



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 11, 2019
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Planning and Development
Director Lisa Plowman, Director, 568-2086
Contact Info: Travis Seawards, Deputy Director, 568-2518
SUBJECT: Waller Agricultural Preserve Replacement Contract, Santa Maria area, Third
Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Recommended Actions:

Auditor-Controller Concurrence

As to form: No

That the Board of Supervisors:

- a) Adopt a resolution creating Agricultural Preserve No. 19AP-00000-00013 (Attachment 1) consisting of 155.32 acres located north of the intersection of Betteravia Road and Ray Road and south of Brown Road, in the Santa Maria area (APN 113-140-003 and APN 113-140-011);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 19AP-00000-00013 (Attachment 2);
- c) Authorize recordation by the Clerk of the Board; and,
- d) 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:

Staff recommends that the Board of Supervisors adopt the Waller Agricultural Preserve Replacement Contract No. 19AP-00000-00009 pursuant to Uniform Rule 6-2. The 155.32-acre property (consisting of parcels numbered 113-140-003 and 113-140-011) was originally a part of Agricultural Preserve Contract No. 72-AP-148, which also included parcel 113-140-012. The owner, the June S. Waller Revocable Trust, previously owned all three parcels under Agricultural Preserve Contract No. 72-AP-148. The replacement contract request is a result of parcel 113-140-012 changing ownership. As a result, two separate contracts must be process to replace the entirety of the original contract.

The Waller Agricultural Preserve Replacement Contract consists of 148 acres of prime farmland used for green leaf produce and 7.32 acres of nonprime farmland used for a farm storage yard. There are no other developments or uses on the property. The project is located immediately north of the intersection of Betteravia Road and Ray Road and extends north to Brown Road, in the Santa Maria area (Attachment 4).

The subject parcels are currently zoned AG-II-100 under the Land Use and Development Code.

On November 1, 2019, the Agricultural Preserve Advisory Committee (APAC) reviewed 19AP-00000-00013 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 of the Williamson Act) provides that local jurisdiction 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

The costs to process the project were borne by the applicant through the payment of processing fees. The total estimated cost to process this agricultural preserve contract is approximately \$3,650.00. Funding for this project is budgeted in the Planning and Development’s Permitting Budget Program on page D-269 of the County of Santa Barbara Fiscal Year 2019-20 adopted budget.

Special Instructions:

Clerk of the Board shall endorse the fact of this adoption and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract) with description attached at the Office of the Santa Barbara County Recorder. In addition, the Clerk of the Board shall forward to the following interested parties copies of documents as follows:

1. To the County Recorder, a copy of the Surveyor's map;
2. To the property owner (Caroline J. Waller, 4200 Portrero Road, Atascadero, CA 93422), a conformed copy of the Short Form Contract, a certified copy of this Resolution and a copy of the Surveyor's map;
3. To the Planning and Development Department (Ben Singer and David Villalobos), a conformed copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
4. To the Assessor, a certified copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map; and,
5. To the Surveyor, a certified copy of the Short Form Contract.

Attachments:

1. Agricultural Preserve Resolution
2. Agricultural Preserve Contract
3. Approved Legal Description
4. Vicinity Map

Authored by:

Ben Singer, Planner 805-934-6587

Development Review Division, Planning and Development Department

ATTACHMENT 1: Agricultural Preserve Resolution

ATTACHMENT 2: Agricultural Preserve Contract

ATTACHMENT 3: Approved Legal Description

ATTACHMENT 4: Vicinity Map