



UNIFORM RULES FOR AGRICULTURAL PRESERVES AND FARMLAND SECURITY ZONES



FINAL EIR

VOLUME II- APPENDICES

SEPTEMBER 2007

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NOTICE OF PREPARATION

DATE: August 24, 2004

TO: Interested Parties

FROM: Santa Barbara County Planning and
Development, Comprehensive
Planning Division
123 East Anapamu Street
Santa Barbara, CA 93101
Staff Contact: Alex Tuttle
(805) 884-6844
atuttle@co.santa-barbara.ca.us

SUBJECT: NOP for DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT: Santa Barbara County Agricultural Preserve Uniform Rules Update

This notice is to inform other agencies and interested parties that Santa Barbara County Planning and Development (P&D) will be the Lead Agency to prepare a Program Environmental Impact Report (EIR) for the update to the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules). The EIR will evaluate proposed changes including:

- Eligibility requirements for lands enrolled in the Agricultural Preserve Program
- Residential allowances on contracted land
- Compatible uses allowed on lands enrolled in the Agricultural Preserve Program
- Incorporation of legislative amendments to bring the Uniform Rules into conformance with the Williamson Act

As a result of these proposed uniform rule changes, the following resources may be significantly impacted:

- Agricultural resources
- Land use
- Traffic
- Visual resources/aesthetics

This notice provides you with an opportunity to review and comment on the scope and content of the analysis to be considered in the EIR. Pursuant to division 21080.4 of the California Environmental Quality Act (CEQA), agency comments germane to the agency's statutory responsibilities in connection with the proposed project will be considered and incorporated in the EIR. Public comments will also be considered.

The attached Project Overview and Issue Summary (Attachment A) provides a general project description of the proposed Uniform Rule changes. A complete draft of the proposed update to the Uniform Rules is included as Attachment B.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice. Comments should be submitted to the address above by **Thursday, September 23, 2004**.

The Project Overview and Issue Summary and draft Uniform Rules are also available online at: www.countyofsb.org/plandev/comp/programs/uniformrules/default.html

Cc: Santa Barbara County Clerk of the Board (please post for 30 days)
Chron file
Comp Chron

Attach: A Project Overview and Issues Summary
B Draft of Updated Uniform Rules

F:\GROUP\COMP\Co-wide Programs\Uniform Rules\CEQA\Uniform Rules NOP.doc

Attachment A

PROJECT OVERVIEW AND ISSUE SUMMARY

Santa Barbara County Uniform Rules Update

A. PROJECT APPLICANT

Santa Barbara County Planning and Development
Comprehensive Planning Division
123 East Anapamu Street
Santa Barbara, CA 93101

B. PROJECT LOCATION

The *Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules) apply to agricultural and open space lands with the appropriate zone district enrolled in the Agricultural Preserve Program throughout the unincorporated area of Santa Barbara County. Approximately 550,000 acres of agricultural land is currently enrolled in the Agricultural Preserve Program, which represents roughly 73% of the total agricultural land in the County.

C. PROJECT DESCRIPTION

The Uniform Rules is the set of rules by which Santa Barbara County administers its Agricultural Preserve Program under the California Land Conservation Act of 1965, better known as the Williamson Act. The Uniform Rules outline the requirements for land participating in the Agricultural Preserve Program, including eligibility requirements, residential allowances, compatible uses, and administrative provisions for terminating or amending contracts.

The Uniform Rules Update proposes changes to several aspects of the Uniform Rules in order to 1) bring the Uniform Rules into conformance with recent legislative amendments to the Williamson Act; 2) address discrepancies in the Uniform Rules that were identified in a 2001 audit by the California Department of Conservation (DOC); and 3) increase the clarity and flexibility of the Uniform Rules to expand and ensure continued participation in the Agricultural Preserve Program. Additionally, the Update proposes reformatting the Uniform Rules to make them more user-friendly. Below is a general description of some of the major changes being proposed. The complete draft of proposed Uniform Rule changes is provided as Attachment B.

The primary additions to the Uniform Rules to bring them into conformance with the Williamson Act as it has been amended over the past twenty years, include incorporating principles of compatibility from the Act that provide guidelines to be considered when evaluating the compatibility of non-agricultural uses; updating the definition of recreational use to require that land be in its "agricultural or natural state"; incorporating the findings that must be made to

allow a lot line adjustment on contracted land; and adding the appropriate findings and procedures required for contract cancellations.

In responding to the 2001 DOC audit, the Uniform Rules proposes eliminating sanitary fill waste disposal facilities and golf courses as compatible uses on contracted land; providing a rationale for inclusion of superprime parcels into the Agricultural Preserve Program; and clarifying size eligibility requirements for parcels and preserves.

Many of the proposed changes to the Uniform Rules are in an effort to increase the clarity and flexibility of the Uniform Rules. Some of these notable proposed changes include additional land use designations and zoning districts that are eligible for enrollment in the Agricultural Preserve Program; addition of allowance for lot line adjustments to add smaller parcels to existing contracts; changes to residential allowances to provide more housing opportunities; revised agricultural production and reporting requirements to ensure the integrity of the Agricultural Preserve Program is maintained; allowance for increased development envelopes on superprime land if more land is devoted to agricultural production; increase in the flexibility of facilities preparing and processing agricultural products; clarification of the restrictions and requirements associated with animal boarding and breeding; and the addition of an allowance for small scale guest ranches subject to certain requirements.

D. ENVIRONMENTAL ISSUE AREAS

The environmental impact report will analyze the proposed changes to the Uniform Rules to assess the significance of any resulting impacts and where necessary recommend mitigation measures. It will also evaluate the potential impacts for several alternatives to the proposed Uniform Rules including a no project alternative. Key areas where potentially significant impacts may arise are to agricultural resources, visual resources, land use and traffic.

APPENDIX 2

**DRAFT UNIFORM RULES FOR AGRICULTURAL
PRESERVES AND FARMLAND SECURITY ZONES**

Draft
Uniform Rules for
Agricultural Preserves and
Farmland Security Zones



Santa Barbara County

August 2004

Planning and Development

South Barbara Office
123 East Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000

North County Office
624 West Foster Road
Santa Maria, CA 93455
(805) 934-6250

DRAFT

UNIFORM RULES

FOR AGRICULTURAL PRESERVES

AND

FARMLAND SECURITY ZONES

August 2004

Approved by the Board of Supervisors October 8, 1984
Amended August 10, 1999
Amended XX, 2004

DRAFT
8/20/2004

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INTRODUCTION

I. PURPOSE OF AGRICULTURAL PRESERVE PROGRAM AND UNIFORM RULES

The *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (hereafter referred to in this document as Uniform Rules or Rules) is the set of rules by which the County administers its Agricultural Preserve Program under the California Land Conservation Act of 1965, better known as the Williamson Act. The purpose of the Williamson Act is the long-term conservation of agricultural and open space lands. The Act establishes a program to enroll land in Williamson Act or Farmland Security Zone contracts whereby the land is enforceably restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. The Act requires that each participating local government have a set of uniform rules for administering Williamson Act and Farmland Security Zone contracts within its jurisdiction. The County's Uniform Rules establish the basic requirements of all contracts and are incorporated as a part of each contract. As a part of every contract, therefore, any change in the County's Rules applies to every contract currently in effect with the exception of rules specifically applied prospectively and those compatible uses permitted under Section 51238.3 of the Williamson Act. Participation in the program is voluntary by the County and by the eligible landowners.

Conservation of agricultural and open space land benefits the general public by discouraging premature conversion of land to urban land uses, thereby curtailing sprawl and promoting logical urban growth and provision of urban services. The Agricultural Preserve Program both protects agriculture and retains open space for its scenic qualities and value as wildlife habitat. Most directly, it contributes to the state's agricultural economy and the availability of fresh, nutritious, varied and affordable food. To ensure the long-term retention of these benefits, land enrolled in the program is prevented from being readily converted to urban or other non-agricultural uses. This is achieved by the County through conscientious and consistent enforcement of the Uniform Rules and the terms of the contracts, which also maintains the constitutionality of administering preferential property tax assessments for these lands.

II. AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS

As a participating county, the Williamson Act mandates that areas of the County be designated as agricultural preserves for application of the program. Land within the preserves that meets the eligibility requirements may enroll in the Agricultural Preserve Program through a Williamson Act or Farmland Security Zone contract with the County. It is Santa Barbara County's practice to establish the preserves simultaneously with enrollment in a contract, resulting in coterminous boundaries between the preserves and the contracts. Thus land anywhere within the County that meets the zoning, size, use and other requirements set forth in these Rules may be eligible to participate in the program.

Farmland Security Zone contracts, also referred to as "Super-Williamson Act contracts" are a special type of Williamson Act contract that receive greater tax benefits (35% reduction from assessed Williamson Act or Proposition 13 value) in exchange for longer contracts. In Santa Barbara County, the Farmland Security Zone program is not yet widely used. For this reason, these Uniform Rules refer primarily to Williamson Act contracts when discussing eligibility requirements, compatible uses, and contract termination provisions. However, in most cases the requirements are the same for both Williamson Act and Farmland Security Zone contracts. Therefore, whenever these Rules mention Williamson Act contracts, it shall be presumed to include Farmland Security Zone contracts as well, unless specifically stated otherwise. Requirements specific to Farmland Security Zones are discussed in Rule 5.

Under the Act, contracts are automatically renewed each year following the first year of a 10-year Williamson Act contract (or 20 years for Farmland Security Zones), unless the owner or County serves a notice of nonrenewal or the contract is terminated as may be provided for by the Act and these Rules. When the County or a landowner serves a notice of nonrenewal upon the other party sufficiently prior to the renewal date (i.e. 90 days if served by the landowner, 60 days if served by the County), the contracted land must continue to meet County eligibility and compatible use requirements throughout the remaining duration of the 10-year or 20-year contract. For example, if a landowner nonrenews a Williamson Act contract in September of 2004, the contract remains in effect for 9 years from the start of the next calendar year (e.g. January 1, 2005). Therefore the contract would expire at the end of 2013.

III. CONTRACTS - ASSESSED VALUE OF LAND, IMPROVEMENTS AND LIVING IMPROVEMENTS

The State Legislature enacted the California Land Conservation Act (Williamson Act) in 1965, with the intent of preserving agricultural lands for food and fiber production. At the time, property taxes were recalculated yearly, on the basis of market value. The Williamson Act changed this practice for open space and agricultural lands. With California taxpayer approval, the law prescribed specific methods for appraising properties under the Williamson Act. The Legislature determined that the assessed value of the agricultural use would be calculated based on the income approach to value, rather than the market approach. Only the non-agricultural uses would continue to be assessed at market value. Adopting the Williamson Act was an effort to motivate landowners towards the goal of the program. It was "*an attempt to stop or at least slow down increases in real property taxes on farmland by providing methods for restricting land to agricultural purposes.*"¹

Presumptions for Williamson Act Valuation Today:

The spirit and intent of the Williamson Act remains today under Proposition 13. Foremost in the appraisal process is the presumption that the agricultural (restricted) use of the land will continue

¹ SBE Assessment of Agricultural and Open Space Properties, AH521 II-1.

into the foreseeable future and that the restrictions affect value. The non-agricultural (non-restricted) uses are valued at their market value, in accordance with Proposition 13.

Valuation Procedures for Enforceably Restricted Property:

The basic appraisal method for Williamson Act valuation is by the income approach to value. The assessor capitalizes all income attributed to the agricultural use of the land, (along with income from compatible uses such as radio towers, television repeaters, cell sites, commercial enterprises, the sale of water, mineral exploration leases, production contracts and recreation) into an indication of value. The assessor also capitalizes income produced from living improvements (fruit and nut bearing trees and vines) into an indication of value. The land and living improvement values comprise the restricted portion of the total assessment.

Under the 1999 Farmland Security Zone Act, landowners that enter into a 20-year Farmland Security Zone contract can benefit from an additional 35% reduction on the restricted portion of their assessment.

Valuation Procedures for Unrestricted Property:

Non-restricted portions of the contracted property are valued at their market value, in accordance with Proposition 13. For example, residences and residential homesites are expressly excluded from the restricted calculation. If a 100-acre avocado ranch has a home with garage, pool, tennis court, guesthouse and an employee house, each homesite and each of the structures will be assessed at market (Proposition 13) value. Any physical changes associated with the residential uses, such as driveways, grading, landscaping, domestic wells, etc. are also assessed at market value.

Total Assessed Value:

Each year the assessor sums the restricted and unrestricted values to calculate the final Williamson Act or Farmland Security Zone value for the contracted property. The Assessor also calculates the Proposition 13 base value and the current market value. The value placed on the tax roll will be the lesser of the: 1) Williamson Act value or Farmland Security Zone value, 2) the Proposition 13 base value, factored, or the 3) current market value.

IV. RELATIONSHIP OF PROGRAM TO OTHER LAND USE REQUIREMENTS

The Agricultural Preserve Program is applied within the wider land use context defined by the County's Comprehensive Plan and zoning ordinances. The zoning ordinance applicable to a particular parcel establishes what buildings, structures and activities are permitted on the parcel as of right or through a permit review process. The zoning ordinance and/or the conditions and mitigation measures applied to a permit may set criteria or other requirements for the establishment of land uses on contracted land.

Land uses allowed by the Uniform Rules may be more restrictive than those uses allowed by the relevant zoning ordinance in order to comply with the intent of the Williamson Act. Similarly, a proposed land use that complies with the Uniform Rules may still not be allowed by the County if it does not comply with all applicable zoning regulations and the policies of the Comprehensive Plan. A landowner can obtain an early indication whether or not a proposed land use or activity may be allowed by bringing their proposal to the Agricultural Preserve Advisory Committee (APAC) for advisory review and by consulting with Planning and Development or submitting a pre-application to the County for any required permits.

V. AGRICULTURE AND URBAN INTERFACE

The Board of Supervisors recognizes not only agriculture's contribution to the County but also its vulnerability to conversion to urban or other non-agricultural uses. In addition to the Agricultural Preserve Program, goals and policies in the County's Land Use and Agricultural Elements afford protection to both prime and nonprime agricultural lands. This includes protection from urban expansion and urban influences. It is important to reaffirm these policies here in the Uniform Rules. Two primary considerations regarding the interface of agricultural and urban lands are:

1. Agriculture does not ordinarily require urban services such as sanitary sewers, transit and lighting, and therefore such service districts should not be extended to cover agricultural land in, or eligible for inclusion in agricultural preserves. Taxing agriculturists for these services may impose an unnecessary tax burden and could hasten conversion to urban land uses.
2. To deter expansion of urban areas onto productive agricultural lands, the County encourages the entry of prime and producing agricultural lands adjoining urban areas into the Agricultural Preserve Program.

VI. ROLE OF THE APAC

The Agricultural Preserve Advisory Committee was created by, and is advisory to, the Board of Supervisors and includes representatives from the Agricultural Commissioner's Office, Assessor's Office, County Surveyor's Office, Cooperative Extension and Planning and Development. The Committee is responsible for administering the County's Agricultural Preserve Program and the Uniform Rules. Its duties include reviewing applications and making recommendations for creating agricultural preserves, entering new contracts, making revisions to existing preserves or contracts, terminating contracts and disestablishing preserves. In conjunction with these duties, the APAC is responsible for monitoring and enforcement of the Agricultural Preserve Program. When an application for a land use permit involves land in a Williamson Act contract, the APAC has the responsibility to review the permit application to determine its consistency with the County's Uniform Rules. In addition, the APAC is responsible for determining the compatibility of land uses under the provisions of the Uniform

Rules and the Williamson Act. From time to time it is also responsible for recommending revisions to the Rules to ensure their continuing consistency with the Williamson Act and suitability to Santa Barbara County. The APAC is a committee subject to the Ralph M. Brown Act and the public is welcome to attend meetings and provide input and comments on proposed recommendations or issues being discussed.

DEFINITIONS

Some of the terms defined below are taken directly from the Williamson Act. The definitions in the Williamson Act (WA) may be amended from time to time by the state legislature. Any changes made to the Act's definitions will supersede the definitions included in these Rules. Other terms are taken directly from County zoning ordinances (e.g. Article III). Those definitions are also subject to change in response to future zoning ordinance amendments. In some cases, definitions are derived from County zoning ordinances or the Williamson Act but have been tailored to the requirements of the County's Agricultural Preserve Program and may be more restrictive than the zoning ordinances or the Williamson Act. Lastly, there are those definitions which have been developed specifically for the purposes of these Rules.

Agricultural employee: a person who primarily works or is engaged in agriculture.

Agricultural preserve: an area of contracted land devoted to either agricultural use, recreational use, or open space use, as herein defined, or any combination of those uses and which is established in accordance with the provisions of the Williamson Act and these Rules (derived from WA).

Agricultural use: the use of land for the purpose of producing an agricultural commodity for commercial purposes (WA).

Cancellation: the immediate removal from contract of a parcel or premises under Williamson Act or Farmland Security Zone contract.

Commercial: any activity or operation involving compensation or remuneration for its products or services.

Composting facility: a commercial facility that is operated for the purpose of producing compost from the onsite and/or offsite organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations contained in the California Code of Regulations, Title 14, Division 7, as may be amended from time to time. Non-commercial composting that is part of an agricultural operation is not included within this definition (derived from Article III).

Contiguous: Property shall be considered to be contiguous for the purposes of these Uniform Rules if two or more properties are adjoining, touch at a point or share a common boundary, or are separated by a road, street, utility easement, railroad right-of-way or other public facility so long as the property is owned in common and can reasonably be operated as a single agricultural unit (derived from Subdivision Map Act).

Contract: the legal document that binds the parties under the terms of the Williamson Act and these Rules.

Contracted land: land under either a Williamson Act or Farmland Security Zone contract; used generally to refer to all land in the County enrolled in the Agricultural Preserve Program.

Development envelope: the area of land in an agricultural preserve within which all residential, residential accessory structures, and other structures and uses not associated with the commercial agricultural operation, including landscaping and access to the buildings or structures, are located. Examples of such structures include, but are not limited to, guest houses, non-agricultural roads, and personal horse stables. Septic systems would be included in this development envelope if they take land out of agricultural production.

Fully planted: in conjunction with prime and superprime land, land devoted to active crop production, excluding both agricultural and non-agricultural buildings and structures as well as non-producing land. Fully planted land does not include: diseased or otherwise previously producing land which is not currently producing an adequate income for qualification as prime or superprime land; unplanted easements or unplanted setbacks; driveways and roads; waterways, wetlands and other terrain features that will not support commercial agricultural production.

Guest ranch: agricultural tourism that provides accommodation to paying guests incidental to or in conjunction with the principal commercial agricultural operation (derived from Article III).

Guest house: detached living quarters of a permanent type of construction without kitchen or cooking facilities of any kind, intended and used primarily for temporary guests of the occupants of the main building on the parcel on which such guest house is located, and not rented or otherwise used as a separate dwelling (Article III).

Historic structure: a structure that was built on or moved onto land prior to the land being placed under a Williamson Act contract and meets the requirements of the Cultural Resource Guidelines Historical Resources Element for a historic structure.

Immediate family: the spouse of the landowner, the natural or adopted children of the landowner, the parents of the landowner, or the siblings of the landowner (WA).

Land reclamation fill: fill consisting of solid materials or soil that is non-toxic, noncombustible, non-organic and not hazardous, and which is used as fill to contour existing uneven terrain for the purpose of reclaiming land for agricultural use (County Grading Ordinance).

Managed wetland area: an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to these Rules, was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes (WA).

Multiple contract preserve: the situation whereby two or more contiguous prime and/or superprime premises, none of which qualify independently as an agricultural preserve, are combined to meet the minimum preserve size of forty (40) acres; each ownership remains under a separate contract, but each ownership's continuing individual eligibility depends on remaining within a minimum 40-acre block of contracted land.

Nonprime land: land that is not prime [or superprime]. This may include, but is not limited to, land used for grazing or dry farming (derived from WA).

Nonrenewal: withdrawal of land under contract whereby the contract remains in effect for the remainder of the term of the contract (i.e. 9 years for a Williamson Act contract or 19 years for a Farmland Security Zone contract).

Notification of Assumption of Williamson Act Contract: when all the land under a single contract is transferred to a new owner and no changes to contract boundaries result, the new owner shall assume the original contract and all of the requirements therein, and submit to the County such a notification.

Open space use: the use or maintenance of land in a manner that preserves its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, if the land is within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, or a submerged area, as these terms are herein defined in these Rules (derived from WA).

Parcel: a single parcel of land in one (1) ownership, the boundaries of which are delineated in the latest recorded parcel map, subdivision map, or Certificate of Compliance recorded in the County Recorder's Office or deed provided that such recorded deed does not create or attempt to create a parcel in violation of the provisions of any applicable California law or County ordinance (Article III); also referred to as legal parcel.

Premises: the area of land under a single Williamson Act or Farmland Security Zone contract; the premises may comprise a single legal parcel or multiple contiguous legal parcels under the same ownership.

Prime land: means any of the following:

1. All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.
2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
3. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
4. Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing

- period on an annual basis from the production of unprocessed agricultural plant production not less than five hundred dollars (\$500) per acre.
5. Land which has returned from production of unprocessed agricultural plant products an annual gross value of not less than five hundred dollars (\$500) per acres for three of the previous five years, except that for irrigated pasture this figure will be two hundred dollars (\$200) per acre for three of the previous five years(derived from WA).
 6. In all cases, prime land must have a secure water source adequate to support the agriculture on the premises.
 7. Superprime land is a subset of prime land – see definition.

Principal dwelling: a dwelling serving as the primary inhabited structure.

Recreational use: the use of the land in its agricultural or natural state by the public, with or without charge, for any of the following: walking, hiking, picnicking, wilderness camping, scenic viewing, swimming, boating, fishing, hunting, horseback riding or other similar low intensity recreational activities (derived from WA).

Replacement contract: a contract that is required when the boundaries or principal uses (i.e. Agriculture, Open Space, or Recreation) of the original contract are changed.

Rescission: the process of simultaneously voiding an existing contract and entering into a new contract where there is no reduction in the amount of land under contract.

Residential Agricultural Unit (RAU): an attached or detached single family dwelling unit on a permanent foundation located in the AG-I-40, AG-II-40, AG-II-100, and AG-II-320 zone districts, or a detached duplex on a permanent foundation located in the AG-II-320 zone district, which provides complete, independent living facilities for one or more persons in addition to a principal one-family dwelling. A RAU shall not be sold, transferred, or financed separately from the principal structure, but may be rented or leased on a non-exclusive basis. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall be located entirely on the same parcel that contains the principal dwelling (Article III).

Submerged area: any land determined by the Board of Supervisors to be submerged or subject to tidal action and found by the Board to be of great value to the state as open space (WA).

Superprime land: prime agricultural lands of the County south of the Santa Ynez Mountains which are highly productive due to the combination of soils and climate that are uniquely suitable to specialty horticultural produce and floral varieties, and that are capable of supporting commercially viable agricultural operations on parcels as small as five acres. Superprime land is a subset of prime land and can be combined with either prime contracts or other superprime contracts to form a prime preserve of at least 40 acres. In order to qualify, it must meet specific production requirements that are different than regular prime land, as outlined in section 1-2.3 and Table 1-2 of these Rules.

Wildlife habitat area: a land or water area designated by the Board of Supervisors, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state (WA).

Winery: A bonded establishment primarily used for the purpose of processing grapes or other fruit products. Processing includes, but is not limited to, crushing, fermenting, blending, aging, storage, bottling, and wholesale/retail sales (Article III).

UNIFORM RULE 1

Requirements for Agricultural Preserves, and Williamson Act and Farmland Security Zone Contracts

Adopted August 9, 1971, Amended by Resolution Nos. 73-28 (January 15, 1973), 74-84 (February 4, 1974), 74-344 (May 13, 1974), 75-825 (October 27, 1975), 76-29 (January 12, 1976), 78-466A (October 30, 1978), 84-464 (October 8, 1984), 99-268 (July 6, 1999)

1-1. INTRODUCTION

The Williamson Act establishes certain minimum requirements and encourages participating local governments to establish requirements (which may be stricter than the Act but not more lenient) to tailor the program to better reflect local characteristics and objectives. This Rule sets out the County's criteria to be used in judging the qualifications of parcels for the creation and continuance of Agricultural Preserves and Williamson Act contracts, under the terms of the California Land Conservation Act of 1965 and these Rules, both as amended or to be amended. It includes such requirements as zoning, minimum preserve size, minimum parcel size, and agricultural production.

The signing of the Williamson Act contract and the adoption of the resolution creating the Agricultural Preserve shall be completed concurrently for all proposals.

As mentioned in the Introduction to these Rules, because Farmland Security Zone contracts are similar to Williamson Act contracts in terms of eligibility requirements and compatible uses, references to Williamson Act contracts in this Rule shall be presumed to include Farmland Security Zone contracts as well, unless specifically stated otherwise. Additional eligibility requirements specific to Farmland Security Zones are discussed in Rule 5.

1-1.1 COUNTY OBJECTIVES

In determining initial and ongoing eligibility or reviewing related proposals, the Agricultural Preserve Advisory Committee shall take into consideration the following objectives of the County:

A. Commercial Agricultural Production

Land eligible for inclusion in the Agricultural Preserve Program shall be used principally for the commercial production of agricultural commodities. Lands not used for commercial agricultural production, but desirable for preservation, may qualify for inclusion in the program as preserves for recreational or open space use.

B. Land Quality

The quality of agricultural land varies widely, depending on soil, terrain, water availability, climate, and other factors. The County wishes to protect the maximum amount of productive and potentially productive agricultural land, which can be either prime or nonprime land.

1-2. ELIGIBILITY REQUIREMENTS

In order to enter land into a Williamson Act contract or amend an existing contract, and maintain continued eligibility during the life of the contract, land must meet all of the applicable requirements identified in this Rule.

1-2.1. COMPREHENSIVE PLAN AND ZONING REQUIREMENTS

Eligible land shall have land use and zoning designations consistent with those listed in Table 1-1.

Table 1-1. Comprehensive Plan and Zoning Requirements

Contract Type	Comprehensive Plan Designation	Zone Districts
Agriculture and Recreation	Agricultural Commercial, Agriculture I, Agriculture II, Mountainous Area; Agricultural Industry Overlay necessary for large scale ag processing facilities	Agriculture and Mountainous
Open Space	Agricultural Commercial, Agriculture I, Agriculture II, Mountainous Area, and Other Open Lands	Agriculture, Mountainous, and Resource Management

The zoning designation shall include a minimum parcel size consistent with the provisions of section 1-2.2 (e.g., AG-I-40 or MT-GOL-40 for a prime preserve or AG-II-100 or MT-TORO-100 for a nonprime preserve). The AG-I-5 zoning district may be used or applied only in conjunction with the provisions of subsection 1-2.2.B.3, Superprime Land.

Interested landowners with ineligible land use or zoning designations should request and secure a general plan amendment and/or rezone prior to or concurrent with the processing of the agricultural preserve and Williamson Act contract, subject to the provisions outlined in section 1-2.4. Land zoned under Ordinance 661 is not eligible for a Williamson Act contract unless the application is accompanied by a general plan amendment, rezone, or consistency rezone request.

1-2.2. MINIMUM PRESERVE AND CONTRACT SIZE

A. Preserve Size

Except as provided for in subsection B.4 below, the minimum size for an agricultural preserve comprising nonprime land shall be one hundred (100) acres and the minimum

size for an agricultural preserve comprising prime or superprime land shall be forty (40) acres.

B. Existing and Assumed Contracts

Existing prime and nonprime contracts for which no changes are proposed that meet the minimum preserve size, but which are made up of parcels which do not meet the minimum parcel size set forth in subsection 1-2.2.C below, shall continue to be eligible with respect to minimum preserve and contract size. The assumption of an existing contract shall also continue to be eligible with respect to minimum preserve and contract size, assuming no changes to contract boundaries occur. If the owner of an existing or assumed contract proposes a change to its contract (e.g. changing the contract boundary or constructing a winery) then the contract would need to adhere to all of the eligibility requirements contained in section 1-2.2 of this Rule.

C. New and Replacement Contracts

Applications for new or replacement contracts shall be considered for land if its size and type are one of the following:

1. Nonprime Land

When the land is classified as nonprime, the minimum legal parcel size within a contract is one hundred (100) acres under single ownership.

2. Prime Land

When the land is classified as prime, as defined in these Rules, the preserve can be made up of either of the following:

- a. A single parcel contract of at least forty (40) acres in size; or
- b. Two or more contiguous parcels (under one or more contracts) which total at least forty (40) acres, when each parcel (and contract where applicable) is either:
 - (1) A minimum of twenty (20) acres; or
 - (2) A minimum of five (5) acres of superprime land as defined in subsection B.3 below; or
 - (3) A combination of (1) and (2) above.

Subsections (1) through (3) above apply when contract applications for an aggregate preserve of 40 acres or more are concurrently processed or when a new

contract for less than 40 acres is added to other contracts in an existing prime preserve.

3. Superprime Land

Prime agricultural lands of the County south of the Santa Ynez Mountains which are highly productive due to the combination of soils and climate that are uniquely suitable to specialty horticultural produce and floral varieties, and that are capable of supporting commercially viable agricultural operations even on smaller properties. The Board of Supervisors has determined that such "superprime" agricultural lands are important to protect and therefore finds that parcels between five (5) acres and less than twenty (20) acres in size are eligible for inclusion in 40-acre minimum prime preserves, pursuant to subsection 1-2.2.B.2.b above.

4. Prime Preserves Reduced in Size with Special Findings

Notwithstanding the above, the Board of Supervisors may at its discretion reduce the requirements for minimum size for the creation of a prime preserve to not less than 30 acres in one parcel, or in several contiguous parcels as stipulated in subsection 1-2.2.B.2, if it finds that such a smaller preserve is necessary due to the unique characteristics of agricultural enterprises in this County, that the establishment of such a preserve of lesser size is consistent with the Comprehensive Plan, as provided for in section 1-2.1, and that all of the following findings apply to the proposed preserve of lesser size:

- a. No other contiguous owners desire to enroll their land in a Williamson Act contract simultaneously to create a multiple contract preserve of 40 acres or more, pursuant to subsection 1-2.2.B.2 above;
- b. Each parcel meets the minimum requirements established for prime or superprime land pursuant to subsection 1-2.2.B.2;
- c. Each landowner maintains annual production records demonstrating that the land is being used for commercial agricultural production and continues to meet the eligibility requirements set forth in section 1-2.3, and makes such records available to the County upon request;
- d. The contracts will be subject to annual monitoring by the County for a period of no less than 5 years and thereafter as required pursuant to section 6-1.7 of these Rules. If at any time it is demonstrated that there is no longer a commercial agricultural operation on the premises, then the County shall proceed with issuing a notice of nonrenewal pursuant to section 6-1.7 of these Rules.

5. Special consideration: Other than superprime land, non-preserve islands surrounded by preserve lands may be considered as eligible when all criteria other than size are met.

C. Additions to Contracts

Additions to existing contracts of contiguous parcels shall be allowed as follows:

1. Nonprime Land

Any individual parcel 100 acres or greater in size, and which meets the definition of nonprime as set forth in these Rules, may be added to an existing nonprime contract provided the existing parcel(s) and parcel to be added are contiguous and are under the same ownership.

No sub-100 acre additions to nonprime contracts shall be allowed, except when the parcels to be added and existing contract are under the same ownership and any lot line is eradicated between a parcel within the existing contract and the added land, or adjusted pursuant to section 1-3 below, provided that all resulting parcels qualify individually for Williamson Act contracts.

2. Prime and Superprime Land

Any individual parcel that meets the definition of either prime land or superprime land as set forth in subsection 1-2.2.B.2, and is a minimum of 20 acres or 5 acres, respectively, may be added to an existing prime or superprime contract within a prime preserve that is contiguous and under the same ownership. Any individual parcel that meets the definition of either prime land or superprime land as set forth in subsection 1-2.2.B.2, and is a minimum of 20 acres or 5 acres, respectively, may be added to a preserve containing both nonprime and prime land only when the total resulting prime or superprime land in the two or more adjacent parcels is 40 acres or more and when these prime or superprime lands are contiguous and under the same ownership.

No sub-20 acre additions to prime contracts or sub-5 acre additions to superprime contracts shall be allowed, except when the parcels to be added and existing contract are under the same ownership and any lot line is eradicated between a parcel within the existing contract and the added land, or adjusted pursuant to section 1-3 below, provided that all resulting parcels meet the individual parcel size requirements and combine to meet the minimum prime preserve size requirements for Williamson Act contracts as set forth in subsection 1-2.2.B.2.

1-2.3. COMMERCIAL PRODUCTION AND REPORTING REQUIREMENTS

To qualify for a Williamson Act contract and maintain ongoing eligibility, it must be demonstrated that the land is and will be used principally for the production of commercial agricultural products. This is particularly important for prime and superprime land which tends to be enrolled in smaller parcels. Therefore, contracts for prime and superprime land shall comply with the following productive acreage and annual production value/prime soils requirements, as presented in subsections A and B below. Nonprime land is addressed in subsection C, while subsection D applies to all contracted land.

A. Prime Land

In order to qualify and maintain eligibility for a contract, prime land shall comply with the following:

1. Minimum Productive Acreage:

Prime land must maintain a minimum of either 50% of the premises or 50 acres, whichever is less, fully planted (as defined herein) in commercial agricultural production (with allowances for fallow periods, change of crop or production method), unless it can be demonstrated to the APAC that this is unreasonable due to terrain, sensitive resources or other similar constraints. Where constraints are determined to exist, the APAC will determine the minimum productive acreage particular to the premises.

In addition to meeting this minimum productive acreage requirement, prime contracts shall also comply with either 2 or 3 below.

2. Average Annual Production Value:

- a. Agricultural production on prime land must yield an annual gross product value equal to or exceeding five hundred dollars (\$500) per gross acre² per year averaged over at least three (3) of the previous five (5) years; or
- b. The land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than 5 years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$500³ per gross acre; or
- c. For irrigated pasture, agricultural production must yield an annual gross product value equal to or exceeding two hundred dollars (\$200) per gross acre per year averaged over at least three (3) of the previous five (5) years, or must be able to support at least 1 animal unit month (AUM) per acre.

² Gross acre refers to the entire number of acres under a single contract, not just the acres in production. For example, if only 20 acres on a 40-acre contract were in cultivation, the annual gross product value would need to be at least \$1,000 per planted acre in order to meet the \$500 per gross acre requirement.

³ The product value is determined by multiplying the total annual productive acreage on the premises by the average value of the commodity for the previous five years as determined by the Agricultural Commissioner's Office, then dividing this total by the number of acres on the premises.

3. Prime Soils:

The land is composed of prime soils (i.e. qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classification or 80 through 100 in the Storie Index Rating).

B. Superprime Land

In order to qualify and maintain eligibility for a contract, superprime land shall comply with the requirements of either Column 1 or 2 of Table 1-2 below (as described in more detail in subsections B.1 and B.2 below), though in no case shall superprime land yield an annual gross product value per parcel less than \$5,000 and have fewer than 4.75 acres fully planted in commercial production:

Table 1-2. Production Requirements for Superprime Land

Parcel Size (acres)	Column 1 Average Annual Production Value	Column 2 Minimum Productive Acreage per Parcel (acres)
5 to 10	\$5000 per parcel	4.75
> 10 to 11	\$10,000 per parcel	5.00
> 11 to 12		5.50
> 12 to 13		6.00
> 13 to 14		6.50
> 14 to 15		7.00
> 15 to 16	\$15,000 per parcel	7.50
> 16 to 17		8.00
> 17 to 18		8.50
> 18 to 19		9.00
> 19 to < 20		9.50

1. Average Annual Production Value:

Agricultural production on superprime land must yield an annual gross product value per parcel equal to or in excess of the values listed in Column 1 of Table 1-2. The average annual production value is averaged over at least three (3) of the previous five (5) years, or the land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than 5 years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than the minimums set forth in

Table 1-2. The production value is determined by multiplying the total production per parcel by the average value of the commodity for the previous five years as determined by the Agricultural Commissioner's Office; or

2. Minimum Productive Acreage:

Contracts on superprime land must maintain a minimum acreage fully planted (as defined herein) in commercial agricultural production consistent with Column 2 of Table 1-2 (with allowances for fallow periods, change of crop or production method), unless it can be demonstrated to the APAC that this is unreasonable due to terrain, sensitive resources or other similar constraints. Where constraints are determined to exist, the APAC will determine the minimum productive acreage particular to that contract, however, in no case shall this be less than 4.75 acres.

C. Nonprime Land

Contracted land that is nonprime shall be engaged in active commercial agricultural production as its principal use. Nonprime land may be used for either grazing and/or cultivated agriculture and shall have a secure water source if required to support the agricultural activity.

D. Production Records

In order to ensure compliance with the production requirements in section 1-2.3, agricultural operations on contracted land shall maintain records of annual productive acreage and its production value to demonstrate continued eligibility, and make this information available to the County upon request.

1-2.4. ADJUSTMENTS TO PARCELS AND ZONING

A. Except as otherwise provided in this section, only whole, legally created and recorded parcels shall be accepted in an agricultural preserve.

1. For enrollment purposes only, where a landowner applies to enroll their entire contiguous landholding in a single contract, and the landholding complies with these rules, the landowner shall not be required to provide a certificate of compliance or other evidence that the landholding is a legally created parcel.
2. Except as provided for in 1-2.4.A.1 above, whenever a landowner wishes to enter only part of an existing parcel, the landowner shall record a subdivision map or lot line adjustment prior to or simultaneously with submitting an application for enrollment into the Agricultural Preserve Program and prior to execution of a Williamson Act contract.

- B. Lot lines between parcels in the same ownership which are too small individually to qualify must be merged or adjusted before the contract may be recommended for approval by the APAC.
- C. After a contract is entered into, any size reduction of any parcel resulting from a land division or lot line adjustment within the contract shall be allowed only if all parcels thus created meet the eligibility criteria of this Rule and, if the exterior boundaries of the contract change, are accompanied by an application for a replacement contract.
- D. In order for a parcel or group of parcels to be eligible for new and replacement contracts, the parcel(s) shall be zoned to the applicable zoning designation consistent with the qualifying preserve.

1-3. LOT LINE ADJUSTMENTS

A lot line adjustment proposed on parcels which are under Williamson Act contract shall only be approved provided the landowner(s) and County mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to the requirements set forth in this Rule, and the Board of Supervisors finds all of the following:

- A. The lot line adjustment shall comply with all the findings for lot line adjustments in Sec. 35-284.A of Article III of Chapter 35 of the Santa Barbara County Code.
- B. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.
- C. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
[Aggregate acreage refers to the total contract acreage combined between the parcels involved in the lot line adjustment.]
- D. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
[This finding refers to the location of the Williamson Act contract. Through the lot line adjustment, 90 percent of the new contract(s) would need to remain in the location of the original contract(s).]

- E. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.
- F. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
- G. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
- H. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan.

1-4. PERMITTED RESIDENTIAL LAND USES

The Board of Supervisors recognizes the importance of providing housing opportunities on agricultural land enrolled in the Agricultural Preserve Program, in order to accommodate landowners and their agricultural employees. However, the Board also recognizes that the primary purpose of the Williamson Act is the long-term preservation of the maximum amount of agricultural and open space land. In an effort to balance these issues, the Uniform Rules allow for limited residential opportunities on contracted land. These allowances may be more restrictive than the applied zoning designation permits for residential site use.

The following sections present the types of housing units potentially available on contracted land, including principal dwellings, Residential Agricultural Units (RAUs), and agricultural employee housing. Table 1-3 highlights the various housing types and combinations permitted within each zone district. Please refer to the applicable zoning ordinances for more detailed information on the housing requirements and limitations for each zone district.

Table 1-3. Housing Opportunities on Lands under Williamson Act Contract

Zone District	Principal Dwelling	Ag Employee Housing ¹		RAU ^{2,3}		Guest House ²		Residential Second Unit ^{2,4}
AG-I-5	✓	✓		N/A	+	✓	or	✓
AG-I-10	✓	✓			+	✓	or	✓
AG-I-20	✓	✓			+	✓	or	✓
AG-I-40	✓	✓	+	✓	or	✓	N/A	
AG-II-40	✓	✓	+	✓	or	✓		
AG-II-100	✓	✓	+	✓	or	✓		
AG-II-320	✓	✓	+	one or duplex	+	✓		
MT-TORO	✓	N/A		N/A	+	✓		
MT-GOL	✓	✓			+	✓		
RES	✓	N/A			+	✓		

¹ One or more based on demonstrated need.
² Limits on maximum size of unit (among other requirements).

³ RAUs are only permitted on contracted land and are not permitted at all within the coastal zone.

⁴ Residential second units are not permitted in addition to a guest house or ag employee housing.

All requests for residential structures (e.g. principal dwelling, RAU, agricultural employee housing, etc.) shall be reviewed by the APAC for a determination that the unit has been sited in accordance with this section and the compatibility guidelines set forth in Rule 2.

1-4.1. PRINCIPAL DWELLING

A. Premises made up of parcels less than 100 acres in size

1. A single principal dwelling shall be allowed on the premises.
2. For premises with parcels between 20 acres and less than 100 acres, the principal dwelling and all accessory structures (including Residential Agricultural Units), landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 2 acres or 3% of the parcel, whichever is smaller.
3. In the case of superprime contracts (premises with parcels between 5 acres and less than 20 acres in size), the principal dwelling and all accessory structures, landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 10,000 square feet or such larger area as is provided for under subsection C below.
4. Farm buildings, corrals, and permitted agricultural employee housing shall not be encompassed in the above site limitation, except in the case of superprime contracts as described in subsection C below.

B. Premises containing parcels greater than or equal to 100 acres in size

1. For single-parcel premises or multi-parcel premises with a zoning minimum parcel size of 100 acres or greater, a single principal dwelling shall be allowed.
2. For premises with multiple parcels with a zoning minimum parcel size of 100 acres or greater, a maximum of three principal dwellings may be allowed provided each dwelling is located on a separate legal parcel at least 100 acres in size.
3. Where premises contain parcels both less than 100 acres and equal to or greater than 100 acres in size, and an existing principal dwelling is located on a parcel less than 100 acres in size, no further principal dwellings are allowed.
4. In the case of a single principal dwelling on the premises, the dwelling and all accessory structures (including Residential Agricultural Units), landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 2 acres or 3% of the parcel, whichever is smaller.

5. In the case of two or more principal dwellings on the premises, the total area occupied by all of the dwellings and all accessory structures (including Residential Agricultural Units), landscaping, and non-agricultural roads serving the dwellings shall be no more than 3 acres.
 6. Farm buildings, corrals, and permitted agricultural employee housing shall not be encompassed in the above site limitation.
- C. Notwithstanding the commercial production requirements set forth in section 1-2.3.B, Superprime Land, superprime parcels greater than 10 acres (but less than 20 acres) may increase their development envelope allocation by planting additional land to commercial production. For each acre (or portion thereof) in size beyond a 10-acre parcel an additional 1,000 square feet may be added to the development envelope if one (1) additional acre beyond the required minimum productive acreage is fully planted (as herein defined) in commercial agricultural production. Table 1-4 describes the increased allowances and planting requirements that are available for each parcel size. For example, a 15-acre parcel could increase its development envelope to a maximum of 15,000 square feet if at least 12 acres (5 acres above the minimum) are fully planted in commercial agricultural production. If a 15-acre parcel only wishes to add 2,000 square feet to its development envelope, then it would only need to plant 2 additional acres beyond its minimum productive acreage requirement of 7 acres. However, the maximum amount of square feet that a 15-acre parcel could add to its development envelope is 5,000, even if 6 or more acres above the minimum were planted.

This development envelope shall include the principal dwelling, landscaping, driveways, and accessory structures. Roads used for agricultural purposes are not included within the development envelope. Horse and other animal facilities (e.g. stables and corrals), new agricultural employee housing, and other similar structures on superprime land may be remotely sited from the principal dwelling, as long as the total area occupied by these structures, when added to the area occupied by the principal dwelling and residential accessory structures, does not exceed the permitted envelope allowance as set forth in this section.

Table 1-4. Development Envelope Allowances on Superprime Land

Parcel Size (acres)	Maximum Development Envelope Allowance (square feet)	Planting Requirement to Receive Allowance (acres)	Minimum Productive Acreage (from Table 1-2)
for: 5 – 10	up to: 10,000	If: 4.75	4.75
> 10 – 11	11,000	6.00	5.00
> 11 – 12	12,000	7.50	5.50
> 12 – 13	13,000	9.00	6.00
> 13 – 14	14,000	10.5	6.50
> 14 – 15	15,000	12.0	7.00

> 15 – 16	16,000	13.5	7.50
> 16 – 17	17,000	15.0	8.00
> 17 – 18	18,000	16.5	8.50
> 18 – 19	19,000	18.0	9.00
> 19 – < 20	20,000	19.5	9.50

D. In order to preserve productive agricultural land to the maximum extent feasible, the development envelope shall minimize intrusion into agricultural areas and minimize 'barbell', 'peninsula', and 'finger' type configurations. Guest houses, where allowed under the zoning ordinance, shall be included in the development envelope and must be clustered with the principal dwelling.

