

# 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 1, 2006  
**Department:** Planning and Development  
**Department No.:** 053  
**Agenda Date:** May 16, 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\04AGP00006bsadminset.d  
oc

**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

---

## **Recommendation:**

That the Board of Supervisors:

Set a date to consider the request of Alicia Harrison, Hatch and Parent agent for Monty Roberts, to consider Case No. 04AGP-00000-00006, one Agricultural Preserve Replacement Contract. 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. (SET ON ADMINISTRATIVE AGENDA FOR JUNE 13, 2006)

## **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.

As part of the APAC's function, parcels under contract are reviewed for conformance with the Uniform Rules when changes in title occur. In this case, the APAC recommended non-renewal of the original agricultural preserve contract (77-AP-024) which had a total of four parcels as each parcel due to the fact the parcels were now under individual ownership as shown: APN: 137-250-077 owned by Lockwood, APN: 137-250-063, -078 owned by Roberts/Jacob and APN: 137-120-087 owned by Trabucco. The landowners have applied for replacement contracts for three of the four parcels. The fourth parcel, APN: 137-120-087 would not qualify for the Agricultural Preserve Program because of its size of approximately 2.56 acres. The underlying contract was non-renewed (case no. 05AGP-00000-00030) by the BOS on March 7, 2006. Following the action of non-renewal, there will be two replacement contracts (case nos. 04AGP-00000-00006 and 05AGP-00000-00021) which will be heard by the BOS some time this fall).

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.

04AGP-00000-00006, Roberts Agricultural Preserve

May 16, 2006

Page 3

**Special Instructions:**

N/A

**Concurrence:**

N/A

Prepared By: Florence Trotter-Cadena

G:\GROUP\PERMITTING\CASE FILES\AGP\04 CASES\04AGP-00000-00006\04AGP00006BSADMINSET.DOC