



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:** Set Hearing on June 7,  
2016 for June 21, 2016  
**Placement:** Departmental  
**Estimated Time:** 1 hour on 6/21/16  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Glenn S. Russell, Ph.D., Director, Planning and Development  
Director(s) (805) 568-2085  
Contact Info: Mindy Fogg, Interim Deputy Director, Long Range Planning  
(805) 884-6848  
**SUBJECT:** Ordinance 661 Consistency Rezone Phase II Project

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence:

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

On June 7, 2016, set a hearing for June 21, 2016, to consider adoption of the Ordinance 661 Consistency Rezone Phase II Project.

On June 21, 2016, your Board's action should include the following:

- a) Make the required findings for approval, including CEQA findings (Attachment 1).
- b) Adopt the Final Negative Declaration (16NGD-00000-00003, State Clearinghouse No. 2016031062) (Attachment 2).
- c) Adopt a Resolution amending the Santa Barbara County Comprehensive Plan Land Use Map (Case No. 16GPA-00000-00001) (Attachment 3). The Comprehensive Plan amendment includes the following:
  - i. Apply Agriculture I-40 (A-I-40), Agriculture II-40 (A-II-40), Agriculture II-100 (A-II-100), Agriculture II-320 (A-II-320), Mountainous Area 100 (MA-100), Mountainous Area 40 (MA-40), Mountainous Area 40/Educational (MA-40/ Educational), Mountainous Area 320 (MA-320), Recreation/Open Space, Other Open Lands, Institution/Government, and Residential land use designations to Ordinance 661 lands outside existing and proposed Existing Developed Rural Neighborhood (EDRN) Boundaries in the Rural Area and applying Agriculture I-5 (A-I-5), Agriculture I-10 (A-I-10), Agriculture I-20 (A-I-20), Agriculture I-

- 40 (A-I-40), and Residential land use designations, as appropriate, within each proposed EDRN, as well as the existing Ventucopa EDRN in the Cuyama Valley;
- ii. Apply EDRN boundary lines around one developed rural neighborhood in the Santa Maria Valley, two developed rural neighborhoods in the Lompoc Valley, one developed rural neighborhood in the Santa Ynez Valley, and one developed rural neighborhood in the Cuyama Valley;
  - iii. Amend the existing Ventucopa EDRN boundary line in the Cuyama Valley to remove two parcels;
  - iv. Amend the existing Cebada Canyon/Tularosa EDRN to include one interior parcel and portion of adjacent parcel; and
  - v. Amend the Urban Boundary line east of the City of Lompoc near the Santa Ynez River and south of the City of Lompoc adjacent to San Miguelito Road.
- d) Adopt an Ordinance amending the County Zoning Map of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, by repealing Ordinance No. 661 zoning designations for certain parcels located in the unincorporated portions of Santa Maria Valley, Lompoc Valley, Cuyama Valley, Los Padres National Forest, Santa Ynez Valley, and South Coast Foothill Areas, and rezoning the parcels designated as an EDRN to RR-5 (Rural Residential/5 acres minimum lot), AG-I-40 (Agriculture I/40 acre minimum lot), 1-E-1 (Single Family/1 acre minimum lot), 3-E-1 (Single Family/3 acre minimum lot), 15-R-1 (Single Family Residential/15,000 sq. ft. minimum lot), AG-I-5 (Agriculture I/5 acre minimum lot), AG-I-10 (Agriculture I/10 acre minimum lot), and AG-I-20 (Agriculture I/20 acre minimum lot), and those lands outside of an EDRN to the 7-R-1 (Single Family Residential/ 7,000 sq. ft. minimum lot), AG-I-40 (Agriculture I/40 acre minimum lot), AG-II-40 (Agriculture II/40 acre minimum lot), AG-II-100 (Agriculture II/100 acre minimum lot), AG-II-320 (Agriculture II/320 acre minimum lot), REC (Recreation), RMZ-100 (Resource Management/100 minimum lot), and RMZ-320 (Resource Management/320 minimum lot) in the Santa Barbara County Land Use and Development Code (Case No. 16RZN-00000-00001) (Attachment 4).
- e) Adopt an Ordinance amending Ordinance No. 661 repealing Sections 1, 4, 11, 12, 14, 15, 16, 20-24, 26, 28, 30, 33, and 35-38 of Article V. Specific District Regulations and Sections 4, 5, and 7-10 of Article VI. Combining Regulations (Case No. 16ORD-00000-00001) (Attachment 5).

