



County of Santa Barbara Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Elise Dale, Assistant Director

December 21, 2022

Jones Land Use Planning, LLC
P.O. Box 847
Los Olivos, CA 93441

RE: SB9 Approval Letter
Elam Tentative Parcel Map
3075 Samantha Drive, Santa Ynez, CA 93460
Case No. 22HSG-00003/TPM 14,861, APN 141-360-004

The Planning and Development Department hereby approves this Land Use Permit for the project described below based upon compliance with the required findings for approval and subject to the attached terms and conditions.

Proposed Project

The project is a request to subdivide a 44,491 sq. ft. gross (36,132 sq. ft. net) lot into two lots of 26,694 sq. ft. gross (22,690 sq. ft. net) [Proposed Parcel 1] and of 17,797 sq. ft. gross (13,442 sq. ft. net) [Proposed Parcel 2], respectively. The subject parcel and the resulting lots are located in the 1-E-1 Zone. No structural development, grading, tree removal, or vegetation removal are proposed as a part of this application. The SB 9 lot split application involves Assessor's Parcel No. 141-360-004, located at 3075 Samantha Drive in the Santa Ynez area, Third Supervisorial District.

Access to Proposed Parcel 1 will be provided by an existing driveway at Samantha Drive. Access for Proposed Parcel 2 will be provided via a proposed 20-foot wide access and utility easement along the eastern property line of Proposed Parcel 1. Each proposed parcel will contain an existing dwelling; the existing single-family dwelling will be located on Proposed Parcel 1, and the existing accessory dwelling unit (formerly a detached residential second unit) will become a single-family dwelling on Proposed Parcel 2 upon recordation of the map. Electrical service will continue to be provided by PG&E, and gas service would be provided by SoCal Gas. Both proposed parcels will continue to be served sewer by Santa Ynez Community Services District, and water by Santa Ynez River Water Conservation District, Improvement District No.1.

Background

The subject property is developed with an existing single-family dwelling and an accessory dwelling unit (formerly a detached residential dwelling unit). The existing accessory dwelling unit will become a single-family dwelling upon recordation of the map (Attachment B, Condition No. 1).

A full analysis of SB 9 Eligibility Criteria can be found in the feedback letter dated July 5, 2022.

SB 9 Eligibility Criteria (State Requirements)	Criteria for Approval Met? Yes/No/Not Applicable
1. <i>The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.</i>	Yes
2. <i>Except as provided in subparagraph (B), both newly created parcels are not smaller than 1,200 square feet.</i>	Yes
3. <i>The parcel is located within a single-family residential zone.</i>	Yes
4. <i>The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.</i>	Yes
5. <i>The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive of paragraph (6) of subdivision (a) of Section 65913.4.</i> <i>(6) The development is not located on a site that is any of the following:</i> <ul style="list-style-type: none"> <i>A. A coastal zone as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.</i> <i>B. Prime farmland or farmland of statewide importance, or land zoned or designated for agricultural protection or preservation</i> <i>C. Wetlands</i> <i>D. Within a high fire hazard severity zone</i> <i>E. A hazardous waste site</i> <i>F. Within a delineated earthquake fault zone</i> <i>G. Within a special flood hazard overlay unless</i> <i>H. Within a regulatory floodway</i> <i>I. Land identified for conservation in an adopted natural community conservation plan.</i> <i>J. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal; Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act.</i> <i>K. Lands under conservation easement</i> 	Yes
6. <i>The proposed urban lot split would not require the demolition or alteration of any of the following housing types:</i> <ul style="list-style-type: none"> <i>i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.</i> <i>ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.</i> <i>iii. A parcel or parcels on which an owner of residential property has</i> 	Yes

<p><i>exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.</i></p> <p>iv. <i>Housing that has been occupied by a tenant in the last three years.</i></p>	
<p>7. <i>The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.</i></p>	<p>Yes</p>
<p>8. <i>The parcel has not been established through prior exercise of an urban lot split as provided for in this section.</i></p>	<p>Yes</p>

