

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: County Planning Commission

FROM: Errin Briggs, Planner (568-2047)

DATE: November 6, 2012

RE: Schulte/Dos Pueblos Lot Line Adjustment Project
Case No. 10LLA-00000-00003

The applicant has revised the project description in response to the discussions which took place at the Planning Commission hearing of October 17, 2012. Changes are shown in ~~strikeout~~ and underline.

Project Description:

Request of ~~Deborah Rosenthal~~ Mark Lloyd, agent for the owner, ~~Schulte Trust~~ Dos Pueblos Ranch Holdings, LLC, for a Lot Line Adjustment to adjust the lot lines between a 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B). ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot A currently consists of a portion of APN 079-060-066 and all of APN 079-080-021, APN 079-090-030 and APN 081-240-018. Existing Lot B currently consists of a portion of APN 079-060-066. The proposed Lot Line Adjustment would result in two lots that comply with the applicable minimum lot size of the AG-II-100 zone district. The subject lots are zoned AG-II-100 under the County Land Use and Development Code and Coastal Zoning Ordinance and are located at 100 – 695 North Dos Pueblos Canyon Road, Gaviota Area, Third Supervisorial District.

Additionally, the findings (Attachment A), Conditions of Approval (Attachment B) and 15164 Addendum (Attachment C) have been similarly revised to be consistent with the revised project description. Changes are shown in ~~strikeout~~ and underline.

ATTACHMENT A: FINDINGS

1.0 CEQA Findings

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1. CONSIDERATION OF THE ADDENDUM AND FULL DISCLOSURE

The County Planning Commission has considered the Addendum dated October 17, 2012 together with the previously certified EIR [04EIR-00000-00014, SCH No. 2005011049] for the Santa Barbara Ranch project. The Addendum reflects the independent judgment of the County Planning Commission and has been completed in compliance with CEQA. The Addendum, together with the EIR [04EIR-00000-00014], is adequate for this proposal. On the basis of the whole record, including the Addendum, the previously certified CEQA document, and any public comments received, the County Planning Commission finds that the project changes described in the Addendum will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment.

2. LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

3. ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

4. FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) with a zoning designation of AG-II-100. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Proposed lot 2 is included in the approved Santa Barbara Ranch project and was evaluated under 04EIR-00000-00014 for environmental impacts associated with that project. However, the current project is limited to the proposed Lot Line Adjustment and would not include any physical development or result in any changes in development potential of the subject

property or changes in use of the subject property. For all environmental issue areas, there are no substantial changes or changed circumstances under which the proposed project is to be undertaken. No new significant environmental effects or a substantial increase in the severity of previously identified significant effects under the approved 04EIR-00000-00014 have been found with respect to the proposed project. Further, there is no new information that the proposed project will have one or more significant effects not discussed in the approved 04EIR-00000-00014. Therefore, none of the requirements for preparation of a subsequent EIR listed in Section 15162 are triggered by the proposed project. As such, and as reflected in the Addendum, the currently proposed project does not pose any new significant impacts or any increase in impacts above those identified for the Santa Barbara Ranch project.

2.0 Administrative Findings

2.1 LOT LINE ADJUSTMENT FINDINGS, Chapter 21

A. Findings required for all Lot Line Adjustments. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations), prior to the approval or conditional approval of an application for a Lot Line Adjustment the review authority shall first make all of the following findings:

1. *The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots both meet the minimum lot size requirement for the AG-II-100 zone district as established by the County's zoning maps. The project is also consistent with the requirements of Section 35-134 (Lot Line Adjustments) of the Coastal Zoning Ordinance, Section 35.30.110 (Lot Line Adjustments) of the County's Land Use Development Code and the applicable portions of the County's Comprehensive Plan. As discussed in Sections 6.2 and 6.3 of this staff report dated September 27, 2012, incorporated herein by reference, the proposed lot line adjustment meets all applicable Comprehensive Plan policies, including those in the CLUP, and all Article II zoning ordinance allowances, restrictions and development standards. Therefore, this finding can be made.

