

**ORDINANCE NO.2021-496**

**AN ORDINANCE OF THE CITY OF GUADALUPE, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP TO PREZONE AND APPROVING ANNEXATION OF A 0.58-ACRE AREA LOCATED AT THE SOUTHWEST SIDE OF THE INTERSECTION OF SIMAS AND ELEVENTH STREET**

**WHEREAS**, Mr. Dave Cross (Applicant) on behalf of Mr. Frank Almaguer (Property Owner), has submitted an application 2020-060-PA to prezone and annex a 0.58-acre portion of a 52.25-acre parcel located at the southwest side of the intersection of Eleventh Street and Simas Street (portion APN113-004-040); and

**WHEREAS**, the established and longstanding use of said 0.58-acre area is as an integral part of the Property Owner's homesite; and

**WHEREAS**, the Property Owner's homesite is in the City of Guadalupe and the adjoining 0.58-acres is located in unincorporated Santa Barbara County; and

**WHEREAS**, Section 56375(a)(7) of the Government Code specifies: *annexations shall only occur based upon the general plan and rezoning by the annexing city*; and

**WHEREAS**, said GPZ is would facilitate a lot line adjustment to legally to combine the 0.58-acres as a permanent part of the Property Owner's 2.0-acre homesite; and

**WHEREAS**, said General Plan land use and Zoning Map amendment would apply the low density residential (1-6 du/ac) land use designation and the corresponding R-1 (Single-Family) residential zoning district on the 0.58-acre property; and

**WHEREAS**, at its meeting of August 24, 2021, the City Council considered General Plan Amendment 2020-060-PA, to apply the low density residential (1-6) General Plan land use designation and prezone the property to the R-1 (single-family) zoning district; and include the 0.58-acre property; in the Guadalupe Sphere of Influence and City Limits; and

**WHEREAS**, said General Plan land use and zoning designations are consistent with and compatible to the single-family residential land use of the homeowner's property and the land use and zoning designations applied in this Gularte Tract neighborhood; and

**WHEREAS**, the scope of activity associated with the project is limited to the administrative actions needed to make the specified map amendments. The procedures will realign City of Guadalupe and County of Santa Barbara maps to correct certain property line infractions and reflect the longstanding past and present usage of the properties. No new use, or intensification of the existing use would result from the project; and

**WHEREAS**, at its meeting of August 24, 2021, the City Council conducted a public hearing to obtain testimony on the proposed project; and

**WHEREAS**, the City Council finds that this is no substantial evidence that the project would have a significant adverse effect on the environment; and

**WHEREAS**, public notice pursuant to Government Code section 65090 was given on August 13, 2021.

**NOW, THEREFORE**, the City Council of the City of Guadalupe does ordain as follows:

**SECTION 1.** The Official Zoning Map of the City of Guadalupe is hereby amended as follows: Amend the Official Zoning Map to prezone a 0.58-acre portion of a 52.25-acre property to the R-1 low density (single-family) residential zoning district; and expand the City Limits boundary to include the 0.58-acre area into the Guadalupe City Limits as shown on Exhibit A.

**SECTION 2.** The Planning Department is hereby authorized to make the identified changes to the General Plan Land Use Map. In doing so, the City Clerk shall consult with the City Administrator and City Attorney concerning any changes deemed necessary.

**SECTION 3.** This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and has been found to be exempt pursuant to §15306 of the CEQA Guidelines (Information Collection) because it does not have the potential to create a physical environmental effect.

**SECTION 4.** The City Clerk is hereby authorized to make minor changes herein to address clerical errors, so long as substantial conformance of the intent of this document is maintained. In doing so, the City Clerk shall consult with the City Administrator and City Attorney concerning any changes deemed necessary.

**INTRODUCED** at a regular meeting of the City Council on the 24<sup>th</sup> day of August 2021, by the following vote:

**MOTION: TONY RAMIREZ / GILBERT ROBLES**


**AYES: 5 Councilmembers: Ramirez, Cardenas, Julian, Robles, Costa Jr.**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAINED: 0**

**PASSED AND ADOPTED** at the regular meeting of the City Council on the 14<sup>th</sup> day of September 2021, by the following roll call vote:

**MOTION:** TONY RAMIREZ / LILIANA CARDENAS

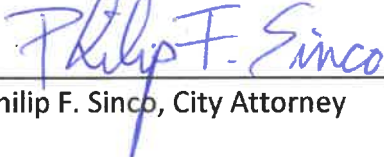
**AYES:** 4      **Councilmembers:** Ramirez, Cardenas, Julian, Robles  
**NOES:** 0  
**ABSENT:** 1      **Councilmembers:** Costa Jr.  
**ABSTAINED:** 0

**ATTEST:**

  
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Amelia M. Villegas, City Clerk

  
\_\_\_\_\_  
Ariston Julian, Mayor

**APPROVED AS IS TO FORM:**

  
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Philip F. Sinco, City Attorney

# EXHIBIT A

## ZONING MAP

