

# **ATTACHMENT 4: 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 Santa Barbara County Board of Supervisors has considered the Addendum dated February 5, 2013, 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 Board of Supervisors 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 Board of Supervisors finds that the project changes described in the Addendum are only minor technical changes or additions. Therefore, since none of the following have occurred: 1) no substantial changes are proposed in the project that will require revisions to the previous environmental document; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and 3) there is no new information of substantial importance, no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Section 15162.

#### **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 Clerk of the Board of Supervisors located at 105 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed 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 analyzed in the Santa Barbara Ranch EIR,, no substantial changes are proposed in the project and no substantial changes occur with respect to the circumstances under which the project is 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 of substantial importance 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. Findings required for all Lot Line Adjustments. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations), a Lot Line Adjustment 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 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 including the Coastal Land Use Plan (CLUP). As discussed in finding 2.1.A.6 included with Attachment 4 of the Board of Supervisors staff report dated February 5, 2013 and Sections 6.2 and 6.3 of the Planning Commission 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 and Countywide Land Use Development Code (LUDC) zoning ordinance allowances, restrictions and development standards.

Further, the purpose of the County's Land Use Development Code (35.10.010) is "to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses within the County..." The proposed lot line adjustment is in conformance with the stated purpose of the LUDC because it provides for the orderly adjustment of privately owned parcels while protecting and promoting the public's general welfare. 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 would take 1617.5 acres from one parcel (Existing

Lot A) and add it to an adjoining parcel (Existing Lot B), 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 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 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.***

There are no existing violations of lot width, setback, lot coverage, parking or other similar requirement of the applicable zone on the subject lots. 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result 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) Article III (Sections 35-306. and 35-307.) and Article IV (Sections 35-476. and 35-477.)(Articles III and IV replaced by the County Land Use Development Code and the Montecito Land Use Development Code).***

There are no open zoning or building violations on the subject properties. 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 with the exception of the size of Existing Lot B. At 76 acres, Existing Lot B is non-conforming as to parcel size (minimum of 100 acres) in the AG-II-100 zone district prior to the lot line adjustment. However, after recordation of the lot line adjustment, both of the resultant lots will be larger than 100 acres in size and therefore consistent with the minimum lot size requirement of the AG-II-100 zone district. Further, 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Each of these employee dwellings is provided adequate public/private services including existing private septic systems, the Goleta Water District provides potable water and the Santa Barbara County Fire Department provide emergency services. Additionally, each of the five employee dwellings take vehicular access from Dos Pueblos Canyon Road. 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. Therefore, this finding can be made.

**B. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations), 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 finding 2.1, the project complies with all the findings required for lot line adjustments as enumerated in Section 21-93.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.***

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). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014 which includes a total of 2,566 acres under contract. The two proposed replacement Williamson Act contracts would include a total of 2,566 acres comprising the same lands as 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.***

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). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014 which includes a total of 2,566 acres under contract. The two proposed replacement Williamson Act contracts would include a total of 2,566 acres. 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. Existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment and both of the subject lots would continue to be included in agricultural preserve contracts because of the requirement in Condition of Approval No. 2 to record replacement contracts concurrent with the 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to

be used as grazing land. 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. 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 existing lots are legal, developable lots. The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in two resultant lots including a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The lot line adjustment project 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 including the CLUP. As discussed in finding 2.1.A.6 included with Attachment 4 of the Board of Supervisors staff

report dated February 5, 2013 and Sections 6.2 and 6.3 of the Planning Commission 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 and Countywide Land Use Development Code zoning ordinance allowances, restrictions and development standards.

