



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 11, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Planning and Development
Dianne M. Black, Director, (805) 568-2086
Contact Info: Jeff Wilson, Deputy Director, (805) 934-6559
Development Review Division

SUBJECT: Barrack Notice of Nonrenewal of Agricultural Preserve Contract, Santa Ynez Area, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

That the Board of Supervisors:

- a) Receive and consider the Agricultural Preserve Advisory Committee (APAC) recommendation to non-renew Agricultural Preserve Contract 86-AP-012;
- b) Approve the Nonrenewal of Agricultural Preserve Contract 86-AP-012 (Attachment 1) due to non-compliance with Uniform Rule 1-2.3 – Commercial Production and Reporting Requirements; and direct the Clerk of the Board to record the approved Notice of Nonrenewal; and
- c) Find that the proposed action is an administrative activity of the County 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) under State CEQA Guidelines Section 15378(b)(5).

Summary Text:

On April 6, 2018, the Agricultural Preserve Advisory Committee (APAC) reviewed the ongoing eligibility of agricultural contract 86-AP-012 as an agricultural preserve and its consistency with the Uniform Rules. The property owner was notified of APAC's review and did not attend the meeting. APAC voted 4-0 (Shapero absent) to recommend to the Board of Supervisors that agricultural preserve contract 86-AP-012 be placed in nonrenewal due to noncompliance with commercial agricultural production requirements for prime contracts per Uniform Rule 1-2.3. APAC meeting minutes are included as Attachment 4. Rule 1-2.3 states that the owner must demonstrate that the land will be used principally for the production of commercial agricultural products to qualify for a Williamson Act contract and maintain ongoing eligibility. According to County data and aerial photography, there is currently limited agricultural production on the property. The lawyer for the landowner confirmed with APAC that the owner does not intend to engage in agricultural production beyond the term of the existing contract.

Contract 86-AP-012 went into effect in 1988 and applies to approximately 103.18 acres (Assessor's Parcel Number 141-250-015) in the Santa Ynez area. Attachment 2 is the approved legal description of the properties. In accordance with Section 6-1.1 of the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones, the property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract, which would expire on December 31, 2027.

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.

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 at least 60 days in advance of the annual renewal date of the contract. Pursuant to Uniform Rule 6-1.7, the Agricultural Preserve Advisory Committee (APAC) may recommend that the Board issue a notice of nonrenewal after providing the landowners with notice of the recommendation. APAC held a hearing on the matter on April 6, 2018 and provided notice to the landowners. Upon receiving the Board approved notice of nonrenewal, the Clerk of the Board is required to record the notice of nonrenewal. Upon recordation, the County's role related to the notice of nonrenewal is complete.

Fiscal and Facilities Impacts:

Budgeted: Yes

The total estimated cost to process this agricultural preserve contract non-renewal is approximately \$3,000.00. This is a county-initiated case, thus no processing fees were collected. Processing for this project is budgeted in the Permitting Budget Program on page D-272 of the FY 2018-19 budget.

Special Instructions:

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

- David Villalobos, Planning and Development Department, Hearing Support
- Amber Long, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Nicholas Barrack Irrevocable Trust, c/o Colony Capital, LLC, 515 S. Flower Street FL 44, Los Angeles, CA 90071

Attachments:

1. County-Initiated Application for Non-Renewal
2. Approved Legal Description
3. Vicinity Map
4. Excerpt from April 6, 2018 APAC Minutes

Authored by:

Amber Long, Planner, (805) 934-6587
Development Review Division, Planning and Development Department

