



**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: October 19, 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: Foley Estates Vineyard and Winery, LLC. Agricultural Preserve Replacement Contract, Lompoc area

County Counsel Concurrence

As to form: Yes

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. 09AGP-00000-00011 for approval of one agricultural preserve replacement contract for Foley Estates Vineyard and Winery, LLC, A California Limited Liability Company.

- A. Approve and authorize the Chair to execute agricultural preserve contract 09AGP-00000-00011. The replacement contract involves Assessor's Parcel Number 099-150-069 located on Highway 246, approximately three miles east of the City of Lompoc, Fourth Supervisorial District.
- B. Authorize recordation by the Clerk of the Board.

Summary Text:

The Agricultural Preserve contract is comprised of one 569.4 acre legal parcel. The property contains an irrigated vineyard and grazing land. The parcel is currently under contract (69-AP-086) and the owner is seeking a replacement contract to fulfill a condition of approval for the Mendez Lot Line Adjustment project (97-LA-024) that recorded December 1, 2000 as Instrument No. 2000-0075525. The Agricultural Preserve Advisory Committee reviewed the project on February 5, 2010 and found it to be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones.

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 \$2,734.00, and is budgeted in the Agricultural Planning program on Page D-323 of the approved 2010–2011 fiscal year budget.

Special Instructions:

Clerk of the Board to 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
- Foley Estates Vineyard and Winery, LLC
C/O Susan F. Petrovich
Brownstein Hyatt Farber Schreck, LLP
21 East Carrillo Street
Santa Barbara, California 93101-2706

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