



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 15, 2020
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 Lisa Plowman, Director, 568-2086
Contact Info: Travis Seawards, Deputy Director, 568-2518
Development Review Division

SUBJECT: **Hub-Russell Ranch Properties, LLC Agricultural Replacement Contract,
Cuyama area, First 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) Adopt a resolution creating Agricultural Preserve Replacement Contract No. 20AGP-00000-00005 (Attachment 1) consisting of 3,275.69 acres located along the northern portion of Highway 166, in the Cuyama area (APNs 149-310-003, 149-310-005, 149-330-011);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 20AGP-00000-00005 (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:

Staff recommends that the Board of Supervisors adopt Agricultural Preserve Replacement Contract No. 20AGP-00000-00005 pursuant to Uniform Rule 6-2. The 3,275.69-acre subject property (designated as Assessor Parcel Numbers [APNs] 149-310-003, 149-310-005, 149-330-011) was originally part of Agricultural Preserve Contract No. 77-AP-052, which was comprised of APNs: 149-310-004, 149-310-003, 149-310-005, and 149-330-011. The Richard Russell Trust previously owned all four of the parcels under Agricultural Preserve Contract No. 77-AP-052, but recently sold the three subject parcels (designated as APNs 149-310-003, 149-310-005, and 149-330-011) that were included under the Agricultural Preserve Contract. As a result, two separate contracts must be processed to replace the entirety of the original contract, 77-AP-052. The Richard Russell Trust still owns APN 149-310-004.

The Board of Supervisors approved a replacement contract for APN 149-310-004 under case No. 19AGP-00000-00014 on December 10, 2019. The subject property is co-owned by Hub-Russell Ranch Properties, LLC, and Grimm Russell, LLC who have requested this replacement contract (Case No. 20AGP-00000-00005) for the 3,275.69-acre property (APNs 149-310-003, 149-310-005, and 149-330-011).

The proposed Hub-Russell Ranch Properties, LLC Agricultural Preserve Replacement Contract No. 20AGP-00000-00005 is a preserve of 3,275.69 acres used for row crop cultivation of vegetables, small grains, and cover crops. The property and its use as an agricultural preserve is consistent with the County's Comprehensive Plan. The property is developed with an approximately 2,000-square-foot single-family dwelling. This residence was constructed prior to the establishment of the Santa Barbara County Zoning Ordinance and is considered legal non-conforming. Other than this residence, there is currently no other development on the proposed agricultural preserve. The project is located along the northern portion of Highway 166, approximately 0.5 miles east of New Cuyama, within the First Supervisorial District (Attachment 4). The subject parcel is currently zoned AG-II-100 under the Land Use and Development Code.

On October 4, 2019, the Agricultural Preserve Advisory Committee (APAC) reviewed the Russell Ranch Replacement Contract (Case No. 19AGP-00000-00014) for APN 149-310-004. During the October 4, 2019 meeting, APAC requested that a notice to appear be sent to all owners of record regarding the ongoing eligibility of the original Agricultural Preserve Contract No. 77-AP-052 due to the change of ownership of APNs 149-310-003, 149-310-005, and 149-330-011. As a result of this action, Hub-Russell Ranch Properties, LLC and Grimm Russell, LLC applied for Case No. 20AGP-00000-00005, the subject replacement contract, pursuant to Uniform Rule 6-2. On July 10, 2020, APAC found the request for Agricultural Preserve Replacement Contract No. 20AGP-00000-00005 consistent with the Uniform Rules.

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. 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.

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 agricultural preserve contract is approximately \$3,700.00. Funding for this project is budgeted in the Planning and Development's Permitting Budget Program on page D-294 of the County of Santa Barbara Fiscal Year 2020-21 adopted budget.

Special Instructions:

Clerk of the Board shall endorse the fact of this adoption and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract Attachment 2) with description attached at the Office of the Santa Barbara County Recorder. 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;
2. To the property owners (Grimm Russell, LLC, 7158 Buena Vista Road, Bakersfield, CA 93311 and Hub-Russell Ranch Properties, LLC, 9100 Ming Avenue, Suite 120, Bakersfield, CA 93311), a conformed copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
3. To the Planning and Development Department (Tina Mitchell and David Villalobos), a conformed copy of the Short Form Contract, a certified copy of the Resolution, and a copy of the Surveyor's map;
4. To the Assessor, a certified copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map; and
5. To the Surveyor, a recorded copy of the Short Form Contract.

Attachments:

1. Agricultural Preserve Resolution
2. Agricultural Preserve Contract
3. Approved Legal Description
4. Vicinity Map
5. Excerpts from APAC Minutes

Authored by:

Tina Mitchell, Planner 805-934-6289

Development Review Division, Planning and Development Department

ATTACHMENT 1: Agricultural Preserve Resolution

ATTACHMENT 2: Agricultural Preserve Contract

ATTACHMENT 3: Approved Legal Description

ATTACHMENT 4: Vicinity Map

ATTACHMENT 5: Excerpts from APAC Minutes