

**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: September 18, 2003
Department: P&D
Budget Unit: 053
Agenda Date: September 23, 2003
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
Document FileName: G:\GROUP\Permitting\Case Files\AP\1980s\84 cases\84-AP-007NR\nonrenewalBSfinsl2.doc

TO: Board of Supervisors

FROM: Val Alexeef, Director
Planning & Development

STAFF CONTACT: Briza Sholars, Planner
884-6832

SUBJECT: 84-AP-7, Breechen Agricultural Preserve Non-Renewal

Recommendation:

That the Board of Supervisors:

- A. Execute the attached Notice of Non-renewal by the County Land Conservation Contract for Assessor's Parcel Nos. 005-670-004, 005-670-005, 005-670-006, located at 336 Toro Canyon Road, in the Carpinteria area, First 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:

On August 19, 2003 the Board of Supervisors approved 84-AP-7, the Breechen Agricultural Preserve Non-Renewal. The dates reflected on the Notice of Non-renewal signed August 19, 2003 for this Agricultural Preserve were inaccurate and have been corrected in the attached notice.

On June 6, 2003, the Agricultural Preserve Advisory Committee by a unanimous vote of 4 to 0, (Baez absent) approved a motion to recommend that your Board serve a Notice of Nonrenewal

on the above-referenced agricultural preserve contract based on applicants request to non-renew. The effective date for non-renewal of the contract is December 31, 2001. The non-renewal termination date is December 31, 2010. The subject property has been in an agricultural preserve since the original contract, 84-AP-7, was approved on February 21, 1985 and the replacement contract was subsequently approved December 18, 1990. The site is approximately 10 acres and is used for alfalfa production.

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 is not in compliance with the Uniform Rules.

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:

N/A

Special Instructions:

Please record the attached Notice of Non-renewal by the County following the Board's execution, and distribute copies of the executed Notice as shown on the notice below.

Landowner: Leigh Breechen
336 Toro Canyon Road
Carpinteria CA 93013

Leigh Breechen
150 South Rodeo Drive, Third Floor
Beverly Hills CA 90212

William Gillette, County Agricultural Commissioner
Surveyors Office
Assessors Office

Planning & Development

Concurrence:

N/A

Attachments: Notice of Nonrenewal

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