



**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:** August 26, 2014  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department: Planning and Development  
Director: Glenn Russell, Ph.D., Director, 568-2085  
Contact Info: Alice McCurdy, Deputy Director, 934-6559  
Development Review Division  
**SUBJECT: Pepe Notice of Nonrenewal of Agricultural Preserve Contract, Lompoc area,  
Fourth Supervisorial District**

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**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. Receive the notice of nonrenewal submitted by the landowner for Agricultural Preserve 09AGP-00000-00001 (Attachment 1); and,
2. 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:**

The property owners requested nonrenewal of 09AGP-00000-00001 on January 29, 2014. The contract consists of one parcel, of approximately 40.98 acres in size with approximately 29 acres of vineyards, and approximately 4 acres of olives. The parcel also contains a two acre development envelope which includes a 7,250 square foot single family dwelling, a 640 square foot picnic shelter, and a pool and spa. The parcel is also developed with a farm employee mobile home, a shade structure, reservoir, and a

barn. On March 7, 2014, the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew the agricultural preserve contract. The subject property has been in an agricultural preserve since January 1, 2010.

**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 in advance of the annual renewal date of the contract. Upon receiving notice of nonrenewal by the landowner, 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 costs to process the project were borne by the applicant through the payment of processing fees. The total estimated cost to process this non-renewal of agricultural preserve contract is approximately \$1,888.00, and is budgeted in the Permitting Program of the Planning and Development Department, as shown on page D-212 of the adopted 2013/15 FY budget.

After recordation of non-renewal, property taxes on this site will be incrementally increased for the next nine years until full property taxes are assessed.

**Special Instructions:**

Clerk of the Board is directed per California Government Code Section 51245 to record a copy of the notice of nonrenewal with the county recorder. 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
- Florence Trotter-Cadena, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Owner: Mr. Steve Pepe, 4777 East Highway 246, Lompoc, CA 93436

**Attachments:**

1. Landowner Non-Renewal
2. Approved Legal Description
3. Vicinity Map
4. CEQA Notice of Exemption

**Authored by:**

Florence Trotter-Cadena, Planner (805) 934-6253  
Development Review, Planning and Development Department

**ATTACHMENT 1 – LANDOWNER NON-RENEWAL**

## **ATTACHMENT 2 – LEGAL DESCRIPTION**

**ATTACHMENT 3 – VICINITY MAP**

**ATTACHMENT 4 – CEQA EXEMPTION**