2. *No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and~~

~~results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ As such, the resultant lots both conform to the minimum lot size requirement for the AG-II-100 zone district in which they are/would be located. Therefore, this finding can be made.

3. ***Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located. A Lot Line Adjustment may be approved that results in nonconforming (as to size) parcels provided that it complies with Subsection a. or b. listed below:***

~~The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ As such, the resultant lots both conform to the minimum lot size requirement for the Ag-II-100 zone district in which they are/would be located. Therefore, this finding can be made.

4. ***The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.***

~~The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Both of the resultant lots involved in the project meet the lot size, lot width, and all other relevant requirements of the AG-II-100 zone district. Therefore, this finding can be made.

5. ***The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Article II (Sections 35-161 and 35-162) and Land Use and Development Code (Section 35.101.20 and 25.101.30).***

The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of the County's Coastal Zoning Ordinance and the County's Land Use Development Code. The project is conditioned (condition 2) to ensure compliance with the County Uniform Rules governing Williamson Act Contracts. Therefore, this finding can be

made.

6. *Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Proposed Lot 1 is currently developed with five farm-employee dwellings and agricultural support structures with associated access improvements and utilities to each. Proposed Lot 2 is currently vacant and used for agricultural purposes. Proposed Lot 2 is improved with ranch roads to access the agricultural areas but does not currently have residential improvements. Proposed Parcel 2 is located adjacent to land under common ownership from which access and utilities can be taken in the future. As such, there is no need to relocate any existing utilities, infrastructure or easements as part of the proposed project. Therefore, this finding can be made.

B. Additional findings required for sites within an agricultural preserve. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations and the Uniform Rules for Agricultural Preserves and Farmland Security Zones, prior to the approval or conditional approval of an application for a Lot Line Adjustment proposed on agricultural zoned lots subject to an Agricultural Preserve Contract in compliance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones the review authority shall first make all the following findings:

1. *The Lot Line Adjustment shall comply with all the findings for Lot Line Adjustments in Section 35-134.A.*

As discussed above in Section A of these findings, the project complies with all the findings required for lot line adjustments as enumerated in Section 35-134.A of the Coastal Zoning Ordinance, in Section 35.30.110.B of the County's Land Use Development Code and under Chapter 21 Section 21-93. Therefore, this finding can be made.

2. *The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.*

The new Agricultural Preserve contract(s) would have an initial restriction on the adjusted boundaries of the resultant lots for a minimum of 10 years. Condition of Approval No. 2 requires the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for 77-AP-014 concurrent with recordation of the requested lot line adjustment. Therefore, this finding can be made.

3. *There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the*

land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014. Condition of Approval No. 2 requires the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for lands covered under 77-AP-014 concurrent with recordation of the requested lot line adjustment. There will be no net decrease in the amount of the acreage restricted by Agricultural Preserve contract 77-AP-014 as part of the project. Therefore, this finding can be made.

4. ***At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.***

Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014. There will be no net decrease in the amount of the acreage restricted by Agricultural Preserve contract 77-AP-014 as part of the project since Condition of Approval No. 2 requires the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for lands covered under 77-AP-014 concurrent with recordation of the requested lot line adjustment. Therefore, this finding can be made.

5. ***After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.***

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and cattle grazing. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. ~~The increased size of Proposed Lot 2 in relation to Existing Lot B serves to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 2 will not affect its agricultural viability given its extensive size and variety of agricultural uses. Additionally, e Existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment and both of the subject lots would continue to be included in agricultural preserve contracts because of the requirement in Condition of Approval No. 2 to record replacement contracts concurrent with the lot line adjustment.~~ Condition of Approval No. 2 requires the applicants to receive approval of, and subsequently record, replacement agricultural preserve contract(s) for 77-AP-014 concurrent with recordation of the requested lot line adjustment. As such, after the lot line adjustment, the parcels of land subject to Agricultural Preserve contract will be large enough to sustain their agricultural uses. Therefore, this finding can be made.

