

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** May 23, 2006  
**Department:** Planning and Development  
**Department No.:** 053  
**Agenda Date:** June 20, 2006  
**Placement:** Administrative  
**Estimate Time:** 5 minutes  
**Continued Item:** NO  
**If Yes, date from:**  
**Document FileName:** G:\GROUP\Permitting\Case Files\AGP\04 cases\04AGP-00000-00006\04AGP00006bsfinal.doc

**TO:** Board of Supervisors

**FROM:** Dianne Meester, Assistant Director  
Planning and Development Department

**STAFF CONTACT:** Zoraida Abresch, Deputy Director  
Development Review Division – North County  
934-6585

**SUBJECT:** Roberts Agricultural Preserve Replacement Contract, Buellton area

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## Recommendation:

That the Board of Supervisors:

Approve and direct execution and recordation by the Clerk of the Board of new contract 04AGP-00000-00006, replacing a portion of the original Agricultural Preserve 77-AP-024. The replacement contract involves Assessor's Parcel Nos. 137-250-063, -077, located approximately  $\frac{3}{4}$  miles northeast of the intersection of Ballard Canyon Road and Highway 246, known as 901 East Highway 246, in the Solvang area, Third Supervisorial District.

## Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

## Executive Summary and Discussion:

The subject property has been in an agricultural preserve (77-AP-024) since January 1, 1978. Due to inconsistency with the Uniform Rules which prohibit multiple ownerships under a single agricultural preserve contract, the Committee recommended that replacement contracts be submitted for contract 77-AP-024. On November 4, 2005, the Agricultural Preserve Advisory Committee (APAC) by a vote of 4 to 0, found the replacement contract consistent with the Uniform Rules. The site is approximately 73 acres and is used as a horse ranch.

### **Mandates and Service Levels:**

The Agricultural Preserve Uniform Rules require approval of any new contract and contract cancellations by the Planning Commission (PC) and the Board of Supervisors (BOS); contract non-renewals and replacement contracts require approval by BOS. Uniform Rule #8 prohibits parcels with different titles to be held under one contract.

The original agricultural preserve contract (77-AP-024) was non-renewed (case no. 05AGP-00000-00030) by the BOS on March 7, 2006. Two replacement contracts have been submitted for approval by the BOS (04AGP-00000-00006) which is scheduled to be approved on June 20, 2006 and one replacement contract (case no. 05AGP-00000-00021) which will be heard by the BOS some time this fall. The last parcel does not qualify for the program due to the parcel size of 2.56 acres. As part of the APAC's function, parcels under contract are reviewed for conformance with the Uniform Rules when changes in title occur. Uniform Rule #8 prohibits parcels with different titles to be held under one contract.

Government Code §51200 (known as the California Land Conservation Act of 1965 or the Williamson Act) provides that local jurisdictions may establish an agricultural preserve program having the goal of retaining land in an agricultural use. The County of Santa Barbara has adopted such a program which is codified under the Agricultural Preserve Program Uniform Rules. Both the County's Uniform Rules and the Government Code provide that agricultural preserve contracts between the County and landowners are voluntary. Therefore, there are no state mandates associated with this program.

### **Fiscal and Facilities Impacts:**

The costs associated with processing this replacement contract are offset by the \$1,326.00 processing fee required to be paid by the applicant per the Planning & Development adopted fee schedule. Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-296 of the adopted 2005 – 2006 fiscal year budget.

**Special Instructions:**

Please distribute copies of the recorded contract with attached legal descriptions and copies of the Board of Supervisors Minute Order as follows:

P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Pat and Monty Roberts and Andreas Jacobs	Contract, Map
P.O. Box 1700	
Solvang CA 93463	

**Concurrence: N/A**

**Attachments:**

1. Agricultural Preserve Contracts
2. Legal Descriptions
3. Vicinity Map

Prepared By: Florence Trotter-Cadena