

SANTA BARBARA COUNTY PLANNING COMMISSION
Coastal Zone Staff Report for the Schulte/Dos Pueblos Lot Line Adjustment Project

Hearing Date: October 17, 2012
Staff Report Date: October 8, 2012
Case No.: 10LLA-00000-00003

Alice McCurdy
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Environmental Document:

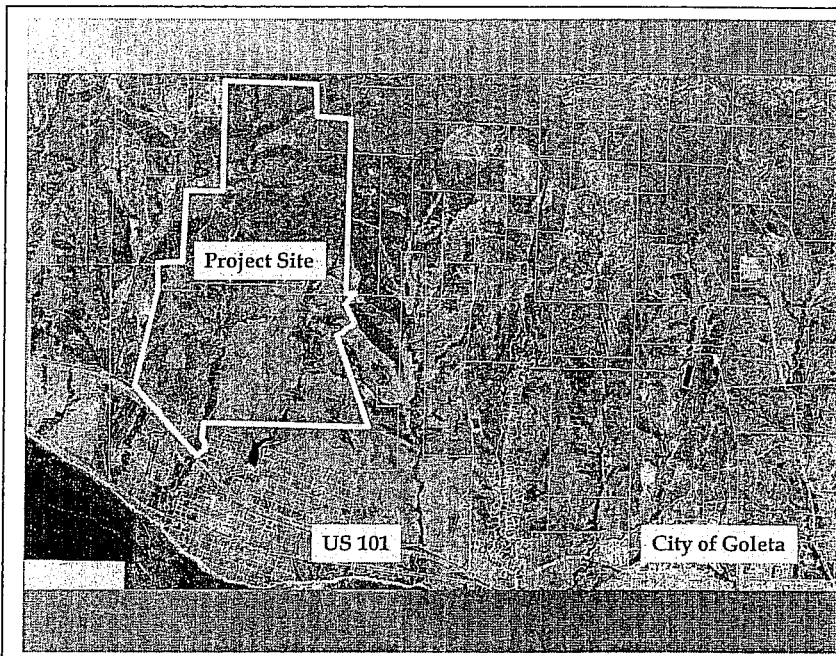
15164 Addendum to the Santa Barbara Ranch Environmental Impact Report [04EIR-00000-00014]
State Clearing House No. 2005011049

OWNER/APPLICANT

Schulte Trust
220 La Casa Grande Circle
Goleta, CA 93117
(805) 968-1116

VICINITY MAP

Dos Pueblos Ranch Holdings, LLC
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Santa Barbara, CA
(805) 563-0821
Contact: James Franzen



AGENTS

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This site is identified as 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.

1.0 REQUEST

Hearing on the request of Deborah Rosenthal and Mark Lloyd, agents for the owners Schulte Trust and Dos Pueblos Ranch Holdings, LLC to consider Case No. 10LLA-00000-00003, [application filed on March 10, 2010] for approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21, to adjust lines between two lots of 1,977 and 76 acres to reconfigure into two lots of 1,693 and 360 acres, on property located in the AG-II-100 zone district; and to accept the Addendum to the Santa Barbara Ranch Environmental Impact Report (04EIR-00000-00014, SCH No. 2005011049) pursuant to the State Guidelines for Implementation of the California

Environmental Quality Act. There are no new significant environmental impacts as a result of the currently proposed project. The original EIR identified significant effects on the environment in the following categories: Aesthetics/Visual Resources and Biological Resources.

The Addendum to the EIR and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The EIR may also be reviewed on the Department's website at <http://www.sbcountyplanning.org/projects/03DVP-00041/index.cfm>. The application 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.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case No. 10LLA-00000-000003 marked "Officially Accepted, County of Santa Barbara October 17, 2012, County Planning Commission Exhibits A-E", based upon the project's consistency with the Comprehensive Plan including the Coastal Land Use Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment A of this staff report, including the California Environmental Quality Act (CEQA) findings.
2. After considering the environmental review documents included as Attachment C [Addendum dated October 17, 2012] together with the previously certified Environmental Impact Report 04EIR-00000-00014, determine that, as reflected in the CEQA findings, no subsequent Environmental Impact Report shall be prepared for this project.
3. Approve the project, Case No. 10LLA-00000-00003, subject to the conditions included as Attachment B.