6. *The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and citrus and cattle grazing. ~~The increase in size of Proposed Lot 2 in relation to Existing Lot B will serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 will not affect its agricultural viability given its extensive size and variety of agricultural uses.~~ Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. Additionally, existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment. As such, the lot line adjustment will not compromise the long-term agricultural productivity of the subject lots or other agricultural lands subject to an Agricultural Preserve contract(s). Therefore, this finding can be made.

7. *The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and cattle grazing. ~~The increase in size of Proposed Lot 2 in comparison to Existing Lot B will serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 will not affect its agricultural viability given its extensive size and variety of agricultural uses.~~ Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. The current agricultural uses of the subject lots will not change as a result of the project and therefore adjacent agricultural uses will not be affected. As such, the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use. Therefore, this finding can be made.

8. *The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the*

Comprehensive Plan.

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. Both of these lots are legal, developable lots. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). It will not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan. Therefore, this finding can be made.

2.2 Lot Line Adjustment Findings, LUDC Section 35.30.110.B and C:

A. The approval of a Lot Line Adjustment application shall require that the review authority first make all of the following findings.

1. The Lot Line Adjustment is in conformity with all applicable provisions of the Comprehensive Plan and this Development Code.

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots would each meet the minimum lot size requirement for the Ag-II 100 zone district as established by the County's zoning maps. The project would also be consistent with the requirements of Section 35-134 (Lot Line Adjustments) of the Coastal Zoning Ordinance, Section 35.30.110 (Lot Line Adjustments) of the County's Land Use Development Code and the applicable portions of the County's Comprehensive Plan. As discussed in Sections 6.2 and 6.3 of this staff report dated September 27, 2012, incorporated herein by reference, the proposed lot line adjustment meets all applicable Comprehensive Plan policies, including those in the CLUP, and all Article II zoning ordinance allowances, restrictions and development standards. Therefore, this finding can be made.

2. No lot involved in the Lot Line Adjustment that conforms to the minimum lot size of the applicable zone shall become nonconforming as to lot size as a result of the Lot Line Adjustment.

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an

adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots would each conform to the minimum lot size requirement for the Ag-II 100 zone district in which they are/would be located. Therefore, this finding can be made.

- 3. Except as provided in this Section, all lots resulting from the Lot Line Adjustment shall comply with the minimum lot size requirements of the applicable zone. A Lot Line Adjustment may be approved that results in one or more lots that are nonconforming as to size, provided that it complies with all of the following requirements.***

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots would each conform to the minimum lot size requirement for the Ag-II 100 zone district in which they are/would be located. Therefore, this finding can be made.

- 4. The Lot Line Adjustment will not increase any violation of lot width, setback, lot coverage, parking or other similar requirement of the applicable zone, or make an existing violation more onerous.***

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Each of the resultant lots involved in the project would meet the lot size, lot width, and all other relevant requirements of the AG-II-100 zone district. Therefore, this finding can be made.

- 5. The affected lots are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Development Code, or the Lot Line Adjustment has been conditioned to require compliance with these rules and regulations, and any zoning violation fees imposed in compliance with applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal nonconforming uses and structures under the requirements of Chapter 35.101 (Nonconforming Uses, Structures, and Lots).***

The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of the County's Coastal Zoning Ordinance and the County's Land Use Development Code. The project is conditioned (condition 2) to ensure compliance with the County Uniform Rules governing Williamson Act Contracts. Therefore, this finding can be made.