ATTACHMENT 1: COUNTY-INITIATED APPLICATION FOR NON-RENEWAL

	PLANNING & DEVELOPMENT PERMIT APPLICATION
SITE ADDRESS: <u>1100 Secretariat Drive</u>	
ASSESSOR PARCEL NUMBER: <u>141-250-015</u>	
Gross <u>103.18</u> acres Net _____	
ZONING: <u>AG-II-100</u>	
COMPREHENSIVE/COASTAL PLAN DESIGNATION: <u>AC</u>	
Are there previous permits/applications? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes numbers: _____ (include permit # & lot # if tract)	
Did you have a pre-application? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes if yes, who was the planner? _____	
Are there previous environmental (CEQA) documents? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes numbers: _____	
Project description summary: <u>County initiated nonrenewal of contract 86-AP-012</u>	
1. Financially Responsible Person _____ Phone: _____ FAX: _____ (For this project) Mailing Address: _____ Street City State Zip	
2. Owner: <u>Nicholas Barrack Trust</u> Phone: _____ FAX: _____ Mailing Address: <u>515 S Flower Street FL 44, Los Angeles, CA 90071</u> E-mail: _____ Street City State Zip	
3. Agent: _____ Phone: _____ FAX: _____ Mailing Address: _____ E-mail: _____ Street City State Zip	
4. Arch./Designer: _____ Phone: _____ FAX: _____ Mailing Address: _____ State/Reg Lic# _____ Street City State Zip	
5. Engineer/Surveyor: _____ Phone: _____ FAX: _____ Mailing Address: _____ State/Reg Lic# _____ Street City State Zip	
6. Contractor: _____ Phone: _____ FAX: _____ Mailing Address: _____ State/Reg Lic# _____ Street City State Zip	

I hereby certify to the best of my knowledge, the information contained in this application and all attached materials are correct, true and complete.

[Signature]
 Signature

Debra Trupe 11-13-18
 Print name/date

18AGP-00000-00019 Case N Supers BARRACK COUNTY INITIATED AGRICULTUR Applic SECRETARIAT DR 10/2/18 Project SANTA YNEZ 141-250-015 Zoning	COUNTY USE ONLY Companion Case Number: _____ Submittal Date: _____ Receipt Number: _____ Accepted for Processing _____ Comp. Plan Designation _____
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ASSESSOR'S DESCRIPTION OF PROPERTY
 Assessor's Parcel No. 141-250-015

TheTax Code Area No.	Book – Page - Parcel	Acreage	Assessed Value Land Only
062-023	Bk 141 – Pg 25	103.18	\$674,532

Attach copy of Current Assessor's Map showing proposed Preserve Boundaries
 (NOTE: Only latest Assessor's Map; do not substitute others.)

STATUS OF OWNERSHIP (check box):