Refer back to staff if the Board of Supervisors takes other than the recommended actions for appropriate findings.

**Summary Text:**

The first phase of the Ordinance 661 Consistency Rezone Project was initiated by the Board of Supervisors in June 2005, to address zoning consistency issues for remaining rural parcels zoned under Ordinance 661. Phase II of the project started in 2015 and includes Comprehensive Plan and Zoning Ordinance amendments that would rezone current Ordinance 661 zoned rural lands located in the County to a comparable zone district under the Land Use and Development Code (LUDC).

The project area covers approximately 780,216 acres of land located in the Santa Maria Valley, Lompoc Valley, Cuyama Valley, Los Padres National Forest, Santa Ynez Valley (parcels outside of the Santa Ynez Valley Community Plan area), and South Coast Foothill Areas.

One of benefits to the consistency rezone is to eliminate the current differences that exists, with respect to available land uses, between Ordinance 661 and LUDC zoned parcels. In general, permitted uses can still be approved on Ordinance 661 zoned land; however, land uses such as agricultural preparation facilities, greenhouses, and wineries are no longer available since the permit processing procedures and conditional use permit section no longer exist. Attachment 6 includes a comparison table of land uses currently available to property owners with Ordinance 661 zoning versus allowed uses under the LUDC zones. The table shows that most uses requiring a discretionary permit are no longer available to property owners with Ordinance 661 zoning.

Additional benefits of the consistency rezone include simplifying the zoning and permitting process and reducing permitting costs and time delays for applicants. This is because discretionary projects on property under Ordinance 661 currently require a consistency rezone as part of project processing. Although the County typically processes the rezones free of charge, this extra step results in delays to the applicant for the processing time and additional hearings required for approval. Updating land under Ordinance 661 to the modern zoning designations will make it easier for landowners to understand what land uses are permitted and what processes are required for projects, as one zoning code, the LUDC, would apply to all parcels in the project area and across the inland area.

The proposed consistency rezoning was determined through multiple public meetings with a subcommittee formed from the Agricultural Advisory Committee and the noticed 661 property owners. Through this public process, staff was able to reach a consensus on the majority of the 2,700 Ordinance 661 properties.

### **Background:**

#### *The History of Ordinance 661 and Consistency Rezone*

Ordinance 661, adopted in 1964 and applied throughout Santa Barbara County, outside of the Montecito Community Plan, established zoning regulations for the entire unincorporated area of the County. Ordinance 661 was the regulating tool in place to assure orderly and beneficial development in the County and encourage the most appropriate uses of land, including agricultural, residential, transportation, water supply, sewerage, school, park, other facilities, and public utilities.

In 1980, the County adopted the Comprehensive Plan. Modern zoning ordinances were then drafted to implement the plan by classifying and regulating the uses of land, buildings, and structures within the unincorporated area of the County. In 1983, the Article III Zoning Ordinance was adopted regulating the inland areas of the County, outside of the Montecito Community Plan. In January of 2007, the Article III zoning ordinance was reformatted and renamed the Land Use and Development Code (LUDC).

The Board of Supervisors repealed the majority of Ordinance 661 in 1984 (by Ordinance No. 3430) in order to avoid any confusion resulting from the existence of parallel text provisions between the new Article III zoning ordinance and outdated Ordinance 661. These changes included the repeal of duplicative zone districts, the permit processing procedures, and conditionally permitted uses from Ordinance 661. All of the urban areas in the inland area were rezoned to appropriate Article III designations. However, the Ordinance 661 agricultural zone districts were not duplicates to the agricultural zone districts in Article III and so Ordinance 661 agricultural zones were retained. As a

result, a significant amount of land in the rural area (not under Agricultural preserve contract) still has Ordinance 661 zoning.

