

# 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 18, 2003  
**Department:** Planning and Development  
**Budget Unit:** 053  
**Agenda Date:** December 9, 2003  
**Placement:** Administrative  
**Estimate Time:** 5 minutes  
**Continued Item:** NO  
**If Yes, date from:** N/A  
**Document File Name:** G:\GROUP\Permitting\Case Files\AGP\03 cases\03agp-00000-00024\BSfinalnonrenewal.doc

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**TO:** Board of Supervisors

**FROM:** Valentin Alexeeff, Director  
Planning and Development

**STAFF CONTACT:** Florence Trotter-Cadena, Planner  
Development Review - North  
934-6253

**SUBJECT:** 76-AP-061/03AGP-00000-00024, Brown and Goller Agricultural Preserve  
Non-Renewal

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## Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 76-AP-061, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 147-050-041, and -042, located on Cottonwood Canyon, in the New Cuyama area, Fifth 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 November 7, 2003 the Agricultural Preserve Advisory Committee by a unanimous vote of 5 to 0 acknowledged the submission of non-renewal of 76-AP-061 by the landowner.

The effective date for nonrenewal of the contract will be December 31, 2003. The subject property has been in an agricultural preserve since the original contract, 76-AP-061, was approved on January 1, 1977. The owners are requesting non-renewal of the contract due to sale of a portion of the property. The site is approximately 295 acres with crops of wheat and barley.

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 \$1,196.00 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: Paul Brown, P.O. Box 355, New Cuyama, CA 93254  
Curtis Goller, P.O. Box 180, New Cuyama, CA 93254  
Planning and Development  
Assessor's Office  
County Counsel  
Clerk-Recorder's Office

**Concurrence:**

N/A

**Attachments:** Notice of Nonrenewal  
Legal Descriptions  
Vicinity Map

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