



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:** September 19, 2023  
**Placement:** Administrative  
**Estimated Time:** 0 hours  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Lisa Plowman, Director, Planning & Development  
Director (805) 568-2086  
Contact Info: Travis Seawards Deputy Director, Planning & Development  
(805) 568-2518  
**SUBJECT: Roberts – Farmland Security Zone Contract, Toro Canyon Community Plan Area,  
1<sup>st</sup> Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt a resolution creating Roberts Farmland Security Zone Contract No. 22AGP-00000-00011 (Attachment 1) consisting of 53.45 acres located at 3180/3220 Foothill Road in the Toro Canyon Community Plan area (APN 155-140-075);
- b) Approve and authorize the Chair to execute Roberts Farmland Security Zone Contract No. 22AGP-00000-00011 (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 is a request for approval and authorization of the rescission of the Williamson Act contract for the property at 3180/3220 Foothill Road in the Toro Canyon Community Plan area (APN 155-140-075) and its replacement with the Roberts Farmland Security Zone Contract (22AGP-00000-00011).

In 2021, the property owner nonrenewed Agricultural Preserve Contract No. 69-AP-038, which included three parcels: APN 155-140-073, APN 155-140-074, and APN 155-140-075. In 2023, the property owner applied to rescind the contract in nonrenewal (69-AP-038) on APN 155-140-075 only, and replace it with a Farmland Security Zone Contract. Pursuant to California Government Code Section 51297.4, Agricultural Preserve Contract No. 69-AP-038 remains in effect as to APN 155-140-073 and APN 155-140-074 until the contract expires.

The subject property is a 53.45-acre parcel located at 3180 and 3220 Foothill Road in the Toro Canyon Community Plan Area. The property is comprised of 32 acres of Unique Farmland planted with Avocado and Cherimoya Orchards, and 21.45 acres of chaparral and shrub land. The subject parcel is currently zoned Agriculture I (AG-I-40) under the Land Use and Development Code. The proposed Farmland Security Zone Contract is consistent with the County's Comprehensive Plan.

On March 9, 2023, the Agricultural Preserve Advisory Committee (APAC) reviewed 22AGP-00000-00011 and determined that this Farmland Security Zone Contract request is consistent with the Uniform Rules (Attachment 5).

**Background:**

Government Code §§ 51200 et seq., (known as the California Land Conservation Act of 1965 or as the Williamson Act) provide 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.

Senate Bill 1182, defining and allowing for the creation of Farmland Security Zone Contracts, was passed by the California State Legislature in 1998. The intent of the legislation is to offer landowners with Williamson Act contracts enhanced tax incentives (35% reduction of their standard Williamson Act rate and exemption from most special assessments) in exchange for a longer and more restrictive preserve contract. Contract terms are for an initial 20-year period (as opposed to ten years for a standard Williamson Act contract). As with standard Williamson Act agreements, the contracts automatically renew each year unless the landowner or the County records a notice of nonrenewal. Both the County's Uniform Rules and the Government Code provide that Agricultural Preserve and Farmland Security Zone contracts between the County and landowners are voluntary. Therefore, there are no state mandates associated with this program.

Land qualifies for a farmland security zone if both of the following are true:

1. The land is already enrolled in a Williamson Act contract or is eligible for enrollment, and
2. The land is designated on the State's Important Farmland Maps as more than 50% prime farmland, unique farmland, or farmland of statewide or local importance.

The land at 3180/3220 Foothill Road, qualifies because it is already enrolled in Williamson Act contract 69-AP-038, and has greater than 50% of its land designated as unique farmland.

**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 Farmland Security Zone contract is approximately \$8,000.00. Funding for this project is budgeted in the Planning and Development’s Permitting Budget Program on Page 310 of the Santa Barbara County Recommended Budget 2023-24.

The following table was provided by a County appraiser to estimate the change in assessed property value:

Parcel	2023 Assessed Value	Estimated FSZ Value	Difference
155-140-075	\$5,921,156	\$2,016,635	(\$3,904,521)

This would result in a potential property tax revenue loss of approximately \$43,751 annually due to the change in contract type.

**Special Instructions:**

The Clerk of the Board shall endorse the fact of this adoption and the date thereof on said Surveyor map (Attachment 3) and shall record this Farmland Security Zone Contract (Attachment 2) with description attached at the Office of the Santa Barbara County Recorder, no later than December 31, 2023. 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 (Attachment 3) (does not require recordation except as Exhibit A to the Farmland Security Zone Contract, Attachment 2);
2. To the property owner (Matthew T. Roberts, 3320 Foothill Road, Carpinteria, CA 93103) a conformed copy of the Farmland Security Zone Contract (Attachment 2), a certified copy of the Resolution (Attachment 1), and a copy of the Surveyor’s map (Attachment 3);
3. To the Planning and Development Department (Soren Kringel and David Villalobos), a conformed copy of the Farmland Security Zone Contract (Attachment 2), a certified copy of the Resolution (Attachment 1), and a copy of the Surveyor’s map (Attachment 3);
4. To the Assessor, a certified copy of the Farmland Security Zone Contract (Attachment 2), a certified copy of the Resolution (Attachment 1), and a copy of the Surveyor’s map (Attachment 3); and
5. To the Surveyor, a certified copy of the Short Form Contract (Attachment 2).

**Attachments:**

1. Farmland Security Zone Resolution
2. Farmland Security Zone Contract
3. Approved Legal Description and Surveyor’s Map
4. APN Exhibit
5. Excerpts from APAC Minutes

**Authored by:**

Soren Kringel, Planner  
(805) 568-2046  
Development Review Division, Planning and Development Department

**ATTACHMENT 1: Farmland Security Zone Resolution**

**ATTACHMENT 2: Farmland Security Zone Contract**

**ATTACHMENT 3: Approved Legal Description and Surveyor's Map**

**ATTACHMENT 4: APN Exhibit**



**ATTACHMENT 5: Excerpts from APAC Minutes**