

# Uniform Rules Synchronization with Policy Initiatives Affecting Rural Lands



December 5, 2006

# Policy Initiatives Affecting Rural Lands

- Currently, there are 20 policy initiatives that have the potential to affect development on Rural Lands:
  - 7 in CEO-Long Range Planning
  - 9 in Planning and Development
  - 3 in Ag Commissioner's Office
  - 1 in General Services

# Policy Synchronization

Policy initiatives across departments are coordinated:

- Timelines are known
- Path to analyzing impacts is clear
- CEQA relationships established

# Timeline Matrix

## Policy Initiatives Affecting Rural Lands

		Project and Outreach Timing											
PROJECT		October 2006	November 2006	December 2006	January 2007	February 2007	March 2007	April 2007	May 2007				
Long Range and Strategic Planning	General Plans	Housing Element EIR		NOP 11/14	Scoping 11/27		PC		DEIR		PC	BOS	
		Uniform Rules	PC 10/4	APAC 10/6									
		Ordinance 661 Update				IS / ND				BOS			
	Community Plans	Santa Ynez Community Plan					EIR RFP			NOP 2/21			
		Goleta Community Plan Update						Kickoff					
		Los Alamos Community Plan		LA PAC 11/6	LA PAC 11/20	LA PAC 12/4	LA PAC 12/18	LA PAC 1/8	LA PAC 1/22	LA PAC 2/5	LA PAC 2/26	LA PAC 3/12	LA PAC 3/26
		Cuyama Land Use Strategies						Kickoff					
Planning and Development	PIT Projects	PIT Ag Related Changes: Housing		NOP 11/14	Scoping 11/27						PC	BOS	
		PIT Ag Related Changes: Non-Housing									PC	BOS	
		Zoning Clearance for Pre-Approved CUP/DP				PC 12/6							
	Current Planning Projects	Shift Small Projects to Ministerial Permits											
		Zoning Violations									PC	BOS	
		ESH - Goleta Overlay		PC 10/26		BOS							
		ZORP		BOS 10/17									
		Expanded Ag Home Occup.									PC		
		Discretionary Apps Review											
Ag Commission	AAC Projects	AREA Ag Baseline Study						Draft Study					
		Grading Ordinance											
		Ag Buffers											
Gen Serv	Gen Serv	Resource Conservation Strategy		Kickoff									
November 13, 2006, Attachment A					Milestone Legend:		EIR	BOS	PC	Other			

# Impacts Matrix

## Policy Initiatives Affecting Rural Lands

PROJECT			Impacts			
			Residential Units Created	Acreeage of Non-Residential Development	Impacts to Agriculture	Physical Environment
Long Range and Strategic Planning	General Plans	Housing Element EIR	992 - 1,240	0	X	X
		Uniform Rules	233	283	X	X
		Ordinance 661 Update	TBD	0	X	X
	Community Plans	Santa Ynez Community Plan	7-30	TBD	X	X
		Goleta Community Plan Update	TBD	0	TBD	TBD
		Los Alamos Community Plan	TBD	TBD	TBD	TBD
		Cuyama Land Use Strategies	TBD	0	TBD	TBD
Planning and Development	PIT Projects	PIT Ag Related Changes: Housing	0	0	X	X
		PIT Ag Related Changes: Non-Housing	In Housing Element	0	TBD	TBD
		Zoning Clearance for Pre-Approved CUP/DP	0	0	TBD	TBD
		Shift Small Projects to Ministerial Permits	0	0	TBD	TBD
	Current Planning Projects	Zoning Violations	0	0	None	None
		ESH - Goleta Overlay	0	0	TBD	TBD
		ZORP	0	0	None	None
		Expanded Ag Home Occup.	0	TBD	TBD	TBD
		Discretionary Apps Review	0	0	None	None
		Ag Commission	AAC Projects	AREA Ag Baseline Study	0	0
Grading Ordinance	0	0		TBD	TBD	
Ag Buffers	0	0		TBD	TBD	
Gen Serv	Gen Serv	Resource Conservation Strategy	0	0	TBD	TBD

# Environmental Review

The process of Environmental Review, for any project, must look *beyond* the scope boundaries of the individual policy initiative:

