

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: February 2, 2006
Department: Planning and Development
Department No.: 053
Agenda Date: March 7, 2006
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
Document FileName: G:\GROUP\Permitting\Case Files\AGP\05 cases\05AGP-00000-00036\05AGP00036bsfinal.doc

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning & Development

STAFF CONTACT: Zoraida Abresch, Deputy Director
Development Review Division – North County
934-6585

SUBJECT: 05AGP-00000-00036, Holser/Moore/Bailey Agricultural Preserve
Replacement Contract

Recommendation:

That the Board of Supervisors:

Approve and direct execution and recordation by the Clerk of the Board of new contract 05AGP-00000-00036, replacing a portion of the original Agricultural Preserve 69-AP-058. The replacement contract involves Assessor's Parcel No. 093-070-027, located approximately southwest of the intersection of Pine and Bailey Avenues, in the Lompoc area, Fourth Supervisorial District

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The subject property has been in an agricultural preserve (69-AP-058) since January 1, 1972. This contract includes five legal parcels totaling approximately 40 acres that are used for crop production.

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. Uniform Rule #8 prohibits parcels with different titles to be held under one contract.

As part of the APAC's function, parcels under contract are reviewed for conformance with the Uniform Rules when changes in title occur. In this case, the APAC recommended non-renewal of the agricultural preserve contract because while the Holser-Bailey family owned five parcels under one contract, each parcel was owned by different members of the family (so each parcel had different title). In addition, one parcel was sold to a developer (not a member of the family).

The underlying contract is currently scheduled for non-renewal (case no. 05AGP-00029) by the BOS on March 7, 2006. Following the action of non-renewal, there will be three replacement contracts (case nos. 05AGP-00036 and 00037 will be heard by the BOS on March 7, 2006). The 3rd contract (which has 2 parcels) is currently being signed by the current property owners and will probably be heard by the BOS sometime this summer. The fifth parcel is owned by a developer who does not intend to re-enter into 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.

Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-296 of the adopted 2005 – 2006 fiscal year budget.

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
Kathlene Holser, Trustee	Contract, Map
Holser Revocable Trust	
9315 North Harborview Drive	
Gig Harbor, WA 98332	

Concurrence: N/A

Attachments:

1. Agricultural Preserve Contracts
2. Legal Descriptions
3. Vicinity Map

Prepared By: Florence Trotter-Cadena, Planner III