In 2007, as part of the first phase of the consistency rezone project, approximately 57,700 acres in the Santa Maria Valley and San Antonio Creek Rural Regions remaining under Ordinance 661 zoning were rezoned to the modern LUDC agricultural zone designations. Six EDRNs were also created during the first phase. Other rural Ordinance 661 zoned lands in Community Plan areas have been rezoned as part of community plan adoption (i.e. Eastern Goleta Valley Community Plan and Santa Ynez Valley Community Plan).

1. *Ordinance 661 Consistency Rezone Process*

Phase II of the Consistency Rezone project began in 2015. A subcommittee of the Agricultural Advisory Committee was formed to assist staff in the consistency rezoning of 661 properties. Staff held several public meetings with the subcommittee and interested public, as well as three public workshops on the proposed changes. Through this process, a consensus with the subcommittee was reached on the proposed rezoning for each 661 parcel. The subcommittee met for the last time in October of 2015 to finalize proposed rezoning recommendations.

The subcommittee and staff evaluated existing land use patterns based on physical and topographic characteristics, as well as existing Comprehensive Plan land use designation and LUDC zoning designation patterns when proposing the rezoning. The majority of the lands are proposed to be zoned to a comparable agricultural zone per criteria (Attachment 7) developed through the planning process, but some are also proposed to change to a more appropriate resource management, recreation, or residential zone. Although the rezone criteria were developed to be guiding principles in the rezoning process, another important factor identified in the criteria is to avoid “spot zoning”. Maps of the proposed consistency rezoning are included in Attachment 8. Attachment 9 lists the parcels included in the consistency rezone and the proposed land use and zoning designations.

2. *Land Use Designation Amendments*

This component of the project includes proposed new land use designations to facilitate rezoning the affected parcels to their corresponding LUDC designations. The new land use designations will also replace “outdated” rural area designations from the 1965 Santa Barbara County General Plan. This land use change will bring Ordinance 661 land designations into conformity with Comprehensive Plan land use designations. Please see Attachment 9 (Table of Amendments to the Santa Barbara County Comprehensive Plan Land Use Map and Amendments to the County Zoning Map of Section 35-1, the Santa Barbara County Land Use and Development Code (Zoning)) for a list of parcels and proposed land use designation changes.

3. *Repealing Specific District Regulations Sections and Combining Regulations Component of Ordinance 661*

The Phase II consistency rezone will effectively eliminate the need for twenty (20) zone districts in the text of Ordinance 661 since all related parcels will have been rezoned. This ordinance amendment will repeal those specific districts and combining section of Ordinance 661 that no longer have associated lands in the County. The only zone districts that will remain in the County of Santa Barbara Ordinance 661 after this repeal (Attachment 5) will be districts that are located on San Miguel Island and Santa Barbara Island, in the coastal zone of Vandenberg Air Force Base, or in the Gaviota Coast Plan. The

remaining zone districts will be AG, AL, and U and remaining combining zone will be “O” (Oil Drilling Combining Regulations). It is anticipated that the Ordinance 661 zone district of AG, located solely in the Gaviota Coast Plan, will be repealed as well, as part of the Gaviota Coast Plan adoption.

4. Environmental Review

A Negative Declaration (16NGD-00000-00003) was prepared to analyze potential environmental impacts of the project under requirements of the California Environmental Quality Act (CEQA). The Negative Declaration was circulated through the State Clearinghouse for a 30-day public review and comment period from March 18, 2016 to April 18, 2016.

No public comments were received at the environmental hearing held on April 5, 2016. Four comment letters were received during the 30-day public review period. A summary of the comment letter(s) received is attached to the Final Negative Declaration (Attachment 2). The comments have been considered, and some minor edits have been incorporated into the Final Negative Declaration. The Final Negative Declaration concludes that project impacts on the environment would be less than significant.

