



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 4, 2008
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department John Baker, (568-2085)
Director Planning and Development
Contact Info: Zoraida Abresch, Deputy Director (934-6585)
Development Review - North County
SUBJECT: Kessler New Agricultural Preserve Contract, Lompoc area

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Recommended Actions:

That the Board of Supervisors:

Consider the request of Jane Gray, Dudek and Associates, agent for Daniel and Ellen Kessler, owners, for the creation of a new prime agricultural preserve contract, Case No. 08AGP-00000-00024.

The Board of Supervisors action should include the following:

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

1. Accept the exemption, included as Attachment A of this Board letter, pursuant to CEQA Section 15317;
2. Adopt a resolution, included as Attachment B of this Board letter creating Agricultural Preserve, 08AGP-00000-00024; and,
3. Execute an agreement, included as Attachment C of this Board letter, creating Agricultural Preserve, 08AGP-00000-00024.

Auditor-Controller Concurrence

As to form: N/A

The site is identified as Assessor Parcel Number 099-100-044, located northeast at the intersection of Highway 246 and Gypsy Canyon Drive, known as 4411 East Highway 246, in the Lompoc area, Fourth Supervisorial District.

Summary Text:

The new prime agricultural preserve (08AGP-00000-00024) will consist of 41.23 acres used for vineyards. The property is currently zoned AG-II-100 under the Land Use and Development Code. On August 15, 2008, the Agricultural Preserve Advisory Committee recommended approval of the Agricultural Preserve Contract for the proposed project and found it consistent with the Uniform Rules.

Background:

Government Code Section 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 for 10 years on an annual renewal basis until such time as either the County or landowner enter into non-renewal. 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.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

There are no fees associated with new contracts. The cost for the contract review and preparation of this report is estimated to be \$1000.00, and is budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-305 of the adopted 2008– 2009 fiscal year budget.

Special Instructions:

The Planning and Development shall provide mailed notice to the property owners within 300 feet of the project at least 10 days prior to the hearing.

Please post a copy of the Notice of Exemption, Attachment A, for a period of 30 days.

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
Assessor
Surveyor
Clerk

Contract, Map
Contract, Map
Contract
Contract

Daniel and Ellen Kessler
1700 Gypsy Canyon
Lompoc CA 93436

Contract, Map

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

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).

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

Attachments:

- A. CEQA Exemption for Agricultural Preserve
- B. Resolution Creating Agricultural Preserve, 08AGP-00000-00024
- C. Agricultural Preserve Contract
- D. Legal Descriptions

Authored by:

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Development Review Division – North, Planning and Development Department