



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 6, 2016
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Planning and Development
Director Glenn Russell, Ph.D., Director, 568-2085
Contact Info: Jeff Wilson, Deputy Director, 934-6559
Development Review Division
SUBJECT: Sheehy Notice of Nonrenewal of Agricultural Preserve Contract, Santa Maria area,
Fifth Supervisorial District

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:

- a) Receive notice of nonrenewal (16AGP-00000-00013) submitted by the Landowner for Agricultural Preserve 71-AP-085 (Attachment 1); and,
- b) Find that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5). A CEQA exemption is included herein as Attachment 3.

Summary Text:

The property owners requested nonrenewal of 71-AP-085 because they assert that the Agricultural Preserve Contract does not provide a financial benefit. The contract applies to one parcel totaling 51 acres which is identified as APNs 128-093-009, -012, and -027. The property is used for row crops. The property is located at the northwest corner of the intersection of Battles, Rosemary, and Betteravia

Roads, known as 1630 Betteravia Road, and 1725 and 1909 Stowell Road, in the Santa Maria area, Fifth Supervisorial District.

On October 7, 2016, the Agricultural Preserve Advisory Committee reviewed 16AGP-00000-00013 and acknowledged the request of the landowner not to renew the agricultural preserve contract. The subject property has been in an agricultural preserve contract since January 1, 1972. Until the contract expires on December 31, 2025, the property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract.

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 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 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. 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. Upon receiving notice of nonrenewal by the landowner, the Clerk of the Board is required to record the notice of nonrenewal. Upon recordation, the County's role related to the notice of nonrenewal is complete.

Fiscal and Facilities Impacts:

Budgeted: Yes

The total estimated cost to process this agricultural preserve contract is approximately \$1,730.00 and is budgeted in the Permitting Budget Program of the Planning and Development Department, on page D-289 of the 2016/17 FY budget.

After recordation of non-renewal, property taxes on this site will be incrementally increased for the next nine years until full property taxes are assessed.

Special Instructions:

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

- David Villalobos, Planning and Development Department, Hearing Support
- Florence Trotter-Cadena, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Santa Maria Berry Farms, P.O. Box 1728, Santa Maria, CA 93456

Attachments:

1. Landowner Application for Non-Renewal
2. Approved Legal Description
3. CEQA Notice of Exemption
4. Vicinity Map

Authored by:

Florence Trotter-Cadena, Planner (805) 934-6253
Development Review, Planning and Development Department

ATTACHMENT 1: Landowner Application for Non-Renewal

ATTACHMENT 2: Approved Legal Description

ATTACHMENT 3: CEQA Exemption

ATTACHMENT 4: Vicinity Map