

**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: August 21, 2002
Department: Planning and Development
Budget Unit: 053
Agenda Date: September 17, 2002
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Dev_Rev\WP\AP\1990's
Cases\97CASES\7ap022\BSfinal.doc

TO: Board of Supervisors

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

STAFF CONTACT: Florence Trotter-Cadena
934-6253

SUBJECT: 97-AP-022, Brand Agricultural Preserve Non-Renewal

Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 97-AP-022, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 133-130-030, -032, and -036, located approximately ¼ mile north of the intersection of U.S. Highway 101 frontage road and Price Ranch Road, known as 224 Price Ranch Road, in the Los Alamos 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 October 5, 2001 and August 9, 2002, the Agricultural Preserve Advisory Committee by a unanimous vote of 5 to 0, approved a motion to recommend that your Board serve a Notice of Nonrenewal on the above-referenced agricultural preserve contract based on noncompliance with Uniform Rule #6, non farmworker residences on site. 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 preserve (70-AP-084 approved January 1, 1971) and the replacement contract (97-AP-022) since January 1, 1998. The site is approximately 540 acres used for grazing and dry farming.

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: Michael and Rebecca Brand
P.O. Box 527
Los Alamos, CA 93440

Concurrence:

N/A

Attachments: Notice of Nonrenewal
Legal Descriptions
Vicinity Map

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