

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

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TO: Board of Supervisors

FROM: Dianne Meester, Interim Director
Planning and Development

STAFF

CONTACT: Dianne Meester, Interim Director

SUBJECT: Hearing to consider the appeal of the Planning and Development Department, of the September 23, 2002 Zoning Administrator approval of the Wells Fargo/Sederland Parcel Map, case number **02TPM-00000-00006**, for approval of a Tentative Parcel Map under the provisions of County Code Chapter 21 to divide 160.92 acres into two parcels of 105.78 acres and 55.26 acres in the AG-II-40 Zone District under Article III, located at 2540 Mesa Verde Road (APN 139-250-035), in the Solvang area, Third Supervisorial District.

Recommendation:

The Board's motion should include the following:

The Board vacates the Zoning Administrator's action on the Wells Fargo/Sederland Parcel Map (case number 02TPM-00000-00006) and directs staff to prepare an Initial Study and appropriate environmental analysis (either a Negative Declaration or Environmental Impact Report, as appropriate), to include an agricultural viability analysis, to be considered by the Planning Commission prior to final action on the proposed tentative parcel map.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

At his hearing on September 23, 2002, the Zoning Administrator acted to accept an Exemption pursuant to Section 15061 of the State Guidelines for the Implementation of the California Environmental Quality Act and to approve the Wells Fargo/Sederland Parcel Map. Additional analysis by the Planning and Development Department subsequent to the Zoning Administrator's action led to the conclusion that the Exemption was not the appropriate environmental document. The proper course of action would have included preparation of an initial study and a negative declaration or environmental impact report, as required by CEQA. It was further determined by the Department that the project may not be consistent

with the policies of the Agricultural Element of the Comprehensive Plan. Further analysis of this issue will be dependent upon the results of an agricultural viability analysis and adequate environmental review.

Background

The Wells Fargo/Sederland Parcel Map proposes the division of one parcel containing 160.92 acres into two (2) parcels containing 105.66 acres (Parcel 1) and 55.26 acres (Parcel 2). The property has a Comprehensive Plan designation of Commercial Agriculture (AC) and is zoned AG-II-40 under the provisions of Article III. The parcel is currently under an Agricultural Preserve contract (75-AP-045). Two single-family dwellings currently exist on proposed Parcel 1. There is no structural development currently existing on proposed Parcel 2. The land division, however, would create the potential for additional residential and accessory agricultural development to occur on proposed Parcel 2.

The Agricultural Preserve Committee considered the proposed Wells Fargo/Sederland Parcel Map at their meeting of June 7, 2002. On a 3 – 0 vote, the members present found the proposed project to be consistent with the County's Uniform Rules, if conditioned to obtain replacement contracts.

The project was heard by the Zoning Administrator at his hearing of September 23, 2002. At that time, staff had determined that the project was exempt from the requirements of the California Environmental Quality based on a cursory review of the County's environmental thresholds relative to agricultural viability. In addition, staff believed that the project was consistent with all provisions and policies of the County's Comprehensive Plan. Based on the information that was presented in the staff report, and absent any evidence presented to the contrary, the Zoning Administrator approved the project.

Additional analysis of the project, its apparent potential for adverse impact on the environment, and unanswered questions regarding its consistency with the policies contained in the Agricultural Element of the Comprehensive Plan, has caused the Planning and Development Department to appeal the decision of the Zoning Administrator.

CEQA Analysis

The initial analysis of the proposed tentative parcel map did not reveal any potential environmental impacts and an Exemption was prepared pursuant to Section 15061 of the State Guidelines for the Implementation of the California Environmental Quality Act. However, further review of the potential environmental consequences of the project suggests that additional analysis is required to insure that the project does not have any adverse impacts on the environment. As discussed in the original staff report dated September 23, 2002, the resultant parcels proposed in this land division score relatively low in total "points" on the County's Environmental Thresholds of Significance relative to agricultural viability. Indeed, the range of points potentially assigned to proposed Parcel 1 could place that parcel in the "nonviable" category, and proposed Parcel 2 would be only marginally viable, if the lower scores in the range are proven correct. Additional environmental review and a specific agricultural viability analysis is required in order to definitively determine the long-term viability of the resultant parcels.

