

**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: October 2, 2002
Department: Planning and Development
Budget Unit: 053
Agenda Date: October 22, 2002
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
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TO: Board of Supervisors

FROM: Steven L. DeCamp, Deputy Director
Development Review North

STAFF CONTACT: Florence Trotter-Cadena
934-6253

SUBJECT: 69-AP-015, Westerly Stud/Beaton Agricultural Preserve Non-Renewal

Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 69-AP-015, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 141-080-009, -010, -011, -017, -018, -019, -020, located approximately 1,002 feet northeast of the intersection of Alisos Avenue and Happy Canyon Road, in the Santa Ynez area, Third Supervisorial District.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On August 9, 2002, the Agricultural Preserve Advisory Committee by a unanimous vote of 4 to 0, (Gillette absent) approved a motion to recommend that your Board serve a Notice of Nonrenewal on the above-referenced agricultural preserve contract based on noncompliance with the Uniform Rules #8. The effective date for nonrenewal of the contract will be December 31, 2002. The subject property has been in an agricultural preserve since the original contract, 69-

AP-015, was approved on January 1, 1970. The site is approximately 204 acres and was historically used for grazing and horse operations.

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 County chooses to withdraw the property from the program.

Mandates and Service Levels:

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:

N/A

Special Instructions:

Please record the attached Notice of Nonrenewal by the County following the Board's approval and execution, and distribute copies of the executed Notice as shown on the notice below.

Landowner: Fred Beaton
5900 San Fernando Road
Glendale, CA 91292-2797

Concurrence:

N/A

Attachments: Notice of Nonrenewal
Legal Descriptions
Vicinity Map