



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: December 3, 2024
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Planning and Development
Director Lisa Plowman, (805) 568-2086
Contact Info: Travis Seawards, Deputy Director, (805) 568-2518
Development Review Division
SUBJECT: Nolan Ranch West LLC New Agricultural Preserve, Los Alamos, Fourth
Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- a) Adopt a resolution creating Agricultural Preserve Replacement Contract No. 24AGP-00002 (Attachment 1) consisting of 5,443.84 acres located at 9500 Highway 101, in the Los Alamos area (APNs 099-050-011, 099-050-012, 099-050-013, and 099-050-014);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 24AGP-00002 (Attachment 2);
- c) Authorize recordation by the Clerk of the Board; and,
- d) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15317 [Open Space Contracts or Easements].

Summary Text:

The project is a request for approval and execution of an Agricultural Preserve Contract for the 5,443.84-acre property identified as Assessor's Parcel Numbers 099-050-011, 099-050-012, 099-050-013, and 099-050-014, located at 9500 Highway 101 in the Fourth Supervisorial District. Staff recommends that the

Board of Supervisors authorize execution of the contract to establish the Nolan West LLC New Agricultural Preserve No. 24AGP-00002 pursuant to the Uniform Rules.

Portions of the 5,443.84-acre property were originally subject to Agricultural Preserve Contract No. 84-AP-010; the landowner later initiated a nonrenewal of the original 84-AP-010 preserve to move a portion of the property out of the preserve. On May 21, 1990, an Amended Notice of Nonrenewal of 84-AP-010 was recorded by the property owner, William Paul Blair, as instrument number 90-034001. On August 7, 1990, the property owner requested a replacement contract for the remaining portion of the aforementioned preserve. The Board of Supervisors approved and executed Contract No. 90-AP-10 as a replacement contract, which was recorded on March 13, 1991.

Subsequently, new ownership (Jackson Enterprises), requested owner-initiated nonrenewal of Contract No. 90-AP-10 due to potential future marketability of the property. The Board of Supervisors accepted this request on November 4, 2003, and a Notice of Nonrenewal was recorded as instrument number 2003-0153572. Since the recordation of the Notice of Nonrenewal, ownership has again changed and Nolan Ranch West LLC, wishes to fully reenter the specified 5,443.84-acre property into the Agricultural Preserve Program under the new contract 24AGP-00002.

The proposed Nolan Ranch West LLC New Agricultural Preserve Contract consists of 5,443.84 acres of non-prime land. The subject property supports commercially productive grazing. Existing development on the property includes agricultural structural development and two agricultural employee dwellings. The subject property is located at 9500 Highway 101, in the Los Alamos Area (Attachment 3).

The subject property is currently zoned Agriculture II (AG-II-100) under the Land Use and Development Code and the proposed preserve is consistent with the County's Comprehensive Plan. On June 13, 2024, and August 8, 2024, the Agricultural Preserve Advisory Committee (APAC) reviewed the proposed Nolan Ranch West LLC New Agricultural Preserve Contract and determined that the proposed preserve is consistent with the Uniform Rules (Attachment 4).

Staff recommends that the Board of Supervisors determine that the project is exempt from CEQA pursuant to the State CEQA Guidelines Section 15317 [Open Space Contracts or Easements] because it explicitly exempts the establishment of agricultural preserves and the making and renewing of open space contracts under the Williamson Act. Additionally, the renewed agricultural preserve would not result in any exceptions (State CEQA Guidelines Section 15300.2) to the Categorical Exemptions. The project does not include physical development and will not result in a cumulative impact, significant effect, damage to scenic resources, impact to a listed site with hazardous waste, or substantial adverse change to the significance of a historical resource.

Background:

Government Code §§ 51200 et seq. (known as the California Land Conservation Act of 1965 or as the Williamson Act) provide 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. Therefore, there are no state mandates associated with this program.

Fiscal and Facilities Impacts:

Budgeted: Yes

The costs to process the project were borne by the applicant through the payment of processing fees. The total estimated cost to process this agricultural preserve contract is approximately \$8,600.00. Funding for this project is budgeted in the Planning and Development’s Permitting Budget Program on Page 317 of the County of Santa Barbara Fiscal Year 2024-2025 Adopted Budget.

The following table was provided by a County appraiser to estimate the change in assessed property value:

Parcel	2024 Assessed Value	Estimated “Active” AGP Value*	Difference
099-050-011	\$ 13,109,040	\$ 2,529,872	\$ (10,579,168)
099-050-012	\$ 905,148	\$ 56,110	\$ (849,038)
099-050-013	\$ 405,756	\$ 27,838	\$ (377,918)
099-050-014	\$ 4,785,840	\$ 411,152	\$ (4,374,688)
Total	\$ 19,205,784	\$ 3,024,972	\$ (16,180,812)

**Please be advised that this estimate is using information known at this time under the hypothetical condition that the property was in “active” (and not in “non-renewal” status) agricultural preserve as of 1/1/2024 (24/25 fiscal year taxes). The County appraiser does not have all of the information necessary to estimate the value for any future assessment. Therefore, the County appraiser cannot guarantee that this estimate will be reflective of future assessment roll values.*

Based on the 2024 assessed value provided by the County Assessor’s Office, this Agricultural Preserve Contract would result in an estimated potential property tax revenue loss of approximately \$162,000 annually.

Special Instructions:

The Planning and Development Department will satisfy all noticing requirements. The Clerk of the Board shall endorse the fact of this adoption and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract Attachment 2) with description attached (Exhibit A) at the Office of the Santa Barbara County Recorder, no later than December 31, 2024. In addition, the Clerk of the Board shall forward to the following interested parties copies of the documents as follows:

1. To the County Recorder, a copy of the Surveyor’s map (does not require recordation except as Exhibit A to the Short Form Land Conservation Contract);
2. To the property owner (Peter Nolan, 338 Pier Avenue, Hermosa Beach, CA 90254) a conformed copy of the Short Form Contract, a certified copy of the Resolution, and a copy of the Surveyor’s map;
3. To the Planning and Development Department (Steve Conner and David Villalobos), a conformed copy of the Short Form Contract, a certified copy of the Resolution, and a copy of the Surveyor’s map;

4. To the Assessor, a certified copy of the Short Form Contract, a certified copy of the Resolution, and a copy of the Surveyor's map; and
5. To the Surveyor, a recorded copy of the Short Form Contract.

Attachments:

1. Agricultural Preserve Resolution
2. Agricultural Preserve Contract
3. Vicinity Map
4. Excerpts from APAC Minutes

Authored by:

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Development Review Division, Planning and Development Department