


MEMORANDUM

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File Number: 0NJP-155707

Date: April 5, 2013
From: Deborah M. Rosenthal, AICP, Esq. 
To: Board of Supervisors, County of Santa Barbara
Re: April 9, 2013 Agenda Item #3; Naples Coalition Appeal of Proposed Schulte/Dos Pueblos - Lot Line Adjustment (Case No. 10LLA-00000-00003)

Dear Chairman Carbajal and Members of the Board of Supervisors:

SBRHC, Inc. is the intended transferee of proposed Lot B of Dos Pueblos Ranch. The Lot Line Adjustment (LLA) will increase the size of SBRHC's Williamson Act property from 202 to 562 acres. SBRHC has agreed to execute a new rolling 10-year Williamson Act contract covering all 562 acres concurrent with recordation of the LLA. The property is currently leased for cattle grazing, and exceeds the minimum state agricultural viability standard by more than 12 times (360÷40). The property exceeds the minimum County viability standard for low quality grazing land by more than double (360÷150), the mid-range County viability standard by more than 8 times (360÷45), and the minimum County non-prime preserve size by more than 3 times (360÷100). After the LLA, the smaller of the two parcels will be 360 instead of 76 acres, curing an existing non-conformity.

The LLA does not involve development or use of the subject property; the only effect is that DPRH will be allowed to transfer a specified portion of its land. SBRHC believes that it should have the right to acquire and DPRH should have the right to convey a parcel of adjacent agricultural land that exceeds the minimum zoning requirements by more than 350% (360+100). LLA requirements are not intended to prevent an owner from transferring private property that meets all local planning, zoning and building requirements.

Alt. 1B was approved and the FEIR certified in 2008. The FEIR looked at the impacts of developing Santa Barbara Ranch, including the 360-acre parcel, in a decision upheld by the Superior Court. The Addendum determined the impacts of adjusting the DPRHC property into the same 1693-acre and 360-acre configuration *without* associated development were less than those evaluated in the FEIR. Appellant challenges the FEIR and Addendum, but it offers no evidence that changing parcel boundaries or ownership will have any environmental effects whatsoever.

All of Appellant's objections to the LLA revolve around disagreement with Alt. 1B and the FEIR. Appellant already had a full and fair opportunity to challenge these documents before the Board and in Court. DPRH's request for ministerial approval to transfer a portion of its property is not the right forum for Appellant to re-argue the pros and cons of future development. SBRHC's agreement to acquire the property should not be held hostage to a unrelated dispute about future development currently before the Court of Appeal.

Appellant loses nothing by the LLA. Its challenge to the Alt. 1B development will be decided by the Court, regardless of whether this 360-acre parcel is owned by SBRHC or DPRH. Just like the Court case, the County's LLA requirements do not depend on *who* owns the property, but on whether it meets the objective tests for approval. As the intended transferee, with a strong stake in the outcome, SBRHC asks the Board to allow this LLA to go forward on the basis of its clear compliance with the Government Code, Zoning Ordinance and Building Code.