

# COUNTY OF SANTA BARBARA CALIFORNIA

## PLANNING COMMISSION

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU ST.  
SANTA BARBARA, CALIF. 93101-2058  
PHONE: (805) 568-2000  
FAX: (805) 568-2030

TO THE HONORABLE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION  
HEARING OF OCTOBER 29, 2014

*RE: Serena San Marcos LLC Consistency Rezone; 14RZN-00000-00002*

Hearing on the request of Jack Collison, Attorney, for Paul and Serena Kusserow, Serena San Marcos, LLC, owners, to consider Case No. 14RZN-00000-00002 [application filed on June 9, 2014] proposing to rezone 103.80 acres from 100-AG under Ordinance 661 to AG-II-100 in compliance with Section 35.104 of the County Land Use and Development Code; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15061(b)(3). The application involves AP Nos. 079-030-019, and -020, located approximately 1,500 feet southwest of the intersection of Live Oak Road and Highway 154, in the Santa Ynez area, Third Supervisorial District.

Dear Honorable Members of the Board of Supervisors:

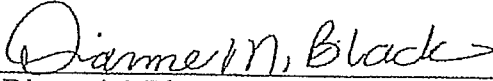
At the Planning Commission hearing of October 29, 2014, Commissioner Hartmann moved, seconded by Commissioner Ferini and carried by a vote of 5 to 0 to:

1. Recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of the staff report, dated September 16, 2014 including CEQA findings;
2. Recommend that the Board of Supervisors determine the project is exempt pursuant to CEQA Section 15061(b)(3); exemption included as Attachment B of the staff report, dated September 16, 2014; and
3. Adopt the resolution in Attachment C of the staff report, dated September 16, 2014, recommending that the Board of Supervisors approve a rezone (14RZN-00000-00002) changing the zone district on the subject parcels from 100-AG (Ordinance 661) to AG-II-100 (Land Use and Development Code).

10/29/2014 10:00 AM  
PLANNING COMMISSION  
COUNTY OF SANTA BARBARA

Planning Commission Hearing of October 29, 2014  
Serena San Marcos LLC Consistency Rezone; 14RZN-00000-00002  
Page 2

Sincerely,



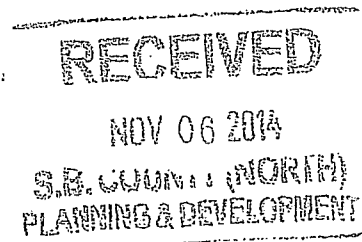
Dianne M. Black  
Secretary Planning Commission

cc: Case File: 14RZN-00000-00002  
Planning Commission File  
Dianne M. Black, Assistant Director  
Agent: Jack L. Collison, 1610 Oak Street, Suite 106, Solvang, CA 93463  
Owner: Paul and Serena Kusserow, Serena San Marcos, LLC, 780 San Ysidro Road, Santa Barbara, CA 93108  
Jenna Richardson, Deputy County Counsel  
✓ Florence Trotter-Cadena, Planner

**Attachments:**      **Attachment A – Findings**  
                                 **Attachment C – Planning Commission Rezone Resolution and Exhibit 1:**  
                                 **Ordinance to Rezone**

DMB/dmv

G:\GROUP\PERMITTING\Case Files\14RZN\14 Cases\14RZN-00000-00002 Serena San Marcos\10-29-14actltr(2).doc



## ATTACHMENT A: FINDINGS

### 1.0 CEQA FINDINGS

The Planning Commission finds the proposed project exempt from environmental review pursuant to CEQA Guidelines Section 15061 (b)(3). CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. It is a legislative action that will replace an outdated agricultural zone district under Ordinance 661 with a comparable agricultural zone district under the Land Use and Development Code. The project does not involve any development. Please see Attachment B, Notice of Exemption.

### 2.0 ADMINISTRATIVE FINDINGS

#### 2.1 REZONE

A. In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

##### 2.1.1 The request is in the interests of the general community welfare.

The rezone is in the interest of the general community as it will preserve and protect existing agricultural land. By zoning the property to AG-II-100 it will allow the property to enter into the Agricultural Preserve Program and ensure that agricultural use will be maintained under the current zoning ordinance (Land Use and Development Code).

##### 2.1.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

Pursuant to the discussion in Sections 6.2 and 6.3 of this report dated September 16, 2014, herein incorporated by reference, the rezone is consistent with the Comprehensive Plan, the requirements of the Zoning Ordinance (Land Use and Development Code) and with State laws (Williamson Act). The rezone does not involve an amendment to the Local Coastal Program.

