



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 and Development
Department No.: 053
For Agenda Of: 03/15/11
Placement: Set Hearing
Estimated Tme: 20 minutes on 04/05/11
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn Russell, Ph.D., Director, (805) 568-2085
Director Planning and Development
Contact Info: Alice McCurdy, Deputy Director, (805) 568-2518
Development Review Division – South County
SUBJECT: Kong Ordinance 661 Consistency Rezone and Lot Line Adjustment, 3rd District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

On March 15, 2011, that the Board of Supervisors set a hearing for April 5, 2011 to consider the following:

- a) **08RZN-00000-00008** to rezone 106.4 acres from General Agriculture, 100-acre minimum lot area (100-AG) under Zoning Ordinance No. 661 to Agriculture II, 100-acre minimum lot area (AG-II-100) under the County Land Use and Development Code;
- b) **08LLA-00000-00011** for approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21 and Ordinance 661 to adjust lines between two lots of 40.6-acres (Lot A, Assessor’s Parcel Number 081-040-052) and 65.8-acres (Lot B, Assessor’s Parcel Number 081-040-012) to reconfigure into two lots of 40.0 acres (Parcel 1) and 66.4 acres (Parcel two), on property zoned AG-100;

The application involves AP No’s 081-040-052 and 081-040-012, located at 2377 Refugio Road, in the Refugio Pass, Third Supervisorial District.

On April 5, 2011 your Board’s action should include the following:

- 1. Make the required findings for the proposed Rezone specified in Attachment-A of the County Planning Commission staff report (included as Attachment-1 to this Board Letter), dated January 21, 2011, including CEQA findings;

2. Make the required findings for the proposed Lot Line Adjustment specified in Attachment-B of the County Planning Commission staff report (included as Attachment-1 to this Board Letter), dated January 21, 2011, including CEQA findings;
3. Determine that the project is exempt pursuant to Sections 15061(b)(3) and 15305(a) of CEQA (Attachment-C of the County Planning Commission staff report [included as Attachment-1 to this Board Letter] dated January 21, 2011);
4. Adopt a Rezone Ordinance for APN Nos. 081-040-052 and 081-040-012, amending the Inland Zoning Map (included as Attachment-3 to this Board Letter); and,
5. Approve the project subject to the conditions included as Attachment E of the County Planning Commission staff report (included as Attachment-1 to this Board Letter), dated January 21, 2011.

Alternatively, refer back to staff if your Board takes other than the recommended action for appropriate findings and conditions.

Summary Text:

Rezone

The proposed consistency Rezone would change the zoning of two parcels from 100-AG under Ordinance 661 to AG-II-100 under the County Land Use and Development Code. The Rezone is a legislative action that would replace an outdated agricultural zoning district under Ordinance 661 with a modern agricultural zoning district under the County Land Use and Development Code. The rezone does not involve any development and would not increase the density of either parcel beyond what is anticipated under the existing Comprehensive Plan designation (i.e. one residence per lot). The subject parcels are currently zoned for agricultural use and would remain zoned for agricultural use. All types of agriculture allowed under the current zoning district (100-AG) would be allowed under the proposed zoning district (AG-II-100).

Lot Line Adjustment

The proposed Lot Line Adjustment would reconfigure the internal lot line shared by two lots. The proposed project would not result in an increase in the development potential for the property. Instead, it would limit the area on the undeveloped parcel (proposed Parcel 1) on which a homesite could be developed, thereby constraining development in comparison to the existing condition. Existing Lot B (proposed Parcel 2) has already been developed with a Single-Family Dwelling. Existing Lot A is constrained by steep slopes in excess of 30% and contains an area suitable for development that was previously cleared of vegetation. A 2.1 acre Development Envelope is proposed to be located on the portion of existing Lot A (proposed Parcel 1). Due to the fact that proposed Parcel 2 has already been developed, and a Development Envelope is proposed on existing Lot A (proposed Parcel 1), the Lot Line Adjustment would not cause greater pressure to be placed on any on-site resource or cause a pattern of development that would differ from existing conditions.

Background:

On February 9, 2011 the County Planning Commission voted 5 to 0 to recommend that your Board approve the proposed Rezone and Lot Line Adjustment. The Lot Line Adjustment was reviewed by the County Planning Commission and forwarded to your Board for decision based upon Section 35.80.020.B.2 of the County Land Use & Development Code (LUDC), which states that, *“if the Board is the review authority for a project, due to a companion discretionary application (e.g., Zoning Map amendment), the Commission shall make an advisory recommendation to the Board on each project.”* The Rezone was reviewed by the County Planning Commission and forwarded to your Board for decision based upon Section 35-80.020, Table 8-1 of the LUDC, which requires that the Planning Commission make a recommendation and that your Board serve as the final decision-maker.

Fiscal and Facilities Impacts:

Budgeted: Yes

The costs to process the Lot Line Adjustment are borne by the applicant. The costs to process the rezone are borne by the Planning & Development Department, according to the Board of Supervisor’s direction. Permit revenues are budgeted in the Permitting and Compliance Program of the Development Review South Division, as shown on page D-330 of the adopted 2010-2011 fiscal year budget. There are no facilities impacts.

Staffing Impacts:

None

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on March 15, 2011. The notice shall appear in the Santa Barbara Daily Sound. The Clerk of the Board shall fulfill the noticing requirements. Mailing labels for the mailed notice have been provided to the Clerk of the Board. The Clerk of the Board shall provide a copy of the notice, proof of publication, and minute order to P&D, attention David Villalobos.

Attachments:

1. County Planning Commission Staff Report dated January 21, 2011
2. County Planning Commission Action Letter, dated February 9, 2011
3. Zoning Map Amendment (Rezone) Ordinance

Authored by:

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cc:

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Alice McCurdy, Deputy Director, Development Review South

Dianne Black, Director of Development Services