



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: April 10, 2007  
Placement: Administrative  
Estimated Time: 2 minutes on 5/8/07  
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: IJC Inc. Agricultural Preserve Non-Renewal, Santa Maria**

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**County Counsel Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

Set hearing on April 10, 2007 at the request of Charles Porter, IJC, Inc., to consider Case No. 06AGP-00000-00032, for nonrenewal of an existing agricultural preserve contract.

A. Accept the request for nonrenewal of Agricultural Preserve 76-AP-001, and;

At the May 8, 2007 hearing, the Board of Supervisors action should include the following:

B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 128-099-005, located approximately 1,700 feet northwest of the intersection of Betteravia and Philbric Roads, in the Santa Maria area, Fifth Supervisorial District. (SET ON ADMINISTRATIVE AGENDA FOR May 8, 2007)

**Summary Text:**

On November 3, 2006 the Agricultural Preserve Advisory Committee acknowledged the request of a landowner not to renew as they believe there are no benefits for being in the Agricultural Preserve Program (76-AP-001). Nonrenewal of the contract will become effective December 31, 2007. The

subject property has been in an agricultural preserve since January 1, 1977. The site is approximately 75.5 acres and is used for crops.

**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 non-renewal contract are offset by the \$1,326.00 processing 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-296 of the adopted 2006 – 2007 fiscal year budget.

**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
IJC., Inc.	Contract, Map
Charles Porter	
10100 Alamo Creek Road	
Santa Maria CA 93455	

**Attachments:**

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

**Authored by:**

06AGP-00000-00032, IJC., Inc. Ag Preserve Nonrenewal

April 10, 2007

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Florence Trotter-Cadena, Planner III, 805-934-6253

Development Review Division – North, Planning and Development Department