

**Attachment 4: Planning Commission Resolution No. 21-07 Denial of Amendments
to the Zoning Map of the LUDC**

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

IN THE MATTER OF RECOMMENDING THAT
THE BOARD OF SUPERVISORS DENY THE
REQUEST TO AMEND AN ORDINANCE TO
AMEND THE SANTA BARBARA COUNTY LAND
USE AND DEVELOPMENT CODE BY
AMENDING THE SANTA BARBARA COUNTY
ZONING MAP FOR PORTIONS OF ASSESSOR'S
PARCEL NUMBER 129-151-026 FROM RR-10
TO PRD-119 ZONING.

RESOLUTION NO.: 21- 07

CASE NO.: 13RZN-00000-00001

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan for the County of Santa Barbara; and
- B. WHEREAS on July 22, 1997, by Resolution No. 97-314, the Board of Supervisors of the County of Santa Barbara adopted the Orcutt Community Plan.
- C. WHEREAS on July 10, 2001, by Resolution No. 01-225, the Board of Supervisors of the County of Santa Barbara adopted amendments (Case No. 01-GP-005) to various water policies, development standards and actions of the Orcutt Community Plan.
- D. WHEREAS on September 21, 2004, by Resolution No. 04-261, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 04-GPA-00000-00011), including text amendments to Action OT-O-2.2 to support revitalization efforts in Old Town Orcutt.
- E. WHEREAS on July 25, 2006, by Resolution No. 06-236, the Board of Supervisors of the County of Santa Barbara adopted the Old Town Orcutt Streetscape Concept Plan.
- F. WHEREAS on July 25, 2006, by Resolution No. 06-238, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 05GPA-00000-00006), including amendments to the Land Use Designations Map, the Parks, Recreation, and Trails Map, and Development Standard KS30-2.
- G. WHEREAS on February 24, 2009, by Resolution No. 09-034, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 08GPA-00000-00009), including amendments to the text and to land use designations to ensure consistency with the General Plan Housing Element Focused Rezone Program.

- H. WHEREAS on December 11, 2012 by Resolution No.12-293, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00001), including text amendments to various flood control policies, development standards and actions, and amendments to Figure 31 (Regional Basins Map).
- I. WHEREAS on December 11, 2012 by Resolution No.12-294, the Board of Supervisors of the County of Santa Barbara adopted text amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00002).
- J. WHEREAS on June 4, 2013 by Resolution No.13-160, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 13GPA-00000-00003), including amendments to Key Site 22 text and to Figure KS22-2, Figure 24 (Significant Vegetation Map), Figure 25 (Biological Habitat Map), and Figure 22-2 (Key Site 22 Map p. KS22-11).
- K. WHEREAS on January 5, 2016, by Resolution No. 16-7, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (14GPA-00000-00006) amending Key Site 12 Policy 12-2A and B, which address provision of affordable housing and parks.
- L. WHEREAS the County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code on the proposed amendments to the Zoning Map, at which hearing the proposed amendments were explained and comments invited from persons in attendance.
- M. The County Planning Commission now finds that the proposed rezone is not in the interest of the orderly development of the County and is not important to the preservation of the health, safety and general welfare of the residents of the County for the reasons identified below. The Planning Commission recommends that the Board of Supervisors deny the request to amend the Zoning Map (Case No. 13RZN-00000-00001) revisions as identified in Exhibit 1 attached hereto.
- 1) The proposed project density and smaller lot size is not compatible with the existing rural ranchette development to the west of Key Site 3.
- N. WHEREAS, in compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed ordinance to include the reasons for the recommendation and the relationship of the proposed ordinance to applicable general and specific plans, the County Planning Commission has determined that the proposed ordinance does not represent good planning and the proposed ordinance is inconsistent with the Orcutt Community Plan and Land Use and Development Code findings as discussed in the Findings, Attachment A of the Planning Commission Staff Memo dated May 18, 2021, and incorporated herein by reference

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.