Both of the proposed parcels would contain prime soils and, absent a specific agricultural viability analysis, appear to have the necessary components to support independent farming operations. Based on the onsite conditions of the property (soils, agricultural uses, etc.) and surrounding agricultural land, the

proposed lot split may create a project-specific significant impact to agricultural resources. In addition, the cumulative effect of the loss of large blocks of prime agricultural land was not addressed in the original staff analysis of this project's potential environmental effects. An "agricultural viability analysis" was likewise not conducted for this proposal. The lot split would fragment contiguous acres of prime soils, thereby creating smaller parcels that could lead to operation under separate management. The lot split would add to the parcelization of large blocks of prime agricultural land in the Santa Ynez Valley. The proposed map would also add to the division of large agricultural parcels in the County and reduce agricultural opportunities to current and future landowners and farmers seeking to own or lease property for cultivation. Smaller parcels may be less desirable to lessees for operating farms or agricultural businesses due to the fact that the smaller acreages yield smaller crops. Large parcels that contain prime soils can produce a variety of crops and yield enough "products" to support a viable agricultural business. Continual subdivision of these existing large lots puts more pressure on farmers and other parcels that may not have adequate soils, water or support structures. The cumulative impacts to agricultural land in the Santa Ynez Valley as a result of this and other similar lot splits could be considered cumulatively significant and adverse.

Policy Analysis:

The Agricultural Element of the Santa Barbara County Comprehensive Plan contains specific policies directed at the preservation of viable agricultural operations with the County. These policies include the following:

- ***Agricultural Element, Goal I:*** *Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry. Agriculture shall be encouraged.*
- ***Agricultural Element, Policy IID:*** *Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.*
- ***Santa Ynez Valley Goals, Agriculture:*** *Agriculture should be preserved and protected as one of the primary economic bases of the Valley.*

Complete analysis of the proposed land division's conformance with these County policies can not be adequately completed absent a full understanding of the projects potential environmental consequences. Further, conclusions on policy consistency should be based on a thorough understanding and review of an agricultural viability analysis. Dividing the approximately 161 acre parcel that contains a majority of prime soils into two separate parcels could reduce the potential productivity of the site. Two separately managed agricultural operations on limited acreage may not be as economically viable or allow for as many crops or agricultural options as the original 161 acre parcel. Large blocks of contiguous soils available for cultivation are diminishing in the Santa Ynez Valley. Continual subdivision of these existing large lots puts more pressure on farmers and other parcels that may not have adequate soils, water or support structures. County agricultural policies and goals strive to maintain agriculture as an economically viable business and the division of the project site into two separate parcels could further restrict agriculture and promote conversion of the property to nonagricultural uses. If that is shown to be the case through appropriate environmental review and a agricultural viability analysis, the proposed division of the property may be inconsistent with the adopted goals and policies of the County's Comprehensive Plan.

Recommendation:

Planning and Development recommends that the Board vacate the Zoning Administrator's action on the Wells Fargo/Sederland Parcel Map (case number 02-TPM-00000-00006) and direct staff to prepare an Initial Study and appropriate environmental analysis (either a Negative Declaration or Environmental Impact Report, as appropriate), to include an agricultural viability analysis, to be considered by the Planning Commission prior to final action on the proposed tentative parcel map.

Mandates and Service Levels:

Pursuant to Section 35-327.3 of Article III of Chapter 35 of the County Zoning Ordinances, the decisions of the Zoning Administrator may be appealed to the Board of Supervisors within ten days after the Commission's action.

Pursuant to Government Code Sections 65355 and 65090, a notice of the hearing shall be published in at least one newspaper of general circulation. Mailed notice required to property owners within 300 feet of the project, including the real property owners, project applicant and local agencies expected to provide essential services, shall be done at least ten days prior to the hearing.

Fiscal and Facilities Impacts:

The appellant submitted the appeal, pursuant to Board of Supervisors Land Development Fee Resolution 96-323.

Special Instructions:

Clerk of the Board shall forward a copy of the Board Minute Order to Planning and Development Hearing Support Section, Attn.: Cintia Mendoza.

Attachments:

Zoning Administrator staff report dated September 23, 2002
Action Letter dated October 1, 2002
Appeal to the Board of Supervisors dated September 27, 2002