

# Appeal of the MPC Denial of the Hawker/Philippides Lot Line Adjustment

Case Nos. 20APL-00000-00003 and 16LLA-00000-00003

Santa Barbara County Board of Supervisors  
March 15, 2022

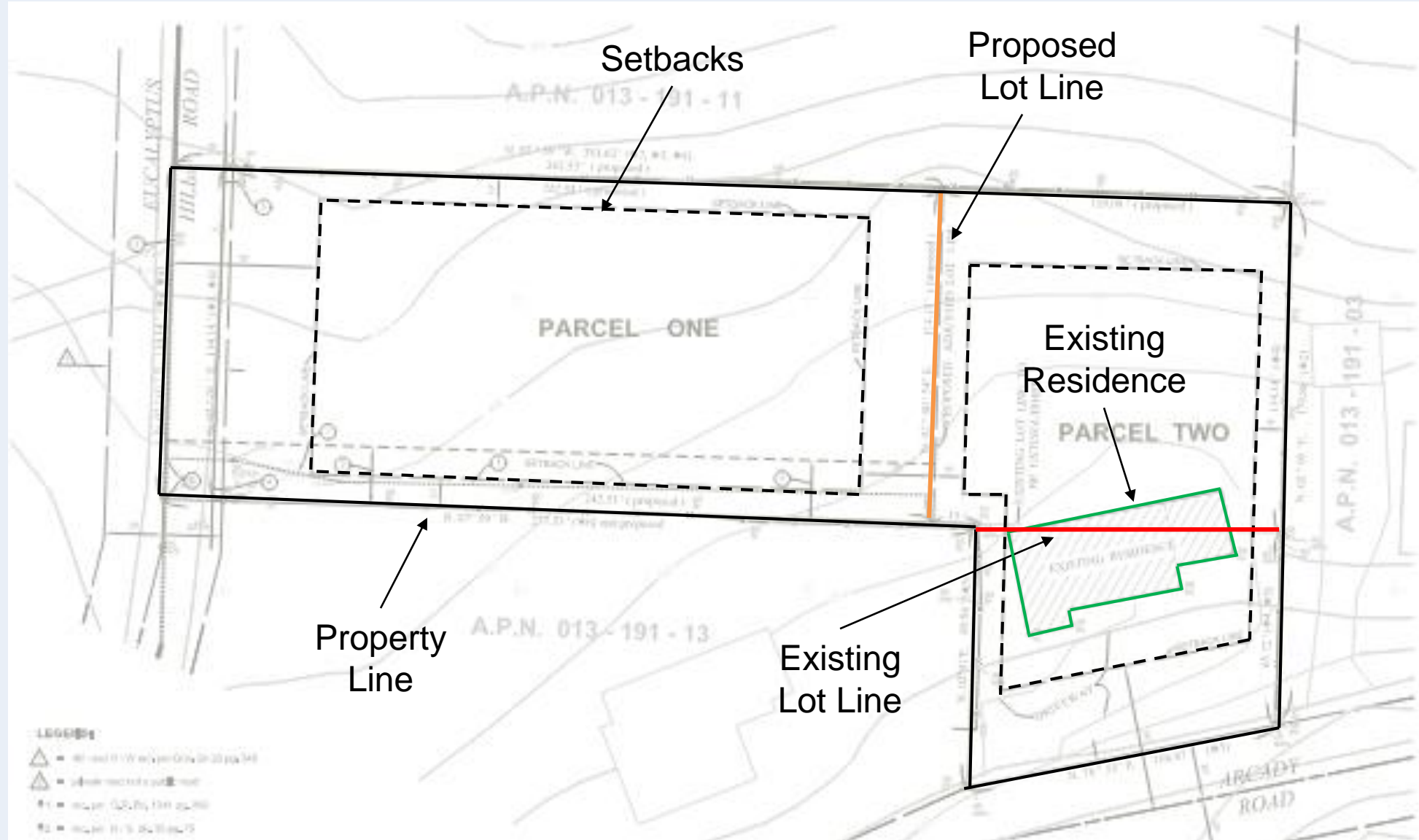


County of Santa Barbara  
Planning and Development  
Willow Brown

# Location



# Project Description



# Background Information

- **June 2015** – Board of Supervisors granted an unconditional Certificate of Compliance, confirming the legality of the existing lots, with existing dwelling straddling the common lot line
- **April 2016** – The applicant submitted a Lot Line Adjustment Application Lot Line Adjustment so that the existing dwelling will be located entirely on one of the lots
- **June 2019** – The Montecito Water District lifted the moratorium on new water meters, allowing the LLA application to proceed
- **Oct 2019 and Jan 2020** – The project was considered by the Montecito Planning Commission. A motion to approve Lot Line Adjustment failed by vote of 2 to 2, so the action was deemed a denial of the project
- **Jan 23, 2020** – The applicant filed a timely appeal to the Board of Supervisors

# Appeal Issues Raised

- **Appeal Issue 1:** Lack of Evidence Supporting Denial of the Lot Line Adjustment
- **Issue 1 Response:** The proposed Lot Line Adjustment complies with the requirements of the MLUDC and the Subdivision Map Act
- **Appeal Issue 2:** Confusion Over Project Being Lot Line Adjustment or Lot Split
- **Issue 2 Response:** The project is for a Lot Line Adjustment and not a lot split as there are currently two legal lots and two legal lots will remain following the LLA

# Appeal Issues Raised

- **Appeal Issue 3: Lot Size Compatibility**
- **Issue 3 Response:** Lot Line Adjustment findings do not require a finding of compatibility with neighboring lots. The project complies with the findings regarding lot size as the LLA will not result in increased subdivision potential or a greater number of developable parcels
- **Appeal Issue 4: Potential Future Development**
- **Issue 4 Response:** Both existing lots are residentially developable, and future development is subject to MLUDC requirements and review by MBAR

# Appeal Issues Raised

- **Appeal Issue 5:** Role of Arcady Estates Association
- **Issue 5 Response:** The decision-maker for the Lot Line Adjustment is the Montecito Planning Commission, subject to appeal to the Board of Supervisors; Private associations is a private issue that does not impact County jurisdiction

# Recommended Actions

1. Uphold the appeal, Case No. 20APL-00000-00003
2. Make the required findings for approval of the project, including CEQA findings
3. Determine the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305(a)
4. Grant *de novo* approval of the project, reversing the action of the Montecito Planning Commission, Case No. 16LLA-00000-00003, subject to the conditions of approval