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SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for the Kong Lot Line Adjustment

Hearing Date: February 9, 2011
Staff Report Date: January 21, 2011
Case No.: 08LLA-00000-00011, 08RZN-00000-00008

Deputy Director: Alice McCurdy
Division: Development Review
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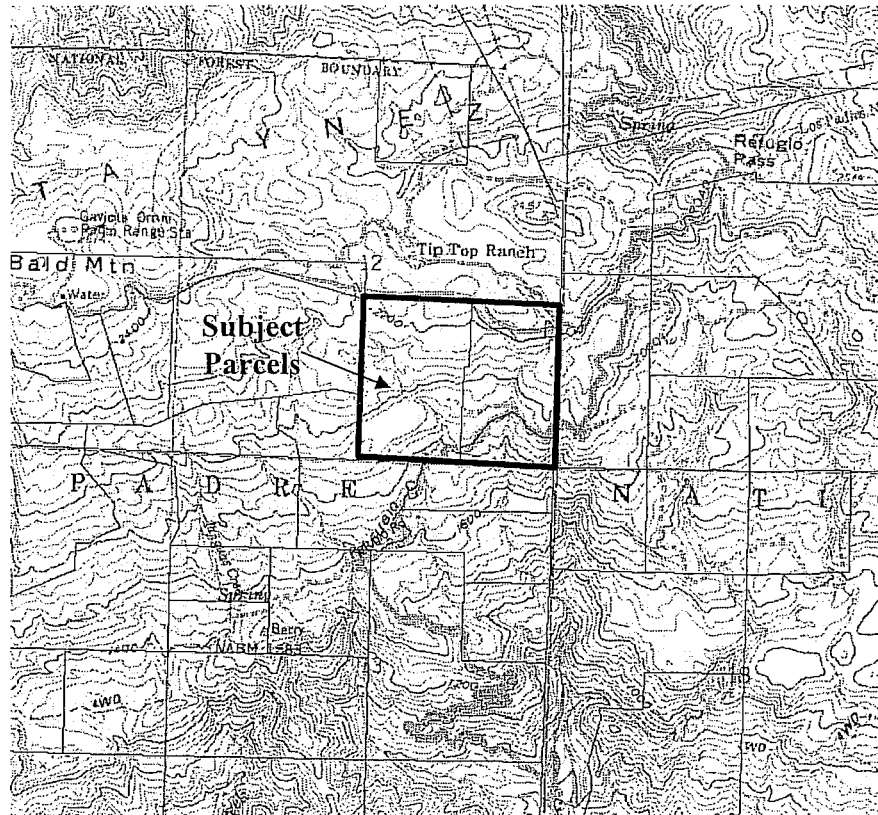
APPLICANT:

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AGENT:

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VICINITY MAP



Application Complete: July 16, 2010
Processing Deadline: 60 days from NOE

This site is identified as Assessor Parcel Numbers 081-040-052 and 081-040-012, 2377 Refugio Road, Gaviota, 3rd Supervisorial District.

1.0 REQUEST

Hearing on the request of Steve Fort, agent for the owner, Michael Kong, to consider the following:

- a) **Case No. 08RZN-00000-00008** [application filed on August 27, 2008] to rezone 106.4 acres from General Agriculture, 100-acre minimum lot area (100-AG) under Zoning Ordinance No. 661 to Agriculture II, 100-acre minimum lot area (AG-II-100) under the

County Land Use & Development Code (LUDC) and to accept the Exemption pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act;

- b) Case No. 08LLA-00000-00011** [application filed on August 27, 2008] for approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21 and Ordinance 661 to adjust lines between two lots of 40.6-acres (Lot A, Assessor's Parcel Number 081-040-052) and 65.8-acres (Lot B, Assessor's Parcel Number 081-040-012) to reconfigure into two lots of 40.0 acres (Parcel 1) and 66.4 acres (Parcel two), on property zoned AG-100 and to accept the Exemption pursuant to Sections 15061(b)(3) and 15305(a) of the State Guidelines for Implementation of the California Environmental Quality Act;

The application involves AP No's 081-040-052 and 081-040-012, located at 2377 Refugio Road, in the Gaviota area, 3rd Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No's. 08LLA-00000-00011 and 08RZN-00000-00008 marked "Officially Accepted, County of Santa Barbara February 9, 2011 County Planning Commission Exhibit # 1," based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for the proposed Rezone specified in Attachment A of this staff report, including CEQA findings;
2. Recommend that the Board of Supervisors make the required findings for the proposed Lot Line Adjustment specified in Attachment B of this staff report, including CEQA findings;
3. Recommend that the Board of Supervisors determine that the project is exempt pursuant to Sections 15061(b)(3) and 15305(a) of CEQA (Attachment-C) ;
4. Recommend that the Board of Supervisors adopt a Rezone Ordinance for APN Nos. 081-040-052 and 081-040-012, amending the Inland Zoning Map, included as Attachment D; and,
5. Recommend that the Board of Supervisors approve the project subject to the conditions included as Attachment E.

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

3.0 JURISDICTION

For Lot Line Adjustments, Section 21-6 of the Santa Barbara County Subdivision Regulations (Chapter 21) states that, “the Santa Barbara County Planning Commission shall be the decision-maker, except that the Zoning Administrator shall be the decision-maker for the following: (2) Lot Line Adjustments.... of parcels located within the Rural Area... that do not exceed a ten percent increase or decrease in the area of the smallest existing parcel.”