Fee___; Probate___; Trust___; Escrow

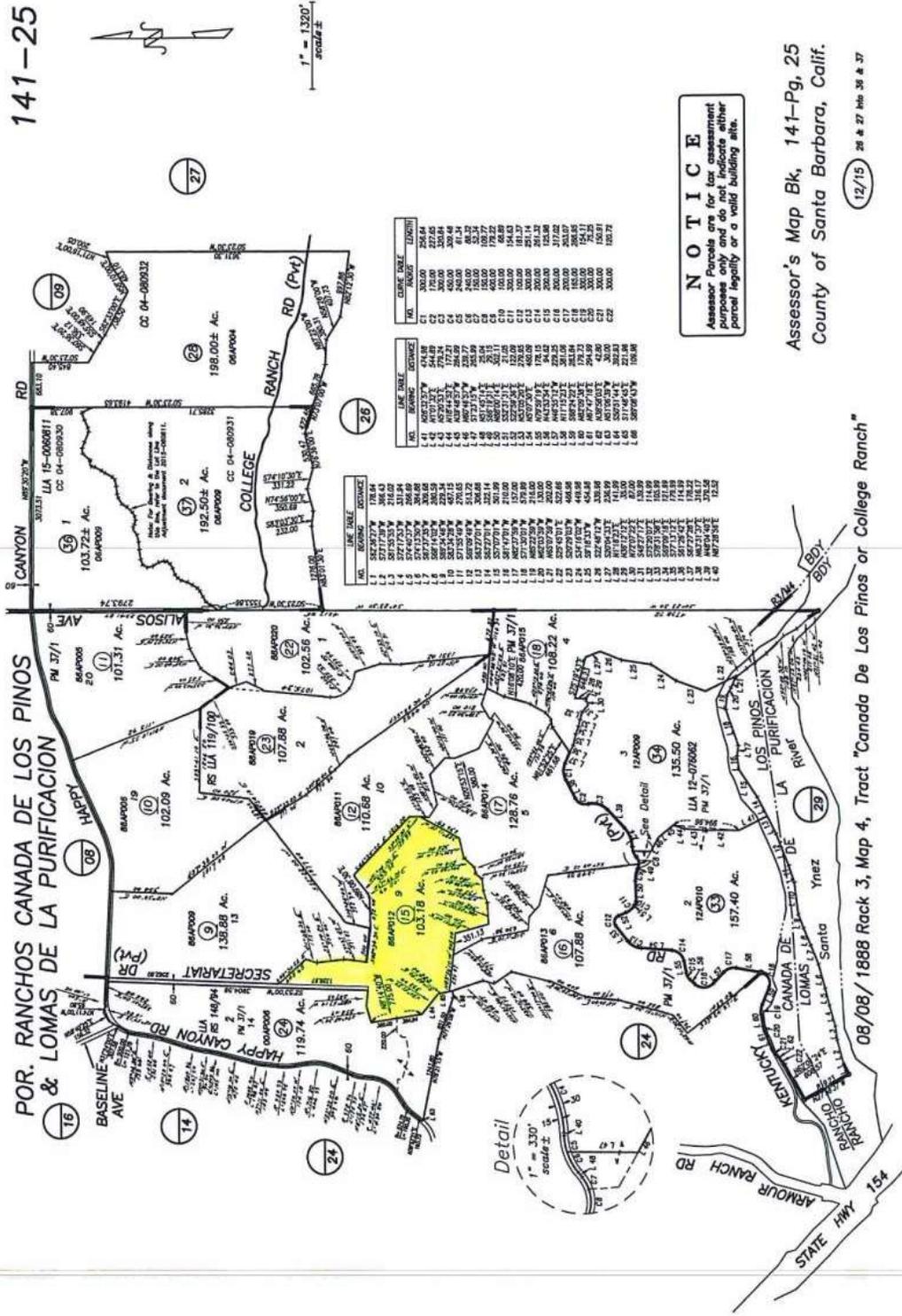
Other: _____

LAND TENURE (check): Owner-operated___; Rented___; Leased___; Sharecropped___; Other_

The following section must be filled out completely and accurately. Please do not leave any of the boxes blank. If there are no crops or acreage in a particular land class, then indicate that by writing in NONE.

PRESENT LAND USE, CLASS, AND ACREAGE

Land Class	Crop or Use	Soil Class, Rating, or Income/acre	Acreage
PRIME Farmland 30%	none		~30
Total Prime Land Acreage			
NONPRIME Farmland Rangeland 50%	none		~50
Total Nonprime Acreage			
NONFARM and/or 20% Open Space and/or Recreation (This includes all structures. Please indicate what kinds of structures exist on the property.)			~20
Total NonFarm Acreage			
Total Acreage in Preserve			103.18



NO.	ACRES	AREA	PERCENTAGE
L1	52.2977	78.84	14.91
L2	52.2977	78.84	14.91
L3	52.2977	78.84	14.91
L4	52.2977	78.84	14.91
L5	52.2977	78.84	14.91
L6	52.2977	78.84	14.91
L7	52.2977	78.84	14.91
L8	52.2977	78.84	14.91
L9	52.2977	78.84	14.91
L10	52.2977	78.84	14.91
L11	52.2977	78.84	14.91
L12	52.2977	78.84	14.91
L13	52.2977	78.84	14.91
L14	52.2977	78.84	14.91
L15	52.2977	78.84	14.91
L16	52.2977	78.84	14.91
L17	52.2977	78.84	14.91
L18	52.2977	78.84	14.91
L19	52.2977	78.84	14.91
L20	52.2977	78.84	14.91
L21	52.2977	78.84	14.91
L22	52.2977	78.84	14.91
L23	52.2977	78.84	14.91
L24	52.2977	78.84	14.91
L25	52.2977	78.84	14.91
L26	52.2977	78.84	14.91
L27	52.2977	78.84	14.91
L28	52.2977	78.84	14.91
L29	52.2977	78.84	14.91
L30	52.2977	78.84	14.91
L31	52.2977	78.84	14.91
L32	52.2977	78.84	14.91
L33	52.2977	78.84	14.91
L34	52.2977	78.84	14.91
L35	52.2977	78.84	14.91
L36	52.2977	78.84	14.91
L37	52.2977	78.84	14.91
L38	52.2977	78.84	14.91
L39	52.2977	78.84	14.91
L40	52.2977	78.84	14.91
L41	52.2977	78.84	14.91
L42	52.2977	78.84	14.91
L43	52.2977	78.84	14.91
L44	52.2977	78.84	14.91
L45	52.2977	78.84	14.91
L46	52.2977	78.84	14.91
L47	52.2977	78.84	14.91
L48	52.2977	78.84	14.91
L49	52.2977	78.84	14.91
L50	52.2977	78.84	14.91

