



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, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Planning and Development
Dianne M. Black, Director, (805) 568-2086
Contact Info: Jeff Wilson, Deputy Director, (805) 934-6559
Development Review Division

SUBJECT: The Wine Group Replacement Agricultural Preserve 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) Receive and consider the Agricultural Preserve Advisory Committee's (APAC) recommendation on Agricultural Preserve Replacement Contract 18AGP-00000-00012;
- b) Adopt a resolution creating Agricultural Preserve 18AGP-00000-00012 (Attachment 1) consisting of 146.01 acres located on North Refugio Road in Santa Ynez (APNs 141-440-022, 141-440-024, and 141-440-025),
- c) Execute the attached resolution, included as Attachment 2 of this Board Letter, creating Agricultural Preserve 18AGP-00000-00012;
- d) Authorize recordation by the Clerk of the Board; and,
- e) 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:

The proposed Wine Group Replacement Agricultural Preserve Contract (18AGP-00000-00012) is for 146.01-acres (APNs 141-440-022, 141-440-024, and 141-440-025) located approximately 2.3 miles southwest of the intersection of Highway 246 and Highway 154 on North Refugio Road, in the Santa Ynez area, Third Supervisorial District (Attachment 5). The property is zoned AG-II-100. Existing land uses on the property include vineyards, agriculture employee housing, barns and accessory structures.

This request for a Replacement Agricultural Preserve Contract is due to the land owner (The Wine Group) purchasing two parcels from Gainey Joint Ranch, LLC (APNS 141-440-022 and 141-440-025, Agricultural Preserve Contract 07-AP-036). The Wine Group wants to combine the new parcels with a parcel they already own (APN 141-440-024) which is already under contract as 07-AP-035. The transactions will result in a change to the external boundaries of both existing agricultural preserve contracts. In accordance with Uniform Rule 6-2 (Transfer of Ownership of Contracted Land), the new owner must obtain a new a replacement contract and meet Uniform Rule eligibility requirements. Attachment 4 is a map of those properties under Contract 07-AP-036. The area covered by the replacement contract is shown in Attachment 3.

On August 10, 2018, the APAC reviewed 18AGP-00000-00012 and determined that this replacement of an agricultural preserve contract is consistent with the Uniform Rules. The APAC meeting minutes are included as Attachment 6.

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 \$2,800.00. Funding for this project is budgeted in the Permitting Budget Program on page D-272 of the adopted 2018-2019 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

- Amber Long, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Agent: Brett Jones, Jones Land Use Planning, LLC, P.O. Box 847, Los Olivos, CA 93441
- Owner: The Wine Group, LLC, 17000 E. Highway 120, Ripon, CA 95366

Attachments:

1. Agricultural Preserve Resolution
2. Agricultural Preserve Contract
3. Approved Legal Description
4. Map of 07-AP-036
5. Vicinity Map
6. Excerpt from August 10, 2018 APAC Minutes

Authored by:

Amber Long, Planner, (805) 934-6587

Development Review Division, Planning and Development Department

ATTACHMENT 1: Agricultural Preserve Resolution

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 11th day of December, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

DAS WILLIAMS
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

MIKE ALLEN
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
County Counsel

By: _____
Deputy County Counsel

ATTACHMENT 2: Agricultural Preserve Contract

ATTACHMENT 3: Approved Legal Descriptions

*County of Santa Barbara
Public Works Department*

Office of the County Surveyor

123 E. Anapamu Street
Santa Barbara, California 93101
805/568-3020 FAX 805/568-3318

Aleksandar Jevremovic, County Surveyor



TRANSMITTAL

TO: Amber Long, Planner

DATE: 11/6/2018

ADDRESS/DEPARTMENT: Planning and Development

FROM: Aleksandar Jevremovic, County Surveyor *AJ*

PHONE: 3012

SUBJECT: **18AGP-00000-00012**
Wine Group LLC Replacement Contract
APN: 141-440-022, 141-440-024, 141-440-025

QTY	DESCRIPTION
1	Approved Legal Description with exhibit map

ACTION:

- As Requested
- For Your Use
- Approved as Noted
- For Review and Comment

REMARKS:

AGRICULTURAL PRESERVE

18AGP-00000-00012

LEGAL DESCRIPTION

APN# 141-440-024

Lot 1 of Section 19 according to the map of survey of a portion of the Rancho Canada de Los Pinos or College Ranch, in the County of Santa Barbara, State of California, recorded in Book B, Page 348 of Miscellaneous Records in the Office of the County Recorder of said County.