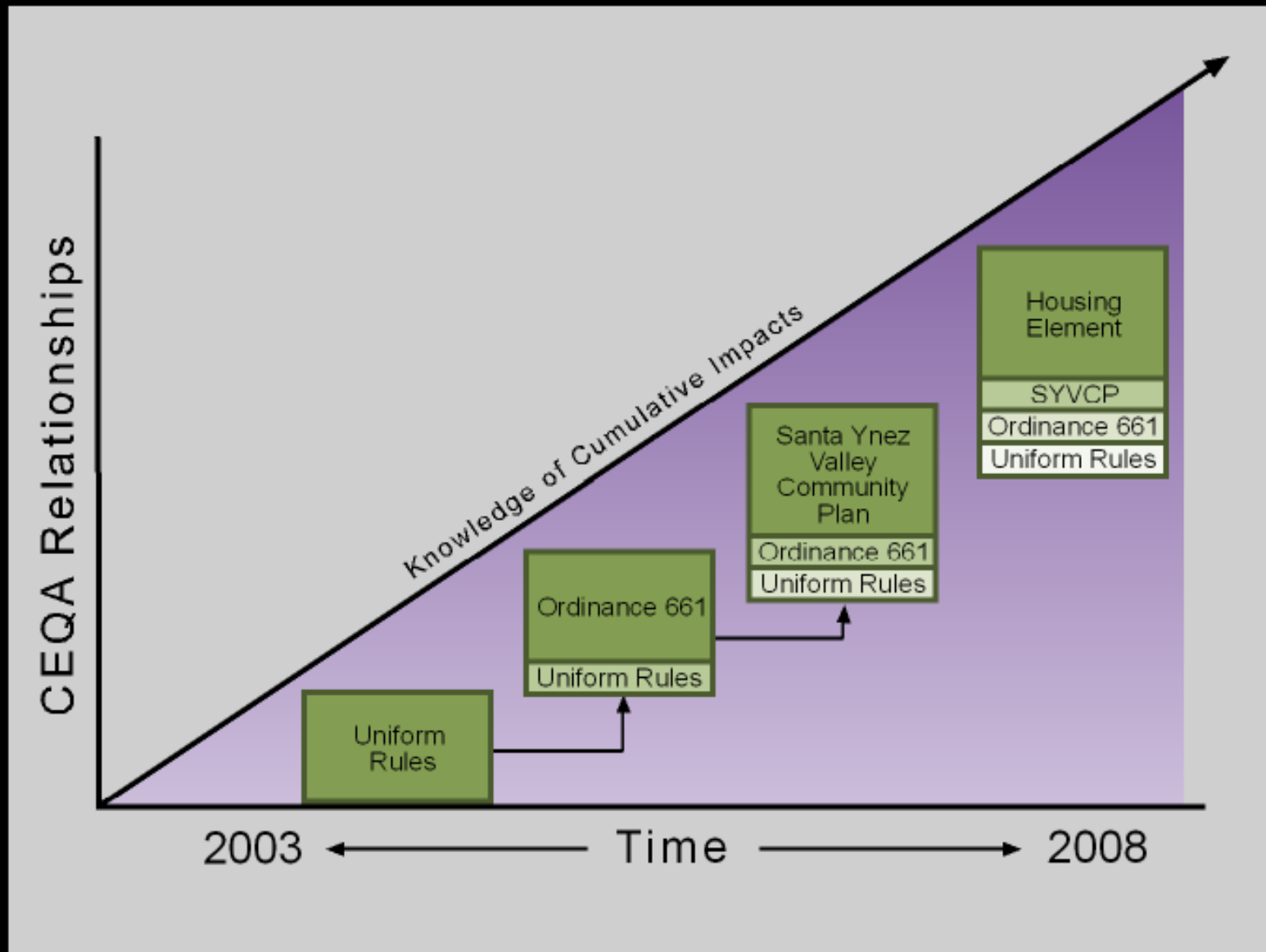
- Holistic analysis of cumulative impacts
- Determination of CEQA requirements
- Understanding CEQA relationships across the policy-making arena

# CEQA Relationships

CEQA requires for the lead agency to consider not just the potential significant environmental impacts in the formal Project Description, *but the cumulative* impacts of all policy initiatives underway at a given time.

- This assumes that the scope of those inter-related, concurrent policy initiatives can be realistically determined.

# CEQA Processes





# Conclusions

- The CEO is synchronizing 20 policy initiatives that potentially affect development on rural land:
  - Timelines are known
  - Path to analyzing impacts is clear
  - CEQA relationships understood
- Understanding Cumulative Impacts over time and across projects is vital to good policy-making.
- Planning Commission recommended that all policy initiatives currently underway, be allowed to proceed on their current schedules.
- Commission also agreed to hold periodic hearings to monitor the progress of policy initiatives for the purpose of ensuring continued synchronization.

# Uniform Rules Update

- Amendments will allow only some of the uses currently available on non-contracted agricultural land
- No changes are proposed to underlying agricultural zoning
- 550,000 acres under contract
  - 74% of private agriculturally zoned land