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

Assessor's Map Bk, 141-Pg, 25
 County of Santa Barbara, Calif.

12/15 26 & 27 into 36 & 37

ATTACHMENT 2: APPROVED LEGAL DESCRIPTION

*County of Santa Barbara
Public Works Department*

Office of the County Surveyor

123 E. Anapamu Street
Santa Barbara, California 93101
805/568-3020 FAX 805/568-3318

Aleksandar Jevremovic, County Surveyor



TRANSMITTAL

TO: Amber Long, Planner

DATE: 11/6/2018

ADDRESS/DEPARTMENT: Planning and Development

FROM: Aleksandar Jevremovic, County Surveyor *AJ*

PHONE: 3012

SUBJECT: **18AGP-00000-00019**
Barrack County Initiated Ag Preserve Non-Renewal
APN: 141-250-015

QTY	DESCRIPTION
1	Approved Legal Description with exhibit map

ACTION:

- As Requested
- For Your Use
- Approved as Noted
- For Review and Comment

REMARKS:

Barrack Agricultural Preserve
No. 18 AGP-00000-00019

Legal Description

APN: 141-250-015

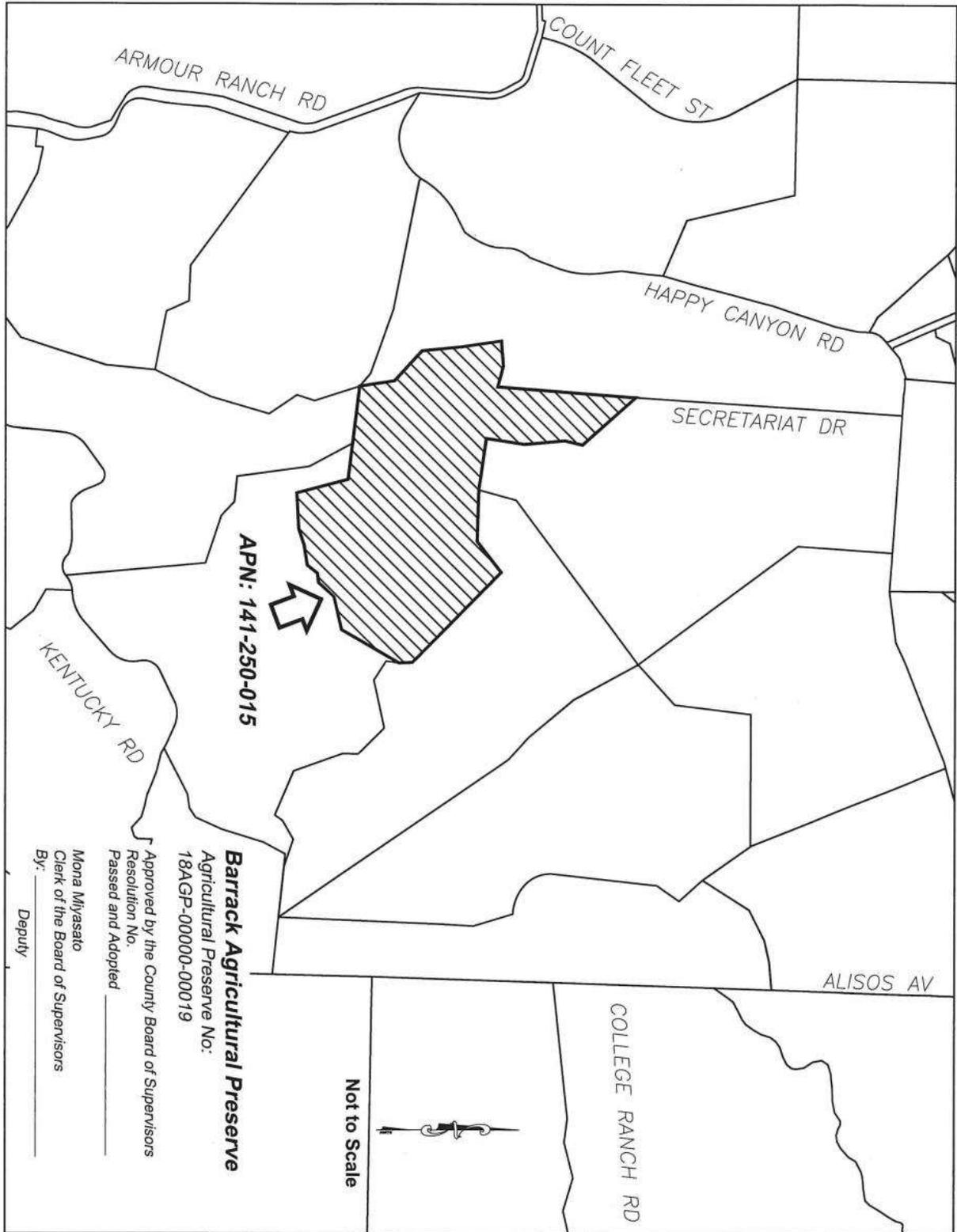
Parcel 9 of Parcel Map No. 13,450 in the County of Santa Barbara, State of California, as per the map thereof recorded in Book 37, Pages 1 through 41, inclusive, of Parcel Maps, in the Office of the County Recorder of Santa Barbara County.

