



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 17, 2019  
Placement: Administrative  
Estimated Time: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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TO: Board of Supervisors  
FROM: Department Planning and Development  
Director Lisa Plowman, Director, 568-2086  
Contact Info: Travis Seawards, Deputy Director, 568-2518

SUBJECT: **Hines (Mail Road) Agricultural Preserve Replacement Contract, Lompoc area, Third Supervisorial District**

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**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:

- a) Adopt a resolution creating Agricultural Preserve Contract No. 19AGP-00000-00009 (Attachment 1) consisting of 98.7 acres located approximately 200 yards southwest of the intersection of Highway 246, Drum Canyon Road and Mail Road, in the Lompoc area (APN 099-210-055);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 19AGP-00000-00009 (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 Hines (Mail Road) Agricultural Preserve Replacement Contract No. 19AGP-00000-00009 pursuant to Uniform Rule 6-2. The 98.70-acre subject property (designated as Assessor Parcel Number [APN] 099-210-055) was originally part of Agricultural Preserve Contract No. 69-AP-050B, which was comprised of APNs 099-210-055 and 099-170-048. The applicant, Hines Family Investments, LLC, previously owned both parcels under Agricultural Preserve Contract No. 69-AP-050B. The replacement contract request is a result of APN 099-170-048 changing ownership. As a result, two separate contracts must be processed to replace the entirety of the original contract. Investors of America is now the property owner for APN 099-170-048 and is required to apply for a new contract under a separate application.

The Hines (Mail Road) Agricultural Preserve would be a preserve of 98.70 acres and consist of 34.30 acres of prime land, 44.10 acres of nonprime land, and 20.3 of nonfarm land. The 34.30 acres of prime land is currently used for grape and hay production, while the 44.1 acres of nonprime land is currently not in active agricultural production due to the presence of sensitive native vegetation and topographic constraints. The property is also developed with a 864-square foot barn, a 2,700 square foot barn, a 1,800-square foot greenhouse, a 5,264-square foot shop/barn, a 1,900 square foot agricultural storage and processing structure, two agricultural employee dwellings, and a 49,770-square foot frost protection pond. The project is located approximately 200 yards southwest of the intersection of Highway 246, Drum Canyon Road and Mail Road, in the Lompoc area, Fourth Supervisorial District (Attachment 4). The subject parcel is currently zoned AG-II-100 under the Land Use and Development Code and the proposed preserve would be consistent with the County's Comprehensive Plan.

On September 6, 2019 the Agricultural Preserve Advisory Committee (APAC) found the request for Agricultural Preserve Contract No. 19AGP-00000-00009 consistent with the Uniform Rules, contingent upon Planning and Development verification of proof of full-time employment of the employee in agriculture for the agricultural employee dwelling. Planning and Development staff received satisfactory proof of full-time employment in the form of a notarized document between the employer and the employee, which states that the occupant of the agricultural employee dwelling is employed in agriculture on November 15, 2019.

**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

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 \$3,600.00. 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 Attachment 2) 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 the documents as follows:

1. To the County Recorder, a copy of the Surveyor's map;
2. To the property owner (Hines Family Investments, LLC, 3636 N. Causeway Blvd. Suite 300, Metairie, LA 70002), 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 (Tina Mitchell and David Villalobos), a conformed copy of the Short Form Contract, a certified copy of the 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:**

Tina Mitchell, Planner 805-934-6289  
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**