<p>Objective Chapter 21 Criteria (County Code Requirements) <i>*Note that the following standards apply only if they are objective and if applying them would not preclude subdivision pursuant to the requirements of the SB-9 Bill (Gov Code Section 65852.21).</i></p>	<p>Criteria For Approval Met? Yes/No</p>
<p>Section 21-18.1 – Compliance with applicable laws. No tentative or final subdivision map shall be approved by the advisory agency unless it finds that the subject property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height and setbacks, and any other provision applicable to the property for which the map is sought, and such zoning violation enforcement fees as established from time to time by the board of supervisors have been paid. This section shall not be interpreted to impose new requirements on legal non-conforming uses and structures.</p>	<p>Yes</p>
<p>Section 21-19 – 21-22. Not Applicable</p>	<p>N/A</p>
<p>Section 21-23. – Rights-of-way Easements for public utility purposes shall be provided at the location and of a width approved by the serving utilities and the advisory agency.</p> <p>Rights-of-way as required by the advisory agency for access shall be provided along all natural watercourses where access is necessary for flood control maintenance and improvement and for other public purposes. Depending on topography, such rights-of-way shall be required to include the natural channel plus a strip of land twenty feet wide on the flat land along the edge of the channels which do not exceed twenty-five feet in width. Such rights-of-way shall include strips of land twenty feet wide on both sides of all natural channels wider than twenty-five feet. These requirements may be modified or deleted for good cause shown.</p>	<p>Yes</p>
<p>Section 21-24 – Lots</p> <p>(b) Lot Width. No residential lot shall be created which has an average width of less than sixty-five feet except as otherwise provided by open space requirements of the zoning ordinance. All corner lots shall have an average width of seventy-five feet.</p> <p>(c) Lot Depth. No lot shall be created the rear line of which is less than one hundred feet from the front line of the lot, except that one side line may be less than one hundred feet in length if it terminates at a corner curve or cul-de-sac turnaround curve. In the case of through lots or corner lots, at least one lot line must be</p>	<p>Yes</p>

<p>parallel to and not less than one hundred feet in distance from the street on which the lot fronts. The rear line of a lot shall be considered as any lot line other than a front line which does not intersect the right-of-way line of the street on which the lot fronts.</p> <p>(d) Lot Lines. The side lines of all lots shall be approximately at right angles to the street on which the lot faces, or approximately radial if the street is curved. Lot lines which cross any city boundary shall not be approved.</p> <p>(e) Corner Radius. Property lines of corner lots shall be rounded at the street corner by a radius of not less than fifteen feet. Corner business lots shall have an angular cut-off measurement not less than fifteen feet along each street corner.</p>	
Section 21-25 – 21-32A - Not Applicable	N/A

Objective Chapter 21 Land Division Findings	Yes/No/Not Applicable
<i>*Note that the following findings apply if the findings is objective and if applying them would not preclude subdivision pursuant to the requirements of the SB-9 Bill (Gov Code Section 65852.21).</i>	
1. Easements or rights-of-way are not located across county streets, unless approved by the Director of Public Works.	Yes
2. The project has adequate access to the property and will not result in a landlocked parcel.	Yes
3. All grading shall be safe and aesthetically attractive.	N/A
4. Grading or construction shall not be commenced prior to recordation of the final or parcel map.	Yes
5. The project will not result in the creation of hazard to life or property from floods, fire, or other catastrophe.	Yes
6. The project is in conformance with the County's Comprehensive Plan and does not conflict with an alignment of a state highway.	Yes
7. The project will not create a lot which has a depth to width ratio in excess of 3 to 1, unless it would preclude subdivision pursuant to Gov. Code Section 66411.7(a).	Yes
8. The project will not create a lot that backs up to watercourses, unless it would preclude subdivision pursuant to Gov. Code Section 66411.7(a).	Yes
(B) The project is consistent with Chapter 21, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County Comprehensive Plan, and all applicable zoning ordinances and regulations.	Yes
(C) The subdivider will provide complete plans and specifications to the Public Works Director, Flood Control Engineer, and Building Official.	Yes
(D) If the subdivider submits a tentative map of only a portion of a separate legal lot, the subdivider shall submit a future development plan of the remaining portion of the lot.	N/A

