



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: 11/21/2006
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
Vote Required: No Vote Required

TO: Board of Supervisors
FROM: Department Director(s) John Baker, Director
Planning and Development
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)
Development Review - North County
SUBJECT: McEnroe, Buellton

County Counsel Concurrence:
As to form: [] Yes [] No [X] N/A

Auditor-Controller Concurrence:
As to form: [] Yes [] No [X] N/A

Other Concurrence: N/A
As to form: [] Yes [] No [X] N/A

Recommended Action(s):

That the Board of Supervisors:

Set hearing on November 21, 2006 at the request of Alicia Harrison, Hatch and Parent for Paul McEnroe, to consider Case No. 06AGP-00000-00029, for nonrenewal of an existing agricultural preserve contract.

- A. Accept the request for nonrenewal of Agricultural Preserve 95-AP-002, and;
B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 099-640-004, -005, -006, located southwest of Highway 101, known as 2085 North Highway 101, in the Buellton area, Third Supervisorial District. (SET ON ADMINISTRATIVE AGENDA FOR DECEMBER 5, 2006)

Summary:

On November 3, 2006 the Agricultural Preserve Advisory Committee acknowledged the request of a landowner not to renew due to entering into a perpetual agricultural conservation easement with the Land Trust for Santa Barbara County of Agricultural Preserve (95-AP-002). Nonrenewal of the contract will become effective December 31, 2006. The subject property has been in an agricultural preserve since January 1, 1997. The site is approximately 1,008 acres and is used for dry farming, irrigated pastures and cattle grazing.

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 No

Fiscal Analysis:

Narrative:

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 2006 – 2007 fiscal year budget.

Staffing Impact(s):

Legal Positions:

N/A

FTEs:

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
Paul McEnroe	Contract, Map
P.O. Box 427	
Buellton CA 93427	

Attachments:

1. Agricultural Preserve Contract
2. Legal Description
3. Vicinity Map

Authored by:

Florence Trotter-Cadena, Planner III, 805-934-6253
Development Review Division – North, Planning and Development Department