



# County of Santa Barbara

## BOARD OF SUPERVISORS

### Minute Order

April 4, 2023

---

**Present:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT DEPARTMENT

File Reference No. 23-00293

**RE:** HEARING - Consider recommendations regarding Case Nos. 23APL-00001 and 23APL-00002, appeals by Scott Smigel and Bruce Mackenzie of the Planning Commission's December 14, 2022, approval of the Highway 101 Widening project, Segment 4D (Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076), First District, as follows: (EST. TIME: 1 HR. 40 MIN.)

- a) Deny the appeals, Case Nos. 23APL-00001 and 23APL-00002;
- b) Make the required findings for approval of the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, including the California Environmental Quality Act (CEQA) findings;
- c) Consider the environmental effects of the project as shown in the Environmental Impact Report (EIR) dated August 26, 2014, the Revised EIR dated October 27, 2017, the EIR Addendums dated June 1, 2018, May 3, 2020, May 5, 2021, and February 2022 prepared and certified by Caltrans, the lead agency, and determine that as reflected in the CEQA findings, no subsequent EIR or Negative Declaration shall be prepared for this project;
- d) Grant de novo approval of the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 3:57 PM - 5:29 PM (1 HR. 32 MIN.)*

**Received and filed staff presentation and conducted a public hearing.**

**A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:**

**Accepted into the record the following documents: Letter dated March 31, 2023 from Cathy and Bruce Milner; Ex-Parte received April 3, 2023 from First District Supervisor Das Williams Office; and a Letter dated April 4, 2023 from Tom Deardorff.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Nelson



# County of Santa Barbara

## BOARD OF SUPERVISORS

### Minute Order

April 4, 2023

---

**Present:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT DEPARTMENT

File Reference No. 23-00293

**RE:** HEARING - Consider recommendations regarding Case Nos. 23APL-00001 and 23APL-00002, appeals by Scott Smigel and Bruce Mackenzie of the Planning Commission's December 14, 2022, approval of the Highway 101 Widening project, Segment 4D (Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076), First District, as follows: (EST. TIME: 1 HR. 40 MIN.)

- a) Deny the appeals, Case Nos. 23APL-00001 and 23APL-00002;
- b) Make the required findings for approval of the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, including the California Environmental Quality Act (CEQA) findings;
- c) Consider the environmental effects of the project as shown in the Environmental Impact Report (EIR) dated August 26, 2014, the Revised EIR dated October 27, 2017, the EIR Addendums dated June 1, 2018, May 3, 2020, May 5, 2021, and February 2022 prepared and certified by Caltrans, the lead agency, and determine that as reflected in the CEQA findings, no subsequent EIR or Negative Declaration shall be prepared for this project;
- d) Grant de novo approval of the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, subject to the conditions of approval.

#### COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Williams, seconded by Supervisor Lavagnino, that this matter be acted on as follows:**

- a) Denied the appeals, Case Nos. 23APL-00001 and 23APL-00002;
- b) Adopted the required findings for approval of the Project; Case Nos. 21-DVP-00000-00022 and 21CDP-00000-00076, including the California Environmental Quality Act (CEQA) findings;
- c) Approved; and
- d) Granted de novo approval of the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, subject to the conditions of approval and amending Attachments 2 and 3, Condition No. 1 (Project Description) Paragraph 5 as amended at the April 4, 2023 Board of Supervisors meeting.

The motion carried by the following vote:



# County of Santa Barbara BOARD OF SUPERVISORS

## Minute Order

April 4, 2023

---

**Ayes:** 4 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Nelson