



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: November 14, 2017
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 Glenn Russell, Ph.D., Director, 568-2085
Contact Info: Jeff Wilson, Deputy Director, 934-6559
Development Review Division
**SUBJECT: Work Notice of Nonrenewal of Agricultural Preserve Contract, Lompoc 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 notice of nonrenewal (17AGP-00000-00025) submitted by the County of Santa Barbara for Agricultural Preserve 07-AP-006 (Attachment 1); and
- b) Find that the proposed action is an administrative activity of the County with 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:

On May 5, 2017, the Agricultural Preserve Committee (APAC) reviewed the ongoing eligibility of agricultural contract 07-AP-006 as an agricultural preserve and its consistency with the Uniform Rules. The property owner was notified of APAC’s review and did not attend the meeting. APAC voted 5-0 to recommend to the Board of Supervisors that agricultural preserve contract 07-AP-006 be placed in nonrenewal due to noncompliance with commercial agricultural production requirements for prime

contracts per Uniform Rule 1-2.3A. The owner has approximately 25 acres of vineyard planted; however 50% of the property acreage (40.75 acres) would need to be planted in order to meet requirements for prime contracts. Planning and Development also notified the property owner of the impending nonrenewal.

The contract went into effect in 2008 and applies to an approximately 81.50-acre area which is identified as Assessor's Parcel Number 099-210-070. The property is utilized for vineyard production and also contains approximately 1.1-acres of non-agricultural development, including a single family dwelling, a garage, solar panels and a driveway. The property also contains an agricultural employee dwelling and a barn. The property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract, which would expire on December 31, 2028.

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.

Section 51245 of the Government Code provides that if either the landowner or the County desires in any year not to renew an agricultural preserve contract, that party shall serve written notice of nonrenewal of the contract upon the other party at least 60 days in advance of the annual renewal date of the contract. Pursuant to Uniform Rule 6-1.7, the Agricultural Preserve Advisory Committee (APAC) may recommend that the Board issue a notice of nonrenewal after providing the landowners with notice of the recommendation. APAC held a hearing on the matter on May 5, 2017 and provided notice to the landowners. Upon receiving the Board approved notice of nonrenewal, the Clerk of the Board is required to record the notice of nonrenewal. Upon recordation, the County's role related to the notice of nonrenewal is complete.

Fiscal and Facilities Impacts:

Budgeted: Yes

The total estimated cost to process this agricultural preserve contract is approximately \$2,260.00. This is a county-initiated case, thus no processing fees were collected. Processing is budgeted in the Permitting Budget Program of the Planning and Development Department, on page D-286 of the 2017-18 FY 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

- Shannon Reese, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Peter and Rebecca Work Family Trust, 7253 Santos Rd., Lompoc, CA 93436

Attachments:

1. County-Initiated Application for Non-Renewal
2. Approved Legal Description
3. CEQA Notice of Exemption
4. Vicinity Map

Authored by:

Shannon Reese, Planner, (805) 934-6261
Development Review Division, Planning and Development Department

ASSESSOR'S DESCRIPTION OF PROPERTY
 Assessor's Parcel No. 099-210-070

The Tax Code Area No.	Book - Page - Parcel	Acreage	Assessed Value Land Only
072003	Assessor's Map Bk 99 -Pg 21	81.50	\$614,772

Attach copy of Current Assessor's Map showing proposed Preserve Boundaries
 (NOTE: Only latest Assessor's Map; do not substitute others.)

STATUS OF OWNERSHIP (check box):

Fee ___; Probate ___; Trust ___; Escrow

Other: _____

LAND TENURE (check): Owner-operated ___; Rented ___; Leased ___; Sharecropped ___; Other ___

The following section must be filled out completely and accurately. Please do not leave any of the boxes blank. If there are no crops or acreage in a particular land class, then indicate that by writing in NONE.