However, Section 35.80.020.B.2 of the County Land Use & Development Code (LUDC) states that, “if the Board is the review authority for a project, due to a companion discretionary application (e.g., Zoning Map amendment), the Commission shall make an advisory recommendation to the Board on each project.” Section 35-80.020, Table 8-1 of the LUDC requires that for Zoning Map Amendments, the Planning Commission make a recommendation and the Board of Supervisors is the decision-maker. Section 35.104.050 of the LUDC states that the Planning Commission shall hold at least one noticed public hearing on the proposed Amendment. The Commission’s recommendation shall be transmitted to the Board. Following the Commission’s recommendation for approval or where a hearing has been requested, the Board shall hold at least one noticed public hearing on the proposed Amendment.

4.0 ISSUE SUMMARY

The proposed Lot Line Adjustment would reconfigure the internal lot line shared by the lots. The proposed project would not result in an increase in the development potential for the property. Instead, it would limit the area on the undeveloped parcel (proposed Parcel 1) on which a homesite could be developed, thereby constraining development in comparison to the existing condition. Existing Lot B (proposed Parcel 2) has already been developed with a Single-Family Dwelling. Existing Lot A is constrained by steep slopes in excess of 30% and contains an area suitable for development that was previously cleared of vegetation. A Development Envelope is proposed to be located on the portion of existing Lot A (proposed Parcel 1) that was previously cleared of vegetation. This area contains moderate slopes of 20% or less. Due to the fact that proposed Parcel 2 has already been developed, and a Development Envelope is proposed on existing Lot A (proposed Parcel 1), the Lot Line Adjustment would not cause greater pressure to be placed on any on-site resource or cause a pattern of development that would differ from existing conditions. Specific resource constraints are discussed below.

Biological Resources

A Botanical Survey and Vegetation Map, dated June 16, 2010, were prepared for the subject properties by V.L. Holland Ph.D and David Keil, Ph.D. The survey found four sensitive plants on-site, including Refugio Manzanita (*Arctostaphylos refugioensis*), Brewer’s calandrinia (*Calandrinia breweri*), Hoffmans bitter gooseberry (*Ribes amarum var. hoffmanii*), and Late-flowered mariposa lilly (*Calochortus weedii var. vestus*). None of these sensitive species were

found within the existing developed area on existing Lot B (proposed Parcel 2) or within the proposed development envelope located on existing Lot A (proposed Parcel 1). One Refugio Manzanita was found just outside of the proposed development envelope on proposed Parcel 1. Both parcels are mapped as potential California Red Legged Frog habitat, and both parcels are bisected by seasonal drainages. However, the proposed Lot Line Adjustment would not result in a lot configuration that would increase the potential for impacts to Red Legged Frogs. Additionally, preliminary review of site characteristics indicates that, due to the high elevation and relatively dry nature of the parcels, the property is unlikely to support Red Legged Frog habitat. This is particularly true of the existing developed portion of existing Lot B (proposed Parcel 2) and the proposed Parcel 1 Development Envelope. Prior to development on either lot, biological surveys for Red Legged Frogs would be required in the areas of proposed development/ground disturbance.

Historic Resources

The existing residence located on existing Lot B (proposed Parcel 2) was originally built in either the late nineteenth or early twentieth century. In order to evaluate the potential historic value of the structure, a Letter Report Historical Assessment, dated December 18, 2008, was prepared by historian Ronald Nye, Ph.D. The assessment concluded that the residence would not be considered a significant historic resource due to a low overall significance rating. This low rating is due, in part, to low historical integrity as a result of numerous additions and alterations and due to lack of association with any a historically important event, movement or person.

Sanitary Service

A percolation test report (Coast Valley Testing, April 25, 2008) and dry well absorption test report (Pacific Materials Laboratory, January 20, 2010) were prepared for the proposed development envelope on proposed Parcel 1. The percolation test showed that soils are not suitable for a leech field. However, the dry well absorption test demonstrated that a dry well could be successfully developed for a single-family dwelling on the property. Due to a fast absorption rate, the dry well report recommended a set-back distance of at least 250 feet to any domestic water supply well or any surface water feature, including, but not limited to, wetlands and seasonal and year-round streams, creeks and other drainages. Environmental Health Services staff confirmed the need for this setback (personal communication with Paul Jenzen, July 8, 2010). The proposed Parcel 1 drywell location shown on project plans is located over 250 feet from the on-site drainage and from the existing water well. Additionally, a condition has been applied requiring that future development of sanitary service facilities on proposed Parcel 1 observe this 250 foot setback.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Rural Area, Inland, AG-II-100, Agriculture II, one single-family dwelling per 100 acres
Ordinance, Zone	Ordinance 661 (rezone to LUDC), 100-AG, 100 acre minimum parcel size
Site Size	Existing Parcel 1: 40.6 acres Existing Parcel 2: 65.8 acres
Present Use & Development	Parcel 1: undeveloped except for existing driveway Parcel 2: single-family residence and storage shed
Surrounding Uses/Zone(s)	<i>North: Single-family residential, AG-II-100</i> <i>South: Undeveloped, AG-II-100</i> <i>East: Undeveloped, AG-II-100</i> <i>West: Undeveloped, AG-II-100</i>
Access	Parcel 1: Existing driveway off of Reagan road Parcel 2: Existing driveway off of Refugio Road
Public Services	Water Supply: Private water well (both parcels) Sewage: Parcel 1: drywell, Parcel 2 : septic system Fire: Santa Barbara County Fire

5.2 Description

Lot Line Adjustment

Lot Line Adjustment to adjust lines between two lots of 40.6-acres (Lot A) and 65.8-acres (Lot B) to reconfigure into two lots of 40.0 acres (Parcel 1) and 66.4 acres (Parcel 2), on property zoned AG-100.

