



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: April 3, 2007
Placement: Set Hearing
Estimated Tme: 1.5 hours on 4/17/07
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department John Baker, Director, 568-2085
Director:
Contact Info: Dianne Black, Assistant Director, 568-2086

SUBJECT: Set Hearing for Hourigan Residential Development, Including Rezone

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

Set hearing on the April 17, 2007 Departmental Agenda to consider Planning Commission recommendations that the Board of Supervisors (time estimate 1.5 hours; 15 minute staff presentation):

1. Adopt the required findings for the project specified in Attachment A of the staff report dated February 9, 2007, including CEQA findings;
2. Approve the Negative Declaration, 06NGD-00000-00010 included as Attachment G of the staff report dated February 9, 2007 and adopt the mitigation monitoring program contained in the conditions of approval;
3. Approve the Rezone, Case No. 01RZN-00000-00003, of the subject 5.88-acre property from Agriculture (AG-I-5, five acre minimum parcel size) to Design Residential (DR-3.3, 3.3 unit per acre);
4. Approve the Vesting Tentative Tract Map, Case No. 02TRM-00000-00005, to subdivide the property into nine lots, including one open space lot;
5. Approve the Final Development Plan, Case No. 04DVP-00000-00027, to develop six new market rate residential units and related site improvements;

Auditor-Controller Concurrence

As to form: N/A

6. Approve a modification pursuant to Section 35.82.080(F)(1) of the Santa Barbara County Land Use & Development Code on Development Plans, to the parking regulation to allow the guest parking spaces in Lots 1, 2, 5 & 6 to be located on the property line, rather than five feet away from the property line, to minimize impacts on oak trees and visual impacts to neighbors;
7. Approve the Road Naming, Case No. 06RDN-00000-00004, to name the private road within the site; and
8. Approve the project subject to the conditions included as Attachments B and C of the staff report dated February 9, 2007, as revised at the Planning Commission hearing of February 28, 2007.

Summary Text:

The proposed project is to subdivide a 5.88 acre parcel into 9 lots and construct 6 new houses. The new homes are proposed on Lots 1 through 6. One lot comprising 40% of the property, would remain as open space (Lot 9); two homes already exist on the parcel (on Lots 7 and 8). In order to subdivide the parcel and construct the new homes, a rezone of the parcel from Agriculture (AG-I-5, minimum parcel size of 5 acres) to Design Residential (DR-3.3, maximum density of 3.3 units per acre) is required consistent with its Comprehensive Plan land use designation of Residential, 3.3 units per acre.

Pursuant to Section 35.80.020(B)(1) of the Santa Barbara County Land Use & Development Code, jurisdiction over two or more applications relating to the same development project rests with the highest level decision-maker for any of the individual applications. Because the Board of Supervisors is the decision-maker for the proposed rezone, the Board of Supervisors is the decision-maker for the entire project.

The proposed project was heard by the Planning Commission at their February 28, 2007 meeting and the Planning Commission made a recommendation to your Board to approve the proposed project with a 5 to 0 vote. The Planning Commission's action is included as Attachment 1 to this letter.

The main issues associated with this project include potential impacts on aesthetics/visual resources (neighborhood compatibility), biological resources (oak trees), and transportation. During the permit process, the project was redesigned substantially to address these issues. Nevertheless, neighbors of the project continue to have concerns regarding:

1. The rezone;
2. The height of the homes on proposed Lots 1 and 2;
3. Removal of 8 oaks associated with Lots 1 and 2;
4. Landscaping and lighting details;
5. Speeding along Patterson Avenue and adequate sight distances at the entrance to Lot 1 and to the property; and
6. Enforcement of the development plan and the content of CC&Rs;
7. Future requests for two-story houses, garage conversions, and changes to the landscaping.

As a result of continued neighbor concerns, the Planning Commission revised certain conditions of approval to provide specific direction to the Board of Architectural Review on their final approval of the proposed project with respect to landscaping and lighting.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: County costs for processing the Rezone, Tentative Tract Map, Development Plan, and Road Naming are reimbursed by the applicant in conformance with the current Board-approved fee resolution. Permit revenues are budgeted in the Permitting and Compliance Division of the Development Review South Division, on page D-290 of the adopted 2006-2007 fiscal year budget.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to hearing on April 17, 2007. The notice shall appear in the Santa Barbara News Press. The Clerk of the Board shall fulfill the noticing requirements. Mailing labels for the mailed notice are attached. A minute order and a copy of the notice and proof of publication shall be returned to Planning and Development, attention Cintia Mendoza.

Attachments:

- 1 Action Letter from the February 28, 2007 Planning Commission Hearing
- 2 Staff Report to the Planning Commission for the February 28, 2007 Hearing, dated February 9, 2007
- 3 Public comment letters submitted to the Planning Commission for the February 28, 2007 hearing
- 4 Mailing labels for noticing the April 17, 2007 hearing

Authored by:

Michelle Gibbs, Planner III, 568-3508