Being the land described in the deed to Samuel de la Cuesta recorded April 13, 1908 in Book 121, Page 115 of Deeds, Records of said County.

Said land is described in a County of Santa Barbara Certificate of Compliance recorded March 23, 1993 as Instrument No. 93-21617 of Official Records, Records of said County.

APN# 141-440-025

Lot 1 of Tract 14 of the Canada de Los Pinos or College Rancho, in the County of Santa Barbara, State of California, according to the map thereof recorded in the Office of the County Recorder of said County on August 8, 1888 on Map No. 4, Rack 3.

Except that portion conveyed to Pierre C. Merillon et ux., in the deed recorded December 21, 1950 in Book 959, Page 281 of Official Records.

Said land being the parcel of land described in the deed from Francis Mora, Roman Catholic Bishop of Monterey, a corporation sole to W. S. Burgin recorded in the Office of the County Recorder of Santa Barbara County on August 26, 1889 in Book 25, Page 293 of Deeds.

Said land is described in a County of Santa Barbara Certificate of Compliance recorded July 20, 1993 as Instrument No. 93-56353 of Official Records, Records of said County.

APN# 141-440-022

That portion of the Rancho Lomas de la Purificacion, in the County of Santa Barbara, State of California, according to the Map of Patent thereof recorded in the Office of the County Recorder of said County on July 20, 1872 in Book A, Page 100 of Patents described as follows:

Beginning at the most Easterly corner of Parcel "A" of Parcel Map No. 13,099 as shown on the map thereof filed in Book 26, Pages 91, 92 and 93 of Parcel Maps in the Office of the County Recorder of said County;

Thence North 60°53'30" West along the Northeasterly line of said Parcel "A" to the Northerly line of said Rancho Lomas de la Purificacion;

Thence South 75°45' East along the Northerly line of said Rancho to the point of intersection with the Northerly line of Parcel "A" of Parcel Map No. 12,526 as shown on the map thereof filed in Book 19, Pages 19, 20 and 21 of Parcel Maps in the Office of the County Recorder of said County;

Thence South 76°37' West along said last mentioned Northerly line of Parcel "A" of Parcel Map 12,526 to an angle point therein;

Thence continuing along said Northerly line the following courses and distances:

North 89°01' West 466.38 feet,

North 66°24' West 351.86 feet,

North 72°37' West 2249.12 feet to the point of beginning.

Being a portion of said Rancho conveyed to John J. Mitchell by deed recorded September 29, 1929 in Book 183, Page 540 lying Northerly of those portions conveyed by John J. Mitchell to Pierre C. Merillon et ux. by the deed recorded December 21, 1950 in Book 959, Page 281 of Official Records and by deed recorded November 14, 1949 in Book 883, Page 445 of Official Records.

