval of The Trust for Public Land/Devereux Creek Properties Lot Split.

On August 21, 2012, your Board should consider the following actions:

1. Deny the appeal, Case No. 12APL-00000-00014, thereby upholding the County Planning Commission's approval of the project;
2. Make the required findings for approval of the project specified in Attachment 1 of this Board Letter, including CEQA findings;
3. Determine the project is exempt from CEQA pursuant to Sections 15315 and 15301(l)(1) of the State Guidelines for the Implementation of the California Environmental Quality Act, as specified in Attachment 4 of this Board Letter;

4. Approve *de novo* the lot split, Case No. 11TPM-00000-00007, subject to the conditions included as Attachment 2 of this Board Letter; and
5. Approve *de novo* the Coastal Development Permit for demolition of an employee dwelling, Case No. 12CDH-00000-00009, subject to the conditions included in Attachment 3 of this Board Letter.

Refer back to staff if the Board takes an action other than the recommended action for appropriate findings and conditions.

The project site is located at 6925 Whittier Drive, in the Goleta area, Third Supervisorial District. The applications involve AP No. 073-090-062.

**Summary Text:**

The appeal is of the Planning Commission's approval of a proposed three-lot subdivision (11TPM-00000-00007) of the 70.32-acre parcel that currently supports the Ocean Meadows Golf Course in Goleta as well as the proposed demolition of an employee dwelling (12CDH-00000-00009). The lot split would create three lots: Lot 1 would be 63.93 acres, Lot 2 would be 25.89 acres and Lot 3 would be 0.50 acres. The purpose of the lot split is so that the applicant, The Trust for Public Land, can purchase proposed Lot 1 and transfer its ownership to a long term steward for restoration and preservation of the land. The property is zoned Planned Residential Development (PRD-58), which allows for the development of up to 58 residential units. With this project, 30 of the allowed units would be assigned to Lot 1 and the remaining 28 units would be assigned to the other two lots. Immediately following the land acquisition by The Trust for Public Land, the lot would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of the funding grantors. As a result of this project, the 63.93-acre parcel (Lot 1) would eventually be dedicated to a third party (likely to be the University of California, Santa Barbara) and used for habitat restoration, education, passive recreation, and similar uses. The other two lots could be developed in the future with up to 28 residential units if and when the property owner applies for, and gains approval of, an application for a development plan.

The project was reviewed and approved by the Zoning Administrator on May 7, 2012. The Zoning Administrator's approval was appealed by the same appellant on May 16, 2012. On June 20, 2012, the Planning Commission denied the appeal and approved the project. The appellant appealed this decision to the Board of Supervisors on June 28, 2012. County Counsel has scheduled a facilitation meeting between the applicant and appellant on August 8, 2012. A report of the outcome of this meeting will be forwarded separately to the Board of Supervisors when available.

The issues raised in the appeal to the Board of Supervisors are the same as those raised to the Planning Commission. Therefore, the staff report to the Planning Commission provides a complete discussion of and responses to the appeal issues in Section 5.2 of that report (see Attachment 7, page 13). In addition, the attached Planning Commission staff report contains a full analysis of the project, including the complete project description (Section 4.2, page 3), Comprehensive Plan consistency analysis (Section 5.1, page 5), and Coastal Zoning Ordinance consistency analysis (page 11 of Attachment F of Attachment 7 to this Board Letter).

Because no new issues have been raised in this appeal, staff recommends the Board of Supervisors deny the appeal and uphold the Planning Commission's approval of the project. To complete this action, staff has revised the findings, conditions of approval and CEQA exemption to reflect the Board of Supervisors as the decision maker of record and the *de novo* decision date.

**Fiscal and Facilities Impacts:**

Budgeted: Yes No appeal fees are required for appeals of projects that may be appealed to the Coastal Commission. The estimated staff cost to process the appeal is approximately \$3,000 (16 planner hours). This work is funded in the Development Review South Division on page D-138 of the adopted 2012-2014 fiscal year budget.

**Special Instructions:**

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on August 21, 2012. The notice shall appear in the Santa Barbara News-Press. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the mailed notice are attached. A minute order of the hearing and copy of the notice and proof of publication shall be returned to Planning and Development, attention David Villalobos.

**Attachments:**

- Attachment 1: Findings of Approval
- Attachment 2: Tentative Parcel Map Conditions of Approval
- Attachment 3: Coastal Development Permit for Demolition of Employee Dwelling
- Attachment 4: CEQA Notice of Exemption
- Attachment 5: Appeal Application, received June 28, 2012
- Attachment 6: County Planning Commission Action Letter, dated June 22, 2012
- Attachment 7: P&D Staff Report to the County Planning Commission dated June 1, 2012 (includes Staff Report to the Zoning Administrator dated April 19, 2012 and project plans)

**Authored by:**

Julie Harris, Planner III, Development Review South Division, P&D, (805) 568-3518

**cc:**

Anne Almy, Supervising Planner – Planning and Development