APPROVED AS TO FORM
AND SURVEY CONTENT

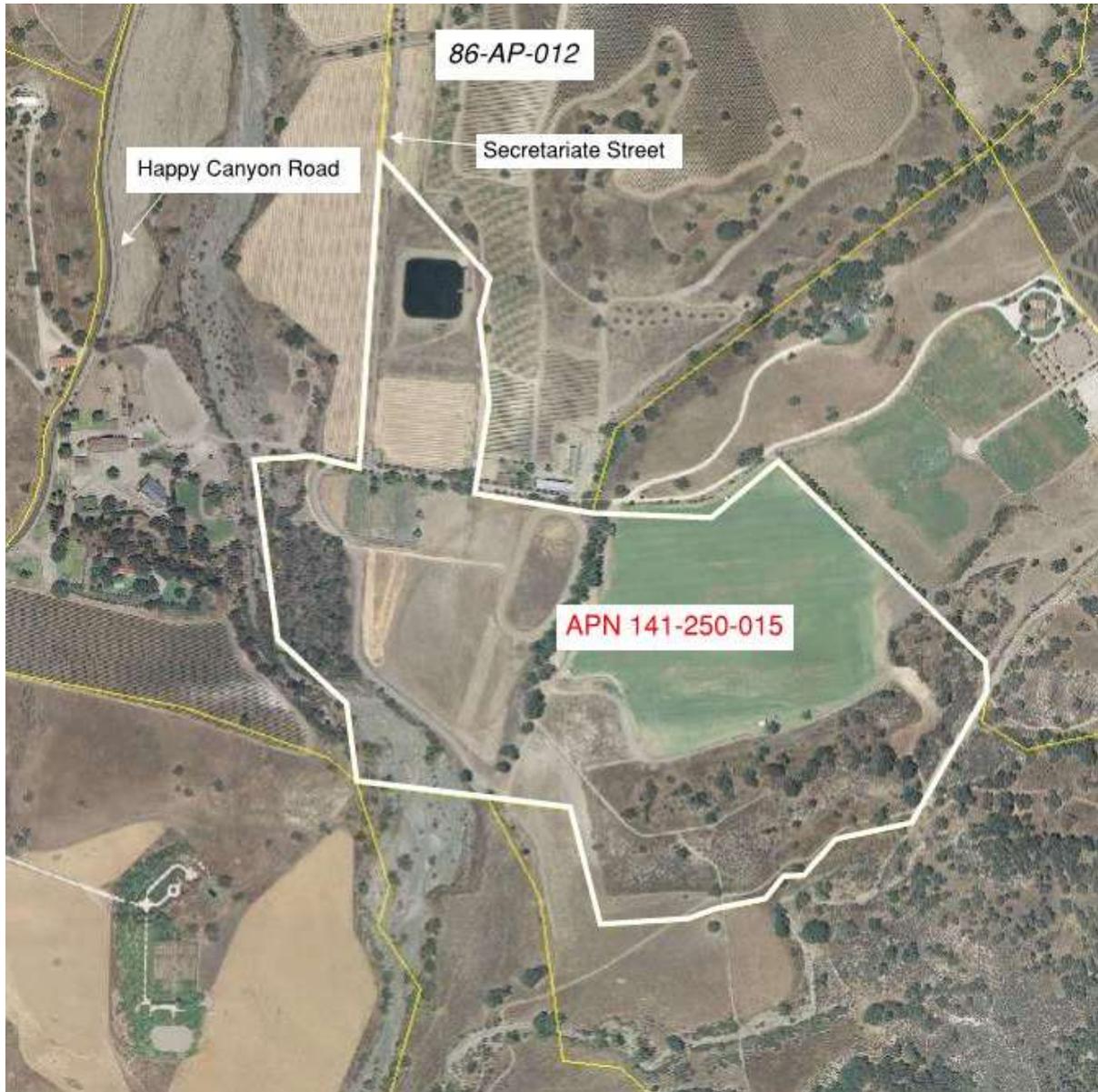
AJevremovic
ALEKSANDAR JEVREMOVIC
COUNTY SURVEYOR
LICENSE EXP. 12/31/2019