Alternatively, refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on Section 21-6(a)(2) of the County of Santa Barbara Subdivision Regulations which specifies that the Planning Commission is the decision-maker for Lot Line Adjustments in the rural area, as designated by the Santa Barbara County Comprehensive Plan, that exceed a ten percent increase or decrease in the area of the smallest existing parcel.

4.0 ISSUE SUMMARY

The proposed lot line adjustment would adjust the lines between an existing 1,977.50-acre lot (Existing Lot A) and an adjoining 76-acre lot (Existing Lot B). Both parcels are zoned 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 (Proposed Lot 2). While Existing Lot B is smaller than the minimum size required by the zone district, it is legal-nonconforming. As such, it could currently be developed with a single family dwelling given the availability of water, sewage disposal and access to meet County Fire Department standards. Both lots resulting from the lot line adjustment would meet the lot size, lot width, and all other relevant requirements of the AG-II-100 zone district and the project would not increase the number of developable lots onsite.

Existing lots A and B are currently under one Williamson Act Contract, 77-AP-14. 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 keeping. Existing agricultural uses of the subject lots would be unaffected by the lot line adjustment. Proposed Lot 1 would continue to be used for the variety of agricultural uses. Proposed Lot 2 would continue to be used primarily for cattle grazing. Consistent with Uniform Rule 3 governing Williamson Act contracts, pursuant to condition of approval 2, the County and the property owners would be required to mutually agree to rescind the existing agricultural preserve contract, 77-AP-14, and simultaneously enter into a new contract or contracts concurrent with recordation of the lot line adjustment. The Agricultural Preserve Advisory Committee (APAC) reviewed the proposed lot line adjustment in respect to Uniform Rule 1-3 which lays out APAC findings for approval of a lot line adjustment. The APAC was able to make the findings, given the condition requiring replacement contracts that will roll annually with an initial 10 year time frame, thereby confirming the County's and applicant's interest in ongoing agricultural use of the lots.

The 360 acres comprising proposed lot 2 are included in the approved Santa Barbara Ranch Alternative 1B project and are dedicated to housing and to an agricultural conservation easement. The 360 acres are also blanketed with an easement for agricultural and recreational purposes granted to Santa Barbara Ranch, LLC, recorded on December 5, 2007. While the boundaries of proposed lot 2 resulting from the proposed lot line adjustment are consistent with the northern boundaries of Alternative 1B of the Santa Barbara Ranch project, the lot line adjustment is independent from the Santa Barbara Ranch project and will not advance the Santa Barbara Ranch project. The purpose of the lot line adjustment is to facilitate the prospective change in ownership of the underlying land.

The current project does 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. As such, it does not pose any new environmental impacts beyond those identified for the Santa Barbara Ranch project. An addendum to the approved Santa Barbara Ranch Environmental Impact

Report (04EIR-00000-00014) was prepared for the current project and is included as Attachment C of this staff report.