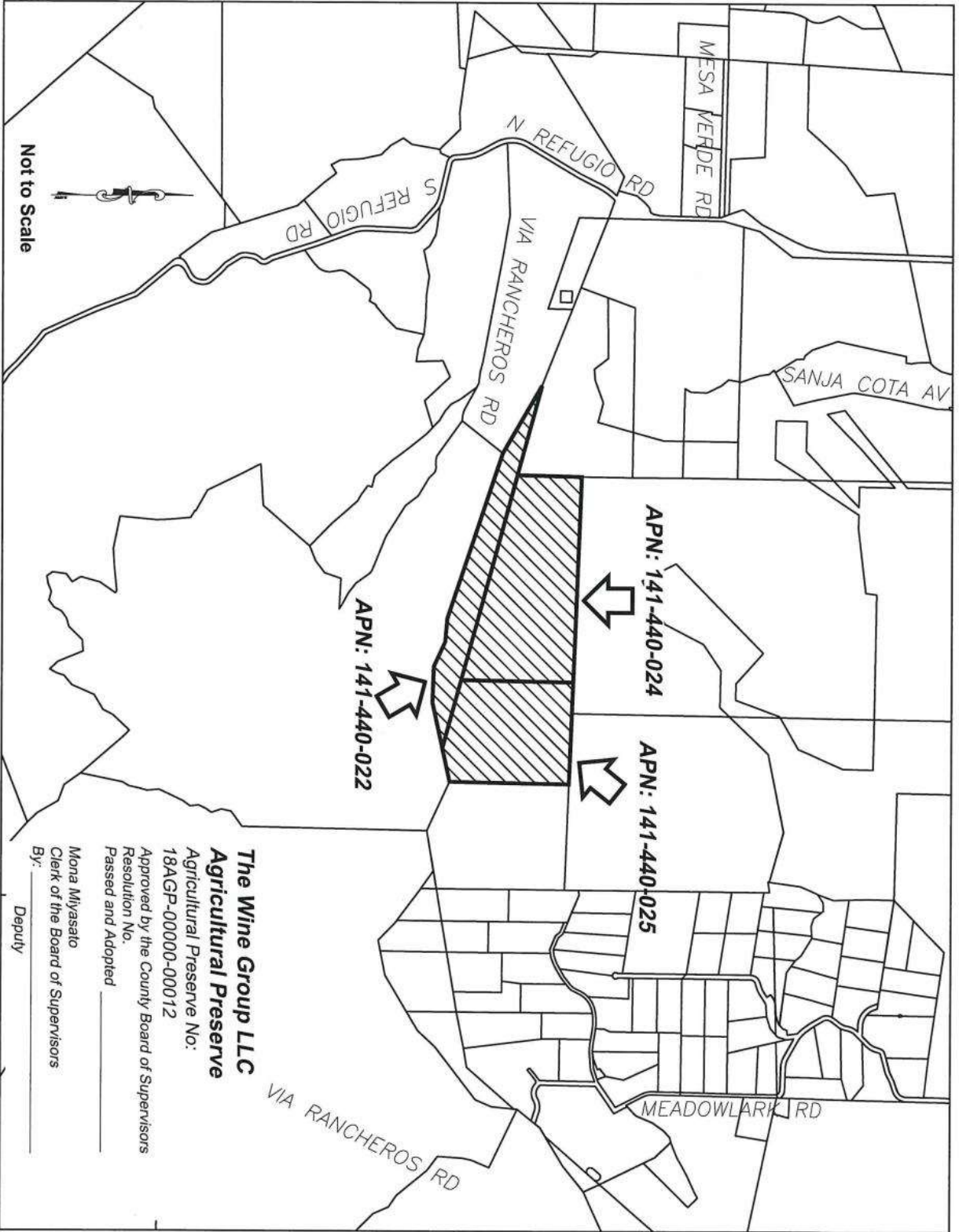
Said land is described in a County of Santa Barbara Certificate of Compliance recorded October 13, 1993 as Instrument No. 93-80708 of Official Records, Records of said County.

APPROVED AS TO FORM
AND SURVEY CONTENT

A. Jevremovic
ALEXANDAR JEVREMOVIC
COUNTY SURVEYOR
LICENSE EXP. 12/31/2019



11/5/2018



**The Wine Group LLC
Agricultural Preserve**

Agricultural Preserve No:
18AGP-00000-00012

Approved by the County Board of Supervisors
Resolution No. _____
Passed and Adopted _____