2. In compliance with the provisions of Section 65355 of the Government Code, the Commission recommends that the Board of Supervisors deny the request to amend Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, to change the zoning of 130.6 acres of Assessor's Parcel Number 129-151-026 from the Residential Ranchette, 10 acre minimum parcel size (RR-10) zoning to the Planned Residential Development (PRD-119) zone district, as identified in Exhibit 1A, based on the findings for denial included as Attachment A of the Planning Commission staff memo dated May 18, 2021. Said requested Ordinance amendment is attached hereto as Exhibit 1 and is incorporated by reference.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this May 26, 2021 by the following vote:

AYES: Cooney, Parke, Ferini, Blough

NOES: Bridley

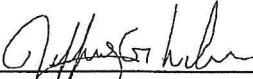
ABSTAIN:

ABSENT:



LARRY FERINI, Chair
Santa Barbara County Planning Commission

ATTEST:



JEFF WILSON
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 

Deputy County Counsel

EXHIBIT:

Attachment 1: Board of Supervisors Resolution

Exhibit 1: Ordinance to Amend Assessor Parcel Number 129-151-026

Exhibit 1A: Rezone Exhibit

ATTACHMENT 1

**RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF DENYING THE REQUEST
TO ADOPT AN ORDINANCE TO THE SANTA
BARBARA COUNTY LAND USE AND
DEVELOPMENT CODE BY AMENDING THE
SANTA BARBARA COUNTY ZONING MAP FOR
PORTIONS OF ASSESSOR'S PARCEL NUMBER
129-151-026 FROM RR-10 TO PRD-119
ZONING.

RESOLUTION NO.: 21- ____

CASE NO.: 13RZN-00000-00001

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan for the County of Santa Barbara; and
- B. WHEREAS on July 22, 1997, by Resolution No. 97-314, the Board of Supervisors of the County of Santa Barbara adopted the Orcutt Community Plan.
- C. WHEREAS on July 10, 2001, by Resolution No. 01-225, the Board of Supervisors of the County of Santa Barbara adopted amendments (Case No. 01-GP-005) to various water policies, development standards and actions of the Orcutt Community Plan.
- D. WHEREAS on September 21, 2004, by Resolution No. 04-261, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 04-GPA-00000-00011), including text amendments to Action OT-O-2.2 to support revitalization efforts in Old Town Orcutt.
- E. WHEREAS on July 25, 2006, by Resolution No. 06-236, the Board of Supervisors of the County of Santa Barbara adopted the Old Town Orcutt Streetscape Concept Plan.
- F. WHEREAS on July 25, 2006, by Resolution No. 06-238, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 05GPA-00000-00006), including amendments to the Land Use Designations Map, the Parks, Recreation, and Trails Map, and Development Standard KS30-2.
- G. WHEREAS on February 24, 2009, by Resolution No. 09-034, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 08GPA-00000-00009), including amendments to the text and to land use

designations to ensure consistency with the General Plan Housing Element Focused Rezone Program.

