

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: November 3, 2004
Department: Planning and Development
Budget Unit: 053
Agenda Date: December 7, 2004
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Permitting\Case Files\AGP\04 cases\04AGP-00000-00009 for 71-AP-057\BSfinalnonrenewal.doc

TO: Board of Supervisors

FROM: Valentin Alexeeff, Director
Planning and Development

STAFF CONTACT: Florence Trotter-Cadena, Planner
Development Review Division –North County
934-6253

SUBJECT: 71-AP-057A, Rancho Reata LLC Agricultural Preserve Non-Renewal

Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 71-AP-057A, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 133-110-047, located approximately one mile southwest of the intersection of Alisos Canyon and Foxen Canyon Roads, known as 7300 Foxen Canyon Road, in the Los Olivos 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 1, 2004, the Agricultural Preserve Advisory Committee acknowledged, by a unanimous vote of 4 to 0, the submission of non-renewal of 71-AP-057A by the landowner. The non-renewal is being requested for future development of the parcel. The effective date for

nonrenewal of the contract will be December 31, 2004. The subject property has been in an agricultural preserve since the original contract, 71-AP-057A, was approved on January 1, 1983. The owners are requesting non-renewal of the contract due to the Agricultural Preserve Uniform Rules being too restrictive. The site is approximately 248 acres and is used for cattle grazing and about 1.37 acres is used for irrigated pasture.

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 landowner chooses to withdraw 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:

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.

Special Instructions:

Please record the attached Notice of Nonrenewal by the Landowner following your Board's approval and execution, and distribute copies of the executed Notice as shown on the notice below.

Landowner: Rancho Reata LLC
9200 Sunset Boulevard, 10th Floor
Los Angeles, CA 90069

Concurrence:

N/A

Attachments: Notice of Nonrenewal

04AGP-00000-00009 (71-AP-057A), Rancho Reata LLC Agricultural Preserve Non-Renewal

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Legal Descriptions
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