Mona Miyasato
Clerk of the Board of Supervisors
By: _____
Deputy

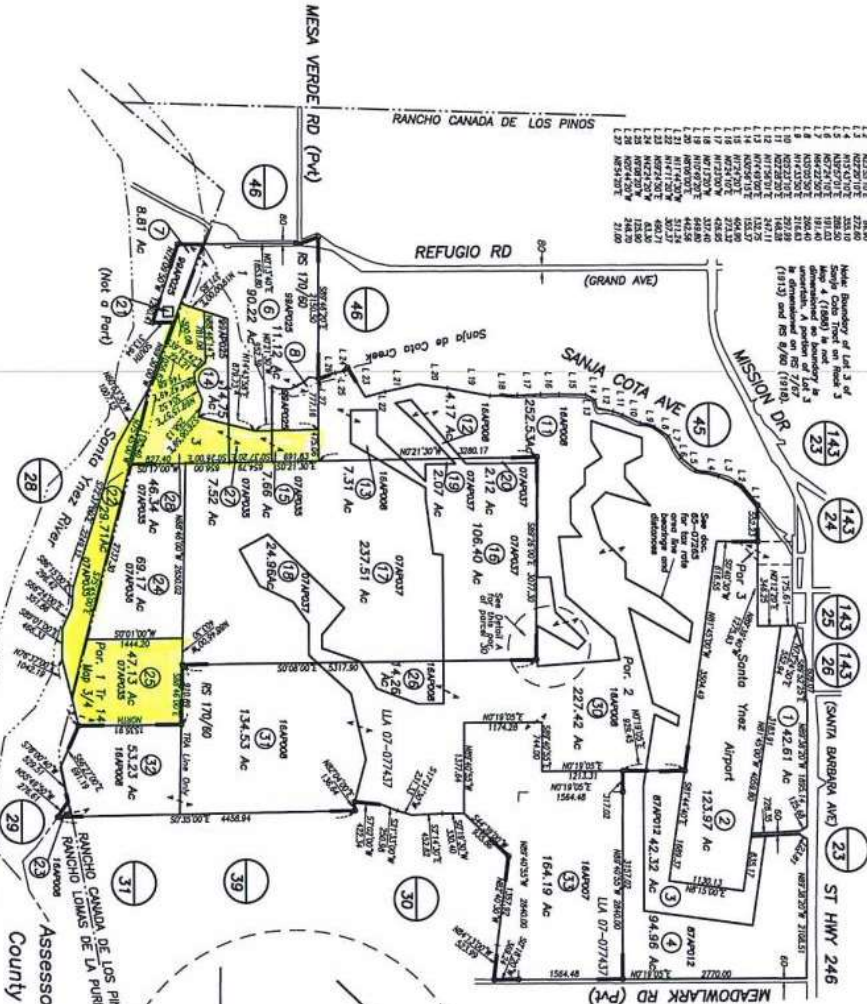
ATTACHMENT 4: MAP OF 07-AP-036

POR. RANCHOS CANADA DE LOS PINOS
& LOMAS DE LA PURIFICACION

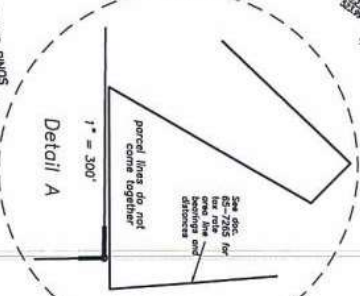
141-44

LINE	LINE	LINE
NO.	BEARING	DISTANCE
L 1	N00°05'00"W	307.00
L 2	N00°05'00"W	307.00
L 3	N00°05'00"W	272.00
L 4	N00°05'00"W	272.00
L 5	N00°05'00"W	272.00
L 6	N00°05'00"W	272.00
L 7	N00°05'00"W	272.00
L 8	N00°05'00"W	272.00
L 9	N00°05'00"W	272.00
L 10	N00°05'00"W	272.00
L 11	N00°05'00"W	272.00
L 12	N00°05'00"W	272.00
L 13	N00°05'00"W	272.00
L 14	N00°05'00"W	272.00
L 15	N00°05'00"W	272.00
L 16	N00°05'00"W	272.00
L 17	N00°05'00"W	272.00
L 18	N00°05'00"W	272.00
L 19	N00°05'00"W	272.00
L 20	N00°05'00"W	272.00
L 21	N00°05'00"W	272.00
L 22	N00°05'00"W	272.00
L 23	N00°05'00"W	272.00
L 24	N00°05'00"W	272.00
L 25	N00°05'00"W	272.00
L 26	N00°05'00"W	272.00
L 27	N00°05'00"W	272.00

08/08/1888 Rack 3, Map 4 "Subd. of Rancho Canada de los Pinos or College Ranch"



NOTICE
Assessor Parcels are for tax assessor
purpose only and do not indicate either
parcel legality or a valid building etc.



Assessor's Map Bk, 141-Pg, 44
County of Santa Barbara, Calif.

10/18 11-13, 23, 26, 30-32, replace App'd
5 to 20 plus 33 to new App'd

ATTACHMENT 5: VICINITY MAP



ATTACHMENT 6: EXERPT FROM AUGUST 10, 2018 APAC MINUTES



COUNTY OF SANTA BARBARA

**AGRICULTURAL PRESERVE ADVISORY COMMITTEE
APPROVED MINUTES** **MEETING OF August 10, 2018
9:00 A.M.**

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by Debbie Trupe at 9:00 A.M. in the Santa Barbara County Planning and Development, Third Floor Conference Room, 123 E. Anapamu Street, Santa Barbara, CA 93101.