1-4.2. RESIDENTIAL AGRICULTURAL UNIT

The purpose of a Residential Agricultural Unit (RAU) is to protect, promote and enhance an agricultural operation by providing either an additional housing opportunity for the agriculturist and his/her family or a potential additional income source that is incidental and supportive of the principal agricultural use of the land, while preserving the integrity of the agricultural area. The RAU may be occupied by the owner, a family member, an employee of the agricultural operation or a renter. RAUs are subject to the following provisions:

- A. In addition to the principal dwelling, one RAU may be permitted on the premises in AG-I-40, AG-II-40, AG-II-100, and AG-II-320 zone districts, in accordance with the RAU Program in Article III of Chapter 35 of the County Code. The RAU may be remotely sited in AG-II-100 and AG-II-320 zone districts, otherwise the RAU must be clustered with the principal dwelling.
- B. Whether the RAU is clustered or remotely sited, the combined area dedicated to residential uses (including the principal dwelling, RAU, and all accessory structures and improvements, e.g. non-agricultural driveways) shall not exceed 3% of the total parcel size or two acres, whichever is smaller. If remotely sited, the RAU shall be limited to a 1-acre building site.
- C. A RAU shall be located on the same parcel as the existing principal dwelling in compliance with the size, siting and other restrictions set forth in Article III, Section 35-291B.

Nothing in this section affects an owner's ability to build agricultural employee housing pursuant to section 1-4.3 below.

1-4.3. AGRICULTURAL EMPLOYEE HOUSING

All requests for agricultural employee housing units subject to a Williamson Act contract, including trailers, mobile homes on permanent foundations, and other types of permanent

residential structures that are proposed on the premises shall be reviewed by the Agricultural Preserve Advisory Committee for a determination of need. Along with the agricultural employee, his or her family may occupy the agricultural employee housing.

- A. Prior to the issuance of a land use permit or conditional use permit⁴, the landowner shall sign and record a Notice to Property Owner with the County that runs with the land affirming that the agricultural employee housing is occupied by an agricultural employee as defined herein. The Notice to Property Owner shall include a statement that if at any time the unit is occupied by someone other than an agricultural employee and his/her family, the owner must vacate or remove the unit, or convert the agricultural employee housing unit to a permitted use.
- B. Any new agricultural employee housing should be located to minimize the use of agricultural land, and avoid prime soils and conflicts with agricultural production to the maximum extent feasible.
- C. Given the unique characteristics of superprime land, landowners of superprime contracts shall demonstrate to the APAC that any new agricultural employee housing will not interfere with the agricultural operation on the subject premises or on other adjacent agricultural lands. To ensure this, any new agricultural employee housing subject to a superprime contract shall count towards the allotted development envelope as set forth in section 1-4.1 of this Rule, though it may be remotely sited from the principal dwelling.

⁴ The Zoning Ordinance currently requires that any agricultural employee for which housing is being provided work only on the premises, unless part of a farm labor camp (5 or more units). Any agricultural employee housing units subject to a Williamson Act contract shall be consistent with the Zoning Ordinance, as amended.

UNIFORM RULE 2

Compatible Uses within Agricultural Preserves

Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production, with the exception of land enrolled for open space or recreational purposes. However, the Board recognizes that it may be appropriate to allow secondary uses on contracted land that are either incidental to, or supportive of, the agricultural operation on the property. This Rule provides guidance and criteria for evaluating these non-agricultural uses on land under Williamson Act and Farmland Security Zone contracts in terms of their compatibility and consistency with the purpose and intent of the Williamson Act. It is the goal of this County that, through application of the principles of compatibility in the Act, compatible uses allowed on contracted land will be beneficial to and inherently related to the agricultural character of the land.

It should be noted that some uses that are allowed by zoning are not allowed on contracted land because they would not be considered compatible with the Williamson Act. At the same time, there are uses that would be deemed compatible under the Williamson Act but would not be allowed under County zoning ordinances. Therefore, for a non-agricultural use to be allowed on contracted land, it must be both permitted by County zoning and found to be compatible under the Act and these Rules. Compatibility is evaluated by the APAC on a case-by-case basis. Uses deemed compatible through application of this Rule are still subject to all applicable standards and requirements in County zoning ordinances as well as the County's Comprehensive Plan, where appropriate.

The first section of this Rule provides general compatibility principles, as established under the Williamson Act, to be applied to all non-agricultural land uses and activities occurring within contracted land, including both Williamson Act and Farmland Security Zone contracts. The remaining sections provide more specific criteria and requirements for specific land uses and activities that the Board has determined must be met for the use or activity to be considered compatible with agriculture and consistent with the Williamson Act.

2-1. COMPATIBILITY GUIDELINES

2-1.1. PRINCIPLES OF COMPATIBILITY (Section 51238.1 of the Williamson Act)

- A. Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:
 - 1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.

2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility the Board of Supervisors (Board) shall consider the impacts on non-contracted lands in the agricultural preserve or preserves.
- B. The Board may include in these compatible use rules conditional uses which, without conditions or mitigations, would not be in compliance with this section. These conditional uses shall conform to the principles of compatibility set forth in subsection 2-1.1.A above or, for nonprime lands only, satisfy the requirements of subsection 2-1.1.C below.
- C. In applying the criteria pursuant to section 2-1.1, the Board may approve a use on nonprime land which, because of onsite or offsite impacts, would not be in compliance with paragraphs A and B of section 2-1.1, provided the use is approved pursuant to a conditional use permit that shall set forth findings, based on substantial evidence in the record, demonstrating the following:
1. Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in paragraphs A and B of section 2-1.1 to the greatest extent possible while maintaining the purpose of the use.
 2. The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.
 3. The use is consistent with the purposes of the Agricultural Preserve Program to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in these Rules, or the use or conservation of natural resources, on the subject parcel or on other parcels in the agricultural preserve. The use of mineral resources shall comply with Section 51238.2 of the Williamson Act.
 4. The use does not include a residential subdivision.⁵

⁵ Section 2-1.1 is verbatim of state law with the exception of changes to applicable section references and replacement of "board or council" with "Board of Supervisors" or "Board".

2-1.2. OTHER COMPATIBILITY CRITERIA

- A. The use does not result in the significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the subject property and/or other agricultural lands in the vicinity.
- B. The use does not require and will not encourage the extension of urban services such as sewer or the upgrade of public roads to urban standards that could encourage premature conversion of agricultural land to non-agricultural uses.
- C. The use does not include a residential subdivision in any agricultural preserve or farmland security zone.

2-2. SUPPORTIVE AGRICULTURAL USES

Adopted by Resolution No. 77-157 (March 28, 1977), Amended by Resolution Nos. 77-320 (June 27, 1977) and 84-464 (October 8, 1984)

The purpose of this section is to establish standards for compatible uses within contracted land which permit the preparation for shipment and sale and limited processing of agricultural products.

2-2.1. PREPARATION AND PROCESSING

- A. Preparation and processing permitted by this Uniform Rule are deemed compatible within contracted land providing:
 - 1. For premises 500 acres or less, that such uses do not occupy land exceeding 10% of the premises or 5 acres, whichever is less. Premises greater than 500 acres are permitted 1 additional acre for a preparation or processing facility site for each additional 100 acres above 500 under contract, not to exceed 20 acres. Included within this site are roads serving these uses⁶, all parking and storage areas, landscaping, loading areas, all attached and detached supportive structures and any other related improvements. Wastewater treatment systems are included within this site limitation if they take land out of agricultural production. All such uses shall be confined to a single parcel (excepting the access road) within the premises and sited in a manner that minimizes, to the extent feasible, the land area taken out of agricultural production.

⁶ For dual-use roads, only that portion of the road which is required to serve the facility by extending it beyond the agricultural road will count towards the site acreage limitation. In addition, if widening a dual-use road to meet County standards takes land out of agricultural production, then the extra width will count towards the site acreage limitation.

2. That the uses include but are not limited to: sorting, grading, cleaning, packaging, cooling and shipping of raw agricultural products, except as provided in subsections B and C below.
 3. The acreage allowances identified above are maximums and will only be permitted upon a demonstrated need to support the agricultural operation.
 4. That all such uses are subject to the zoning requirements of a conditional use permit, when applicable, and its conditions and standards that are found necessary to maintain compatible agricultural land uses.
- B. Due to the unique qualities and desirability of processing premium table wines near the vineyard, wineries are deemed compatible within contracted land, provided that all of the following criteria are met:
1. A vineyard(s) has been planted on the parcel for which the winery is proposed prior to County approval of the winery;
 2. At least 51% of the winery case production shall be from grapes grown on the premises and/or from other contracted land under the same ownership in Santa Barbara County. At least 20% of the case production shall be from grapes grown on the parcel with the winery;
 3. Other applicable provisions of Uniform Rule 2 are met.
- C. To provide opportunities for small scale processing of agricultural products grown on contracted lands in the County, processing facilities, including processing by freezers, dehydrators, and food preparation facilities, are deemed compatible within contracted land, provided that all of the following criteria are met:
1. The parcel for which the processing facility is proposed has been planted with the crop proposed for processing prior to County approval of the facility;
 2. The processed agricultural product(s) shall be grown on the premises and at least 20% of the processed product(s) shall be grown on the parcel with the facility;
 3. The processing facility and any ancillary facilities such as sales, marketing and parking, are limited to 1% of the parcel or 1 acre, whichever is smaller;
 4. In the case of superprime contracts, such facilities are limited to parcels 10 acres or greater in size and shall be either located within existing farm buildings or count towards the development envelope allowance in order to avoid displacement of productive agricultural land;

5. The acreage allowances identified above are maximums and will only be permitted upon a demonstrated need to support the agricultural operation;
6. Other applicable provisions of Uniform Rule 2 are met.

Larger scale processing of a regional nature would be more appropriately located in an Agricultural Industry Overlay. Refer to section 2-6 for the compatibility criteria addressing such facilities.

2-2.2. RETAIL SALES

The sale of agricultural products permitted by this Uniform Rule is deemed compatible within contracted land providing:

- A. All retail sales shall comply with all applicable regulations within the County's zoning ordinances.
- B. All retail sales adhere to the compatibility guidelines set forth in section 2-1.
- C. Only one retail sales location is permitted on the premises.
- D. For wineries, a tasting room and retail sales are only allowed if associated with a winery on the parcel. If two or more wineries exist on the premises, they must share a single tasting room and retail sales area.

2-3. ANIMAL BOARDING AND BREEDING FACILITIES

2-3.1. INCIDENTAL BOARDING AND BREEDING

Incidental animal boarding and/or breeding facilities, whether for commercial or personal use, are compatible within contracted land providing all of the following are met:

- A. Only one incidental boarding and/or breeding facility is allowed on the premises.
- B. Such use is genuinely incidental to the principal uses of the land as specified in the criteria set forth in Uniform Rules 1 (Agricultural) and 4 (Recreational);
- C. Any facilities required for personal boarding/breeding use shall be included within the designated development envelope, though the boarding/breeding facilities may be remotely sited from the principal dwelling;
- D. Any facilities required for incidental commercial boarding/breeding use on non-prime contracted land shall be limited to 3% of the parcel or 2 acres, whichever is less;

- E. Any facilities required for incidental commercial boarding/breeding use on prime contracted land shall be limited to 3% of the parcel or 2 acres, whichever is less, provided at least 50% of the parcel is devoted to the principal agricultural operation;
- F. Any facilities required for incidental commercial use on superprime land shall be included within the designated development envelope, though the boarding/breeding facilities may be remotely sited from the principal dwelling.
- G. When required, a conditional use permit has been granted by the County pursuant to the zoning ordinance, for the boarding and/or breeding facilities.

2-3.2. PRINCIPAL BOARDING AND BREEDING

Notwithstanding subsection 1-1.1.A above, boarding and/or breeding facilities for animals developed as the principal use on the premises are compatible within contracted land providing all of the following are met:

- A. The premises must meet the eligibility requirements described in Uniform Rule 1 for either a prime or nonprime preserve. Boarding and/or breeding facilities for animals developed as the principal use of the premises are not compatible within superprime contracts;
- B. The premises meets the following commercial agricultural production requirements:
 - 1. Parcels 40 acres or greater qualifying as a prime preserve or parcels 100 acres or greater qualifying as a non-prime preserve shall maintain a minimum 20 acres of irrigated pasture.
 - 2. Two contiguous parcels qualifying together as a prime preserve:
 - a. If under a single contract, shall maintain a minimum 20 acres of irrigated pasture combined; or
 - b. If under separate contracts, each parcel for which animal breeding/boarding is the principal use shall maintain as irrigated pasture a minimum of 10 acres, or 50% of the parcel, whichever is greater;
- C. Such facilities shall not produce traffic volumes detrimental to the commercial agricultural productivity of the area;
- D. The total area of land covered by all permanent improvements shall not exceed 20% of the premises or 20 acres, whichever is less. For the purposes of this Rule, permanent improvements include: any object affixed to the ground, landscaping, buildings, and structures, such as stables and exercise rings;

- E. Such facilities adhere to the compatibility guidelines set forth in section 2-1 of these Rules;
- F. When required, a conditional use permit has been granted by the County pursuant to the zoning ordinance, for such facilities.

2-4. SMALL SCALE GUEST RANCHES

A single guest ranch may be included as part of an agricultural operation on contracted land if located on a parcel of 40 acres or greater in size within the AG-II zone district, provided all of the requirements set forth below are met. Bed and breakfasts, farmstays, and homestays are included within this category of guest ranches as long as they meet the requirements established below.

- A. On parcels less than 100 acres in size the guest ranch must be housed in the principal dwelling.
- B. On parcels 100 acres or greater, any buildings in addition to the principal dwelling required for the guest ranch must be located within the development envelope. An exception to the siting requirements for the guest ranch may be made by the APAC where there is an existing legal residential structure other than the principal dwelling on the premises that is permitted by Chapter 35 of the Santa Barbara County Code and satisfies County criteria for status as an historic building as set forth in the "Cultural Resource Guidelines Historical Resources Element".
- C. The maximum number of guests accommodated shall be 15 per night and must be accommodated in 6 or fewer bedrooms.
- D. The guest ranch shall be consistent with the compatibility guidelines set forth in section 2-1 of these Rules.
- E. Food service shall only be available to registered guests. The cost of any food service shall be included in the total price for accommodation and not charged separately.
- F. The guest ranch shall be located on, and be a part of, a farm or ranch operation that produces agricultural products, and the guest ranch shall not constitute the principal land use of the premises.
- G. The guest ranch shall comply with all applicable requirements of the relevant zoning ordinance.

2-5. RECREATION

Recreational uses, such as walking, hiking, picnicking, wilderness camping, scenic viewing, swimming, boating, fishing, hunting, and horseback riding, are deemed compatible uses on contracted land. Examples of uses not compatible are motor vehicle use which is detrimental to the productivity of the land, and sport fields and golf courses. Uses which are compatible shall meet all of the following requirements:

- A. The use is limited to land in its agricultural or natural state;
- B. The use is consistent with the compatibility guidelines set forth in section 2-1 of this Rule and with any restrictions imposed by Chapter 35 of the Santa Barbara County Code for the applicable zone district;
- C. Any facilities or structures necessary to support such uses, and which are not principally used as part of the agricultural operation, must be included within the acreage allowed for the development envelope on the premises and be sited in a manner that minimizes impacts to agriculture;
- D. Only incidental low-intensity motorized activities shall be allowed.

Contracted land that is used solely for recreation, where no agriculture is taking place, shall adhere to the requirements set forth in Rule 4.

2-6. AGRICULTURAL INDUSTRY OVERLAY

Agriculture is an important industry in Santa Barbara County and there is a need for supportive agricultural facilities and services for different product sectors, agricultural regions or the industry as a whole, to be located proximally to the producers. Given the extent of agricultural land enrolled in the County's Agricultural Preserve Program it may be necessary to consider siting some regional supportive facilities on contracted lands when the benefits to the agricultural community and the public can be demonstrated and other alternatives are unfeasible. Because of their regional nature, agricultural industry overlay sites are expected to be few in number.

Any application for an Agricultural Industry Overlay (AIO) proposed for contracted land shall be reviewed by the Agricultural Preserve Advisory Committee. The committee shall consider the following in making its recommendation to the Board of Supervisors:

- A. Is there an available, suitable site within the same area that is not on contracted land?
- B. If no such alternative site is available, is the proposed site on the least productive land and avoids highly productive soils to the greatest extent possible within the agricultural area it is intended to serve?

- C. Does the siting and design use the least amount of land? For example, are related functions such as marketing or administration provided off-site, or kept to a minimum.
- D. Will the industry to be located in the AIO site be of direct benefit to the agriculture on contracted lands in the immediate vicinity? Direct benefit would include the processing, packaging, and/or storing of the products produced locally. A composting facility or agricultural chemical batching and distribution center could be considered a direct benefit if they use locally-produced green waste or provide a product tailored to the crops grown in the vicinity. Trucking businesses and chemical fertilizer manufacturing or similar uses are not deemed appropriate within an AIO located on contracted land.

2-7. WASTE DISPOSAL FACILITIES

- A. Sanitary fill waste disposal facilities and transfer stations are not compatible uses on contracted land.
- B. Composting facilities (as defined herein) may be deemed compatible if all of the following findings are made:
 - 1. The facility is consistent with the compatibility guidelines set forth in section 2-1 of this Rule;
 - 2. The facility provides a direct benefit/link to the agricultural operation on the premises and other agricultural lands in the vicinity;
 - 3. Construction of the facility will require little to no grading or other ground disturbance;
 - 4. The facility is appropriately scaled and sited in such a manner that it will not interfere with the agricultural operation on the premises or other adjacent agricultural operations;
 - 5. A land restoration plan has been prepared for the facility that returns the facility site to agriculture upon its termination.

A conditional use permit may be required pursuant to the County's Zoning Ordinance.

- C. Land Reclamation Fill activities may be deemed compatible if all of the following findings are made:
 - 1. The fill meets the definition as set forth in these Rules;
 - 2. The fill activity is consistent with the compatibility guidelines set forth in section 2-1 of this Rule;

3. The fill activity provides a long-term benefit to the agricultural operation on the premises.

A grading permit may be required pursuant to the County's Grading Ordinance.

2-8. MINING EXTRACTION AND QUARRYING

Mining, extraction, and quarrying of natural resources are compatible on contracted land when such uses are incidental and will not be disruptive to the principal agricultural use on the premises and are subject to all of the following provisions concerning the use of borrow pits:

- A. For the purpose of this section, "borrow pit" is defined as follows: a bank or pit from which earth, which shall be limited to rock, sand, aggregate or clay, is excavated and used in filling and embanking operations.
- B. The material excavated from the borrow pit shall be transported within a reasonable time to an off-site use or stockpiling facility. Only stockpiling and/or sorting of the material mined on the premises are permitted on contracted land. Importing material from off-site for processing and recycling activities associated with the mining operations are not compatible uses under these Rules.
- C. Pursuant to section 51238.2 of the Williamson Act, mineral extraction shall only be approved if the Board is able to document that the underlying contractual commitment to preserve prime or nonprime land will not be significantly impaired. Conditions imposed on mineral extraction as a compatible use shall include compliance with the reclamation standards adopted by the Mining and Geology Board pursuant to Section 2773 of the Public Resources Code, including the applicable performance standards for prime agricultural land and other agricultural land, and no exception to these standards may be permitted.

2-9. GAS, ELECTRIC, WATER, AND COMMUNICATION FACILITIES

- A. The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities are compatible uses. Communication facilities shall include, among others, radio, television, telecommunications, Cable TV and facilities necessary for the aid of navigation by land, air or sea.
- B. Agricultural accessory structures, including but not limited to, windmills or solar panels for pumping water, wind turbines used for frost protection, and water generation for on-site agricultural uses, are deemed compatible uses.

- C. Energy production structures, such as wind energy conversion systems and solar panels, are permitted subject to applicable zoning requirements and review by the Agricultural Preserve Advisory Committee pursuant to the compatibility guidelines as stated in section 2-1 of this Rule.

2-10. OIL AND GAS DRILLING AND PRODUCTION FACILITIES

Incidental oil and gas drilling and production facilities as defined hereinafter and pipelines are compatible uses. For the purposes of this section, oil and gas drilling and production facilities are defined as all facilities necessary to:

- A. Drill for and produce oil, gas and other hydrocarbons from a well bore;
- B. Separate oil, water and gas from each other;
- C. Prepare such products for shipping and storage;
- D. Recycle, repressurize or inject such products or other substances for underground disposal, for underground storage and in connection with secondary recovery operations; and
- E. Provide storage facilities for such products pending disposal thereof under A through D hereof and to temporarily store other substances used in A through D hereof. It shall not include refineries nor "tank farms" nor any other use not accessory or incidental to drilling and production facilities as defined above nor any operations not reasonably required to be performed at or within the vicinity of the wellhead.

2-11. TEMPORARY FILMING AND SPECIAL EVENTS

Temporary filming activities and special events, as may be permitted by the County, may be considered compatible on contracted land if the activity is consistent with the compatibility guidelines set forth in section 2-1 of this Rule.

UNIFORM RULE 3

Williamson Act Contracts for Open Space

Adopted by Resolution No. 75-826 (October 27, 1975), Amended by Resolution No. 84-464 (October 8, 1984)

This Rule applies to Williamson Act contracts solely for open space, where no agriculture is taking place. Land that is dedicated to a combination of agriculture and open space shall be considered an agricultural operation with compatible open space and must comply with the requirements and provisions for an Agricultural Preserve under Rules 1 and 2. Land used exclusively for open space is not eligible for a Farmland Security Zone contract.

The amount of land in the County that is potentially eligible for a Williamson Act contract for open space is small relative to land eligible for inclusion in the Agricultural Preserve Program on the basis of agriculture. The small number of anticipated applications due to the narrow definition of open space in the Williamson Act, combined with the diversity of open space uses and natural characteristics of the land necessitate careful review of applications on a case-by-case basis. The sections that follow describe the minimum standards and requirements for lands enrolled in contracts for open space uses.

3-1. ELIGIBILITY REQUIREMENTS

3-1.1. CHARACTER OF LAND

To be eligible for a Williamson Act contract for Open Space the land must be located in a scenic highway corridor, a designated wildlife habitat area, a managed wetland or a submerged area as defined by these Rules. It shall be the policy of the County to favor lands which have high scenic value adjoining and visible from designated scenic highways, or land that provides necessary wildlife habitats as determined through consultation with the Department of Fish and Game.

3-1.2. COMPREHENSIVE PLAN AND ZONING REQUIREMENTS

Eligible land shall have a land use and zoning designation consistent with section 1-2.1 of these Rules.

3-1.3. MINIMUM CONTRACT SIZE

With the exception of land adjoining or visible from a designated scenic highway, each contract shall consist of at least one hundred (100) acres of land in a single ownership in one parcel. Changes of ownership and terminations shall be subject to the provisions of Uniform Rule 6. In the event that an otherwise qualifying parcel has less than one hundred (100) acres but not less than forty (40) acres, the Board of Supervisors may consider it eligible based on the "unique" features of the open space land involved. "Unique" is defined here as a natural feature and/or

biological process not found in other parts of the County, state or nation; a unique feature is, for example, a rare, endangered, endemic and/or exemplary floral or fauna species or geologic feature. The terms and uses of this "unique" open space shall be stated in the contract.

Land adjoining and visible from a State or locally-designated scenic highway in parcels of any size will be eligible for a Williamson Act contract for open space and preserve status under this Rule upon request of the owner. Such contracts shall comply with all other applicable requirements of these Rules.

3-2. COMPATIBLE LAND USES

No uses shall be permitted that produce an income from the property. Limited, non-intensive, incidental recreational uses may be permitted where they are deemed appropriate. These uses, by the owner or a lessee with a minimum five-year lease (or non-paying guests of either), may include hiking, horseback riding, scenic viewing, temporary tent camping (as in Federal Wilderness Areas) and similar activities. The limits and conditions on these incidental recreational uses shall be stated in the contract and may preclude certain specified recreational uses completely. Scientific study may also be conducted within an Agricultural Preserve for Open Space, provided it does not result in the removal or disturbance of significant vegetation, geologic features or landforms. Except as provided for in section 51238.(a) of the Williamson Act, no structures shall be built or placed upon the land, and no equipment use or mechanized or motorized vehicle use shall be permitted on the land except in the case of emergencies and necessities, such as fire fighting and prevention, flood control, and other hazard prevention and control. There shall be an imputed income of a minimum of \$2.00 per acre per year for assessment purposes.

3-3. MAINTENANCE OF THE LAND

The owner shall maintain the property in an attractive, scenic way to preserve its natural state. All maintenance activities, including vegetative management such as controlled burning, activities minimizing fire, flood and other hazards, changes to add floral or faunal materials, and changes to the natural character of the existing preserve, must be reviewed in advance by the Agricultural Preserve Advisory Committee. The County reserves the right to monitor and enforce the terms of the contract pursuant to section 6-1.7 of these Rules.

UNIFORM RULE 4

Williamson Act Contracts for Recreation

Adopted by Resolution No. 75-827 (October 27, 1975), Amended by Resolution No. 84-464 (October 8, 1984)

This Rule applies to Williamson Act contracts solely for recreation, where no agriculture is taking place. Land that is dedicated to a combination of agriculture and recreation shall be considered an agricultural operation with compatible recreation and must comply with the requirements and provisions for an Agricultural Preserve under Rules 1 and 2. Land used exclusively for recreation is not eligible for a Farmland Security Zone contract.

The amount of land in the County that is potentially eligible for a Williamson Act contract for recreational uses is small relative to land eligible for inclusion in the Agricultural Preserve Program on the basis of agriculture. The small number of anticipated applications combined with the diversity of recreational uses and natural characteristics of the land necessitate careful review of applications on a case-by-case basis. The sections that follow describe the minimum standards and requirements for lands enrolled in contracts for recreational uses.

4-1. ELIGIBILITY REQUIREMENTS

4-1.1. COMPREHENSIVE PLAN AND ZONING REQUIREMENTS

Eligible land shall have a land use and zoning designation consistent with section 1-2.1 of these Rules. Additionally, the proposed recreational use of the contracted land must be consistent with the zone district in which it is located.

4-1.2. MINIMUM CONTRACT SIZE

The minimum preserve and contract size shall be one hundred (100) acres in a single parcel, except where sub-100 acre parcels of outstanding scenic, historic or cultural value are deemed to be particularly suited for park and recreation purposes, in which case a minimum of thirty (30) acres in a single parcel may qualify for a Williamson Act contract for Recreation. These sub-100 acre preserves may include, but not necessarily be limited to, access to lake shores, beaches, and rivers and streams; and areas which serve as links between outdoor recreation and natural open space preserves, including utility easements, banks of rivers, trails and scenic highway corridors. Changes of ownership and terminations shall be subject to the provisions of Uniform Rule 6.

4-2. SUBMITTAL REQUIREMENTS

In order to be eligible for a Williamson Act contract for Recreation, the landowner must submit a business plan demonstrating the nature and extent of the recreational use to be provided. The

business plan should include, at a minimum: a description of the recreational activities proposed on the premises and the facilities and accessory structures necessary for its operation; a timeline for implementation of the business plan; and an estimate of the number of visitors anticipated. The owner shall maintain records of visitor usage on an annual basis and provide them to the County upon request.

4-3. COMPATIBLE LAND USES

- A. One principal dwelling, subject to the requirements of these Rules and applicable zoning ordinances, shall be permitted on the premises. The principal dwelling and all accessory structures and landscaping shall occupy no more than 2 acres or 3% of the parcel, whichever is smaller.
- B. Besides the principal dwelling, the land uses shall be limited to those which meet the definition of recreational use established in these Rules and are consistent with the applicable compatibility guidelines set forth in Rule 2.1. An exception to this is provided for in section 51238.(a)(1) of the Williamson Act, which allows for certain facilities in any preserve land, unless the Board of Supervisors finds otherwise. Examples of compatible low intensity recreational uses include hiking, picnicking, horseback riding, wilderness camping, scenic viewing, hunting, fishing, boating, and swimming. Examples of uses not compatible are motor vehicle use which is detrimental to the productivity of the land, and sport fields and golf courses. Any fee charged for the recreational use of the land shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public.
- C. Any recreational facilities, such as buildings, stables, and similar structures, shall be included in the development envelope and together with the residential structures occupy no more than 3% of the parcel or 2 acres, whichever is less.
- D. Requests for remote siting of structures shall be evaluated on a case-by-case basis by the Agricultural Preserve Advisory Committee, and the site for remote structures shall not exceed 1 acre.

4-4. MAINTENANCE OF THE LAND

The landowner shall maintain the property, in an attractive, scenic way, to preserve its natural or rural character. The landowner shall submit to the APAC a management plan that details the ongoing and routine maintenance activities expected on the premises (e.g. trail maintenance), as well as deferred maintenance anticipated in the future. Except for those of a minor nature, any maintenance activities not included within this management plan, including activities minimizing fire, flood and other hazards, changes to add floral or faunal materials, and changes to the natural character of the existing preserve, must be reviewed in advance by the Agricultural Preserve

Advisory Committee. The County reserves the right to monitor and enforce the terms of the contract pursuant to section 6-1.7 of these Rules.

UNIFORM RULE 5

Farmland Security Zones

Adopted by Resolution No. 99-318 (August 10, 1999)

Farmland Security Zones were developed by the state legislature and added to the Williamson Act in 1998 as an added incentive to landowners to retain their land in agriculture for the long-term. Lands entered into contracts under the Farmland Security Zone Program are awarded greater property tax reductions (35% reduction of assessed Williamson Act or Proposition 13 value) in exchange for committing to stay in agriculture for a minimum of 20 years. Lands within a Farmland Security Zone are afforded the same rights and privileges and are administered similarly to lands under the regular Agricultural Preserve Program, though a few differences exist. This Rule sets forth the specific eligibility criteria, contract terms, and methods of contract termination that apply to contracted land in a Farmland Security Zone.

No land shall be included in a farmland security zone unless expressly requested by the landowner. A Farmland Security Zone may be composed of more than one contract. If more than one landowner requests the creation of a farmland security zone and the parcels are contiguous, the County shall place those parcels in the same Farmland Security Zone.

5-1. ELIGIBILITY REQUIREMENTS

- A. Only whole legal parcels are eligible for Farmland Security Zone contracts.
- B. To be eligible, land must either be in an existing Williamson Act contract or the landowner(s) may also petition the Board of Supervisors to create a farmland security zone for the purpose of entering into a Farmland Security Zone contract. If in an existing Williamson Act contract, a landowner or group of landowners may petition the Board of Supervisors to rescind a contract or contracts entered into pursuant to the Williamson Act in order to simultaneously place the land under a contract(s) designating the property as a Farmland Security Zone.
- C. The land must either:
 1. Be designated on the Important Farmland Series maps, prepared pursuant to Govt. Code Section 65570 as predominantly (more than 50% of the proposed contract area) one of the following:
 - a. Prime farmland;

- b. Farmland of statewide significance;
 - c. Unique farmland;
 - d. Farmland of local importance; or
2. If not designated on the Important Farmland Series maps, it must qualify as predominantly prime as defined in these Rules.
- D. Any land located within a city's sphere of influence at the time of application for a Farmland Security Zone contract shall not be included within a farmland security zone, unless the creation of the farmland security zone within the sphere of influence has been expressly approved by resolution by the city with jurisdiction within the sphere.
- E. The land subject to a Farmland Security Zone contract may not be reduced to an area which is smaller than that which would qualify under section 1-2.2.B.2 of these Rules.

5-2. CONTRACT TERMS

5-2.1. TERM

The initial term of a Farmland Security Zone contract shall be no less than 20 years, and each contract shall provide for yearly automatic extensions unless a notice of nonrenewal is given pursuant to section 6-1 of these Rules.

5-2.2. PERMITTED RESIDENTIAL LAND USES

The residential land uses permitted within farmland security zone contracts are equivalent to those permitted in regular Williamson Act contracts, pursuant to section 1-4 of these Rules.

5-2.3. COMPATIBLE LAND USES

The compatible uses set forth in Uniform Rule 2 shall be considered compatible uses in a Farmland Security Zone and are governed by the same requirements and restrictions.

5-3. CONTRACT TERMINATION

Terminating a contract in a farmland security zone by way of nonrenewal and cancellation is similar to regular Williamson Act contracts in terms of the process and requirements. Refer to section 6-1 for a discussion of these methods of termination. Pursuant to the Williamson Act, land under a Farmland Security Zone contract is generally protected from termination of a

contract by way of annexation and public acquisition. The requirements for contract termination by these means are set forth in sections 51296.3 through 51296.6 of the Williamson Act. Termination of a Farmland Security Zone contract terminates the portion of the farmland security zone that the contract covers.

5-4. TRANSFER OF OWNERSHIP

Transfers of ownership within Farmland Security Zone contracts follow the same process as in regular Williamson Act contracts. Refer to Rule 6-2 for a discussion of these processes.

5-5. LAND DIVISION AND LOT LINE ADJUSTMENTS

A lot line adjustment or division of land subject to a Farmland Security Zone contract must first obtain County approval.

No division will be approved unless it is consistent with section 5-1.E of this Rule, and can be reasonably established that there will be no loss in the production of food and fiber within the Farmland Security Zone from said transfer and the size of each parcel remaining is economically viable for agricultural production.

Any lot line adjustment must be in accordance with the requirements set forth in section 1-3 of these Rules.

UNIFORM RULE 6

Administration

6-1. CONTRACT TERMINATION

Adopted December 13, 1971, Amended by Resolution No. 84-464, October 8, 1984

The purpose of this section is to establish standards for the termination of Williamson Act and Farmland Security Zone contracts and the withdrawal of land from Agricultural Preserves and Farmland Security Zones, without impairing the integrity of the program. The procedures developed under this Rule are in accordance with the Williamson Act, and shall be used to process all requests for withdrawal from Agricultural Preserves and Farmland Security Zones and for termination of Williamson Act and Farmland Security Zone contracts. Methods for terminating Williamson Act contracts include nonrenewal, cancellation, annexation, public acquisition, and rescission. Except where expressly stated otherwise, the methods of termination presented below also apply to Farmland Security Zone contracts.

Under the Williamson Act, contracts are automatically renewed each year following the first year of a 10-year contract (or a 20-year contract for a Farmland Security Zone), unless the landowner or County serves a notice of nonrenewal or the contract is terminated by one of the other methods described below.

6-1.1. NONRENEWAL (Unilateral notice by landowner or County)

Withdrawal by a notice of nonrenewal is the preferred method considered in all instances, whether for all or part of the contracted land where whole parcels are involved. This method is open to either party to the contract, does not require a finding of fact, and provides for an adjustment in land assessed values, pursuant to Section 426 of the Revenue and Taxation Code.

Upon serving a notice of nonrenewal, the existing contract shall remain in effect for the balance of the period remaining from the date of the original execution or the last renewal of the contract, whichever is more recent. Once the period of nonrenewal has come to an end, the contract shall expire and the agricultural preserve or farmland security zone on that portion making up the boundaries of the contract shall be simultaneously disestablished.

When landowners seeks to nonrenew a part of their contracted land they must serve a notice of nonrenewal for the whole contract and seek a replacement contract for the land remaining; the part to continue under contract must separately be able to meet County eligibility requirements.

6-1.2. CANCELLATION

A. Petition by Owner

An owner may petition the Board of Supervisors for cancellation of his or her Williamson Act or Farmland Security Zone contract because there is a need for a change in land use. Cancellation may occur only if the County consents; it is an exacting process. Cancellation is an expensive method of terminating a contract. To cover administrative costs, each petitioner shall pay a processing fee in an amount established by resolution by the Board of Supervisors. Processing fees may be high due to the need to prepare staff reports, conduct public hearings, and the potential environmental review requirements under the California Environmental Quality Act. The State requires a cancellation fee equal to 12.5% (25% for Farmland Security Zones) of the current fair market value of the land as though it were free from contractual restriction.

The existence of an opportunity for another use of the land under contract shall not be sufficient reason for the cancellation of a contract. A potential alternative use of the land may be considered only if there is no proximate, noncontracted land suitable for the use to which it is proposed the contracted land be put. The uneconomic character of an existing agricultural use shall likewise not be sufficient reason for cancellation of the contract. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

When a landowner wishes to cancel a contract, the landowner shall petition the Board of Supervisors for cancellation, and the landowner has the burden of producing evidence to prove the circumstances which warrant contract cancellation. The owner shall cite (1) the reasons why cancellation is desired, (2) what changes in circumstances have occurred, (3) why immediate action is necessary, and (4) how the landowner is affected by the changes in circumstances. The requirements for cancellation differ between Williamson Act and Farmland Security Zone contracts as outlined below.

1. Williamson Act Contracts

The Board of Supervisors may grant tentative approval for cancellation of a Williamson Act contract only if it can make all of the findings for either a. or b. below, as provided in Sec. 51282 of the Government Code:

a. Cancellation is consistent with the purposes of the Williamson Act:

- (1) Cancellation is for land on which a notice of nonrenewal has been served; and
- (2) Cancellation is not likely to result in the removal of adjacent lands from agricultural use; and
- (3) Cancellation is for an alternative use which is consistent with the applicable provisions of the comprehensive plan; and

- (4) Cancellation will not result in discontinuous patterns of urban development;
and
- (5) There is no proximate noncontracted land which is both available and suitable for the proposed use or development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

or

b. Cancellation is in the public interest:

- (1) Other public concerns substantially outweigh the objectives of the Williamson Act; and
- (2) There is no proximate noncontracted land which is both available and suitable for the proposed use, or development of the contracted land would provide more contiguous patterns of urban development of proximate noncontracted land.

2. Farmland Security Zone Contracts

- a. As required by Section 51282 of the Williamson Act, to cancel a Farmland Security Zone contract, the County shall make both of the findings specified in paragraphs a and b of section 1 above, based on substantial evidence in the record. Further, subdivisions (b) through (e) of Section 51282 of the Williamson Act shall apply to the findings made by the County.
- b. In its resolution tentatively approving cancellation of the contract, the County shall find all of the following:
 - (1) That no beneficial public purpose would be served by the continuation of the contract.
 - (2) That the uneconomic nature of the agricultural use is primarily attributable to circumstances beyond the control of the landowner and the local government.
 - (3) That the landowner has paid a cancellation fee equal to 25 percent of the cancellation valuation calculated in accordance with the provision set forth in section 6-1.2.B.3.
- c. The Director of Conservation must approve the cancellation. The Director may approve the cancellation after reviewing the record of the tentative cancellation provided by the County, only if he or she finds both of the following:
 - (1) That there is substantial evidence in the record supporting the decision.
 - (2) That no beneficial public purpose would be served by the continuation of the contract.

- d. A finding that no authorized use may be made of a remnant contract parcel of five acres or less left by public acquisition pursuant to section 51295 of the Government Code, may be substituted for the finding in subsection 2.a above.

B. Cancellation Process

1. Applications for cancellation for all or part of an Agricultural Preserve (where whole parcels are involved) shall be referred to the County Planning Commission. The application shall be accompanied by a proposal for a specified alternative use of the land. Once an application for cancellation is deemed complete pursuant to Section 65943 of the Government Code, the County shall immediately mail a notice to the Director of Conservation. Notification and communication with the Director of Conservation shall comply with section 51284.1 of the Williamson Act.

The Planning Commission shall hold a noticed public hearing(s) to consider cancellation of the contract and disestablishment of the Agricultural Preserve or Farmland Security Zone, and any rezoning and amendment of the County Comprehensive Plan necessary to permit the nonagricultural uses contemplated by the applicant.

2. Applications for cancellation shall be referred to the Agricultural Preserve Advisory Committee for comment and report to the Board of Supervisors.
3. Prior to any action by the Board giving tentative approval to the cancellation of any contract, the County Assessor shall determine the current fair market value of the land as though it were free of the contractual restriction. The Assessor shall certify to the Board the cancellation valuation of the land for the purpose of determining the cancellation fee. At the same time, the Assessor shall send a notice to the assessee indicating the current fair market value of the land as though it were free of the contractual restriction. The notice shall advise the assessee of the right to appeal the fair market value of the land under Section 1605 of the Revenue and Taxation Code and that the appeal shall be filed within 60 days of the date of mailing printed on the notice or the postmark date therefore, whichever is later.
4. The Board of Supervisors shall schedule a noticed public hearing to consider the request for cancellation upon receipt of the above reports from the Planning Commission, the Agricultural Preserve Advisory Committee, and the Assessor. If recommended by the Planning Commission, the Board of Supervisors shall also hold concurrent noticed public hearings to consider any rezoning and Comprehensive Plan amendments necessary. Notification of these hearings to the Director of Conservation shall comply with section 51284 of the Williamson Act.
5. Prior to giving tentative approval to the cancellation of any contract the Board shall determine and certify to the County Auditor the amount of the cancellation fee which the landowner must pay the County Treasurer as deferred taxes upon cancellation.

That fee shall be an amount equal to 12.5% of the cancellation valuation of the property for a Williamson Act contract and 25 % for a Farmland Security Zone contract.

6. Cancellation of the Williamson Act contract shall be contingent upon payment, in full, of the cancellation fee. The cancellation fee shall be paid to the Clerk of the Board of Supervisors, who shall transmit that fee to the County Auditor. The fee shall be paid prior to the final approval of cancellation. If the Board of Supervisors finds that it is in the public interest to do so, it may waive any payment or any portion of a payment by the landowner, or may extend the time for making the payment or a portion of the payment contingent upon the future use made of the land and its economic return to the landowner for a period of time not to exceed the unexpired period of the contract, had it not been canceled, if the requirements set forth in section 51283.(c) of the Williamson Act are met.
7. The Board of Supervisors shall not grant cancellation for a portion of a contract (where whole parcels are involved) if the land proposed to remain under the contract would not be able to meet County eligibility criteria. Either sufficient qualifying land must remain under contract, or the petition must be made for cancellation of the entire contract.
8. Once the Board of Supervisors has granted tentative cancellation of a contract, the Clerk of the Board shall record a tentative certificate of cancellation pursuant to Section 51283.4 of the Williamson Act, which enumerates specified conditions and contingencies that must be satisfied prior to issuing a final certificate of cancellation. The landowner shall notify the Board of Supervisors when the conditions and contingencies have been satisfied. Within 30 days of receipt of the notice, and upon determination that the conditions and contingencies have been satisfied, the Board shall execute and record a certificate of cancellation of the contract. If the landowner has been unable to satisfy the conditions and contingencies, the landowner shall notify the Board of the particular conditions or contingencies he or she is unable to satisfy. Within 30 days of receipt of the notice, and upon a determination that the landowner is unable to satisfy the conditions and contingencies listed, the Board shall execute and record a certificate of withdrawal of tentative approval of a cancellation of contract.

6-1.3. RESCISSION

- A. Notwithstanding any other provision of these Uniform Rules, the County, upon petition by a landowner, may enter into an agreement with the landowner to rescind a contract in accordance with the contract cancellation provisions of section 51282 of the Williamson Act in order to simultaneously place other land within the County under an agricultural conservation easement, consistent with the purposes and, except as provided in subsection A.2 below, the requirements of the Agricultural Land Stewardship Program

pursuant to Division 10.2 (commencing with Section 10200) of the Public Resources Code, provided that the Board of Supervisors makes all of the following findings:

1. The proposed agricultural conservation easement is consistent with the criteria set forth in Section 10251 of the Public Resources Code.
 2. The proposed agricultural conservation easement is evaluated pursuant to the selection criteria in Section 10252 of the Public Resources Code, and particularly subdivisions (a), (c), (e), (f), and (h), and the Board makes a finding that the proposed easement will make a beneficial contribution to the conservation of agricultural land in its area.
 3. The land proposed to be placed under an agricultural conservation easement is of equal size or larger than the land subject to the contract to be rescinded, and is equally or more suitable for agricultural use than the land subject to the contract to be rescinded. In determining the suitability of the land for agricultural use, the County shall consider the soil quality and water availability of the land, adjacent land uses, and any agricultural support infrastructure.
 4. The value of the proposed agricultural conservation easement, as determined pursuant to Section 10260 of the Public Resources Code, is equal to or greater than 12.5 percent of the cancellation valuation of the land subject to the contract to be rescinded, determined by the County Assessor to be the current fair market value of the land as though it were free of contractual restriction. The easement value and the cancellation valuation shall be determined within 30 days before the approval of the County of an agreement pursuant to this section.
- B. Notwithstanding any other provision of these Rules, the parties may upon their mutual agreement rescind a contract in order simultaneously to enter into an open-space easement agreement pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070)), provided that the easement is consistent with the Williamson Act for the duration of the original contract. The easement would enforceably restrict the same property for an initial term of not less than 10 years and would not be subject to the provisions of Article 4 (commencing with Section 51090) of Chapter 6.6. This action may be taken notwithstanding the prior serving of a notice of nonrenewal, and the land subject to the contract shall be assessed pursuant to Section 423 of the Revenue and Taxation Code.
- C. Notwithstanding any other provision of this chapter, the parties may upon their mutual agreement rescind a contract in order simultaneously to enter into a new contract pursuant to these Uniform Rules, which new contract would enforceably restrict the same property for an initial term at least as long as the unexpired term of the contract being so rescinded but not less than 10 years. Such action may be taken notwithstanding the prior serving of a notice of nonrenewal relative to the former contract.

