

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:

Prepared on: March 24, 2006
Department Name: Planning and Development
Department No.: 053
Agenda Date: April 4, 2006
Placement: Departmental
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TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning & Development Department

STAFF CONTACT: Steve Chase, Deputy Director
568-2520

SUBJECT: Zaleski Lot Line Adjustment and Rezone
Case Nos. 05LLA-00000-00014 & 05RZN-00000-00009

Recommendations:

That the Board of Supervisors:

1. Adopt the required findings for the Lot Line Adjustment, Case No. 05LLA-00000-00014, including the California Environmental Quality Act (CEQA) findings, specified in the Montecito Planning Commission Action Letter, Attachment A;
2. Adopt the required findings for the Rezone, Case No. 05RZN-00000-00009, including the CEQA findings, specified in the Montecito Planning Commission Action Letter, Attachment A;
3. Accept the Notice of Exemption pursuant to Section 15305 of the State CEQA Guidelines, specified in the Montecito Planning Commission Staff Report, Attachment B;

4. Approve the Lot Line Adjustment, Case No. 05LLA-00000-00014, subject to the conditions specified in the Montecito Planning Commission Action Letter, Attachment A;
5. Adopt an Ordinance Rezone for APN's 011-060-032 & 011-060-033, amending the Montecito Zoning Map, Exhibit Number 35-404.7.2, included as part of the Montecito Planning Commission Staff Report, Attachment B.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Background

The project site is located at 1478 (Parcel 1) & 1474 (Parcel 2) East Mountain Drive, approximately three miles north of US Highway 101 and identified as assessor parcel numbers 011-060-032 and 011-060-033.

Parcel 1 is currently developed with a 5,000 square foot single-family residence, a two-story garage and guest house structure, a cabana and a pool. The main residence and garage/guesthouse were constructed in 1959 and the pool and cabana were constructed in 1960.

Parcel 2 is currently developed with an 11,497 square foot single family residence, several accessory structures, a cabana, and a pool. The main residence was constructed in 1969. The pool and cabana were constructed in 1992 and 1994 respectively. The accessory structures were constructed after 2000.

Project Description

The project includes a Lot Line Adjustment between two parcels, located at 1478 (Parcel 1) and 1474 (Parcel 2) East Mountain Drive (APNs 011-060-032 and -033, respectively) in the Montecito Area. The purpose of the Lot Line Adjustment is to adjust the property line between the two subject parcels in order to protect a landscape buffer which affords privacy for 1474 East Mountain Drive (parcel 2). Parcel 2 is currently zoned 2-E-1 and Parcel 1 is currently zoned 3-E-1 (these zoning designations will switch as a result of the concurrently proposed rezone 05RZN-00000-00009). As a result of the Lot Line Adjustment, Parcel 2 would increase in size from 2.63 acres to 3.59 acres (gross) and Parcel 1 would decrease in size from 3.59 acres to 2.45 acres (gross). The 0.97 acre area of adjustment currently contains a septic system that serves Parcel 1 which will be abandoned in accordance with Environmental Health Services requirements. The owner proposes to replace the private system with a connection to the Montecito Sanitary District, the location of which is defined

on the project site plan. Access for both parcels is taken from East Mountain Drive via a private driveway.

Staff Discussion

The proposed Lot Line Adjustment would result in an adjustment of 0.97 acres containing a landscape buffer which affords privacy for 1474 East Mountain Drive (parcel 2). The Montecito Planning Commission found that the proposed lot line adjustment could be approved consistent with the Montecito Community Plan and the Article IV zoning requirements, with the condition that no structural development other than perimeter fencing could be undertaken in the adjusted area. This condition was added by the MPC after the applicant indicated it had no intention of using the adjusted area for anything other than landscaping purposes in order to act as a buffer to development on the adjacent Parcel 1.

As a result of the lot line adjustment, Parcel 2's zoning designation would be split along the original property line. In order to avoid creating a split zone on Parcel 2, as well as to avoid a non-conforming lot size on parcel 1 (currently in the 3-E-1 zone district but will become 2.44 acres), the applicants are proposing to rezone the two properties (application No. 05RZN-00000-00009). The rezone would result in Parcel 1 having a 2-E-1 zoning designation and Parcel 2 having a 3-E-1 zoning designation. This would not result in "island" or "spot" zoning because both of the properties are currently adjacent to each of these zone districts.

Montecito Planning Commission Action

At its February 9, 2006 hearing, the Montecito Planning Commission unanimously recommended to the Board of Supervisors that the Zaleski Lot Line Adjustment and Rezone project be approved with the added condition that no structural development shall occur in the area of adjustment. This recommendation was based in part on the project's consistency with the Comprehensive Plan, including the Montecito Community Plan and the Chapter 21 Subdivision Regulations and the ability to make the required findings. The Montecito Planning Commission action letter and staff report are included as Attachments A and B, respectively.

Added Condition No. 11:

11. Additional development, including development of structures associated with landscaping but not including perimeter fencing, shall not occur within the landscape buffer created by this Lot Line Adjustment. (0.97 acres).

Mandates and Service Levels:

No changes in programs or service levels are anticipated.

Pursuant to Section 35-487.4.3 of Article IV, the Montecito Zoning Ordinance, a Rezone requires final action by the Board of Supervisors. Pursuant to Section 35-474 of Article IV,

jurisdiction over two or more applications relating to the same development project rests with the highest level decision maker for any of the individual applications. The applications for Case Nos. 05LLA-00000-00014 & 05RZN-00000-00009 are therefore within the jurisdiction of the Board of Supervisors.

Fiscal and Facilities Impacts:

The costs associated with processing this application are borne by the applicant per the Planning & Development adopted fee schedule. Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, South Division on Page D-296 of the adopted 2005-2006 fiscal year budget.

Special Instructions:

The Clerk of the Board shall forward a copy of the Minute Order to Planning & Development, Attention: Cintia Mendoza, Hearing Support.

Planning & Development will prepare all final action letters and notify all interested parties of the Board of Supervisors final action.

Concurrence:

County Counsel

Prepared by: Errin Briggs, Planner, Development Review South Division

ATTACHMENTS:

- A. Montecito Planning Commission Action Letter including Findings and Conditions of Approval, dated February 9, 2006.
- B. Staff Report to the Montecito Planning Commission, dated January 26, 2006, including the California Environmental Quality Act Exemption.