

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



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

Agenda Number:
Prepared on: May 2, 2005
Department Name: Planning and Development
Department No.: 053
Agenda Date: 05/17/05
Placement: Departmental
Estimate Time: 30 minutes
Continued Item: NO
If Yes, date from:
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TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

STAFF CONTACT: Brian A. Tetley, Planner (934-6589)
John Karamitsos, Supervising Planner (934-6255)
Development Review Division – North County

SUBJECT: Hearing to consider the Planning Commission's recommendation of approval of the Black/Machado Lot Line Adjustment, General Plan Amendment, and Rezone
02LLA-00000-00021, 04GPA-00000-00002, 04RZN-00000-00003
4411 East Highway 246 (APN 099-100-044) and 4425 East Highway 246 (APN 099-100-021), Lompoc area, Fourth Supervisorial District

Recommendation(s):

That the Board of Supervisors consider the recommendation of the Planning Commission regarding the request of Mr. Jonathan Leech, agent, for John and C.J. Black, applicant, to:

1. Adopt a resolution (Case No. 04GPA-00000-00002) proposing to amend the Santa Barbara County Comprehensive Plan Land Use Element, Lompoc Valley Rural Region, by changing the Land Use Designation from Agricultural Commercial (AC) to Agriculture II (A-II) for a 0.57 acre portion of parcel APN 099-100-044, and changing the Land Use Designation from Agriculture II (A-II) to Agricultural Commercial (AC) for a 0.57 acre portion of parcel APN 099-100-021;
2. Adopt an ordinance (Case No. 04RZN-00000-00003) proposing to rezone 38.08 acres (APN 099-100-044) from General Agricultural, 100 acres minimum lot size (100-AG)

under Ordinance 661 to Agriculture II, 100 acres minimum lot size (AG-II-100) under Article III (Inland Zoning ordinance) of Chapter 35 of the County Code and;

3. Approve a Lot Line Adjustment (Case No. 02LLA-00000-00021) proposing to adjust the lines between two (2) parcels of 38.08 acres (APN 099-100-044) and 111.66 acres (APN 099-100-021), to result in the same respective parcel sizes.

The application involves Assessor Parcel Numbers 099-100-021 & -044, known as 4425 and 4411 Highway 246, Lompoc area, Fourth Supervisorial District.

Alignment with Board Strategic Plan:

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

Executive Summary and Discussion:

The purpose of the proposed Lot Line Adjustment between the two parcels is to adjust the parcel configuration to match existing fencelines in a particular location without affecting parcel size. On March 9, 2005, the Planning Commission recommended that your Board approve the General Plan Amendment, Rezone, and Lot Line Adjustment. The Planning Commission staff report and recommended Findings for Approval are attached to this letter.

Background information The subject properties are two separate, legal parcels of 38.08 acres (Black - Parcel One – APN 099-100-044) and 111.66 acres (Machado - Parcel Two - APN 099-100-021), respectively. The parcels are located within a designated rural area in the Santa Rita Valley, east of the City of Lompoc and adjacent to Highway 246. The parcels are surrounded by rural, agricultural lands with rural ranchette residential uses to the west. Parcel 099-100-021 is under Agricultural Preserve contract and has areas under cultivation. Both parcels are currently developed with single family dwellings and accessory/agricultural structures.

Proposed Project

General Plan Amendment The proposed General Plan Amendment would ensure the consistency of land use designations for areas exchanged between parcels with the newly configured lot lines. The existing parcel boundary of the two subject parcels is also the boundary line between areas designated Agricultural Commercial (AC) and Agriculture II (A-II) under the Land Use Element. The proposed General Plan Amendment is for a 0.57 acre portion of each parcel that are to be exchanged between parcels. This would ensure that the adjusted parcels would only have one land use designation. In addition, this process would ensure that parcel APN 099-100-021 would retain the appropriate land use designation for lands under Agricultural Preserve contract. No new land use rights or restrictions would be conferred as part of the general plan amendment.