- H. WHEREAS on December 11, 2012 by Resolution No.12-293, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00001), including text amendments to various flood control policies, development standards and actions, and amendments to Figure 31 (Regional Basins Map).
- I. WHEREAS on December 11, 2012 by Resolution No.12-294, the Board of Supervisors of the County of Santa Barbara adopted text amendments to the Orcutt Community Plan (Case No. 11GPA-00000-00002).
- J. WHEREAS on June 4, 2013 by Resolution No.13-160, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (Case No. 13GPA-00000-00003), including amendments to Key Site 22 text and to Figure KS22-2, Figure 24 (Significant Vegetation Map), Figure 25 (Biological Habitat Map), and Figure 22-2 (Key Site 22 Map p. KS22-11).
- K. WHEREAS on January 5, 2016, by Resolution No. 16-7, the Board of Supervisors of the County of Santa Barbara adopted amendments to the Orcutt Community Plan (14GPA-00000-00006) amending Key Site 12 Policy 12-2A and B, which address provision of affordable housing and parks.
- L. WHEREAS the County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code on the proposed amendments to the Zoning Map, at which hearing the proposed amendments were explained and comments invited from persons in attendance.
- M. The Board of Supervisors now finds that the proposed rezone is not in the interest of the orderly development of the County and is not important to the preservation of the health, safety and general welfare of the residents of the County for the reasons identified below. The Board of Supervisors adopts a resolution denying the requested amendment the Zoning Map (Case No. 13RZN-00000-00001) as identified in Exhibits 1 and 1A attached hereto.
 - 2) The proposed project density and smaller lot size is not compatible with the existing rural ranchette development to the west of Key Site 3.
- N. WHEREAS, in compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed ordinance to include the reasons for the recommendation and the relationship of the proposed ordinance to applicable general and specific plans, the County Planning Commission has determined that the proposed ordinance does not represent good planning and the proposed ordinance is inconsistent with the Orcutt Community Plan and Land Use and

Development Code findings as discussed in the Findings, Attachment A of the Planning Commission Staff Memo dated May 18, 2021, and incorporated herein by reference.

- O. WHEREAS this Board has held a duly noticed public hearing, as required by Section 65353 of the Government Code on the proposed amendments, at which hearing the proposed amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65356 of the Government Code, the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, hereby denies the request to amend Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, to change the zoning of 130.6 acres of Assessor's Parcel Number 129-151-026 from the Residential Ranchette, 10 acre minimum parcel size (RR-10) zoning to the Planned Residential Development (PRD-119) zone district, as identified in Exhibit 1A, based on the findings for denial included as Attachment A of the Planning Commission staff memo dated May 18, 2021. Said requested Ordinance amendment is attached hereto as Exhibit 1 and is incorporated by reference.
3. The Chair and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution, to reflect the above-described action by the Board.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 20____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

BOB NELSON, Chair
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT 1

LAND USE DEVELOPMENT CODE (ZONING MAP AMENDMENT)

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1 OF 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 WITHIN THE ORCUTT COMMUNITY PLAN AREA BY REDESIGNATING A PORTION OF ASSESSOR PARCEL NUMBER 129-151-026 FROM RR-10 TO PRD-119.

Case No. 13RZN-00000-00001

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 repealed as they related to 130.6 acres on existing Assessor's Parcel Number ("APN") 129-151-026 shown on the map attached hereto as Exhibit 1A and incorporated by reference.

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 1A, dated "*(date of Board of Supervisors Approval)*", which redesignates the zoning on 130.6 acres on existing APN 129-151-026 as follows:

Rezone the 130.6 acres of SB Clark, LLC land from the Residential Ranchette, 10 acre minimum parcel size (RR-10) zoning to the Planned Residential Development (PRD-119) zone district.

This amended Zoning Map is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit 1A and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit 1A to show that said map has been adopted by this Board.

SECTION 4

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

SECTION 5

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or 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 _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gregg Hart Chair, Board of Supervisors
County of Santa Barbara
State of California

