

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Prepared on: September 25, 2002
Department: Planning and Development
Budget Unit: 053
Agenda Date: October 22, 2002
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
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TO: Board of Supervisors

FROM: Rita Bright, Deputy Director
Development Review South

STAFF CONTACT: Briza Grace Sholars
884-6832

SUBJECT: 96-AP-002, Van Wingerden Agricultural Preserve Non-Renewal

Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 96-AP-002, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 004-004-037, located at 5154 Foothill Road, in the Carpinteria area, First 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 July 12, 2002, the Agricultural Preserve Advisory Committee by a unanimous vote of 3 to 0, (Baez and Emmons absent) approved a motion to recommend that your Board serve a Notice of Non-renewal on the above-referenced agricultural preserve contract based on noncompliance with the Uniform Rules, as the Uniform Rules do not currently list soccer fields as a compatible use. A portion of the parcel is currently being used by the American Youth Soccer Organization (AYSO) for games and practices. The

effective date for non-renewal of the contract will be December 31, 2002. The subject property has been in an agricultural preserve since the original contract, 74-AP-008, was approved on January 1, 1975 and the replacement contract (96-AP-002) was subsequently approved on January 1, 1997. A Conditional Use Permit (01CP-00000-00095) was approved April 17, 2002 to allow for the short-term use of this property for soccer field activity. If the use for soccer on the site ceases prior to November 30, 2002 this non-renewal will not be recorded. The site is approximately 13 acres and was historically used for flower 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 non-renewal 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, non-renewal 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 Nonrenewal by the County following the Board's approval and execution, and distribute copies of the executed Notice as shown on the notice below.

Landowner: Rene and June Van Wingerden
5154 Foothill Road
Carpinteria CA 93013

Concurrence:

N/A

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Attachments: Notice of Nonrenewal
 Legal Descriptions
 Vicinity Map

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