6-1.4. ANNEXATION BY CITY

On the annexation by any city in the County of any land under a Williamson Act contract the city shall succeed to all rights, duties, and powers of the County. Under certain limited circumstances defined in Section 51243.5 of the Williamson Act a city may elect not to succeed to the rights, duties, and powers of the County under the contract. For Farmland Security Zone contracts, see the provisions of sections 51296.3 through 51296.6 of the Williamson Act.

Whenever part of the land under a Williamson Act contract is removed from such status through annexation to a city, the part remaining under contract must be able to meet County eligibility criteria. In the event that unqualified land is left subject to contract, the County shall immediately serve notice of nonrenewal for such land.

In cases of annexation of land under contract, coordination is encouraged between the annexing city, Local Agency Formation Commission (LAFCO), the County, and the landowner to ensure that proper protocol is being followed and that all parties are provided the opportunity to comment and work towards the best possible outcome for all parties involved.

6-1.5. EMINENT DOMAIN OR OTHER ACQUISITION

Pursuant to section 51295 of the Williamson Act, upon the termination of an action in eminent domain for the condemnation of the fee title, or of an acquisition in lieu of eminent domain, for a public improvement by a public agency, for land subject to a Williamson Act contract, the contract shall be null and void for all land actually taken or acquired, as of the date the action was filed. If, in either such action, only part of the land under contract is acquired, and the remaining land is not able to meet County eligibility criteria, a notice of nonrenewal shall be filed immediately by the County against such remaining land.

No public agency or person shall propose to acquire and locate a public improvement within an agricultural preserve unless the following findings are made:

- A. The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.
- B. If the land is agricultural land covered under a contract pursuant to these Rules for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement.

When land in an agricultural preserve is acquired by a public entity, the public entity shall notify the Director of Conservation within 10 working days. The notice shall include a general explanation of the decision and the findings made pursuant to A and B above.

For Farmland Security Zone contracts, see sections 51296.3 through 51296.6 of the Williamson Act for the relevant rule and requirements.

6-1.6. TERMINATION OF MULTIPLE CONTRACT PRESERVES

At the time of termination, cancellation, or notice of nonrenewal, parcels in a multiple contract preserve (e.g. contiguous lands qualifying under subsection 1-2.2.A.2) may not be continued under contract if the remaining land cannot qualify by itself. At such time the County may (but shall not be required to) serve a notice of nonrenewal on the remaining land if it does not otherwise qualify for participation in the Agricultural Preserve Program. In the event the remaining land does not qualify for the Agricultural Preserve Program and a determination is made that it would be in the public interest to retain the remaining land in the Agricultural Preserve Program, then those parcels may remain under contract if the Board of Supervisors makes all of the findings set forth in subsection 1-2.2.B.4 of these Rules.

6-1.7. MONITORING AND ENFORCEMENT

Williamson Act and Farmland Security Zone contracts are binding agreements between landowners and the County that assume that the terms of the contract continue to be met in exchange for the restricted property tax assessments. As such, landowners must remain in compliance during the entire life of the contract, even after nonrenewal has been initiated. If, at any time, the APAC finds that the terms of a contract, including the requirements set forth in these Rules, are no longer being met, the County shall give the landowner sixty (60) days to remedy the contract violation. If the violation persists at the end of this period, the issue shall be brought in front of the APAC at its next scheduled meeting for a determination on how to proceed. Options for addressing unresolved violations include recommendation to the Board of Supervisors for the immediate issuance of a notice of nonrenewal or, for those contracts already in nonrenewal, court action.

The County shall monitor the Agricultural Preserve Program to ensure continued compliance by periodically reviewing the continuing eligibility of properties under contract and checking for violations. Methods for monitoring include:

- A. Review of (1) permit applications and recorded documents (e.g. residential construction or processing facility; property transfers), and/or (2) neighbor complaints. In conjunction with a permit application or neighbor complaint, the County may conduct field visits to ensure that the contracted land continues to meet eligibility requirements or determine whether any contract violations have occurred.
- B. For prime and superprime contracts for which enrollment into the Agricultural Preserve Program is dependent upon maintaining sufficient gross annual income from the agricultural operation, minimum land in production, or other contractual requirements, shall make production reports, commodity sales receipts, agricultural income forms from their income tax records, or other use or income records relating to the contracted land available to the County upon request.
- C. The Assessor may report to the APAC any premises which do not appear to meet the eligibility requirements set forth in Rule 1-2.

6.2. TRANSFER OF OWNERSHIP OF CONTRACTED LAND

Adopted by Resolution No. 73-788 (December 3, 1973), Amended by Resolution Nos. 80-407 (September 15, 1980) and 84-464 (October 8, 1984)

The purpose of this section is to establish procedures for the maintenance of contracts wherein changes in legal description and/or ownership occur without impairing the integrity of the program. The procedures developed under this section are in accordance with the Williamson Act, and shall be used to process all transfers of ownership in Williamson Act and Farmland Security Zone contracts.

- A. Transaction that transfers all land restricted by a Williamson Act or Farmland Security Zone contract where no changes in boundaries occur.

The transferee shall cause to be completed and signed immediately subsequent to the instrument creating the new ownership a "Notification of Assumption of Williamson Act/Farmland Security Zone Contract", incorporating by reference the legal description set forth in the instrument which transferred the ownership interest and shall submit said document to the office of the County Counsel for approval as to form, together with an applicable fee. After approval, the County Counsel shall record said document and file it with the Office of the Clerk of the Board.

- B. Transaction that transfers a portion of land restricted by a Williamson Act or Farmland Security Zone contract, where whole legal parcels are transferred.

1. The transferee(s) shall cause to be completed and filed with the Agricultural Preserve Advisory Committee a new contract application for each of the ownerships, together with such fee as is required. The transferor shall similarly furnish a new application for the portion retained.
2. New contracts shall be signed and recorded by transferor(s) and transferee(s) immediately subsequent to the transaction creating new ownership(s).
3. Should any transfer of ownerships create parcels which do not qualify under the eligibility criteria set forth in these Rules, the County shall serve notice of nonrenewal on the nonconforming parcels, and record its notice of nonrenewal.

- C. Transaction that transfers a portion of land restricted by a Williamson Act or Farmland Security Zone contract where subdivisions occur.

1. Only whole legal parcels are allowed within Williamson Act and Farmland Security Zone contracts. Any boundary changes that subdivide parcels, therefore, must first be

processed by the County Planning and Development Department through its subdivision procedures, and must meet all requirements of such process before any action may be taken by the Agricultural Preserve Advisory Committee.

2. The transferee(s) shall cause to be completed and filed with the Planning and Development Department new Williamson Act or Farmland Security Zone contract applications, maps and legal descriptions for each of the ownerships, together with such fees as are required. The transferor shall similarly furnish applications, maps and legal descriptions together with such fees as are required for the portion retained.
 3. New contracts shall be signed and recorded by transferor(s) and transferee(s) immediately subsequent to the transaction creating new ownership(s).
 4. Should any transfer of ownership create legal parcels which do not qualify under the eligibility criteria set forth in these Rules, the County shall serve and record a notice of nonrenewal on the nonconforming parcels.
- D. Transfer of all or a portion of land under a Williamson Act or Farmland Security Zone contract between immediate family members.

Nothing contained in these Uniform Rules shall prevent the transfer of ownership from one immediate family member to another, per section 51230.1 of the Williamson Act, of a portion of land which is currently designated as an agricultural preserve under contract, if all of the following conditions are satisfied:

2. The parcel to be transferred is a whole legal parcel at least 10 acres in size in the case of prime agricultural land or at least 40 acres in size in the case of nonprime land; and
3. The legal parcel to be transferred conforms to the applicable local zoning and land division ordinances and local coastal program; and
4. The parcel to be transferred complies with all applicable requirements of these Rules and relevant County zoning ordinances relating to agricultural income and permanent agricultural improvements which are imposed by the County as a condition of a contract executed covering the land of which the legal parcel to be transferred is a portion. For purposes of this paragraph, if the contracted land already complies with these requirements, the portion of that land to be transferred shall be deemed to comply with these requirements; and
5. There exists a written agreement between the immediate family members who are parties to the proposed transfer that the land which is subject to a Williamson Act or Farmland Security Zone contract and the portion of that land which is to be transferred will be operated under the joint management of the parties subject to the terms and conditions and for the duration of the contract.

A transfer of ownership described above shall have no effect on any contract covering the land of which a portion was the subject of that transfer. The portion so transferred shall remain subject to that contract.

Upon transferring land to an immediate family member pursuant to this section, the landowner shall provide a Notice to County of said agreement.

E. Successors in Interest.

When title to land subject to contract passes to successors, and in so doing creates circumstances whereby the land, or the remaining land subject to contract, no longer meets County eligibility criteria, a notice of nonrenewal shall be filed immediately by the County against such unqualified land.

APPENDIX 3

AGRICULTURAL INDUSTRY OVERLAY
(Land Use Element)
(Santa Barbara County Comprehensive Plan)

Draft
Uniform Rules for
Agricultural Preserves and
Farmland Security Zones



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August 2004

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UNIFORM RULES

FOR AGRICULTURAL PRESERVES

AND

FARMLAND SECURITY ZONES

August 2004

Approved by the Board of Supervisors October 8, 1984
Amended August 10, 1999
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INTRODUCTION

I. PURPOSE OF AGRICULTURAL PRESERVE PROGRAM AND UNIFORM RULES

The *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (hereafter referred to in this document as Uniform Rules or Rules) is the set of rules by which the County administers its Agricultural Preserve Program under the California Land Conservation Act of 1965, better known as the Williamson Act. The purpose of the Williamson Act is the long-term conservation of agricultural and open space lands. The Act establishes a program to enroll land in Williamson Act or Farmland Security Zone contracts whereby the land is enforceably restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. The Act requires that each participating local government have a set of uniform rules for administering Williamson Act and Farmland Security Zone contracts within its jurisdiction. The County's Uniform Rules establish the basic requirements of all contracts and are incorporated as a part of each contract. As a part of every contract, therefore, any change in the County's Rules applies to every contract currently in effect with the exception of rules specifically applied prospectively and those compatible uses permitted under Section 51238.3 of the Williamson Act. Participation in the program is voluntary by the County and by the eligible landowners.

Conservation of agricultural and open space land benefits the general public by discouraging premature conversion of land to urban land uses, thereby curtailing sprawl and promoting logical urban growth and provision of urban services. The Agricultural Preserve Program both protects agriculture and retains open space for its scenic qualities and value as wildlife habitat. Most directly, it contributes to the state's agricultural economy and the availability of fresh, nutritious, varied and affordable food. To ensure the long-term retention of these benefits, land enrolled in the program is prevented from being readily converted to urban or other non-agricultural uses. This is achieved by the County through conscientious and consistent enforcement of the Uniform Rules and the terms of the contracts, which also maintains the constitutionality of administering preferential property tax assessments for these lands.

II. AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS

As a participating county, the Williamson Act mandates that areas of the County be designated as agricultural preserves for application of the program. Land within the preserves that meets the eligibility requirements may enroll in the Agricultural Preserve Program through a Williamson Act or Farmland Security Zone contract with the County. It is Santa Barbara County's practice to establish the preserves simultaneously with enrollment in a contract, resulting in coterminous boundaries between the preserves and the contracts. Thus land anywhere within the County that meets the zoning, size, use and other requirements set forth in these Rules may be eligible to participate in the program.

Farmland Security Zone contracts, also referred to as “Super-Williamson Act contracts” are a special type of Williamson Act contract that receive greater tax benefits (35% reduction from assessed Williamson Act or Proposition 13 value) in exchange for longer contracts. In Santa Barbara County, the Farmland Security Zone program is not yet widely used. For this reason, these Uniform Rules refer primarily to Williamson Act contracts when discussing eligibility requirements, compatible uses, and contract termination provisions. However, in most cases the requirements are the same for both Williamson Act and Farmland Security Zone contracts. Therefore, whenever these Rules mention Williamson Act contracts, it shall be presumed to include Farmland Security Zone contracts as well, unless specifically stated otherwise. Requirements specific to Farmland Security Zones are discussed in Rule 5.

Under the Act, contracts are automatically renewed each year following the first year of a 10-year Williamson Act contract (or 20 years for Farmland Security Zones), unless the owner or County serves a notice of nonrenewal or the contract is terminated as may be provided for by the Act and these Rules. When the County or a landowner serves a notice of nonrenewal upon the other party sufficiently prior to the renewal date (i.e. 90 days if served by the landowner, 60 days if served by the County), the contracted land must continue to meet County eligibility and compatible use requirements throughout the remaining duration of the 10-year or 20-year contract. For example, if a landowner nonrenews a Williamson Act contract in September of 2004, the contract remains in effect for 9 years from the start of the next calendar year (e.g. January 1, 2005). Therefore the contract would expire at the end of 2013.

III. CONTRACTS - ASSESSED VALUE OF LAND, IMPROVEMENTS AND LIVING IMPROVEMENTS

The State Legislature enacted the California Land Conservation Act (Williamson Act) in 1965, with the intent of preserving agricultural lands for food and fiber production. At the time, property taxes were recalculated yearly, on the basis of market value. The Williamson Act changed this practice for open space and agricultural lands. With California taxpayer approval, the law prescribed specific methods for appraising properties under the Williamson Act. The Legislature determined that the assessed value of the agricultural use would be calculated based on the income approach to value, rather than the market approach. Only the non-agricultural uses would continue to be assessed at market value. Adopting the Williamson Act was an effort to motivate landowners towards the goal of the program. It was “*an attempt to stop or at least slow down increases in real property taxes on farmland by providing methods for restricting land to agricultural purposes.*”¹

Presumptions for Williamson Act Valuation Today:

The spirit and intent of the Williamson Act remains today under Proposition 13. Foremost in the appraisal process is the presumption that the agricultural (restricted) use of the land will continue

¹ SBE Assessment of Agricultural and Open Space Properties, AH521 II-1.

into the foreseeable future and that the restrictions affect value. The non-agricultural (non-restricted) uses are valued at their market value, in accordance with Proposition 13.

Valuation Procedures for Enforceably Restricted Property:

The basic appraisal method for Williamson Act valuation is by the income approach to value. The assessor capitalizes all income attributed to the agricultural use of the land, (along with income from compatible uses such as radio towers, television repeaters, cell sites, commercial enterprises, the sale of water, mineral exploration leases, production contracts and recreation) into an indication of value. The assessor also capitalizes income produced from living improvements (fruit and nut bearing trees and vines) into an indication of value. The land and living improvement values comprise the restricted portion of the total assessment.

Under the 1999 Farmland Security Zone Act, landowners that enter into a 20-year Farmland Security Zone contract can benefit from an additional 35% reduction on the restricted portion of their assessment.

Valuation Procedures for Unrestricted Property:

Non-restricted portions of the contracted property are valued at their market value, in accordance with Proposition 13. For example, residences and residential homesites are expressly excluded from the restricted calculation. If a 100-acre avocado ranch has a home with garage, pool, tennis court, guesthouse and an employee house, each homesite and each of the structures will be assessed at market (Proposition 13) value. Any physical changes associated with the residential uses, such as driveways, grading, landscaping, domestic wells, etc. are also assessed at market value.

Total Assessed Value:

Each year the assessor sums the restricted and unrestricted values to calculate the final Williamson Act or Farmland Security Zone value for the contracted property. The Assessor also calculates the Proposition 13 base value and the current market value. The value placed on the tax roll will be the lesser of the: 1) Williamson Act value or Farmland Security Zone value, 2) the Proposition 13 base value, factored, or the 3) current market value.

IV. RELATIONSHIP OF PROGRAM TO OTHER LAND USE REQUIREMENTS

The Agricultural Preserve Program is applied within the wider land use context defined by the County's Comprehensive Plan and zoning ordinances. The zoning ordinance applicable to a particular parcel establishes what buildings, structures and activities are permitted on the parcel as of right or through a permit review process. The zoning ordinance and/or the conditions and mitigation measures applied to a permit may set criteria or other requirements for the establishment of land uses on contracted land.

Land uses allowed by the Uniform Rules may be more restrictive than those uses allowed by the relevant zoning ordinance in order to comply with the intent of the Williamson Act. Similarly, a proposed land use that complies with the Uniform Rules may still not be allowed by the County if it does not comply with all applicable zoning regulations and the policies of the Comprehensive Plan. A landowner can obtain an early indication whether or not a proposed land use or activity may be allowed by bringing their proposal to the Agricultural Preserve Advisory Committee (APAC) for advisory review and by consulting with Planning and Development or submitting a pre-application to the County for any required permits.

V. AGRICULTURE AND URBAN INTERFACE

The Board of Supervisors recognizes not only agriculture's contribution to the County but also its vulnerability to conversion to urban or other non-agricultural uses. In addition to the Agricultural Preserve Program, goals and policies in the County's Land Use and Agricultural Elements afford protection to both prime and nonprime agricultural lands. This includes protection from urban expansion and urban influences. It is important to reaffirm these policies here in the Uniform Rules. Two primary considerations regarding the interface of agricultural and urban lands are:

1. Agriculture does not ordinarily require urban services such as sanitary sewers, transit and lighting, and therefore such service districts should not be extended to cover agricultural land in, or eligible for inclusion in agricultural preserves. Taxing agriculturists for these services may impose an unnecessary tax burden and could hasten conversion to urban land uses.
2. To deter expansion of urban areas onto productive agricultural lands, the County encourages the entry of prime and producing agricultural lands adjoining urban areas into the Agricultural Preserve Program.

VI. ROLE OF THE APAC

The Agricultural Preserve Advisory Committee was created by, and is advisory to, the Board of Supervisors and includes representatives from the Agricultural Commissioner's Office, Assessor's Office, County Surveyor's Office, Cooperative Extension and Planning and Development. The Committee is responsible for administering the County's Agricultural Preserve Program and the Uniform Rules. Its duties include reviewing applications and making recommendations for creating agricultural preserves, entering new contracts, making revisions to existing preserves or contracts, terminating contracts and disestablishing preserves. In conjunction with these duties, the APAC is responsible for monitoring and enforcement of the Agricultural Preserve Program. When an application for a land use permit involves land in a Williamson Act contract, the APAC has the responsibility to review the permit application to determine its consistency with the County's Uniform Rules. In addition, the APAC is responsible for determining the compatibility of land uses under the provisions of the Uniform

Rules and the Williamson Act. From time to time it is also responsible for recommending revisions to the Rules to ensure their continuing consistency with the Williamson Act and suitability to Santa Barbara County. The APAC is a committee subject to the Ralph M. Brown Act and the public is welcome to attend meetings and provide input and comments on proposed recommendations or issues being discussed.

DEFINITIONS

Some of the terms defined below are taken directly from the Williamson Act. The definitions in the Williamson Act (WA) may be amended from time to time by the state legislature. Any changes made to the Act's definitions will supersede the definitions included in these Rules. Other terms are taken directly from County zoning ordinances (e.g. Article III). Those definitions are also subject to change in response to future zoning ordinance amendments. In some cases, definitions are derived from County zoning ordinances or the Williamson Act but have been tailored to the requirements of the County's Agricultural Preserve Program and may be more restrictive than the zoning ordinances or the Williamson Act. Lastly, there are those definitions which have been developed specifically for the purposes of these Rules.

Agricultural employee: a person who primarily works or is engaged in agriculture.

Agricultural preserve: an area of contracted land devoted to either agricultural use, recreational use, or open space use, as herein defined, or any combination of those uses and which is established in accordance with the provisions of the Williamson Act and these Rules (derived from WA).

Agricultural use: the use of land for the purpose of producing an agricultural commodity for commercial purposes (WA).

Cancellation: the immediate removal from contract of a parcel or premises under Williamson Act or Farmland Security Zone contract.

Commercial: any activity or operation involving compensation or remuneration for its products or services.

Composting facility: a commercial facility that is operated for the purpose of producing compost from the onsite and/or offsite organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations contained in the California Code of Regulations, Title 14, Division 7, as may be amended from time to time. Non-commercial composting that is part of an agricultural operation is not included within this definition (derived from Article III).

Contiguous: Property shall be considered to be contiguous for the purposes of these Uniform Rules if two or more properties are adjoining, touch at a point or share a common boundary, or are separated by a road, street, utility easement, railroad right-of-way or other public facility so long as the property is owned in common and can reasonably be operated as a single agricultural unit (derived from Subdivision Map Act).

Contract: the legal document that binds the parties under the terms of the Williamson Act and these Rules.

Contracted land: land under either a Williamson Act or Farmland Security Zone contract; used generally to refer to all land in the County enrolled in the Agricultural Preserve Program.

Development envelope: the area of land in an agricultural preserve within which all residential, residential accessory structures, and other structures and uses not associated with the commercial agricultural operation, including landscaping and access to the buildings or structures, are located. Examples of such structures include, but are not limited to, guest houses, non-agricultural roads, and personal horse stables. Septic systems would be included in this development envelope if they take land out of agricultural production.

Fully planted: in conjunction with prime and superprime land, land devoted to active crop production, excluding both agricultural and non-agricultural buildings and structures as well as non-producing land. Fully planted land does not include: diseased or otherwise previously producing land which is not currently producing an adequate income for qualification as prime or superprime land; unplanted easements or unplanted setbacks; driveways and roads; waterways, wetlands and other terrain features that will not support commercial agricultural production.

Guest ranch: agricultural tourism that provides accommodation to paying guests incidental to or in conjunction with the principal commercial agricultural operation (derived from Article III).

Guest house: detached living quarters of a permanent type of construction without kitchen or cooking facilities of any kind, intended and used primarily for temporary guests of the occupants of the main building on the parcel on which such guest house is located, and not rented or otherwise used as a separate dwelling (Article III).

Historic structure: a structure that was built on or moved onto land prior to the land being placed under a Williamson Act contract and meets the requirements of the Cultural Resource Guidelines Historical Resources Element for a historic structure.

Immediate family: the spouse of the landowner, the natural or adopted children of the landowner, the parents of the landowner, or the siblings of the landowner (WA).

Land reclamation fill: fill consisting of solid materials or soil that is non-toxic, noncombustible, non-organic and not hazardous, and which is used as fill to contour existing uneven terrain for the purpose of reclaiming land for agricultural use (County Grading Ordinance).

Managed wetland area: an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to these Rules, was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes (WA).

Multiple contract preserve: the situation whereby two or more contiguous prime and/or superprime premises, none of which qualify independently as an agricultural preserve, are combined to meet the minimum preserve size of forty (40) acres; each ownership remains under a separate contract, but each ownership's continuing individual eligibility depends on remaining within a minimum 40-acre block of contracted land.

Nonprime land: land that is not prime [or superprime]. This may include, but is not limited to, land used for grazing or dry farming (derived from WA).

Nonrenewal: withdrawal of land under contract whereby the contract remains in effect for the remainder of the term of the contract (i.e. 9 years for a Williamson Act contract or 19 years for a Farmland Security Zone contract).

Notification of Assumption of Williamson Act Contract: when all the land under a single contract is transferred to a new owner and no changes to contract boundaries result, the new owner shall assume the original contract and all of the requirements therein, and submit to the County such a notification.

Open space use: the use or maintenance of land in a manner that preserves its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, if the land is within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, or a submerged area, as these terms are herein defined in these Rules (derived from WA).

Parcel: a single parcel of land in one (1) ownership, the boundaries of which are delineated in the latest recorded parcel map, subdivision map, or Certificate of Compliance recorded in the County Recorder's Office or deed provided that such recorded deed does not create or attempt to create a parcel in violation of the provisions of any applicable California law or County ordinance (Article III); also referred to as legal parcel.

Premises: the area of land under a single Williamson Act or Farmland Security Zone contract; the premises may comprise a single legal parcel or multiple contiguous legal parcels under the same ownership.

Prime land: means any of the following:

1. All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.
2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
3. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
4. Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing

- period on an annual basis from the production of unprocessed agricultural plant production not less than five hundred dollars (\$500) per acre.
5. Land which has returned from production of unprocessed agricultural plant products an annual gross value of not less than five hundred dollars (\$500) per acres for three of the previous five years, except that for irrigated pasture this figure will be two hundred dollars (\$200) per acre for three of the previous five years(derived from WA).
 6. In all cases, prime land must have a secure water source adequate to support the agriculture on the premises.
 7. Superprime land is a subset of prime land – see definition.

Principal dwelling: a dwelling serving as the primary inhabited structure.

Recreational use: the use of the land in its agricultural or natural state by the public, with or without charge, for any of the following: walking, hiking, picnicking, wilderness camping, scenic viewing, swimming, boating, fishing, hunting, horseback riding or other similar low intensity recreational activities (derived from WA).

Replacement contract: a contract that is required when the boundaries or principal uses (i.e. Agriculture, Open Space, or Recreation) of the original contract are changed.

Rescission: the process of simultaneously voiding an existing contract and entering into a new contract where there is no reduction in the amount of land under contract.

Residential Agricultural Unit (RAU): an attached or detached single family dwelling unit on a permanent foundation located in the AG-I-40, AG-II-40, AG-II-100, and AG-II-320 zone districts, or a detached duplex on a permanent foundation located in the AG-II-320 zone district, which provides complete, independent living facilities for one or more persons in addition to a principal one-family dwelling. A RAU shall not be sold, transferred, or financed separately from the principal structure, but may be rented or leased on a non-exclusive basis. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall be located entirely on the same parcel that contains the principal dwelling (Article III).

Submerged area: any land determined by the Board of Supervisors to be submerged or subject to tidal action and found by the Board to be of great value to the state as open space (WA).

Superprime land: prime agricultural lands of the County south of the Santa Ynez Mountains which are highly productive due to the combination of soils and climate that are uniquely suitable to specialty horticultural produce and floral varieties, and that are capable of supporting commercially viable agricultural operations on parcels as small as five acres. Superprime land is a subset of prime land and can be combined with either prime contracts or other superprime contracts to form a prime preserve of at least 40 acres. In order to qualify, it must meet specific production requirements that are different than regular prime land, as outlined in section 1-2.3 and Table 1-2 of these Rules.

Wildlife habitat area: a land or water area designated by the Board of Supervisors, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state (WA).

Winery: A bonded establishment primarily used for the purpose of processing grapes or other fruit products. Processing includes, but is not limited to, crushing, fermenting, blending, aging, storage, bottling, and wholesale/retail sales (Article III).

UNIFORM RULE 1

Requirements for Agricultural Preserves, and Williamson Act and Farmland Security Zone Contracts

Adopted August 9, 1971, Amended by Resolution Nos. 73-28 (January 15, 1973), 74-84 (February 4, 1974), 74-344 (May 13, 1974), 75-825 (October 27, 1975), 76-29 (January 12, 1976), 78-466A (October 30, 1978), 84-464 (October 8, 1984), 99-268 (July 6, 1999)

1-1. INTRODUCTION

The Williamson Act establishes certain minimum requirements and encourages participating local governments to establish requirements (which may be stricter than the Act but not more lenient) to tailor the program to better reflect local characteristics and objectives. This Rule sets out the County's criteria to be used in judging the qualifications of parcels for the creation and continuance of Agricultural Preserves and Williamson Act contracts, under the terms of the California Land Conservation Act of 1965 and these Rules, both as amended or to be amended. It includes such requirements as zoning, minimum preserve size, minimum parcel size, and agricultural production.

The signing of the Williamson Act contract and the adoption of the resolution creating the Agricultural Preserve shall be completed concurrently for all proposals.

As mentioned in the Introduction to these Rules, because Farmland Security Zone contracts are similar to Williamson Act contracts in terms of eligibility requirements and compatible uses, references to Williamson Act contracts in this Rule shall be presumed to include Farmland Security Zone contracts as well, unless specifically stated otherwise. Additional eligibility requirements specific to Farmland Security Zones are discussed in Rule 5.

1-1.1 COUNTY OBJECTIVES

In determining initial and ongoing eligibility or reviewing related proposals, the Agricultural Preserve Advisory Committee shall take into consideration the following objectives of the County:

A. Commercial Agricultural Production

Land eligible for inclusion in the Agricultural Preserve Program shall be used principally for the commercial production of agricultural commodities. Lands not used for commercial agricultural production, but desirable for preservation, may qualify for inclusion in the program as preserves for recreational or open space use.

B. Land Quality

The quality of agricultural land varies widely, depending on soil, terrain, water availability, climate, and other factors. The County wishes to protect the maximum amount of productive and potentially productive agricultural land, which can be either prime or nonprime land.

1-2. ELIGIBILITY REQUIREMENTS

In order to enter land into a Williamson Act contract or amend an existing contract, and maintain continued eligibility during the life of the contract, land must meet all of the applicable requirements identified in this Rule.

1-2.1. COMPREHENSIVE PLAN AND ZONING REQUIREMENTS

Eligible land shall have land use and zoning designations consistent with those listed in Table 1-1.

Table 1-1. Comprehensive Plan and Zoning Requirements

Contract Type	Comprehensive Plan Designation	Zone Districts
Agriculture and Recreation	Agricultural Commercial, Agriculture I, Agriculture II, Mountainous Area; Agricultural Industry Overlay necessary for large scale ag processing facilities	Agriculture and Mountainous
Open Space	Agricultural Commercial, Agriculture I, Agriculture II, Mountainous Area, and Other Open Lands	Agriculture, Mountainous, and Resource Management

The zoning designation shall include a minimum parcel size consistent with the provisions of section 1-2.2 (e.g., AG-I-40 or MT-GOL-40 for a prime preserve or AG-II-100 or MT-TORO-100 for a nonprime preserve). The AG-I-5 zoning district may be used or applied only in conjunction with the provisions of subsection 1-2.2.B.3, Superprime Land.

Interested landowners with ineligible land use or zoning designations should request and secure a general plan amendment and/or rezone prior to or concurrent with the processing of the agricultural preserve and Williamson Act contract, subject to the provisions outlined in section 1-2.4. Land zoned under Ordinance 661 is not eligible for a Williamson Act contract unless the application is accompanied by a general plan amendment, rezone, or consistency rezone request.

1-2.2. MINIMUM PRESERVE AND CONTRACT SIZE

A. Preserve Size

Except as provided for in subsection B.4 below, the minimum size for an agricultural preserve comprising nonprime land shall be one hundred (100) acres and the minimum

size for an agricultural preserve comprising prime or superprime land shall be forty (40) acres.

B. Existing and Assumed Contracts

Existing prime and nonprime contracts for which no changes are proposed that meet the minimum preserve size, but which are made up of parcels which do not meet the minimum parcel size set forth in subsection 1-2.2.C below, shall continue to be eligible with respect to minimum preserve and contract size. The assumption of an existing contract shall also continue to be eligible with respect to minimum preserve and contract size, assuming no changes to contract boundaries occur. If the owner of an existing or assumed contract proposes a change to its contract (e.g. changing the contract boundary or constructing a winery) then the contract would need to adhere to all of the eligibility requirements contained in section 1-2.2 of this Rule.

C. New and Replacement Contracts

Applications for new or replacement contracts shall be considered for land if its size and type are one of the following:

1. Nonprime Land

When the land is classified as nonprime, the minimum legal parcel size within a contract is one hundred (100) acres under single ownership.

2. Prime Land

When the land is classified as prime, as defined in these Rules, the preserve can be made up of either of the following:

- a. A single parcel contract of at least forty (40) acres in size; or
- b. Two or more contiguous parcels (under one or more contracts) which total at least forty (40) acres, when each parcel (and contract where applicable) is either:
 - (1) A minimum of twenty (20) acres; or
 - (2) A minimum of five (5) acres of superprime land as defined in subsection B.3 below; or
 - (3) A combination of (1) and (2) above.

Subsections (1) through (3) above apply when contract applications for an aggregate preserve of 40 acres or more are concurrently processed or when a new

contract for less than 40 acres is added to other contracts in an existing prime preserve.

3. Superprime Land

Prime agricultural lands of the County south of the Santa Ynez Mountains which are highly productive due to the combination of soils and climate that are uniquely suitable to specialty horticultural produce and floral varieties, and that are capable of supporting commercially viable agricultural operations even on smaller properties. The Board of Supervisors has determined that such "superprime" agricultural lands are important to protect and therefore finds that parcels between five (5) acres and less than twenty (20) acres in size are eligible for inclusion in 40-acre minimum prime preserves, pursuant to subsection 1-2.2.B.2.b above.

4. Prime Preserves Reduced in Size with Special Findings

Notwithstanding the above, the Board of Supervisors may at its discretion reduce the requirements for minimum size for the creation of a prime preserve to not less than 30 acres in one parcel, or in several contiguous parcels as stipulated in subsection 1-2.2.B.2, if it finds that such a smaller preserve is necessary due to the unique characteristics of agricultural enterprises in this County, that the establishment of such a preserve of lesser size is consistent with the Comprehensive Plan, as provided for in section 1-2.1, and that all of the following findings apply to the proposed preserve of lesser size:

- a. No other contiguous owners desire to enroll their land in a Williamson Act contract simultaneously to create a multiple contract preserve of 40 acres or more, pursuant to subsection 1-2.2.B.2 above;
- b. Each parcel meets the minimum requirements established for prime or superprime land pursuant to subsection 1-2.2.B.2;
- c. Each landowner maintains annual production records demonstrating that the land is being used for commercial agricultural production and continues to meet the eligibility requirements set forth in section 1-2.3, and makes such records available to the County upon request;
- d. The contracts will be subject to annual monitoring by the County for a period of no less than 5 years and thereafter as required pursuant to section 6-1.7 of these Rules. If at any time it is demonstrated that there is no longer a commercial agricultural operation on the premises, then the County shall proceed with issuing a notice of nonrenewal pursuant to section 6-1.7 of these Rules.

5. Special consideration: Other than superprime land, non-preserve islands surrounded by preserve lands may be considered as eligible when all criteria other than size are met.

C. Additions to Contracts

Additions to existing contracts of contiguous parcels shall be allowed as follows:

1. Nonprime Land

Any individual parcel 100 acres or greater in size, and which meets the definition of nonprime as set forth in these Rules, may be added to an existing nonprime contract provided the existing parcel(s) and parcel to be added are contiguous and are under the same ownership.

No sub-100 acre additions to nonprime contracts shall be allowed, except when the parcels to be added and existing contract are under the same ownership and any lot line is eradicated between a parcel within the existing contract and the added land, or adjusted pursuant to section 1-3 below, provided that all resulting parcels qualify individually for Williamson Act contracts.

2. Prime and Superprime Land

Any individual parcel that meets the definition of either prime land or superprime land as set forth in subsection 1-2.2.B.2, and is a minimum of 20 acres or 5 acres, respectively, may be added to an existing prime or superprime contract within a prime preserve that is contiguous and under the same ownership. Any individual parcel that meets the definition of either prime land or superprime land as set forth in subsection 1-2.2.B.2, and is a minimum of 20 acres or 5 acres, respectively, may be added to a preserve containing both nonprime and prime land only when the total resulting prime or superprime land in the two or more adjacent parcels is 40 acres or more and when these prime or superprime lands are contiguous and under the same ownership.

No sub-20 acre additions to prime contracts or sub-5 acre additions to superprime contracts shall be allowed, except when the parcels to be added and existing contract are under the same ownership and any lot line is eradicated between a parcel within the existing contract and the added land, or adjusted pursuant to section 1-3 below, provided that all resulting parcels meet the individual parcel size requirements and combine to meet the minimum prime preserve size requirements for Williamson Act contracts as set forth in subsection 1-2.2.B.2.

1-2.3. COMMERCIAL PRODUCTION AND REPORTING REQUIREMENTS

To qualify for a Williamson Act contract and maintain ongoing eligibility, it must be demonstrated that the land is and will be used principally for the production of commercial agricultural products. This is particularly important for prime and superprime land which tends to be enrolled in smaller parcels. Therefore, contracts for prime and superprime land shall comply with the following productive acreage and annual production value/prime soils requirements, as presented in subsections A and B below. Nonprime land is addressed in subsection C, while subsection D applies to all contracted land.

A. Prime Land

In order to qualify and maintain eligibility for a contract, prime land shall comply with the following:

1. Minimum Productive Acreage:

Prime land must maintain a minimum of either 50% of the premises or 50 acres, whichever is less, fully planted (as defined herein) in commercial agricultural production (with allowances for fallow periods, change of crop or production method), unless it can be demonstrated to the APAC that this is unreasonable due to terrain, sensitive resources or other similar constraints. Where constraints are determined to exist, the APAC will determine the minimum productive acreage particular to the premises.

In addition to meeting this minimum productive acreage requirement, prime contracts shall also comply with either 2 or 3 below.

2. Average Annual Production Value:

- a. Agricultural production on prime land must yield an annual gross product value equal to or exceeding five hundred dollars (\$500) per gross acre² per year averaged over at least three (3) of the previous five (5) years; or
- b. The land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than 5 years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$500³ per gross acre; or
- c. For irrigated pasture, agricultural production must yield an annual gross product value equal to or exceeding two hundred dollars (\$200) per gross acre per year averaged over at least three (3) of the previous five (5) years, or must be able to support at least 1 animal unit month (AUM) per acre.

² Gross acre refers to the entire number of acres under a single contract, not just the acres in production. For example, if only 20 acres on a 40-acre contract were in cultivation, the annual gross product value would need to be at least \$1,000 per planted acre in order to meet the \$500 per gross acre requirement.

³ The product value is determined by multiplying the total annual productive acreage on the premises by the average value of the commodity for the previous five years as determined by the Agricultural Commissioner's Office, then dividing this total by the number of acres on the premises.

3. Prime Soils:

The land is composed of prime soils (i.e. qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classification or 80 through 100 in the Storie Index Rating).

B. Superprime Land

In order to qualify and maintain eligibility for a contract, superprime land shall comply with the requirements of either Column 1 or 2 of Table 1-2 below (as described in more detail in subsections B.1 and B.2 below), though in no case shall superprime land yield an annual gross product value per parcel less than \$5,000 and have fewer than 4.75 acres fully planted in commercial production:

Table 1-2. Production Requirements for Superprime Land

Parcel Size (acres)	Column 1 Average Annual Production Value	Column 2 Minimum Productive Acreage per Parcel (acres)
5 to 10	\$5000 per parcel	4.75
> 10 to 11	\$10,000 per parcel	5.00
> 11 to 12		5.50
> 12 to 13		6.00
> 13 to 14		6.50
> 14 to 15		7.00
> 15 to 16	\$15,000 per parcel	7.50
> 16 to 17		8.00
> 17 to 18		8.50
> 18 to 19		9.00
> 19 to < 20		9.50

1. Average Annual Production Value:

Agricultural production on superprime land must yield an annual gross product value per parcel equal to or in excess of the values listed in Column 1 of Table 1-2. The average annual production value is averaged over at least three (3) of the previous five (5) years, or the land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than 5 years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than the minimums set forth in

Table 1-2. The production value is determined by multiplying the total production per parcel by the average value of the commodity for the previous five years as determined by the Agricultural Commissioner's Office; or

2. Minimum Productive Acreage:

Contracts on superprime land must maintain a minimum acreage fully planted (as defined herein) in commercial agricultural production consistent with Column 2 of Table 1-2 (with allowances for fallow periods, change of crop or production method), unless it can be demonstrated to the APAC that this is unreasonable due to terrain, sensitive resources or other similar constraints. Where constraints are determined to exist, the APAC will determine the minimum productive acreage particular to that contract, however, in no case shall this be less than 4.75 acres.

C. Nonprime Land

Contracted land that is nonprime shall be engaged in active commercial agricultural production as its principal use. Nonprime land may be used for either grazing and/or cultivated agriculture and shall have a secure water source if required to support the agricultural activity.

D. Production Records

In order to ensure compliance with the production requirements in section 1-2.3, agricultural operations on contracted land shall maintain records of annual productive acreage and its production value to demonstrate continued eligibility, and make this information available to the County upon request.

1-2.4. ADJUSTMENTS TO PARCELS AND ZONING

A. Except as otherwise provided in this section, only whole, legally created and recorded parcels shall be accepted in an agricultural preserve.

1. For enrollment purposes only, where a landowner applies to enroll their entire contiguous landholding in a single contract, and the landholding complies with these rules, the landowner shall not be required to provide a certificate of compliance or other evidence that the landholding is a legally created parcel.
2. Except as provided for in 1-2.4.A.1 above, whenever a landowner wishes to enter only part of an existing parcel, the landowner shall record a subdivision map or lot line adjustment prior to or simultaneously with submitting an application for enrollment into the Agricultural Preserve Program and prior to execution of a Williamson Act contract.

- B. Lot lines between parcels in the same ownership which are too small individually to qualify must be merged or adjusted before the contract may be recommended for approval by the APAC.
- C. After a contract is entered into, any size reduction of any parcel resulting from a land division or lot line adjustment within the contract shall be allowed only if all parcels thus created meet the eligibility criteria of this Rule and, if the exterior boundaries of the contract change, are accompanied by an application for a replacement contract.
- D. In order for a parcel or group of parcels to be eligible for new and replacement contracts, the parcel(s) shall be zoned to the applicable zoning designation consistent with the qualifying preserve.

1-3. LOT LINE ADJUSTMENTS

A lot line adjustment proposed on parcels which are under Williamson Act contract shall only be approved provided the landowner(s) and County mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to the requirements set forth in this Rule, and the Board of Supervisors finds all of the following:

- A. The lot line adjustment shall comply with all the findings for lot line adjustments in Sec. 35-284.A of Article III of Chapter 35 of the Santa Barbara County Code.
- B. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.
- C. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
[Aggregate acreage refers to the total contract acreage combined between the parcels involved in the lot line adjustment.]
- D. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
[This finding refers to the location of the Williamson Act contract. Through the lot line adjustment, 90 percent of the new contract(s) would need to remain in the location of the original contract(s).]

- E. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.
- F. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
- G. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
- H. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan.

1-4. PERMITTED RESIDENTIAL LAND USES

The Board of Supervisors recognizes the importance of providing housing opportunities on agricultural land enrolled in the Agricultural Preserve Program, in order to accommodate landowners and their agricultural employees. However, the Board also recognizes that the primary purpose of the Williamson Act is the long-term preservation of the maximum amount of agricultural and open space land. In an effort to balance these issues, the Uniform Rules allow for limited residential opportunities on contracted land. These allowances may be more restrictive than the applied zoning designation permits for residential site use.

The following sections present the types of housing units potentially available on contracted land, including principal dwellings, Residential Agricultural Units (RAUs), and agricultural employee housing. Table 1-3 highlights the various housing types and combinations permitted within each zone district. Please refer to the applicable zoning ordinances for more detailed information on the housing requirements and limitations for each zone district.

Table 1-3. Housing Opportunities on Lands under Williamson Act Contract

Zone District	Principal Dwelling	Ag Employee Housing ¹		RAU ^{2,3}		Guest House ²		Residential Second Unit ^{2,4}
AG-I-5	✓	✓		N/A	+	✓	or	✓
AG-I-10	✓	✓			+	✓	or	✓
AG-I-20	✓	✓			+	✓	or	✓
AG-I-40	✓	✓	+	✓	or	✓	N/A	
AG-II-40	✓	✓	+	✓	or	✓		
AG-II-100	✓	✓	+	✓	or	✓		
AG-II-320	✓	✓	+	one or duplex	+	✓		
MT-TORO	✓	N/A		N/A	+	✓		
MT-GOL	✓	✓			+	✓		
RES	✓	N/A			+	✓		

¹ One or more based on demonstrated need.
² Limits on maximum size of unit (among other requirements).

³ RAUs are only permitted on contracted land and are not permitted at all within the coastal zone.

⁴ Residential second units are not permitted in addition to a guest house or ag employee housing.

All requests for residential structures (e.g. principal dwelling, RAU, agricultural employee housing, etc.) shall be reviewed by the APAC for a determination that the unit has been sited in accordance with this section and the compatibility guidelines set forth in Rule 2.

1-4.1. PRINCIPAL DWELLING

A. Premises made up of parcels less than 100 acres in size

1. A single principal dwelling shall be allowed on the premises.
2. For premises with parcels between 20 acres and less than 100 acres, the principal dwelling and all accessory structures (including Residential Agricultural Units), landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 2 acres or 3% of the parcel, whichever is smaller.
3. In the case of superprime contracts (premises with parcels between 5 acres and less than 20 acres in size), the principal dwelling and all accessory structures, landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 10,000 square feet or such larger area as is provided for under subsection C below.
4. Farm buildings, corrals, and permitted agricultural employee housing shall not be encompassed in the above site limitation, except in the case of superprime contracts as described in subsection C below.

