Agenda Item No._____

File Code No. 680.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: December 8, 2009

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Revised Resolution For The 2030 Las Canoas Road Annexation

RECOMMENDATION:

That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment from the Santa Barbara County Fire Protection District, and Detachment from County Service Areas No. 12 and 32, for Certain Real Property Presently Located at 2030 Las Canoas Road, Assessor's Parcel Number 021-010-061.

DISCUSSION:

On September 29, 2009, Council adopted a resolution requesting initiation of proceedings for a reorganization of boundaries, annexation to the City of Santa Barbara, and detachment from the Santa Barbara County Fire Protection District, for property located at 2030 Las Canoas Road. After the resolution was adopted, Staff learned that automatic detachments from County Service Areas no longer occur when land is annexed to a city and that the detachment needs to be specifically included in the reorganization. Therefore, the previously adopted resolution has been revised to include a detachment from County Service Area No. 12 (Mission Canyon Sanitation), which collects sewage effluent and inspects septic tanks and County Service Area No. 32 (Unincorporated Area), which provides law enforcement protection. The property upon annexation will receive these essential services from the City. No other changes have been made to the resolution.

ATTACHMENT: Council Agenda Report, 9/29/09 (without Ordinance & Resolutions)

PREPARED BY: Kathleen Kennedy, Associate Planner

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

ATTACHMENT

Agenda Item No._____

File Code No. 680.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: September 29, 2009

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Introduction Of Ordinance And Resolutions For The 2030 Las Canoas Road Annexation

RECOMMENDATION: That Council:

A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 located at 730 Las Canoas Place;

B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara, and Detachment from the Santa Barbara County Fire Protection District, for Certain Real Property Presently Located at 2030 Las Canoas Road, Assessor's Parcel Number 021-010-061;

C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to the Designation of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 Located at 730 Las Canoas Place; and

D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the Hillside Design District Map of the City of Santa Barbara Pertaining to the Designation of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 Located at 730 Las Canoas Place.

EXECUTIVE SUMMARY:

On November 9, 2006, the Planning Commission approved a lot line adjustment between 730 Las Canoas Place (APN 021-030-039), a parcel located in the City, and 2030 Las Canoas Road (APN 021-010-060 & -061), a parcel located in the unincorporated area of Santa Barbara County, contingent upon the annexation of that portion of 2030 Las Canoas Road that would be added to the 730 Las Canoas Place parcel. A map is attached.

The 730 Las Canoas Place parcel has a City Zoning designation of A-1, One-Family Residence and a General Plan designation of Major Hillside. The 2030 Las Canoas Road parcel has an existing County Zoning designation of AG 1-10 (Agriculture with a minimum lot size of 10 acres gross land area per dwelling unit) and Mission Area Design Overlay.

The proposal is a request to introduce and subsequently adopt the Zoning Map Amendment and adopt Resolutions to initiate proceedings for a reorganization of boundaries, annexation to the City and detachment from the County Fire Protection District, as well as amend the General Plan Map and Hillside District Map.

The annexation application complies with the City Council Resolution 96-118, which requires that the subject parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries. Therefore, Staff recommends that the area proposed to be annexed to the City have a Zoning Designation of A-1, One-Family Residence and a General Plan Designation of Major Hillside, to match the designations of the 730 Las Canoas Place parcel. Additionally, staff recommends that the annexed area be added to the City's Hillside Design District.

DISCUSSION:

Background

In 1989, the owners of 2030 Las Canoas Road (APN 021-010-060 & -061), a parcel located in the unincorporated area of Santa Barbara County, granted a landscape and use easement, consisting of approximately 1.70 acres of land (portion designated as APN 021-010-061), to the owners of 730 Las Canoas Place (APN 021-030-039), a parcel located in the City.

On September 4, 2003, at the request of Andrew and Kendra Feshbach, owners of 730 Las Canoas Place, and Andrew Effron, owner of 2030 Las Canoas Road, the Planning Commission initiated an annexation that included the entire 2030 Las Canoas Road parcel. At the hearing, the Planning Commission recommended that any future lot line adjustment be undertaken in such a way that there be no potential for the lots to be further subdivided.

Subsequently, the proposed project was revised to include only the easement area of the 2030 Las Canoas Road parcel. On November 9, 2006, the Planning Commission approved a lot line adjustment between the two properties that would result in the easement area becoming part of the 730 Las Canoas Place parcel, contingent upon the easement area being annexed to the City.

The lot line adjustment would not result in the potential for either parcel to be further subdivided or have an increase in development potential for additional or secondary dwelling units. The only development potential that each property may have is an addition to the existing residence or the demolition and rebuilding of new residences since only one

residence would be allowed per lot. Additionally, a lot split application for the 730 Las Canoas Place parcel is highly unlikely given that a lot area modification would be required and staff would not be in support of the request. After the lot line adjustment, 2030 Las Canoas Road would have a lot size of 2.26 acres and 730 Las Canoas Place would have a lot size of 3.96 acres. The proposed lot sizes are consistent with those of other existing lots in the area and cannot be further split, based on the zoning and slope of the lots.

The Planning Commission action also recommended that the City Council approve the Annexation, Zoning Map Amendment, General Plan Amendment, and Hillside Design District Map Amendment.

Although the 2030 Las Canoas Road parcel is one legal lot, it has two separate assessor's parcel numbers, as shown above. The easement area subject to the annexation is described as APN 021-010-061. Following the 2006 Planning Commission hearing, the project was subject to a long delay due to the County of Santa Barbara requiring that the property owner proceed with the merger of the two assessor's parcels. The merger has been recorded; however, as of this writing, a new assessor's parcel number has not been assigned. The legal descriptions of the area to be annexed, as well as the adjusted parcels, are included in the attached Ordinance and Resolutions.

Project Description

The current proposal is a request to introduce and subsequently adopt the Zoning Map Amendment and adopt Resolutions to initiate proceedings for a reorganization of boundaries, annexation to the City and detachment from the County Fire Protection District, as well as amend the General Plan Map and Hillside District Map.

The 2030 Las Canoas Road parcel has an existing County Zoning designation of AG 1-10 (Agriculture with a minimum lot size of 10 acres gross land area per dwelling unit) and Mission Area Design Overlay. The 730 Las Canoas Place parcel has a City Zoning designation of A-1, One-Family Residence and a General Plan designation of Major Hillside.

Staff recommends that the area proposed to be annexed to the City have a Zoning Designation of A-1, One-Family Residence and a General Plan Designation of Major Hillside, to match the designations of the 730 Las Canoas Place parcel. Additionally, staff recommends that the annexed area be added to the City's Hillside Design District.

Both properties currently contain a single-family residence, and no additional development is proposed on either property. Both parcels would continue to be served by City water and by private septic systems, as there are no city sewer lines in the vicinity.

Annexation Request

City Council Resolution 96-118 establishes procedures for reviewing applications for annexation of territory to the City of Santa Barbara. This resolution limits the acceptance of applications requesting the initiation of annexations to parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries. The application complies with the procedures and requirements established in Resolution 96-118.

Environmental Review

The Environmental Analyst has determined that the project qualifies for an exemption per California Environmental Quality Act (CEQA) Section 15305 (3) on minor lot line adjustments.

Next Steps

If the annexation is approved by Council, the proposed Zoning Ordinance Amendment will return to Council for a second reading and adoption on October 6, 2009. Following action by the Council, City staff will transmit the application for the annexation to LAFCO. Also, a property tax exchange agreement between the City and County will be prepared after the application is submitted to LAFCO. Following LAFCO consideration and approval of these actions, LAFCO will transmit a Certificate of Completion to the County Recorder and a Statement of Boundary Change to the State Board of Equalization.

BUDGET/FINANCIAL INFORMATION:

Property Tax

State law governing annexations requires that the City and the County negotiate a tax exchange agreement. The tax exchange agreement determines what portion of the property tax paid on the property will be allocated to the City. After the annexation application is submitted to LAFCO, the tax exchange agreement will be negotiated and subsequently, a resolution providing for a negotiated exchange of property tax revenues will be prepared for Council approval.

Annexation Buy-in Fees

Chapter 4.04 of the Municipal Code (Annexation and Charges) requires owners of annexed property to pay an annexation "buy-in" fee for potential units to be developed on the property. The annexation fee amount is set by City Council Resolution based on the value of municipal improvements and the acreage of land in the City. Because the project will not result in the addition of any new units on the site, no buy-in fees are required. In addition, the property is already served by city water and has no sewer service.

RECOMMENDATION:

The project is consistent with the current annexation requirements in that the parcel is located within the City's Sphere of Influence and adjacent to City boundaries. The proposed Zoning and General Plan designations can be found consistent with the pattern of development of the existing neighborhood. Therefore, staff recommends that Council consent to the reorganization request including the General Plan, Zoning Map, and Hillside Design District Map Amendments, introduce and subsequently adopt the ordinance, and adopt the resolutions.

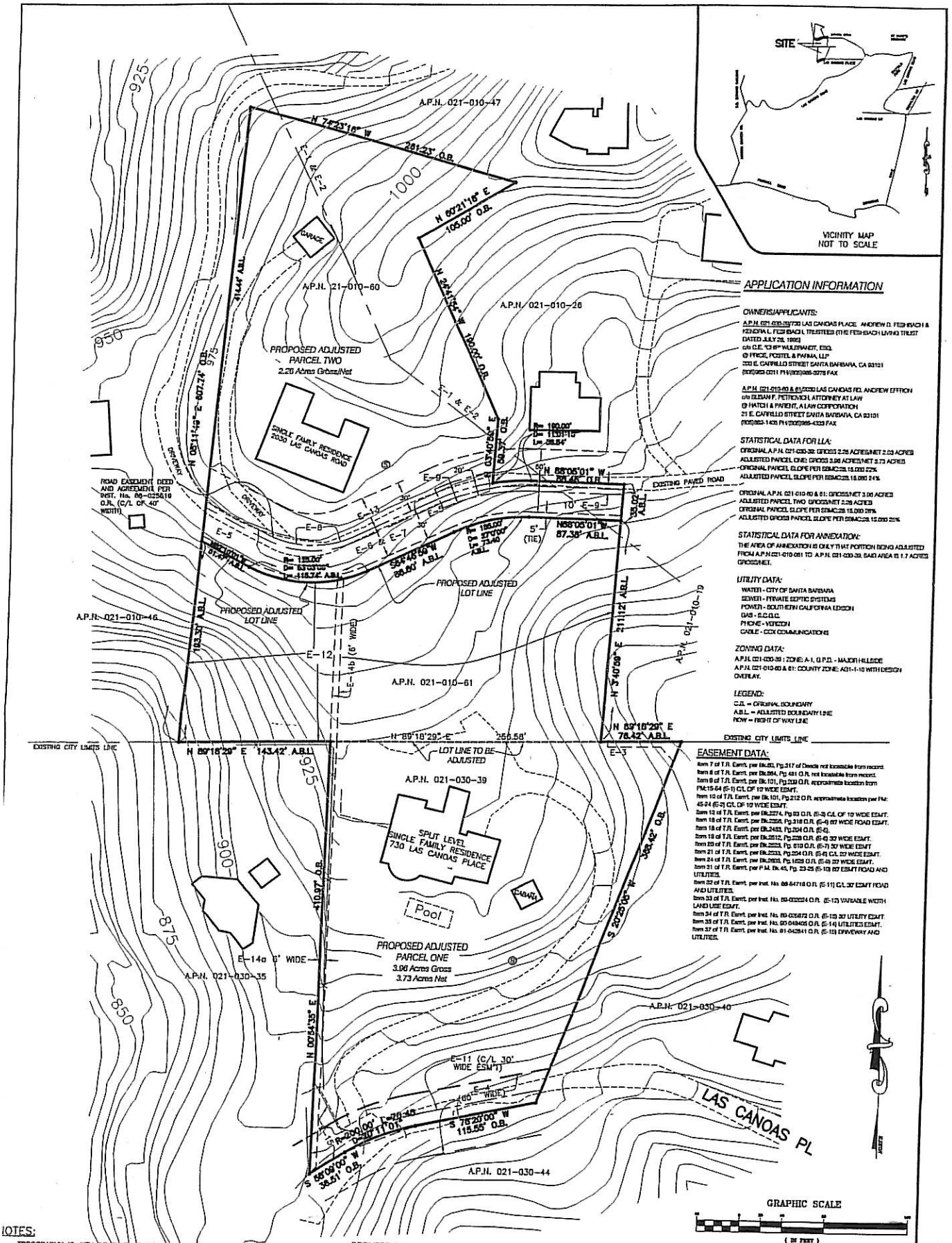
ATTACHMENT: Annexation and Tentative Lot Line Adjustment Map

PREPARED BY: Kathleen Kennedy, Associate Planner

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1



APPLICATION INFORMATION

OWNERS/APPLICANTS:

A.P.N. 021-030-39/730 LAS CANOAS PLACE: ANDREW D. FESHBACH & KENDRA L. FESHBACH, TRUSTEES (THE FESHBACH LIVING TRUST DATED JULY 28, 1993)
c/o C.E. "CHIP" WILDBRANDT, ESQ.
@ PRICE, POSTEL & PARMA, LLP
200 E. CARRILLO STREET SANTA BARBARA, CA 93101
(805)962-0011 PH (805)965-3978 FAX

A.P.N. 021-010-60 & 61/2030 LAS CANOAS RD: ANDREW EFFRON
c/o ELISAH F. POTTENGER, ATTORNEY AT LAW
@ HATCH & PARENT, A LAW CORPORATION
21 E. CARRILLO STREET SANTA BARBARA, CA 93101
(805)963-1400 PH (805)965-4333 FAX

STATISTICAL DATA FOR LLA:

ORIGINAL A.P.N. 021-030-39: GROSS 2.26 ACRES/NET 2.03 ACRES
ADJUSTED PARCEL ONE: GROSS 3.96 ACRES/NET 3.73 ACRES
ORIGINAL PARCEL SLOPE PER SBMC-28: 15.000 22%
ADJUSTED PARCEL SLOPE PER SBMC-28: 15.000 24%

ORIGINAL A.P.N. 021-010-60 & 61: GROSS/NET 3.06 ACRES
ADJUSTED PARCEL TWO: GROSS/NET 2.26 ACRES
ORIGINAL PARCEL SLOPE PER SBMC-28: 15.000 28%
ADJUSTED GROSS PARCEL SLOPE PER SBMC-28: 15.000 25%

STATISTICAL DATA FOR ANNEXATION:

THE AREA OF ANNEXATION IS ONLY THAT PORTION BEING ADJUSTED FROM A.P.N. 021-010-061 TO A.P.N. 021-030-39. SAID AREA IS 1.7 ACRES GROSS/NET.

UTILITY DATA:

WATER - CITY OF SANTA BARBARA
SEWER - PRIVATE SEPTIC SYSTEMS
POWER - SOUTHERN CALIFORNIA EDISON
GAS - S.C.G.C.
PHONE - VERIZON
CABLE - COX COMMUNICATIONS

ZONING DATA:

A.P.N. 021-030-39 / ZONE: A-1, G.P.D. - MAJOR HILLSIDE
A.P.N. 021-010-60 & 61: COUNTY ZONE: AD1-1-10 WITH DESIGN OVERLAY.

LEGEND:

O.L. = ORIGINAL BOUNDARY
A.B.L. = ADJUSTED BOUNDARY LINE
ROW = RIGHT OF WAY LINE

EASEMENT DATA:

Item 7 of T.R. Exmt. per Bk.80, Pg.317 of Deeds not locatable from record.
Item 8 of T.R. Exmt. per Bk.864, Pg. 481 O.R. not locatable from record.
Item 9 of T.R. Exmt. per Bk.101, Pg.209 O.R. approximate location from PM:15-64 (E-1) C/L OF 10' WIDE ESMT.
Item 10 of T.R. Exmt. per Bk.101, Pg.212 O.R. approximate location per PM: 45-24 (E-2) C/L OF 10' WIDE ESMT.
Item 12 of T.R. Exmt. per Bk.2274, Pg.93 O.R. (E-3) C/L OF 10' WIDE ESMT.
Item 16 of T.R. Exmt. per Bk.2368, Pg.318 O.R. (E-4) 60' WIDE ROAD ESMT.
Item 18 of T.R. Exmt. per Bk.2483, Pg.204 O.R. (E-5).
Item 19 of T.R. Exmt. per Bk.2512, Pg.229 O.R. (E-6) 30' WIDE ESMT.
Item 20 of T.R. Exmt. per Bk.2523, Pg. 510 O.R. (E-7) 30' WIDE ESMT.
Item 21 of T.R. Exmt. per Bk.2533, Pg.224 O.R. (E-8) C/L 20' WIDE ESMT.
Item 24 of T.R. Exmt. per Bk.2603, Pg.1628 O.R. (E-9) 20' WIDE ESMT.
Item 31 of T.R. Exmt. per P.M. Bk.45, Pg. 23-25 (E-10) 60' ESMT ROAD AND UTILITIES.
Item 32 of T.R. Exmt. per Inst. No. 88-047118 O.R. (E-11) C/L 30' ESMT ROAD AND UTILITIES.
Item 33 of T.R. Exmt. per Inst. No. 89-022024 O.R. (E-12) VARIABLE WIDTH LAND USE ESMT.
Item 34 of T.R. Exmt. per Inst. No. 89-035872 O.R. (E-13) 30' UTILITY ESMT.
Item 35 of T.R. Exmt. per Inst. No. 90-049405 O.R. (E-14) UTILITIES ESMT.
Item 37 of T.R. Exmt. per Inst. No. 91-042941 O.R. (E-15) DRIVEWAY AND UTILITIES.

NOTES:

. TOPOGRAPHY IS CITY OF SANTA BARBARA PUBLIC WORKS 1" = 100' AERIAL OPOGRAPHY PER 1995 DIGITAL BASE MAP WITH OTC. 2000 UPDATE.

. DATUM: USC&GS NAVD88 DATUM.

. BOUNDARY: BASIS OF SURVEY IS RECORD PER PARCEL MAP BOOK 41, PAGE 96, PARCEL MAP BOOK 15, PG. 54 S.B. Co.

. EASEMENTS: EASEMENTS ARE PLOTTED PER FIRST AMERICAN TITLE COMPANY REPORT o. 4201-803675 MARCH 25, 2004. ONLY EASEMENTS AFFECTING THE FEE PARCELS OF HE TITLE REPORT (PCL. 1 AND PCL. 4) ARE PLOTTED. T.R. = TITLE REPORT

ORIGINAL FESHBACH PROPERTY: A.P.N. 021-030-39 = 2.26 ACRES
ORIGINAL EFFRON PROPERTY: A.P.N.s 021-010-60 & 61 = 3.06 ACRES.

) = INDICATES APPROXIMATE LOCATION OF SEPTIC SYSTEM.

THE ORIGINAL MAPPING FOR THE TWO PARCELS IN QUESTION USE DIFFERENT BASIS OF ARINGS THEREFORE SOME OF THE BEARINGS AND DISTANCES SHOWN HEREON MAY FER FROM THE RECORDED DOCUMENTS. THE FINAL DESCRIPTIONS PREPARED FOR THE T LINE ADJUSTMENT AND ANNEXATION DOCUMENTS WILL BE RELATED TO ONE BASIS.

REQUEST CERTIFICATE:

I HEREBY APPLY FOR THE APPROVAL OF A LOT LINE ADJUSTMENT BETWEEN THE REAL PROPERTIES SHOWN ON THIS PLAT, AS WELL AS THE ANNEXATION OF THE ADJUSTED AREA TO THE CITY OF SANTA BARBARA, AND CERTIFY THAT I AM THE AUTHORIZED AGENT OF SAID OWNERS, AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

C.E. Chip Wildbrandt 10/31/06

C.E. "CHIP" WILDBRANDT, Esq. (AGENT) DATE:
Price, Postel & Parma, LLP
200 E. Carrillo St. Suite 400
Santa Barbara, CA 93101
(805) 962-0011 PH (805) 965-3978 FAX

INITIAL MAPPING: MARCH 2003
UPDATE: JULY 2003
UPDATE: APRIL 2004
UPDATE: JULY 2004
UPDATE: OCTOBER 2005
UPDATE: JANUARY 2006
UPDATE: MARCH 2006
UPDATE: AUGUST 2006
UPDATE: OCTOBER 2006

ANNEXATION & TENTATIVE LOT LINE ADJUSTMENT EXHIBIT MAP

BETWEEN 730 LAS CANOAS PLACE & 2030 LAS CANOAS ROAD
A.P.N. No. 021-030-39 & A.P.N. 21-010-60 & 61
BEING PARCEL 1 OF P.M. Bk. 41, Pg. 96 AND PARCEL A OF P.M. Bk. 15, Pg. 54
CITY OF SANTA BARBARA ~ COUNTY OF SANTA BARBARA ~ STATE OF CALIFORNIA
~ OCTOBER 2006~

PREPARED BY: WATERS LAND SURVEYING INC.
3333 HOLLISTER AVENUE - SUITES 7 & 8
GOLETA, CALIFORNIA 93117 (805) 967-4446

JOSEPH E. WATERS, PLS 3804