Further, the purpose of the County's Land Use Development Code (35.10.010) is "to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses within the County..." The proposed lot line adjustment is in conformance with the stated purpose of the LUDC because it provides for the orderly adjustment of privately owned parcels while protecting and promoting the public's general welfare. 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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.***

There are no existing violations of lot width, setback, lot coverage, parking or other similar requirement of the applicable zone on the subject lots. 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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).*

There are no open zoning or building violations on the subject properties. 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 with the exception of the size of Existing Lot B. At 76 acres, Existing Lot B is non-conforming as to parcel size (minimum of 100 acres) in the AG-II-100 zone district prior to the lot line adjustment. However, after recordation of the lot line adjustment, both of the resultant lots will be larger than 100 acres in size and therefore consistent with the minimum lot size requirement of the AG-II-100 zone district. Further, 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Each of these employee dwellings is provided adequate public/private services including existing private septic systems, the Goleta Water District provides potable water and the Santa Barbara County Fire Department provide emergency services. Additionally, each of the five employee dwellings take vehicular access from Dos Pueblos Canyon Road. 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. 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.***

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). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014 which includes a total of 2,566 acres under contract. The two proposed replacement Williamson Act contracts would include a total of 2,566 acres comprising the same lands as 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.***

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). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014 which includes a total of 2,566 acres under contract. The two proposed replacement Williamson Act contracts would include a total of 2,566 acres comprising the same lands as 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 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. Existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment and both of the subject lots would continue to be included in agricultural preserve contracts because of the requirement in Condition of Approval No. 2 to record replacement contracts concurrent with the 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.

**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 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. 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.

**6. *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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. 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.

**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 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 existing lots are legal, developable lots. The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in two resultant lots including a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The lot line adjustment project 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.

## **2.3 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 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 including the CLUP. As discussed in finding 2.1.A.6 included with Attachment 4 of the Board of Supervisors staff report dated February 5, 2013 and Sections 6.2 and 6.3 of the Planning Commission 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 and Countywide Land Use Development Code zoning ordinance allowances, restrictions and development standards.

Further, the purpose of the County's Land Use Development Code (35.10.010) is "to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses within the County..." The proposed lot line adjustment is in conformance with the stated purpose of the LUDC because it provides for the orderly adjustment of privately owned parcels while protecting and promoting the public's general welfare. 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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 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.***

There are no existing violations of lot width, setback, lot coverage, parking or other similar requirement of the applicable zone on the subject lots. 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result 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).***

There are no open zoning or building violations on the subject properties. 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 with the exception of the size of Existing Lot B. At 76 acres, Existing Lot B is non-conforming as to parcel size (minimum of 100 acres) in the AG-II-100 zone district prior to the lot line adjustment. However, after recordation of the lot line adjustment, both of the resultant lots will be larger than 100 acres in size and therefore consistent with the minimum lot size requirement of the AG-II-100 zone district. Further, 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 take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Each of these employee dwellings is provided adequate public/private services including existing private septic systems, the Goleta Water District provides potable water and the Santa Barbara County Fire Department provide emergency services. Additionally, each of the five employee dwellings take vehicular access from Dos Pueblos Canyon Road. 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. 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 finding 2.3, 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.***

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). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014 which includes a total of 2,566 acres under contract. The two proposed replacement Williamson Act contracts would include a total of 2,566 acres comprising the same lands as 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.***

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). The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel

(Existing Lot B), and would result in a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). Both of the legal lots included in the project are covered by Agricultural Preserve contract 77-AP-014 which includes a total of 2,566 acres under contract. The two proposed replacement Williamson Act contracts would include a total of 2,566 acres comprising the same lands as 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. Existing agricultural uses of the subject lots will be unaffected by the recordation of the subject lot line adjustment and both of the subject lots would continue to be included in agricultural preserve contracts because of the requirement in Condition of Approval No. 2 to record replacement contracts concurrent with the 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. 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 would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), 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. Proposed Lot 1 would continue to be used for a variety of agricultural uses including cattle grazing and avocado and citrus orchards and Proposed Lot 2 would continue to be used as grazing land. 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 existing lots are legal, developable lots. The proposal would take 1617.5 acres from one parcel (Existing Lot A) and add it to an adjoining parcel (Existing Lot B), and would result in two resultant lots including a 1,693.50-acre lot (Proposed Lot 1) and 360-acre lot (Proposed Lot 2). The lot line adjustment project 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.