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Legislation Details (With Text)

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File created: **In control:** BOARD OF SUPERVISORS

On agenda: 2/27/2018 **Final action:** 2/27/2018

Title: HEARING - Consider recommendations regarding the O’Neil Residence, Variance, General Plan Amendment and Rezone, Case No’s:08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, Assessor’s Parcel Number (APN) 005-250-001, located at 2551 Wallace Avenue in the Summerland area, First District, as follows: (EST. TIME: 1 HR.)

Hearing on the request of Patsy Price, agent for the owner, Jeffery O’Neil to consider the following:

- a) Case No. 08GPA-00000-00007, [application filed on July 30, 2008] for a Local Coastal Program Amendment to change the land use designation of the property from Recreation/Open Space to Residential, 4.6 units/acre;
- b) Case No. 08RZN-00000-00006, [application filed on July 30, 2008] for a rezone to change the zoning of the property from REC to 7-R-1;
- c) Case No. 12VAR-00000-00012, [application filed on February 8, 2012] for a Variance from the parking and setback regulations in compliance with Section 35-173 of the Article II Coastal Zoning Ordinance on property zoned 7-R-1, to allow: a north setback of 2 feet 4 inches instead of the required 10 feet; an east setback of 8 feet instead of the required 10 feet; and, zero uncovered parking spaces instead of the required 2 uncovered parking spaces; and
- d) Case No. 08CDH-00000-00040 [application filed on November 12, 2008] for a Coastal Development Permit in compliance with Section 35-169.3 of Article II, the Coastal Zoning Ordinance, on property zoned 7-R-1 to permit demolition of a 1,443 square foot residence and construction of a new 2,218 square foot residence;

On February 27, 2018, staff recommends that your Board deny the project by taking the following actions:

- a) Make the required findings for denial of the project, including California Environmental Quality Act (CEQA) findings;
- b) Determine that denial of the project is exempt from CEQA pursuant to CEQA Guideline Section 15270(b); and
- c) Deny Case No’s. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040;

Alternatively, in order to approve the project, take the following actions:

- a) Make the required findings for approval of the project, including CEQA findings;
- b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15265, 15301(l)(1), and 15303(a);
- c) Adopt the Board of Supervisors Resolution, and amend the map titled Summerland Community Plan Land Use Designation Map to amend the land use designation of Assessor’s Parcel Number 005

-250-001 from Recreation/Open Space to Residential-4.6 Units Per Acre (Case No. 08GPA-00000-00007);

d) Adopt the Board of Supervisors Zoning Map Amendment Ordinance, included as Attachment-9, and rezone Assessor’s Parcel Number 005-250-001 from REC to 7-R-1 (Case No. 08RZN-00000-00006); and

e) Approve Case No’s. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, subject to the conditions.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

Sponsors: PLANNING AND DEVELOPMENT DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Attach 1 Denial Findings CC complete, 3. Attach 2 Denial CEQA Exemption CC no comment, 4. Attach 3 Denial Comprehensive Plan Policy Analysis CC complete, 5. Attach 4 Denial Ordinance Analysis cc complete, 6. Attach 5 Approval Findings CC complete fin, 7. Attach 6 Part 1 cc Complete, 8. Attach 6 Part 2 Condition Letters, 9. Attach 7 Approval CEQA Exemption CC complete, 10. Attachm 8 Resolution, 11. Attachm 9 Ordinance, 12. Attach 10 Approval Comprehensive Plan Policy Analysis CC complete, 13. Attach 11 Approval Ordinance Consistency CC Completed, 14. Attach 12 Compiled BAR Minutes, 15. Attach 13 SBAR Plans 2-3-2017 Concept Approval (1), 16. Attachm 14, 17. Attachm 15 BOS Letter, 18. Continuance Memorandum, 19. Public Comment - Petrovich, 20. Public Comment - Petrovich Court Records, 21. Public Comment - Iverson, 22. Public Comment - Woolpert, 23. Public Comment - Hill, 24. Public Comment - Yaeger, 25. Presentation, 26. Presentation - Petrovich, 27. Continuance Memorandum, 28. Revised Findings for Approval and Revised Conditions as directed at the hearing of February 27, 2018, 29. Adopted Resolution

Date	Ver.	Action By	Action	Result
2/27/2018	3	BOARD OF SUPERVISORS	Acted on as follows:	Pass
2/27/2018	3	BOARD OF SUPERVISORS	Acted on as follows:	Pass
2/27/2018	3	BOARD OF SUPERVISORS	Acted on as follows:	Pass
1/30/2018	2	BOARD OF SUPERVISORS	Continued, as follows:	Pass
1/9/2018	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass

HEARING - Consider recommendations regarding the O’Neil Residence, Variance, General Plan Amendment and Rezone, Case No’s:08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, Assessor’s Parcel Number (APN) 005-250-001, located at 2551 Wallace Avenue in the Summerland area, First District, as follows: (EST. TIME: 1 HR.)

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On February 27, 2018, staff recommends that your Board deny the project by taking the following actions:

a) Make the required findings for denial of the project, including California Environmental Quality Act (CEQA) findings;

b) Determine that denial of the project is exempt from CEQA pursuant to CEQA Guideline Section 15270(b); and

c) Deny Case No's. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040;

Alternatively, in order to approve the project, take the following actions:

a) Make the required findings for approval of the project, including CEQA findings;

b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15265, 15301(l)(1), and 15303(a);

c) Adopt the Board of Supervisors Resolution, and amend the map titled Summerland Community Plan Land Use Designation Map to amend the land use designation of Assessor's Parcel Number 005-250-001 from Recreation/Open Space to Residential-4.6 Units Per Acre (Case No. 08GPA-00000-00007);

d) Adopt the Board of Supervisors Zoning Map Amendment Ordinance, included as Attachment-9, and rezone Assessor's Parcel Number 005-250-001 from REC to 7-R-1 (Case No. 08RZN-00000-00006); and

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COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY