



STEVEN D. PERLMAN

August 20, 2004

Ms Lorene Cleary
Ms. Barbara Cleary
126 Loureryo Street
Santa Barbara, CA 93108

Re: Rincon Mountain Property, County Pre-Submittal Analysis
Rezoning and Two-Lot Subdivision, 10 and 20 Acre Options

Dear Lori and Barbara:

Following is how I see your opportunities to accomplish the zone change and lot split you want from the County, per the County's responses to your request.

OPTIONS CONSISTENT WITH GENERAL PLAN POLICIES. The enclosed analysis from the County will confirm what we have previously discussed about your property, that "there is no General Plan inconsistency with either Option A or Option B, as presented" (see Paragraph 1, Page 3 of the analysis). There is also an interesting twist in their response; that is, you could rezone to one parcel of 10 acres and one of 20 acres. As such, the 10 acre zoned parcel could be that, or slightly larger, and the 20 acre zoned parcel would be 34.75 acres or slightly smaller, as you desire. Bottom line is that you have this scenario as a 'third' option.

Therefore, your actual options would be: A) 10 acre and 20 acre zoning, creating 2 lots; B) 20 acre zoning, creating 2 lots, and; C) 10 acre zoning, which could potentially create 4 lots. Given the method of response by Staff, the potential for four lots (Option C above) is an option that would be discouraged. Either Option A or B above is doable.

DETERMINATION OF APPROPRIATE FUTURE ZONING. I have highlighted the most important paragraphs in the Staff analysis that a formal application would have to address. I believe that the analysis and findings of either of Staffs expressed alternatives, Option A (10/20 acre zoning) or Option B (20 acre zoning), would be essentially the same given the General Plan Goals, Policies & Program Land Use consideration, which were the bases of the analysis used in filing the pre-application submittal. The only stumbling block for the 10 acre scenario would be if the Board of Supervisors actually put forward a proposal to eliminate the 10 acre zoning option in the Open Space land use classification (see Page 3, Paragraph 5 of the Staff analysis).

Ms. Lori Cleary
Ms. Barbara Cleary
August 20, 2004
Page 2

NEXT STEPS. Processing. The next steps include preparation of a formal filing, including applications, exhibits, documents and individual agency preliminary discussions, both as outlined in the Staff analysis and my letter to you of 4/14/04, which sets forth general CEQA time frames. A careful and complete formal application is essential to a better and faster review process. The process itself often takes about a year or more from filing, and application/documentation preparation can take a few of months.

Resolution and/or Negotiations of Existing Code Violations. We would need to negotiate the concrete structures as non-habitable agricultural structures, if possible, to not have to remove them (see my letter to you dated 4/14/04). The problem is that the typical ag structure is the typical wood frame construction. We would have to convince Planning regarding zoning issues (accessory structures), Building regarding construction issues (type and use) and Land Development regarding development issues (grading, drainage and compaction).

Options. Considering the above, I believe the options (A, 10/20 acres or B, 20 acres as analyzed above) and directions are clear, and that this is a doable project as you originally wanted. This is definitely worthy of further discussion and proceeding on for you desires. Please let me know your thoughts.

Sincerely,



Steven D. Perlman

Enclosure: Ventura County Staff Response to Pre-Submittal Analysis Request