

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

Agenda Number:

Prepared on: September 24, 2002
Department Name: Planning & Development
Department No.: 053
Agenda Date: October 8, 2002
Placement: Departmental
Estimate Time: N/A
Continued Item: NO
If Yes, date from: N/A
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TO: Board of Supervisors

FROM: Steven L. DeCamp
North County Deputy Director, Planning and Development

STAFF CONTACT: Zoraida Abresch, Supervising Planner
(x6585)

SUBJECT: Investors of America Comprehensive Plan Amendment, Consistency Rezone and Agricultural Preserve Contract; Case Nos. 99-GP-005, 99-RZ-005, and 99-AP-008 (The application involves APN 145-070-048, located off Happy Canyon Road, between Goat Rock and De La Guerra Springs, Santa Ynez area, Third Supervisorial District).

Recommendation:

That the Board of Supervisors:

- A. Accept the Planning Commission recommendations and conceptually approve the Comprehensive Plan Amendment and Consistency Rezone, Case Nos. 99-GP-005, 99-RZ-005:
1. Adopt the required findings for the project specified in Attachment A of the staff report dated June 7, 2002, including CEQA findings;
 2. Accept the exemption, included as Attachment B of the staff report dated June 7, 2002, pursuant to CEQA Section 15061(b)(3);
 3. Adopt a resolution (included as Attachment A of this Board Letter) to designate the subject property as Agriculture II, 100 acres minimum parcel size (A-II-100) on the Comprehensive Plan (Case No. 99-GP-005), and approve Case No. 99-GP-005 and;

4. Adopt an ordinance (included as Attachment B of this Board Letter) to rezone the subject property as AG-II-100 (Case No. 99-RZ-005) under the Article III Zoning Ordinance, and approve Case No. 99-RZ-005.
5. Continue the project to the Board of Supervisors hearing on November 12, 2002 for final action.

B. Approve the creation of a new prime Agricultural Preserve Contract:

1. Accept the exemption, included as Attachment C of this board letter, dated September 24, 2002, pursuant to CEQA Section 15317;
2. Execute an agreement, included as Attachment D of this board letter dated September 24, 2002, creating Agricultural Preserve, 99-AP-008; and,
3. Adopt a resolution, included as Attachment F of this board letter dated September 24, 2002, creating Agricultural Preserve, 99-AP-008.
4. Continue the project to the Board of Supervisors hearing on November 12, 2002 for final action.

Refer to staff if the Board of Supervisors takes other than the recommended action for appropriate findings and conditions.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Comprehensive Plan Amendment and Consistency Rezone:

At the Planning Commission hearing of June 19, 2002, the Commission voted to take action as stated above. The Planning Commission's June 19, 2002 Action Letter is included as Attachment A of this Board Letter, and the June 19, 2002 staff report is included as Attachment B of this Board Letter.

Agricultural Preserve Contract:

The creation of a new prime agricultural preserve (99-AP-008) consisting of 600 acres used for cattle grazing. The property is currently zoned 100AG under Ordinance 661, and is proposed to be rezoned to AG-II-100 under the Article III Zoning Ordinance.

Mandates and Service Levels:

Pursuant to Government Code Sections 35-325 of Article III of Chapter 35 (Inland Zoning Ordinance), the Comprehensive Plan Amendment and Consistency Rezone portions of the project are to be considered by the Planning Commission for an advisory recommendation to the Board of Supervisors, the final decision maker.

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 Agricultural Preserve Program Uniform Rules. 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 §65355 requires that prior to adopting or amending a general plan that the legislative body shall hold at least one public hearing on the proposed amendment.

Government Code §658565 requires that upon receipt of an affirmative recommendation of the Planning Commission on a proposed rezoning that the legislative body shall hold a public hearing on the matter.

In addition, pursuant to Government Code Sections 65355 and 65090, a notice 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 (Government Code Section 65091).

Fiscal and Facilities Impacts:

No fiscal impact associated with this request is expected. All cost of permit processing are the responsibility of the project applicant.

Special Instructions:

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

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

Concurrence:

County Counsel

Attachments:

- A. Resolution to Designate property – Agriculture II
- B. Ordinance to Rezone
- C. CEQA Exemption for Agricultural Preserve
- D. Agricultural Preserve Contracts
- E. Legal Description
- F. Resolution Creating Agricultural Preserve, 99-AP-008
- G. Planning Commission Action Letter, dated June 19, 2002
- H. Staff Report, dated June 19, 2002

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