<p>Subdivision Map Act Findings</p> <p><i>*Note that the following findings apply if the findings is objective and if applying them would not preclude subdivision pursuant to the requirements of the SB-9 Bill (Gov Code Section 65852.21).</i></p> <p>Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings:</p>	<p>Yes/No/Not Applicable</p>
<p>1. State Government Code §66473.1. The design of the subdivision allows for future passive or natural heating or cooling opportunities.</p>	<p>Yes</p>
<p>2. State Government Code §655473.5. The proposed project is consistent with the general plan and any applicable specific plan.</p>	<p>Yes</p>
<p>3. State Government Code §66474. The following findings shall be made:</p>	
<p>a. The proposed map is consistent with the applicable general and specific plans.</p>	<p>Yes</p>
<p>b. The design or improvements of the proposed subdivision is consistent with the applicable general and specific plans.</p>	<p>N/A</p>
<p>c. The site is physically suitable for the type of development proposed.</p>	<p>N/A</p>
<p>d. The site is physically suited for the proposed density of development.</p>	<p>N/A</p>
<p>e. The design of the subdivision or improvements are not likely to cause substantial environmental damage or injure fish or wildlife.</p>	<p>N/A</p>
<p>f. The project will not cause serious public health problems.</p>	<p>N/A</p>
<p>g. The project will not conflict with public or private easements.</p>	<p>Yes</p>
<p>4. State Government Code §66474.4. The project will result in land that will not impact nearby agricultural uses and is not subject to the following: a. A California Land Conservation Act of 1965 contact. b. An open space easement. c. An agricultural conservation easement. d. A conservation easement.</p>	<p>Yes</p>
<p>5. State Government Code §66474.6. The discharge of waste will not result in a violation of the California Regional Water Quality Control Board Water Code.</p>	<p>Yes</p>
<p>Subdivision Map Act Findings Report Project has been reviewed by the local fire district and the Subdivision Map Findings Report has been provided by the district.</p>	<p>Yes</p>

The Director of Planning and Development hereby approves the project, Case No. 22HSG-00003, based on the findings and criteria identified above, and subject to the conditions of approval included as Attachment A.



Staff Approval
Attachments



Date

A: Conditions of Approval
B: Approved Parcel Map

ATTACHMENT A: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This SB 9 Tentative Parcel Map is based upon and limited to compliance with the project description 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:

The project is a request to subdivide a 44,491 sq. ft. gross (36,132 sq. ft. net) lot into two lots of 26,694 sq. ft. gross (22,690 sq. ft. net) [Proposed Parcel 1] and of 17,797 sq. ft. gross (13,442 sq. ft. net) [Proposed Parcel 2], respectively. The subject parcel and the resulting lots are located in the 1-E-1 Zone. No structural development, grading, tree removal, or vegetation removal are proposed as a part of this application. The SB 9 lot split application involves Assessor's Parcel No. 141-360-004, located at 3075 Samantha Drive in the Santa Ynez area, Third Supervisorial District.

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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. Proj Des-02 Project Conformity:** 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.

Permit Specific Conditions

- 3. Map-01 Maps-Info.** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
- 4. Map-01a Maps-Future Lots.** Any lot created by the recordation of this tentative map is subject to the conditions of this tentative map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this tentative map, each set of plans accompanying any permit for development shall contain the conditions of this tentative map.
- 5. Map-01b Maps-Not Retroactive.** If Land Use Permits are obtained prior to recordation, tentative map conditions will not apply retroactively to the previously issued permit.
- 6. Map-04 TPM Submittals.** Prior to recordation of the map, the Owner/Applicant shall submit a final map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 7. Map-09 Access Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve an access easement over Lot 1 in favor of Lot 2 at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.
- 8. Map-10 Public Utility Easement.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the final map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.

