

May 3, 2016

County of Santa Barbara
Planning Commission
123 East Anapamu Street
Santa Barbara CA 93101

Subject: 661 Consistency Rezone Phase II for APN 079-030-023 and 024

Reference: Letter to Chair Ferini and Planning Commissioners dated April 29, 2016

Dear Chair Ferini and Planning Commissioners,

In the referenced letter we listed three concerns we had with the rezoning of our two parcels (APN 079-030-023 and -024) from 100 AG to AG-II-100. Yesterday, staff replied to our referenced letter via email. Based on staff's response, this letter updates our referenced letter, and specifically lists the recommendations we are requesting the Planning Commission make. Our three concerns are listed below in the same order as the referenced letter.

I. FAMILY WORKING ON FARM PREVENTED FROM LIVING ON PARCEL

The intent of this concern was to point out that the new zoning is more restrictive with the requirement that the employee be "a full time employee", which was not a requirement in Ordinance 661. **We are not requesting the Planning Commission to take any action, at this time, regarding this concern.**

II. CONSISTENCY REZONE TO AG-II-40

We are continuing our request for a Consistency Rezone of APN 079-030-024 (50.65 acres) to AG-II-40. We have reviewed the criteria presented by the County for this rezone and our parcel, APN 079-030-024, does meet the criteria for AG-II-40 and that is the most appropriate zoning. The specifics, as to how our parcel meets this zoning, are detailed in our referenced letter.

Yesterday, staff replied, via email, that they acknowledged that a portion of our parcel is in prime soils and important farmland. They went on to state, "Furthermore, the land uses available to you on the ground do not change from AG-II-40 to AG-II-100." We agree with their above comments, however, they then conclude; "...rezoning it to AG-II-40 would be spot zoning and not consistent with Project goals". We strongly disagree that this could even remotely be called "Spot Zoning". The justifications for our position are below:

1. Spot Zoning is defined as follows: " Spot Zoning is the process of singling out a small parcel of land for a use classification **totally** different from that of the surrounding area for the benefit of the owner of such property: and to the detriment of other owners".
2. Rezoning to AG-II-40 **does not change the land use** as staff has stated that in their email. This would not be considered "spot zoning" because the agricultural zoning of our parcel is consistent with the agricultural zoning of the surrounding area. Only the size of the parcel is affected
3. In their email, staff states: "There is no AG-II-40 adjacent to it". This seems to be their justification for calling our request "Spot Zoning". This is incorrect. First, this entire area is zoned either as 40 or 100 acre minimum. You cannot only look at what is adjacent to a

parcel but must consider the zoning of the **entire area** within the boundary. By rezoning to the AG-II-40 designation, this parcel would be consistent with the Comprehensive Plan Designation for this site which is: Rural area, AG-II, Agriculture, 40 acre minimum parcel size.

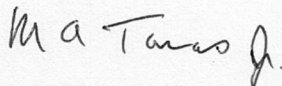
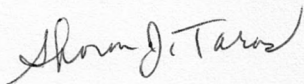
4. Our parcel contains prime soils, and since much of this valuable land has been lost, the desire by the staff to always have adjacent parcels with the same 40 acre zoning is not realistic or required. The adjacent prime land was lost with the rezoning of the Rancho San Marcos Golf Course, directly across Highway 154 from our Parcel.

III. REMOVAL OF ANTIQUATED "OTHER OPEN LANDS" DESIGNATION

As we stated in our referenced letter, we believe the County should change the now antiquated "Other Open Lands" land use designation placed on APN 079-030-24. However, staff, in their email yesterday, stated that only public land use designations were changed and it was out of the scope of this project to change land use designations on private lands. Based on this reply, **we are not requesting the Commission to take action at this time**, however we will be making a formal request that this antiquated land use designation be removed from ours and any other neighboring property if the owner(s) so desire. Removal of this land use designation should be done without cost to the landowners.

Since we are unable to attend the May 4th Planning Commission Meeting we would request your assurance that our request for rezoning APN 079-030-024 (50.65 acres) to AG-II-40 be continued to the Board of Supervisors Meeting so that we can have adequate representation. We want to thank-you for your consideration in revising the proposed rezone of our parcel.

Respectfully yours,



Sharon J. Taras & Michael A. Taras Jr.- Owners