



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:** July 8, 2008  
**Placement:** Administrative  
**Estimated Tme:** 2 minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** No Vote Required

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**TO:** Board of Supervisors  
**FROM:** Department John Baker, Director  
Director Planning and Development  
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)  
Development Review - North County  
**SUBJECT:** **Diamond Agricultural Preserve Non-Renewal, Santa Maria**

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**County Counsel Concurrence**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

Consider Case No. 08AGP-00000-00006, for nonrenewal by the landowner of an existing agricultural preserve contract. The Board of Supervisors action should include the following:

- A. Accept the request for nonrenewal of Agricultural Preserve 73-AP-11; and
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 128-020-008, -009, located approximately 1 mile northeast of the intersection of Orcutt-Garey and Dominion Roads, in the Santa Maria area, Fifth Supervisorial District.

**Summary Text:**

On March 7, 2008 the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew. The landowner has indicated that they are preparing for estate planning. The ten year nonrenewal period for the contract will commence on December 31, 2008. The subject property has been in an agricultural preserve since January 1, 1973. The site is approximately 158.74 acres and is used for crops (vegetables), horse boarding and grazing.

**Background:**

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. The Agricultural Preserve Advisory Committee's position is that while it does not encourage removal of property from preserve status, it recognizes that pursuant to the Uniform Rules of the County's Agricultural Preserve Program, nonrenewal is an accepted method for terminating a contract when the landowner chooses to withdraw from the program.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative:

The costs associated with processing this contract non-renewal are offset by the \$1,479.00 fee required to be paid by the applicant per the Planning & Development adopted fee schedule.

Permit revenues are budgeted in the Permitting & Compliance Program of the Development Review, North Division on Page D-290 of the adopted 2007 – 2008 fiscal year budget.

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

**Special Instructions:**

Please distribute copies of the recorded contract with attached legal descriptions and copies of the Board of Supervisors Minute Order as follows:

Florence Trotter-Cadena, P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Victor and RoseMary Diamond	Contract, Map
3530 Dominion Road	
Santa Maria CA 93454	

**Attachments:**

1. Agricultural Preserve Contracts
2. Legal Descriptions
3. Vicinity Map

**Authored by:**

Florence Trotter-Cadena, Planner III, 805-934-6253  
Development Review Division – North, Planning and Development Department

EXHIBIT A  
NOTICE OF NONRENEWAL  
OF LAND CONSERVATION CONTRACT

**Agricultural Preserve Number: 73-AP-011**

**Assessor's Parcel Number: 129-020-008, -009**

**Name: Diamond**

**Nonrenewal Date: December 31, 2008**

**Original Preserve Recorded: November 20, 1973**

**Original Instrument Number: 73-44477**

Pursuant to a request by the Landowner, the above agricultural preserve shall not be renewed as of the next automatic renewal date, nor considered renewed as provided in Section 51244 and 51244.5 of the Government Code, and the Land Conservation Agreement by and between Landowner and the County of Santa Barbara, entered into on January 1 1973, shall be terminated effective December 31, 2017.

DATED: \_\_\_\_\_

COUNTY OF SANTA BARBARA

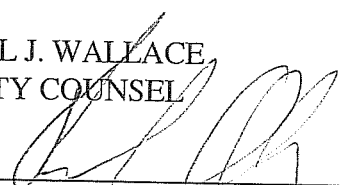
By: \_\_\_\_\_  
Chairman, Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

DANIEL J. WALLACE  
COUNTY COUNSEL

CLERK OF THE BOARD

By:  \_\_\_\_\_  
Deputy County Counsel

By: \_\_\_\_\_  
Deputy Clerk

xc: Recorder (for recordation)  
County Counsel  
Assessor's Office  
Planning and Development  
Victor and RoseMary Diamond, 3530 Dominion Road, Santa Maria CA 93454

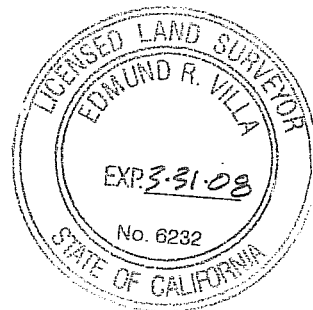
AGRICULTURAL PRESERVE

08AGP-00000-00006

The south on-half of the southeast quarter, the southeast quarter of the southwest quarter, the north one-half of the southwest quarter of the southwest quarter, and the south one-half of the southwest quarter of the southwest quarter of Section 34, Township 10 North, Range 33 West, S.B.B.&M., in the county of Santa Barbara, state of California.

APPROVED AS TO FORM  
AND SURVEY CONTENT

*FOR :*  
Edmund R. Villa  
MICHAEL B. EMMONS, PLS 5899  
COUNTY SURVEYOR  
LICENSE EXP. 12/31/08



DOMINION RD



APN: 129-020-008

APN: 129-020-009



Not to Scale

ORCUTT-GAREY RD

**Diamond**

Agricultural Preserve No:  
08AGP-00000-00006

Approved by the County Board of Supervisors  
Resolution No. \_\_\_\_\_  
Passed and Adopted \_\_\_\_\_

Michael F. Brown  
Clerk of the Board of Supervisors  
By: \_\_\_\_\_  
Deputy