County Rules and Regulations

- 9. Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

- 10. Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

- 11. Rules-06 Recorded Map Required.** Tentative Map 14,859 shall be recorded prior to issuance of any permits for development, including grading.

- 12. Rules-23 Processing Fees Required.** Prior to map recordation, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

- 13. DIMFs Advisory.** The existing accessory dwelling unit (formerly a detached residential second unit) will become a single-family dwelling on Proposed Parcel 2 upon recordation of the map. In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant may be required to pay additional fees for Parks and/or Transportation. Required fees shall be as determined by adopted fee resolutions and ordinances and applicable law in effect when paid. **TIMING:** Applicable fees shall be paid to the County Parks Department and Public Works Transportation Division prior to Map Recordation if applicable, and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 14. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letter required as follows:
 - a. County Surveyor dated July 28, 2022;
 - b. Fire Department dated July 14, 2022.

- 15. 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 this project.

16. SB 9 Map Expiration and Time Extensions. Pursuant to SB 9, this tentative map shall expire three years after approval by the final county review authority unless otherwise provided in SB 9, the Subdivision Map Act, or Chapter 21 of the Santa Barbara County Code. The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may grant a time extension in compliance with SB 9 and/or County rules and regulations. If the Owner / Applicant requests a time extension for this map, the map may be revised to include updated language to standard conditions and/or mitigation measures, and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

ATTACHMENT B: APPROVED TENTATIVE PARCEL MAP

**COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT**

123 East Anapamu Street
Santa Barbara, California 93101
(805) 568-3000



SCOTT D. MCGOLPIN

Director

July 28, 2022

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

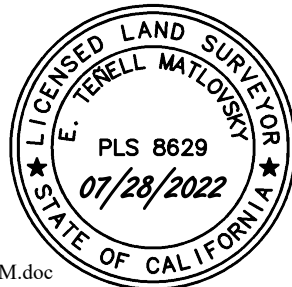
RE: Tentative Parcel Map 14,861
Elam - SB 9 Lot Split (22HSG-00000-00003)
APN: 061-070-067

Owner: Marilyn L. Elam, Trustee of the
1996 Elam Family Trust Dated 2/27/1996
3075 Samantha Drive
Santa Ynez, CA 93463
marilyn@marilynelam.com
(805) 680-2234

Surveyor: Jon McKellar, PLS
PO Box 2341
Santa Maria, CA 93457
jon@jonmckellar.com
(805) 680-1895

Requirements of the County Surveyor's Office

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map to record **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.



Very truly yours,

E. Terrell Matlovsky
Deputy for:
Aleksandar Jevremovic
County Surveyor

TP14861_SurveyorConditions_Letter_ETM.doc

AA/EEO Employer

Walter Rubalcava, Deputy Director

Julie Hagen, Deputy Director

Chris Sneddon, Deputy Director

Aleksandar Jevremovic, County Surveyor

Leslie Wells, Deputy Director

www.countyofsb.org/pwd

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Memorandum

DATE: July 14, 2022

TO: Shannon Reese
Planning and Development
County of Santa Barbara - Santa Maria

FROM: Christopher Olmstead, Captain
Fire Department



SUBJECT: APN: 141-360-004 Permit: 22HSG-00003 Project: 22FDR-00061
Site: 3075 Samantha Drive, Santa Ynez
Project: Tentative Parcel Map – Subdivide Existing Parcel into Two Parcels, TPM 14861

The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

CONDITIONS FOR TENTATIVE PARCEL MAP

The Fire Prevention Division must be notified of any changes to the project proposal.
A change in the project description may cause conditions to be imposed.

1. Recorded addressing is required prior to building permit issuance.*

Easement across parcel 1 in benefit of parcel 2 shall be 20 feet minimum.

As always, if you have any questions or require further information, please call me at 805-681-5528 or 805-681-5523.

CO:ab