



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:** November 4, 2008  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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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: Machado Agricultural Preserve Non-Renewal, Lompoc area**

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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. 07AGP-00000-00002, 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 69-AP-44; and
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel Nos. 099-100-008, -021, 099-610-012, and -013, located approximately 900 feet north of the intersection of Highway 246 and Gypsy Canyon Drive, known as 4425 Highway 246, in the Lompoc area, Fourth Supervisorial District.

**Summary Text:**

The proposed action would revise agricultural preserve boundaries to be consistent with revised property boundaries. While the exact configuration of the preserve would change, the amount of property within the preserve would remain unchanged.

Case number 02LLA-00000-0-0021 adjusted lot lines between Assessor Parcel numbers 099-100-044 and 099-100-008. Amending the Agricultural Preserve contract was a requirement of 02LLA-00000-00021 as Assessor Parcel number 099-100-044 is not under the Agricultural Preserve Program. On April 6, 2007 the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew the contract. The ten year nonrenewal period for the contract will commence on December 31, 2008. A replacement contract has been filed

for the remainder properties and the newly aligned parcel currently under contract. The subject property has been in an agricultural preserve since January 1, 1970. The site is approximately 1,101 acres and is used for pasture 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-305 of the adopted 2008 – 2009 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
Joanne Garrick	Contract, Map
RFD Box 110, East Highway 246	
Lompoc CA 93436	

**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

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