	Parcel 1 (081-040-052)	Parcel 2 (081-040-012)	Total
Existing	40.6 acres	65.80 acres	106.4
Proposed	40.0 acres	66.40 acres	106.4

A 2.1 acre Development Envelope is proposed on proposed Parcel 1. The Development Envelope surrounds a portion of proposed Parcel 1 that contains slopes under 20% and that is relatively unvegetated due to previous clearance. An existing 50 foot wide access and utilities easement over Lot A, in favor of Lot B, would be abandoned.

Consistency Rezone

Request to rezone 106.43 acres from General Agriculture, 100-acre minimum lot area (100-AG) under Zoning Ordinance No. 661 to Agriculture II, 100-acre minimum lot area (AG-II-100) under the County Land Use & Development Code (LUDC).

5.3 Background Information

Parcel validity for both existing Lot A and existing Lot B were reviewed and confirmed by the County Surveyor’s office. Existing Lot A (APN: 081-040-052) is shown as Lot A of Parcel Map 12,452, Book 19, Page 51, dated December 1977. Existing Lot B (APN: 081-040-012) was created as a “remainder” through conveyance. The parent parcel to the subject property was described in a Deed recorded June 19, 1913 in Book 141 of Deeds, Page 93. The northerly portion of the parent parcel was then conveyed by Deed recorded October 3, 1941 in Book 531 of Official Records, Page 398, leaving the subject parcel as a remainder to that conveyance.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

An exemption to the California Environmental Quality Act (CEQA) was prepared pursuant to CEQA Guidelines Section 15061(b)(3) which states, “Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA,” and CEQA Guidelines Section 15305(a), which exempts “minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.” (see Attachment-C for full details).

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
Services	
<p>Land Use Element Development Policy 4: <i>“Prior to issuance of a 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>Consistent: A percolation test report (Coast Valley Testing, April 25, 2008) and dry well absorption test report (Pacific Materials Laboratory, January 20, 2010) were prepared for the proposed development envelope on proposed Parcel 1. The dry well absorption test demonstrated that a dry well could be successfully developed for a single-family dwelling on the property. An existing septic</p>

REQUIREMENT	DISCUSSION
	<p>system serves the dwelling located on existing Lot B (proposed Parcel 2). An existing private water well would provide water for any future development located on proposed Parcel 1. A Water Well Completion Report, dated May 14, 2010 was prepared by Adam Simmons (Geologist). That report was reviewed by Paul Jenzen of Environmental Health Services, who found the quantity and quality of water to be adequate (personal communication, July 8, 2010). An existing private water well would continue to serve the residence located on existing/proposed Parcel 2. Environmental Health Services issued a letter, dated January 5, 2011, noting that no conditions of approval would be required. Existing/proposed Parcel 1 is served by an existing driveway extending off of Reagan Road. Existing/proposed Parcel 2 is served by an existing driveway off of Refugio Road. The Santa Barbara County Fire District issued a letter dated September 16, 2008 noting that no conditions would be required as a result of the proposed Lot Line Adjustment and Rezone.</p>
Lot Line Adjustments	
<p><i>Land Use Element Development Policy 7: Lot line adjustments involving legal, non-conforming parcels as to size may be found consistent with the Comprehensive Plan if:</i></p> <p><i>a. 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 adjustment; and,</i></p> <p><i>b. 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</i></p>	<p>Consistent: The required minimum parcel size in the AG-II-100 zone district is 100 acres. Neither existing Parcel 1 (40.63-acres) nor existing Parcel 2 (65.80-acres) currently meets this requirement; both lots are currently non-conforming as to size and the Lot line Adjustment will similarly result in two lots, non-conforming as to size. No <i>new</i> non-conforming lots would be created.</p>

REQUIREMENT	DISCUSSION
<p><i>provided that it complies with subsection a or b listed below:</i></p> <ul style="list-style-type: none"> a. <i>The Lot Line Adjustment satisfies all of the following requirements:</i> <ul style="list-style-type: none"> i. <i>Four or fewer existing parcels are involved in the adjustment; and,</i> ii. <i>The Lot Line Adjustment shall not result in increased subdivision potential for any affected parcel; and,</i> <p><i>The Lot Line Adjustment shall not result in a greater number of residential developable parcels than existed prior to the adjustment.</i></p>	
Hillside and Watershed Protection	
<p><i>Land Use Element, Hillside and Watershed Protection Policy 2:</i> <i>"All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space."</i></p>	<p>Consistent: On-site slopes are fairly steep and exceed 30% in some areas. The proposed development envelope on proposed Parcel 1 would be located on slopes of 20% or less. The existing developed area on existing Lot B (proposed Parcel 2) is located primarily on slopes of less than 20%. Concentrating development on the portion(s) of the property with moderate slopes will aid in ensuring that future development will be designed to fit site topography and that grading will be minimized. Although no development is proposed as a part of the current project, future development proposals would be reviewed for consistency with this policy.</p>
Cultural Resources	
<p><i>Land Use Element, Historical and Archaeological Site Policy 1:</i> <i>All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.</i></p>	<p>Consistent: The existing residence located on Parcel 2 was originally built in either the late nineteenth or early twentieth century. In order to evaluate the potential historic value of the structure, a Letter Report Historical Assessment, dated December 18, 2008, was prepared by historian Ronald Nye, Ph.D. The assessment concluded that the residence would</p>