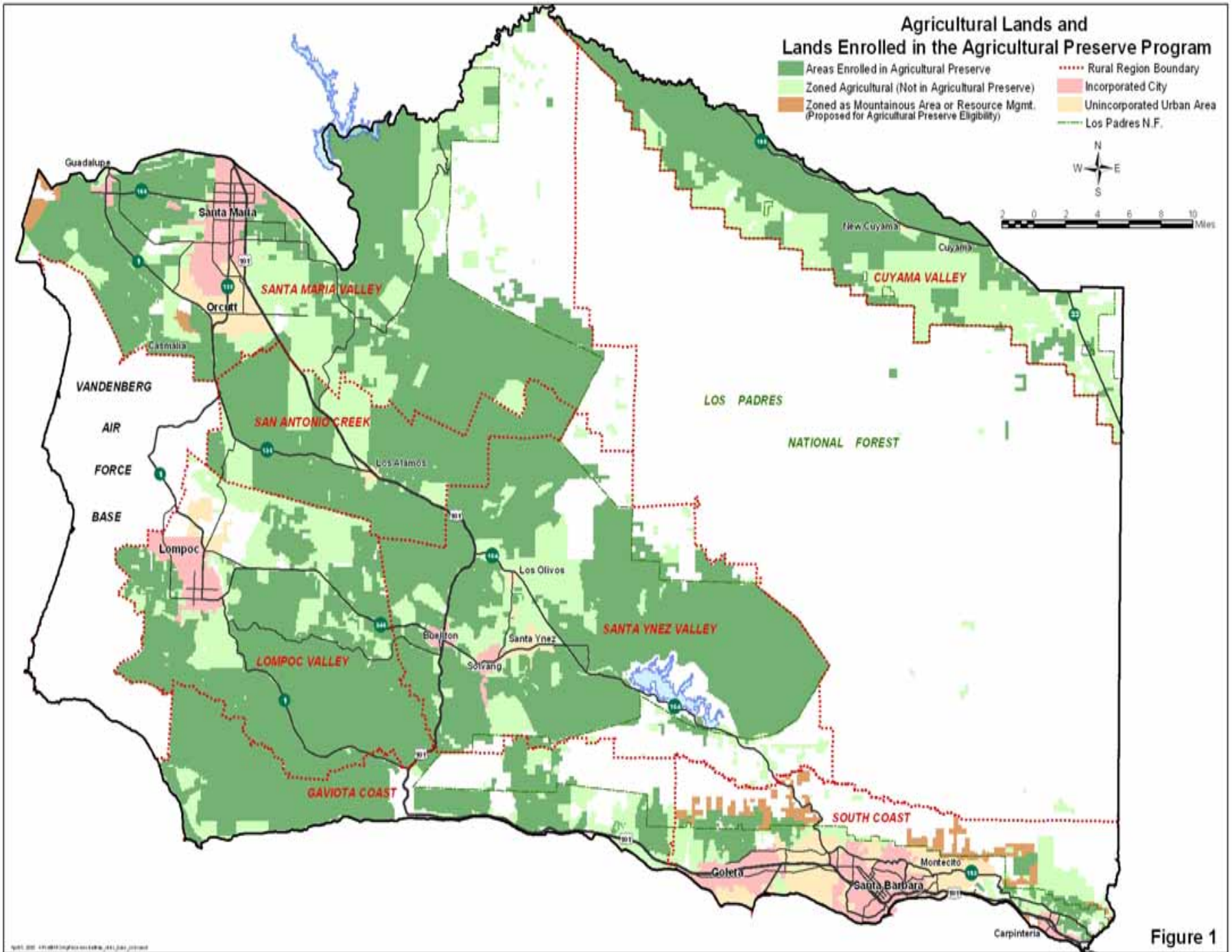


Figure 1

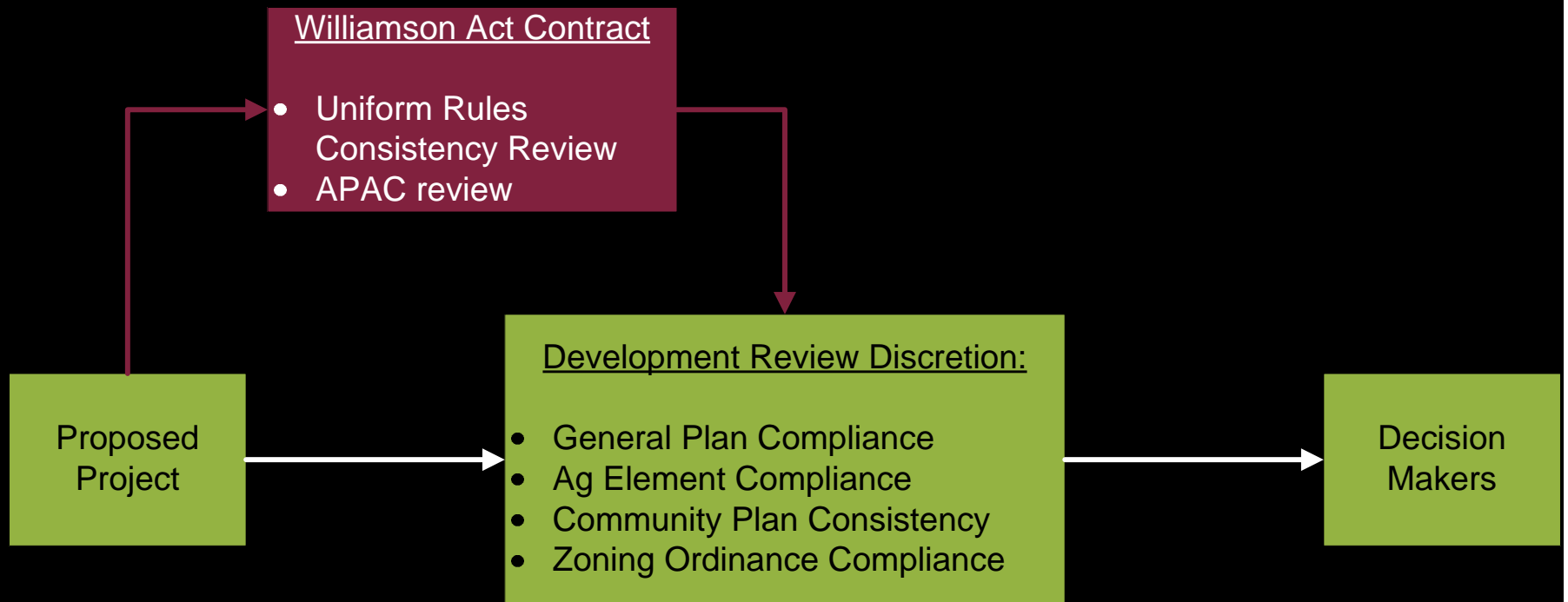
# Williamson Act

- Purpose: Protect the maximum amount of agricultural land for agriculture
- Voluntary agreements: Tax benefits in exchange for enforceable restriction on land
- Local government programs: Required to have set of uniform rules to implement

# Uniform Rules

- Uniform Rules implement State's requirements for Williamson Act participation at the local level
- Define requirements to receive reduced tax assessment
- Are more restrictive than non-contracted agricultural land
- Do not authorize additional development that is not currently permitted on non-contracted agricultural land
- Do not supersede County permit & approval process

# Permit Paths



# Project Roles

- Board Initiation – April 2003
- APAC Role:
  - Conduct public workshops and evaluate list of proposed amendments for consistency with Williamson Act
