



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: February 20, 2007
Placement: Set Hearing
Estimated Tme: 0.25 Hours on March 6,
2007
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department John Baker, 568-2085
Director(s)
Contact Info: Dianne Black, 568-2086
SUBJECT: Set Hearing for Vasquez Ranch Zoning Map Amendment and Conditional Use Permit

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors set for hearing for March 6, 2007 to consider the County Planning Commission's January 3, 2007 recommendation of approval of the proposed Vasquez Zoning Map Amendment [Case No. 06RZN-0000-00006] and Minor Conditional Use Permit for Agricultural Employee Dwellings [Case No. 06CUP-00000-00029]. The Zoning Map Amendment involves AP Nos. 081-240-033 and -039. The Conditional Use Permit involves AP No. 081-240-039. These two adjacent parcels are located approximately 1.5 miles east of El Capitan Creek and 1 mile north of Highway 101, at 610 Calle Equestre, in the Gaviota area, Third Supervisorial District.

Set Hearing for March 6, 2007 (Time estimate: 15 min., 5 min. staff presentation):

At the March 6, 2007 hearing, the Board of Supervisor's action should include the following:

1. Adopt the required findings for the Zoning Map Amendment, 06RZN-00000-00006, specified in Attachment A of the County Planning Commission Action Letter dated January 3, 2007, including CEQA findings;
2. Adopt the required findings for the Conditional Use Permit, 06CUP-00000-00030, specified in Attachment A of the County Planning Commission Action Letter dated January 3, 2007, including CEQA findings;

Set Hearing for Vazquez Ranch Zoning Map Amendment and Agricultural Employee Dwellings Minor CUP

2/20/2007

Page 2 of 3

3. Accept the Notice of Exemption pursuant to Sections 15061 (b)(3) and 15301 of the Guidelines for Implementation of the California Environmental Quality Act, specified in Attachment B of the County Planning Commission Staff Report dated December 15, 2007;
4. Adopt an Ordinance for a Zoning Map Amendment to rezone APNs 081-240-039 and 081-240-033 from U to AG-II-100, included as Attachment C of this Board agenda letter; and
5. Approve the Conditional Use Permit, Case Number 06CUP-00000-00030 subject to conditions specified in Attachment D of the County Planning Commission Action Letter dated January 3, 2007.

Summary Text:

Zoning Map Amendment

The proposed Zoning Map Amendment would rezone two lots from the Unlimited Agriculture District (U) in Zoning Ordinance No. 661 (Ordinance 661) to the Agricultural II Zone with a 100-acre minimum parcel size (AG-II-100) in the County Land Use & Development Code (Development Code). Ordinance 661 is an antiquated zoning code which governs some rural areas located in inland portions of the County. P&D administrative policy is to initiate rezones of lots subject to antiquated zoning ordinances at the time a discretionary permit application is submitted for development on those lots. State Law requires that lot zoning designations are consistent with the Comprehensive Plan. Since the Comprehensive Plan land use designation for each of the lots is A-II-100 (Agriculture II, 100 acre minimum lot size), rezoning the lots from U under Ordinance 661 to AG-II-100 under Development Code would be consistent with the Comprehensive Plan designations for the two lots. A rezone to AG-II-100 would not change the minimum lot size requirements of the property. No subdivision of the property is currently foreseen.

Minor Conditional Use Permit

The proposed Minor Conditional Use Permit would validate three existing, previously-permitted agricultural employee dwellings on APN 081-240-039 pursuant to Section 35.82.60 of the Development Code. The Unlimited Agriculture District, which currently governs the permitted uses of the property, does not provide agricultural employee dwellings as a permitted or conditionally permitted use. The proposed Zoning Map Amendment would result in a rezone to AG-II-100 which provides agricultural employee dwellings as a permitted use with a Minor Conditional Use Permit (Development Code Section 35.21.030).

The agricultural use of the site consists of the cultivation of approximately 15,500 avocado trees and 3,500 lemon trees planted on approximately 175 acres of the 418 acre site. The Agricultural Commissioner's office confirmed that the need for the agricultural employee dwellings adequately demonstrated.

Background:

Review Authority

The Board of Supervisors is the designated review authority for the Zoning Map Amendment based upon Section 35-104.050(B) of the Development Code, which states: "Following the Commission's recommendation for approval... the Board shall hold at least one public hearing on the proposed amendment."

Although the review authority responsible for decision on Minor Conditional Use Permits is typically the Zoning Administrator, the Minor Conditional Use Permit application associated with this case is also under consideration by the Board of Supervisors based upon Section 35-80-020(B) of the Development Code which states: "When two or more discretionary applications are submitted that relate to the same development project and the individual applications are under the separate jurisdiction of more than one

Set Hearing for Vazquez Ranch Zoning Map Amendment and Agricultural Employee Dwellings Minor CUP

2/20/2007

Page 3 of 3

review authority... all applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction.”

Planning Commission Recommendation

On January 3, 2007, the Planning Commission recommended (by a vote of 5-0) that the Board of Supervisors approve the Zoning Map Amendment to rezone the subject parcels from U under Ordinance 661 to AG-II-100 under the Development Code and to approve the Conditional Use Permit for the Agricultural Employee Dwellings subject to conditions (see Attachment A for the Planning Commission Action Letter).

Fiscal and Facilities Impacts:

Budgeted: Yes **Fiscal Analysis:**

The costs associated with processing the Minor Conditional Use Permit are reimbursed by the applicant per the adopted fee schedule for the Planning and Development Department. The remaining costs of processing the Zoning Map Amendment for the consistency rezone are borne by the Planning and Development Department per Board direction. These remaining costs are budgeted in the Permitting and Compliance operations expenditures of the Development Review South Division on page D-290 of the adopted Fiscal Year 2006-07 budget.

Staffing Impacts:

Legal Positions:

N/A

FTEs:

N/A

Special Instructions:

The Clerk of the Board shall publish a legal notice at least ten days prior to hearing on March 6, 2007. The notice shall appear in the Santa Barbara News Press. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the mailed notice are attached. A minute order and copy of the notice and proof of publication shall be returned to Planning and Development, attention Cintia Mendoza.

Attachments:

- A. County Planning Commission Action Letter dated January 3, 2007
- B. County Planning Commission Staff Report dated December 15, 2007
- C. Draft Zoning Map Amendment Ordinance

Authored by: Daniel Gullett, Planner, 568-2002

cc: None