PRESENT LAND USE, CLASS, AND ACREAGE

Land Class	Crop or Use	Soil Class, Rating, or Income/acre	Acreage
PRIME Farmland	Vineyard production		~25
Total Prime Land Acreage			
NONPRIME Farmland Rangeland			
Total Nonprime Acreage			
NONFARM and/or Open Space and/or Recreation (This includes all structures. Please indicate what kinds of structures exist on the property.)	→ SFD and garage + driveway in ~ 1.1 acre env. → Ag employee dwelling		~2
Total NonFarm Acreage			

Total Acreage in Preserve ~27

ATTACHMENT 2: APPROVED LEGAL DESCRIPTION

*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: Shannon Reese, Planner

DATE: 9/29/2017

ADDRESS/DEPARTMENT: Planning and Development

FROM: Aleksandar Jevremovic, County Surveyor

PHONE: 3012

SUBJECT: 17AGP-00000-00025
Work County Initiated Ag Preserve Non-Renewal
APN: 099-210-070

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
17AGP-00000-00025

That portion of Tract 15 of the Rancho Santa Rosa, in the County of Santa Barbara, State of California, as shown on Sheet No. 1, of the map of a portion of the Rancho Santa Rosa and adjoining lands, recorded in Book 2, at Page(s) 37 and 38 of Maps and Surveys, in the office of the County Recorder of said County, described as follows:

Beginning at a brass cap monument marked "survey monument of the F.E. Kellogg Property, survey made by F.F. Flournoy, August 1912", said monument being the Northeast corner of said tract 15; thence, North 89°12'00" West, along the Northerly line of said tract, a distance of 200.00 feet; thence South 21°34'05" West, 1130.42 feet; thence South 59°02'01" West, 360.40 feet; thence South 8°31'00" East, parallel with the Westerly line of said tract, a distance of 795.19 feet; thence South 41°42'57" West, 917.82 feet; thence South 8°31'00" East, parallel with the Westerly-line of said tract, a distance of 560.00 feet, more or less, to a point on the Southwesterly line of said tract, distant North 77°24'00" West, 600.00 feet from an angle point in said Southwesterly line, said angle point being the Westerly terminus of that certain course shown on the map of said tract, as being South 87°10'00" East, 1130.90 feet; thence, along said Southwesterly line South 77°24'00" East, 600.00 feet and South 87°10'00" East, 1130.90 feet to the Southeast corner of said tract; thence North 6°18'00" West, along the Easterly line of said tract, a distance of 3467.00 feet to the point of beginning.

