



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: May 10, 2022
Placement: Departmental
Estimated Time: 1.0 hours
Continued Item: Yes
If Yes, date from: October 12, 2021
Vote Required: Majority

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: **SB Clark, LLC Residential Subdivision (Key Site 3)**
General Plan Amendment 13GPA-00000-00005, Rezone 13RZN-00000-00001,
Vesting Tentative Tract Map 13TRM-00000-00001, Development Plan 13DVP-
0000-00010, Road Naming 17RDN-00000-00005

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

On May 10, 2022, to follow the recommendations of the County Planning Commission, your Board's action should include the following:

- a) Make the required findings for denial of the project, Case Nos. 13GPA-00000-00005, 13RZN-00000-00001, 13TRM-00000-00001, 13DVP-00000-00010 and 17RDN-00000-00005, as specified in Attachment 1, Findings for Denial. .
- b) Determine that denial of the project, Case Nos. 13GPA-00000-00005, 13RZN-00000-00001, 13TRM-00000-00001, 13DVP-00000-00010 and 17RDN-00000-00005, is exempt from CEQA pursuant to CEQA Guidelines Section 15270 as specified in Attachment 2, CEQA Notice of Exemption; and
- c) Deny the project, General Plan Amendment (Case No. 13GPA-00000-00005), Rezone (13RZN-00000-00001), Vesting Tentative Tract Map (Case No. 13TRM-00000-00001), Development Plan (Case No. 13DVP-00000-00010) and Road Naming application (Case No. 17RDN-00000-00005).

Summary Text:

The Board of Supervisors heard the project on October 12, 2021, and continued the item with a motion to allow the applicant time to evaluate and determine if they could secure secondary access over Oakbrook Lane. Oakbrook Lane is located over thirteen parcels in total. Since the hearing, the applicant contacted owners of all thirteen parcels along Oakbrook Lane. The applicant was not able to secure an access easement over Oakbrook Lane and a number of property owners along Oakbrook Lane signed a petition in opposition of granting such an easement (Attachment 5). Nine neighbors near Key Site 3 also signed a petition supporting the project with secondary access over the existing easement on Chancellor Street (Attachment 5).

The applicant provided a timeline of attempts to secure an access easement over the thirteen parcels that together compose Oakbrook Lane. Of the thirteen property owners, the applicant was able to speak directly with seven, none of whom were supportive of granting an easement. Two additional property owners signed a petition (Attachment 5) in opposition of granting the developer secondary access over Oakbrook Lane. In total, nine property owners have stated that they will not grant an access easement, and four have not responded to the applicant or signed the petition.

The project is returning to the Board on the request of the applicant to obtain a decision on the proposed project. The proposed project has not been modified since the hearing on October 12, 2021, and does not include a proposal to provide the secondary access along Oakbrook Lane. The applicant continues to propose secondary access along the existing 80-ft. wide non-exclusive easement over Chancellor Street for ingress, egress, and public road purposes.

On May 26, 2021, the Planning Commission recommended that the Board deny the project based on the inability to make findings pertaining to general community welfare, appropriateness of the proposed population density in the proposed Planned Residential Development-zoned area of the site, and compatibility of the project with surrounding areas. A summary of the Planning Commission-recommended findings for denial, as well as the full project description and background information on Key Site 3 are included in the Board Agenda Letter for the public hearing held on October 12, 2021 (Attachment 6). The Planning Commission recommendations and findings for denial are included herein.

Fiscal and Facilities Impacts:

Budgeted: Yes.

The costs to process the project were borne by the applicant through the payment of processing fees. Funding for this project is budgeted in the Planning and Development's Permitting Budget Program on page D-301 of the County of Santa Barbara Fiscal Year 2021-22 adopted budget.

Special Instructions:

Planning and Development shall publish a legal notice in the *Santa Maria Times* at least 10 days prior to the hearing on May 10, 2022. The Clerk of the Board shall fulfill mailed noticing requirements at least 10 days before the scheduled hearing. The Clerk of the Board shall and send a copy of the notice and proof of publication to the Planning and Development Department, Hearing Support.

The Clerk of the Board shall provide a copy of the Board Minute Order to the Planning and Development Department, Hearing Support, Attention: David Villalobos. A second Board Minute Order of the hearing shall be forwarded to the Planning and Development Department, Attention: Shannon Reese.

Attachments:

1. Findings for Denial
2. CEQA Notice of Exemption for Denial
3. Planning Commission Resolution No. 21-08 Denial of Amendment to the Comprehensive Plan to revise the Orcutt Community Plan
4. Planning Commission Resolution No. 21-07 Denial of Amendments to the Zoning Map of the LUDC
5. Petitions from Oakbrook Neighbors
6. BAL, Attachments, and Public Comments for the Hearing of October 12, 2022

Authored by:

Shannon Reese, Senior Planner, (805) 934-6261

Development Review Division, Planning and Development Department