



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 15, 2016
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, Ph.D., Director, 568-2085
Contact Info: Jeff Wilson, Deputy Director, 934-6559
Development Review Division
SUBJECT: Gainey Agricultural Preserve Replacement Contract, Santa Ynez area, Third
Supervisorial District

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) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract 16AGP-00000-00007, a single preserve of 164-acres (APNs: 141-440-005, and -029), located approximately 0.6 miles west of the intersection of Highway 246 and Highway 154, in the Santa Ynez area;
- b) Execute the attached contract, included as Attachment 1 of this Board Letter, creating Agricultural Preserve 16AGP-00000-00007;
- 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). A CEQA exemption is included herein as Attachment 3.

Summary Text:

This property was originally part of Agricultural Preserve Contracts 99-AP-024 and 90-AP-016. The replacement contract (16AGP-00000-00007) is being processed due to the recordation of 06LLA-00000-00009 which adjusted the parcel boundaries of the underlying agricultural preserve parcels. As a consequence of this adjustment, two replacement contracts (16AGP-00000-00007 and 16AGP-00000-00008) are being processed which would replace the original contracts.

The proposed Gainey Agricultural Preserve Contract (16AGP-00000-00007) would be a preserve of 164-acres (30 acres of prime land, 131 acres of non-prime land, and 3 acres of structural development consisting of a winery production building and barn) and comprised of multiple parcels (APNs: 141-440-005, and -029). The 164-acres preserve is used for row crops and grazing. The project is located approximately .06 miles west of the intersection of Highway 246 and Highway 154, known as 3930 E. Highway 246, in the Santa Ynez area, Third Supervisorial District (Attachment 4).

The parcels are currently zoned AG-II-100 under the Land Use and Development Code. On May 6, 2016, the Agricultural Preserve Advisory Committee reviewed 16AGP-00000-00007 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 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 \$1,730.00, and is budgeted in the Permitting Budget Program of the Planning and Development Department, on page D-289 of the 2016-17 FY 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
- Florence Trotter-Cadena, Planning and Development Department
- Assessor’s Office

- Surveyor's Office
- Clerk Recorder's Office
- Owner: Dan Gainey, 256 N. Refugio Rd, Santa Ynez CA 93460

Attachments:

1. Agricultural Preserve Contract
2. Legal Description
3. CEQA Notice of Exemption
4. Vicinity Map

Authored by:

Florence Trotter-Cadena, Planner 805-934-6253

Development Review Division, Planning and Development Department

ATTACHMENT 1: Agricultural Preserve Contract

ATTACHMENT 2: Approved Legal Description

ATTACHMENT 3: CEQA Exemption

ATTACHMENT 4: Vicinity Map