



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: September 11, 2012
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department: Planning and Development
Director: Glenn Russell, Ph.D., Director, 568-2085
Contact Info: Doug Anthony, Deputy Director, 568-2046
Development Review Division – North County

SUBJECT: Carrari Agricultural Preserve Replacement Contract, Los Alamos area, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Other Concurrence: N/A

As to form: No

Recommended Actions:

That the Board of Supervisors:

1. Approve and authorize the Chair to execute agricultural preserve replacement contract 08AGP-00000-00043, included as Attachment 1 of this Board Letter, on a single 130.4-acre parcel (APN:099-030-060) located approximately ¼ mile west of the township of Los Alamos, known as 4300 Highway 135, in the Los Alamos area;
2. Authorize recordation by the Clerk of the Board; and,
3. Find that the proposed action is an administrative activity, as described in 14 CCR 15378(b)(5), which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA).

Summary Text:

This parcel was originally part of Agricultural Preserve Contract 02AGP-00000-00020. New Replacement Contracts are being requested following up from an approved 2008 subdivision. The

proposed Carrari Agricultural Preserve Replacement Contract (08AGP-00000-00043) consists of one, 130.4-acre legal parcel (APN: 099-030-060), located approximately ¼ mile west of the township of Los Alamos, known as 4300 Highway 135, in the Los Alamos area, Third Supervisorial District (see map in Attachment 3). Approximately 57.2 acres of land is a prime preserve planted in row crops and the remaining 73.2 acres is non-prime preserve which is used for cattle grazing. The parcel is vacant of structures and has intermittent ranch roads that traverse the parcel. The parcel is currently zoned AG-II-100 under the Land Use and Development Code. On January 16, 2009 the Agricultural Preserve Advisory Committee reviewed 08AGP-00000-00043 and determined the replacement of an agricultural preserve contract is consistent with the Uniform Rules.

Background:

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 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

There are no fees associated with creation of agricultural-preserve contracts for applications accepted prior to May 5, 2012. The total estimated cost to process this agricultural preserve contract is approximately \$2,035.00, and is budgeted in the Permitting and Compliance Program of the Development Review North Division, as shown on page D-138 of the recommended 2012/2013 fiscal year budget.

Special Instructions:

Clerk of the Board shall distribute copies of the recorded contract (with legal description and vicinity map) and Minute Order, as follows:

- David Villalobos, Planning and Development Department, Hearing Support
- Tammy Weber, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Joe Carrari, PO Box 556, Los Alamos, CA 93440

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation. The Clerk of the Board shall mail a notice to property owners within 300 feet of the project, including the real property owners, project applicant, and agencies expected to provide essential services shall be done at least 10 days prior to the hearing (Government Code Section 65091).

Attachments:

1. Agricultural Preserve Contract
2. Legal Description
3. Vicinity Map

Authored by:

Tammy Weber, Planner
Development Review North, Planning and Development Department

ATTACHMENT 1 – AGRICULTURAL PRESERVE CONTRACT

Recording Requested by)
County of Santa Barbara)
_____)
When Recorded Return to the)
Clerk of the Board of Supervisors)
County of Santa Barbara)
105 East Anapamu Street)
Santa Barbara, California 93101)
_____)

SHORT FORM LAND CONSERVATION CONTRACT
Incorporating Board of Supervisors Resolutions and
Long Form Contract by Reference
08AGP-00000-00043

THIS LAND CONSERVATION CONTRACT, is made by and between Joe F. Carrari and Phyllis M. Carrari, as Trustees of The Carrari Family Trust UDTA dated February 28, 2002 hereinafter referred to as "OWNER" and the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, OWNER possesses certain real property situated in the County of Santa Barbara, State of California, hereinafter referred to as "THE SUBJECT PROPERTY," and more particularly described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, THE SUBJECT PROPERTY is now devoted to agricultural uses and uses compatible therewith; and

WHEREAS, the parties hereto desire to create an "agricultural preserve," consisting of THE SUBJECT PROPERTY, to be established by COUNTY by resolution and by this contract,

and to be designated as the Carrari Agricultural Preserve Name, 08AGP-00000-00043, Assessor Parcel Number 099-030-060, 130.4 acres; replacing a portion of 02AGP-00000-00020 with zoning of AG-II-100, and AC Comprehensive Plan designation restrictions.

