

# EDC, Surfrider, GCC Appeal of the Periodic Review Determination for the Santa Barbara Ranch Inland Development Agreement Case No. 21APL-00000-00017

Board of Supervisors  
May 17, 2022



County of Santa Barbara  
Planning and Development  
Chris Schmuckal

# Background

- Santa Barbara Ranch Inland Development Agreement (IDA)
  - Grants the Developer the vested right to develop the inland portion of the Santa Barbara Ranch project
- 2015-2020: Director issued annual determinations of good faith compliance with the IDA
- March 2021: Director issued a determination of compliance for the 2020-2021 periodic review period
- April 9, 2021: GCC, Surfrider, and EDC filed an appeal of the Directors determination of compliance for the 2020-2021 review period
- December 14, 2021: Staff was directed to return with findings to determine the Developer not in compliance with the IDA for the 2020-2021 review period

# 2020-2021 Periodic Review

- The Developer had until April 8, 2021 to complete an alternative restoration project on the Gaviota Coast
- At the time of the 2020-2021 periodic review, the timeframe to complete the alternative restoration had not passed
- Therefore, staff continues to recommend that the Board find the Developer in good faith compliance with the IDA for the 2020-2021 periodic review

# 2021-2022 Periodic Review

- Since the project was last before the Board, a new review cycle (2021-2022) ended
- For the 2021-2022 Periodic Review Cycle, the deadline to complete the alternative creek restoration plan expired without work being completed
- In March 2022, the Developer was found by Director to not be in good faith compliance with the IDA and a Notice of Default Letter was sent
- Staff believes that the 2021-2022 Periodic Review provides stronger support for finding that the Developer is not in good faith compliance with the IDA because the timeframe for completion of an alternative restoration project fell within the 2021-2022 cycle

# Recommended Actions

- Deny the appeal, Case No. 21APL-00000-00017
- Make the required findings to affirm the Director's determination that the Developer is in good faith compliance with the terms of the Santa Barbara Ranch Inland Development Agreement, including the CEQA findings
- Determine that the IDA "Periodic Review" determination is exempt from CEQA pursuant to State CEQA Guidelines Section 15378(b)(5)