



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 5, 2017
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: Jeff Wilson, Deputy Director, 934-6559
Development Review Division
**SUBJECT: Solid Rock Group New Agricultural Preserve Contract, Santa Maria Area, Fifth
Supervisory 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 a New Agricultural Preserve Contract 17AGP-00000-00021, a single preserve of 161.44-acres (APN 128-100-014), located approximately 850 yards south of Foxen Canyon Rd. and 850 yards east of Telephone Rd, in the Santa Maria area;
- b) Execute the attached resolution, included as Attachment 2 of this Board Letter, creating Agricultural Preserve 17AGP-00000-00021;
- c) Authorize recordation by the Clerk of the Board; and,
- d) Determine that the project is exempt from environmental review pursuant to CEQA Guidelines Section 15317, as specified in Attachment 4 of this Board Letter, dated November 29, 2017.

Summary Text:

The proposed Solid Rock Group New Agricultural Preserve Contract (17AGP-00000-00021) is being requested by the owner and would be a prime preserve of 161.44 acres of land comprised of one parcel (APN 128-100-014). Approximately 149 acres of prime farmland are planted in strawberries on the property. Nonprime acreage on the parcel includes 4.5 acres of transplant nursery, a 5 acre drainage channel and 2 acres of agricultural roads and yards. The parcel also contains approximately 1 acre of structural development, including a single family dwelling and agricultural storage buildings. The project is located approximately 850 yards south of Foxen Canyon Rd. and 850 yards east of Telephone Rd, in the Santa Maria area, Fifth Supervisorial District (Attachment 4).

The parcels are currently zoned AG-II-40 under the Land Use and Development Code. On October 6, 2017, the Agricultural Preserve Advisory Committee reviewed 17AGP-00000-00021 and determined that this creation of a new 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 \$2,260.00. Funding for this project is budgeted in the Permitting Budget Program of the Planning and Development Department on page D-286 of the adopted 2017-2018 fiscal year 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
- Shannon Reese, Planning and Development Department
- Assessor’s Office
- Surveyor’s Office
- Clerk Recorder’s Office
- Agent: Lisa Bodrogi, Cuvée Connections, 1263 Rick Road, Santa Maria, CA 93455
- Owner: Solid Rock Group, LLC, 2165 W. Main Street, Santa Maria, CA 93456

Attachments:

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

Authored by:

Shannon Reese, Planner 805-934-6261

Development Review Division, Planning and Development Department

ATTACHMENT 1: Agricultural Preserve Contract

ATTACHMENT 2: Agricultural Preserve Resolution

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF THE CREATION)	RESOLUTION NO. 17-
OF AN AGRICULTURAL PRESERVE)	CASE NO: 17AGP-00000-00021
AND ENTERING INTO AN AGRICULTURAL)	
<u>PRESERVE CONTRACT</u>)	

IT IS HEREBY RESOLVED AS FOLLOWS:

- A. Pursuant to the California Land Conservation Act of 1965 (the Williamson Act), (Government Code Sections 51200 et seq.), the Solid Rock Group New Agricultural Preserve (17AGP-00000-00021) is hereby established as an Agricultural Preserve in the County of Santa Barbara, and a contract for that purpose is hereby entered into.
- B. A map of the preserve is filed in the Office of the Santa Barbara County Surveyor, and the preserve land is described in Exhibit "A" attached to the Short Form Land Conservation Contract.
- C. This agricultural preserve shall be administered pursuant to the California Land Conservation Act of 1965 and the Uniform Rules for Agricultural Preserves and Farmland Security Zones adopted by this Board pursuant to said Act.
- D. The Clerk of the Board shall endorse the fact of this creation and contract execution and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract) 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 documents as follows:
 - 1. To the County Recorder, a copy of the Surveyor's map;
 - 2. To the property owners, a duplicate original 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, a conformed copy of the Short Form Contract, a certified copy of this 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 certified copy of the Short Form Contract.
- E. The property owner involved is:

Solid Rock Group, LLC, 2165 West Main Street, Santa Maria, CA 93458
- F. The Chairperson and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 5th day of December, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

JOAN HARTMANN
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

MIKE ALLEN
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
County Counsel

By: _____
Deputy County Counsel

ATTACHMENT 3: Approved Legal Description

ATTACHMENT 4: CEQA Exemption

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Shannon Reese, Planner

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APNs: 128-100-014 **Case No.:** 17AGP-00000-00021

Location: Located approximately 850 yards south of Foxen Canyon Rd. and 850 yards east of Telephone Rd, in the Santa Maria area, Fifth Supervisorial District

Project Title: Solid Rock Group New Agricultural Preserve Contract

Project Applicant: Lisa Bodrogi, Agent

Project Description: Agricultural Preserve New Contract 17AGP-00000-00021, a single preserve of 161.44-acres (APN: 128-100-014).

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Lisa Bodrogi, Agent

Exempt Status: (Check one)

- Ministerial
- Statutory
- No Possibility of Significant Effect [§15061(b,3)]
- Emergency Project
- Categorical Exemption
- Not A Project Exemption (§15378)

Cite specific CEQA Guideline Section: 15317, [Establishment of an Agricultural Preserve] – This section exempts the establishment of agricultural preserves under the Williamson Act. The creation of an Agricultural Preserve will not cause a significant environmental impact to the surrounding area. The project site is approximately 161.44 acres and used for strawberry farming, a transplant nursery, agricultural storage, and a single family dwelling. The project will not increase the demand on existing services, will not result in the loss of any existing native vegetation, will not require extensive grading or land alteration, nor will it impact any biological, archaeological or other sensitive environmental resources.

There is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

Exception (a) does not apply to Class 17 exemptions.

- (b) **Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The proposed project is for the placement of property into the Williamson Act Program (Agricultural Preserve). Upon approval of the Agricultural Preserve contract the parcel size would remain unchanged. The proposal would not result in an increase in development potential or an increase in subdivision potential. The property owner would continue their current agricultural operations. The cumulative impact of successive project of this type in the same place, over time, would not be significant.

- (c) **Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The proposed project is minor in nature and there is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant effects on the environment.

- (d) **Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The proposed project does not include any physical development and would not be visible from a designated scenic highway. The project would not result in damage to scenic resources, including but not limited to: trees, historic buildings, or rock outcropping.

- (e) **Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

The project site is not a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.

- (f) **Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

No construction, demolition or development is proposed as part of the project and the project would not result in any substantial adverse change in the significance of a historical resource.

Lead Agency Contact Person: Shannon Reese

Phone #: 934-6261

Department/Division Representative: _____

Date: _____

Acceptance Date: _____

Distribution: Hearing Support Staff

Date Filed by County Clerk: _____

Note: A copy of this form must be posted at P&D 6 days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

ATTACHMENT 5: Vicinity Map