6. *Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.*

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Proposed Lot 1 is currently developed with five farm-employee dwellings and agricultural support structures with associated access improvements and utilities to each. Proposed Lot 2 is currently vacant and used for agricultural purposes. Proposed Lot 2 is improved with ranch roads to access the agricultural areas but does not currently have residential improvements. Proposed Parcel 2 is located adjacent to land under common ownership from which access and utilities can be taken in the future. As such, there is no need to relocate any existing utilities, infrastructure or easements as part of the proposed project. Therefore, this finding can be made.

B Additional required findings for Lot Line Adjustments within an agricultural preserve. In addition to the findings required under Subsection B. (Required findings for approval) above, the approval of a Lot Line Adjustment proposed on agriculturally zoned lots that are subject to an Agricultural Preserve Contract in compliance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones shall require that the review authority also make the following findings:

- 1. The new contract or contracts will enforceably restrict the adjusted boundaries of the lot for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.***

The new Agricultural Preserve contract(s) would have an initial restriction on the adjusted boundaries of the resultant lots for a minimum of 10 years. Condition of Approval No. 2 would require the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for 77-AP-014 concurrent with recordation of the requested lot line adjustment. Therefore, this finding can be made.

- 2. There is no net decrease in the amount of the acreage restricted. In cases where two lots involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.***

Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014. Condition of Approval No. 2 would require the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for

lands covered under 77-AP-014 concurrent with recordation of the requested lot line adjustment. There would be no net decrease in the amount of the acreage restricted by Agricultural Preserve contract 77-AP-014 as part of the project. Therefore, this finding can be made.

3. *At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.*

Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014. There would be no net decrease in the amount of the acreage restricted by Agricultural Preserve contract 77-AP-014 as part of the project since Condition of Approval No. 2 would require the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for lands covered under 77-AP-014 concurrent with recordation of the requested lot line adjustment. Therefore, this finding can be made.

4. *After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and cattle grazing. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. The increased size of Proposed Lot 2 in relation to Existing Lot B serves to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 2 will not affect its agricultural viability given its extensive size and variety of agricultural uses. Additionally, Existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment and both of the subject lots would continue to be included in agricultural preserve contracts because of the requirement in Condition of Approval No. 2 to record replacement contracts concurrent with the lot line adjustment. Condition of Approval No. 2 requires the applicants to receive approval of, and subsequently record, replacement agricultural preserve contract(s) for 77-AP-014 concurrent with recordation of the requested lot line adjustment. As such, after the lot line adjustment, the parcels of land subject to Agricultural Preserve contract will be large enough to sustain their agricultural uses. Therefore, this finding can be made.

5. *The lot line adjustment would not compromise the long-term agricultural productivity of the lot or other agricultural lands subject to a contract or contracts.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and citrus and cattle grazing. ~~The increase in size of Proposed Lot 2 in relation to Existing Lot B will serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 will not affect its agricultural viability given its extensive size and variety of agricultural uses.~~ Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. Additionally, existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment. As such, the lot line adjustment will not compromise the long-term agricultural productivity of the subject lots or other agricultural lands subject to an Agricultural Preserve contract(s). Therefore, this finding can be made.

6. *The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and cattle grazing. ~~The increase in size of Proposed Lot 2 in comparison to Existing Lot B will serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 will not affect its agricultural viability given its extensive size and variety of agricultural uses.~~ Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. The current agricultural uses of the subject lots will not change as a result of the project and therefore adjacent agricultural uses will not be affected. As such, the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use. Therefore, this finding can be made.

7. *The lot line adjustment does not result in a greater number of developable lots than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan.*

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. Both of these lots are legal, developable lots. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). It would not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan. Therefore, this finding can be made.

