

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 5/18/01
Department Name: Planning & Development
Department No.: 053
Agenda Date: 6/5/01
Placement: Departmental
Estimate Time: 1 hour
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: John Patton, Director
Planning & Development

STAFF CONTACT: Dave Ward, Comprehensive Planning Division
568-2072

SUBJECT: California Coastal Commission Certification of the Local Coastal Plan Amendment with suggested modifications for the Lot Size Compliance and Lot Line Adjustment Program.

RECOMMENDATION(S):

That the Board of Supervisors:

- 1) Receive the California Coastal Commission's certification of the Local Coastal Program Amendment (MAJ-I-00) with suggested modifications for the Lot Size Compliance and Lot Line Adjustment Program (see Attachment A).
- 2) Consider the suggested modifications by the Coastal Commission and adopt the modifications into the Coastal Zoning Ordinance, Article II, (see Attachments B).
- 3) Authorize the Chair to acknowledge receipt of the California Coastal Commission's certification and subsequent County action to adopt the Program with suggested modifications (see Attachment C).

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community; Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit; Goal No. 4. A Community that is Economically Vital and Sustainable; and Goal No. 5.A High Quality of Life for All Residents; and actions required by law or by routine business necessity.

Executive Summary and Discussion:

The goal of the Program is to enhance compliance with the basic zoning tool for orderly community development—the minimum lot size requirement for development. It does this in two ways. First, the Program defines and eliminates fraction lots from the exception to minimum lot size requirements of the zoning ordinances that allows substandard size lots to apply for development of single family residences. Second, it provides standards and procedures for Lot Line Adjustments (LLAs) to ensure that parcels resulting from LLAs meet minimum parcel size requirements and are consistent with County land use policies and zoning ordinances. The Program also incorporates existing state law requirements for LLAs on Agricultural Preserve parcels (Williamson Act Contract Lands) as required County findings for LLAs.

On September 12, 2000, your Board adopted the Program countywide and submitted the required LCP Amendment to the California Coastal Commission (Resolution No. 00-319). The California Coastal Commission certified the LCP Amendment on April 12, 2001, with several suggested modifications to the Program to ensure compliance with the County’s Local Coastal Plan (see Attachment A). Staff is recommending the Board adopt as part of the LCP Amendment all 3 suggested modifications as described below. Before the Program becomes effective in the coastal zone, the County must transmit acknowledgement and acceptance of the Program modifications to the Coastal Commission for final review and approval of the County’s action (see Attachment C).

Modification Nos. 1 & 2: *Procedures for Lot Line Adjustments*

Modification No. 1 is the removal of a provision in the coastal zoning ordinance, Article II, Sec.35-169.2.1.h, that exempts LLAs not resulting in an increase in the number of lots from a coastal development permit. This existing section of the coastal zoning ordinance is an erroneous provision since a lot line adjustment cannot result in the creation of a greater number of parcels than originally existed prior to the adjustment, pursuant to the Subdivision Map Act, Section 66412(d). By eliminating this section from Article II, the County is not changing the legal process or current practice of the County to process LLAs consistent with the County’s LCP. Therefore, staff recommends deletion of this section from Article II.

Similar to the procedural modification above, Modification No. 2 is an addition in the coastal zoning ordinance to explicitly state that LLAs are considered development under the Coastal Act and therefore subject to the County Local Coastal Program. Staff recommends inclusion of the statement into the new LLA section of Article II.

Modification No. 3: *Program Exception Provision for Naples Townsite*

The County’s LCP amendment provides that the Official Map of Naples Townsite will be subject to the Program’s new lot line adjustment regulations unless and until a development agreement that incorporates different standards for lot line adjustments is approved by the County Board of Supervisors. Any Naples Townsite development agreement will require consistency with the Local Coastal Plan, comply with CEQA and be implemented through adoption of an ordinance. In reviewing the LCP Amendment, the Coastal Commission determined that any Naples Townsite development agreement will require certification by the Commission. Staff supports this modification and recommends incorporation of the language as specified by the Commission (see Attachment A).

Mandates and Service Levels:

Adoption of the Lot Size Compliance and Lot Line Adjustment Program would eliminate the development eligibility of substandard size fraction lots. New standards for lot line adjustments would prohibit the use of lot line adjustments to increase subdivision potential or to increase the number of residentially developable parcels and protect agricultural viability for lot line adjustments proposed on agricultural preserve contract lands. No changes in service levels would occur beyond those authorized under P&D's existing work program for adoption and implementation of the Program.

Fiscal and Facilities Impacts:

No change in fiscal impacts beyond P&D's adopted budget; no facilities impacts.

Special Instructions:

None.

Concurrence:

County Counsel.

Attachment:

Attachment A: California Coastal Commission LCP Amendment Action Letter, dated April 27, 2001
Attachment B: California Coastal Commission LCP Amendment Staff Report & Addendum
Attachment C: Board Resolution to Adopt Certified LCP Amendment with Modifications

cc: Clerk of the Board
Alan Seltzer, County Counsel
John Patton, Planning & Development Director
Dan Gira, Comprehensive Planning
Rita Bright, Development Review – South County
Stephen DeCamp, Development Review – North County
Mike Emmons, County Surveyor
Patty Miller, Development Review – Coastal Commission Coordinator
Lot Size Compliance & Lot Line Adjustment Program File (Dave Ward)