B. Premises containing parcels greater than or equal to 100 acres in size

1. For single-parcel premises or multi-parcel premises with a zoning minimum parcel size of 100 acres or greater, a single principal dwelling shall be allowed.
2. For premises with multiple parcels with a zoning minimum parcel size of 100 acres or greater, a maximum of three principal dwellings may be allowed provided each dwelling is located on a separate legal parcel at least 100 acres in size.
3. Where premises contain parcels both less than 100 acres and equal to or greater than 100 acres in size, and an existing principal dwelling is located on a parcel less than 100 acres in size, no further principal dwellings are allowed.
4. In the case of a single principal dwelling on the premises, the dwelling and all accessory structures (including Residential Agricultural Units), landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 2 acres or 3% of the parcel, whichever is smaller.

5. In the case of two or more principal dwellings on the premises, the total area occupied by all of the dwellings and all accessory structures (including Residential Agricultural Units), landscaping, and non-agricultural roads serving the dwellings shall be no more than 3 acres.
 6. Farm buildings, corrals, and permitted agricultural employee housing shall not be encompassed in the above site limitation.
- C. Notwithstanding the commercial production requirements set forth in section 1-2.3.B, Superprime Land, superprime parcels greater than 10 acres (but less than 20 acres) may increase their development envelope allocation by planting additional land to commercial production. For each acre (or portion thereof) in size beyond a 10-acre parcel an additional 1,000 square feet may be added to the development envelope if one (1) additional acre beyond the required minimum productive acreage is fully planted (as herein defined) in commercial agricultural production. Table 1-4 describes the increased allowances and planting requirements that are available for each parcel size. For example, a 15-acre parcel could increase its development envelope to a maximum of 15,000 square feet if at least 12 acres (5 acres above the minimum) are fully planted in commercial agricultural production. If a 15-acre parcel only wishes to add 2,000 square feet to its development envelope, then it would only need to plant 2 additional acres beyond its minimum productive acreage requirement of 7 acres. However, the maximum amount of square feet that a 15-acre parcel could add to its development envelope is 5,000, even if 6 or more acres above the minimum were planted.

This development envelope shall include the principal dwelling, landscaping, driveways, and accessory structures. Roads used for agricultural purposes are not included within the development envelope. Horse and other animal facilities (e.g. stables and corrals), new agricultural employee housing, and other similar structures on superprime land may be remotely sited from the principal dwelling, as long as the total area occupied by these structures, when added to the area occupied by the principal dwelling and residential accessory structures, does not exceed the permitted envelope allowance as set forth in this section.

Table 1-4. Development Envelope Allowances on Superprime Land

Parcel Size (acres)	Maximum Development Envelope Allowance (square feet)	Planting Requirement to Receive Allowance (acres)	Minimum Productive Acreage (from Table 1-2)
for: 5 – 10	up to: 10,000	If: 4.75	4.75
> 10 – 11	11,000	6.00	5.00
> 11 – 12	12,000	7.50	5.50
> 12 – 13	13,000	9.00	6.00
> 13 – 14	14,000	10.5	6.50
> 14 – 15	15,000	12.0	7.00

> 15 – 16	16,000	13.5	7.50
> 16 – 17	17,000	15.0	8.00
> 17 – 18	18,000	16.5	8.50
> 18 – 19	19,000	18.0	9.00
> 19 – < 20	20,000	19.5	9.50

- D. In order to preserve productive agricultural land to the maximum extent feasible, the development envelope shall minimize intrusion into agricultural areas and minimize ‘barbell’, ‘peninsula’, and ‘finger’ type configurations. Guest houses, where allowed under the zoning ordinance, shall be included in the development envelope and must be clustered with the principal dwelling.

1-4.2. RESIDENTIAL AGRICULTURAL UNIT

The purpose of a Residential Agricultural Unit (RAU) is to protect, promote and enhance an agricultural operation by providing either an additional housing opportunity for the agriculturist and his/her family or a potential additional income source that is incidental and supportive of the principal agricultural use of the land, while preserving the integrity of the agricultural area. The RAU may be occupied by the owner, a family member, an employee of the agricultural operation or a renter. RAUs are subject to the following provisions:

- A. In addition to the principal dwelling, one RAU may be permitted on the premises in AG-I-40, AG-II-40, AG-II-100, and AG-II-320 zone districts, in accordance with the RAU Program in Article III of Chapter 35 of the County Code. The RAU may be remotely sited in AG-II-100 and AG-II-320 zone districts, otherwise the RAU must be clustered with the principal dwelling.
- B. Whether the RAU is clustered or remotely sited, the combined area dedicated to residential uses (including the principal dwelling, RAU, and all accessory structures and improvements, e.g. non-agricultural driveways) shall not exceed 3% of the total parcel size or two acres, whichever is smaller. If remotely sited, the RAU shall be limited to a 1-acre building site.
- C. A RAU shall be located on the same parcel as the existing principal dwelling in compliance with the size, siting and other restrictions set forth in Article III, Section 35-291B.

Nothing in this section affects an owner's ability to build agricultural employee housing pursuant to section 1-4.3 below.

1-4.3. AGRICULTURAL EMPLOYEE HOUSING

All requests for agricultural employee housing units subject to a Williamson Act contract, including trailers, mobile homes on permanent foundations, and other types of permanent

residential structures that are proposed on the premises shall be reviewed by the Agricultural Preserve Advisory Committee for a determination of need. Along with the agricultural employee, his or her family may occupy the agricultural employee housing.

- A. Prior to the issuance of a land use permit or conditional use permit⁴, the landowner shall sign and record a Notice to Property Owner with the County that runs with the land affirming that the agricultural employee housing is occupied by an agricultural employee as defined herein. The Notice to Property Owner shall include a statement that if at any time the unit is occupied by someone other than an agricultural employee and his/her family, the owner must vacate or remove the unit, or convert the agricultural employee housing unit to a permitted use.
- B. Any new agricultural employee housing should be located to minimize the use of agricultural land, and avoid prime soils and conflicts with agricultural production to the maximum extent feasible.
- C. Given the unique characteristics of superprime land, landowners of superprime contracts shall demonstrate to the APAC that any new agricultural employee housing will not interfere with the agricultural operation on the subject premises or on other adjacent agricultural lands. To ensure this, any new agricultural employee housing subject to a superprime contract shall count towards the allotted development envelope as set forth in section 1-4.1 of this Rule, though it may be remotely sited from the principal dwelling.

⁴ The Zoning Ordinance currently requires that any agricultural employee for which housing is being provided work only on the premises, unless part of a farm labor camp (5 or more units). Any agricultural employee housing units subject to a Williamson Act contract shall be consistent with the Zoning Ordinance, as amended.

UNIFORM RULE 2

Compatible Uses within Agricultural Preserves

Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production, with the exception of land enrolled for open space or recreational purposes. However, the Board recognizes that it may be appropriate to allow secondary uses on contracted land that are either incidental to, or supportive of, the agricultural operation on the property. This Rule provides guidance and criteria for evaluating these non-agricultural uses on land under Williamson Act and Farmland Security Zone contracts in terms of their compatibility and consistency with the purpose and intent of the Williamson Act. It is the goal of this County that, through application of the principles of compatibility in the Act, compatible uses allowed on contracted land will be beneficial to and inherently related to the agricultural character of the land.

It should be noted that some uses that are allowed by zoning are not allowed on contracted land because they would not be considered compatible with the Williamson Act. At the same time, there are uses that would be deemed compatible under the Williamson Act but would not be allowed under County zoning ordinances. Therefore, for a non-agricultural use to be allowed on contracted land, it must be both permitted by County zoning and found to be compatible under the Act and these Rules. Compatibility is evaluated by the APAC on a case-by-case basis. Uses deemed compatible through application of this Rule are still subject to all applicable standards and requirements in County zoning ordinances as well as the County's Comprehensive Plan, where appropriate.

The first section of this Rule provides general compatibility principles, as established under the Williamson Act, to be applied to all non-agricultural land uses and activities occurring within contracted land, including both Williamson Act and Farmland Security Zone contracts. The remaining sections provide more specific criteria and requirements for specific land uses and activities that the Board has determined must be met for the use or activity to be considered compatible with agriculture and consistent with the Williamson Act.

2-1. COMPATIBILITY GUIDELINES

2-1.1. PRINCIPLES OF COMPATIBILITY (Section 51238.1 of the Williamson Act)

- A. Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:
 - 1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.

2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility the Board of Supervisors (Board) shall consider the impacts on non-contracted lands in the agricultural preserve or preserves.
- B. The Board may include in these compatible use rules conditional uses which, without conditions or mitigations, would not be in compliance with this section. These conditional uses shall conform to the principles of compatibility set forth in subsection 2-1.1.A above or, for nonprime lands only, satisfy the requirements of subsection 2-1.1.C below.
- C. In applying the criteria pursuant to section 2-1.1, the Board may approve a use on nonprime land which, because of onsite or offsite impacts, would not be in compliance with paragraphs A and B of section 2-1.1, provided the use is approved pursuant to a conditional use permit that shall set forth findings, based on substantial evidence in the record, demonstrating the following:
1. Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in paragraphs A and B of section 2-1.1 to the greatest extent possible while maintaining the purpose of the use.
 2. The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.
 3. The use is consistent with the purposes of the Agricultural Preserve Program to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in these Rules, or the use or conservation of natural resources, on the subject parcel or on other parcels in the agricultural preserve. The use of mineral resources shall comply with Section 51238.2 of the Williamson Act.
 4. The use does not include a residential subdivision.⁵

⁵ Section 2-1.1 is verbatim of state law with the exception of changes to applicable section references and replacement of "board or council" with "Board of Supervisors" or "Board".

2-1.2. OTHER COMPATIBILITY CRITERIA

- A. The use does not result in the significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the subject property and/or other agricultural lands in the vicinity.
- B. The use does not require and will not encourage the extension of urban services such as sewer or the upgrade of public roads to urban standards that could encourage premature conversion of agricultural land to non-agricultural uses.
- C. The use does not include a residential subdivision in any agricultural preserve or farmland security zone.

2-2. SUPPORTIVE AGRICULTURAL USES

Adopted by Resolution No. 77-157 (March 28, 1977), Amended by Resolution Nos. 77-320 (June 27, 1977) and 84-464 (October 8, 1984)

The purpose of this section is to establish standards for compatible uses within contracted land which permit the preparation for shipment and sale and limited processing of agricultural products.

2-2.1. PREPARATION AND PROCESSING

- A. Preparation and processing permitted by this Uniform Rule are deemed compatible within contracted land providing:
 - 1. For premises 500 acres or less, that such uses do not occupy land exceeding 10% of the premises or 5 acres, whichever is less. Premises greater than 500 acres are permitted 1 additional acre for a preparation or processing facility site for each additional 100 acres above 500 under contract, not to exceed 20 acres. Included within this site are roads serving these uses⁶, all parking and storage areas, landscaping, loading areas, all attached and detached supportive structures and any other related improvements. Wastewater treatment systems are included within this site limitation if they take land out of agricultural production. All such uses shall be confined to a single parcel (excepting the access road) within the premises and sited in a manner that minimizes, to the extent feasible, the land area taken out of agricultural production.

⁶ For dual-use roads, only that portion of the road which is required to serve the facility by extending it beyond the agricultural road will count towards the site acreage limitation. In addition, if widening a dual-use road to meet County standards takes land out of agricultural production, then the extra width will count towards the site acreage limitation.

2. That the uses include but are not limited to: sorting, grading, cleaning, packaging, cooling and shipping of raw agricultural products, except as provided in subsections B and C below.
 3. The acreage allowances identified above are maximums and will only be permitted upon a demonstrated need to support the agricultural operation.
 4. That all such uses are subject to the zoning requirements of a conditional use permit, when applicable, and its conditions and standards that are found necessary to maintain compatible agricultural land uses.
- B. Due to the unique qualities and desirability of processing premium table wines near the vineyard, wineries are deemed compatible within contracted land, provided that all of the following criteria are met:
1. A vineyard(s) has been planted on the parcel for which the winery is proposed prior to County approval of the winery;
 2. At least 51% of the winery case production shall be from grapes grown on the premises and/or from other contracted land under the same ownership in Santa Barbara County. At least 20% of the case production shall be from grapes grown on the parcel with the winery;
 3. Other applicable provisions of Uniform Rule 2 are met.
- C. To provide opportunities for small scale processing of agricultural products grown on contracted lands in the County, processing facilities, including processing by freezers, dehydrators, and food preparation facilities, are deemed compatible within contracted land, provided that all of the following criteria are met:
1. The parcel for which the processing facility is proposed has been planted with the crop proposed for processing prior to County approval of the facility;
 2. The processed agricultural product(s) shall be grown on the premises and at least 20% of the processed product(s) shall be grown on the parcel with the facility;
 3. The processing facility and any ancillary facilities such as sales, marketing and parking, are limited to 1% of the parcel or 1 acre, whichever is smaller;
 4. In the case of superprime contracts, such facilities are limited to parcels 10 acres or greater in size and shall be either located within existing farm buildings or count towards the development envelope allowance in order to avoid displacement of productive agricultural land;

5. The acreage allowances identified above are maximums and will only be permitted upon a demonstrated need to support the agricultural operation;
6. Other applicable provisions of Uniform Rule 2 are met.

Larger scale processing of a regional nature would be more appropriately located in an Agricultural Industry Overlay. Refer to section 2-6 for the compatibility criteria addressing such facilities.

2-2.2. RETAIL SALES

The sale of agricultural products permitted by this Uniform Rule is deemed compatible within contracted land providing:

- A. All retail sales shall comply with all applicable regulations within the County's zoning ordinances.
- B. All retail sales adhere to the compatibility guidelines set forth in section 2-1.
- C. Only one retail sales location is permitted on the premises.
- D. For wineries, a tasting room and retail sales are only allowed if associated with a winery on the parcel. If two or more wineries exist on the premises, they must share a single tasting room and retail sales area.

2-3. ANIMAL BOARDING AND BREEDING FACILITIES

2-3.1. INCIDENTAL BOARDING AND BREEDING

Incidental animal boarding and/or breeding facilities, whether for commercial or personal use, are compatible within contracted land providing all of the following are met:

- A. Only one incidental boarding and/or breeding facility is allowed on the premises.
- B. Such use is genuinely incidental to the principal uses of the land as specified in the criteria set forth in Uniform Rules 1 (Agricultural) and 4 (Recreational);
- C. Any facilities required for personal boarding/breeding use shall be included within the designated development envelope, though the boarding/breeding facilities may be remotely sited from the principal dwelling;
- D. Any facilities required for incidental commercial boarding/breeding use on non-prime contracted land shall be limited to 3% of the parcel or 2 acres, whichever is less;

- E. Any facilities required for incidental commercial boarding/breeding use on prime contracted land shall be limited to 3% of the parcel or 2 acres, whichever is less, provided at least 50% of the parcel is devoted to the principal agricultural operation;
- F. Any facilities required for incidental commercial use on superprime land shall be included within the designated development envelope, though the boarding/breeding facilities may be remotely sited from the principal dwelling.
- G. When required, a conditional use permit has been granted by the County pursuant to the zoning ordinance, for the boarding and/or breeding facilities.

2-3.2. PRINCIPAL BOARDING AND BREEDING

Notwithstanding subsection 1-1.1.A above, boarding and/or breeding facilities for animals developed as the principal use on the premises are compatible within contracted land providing all of the following are met:

- A. The premises must meet the eligibility requirements described in Uniform Rule 1 for either a prime or nonprime preserve. Boarding and/or breeding facilities for animals developed as the principal use of the premises are not compatible within superprime contracts;
- B. The premises meets the following commercial agricultural production requirements:
 - 1. Parcels 40 acres or greater qualifying as a prime preserve or parcels 100 acres or greater qualifying as a non-prime preserve shall maintain a minimum 20 acres of irrigated pasture.
 - 2. Two contiguous parcels qualifying together as a prime preserve:
 - a. If under a single contract, shall maintain a minimum 20 acres of irrigated pasture combined; or
 - b. If under separate contracts, each parcel for which animal breeding/boarding is the principal use shall maintain as irrigated pasture a minimum of 10 acres, or 50% of the parcel, whichever is greater;
- C. Such facilities shall not produce traffic volumes detrimental to the commercial agricultural productivity of the area;
- D. The total area of land covered by all permanent improvements shall not exceed 20% of the premises or 20 acres, whichever is less. For the purposes of this Rule, permanent improvements include: any object affixed to the ground, landscaping, buildings, and structures, such as stables and exercise rings;

- E. Such facilities adhere to the compatibility guidelines set forth in section 2-1 of these Rules;
- F. When required, a conditional use permit has been granted by the County pursuant to the zoning ordinance, for such facilities.

2-4. SMALL SCALE GUEST RANCHES

A single guest ranch may be included as part of an agricultural operation on contracted land if located on a parcel of 40 acres or greater in size within the AG-II zone district, provided all of the requirements set forth below are met. Bed and breakfasts, farmstays, and homestays are included within this category of guest ranches as long as they meet the requirements established below.

- A. On parcels less than 100 acres in size the guest ranch must be housed in the principal dwelling.
- B. On parcels 100 acres or greater, any buildings in addition to the principal dwelling required for the guest ranch must be located within the development envelope. An exception to the siting requirements for the guest ranch may be made by the APAC where there is an existing legal residential structure other than the principal dwelling on the premises that is permitted by Chapter 35 of the Santa Barbara County Code and satisfies County criteria for status as an historic building as set forth in the "Cultural Resource Guidelines Historical Resources Element".
- C. The maximum number of guests accommodated shall be 15 per night and must be accommodated in 6 or fewer bedrooms.
- D. The guest ranch shall be consistent with the compatibility guidelines set forth in section 2-1 of these Rules.
- E. Food service shall only be available to registered guests. The cost of any food service shall be included in the total price for accommodation and not charged separately.
- F. The guest ranch shall be located on, and be a part of, a farm or ranch operation that produces agricultural products, and the guest ranch shall not constitute the principal land use of the premises.
- G. The guest ranch shall comply with all applicable requirements of the relevant zoning ordinance.

2-5. RECREATION

Recreational uses, such as walking, hiking, picnicking, wilderness camping, scenic viewing, swimming, boating, fishing, hunting, and horseback riding, are deemed compatible uses on contracted land. Examples of uses not compatible are motor vehicle use which is detrimental to the productivity of the land, and sport fields and golf courses. Uses which are compatible shall meet all of the following requirements:

- A. The use is limited to land in its agricultural or natural state;
- B. The use is consistent with the compatibility guidelines set forth in section 2-1 of this Rule and with any restrictions imposed by Chapter 35 of the Santa Barbara County Code for the applicable zone district;
- C. Any facilities or structures necessary to support such uses, and which are not principally used as part of the agricultural operation, must be included within the acreage allowed for the development envelope on the premises and be sited in a manner that minimizes impacts to agriculture;
- D. Only incidental low-intensity motorized activities shall be allowed.

Contracted land that is used solely for recreation, where no agriculture is taking place, shall adhere to the requirements set forth in Rule 4.

2-6. AGRICULTURAL INDUSTRY OVERLAY

Agriculture is an important industry in Santa Barbara County and there is a need for supportive agricultural facilities and services for different product sectors, agricultural regions or the industry as a whole, to be located proximally to the producers. Given the extent of agricultural land enrolled in the County's Agricultural Preserve Program it may be necessary to consider siting some regional supportive facilities on contracted lands when the benefits to the agricultural community and the public can be demonstrated and other alternatives are unfeasible. Because of their regional nature, agricultural industry overlay sites are expected to be few in number.

Any application for an Agricultural Industry Overlay (AIO) proposed for contracted land shall be reviewed by the Agricultural Preserve Advisory Committee. The committee shall consider the following in making its recommendation to the Board of Supervisors:

- A. Is there an available, suitable site within the same area that is not on contracted land?
- B. If no such alternative site is available, is the proposed site on the least productive land and avoids highly productive soils to the greatest extent possible within the agricultural area it is intended to serve?

- C. Does the siting and design use the least amount of land? For example, are related functions such as marketing or administration provided off-site, or kept to a minimum.
- D. Will the industry to be located in the AIO site be of direct benefit to the agriculture on contracted lands in the immediate vicinity? Direct benefit would include the processing, packaging, and/or storing of the products produced locally. A composting facility or agricultural chemical batching and distribution center could be considered a direct benefit if they use locally-produced green waste or provide a product tailored to the crops grown in the vicinity. Trucking businesses and chemical fertilizer manufacturing or similar uses are not deemed appropriate within an AIO located on contracted land.

2-7. WASTE DISPOSAL FACILITIES

- A. Sanitary fill waste disposal facilities and transfer stations are not compatible uses on contracted land.
- B. Composting facilities (as defined herein) may be deemed compatible if all of the following findings are made:
 - 1. The facility is consistent with the compatibility guidelines set forth in section 2-1 of this Rule;
 - 2. The facility provides a direct benefit/link to the agricultural operation on the premises and other agricultural lands in the vicinity;
 - 3. Construction of the facility will require little to no grading or other ground disturbance;
 - 4. The facility is appropriately scaled and sited in such a manner that it will not interfere with the agricultural operation on the premises or other adjacent agricultural operations;
 - 5. A land restoration plan has been prepared for the facility that returns the facility site to agriculture upon its termination.

A conditional use permit may be required pursuant to the County's Zoning Ordinance.

- C. Land Reclamation Fill activities may be deemed compatible if all of the following findings are made:
 - 1. The fill meets the definition as set forth in these Rules;
 - 2. The fill activity is consistent with the compatibility guidelines set forth in section 2-1 of this Rule;

3. The fill activity provides a long-term benefit to the agricultural operation on the premises.

A grading permit may be required pursuant to the County's Grading Ordinance.

2-8. MINING EXTRACTION AND QUARRYING

Mining, extraction, and quarrying of natural resources are compatible on contracted land when such uses are incidental and will not be disruptive to the principal agricultural use on the premises and are subject to all of the following provisions concerning the use of borrow pits:

- A. For the purpose of this section, "borrow pit" is defined as follows: a bank or pit from which earth, which shall be limited to rock, sand, aggregate or clay, is excavated and used in filling and embanking operations.
- B. The material excavated from the borrow pit shall be transported within a reasonable time to an off-site use or stockpiling facility. Only stockpiling and/or sorting of the material mined on the premises are permitted on contracted land. Importing material from off-site for processing and recycling activities associated with the mining operations are not compatible uses under these Rules.
- C. Pursuant to section 51238.2 of the Williamson Act, mineral extraction shall only be approved if the Board is able to document that the underlying contractual commitment to preserve prime or nonprime land will not be significantly impaired. Conditions imposed on mineral extraction as a compatible use shall include compliance with the reclamation standards adopted by the Mining and Geology Board pursuant to Section 2773 of the Public Resources Code, including the applicable performance standards for prime agricultural land and other agricultural land, and no exception to these standards may be permitted.

2-9. GAS, ELECTRIC, WATER, AND COMMUNICATION FACILITIES

- A. The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities are compatible uses. Communication facilities shall include, among others, radio, television, telecommunications, Cable TV and facilities necessary for the aid of navigation by land, air or sea.
- B. Agricultural accessory structures, including but not limited to, windmills or solar panels for pumping water, wind turbines used for frost protection, and water generation for on-site agricultural uses, are deemed compatible uses.

- C. Energy production structures, such as wind energy conversion systems and solar panels, are permitted subject to applicable zoning requirements and review by the Agricultural Preserve Advisory Committee pursuant to the compatibility guidelines as stated in section 2-1 of this Rule.

2-10. OIL AND GAS DRILLING AND PRODUCTION FACILITIES

Incidental oil and gas drilling and production facilities as defined hereinafter and pipelines are compatible uses. For the purposes of this section, oil and gas drilling and production facilities are defined as all facilities necessary to:

- A. Drill for and produce oil, gas and other hydrocarbons from a well bore;
- B. Separate oil, water and gas from each other;
- C. Prepare such products for shipping and storage;
- D. Recycle, repressurize or inject such products or other substances for underground disposal, for underground storage and in connection with secondary recovery operations; and
- E. Provide storage facilities for such products pending disposal thereof under A through D hereof and to temporarily store other substances used in A through D hereof. It shall not include refineries nor "tank farms" nor any other use not accessory or incidental to drilling and production facilities as defined above nor any operations not reasonably required to be performed at or within the vicinity of the wellhead.

2-11. TEMPORARY FILMING AND SPECIAL EVENTS

Temporary filming activities and special events, as may be permitted by the County, may be considered compatible on contracted land if the activity is consistent with the compatibility guidelines set forth in section 2-1 of this Rule.

UNIFORM RULE 3

Williamson Act Contracts for Open Space

Adopted by Resolution No. 75-826 (October 27, 1975), Amended by Resolution No. 84-464 (October 8, 1984)

This Rule applies to Williamson Act contracts solely for open space, where no agriculture is taking place. Land that is dedicated to a combination of agriculture and open space shall be considered an agricultural operation with compatible open space and must comply with the requirements and provisions for an Agricultural Preserve under Rules 1 and 2. Land used exclusively for open space is not eligible for a Farmland Security Zone contract.

The amount of land in the County that is potentially eligible for a Williamson Act contract for open space is small relative to land eligible for inclusion in the Agricultural Preserve Program on the basis of agriculture. The small number of anticipated applications due to the narrow definition of open space in the Williamson Act, combined with the diversity of open space uses and natural characteristics of the land necessitate careful review of applications on a case-by-case basis. The sections that follow describe the minimum standards and requirements for lands enrolled in contracts for open space uses.

3-1. ELIGIBILITY REQUIREMENTS

3-1.1. CHARACTER OF LAND

To be eligible for a Williamson Act contract for Open Space the land must be located in a scenic highway corridor, a designated wildlife habitat area, a managed wetland or a submerged area as defined by these Rules. It shall be the policy of the County to favor lands which have high scenic value adjoining and visible from designated scenic highways, or land that provides necessary wildlife habitats as determined through consultation with the Department of Fish and Game.

3-1.2. COMPREHENSIVE PLAN AND ZONING REQUIREMENTS

Eligible land shall have a land use and zoning designation consistent with section 1-2.1 of these Rules.

3-1.3. MINIMUM CONTRACT SIZE

With the exception of land adjoining or visible from a designated scenic highway, each contract shall consist of at least one hundred (100) acres of land in a single ownership in one parcel. Changes of ownership and terminations shall be subject to the provisions of Uniform Rule 6. In the event that an otherwise qualifying parcel has less than one hundred (100) acres but not less than forty (40) acres, the Board of Supervisors may consider it eligible based on the "unique" features of the open space land involved. "Unique" is defined here as a natural feature and/or

biological process not found in other parts of the County, state or nation; a unique feature is, for example, a rare, endangered, endemic and/or exemplary floral or fauna species or geologic feature. The terms and uses of this "unique" open space shall be stated in the contract.

Land adjoining and visible from a State or locally-designated scenic highway in parcels of any size will be eligible for a Williamson Act contract for open space and preserve status under this Rule upon request of the owner. Such contracts shall comply with all other applicable requirements of these Rules.

3-2. COMPATIBLE LAND USES

No uses shall be permitted that produce an income from the property. Limited, non-intensive, incidental recreational uses may be permitted where they are deemed appropriate. These uses, by the owner or a lessee with a minimum five-year lease (or non-paying guests of either), may include hiking, horseback riding, scenic viewing, temporary tent camping (as in Federal Wilderness Areas) and similar activities. The limits and conditions on these incidental recreational uses shall be stated in the contract and may preclude certain specified recreational uses completely. Scientific study may also be conducted within an Agricultural Preserve for Open Space, provided it does not result in the removal or disturbance of significant vegetation, geologic features or landforms. Except as provided for in section 51238.(a) of the Williamson Act, no structures shall be built or placed upon the land, and no equipment use or mechanized or motorized vehicle use shall be permitted on the land except in the case of emergencies and necessities, such as fire fighting and prevention, flood control, and other hazard prevention and control. There shall be an imputed income of a minimum of \$2.00 per acre per year for assessment purposes.

3-3. MAINTENANCE OF THE LAND

The owner shall maintain the property in an attractive, scenic way to preserve its natural state. All maintenance activities, including vegetative management such as controlled burning, activities minimizing fire, flood and other hazards, changes to add floral or faunal materials, and changes to the natural character of the existing preserve, must be reviewed in advance by the Agricultural Preserve Advisory Committee. The County reserves the right to monitor and enforce the terms of the contract pursuant to section 6-1.7 of these Rules.

UNIFORM RULE 4

Williamson Act Contracts for Recreation

Adopted by Resolution No. 75-827 (October 27, 1975), Amended by Resolution No. 84-464 (October 8, 1984)

This Rule applies to Williamson Act contracts solely for recreation, where no agriculture is taking place. Land that is dedicated to a combination of agriculture and recreation shall be considered an agricultural operation with compatible recreation and must comply with the requirements and provisions for an Agricultural Preserve under Rules 1 and 2. Land used exclusively for recreation is not eligible for a Farmland Security Zone contract.

The amount of land in the County that is potentially eligible for a Williamson Act contract for recreational uses is small relative to land eligible for inclusion in the Agricultural Preserve Program on the basis of agriculture. The small number of anticipated applications combined with the diversity of recreational uses and natural characteristics of the land necessitate careful review of applications on a case-by-case basis. The sections that follow describe the minimum standards and requirements for lands enrolled in contracts for recreational uses.

4-1. ELIGIBILITY REQUIREMENTS

4-1.1. COMPREHENSIVE PLAN AND ZONING REQUIREMENTS

Eligible land shall have a land use and zoning designation consistent with section 1-2.1 of these Rules. Additionally, the proposed recreational use of the contracted land must be consistent with the zone district in which it is located.

4-1.2. MINIMUM CONTRACT SIZE

The minimum preserve and contract size shall be one hundred (100) acres in a single parcel, except where sub-100 acre parcels of outstanding scenic, historic or cultural value are deemed to be particularly suited for park and recreation purposes, in which case a minimum of thirty (30) acres in a single parcel may qualify for a Williamson Act contract for Recreation. These sub-100 acre preserves may include, but not necessarily be limited to, access to lake shores, beaches, and rivers and streams; and areas which serve as links between outdoor recreation and natural open space preserves, including utility easements, banks of rivers, trails and scenic highway corridors. Changes of ownership and terminations shall be subject to the provisions of Uniform Rule 6.

4-2. SUBMITTAL REQUIREMENTS

In order to be eligible for a Williamson Act contract for Recreation, the landowner must submit a business plan demonstrating the nature and extent of the recreational use to be provided. The

business plan should include, at a minimum: a description of the recreational activities proposed on the premises and the facilities and accessory structures necessary for its operation; a timeline for implementation of the business plan; and an estimate of the number of visitors anticipated. The owner shall maintain records of visitor usage on an annual basis and provide them to the County upon request.

4-3. COMPATIBLE LAND USES

- A. One principal dwelling, subject to the requirements of these Rules and applicable zoning ordinances, shall be permitted on the premises. The principal dwelling and all accessory structures and landscaping shall occupy no more than 2 acres or 3% of the parcel, whichever is smaller.
- B. Besides the principal dwelling, the land uses shall be limited to those which meet the definition of recreational use established in these Rules and are consistent with the applicable compatibility guidelines set forth in Rule 2.1. An exception to this is provided for in section 51238.(a)(1) of the Williamson Act, which allows for certain facilities in any preserve land, unless the Board of Supervisors finds otherwise. Examples of compatible low intensity recreational uses include hiking, picnicking, horseback riding, wilderness camping, scenic viewing, hunting, fishing, boating, and swimming. Examples of uses not compatible are motor vehicle use which is detrimental to the productivity of the land, and sport fields and golf courses. Any fee charged for the recreational use of the land shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public.
- C. Any recreational facilities, such as buildings, stables, and similar structures, shall be included in the development envelope and together with the residential structures occupy no more than 3% of the parcel or 2 acres, whichever is less.
- D. Requests for remote siting of structures shall be evaluated on a case-by-case basis by the Agricultural Preserve Advisory Committee, and the site for remote structures shall not exceed 1 acre.

4-4: MAINTENANCE OF THE LAND

The landowner shall maintain the property, in an attractive, scenic way, to preserve its natural or rural character. The landowner shall submit to the APAC a management plan that details the ongoing and routine maintenance activities expected on the premises (e.g. trail maintenance), as well as deferred maintenance anticipated in the future. Except for those of a minor nature, any maintenance activities not included within this management plan, including activities minimizing fire, flood and other hazards, changes to add floral or faunal materials, and changes to the natural character of the existing preserve, must be reviewed in advance by the Agricultural Preserve

Advisory Committee. The County reserves the right to monitor and enforce the terms of the contract pursuant to section 6-1.7 of these Rules.

UNIFORM RULE 5

Farmland Security Zones

Adopted by Resolution No. 99-318 (August 10, 1999)

Farmland Security Zones were developed by the state legislature and added to the Williamson Act in 1998 as an added incentive to landowners to retain their land in agriculture for the long-term. Lands entered into contracts under the Farmland Security Zone Program are awarded greater property tax reductions (35% reduction of assessed Williamson Act or Proposition 13 value) in exchange for committing to stay in agriculture for a minimum of 20 years. Lands within a Farmland Security Zone are afforded the same rights and privileges and are administered similarly to lands under the regular Agricultural Preserve Program, though a few differences exist. This Rule sets forth the specific eligibility criteria, contract terms, and methods of contract termination that apply to contracted land in a Farmland Security Zone.

No land shall be included in a farmland security zone unless expressly requested by the landowner. A Farmland Security Zone may be composed of more than one contract. If more than one landowner requests the creation of a farmland security zone and the parcels are contiguous, the County shall place those parcels in the same Farmland Security Zone.

5-1. ELIGIBILITY REQUIREMENTS

- A. Only whole legal parcels are eligible for Farmland Security Zone contracts.
- B. To be eligible, land must either be in an existing Williamson Act contract or the landowner(s) may also petition the Board of Supervisors to create a farmland security zone for the purpose of entering into a Farmland Security Zone contract. If in an existing Williamson Act contract, a landowner or group of landowners may petition the Board of Supervisors to rescind a contract or contracts entered into pursuant to the Williamson Act in order to simultaneously place the land under a contract(s) designating the property as a Farmland Security Zone.
- C. The land must either:
 1. Be designated on the Important Farmland Series maps, prepared pursuant to Govt. Code Section 65570 as predominantly (more than 50% of the proposed contract area) one of the following:
 - a. Prime farmland;

- b. Farmland of statewide significance;
 - c. Unique farmland;
 - d. Farmland of local importance; or
2. If not designated on the Important Farmland Series maps, it must qualify as predominantly prime as defined in these Rules.
- D. Any land located within a city's sphere of influence at the time of application for a Farmland Security Zone contract shall not be included within a farmland security zone, unless the creation of the farmland security zone within the sphere of influence has been expressly approved by resolution by the city with jurisdiction within the sphere.
- E. The land subject to a Farmland Security Zone contract may not be reduced to an area which is smaller than that which would qualify under section 1-2.2.B.2 of these Rules.

5-2. CONTRACT TERMS

5-2.1. TERM

The initial term of a Farmland Security Zone contract shall be no less than 20 years, and each contract shall provide for yearly automatic extensions unless a notice of nonrenewal is given pursuant to section 6-1 of these Rules.

5-2.2. PERMITTED RESIDENTIAL LAND USES

The residential land uses permitted within farmland security zone contracts are equivalent to those permitted in regular Williamson Act contracts, pursuant to section 1-4 of these Rules.

5-2.3. COMPATIBLE LAND USES

The compatible uses set forth in Uniform Rule 2 shall be considered compatible uses in a Farmland Security Zone and are governed by the same requirements and restrictions.

5-3. CONTRACT TERMINATION

Terminating a contract in a farmland security zone by way of nonrenewal and cancellation is similar to regular Williamson Act contracts in terms of the process and requirements. Refer to section 6-1 for a discussion of these methods of termination. Pursuant to the Williamson Act, land under a Farmland Security Zone contract is generally protected from termination of a

contract by way of annexation and public acquisition. The requirements for contract termination by these means are set forth in sections 51296.3 through 51296.6 of the Williamson Act. Termination of a Farmland Security Zone contract terminates the portion of the farmland security zone that the contract covers.

5-4. TRANSFER OF OWNERSHIP

Transfers of ownership within Farmland Security Zone contracts follow the same process as in regular Williamson Act contracts. Refer to Rule 6-2 for a discussion of these processes.

5-5. LAND DIVISION AND LOT LINE ADJUSTMENTS

A lot line adjustment or division of land subject to a Farmland Security Zone contract must first obtain County approval.

No division will be approved unless it is consistent with section 5-1.E of this Rule, and can be reasonably established that there will be no loss in the production of food and fiber within the Farmland Security Zone from said transfer and the size of each parcel remaining is economically viable for agricultural production.

Any lot line adjustment must be in accordance with the requirements set forth in section 1-3 of these Rules.

UNIFORM RULE 6

Administration

6-1. CONTRACT TERMINATION

Adopted December 13, 1971, Amended by Resolution No. 84-464, October 8, 1984

The purpose of this section is to establish standards for the termination of Williamson Act and Farmland Security Zone contracts and the withdrawal of land from Agricultural Preserves and Farmland Security Zones, without impairing the integrity of the program. The procedures developed under this Rule are in accordance with the Williamson Act, and shall be used to process all requests for withdrawal from Agricultural Preserves and Farmland Security Zones and for termination of Williamson Act and Farmland Security Zone contracts. Methods for terminating Williamson Act contracts include nonrenewal, cancellation, annexation, public acquisition, and rescission. Except where expressly stated otherwise, the methods of termination presented below also apply to Farmland Security Zone contracts.

Under the Williamson Act, contracts are automatically renewed each year following the first year of a 10-year contract (or a 20-year contract for a Farmland Security Zone), unless the landowner or County serves a notice of nonrenewal or the contract is terminated by one of the other methods described below.

6-1.1. NONRENEWAL (Unilateral notice by landowner or County)

Withdrawal by a notice of nonrenewal is the preferred method considered in all instances, whether for all or part of the contracted land where whole parcels are involved. This method is open to either party to the contract, does not require a finding of fact, and provides for an adjustment in land assessed values, pursuant to Section 426 of the Revenue and Taxation Code.

Upon serving a notice of nonrenewal, the existing contract shall remain in effect for the balance of the period remaining from the date of the original execution or the last renewal of the contract, whichever is more recent. Once the period of nonrenewal has come to an end, the contract shall expire and the agricultural preserve or farmland security zone on that portion making up the boundaries of the contract shall be simultaneously disestablished.

When landowners seeks to nonrenew a part of their contracted land they must serve a notice of nonrenewal for the whole contract and seek a replacement contract for the land remaining; the part to continue under contract must separately be able to meet County eligibility requirements.

6-1.2. CANCELLATION

A. Petition by Owner

An owner may petition the Board of Supervisors for cancellation of his or her Williamson Act or Farmland Security Zone contract because there is a need for a change in land use. Cancellation may occur only if the County consents; it is an exacting process. Cancellation is an expensive method of terminating a contract. To cover administrative costs, each petitioner shall pay a processing fee in an amount established by resolution by the Board of Supervisors. Processing fees may be high due to the need to prepare staff reports, conduct public hearings, and the potential environmental review requirements under the California Environmental Quality Act. The State requires a cancellation fee equal to 12.5% (25% for Farmland Security Zones) of the current fair market value of the land as though it were free from contractual restriction.

The existence of an opportunity for another use of the land under contract shall not be sufficient reason for the cancellation of a contract. A potential alternative use of the land may be considered only if there is no proximate, noncontracted land suitable for the use to which it is proposed the contracted land be put. The uneconomic character of an existing agricultural use shall likewise not be sufficient reason for cancellation of the contract. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

When a landowner wishes to cancel a contract, the landowner shall petition the Board of Supervisors for cancellation, and the landowner has the burden of producing evidence to prove the circumstances which warrant contract cancellation. The owner shall cite (1) the reasons why cancellation is desired, (2) what changes in circumstances have occurred, (3) why immediate action is necessary, and (4) how the landowner is affected by the changes in circumstances. The requirements for cancellation differ between Williamson Act and Farmland Security Zone contracts as outlined below.

1. Williamson Act Contracts

The Board of Supervisors may grant tentative approval for cancellation of a Williamson Act contract only if it can make all of the findings for either a. or b. below, as provided in Sec. 51282 of the Government Code:

- a. Cancellation is consistent with the purposes of the Williamson Act:
 - (1) Cancellation is for land on which a notice of nonrenewal has been served; and
 - (2) Cancellation is not likely to result in the removal of adjacent lands from agricultural use; and
 - (3) Cancellation is for an alternative use which is consistent with the applicable provisions of the comprehensive plan; and

- (4) Cancellation will not result in discontinuous patterns of urban development; and
- (5) There is no proximate noncontracted land which is both available and suitable for the proposed use or development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

or

b. Cancellation is in the public interest:

- (1) Other public concerns substantially outweigh the objectives of the Williamson Act; and
- (2) There is no proximate noncontracted land which is both available and suitable for the proposed use, or development of the contracted land would provide more contiguous patterns of urban development of proximate noncontracted land.

2. Farmland Security Zone Contracts

- a. As required by Section 51282 of the Williamson Act, to cancel a Farmland Security Zone contract, the County shall make both of the findings specified in paragraphs a and b of section 1 above, based on substantial evidence in the record. Further, subdivisions (b) through (e) of Section 51282 of the Williamson Act shall apply to the findings made by the County.
- b. In its resolution tentatively approving cancellation of the contract, the County shall find all of the following:
 - (1) That no beneficial public purpose would be served by the continuation of the contract.
 - (2) That the uneconomic nature of the agricultural use is primarily attributable to circumstances beyond the control of the landowner and the local government.
 - (3) That the landowner has paid a cancellation fee equal to 25 percent of the cancellation valuation calculated in accordance with the provision set forth in section 6-1.2.B.3.
- c. The Director of Conservation must approve the cancellation. The Director may approve the cancellation after reviewing the record of the tentative cancellation provided by the County, only if he or she finds both of the following:
 - (1) That there is substantial evidence in the record supporting the decision.
 - (2) That no beneficial public purpose would be served by the continuation of the contract.

- d. A finding that no authorized use may be made of a remnant contract parcel of five acres or less left by public acquisition pursuant to section 51295 of the Government Code, may be substituted for the finding in subsection 2.a above.

B. Cancellation Process

1. Applications for cancellation for all or part of an Agricultural Preserve (where whole parcels are involved) shall be referred to the County Planning Commission. The application shall be accompanied by a proposal for a specified alternative use of the land. Once an application for cancellation is deemed complete pursuant to Section 65943 of the Government Code, the County shall immediately mail a notice to the Director of Conservation. Notification and communication with the Director of Conservation shall comply with section 51284.1 of the Williamson Act.

The Planning Commission shall hold a noticed public hearing(s) to consider cancellation of the contract and disestablishment of the Agricultural Preserve or Farmland Security Zone, and any rezoning and amendment of the County Comprehensive Plan necessary to permit the nonagricultural uses contemplated by the applicant.

2. Applications for cancellation shall be referred to the Agricultural Preserve Advisory Committee for comment and report to the Board of Supervisors.
3. Prior to any action by the Board giving tentative approval to the cancellation of any contract, the County Assessor shall determine the current fair market value of the land as though it were free of the contractual restriction. The Assessor shall certify to the Board the cancellation valuation of the land for the purpose of determining the cancellation fee. At the same time, the Assessor shall send a notice to the assessee indicating the current fair market value of the land as though it were free of the contractual restriction. The notice shall advise the assessee of the right to appeal the fair market value of the land under Section 1605 of the Revenue and Taxation Code and that the appeal shall be filed within 60 days of the date of mailing printed on the notice or the postmark date therefore, whichever is later.
4. The Board of Supervisors shall schedule a noticed public hearing to consider the request for cancellation upon receipt of the above reports from the Planning Commission, the Agricultural Preserve Advisory Committee, and the Assessor. If recommended by the Planning Commission, the Board of Supervisors shall also hold concurrent noticed public hearings to consider any rezoning and Comprehensive Plan amendments necessary. Notification of these hearings to the Director of Conservation shall comply with section 51284 of the Williamson Act.
5. Prior to giving tentative approval to the cancellation of any contract the Board shall determine and certify to the County Auditor the amount of the cancellation fee which the landowner must pay the County Treasurer as deferred taxes upon cancellation.

That fee shall be an amount equal to 12.5% of the cancellation valuation of the property for a Williamson Act contract and 25 % for a Farmland Security Zone contract.

