



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: 11/06/07  
Placement: Set Hearing on 11/27/07  
Departmental  
Estimated Tme: 5 minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

---

**TO:** Board of Supervisors  
**FROM:** Department John Baker, Director  
Director(s) Planning and Development  
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)  
Development Review - North County  
**SUBJECT: Kaufmann New Agricultural Preserve and Rezone, Solvang Area**

---

**County Counsel Concurrence**

As to form: No

**Other Concurrence:** N/A

As to form: No

**Recommended Actions:**

That the Board of Supervisors:

Set a hearing to consider the request of Walt Alves, Alves Properties, agent for Ernest Kaufmann, to consider Case Nos. 07RZN-00000-00002 and 07AGP-00000-00004 for approval of a rezone of 40 acres (Assessor's Parcel Number 139-510-001) from 40-AL-O (Ordinance 661) to AG-II-40 in compliance with Section 35.104 of the County Land Use Development Code; and of the creation of a new prime agricultural preserve contract.

At the November 27, 2007 hearing, follow the Board of Supervisor's action should include the following:

A. Approve the Rezone:

1. Adopt the required findings for 07RZN-00000-00002 and 07AGP-00000-00004 specified in Attachment A of the Planning Commission action letter dated August 8, 2007, (Attachment E);
2. Accept the exemption, included as Attachment B of this board letter, dated August 8, 2007, pursuant to CEQA Section 15061(b)(3);

2. Adopt a Zoning Map Amendment for APN 139-510-001, amending the Inland Zoning Map for the Santa Ynez Valley Rural Region Zoning District, included as Attachment A of this Board Letter;
- B. Approve the creation of a new prime Agricultural Preserve Contract:
1. Accept the exemption, included as Attachment B of this board letter, dated August 8, 2007, pursuant to CEQA Section 15317;
  2. Execute an agreement, included as Attachment C of this board letter dated November 27, 2007, creating Agricultural Preserve, 07AGP-00000-00004; and,
  3. Adopt a resolution, included as Attachment D of this board letter dated November 27, 2007, creating Agricultural Preserve, 07AGP-00000-00004.

The site is identified as Assessor Parcel Number 139-510-001, located approximately 3/4 mile southeast of the intersection of Refugio and Mesa Verde Roads, in the Santa Ynez area, Third Supervisorial District.

**Summary Text:**

At the Planning Commission hearing of August 8, 2007, the Commission voted to take action as stated above. The Planning Commission's August 8, 2007 Action Letter is included as Attachment E of this Board Letter, and the July 10, 2007 staff report is included as Attachment G of this Board Letter.

The new prime agricultural preserve (07AGP-00000-00004) will consist of 40 acres used for vineyards and crops. The property is currently zoned 40-AL-O under Ordinance 661, and is proposed to be rezoned to AG-II-40 under the Land Use Development Code. On April 6, 2007 the Agricultural Preserve Advisory Committee recommended approval of the Agricultural Preserve Contract and a Rezone for the proposed project and found it 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 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 §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.

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 agencies expected to provide essential services shall be done at least 10 days prior to the hearing (Government Code Section 65091).

**Fiscal and Facilities Impacts:**

On November 14, 2006, the Board of Supervisors approved a revised fee schedule which eliminated specific categories of agricultural preserve application fees. Fees associated with new contracts have been waived by the Board of Supervisors. This fee schedule went into effect on January 13, 2007 (60 days after approval).

Funding for the contract review and preparation of this report is estimated to be \$1500.00, and is budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-290 of the adopted 2007 – 2008 fiscal year budget.

**Special Instructions:**

Please distribute copies of the recorded contract with attached legal descriptions and copies of the Board of Supervisors Minute Order as follows:

Florence Trotter-Cadena, P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Mr. Ernest Kaufmann	Contract, Map
P.O. Box 385	
Santa Ynez CA 93460	

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

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

**Attachments:**

- A. Ordinance to Rezone
- B. CEQA Exemptions for Agricultural Preserve and Rezone
- C. Agricultural Preserve Contracts
- D. Resolution Creating Agricultural Preserve, 07AGP-00000-00004
- E. Planning Commission Action Letter, dated August 8, 2007
- F. Legal Description
- G. Staff Report, dated July 10, 2007
- H. Site Plan

**Authored by:**

Florence Trotter-Cadena, Planner III, 805-934-6253  
Development Review Division – North, Planning and Development Department