5. Planning Commission Action

At the Planning Commission hearing of May 5, 2016, the Commission voted 5-0 to recommend that the Board of Supervisors adopt the Ordinance 661 Consistency Rezone Phase II Project as proposed and discussed in the recommended actions section of this report (Attachment 10). One public comment letter was received and is attached (Attachment 11). The Planning Commission staff report is also attached (Attachment 12).

**Fiscal and Facilities Impacts:**

Budgeted: Yes **Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund	\$ 52,500.00		
State			
Federal			
Fees			
Other:			
<b>Total</b>	<b>\$ 52,500.00</b>	<b>\$ -</b>	<b>\$ 75,843.00</b>

The Ordinance 661 Consistency Rezone Phase II Project was prepared as part of a Board of Supervisors-approved project. Staff salaries and other costs were included in the County’s budget under Planning and Development Department, Long Range Planning Division’s Operation Expenditures (General Fund Contribution). Long Range Planning Division’s budget, including the Ordinance 661 Consistency Rezone Phase II Project, is on page D-295 of the County of Santa Barbara’s Operational Plan for 2015-17. Total cost of the project to date is \$75,843. In fiscal year 2014/2015 \$23,343 was spent on the project.

**Special Instructions:**

Planning and Development will fulfill noticing requirements. The Clerk of the Board shall provide a copy of the executed Resolution and Ordinance amendments and Board Minute Order(s) to Planning and Development, attn: David Villalobos.

**Attachments:**

- Attachment 1 Findings
- Attachment 2 Final Negative Declaration (16NGD-00000-00003)  
[http://longrange.sbcountyplanning.org/programs/661 Phase II/ND/Draft 661 ND - compressed.pdf](http://longrange.sbcountyplanning.org/programs/661%20Phase%20II/ND/Draft%20661%20ND%20compressed.pdf)
- Attachment 3 Resolution amending the Land Use Element (Case No. 16GPA-00000-00001)
- Attachment 4 Ordinance amending the County Zoning Map (Case No. 16RZN-00000-00001)
- Attachment 5 Ordinance amending Ordinance No. 661 to Repeal Certain Sections (Case No. 16ORD-00000-00001)
- Attachment 6 Comparison Table of Land Uses
- Attachment 7 Summary Designation Criteria
- Attachment 8 Figures
  - Proposed Zoning:
    - Figure 1 Proposed Zoning: South Coast – Eastern Portion
    - Figure 2 Proposed Zoning: South Coast – Western Portion
    - Figure 3 Proposed Zoning: Santa Ynez Valley
    - Figure 4 Proposed Zoning: Western Lompoc Valley
    - Figure 5 Proposed Zoning: Eastern Lompoc Valley
    - Figure 6 Proposed Zoning: Western Cuyama Valley
    - Figure 7 Proposed Zoning: Eastern Cuyama Valley
    - Figure 8 Proposed Zoning: Los Padres National Forest
    - Figure 9 Proposed Zoning: Vandenberg Air Force Base
  - Proposed EDRNs:
    - Figure 10 Road Number 3 EDRN
    - Figure 11 Campbell Rd Area EDRN
    - Figure 12 Nojoqui EDRN
    - Figure 13 Ranchoil EDRN
    - Figure 14 Prell Road West EDRN
  - Proposed Comprehensive Plan Map Changes:
    - Figure 15 Ventucopa EDRN
    - Figure 16 Cebada Canyon/Tularosa EDRN
    - Figure 17 Urban\Rural Boundary Line Adjustment - South of the City of Lompoc
    - Figure 18 Urban \Rural Boundary Line Adjustment - East of the City of

Lompoc

- Attachment 9 Table of Amendments to the Santa Barbara County Comprehensive Plan  
Land Use Map and Amendments to the County Zoning Map of Section 35-1,  
the Santa Barbara County Land Use and Development Code (Zoning)
- Attachment 10 Planning Commission Action Letter
- Attachment 11 Planning Commission Public Comment Letter
- Attachment 12 Planning Commission Staff Report

**Authored by:**

Jessica Metzger, Senior Planner, 568-3532