6. Cancellation of the Williamson Act contract shall be contingent upon payment, in full, of the cancellation fee. The cancellation fee shall be paid to the Clerk of the Board of Supervisors, who shall transmit that fee to the County Auditor. The fee shall be paid prior to the final approval of cancellation. If the Board of Supervisors finds that it is in the public interest to do so, it may waive any payment or any portion of a payment by the landowner, or may extend the time for making the payment or a portion of the payment contingent upon the future use made of the land and its economic return to the landowner for a period of time not to exceed the unexpired period of the contract, had it not been canceled, if the requirements set forth in section 51283.(c) of the Williamson Act are met.
7. The Board of Supervisors shall not grant cancellation for a portion of a contract (where whole parcels are involved) if the land proposed to remain under the contract would not be able to meet County eligibility criteria. Either sufficient qualifying land must remain under contract, or the petition must be made for cancellation of the entire contract.
8. Once the Board of Supervisors has granted tentative cancellation of a contract, the Clerk of the Board shall record a tentative certificate of cancellation pursuant to Section 51283.4 of the Williamson Act, which enumerates specified conditions and contingencies that must be satisfied prior to issuing a final certificate of cancellation. The landowner shall notify the Board of Supervisors when the conditions and contingencies have been satisfied. Within 30 days of receipt of the notice, and upon determination that the conditions and contingencies have been satisfied, the Board shall execute and record a certificate of cancellation of the contract. If the landowner has been unable to satisfy the conditions and contingencies, the landowner shall notify the Board of the particular conditions or contingencies he or she is unable to satisfy. Within 30 days of receipt of the notice, and upon a determination that the landowner is unable to satisfy the conditions and contingencies listed, the Board shall execute and record a certificate of withdrawal of tentative approval of a cancellation of contract.

6-1.3. RESCISSION

- A. Notwithstanding any other provision of these Uniform Rules, the County, upon petition by a landowner, may enter into an agreement with the landowner to rescind a contract in accordance with the contract cancellation provisions of section 51282 of the Williamson Act in order to simultaneously place other land within the County under an agricultural conservation easement, consistent with the purposes and, except as provided in subsection A.2 below, the requirements of the Agricultural Land Stewardship Program

pursuant to Division 10.2 (commencing with Section 10200) of the Public Resources Code, provided that the Board of Supervisors makes all of the following findings:

1. The proposed agricultural conservation easement is consistent with the criteria set forth in Section 10251 of the Public Resources Code.
 2. The proposed agricultural conservation easement is evaluated pursuant to the selection criteria in Section 10252 of the Public Resources Code, and particularly subdivisions (a), (c), (e), (f), and (h), and the Board makes a finding that the proposed easement will make a beneficial contribution to the conservation of agricultural land in its area.
 3. The land proposed to be placed under an agricultural conservation easement is of equal size or larger than the land subject to the contract to be rescinded, and is equally or more suitable for agricultural use than the land subject to the contract to be rescinded. In determining the suitability of the land for agricultural use, the County shall consider the soil quality and water availability of the land, adjacent land uses, and any agricultural support infrastructure.
 4. The value of the proposed agricultural conservation easement, as determined pursuant to Section 10260 of the Public Resources Code, is equal to or greater than 12.5 percent of the cancellation valuation of the land subject to the contract to be rescinded, determined by the County Assessor to be the current fair market value of the land as though it were free of contractual restriction. The easement value and the cancellation valuation shall be determined within 30 days before the approval of the County of an agreement pursuant to this section.
- B. Notwithstanding any other provision of these Rules, the parties may upon their mutual agreement rescind a contract in order simultaneously to enter into an open-space easement agreement pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070)), provided that the easement is consistent with the Williamson Act for the duration of the original contract. The easement would enforceably restrict the same property for an initial term of not less than 10 years and would not be subject to the provisions of Article 4 (commencing with Section 51090) of Chapter 6.6. This action may be taken notwithstanding the prior serving of a notice of nonrenewal, and the land subject to the contract shall be assessed pursuant to Section 423 of the Revenue and Taxation Code.
- C. Notwithstanding any other provision of this chapter, the parties may upon their mutual agreement rescind a contract in order simultaneously to enter into a new contract pursuant to these Uniform Rules, which new contract would enforceably restrict the same property for an initial term at least as long as the unexpired term of the contract being so rescinded but not less than 10 years. Such action may be taken notwithstanding the prior serving of a notice of nonrenewal relative to the former contract.

6-1.4. ANNEXATION BY CITY

On the annexation by any city in the County of any land under a Williamson Act contract the city shall succeed to all rights, duties, and powers of the County. Under certain limited circumstances defined in Section 51243.5 of the Williamson Act a city may elect not to succeed to the rights, duties, and powers of the County under the contract. For Farmland Security Zone contracts, see the provisions of sections 51296.3 through 51296.6 of the Williamson Act.

Whenever part of the land under a Williamson Act contract is removed from such status through annexation to a city, the part remaining under contract must be able to meet County eligibility criteria. In the event that unqualified land is left subject to contract, the County shall immediately serve notice of nonrenewal for such land.

In cases of annexation of land under contract, coordination is encouraged between the annexing city, Local Agency Formation Commission (LAFCO), the County, and the landowner to ensure that proper protocol is being followed and that all parties are provided the opportunity to comment and work towards the best possible outcome for all parties involved.

6-1.5. EMINENT DOMAIN OR OTHER ACQUISITION

Pursuant to section 51295 of the Williamson Act, upon the termination of an action in eminent domain for the condemnation of the fee title, or of an acquisition in lieu of eminent domain, for a public improvement by a public agency, for land subject to a Williamson Act contract, the contract shall be null and void for all land actually taken or acquired, as of the date the action was filed. If, in either such action, only part of the land under contract is acquired, and the remaining land is not able to meet County eligibility criteria, a notice of nonrenewal shall be filed immediately by the County against such remaining land.

No public agency or person shall propose to acquire and locate a public improvement within an agricultural preserve unless the following findings are made:

- A. The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.
- B. If the land is agricultural land covered under a contract pursuant to these Rules for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement.

When land in an agricultural preserve is acquired by a public entity, the public entity shall notify the Director of Conservation within 10 working days. The notice shall include a general explanation of the decision and the findings made pursuant to A and B above.

For Farmland Security Zone contracts, see sections 51296.3 through 51296.6 of the Williamson Act for the relevant rule and requirements.

6-1.6. TERMINATION OF MULTIPLE CONTRACT PRESERVES

At the time of termination, cancellation, or notice of nonrenewal, parcels in a multiple contract preserve (e.g. contiguous lands qualifying under subsection 1-2.2.A.2) may not be continued under contract if the remaining land cannot qualify by itself. At such time the County may (but shall not be required to) serve a notice of nonrenewal on the remaining land if it does not otherwise qualify for participation in the Agricultural Preserve Program. In the event the remaining land does not qualify for the Agricultural Preserve Program and a determination is made that it would be in the public interest to retain the remaining land in the Agricultural Preserve Program, then those parcels may remain under contract if the Board of Supervisors makes all of the findings set forth in subsection 1-2.2.B.4 of these Rules.

6-1.7. MONITORING AND ENFORCEMENT

Williamson Act and Farmland Security Zone contracts are binding agreements between landowners and the County that assume that the terms of the contract continue to be met in exchange for the restricted property tax assessments. As such, landowners must remain in compliance during the entire life of the contract, even after nonrenewal has been initiated. If, at any time, the APAC finds that the terms of a contract, including the requirements set forth in these Rules, are no longer being met, the County shall give the landowner sixty (60) days to remedy the contract violation. If the violation persists at the end of this period, the issue shall be brought in front of the APAC at its next scheduled meeting for a determination on how to proceed. Options for addressing unresolved violations include recommendation to the Board of Supervisors for the immediate issuance of a notice of nonrenewal or, for those contracts already in nonrenewal, court action.

The County shall monitor the Agricultural Preserve Program to ensure continued compliance by periodically reviewing the continuing eligibility of properties under contract and checking for violations. Methods for monitoring include:

- A. Review of (1) permit applications and recorded documents (e.g. residential construction or processing facility; property transfers), and/or (2) neighbor complaints. In conjunction with a permit application or neighbor complaint, the County may conduct field visits to ensure that the contracted land continues to meet eligibility requirements or determine whether any contract violations have occurred.
- B. For prime and superprime contracts for which enrollment into the Agricultural Preserve Program is dependent upon maintaining sufficient gross annual income from the agricultural operation, minimum land in production, or other contractual requirements, shall make production reports, commodity sales receipts, agricultural income forms from their income tax records, or other use or income records relating to the contracted land available to the County upon request.
- C. The Assessor may report to the APAC any premises which do not appear to meet the eligibility requirements set forth in Rule 1-2.

6.2. TRANSFER OF OWNERSHIP OF CONTRACTED LAND

Adopted by Resolution No. 73-788 (December 3, 1973), Amended by Resolution Nos. 80-407 (September 15, 1980) and 84-464 (October 8, 1984)

The purpose of this section is to establish procedures for the maintenance of contracts wherein changes in legal description and/or ownership occur without impairing the integrity of the program. The procedures developed under this section are in accordance with the Williamson Act, and shall be used to process all transfers of ownership in Williamson Act and Farmland Security Zone contracts.

- A. Transaction that transfers all land restricted by a Williamson Act or Farmland Security Zone contract where no changes in boundaries occur.

The transferee shall cause to be completed and signed immediately subsequent to the instrument creating the new ownership a "Notification of Assumption of Williamson Act/Farmland Security Zone Contract", incorporating by reference the legal description set forth in the instrument which transferred the ownership interest and shall submit said document to the office of the County Counsel for approval as to form, together with an applicable fee. After approval, the County Counsel shall record said document and file it with the Office of the Clerk of the Board.

- B. Transaction that transfers a portion of land restricted by a Williamson Act or Farmland Security Zone contract, where whole legal parcels are transferred.

1. The transferee(s) shall cause to be completed and filed with the Agricultural Preserve Advisory Committee a new contract application for each of the ownerships, together with such fee as is required. The transferor shall similarly furnish a new application for the portion retained.
2. New contracts shall be signed and recorded by transferor(s) and transferee(s) immediately subsequent to the transaction creating new ownership(s).
3. Should any transfer of ownerships create parcels which do not qualify under the eligibility criteria set forth in these Rules, the County shall serve notice of nonrenewal on the nonconforming parcels, and record its notice of nonrenewal.

- C. Transaction that transfers a portion of land restricted by a Williamson Act or Farmland Security Zone contract where subdivisions occur.

1. Only whole legal parcels are allowed within Williamson Act and Farmland Security Zone contracts. Any boundary changes that subdivide parcels, therefore, must first be

processed by the County Planning and Development Department through its subdivision procedures, and must meet all requirements of such process before any action may be taken by the Agricultural Preserve Advisory Committee.

2. The transferee(s) shall cause to be completed and filed with the Planning and Development Department new Williamson Act or Farmland Security Zone contract applications, maps and legal descriptions for each of the ownerships, together with such fees as are required. The transferor shall similarly furnish applications, maps and legal descriptions together with such fees as are required for the portion retained.
 3. New contracts shall be signed and recorded by transferor(s) and transferee(s) immediately subsequent to the transaction creating new ownership(s).
 4. Should any transfer of ownership create legal parcels which do not qualify under the eligibility criteria set forth in these Rules, the County shall serve and record a notice of nonrenewal on the nonconforming parcels.
- D. Transfer of all or a portion of land under a Williamson Act or Farmland Security Zone contract between immediate family members.

Nothing contained in these Uniform Rules shall prevent the transfer of ownership from one immediate family member to another, per section 51230.1 of the Williamson Act, of a portion of land which is currently designated as an agricultural preserve under contract, if all of the following conditions are satisfied:

2. The parcel to be transferred is a whole legal parcel at least 10 acres in size in the case of prime agricultural land or at least 40 acres in size in the case of nonprime land; and
3. The legal parcel to be transferred conforms to the applicable local zoning and land division ordinances and local coastal program; and
4. The parcel to be transferred complies with all applicable requirements of these Rules and relevant County zoning ordinances relating to agricultural income and permanent agricultural improvements which are imposed by the County as a condition of a contract executed covering the land of which the legal parcel to be transferred is a portion. For purposes of this paragraph, if the contracted land already complies with these requirements, the portion of that land to be transferred shall be deemed to comply with these requirements; and
5. There exists a written agreement between the immediate family members who are parties to the proposed transfer that the land which is subject to a Williamson Act or Farmland Security Zone contract and the portion of that land which is to be transferred will be operated under the joint management of the parties subject to the terms and conditions and for the duration of the contract.

A transfer of ownership described above shall have no effect on any contract covering the land of which a portion was the subject of that transfer. The portion so transferred shall remain subject to that contract.

Upon transferring land to an immediate family member pursuant to this section, the landowner shall provide a Notice to County of said agreement.

E. Successors in Interest.

When title to land subject to contract passes to successors, and in so doing creates circumstances whereby the land, or the remaining land subject to contract, no longer meets County eligibility criteria, a notice of nonrenewal shall be filed immediately by the County against such unqualified land.

APPENDIX 4

**UNIFORM RULES FOR AGRICULTURAL PRESERVES AND
FARMLAND SECURITY ZONES**

**Approved by the Board of Supervisors
October 8, 1984**

**Amended
August 10, 1999**

SANTA BARBARA COUNTY
UNIFORM RULES
FOR AGRICULTURAL PRESERVES
AND
FARMLAND SECURITY ZONES

Approved by the Board of Supervisors October 8, 1984
Amended August 10, 1999

(Reformatted June, 2001)

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UNIFORM RULE NO. 1

Compatible Uses, Gas, Electric, Water and Communication Facilities

Resolution Nos. 67-193, 70-89, 70-90, 70-752, 75-929 (December 8, 1975), 78-466A (October 30, 1978); Minute Orders of October 18, 1971 and July 17, 1972

The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities are compatible uses in an agricultural preserve. Communication facilities shall include radio, television, Cable TV and facilities necessary for the aid of navigation by land, air or sea.

UNIFORM RULE NO. 2

Compatible Uses, Oil and Gas Drilling and Production Facilities

Resolution Nos. 67-193, 70-89, 70-90, 70-752, 75-929 (December 8, 1975), 78-466A (October 30, 1978); Minute Orders of October 18, 1971 and July 17, 1972

Oil and gas drilling and production facilities as defined hereinafter and pipelines are compatible uses in an agricultural preserve established under the California Land Conservation Act of 1965. For the purposes of this Rule, oil and gas drilling and production facilities are defined as follows:

All facilities necessary:

- (a) To drill for and produce oil, gas and other hydrocarbons from a well bore;
- (b) To separate oil, water and gas from each other;
- (c) To prepare such products for shipping and storage;
- (d) To recycle, repressurize or inject such products or other substances for underground disposal, for underground storage and in connection with secondary recovery operations; and
- (e) To provide storage facilities for such products pending disposal thereof under (a) through (d) hereof and to temporarily store other substances used in (a) through (d) hereof. It shall not include refineries nor "tank farms" nor any other use not accessory or incidental to drilling and production facilities as hereinabove defined nor any operations not reasonably required to be performed at or within the vicinity of the wellhead.

UNIFORM RULE NO. 3

Compatible Uses, Sanitary Waste Disposal Facilities

Resolution Nos. 67-193, 70-89, 70-90, 70-752, 75-929 (December 8, 1975), 78-466A (October 30, 1978), 84-464 (October 8, 1984); Minute Orders of October 18, 1971 and July 17, 1972

A sanitary fill waste disposal facility is a compatible use to an agricultural preserve providing:

- (a) It is operated by the County of Santa Barbara, or by a permittee who has been properly licensed by both the State of California and the County of Santa Barbara, and is subject to a Conditional Use Permit which includes requirements for compatibility with Agricultural Preserve land uses;
- (b) The existing openness and restricted use of the site is maintained;
- (c) The sanitary fill waste disposal facility is conducted as a cut and fill operation;
- (d) That a lease or other open space agreement is executed with the owner so as to comply with the model Land Conservation Contract and the California Constitution.

UNIFORM RULE NO. 4

Compatible Uses, Mining Extraction and Quarrying

Resolution Nos. 67-193, 70-89, 70-90, 70-752, 75-929 (December 8, 1975), 78-466A (October 30, 1978), 84-464 (October 8, 1984); Minute Orders of October 18, 1971 and July 17, 1972

The mining, extraction, and quarrying of natural resources are compatible to an agricultural preserve: when such uses are incidental and will not be disruptive to the primary agricultural use of the land and subject to the following provisions concerning the use of borrow pits:

For the purpose of this rule, "borrow pit" is defined as follows: A bank or pit from which earth, which shall be limited to rock, sand, aggregate or clay, is excavated and used in filling and embanking operations.

The material excavated from the borrow pit shall be transported immediately to an off-site use or stockpiling facility.

UNIFORM RULE NO. 5

Compatible Uses, Animal Boarding and Breeding Facilities

Resolution Nos. 67-193, 70-89, 70-90, 70-752, 75-929 (December 8, 1975), 78-466A (October 30, 1978), 84-464 (October 8, 1984); Minute Orders of October 18, 1971 and July 17, 1972

1. Incidental boarding and/or breeding facilities of animals are compatible within Agricultural Preserves providing:
 - (a) Such uses are genuinely incidental to the primary uses of the land as specified in the criteria set forth in Uniform Rules Numbers 6 (Agricultural) and 11 (Recreational), and
 - (b) When required, a conditional use permit has been granted by the County pursuant to the zoning ordinance, for such facilities.

2. Boarding and/or breeding facilities for animals developed as the primary use of a property are compatible with Agricultural Preserves providing:
 - (a) Other food or fiber products and/or services are found by the Agricultural Preserve Advisory Committee to be either directly or indirectly agricultural activities; and
 - (b) Such facilities shall not produce traffic volumes determined to be detrimental to the commercial agricultural productivity of the area; and
 - (c) The total area of land covered by all permanent improvements shall not exceed 20% of the preserve or 20 acres, whichever is less. For the purposes of these uniform rules, permanent improvements include: any object affixed to the ground, landscaping, buildings, and structures; and
 - (d) When required, a conditional use permit has been granted by the County, pursuant to the zoning ordinance, for such facilities.

UNIFORM RULE NO. 6

Requirements and Qualitative Considerations for Agricultural Preserves

Adopted August 9, 1971, Amended by Resolution Nos. 73-28 (January 15, 1973), 74-84 (February 4, 1974), 74-344 (May 13, 1974), 75-825 (October 27, 1975), 76-29 (January 12, 1976), 78-466A (October 30, 1978), 84-464 (October 8, 1984), 99-268 (July 6, 1999)

The following criteria are to be used in judging the qualifications for the creation and continuance of Agricultural Preserves, under the terms of the California Land Conservation Act of 1965 and these rules, both as amended or to be amended.

The signing of the contract and the adoption of the resolution creating the Agricultural Preserve shall be completed concurrently for all proposals. The Agricultural Preserve Advisory Committee shall include the facts affecting these criteria in their reports and recommendations.

I. REQUIREMENTS

A. Comprehensive Plan and Coastal Plan - Agriculture I, Agriculture II and Mountainous Area

Agricultural Preserve lands shall be designated as either "Agriculture I", "Agriculture II" or "Mountainous Area" in the latest adopted Santa Barbara County Comprehensive Plan, Coastal Plan, or amendment thereto, for the area in which located; provided that the proposed Agricultural Preserve may be created if the land is appropriately restricted by zoning, as set forth hereinafter, to agricultural use, and, if then inconsistent with the Comprehensive Plan, or Coastal Plan, the Planning Commission has heard a proposed amendment thereto. If, however, the Comprehensive Plan or Coastal Plan is not yet consistent with agricultural zoning at the time the preserve is considered by the Board of Supervisors, the Resource Management Director shall so state in his report to the Board, and the Board shall so find before approving or disapproving the preserve. If the approval is granted, and if the Comprehensive Plan or Coastal Plan designation is inconsistent with agricultural zoning, the County shall promptly complete an appropriate amendment to the Comprehensive Plan or Coastal Plan at the ensuing Comprehensive Plan/Coastal Plan hearings of the Board of Supervisors.

B. Zoning - AG-I Agriculture I, AG-II, Agriculture II

1. AG-I and AG-II

To qualify, land should be zoned as either AG-I or AG-II as described in Articles II, III, or IV of Chapter 35, Zoning, of the Santa Barbara County Code as amended. In addition, the zoning designation shall include a minimum parcel size consistent with the provisions of Section I.C., e.g., AG-I-40 for a prime preserve or AG-II-100 for a non-prime preserve. The AG-I-5 zoning district may be used or applied only in conjunction with the provisions of Paragraph I.C.1.b(3), Superprime land.

Interested farmers with land zoned otherwise should request and secure rezoning prior to or concurrent with the processing of the agricultural preserve.

C. Minimum Preserve Size - 100 acres for Nonprime Land, 40 acres for Prime Land

1. Each agricultural preserve proposal (including additions) shall qualify if its size and situation is one of the following:

a. Nonprime Preserves

When the land is classed as nonprime, the minimum preserve size is one hundred (100) contiguous acres under a single ownership holding.

b. Prime Preserves

When the land is classed as prime by the California Land Conservation Act, Government Code Section 51201(c), the minimum preserve size is 40.0 acres. A prime preserve can be made up of any of the following:

- (1) Single ownerships containing at least 40 acres of prime land; or
- (2) Two or more contiguous farms which total 40 acres of prime land, when each ownership contains either:
 - a. A minimum of 20 acres of prime land; or
 - b. A minimum of 5 acres of superprime land as defined in I.C.1.b(3) below; or
 - c. A combination of a. and b. when the applications are concurrently processed.

(3) Superprime Land:

More than two farms, where ownership parcels are less than 20 acres in size, if:

- a. All farms are contiguous;
- b. All of the ownerships are of sufficient size so that each legal parcel has at least 5.00 acres in gross size; at least 4.75 acres are fully planted to commercial agricultural production; and no more than 10,000 square feet of land is devoted to the residential building site. This building site shall include the single family dwelling, landscaping, driveways, and accessory structures. Fully planted land does not include:
 - 1) Diseased or otherwise previously producing land which is not currently producing an adequate income for qualification as superprime land;
 - 2) Unplanted easements or unplanted setbacks;
 - 3) Driveways and roads (not unpaved box rows and other drives for agricultural purposes); and
 - 4) Steep slopes, waterways, wetlands and other terrain features that will not support commercial agricultural production; and
- c. Each ownership has had a \$5,000 minimum gross annual income from agricultural products for at least 3 of the past 5 years, or the land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than 5 years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$5,000 from each separate ownership.

(4) Prime Preserves with Special Findings:

Notwithstanding the above, the Board of Supervisors of Santa Barbara County may at its discretion reduce the requirements for minimum size for the creation of a prime preserve to not less than 30 acres in one parcel, or in several contiguous parcels, as stipulated in the above paragraph I.C.1.b.(3), if it finds that such smaller preserve is necessary due to the unique characteristics of agricultural enterprises in this County, that the establishment of such preserve of lesser size is consistent with the Comprehensive Plan or Coastal Plan, as provided for in Section I.A of this Uniform Rule No. 6, and that the following facts apply to the proposed preserve of lesser size:

- a. No other contiguous owners desire to enter the agricultural preserve program simultaneously to create a combined preserve of 40 acres or more, pursuant to paragraph 1.C.1.b. above; and
- b. The proposed preserve is located in an area susceptible to imminent urbanization; and
- c. The zoning district in effect or the rezoning to be simultaneously adopted has been the subject of special study and carries out the special and unique land uses permitted in the preserve, as hereinafter described in Section I.D.4.

2. Additions: Notwithstanding the above and regardless of size, additions to existing preserves of contiguous properties shall be allowed as follows:

a. Nonprime Preserves

No sub-100 acre additions to nonprime preserves shall be allowed, except when the addition and existing preserve are under identical ownership and any lot line between the existing preserve and the added land is eradicated.

b. Prime Preserves

Any individual property that otherwise qualifies as prime land, under 1.C.1.b.--"Minimum Preserve Size for Prime Preserves", and including superprime land, under 1.C.1.b.(3) may be added to an existing prime preserve, or to a preserve containing both nonprime and prime land only when the total prime or superprime land in the two or more adjacent parcels is 40 acres or more and when these prime or superprime lands adjoin.

3. At the time of termination, cancellation, or notice of nonrenewal, no farm in a multiple ownership preserve shall be continued under contract if the remaining land cannot qualify in one of the above size criteria by itself. At such time the County shall serve a notice of nonrenewal on the nonqualifying farm or farms.

D. Land Uses - Commercial Agriculture as Permitted in Zoning Ordinances and Uniform Rules

1. The permitted land uses, both agricultural and other compatible uses, basically will be as designated in the applicable zoning in Articles II, III, and IV of Chapter 35 of the Santa Barbara County Code, as amended.
2. a. Agricultural preserve contracts may be more restrictive than the applied zoning designation permits allows for residential site use. Only one residential building site shall be allowed for each acreage unit specified by the applied zoning designation (i.e., one site for each 100 acres in AG-II-100, etc.). The building site for use by the property owner and Residential Agricultural Unit occupants(s) shall be limited to 3% of the total parcel size or two (2) acres, whichever is smaller. The boundaries of the building site shall be configured to minimize intrusion into the agricultural area and maximize clustering of residential and accessory structures. Those properties qualifying under I.C.1.b.(3) used for farm buildings, corrals, and bonafide property-related employee housing shall not be encompassed in this site limitation.
- b. In addition to the principal unit, one Residential Agricultural Unit may be permitted per contracted area in accordance with the Residential Agricultural Unit Program in Article III. Whether the Residential Agricultural Unit is clustered or remotely sited, the combined area dedicated to residential uses (including the primary unit and the Residential Agricultural Unit) shall not exceed 3% of total parcel size or two acres, whichever is smaller. The boundaries of the building site(s) shall be configured to minimize intrusion into the agricultural area and maximize clustering of residential and

accessory structures. The Residential Agricultural Unit shall be located within the same lot as the primary unit. All requests for Residential Agricultural Units shall be reviewed by the Agricultural Preserve Advisory Committee for a determination that the unit has been sited to minimize impacts to on-site and adjacent agricultural uses. Nothing in this section affects an owner's ability to build farm employee housing pursuant to Section c. below.

- c. All requests for farm-employee dwelling units within Agriculture Preserves, including trailers, mobile homes on permanent foundations, and other types of permanent residential structures that are proposed in addition to the principal dwelling on the property shall be reviewed by the Agricultural Preserve Advisory Committee for a determination of need.

E. Parcel Sizes

The minimum parcel size may vary with area and type of agricultural use so long as the following zoning and size compatibility requirements are observed:

1. All single ownership preserves shall be zoned to the largest applicable zoning designation.
2. Each preserve contract shall have only one zoning designation for the land covered by that contract.
3. Multiple ownership of a prime preserve shall require zoning to the largest applicable zoning designation compatible with land ownership and land capability.
4. In furtherance of the above paragraphs, the lot lines between parcels in the same ownership which are too small individually to qualify shall, at the discretion of the Agricultural Preserve Advisory Committee, be eradicated before the agricultural preserve is approved.
5. After the agricultural preserve is created, any reduction in size of any parcel of land in the preserve shall be allowed only if all parcels thus created meet the applicable criteria of this Rule No. 6.
6. Special consideration: Non-preserve islands surrounded by preserve lands may be considered as eligible when all criteria other than size are met.
7. Only whole, legally created and recorded parcels shall be accepted in an agricultural preserve. Whenever a landowner wishes to enter only part of

an existing parcel, he shall record a legal parcel map prior to creation of an agricultural preserve and execution of the Agricultural Preserve contract.

II. QUALITATIVE CONSIDERATIONS

The Agricultural Preserve Committee shall develop information concerning the following factors to determine the degree of compliance with basic objectives of the Williamson Act and policies of the Board of Supervisors, and to support recommendations to that Board.

A. Land Quality

The preservation of "prime land" is the principal purpose of the Act. The quality of farm lands varies widely, depending on soil, terrain, water availability, climate, and other factors. It shall be the policy of the County in general to favor agricultural preserves in proportion to the "primeness" of the land.

B. Commercial Agricultural Production

Land eligible for inclusion in this program shall be used primarily for the commercial production of agricultural commodities for sale in normal wholesale marketing channels. Lands not used for commercial agricultural production, but desirable for preservation, shall be covered by other phases of open space legislation.

C. Alternate Urban Expansion Areas

Each community development plan should provide adequately for the future expansion of urban land uses into areas other than those covered by agricultural preserves. The policy in general will be to divert urban expansion from prime agricultural to non-agricultural lands.

D. Minimum Rural-Urban Conflicts

Lands for inclusion in agricultural preserves should avoid conflicts with urban uses nearby, as well as provide desirable benefits to the whole community. Buffer land use zones, such as large lot residential or industrial, can be used to separate intensive residential and commercial areas from farm lands. Agricultural operations such as dairies, poultry houses, feed lots, and hothouses may need to be buffered from urban land uses by crop, orchard, grazing, or other suitable open space land uses. The suitability of these lands for each use, their historical use and personal preferences of owners need careful consideration and study on each proposal.

E. Effect on Tax Base

The economic benefit to the farmer in an agricultural preserve is that his land will be assessed in relation to the income derived from its agricultural use rather than market value based on comparable sales data. The aggregate effect of changes in assessment methods on local taxing districts shall be evaluated.

F. Not in Urban Service Districts

Urban service taxing districts, such as sanitary, transit, and lighting, do not normally cover eligible land. The farmer does not need these services, and his tax rate should not unnecessarily include them.

UNIFORM RULE NO. 7

Termination of Agricultural Preserves and Land Conservation Contracts in Santa Barbara County

Adopted December 13, 1971, Amended by Resolution No. 84-464, October 8, 1984

The purpose of this rule is to establish standards for the withdrawal of land from Agricultural Preserves, and for the termination of Land Conservation Contracts, without impairing the integrity of the program. The procedures developed under this rule are in accordance with the Land Conservation Act, and shall be used to process all requests for withdrawal from Agricultural Preserves and for termination of Land Conservation contracts.

A. NONRENEWAL (Unilateral notice by landowner or County)

Withdrawal by a notice of nonrenewal is the preferred method considered in all instances, whether for all or part of the contracted land. This method is open to either party to the contract, does not require either a finding of fact or a public hearing, and provides for an adjustment in land assessed values, pursuant to Section 426 of the Revenue and Taxation Code.

When a landowner serves notice of nonrenewal for part of his land, the part remaining under contract must be able to meet County preserve criteria. In the event that unqualified land is left subject to contract, the County shall immediately serve notice of nonrenewal for such land.

B. CANCELLATION - PETITION BY OWNER

1. Petition by Owner

An owner may petition the Board of Supervisors for cancellation of his Land Conservation Contract because of need for a change in land use. Cancellation may occur only if the County consents. To cover administrative costs, each petitioner shall pay a filing fee in an amount established by resolution by the Board of Supervisors.

The existence of an opportunity for another use of the land involved shall not be sufficient reason for the cancellation of a contract. A potential alternative use of the land may be considered only if there is no proximate, noncontracted land suitable for the use to which it is proposed the contracted land be put.

The uneconomic character of an existing agricultural use shall likewise not be sufficient reason for cancellation of the contract. The uneconomic character of the

existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

When a landowner determines that he desires to cancel his contract, he shall petition the Board of Supervisors for cancellation, and he has the burden of producing evidence to prove the circumstances which warrant cancellation of his Land Conservation Contract. The owner shall cite (1) the reasons why he desires cancellation, (2) what changes in circumstances have occurred, (3) why immediate action is necessary, and (4) how he is affected by the changes in circumstances. The Board of Supervisors may grant tentative approval for cancellation of a contract only if it makes the following findings, as provided in Sec. 51282 of the Government Code:

- a. Cancellation would be consistent with the purposes of Chapter 7 of the Government Code, Sec. 51200 et seq., the California Land Conservation Act of 1965; or
- b. Cancellation would be in the public interest.

2. Procedure by County

- a. Applications for cancellation for all or part of the contracted land of an Agricultural Preserve shall be referred to the County Planning Commission. The Planning Commission shall hold noticed public hearings to consider disestablishment of the Agricultural Preserve, and any rezoning and amendment of the County Comprehensive Plan necessary to permit the nonagricultural uses contemplated by the applicant.
- b. Applications for cancellation shall be referred to the Agricultural Preserve Advisory Committee for comment and report to the Board of Supervisors.
- c. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor of the county in which the land is located shall determine the full cash value of the land as though it were free of the contractual restriction. The assessor shall certify to the board or council the cancellation valuation of the land for the purpose of determining the cancellation fee.
- d. The Board of Supervisors shall schedule a noticed public hearing to consider the request for cancellation upon receipt of the above reports from the Planning Commission, the Agricultural Preserve Advisory Committee and the Assessor. If recommended by the Planning Commission, the Board of Supervisors shall also hold concurrent noticed

public hearings to consider any rezoning and Comprehensive Plan amendments necessary.

- e. Prior to giving tentative approval to the cancellation of any contract the board or council shall determine and certify to the county auditor the amount of the cancellation fee which the landowner must pay the county treasurer as deferred taxes upon cancellation. That fee shall be an amount equal to 12 1/2 percent of the cancellation valuation of the property.
- f. Cancellation of the Land Conservation Contract shall be contingent upon payment, in full, of the cancellation fee. The cancellation fee shall be paid to the Clerk of the Board of Supervisors, who shall transmit that fee to the County Auditor. The fee shall be paid prior to the final approval of cancellation.
- g. The Board of Supervisors shall not grant cancellation for a part of the land of a single ownership Agricultural Preserve if the land proposed to remain under the contract would not be able to meet County preserve criteria. Either sufficient qualifying land must remain under contract, or the petition must be made for cancellation of the entire preserve.

C. CANCELLATION - ANNEXATION BY CITY

On the annexation by any city in the County of any land under a Land Conservation Contract, the city shall succeed to all rights, duties, and powers of the County unless the land being annexed was within one mile of such city at the time the contract was initially executed, the city protested the execution of the contract pursuant to Section 51243.5 of the California Government Code, and the city stated its intention not to succeed to the contract in its resolution of intention to annex. If the city does not exercise its option to succeed to the contract, it shall become null and void as to the land actually being annexed on the date of annexation. Such nulling and voiding of the contract shall be treated as a cancellation under the terms of Section 51283 of the Government Code. In the event that only part of the land under contract was within one mile of the city, the option of the city shall extend only to such part.

Whenever part of the land under a Land Conservation Contract is removed from such status through annexation to a city, the part remaining under contract must be able to meet County preserve criteria. In the event that unqualified land is left subject to contract, the County shall immediately serve notice of nonrenewal for such land.

D. EMINENT DOMAIN OR OTHER ACQUISITION

Upon the termination of an action in eminent domain for the condemnation of the fee title, or of an acquisition in lieu of eminent domain, for a public improvement by a public

agency, for land subject to contract, the contract shall be null and void for all land actually taken or acquired, as of the date the action was filed. If, in either such action, only part of the land under contract is acquired, and the remaining land is not able to meet County preserve criteria, a notice of nonrenewal shall be filed immediately by the County against such remaining land.

E. SUCCESSORS IN INTEREST

When title to land subject to contract passes to successors, and in so doing creates circumstances whereby the land, or the remaining land subject to contract no longer meets County preserve criteria, a notice of nonrenewal shall be filed immediately by the County against such unqualified land.

UNIFORM RULE NO. 8

Transfer of Ownership of Land in Agricultural Preserves in Santa Barbara County

Adopted by Resolution No. 73-788 (December 3, 1973), Amended by Resolution Nos. 80-407 (September 15, 1980) and 84-464 (October 8, 1984)

The purpose of this rule is to establish procedures for the maintenance of contracts wherein changes in legal description and/or ownership occur without impairing the integrity of the program. The procedures developed under this rule are in accordance with the Land Conservation Act, and shall be used to process all transfers of ownership in Land Conservation Act contracts.

Procedures on transfer of land interests restricted by Land Conservation Act contracts:

A. Transaction that transfers all land restricted by a Land Conservation Act Contract new no changes in boundaries occur

The transferee shall cause to be completed and signed immediately subsequent to the instrument creating the new ownership a "Notification of Assumption of Land Conservation Contract", incorporating by reference the legal description set forth in the instrument which transferred the ownership interest and shall submit said document to the office of the County Counsel for approval as to form, together with an applicable fee. After approval, the County Counsel shall record said document and file it in the Office of the Clerk of the Board.

B. Transaction that transfers a portion of land restricted by a Land Conservation Act contract, where whole legal parcels are transferred

1. The transferee(s) shall cause to be completed and filed with the Agricultural Preserve Advisory Committee a new Agricultural Preserve application for each of the ownerships, together with such fee as is required. The transferor shall similarly furnish a new application for the portion retained.
2. New contracts shall be signed and recorded by transferor(s) and transferee(s) immediately subsequent to the transaction creating new ownership(s).
3. Should any transfer of parcels create ownerships which do not qualify under the Land Conservation Act criteria, the County shall serve notice of nonrenewal on the nonconforming units, and record its notice of nonrenewal.

C. Transaction that transfers a portion of land restricted by a Land Conservation Act contract' where lot splits occur or portions of whole legal parcels are transferred

1. Only whole legal parcels are allowed within the Land Conservation Act contracts. Any boundary changes that split parcels, therefore, must first be processed through the County Resource Management Department and lot split procedures and must meet all requirements of such process before any action by the Agricultural Preserve Advisory Committee.
2. The transferee(s) shall cause to be completed and filed with the Department of Resource Management new Agricultural Preserve applications, maps and legal descriptions for each of the ownerships, together with such fees as are required. The transferor shall similarly furnish applications, maps and legal descriptions together with such fees as are required for the portion retained.
3. New contracts shall be signed and recorded by transferor(s) and transferee(s) immediately subsequent to the transaction creating new ownership(s).
4. Should any transfer of parcels create ownerships which do not qualify under the Land Conservation Act criteria, the County shall serve notice of nonrenewal on the nonconforming units and record its notice of nonrenewal.

UNIFORM RULE NO. 9

Compatible Uses, Supportive Agricultural Uses Within Agricultural Preserves

Adopted by Resolution No. 77-157 (March 28, 1977), Amended by Resolution Nos. 77-320 (June 27, 1977) and 84-464 (October 8, 1984)

The purpose of this rule is to establish standards of compatible use within Agricultural Preserves which permit the preparation of raw agricultural products for shipment and the processing of certain unique agricultural products.

The preparation processes permitted by this Uniform Rule are deemed compatible with Agricultural Preserves providing:

1. That such activities do not occupy land exceeding 10% of the area of a preserve or 5 acres, whichever is less. All such activities shall be confined to a single site within the given preserve. A site includes roads serving these activities, all parking and storage areas, landscaping, loading areas, all attached and detached supportive structures and any other related land use.
2. That all such uses are subject to the zoning requirements of a Conditional Use Permit, when applicable, and its conditions and standards that are found necessary to maintain compatible agricultural land uses.
3. That uses include but are not limited to: sorting, grading, cleaning, packaging, cooling and shipping of raw agricultural products.
4. Due to the unique qualities and desirability of processing premium table wines near the vineyard, wineries are deemed compatible within Agricultural Preserves, provided that (a) a vineyard(s) has been planted on the premises prior to County approval of the winery, (b) the primary purpose of the winery is to process wine grapes grown on the premises, and (c) other applicable provisions of this Uniform Rule 9 are met.
5. That activities where agricultural products are processed beyond the raw state, including but not limited to processing by freezers, dehydrators, and food preparation facilities, are deemed noncompatible.

UNIFORM RULE NO. 10

Natural Open Space Contracts

Adopted by Resolution No. 75-826 (October 27, 1975), Amended by Resolution No. 84-464 (October 8, 1984)

REQUIREMENTS

1. COMPREHENSIVE PLAN

Eligible land must be designated "Agriculture I", "Agriculture II", or "Mountainous Area", or "Other Open Lands" in Santa Barbara County's Comprehensive Plan or Coastal Plan of Land Use.

2. ZONING

Any zoning district which has been declared by the Planning Commission to be consistent with the above-mentioned Comprehensive Plan or Coastal Plan designations will be acceptable. However, the Natural Open Space Preserve size and land uses shall be limited in accordance with the following sections of this criteria for Natural Open Space Preserves wherein minimum size and acceptable land uses are specified.

3. MINIMUM PRESERVE SIZE: 100 acres

Each Natural Open Space Preserve shall consist of at least 100 acres of land in a single ownership in one parcel. Changes of ownership and terminations shall be subject to the provisions of Uniform Rules No's. 7 and 8. In the event that an otherwise qualifying Natural Open Space Preserve parcel has less than 100 acres, the Board of Supervisors may consider it eligible based on the "unique" features of the Natural Open Space land involved. "Unique" is defined here as a natural feature and/or biological process not found in other parts of the city, county, state or nation; a unique feature is, for example, a rare, endangered, endemic and/or exemplary floral or fauna species or geologic feature. The terms and uses of this "unique" open space shall be stated in the contract.

4. LAND USES: Non-commercial Limited Uses

No uses will be permitted that produce an income from the property. Limited, non-intensive, incidental recreational uses may be permitted where they are deemed appropriate. These uses, by the owner or a lessee with a minimum of at least a five-year lease (or non-paying guests of either), may include hiking, horseback riding, scenic viewing, temporary tent camping, as in Federal Wilderness Areas, and similar activities. The limits and conditions of this incidental recreational use shall be stated in the contract and may preclude certain specified recreational uses completely. No structures shall be

built upon the land, and no equipment use or motorized vehicle use shall be permitted on the land except in the case of emergencies and necessities, such as fire fighting and prevention, flood control, and other hazard prevention and control. There shall be a minimum imputed income of \$2.00 per acre.

5. CHARACTER OF LAND

The preservation of land of high scenic value and of natural habitats with their associated faunal populations are of primary importance. The land may provide habitats which are required for the preservation of plant and animal life. Additionally, these lands may be important as scientific study areas. The County policy will be to favor lands which have high scenic value, which provide necessary habitats, and may serve as limited scientific study areas.

6. MAINTENANCE OF THE LAND

The owner shall maintain the property at his own expense in an attractive, scenic way to preserve its naturalness. All maintenance activities, including vegetative type management such as controlled burning, activities minimizing fire, flood and other hazards, changes to add floral or faunal materials, and changes to the natural character of the existing Natural Open Space Preserve, must be approved in advance by the Agricultural Preserve Advisory Committee. The County reserves the right to inspect for compliance, and to proceed with filing a notice of nonrenewal in the event of violation.

7. COMMUNITY EFFECTS

Each proposal for a preserve shall be evaluated individually to judge its advantages to the community in regard to conservation of unique features, its effect on the tax base and urban service districts, etc.

UNIFORM RULE NO. 11

Recreational Contracts

Adopted by Resolution No. 75-827 (October 27, 1975), Amended by Resolution No. 84-464 (October 8, 1984)

REQUIREMENTS

1. COMPREHENSIVE PLAN

Eligible land must be designated "Agriculture I", "Agriculture II" or "Mountainous Area" and bear the "Recreation" overlay in Santa Barbara County's Comprehensive Plan or Coastal Plan.

2. ZONING

Eligible land must be zoned "REC" - Recreation, as contained in Articles II, III, and IV of Chapter 35, Zoning, of the Santa Barbara County Code.

3. MINIMUM PRESERVE SIZE

One hundred acres, except where sub-100 acre areas of outstanding scenic, historic or cultural value are deemed to be particularly suited for park and recreation purposes where a minimum of 30 acres in a single ownership may qualify. These sub-100 acres may include, but not necessarily be limited to, access to lake shores, beaches, and rivers and streams; and areas which serve as links between outdoor recreation and natural open space preserves, including utility easements, banks of rivers, trails and scenic highway corridors. Changes of ownership and terminations shall be subject to the provisions of Uniform Rules Nos. 7 and 8.

4. LAND USES: Low Intensity Recreation Open to the Public

The land uses shall be limited to those uses permitted within the "REC" zoning district and as contained in the applicable portions of Government Code Sections 51201(d) and 51201(n). Examples are (1) standard 18-hole golf courses or country clubs, but not including those with residences or residential lots occurring between the fairways, and in which adjacent residential property owners share in the ownership of the golf course; (2) recreational facilities where buildings, stables, residences, and similar structures occupy no more than 5% of the land in the preserve; (3) hunting and fishing where the land is kept in its native or near natural condition, and in which buildings necessary to the operation of the business occur on no more than 1% of the land in the preserve; (4) other similar uses as later designated and defined and made a part of these criteria and

incorporated into the Land Conservation Contract applicable to each individual Recreation Preserve.

5. CHARACTER OF LAND

The preservation of the scenic open character of the land is of primary importance. The land shall be visually and aesthetically desirable as an amenity to the surrounding land uses and the community as a whole. The recreational uses provided shall be positive in their contribution to the community and its citizens.

6. MAINTENANCE OF THE LAND

The owner shall maintain the property at his own expense, in an attractive, scenic way, to preserve its openness. All plant materials shall be well-maintained, and their selection and location shall be appropriate to the recreational land uses and to enhance visual appearance for the general public. Indigenous plant materials should be selected to provide animal habitat, and existing high carrying capacity habitat shall be maintained or improved by vegetative type management such as controlled burning. All maintenance activities, including activities minimizing fire, flood and other hazards, changes to add floral or faunal materials, and changes to the natural character of the existing Recreation Preserve, must be approved in advance by the Agricultural Preserve Advisory Committee. The County reserves the right to inspect for compliance and to proceed with filing a notice of nonrenewal in the event of violation.

