



**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: 12/5/2006
Placement: Set Hearing
Estimate Time: N/A
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) John Baker, Director
Planning and Development
Contact Info: Dianne Black, Assistant Director (568-2086)
Development Review - South County

SUBJECT: Del Giorgio Agricultural Preserve Replacement Contracts, Carpinteria

County Counsel Concurrence:

As to form: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Other Concurrence: N/A

As to form: Yes No N/A

Recommended Action(s):

That the Board of Supervisors:

Set hearing for December 12, 2006 (Administrative Agenda) to consider the request of David Del Giorgio, Agent for the Owner, for Case No. 06AGP-00000-00002, one Agricultural Preserve Replacement Contract.

- A. The replacement contract involves Assessors Parcel Nos. 155-180-005 and 155-180-092, located along a private easement, approximately 1,450 feet to from Foothill Road to the northwest, known as 4518 Foothill Road, in the Carpinteria area, First Supervisorial District.

Summary:

The subject property has been in an agricultural preserve (74-AP-22) since February 10, 1975. On April 7, 2006, the Agricultural Preserve Advisory Committee carried by a vote of 6-0-1 (Giorgi absent) to find the replacement contract consistent with the Uniform Rules and recommend approval of the replacement contract. The site is approximately 54.2-acres and 11.5-acres are used for avocado trees.

The Agricultural Preserve Uniform Rules require approval by the Board of Supervisors for all replacement contracts. The contract is being replaced due to a previously approved division of land. Under the terms of the current contract between the County of Santa Barbara and the Del Giorgio Corp., in the event that the land under contract is divided, a contract identical to the one then covering the

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original parcel shall be executed by the owner on each parcel created by the division. The subdivision of the parcel, Parcel Map 12089, was approved by the Board of Supervisors on May 17, 1978.

Background:

The Agricultural Preserve Uniform Rules require approval of any new contract and contract cancellations by the Planning Commission (PC) and the Board of Supervisors (BOS); contract non-renewals and replacement contracts require approval by BOS.

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:

Budgeted: Yes No

Fiscal Analysis:

Narrative:

The costs associated with processing this replacement contract are offset by the \$1,326.00 processing fee required to be paid by the applicant per the Planning & Development adopted fee schedule.

Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, South Division on Page D-290 of the adopted 2006 – 2007 fiscal year budget.

Staffing Impact(s):

Legal Positions:

N/A

FTEs:

Special Instructions:

Please distribute copies of the recorded contract with attached legal descriptions and copies of the Board of Supervisors Minute Order as follows:

- | | |
|------------------------------|---------------|
| P&D | Contract, Map |
| Assessor | Contract, Map |
| Surveyor | Contract |
| Clerk | Contract |
| Del Giorgio Corporation | Contract, Map |
| David Del Giorgio, President | |
| 4518 Foothill Road, | |
| Carpinteria, CA 93013 | |

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Attachments:

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

Authored by:

Jim Heaton, Planner, 805-568-2516

Development Review Division – South, Planning and Development Department