2.3 LOT LINE ADJUSTMENT FINDINGS, Article II Section 35-134.A and B:

A. A Lot Line Adjustment application shall only be approved provided the following findings are made:

1. The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots both meet the minimum lot size requirement for the Ag-II 100 zone district as established by the County's zoning maps. The project is also consistent with the requirements of Section 35-134 (Lot Line Adjustments) of the Coastal Zoning Ordinance, Section 35.30.110 (Lot Line Adjustments) of the County's Land Use Development Code and the applicable portions of the County's Comprehensive Plan. As discussed in Sections 6.2 and 6.3 of this staff report dated September 27, 2012, incorporated herein by reference, the proposed lot line adjustment meets all applicable Comprehensive Plan policies, including those in the CLUP, and all Article II zoning ordinance allowances, restrictions and development standards. Therefore, this finding can be made.

2. No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining

parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots both conform to the minimum lot size requirement for the Ag-II 100 zone district in which they are/would be located. Therefore, this finding can be made.

3. ***Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located. A Lot Line Adjustment may be approved that results in nonconforming (as to size) parcels provided that it complies with Subsection a. or b. listed below:***

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). As such, the resultant lots both conform to the minimum lot size requirement for the Ag-II 100 zone district in which they are/would be located. Therefore, this finding can be made.

4. ***The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.***

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the resultant lots involved in the project will meet the lot size, lot width, and all other relevant requirements of the AG-II-100 zone district. Therefore, this finding can be made.

5. ***The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Article II (Sections 35-161 and 35-162).***

The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of the County's Coastal Zoning Ordinance and the County's Land Use Development Code. The project is conditioned (condition 2) to ensure compliance with the County Uniform Rules governing Williamson Act Contracts. Therefore, this finding can be made.

6. *Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.*

The proposed lot line adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Proposed Lot 1 is currently developed with five farm-employee dwellings and agricultural support structures with associated access improvements and utilities to each. Proposed Lot 2 is currently vacant and used for agricultural purposes. Proposed Lot 2 is improved with ranch roads to access the agricultural areas but does not currently have residential improvements. Proposed Parcel 2 is located adjacent to land under common ownership from which access and utilities can be taken in the future. As such, there is no need to relocate any existing utilities, infrastructure or easements as part of the proposed project. Therefore, this finding can be made.

B. A Lot Line Adjustment proposed on agricultural zoned parcels which are under Agricultural Preserve Contract pursuant to the County Agricultural Preserve Program Uniform Rules shall only be approved provided the following findings are made:

1. *The Lot Line Adjustment shall comply with all the findings for Lot Line Adjustments in Section 35-134.A.*

As discussed above in Section A of these findings, the project complies with all the findings required for lot line adjustments as enumerated in Section 35-134.A of the Coastal Zoning Ordinance, in Section 35.30.110.B of the County's Land Use Development Code and under Chapter 21 Section 21-93. Therefore, this finding can be made.

2. *The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.*

The new Agricultural Preserve contract(s) will have an initial restriction on the adjusted boundaries of the resultant lots for a minimum of 10 years. Condition of Approval No. 2 requires the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for 77-AP-014 concurrent with recordation of the requested lot line adjustment. Therefore, this finding can be made.

3. *There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the*

land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014. Condition of Approval No. 2 requires the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for lands covered under 77-AP-014 concurrent with recordation of the requested lot line adjustment. There will be no net decrease in the amount of the acreage restricted by Agricultural Preserve contract 77-AP-014 as part of the project. Therefore, this finding can be made.

- 4. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.***

Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014. There will be no net decrease in the amount of the acreage restricted by Agricultural Preserve contract 77-AP-014 as part of the project since Condition of Approval No. 2 requires the applicants to receive approval of and subsequently record replacement agricultural preserve contract(s) for lands covered under 77-AP-014 concurrent with recordation of the requested lot line adjustment. Therefore, this finding can be made.