  - Recommend Uniform Rule amendments to Board of Supervisors
- Comp Staff Role:
  - Assist APAC
  - Prepare Environmental Impact Report

# Uniform Rules Update

- Last comprehensive update in 1984
- Reasons for Update:
  - Conformance with the Williamson Act
  - Greater clarity and flexibility
  - Ensure program integrity
  - Promote commercial agriculture
  - More user-friendly



# Uniform Rules Update

- Extensive Public Outreach

May '03 to August '04 – 31 APAC meetings

August '04 – Notice of Preparation

August '05 – Draft EIR release

August – October '05 DEIR public comment (90-days)

August '06 – Proposed Final EIR release

October '06 – Planning Commission Briefing

October '06 – APAC mtg. – Final Recommendation

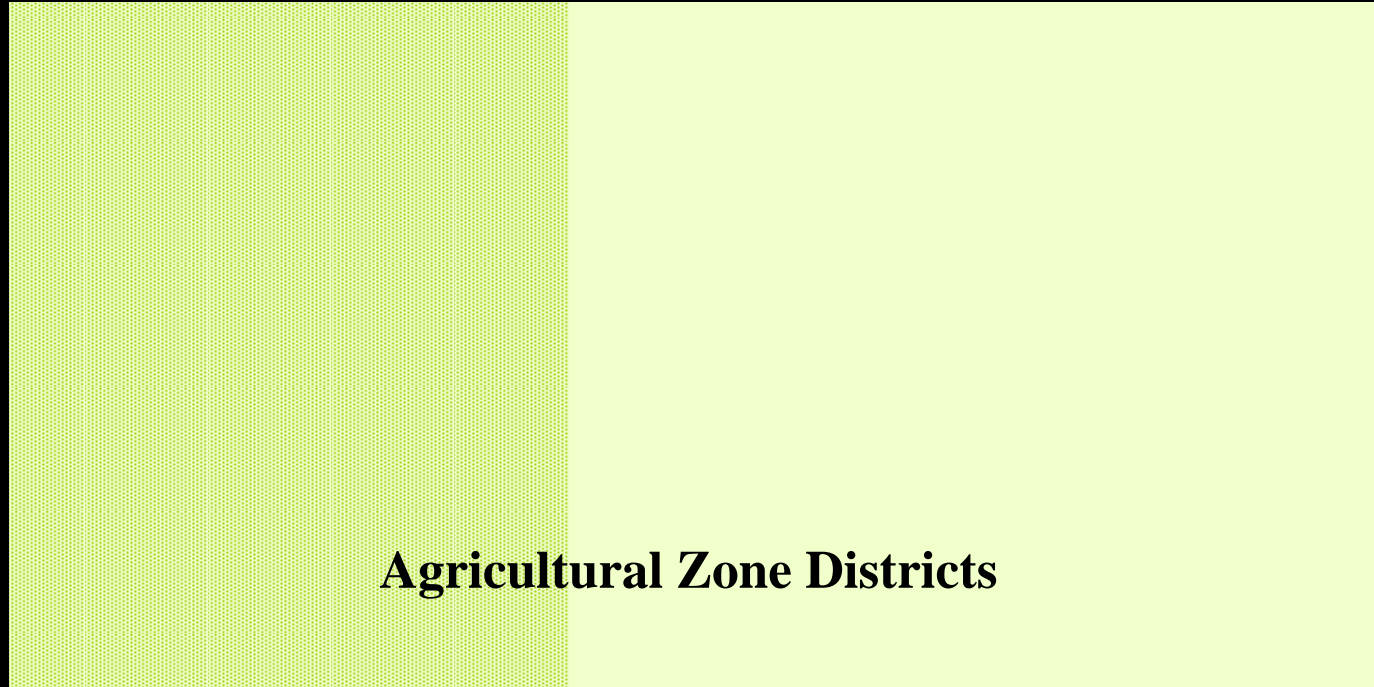
– 46 public meetings in total

## **Agricultural Zone Districts**

### **Available Uses**

- **Property Owners can apply for the full range of permitted and conditionally permitted uses.**