The majority of the subject property is located in the inland portion of the County and is therefore subject to the requirements of the County's Land Use Development Code. A small portion of the southern corner of Existing Lot A/Proposed Lot 1 is located within the Coastal Zone and is subject to the requirements of the County's Coastal Zoning Ordinance, Article II. Therefore, the project is ultimately appealable to the California Coastal Commission.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Inland: AG-II-100, agriculture, rural Coastal: AC, Commercial Agriculture, rural
Zone District / Ordinance	AG-II-100, Agriculture, 100-acre minimum lot size, County Land Use Development Code & Article II Coastal Zoning Ordinance
Site Size	Existing Lot A is 1,977 acres, Existing Lot B is 76 acres Proposed Lot 1 is 1,693.50 acres, Proposed Lot 2 is 360 acres
Present Use & Development	Agriculture and residential, five farm-employee dwellings and agricultural support structures are located on Existing Lot A
Surrounding Uses/Zoning	<i>North:</i> Agriculture & Residential/AG-II-100 <i>South:</i> Agriculture & Residential/AG-II-100, Highway 101 <i>East:</i> Agriculture & Residential/AG-II-100 <i>West:</i> Agriculture & Residential/AG-II-100
Access	Dos Pueblos Canyon Road
Other Site Information	Agricultural Preserve Contract No. 77-AP-014
Public Services	Water Supply: Private wells Sewage: Private septic systems Fire: County Fire Department

5.2 Description

Request of Deborah Rosenthal, agent for the owner, Schulte Trust, 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). 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.

5.3 Background Information

Existing Lots A and B were once part of the same parcel. Lot A was created on October 25, 1976 through Parcel Map 12,264 (PM Book 16, Pages 53 through 56). Lot A is a separate, legal parcel totaling 1,977.50-acres. The creation of Lot A left Lot B as a separate parcel (“remainder”) totaling approximately 76 acres. At the time Parcel Map 12,264 was recorded (October 25, 1976), the County subdivision regulations did “. . . not apply to any division of land where each and every parcel resulting from such division is of a gross area of sixty (60) acres or more . . .” (Ordinance No. 2306). No deed or other action was required and, therefore, Lot B is a separate, legal parcel totaling 76-acres.

Existing Lot A is currently developed with five farm-employee dwellings, two agricultural reservoirs and agricultural support structures, as well as several avocado and citrus orchards and associated access improvements. Existing Lot B is currently undeveloped but hosts a portion of an actively farmed avocado orchard. Following recordation of the Lot Line Adjustment, all existing structures would be located on proposed Lot 1.

Existing Lots A and B are currently under an active Williamson Act Contract, 77-AP-14.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

As noted above, the proposed lot line adjustment does not include any physical development or result in any change in development potential 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. Accordingly, environmental analysis for the proposed project constitutes an Addendum to the certified Environmental Impact Report 04EIR-00000-00014 prepared for the Santa Barbara Ranch project pursuant to CEQA Guidelines section 15164. The Addendum is included as Attachment C to this staff report. Consistent with CEQA Guidelines section 15150, all relevant studies and reports upon which the analysis was based are incorporated by reference.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<p>LUDP Policy #4: <i>Prior to issuance of a land use permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development...</i></p> <p>CLUP Policy 2-6: <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan. Where an affordable housing project is proposed pursuant to the Affordable Housing Overlay regulations, special needs housing or other affordable housing projects which include at least 50% of the total number of units for affordable housing or 30% of the total number of units affordable at the very low income level are to be served by entities that require can-and-will-serve letters, such projects shall be presumed to be consistent with the water and sewer service requirements of this policy if the project has, or is conditioned to obtain all necessary can-and-will-serve letters at the time of final map recordation, or if no map, prior to issuance of land use permits.</i></p>	<p>Consistent: The proposed project constitutes a lot line adjustment and includes no development. Regardless, both existing and proposed lots either currently enjoy adequate services or have the ability to develop adequate water, sewage disposal and access.</p>
<p>LUDP Policy 7: <i>No parcel involved in the lot line adjustment that is conforming as to size prior to the adjustment shall become non-conforming as to size as a result of the</i></p>	<p>Consistent: At 76 acres, existing lot B is currently non-conforming as to lot size. However, both lots resulting from the proposed lot line adjustment will conform to the 100</p>

