



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 7, 2010  
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: Planning and Development  
Director: Glenn Russell, PhD. (568-2085)  
Contact Info: Michael Hays, Agricultural Land Use Planner (934-6923)  
Agricultural Land Use Planning Division  
**SUBJECT: LeRoy Agricultural Preserve Replacement Contract #2, Santa Maria area**

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**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:

Consider Case No. 10AGP-00000-00013 for approval of one agricultural preserve replacement contract for Deutsche Bank National Trust Company, as Successor Trustee under Declaration of Trust of Eugene Rene LeRoy

- A. Approve and authorize the Chair to execute agricultural preserve contract 10AGP-00000-00013. The replacement contract involves Assessor's Parcel Number 113-050-062 located on West Main Street, between the levee and Bonita School Road, approximately two and a half miles west of the City of Santa Maria, Fourth Supervisorial District.
- B. Authorize recordation by the Clerk of the Board.

**Summary Text:**

The property has been in the Agricultural Preserve program since 1971 under contract 70-AP-083. The original 586.06 acre contract is comprised of five Assessor's Parcels, including APN 113-050-062. A Certificate of Compliance (09-CC-34) recorded on January 21, 2009 as Instrument No. 2009-000-2793 established parcel validity for APN 113-050-062. The owner is seeking a replacement contract for APN 113-050-062, a 71.70 acre parcel planted with irrigated rotational crops. The remaining 514.36 acres of the original contract will remain in the Agricultural Preserve program. The Agricultural Preserve Advisory Committee reviewed 10AGP-00000-00013 on August 13, 2010, and found it to be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones.

**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 with the intended goal of retaining land for long term 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. Therefore, there are no state mandates associated with this program.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

There are no fees associated with replacement contracts. The cost for the contract review and preparation of this report is estimated to be \$1,641.00, and is budgeted in the Agricultural Planning program on Page D-323 of the adopted 2010–2011 fiscal year budget.

**Special Instructions:**

Clerk of the Board to distribute copies of the recorded contract (with legal description and vicinity map) and Minute Order, as follows:

- Stephanie Stark, Planning and Development Department
- Assessor's Office
- Surveyor's Office
- Clerk Recorder's Office
- Dudnick Detwiler Rivin & Stikker LLP  
351 California Street, 15<sup>th</sup> Floor  
San Francisco, CA 94104

**Attachments:**

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

**Authored by:**

Stephanie Stark, Agricultural Planner, 805-681-5604  
Agricultural Planning Division, Planning and Development Department