- 5. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.***

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and cattle grazing. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land. ~~The increased size of Proposed Lot 2 in relation to Existing Lot B serves to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 2 will not affect its agricultural viability given its extensive size and variety of agricultural uses.~~ Additionally, ~~e~~ Existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment and both of the subject lots would continue to be included in agricultural preserve contracts because of the requirement in Condition of Approval No. 2 to record replacement contracts concurrent with the lot line adjustment. Condition of Approval No. 2 requires the applicants to receive approval of, and subsequently record, replacement agricultural preserve contract(s) for 77-AP-014 concurrent with recordation of the requested lot line adjustment. As such, after the lot line adjustment, the parcels of land subject to

Agricultural Preserve contract will be large enough to sustain their agricultural uses. Therefore, this finding can be made.

6. *The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and citrus and cattle grazing. ~~The increase in size of Proposed Lot 2 in relation to Existing Lot B will serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 will not affect its agricultural viability given its extensive size and variety of agricultural uses. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land.~~ Additionally, existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment. As such, the lot line adjustment will not compromise the long-term agricultural productivity of the subject lots or other agricultural lands subject to an Agricultural Preserve contract(s). Therefore, this finding can be made.

7. *The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.*

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot B is currently used for growing avocados and Existing Lot A is used for a variety of agricultural purposes including the growing of avocados and cattle grazing. ~~The increase in size of Proposed Lot 2 in comparison to Existing Lot B will serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 will not affect its agricultural viability given its extensive size and variety of agricultural uses. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as high-value grazing land.~~ The current agricultural uses of the subject lots will not change as a result of the project and therefore adjacent agricultural uses will not be affected. As such, the lot line adjustment is not likely to result in the removal of adjacent land from

agricultural use. Therefore, this finding can be made.

- 8. *The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan.***

The proposed lot line adjustment adjusts the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) in the AG-II-100 zone district. Both of these lots are legal, developable lots. ~~The proposal transfers 284 acres from one lot to the other and results in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). It will not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

10LLA-00000-00003

1. **Proj Desc-1.** This Lot Line Adjustment is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked A-E, dated November 7, 2012, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

Project Description

Request of ~~Deborah Rosenthal~~ Mark Lloyd, agent for the owner, ~~Schulte Trust~~ Dos Pueblos Ranch Holdings, LLC, for a Lot Line Adjustment to adjust the lot lines between a 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B). ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot A currently consists of a portion of APN 079-060-066 and all of APN 079-080-021, APN 079-090-030 and APN 081-240-018. Existing Lot B currently consists of a portion of APN 079-060-066. The proposed Lot Line Adjustment would result in two lots that comply with the applicable minimum lot size of the AG-II-100 zone district. The subject lots are zoned AG-II-100 under the County Land Use and Development Code and Coastal Zoning Ordinance and are located at 100 – 695 North Dos Pueblos Canyon Road, Gaviota Area, Third Supervisorial District.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. Prior to recordation of the lot line adjustment, the applicant shall receive approval of replacement agricultural preserve contract(s) for lands covered under 77-AP-014 which reflect the adjusted parcel boundaries and any change in ownership. The applicant shall record the replacement contracts concurrent with recordation of the lot line adjustment.
3. **Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds or any document used to finalize the lot line adjustment: “This deed (or document) arises from the

lot line adjustment Case No. 10LLA-00000-00003 and defines a single parcel within the meaning of California Civil Code Section 1093 among two legal parcels created by 10LLA-00000-00003.” The County Surveyor shall determine the appropriate documents necessary to record with the deeds.

4. **Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Lot Line Adjustment.
5. **Rules-23 Processing Fees Required.** Prior to issuance of recordation or filing of a record of survey, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
6. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
 - a. Fire Department dated April 1, 2010.
7. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of the Lot Line Adjustment. In the event that the County fails promptly to notify the Owner/Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
8. **Rules-36 Map/LLA Expiration.** This Lot Line Adjustment shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

ATTACHMENT C

TO: County Planning Commission

FROM: Anne Almy, Supervising Planner
Development Review Division, Planning and Development
Staff Contact: Errin Briggs

DATE: October 17, 2012

RE: CEQA Determination: Finding that CEQA section 15164 (Addendum) applies to the Schulte/Dos Pueblos Lot Line Adjustment project, Case No. 10LLA-00000-00003. CEQA section 15164 allows an addendum to be prepared when only minor technical changes to a project, or changes which do not create new significant impacts, would result. The Environmental Impact Report (04EIR-00000-00014, SCH No. 2005011049), prepared for the Santa Barbara Ranch project, is hereby amended by this 15164 letter for Case No. 10LLA-00000-00003.

