



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: December 7, 2010
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department: Planning and Development
Director: Glenn Russell, PhD. (568-2085)
Contact Info: Michael Hays, Agricultural Land Use Planner (934-6923)
Agricultural Land Use Planning Division
SUBJECT: LeRoy Agricultural Preserve Replacement Contract #4, Santa Maria area

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Other Concurrence: N/A

As to form: No

Recommended Actions:

That the Board of Supervisors:

Consider Case No. 10AGP-00000-00015 for approval of one agricultural preserve replacement contract for Borel Private Bank & Trust Company, as Trustee of the Jean LeRoy Family Trust.

- A. Approve and authorize the Chair to execute agricultural preserve contract 10AGP-00000-00015. The replacement contract involves Assessor's Parcel Number 113-050-059 located at 2885 W. Main Street near Bonita School Road, approximately two and a half miles west of the City of Santa Maria, Fourth Supervisorial District.
- B. Authorize recordation by the Clerk of the Board.

Summary Text:

The property has been in the Agricultural Preserve program since 1971 under contract 70-AP-083. The original 586.06 acre contract is comprised of five Assessor's Parcels, including APN 113-050-059. In 1994 a lot line adjustment and Record of Survey (146-RS-083) established parcel validity for APN 113-050-059. The owner is seeking a replacement contract for APN 113-050-059, a 51.0 acre parcel planted with irrigated rotational crops. The remaining 535.06 acres of the original contract will remain in the Agricultural Preserve program. The Agricultural Preserve Advisory Committee reviewed 10AGP-00000-00015 on August 13, 2010, and found it to be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones with the condition that covenants and conditions are recorded against the parcel where the water well is located (APN 113-050-006,-060)

in favor of the dry parcel (APN 113-050-059) and with the approval of County Counsel. This would ensure APN 113-050-059 will have a permanent secure water source. County Counsel reviewed and approved the covenants and conditions document provided by the applicant. The document was recorded with Santa Barbara County on October 14, 2010 as Instrument No. 2010-0057163. Therefore the project is considered consistent with the Uniform Rules.

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 with the intended goal of retaining land for long term agricultural use. The County of Santa Barbara has adopted such a program which is codified under the Uniform Rules for Agricultural Preserves and Farmland Security Zones. 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: Yes

Fiscal Analysis:

There are no fees associated with replacement contracts. The cost for the contract review and preparation of this report is estimated to be \$1,641.00, and is budgeted in the Agricultural Planning program on Page D-323 of the adopted 2010–2011 fiscal year budget.

Special Instructions:

Clerk of the Board shall distribute copies of the recorded contract (with legal description and vicinity map) and Minute Order, as follows:

- Stephanie Stark, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Jean LeRoy Family Trust
C/O Greene, Radovsky, Maloney, Shane & Hennigh
Four Embarcadero 40th Floor
San Francisco, CA 94111-3600

Attachments:

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

Authored by:

Stephanie Stark, Agricultural Planner, 805-681-5604
Agricultural Planning Division, Planning and Development Department