



**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: December 15, 2015
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: Alice McCurdy, Deputy Director, 934-6559
Development Review Division
SUBJECT: CIERVO Farming Company, LLC, A California Limited Liability Company, and
TYX, LLC, A California Limited Liability Company, LLC, Agricultural Preserve
Replacement Contract, Goleta area, Second 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) Approve and authorize the Chair to execute agricultural preserve replacement contract 13AGP-00000-00012, a single preserve of 116.4-acres (APNs: 153-400-004, -007, -009, and -012), located north of Cathedral Oaks Road and North Patterson Avenue, 1502 Camino Rio Verde, in the Goleta area;
- b) Execute the attached contract, included as Attachment 1 of this Board Letter, creating Agricultural Preserve 13AGP-00000-00012;
- 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:

This property was originally part of Agricultural Preserve Contract 76-AP-060. The replacement contract is being requested due to the recordation of 10TPM-00000-00003 which subdivided 556.5 acres into four parcels. As a consequence of the subdivision, four replacement contracts are being processed which would replace the original contract 76-AP-060.

The proposed Ciervo Farming, LLC and TYX, LLC Agricultural Preserve Replacement Contract (13AGP-00000-00012) would be a prime preserve consisting of one 116.4-acre legal parcel (comprised of four APNs: 153-400-004, -007, -009, and -012), located north of Cathedral Oaks Road and North Patterson Avenue, 1502 Camino Rio Verde, in the Goleta area (Attachment 4).

The parcel contains 114.4 acres of avocado and lemon trees. The parcel also contains a two acre non-agricultural development envelope which was designated as part of 10TPM-00000-00003 and is currently undeveloped. The parcel is zoned AG-II-100 under the Land Use and Development Code. On November 6, 2015, the Agricultural Preserve Advisory Committee reviewed 13AGP-00000-00012 and determined that this replacement of an agricultural preserve contract is 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 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 \$1888.00, and is budgeted in the Permitting Program of the Planning and Development Department, on page D-289 of the 2015/17 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
- Florence Trotter-Cadena, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Ciervo Farming LLC, P.O. Box 6045, Oxnard, CA 93031-6045

Attachments:

1. Agricultural Preserve Contract
2. Legal Description
3. CEQA Notice of Exemption
4. Vicinity Map

Authored by:

Florence Trotter-Cadena, Planner 805-934-6253

Development Review Division, Planning and Development Department

Attachment 1: Agricultural Preserve Contracts

Attachment 2: Approved Legal Description

Attachment 3: CEQA Notice of Exemption

Attachment 4: Vicinity Map