



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: December 9, 2014
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Planning and Development
Director Glenn Russell, Ph.D., Director, 568-2085
Contact Info: Alice McCurdy, Deputy Director, 934-6559
Development Review Division
SUBJECT: Marcelino LLC Agricultural Preserve Replacement Contract, Buellton area, Third
Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

That the Board of Supervisors:

1. Approve and authorize the Chair to execute agricultural preserve replacement contract 07AGP-00000-00012, a single preserve of 462.93-acres (APN: 099-190-079), located approximately ½ mile north of Highway 246, 1 ½ miles west of US Highway 101, and approximately 1.2 miles northwest of Buellton, in the Buellton area;
2. Execute the attached contract, included as Attachment 1 of this Board Letter, creating Agricultural Preserve, 07AGP-00000-00012;
3. Authorize recordation by the Clerk of the Board; and
4. Find that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

Summary Text:

This property was originally part of Agricultural Preserve Contract 85-AP-010. The replacement contract is being requested due to the recordation of 03TPM-00000-00010 which subdivided a 620.15-acre parcel into two currently existing parcels. In 2010, a separate replacement contract was approved by the Board of Supervisors for APN: 099-190-078 under application number 07AGP-00000-00013.

The proposed Marcelino LLC Agricultural Preserve Contract (07AGP-00000-00012) would be a non-prime preserve of 462.93-acres comprised of a single parcel (APN: 099-190-079), located approximately ½ mile north of Highway 246, 1 ½ miles west of US Highway 101, and approximately 1.2 miles northwest of Buellton, in the Buellton area, Third Supervisorial District (Attachment 4).

The parcel contains 462.93-acres and is used for cattle grazing. The property is currently zoned AG-II-100 under the Land Use and Development Code. On February 3, 2012, the Agricultural Preserve Advisory Committee reviewed 07AGP-00000-00012 and determined that this replacement of an agricultural preserve contract is consistent with the Uniform Rules.

Background:

Government Code §51200 (known as the California Land Conservation Act of 1965 or the Williamson Act) provides that local jurisdictions may establish an agricultural preserve program having the goal of retaining land in an agricultural use. The County of Santa Barbara has adopted such a program, which is codified under the Uniform Rules for Agricultural Preserves and Farmland Security Zones. Both the County's Uniform Rules and the Government Code provide that agricultural preserve contracts between the County and landowners are voluntary. Therefore, there are no state mandates associated with this program.

Fiscal and Facilities Impacts:

Budgeted: Yes

There are no fees associated with replacement agricultural preserve contracts for applications accepted prior to May 5, 2012. The total estimated cost to process this agricultural preserve contract is approximately \$7,000.00, and is budgeted in the Permitting Program of the Planning and Development Department, as shown on page D-212 of the adopted 2014/16 FY budget.

Special Instructions:

Clerk of the Board shall distribute copies of the recorded contract (with legal description and vicinity map) and Minute Order, as follows:

- David Villalobos, Planning and Development Department, Hearing Support
- Florence Trotter-Cadena, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Mr. James Buell, Marcelino LLC, 4790 Coughlin Parkway #518, Reno NV 89519

Attachments:

1. Agricultural Preserve Contract
2. Legal Description
3. CEQA Notice of Exemption
4. Vicinity Map

Authored by:

Florence Trotter-Cadena, Planner 805-934-6253

Development Review Division, Planning and Development Department

ATTACHMENT 1: Agricultural Preserve Contracts

ATTACHMENT 2: Approved Legal Descriptions

ATTACHMENT 3: CEQA Exemption