7. EFFECT ON TAX BASE

Each proposal for a preserve shall be evaluated individually to judge its advantages to the community in regard to conservation of unique features, its effect on the tax base and urban service districts, etc.

UNIFORM RULE NO. 12

Compatible Uses, Temporary Federal Government Facilities

*Adopted by Resolution No. 81-200 (April 27, 1981), Amended by Resolution No. 84-464
(October 8, 1984)*

The installation and use of temporary United States government facilities for residential, communication and transportation use by United States government officials and employees are compatible uses in an agricultural preserve provided:

- (a) The officials and employees are serving a person entitled to the protection of the Federal Secret Service;
- (b) The total area for all such uses will encompass no more than 3% of the total parcel size or two acres, whichever is smaller (Uniform rule No. 6, 1. D.2); and
- (c) Such uses are incidental to the primary use of the agricultural preserve property as commercial agriculture.

UNIFORM RULE NO. 13

Farmland Security Zones

Adopted by Resolution No. 99-318 (August 10, 1999)

No land shall be included in a farmland security zone unless expressly requested by the landowner.

A farmland security zone may be composed of more than one contract. If more than one landowner requests the creation of a farmland security zone and the parcels are contiguous, the County shall place those parcels in the same farmland security zone.

A. Eligibility Requirements

1. Only whole legal parcels are eligible for farmland security zone contracts.
2. To be eligible, land must be in an existing Agricultural Preserve Contract. A landowner or group of landowners may petition the Board of Supervisors to rescind a contract or contracts entered into pursuant to the Land Conservation Act (Williamson Act) in order to simultaneously place the land subject to contracts under the Act under a contract designating the property as a farmland security zone.
3. The land must either: (1) be designated on the Important Farmland Series maps, prepared pursuant to Gov. Code Section 65570 as predominantly (more than 50% of the proposed contract area) one of the following:
 - a. Prime farmland.
 - b. Farmland of statewide significance.
 - c. Unique farmland.
 - d. Farmland of local importance.
 - e. Farmland not designated on the Important Farmland Series maps, but qualifying as predominantly prime as defined in section 51202.c. of the Williamson Act.
4. Any land located within a city's sphere of influence at the time of application for a farmland security zone contract shall not be included within a farmland security zone, unless the creation of the farmland security zone within the sphere of

influence has been expressly approved by resolution by the city with jurisdiction within the sphere.

5. The land subject to a farmland security zone contract may not be reduced to an area which is smaller than that which would qualify under Uniform Rule 6.I.C.

B. Overview of Contract Terms

1. Term

The initial term of a farmland security zone contract shall be no less than 20 years, and each contract shall provide for yearly automatic extensions unless a notice of non-renewal is given pursuant to Gov. Code section 51245.

2. Restrictions

The total building area within a contract in a farmland security zone may not exceed 3% of the total size of the contract or two (2) acres, whichever is smaller. All structures accessory to the residential use shall be located within the designated two (2) acre or 3% building area, whichever is smaller. Farm buildings, corrals and bona fide property-related farm employee housing is not encompassed in this site restriction.

C. Compatible Land Uses

Principally permitted uses as designated in the applicable zone districts, and the compatible uses set forth in the Uniform Rules and the Williamson Act, as may be amended, shall be considered compatible uses in a farmland security zone so long as such use is consistent with the following findings of compatibility:

1. The use does not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
2. The use does not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

Notwithstanding the above, compatible use provisions contained in Government Code Section 51238.1(c) are not applicable to farmland security zone contracted property.

D. Non-Renewal of Farmland Security Zone Contracts

1. Withdrawal by notice of non-renewal pursuant to Gov. Code section 51245 to remove all or part of the contracted land from a farmland security zone is available to either party to the contract. Non-renewal does not require either findings of fact nor a public hearing. Non-renewal will result in an adjustment in land assessed values, pursuant to Section 426 of the Revenue and Taxation Code.

When a landowner seeks to non-renew a part of his land he must serve notice of non-renewal for the whole of his land and seek a new contract for the remainder; the part remaining under contract must separately be able to meet County farmland security zone eligibility requirements. If, following non-renewal by the owner, non-qualifying land remains subject to contract, the County shall immediately serve notice of non-renewal for such land.

2. When title to land subject to a farmland security zone contract passes to successors, and in so doing creates circumstances whereby the land or the remaining land subject to contract no longer meets County farmland security zone eligibility requirements, a notice of non-renewal shall be recorded by the County prior to January 1 of the next year against such unqualified land.
3. Termination of a farmland security zone contract terminates the portion of the farmland security zone that the contract covers.

E. Cancellation

Farmland security zone contracts may not be cancelled. The County or the landowner may only terminate farmland security zone contracts through non-renewal.

F. Transfer of Ownership of Land in Farmland Security Zones

The following procedures shall be used to process all transfers of ownership within farmland security zone contracts.

1. Assumption

Transaction that transfers all land restricted by a farmland security zone contract.

The transferee shall provide submittal requirements and the applicable fee to Planning and Development. Planning and Development will then forward this information to County Counsel for approval as to form. County Counsel then forwards the necessary documentation to the transferee. The transferee shall then complete and sign a "Notification of Assumption of farmland security zone

contract,” incorporating by reference the legal description set forth in the instrument which transferred the ownership interest and shall record said document with the Recorder’s office and file a copy with Planning and Development, the County Assessor, and the County Surveyor.

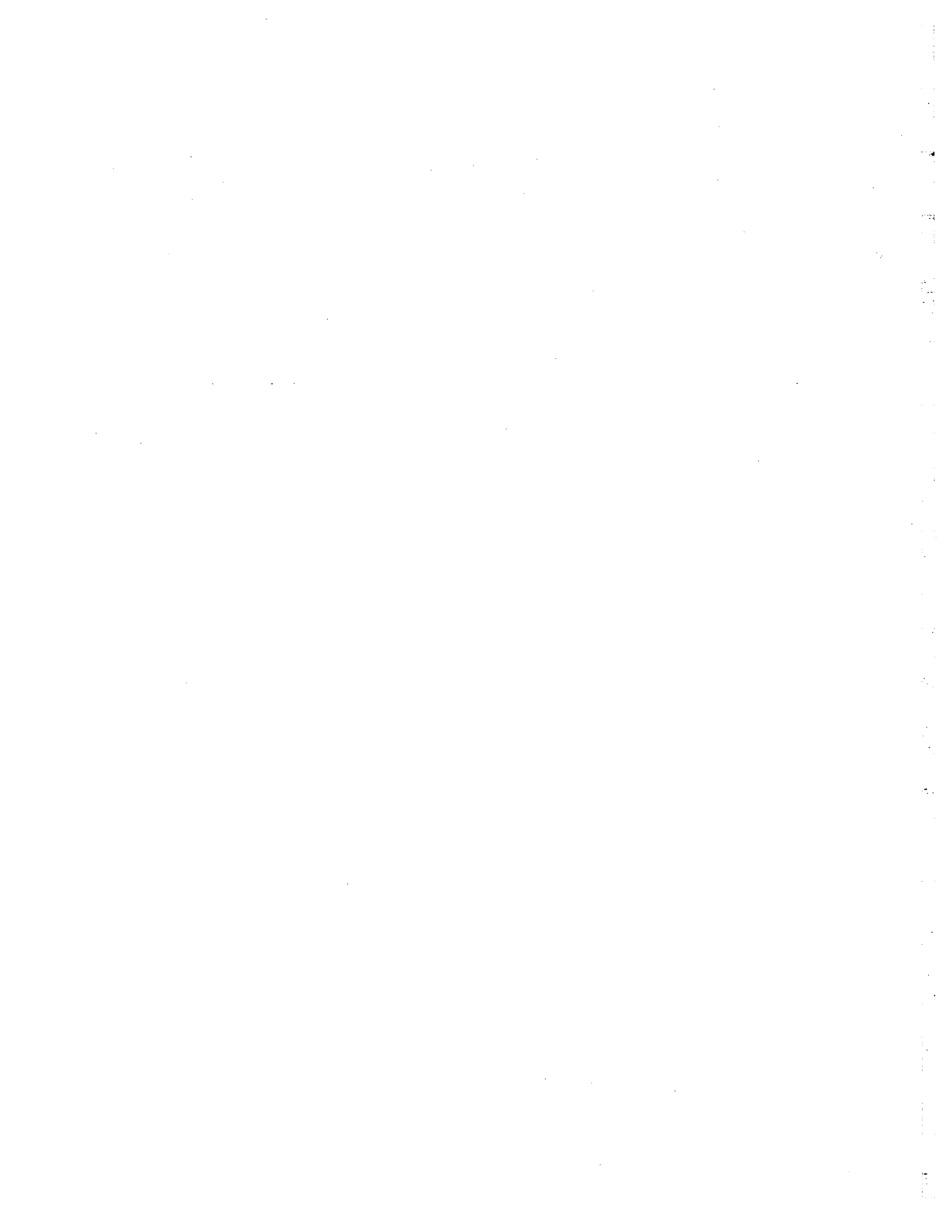
2. Replacement

Transaction that transfers a portion of land restricted by a farmland security zone contract, where whole legal parcels are transferred.

- a. The transferee(s) shall complete and file with the Agricultural Preserve Advisory Committee a new farmland security zone application for each of the ownerships, together with any required fee. The transferor shall similarly furnish a new application for the portion retained.
- b. The transferor/transferee shall sign and record new contracts immediately subsequent to the transaction creating new ownership(s).
- c. A replacement contract will not be approved for a farmland security zone unless it can be reasonably established that there will be no loss in the production of food and fiber within the farmland security zone from said transfer and the size of each parcel remaining is economically viable for agricultural production.

G. Division of Land

A division of land subject to a farmland security zone contract must first obtain County approval. No division will be approved unless it can be reasonably established that there will be no loss in the production of food and fiber within the farmland security zone from said transfer and the size of each parcel remaining is economically viable for agricultural production.



APPENDIX 5
URBEMIS DATA

URBEMIS DATA

Operational Emissions Estimates for Uses Allowed Under the Proposed Uniform Rules

	ROC	NO _x	CO	SO ₂	PM ₁₀
South Coast	2.00	2.83	23.79	0.02	2.28
Gaviota	3.33	4.97	40.86	0.04	4.01
Santa Ynez Valley	11.00	16.35	134.58	0.14	13.18
Lompoc Valley	8.32	12.13	100.19	0.10	9.77
San Antonio Creek	4.50	6.51	54.18	0.06	5.25
Santa Maria Valley	7.14	10.42	86.18	0.09	8.39
Cuyama Valley	4.34	6.49	53.26	0.05	5.23

* pounds per day, unmitigated, in the summer

APPENDIX 6

**ASSUMPTIONS AND CALCULATIONS USED FOR ESTIMATING
TRAFFIC VOLUMES**

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ASSUMPTIONS AND CALCULATIONS USED FOR ESTIMATING TRAFFIC VOLUMES

This appendix contains the assumptions that have been applied to the analysis of traffic impacts in Section 3-4 of this EIR, and the calculations performed for each of the proposed rules.

GENERAL ASSUMPTION

1. Because this is a programmatic EIR and no specific projects are being evaluated at this time, the specific roads and intersections that might be affected by future development cannot be identified let alone the number, type and time of occurrence of vehicle trips. However, assumptions have been made as to which rural regions are most likely to receive the new development allowed by the Proposed Uniform Rules and are included under the individual rules below.

ASSUMPTIONS AND CALCULATIONS SPECIFIC TO RULES

Uniform Rule 1-4.1 Principal Dwelling

1. The estimate of vehicular trips generated by new residential development assumes that all contracted premises eligible to have additional dwellings will build them. Each new dwelling would generate on average 10 vehicle trips per day (County Environmental Thresholds and Guidelines Manual).
2. Estimated residential average daily trips distributed throughout the rural regions are as follows:

Table A6-1:

Estimated dwellings and residential ADTs distributed by rural region

Dwellings, Vehicle trips	South Coast	Gaviota Coast	Santa Ynez Valley	Lompoc Valley	San Antonio Creek	Santa Maria Valley	Cuyama Valley	TOTAL
# of dwellings	7	19	67	47	23	40	30	233
# of trips	70	190	670	470	230	400	300	2,330

Uniform Rule 2-4 Small-Scale Guest Ranches

1. Of the 980 premises that would be eligible, only about 2.5% would exercise this option for a total of 25 small scale guest ranches. Of the 25 enterprises, 5 would be located on parcels between 40 and 100 acres in size, and the remaining 20 would be located on parcels 100 acres or greater in size.
2. The guest ranches would predominantly be located in the Gaviota Coast, Lompoc Valley, Santa Maria Valley and Santa Ynez Valley rural regions, though a distribution of the 25 potential enterprises

proportionately based on the eligible properties would include a few in the South Coast, San Antonio Creek and Cuyama regions as well.

- The following table provides a potential distribution scenario for small scale guest ranches.

Table A6-2:

Theoretical maximum numbers of small-scale guest ranches to apply to each region for assessing potential traffic impacts

Parcel Size Categories	South Coast	Gaviota	Santa Ynez Valley	Lompoc Valley	San Antonio Creek	Santa Maria Valley	Cuyama Valley
40-<100 ac	1		1	1		2	
≥100 ac	0	4	5	4	2	4	1
Total/Region	1	4	6	5	2	6	1

- Guest ranches located on parcels 40 to <100 acres in size would have no more than 3 rooms and average two occupied rooms per night. Guest ranches located on parcels of 100 acres or more would have up to 6 rooms with an average of 4 rooms per night occupied. This occupancy rate (67%) is slightly below occupancy estimates by SANDAG (2002) and ITE (2003).
- The number of vehicle trips made by guests staying at the guest ranches is expected to average 6 per occupied room per day. This estimate of trips per day is slightly lower than what SANDAG identifies per room for hotels with conference facilities (10), motels (9) and resort hotels (8) to better fit the much smaller size of the guest ranches (SANDAG, 2002). This is still considered a generous trip factor as the Institute of Transportation Engineers identifies just under 6 daily (weekday) trips per room for motels averaging between 150 and 200 rooms (ITE, 2003). The 6 trips would also account for any delivery of supplies or trips made by the proprietors for guest ranch purposes.
- ADTs anticipated in each region generated by potential small scale guest ranches are calculated using these formulas with the results included in the table below. For each rural region, the sum of the following: 1) On parcels 40 to < 100 acres in size: # of small scale guest ranches x 2 occupied rooms x 6 vehicle trips per occupied room per day = # ADTs generated; and 2) On parcels 100 acres or greater in size: # of small scale guest ranches x 4 occupied rooms x 6 vehicle trips per occupied room per day = # ADTs generated.

Table A6-3:

Estimated ADTs generated by small scale guest ranches distributed by rural region

	South Coast	Gaviota	Santa Ynez Valley	Lompoc Valley	San Antonio Creek	Santa Maria Valley	Cuyama Valley
Small size	12		12	12		24	
Larger size		96	120	96	48	96	24
Total ADTs	12	96	132	108	48	120	24

Uniform Rule 2-2.1. Preparation and Processing – Large scale wineries

1. It is assumed that five large-scale wineries will be sited on contracted land as a result of this amendment to the rules. The five wineries, totaling 49 acres are as follows:

Table A6-4:

Theoretical large-scale wineries resulting from Proposed Uniform Rules

Size of winery (acres)	Acres of facilities attributed to proposed new rules	Case production resulting from proposed new rules
20	20	800,000
13	13	520,000
10	10	400,000
7	2	80,000
7	2	80,000
N/A	47 acres	1,880,000 cases

2. The two 7-acre wineries are assumed to result from expanding existing facilities that are currently limited by the five-acre cap. The three larger wineries are assumed to be entirely new facilities that are primarily high-production wineries.
3. The four regions that are most likely to attract large-scale wineries are Lompoc, Santa Ynez Valley, San Antonio Creek and Santa Maria Valley. These assumptions and the resulting allocation scenarios are based on the number, size and location of existing contracts with sufficient acreage to take advantage of the proposed new rules; the existing distribution of wine-grape growing regions within the County; and known instances where growers have expressed interest in facilities for industrial-level production of wine. Table A5-5 depicts a likely scenario for number and size of large-scale wineries, and the acres and case production attributable to the proposed changes to the Uniform Rules.

Table A6-5:

Scenario for distribution of large-scale winery development

Characteristics	Santa Ynez Valley (2 wineries)	Lompoc Valley	San Antonio Creek	Santa Maria Valley
Winery facility site acreage	10 7	7	20	13
Added facility acreage	10 2	2	20	13
Increased case production	400,000 80,000	80,000	800,000	520,000

3. Typically, trip generation factors for generic industrial manufacturing and warehousing prepared by the Institute of Transportation Engineers (based on National data) or by the San Diego Council of Governments (based on experience in San Diego County) have been used in winery project NDs to calculate traffic volumes. To apply these trip generation factors requires the square footage of the proposed winery structures which is not available at this programmatic level. Recently, information has been developed by Sonoma County for assessing traffic impact specific to wineries in relation to case production. Based on the results of a consultant traffic study, Sonoma County developed curves to estimate vehicle trips by employees, trucks, business visitors and wine tasting customers for increasing levels of case production. Sonoma County uses the curves for assessing road impact fees. The curves can be applied in this programmatic EIR to the case production for the different sizes of large scale wineries anticipated.

4. In the newly adopted Winery Permit Process Ordinance for Santa Barbara County (2004), the size of special events for wineries is limited based on size of facility and case production with a maximum of 200 guests per event and 12 events per year under a LUP. The ordinance assumes 2.5 guests per car to determine parking requirements. Each event would generate 160 vehicle trips (200 guests ÷ 2.5 guests per vehicle x 2 1-way trips = 160). This figure has been applied in project-specific environmental analyses and is used here to estimate event-related vehicle trips.

5. Using the data from the above sources, the estimated ADTs for the five wineries is as follows:

Table A6-6:
Estimated ADTs for prototypical large scale wineries

Vehicle trips	Winery size (additional acres) and production (cases)			
	20 ac	13 ac	10 ac	2 ac
	800,000 cases	520,000 cases	400,000 cases	80,000 cases
Employees	114	80	66	29
Trucks	29	20	15	4
Business visitors	34	28	26	19
Wine tasting	220	220	220	132
SUB-TOTAL	397	348	327	184
Special Events	160	160	160	160
TOTAL	557	508	487	344

The Sonoma County traffic generation curves have been used for employee, truck, business visitor and wine tasting vehicle trips. The County Winery Permit Process Ordinance has been used for special events. It has been Sonoma County's experience that at about 400,000 cases of production, the number of wine tasting visitors level off irrespective of any further increases in production. For employee, truck and business trips, the rate of increase stabilizes for production levels above 50,000 cases. Although special events are included in the total here, it is assumed they would primarily occur on weekends and would not contribute to the weekday ADTs.

Uniform Rule 2-2.1. Preparation and Processing – Large scale market preparation facilities

1. The estimated 30 acre would likely be for a two large-scale market preparation facilities that would most likely be located in the Lompoc Valley and Santa Maria Valley regions.
2. To estimate the vehicle trips that could be generated by such facilities an existing fruit and vegetable cooling and packing facility is used as a model. This facility covers about 15 acres, employs up to 80 employees, and in peak season, loads 100 long-line trucks per day.
3. The Institute of Transportation Engineers reports that the average occupancy of vehicles for all industrial uses is 1.3 persons per vehicle (ITE, 2003). Vehicle occupancy for agricultural employees is likely to be higher, so 2.0 persons per vehicle is used in this analysis.

Uniform Rule 2-2.1. Preparation and Processing – Small scale processing facilities

1. Processing of non-grape crops would be limited by the proposed Uniform Rules to facilities within existing structures or occupying a new structure on 1 acre or 1% of the parcel, whichever is smaller. Therefore it is anticipated that such enterprises would most likely be family-run operations with few if any additional employees. Since all of the product processed would need to be grown on-site, deliveries of production materials and other business-related traffic would also likely be less than one round-trip per week. On the other hand, sales of finished products could be on-site and could generate customer traffic to and from the premises. Given this scenario, it is assumed that an average of one additional employee would be required for processing and/or sales at each establishment, and in the most appropriate season, (most likely summer) customers could average 8 vehicle trips per day on weekdays and 20 vehicle trips per day on weekends.
2. It is estimated that 5% of contracted landowners with cultivated crops (700) would develop a small scale processing facility to supplement their agricultural operation. This amounts to 47 contracts. The allocation of small scale processing facilities is presented in the table below. The estimate of 47 facilities does not account for boutique processing facilities on superprime premises operating within an existing building. There may be additional small scale processors located in the South Coast Rural Region and, therefore, the total number of facilities is increased from 47 to 50 for the purpose of estimating vehicle trips.

Table A6-7:

Estimated number of small scale processing facilities for non-grape crops and ADTs by rural region

	South Coast	Gaviota Coast	Santa Ynez Valley	Lompoc Valley	San Antonio Creek	Santa Maria Valley	Cuyama Valley
Facilities per region	8	2	9	10	9	10	2
ADTs -weekdays	64	16	72	80	72	80	16
ADTs -weekends	160	40	180	200	180	200	40

Uniform Rule 2-6. Agricultural Industry Overlay

1. Agricultural Industry Overlays are only allowed in AG-II zones under Article III so would essentially not be allowed in the South Coast or Gaviota regions. It is assumed that AIO facilities might be located in three of the remaining regions: Lompoc Valley, San Antonio Creek and Santa Maria Valley.
2. Based on information provided by the Grower-Shipper Vegetable Association, it is assumed that in the foreseeable future there would be four AIOs located on contracted land: 2 15-acre facilities; 2 30-acre facilities. For this analysis these facilities are allocated as follows: 1 30-acre AIO in Lompoc Valley; 1 15-acre AIO in San Antonio Creek; 1 15-acre and 1 30-acre AIO in Santa Maria Valley.
3. This analysis relies on the ITE generic trip factor for general warehousing, which is 4.96 one-way trips per 1,000 square feet of warehousing space (ITE, 2003).
4. Several existing or proposed agricultural packing and processing operations were reviewed to determine building coverage. These operations ranged from 13% building coverage to 38% coverage. The mean ratio of building to site area for existing agriculture industrial facilities is 26% which equates to a building coverage of 169,884 square feet for a 15-acre site and 339,678 square feet for a 30-acre site. Applying the ITE rate of 4.96 one-way trips per 1,000 feet of building space results in approximately 840 and 1,685 daily vehicle trips, respectively.

Uniform Rule 2-7. Composting Facilities

1. It is estimated that up to two composting facilities could locate in the County on contracted land.
2. These facilities are estimated to cover 35 acres and accept about 10 truck-loads of green waste per day, hence they would generate 20 one-way truck trips per day. Removal of the finished product would be via the same trucks on their out-bound trip.
3. Employment numbers for a composting facility are very low; for this analysis, each facility is assumed to employ 4 staff: three ground crew and a heavy equipment operator. No administrative staff would be located on-site.
4. The maximum total daily trips generated is estimated to be about 30 one-way vehicle trips.
5. It is anticipated that a composting facility may be located in the San Antonio and Santa Maria rural regions.

SUMMARY OF ADTS

The table on the following page summarizes the average weekday traffic volumes that could potentially be generated by the Uniform Rules discussed above.

Table A6-8:
Estimated average daily trips (ADTs) by rural region generated by proposed changes to the Uniform Rules

Rural Region	Additional residential units	Small- scale guest ranches	Large- scale wineries	Large-scale preparation facilities	Small-scale processing facilities	Agricultural Industry Overlay	Composting facilities	Total
South Coast	70	12			160			242
Gaviota	190	96			40			326
Santa Ynez Valley	670	132	831		180			1,813
Lompoc Valley	470	108	344	280	200	1,685		3,087
San Antonio Creek	230	48	557		180	840	30	1,885
Santa Maria Valley	400	120	508	280	200	2,525	30	4,063
Cuyama	300	24			40			364
Total	2,330	540	2,240	560	1,000	5,050	60	11,780

APPENDIX 7

CUMULATIVE TRAFFIC ANALYSIS

ASSOCIATED TRANSPORTATION ENGINEERS

JULY 2007



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REVISED CUMULATIVE TRAFFIC ANALYSIS FOR THE AGRICULTURAL PRESERVES AND FARMLAND SECURITY ZONE UNIFORM RULES UPDATE PROJECT EIR, SANTA BARBARA COUNTY

Associated Transportation Engineers (ATE) is providing the following revised cumulative traffic analysis for the Uniform Rules Update Project EIR. The cumulative analyses identify potential impacts within the seven regions of the Agricultural Preserve Program: the South Coast, Gaviota, Santa Ynez Valley, Lompoc Valley, San Antonio Creek, Santa Maria Valley, and Cuyama regions. Potential cumulative impacts are assessed using the County's impact thresholds and mitigations are provided where necessary.

CUMULATIVE IMPACTS

Impact Threshold

The County's cumulative impact threshold was used to assess the significance of the traffic that would be generated by the proposed changes to the Uniform Rules on the County roadway system under cumulative conditions. County Threshold D applies to cumulative traffic conditions at intersections. In the case of the proposed changes to the Uniform Rules, specific intersection impacts were not analyzed in this programmatic document due to the speculative nature of individual project locations and since the proposed uses would likely occur in areas with limited controlled intersections that have few if any delay impacts due to the relatively low traffic volumes in the rural areas. Potential traffic increases are assessed for the selected road segments in each region using County Threshold D adapted for roadways, as follows:

"Project traffic would utilize a substantial portion of a roadway's capacity where the roadway is currently operating at acceptable levels of service (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.80) or lower. Substantial is defined as a minimum change of V/C 0.03 for a roadway that would operate from V/C 0.80 to V/C 0.85, a change of V/C 0.02 for a roadway that would operate from V/C 0.86 to V/C 0.90 and a change of V/C 0.01 for a roadway that would operate greater than V/C 0.90.

Cumulative Scenarios

Two cumulative scenarios were developed for assessing potential cumulative impacts associated with the proposed changes to the Uniform Rules. The first scenario, termed "Buildout", assumes buildout under adopted plans and policies. This scenario assumes buildout of the General Plans for the cities with the County, including the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe; as well as buildout of the unincorporated portions of the County using area plans adopted by the County. The plans for the unincorporated portions of the County include the Toro Canyon Area Plan, Montecito Community Plan, Goleta Community Plan, Isla Vista Master Plan, Santa Ynez Valley Community Plan, Los Alamos Community Plan, Orcutt Community Plan. Buildout under the comprehensive plan/land use designations for the unincorporated areas not covered by the community plans were also considered for this scenario.

The second cumulative scenario assumes the Buildout forecasts described above plus other major projects/policies that have not been adopted or approved by governmental agencies. This scenario, termed "Buildout + Other Potential Developments", assesses potential cumulative impacts assuming the additional traffic that could be generated by pending changes to adopted plans (e.g. Santa Barbara County Housing Element Update, Santa Ynez Community Plan Update, etc.) as well as other major developments that are just now coming to light (e.g. North Hills Development Plan, Bradley Ranch Specific Plan, etc.). Potential impacts are assessed for each of the seven regions of the Agricultural Preserve Program that could be affected by the additional cumulative traffic generated by these potential changes to the cumulative environment. Attachment A lists these potential cumulative projects.

Cumulative Traffic Forecast Methodology

Cumulative traffic volumes were forecast for the Selected County Roadway Segments and State Highway Segments within Santa Barbara County using the buildout forecasts contained in the adopted general plans/community plans etc., as well as forecasts derived from models developed by the Santa Barbara County Association of Governments (SBCAG), the County, and cities within the County.

SBCAG's Regional Growth Forecast 2000 (RFG 2000) report presents population and employment forecasts from 2000 to 2030 for Santa Barbara County's major economic and demographic regions and its eight incorporated cities. The purpose of the RFG 2000 is to provide a set of consistent, countywide forecasts to Year 2030 for use in long range comprehensive planning. The population and employment forecasts serve as input for SBCAG's regional traffic model.

SBCAG's 2030 Travel Forecast for Santa Barbara County presents findings from the SBCAG Travel Demand Model. The travel model forecasts growth in traffic and person trips to Year 2030 based on the growth assumptions in the RFG 2000. The traffic model employs a socioeconomic data-based approach, where traffic is forecasted based on projected households, household size, household income, and employment, plus other elements from the 2000 Census. The travel model forecasts average daily traffic (ADT) on selected roadways that make up the "backbone system", including states routes and major roadways.

Forecasts from local traffic models, where available, were also used for the Selected County Roadway Segments and State Highway Segments within Santa Barbara County. Local traffic models are in place for the City of Santa Maria, unincorporated Orcutt, and the City of Goleta areas. These local traffic models are more refined than SBCAG's regional traffic model since they employ finer zones and local street networks that allow closer examination of traffic forecasts.

BUILDOUT SCENARIO

Rural Roadway Capacity

Table A compares the Existing and Buildout traffic forecasts for the Selected County Roadway Segments and Table B shows the same information for the State Highway Segments within Santa Barbara County. The text following the tables discuss cumulative impacts for each of the seven regions of the Agricultural Preserve Program.

Table A
Cumulative Traffic Forecasts - Selected County Roadway Segments

Roadway	Classification	ADT Volume ¹	
		Existing	Cumulative
Refugio Rd n/o Calle Real	Collector	350	400
Baseline Ave e/o Edison St	Collector	1,700	1,900
Happy Canyon Rd e/o Armour Ranch Rd	Collector	750	820
Zaca Station Rd e/o Hwy 154	Collector	440	480
Santa Rosa Rd s/o Ave of Flags	Collector	720	830
Santa Rosa Rd e/o Hwy 1	Collector	230	260
Foxen Canyon Rd e/o Philbric Rd	Collector	6,200	6,800
Betteravia Rd w/o Black Rd	Collector	4,200	5,700
Betteravia Rd e/o Nicholson Rd	Major Road	6,800	8,400
Black Rd s/o Mahoney Rd	Secondary 1	6,000	8,300
Black Rd n/o Hwy 1	Secondary 1	6,000	9,200
Black Rd s/o Hwy 1	Secondary 1	1,500	2,000
Bonita School Rd n/o W Main St	Collector	4,500	5,800
Clark Ave e/o Hwy 101	Primary 2	3,100	4,600
Cathedral Oaks Rd e/o Patterson	Primary 2	9,500	12,700

¹ Existing volumes represent 2007 baseline conditions using current count data collected by the County, cities within the County, and data contained in recent traffic studies.

Cumulative volumes represent future conditions assuming buildout of adopted general plans, community plans, etc., that could result in additional traffic generation. Volume does not include traffic generated by the proposed changes to the Uniform Rules.

Table B
Cumulative Traffic Forecasts - State Highway Segment Within Santa Barbara County

State Highway Segment	Classification	ADT Volume ¹	
		Existing	Cumulative
Hwy 1 @ Jalama Road	2-Lane Expressway	7,900	10,000
Hwy 1 @ Hwy 246 Lompoc S.E.	Arterial	8,100	9,300
Hwy 1 @ Hwy 135	2-Lane Expressway	16,000	20,300
Hwy 1 @ Casmalia Road	2-Lane Expressway	2,300	3,200
Hwy 1 @ Hwy 166	2-Lane Expressway	2,500	3,300
Rte 33 @ southeast of Cuyama	2-Lane Expressway	1,000	1,200
Rte 135 @ Hwy 1	Freeway	15,000	18,000
Rte 135 @ Old Hwy, Los Alamos	Arterial	3,000	3,300
Rte 135 @ Hwy 101	Arterial	5,700	6,200
Rte 154 @ Hwy 246	2-Lane Expressway	16,000	19,200
Rte 166 @ Hwy 1	Arterial	10,000	13,900
Rte 166 @ New Cuyama	2-Lane Expressway	3,600	4,400
Rte 192 - Foothill Road @ Linden Avenue	Collector	3,600	4,800
Rte 192 - Foothill Road @ Toro Canyon Road	Secondary 2	1,400	3,600
Rte 246 @ Hwy 1	2-Lane Expressway	6,200	7,100
Rte 246 @ Hwy 101	2-Lane Expressway	20,500	24,600
Rte 246 @ Hwy 154	2-Lane Expressway	8,800	10,600

¹ Existing volumes represent 2007 baseline conditions using Caltrans data recorded in 2006.

Cumulative volumes represent future conditions assuming buildout of adopted general plans, community plans, etc., that could result in additional traffic generation. Volume does not include traffic generated by the proposed changes to the Uniform Rules.

South Coast: The proposed changes to the Uniform Rules could result in an estimated increase of 242 ADT on the South Coast under cumulative conditions, a relatively minor amount of traffic that would be spread across the region. Few premises would be eligible for additional residential dwellings or small-scale guest ranches. The properties that would be affected by the proposed changes to the Uniform Rules are mostly located adjacent to Cathedral Oaks Road in the western Goleta area and adjacent to Route 192 in the Carpinteria area. The two-lane segments of these facilities have design capacities of 9,100-17,900 ADT. The cumulative traffic volume forecasts would be within the acceptable and design capacities and the traffic generated by the proposed changes to the Uniform Rules would not result in exceedance of the design capacities. The proposed changes to the Uniform Rules would be less than significant under cumulative conditions since the 242 ADT would be spread across the region and result in using less than 1% of the capacity of the County roadway segments.

Gaviota: The proposed changes to the Uniform Rules could result in an estimated increase of 326 ADT in the Gaviota region under cumulative conditions, a relatively minor amount of traffic. Minor traffic increases are anticipated on the County's rural roads in the Gaviota region as a result of buildout under the comprehensive plan/land use designations. The additional traffic generated by the proposed changes to the Uniform Rules is anticipated to be primarily associated with development of additional residential dwellings, small-scale guest ranches and to a lesser extent, small-scale processing (and sale) operations. The cumulative traffic volume forecasts for the rural roads in the Gaviota region would be within their acceptable and design capacities and the traffic generated by the proposed changes to the Uniform Rules would not result in exceedance of the design capacities. The proposed changes to the Uniform Rules would be less than significant under cumulative conditions in the Gaviota region since the 326 ADT would be spread across the region and result in using less than 1% of the capacity of the County roadway segments.

Santa Ynez Valley: The proposed changes to the Uniform Rules could result in an estimated increase of 1,813 ADT in the Santa Ynez Valley region under cumulative conditions. Principal traffic generators include potential development of a 10-acre winery and expansion of another winery to 7 acres that combined would contribute 831 ADT. Residential development is estimated to generate 670 ADT. Small-scale guest ranches and small-scale processing facilities together could contribute an additional 312 ADT. The selected County roadways and State highways (e.g. Route 154, Route 246, Baseline Avenue, Happy Canyon Road, Zaca Station Road, Foxen Canyon Road) are forecast to carry traffic volumes within their design capacities. It is too speculative in this programmatic EIR to estimate potential impacts to specific rural roads in the Santa Ynez Valley region. Depending upon the location, size and intensity of the development, the proposed changes to the Uniform Rules could contribute to potentially significant cumulative impacts to the County's rural roads in the Santa Ynez Valley region.

Lompoc Valley: The proposed changes to the Uniform Rules could result in an estimated increase of 3,087 ADT in the Lompoc region under cumulative conditions. Principal traffic generators include potential development of a 15-acre large-scale preparation facility, an agricultural support industry located within a 30-acre agricultural industry overlay (AIO) site and expansion of an existing winery to a 7-acre site. The agricultural industry site could generate 1,685 ADT, while the expanded winery or large-scale preparation facility could generate 344 and 280 ADT respectively. Small-scale guest ranches could generate 108 ADT and small-scale processing facilities could add 200 ADT. Additional residential development could generate 470 ADT. Potential development is likely to be disbursed throughout this rural region. The selected County roadways and State highways (Route 246 and Santa Rosa Road) are forecast to carry traffic volumes within their design capacities. Although it is too speculative to estimate potential impacts to specific rural roads in the Lompoc Valley region, depending upon the location, size and intensity of the development, the proposed changes to the Uniform Rules could contribute to potential significant cumulative impacts to the County's rural roads in the Lompoc Valley region.

San Antonio Creek: The proposed changes to the Uniform Rules could result in an estimated increase of 1,885 ADT in the San Antonio Creek region under cumulative conditions. Principal traffic generators include potential development of an agricultural support industry located within a 15-acre AIO site, a 20-acre large-scale winery, and a 35-acre commercial composting facility. An AIO facility could contribute 840 ADT and a large-scale winery could generate 557 ADT. Additional residential dwellings and small-scale processing facilities could contribute a total of 410 ADT. These trips would likely be disbursed throughout the region. The San Antonio Creek region is one of two assumed locations for a commercial composting facility, which would generate an estimated 30 ADT. The selected County roadways are forecast to carry traffic volumes within their design capacities. Although it is too speculative to estimate potential impacts to specific rural roads in this region, industrial facilities in an AIO or a large-scale winery could generate levels of traffic that contribute to potential significant cumulative impacts to the County's rural roads in the San Antonio Creek region.

Santa Maria Valley: The proposed changes to the Uniform Rules could result in an estimated increase of 4,063 ADT in the Santa Maria Valley region under cumulative conditions. Principal traffic generators include potential development of 15-30 acre AIO facilities, a 15-acre preparation facility, a 13-acre large-scale winery, and a 35-acre commercial composting facility. Facilities in two AIO could contribute 2,525 ADT (840 + 1,685). A large-scale winery could contribute 508 ADT and an additional large-scale preparation facility could contribute 280 ADT. Residential, boutique processing and guest ranch development could add 720 ADT, but would be disbursed throughout the region. The selected County roadways are forecast to carry traffic volumes within their design capacities. Although it is too speculative to estimate potential impacts to specific rural roads in this region, development of the AIO sites and/or a large-scale winery and large-scale preparation facility could generate levels of traffic that contribute to potential significant cumulative impacts to the County's rural roads in the Santa Maria Valley.

Cuyama: The proposed changes to the Uniform Rules could result in an estimated increase of 300 ADT in the Cuyama region under cumulative conditions. Traffic is anticipated from development of additional residential dwelling units. The cumulative traffic volume forecasts for the rural roads in the Cuyama region would be within their acceptable and design capacities and the traffic generated by the proposed changes to the Uniform Rules would not result in exceedance of the design capacities. The proposed changes to the Uniform Rules would be less than significant under cumulative conditions in the Cuyama region since the 326 ADT would be spread across the region and result in using less than 1% of the capacity of the County roadway segments.

Traffic Operations and Safety

Some of the County's rural roads have design features (e.g. narrow lane widths, absence of shoulders, roadside ditches, sharp curves, poor sight distance) that could result in potential safety impacts under cumulative traffic conditions, including traffic generated by development of large-scale wineries and preparation/processing facilities, agricultural

industrial overlay facilities, and commercial composting facilities allowed under the proposed changes to the Uniform Rules. Although it is too speculative to estimate potential impacts to specific rural roads, the additional traffic generated by a large-scale winery or preparation facility or agricultural support facility located in an AIO, could increase safety concerns on specific rural roads, a potentially significant cumulative impact.

Roadway Structural Design

Some of the rural roads have structural subsections that could be damaged by increased levels of truck traffic associated with potential development of large-scale wineries and preparation facilities, agricultural industrial overlay uses, and commercial composting facilities. New large-scale developments would be evaluated for potential impacts to existing roads at the time of application and could be assessed fees to improve structure of roads that would be significantly impacted.

Mitigation Measures

Cumulative impacts could occur in the Santa Ynez Valley, Lompoc Valley, San Antonio Creek, and Santa Maria Valley regions. Mitigation AG-2, AG-3, and the policies in the County's Comprehensive Plan and Circulation Element would be applicable to the potential cumulative impacts.

Residual Impacts

Potential development of large-scale wineries, large-scale preparation facilities, AIOs and commercial composting facilities could cumulatively generate substantial vehicular trip increases in the Santa Ynez Valley, Lompoc Valley, San Antonio Creek, and Santa Maria Valley regions that may not be fully off-set by application of the cumulative mitigation measures. The impacts are considered to remain significant and unavoidable under cumulative conditions.

BUILDOUT + OTHER POTENTIAL DEVELOPMENTS

There are several potential cumulative projects that are in preliminary planning stages and are therefore not included in adopted plans and were not considered in the Buildout scenario. Preliminary trip generation estimates were developed for this second set of potential cumulative projects based on the anticipated land uses, where available. Attachment B lists these potential cumulative trip generation estimates by region and the following text discusses potential cumulative impacts within each of the seven regions for the proposed changes to the Uniform Rules.

It is noted that this analysis is highly speculative given the limited information for some of the projects as well as the fact that many of the potential cumulative projects may not move out of the preliminary planning stages given the environmental constraints within the areas where the projects are proposed. It is also important to note that many of the potential

cumulative projects that are in preliminary planning stages will require their own environmental review to assess impacts and, if developed, would likely be required to provide mitigations to off-set impacts. For example, in the case of transportation infrastructure, large community developments such as the Purisma Hills development north of the City of Lompoc and the North Hills Project south of Orcutt, would generate significant levels of new traffic on the County roads in those areas and likely would be required to construct the additional infrastructure that would be necessary to accommodate the traffic increases while meeting the County's level of service standards.

South Coast: The potential cumulative projects that are in preliminary planning stages for this region include the County's Goleta Valley Community Plan Update and Isla Vista Master Plan in the western area of the region, as well as UCSB's Long Range Development Plan update, the Bishop Ranch development, the Glen Annie Golf Course redevelopment in the western area of the region. Also considered are the Las Positas Annexation adjacent to the City of Santa Barbara and the Peoples Self-Help Agricultural Employee Housing Project in the Carpinteria area. Together these developments could generate more than 20,000 ADT within the region, affecting County roads within the region and regional routes that connect the South Coast to the surrounding regions.

The proposed changes to the Uniform Rules could result in an estimated increase of 242 ADT on the South Coast under this cumulative scenario. The anticipated traffic would be generated by residential dwellings or small-scale guest ranches and the relatively minor amount of traffic would be spread across the region. The proposed changes to the Uniform Rules are anticipated to be less than significant in the South Coast region under this cumulative scenario since the 242 ADT would be spread across the region and result in using less than 1% of the capacity of the County roadway segments.

Gaviota: There are no potential cumulative projects that are in preliminary planning stages located in the Gaviota region. Traffic from development of potential cumulative projects that are in preliminary planning stages in the other regions could spill over into the Gaviota region. However, the proposed changes to the Uniform Rules could result in an estimated increase of 326 ADT in the Gaviota region, a relatively minor amount of traffic. The proposed changes to the Uniform Rules are anticipated to be less than significant in the Gaviota region under this cumulative scenario since the 326 ADT would be spread across the region and result in using less than 1% of the capacity of the County roadway segments.

Santa Ynez Valley: The potential cumulative projects that are in preliminary planning stages in the Santa Ynez Valley region include the County's Santa Ynez Community Plan update and changes to the City of Buellton Sphere of Influence. The changes that are proposed in the County's Santa Ynez Community Plan would result in 300 ADT (as compared to the adopted community plan). Additional developments that could occur as a result of changes to the City of Buellton Sphere of Influence are unknown and highly speculative. The proposed changes to the Uniform Rules could result in an estimated increase of 1,813 ADT in the Santa Ynez Valley region under this cumulative scenario. Depending upon the location, size and intensity of the development, the proposed changes to the Uniform Rules

could contribute to potentially significant cumulative impacts to the County's rural roads in the Santa Ynez Valley region under this scenario.

Lompoc Valley: The potential cumulative projects that are in preliminary planning stages in the Lompoc Valley region include the Purisma Hills development north of the City of Lompoc and the Bailey Avenue Specific Plan west of the city. The Purisma Hills development could result in 12,400 ADT and would add significant traffic volumes to several County roadway segments, including Harris Grade Road, Burton Mesa Road, as well as "H" Street in the City of Lompoc. The development that could occur under the Bailey Avenue Specific Plan is unknown and highly speculative.

The proposed changes to the Uniform Rules could result in an estimated increase of 3,087 ADT in the Lompoc region under this cumulative scenario. Large-scale preparation facilities or expanded wineries could generate levels of traffic that contribute to significant cumulative impacts to County roadway segments. Depending upon the location, size and intensity of the development, the proposed changes to the Uniform Rules could contribute to potentially significant cumulative impacts to the County's rural roads in the Lompoc region under this scenario.

San Antonio Creek: The potential cumulative projects that are in preliminary planning stages in the San Antonio Creek region include the Los Alamos Community Plan update, the North Hills Development, and the County's Ordinance 661 Consistency Rezone Project. These projects could generate a combined total of 123,200 ADT within the region, resulting in significant traffic volume additions to County roadway segments. Given the magnitude of potential development for the North Hills site (118,600 ADT), traffic would affect the other regions as well.