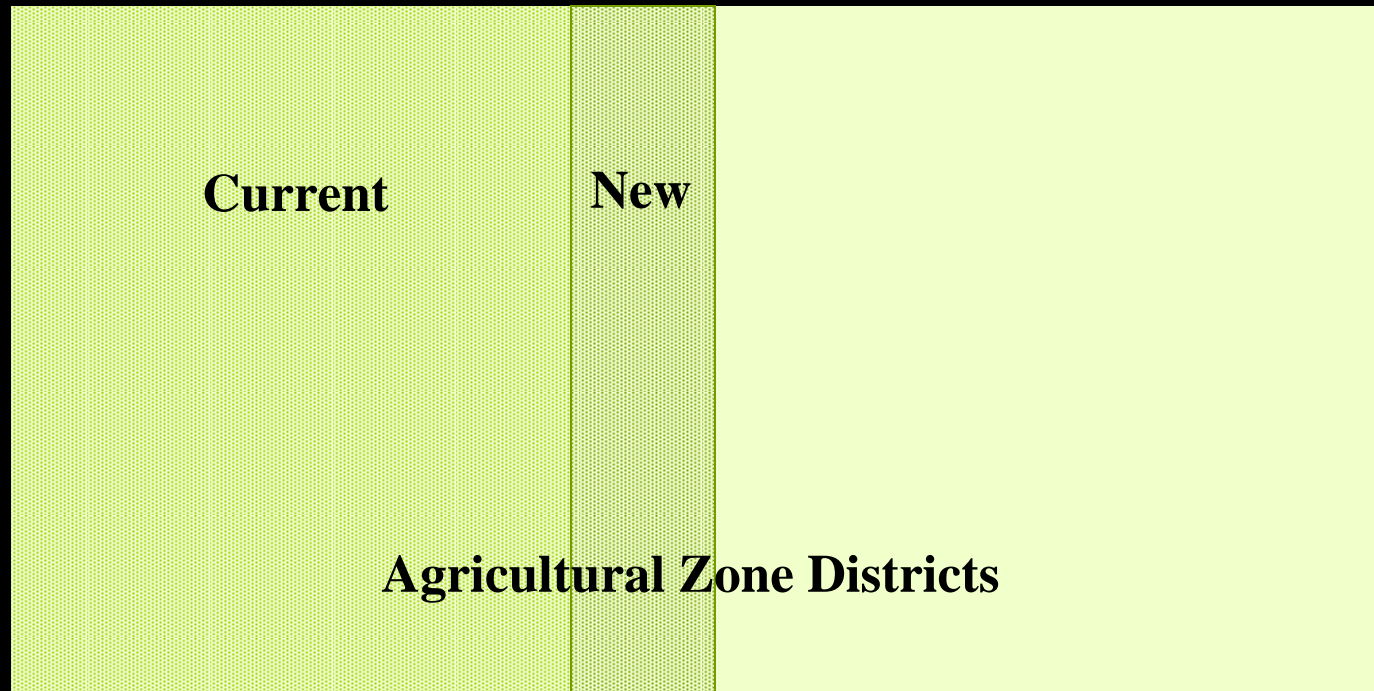
## **Uniform Rules**



## **Available Uses**

- **Uniform Rules restrict allowed uses and development potential compared to land not under Williamson Act contract.**

