



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: August 18, 2009  
Placement: Administrative  
Estimated Time: 15 min.: September 1, 2009  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Dianne Black, Interim Director, 568-2086  
Director:  
Contact Info: Dave Ward, Deputy Director, 568-2520  
**SUBJECT: Set Hearing for the Staal Lot Line Adjustment and Rezone**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

On August 18, 2009, set a hearing for September 1, 2009 at the request of Steve Fort, agent for the property owners, Stafford Kelly and Elaine Lautsten (Parcel 1) and Jorgen Staal (Parcel 2), to consider the following:

- a) **08LLA-00000-00013** for approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21 and Section 35.30.110 of the County Land Use and Development Code to adjust the parcel boundary line between two lots of 3.82 acres (Parcel 1) and 2.96 acres (Parcel 2) reconfiguring the two lots with no net change in parcel sizes, on property currently zoned 40-E-1 and 40-AL;
- b) **09RZN-00000-00005** to amend the Zoning Map and rezone both Parcel 1 and Parcel 2 from 40-AL and 40-E-1, to AG-II-40 in compliance with Chapter 35.104 of the County Land Use and Development Code; and

to accept the Exemption pursuant to Section 15305 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP Nos. 153-340-031 (Parcel 1) and 153-340-010 (Parcel 2), located at 1812 and 1806 San Marcos Pass Road (Hwy 154), in the Goleta area, Second Supervisorial District.

At the September 1, 2009 hearing, the Board of Supervisor's action should include the following:

- 1) Adopt the required findings for Case Nos. 09RZN-00000-00005 and 08LLA-00000-00013, as specified in Attachment B of this Board Letter (Attachment B), including CEQA findings;
- 2) Accept the Exemption, pursuant the California Environmental Quality Act Guidelines Section 15305, included as Attachment C of this Board Letter, (Planning Commission staff report, dated July 8, 2009, Attachment E);
- 3) Adopt an Ordinance effectuating a Zoning Map Amendment for APNs 153-340-031 and 153-340-010 amending the Inland Zoning Map for the Santa Barbara Rural area from 40-AL and 40-E-1 to AG-II-40, included as Attachment A of this Board Letter (Planning Commission action letter, dated July 8, 2009, Attachment D); and
- 4) Approve the project, including Case Nos.:

09RZN-00000-00005, for a Zoning Map Amendment to rezone Parcel 1 and Parcel 2 from 40-E-1 and 40-AL, respectively, to AG-II-40 (Agriculture II, 40-acre minimum gross lot area), and

08LLA-00000-00013, for a Lot Line Adjustment, subject to conditions included as Attachment C of the Planning Commission action letter, dated July 8, 2009 (Attachment D of this Board Letter).

### **Summary Text:**

#### ***Purpose***

The purpose of this Lot Line Adjustment is to reorganize the configuration of the lots around existing development and ownership of parcel improvements.

#### ***Ordinance 661: Consistency Rezone***

The subject lots are currently regulated under Ordinance 661, which was adopted by the County in the 1960s. Pursuant to Board of Supervisor's direction, P&D's Department policy is to process a rezone of those lots that are subject to antiquated zoning ordinances when a discretionary project is submitted. The two subject parcels would be rezoned from 40-AL and 40-E-1, under Ordinance 661 §27.3, to a current AG-II-40 zone classification under the County Land Use Development Code (LUDC). The proposed Zoning Map Amendment to rezone the two parcels is a legislative action that would replace an outdated agricultural zoning district with a comparable modern agricultural zoning district. Long Range Planning has provided input and recommended the Zoning Map Amendment from Ordinance 661 to AG-11-40 under the County LUDC as this parcel is located in a Rural Area with a Mountainous Area (MA) land use designation<sup>1</sup>. As this is a change from antiquated to current zoning, the County processed the Zoning Map Amendment (formerly known as a Rezone) at no cost to the applicant. The applicants are requesting a Lot Line Adjustment and rezone of the two parcels concurrently.

The applicant is in the process of legalizing an as-built accessory structure through the review and approval of Land Use Permit 09LUP-00000-00061, subject to P&D Director decision. With the Lot Line Adjustment, all existing development would be in conformance with all applicable parking, height, land use, and setback regulations of the AG-II-40 zone district of the County LUDC.

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<sup>1</sup> MT-GOL (Mountainous Goleta) and MT Toro (Mountainous Area Toro Canyon Planning Area) are the only mountainous zone Districts in the LUDC. As this project is in neither the Goleta Community Plan nor Toro Canyon Plan areas, mountainous zoning cannot apply.

**Background:**

Residential development on Parcels 1 and 2 (Lots A and B, respectively) was permitted by the County under previous permits. The Lot Line Adjustment and Rezone were heard and approved by the Planning Commission on July 8, 2009. See attached Planning Commission Staff Report, dated June 19, 2009 for project details.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

The costs to process this consistency rezone are borne by the County. Funding for project review and preparation of this report is estimated at \$1,525.50, and is budgeted in the Permitting & Compliance Program of the Development Review, South Division on Page D-308 of the adopted 2009 – 2010 fiscal year budget.

**Special Instructions:**

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on September 1, 2009. The notice shall appear in a paper of general circulation such as 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 of the hearing and copy of the notice and proof of publication shall be returned to P&D, Attention: David Villalobos, Hearing Support.

Planning & Development will prepare all final action letters and notify all interested parties of the Board of Supervisors final action.

**Attachments:**

- A. Ordinance effectuating the Zoning Map Amendment
- B. Findings for Approval
- C. CEQA Exemption for Rezone, dated July 8, 2009
- D. Planning Commission Action Letter, dated July 8, 2009
- E. Planning Commission Staff Report, dated June 19, 2009

**Authored by:**

J. Ritterbeck, Planner (805) 568-3509

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