



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: 12/6/11
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department: Planning and Development
Director: Glenn Russell, PhD., Director (568-2085)
Contact Info: Doug Anthony, Deputy Director, 568-2046
Development Review Division – North County
**SUBJECT: Gypsy Canyon New Agricultural Preserve Contract and Consistency Rezone,
Lompoc area**

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 the Rezone as follows:

1. Make the required findings for 10RZN-00000-00004 specified in Attachment A of the Planning Commission action letter dated September 14, 2011 (included herein as Exhibit 1) including California Environmental Quality Act (CEQA) findings;
2. Determine the project is exempt from CEQA pursuant to Section 15061(b)(3) included as Exhibit 2 of this Board Letter, dated September 14, 2011;
3. Adopt Zoning Map Amendment for Assessor's Parcel Numbers 099-060-021 and 099-070-036 amending the Inland Zoning Map from 100-AG, (Ordinance 661), to AG-II-100 (Land Use and Development Code) for the Inland Zoning Map for the Lompoc Valley Rural Areas Zones included herein as Exhibit 4 of this Board Letter;

B. Approve the creation of one new non-prime Agricultural Preserve Contract (Case No. 10AGP-00000-00016) as follows:

1. Determine the project is exempt from CEQA pursuant to Section 15317 included as Exhibit 3 of this Board Letter, dated December 6, 2011;
2. Execute an agreement, included as Exhibit 5 of this Board Letter creating Agricultural Preserve, 10AGP-00000-00016; and,
3. Adopt a resolution, included as Exhibit 6 of this Board Letter creating Agricultural Preserve, 10AGP-00000-00016.

Summary Text:

On September 14, 2011, the Planning Commission voted unanimously to recommend the consistency rezone (Case No. 10RZN-00000-00004) to the Board of Supervisors. The Planning Commission's September 14, 2011 Action Letter is included as Exhibit 1 of this Board Letter, and the August 26, 2011 staff report is included as Exhibit 7 of this Board Letter.

The proposed new Gypsy Canyon Agricultural Preserve contract (10AGP-00000-00016) would be a non-prime preserve consisting of one 160 acre legal parcel (APNs 099-060-021 and 099-070-036). The parcel contains a single-family residence, is planted with 30 acres of hay, and is used for cattle grazing. The parcel is currently zoned 100-AG under Ordinance 661 and the proposal will rezone the parcel to AG-II-100 under the Land Use and Development Code (10RZN-00000-00004). Santa Barbara County's Uniform Rules for Agricultural Preserves and Farmland Security Zones requires eligible land to have land-use and zoning designations consistent with Agriculture, Mountainous, or Resource Management. Uniform Rules 1-2.1 states: "Interested landowners with ineligible land use or zoning designations should request and secure a general plan amendment and/or rezone prior to or concurrent with the processing of the agricultural preserve and Williamson Act contract, subject to the provisions outlined in Section 1-2.4. Land zoned under Ordinance 661 is not eligible for a Williamson Act contract unless the application is accompanied by a general plan amendment, rezone, or consistency rezone request." Uniform Rule 1-2.4D states: "In order for a parcel or group of parcels to be eligible for new and replacement contracts, the parcel(s) shall be zoned to the applicable zoning designation consistent with the qualifying preserve."

On June 3, 2011 the Agricultural Preserve Advisory Committee reviewed 10AGP-00000-00016 and 10RZN-00000-00004 and determined both projects are 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.

Government Code §65856 requires that upon receipt of an affirmative recommendation of the Planning Commission on a proposed rezoning, the legislative body shall hold a public hearing on the matter.

Fiscal and Facilities Impacts:

Budgeted: Yes

There are no fees associated with agricultural-preserve contracts or consistency rezones. The cost for the contract review and preparation of this report is estimated to be \$5,536.00, and is budgeted in the Permitting and Compliance Program of the Development Review North Division, as shown on page D-316 of the adopted 2011/2012 fiscal year 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: Sonia Chantal Anderson, P.O. Box 15, Buellton, CA 93427

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation. The Clerk of the Board shall mail a notice to property owners within 300 feet of the project, including the real property owners, project applicant, and agencies expected to provide essential services shall be done at least 10 days prior to the hearing (Government Code Section 65091).

Planning & Development will prepare all final action letters and otherwise notify all concerned parties of the Board of Supervisor's final action.

Exhibits:

1. Planning Commission Action Letter, dated September 14, 2011
2. CEQA Exemption for Rezone
3. CEQA Exemption for Agricultural Preserve
4. Ordinance to Rezone
5. Agricultural Preserve Contract
6. Resolution Creating Agricultural Preserve
7. P/C Staff Report, dated August 26, 2011
8. Planning Commission Rezone Resolution
9. Legal Description and Vicinity Map

Authored by:

Florence Trotter-Cadena, Planner III
Development Review North, Planning and Development Department