



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

TO: Board of Supervisors
FROM: Select_From John Baker, Director
Planning and Development
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)
Development Review - North County
SUBJECT: County Initiated Nonrenewal of Craig Agricultural Preserve Contract , Lompoc
Area

County Counsel Concurrence

As to form: No

Other Concurrence: N/A

As to form: No

Recommended Actions:

That the Board of Supervisors:

Consider Case 08AGP-00000-00031, for nonrenewal by the County 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-094.

Execute the attached Notice of Nonrenewal by the County Land Conservations Contract for Assessor's Parcel No. 099-160-014, located off Highway 246, known as 5326 East Highway 246, in the Lompoc area, Fourth Supervisorial District.

Summary Text:

On July 11, 2008 the Agricultural Preserve Advisory Committee reviewed the status of the landowner's Land Conservation Contract and found that there was no longer agricultural production on the site. The APAC recommended by a 4-0 vote that the Board of Supervisors non-renew this contract based on inconsistency with the Uniform Rules due to the lack of agricultural production. 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, 1970. The site is approximately 120 acres and was used for orchards.

Background:

Auditor-Controller Concurrence

As to form: N/A

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 due to noncompliance with the Uniform Rules.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

There are no fees associated with County initiated nonrenewal contracts. The cost for the contract review and preparation of this report is estimated to be \$1000.00, and is 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
Russell and Ruth Craig	Contract, Map
5326 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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