ATTEST

MONA MIYASATO
County Executive Officer
Clerk of the Board of Supervisors

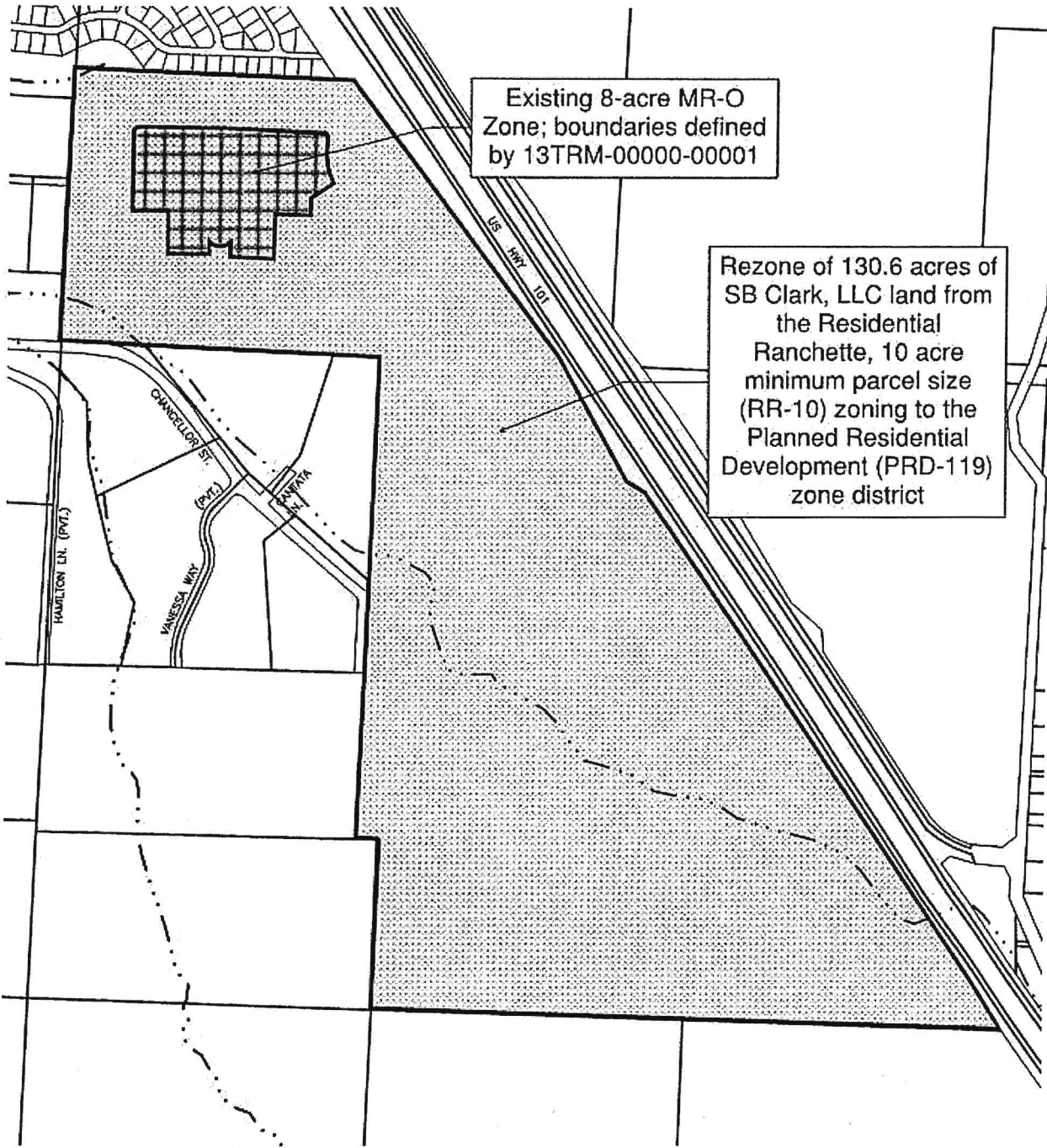
APPROVED AS TO FORM

MICHAEL C. GHIZZONI
County Counsel

By: _____
Deputy Clerk

By: _____
Deputy County Counsel

EXHIBIT 1A
Rezone Exhibit



Existing 8-acre MR-O
Zone; boundaries defined
by 13TRM-00000-00001

Rezone of 130.6 acres of
SB Clark, LLC land from
the Residential
Ranchette, 10 acre
minimum parcel size
(RR-10) zoning to the
Planned Residential
Development (PRD-119)
zone district

HAMILTON LN. (PVT.)

CHANCELLOR ST. (PVT.)

VANESSA WAY

US HWY 101