REQUIREMENT	DISCUSSION
<p><i>Land Use Element, Historical and Archaeological Site Policy 2: When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</i></p>	<p>not be considered a significant historic resource due to a low overall significance rating. This low rating is due, in part, to low historical integrity as a result of numerous additions and alterations and due to lack of association with any a historically important event, movement or person. No development or ground disturbance is currently proposed and no County archaeological resource maps show archaeological sites on the subject properties.</p>
Visual Resources	
<p><i>Land Use Element Visual Resource Policy 1: In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</i></p>	<p>Consistent: The subject properties are visible as a mid-background view from Highway 101 at a distance of approximately 4 linear miles. The subject properties are also visible to a limited extent from Refugio Road. The proposed Lot Line Adjustment would not result in a lot configuration that would increase the potential for future development impact public views. Additionally future development on the subject properties would be reviewed by the Central Board of Architectural Review and P&D staff for consistency with this policy. The proposed Lot Line Adjustment would not result in a lot configuration that would increase the potential for future development to impact public views.</p>

6.3 Zoning: Land Use and Development Code Compliance

The subject parcels are currently zoned 100-AG under Ordinance 661. The proposed rezone would replace this antiquated agricultural zoning designation with the modern agricultural zoning designation of AG-II-100 under the County Land Use & Development Code (LUDC). The intent of the AG-II zoning district is to designate and preserve rural lands appropriate for long-term agricultural use. Although no agricultural use currently exists on either parcel, all types of

agriculture and farming, including the commercial raising of animals, would be allowed following the rezone (subject to the zone district limitations).

The proposed Lot Line Adjustment would adjust lines between two lots of 40.6-acres and 65.8-acres to reconfigure into two lots of 40.0 acres and 66.4 acres. Both parcels would remain relatively the same size as they are today. The proposed Lot Line Adjustment would not impact the potential future agricultural viability of either lot. The required minimum parcel size in the AG-II-100 zone district is 100 acres. Neither parcel currently meets this requirement nor would they meet the requirement following the proposed Lot Line Adjustment. Therefore, no parcel that conforms to the minimum parcel size would become non-conforming as a result of the Lot Line Adjustment.

6.4 Subdivision/Development Review Committee

The project was reviewed by the Subdivision/Development Review Committee (SDRC) on September 18, 2008. At that meeting the County Surveyor noted that parcel validity for the subject properties should be verified. Subsequently, the applicant submitted records establishing parcel validity for both parcels and the County Surveyor completed review of the proposed project, issuing a letter, dated July 10, 2010, indicating that all concerns had been addressed. Environmental Health Services indicated that a water well testing report would be required and that a revised percolation test would be required for sanitary service. Since that time, updated reports have been submitted to Paul Jenzen of Environmental Health Services and accepted as adequate. Environmental Health Services issued a letter, dated January 5, 2011, noting that no additional conditions of approval would be required. Public Works Roads Division issued a letter, dated January 11, 2011, noting that no conditions would be required. The Santa Barbara County Fire District issued a letter dated September 16, 2008 noting that no conditions would be required and the Public Works Flood Control Division issued a letter dated September 17, 2008 noting that no conditions would be required.

6.5 Agricultural Preserve Advisory Committee

Although the existing and proposed reconfigured parcels are agriculturally zoned, they do not have active or historical agricultural uses, and are not part of a Williamson Agricultural Preserve Contract. Therefore, the proposed Lot Line Adjustment and Rezone were not reviewed by the Agricultural Preserve Advisory Committee.

7.0 APPEALS PROCEDURE

- A Zoning Map Amendment recommended for approval is automatically forwarded to the Board of Supervisors for final action, therefore no appeal is required.
- A Zoning Map Amendment denied by the Commission may be appealed to the Board of Supervisors within the 10 days following the action of the Commission.

ATTACHMENTS

- A. Rezone Findings
- B. Lot Line Adjustment Findings
- C. Exemption
- D. Draft Ordinance/Resolution
- E. Conditions of Approval
- F. APN Sheet
- G. Site Map

ATTACHMENT A: REZONE FINDINGS

1.0 CEQA FINDINGS

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 REZONE FINDINGS

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 interest of the general community welfare.

The purpose of the proposed rezone is to bring the subject parcels into conformance with the County Land Use & Development Code (LUDC). The rezone will not change the fundamental intent of the current zone district. The subject parcels are currently zoned for agricultural use and will remain zoned for agricultural use. All types of agriculture allowed under the current zone district (100-AG) will be allowed under the proposed zone district (AG-II-100). Therefore, the project is in the interest of the general community welfare.

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.