<u>COMMITTEE MEMBERS</u>	<u>PRESENT:</u>
Debbie Trupe, Agricultural Commissioner	×
Sergio Ricardo, Assessor's Office	<input type="checkbox"/>
David Lackie, Planning and Development	<input type="checkbox"/>
Aleks Jevremovic, County Surveyor	×
Matthew Shapero, U.C Cooperative Extension.	<input type="checkbox"/>
Derek Wiggam, Assessor's Office, Alternate	×

<u>STAFF MEMBERS</u>	<u>PRESENT</u>
Michelle Montez, Deputy County Counsel	×
Sharon Foster, Planning & Development	×

NUMBER OF INTERESTED PERSONS: 10

ADMINISTRATIVE AGENDA:

- I. MEETING CALLED TO ORDER:** *by Chair, Debbie Trupe*
- II. PUBLIC COMMENTS:** None
- III. MINUTES:** The Minutes of July 6, 2018 were continued to the September 7, 2018 due to a lack of a quorum.

ACTION: Jevremovic moved, seconded by Trupe and carried by a vote of 3-0 (Lackie, Ricardo and Shapero absent) to continue the minutes of July 6, 2018 to the APAC meeting of September 7, 2018.

CONTINUED ITEMS:

- 1. 96-AP-029 **KP Ranch**
On Going Eligibility 3462, 3468, 3474 & 3480 Brinkerhoff Road
18CUP-00000-00006 Gwen Beyeler, Planner (805) 934-6269**

Consider the request of Harry Fowler, agent for the owner, KP Ranch LLC of Case No. 18CUP-00000-00006 regarding the consistency with the Uniform Rules and consider ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The property is 1,140.12 acres total (5 separate contracts) identified as Assessor's Parcel Number 141-010-016 (96-AP-29), 141-010-019 (99-AP-020), 141-010-020 (99-AP-021), 141-010-038 (99-

AP-016) and 141-010-040 (99-AP-019) zoned AG-II-100 with an AC Comprehensive Plan designation located at 3462, 3468, 3474 & 3480 Brinkerhoff Road in the Santa Ynez area, Third Supervisorial District. (Continued from 7/6/18)

ACTION: Trupe moved, seconded by Wiggam, and carried by a vote of 3-0 (Lackie, Ricardo and Shapero absent) to: continue the project to the September 7, 2018 APAC meeting and have the applicant provide the following information.

- **For contract 96-AP-019 the applicant is to provide additional information that supports the ag. planting that surrounds the house such as: business paper work, contracts, names of people, photos of plowing, receipts for orders.**
- **For contract 96-AP-019 the applicant to provide planner verification that the existing ag. employee dwelling is either is a legal non-conforming dwelling or if it still needs further permitting for it to be legal.**
- **For contract 96-AP-029 the committee had no additional requests for additional information on the existing the Solar Array.**
- **For contract 99-AP-016 the Committee did not request any additional information for the Creek House.**

2. 07-AP-035 The Wine Group New Contract Santa Ynez
07-AP-036 18AGP-00000-00012 Shannon Reese, Planner (805) 934-6261

Consider the request of Brett Jones agent for the owner, The Wine Group LLC, of Case No. 18AGP-00000-00012 for a new contract for parcels 141-440-022, and 141-440-025 previously under 07-AP-035 with parcel 141-440-024 presently under 07-AP-036 into a new contract, and its consistency with the Uniform Rules and consider ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The property is 146.53 total acres identified as Assessor's Parcel Numbers 141-440-022 (29.71 acres), 141-440-024 (69.17 acres), and 141-440-025 (47 acres) zoned AG-II-100 with an AC Comprehensive Plan designation, in the Santa Ynez area, Third Supervisorial District. (Continued from 7/6/18)

ACTION: Wiggam moved, seconded by Trupe, and carried by a vote of 3-0 (Lackie, Ricardo and Shapero absent) to: find the request for replacement contracts for 07-AP-035 and 07-AP-036 consistent with the Uniform Rules.

V. **NEW ITEMS:**

3. 68-AP-008 La Patera Cattle Company Debris Basin Goleta
18LUP-00000-00225 Joe Dargel, Planner (805) 568-3573

Consider the request of Eva Turenchalk agent for the owner, La Patera Cattle Company, of Case No. 18LUP-00000-00225 regarding the construction of a debris basin to receive storm water from an approximately 23.75 acre drainage area and its consistency with the