



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: November 4, 2008
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Select_From John Baker, Director
Planning and Development
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)
Development Review - North County
SUBJECT: Galati New Agricultural Preserve and Rezone, Lompoc area

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

That the Board of Supervisors:

Consider the request of Carmelo and Aurelia Galati, owners, for the creation of a new nonprime agricultural preserve contract, Case No. 08AGP-00000-00013 and a consistency rezone, Case No. 08RZN-00000-00003.

The Board of Supervisors action should include the following:

- A. Approve the Rezone:
1. Adopt the required findings for 08RZN-00000-00003 specified in Attachment A of the Planning Commission action letter dated September 10, 2008, (Attachment E) including CEQA findings;
 2. Accept the exemption, included as Attachment B of this board letter, dated September 10, 2008, pursuant to CEQA Section 15061(b)(3);
 3. Adopt a Zoning Map Amendment for APN 099-170-013, amending the Inland Zoning Map for the Lompoc Valley Rural Region Zoning District, included as Attachment A of this Board Letter;
- B. Approve the creation of a new nonprime Agricultural Preserve Contract:

1. Adopt the required findings for 08AGP-00000-00013 specified in Attachment A of the Planning Commission action letter dated September 10, 2008, (Attachment E) including CEQA findings;
2. Accept the exemption, included as Attachment B of this board letter, pursuant to CEQA Sections 15317;
3. Execute an agreement, included as Attachment C of this board letter creating Agricultural Preserve, 08AGP-00000-00013; and,
4. Adopt a resolution, included as Attachment D of this board letter creating Agricultural Preserve, 08AGP-00000-00013.

The site is identified as Assessor Parcel Number 099-170-013 located approximately 1,500 feet northwest of the intersection of Highway 246 and Drum Canyon, in the Lompoc area, Fourth Supervisorial District.

Summary Text:

At the Planning Commission hearing of September 10, 2008, the Commission voted unanimously to take action as stated above. The Planning Commission's September 10, 2008 Action Letter is included as Attachment E of this Board Letter, and the July 29, 2008 staff report is included as Attachment G of this Board Letter.

The new nonprime agricultural preserve (08AGP-00000-00013) will consist of 100 acres used for cattle grazing. The property is currently zoned 100-AG under Ordinance 661, and is proposed to be rezoned to AG-II-100 under the Land Use and Development Code. On June 6, 2008 the Agricultural Preserve Advisory Committee recommended approval of the Agricultural Preserve Contract and a Rezone for the proposed project and found it 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 Agricultural Preserve Program Uniform Rules. 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.

Government Code §658565 requires that upon receipt of an affirmative recommendation of the Planning Commission on a proposed rezoning that the legislative body shall hold a public hearing on the matter.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

There are no fees associated with new contracts. The cost for the contract review and preparation of this report is estimated to be \$1000.00, and is budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-305 of the adopted 2008– 2009 fiscal year budget.

Special Instructions:

Please distribute copies of the recorded contract with attached legal descriptions and copies of the Board of Supervisors Minute Order as follows:

Florence Trotter-Cadena, P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Aurelia and Carmelo Galati	Contract, Map
P.O. Box 516	
Buellton, CA 93427	

The Clerk of the Board shall forward a copy of the Minute Order to Planning and Development, Hearing Support Section, Attn: David Villalobos.

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation. Mailed notice required to property owners within 300 feet of the project, including the real property owners, project applicant, and agencies expected to provide essential services shall be done at least 10 days prior to the hearing (Government Code Section 65091).

Planning & Development will prepare all final action letters and otherwise notify all concerned parties of the Board of Supervisor's final action.

Attachments:

- A. Ordinance to Rezone
- B. CEQA Exemptions for Agricultural Preserve and Rezone
- C. Agricultural Preserve Contracts
- D. Resolution Creating Agricultural Preserve, 08AGP-00000-00013
- E. Planning Commission Action Letter, dated September 10, 2008
- F. Legal Description
- G. Staff Report, dated July 29, 2008
- H. Site Plan

Authored by:

Florence Trotter-Cadena, Planner III, 805-934-6253

Development Review Division – North, Planning and Development Department