



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 14, 2010
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: Glenn Russell, PhD., Director (568-2085)
Contact Info: Michael Hays, Agricultural Land Use Planner (934-6923)
Agricultural Land Use Planning Division
SUBJECT: ZF Vineyards, LLC New Agricultural Preserve Contract and Consistency Rezone, Lompoc area

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:

Consider a consistency rezone, Case No. 10RZN-00000-00005, and the request of Steven Brown, agent, for a new prime agricultural preserve contract, Case No. 10AGP-00000-00017.

A. Approve the Rezone:

1. Adopt the required findings for 10RZN-00000-00005 specified in Attachment A of the Planning Commission action letter dated November 10, 2010 (included herein as Exhibit 1) including CEQA findings;
2. Accept the exemption, included as Exhibit 2 of this Board Letter, dated December 14, 2010, pursuant to CEQA Section 15061(b)(3);
3. Adopt Zoning Map Amendment for Assessor's Parcel Number 099-160-067 amending the Inland Zoning Map from 100-AG, (Ordinance 661), to AG-II-100 (Land Use and Development Code) for the Lompoc Valley Rural Region included herein as Exhibit 3 of this Board Letter;

- B. Approve the creation of one new prime Agricultural Preserve Contract (Case No. 10AGP-00000-00017):
1. Accept the exemption, included herein as Exhibit 2 of this Board Letter, dated December 14, 2010, pursuant to CEQA Section 15317;
 2. Execute an agreement, included as Exhibit 4 of this Board Letter creating Agricultural Preserve, 10AGP-00000-00017; and,
 3. Adopt a resolution, included as Exhibit 5 of this Board Letter creating Agricultural Preserve, 10AGP-00000-00017.

The site is identified as Assessor's Parcel Number 099-160-067 located at 5180 East Highway 246 in the Lompoc area, Fourth Supervisorial District.

Summary Text:

At the Planning Commission hearing on November 10, 2010 the Commission voted unanimously to recommend the consistency rezone (Case No. 10RZN-00000-00005) to the Board of Supervisors. The Planning Commission's November 10, 2010 Action Letter is included as Exhibit 1 of this Board Letter, and the October 22, 2010 staff report is included as Exhibit 6 of this Board Letter.

The proposed new ZF Vineyards, LLC Agricultural Preserve contract (10AGP-00000-00017) would be a prime preserve consisting of one 70.63 acre legal parcel (APN 099-160-067). The parcel contains no structures and is planted with 35.7 acres of wine grapes. The parcel is currently zoned 100-AG under Ordinance 661 and the proposal will rezone the parcel to AG-II-100 under the Land Use and Development Code (10RZN-00000-00005). Santa Barbara County's Uniform Rules for Agricultural Preserves and Farmland Security Zones requires eligible land to have land use and zoning designations consistent with Agriculture, Mountainous, or Resource Management. Uniform Rules 1-2.1 states: "Interested landowners with ineligible land use or zoning designations should request and secure a general plan amendment and/or rezone prior to or concurrent with the processing of the agricultural preserve and Williamson Act contract, subject to the provisions outlined in section 1-2.4. Land zoned under Ordinance 661 is not eligible for a Williamson Act contract unless the application is accompanied by a general plan amendment, rezone, or consistency rezone request". Uniform Rule 1-2.4D states: "In order for a parcel or group of parcels to be eligible for new and replacement contracts, the parcel(s) shall be zoned to the applicable zoning designation consistent with the qualifying preserve".

On October 1, 2010 the Agricultural Preserve Advisory Committee reviewed 10AGP-00000-00017 and 10RZN-00000-00005 and determined both projects are 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.

Government Code §658565 requires that upon receipt of an affirmative recommendation of the Planning Commission on a proposed rezoning, 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 agricultural preserve contracts or consistency rezones. The cost for the contract review and preparation of this report is estimated to be \$2,370 and is budgeted in the Agricultural Planning program on Page D-344 of the adopted 2010–2011 fiscal year 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
- Stephanie Stark, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Agent for the owner:
Steven M. Brown & Associates
Attn: Steven M. Brown
1000 Quail Street, Ste 290
Newport Beach, CA 92660

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation. The Clerk of the Board shall mail a notice 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.

Exhibits

1. Planning Commission Action Letter, dated November 10, 2010
2. CEQA Exemptions for Agricultural Preserve and Rezone
3. Ordinance to Rezone
4. Agricultural Preserve Contract
5. Resolution Creating Agricultural Preserve
6. Staff Report, dated October 22, 2010
7. Planning Commission Rezone Resolution
8. Legal Description and Vicinity Map

Authored by:

Stephanie Stark, Agricultural Planner, 805-681-5604
Agricultural Planning Division, Planning and Development Department

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