The proposed changes to the Uniform Rules could result in an estimated increase of 1,885 ADT in the San Antonio Creek region. Although it is too speculative to estimate potential impacts to specific rural roads in this region, industrial facilities in an AIO or a large-scale winery could generate levels of traffic that contribute to potential significant cumulative impacts to the County's rural roads in the San Antonio Creek region under this scenario.

Santa Maria Valley: The potential cumulative projects that are in preliminary planning stages in the Santa Maria Valley region could generate more than 178,000 ADT. The primary traffic generator within the potential cumulative projects list include the Bradley Lands Annexation east of Orcutt, the Enos Ranchos Annexation northwest of Highway 101/Betteravia, and the Mahoney Ranch Specific Plan southeast of Betteravia Road/Mahoney Road. Additional traffic would be generated by development of key sites within Orcutt under the County's Housing Element Update 2003-2008. Combined, these potential cumulative developments would generate significant traffic to the County primary and secondary roadway system in the Orcutt area and other rural roads within the region. Given the magnitude of potential development, traffic would affect the adjacent regions as well.

The proposed changes to the Uniform Rules could result in an estimated increase of 4,063 ADT in the Santa Maria Valley region under this scenario. Residential, boutique processing and guest ranch development could add 720 ADT, but would be disbursed throughout the region. Development of the AIO sites and/or a large-scale winery and large-scale preparation facility could generate levels of traffic that contribute to potential significant cumulative impacts to the County's rural roads in the Santa Maria Valley.

Cuyama: There are no potential cumulative projects that are in preliminary planning stages in the Cuyama region. The Cuyama Valley Land Use Strategies effort, a County sponsored planning effort to assist the community with the future vision for the area, is schedule to begin in Summer 2007. Potential land use changes have not been defined at this time. There would be a minor amount of traffic from development of potential cumulative projects that are in preliminary planning stages in the other regions that could spill over into the Cuyama region. However, the proposed changes to the Uniform Rules could result in an estimated increase of 300 ADT in the Cuyama region under this cumulative scenario, a relatively minor amount of traffic. The proposed changes to the Uniform Rules are anticipated to be less than significant in the Cuyama region under this cumulative scenario since the 300 ADT would result in using less than 1% of the capacity of the County roadway segments.

Mitigation Measures

Mitigation AG-2, AG-3, and the policies in the County's Comprehensive Plan and Circulation Element would be applicable to the potential cumulative impacts identified under this scenario.

Residual Impacts

Potential development of large-scale wineries, large-scale preparation facilities, AIOs and commercial composting facilities could individually and cumulatively generate substantial vehicular trips increases in the Santa Ynez Valley, Lompoc Valley, San Antonio Creek, and Santa Maria Valley regions that may not be fully off-set by application of the cumulative mitigation measures under this scenario. The impact is considered to remain significant and unavoidable under this cumulative scenario.

This concludes ATE's cumulative traffic analysis for the Uniform Rules Update Project. Please contact our office if you have questions regarding the analysis.

Associated Transportation Engineers

A handwritten signature in black ink, appearing to read "Scott A. Schell". The signature is fluid and cursive, with the first name "Scott" and the last name "Schell" clearly distinguishable.

Scott A. Schell, AICP
Principal Planner

SAS/DLD/LDH

attachments

ATTACHMENT A - TRIP GENERATION ESTIMATES

Tier 1 Projects	Project	Land Use	Size ⁽¹⁾	ADT		Discussion
				Rate	Trips	
1	Winery Permit Process Ordinance	N/A	N/A	N/A	N/A	<p>Tier 1 projects are processed as ministerial projects that would not typically require project specific environmental review. Projects that fall within Tiers 2 and 3 would require a discretionary permit and full environmental analysis under existing ordinance language (i.e., preparation of an Initial Study to determine whether a Mitigated Negative Declaration or an Environmental Impact Report will be sufficient to fulfill CEQA requirements). Projects that would qualify for processing under Tiers 2 and 3 currently require a discretionary permit and environmental analysis. As Tier 2 and 3 projects would still receive environmental review on a case by case basis, it was determined that the creation of these tiers would not create the potential for any significant environmental impacts. Therefore, environmental analysis of Tiers 2 and 3 was not required for this ordinance amendment.</p> <p>Minor trip generation dispersed across county areas for Winery Permit Process Tier 1 projects (small wineries), Winery Permit Process Tiers 2 & 3 would require a more detailed review of potential traffic impacts.</p> <p>For lots five acres or greater in size there is no limit on the number of charitable events that could occur in any given year and still remain exempt from a land use permit, provided the owner receives no remuneration and the number of persons at the event does not exceed 300. If the property is less than five acres in size, then the five times per year limit is retained in order to be exempt.</p> <p>Minor trip generation dispersed across county areas.</p> <p>In order to qualify as a Tier 1 winery, the development would have to comply with the following criteria:</p> <ol style="list-style-type: none"> 1. For every 1,000 cases of wine produced per year there shall be at a minimum two acres of vineyard planted on the winery premises. 2. The production capacity of the winery shall not exceed 20,000 cases per year. 3. There shall be no onsite tasting room associated with the winery. 4. All winery structural development shall not exceed 20,000 square feet. <p>Winery special events occurring on the winery premises shall not exceed four per year and the attendance at each event shall not exceed 150 attendees. Otherwise, the winery shall not be open to the public and shall not offer tours and retain wine sales to the public.</p> <p>Minor trip generation dispersed across county areas for Winery Permit Process Tier 1 projects (small wineries), Winery Permit Process Tiers 2 & 3 would require a more detailed review of potential traffic impacts.</p> <p>Potential net new under proposed element versus adopted element.</p>
2	Temporary Use Ordinance Amendments	N/A	N/A	N/A	N/A	
3	Winery Permit Process Ordinance 661 Amendment	N/A	N/A	N/A	N/A	
4	Housing Element Update 2003-08	SFR Apartments	1,625 110	9.57 6.72	15,551 739 16,300	
5	Ordinance 661 Consistency Rezone Project	SFR Apartments	111 39	9.57 6.72	1,062 262 1,300	
6	Santa Ynez Valley Community Plan	N/A	N/A	N/A	300	Net trips generated by buildout of Draft SYVCP versus buildout under Existing Comprehensive Plan. Not appreciable.
7	Expanded Home Occupations Ordinance Amendment	SFR	270	9.57	2,584	The Los Alamos Planning Advisory Committee (LAPAC) voted to reject a proposal to expand the western urban boundary line at their April 16, 2007 public meeting. The LAPAC will conduct additional public meetings throughout the spring and summer 2007 to discuss potential policy and ordinance amendments that could facilitate mixed use development within the existing planning area along Bell Street corridor.
8	Los Alamos Community Plan Update	Apartments	106	6.72	712 3,300	Development potential associated with these mixed use development concepts is unknown and speculative. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.

Project	Land Use	Size ⁶⁾	ADT		Discussion
			Rate	Trips	
9 Cuyuma Valley Land Use Strategies	N/A	N/A	N/A	N/A	This future planning effort will provide a forum for valley residents to discuss important issues pertaining to land use, resources, community services and infrastructure, and to develop a collaborative strategy and vision for the future of the Cuyuma Valley. The planning effort is not anticipated to begin until Summer 2007 and a draft project description/revisioning document could potentially be formulated by the end of 2007. A draft project description identifying potential development strategies or policy changes for would not be available until well after community input. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR Cumulative Impact analysis.
10 LUDC amendment: Residential Agricultural Ordinance (RAU)	N/A	N/A	N/A	N/A	This planning effort is not a component of the Housing Element update. Due to work program priorities, it is not anticipated to begin until the Housing Element EIR is completed and certified by the Board of Supervisors. Since the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
11 LUPC amendment: Development Plan Threshold	N/A	N/A	N/A	N/A	Development potential unknown. Projects would require a more detailed review of potential traffic impacts. This planning effort is not a component of the Housing Element update. Due to work program priorities, it is not anticipated to begin until the Housing Element EIR is completed and certified by the Board of Supervisors. Since the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
12 Natural Resource Conservation Strategy	N/A	N/A	N/A	N/A	Minor trip generation dispersed across county areas for Winery Permit Process Tier 1 projects (small wineries). Winery Permit Process Tiers 2 & 3 would require a more detailed review of potential traffic impacts.
13 Agricultural Land Buffers	N/A	N/A	N/A	N/A	A conservation steering committee has been formed and will conduct public workshops from Spring 2007 through Fall 2007. A public draft plan is not anticipated until December 2007. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
14 Goleta Valley Community Plan Update	N/A	N/A	N/A	N/A	This project is not funded, nor included in the Planning & Development Department adopted work program for Fiscal Years 2006-2007 or 2007-2008. Since the project scope is currently undefined and the project timing uncertain, the project is not included in the Uniform Rules EIR cumulative impact analysis.
15 Grading Ordinance: Revision of AG Grading Provisions	N/A	N/A	N/A	N/A	This future planning effort will provide a forum for residents to discuss important issues pertaining to land use, resources, community services and infrastructure, and to develop a collaborative strategy and vision for the future of Eastern Goleta Valley. The initial public workshops are not anticipated to begin until December 2007. Potential project descriptions for this Plan update would not be available until well after community input. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
16 Zoning Clearance for previously approved CUPs/DPs	N/A	N/A	N/A	N/A	This project is not funded, nor included in the Planning & Development Department adopted work program for Fiscal Years 2006-2007 or 2007-2008. Since the project scope is currently undefined and the project timing uncertain, the project is not included in the Uniform Rules EIR cumulative impact analysis.
17 Zoning Violation Abatement Process	N/A	N/A	N/A	N/A	This amendment to the County's Zoning Ordinances is procedural only and will not result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
18 AREA: baseline study	N/A	N/A	N/A	N/A	The pilot project to revise procedures for processing minor zoning violations on A-G-H zoned parcels is no longer being pursued by the Planning & Development Department. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis. The AREA study is informational only and will not facilitate new development or result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.

Project	Land Use	Size ^{ac}	ADT		Discussion
			Rate	Trips	
19 Zoning Ordinance Reformatting Project (ZORP)	N/A	N/A	N/A	N/A	Reformatting the County's Zoning Ordinances did not result in any substantive changes, and therefore, no possibility for any direct or indirect physical change in the environment or significant environmental effects, and is therefore exempt from CEQA. Therefore, the project is not included in the Uniform Rules EIR
20 ESH-Coleza	N/A	N/A	N/A	N/A	The amendment will add protections for environmental resources located within such mapped overlay zones, and thus will have the effect of providing additional protections for the environment. No significant environmental impacts are expected to result as a consequence of these ordinance revisions. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
21 Surface Mining and Reclamation Ordinance Text Amendments	N/A	N/A	N/A	N/A	This LUDC amendment is procedural only and will not result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. The amendment would not produce related or cumulative impacts associated with the project evaluated in the Uniform Rules EIR. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
22 LUDC amendment: Downshift small projects to ministerial permit	N/A	N/A	N/A	N/A	This LUDC amendment is procedural only and will not result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. The amendment would not produce related or cumulative impacts associated with the project evaluated in the Uniform Rules EIR. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Tier 2 Projects					
Discretionary Projects on Agriculturally Zoned/Rural Land in the County					
Ministerial Residential					
Tier 3 Projects					
A City of Santa Maria: Bradley Lands Annexation	SFR Condominiums Apartments Senior Housing - detached Apartments Shopping Center Office	3,500 1,800 2,300 400 1,400 1,905,750 1,905,750	7.82 4.16 6.00 3.71 6.12 24.21 6.77	27,370 7,488 13,984 1,484 8,566 46,138 117,900	The project applicant has met with the City of Santa Maria and presented potential land use concepts to the Local Agency Formation Commission. The potential project could result in the development of approximately 9,400 units (3,500 single family dwellings, 1,800 condominiums, 2,300 apartment units, 400 senior housing units, and 1,400 mixed use residential units). The project may also include 350 acres of commercial and office space; three schools, and associated recreation, open space, and visitor serving uses.
B City of Santa Maria: Santa Maria Wastewater Treatment Plant Annexation	N/A	N/A	N/A	N/A	A draft Environmental Impact Report (EIR) has been prepared (August 2006) for the Santa Maria Wastewater Treatment Plant and Annexation.
C City of Santa Maria: Los Flores Landfill	N/A	N/A	N/A	N/A	Not appreciable.
D City of Santa Maria: Enos Rancho Annexation	Shopping Center Shopping Center Shopping Center Condominiums Middle School	592,000 190,000 78,400 260 1,200	36.44 34.17 73.95 5.86 1.62	200 21,572 10,336 5,798 1,524 1,944 41,200	Notice of Preparation (NOP) issued October 2006 to prepare EIR for landfill on 395 acres. Net trips generated by buildout of Las Posas Valley Area. A Draft EIR was released for public review in May 2007.
E City of Santa Maria: Mahoney Ranch Specific Plan Amendments	SFR Condominiums Apartments Shopping Center Elementary School	727 479 199 65,340 900	9.57 5.06 6.72 70.82 1.29	6,957 2,807 1,337 5,150 1,161 37,400	A Draft EIR was released for public review in June 2007.
F Orcutt: North Hills Development	Shopping Center Office Apartments SFR	500,000 500,000 1,500 6,000	38.66 9.21 6.08 7.82	19,330 4,605 9,120 46,920 80,000	On June 12, 2007 the Santa Barbara Planning Commission voted 4-1 to recommend against initiating a Comprehensive Plan amendment that would facilitate potential development of the North Hills project.
G City of Lompoc: Purisma Hills Development and Annexation	SFR	1,300	9.87	12,451 12,400	The project will be reviewed by the City Council Summer 2007.

Project	Land Use	Size ^(a)	ADT		Discussion
			Rate	Trips	
H UC/SB: Long Range Development Plan	Students Student Housing	5,000 927	1.3 2.3	6,500 2,132 8,600	The University is in the process of updating their long range development plan to guide future campus development through 2025. The draft plan objectives include a net increase of 5,000 student enrollment; 1,700 faculty/staff positions; 1.6 million square feet of academic space; 4,800 bed spaces; 184 student family housing units; and 1,800 faculty/staff housing units. Santa Barbara County Planning Commission reviewed the proposed project on April 23, 2007. The Board of Supervisors will conduct adoption hearings in Summer 2007.
I Isla Vista: Isla Vista Master Plan	Multi-Family Residential Apartments Condominiums Downtown Commercial I.V. Community Center SFR	441 752 241 51,485 N/A 13	5.57 6.38 5.86 43.51 N/A 9.57	2,456 4,798 1,412 2,240 248 124 11,300	Annexation application has been submitted to Santa Barbara County Local Agency Formation Commission (LAFCO). An application for development has been submitted to the City of Carpinteria. The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to amend the City of Goleta General Plan to change the land use and zoning designations on Bishop Ranch from agriculture to urban development. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
J City of Santa Barbara: Las Positas Annexation	SFR	204	9.57	1,932 2,000	The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to amend the City of Goleta General Plan to change the land use and zoning designations on Bishop Ranch from agriculture to urban development. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
K City of Carpinteria: Peoples Self-Help Agricultural Employee Housing Project	Trailer Park	86	N/A	180	The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to amend the City of Goleta General Plan to change the land use and zoning designations on Bishop Ranch from agriculture to urban development. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
L City of Goleta: Bishop Ranch Development	N/A	N/A	N/A	N/A	The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to amend the City of Goleta General Plan to change the land use and zoning designations on Bishop Ranch from agriculture to urban development. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
M City of Goleta: Glen Annie Golf Course Annexation	N/A	N/A	N/A	N/A	The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to amend the City of Goleta General Plan to change the land use and zoning designations on Bishop Ranch from agriculture to urban development. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
N City of Buellton: Sphere of Influence Study	N/A	N/A	N/A	N/A	The Baseline Conditions report is an informational document which identifies land use constraints and opportunities within the various study area sub-regions. Since the report does not identify, analyze, or recommend land use or zoning changes, any impact analysis for the Sphere of Influence study area would be speculative at this point. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
O City of Lompoc: Bailey Avenue Specific Plan/Annexation	N/A	N/A	N/A	N/A	The specific plan will primarily facilitate single family dwellings with limited neighborhood serving commercial. No specific densities have been defined at this time. There is no current or pending application to amend the Bailey Avenue properties to the City of Lompoc. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.

^(a) - Dwelling units for residential, Square-feet for commercial.

**ATTACHMENT B - TRIP GENERATION ESTIMATES BY RURAL REGION
POTENTIAL CUMULATIVE PROJECTS IN PRELIMINARY PLANNING STAGE**

Project		Trips
South Coast Rural Region		
14	Goleta Valley Community Plan Update	N/A
20	ESH-Goleta	N/A
H	UCSB: Long Range Development Plan	8,600
I	Isla Vista: Isla Vista Master Plan	11,300
J	City of Santa Barbara: Las Positas Annexation	2,000
K	City of Carpinteria: Peoples Self-Help Agricultural Employee Housing Project	180
L	City of Goleta: Bishop Ranch Development	N/A
M	City of Goleta: Glen Annie Golf Course Annexation	N/A
Total		22,080
Gaviota Rural Region		
Total		0
Santa Ynez Valley Rural Region		
6	Santa Ynez Valley Community Plan	300
N	City of Buellton: Sphere of Influence Study	N/A
Total		300
Lompoc Valley Rural Region		
G	City of Lompoc: Purisma Hills Development and Annexation	12,400
O	City of Lompoc: Bailey Avenue Specific Plan/Annexation	N/A
Total		12,400
San Antonio Creek Rural Region		
8	Los Alamos Community Plan Update	3,300
F	Orcutt: North Hills Development	118,600
5	Ordinance 661 Consistency Rezone Project	1,300
Total		123,200
Santa Maria Valley Rural Region		
A	City of Santa Maria: Bradley Lands Annexation	117,900
B	City of Santa Maria: Santa Maria Wastewater Treatment Plant Annexation	N/A
C	City of Santa Maria: Los Flores Landfill	200
D	City of Santa Maria: Enos Ranchos Annexation	41,200
E	City of Santa Maria: Mahoney Ranch Specific Plan Amendments	17,400
5	Ordinance 661 Consistency Rezone Project	1,300
Total		178,000
Cuyuma Rural Region		
9	Cuyuma Valley Land Use Strategies	N/A
Total		N/A
County-Wide Projects		
1	Winery Permit Process Ordinance	N/A
2	Temporary Use Ordinance Amendments	N/A
3	Winery Permit Process Ordinance 661 Amendment	N/A
4	Housing Element Update 2003-08	16,300
7	Expanded Home Occupations Ordinance Amendment	N/A
10	LUDC amendment: Residential Agricultural Ordinance (RAU)	N/A
11	LUDC amendment: Development Plan Threshold	N/A
12	Natural Resource Conservation Strategy	N/A
13	Agricultural Land Buffers	N/A
15	Grading Ordinance: Revision of Ag Grading Provisions	N/A
16	Zoning Clearance for previously approved CUPs/DPs	N/A
17	Zoning Violation Abatement Process	N/A
18	AREA: baseline study	N/A
19	Zoning Ordinance Reforming Project (ZORP)	N/A
21	Surface Mining and Reclamation Ordinance Text Amendments	N/A
22	LUDC amendment: Downshift small projects to ministerial permit	N/A
	Discretionary Projects on Agriculturally Zoned/Rural Land in the County	N/A
	Ministerial Residential	N/A
Total		16,300

APPENDIX 8

**ANALYSIS USING THE LAND EVALUATION AND SITE
ASSESSMENT (LESA) MODEL**

LAND EVALUATION AND SITE ASSESSMENT (LESA) MODEL

Developed by the Natural Resources Conservation Service in 1981 to provide an objective rating of the agricultural suitability of land in comparison to nonagricultural uses, LESA was adopted as a federal procedural tool for identifying and addressing the potential adverse effects of federal programs on farmlands.

In 1990 the Department of Conservation commissioned a study to investigate land use decisions affecting the conversion of agricultural soils in California in response to concerns raised in the *California Soil Conservation Plan* (developed by an ad hoc Soil Conservation Advisory Committee serving DOC in 1987). Key to these concerns was the belief that 1) there was inadequate information regarding socioeconomic and environmental implications of farmland (soil) conversions and; 2) the adequacy in the current farmland (soil) conversion impact analysis under CEQA was unknown. Neither CEQA or the State CEQA Guidelines contain specific measures or guidance as to how agencies should address farmland (soil) conversion impacts of projects apart from the statement in Appendix G which states, that a project will normally have an effect on the environment if it will "convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land."

The California LESA model is the result of Senate Bill 80 (Chapter 812/1993), charging the Resources Agency, in consultation with the Governor's Office of Planning and Research to develop an amendment to Appendix G of the State CEQA Guidelines to "provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code §21095).

MEASUREMENT & SCORING OF LAND EVALUATION AND SITE ASSESSMENT FACTORS UTILIZED IN THE CALIFORNIA AGRICULTURAL LESA MODEL

The California LESA model is designed to make determinations of the potential significance of a project's conversion of agricultural soils during the Initial Study phase of CEQA review using representative factors to evaluate the quality of the land and circumstances of the site in relation to agricultural use.

A. Land Evaluation Factors

1. The USDA Land Capability Classification. The LCC indicates the suitability of soils for most kinds of crops; groupings are made according to the soil limitations and risk of soil damage when used in agriculture.

2. The Storie Index. Provides a numeric rating system (based on a 100 pt. system) of relative degree of suitability or value of a given soil for intensive agriculture based on characteristics & qualities of soil: 1) profile characteristics; 2) texture of the surface layer; 3) slope; and 4) drainage, salinity, other factors, etc.

B. Site Assessment Factors

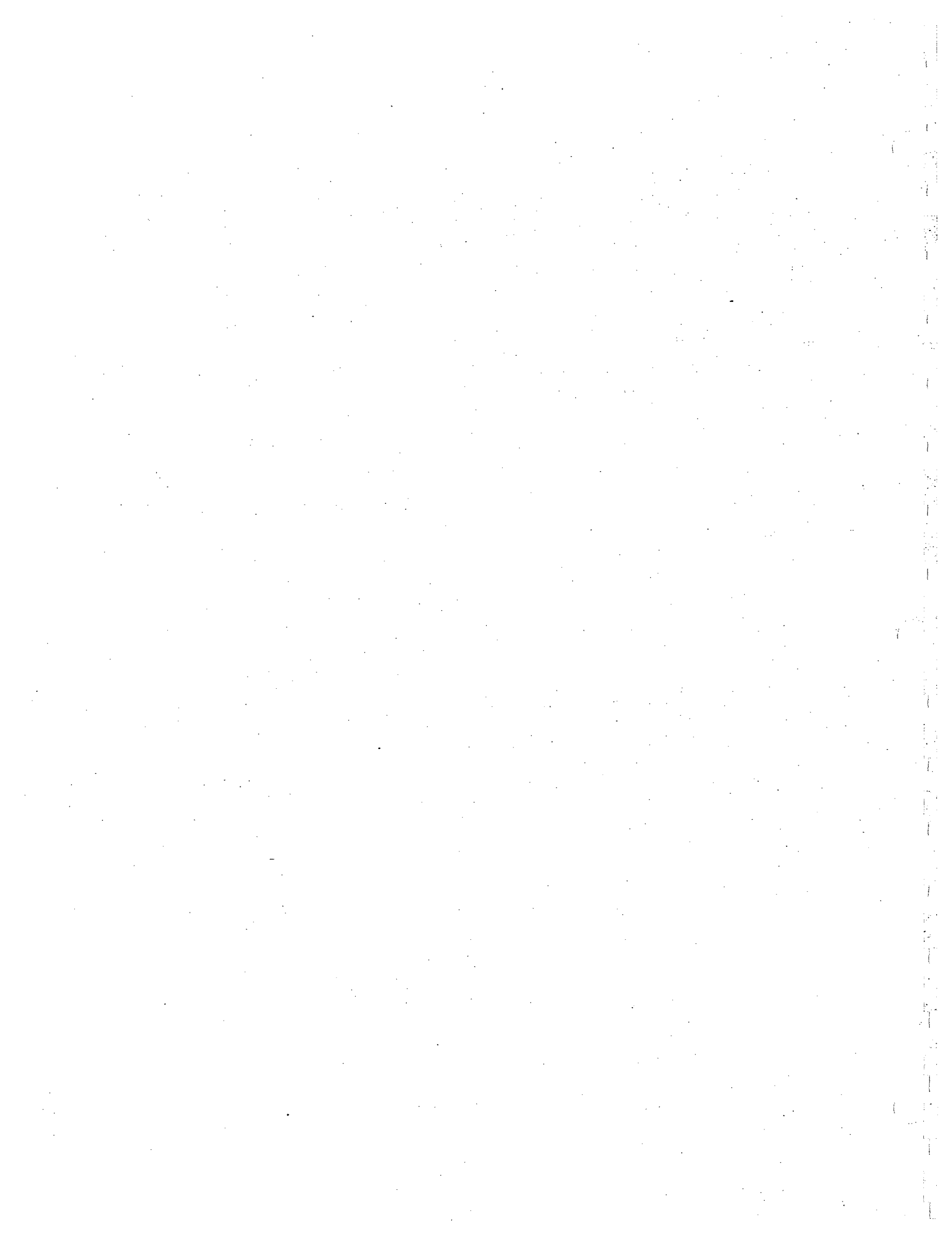
1. Project Size Rating. Developed in cooperation with Nichols-Berman (consulting firm under contract with DOC) with the understanding that farm size plays a role in the commercial viability of agricultural operations and the assumptions that: 1) larger farming operations can provide greater flexibility in farm management and marketing decisions; 2) economies of scale for equipment and infrastructure may be more favorable; and 3) larger operations have greater impacts upon the local economy through direct employment & impact on support industries (fertilizers, equipment, shipping) and food processing.

LESA does not specifically consider economic viability, that is, such variables as financial management; farming skills of the operator; debt load & interest rate paid by the operator. The size of the farm parcel provides a limited surrogate for viability. The size of the farming operation can be considered not just using total acreage, but the acreage of different qualities of soil comprising the operation. Lands comprised of higher quality soils are more easily and readily flexible to farm a variety of crops and management approaches, and have a higher potential to provide greater economic return per unit acre.

2. Water Resources Availability Rating. Developed in cooperation with Nichols-Berman the rating identifies various water sources and determines what constraints in supply may arise.
3. Surrounding Agricultural Land Rating. Based upon the concept that development will be accompanied by a "Zone of Influence". This is identified as the land directly near, and within a defined distance of the boundary for a given project. The default distance is ¼ mile.
4. Surrounding Protected Resource Land Rating. Provides measurement of the level of agricultural land use for lands in close proximity to the project.

LESA is weighted so that 50% of the total LESA score is derived from Land Evaluation factors and the other 50% from Site Assessment factors, which are then combined for a total overall LESA score. Thresholds of significance for environmental impact are based on both the total LESA score and the component LE and SA factor subscores. Scoring thresholds are dependent on the attainment of a minimum score so that a single threshold is not the result of a skewed subscore.

The following seven scenarios were generated based upon the anticipated conversions of agricultural soils resulting from the Uniform Rules revisions through the use of the LESA Model to determine if the State thresholds for significance would produce a different result from those identified in the DEIR. The scenarios indicate that the conversion of 15 acres of productive soils in the cases of preparation and processing and Agricultural Industry Overlay facilities will have a significant impact on agricultural resources, while the conversion of 2 to 3 acres of agricultural soil to residential purposes would not result in a significant impact on agricultural resources.



Summary:

The tables following the summary table (below) chronicle all the LESA model scenarios which would be possible through amendments proposed to the Uniform Rules allowing for conversion of agricultural soils to developed uses.

The summary table below has condensed this information:

Project	Project Location	Project Soils	Project Acreage	Score	Significance of Impact
AIO facility	Santa Maria Valley	Prime	15 acres	79	Significant
AIO facility	Santa Maria Valley	Nonprime	15 acres	67.5	Significant
Residence	Los Olivos	Nonprime	3 acres	40	Not significant
Residence	Santa Ynez	Nonprime	3 acres	33.5	Not significant
Winery	San Antonio Creek	Prime & Nonprime	13 acres	55.73	Significant
Winery	San Antonio Creek	Prime & Nonprime	10 acres	63.75	Significant
Winery	Santa Ynez Valley	Prime & Nonprime	7 acres	68.6	Significant

California LESA Model Scoring Threshold Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless either LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario I

This scenario assumes a hypothetical agricultural support facility proposed for a 15-acre parcel located in the eastern unincorporated Santa Maria Valley and cultivated in irrigated crops. The project site is comprised of prime soils. The subject parcel is under contract as are the majority of adjacent and surrounding parcels excepting one adjacent parcel, which is entirely residential. The water resource availability assumption includes an economic restriction in both drought and non-drought years.

Project Land Capability Classification (LCC) and Stories Index Scores

Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Stories Index	Stories Index Score
SuA	15 acres	1.0	IIs	80	80	86	86
Total:	15 acres	Must sum to 1.0		LCC Total:	80	Stories Index Total:	86

Numeric Conversion of Land Capability Classification Units Reference Table

Land Capability Classification	LCC Point Rating
I	100
Ie	90
IIs, w	80
IIIe	70
IIIs, w	60
IVe	50
IVs, w	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Table

LCC Class I-II	LCC Class III	LCC Class IV-VII
15	0	0
15	0	0
30	0	0

Total Acres/Class

Project Size Scores

Highest Project Size Score

Water Resources Availability Reference Table

Option	Non-Drought Years			Drought Years			Water Resource Score
	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	
1	Yes	No	No	Yes	No	No	100
2	Yes	No	No	Yes	No	Yes	95
3	Yes	No	Yes	Yes	No	Yes	90
4	Yes	No	No	Yes	Yes	No	85
5	Yes	No	No	Yes	Yes	Yes	80
6	Yes	Yes	No	Yes	Yes	No	75
7	Yes	Yes	Yes	Yes	Yes	Yes	65
8	Yes	No	No	Yes	---	---	50
9	Yes	No	Yes	No	---	---	45
10	Yes	Yes	Yes	No	---	---	35
11	Yes	Yes	Yes	No	---	---	30
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years						
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)						
14	Neither irrigated nor dryland production feasible						
							20
							0

Water Resources Availability Scoring Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score (C x D)
1	3	1.0	90	90
Must sum to 1.0			Total Water Resource Score	90

Zone of Influence Reference Tables

% of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

% of Project's Zone of Influence in Ag Use	Surrounding Ag. Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

Zone of Influence Scoring Table

Total Acres	Zone of Influence			Surrounding Agricultural Land Score	Surrounding Protected Resource Land Score
	Acres in Ag.	Acres of Protected Resource	Percent in Ag.		
294.0132	288.166	259.6095	98%	100	90
			(A/C) 88%		

California LESA Model Scoring Threshold Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless either LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario I

Final LESA Score Sheet

Factor Name	Factor Rating	X	Factor Weighting	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	Line 1 80	x	0.25	=	20
2. Storie Index Rating	Line 2 86	x	0.25	=	21.5
Site Assessment					
1. Project Size	Line 3 30	x	0.15	=	4.5
2. Water Resource Availability	Line 4 90	x	0.15	=	13.5
3. Surrounding Agricultural Lands	Line 5 100	x	0.15	=	15
4. Protected Resource Lands	Line 6 90	x	0.05	=	4.50
Total LESA Score (sum of weighted factors)					79

The total score of 79 points for the removal of 15 acres was determined to be significant.

Scenario II

This scenario assumes a hypothetical agricultural support facility proposed for a 15-acre parcel located west of Santa Maria in the unincorporated area and cultivated in irrigated crops. The parcel is under contract, surrounded by other contracted lands in either agricultural or agricultural industrial uses. The project site is comprised solely of nonprime soils and no restrictions were assumed to impede water resources.

Land Capability Classification (LCC) and Stories Index Scores						
Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Stories Index Score
CuA	15 acres	1.0	III _s	60	60	64
Totals	15 acres	Must sum to 1.0		LCC Total Score	60	Stories Index Total 64

Reference Table

Land Capability Classification	LCC Point Rating
I	100
II _e	90
II _{s, w}	80
III _e	70
III _{s, w}	60
IV _e	50
IV _{s, w}	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Table

LCC Class I-II	LCC Class III	LCC Class IV-VII
0	15	0
0	15	0

Total Acres
Project Size Scores

Highest Project Size Score

10

Water Resources Availability Reference Table

Option	Non-Drought Years				Drought Years				Water Resource Score
	Restrictions				Restrictions				
	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Physical Restrictions	Economic Restrictions	
1	Yes	No	No	Yes	No	No	No	No	100
2	Yes	No	No	Yes	No	No	No	Yes	95
3	Yes	No	Yes	Yes	Yes	No	No	Yes	90
4	Yes	No	No	Yes	No	No	Yes	No	85
5	Yes	No	No	Yes	No	No	Yes	Yes	80
6	Yes	Yes	No	Yes	No	No	Yes	No	75
7	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	65
8	Yes	No	No	Yes	No	No	---	---	50
9	Yes	No	Yes	No	Yes	No	---	---	45
10	Yes	Yes	Yes	No	Yes	No	---	---	35
11	Yes	Yes	Yes	No	Yes	No	---	---	30
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years								
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)								
14	Neither irrigated nor dryland production feasible								

Water Resources Availability Scoring Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score ((C x D)
2	2	1.0	95	95
Must sum to 1.0			Total Water Resource Score	95

Zone of Influence Reference Tables

% of Project's Zone of Influence in Ag. Use	Surrounding Ag. Land Score
---	----------------------------

90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

% of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

Zone of Influence Scoring Table

Total Acres	Zone of Influence			Surrounding Agricultural Land Score	Surrounding Protected Resource Land Score
	Acres in Ag. Resource	Percent in Ag. Resource Land (A/C)	Percent Protected Resource Land (A/C)		
315.7332	289.3401	91.5%	90.5%	100	100

California LESA Model Scoring Threshold Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless either LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario II
Final LESA Score Sheet

Factor Name	Factor Rating	x	Factor Weighting	=	Weighted Factor Rating
<u>Land Evaluation</u>					
1. Land Capability Classification	Line 1 60	x	0.25	=	15
2. Storie Index Rating	Line 2 64	x	0.25	=	16
<u>Site Assessment</u>					
1. Project Size	Line 3 10	x	0.15	=	1.5
2. Water Resource Availability	Line 4 95	x	0.15	=	14.25
3. Surrounding Agricultural Lands	Line 5 100	x	0.15	=	15
4. Protected Resource Lands	Line 6 100	x	0.05	=	5
Total LESA Score (sum of weighted factors)					66.75

The total score was determined to be 66.75 out of 100 points and the removal of 15 acres from agricultural production was determined not to have a significant impact.

Scenario III

This scenario assumes a hypothetical proposed residential dwelling located in Los Olivos on a parcel that is currently being grazed and is surrounded to the north, west and south by other parcels under contract. The project site is comprised solely of nonprime soils and it is assumed water is available.

Land Capability Classification (LCC) and Stories Index Score						
Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index Score
ChF	1.5808	.527	VI	20	10.54	36
SoC	1.4192	.473	IIIs	70	33.11	37
Totals	3.0 acres	Must sum to 1.0		LCC Total Score	43.65	Storie Index Total
						36.473

Numeric Conversion of Land Capability Classification Units Reference Table

Land Capability Classification	LCC Point Rating
I	100
IIe	90
IIs, w	80
IIIe	70
IIIs, w	60
IVe	50
IVs, w	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Table

LCC Class I-II	LCC Class III	LCC Class IV-VII
0	0	1.5808
0	1.4192	0
0	3.0	3.0
0	0	0

Total Acres

Project Size Scores

Highest Project Size Score 0

Water Resources Availability Reference Table

Option	Non-Drought Years			Drought Years			Water Resource Score	
	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions		
1	Yes	No	No	Yes	No	No	100	
2	Yes	No	No	Yes	No	Yes	95	
3	Yes	No	Yes	Yes	No	Yes	90	
4	Yes	No	No	Yes	Yes	No	85	
5	Yes	No	No	Yes	Yes	Yes	80	
6	Yes	Yes	No	Yes	Yes	No	75	
7	Yes	Yes	Yes	Yes	Yes	Yes	65	
8	Yes	No	No	Yes	---	---	50	
9	Yes	No	Yes	No	---	---	45	
10	Yes	Yes	Yes	No	---	---	35	
11	Yes	Yes	Yes	No	---	---	30	
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years							25
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)							20
14	Neither irrigated nor dryland production feasible							0

Water Resources Availability Scoring Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score (C x D)
1.0	Not irrigated	1.0	0	0
Must sum to 1.0			Total Water Resource Score	0

Scenario III
Final LESA Score Sheet

Factor Name	Factor Rating	x	Factor Weighting	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	Line 1 46.65	x	0.25	=	11
2. Storie Index Rating	Line 2 36.473	x	0.25	=	9
Site Assessment					
1. Project Size	Line 3 0	x	0.15	=	0
2. Water Resource Availability	Line 4 0	x	0.15	=	0
3. Surrounding Agricultural Lands	Line 5 100	x	0.15	=	15
4. Protected Resource Lands	Line 6 100	x	0.05	=	5
Total LESA Score (sum of weighted factors)					40

The total score was determined to be 40. This score is right on the threshold for a potential significant impact, however, the removal of 3 acres from agricultural production was determined not to have a significant impact for the particular parcel analyzed.

Scenario IV

This scenario assumes a hypothetical proposed residential dwelling for a parcel located in the Santa Ynez Valley on land used for dry grazing. The project site is comprised solely of nonprime soils. Water is assumed to be available.

Land Capability Classification (LCC) and Stories Index Scores

Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Stories Index	Stories Index Score
LsF	2 acres	1.0	VI	20	20	22	22
Totals		Must sum to 1.0		LCC Total Score	20	Stories Index Total	22

Numeric Conversion of Land Capability Classification Units Reference Table

Land Capability Classification	LCC Point Rating
I	100
Ile	90
II, w	80
IIIe	70
III, w	60
IVe	50
IV, w	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Table

LCC Class	LCC Class III	LCC Class IV-VIII
2 acres	0	0
0	0	0

Total Acres

Project Size Score

Highest Project Size Score

0

Water Resources Availability Reference Table

Option	Non-Drought Years				Drought Years				Water Resource Score
	Restrictions		Irrigated Production Feasible	Economic Restrictions	Restrictions		Irrigated Production Feasible	Economic Restrictions	
	Physical Restrictions	Physical Restrictions			Physical Restrictions	Physical Restrictions			
1	Yes	No	Yes	No	No	No	No	100	
2	Yes	No	Yes	No	No	No	Yes	95	
3	Yes	No	Yes	Yes	No	No	Yes	90	
4	Yes	No	Yes	No	Yes	Yes	No	85	
5	Yes	No	Yes	No	Yes	Yes	Yes	80	
6	Yes	Yes	Yes	No	Yes	Yes	No	75	
7	Yes	Yes	Yes	Yes	Yes	Yes	Yes	65	
8	Yes	No	Yes	No	Yes	---	---	50	
9	Yes	No	Yes	Yes	---	---	---	45	
10	Yes	Yes	Yes	Yes	---	---	---	35	
11	Yes	Yes	No	Yes	---	---	---	30	
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years								
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)								
14	Neither irrigated nor dryland production feasible								

Water Resources Availability Scoring Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score (C x D)
1.0	13	1.0	20	20
Must sum to 1.0			Total Water Resource Score	20

Zone of Influence Reference Tables

% of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

% of Project's Zone of Influence in Ag. Use	Surrounding Ag. Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

Zone of Influence Scoring Table

Total Acres	Zone of Influence		Surrounding Agricultural Land Score	Surrounding Protected Resource Land Score
	Acres in Ag. Resource	Percent in Ag. Resource Land (A/C)		
203.8334	194.771	95.5%	100	100

California LESA Model Scoring Threshold Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless either LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario IV
Final LESA Score sheet

Factor Name	Factor Rating	X	Factor Weighting	=	Weighted Factor Rating
<u>Land Evaluation</u>					
1. Land Capability Classification	Line 1 20	x	0.25	=	5
2. Storie Index Rating	Line 2 22	x	0.25	=	5.5
<u>Site Assessment</u>					
1. Project Size	Line 3 0	x	0.15	=	0
2. Water Resource Availability	Line 4 20	x	0.15	=	3
3. Surrounding Agricultural Lands	Line 5 100	x	0.15	=	15
4. Protected Resource Lands	Line 6 100	x	0.05	=	5
Total LESA Score (sum of weighted factors)					33.5

The total score was determined to be 33.5 points. The removal of 3 acres from agricultural production was determined not to have a significant impact.

Scenario V

This scenario assumes a hypothetical 13-acre winery on a parcel located in the San Antonio Creek Rural Region, and surrounded by grazing and other cultivated uses. The parcel and the project site are comprised of both prime and nonprime soils and an irrigation system is in place.

Land Capability Classification (LCC) and Stories Index Scores Reference Table

Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index	Storie Index Score
CtD	1.44 acres	.11	IV	50	5.5	38	4.18
Rs	4.46 acres	.35	VIII	0	0	2	.7
BoA2	5.26 acres	.40	I	90	36	71	28.4
CuA	1.84 acres	.14	III	70	9.8	64	8.96
Totals	13.0 acres	Must sum to 1.0	LCC	Total Score	51.3	Storie Index Total	42.24

Numeric Conversion of Land Capability Classification Units Reference Table

Land Capability Classification	LCC Point Rating
I	100
IIe	90
IIIs, w	80
IIIe	70
IIIs, w	60
IVe	50
IVs, w	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Reference Table

LCC Class I-II	LCC Class III	LCC Class IV-VII
5.26 acres		
	1.84 acres	
		1.44 acres
		4.46 acres
Total Acres	13 acres	
Project Size Scores	0	0

Highest Project Size Score

0

Water Resources Availability Reference Table

Option	Non-Drought Years				Drought Years			Water Resource Score
	Restrictions				Restrictions			
	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions		
1	Yes	No	No	Yes	No	No	100	
2	Yes	No	No	Yes	No	Yes	95	
3	Yes	No	Yes	Yes	No	Yes	90	
4	Yes	No	No	Yes	Yes	No	85	
5	Yes	No	No	Yes	Yes	Yes	80	
6	Yes	Yes	No	Yes	Yes	No	75	
7	Yes	Yes	Yes	Yes	Yes	Yes	65	
8	Yes	No	No	Yes	---	---	50	
9	Yes	No	Yes	No	---	---	45	
10	Yes	Yes	Yes	No	---	---	35	
11	Yes	Yes	Yes	No	---	---	30	
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years							25
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)							20
14	Neither irrigated nor dryland production feasible							0

Water Resources Availability Scoring Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score (C x D)
1.44 acres	1	.11	100	11
4.46 acres	1	.35	100	35
5.26 acres	1	.40	100	40
1.84 acres	1	.14	100	14
Must sum to 1.0				Total Water Resource Score
				100

Zone of Influence Reference Tables

% of Project's Zone of Influence in Ag. Use	Surrounding Ag. Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

% of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

Zone of Influence Scoring Table

Zone of Influence		Acres in Ag. Resource	Acres of Protected Resource	Percent in Ag. Resource Land (A/C)	Percent Protected Resource Land (A/C)	Surrounding Agricultural Land Score	Surrounding Protected Resource Land Score
Total Acres	412.69						
	250.14	246.71	99%	60%	100	50	

California LESA Model Scoring Threshold Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless either LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario V
Final LESA Score Sheet

Factor Name	Factor Rating	x	Factor Weighting	=	Weighted Factor Rating
<u>Land Evaluation</u>					
1. Land Capability Classification	Line 1 51.3	x	0.25	=	12.82
2. Storie Index Rating	Line 2 42.24	x	0.25	=	10.56
<u>Site Assessment</u>					
1. Project Size	Line 3 0	x	0.15	=	0
2. Water Resource Availability	Line 4 100	x	0.15	=	15
3. Surrounding Agricultural Lands	Line 5 99	x	0.15	=	14.85
4. Protected Resource Lands	Line 6 50	x	0.05	=	2.5
Total LESA Score (sum of weighted factors)					55.73

The total score was determined to be 55.73. The removal of 13 acres from agricultural production was determined to have a significant impact.

Scenario VI

This scenario assumes a hypothetical 10-acre agricultural support facility located on a parcel in the San Antonio Creek Rural Region, surrounded by cultivated and grazing uses and comprised of prime and nonprime soils. An irrigation system is already in place.