State law requires zoning ordinances to be consistent with the comprehensive plan. The subject parcel is designated Agriculture II, 100-acre minimum lot area (A-II-100) under the County Comprehensive Plan. The request will rezone the subject parcel from the antiquated 100-AG zone district under Ordinance 661 to the modern AG-II-100 zone district under the LUDC. The AG-II-100 zone district is consistent with the objectives, policies and general land uses in the A-II-100 plan designation. Therefore, the proposed rezone is consistent with this finding.

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

The subject parcels are currently zoned under Ordinance 661. In 1983, the County replaced Ordinance 661 with Article III, which was replaced with the County Land Use & Development Code (LUDC) in 2007. However, the subject parcels and numerous other parcels in rural areas are still subject to the outdated Ordinance 661. The request

would replace the existing antiquated zoning in Ordinance 661 with the modern zoning in the LUDC. This will help implement a uniform and up-to-date zoning ordinance throughout the inland area. The benefits of the proposed rezone include simplifying the zoning and permitting process and reducing permitting costs and time delays. In addition, the property owner would enjoy full use of the parcel consistent with similar parcels in other areas of the county that are already subject to the LUDC. Therefore, the proposed rezone is consistent with this finding.

ATTACHMENT B: LOT LINE ADJUSTMENT FINDINGS

1.0 CEQA FINDINGS

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15305(a). Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 Chapter 21 Land Division Findings

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:

2.1.1 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.

As discussed in Sections 6.2 and 6.3 of this Staff Report dated February 9, 2011, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan and with all requirements of the County Land Use & Development Code. Therefore, this finding can be made.

2.1.2 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 required minimum parcel size in the AG-II-100 zone district is 100 acres. Neither existing Lot A (40.63-acres) nor existing Lot B (65.80-acres) currently meets this requirement. Therefore, there is no potential for the proposed Lot Line Adjustment to create new parcels that would be nonconforming as to size and this finding can be made.

2.1.3 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:

a. The Lot Line Adjustment satisfies all of the following requirements:

- (1) Four or fewer existing parcels are involved in the adjustment; and***
- (2) The Lot Line Adjustment shall not result in increased subdivision potential for any affected parcel; and,***
- (3) The Lot Line Adjustment shall not result in a greater number of residential developable parcels than existed prior to the adjustment. For***

the purposes of this subsection only, a parcel shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that: 1) the parcel is not a building site, or 2) the parcel is designated for a non-residential purpose including, but not limited to, well sites, reservoirs and roads. A parcel shall be deemed residentially developable for the purposes of this subsection if it has an existing single family dwelling constructed pursuant to a valid County permit.

Otherwise, to be deemed a residentially developable parcel for the purposes of this subsection only, existing and proposed parcels shall satisfy all of the following criteria as set forth in the County Comprehensive Plan and zoning and building ordinances . . .

At 40.6 acres and 65.8 acres in size, both existing Lot A and B are non-conforming as to size. The proposed Lot Line Adjustment would create two differently shaped parcels, but they would have approximately the same sizes as the original parcels. Proposed parcel 1 would be 40.0 acres, and proposed Parcel 2 would be 66.4 acres. The Lot Line Adjustment would not result in increased subdivision potential for either reconfigured parcel, since both parcels would be less than the required size for the AG-II-100 zone district. Additionally, no new parcels would be created as part of the Lot Line Adjustment. Therefore, this finding can be made.

2.1.4 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 Lot Line Adjustment would not result in a violation of parcel width, setback, lot coverage, parking, or other requirement of the AG-II-100 zone district, or the County Land Use & Development Code. As there are no existing violations on either site, the Lot Line Adjustment does not have the potential to make any existing violations more onerous. Therefore, this finding can be made.

2.1.5 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 currently in compliance with all laws, rules, and regulations pertaining to zoning uses, setbacks, and all other applicable provisions of the County Land Use & Development Code and Chapter 21. Therefore, this finding can be made.

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

The Lot Line Adjustment will not require relocation of any utilities, infrastructure, or easements. An existing 50 foot wide access and utilities easement over existing Lot A in favor of existing Lot B would be abandoned as a part of the project. Therefore, this finding can be made.

2.2 Santa Barbara County Land Use and Development Code LLA Findings

In compliance with Section 35.30.110.B, of the County Land Use and Development Code, 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:

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

As discussed in Sections 6.2 and 6.3 of this Staff Report dated February 9, 2011, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan and with all requirements of the County Land Use & Development Code. Therefore, this finding can be made.

2.2.2 *No parcel 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 required minimum parcel size in the AG-II-100 zone district is 100 acres. Neither existing Lot A (40.63-acres) nor existing Lot B (65.80-acres) currently meets this requirement. Therefore, there is no potential for the proposed Lot Line Adjustment to create new parcels that would be nonconforming as to size and this finding can be made.

2.2.3 *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.*

- a. *Four or fewer existing lots are involved in the adjustment.***
- b. *The Lot Line Adjustment shall not result in increased subdivision potential for any affected lot.***
- c. *The Lot Line Adjustment will not result in a greater number of residential developable lots than existed prior to the adjustment. For the purposes of this Subsection B.3 only, a lot shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that, 1) the lot is not a building site, or 2) the lot is designated for a non-residential purpose including well sites, reservoirs and roads. A lot shall be deemed residentially developable for the purposes of this Subsection B.3 if it has an existing one-family dwelling constructed in compliance with a valid County permit, or existing and proposed lots comply with all of the following criteria . . .***

At 40.6 acres and 65.8 acres in size, both existing Lot A and B are non-conforming as to size. The proposed Lot Line Adjustment would create two differently shaped parcels, but they would have approximately the same sizes as the original parcels. Proposed parcel 1 would be 40.0 acres, and proposed Parcel 2 would be 66.4 acres. The Lot Line Adjustment would not result in increased subdivision potential for either reconfigured parcel, since both parcels would be less than the required size for the AG-II-100 zone district. Additionally, no new parcels would be created as part of the Lot Line Adjustment. Therefore, this finding can be made.