NOW, THEREFORE, both OWNER and COUNTY, in consideration of the mutual promises, covenants and conditions to which reference is made herein and substantial public benefits to be derived therefrom, do hereby agree as follows:

FIRST: THE SUBJECT PROPERTY shall be subject to all restrictions and conditions adopted or to be adopted by resolutions and minute orders by the Board of Supervisors of the County of Santa Barbara, California, including without limitation those recorded on November 5, 1971, as Inst. No. 36187, Bk. 2371, pg. 404; January 3, 1972, as Inst. No. 57, Bk. 2381, page 794; October 30, 1974, as Instr. No. 38788, Bk. 2539, pg. 258; November 10, 1975, as Instr. Nos. 40442 and 40443, Bk. 2592, pgs. 1763 and 1767; December 11, 1975, as Instr. No. 44871, Bk. 2595, pg. 2134; May 20, 1977, as Reel No. 77-24881; July 11, 1977, Reel No. 77-34734; November 14, 1978, Reel No. 78-52990; October 15, 1980, Reel No. 80-41873, and November 2, 2007, Reel No. 2007-0077408 of the Official Records of the County of Santa Barbara, California, and IT IS MUTUALLY AGREED that the conditions and restrictions set forth in said resolutions and minute orders are adopted and incorporated herein and made a part hereof as though fully set forth herein at length, and the OWNER will observe and perform said provisions.

SECOND: In consideration of the promises, OWNER shall indemnify and save harmless COUNTY from and against any and all claims, liability, suits, damages, costs including reasonable attorney's fees, losses and expenses in any manner resulting from, arising out of, or

connected with the use of any Surveyor's Map depicting the preserve and the description of THE SUBJECT PROPERTY attached hereto.

THIRD: This Contract shall be effective as of the first day of January, 2013, and shall remain in effect for a period of ten (10) years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract

on _____.

COUNTY OF SANTA BARBARA

BOARD OF SUPERVISORS

By: _____

DOREEN FARR, Chair

Attest:

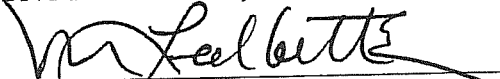
CLERK OF THE BOARD

By: _____

Deputy Clerk

Approved As To Form:

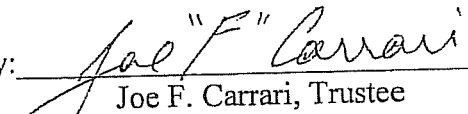
COUNTY COUNSEL, DENNIS A. MARSHALL

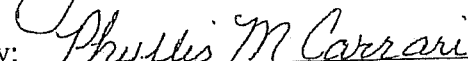
By: 

Deputy County Counsel

OWNER

CARRARI FAMILY TRUST,
UDTA dated February 28, 2002

By: 
Joe F. Carrari, Trustee

By: 
Phyllis M. Carrari, Trustee

ACKNOWLEDGMENT

State of California
County of Santa Barbara)

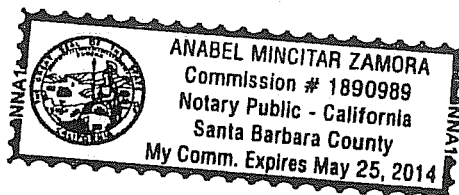
On July 02, 2012 before me, Anabel Mincitar Zamora, Notary Public
(insert name and title of the officer)

personally appeared *****Phyllis Marie Carrari and Joe F. Carrari*****
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Anabel Zamora (Seal)



Attached to: Short Form Land Conservation Contract; 08AGP-00000-00043

ATTACHMENT 2 – LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR 08AGP-00000-00043

Parcel B of Parcel Map 14,733 in the County of Santa Barbara, State of California, as per map recorded in Book 62, pages 58 through 60 inclusive of Parcel Map, in the Office of the County Recorder of said County.

