



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: May 7, 2019
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 Lisa Plowman, Director, 568-2086
Contact Info: Jeff Wilson, Assistant Director, 568-2085
SUBJECT: **Wagner Agricultural Preserve Replacement Contract (Lot 2 of Lot Line
Adjustment 15LLA-00000-00003), Lompoc area, Fourth 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) Adopt a resolution creating Agricultural Preserve 16AGP-00000-00038 (Attachment 1) consisting of 321.94 acres located approximately 4,500 yards northwest of the intersection of Highway 246 and Cebada Canyon Road, in the Lompoc area (a portion of APN 099-090-013);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract 16AGP-00000-00038 (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:

The project owner has requested two agricultural preserve replacement contracts (16AGP-00000-00037 and 16AGP-00000-00038) following recordation of a Lot Line Adjustment which adjusted the boundaries of two legal lots (APNs 099-090-003 and 099-090-013) comprised of 644.65 acres to bring both lots into conformance with the County Land Use and Development Code (LUDC) minimum lot size requirements. Prior to the Lot Line Adjustment (Case No. 15LLA-00000-00003), the 642.65 acres designated as APN 099-090-013 were under Agricultural Preserve Contract 69AP047, while the two (2) acres designated as APN 099-090-003 were not included. As a result, two separate replacement contracts are being processed to replace the entirety of the original contract, 69AP047. Net acreage under contract will increase by 2 acres.

The proposed project is a replacement contract (16AGP-00000-00038) for Lot 2 of Lot Line Adjustment 15LLA-00000-00003 comprised of 321.94 acres (a portion of APN 099-090-013). A second replacement contract for Lot 2 of Lot Line Adjustment 15LLA-00000-00003 comprised of 322.17 acres (APN 099-090-003 and a portion of APN 099-090-013) is being processed under a separate case number (16AGP-00000-00037).

The proposed Wagner Agricultural Preserve Replacement Contract (16AGP-00000-00038) would be a nonprime preserve of 321.94 acres used for hay and grape production and would be consistent with the County's Comprehensive Plan. The property is vacant of structural development and accessed by a dirt road. The project is located approximately 4,500 yards northwest of the intersection of Highway 246 and Cebada Canyon Road, in the Lompoc area (Attachment 4).

The subject parcel is currently zoned AG-II-320 under the Land Use and Development Code.

The Agricultural Preserve Advisory Committee (APAC) reviewed both the lot line adjustment and the proposed replacement contract. In March 2016, the APAC found the lot line adjustment consistent with the Uniform Rules and that the proposed lots would be agriculturally viable. A condition of the LLA was that new/replacement contracts would be required upon recordation of the LLA for the proposed project to remain consistent with the Uniform Rules. On February 1, 2019, the APAC reviewed 16AGP-00000-00038 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 \$2,340.00. 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 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) 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 documents as follows:

1. To the County Recorder, a copy of the Surveyor's map;
2. To the property owner (John Breese Wagner, P.O. Box 357, Los Olivos, CA 93441), a duplicate original 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 (Shannon Reese and David Villalobos), a conformed copy of the Short Form Contract, a certified copy of this 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:

Shannon Reese, Planner 805-934-6261
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

16AGP-00000-00038 ----LOT 2, a portion of APN 099-090-013