2.2.4 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 Lot Line Adjustment would not result in a violation of parcel width, setback, lot coverage, parking, or other requirement of the AG-II-100 zone district, or the County Land Use & Development Code. As there are no existing violations on either site, the Lot Line Adjustment does not have the potential to make any existing violations more onerous. Therefore, this finding can be made.

2.2.5 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 currently in compliance with all laws, rules, and regulations pertaining to zoning uses, setbacks, and all other applicable provisions of the County Land Use & Development Code and Chapter 21. Therefore, this finding can be made.

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

The Lot Line Adjustment will not require relocation of any utilities, infrastructure, or easements. An existing 50 foot wide access and utilities easement over existing Lot A in favor of existing Lot B would be abandoned as a part of the project. Therefore, this finding can be made.

ATTACHMENT-C NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Nicole Lieu, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 081-040-052, 081-040-012 **Case No's:** 08LLA-00000-00011, 08RZN-00000-00008

Location: 2377 Refugio Road, Gaviota Area

Project Title: Kong Lot Line Adjustment and Consistency Rezone

Project Description: The proposed project is for a Rezone and Lot Line Adjustment, as described below:

- a) **Rezone.** Proposal to rezone 106.43 acres from General Agriculture, 100-acre minimum lot area (100-AG) under Zoning Ordinance No. 661 to Agriculture II, 100-acre minimum lot area (AG-II-100) under the County Land Use & Development Code (LUDC).

- b) **Lot Line Adjustment.** Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21 and Ordinance 661 to adjust lines between two lots of 40.6-acres (Lot A, Assessor's Parcel Number 081-040-052) and 65.8-acres (Lot B, Assessor's Parcel Number 081-040-012) to reconfigure into two lots of 40.0 acres (Parcel 1) and 66.4 acres (Parcel two), on property zoned AG-100.

Name of Public Agency Approving Project: County of Santa Barbara
Name of Person or Agency Carrying Out Project: Michael Kong

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- General Rule

Cite specific CEQA and/or CEQA Guideline Section: 15061(b)(3) and Section 15305(a)

Reasons to support exemption findings:

Rezone

Section 15061(b)(3) of the “Guidelines for Implementation of California Environmental Quality Act” states that a project is exempt if, *“The activity is covered by the general rule that CEQA applies only to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”* The proposed rezone is a legislative action that would replace an outdated agricultural zoning district under Ordinance 661 with a modern agricultural zoning district under the County Land Use and Development Code. The rezone does not involve any development and would not increase the density of either parcel beyond what is anticipated under the existing Comprehensive Plan designation (i.e. one residence per lot). The subject parcels are currently zoned for agricultural use and would remain zoned for agricultural use. All types of agriculture allowed under the current zoning district (100-AG) would be allowed under the proposed zoning district (AG-II-100). The Consistency Rezone is exempt from CEQA under Section 15061(b)(3) because it is a legislative action there is no potential for a significant effect on the environment.

Lot Line Adjustment

Section 15061(b)(3) of the “Guidelines for Implementation of California Environmental Quality Act” states that a project is exempt if, *“The activity is covered by the general rule that CEQA applies only to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”* The requested Lot Line Adjustment (LLA) would constrain development on the property in comparison to existing conditions. Therefore, it can be determined with certainty that the project would not have the potential to result in significant impacts compared to baseline conditions. None of the County’s adopted thresholds of significance would be exceeded. Existing Lot B is currently developed with an existing residence and an access road. The LLA would in no way impact the existing structures or access road, except that the LLA would place the access road directly on proposed Parcel 2, instead of the current configuration (in which access to existing Lot B is obtained via a road and easement located on existing Lot A). The developed area on existing Lot B is, and would continue to be, the most likely and most suitable area of proposed Parcel 2 to be redeveloped in the future. Existing Lot A is currently developed with an access road leading to an area of the property that is clear of vegetation and located on slopes of less than 20%. Due to available access and limited resource constraints (when compared with other portions of the property), this area is the portion of the property most likely and suitable for future development of proposed Parcel 1. The LLA includes a proposal for a Development Envelope surrounding this portion of proposed Parcel 1, thereby constraining development and reducing potential impacts in comparison to baseline conditions. Because the LLA would not cause greater pressure to be placed on any on-site resource or cause a pattern of development that would differ from existing conditions, the potential for resource impacts following the LLA would be the same or less (in the case of Parcel 1) as the potential for resource impacts under existing conditions. Additionally, no current or future development is linked to the proposed LLA and any future development of the lots would be subject

to review by Planning and Development for environmental impacts and policy consistency. Therefore, the LLA is exempt from CEQA under Section 15061(b)(3).