APPROVED AS TO FORM
AND SURVEY CONTENT

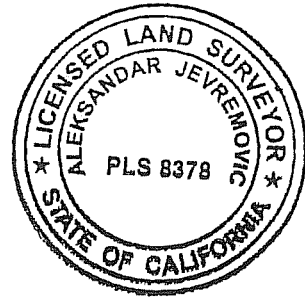
A Jevremovic

ALEKSANDAR JEVREMOVIC, PLS 8378

~~MICHAEL B. EMMONS, PLS 5899~~

COUNTY SURVEYOR

LICENSE EXP. 12/31/13

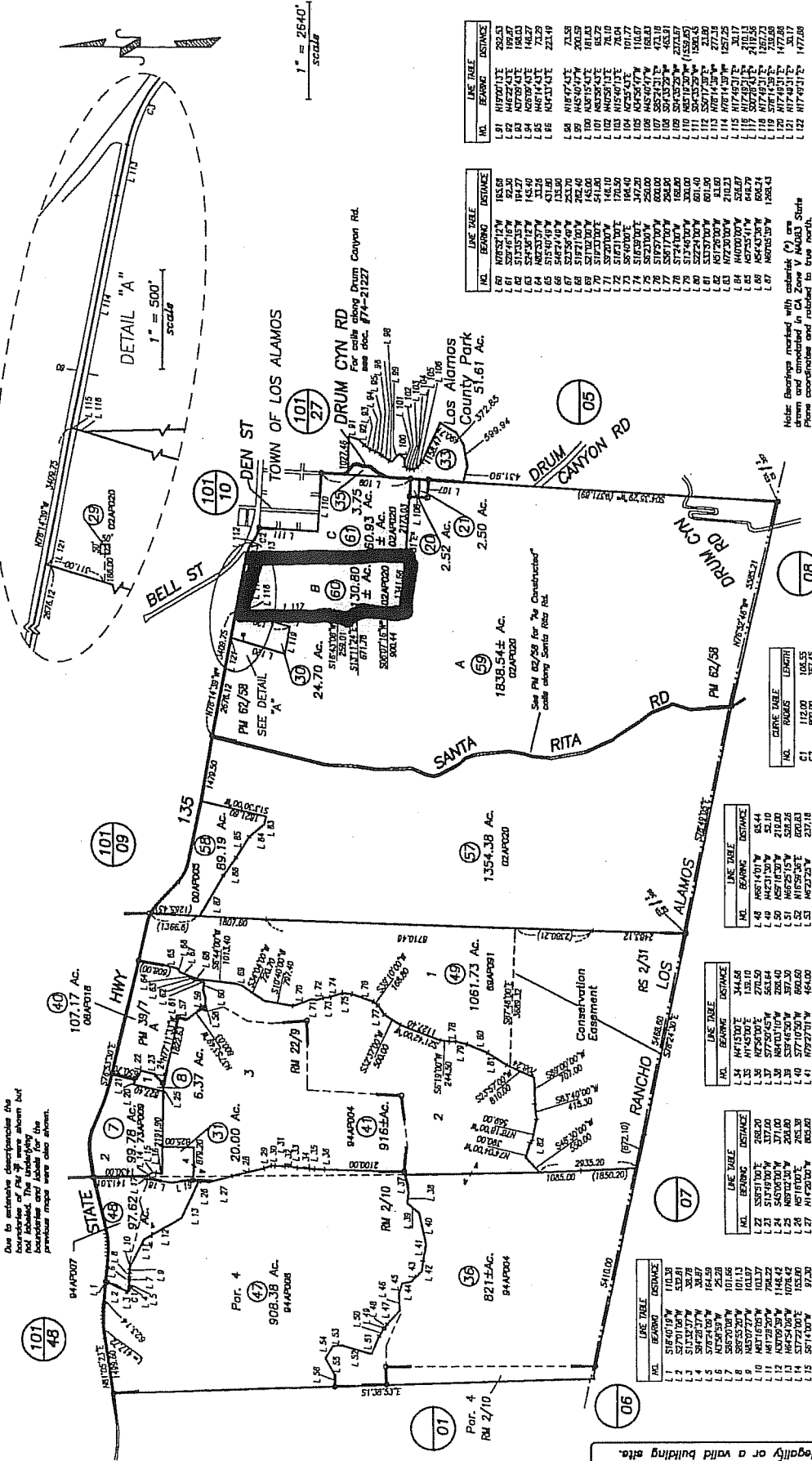


ATTACHMENT 3 – VICINITY MAP

08 AGP-0000-00043

POR. RANCHO LOS ALAMOS

099-03



Due to extensive discrepancies the boundaries of Parc 9 were shown but not the boundaries and labels for the parcels shown. The previous maps were also shown.

NOTICE
Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legally or a valid building site.

LINE	BEARING	DISTANCE
L 1	N 89° 07' 11"	82.53
L 2	N 77° 05' 41"	194.03
L 3	N 77° 05' 41"	194.03
L 4	N 62° 06' 51"	148.27
L 5	N 46° 14' 43"	71.29
L 6	N 43° 11' 43"	221.49
L 7	N 18° 47' 45"	71.59
L 8	N 45° 40' 47"	202.59
L 9	N 45° 40' 47"	202.59
L 10	N 45° 40' 47"	202.59
L 11	N 45° 40' 47"	202.59
L 12	N 45° 40' 47"	202.59
L 13	N 45° 40' 47"	202.59
L 14	N 45° 40' 47"	202.59
L 15	N 45° 40' 47"	202.59
L 16	N 45° 40' 47"	202.59
L 17	N 45° 40' 47"	202.59
L 18	N 45° 40' 47"	202.59
L 19	N 45° 40' 47"	202.59
L 20	N 45° 40' 47"	202.59
L 21	N 45° 40' 47"	202.59
L 22	N 45° 40' 47"	202.59

Note: Bearings marked with a circled 'C' are shown and computed in CA Zone V NAD83 State Plane coordinates and related to true north.

Assessor's Map Bk, 099-Pg, 03
County of Santa Barbara, Calif.

07/10 Correct Ag Pres no. error on 40

05/27/1932 R.M. Bk. 22 , Pg. 9 , Tract "Partition of Lot 3 of the Orena Portion"
04/28/1913 R.M. Bk. 2 , Pg. 31-32 , Tract "Orena Portion of the Los Alamos Rancho"
10/00/1906 R.M. Bk. 2 , Pg. 10 , Tract "Juan B. Careaga of the Los Alamos Rancho"

