



**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:** November 12, 2013  
**Placement:** Administrative  
**Estimated Time:** 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, Ph.D., Director, 568-2085  
Contact Info: Alice McCurdy, Deputy Director, 934-6559  
Development Review Division  
**SUBJECT: Santa Ynez Band of Chumash Indians Notice of Nonrenewal of Agricultural Preserve Contract, Santa Ynez area, Third Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: No

**Other Concurrence:** N/A

As to form: No

**Recommended Actions:**

That the Board of Supervisors:

1. Receive notice of nonrenewal submitted by the landowner for Agricultural Preserve 71-AP-037 (Attachment 1); and,
2. 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).

**Summary Text:**

The property owners requested nonrenewal of 71-AP-037 on August 6, 2013. The contract consists of four parcels, approximately 1,418 acres with approximately 225 acres of vineyards, and approximately 1,191 acres of cattle grazing. The parcel also contains a two acre development envelope which includes a 1,200 square foot single family dwelling, a 612 square foot storage building/chicken coop and a 768 square foot equipment barn, all of which were constructed around 1925. The project site is also

developed with a 3,338 square foot pole barn built in 2001 and an agricultural reservoir approved under 00-CP-088. On September 6, 2013, the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew the agricultural preserve contract. The subject property has been in an agricultural preserve since January 1, 1972.

**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

A fee of \$1,585.00 was charged for the non-renewal of this agricultural preserve contract, however this fee has been converted to a variable deposit which offsets the cost for P&D to process the requested non-renewal. The total estimated cost to process this agricultural preserve contract is approximately \$2,000.00 and is budgeted in the Permitting Program of the department, as shown on page D-168 of the recommended 2013/2015 fiscal year 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 is directed per California Government Code Section 51245 to record a copy of the notice of nonrenewal with the county recorder. 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 Ynez Band of Chumash Indians, Mr. Sam Cohen, P.O. Box 517, Santa Ynez, CA 93460

**Attachments:**

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

**Authored by:**

Florence Trotter-Cadena, Planner (805) 934-6253

Development Review, Planning and Development Department

**ATTACHMENT 1 – LANDOWNER NON-RENEWAL CONTRACT**

## **ATTACHMENT 2 – LEGAL DESCRIPTION**

**ATTACHMENT 3 – VICINITY MAP**