Section 15305 of the "Guidelines for Implementation of the California Environmental Quality Act" exempts certain minor alterations in land use limitations from the requirements of CEQA. Section 15305(a) exempts "*minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.*" The proposed Lot Line Adjustment would result in a minor alteration in land use limitations for the subject parcels. The development areas of the subject parcels contain average slopes of less than 20%. The development envelope on proposed Parcel 1 (existing Lot A) constrains slopes of under 20% and the existing residence on proposed Parcel 2 (existing Lot B) is located on slopes under 20%. The proposed Lot Line Adjustment does not result in the creation of a new parcel, and does not result in any changes in land use or density. Therefore, the LLA is exempt from CEQA under Section 15305(a).

Lead Agency Contact Person: Nicole Lieu

Phone (805) 884-8068

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

distribution: Hearing Support Staff

Project file (when P&D permit is required)

Date Filed by County Clerk: _____.

ATTACHMENT D: DRAFT RESOLUTION

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

IN THE MATTER OF RECOMMENDING THAT THE) RESOLUTION NO. 10-_____
BOARD OF SUPERVISORS ADOPT AN ORDINANCE)
AMENDING SECTION 35-1, THE SANTA)
BARBARA COUNTY LAND USE AND)
DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF) Case No: 08RZN-00000-00008
THE COUNTY CODE, BY AMENDING THE)
COUNTY ZONING MAP BY CHANGING THE)
ZONING OF ASSESSOR'S PARCEL NUMBERS)
081-040-052 AND 081-040-012)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code; and
- B. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 08RZN-00000-00008) amending the County Zoning Map. Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.
- D. The proposed Rezone is in the interest of the general community welfare because it will bring the subject parcels into conformance with the County Land Use & Development Code.
- E. Public officials and agencies, civic organizations, and citizens have been consulted and have advised the Planning Commission on the proposed amendments in a duly noticed public hearing pursuant to Sections 65853 of the Government Code.
- F. The Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed amendments, at which hearing the amendments were explained and comments invited from the persons in attendance.
- G. The Planning Commission of the County of Santa Barbara, after holding duly noticed public hearings on the above described item, has endorsed and transmitted to the Board of Supervisors said recommended change by resolution pursuant to Government Code Section 65855.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. A copy of this resolution shall be transmitted to the Board of Supervisors.

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2011 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JOE VALENCIA, Chair
Santa Barbara County Planning Commission

ATTEST:

DIANNE BLACK
Secretary of the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By _____
Deputy County Counsel

EXHIBITS:

1. Zoning Map Amendment (Rezone) Ordinance 08RZN-00000-00008

EXHIBIT 1

ZONING MAP AMENDMENT (REZONE) ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING THE COUNTY ZONING MAP BY CHANGING THE ZONING OF ASSESSOR'S PARCEL NUMBERS 081-040-052 AND 081-040-012.

Case No. 08RZN-00000-00008

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 amended as they relate to the Assessor's Parcel Numbers 081-040-052 and 081-040-012.

SECTION 2:

Pursuant to the provisions of Section 35.14.020, "Adopting New Zoning Ordinances and Maps," of Land Use 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 _____, which redesignates Assessor's Parcel Numbers 081-040-052 and 081-040-012 from General Agriculture, 100-acre minimum lot area (100-AG) to Agriculture II, 100-acre minimum lot area (AG-II-100).

SECTION 3:

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

SECTION 7:

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

SECTION 8:

This ordinance shall take effect and be in force 30 days from the date of its passage; and before the expiration of 15 days after its passage 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 News Press 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 _____, 2011, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JONI GRAY
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA WALLAR
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

DENNIS A. MARSHALL
County Counsel

By _____
Deputy County Counsel

Attachments

Exhibit A: Area to be Rezoned from General Agriculture (100-AG) to Agriculture II (AG-II-100).

ATTACHMENT E: 08LLA-00000-00011 CONDITIONS OF APPROVAL

- 1. Proj Des-01 Project Description.** This Lot Line Adjustment is based upon and limited to compliance with the project description, hearing exhibit # 1 dated February 16, 2011, and all conditions of approval set forth below, including specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

Lot Line Adjustment to adjust lines between two lots of 40.6-acres (Lot A) and 65.8-acres (Lot B) to reconfigure into two lots of 40.0 acres (Parcel 1) and 66.4 acres (Parcel 2), on property zoned AG-100.

	Parcel 1 (081-040-052)	Parcel 2 (081-040-012)	Total
Existing	40.6 acres	65.80 acres	106.4
Proposed	40.0 acres	66.40 acres	106.4

A 2.1 acre Development Envelope is proposed on proposed Parcel 1. The Development Envelope surrounds a portion of proposed Parcel 1 that contains slopes under 20% and that is relatively un-vegetated due to previous clearance. An existing 50 foot wide access and utilities easement over Lot A, in favor of Lot B, would be abandoned.

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

- 2. Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

PROJECT SPECIFIC CONDITIONS

- 3. DevEnv-01a Development Envelope.** All structural development shall be limited to the development envelope(s) designated on Exhibit 1 dated February 16, 2011. All site preparation, ground disturbances and construction activities including those for structures, subsurface grading, drainage components, irrigation, landscaping, and the first 30 feet of vegetation clearance for fuel management purposes, shall occur within the designated development envelope. No field alteration to plans shall allow construction, storage or staging outside of these development envelopes. **PLAN REQUIREMENTS:** The Development

Envelope shall be described by metes and bounds and, with this condition, shall be recorded with the final map on the deed.. The Development Envelope shall be depicted on all plans submitted for Land Use Permits and building permits. **TIMING:** The development envelope shall be staked in the field prior to approval of the Land Use Permit. **MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved development envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the development envelopes and that staking remains in place during construction.