Location: The proposed project involves Assessor Parcel Numbers 079-060-066, 079-080-034, 079-090-030 & 081-240-018, located approximately 2 miles west of the City of Goleta at 100-695 Dos Pueblos Canyon Road in the Gaviota area, 3rd Supervisorial District.

Background: The Santa Barbara Ranch project (Alternative 1) and its associated Environmental Impact Report (04EIR-00000-00014) was approved by the Santa Barbara County Board of Supervisors on October 21, 2008. The approved Santa Barbara Ranch project includes amendments to the County's Comprehensive Plan, Coastal Land Use Plan and Zoning Ordinance along with a variety of subdivision and entitlement applications that would collectively permit a residential estate development on the Gaviota coast, two miles west of the City of Goleta.

Current Project Description: Request of ~~Deborah Rosenthal~~ Mark Lloyd, agent for the owner, ~~Schulte Trust~~ Dos Pueblos Ranch Holdings, LLC, for a Lot Line Adjustment to adjust the lot lines between a 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B). ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ Existing Lot A currently consists of a portion of APN 079-060-066 and all of APN 079-080-021, APN 079-090-030 and APN 081-240-018. Existing Lot B currently consists of a portion of APN 079-060-066. The proposed Lot Line Adjustment would result in two lots that comply with the applicable minimum lot size of the AG-II-100 zone district. The subject lots are zoned AG-II-100 under the County Land Use and Development Code and Coastal Zoning Ordinance and are located at 100 – 695 North Dos Pueblos Canyon Road, Gaviota Area, Third Supervisorial District.

Changes in Project Impacts: The proposed Lot Line Adjustment would adjust the lot lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B) with a zoning designation of Ag-II-100. ~~The proposal would transfer 284 acres from one lot to the other and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Lot 2). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2).~~ The subject lots are included in the approved Santa Barbara Ranch project. More specifically, the exterior boundary of the Tract Map approved with the Santa Barbara Ranch project is identical to the boundary of Proposed Lot 2 which would result from the current project. However, the current project is limited to the proposed Lot Line Adjustment only and would not include any physical development or result in any changes in development potential of the subject property or changes in use of the subject property. The current project is independent from, and not a necessary step in, the Santa Barbara Ranch project. For all environmental issue areas, there are no substantial changes or changed circumstances under which the proposed project is to be undertaken. No new significant environmental effects or a substantial increase in the severity of previously identified significant effects under the approved 04EIR-00000-00014 have been found with respect to the proposed project. Further, there is no new information that the proposed project will have one or more significant effects not discussed in the approved 04EIR-00000-00014. Therefore, none of the requirements for preparation of a subsequent EIR listed in Section 15162 are triggered by the proposed project. As such, the currently proposed project does not pose any new significant impacts or any increase in impacts above those identified for the Santa Barbara Ranch project.

Findings: It is the finding of the Planning and Development Department that the previous environmental document as herein amended may be used to fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a new EIR is not required.

Discretionary processing of the Schulte/Dos Pueblos Lot Line Adjustment, Case No. 10LLA-00000-00003 may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

Interested parties may view the Santa Barbara Ranch EIR, 04EIR-00000-00014 on Planning & Development's website at <http://www.sbcountyplanning.org/projects/03DVP-00041/index.cfm>.

G:\GROUP\PERMITTING\CASE FILES\LLA\10 CASES\10LLA-00000-00003 SCHULTE DOS PUEBLOS\15164 ADDENDUM.DOCX