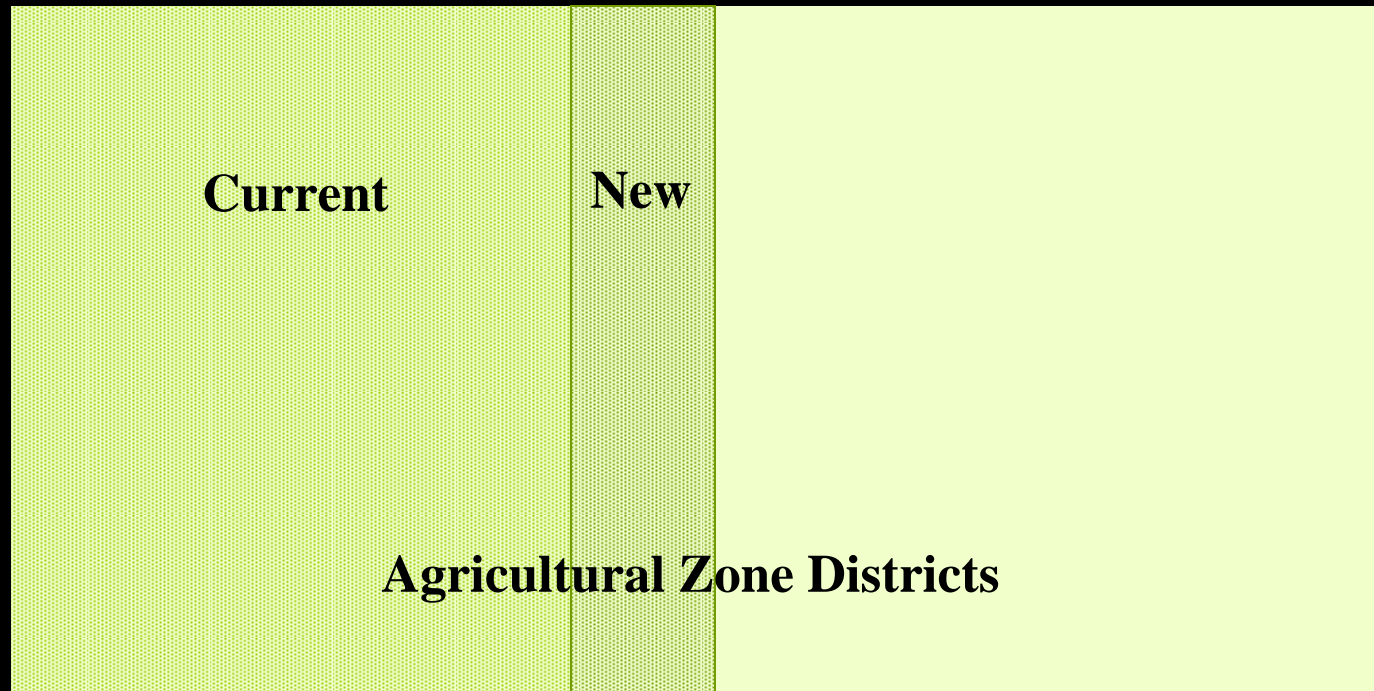
## Uniform Rules



## Available Uses

- Some permitted uses in the underlying zone district would become available under new rules

## Uniform Rules



- Incremental changes support continued agricultural viability.

**Uniform Rules**

**Current**

**New**

**Agricultural Zone Districts**

- **Provide flexibility for landowners to remain in Agricultural Preserve**
  - Facilitate larger winery and preparation facilities.
  - Commercial composting
  - Limited residential development