11/5/2018



ATTACHMENT 3: VICINITY MAP



AGRICULTURAL PRESERVE ADVISORY COMMITTEE APPROVED MINUTES
Meeting of April 6, 2018
Page 3

4. 86-AP-012 Nicholas Barrack Irrevocable Trust Santa Ynez

Consider the consistency of ag preserve contract No. 86-AP-012 owned by the Nicholas Barrack Irrevocable Trust, with the Uniform Rules and ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The property is 103.18 acres, identified as Assessor's Parcel Number 141-250-015 zoned AG-II-100 with an AC Comprehensive Plan designation located at 1100 Secretariat Drive in the Santa Ynez area, Third Supervisorial District.

Lackie moved, seconded by Ricardo, and carried by a vote of 4 -0 (Shapero absent) to recommend that the Board of Supervisors non-renew contract number 86-AP-012 due to non compliance with Uniform Rule 1-2.3., Commercial Production and Reporting Requirements.

V. NEW ITEMS:

5. 95-AP-024 North Fork Ranch Tentative Parcel Map New Cuyama
18TPM-00000-00001 Shannon Reese, Planner (805) 934-6261

Consider the request of Brian Tetley agent for the owner, Brodiaea, Inc, of Case No. 18TPM-00000-00001 regarding a proposed four-way lot split, with one lot located in San Luis Obispo County, and its consistency with the Uniform Rules and consider ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The property is 7.623 acres identified as Assessor's Parcel Number 147-020-045 & 147-020-046, zoned AG-II-100 with an AC Comprehensive Plan designation located at Approximately 11 miles west of New Cuyama in the Cuyama area, Fifth Supervisorial District.

Lackie moved, seconded by Ricardo, and carried by a vote of 4-0 (Shapero absent) to find the project consistent with the Uniform Rules.

6. 69-AP-75 Lafond Winery & Vineyards New Tier I Winery Buellton
18LUP-00000-00117 Gwen Beyeler, Planner (805) 934-6269

Consider the request of Brett Jones agent for the owner, Lafond Winery & Vineyards of Case No. 18LUP-00000-00117 regarding the conversion of an existing 20,000 square foot covered horse arena to a Tier I Winery (vineyard under construction) and its consistency with the Uniform Rules and consider ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The property is 62.60 acres identified as Assessor's Parcel Number 083-180-005 zoned AG-II-40 with an AC Comprehensive Plan designation located at 8669 Santa Rosa Road in the Buellton area, Third Supervisorial District.

Lackie moved, seconded by Ricardo, and carried by a vote of 4-0 (Shapero absent) to continue the project to the May 4, 2018 APAC meeting.