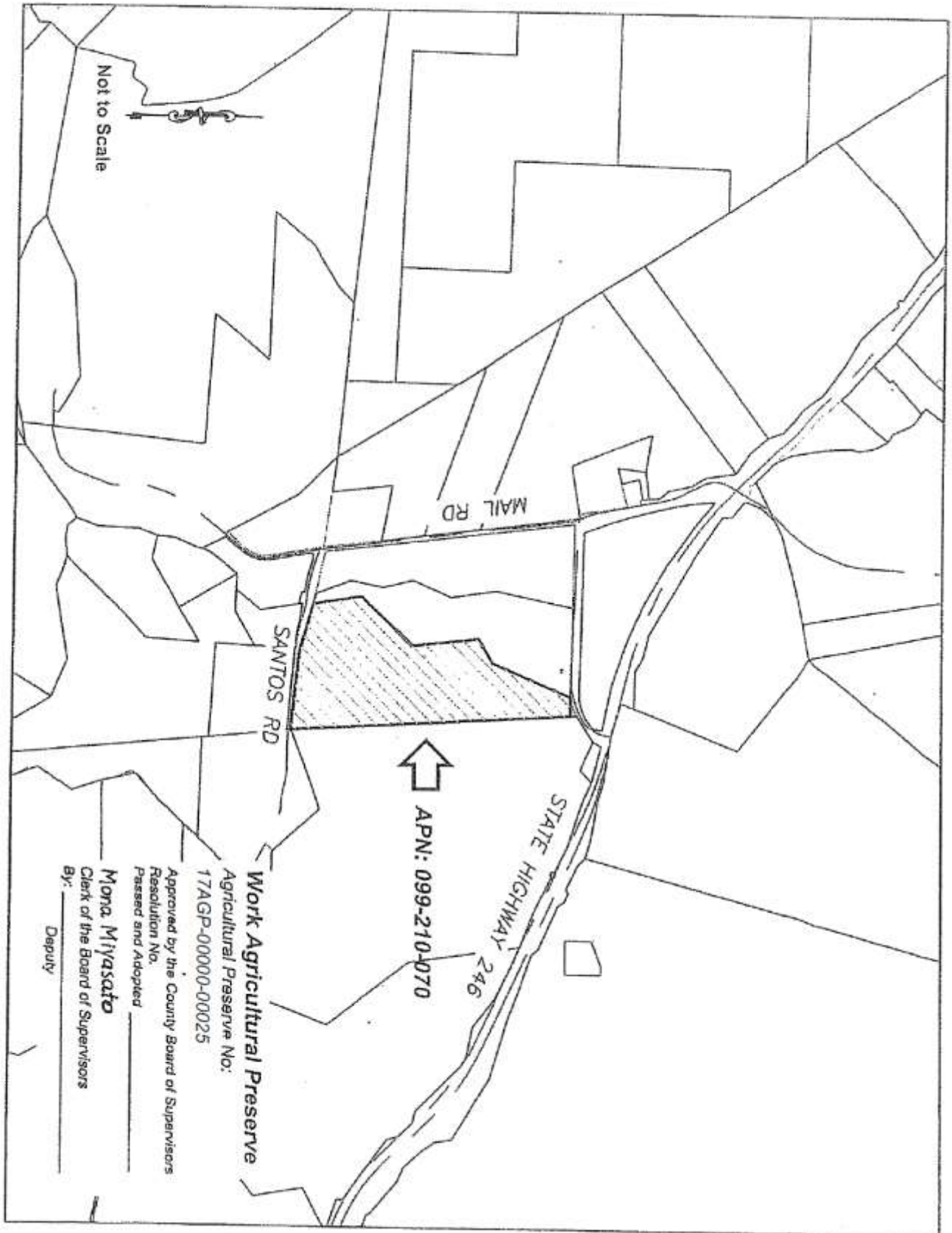
A.P.N.: 099-210-70



9/29/2017

APPROVED AS TO FORM
AND SURVEY CONTENT

AJevremovic
ALEKSANDAR JEVREMOVIC
COUNTY SURVEYOR
LICENSE EXP. 12/31/2017



Work Agricultural Preserve
Agricultural Preserve No:
17AGP-00000-00025
Approved by the County Board of Supervisors
Resolution No. _____
Passed and Adopted _____
Mona Miyasato
Clerk of the Board of Supervisors
By: _____
Deputy

ATTACHMENT 3: CEQA NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Shannon Reese, Planner

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APNs: 099-210-070 **Case No.:** 17AGP-00000-00025

Location: located approximately 600 ft southwest of the intersection of Highway 246 and Domingos Road, in the Lompoc area, Third Supervisorial District

Project Title: Work Notice of Nonrenewal Agricultural Preserve

Project Applicant: County of Santa Barbara

Project Description: Agricultural Preserve County-Initiated Nonrenewal 17AGP-00000-00025, a single preserve of 81.50-acres (APN 099-210-070).

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: County of Santa Barbara

Exempt Status: (Check one)

- Ministerial
- Statutory
- No Possibility of Significant Effect [§15061(b,3)]
- Emergency Project
- Categorical Exemption
- Not A Project Exemption (§15378)

Cite specific CEQA Guideline Section: 15378 [Not A Project] – This action does not constitute a project but instead consists of organizational or administrative activities that do not have the potential to result in either a direct or indirect physical change in the environment or a reasonably foreseeable indirect physical change in the environment pursuant to CEQA Guideline Section 15378(b)(5). Until the contract expires on December 31, 2028, the property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract.

Lead Agency Contact Person: Shannon Reese Phone #: 934-6261

Department/Division Representative: _____ Date: _____

Acceptance Date: _____ Date Filed by County Clerk: _____

Distribution: Hearing Support Staff

Note: A copy of this form must be posted at P&D 6 days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

ATTACHMENT 4: VICINITY MAP

