



**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 9, 2014
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: Alice McCurdy, Deputy Director, 934-6559
Development Review Division
SUBJECT: Laguna County Sanitation District Notice of Nonrenewal of Agricultural Preserve Contract, Santa Maria 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. Receive the notice of nonrenewal submitted by the landowner for Agricultural Preserve 81-AP-012 (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 81-AP-012 on September 30, 2014. The current contract applies to one parcel approximately 328.9 acres (APN: 113-240-002) in size, and which is used for irrigated row crops (e.g., broccoli, lettuce, cauliflower), and grazing. Approximately 9.6 acres of the parcel has historically not been farmed due to washouts in that area of the parcel. The parcel has no structural or non-agricultural development onsite. The property is located approximately 4,800 feet

northwest of the intersection of Highway 1 and Black Road, Santa Maria area. On November 7, 2014, the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew the agricultural preserve contract as the Laguna County Sanitation District had acquired approximately a 127-acre portion of this parcel to facilitate expansion of the District's wastewater treatment facility's capacity to discharge treated wastewater. The subject property has been in an agricultural preserve since January 1, 1982. Until the contract expires on December 31, 2023, the property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract. In addition, the owners of the remaining approximately 201.9-acres have applied for a replacement contract under 14AGP-00000-00023 which is being processed concurrently with the nonrenewal and is scheduled for the Board of Supervisors on December 9, 2014.

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 \$1,900.00, and is budgeted in the Permitting Program of the Planning and Development Department, as shown on page D-212 of the adopted 2014/16 FY budget.

After recordation of non-renewal, property taxes on this site may 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: Laguna County Sanitation District, 620 West Foster Road, Santa Maria, CA 93455
- Owner: Betteravia Ranches, LLC, 1850 West Stowell Road, Santa Maria CA 93455

Attachments:

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

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– CEQA EXEMPTION

ATTACHMENT 4 – VICINITY MAP