##### 2.1.3 The request is consistent with good zoning and planning practices.

The rezone is consistent with good zoning and planning practice because it will ensure the project's consistency with the Uniform Rules for Agricultural Preserves and Farmland Security Zones. The rezone also updates antiquated regulations and makes the zoning consistent with the surrounding properties.



ATTACHMENT C:  
PLANNING COMMISSION RESOLUTION AND ORDINANCE

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING  
TO THE BOARD OF SUPERVISORS THAT  
AN ORDINANCE BE APPROVED AMENDING  
SECTION 35-1, THE SANTA BARBARA  
COUNTY LAND USE AND DEVELOPMENT  
CODE, OF CHAPTER 35 OF THE SANTA  
BARBARA COUNTY CODE, BY AMENDING  
THE COUNTY ZONING MAP BY CHANGING  
THE ZONING OF ASSESSOR'S PARCEL  
NUMBERS 079-030-019, and -020 FROM 100-AG,  
AGRICULTURE, 100 ACRES MINIMUM PARCEL  
SIZE, TO AG-II-100, AGRICULTURE, 100 ACRES  
MINIMUM PARCEL SIZE

Resolution No. 14-29

CASE NO.: 14RZN-00000-00002

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on February 28, 1977 by Ordinance 2928, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Zoning Ordinance, Ordinance 661 of Chapter 35 of the Santa Barbara County Code; and
- B. WHEREAS, the Planning Commission recommends that the Board of Supervisors repeal all zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps", of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as they relate to Assessor's Parcel Numbers 079-030-019, and -020.
- C. WHEREAS the County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code on the proposed amendments to a zoning ordinance, at which hearing the proposed amendments were explained and comments invited from persons in attendance.
- D. Whereas Section 65855 of the Government Code requires inclusion of the reason for the recommendation and the relationship of the zoning map amendment to the applicable general and specific plans, which is hereby identified as necessary to qualify for a new Agricultural Preserve contract. Eligible land must have land use and zoning designations consistent with Agriculture, Mountainous, or Resource Management to protect agricultural lands within the existing designated Rural area of the County consistent with the General Comprehensive Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The Commission recommends that the Board of Supervisors approve an Ordinance, Exhibit 1, Amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, by Amending the County Zoning Map by changing the zoning of Assessor's Parcel Numbers 079-030-019, and -020 from 100-AG to AG-II-100 based on the findings included as Attachment A of the Planning Commission staff report dated September 16, 2014.
2. A certified copy of this resolution shall be transmitted to the Board of Supervisors.

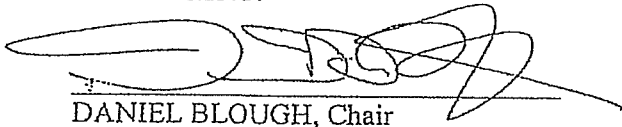
PASSED, APPROVED AND ADOPTED this October 29, 2014 by the following vote:

AYES: Cooney, Brown, Hartmann, Ferini, Blough

NOES:

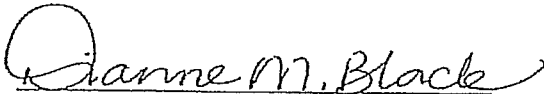
ABSTAIN:

ABSENT:



DANIEL BLOUGH, Chair  
Santa Barbara County Planning Commission

ATTEST:



DIANNE BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By   
Deputy County Counsel

EXHIBIT: 1. Ordinance

EXHIBIT 1

LAND USE AND DEVELOPMENT CODE (ZONING MAP AMENDMENT)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ASSESSOR PARCEL NUMBERS 079-030-019, and -020

Case No. 14RZN-00000-00002

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps," of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they relate to Assessor's Parcel Numbers 079-030-019, and -020 shown on the map attached hereto as Exhibit A and incorporated by reference.

SECTION 2:

Pursuant to the provisions of Section 35.14-020, "Adopting New Zoning Ordinances and Maps," of the Land Use and Development Code, of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts by reference the Zoning Map identified as Board of Supervisors Exhibit A, dated (date of Board of Supervisors Approval), which redesignates Assessor's Parcel Numbers 079-030-019, and -020 from 100-AG, Agriculture, 100 acres minimum parcel size, to AG-II-100, Agriculture, 100 acres minimum parcel size, and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit A, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3:

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit A to show that said map has been adopted by this Board.

SECTION 4:

Except as amended by this Ordinance, Section 35.14.020 of the Land Use and Development Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 5:

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Newspress, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_, Chair  
Board of Supervisors  
County of Santa Barbara

ATTEST:

MONA MIYASATO  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
County Counsel

By \_\_\_\_\_  
Deputy County Counsel



Exhibit A

