



**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 15, 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, 934-6559  
Development Review Division  
**SUBJECT:** Michael Notice of Nonrenewal of Agricultural Preserve Contract, Santa Maria area, Fourth and Fifth 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 notice of nonrenewal (15AGP-00000-00018) submitted by the landowner for Agricultural Preserve 71-AP-004 (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:**

The property owners requested nonrenewal of 71-AP-004 on September 15, 2015 due to the sale of a .39 acre (APN: 129-180-039) portion of the agricultural preserve. The contract applies to multiple parcels totaling approximately 1,546.42-acres which are identified as APNs 129-180-016, -039, and -040; 101-040-026, and -027. The property is used for cattle grazing and also contains a 1.5 acre non-agricultural development envelope which includes two single family dwellings and a driveway. In addition, the site

is also developed with the following: 1) hay barn; 2) pole barn; 3) shop; 4) two equipment sheds; and, 5) two sets of pipe corrals, covering approximately five acres. The property is located at the intersection of Palmer and Foxen Canyon Roads, known as 6355 Palmer Road, in the Santa Maria area, Fourth and Fifth Supervisorial Districts (Attachment 4).

On October 2, 2015, the Agricultural Preserve Advisory Committee reviewed 15AGP-00000-00018 and 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, 1971. 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. In addition, the owners have applied for a replacement contract under 15AGP-00000-00019 for the remainder of the property (1,546.03 acres).

### **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 total estimated cost to process this agricultural preserve contract is approximately \$1,888.00 and is borne by the applicant through the payment of processing fees, 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 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: Richard and Kandi Michael, 6355 Palmer Road, Santa Maria, CA, 93454
- Owner: JSLA Limited Partnership, 1910 East Stowell Road, Santa Maria, CA 93454

**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 Application for Non-Renewal**

## **Attachment 2: Approved Legal Description**

### **Attachment 3: CEQA Notice of Exemption**

## **Attachment 4: Vicinity Map**