



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: 11/8/11  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department: Planning and Development  
Director: Glenn Russell, PhD. (568-2085)  
Contact Info: Doug Anthony, Deputy Director, 568-2046  
Development Review - North County  
**SUBJECT:** Magali Farms LLC Agricultural Preserve Replacement Contract, Santa Ynez area

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**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. 08AGP-00000-00026 for approval of one agricultural preserve replacement contract for Magali Farms, LLC, a limited liability company.

- A. Approve and authorize the Chair to execute agricultural preserve replacement contract 08AGP-00000-00026. The replacement contract involves Assessor's Parcel Number 141-041-098 located at 4050 Casey Ave, in the Santa Ynez Area, Third Supervisorial District.
- B. Authorize recordation by the Clerk of the Board.

**Summary Text:**

The parcel is one of three parcels currently under a 158.59-acre gross agricultural preserve contract (77-AP-027). The replacement contract is a condition of approval for Parcel Map No. 14,701 (Case No. 06TPM-00000-00012), a three way land division recorded on December 2, 2009 as Instrument No. 2009-0072115. The replacement contract would consist of Assessor's Parcel Number 141-014-098, a 40.90-acre gross parcel. The remaining 117.69 acres of the original contract (77-AP-027) will remain in the agricultural preserve program, under two additional replacement contracts (08AGP-00000-00025, 76.78 acres and 08AGP-00000-00027, 40.91 acres) filed concurrently. The site is fully planted with irrigated pasture and used to support a commercial horse breeding operation. The Agricultural Preserve Advisory Committee reviewed 08AGP-00000-00026 on October 1, 2010, and found it to be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones

contingent on proof of a secured water source on the parcel. The subject parcel does not have a well and currently obtains agricultural water from an existing well located on Assessor's Parcel Number 141-041-097. In order to ensure agricultural water is available to the subject parcel, the applicant submitted a Declaration of Covenant against the parcel with the well (APN 141-041-097), in favor of the subject parcel (APN 141-041-098). County Counsel and the Agricultural Preserve Advisory Committee reviewed the Declaration of Covenant on June 3, 2011 and found the project consistent with the Uniform Rules. The Declaration of Covenant was recorded by the County on June 16, 2011 as Instrument No. 2001-0034603.

**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

There are no fees associated with replacement contracts. The cost for the contract review and preparation of this report is estimated to be \$4,613.00, and is budgeted in the Permitting and Compliance Program of the Development Review North Division, as shown on page D-316 of the adopted 2011/2012 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:

- Florence Trotter-Cadena, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Magali Farms, LLC, Richard Sulpizio, 4050 Casey Ave, Santa Ynez, CA 93460

**Attachments:**

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

**Authored by:**

Florence Trotter-Cadena, Senior Planner, 805-934-6253  
Development Review North, Planning and Development Department