LINE	BEARING	DISTANCE
L 48	N 51° 40' 17"	85.44
L 49	N 51° 40' 17"	85.44
L 50	N 51° 40' 17"	85.44
L 51	N 51° 40' 17"	85.44
L 52	N 51° 40' 17"	85.44
L 53	N 51° 40' 17"	85.44
L 54	N 51° 40' 17"	85.44
L 55	N 51° 40' 17"	85.44
L 56	N 51° 40' 17"	85.44
L 57	N 51° 40' 17"	85.44
L 58	N 51° 40' 17"	85.44
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L 60	N 51° 40' 17"	85.44
L 61	N 51° 40' 17"	85.44
L 62	N 51° 40' 17"	85.44
L 63	N 51° 40' 17"	85.44
L 64	N 51° 40' 17"	85.44
L 65	N 51° 40' 17"	85.44
L 66	N 51° 40' 17"	85.44
L 67	N 51° 40' 17"	85.44
L 68	N 51° 40' 17"	85.44
L 69	N 51° 40' 17"	85.44
L 70	N 51° 40' 17"	85.44
L 71	N 51° 40' 17"	85.44
L 72	N 51° 40' 17"	85.44
L 73	N 51° 40' 17"	85.44
L 74	N 51° 40' 17"	85.44
L 75	N 51° 40' 17"	85.44
L 76	N 51° 40' 17"	85.44
L 77	N 51° 40' 17"	85.44
L 78	N 51° 40' 17"	85.44
L 79	N 51° 40' 17"	85.44
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L 81	N 51° 40' 17"	85.44
L 82	N 51° 40' 17"	85.44
L 83	N 51° 40' 17"	85.44
L 84	N 51° 40' 17"	85.44
L 85	N 51° 40' 17"	85.44
L 86	N 51° 40' 17"	85.44
L 87	N 51° 40' 17"	85.44
L 88	N 51° 40' 17"	85.44
L 89	N 51° 40' 17"	85.44
L 90	N 51° 40' 17"	85.44
L 91	N 51° 40' 17"	85.44
L 92	N 51° 40' 17"	85.44
L 93	N 51° 40' 17"	85.44
L 94	N 51° 40' 17"	85.44
L 95	N 51° 40' 17"	85.44
L 96	N 51° 40' 17"	85.44
L 97	N 51° 40' 17"	85.44
L 98	N 51° 40' 17"	85.44
L 99	N 51° 40' 17"	85.44
L 100	N 51° 40' 17"	85.44

LINE	BEARING	DISTANCE
L 34	N 1° 15' 00"	344.68
L 35	N 1° 15' 00"	133.10
L 36	N 1° 15' 00"	270.50
L 37	N 1° 15' 00"	270.50
L 38	N 1° 15' 00"	270.50
L 39	N 1° 15' 00"	270.50
L 40	N 1° 15' 00"	270.50
L 41	N 1° 15' 00"	270.50
L 42	N 1° 15' 00"	270.50
L 43	N 1° 15' 00"	270.50
L 44	N 1° 15' 00"	270.50
L 45	N 1° 15' 00"	270.50
L 46	N 1° 15' 00"	270.50
L 47	N 1° 15' 00"	270.50
L 48	N 1° 15' 00"	270.50
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L 50	N 1° 15' 00"	270.50
L 51	N 1° 15' 00"	270.50
L 52	N 1° 15' 00"	270.50
L 53	N 1° 15' 00"	270.50
L 54	N 1° 15' 00"	270.50
L 55	N 1° 15' 00"	270.50
L 56	N 1° 15' 00"	270.50
L 57	N 1° 15' 00"	270.50
L 58	N 1° 15' 00"	270.50
L 59	N 1° 15' 00"	270.50
L 60	N 1° 15' 00"	270.50
L 61	N 1° 15' 00"	270.50
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L 95	N 1° 15' 00"	270.50
L 96	N 1° 15' 00"	270.50
L 97	N 1° 15' 00"	270.50
L 98	N 1° 15' 00"	270.50
L 99	N 1° 15' 00"	270.50
L 100	N 1° 15' 00"	270.50

LINE	BEARING	DISTANCE
L 21	S 89° 07' 11"	282.20
L 22	S 77° 05' 41"	371.00
L 23	S 77° 05' 41"	371.00
L 24	S 62° 06' 51"	238.80
L 25	S 46° 14' 43"	263.39
L 26	S 43° 11' 43"	263.39
L 27	S 18° 47' 45"	263.39
L 28	S 45° 40' 47"	263.39
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L 97	S 45° 40' 47"	263.39
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L 99	S 45° 40' 47"	263.39
L 100	S 45° 40' 47"	263.39

LINE	BEARING	DISTANCE
L 1	S 18° 47' 45"	110.33
L 2	S 18° 47' 45"	110.33
L 3	S 18° 47' 45"	110.33
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L 5	S 18° 47' 45"	110.33
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L 59	S 18° 47' 45"	110.33
L 60	S 18° 47' 45"	110.33
L 61	S 18° 47' 45"	110.33
L 62	S 1	

