



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Planning and
Development
Department No.: 053
For Agenda Of: November 20, 2007
Placement: Administrative
Estimated Tme: 2 minutes
Continued Item: No
If Yes, date from:
Vote Required: No Vote Required

TO: Board of Supervisors
FROM: Department John Baker, Director
Director Planning and Development
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)
Development Review - North County
SUBJECT: Nojoqui Falls Ranch Agricultural Preserve Non-Renewal, Gaviota

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

Consider Case No. 07AGP-00000-00018, for nonrenewal by the landowner of an existing agricultural preserve contract. The Board of Supervisors action should include the following:

- A. Accept the request for nonrenewal of Agricultural Preserve 71-AP-66; and
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 081-020-023, -031, and -033, located approximately 200 feet southwest of Highway 101 and Nojoqui Road, in the Gaviota area, Third Supervisorial District.

Summary Text:

On October 5, 2007 the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew. The landowner has indicated that due to the County's inability to update the uniform rules to meet modern agricultural needs, he is unable to successfully operate within the outdated program. The ten year nonrenewal period for the contract will commence on December 31, 2007. The subject property has been in an agricultural preserve since January 1, 1972. The site is approximately 617 acres and is used for open pasture.

Background:

Section 51245 of the Government Code provides that if either the landowner or the County desires in any year not

to renew an agricultural preserve contract, that party shall serve written notice of nonrenewal of the contract upon the other party in advance of the annual renewal date of the contract. The Agricultural Preserve Advisory Committee's position is that while it does not encourage removal of property from preserve status, it recognizes that pursuant to the Uniform Rules of the County's Agricultural Preserve Program, nonrenewal is an accepted method for terminating a contract when the landowner chooses to withdraw from the program.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

The costs associated with processing this contract non-renewal are offset by the \$1,479.00 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-290 of the adopted 2007 – 2008 fiscal year budget.

After recordation of non-renewal, property taxes on this site will be incrementally increased for the next ten years until full property taxes are assessed.

Special Instructions:

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

Florence Trotter-Cadena, P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Bill Giorgi	Contract, Map
Rt. 1 Box 4	
Gaviota CA 93117	

Attachments:

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

Authored by:

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Development Review Division – North, Planning and Development Department