Consistency Rezone The proposed Rezone for parcel 099-100-044 is for the purpose of bringing the parcel into compliance with the current Article III zoning ordinance in lieu of the obsolete Ordinance 661 zoning designation. The property would be rezoned from General Agricultural, 100 acre minimum lot area (100-AG) under Ordinance 661 to Agriculture II, 100 acre minimum lot size (AG-II-100) under Article III. The Rezone would not impact the allowable uses on site or shift existing and conforming uses and/or structures to a non-conforming status. The Rezone would not increase the development potential of the property. The parcel would retain agricultural zoning with agriculture remaining as the primary use and objective for the parcel. The rezoning of the parcel would not further restrict the property owner from conducting any agricultural operations that are not currently restricted under the present zoning. All allowed agricultural uses would continue to be allowed after the Rezone.

Lot Line Adjustment The purpose of the proposed Lot Line Adjustment between the two parcels is to adjust the parcel configuration to match existing fencelines while resulting in the same starting acreage for each parcel. In this case, parcel APN 099-100-044 gains approximately 0.57 acres of land when the lots are reconfigured to match the fenceline. In return, parcel 099-100-021 would gain ownership of a 0.57 acre strip along the west side of parcel 099-100-044. This 0.57 acre strip represents the majority of an existing access easement already in place over parcel 099-100-044 in favor of parcel 099-100-021.

Environmental Review The proposed Lot Line Adjustment is exempt from environmental review pursuant to CEQA Guidelines Section 15305. A Class 5 exemption allows for minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density including minor lot line adjustments.

The proposed Lot Line Adjustment would exchange a small amount of land (approximately 0.57 acres) between neighbors so that property lines would match up with existing fencelines. The parcels are currently developed with single-family residences and no land use changes would occur. No new development or other physical impacts would occur. Therefore, the proposed project conforms to all requirements for categorical exemption 15305 and is appropriately deemed exempt from CEQA.

The proposed Rezone and General Plan Amendment are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). The general rule exemption covers those projects found to have no possibility for significant effect on the environment. The proposed rezone and general plan amendment components of the project are to ensure consistency with surrounding areas and current regulations. The rezone would replace an obsolete zoning designation with a similar agricultural zoning designation of the current zoning ordinance. No significant land use rights or restrictions would be conferred. Similarly, the proposed general plan amendment would ensure the consistency of land use designations for areas exchanged between parcels with the newly configured lot lines. Again, no new land use rights or restrictions would be conferred as part of the general plan amendment. No new development or other physical impacts would occur. Therefore, the proposed project conforms to all requirements for general rule exemption 15061 (b)(3).

Comprehensive Plan Consistency A review of the proposed rezone project's consistency with applicable policies of the Comprehensive Plan determined that the project would be consistent with the requirements of Land Use Policy No. 4, which requires that adequate services be available to serve development. The project would also be consistent with applicable policies of the Land Use Element and Agricultural Element.

Planning Commission Hearing On March 9, 2005, the Planning Commission recommended that your Board approve the General Plan Amendment, Consistency Rezone, and Lot Line Adjustment. The Planning Commission staff report dated March 2, 2005 and Action Letter dated March 21, 2005 are attached as Attachments A and B, respectively. There was no public testimony or controversy raised at the Planning Commission hearing of March 9, 2005 regarding consideration of the proposed project. The Planning Commission recommended minor changes to the staff recommendations, findings, exemption, and conditions of approval as outlined in the attached Planning Commission Action Letter dated March 21, 2005.

Mandates and Service Levels:

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation. Mailed notice required to property owners within 300 feet of the project, including the real property owners, project applicant and local agencies expected to provide essential services, shall be done at least ten days prior to the hearing (Government Code Section 65091).

Fiscal and Facilities Impacts:

The costs associated with processing the Lot Line Adjustment and General Plan Amendment are reimbursed by the applicant. Since the County requires update of the Ordinance 661 zoning on the parcel, the Consistency Rezone costs are borne by the Department per Board direction. These funds are budgeted in the Permitting and Compliance program of the Development Review North division on page D-293 of the adopted 04/05 fiscal year budget.

Special Instructions:

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

Planning & Development will prepare all final action letters and otherwise notify all concerned parties of the Board of Supervisor's final action.