**Uniform Rules**

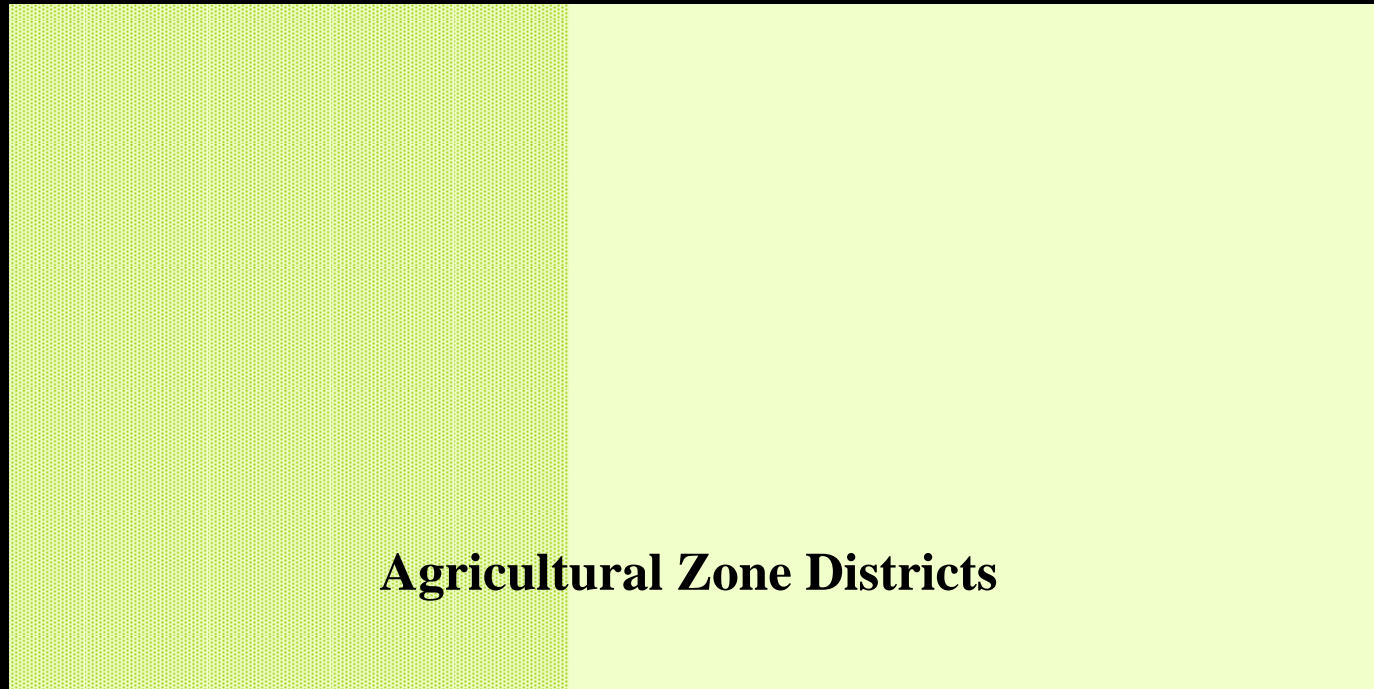
**Current**

**New**

**Agricultural Zone Districts**

- **Even with amendments, development is more restricted on contracted land.**

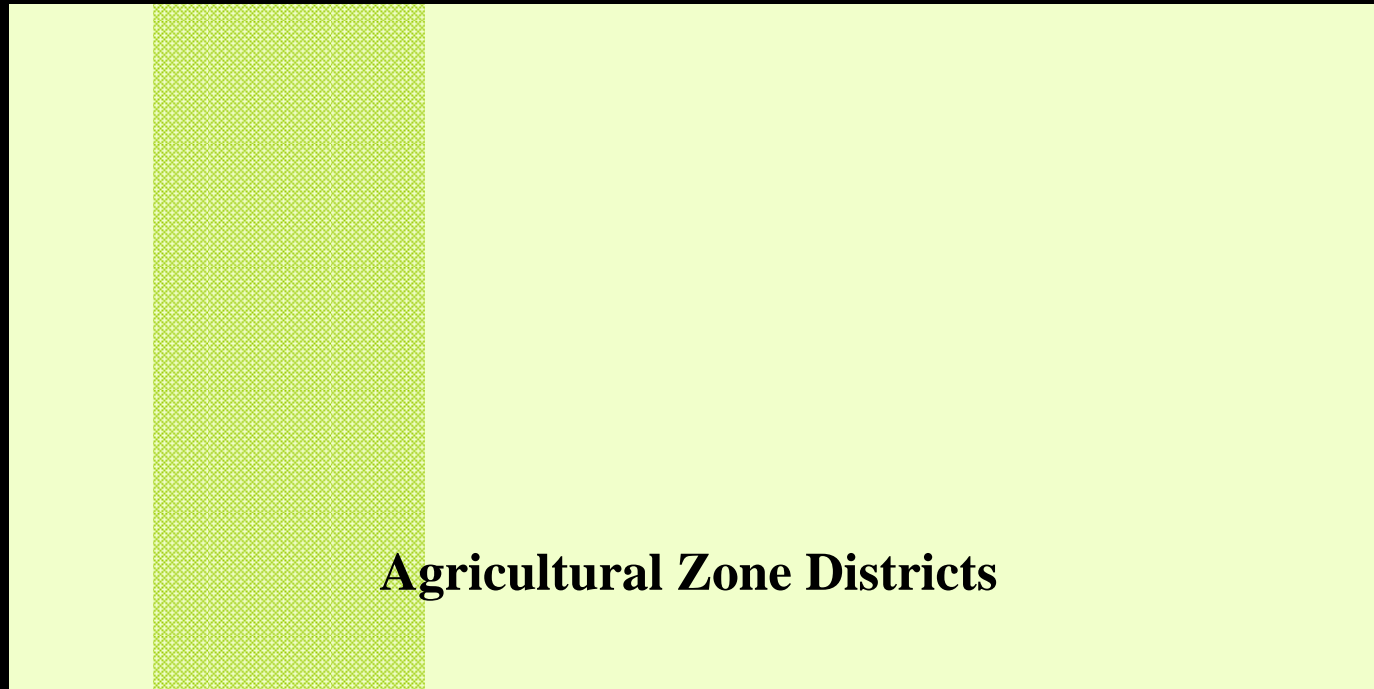
## **Uniform Rules**



- **Landowners may choose to get out of Agricultural Preserve Program.**
- **Benefits may no longer outweigh restrictions/limited flexibility.**



## **Uniform Rules**



**Overall development intensity could increase if enrollment in the Ag Preserve Program declines**

# Environmental Review

- Analysis of physical impacts (CEQA)
- Beneficial Impacts Identified
- Mitigation Measures
  - Incorporated in final Uniform Rules
- Cumulative Impacts
- Overriding Considerations
  - Balances project benefits against significant and unavoidable effects

# Planning Commission

- Motion to recommend that the Board consider additional public review, offered to provide that forum
- Ad-Hoc Committee Workshop to address lingering public concerns about the impacts of changes in the Uniform Rules

# Staff Recommendation

1. Adopt Findings and Overriding Considerations for approval of the amended Uniform Rules (Attachment A);
2. Certify the Final EIR, including EIR Revision Document and Mitigation Monitoring & Reporting Plan (Attachment B);
3. Adopt the Resolution to amend the Uniform Rules, including changes recommended by the APAC (Attachment C).