REQUIREMENT	DISCUSSION
<p><i>adjustment.</i></p>	<p>acre minimum lot size specified by the AG-II-100 zone district.</p>
<p><i>CLUP Policy 8-2:</i> <i>If a parcel is designated for agricultural use and is located in a rural area not contiguous with the urban/rural boundary, conversion to non-agricultural use shall not be permitted unless such conversion of the entire parcel would allow for another priority use under the Coastal Act, e.g., coastal dependent industry, recreation and access, or protection of an environmentally sensitive habitat. Such conversion shall not be in conflict with contiguous agricultural operations in the area, and shall be consistent with Section 30241 and 30242 of the Coastal Act.</i></p> <p><i>LUE Regional Goal – Agriculture:</i> <i>In the rural areas, cultivated agriculture shall be preserved and, where conditions allow, expansion and intensification should be supported. Lands with both prime and non-prime soils shall be reserved for agricultural use.</i></p> <p><i>Agricultural Element Goal 1:</i> <i>Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow (taking into account environmental impacts) expansion and intensification shall be supported.</i></p>	<p>Consistent: The project constitutes a lot line adjustment of rural lands subject to Williamson Act Contract 77-AP-14 and currently devoted to active agricultural uses including orchards and grazing. No development is proposed. No change is proposed to the ongoing agricultural use of the lands. Condition of approval 2 requires the applicant and County to record replacement Williamson Act Contracts on the adjusted parcels. These replacement contracts would be subject to the standard rolling 10 year contract period. On October 5, 2012, the Agricultural Preserve Advisory Committee confirmed that they could make the findings for approval of the lot line adjustment, as set forth under section 1-3 of the Uniform Rules, subject to recordation of the necessary replacement contracts, thereby confirming the County’s interest in perpetuating agricultural use of these lots.</p>

6.3 Zoning: Article II & the Land Use 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) with a zone 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). As such, the resultant lots would both meet the minimum lot size requirement for the AG-II-100 zone district as established by the County’s zoning maps as well as the requirements for lot width and depth and all other relevant requirements of the AG-II-100 zone district. The project would also be consistent with the relevant requirements of Section 35-134 (Lot Line Adjustments) of the Coastal Zoning Ordinance and Section 35.30.110 of the County’s Land Use Development Code. Finally, all

types of agriculture are permitted uses in the AG-II-100 zone district of the Coastal Zone pursuant to Article II Section 35-69.3.1. Inland, under the Land Use and Development Code, cattle keeping is allowed on lots zoned AG-II-100 per table 4.1 and cultivated agriculture is allowed per table 2-1.

6.4 Subdivision/Development Review Committee

The proposed lot line adjustment was reviewed by the Subdivision Development Review Committee on April 1, 2010. The County Fire Department has submitted a condition letter for the project, which is included in Attachment B.

6.5 Agricultural Preserve Advisory Committee

The proposed lot line adjustment was reviewed by the Agricultural Preserve Advisory Committee on October 5, 2012. The APAC moved to find the project consistent with the findings found in Uniform Rule 1-3 (Lot Line Adjustments) subject to a condition requiring the landowner(s) and County mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts. Condition of Approval No. 2 would require the applicants to receive approval of replacement agricultural preserve contract(s) for 77-AP-014 and record them concurrent with recordation of the requested lot line adjustment.

7.0 APPEALS PROCEDURE

- The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days of said action. For developments which are appealable to the Coastal Commission under Section 35-182.6, no appeal fee will be charged.
- The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval with attached Departmental Letters
- C. 15164 Addendum to 04EIR-00000-00014
- D. Santa Barbara Ranch Environmental Impact Report 04EIR-00000-00014 (available for review at P&D reception desk at 123 East Anapamu or on the Department's website at <http://www.sbcountyplanning.org/projects/03DVP-00041/index.cfm>)
- E. Lot Line Adjustment Plot



