



**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:** 11/21/2006  
**Placement:** Administrative  
**Estimate Time:** 5 minutes  
**Continued Item:** NO  
**If Yes, date from:**  
**Vote Required:** No Vote Required

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**TO:** Board of Supervisors  
**FROM:** Department Director(s) John Baker, Director  
Planning and Development  
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)  
Development Review - North County  
**SUBJECT: Diaz, Carpinteria**

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**County Counsel Concurrence:**  
As to form:  Yes  No  N/A

**Auditor-Controller Concurrence:**  
As to form:  Yes  No  N/A

**Other Concurrence:** N/A  
As to form:  Yes  No  N/A

**Recommended Action(s):**

That the Board of Supervisors:

Set hearing on November 21, 2006 at the request of Santa Barbara County, to consider Case No. 06AGP-00000-00031, for nonrenewal of an existing agricultural preserve contract.

- A. Accept the request for nonrenewal of Agricultural Preserve 75-AP-028, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 155-180-049, in the Carpinteria area, First Supervisorial District. (SET ON ADMINISTRATIVE AGENDA FOR DECEMBER 5, 2006)

**Summary:**

On September 8, 2006 the Agricultural Preserve Advisory Committee voted not to renew an Agricultural Preserve Contract (75-AP-028) due to the absence of agricultural activities on site, and because the residential building envelope exceeds the size limitations. Nonrenewal of the contract will become effective December 31, 2006. The subject property has been in an agricultural preserve since January 1, 1976.

**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     No

**Fiscal Analysis:**

Narrative:

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.

**Staffing Impact(s):**

**Legal Positions:**

N/A

**FTEs:**

**Special Instructions:**

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

P&D	Contract, Map
Assessor	Contract, Map
Surveyor	Contract
Clerk	Contract
Richard Diaz	Contract, Map
4468 Foothill Road	
Carpinteria CA 93013	

**Attachments:**

1. Agricultural Preserve Contract
2. Legal Description
3. Vicinity Map

**Authored by:**

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Development Review Division – North, Planning and Development Department