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**Additional Slides**

## 2-5. RECREATION

Recreational uses, such as walking, hiking, picnicking, wilderness camping, scenic viewing, swimming, boating, fishing, hunting, and horseback riding, are deemed compatible uses on contracted land. Examples of non compatible uses are: motor vehicle use which is detrimental to the productivity of the land, sport fields, and golf courses. Uses which are compatible shall meet all of the following requirements:

- A. The use is limited to land in its agricultural or natural state;
- B. The use is consistent with the compatibility guidelines set forth in section 2-1 of this Rule and with any restrictions imposed by Chapter 35 of the Santa Barbara County Code for the applicable zone district;
- C. Any facilities or structures necessary to support such uses, and which are not principally used as part of the agricultural operation, must be included within the acreage allowed for the development envelope on the premises and be sited in a manner that minimizes impacts to agriculture;
- D. Only incidental low-intensity motorized activities shall be allowed. Contracted land that is used solely for recreation, where no agriculture is taking place, shall adhere to the requirements set forth in Rule 4.



# Compatible Uses

Winery facility site envelope:

- Increase envelope for premises over 500 acres
- 1 additional acre for every 100 acres
- 20-acre maximum envelope
- Based on demonstrated need

# Compatible Uses

Expand requirements for source of grapes

- 51% of wine production from grapes grown on winery premises **or** other contracted land in the same ownership
- 20% from grapes on parcel with winery

# Compatible Uses

Preparation facility site envelope:

- Envelope shall not exceed 50%\* of parcel
- 30-acre site envelope maximum
- 50%\* of parcel with facility shall be in commercial agriculture production

# Compatible Uses

## Agricultural Industry Overlay

- Allows placement on contracted land
- For uses not otherwise allowed by agricultural zoning
  - Processing beyond raw state
  - Regional agriculture support services

# Compatible Uses

Small-scale processing beyond raw state

- Allows processing for other crops similar to wineries
- 20% of crop on parcel with facility
- Site limited to 1% of parcel or 1 acre

# Compatible Uses

## Small-scale guest ranches

- AG-II zoning only
- Minimum 40-acre parcel
- Units within existing structure
- Maximum 15 guests in 6 rooms
- Incidental to agricultural operation

# Compatible Uses

- Waste Disposal Facilities
  - Composting
  - Land reclamation fill
- Define compatible mining activities

# Eligibility Requirements

## New eligible designations

- Land Use Designations
  - AC, Mountainous Area, and Open Lands
- Zoning Designations
  - Mountainous and Resource Management



# Eligibility Requirements

## Production and reporting requirements

- Prime contracts - lesser of 50% of premises or 50 acres in ag production **and** prime soils **or** \$500/acre/ year
- Superprime contracts - production value or minimum production acreage

# Superprime Production Requirements

Parcel Size (acres)	Column 1 Average Annual Production Value	Column 2 Minimum Productive Acreage per Parcel (acres)
5 to 10	\$5000 per parcel	4.75
> 10 to 11	\$10,000 per parcel	5.00
> 11 to 12		5.50
> 12 to 13		6.00
> 13 to 14		6.50
> 14 to 15		7.00
> 15 to 16	\$15,000 per parcel	7.50
> 16 to 17		8.00
> 17 to 18		8.50
> 18 to 19		9.00
> 19 to < 20		9.50

# Eligibility Requirements

## Residential Opportunities

- Non-prime contracts
  - Up to 3 principal dwellings per contract
  - (parcels 100-acres or larger)
  - Occupied by immediate family members only
  - Joint Management Agreement

# Eligibility Requirements

## Residential Opportunities

- Prime contracts: 1 principal dwelling per contract
- Superprime contracts: 1 principal dwelling per contract
  - Increase development envelope if more land in agriculture

# Superprime Development Envelope

## Development Envelope Allowances

Parcel Size (acres)	Maximum Development Envelope Allowance (square feet)	Planting Requirement to Receive Allowance (acres)	Minimum Productive Acreage (from Table 1-2)
for: 5 – 10	<b>up to: 10,000</b>	If: 4.75	<b>4.75</b>
> 10 – 11	11,000	6.00	5.00
> 11 – 12	12,000	7.50	5.50
> 12 – 13	13,000	9.00	6.00
> 13 – 14	14,000	10.5	6.50
> 14 – 15	15,000	12.0	7.00
> 15 – 16	16,000	13.5	7.50
> 16 – 17	17,000	15.0	8.00
> 17 – 18	18,000	16.5	8.50
> 18 – 19	19,000	18.0	9.00
> 19 – < 20	20,000	19.5	9.50

# Contracts for Open Space & Recreation

- Applies where no agriculture is taking place

## Open Space

- Redefines open space per Williamson Act

## Recreation

- Eliminates REC overlay
- Redefines recreation per Williamson Act
- Business plan required

# Farmland Security Zones

- Conformance with Williamson Act
- Explains benefits of FSZs (35% reduction in assessment for a 20-year contract)

# Department of Conservation

- Proposed Rule Amendments
  - Small scale guest ranch
  - Additional principal dwellings
- Existing Uniform Rules
  - Residential Agricultural Units
  - Animal Boarding and Breeding Facilities
  - Replacement Contracts