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). 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. **Finding 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). 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). 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). 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). 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). 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). 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 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. 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). 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. 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). 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. 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). 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). 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). 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). 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). 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). 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 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). 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 increased size of Proposed Lot 2 in relation to Existing Lot B would serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 2 would not affect its agricultural viability given its extensive size and variety of agricultural uses. Additionally, existing agricultural uses of the subject lots would be unaffected by the recordation of the subject lot line adjustment. 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. 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 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). 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 would serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 would not affect its agricultural viability given its extensive size and variety of agricultural uses. Additionally, existing agricultural uses of the subject lots would be unaffected by the recordation of the subject lot line adjustment. The two existing lots are farmed together and the two resultant lots would also be farmed together. As such, the lot line adjustment would 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 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). 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 would serve to increase its viability for agricultural purposes and the minor reduction in size of Existing Lot A as compared to Proposed Lot 1 would not affect its agricultural viability given its extensive size and variety of agricultural uses. The current agricultural uses of the subject lots would not change as a result of the project and therefore adjacent agricultural uses would 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). 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). 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). 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). 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). 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). 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). 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 increased 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 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. 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). 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. 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). 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. 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). 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 October 17, 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, agent for the owner, Schulte Trust, 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). 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.

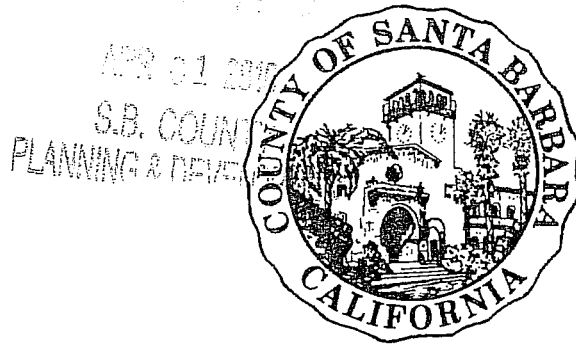
4. **Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Lot Line Adjustment.
5. **Rules-23 Processing Fees Required.** Prior to 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.

Memorandum

DATE: April 1, 2010
TO: Allen Bell
Planning and Development
Santa Barbara

FROM: Brian Hayden, Inspector
Fire Department

SUBJECT: APN: 079-040-005, 079-060-066, 079-080-021, 079-090-030, 081-240-018
Permit #: 10LLA-00003
Site: 100, 455, 678, 695 Dos Pueblos Canyon, Santa Barbara
Project Description: Lot Line Adjustment



The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO MAP RECORDATION THE FOLLOWING CONDITIONS MUST BE MET

2. Create a firebreak of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property. Removal does not apply to single specimens of trees, ornamental shrubbery or similar plants that are used as ground cover if they do not form a means of rapidly transmitting fire from the native growth to any structure.
3. If bridges and/or cattle guards are required for this project, bridge and cattle guards shall conform to the following standards:
 - Bridges and cattle guards shall have a minimum HS-20 rated load-bearing capacity.
 - Bridges and cattle guards width shall be equal to approved road width.
 - All other aspects of bridge construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division.
 - Plans shall be certified and stamped by a civil engineer as meeting all applicable standards for load bearing capacity and construction. Plans to be approved by the fire department prior to installation.

April 1, 2010

079-040-005, 079-060-066, 079-080-021, 079-090-030, 081-240-0182

4. New fire hydrants (number to be determined) shall be installed. New fire hydrants shall be required to protect the existing residences on the proposed lots. Contact fire department for assistance in determining the number and required locations of fire hydrants required.
 - Fire hydrants shall be located per fire department specifications and shall flow 500 gallons per minute at a 20 psi residual pressure.
5. Building address numbers shall be posted as required by fire department.
6. Access way entrance gates shall conform to fire department standards.
7. When access ways are gated a fire department approved locking system shall be installed.