Land Capability Classification (LCC) and Stories Index Scores

Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index	Storie Index Score
ChF	4.35 acres	.435	VI	20	8.7	36	15.66
BtA	0.52 acres	.0522	I	100	5.22	73	3.81
EnA2	5.20 acres	.52	II	90	46.8	67	34.84
Totals	10.07 acres	Must sum to 1.0		LCC Total Score	60.72	Storie Index Total	54.31

Numeric Conversion of Land Capability Classification Units Reference Table

Land Capability Classification	LCC Point Rating
I	100
IIe	90
II _{s,w}	80
IIIe	70
III _{s,w}	60
IVe	50
IV _{s,w}	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Table

LCC Class III	LCC Class III	LCC Class IV-MI
.0522		
.52		
		.435
	10 acres	
0	0	0

Total Acres

Project Size Scores

Highest Project Size Score

0

Water Resources Availability Reference Table

Option	Non-Drought Years				Drought Years				Water Resource Score
	Restrictions				Restrictions				
	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Irrigated Production Feasible	Physical Restrictions	Economic Restrictions	Physical Restrictions	Economic Restrictions	
1	Yes	No	No	Yes	No	No	No	No	100
2	Yes	No	No	Yes	No	No	Yes	Yes	95
3	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	90
4	Yes	No	No	Yes	No	No	Yes	No	85
5	Yes	No	No	Yes	No	No	Yes	Yes	80
6	Yes	Yes	No	Yes	Yes	No	Yes	No	75
7	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	65
8	Yes	No	No	Yes	No	No	---	---	50
9	Yes	No	Yes	No	No	Yes	---	---	45
10	Yes	Yes	Yes	No	Yes	Yes	---	---	35
11	Yes	Yes	Yes	No	Yes	Yes	---	---	30
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years								
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)								
14	Neither irrigated nor dryland production feasible								

Water Resources Availability Scoring Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score (C x D)
4.35 acres	1	.435	100	43.5
.522 acres	1	.0522	100	5.22
5.20 acres	1	.52	100	52
Total Water Resource Score				100
Must sum to 1.0				

Zone of Influence Reference Table

% of Project's Zone of Influence in Ag. Use	Surrounding Ag Land Score	% of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90-100%	100 pts.	90-100%	100 pts.
80-89%	90 pts.	80-89%	90 pts.
75-79%	80 pts.	75-79%	80 pts.
70-74%	70 pts.	70-74%	70 pts.
65-69%	60 pts.	65-69%	60 pts.
60-64%	50 pts.	60-64%	50 pts.
55-59%	40 pts.	55-59%	40 pts.
50-54%	30 pts.	50-54%	30 pts.
45-49%	20 pts.	45-49%	20 pts.
40-44%	10 pts.	40-44%	10 pts.
40<	0 pts.	40<	0 pts.

Zone of Influence Scoring Table

Total Acres	Zone of Influence			Surrounding Agricultural Land Score	Surrounding Protected Resource Land Score
	Acres in Ag.	Acres of Protected Resource	Percent in Ag. Resource Land (A/C)		
264.12	244.68	258.14	98%	100	100

California LESA Score Sheet Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless either LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario VI
Final LESA Score Sheet

Factor Name	Factor Rating	x	Factor Weighting	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	Line 1 60.72	x	0.25	=	15.18
2. Storie Index Rating	Line 2 54.31	x	0.25	=	13.57
Site Assessment					
1. Project Size	Line 3 0	x	0.15	=	0
2. Water Resource Availability	Line 4 100	x	0.15	=	15
3. Surrounding Agricultural Lands	Line 5 100	x	0.15	=	15
4. Protected Resource Lands	Line 6 100	x	0.05	=	5
Total LESA Score (sum of weighted factors)					63.75

The total score was determined to be 63.75. The removal of 10 acres of soils resulted in a significant impact to agricultural resources.

Scenario VII

This scenario assumes a hypothetical proposed 7.0 acre agricultural support facility on a parcel located in the Santa Ynez Valley surrounded by cultivated agriculture and grazing lands. The parcel is made up of non-prime and prime soils and a water source is available.

Land Capability Classification (LCC) and Stories Index Scores						
Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index Score
SdA	.6 acres	.08	I	100	8	.48
SdC	6.4 acres	.91	II	90	82	66.43
Totals	7.0 acres	Must sum to 1.0		LCC Total Score	100	Storie Index Total 66.91

Numeric Conversion of Land Capability Classification Units Reference Table

Land Capability Classification	LCC Point Rating
I	100
Ile	90
II, s, w	80
IIIe	70
III, s, w	60
IVe	50
IV, s, w	40
V	30
VI	20
VII	10
VIII	0

Project Size Scoring Reference Table

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower soils	
Acres	Score	Acres	Score	Acres	Score
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Project Size Scoring Table

LCC Class	LCC Class	LCC Class
I-II	III	IV-VII
.60 acres		
6.4 acres		
0	7 acres	0

Total Acres

Project Size Scores

Highest Project Size Score

0

Uniform Rules Update Proposed Final EIR

Water Resources Availability Reference Table

Option	Non-Drought Years				Drought Years				Water Resource Score
	Restrictions		Irrigated Production Feasible	Economic Restrictions	Restrictions		Irrigated Production Feasible	Economic Restrictions	
	Irrigated Production Feasible	Physical Restrictions			Physical Restrictions	Economic Restrictions			
1	Yes	No	Yes	No	No	No	No	100	
2	Yes	No	Yes	No	No	No	Yes	95	
3	Yes	No	Yes	Yes	No	No	Yes	90	
4	Yes	No	Yes	No	Yes	No	No	85	
5	Yes	No	Yes	No	Yes	Yes	Yes	80	
6	Yes	Yes	Yes	No	Yes	No	No	75	
7	Yes	Yes	Yes	Yes	Yes	Yes	Yes	65	
8	Yes	No	Yes	No	---	---	---	50	
9	Yes	No	No	Yes	---	---	---	45	
10	Yes	Yes	No	Yes	---	---	---	35	
11	Yes	Yes	No	Yes	---	---	---	30	
12	Irrigated production feasible, but rainfall adequate for dryland production in both drought and non-drought years								
13	Irrigated production feasible, but rainfall adequate for dryland production in non-drought year (but not drought years)								
14	Neither irrigated nor dryland production feasible								

Water Resources Availability Reference Table

Project Portion	Water Source	Proportion of Project Area	Water Availability Source	Weighted Availability Score (C x D)
.60 acres	5	.08	80	6.4
6.4 acres	5	.91	80	72.8
Must sum to 1.0				79.2
Total Water Resource Score				

Zone of Influence Reference Tables

% of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

% of Project's Zone of Influence in Ag. Use	Surrounding Ag. Land Score
90-100%	100 pts.
80-89%	90 pts.
75-79%	80 pts.
70-74%	70 pts.
65-69%	60 pts.
60-64%	50 pts.
55-59%	40 pts.
50-54%	30 pts.
45-49%	20 pts.
40-44%	10 pts.
40<	0 pts.

Zone of Influence Scoring Table

Total Acres	Zone of Influence		Surrounding Agricultural Land Score	Surrounding Protected Resource Land Score
	Acres in Ag.	Acres of Protected Resource		
250.45	246.16	85.6	100	0
		98%	34%	

California LESA Score Sheet Reference Table

Total LESA Score	Scoring Decision
0-39 Points	Not Considered Significant
40-59 Points	Considered Significant only if LE and SA sub-scores are each > or = 20 points
60-79 Points	Considered Significant unless LE or SA sub-score < 20 points
80-100 Points	Considered Significant

Scenario VII
Final LESA Score Sheet

Factor Name	Factor Rating	x	Factor Weighting	=	Weighted Factor Rating
<u>Land Evaluation</u> 1. Land Capability Classification	Line 1 100	x	0.25	=	25
2. Storie Index Rating	Line 2 66.91	x	0.25	=	16.72
<u>Site Assessment</u> 1. Project Size	Line 3 0	x	0.15	=	0
2. Water Resource Availability	Line 4 79.2	x	0.15	=	11.88
3. Surrounding Agricultural Lands	Line 5 100	x	0.15	=	15
4. Protected Resource Lands	Line 6 0	x	0.05	=	0
Total LESA Score (sum of weighted factors)					68.6

The total score was determined to be 68.6. The analysis has determined that the conversion of 7 acres of prime soils has a significant impact upon agricultural resources.

APPENDIX 9
CO2 EMISSION ESTIMATES

**CO₂ Emission Estimates
Uniform Rules Update**

9/14/2007 10:50:26 AM

Urbemis 2007 Version 9.2.0

Summary Report for Summer Emissions (Pounds/Day)

File Name: C:\Documents and Settings\swazlaw\Application Data\Urbemis\Version9a\Projects\Uniform Rules.urb9

Project Name: Uniform Rules Project-CO2 Emissions -Project Development

Project Location: Santa Barbara County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

CO2

2009 TOTALS (lbs/day unmitigated) 9,974.54

2010 TOTALS (lbs/day unmitigated) 169,067.68

2011 TOTALS (lbs/day unmitigated) 150,195.52

AREA SOURCE EMISSION ESTIMATES

CO2

TOTALS (lbs/day, unmitigated) 5,114.55

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

CO2

TOTALS (lbs/day, unmitigated) 207,993.99

9/14/2007 10:50:26 AM

SUM OF AREA SOURCE AND OPERATIONAL EMISSION
ESTIMATES

TOTALS (lbs/day, unmitigated)	<u>CO2</u>	213,108.54
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9/14/2007 10:51:15 AM

Urbemis 2007 Version 9.2.0

Detail Report for Summer Area Source Unmitigated Emissions (Pounds/Day)

File Name: C:\Documents and Settings\swazlaw\Application Data\Urbemis\Version9a\Projects\Uniform Rules.urb9

Project Name: Uniform Rules Project-CO2 Emissions -Project Development

Project Location: Santa Barbara County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

AREA SOURCE EMISSION ESTIMATES (Summer Pounds Per Day, Unmitigated)

Source	CO2
Natural Gas	5,093.41
Hearth - No Summer Emissions	
Landscape	21.14
Consumer Products	
Architectural Coatings	

TOTALS (lbs/day, unmitigated) 5,114.55

[Area Source Changes to Defaults](#)

9/14/2007 10:51:52 AM

Urbemis 2007 Version 9.2.0

Detail Report for Summer Operational Unmitigated Emissions (Pounds/Day)

File Name: C:\Documents and Settings\swazlaw\Application Data\Urbemis\Version9a\Projects\Uniform Rules.urb9

Project Name: Uniform Rules Project-CO2 Emissions -Project Development

Project Location: Santa Barbara County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL EMISSION ESTIMATES (Summer Pounds Per Day, Unmitigated)

Source	CO2
Single family housing	16,745.04
General light industry	191,248.95
TOTALS (lbs/day, unmitigated)	207,993.99

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2009 Temperature (F): 75 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	86.00	9.57	dwelling units	258.00	2,469.06	17,925.87
General light industry		6.97	1000 sq ft	5,488.56	38,255.26	202,752.88
					40,724.32	220,678.75

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Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	49.0	2.0	97.6	0.4
Light Truck < 3750 lbs	10.9	3.7	90.8	5.5
Light Truck 3751-5750 lbs	21.7	0.9	98.6	0.5
Med Truck 5751-8500 lbs	9.5	1.1	98.9	0.0
Lite-Heavy Truck 8501-10,000 lbs	1.6	0.0	75.0	25.0
Lite-Heavy Truck 10,001-14,000 lbs	0.6	0.0	50.0	50.0
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.9	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.1	0.0	0.0	100.0
Motorcycle	3.5	77.1	22.9	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	10.0	80.0	10.0

Travel Conditions

	Residential				Commercial	
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	9.9	5.6	6.1	5.7	4.1	5.7
Rural Trip Length (miles)	15.0	15.0	15.0	15.0	10.0	10.0
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			

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	<u>Travel Conditions</u>			
	Residential	Commercial	Commuter	Customer
	Home-Work	Home-Shop	Home-Other	Non-Work
% of Trips - Commercial (by land use)			50.0	25.0
General light industry				25.0

Operational Changes to Defaults

**CO₂ Emission Estimates
Cumulative Development**

9/14/2007 10:40:20 AM

Urbemis 2007 Version 9.2.0

Summary Report for Summer Emissions (Pounds/Day)

File Name: C:\Documents and Settings\swzlaw\Application Data\Urbemis\Version9a\Projects\Cumulative AQ Data.urb9

Project Name: Uniform Rules Project-CO2 Emissions-Cumulative Development in SB County

Project Location: Santa Barbara County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

CO2

2007 TOTALS (lbs/day unmitigated) 16,186.58

2008 TOTALS (lbs/day unmitigated) 25,001.29

2009 TOTALS (lbs/day unmitigated) 427,299.49

2010 TOTALS (lbs/day unmitigated) 418,367.21

2011 TOTALS (lbs/day unmitigated) 418,287.00

2012 TOTALS (lbs/day unmitigated) 418,231.61

2013 TOTALS (lbs/day unmitigated) 418,197.03

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2014 TOTALS (lbs/day unmitigated)	418,178.56
2015 TOTALS (lbs/day unmitigated)	418,168.46
2016 TOTALS (lbs/day unmitigated)	418,166.26
2017 TOTALS (lbs/day unmitigated)	418,165.70
2018 TOTALS (lbs/day unmitigated)	418,159.31
2019 TOTALS (lbs/day unmitigated)	421,085.12
2020 TOTALS (lbs/day unmitigated)	2,929.43
AREA SOURCE EMISSION ESTIMATES	
	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	407,806.07
OPERATIONAL (VEHICLE) EMISSION ESTIMATES	
	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	2,567,281.48

9/14/2007 10:40:21 AM

SUM OF AREA SOURCE AND OPERATIONAL EMISSION
ESTIMATES

TOTALS (lbs/day, unmitigated)	<u>CO2</u>	2,975,087.55
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9/14/2007 10:42:05 AM

Urbemis 2007 Version 9.2.0

Detail Report for Summer Area Source Unmitigated Emissions (Pounds/Day)

File Name: C:\Documents and Settings\swazlaw\Application Data\Urbemis\Version9a\Projects\Cumulative AQ Data.urb9

Project Name: Uniform Rules Project-CO2 Emissions-Cumulative Development in SB County

Project Location: Santa Barbara County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

AREA SOURCE EMISSION ESTIMATES (Summer Pounds Per Day, Unmitigated)

<u>Source</u>	<u>CO2</u>
Natural Gas	406,758.09
Hearth - No Summer Emissions	
Landscape	1,047.98
Consumer Products	
Architectural Coatings	
TOTALS (lbs/day, unmitigated)	407,806.07

Area Source Changes to Defaults

9/14/2007 10:42:30 AM

Urbemis 2007 Version 9.2.0

Detail Report for Summer Operational Unmitigated Emissions (Pounds/Day)

File Name: C:\Documents and Settings\wazlaw\Application Data\Urbemis\Version9a\Projects\Cumulative AQ Data.urb9

Project Name: Uniform Rules Project-CO2 Emissions-Cumulative Development in SB County

Project Location: Santa Barbara County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL EMISSION ESTIMATES (Summer Pounds Per Day, Unmitigated)

Source	CO2
Single family housing	892,419.75
Apartments low rise	149,885.83
Apartments mid rise	178,561.68
Condo/townhouse general	130,091.36
Mobile home park	2,910.41
Retirement community	10,064.41
Elementary school	5,989.58
Junior high school	10,029.07
University/college (4 yrs)	62,342.16
Regnl shop. center	977,544.06
Strip mall	11,618.28
General office building	134,532.63
Government (civic center)	1,292.26
TOTALS (lbs/day, unmitigated)	2,567,281.48

9/14/2007 10:42:30 AM

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2009 Temperature (F): 75 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	4,583.33	9.57	dwelling units	13,750.00	131,587.50	955,361.52
Apartments low rise	200.19	6.90	dwelling units	3,203.00	22,100.70	160,455.50
Apartments mid rise	120.29	5.76	dwelling units	4,571.00	26,328.96	191,153.52
Condo/townhouse general	173.75	6.90	dwelling units	2,780.00	19,182.00	139,265.16
Mobile home park	14.33	4.99	dwelling units	86.00	429.14	3,115.64
Retirement community	80.00	3.71	dwelling units	400.00	1,484.00	10,774.14
Elementary school		1.29	students	900.00	1,161.00	6,431.94
Junior high school		1.62	students	1,200.00	1,944.00	10,769.76
University/college (4 yrs)		2.38	students	5,000.00	11,900.00	67,354.00
Regnl shop. center		42.94	1000 sq ft	4,332.29	186,028.53	1,057,386.12
Strip mall		42.94	1000 sq ft	51.49	2,210.98	12,567.21
General office building		11.01	1000 sq ft	2,405.75	26,487.31	143,561.21
Government (civic center)		27.92	1000 sq ft	8.88	247.93	1,393.36
					431,092.05	2,759,579.08

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Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	49.0	2.0	97.6	0.4
Light Truck < 3750 lbs	10.9	3.7	90.8	5.5
Light Truck 3751-5750 lbs	21.7	0.9	98.6	0.5
Med Truck 5751-8500 lbs	9.5	1.1	98.9	0.0
Lite-Heavy Truck 8501-10,000 lbs	1.6	0.0	75.0	25.0
Lite-Heavy Truck 10,001-14,000 lbs	0.6	0.0	50.0	50.0
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.9	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.1	0.0	0.0	100.0
Motorcycle	3.5	77.1	22.9	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	10.0	80.0	10.0

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	9.9	5.6	6.1	5.7	4.1	5.7
Rural Trip Length (miles)	15.0	15.0	15.0	15.0	10.0	10.0
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	36.0
% of Trips - Residential	32.9	18.0	49.1			

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Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
% of Trips - Commercial (by land use)						
Elementary school				20.0	10.0	70.0
Junior high school				20.0	10.0	70.0
University/college (4 yrs)				5.0	2.5	92.5
Regnl shop. center				2.0	1.0	97.0
Strip mall				2.0	1.0	97.0
General office building				35.0	17.5	47.5
Government (civic center)				10.0	5.0	85.0

Operational Changes to Defaults

APPENDIX 10

AUDIT LETTER – DEPARTMENT OF FINANCE, JUNE 2001



June 14, 2001

Mr. John Patton, Director
Planning and Development
County of Santa Barbara
123 E. Anapamu Street
Santa Barbara, CA 93101

RECEIVED
JUN 19 2001
Land Resource Protection

Honorable Kenneth A. Pettit, Assessor
County of Santa Barbara
105 E. Anapamu Street, Room 204
P.O. Box 159
Santa Barbara, CA 93102

THE WILLIAMSON ACT AND OPEN SPACE SUBVENTION ACT AUDIT

We have completed our audit of compliance by Santa Barbara County (County) with the Williamson Act and the Open Space Subvention Act. Specifically, we audited the County's Open Space Subvention Application for fiscal year 2000-01, contract cancellations for 1992-93 through 2000-01, and contract non-renewals for 1992-93 through 2000-01. In general, we found that the County was in compliance with the Williamson Act and the Open Space Subvention Act. However, we noted the following conditions during our review. These conditions are being referred to the Department of Conservation for appropriate follow-up.

FINDING 1 Controls Inadequate to Ensure Accurate Acreage Reporting

Condition: The County has not established adequate controls to ensure accurate, discrepancy free acreage reporting. The following issues were noted:

- The County prepared subvention applications without detailed documentation to support the continuing-term acreage.¹ Specifically, the County should have generated a report listing continuing-term parcels and the corresponding prime and nonprime acres. We noted that the County prepared reports to support the non-renewal acreage and the Revenue and Taxation Code Section 110.1 acreage listed in the subvention applications. Further, based on our request, the County Assessor's Office generated a database report of continuing-term acreage for the 2000-01 subvention application.

¹Williamson Act land which is not in the process of non-renewal.

- The acreage eligible for subvention payment, per the County Assessor's data base report, did not agree with the acreage listed in the 2000-01 subvention application. As compared to the subvention application, the County Assessor's report indicates an understatement of 1,444 prime acres and an overstatement of 5,284 nonprime acres.

	<u>Prime</u>	<u>Nonprime</u>
Assessor's database report - ending totals	63,186z	484,896
Misclassification of acreage in database files	2,934*	-2,934*
Revenue and Taxation Section 110.1 acreage	<u>-20,191x</u>	<u>-6,185x</u>
Eligible for subvention per the Assessor reports	45,929z	475,777
Eligible per the subvention application	<u>44,485z</u>	<u>481,061</u>
Understated/<Overstated>	1,444	<5,284>

- * The County classifies permanent pasture land as prime acreage. However permanent pasture land was classified as nonprime acreage in the database records; therefore, an adjustment was made to reflect the County's policy.
- x These totals are based on County Assessor records.
- z Includes 133 acres enrolled in a farmland security zone contract.

- The County did not retain documentation supporting adjustments to continuing-term prime and nonprime acreage reported in the 1997-98 subvention application. Specifically, the 1997-98 subvention application included an undocumented decrease of 2,331 continuing-term prime acres and an increase of 9,219 continuing-term nonprime acres.

Criteria:

California Code of Regulations Section 14113 states that, "necessary computations to determine the amount of entitlement under the Act shall be made on a parcel-by-parcel basis"

California Code of Regulations Section 14114 states that, "computations and supporting documents for determining the amount of entitlement" shall be retained "as long as the . . . contract remains in effect plus three years."

Accurate accounting and reporting of parcels and acres corresponding to contracted lands is necessary to ensure that subvention entitlements paid by the State are correct, contracted lands remain in agricultural or open space uses, and parcels are assessed correctly.

Recommendations:

Prepare detailed documentation to support the acreage reported in the subvention applications. Retain the supporting documentation as long as the affected contract remains in effect plus three years.

Ensure that Williamson Act land is appropriately tracked and reported.

Periodically review electronic file data to ensure that future subvention applications contain accurate data.

Submit documentation supporting the adjustments to the Department of Conservation. The Department of Conservation is responsible for determining the extent of appropriate action for overpaid and underpaid subventions.

FINDING 2

Notice of Non-renewal Weaknesses

Condition:

We reviewed a sample of nine parcels that were listed as entering non-renewal status on the 1992-93 through 2000-01 subvention applications and found several examples of inaccurate reporting and record keeping, as follows:

Parcel 149-220-065 is listed as entering non-renewal status on the 1996-97 subvention application. However, the County could not locate the notice of non-renewal.

Parcels 001-200-014 and 093-140-007 are listed as entering non-renewal status on the 1995-96 and 1999-00 subvention applications, respectively. The notices had effective dates requiring their recordation under Government Code (G.C.) Section 51245. However, the County could not provide evidence of recordation for the notices of non-renewal.

Parcels 001-040-040 through 001-040-045 entered non-renewal status effective January 1, 1999. However the parcels were assessed as parcels in non-renewal under Section 426 of the Revenue and Taxation Code beginning January 1, 2000. The parcels should have been assessed as non-renewals under Section 426 effective January 1, 1999.

Parcel 093-140-007 entered non-renewal status effective January 1, 1997. However, the parcel is listed as entering non-renewal status on the 1999-00 subvention application. The County's 1997-98 subvention application lists Williamson Act enrollment data as of January 1, 1997; therefore, the parcel should have been listed as entering non-renewal status on the 1997-98 subvention application.

Criteria:

G.C. Section 51245 requires that, "no later than 20 days after a city or county receives a notice of non-renewal from a landowner, serves a notice of non-renewal upon a landowner, or withdraws a notice of non-renewal, the clerk of the board or council, as the case may be, shall record with the county recorder a copy of the notice of non-renewal or notice of withdrawal."

Preferred accounting practices indicate that an effective system of procedures and internal reviews be established to account for and report contracted land and corresponding parcels and acres entered into non-renewal.

Recommendation:

The County should review its record keeping procedures for contract non-renewals to ensure accurate information is recorded and reported.

FINDING 3

Assessment of Parcels

Condition:

The County's assessment of farmland security zone parcels under Revenue and Taxation Code Section 423.4 may be incorrect. Specifically, the County assessed farmland security zone parcels at 65 percent of the land and living improvements valuations, as determined under Revenue and Taxation Code Section 423, and at 65 percent of the residential site and nonliving improvements valuations, as determined under Revenue and Taxation Code Section 110.1. The State Board of Equalization informed us that farmland security zone parcels should be assessed at 65 percent of land and living improvements valued under Section 423 or 65 percent of land and living improvements valued under Section 110.1, whichever is lower, and the residential site and nonliving improvements should be valued under Section 110.1. We also note the additional reduction of property taxes on a residential site could create an incentive to convert farmland to residential use. We recognize, however, that the County only recently implemented the farmland security zone program and only two parcels were under contract as of lien date January 1, 2000.

Criteria:

Revenue and Taxation Code Section 423.4 states that farmland security zone land "shall be valued for assessment purposes at 65 percent of the value under Section 423 or 65 percent of the value under Section 110.1, whichever is lower."

Revenue and Taxation Code Section 428 states that Section 423.4 "shall not apply to any residence, including any agricultural laborer housing facility . . . on the land being valued or to an area of reasonable size used as a site for such a residence."

Recommendation:

Consult with the State Board of Equalization regarding the correct application of Section 423.4.

FINDING 4

Operational Issues

Condition:

We noted the following conditions with respect to the drafting of the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules), the General Guidelines for Agricultural Preserve (Williamson Act) Program in Santa Barbara County (General Guidelines), and the Farmland Security Zones pamphlet.

- The General Guidelines and the Farmland Security Zones pamphlet state that "farmland security zone is taxed at 65 percent of its agricultural value, or 35 percent less than the tax rate of a standard Williamson Act contract." However, Revenue and Taxation Code Section 423.4 states that farmland security zone land is taxed at "65 percent of the value under Section 423 or 65 percent of the value under Section 110.1, whichever is lower." Generally, the value under Section 110.1 is not considered "the agricultural value." These varying definitions may cause misunderstandings.

- The Uniform Rules, Rule No. 3 states that, "a sanitary fill waste disposal facility is a compatible use" A sanitary fill waste disposal facility does not appear to conform with the principals of compatibility as stated in Section 51238.1 of the G.C.
- The General Guidelines lists a minimum parcel size of 100 acres for nonprime land and 40 acres for prime land. However, the Uniform Rules, Rule No. 6 lists a minimum preserve size of 100 acres for nonprime land, 40 acres for prime land and 30 acres for prime land with special findings. It is unclear whether the General Guidelines is referencing a minimum preserve or parcel size.
- The language in the Uniform Rules regarding minimum preserve size is unclear. Rule No. 6 lists a minimum preserve size of 40 acres for prime land. G.C. Section 51230 states that the minimum preserve size is 100 acres (prime or nonprime); however, preserves of less than 100 acres are allowed if the County "finds that smaller preserves are necessary due to the unique characteristics" Rule No. 6 Section I.C.1.b.(4) allows for a prime preserve of not less than 30 acres if the County "finds that such smaller preserve is necessary due to the unique characteristics of agricultural enterprises" It is unclear from Rule No. 6 whether the County made the findings required by Section 51230 to establish preserves of less than 100 acres if the preserve did not meet the requirements of Rule No. 6 Section I.C.1.b.(4).
- The language in the Uniform Rules regarding prime preserves is unclear. It is unclear whether the requirements under Rule No. 6 Section I.C.1.b. are referring to parcel size. Further, the Uniform Rules refer to a "minimum of 5 acres of super prime land;" however G.C. Section 51222 requires a minimum parcel size of 10 acres for prime land and 40 acres for nonprime land.

Criteria:

Revenue and Taxation Code Section 423.4 states that farmland security zone land "shall be valued for assessment purposes at 65 percent of the value under Section 423 or 65 percent of the value under Section 110.1, whichever is lower."

G.C. Section 51243(a) states that, "every contract shall provide for the exclusion of uses other than agricultural, and other than those compatible with agricultural uses, for the duration of the contract."

Principles of compatibility as articulated in G.C. Section 51238.1 for prime and nonprime land.

Minimum agricultural preserve size as articulated in G.C. Section 51230.

G.C. Section 51222 states that, "agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is:
(1) at least 10 acres in size in the case of prime agricultural land, or (2) at

least 40 acres in size in the case of land which is not prime agricultural land."

Recommendation: Revise the Uniform Rules, General Guidelines, and Farmland Security Zones pamphlet to be consistent with the Williamson Act.

FINDING 5 Possible Nonconforming Use of Williamson Act Land

Condition: We identified three parcels under Williamson Act contract where County records indicate possible nonconforming uses. The parcels are described below.

- A landfill is located on portions of parcels 133-151-056 and 133-151-062 (the parcels total 901.53 acres). The landfill was created in 1970 and is known as the Foxen Canyon Landfill. County Assessor's staff informed us that the landfill is 34 acres in size and is currently leased to the County.
- A disposal site is located on a portion of parcel 113-260-002 (397.82 acres). County Assessor's staff informed us that the disposal site covers 228 acres. However the United States Environmental Protection Agency (EPA) website states that the disposal, known as the Casmalia Disposal Site, is 252 acres in size. According to the EPA website, the Casmalia Disposal Site is an "inactive commercial hazardous waste treatment, storage, and disposal facility . . ." that was in operation between 1973 and 1989. Although, no longer in operation, the disposal site may not be suitable for agricultural operations.

The landfill and disposal site were in operation prior to the enactment of G.C. Section 51238.1 (added by statute in 1994), which articulates principles of compatibility. Prior to the enactment of 51238.1, subdivision (e) of G.C. Section 51201 defined compatible use as, ". . . any use determined by the county . . . to be compatible with agricultural, recreational, or open space use of land within the preserve and subject to the contract." While this language appears to support the County's actions, the applicability of this language to a landfill or disposal site should be determined in the context of the overall purpose of the Williamson Act. The overall purpose of the Williamson Act is to protect agricultural and open space land; we believe that landfills and disposal sites were never compatible with this purpose. In our view, the landfill and disposal site are incompatible uses regardless of when those uses were approved.

Criteria: G.C. Section 51243(a) states that, "every contract shall provide for the exclusion of uses other than agricultural, and other than those compatible with agricultural uses, for the duration of the contract."

Recommendation: Investigate the three parcels and determine whether their contracts should be cancelled because of nonconforming use of Williamson Act land. If the parcels are not cancelled, provide documentation to the

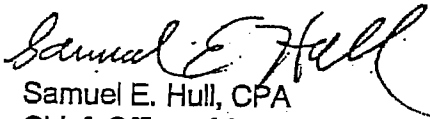
Department of Conservation to support the County's position that the land development is compatible with the Williamson Act.

The findings in this management letter are based on fieldwork that my staff performed between March 12, 2001 and March 22, 2001. We conducted our work in accordance with Government Auditing Standards, issued by the Comptroller General of the United States.

We discussed the findings in this letter with Richard J. Holly, Chief Appraiser for the County Assessor's Office, on March 29, 2001, and Noel Langle, Management Specialist, from Planning and Development, on March 29, 2001, and April 24, 2001. We are willing to discuss the findings further with County personnel if they wish.

Please respond to the above findings within 15 working days of your receipt of this letter. This response should include the status of corrective action planned or taken on the findings and recommendations. The response may be included in our final report to the Department of Conservation, covering all of the counties we audit in 2000-01.

We appreciate the cooperation and assistance provided by the Assessor's Office and Planning and Development. If you have any questions regarding this letter, please contact Kerry M. Adlfinger, Supervisor, or Rick Cervantes, Auditor, at (916) 322-2985.



Samuel E. Hull, CPA
Chief, Office of State Audits and Evaluations

cc: Mr. Erik Vink, Assistant Director, Division of Land Resource Protection, Department of Conservation
Mr. Dennis O'Bryant, Manager, Division of Land Resource Protection
Ms. Patricia L. Gatz, Division of Land Resource Protection

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APPENDIX 11
PROJECTS NOT INCLUDED IN CUMULATIVE IMPACT
ANALYSIS

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Santa Barbara County Uniform Rules Update EIR Cumulative Project List Criteria

The main determinant for purposes of inclusion and evaluation in this Cumulative Impact Analysis is whether an individual project, program, policy initiative, or conceptual future project is considered a closely related project with respect to the proposed Uniform Rules amendments (CEQA Guidelines 15355(b)).

Section 3.7.3 of this EIR discusses CEQA considerations for analyzing cumulative impacts (e.g. Section 15130 and 15355) and includes a discussion of those factors applied in deciding whether to include or exclude a particular policy, program, project, or annexation from evaluation. These factors include:

- Is the project geographically related to the Uniform Rules project (i.e., have the potential to affect similar resources in the rural area);
- whether or not the program, project, or item is a past, present, and reasonably foreseeable future matter;
- whether or not the development potential for a project/program/item is known, unknown, and/or speculative;
- whether or not the project description is sufficiently defined for consideration purposes;
- whether or not the timing for implementation of the program, project, or item is too remote for consideration or analysis;
- whether or not the item is only procedural in nature;
- whether or not the item will result in any direct or indirect physical change in the environment ;
- whether or not a project is sufficiently defined in scope and implementation;
- whether or not an application has been submitted.

Further, the criteria listed below were used to support a determination that projects in this appendix are not considered closely related with respect to the proposed Uniform Rules amendments, and therefore were excluded from the cumulative impact analysis.

Tier 1 - County Policy Initiatives \ Programs Affecting Rural Lands
(e.g. Community Plans, zoning ordinance amendments)

Tier 1 programs *excluded* from the Uniform Rules cumulative impact analysis include:

- County policy initiatives and ordinance amendments which are unfunded and not included in a Board of Supervisors adopted work program;
- County policy initiatives and ordinance amendments which are not "geographically" related to the Uniform Rules update (i.e., amendments which do not apply to the rural areas of the county);
- County policy initiatives and ordinance amendments which do not cause related impacts to resources evaluated in the Uniform Rules EIR;
- County policy initiatives and ordinance amendments which are procedural in nature; and
- A County policy initiative or ordinance amendment project description which is unspecified, uncertain, loosely defined, or speculative. This criteria would apply to programs which have not undergone environmental review or been formally initiated by the Board of Supervisors.

Tier 2 - Discretionary & Ministerial Projects Affecting Rural Lands
(e.g. Pending and approved development projects)

Table 2 and 2A list the pending and recently approved development projects in the rural unincorporated area of Santa Barbara County. These projects were included in the cumulative impact analysis.

Tier 3 - Pending & Potential Future Annexations & Large Urban Projects
(e.g. City annexations)

Tier 3 projects *excluded* from the Uniform Rules cumulative impact analysis include:

A project description which is unspecified, uncertain, loosely defined, or speculative. This criterion would apply to: 1) projects which have not submitted a formal application to the respective jurisdiction, and/or 2) projects which have not been formally initiated or discussed by the respective jurisdiction's decision-maker at a publicly noticed meeting.

Table A-1 Tier 1 Projects - County Policy Initiatives/Programs Affecting Rural Lands

The following projects are not included in the cumulative impact analysis in the Uniform Rules Update EIR.					
PROJECT NAME	DESCRIPTION	LOCATION	CEQA PROCESS	STATUS	DISCUSSION
Los Alamos Community Plan Update	Update to the community plan including consideration of expansion of the urban boundary line.	Los Alamos	TBD	Initial public participation underway	The Los Alamos Planning Advisory Committee (LAPAC) voted to reject a proposal to expand the western urban boundary line at their April 16, 2007 public meeting. The LAPAC will conduct additional public meetings throughout the spring and summer 2007 to discuss potential policy and ordinance amendments that could facilitate mixed use development within the existing planning area along Bell Street corridor. Development potential associated with these mixed use development concepts is unknown and speculative. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Cuyama Valley Land Use Strategies	Review of community infrastructure needs resulting in a list of potential community improvement projects such as public services, roads and parks.	Cuyama Valley	TBD	Not activated. Project kick-off Summer 2007	This future planning effort will provide a forum for valley residents to discuss important issues pertaining to land use, resources, community services and infrastructure, and to develop a collaborative strategy and vision for the future of the Cuyama Valley. The planning effort is not anticipated to begin until Summer 2007 and a draft project description/visioning document could potentially be formulated by the end of 2007. A draft project description identifying potential development strategies or policy changes for would not be available until well after community input. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
LUDC amendment: Residential Agricultural Ordinance (RAU)	Consider amending existing Residential Agricultural Unit (RAU) ordinance.	Agricultural zoned lands subject to Williamson Act contract within inland area	TBD	Not activated	This planning effort is not a component of the Housing Element update. Due to work program priorities, it is not anticipated to begin until the Housing Element EIR is completed and certified by the Board of Supervisors. Since the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Land Use Development Code (LUDC) amendment: Development Plan Threshold	Consider raising the threshold for triggering a development plan on agriculturally zoned property. All structures totaling 20,000 sq.ft. Or more currently require a development plan regardless of zoning or parcel size.	County-wide agriculturally zoned land	TBD	On hold pending completion of the Housing Element Update EIR	This planning effort is not a component of the Housing Element update. Due to work program priorities, it is not anticipated to begin until the Housing Element EIR is completed and certified by the Board of Supervisors. Since the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.

Table A-1 Tier 1 Projects - County Policy Initiatives/Programs Affecting Rural Lands

The following projects are not included in the cumulative impact analysis in the Uniform Rules Update EIR.					
PROJECT NAME	DESCRIPTION	LOCATION	CEQA PROCESS	STATUS	DISCUSSION
Natural Resource Conservation Strategy	Preparation of a habitat conservation plan for urban and rural areas of north county, excluding Cuyama Valley	North County	Future CEQA/NEPA process TBD	Started in 2006	A conservation steering committee has been formed and will conduct public workshops from Spring 2007 through Fall 2007. A public draft plan is not anticipated until December 2007. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Agricultural land buffers	This future planning effort will provide a forum for county residents to discuss important issues pertaining to urban land use encroachment adjacent to agricultural land. The planning effort will seek to develop a collaborative strategy and vision with respect to agricultural/urban buffers.	County-wide	Future CEQA process TBD	Not activated	This project is not funded, nor included in the Office of Long Range Planning adopted work program for Fiscal Years 2006-2007 or 2007-2008. Since the project scope is currently undefined and the project timing uncertain, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Goleta Valley Community Plan Update	Revisions to land use policies and development standards/guidelines particular to the Goleta Valley Community Plan area.	Eastern Goleta Valley - Goleta Community Plan Area	Future CEQA process TBD	Not activated	This future planning effort will provide a forum for residents to discuss important issues pertaining to land use, resources, community services and infrastructure, and to develop a collaborative strategy and vision for the future of Eastern Goleta Valley. The initial public workshops are not anticipated to begin until December 2007. Potential project descriptions for this Plan update would not be available until well after community input. Because the project description is not sufficiently defined at this time, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Grading Ordinance: Revision of Ag Grading Provisions	Review and revise provisions in the Grading Ordinance that apply to grading in conjunction with agriculture.	County-wide agriculturally zoned land	Future CEQA process TBD	Not activated	This project is not funded, nor included in the Office of Long Range Planning adopted work program for Fiscal Years 2006-2007 or 2007-2008. Since the project scope is currently undefined and the project timing uncertain, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Zoning Clearance for previously approved CUPs/DPs	Revise the follow-up permit process for conditional use permits (CUP) and development plans (DP) so that the actual development may be approved with a Zoning Clearance (and Building Permit) provided any revisions to the project as originally approved by the CUP	County-wide	Proposed CEQA Exemption Section 15061(b)(3)	Adopted by the BOS on 05/15/07. Certification of Local Coastal Program amendments pending.	This amendment to the County's Zoning Ordinances is procedural only and will not result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.

Table A-1 Tier 1 Projects - County Policy Initiatives/Programs Affecting Rural Lands

The following projects are not included in the cumulative impact analysis in the Uniform Rules Update EIR.					
PROJECT NAME	DESCRIPTION	LOCATION	CEQA PROCESS	STATUS	DISCUSSION
Zoning Violation Abatement Process	or DP do not require the approval of a substantial conformity determination. If the revisions do require the approval of a substantial conformity determination, then a Land Use Permit (and Building Permit) is required.	Inland area of the county	N/A	Withdrawn	The pilot project to revise procedures for processing minor zoning violations on AG-II zoned parcels is no longer being pursued by the Planning & Development Department. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Agricultural Resources Environmental and Economic Assessment (AREA): baseline study	Pilot project to revise procedures for processing minor zoning violations on AG-II zoned parcels.	County-wide	Not a project subject to CEQA	Report expected late Summer 2007.	The AREA study is informational only and will not facilitate new development or result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. Therefore, the project is not included in the EIR cumulative impact analysis.
Zoning Ordinance Reformatting Project (ZORP)	Establish a "baseline" of information on the current state of the agricultural industry, and the role of agriculture as an important environmental and economic resource in Santa Barbara County.	County-wide	CEQA Exempt Section 15061(b)(3)	Adopted by the BOS in 2006; Certification of Local Coastal Program amendments pending.	Reformatting the County's Zoning Ordinances did not result in any substantive changes, and therefore, no possibility for any direct or indirect physical change in the environment or significant environmental effects, and is therefore exempt from CEQA. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
ESH-Goleta	Overhaul of existing ordinances (Articles II, III and IV) to improve clarity, ease of use, eliminate unnecessary redundancy and correct errors. No substantive changes.	Goleta Community Plan area, MT-GOL zone	CEQA Exempt Section 15061(b)(3)	Adopted by the BOS 1/9/2007	The amendment will add protections for environmental resources located within such mapped overlay zones, and thus will have the effect of providing additional protections for the environment. No significant environmental impacts are expected to result as a consequence of these ordinance revisions. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.

Table A-1 Tier 1 Projects - County Policy Initiatives/Programs Affecting Rural Lands

The following projects are not included in the cumulative impact analysis in the Uniform Rules Update EIR.					
PROJECT NAME	DESCRIPTION	LOCATION	CEQA PROCESS	STATUS	DISCUSSION
Surface Mining and Reclamation Ordinance Text Amendments	The ordinance amendment addresses situations where farming or ranching operations desire to export soil as a result of improving agricultural conditions on the property. This amendment provides a streamlined Conditional Use Permit (CUP) process by which the owner could export soil while complying with county and state Surface Mining and Reclamation Act (SMARA) regulations.	Agriculture-It zoned lands. Inland area.	CEQA Exempt Section 15061(b)(3)	Adopted by the BOS October 2006	This LUDC amendment is procedural only and will not result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. The amendment would not produce related or cumulative impacts associated with the project evaluated in the Uniform Rules EIR. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
Land Use Development Code (LUDC) amendment: Downshift small projects to ministerial permit	Downshift small agriculture-related land use permits (LUP) to lower level of review (e.g. zoning clearance or exemption). Structures may include: agricultural accessory structures 3,000 sq. ft. or less; animal enclosures; entrance gate posts and cross members; and single family dwellings (proposed zoning clearance for dwellings 3,000 sq. ft. or less).	County-wide	TBD	The Process Improvement – Oversight Committee is currently discussing potential suggested changes.	This LUDC amendment is procedural only and will not result in the possibility of any direct or indirect physical change in the environment or significant environmental effects. The amendment would not produce related or cumulative impacts associated with the project evaluated in the Uniform Rules EIR. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.

Table A-2 Tier 3 Projects - Pending & Potential Future Annexations and Large Urban Projects

The following projects are not included in the cumulative impact analysis in the Uniform Rules Update EIR.			
PROJECT NAME	DESCRIPTION	STATUS	DISCUSSION
City of Goleta: Bishop Ranch development	Bishop Ranch is located north of Highway 101 in the City of Goleta between Glen Annie Road and Los Carneros Road. The ranch consists of three parcels totaling 292 acres currently zoned AG-I-40.	Speculative	The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to amend the City of Goleta General Plan to change the land use and zoning designations on Bishop Ranch from agriculture to urban development. Any impact analysis on such conceptual plans would be speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
City of Goleta: Glen Annie Golf Course annexation	The 160 acre site is located NW of Glen Annie Road and Cathedral Oaks Road within unincorporated Santa Barbara County. The parcels are zoned AG-II-40 and existing land use includes Glen Annie Golf Course and surrounding agricultural uses.	Speculative	The project applicant has met with various community groups and presented potential land use concepts for the site. However, there is no current or pending application to annex Glen Annie Golf Course to the City of Goleta. Any impact analysis on such conceptual plans would be highly speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
City of Buellton: Sphere of Influence Study	A Sphere of Influence-Baseline Conditions Report was prepared for the City of Buellton in May 2007. The Sphere of Influence study area is approximately 7.92 square miles (5,069 acres) surrounding the City of Buellton, exclusive of 1.6 square miles (1,024 acres) within the Buellton City Limits. The Baseline Conditions Report identifies existing constraints and opportunities relative to land use, circulation and transportation, natural resources, safety and noise, and public services.	On July 12, 2007, the Buellton City Council terminated its Sphere of Influence Study.	The Baseline Conditions report is an informational document which identifies land use constraints and opportunities within the various study area sub-regions. Since the report does not identify, analyze, or recommend land use or zoning changes, any impact analysis for the Sphere of Influence study area would be speculative at this point. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.
City of Lompoc: Bailey Avenue Specific Plan/Annexation	The 270 acre agricultural site is located west of the existing Lompoc City Limits. The project would require annexation to the City of Lompoc in addition to a general plan amendment and rezoning.	Speculative	The specific plan will primarily facilitate single family dwellings with limited neighborhood serving commercial. No specific densities have been defined at this time. There is no current or pending application to annex the Bailey Avenue properties to the City of Lompoc. Any impact analysis on such conceptual plans would be speculative. Therefore, the project is not included in the Uniform Rules EIR cumulative impact analysis.

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