4. **Special Parcel 1 Sanitary Service.** Due to rapid percolation rates, future development of sanitary service facilities on proposed Parcel 1 shall observe a 250 foot setback from any domestic water supply well or any surface water feature, including, but not limited to, wetlands and seasonal and year-round streams, creeks and other drainages. **PLAN REQUIREMENTS:** Proposed sanitary service facilities shall be shown on project plans. The location of any domestic water supply well or any surface water feature, including, but not limited to, wetlands and seasonal and year-round streams, creeks and other drainages shall be shown on project plans. **TIMING:** The location of sanitary service facilities and the location of any domestic water supply and surface water features shall be shown any project plans at the time of submittal for permits to develop the site. **MONITORING:** P&D and Environmental Health Services shall review project plans for conformance with this condition. Environmental Health Services and Building and Safety staff shall confirm compliance in the field.

LOT LINE ADJUSTMENT CONDITIONS

5. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Lot Line Adjustment, the Owner/Applicant shall submit a Final Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
6. **Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds used to finalize (or any document used to record) the lot line adjustment: "This deed/document arises from the lot line adjustment 08LLA-00000-00011 and defines a single parcel within the meaning of California Civil Code Section 1093 2 legal parcels created by 08LLA-00000-00011." The County Surveyor shall determine the appropriate documents necessary to record with the deeds.

COUNTY RULES AND REGULATIONS

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 this project. 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-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.
9. **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.

Tentative Lot Line Adjustment

No. 08LLA-00000-00011 (Kong)

Parcel A of Parcel Map No. 12432 filed in Parcel Map Book 19, Pages 49 thru 51, records of Santa Barbara County: The West half of the Southeast quarter of Section 12, Township 5 North, Range 31 West, San Bernardino Meridian, excepting therefrom, 2.20 acres along the northerly side thereof as described in the deed to J.J. Pico, recorded in Book 91 of Deeds, at page 508, records of said County; That portion of the Northeast quarter of the Southeast quarter of said Section 12, described as: Beginning at a point on the west line thereof, from which the center of said section bears North 19° links, thence South 85° East 122 links, thence South 18.09 chains to the north line of the Southeast quarter of the Southeast quarter of said Section; thence West 122 chains to the Southwest corner of the Northeast quarter of the Southeast quarter of said Section; thence North 18.09 chains to the point of beginning. Excepting from the above described parcels that portion thereof that was conveyed by John L. Gantolilo, et al. to F.F. Flinnomy by that certain deed dated August 25, 1941 and recorded October 2, 1941, as Instrument No. 8375, in Book 531, Page 398 in the official records of Santa Barbara County.

Project Description

To reconfigure the parcels described above for estate purposes.

Parcel Statistics

APN 081-040-012 (Exist. Lot A)
Acres = 40.63 acres (Assessor)
Zoning = 100-AG

Proposed Parcel One
40.0 acres gross +/- (-1.6% change)
38.9 acres net +/-

APN 081-040-012 (Exist. Lot B)
Acres = 65.80 acres (Assessor)
Zoning = 100-AG

Proposed Parcel Two
66.4 acres gross +/- (+0.9 change)
64.8 acres net +/-

Owner's

Three Hawks Ranch, LLC
c/o Michael Kang
367 S. Rimpau Blvd
Los Angeles, CA 90020

Agent

Steven M. Fort
Suzanne Elledge Planning & Permit Processing
400 Santa Barbara Street
Santa Barbara, CA 93101
(805) 966-2758 x20
stevef@seppia.com

Utilities

Water - private well
Sewage - private well
Electric - San. Cal. Edison
Telephone - Verizon
Cable - Cox

Easements

County of Santa Barbara for public utilities per BK 65 Deeds, Pg. 240 (10/71/898) unlocatable USA, for road purposes per Bk. 328 OR Pg. 228 (1/81/915) & Bk. 321 OR Pg. 236 (1/81/915) unlocatable
Southern California Edison for public utilities per Bk. 2538 OR Pg. 1421 (4/31/975)
US Forest Service for road purposes per Bk. 328 OR Pg. 229 (1/81/915) unlocatable
Southern California Telephone for brush clearing per Bk. 539 OR Pg. 311 (1/14/1949) unlocatable
Pacific Telephone & Telegraph for telephone & telegraph structures per Bk. 842 OR Pg. 83 (3/29/1949)
County of Santa Barbara for public road per Bk. 1899 OR Pg. 926 (1/26/1962) unlocatable
John & Frank Gendelin for road and public utilities per Bk. 2536 OR Pg. 1205 (10/81/974)

Owner's Certificate

I hereby apply for approval of the adjustment of the real property shown on this plan and certify that I am the legal owner (or agent for same) of said property and that the information shown hereon is true and correct to the best of my knowledge and belief.

Steven M. Fort, Agent Date:

Surveyor's Statement

This Tentative Lot Line Adjustment Map was prepared by me or under my direction on the 28th day of May, 2010. Topographic information shown herein is derived from the California Spatial Information Library. Record title information is cited per First American Title Preliminary Title Report No. 4201-01047097 dated October 27, 2009.

Jon McKellar
PLS 7578
License Expiration Date: 31 December 2011



Vicinity Map

Not to Scale

