



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: September 23, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

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: Gainey Agricultural Preserve Replacement Contract, Santa Ynez area

County Counsel Concurrence

As to form: No

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

That the Board of Supervisors:

Consider Case No. 07AGP-00000-00035 for approval of an agricultural preserve replacement contract for Gainey Management LLC.

The Board of Supervisors action should include the following:

- A. Approve and direct execution and recordation by the Clerk of the Board of new contract 07AGP-00000-00035, replacing a portion of the original Agricultural Preserves 90-AP-016 and 99-AP-024. The replacement contract involves Assessor's Parcel numbers 141-440-015, -022, -025, -027, and -028 located approximately 3/4 of a mile southeast of the intersection of Highway 246 and Refugio Road, in the Santa Ynez area, Third Supervisorial District.

Summary Text:

The subject property has been in an agricultural preserve (90-AP-016) since January 1, 1991 and (99-AP-024) since January 1, 2003. The original preserves consisted of approximately 1,336 acres. The owner requested replacement contracts to run with the legal boundaries per recently approved certificates and to be consistent with

the long range estate planning. The current replacement contract is for 138.36 acres that are currently used for row crops, and alfalfa.

Background:

Government Code §51200 (known as the California Land Conservation Act of 1965 or the Williamson Act) provides that local jurisdictions may establish an agricultural preserve program having the goal of retaining land in an agricultural use. The County of Santa Barbara has adopted such a program which is codified under the 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:

Budgeted: No

Fiscal Analysis:

On November 14, 2006, the Board of Supervisors approved a revised fee schedule which eliminated specific categories of agricultural preserve application fees. Fees associated with replacement contracts have been waived by the Board of Supervisors. This fee schedule went into effect on January 13, 2007 (60 days after approval).

The cost for the contract review and preparation of this report is estimated to be \$1000.00, and is budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-305 of the adopted 2008 – 2009 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:

Florence Trotter-Cadena, P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Gainey Management LLC	Contract, Map
256 N. Refugio Road	
Santa Ynez CA 93460	

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