Attachments

- A. Planning Commission Staff Report dated March 2, 2005 as revised at the hearing of March 9, 2005.
- B. Planning Commission Action Letter dated March 21, 2005.
- C. Resolution to Approve a General Plan Amendment
- D. Rezone Ordinance

**ATTACHMENT C:
RESOLUTION TO APPROVE GENERAL PLAN AMENDMENT**

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

IN THE MATTER OF APPROVING AN)
AMENDMENT TO THE SANTA BARBARA)
COUNTY COMPREHENSIVE PLAN)
LAND USE ELEMENT, LOMPOC)
VALLEY RURAL REGION)

RESOLUTION NO. _____
CASE NO. 04GPA-00000-00002

WITH REFERENCE TO THE FOLLOWING:

A. On October 27, 1998, by Resolution No. 98-406, the Board of Supervisors of the County of Santa Barbara adopted a Comprehensive Plan for the County of Santa Barbara, consisting of a text and maps including Santa Barbara County Comprehensive Plan Land Use Element, Lompoc Valley Rural Region Land Use Designations.

B. It is now deemed to be in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County to adopt an amendment to the General Plan Land Use designation for a portion of Assessor Parcel Number 099-100-044 by changing the Land Use Designation from Agricultural Commercial (AC) to Agriculture II (A-II), and an amendment to the General Plan Land Use designation for a portion of Assessor Parcel Number 099-100-021 by changing the Land Use Designation from Agriculture II (A-II) to Agricultural Commercial (AC).

C. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on the said proposed amendments in a duly noticed public hearing pursuant to Section 65353 of the Government Code, and the Planning Commission has sent its written recommendations to the Board pursuant to Section 65354 of the Government Code.

D. This Board has held a duly noticed public hearing, as required by Section 65355 of the Government Code, on the proposed amendments, at which hearing the amendment was 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. Pursuant to the provisions of Section 65356 of the Government Code, the above described changes are hereby adopted as amendments to the Land Use Element of the Santa Barbara County Comprehensive Plan.

3. Pursuant to the provisions of Government Code Section 65357, 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.

4. Pursuant to the provisions of Government Code Section 65357 the Clerk of the Board is hereby authorized and directed to send endorsed copies of said Santa Barbara County Comprehensive Plan Land Use Element, Lompoc Valley Rural Region, to the planning agency of each city within this County.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2005, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Joseph Centeno, Chair
Santa Barbara County Board of Supervisors

ATTEST:

MICHAEL F. BROWN
Clerk of the Board

By: _____
Deputy Clerk-Recorder

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By: _____
Deputy County Counsel

ATTACHMENT D

ARTICLE III (REZONE ONLY)
ORDINANCE NO. _____

AN ORDINANCE REPEALING ALL ZONING MAPS AND ZONE DESIGNATIONS
ADOPTED PURSUANT TO THE PROVISIONS OF ORDINANCE 661
AS THEY APPLIED TO ASSESSOR'S PARCEL NUMBER
099-100-044, AND

ADOPTING A NEW ZONING MAP PURSUANT TO THE PROVISIONS OF SECTION 35-204.
ADOPTING NEW ZONING ORDINANCES AND MAPS, OF ARTICLE III OF CHAPTER 35 OF
THE CODE OF THE COUNTY OF SANTA BARBARA, CALIFORNIA,
BY ADOPTING A ZONING MAP IDENTIFIED AS
BOARD OF SUPERVISORS EXHIBIT NO. 35-204.110.4
TO REZONE ASSESSOR'S PARCEL NUMBER
099-100-044 FROM 100-AG TO AG-II-100.

Case No. 04RZN-00000-00003

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 Zoning Ordinance No. 661 and pursuant to provisions of Sections 35-101 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 relate to Assessor's Parcel Number 099-100-044.

SECTION 2.

Pursuant to the provisions of Section 35-204, "Adopting New Zoning Ordinances and Maps," of Article III, of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts the Zoning Maps identified as Board of Supervisors Exhibit No. 35-204.110.4, dated _____, 2005, which rezones Assessor's Parcel Number 099-100-044 from 100-AG to AG-II-100, and which 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 Maps were specifically and fully set out and described therein.

SECTION 3.

The Chairman of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit No. 35-204.110.4, to show that said map has been adopted by this Board.

SECTION 4

Except as amended by this Ordinance, Section 35-204 of the 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 Newspress, 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 , 2005, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:
CLERK OF THE BOARD

By: _____
Deputy

Chairperson, Board of Supervisors
of the County of Santa Barbara
State of California

APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL

By: _____
Deputy County Counsel