



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 8, 2015
Placement: Administrative
Estimated Time: 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, 568-2518
Development Review Division
SUBJECT: Vineoaks Notice of Nonrenewal of Agricultural Preserve Contract, Santa Ynez 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:

- a) Receive notice of nonrenewal (15AGP-00000-00016) submitted by the County for Agricultural Preserve 72-AP-184 (Attachment 1); and,
- b) 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 August 14, 2015, the Agricultural Preserve Advisory Committee (APAC) reviewed the status of the landowner's Land Conservation Contract and found that the site no longer met the required minimum parcel size. At that APAC hearing, the Committee voted 3-0-2 to recommend that the Board of Supervisors non-renew this contract based on inconsistency with the Uniform Rules due to the failure to meet the minimum parcel size. The property originally went into contract in 1972, (72-AP-184) and included two parcels (APNs: 141-030-011 and -025). These parcels were subsequently sold and the

owner of parcel 141-030-011 (19.39-acres) applied for a replacement contract under 82-AP-001. Assessor Parcel number 141-030-025 (24.71 acre) remained under 72-AP-184 and was annexed to 82-AP-001 to meet the 40 acre minimum parcel size. Since that time, 82-AP-001 was non-renewed by the property owner of the 19.39-acres parcel. Therefore, this preserve (72-AP-184) no longer qualifies for the program due to the 40-acre minimum parcel size requirement (Uniform Rule 1-2.2.).

The contract applies to a parcel of approximately 24.71-acres which is identified as Assessor Parcel Number 141-030-025. The parcel was previously used for pasture and also contains a 1.71 acre non-agricultural development envelope which includes a single family dwelling, two garages, and a driveway. In addition, the following structures exist onsite: 1) four barns; 2) two employee dwellings; 3) a bunkhouse; 4) two shaving stalls; 5) arenas; and, 6) two hot walkers. The subject property has been in an agricultural preserve since January 1, 1972. Until the contract expires on December 31, 2024, the property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract.

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. 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 60 day notice of the recommendation. APAC held six hearings on the matter and provided the required 60-day notice to the landowners on June 1, 2015. 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 is approximately \$2,265.00 and is budgeted in the Permitting Program of the Planning and Development Department, on page D-289 of the 2015/17 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: Gary Hawke, Vineoaks, 4155 Wine Creek Road, Healdsburg, CA 95448
- Attorney: Susan Basham, Price, Postel and Parma, LLP, 200 East Carrillo Street, Suite 400
Santa Barbara, CA 93101

Attachments:

1. County Initiated 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: County Initiated Application for Non-Renewal

ATTACHMENT 2: Approved Legal Description

ATTACHMENT 3: CEQA Notice of Exemption

ATTACHMENT 4: Vicinity Map