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

Telephone 805-681-5591 for fire department inspection.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

BH:mkb

c Matt Osgood, Santa Barbara LLC, 18401 Van Karman Av, #350, Irvine 92612
Schulte Trust, 220 La Casa Grande Circle, Goleta 93117



**Santa Barbara County
Air Pollution Control District**

April 5, 2010

Allen Bell
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

RECEIVED

APR 08 2010

S.B. COUNTY CC
PLANNING & DEVELOPMENT

Re: Schulte/Dos Pueblos Ranch LLA, 10LLA-00000-00003

Dear Mr. Bell:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of reconfiguring two legal lots from a 1977-acre lot and a 76-acre lot to a 1693-acre lot and a 360-acre lot respectively. No other development is proposed as part of the project. The subject 2053-acre property, zoned AG-II-100 and consisting of five parcels identified in the Assessor Parcel Map Book as APNs 079-040-005, 079-060-066, 079-080-021, 079-090-030, 081-240-018, is located at 100 North Dos Pueblos Canyon Road in the unincorporated area of Naples.

The Air Pollution Control District has no comment on this project at this time.

If you or the project applicant have any questions, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,

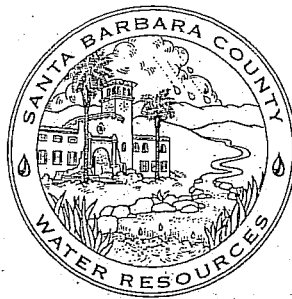
Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

cc: Brett Daniels
TEA Chron File

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Santa Barbara County Public Works Department
Flood Control & Water Agency

March 30, 2010

Zoning Administrator
County of Santa Barbara
Planning & Development Department
123 East Anapamu Street
Santa Barbara, CA 93101

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MAR 31 2010
S.B. COUNTY
PLANNING & DEVELOPMENT

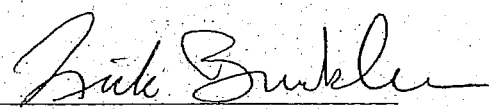
**Reference: 10LLA-00000-00003; Schulte/Dos Pueblos Ranch Lot Line
APN: 079-040-005; Goleta**

Dear Administrator:

The Flood Control District has no conditions on the above referenced project.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 
Nick Bruckbauer
Development Review Engineer

Cc: Alan Bell, Planning & Development
Schulte Trust, 220 La Casa Grande Circle, Goleta, CA 93117
Brent Daniels, L&P Consultants, 3 West Carrillo St., Ste. 205, Santa Barbara 93101



Daniel C. Hernandez, MPA
Director of Parks
(805) 568-2461

Michael Gibson, MPA
Business Manager
(805) 568-2477

Juan Beltranena, AIA, AICP
Project Manager
(805) 568-2470

Jeff Stone
North County
Deputy Director
(805) 934-6145

Erik Axelson
South County
Deputy Director
(805) 681-5651

Park Administration
610 Mission Canyon Road
Santa Barbara, CA 93105
Tel: (805) 568-2461
Fax: (805) 568-2459

**North County
Park Operations**
300 Goodwin Road
Santa Maria, CA 93455
Tel: (805) 934-6123
Fax: (805) 934-6213


**South County
Park Operations**
4568 Calle Real, Building E
Santa Barbara, CA 93110
Tel: (805) 681-5650
Fax: (805) 681-5657

**Cachuma Lake
Recreation Area**
2225 Hwy 154
Santa Barbara, CA 93105
Tel: (805) 686-5055
Fax: (805) 686-5075

www.sbparcs.org
administration@sbparcs.org

Equal Opportunity Employer

TO: Allen Bell, Planner
Development Review
Planning and Development

FROM: Claude Garciacelay, Park Planner 

DATE: April 1, 2010

RE: 10LLA-003 Schulte/Dos Pueblos Ranch
APN 079-040-005

County Parks has no conditions of approval of the above referenced case(s).

cc:





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, agent for the owner, Schulte Trust, for a Lot Line Adjustment to adjust the lot lines between a 1,977.50-acre parcel (Existing Lot A) and an adjoining 76-acre parcel (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). 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 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>.



ATTACHMENT D

Santa Barbara Ranch Environmental Impact Report 04EIR-00000-00014 is available for review at P&D reception desk at 123 East Anapamu or on the Department's website at <http://www.sbcountyplanning.org/projects/03DVP-00041/index.cfm>

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