

ATTACHMENT 1

THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA
NOTICE OF NONRENEWAL LAND CONSERVATION CONTRACT

Agricultural Preserve Number: 96-AP-002
Assessor's Parcel Numbers: 004-004-037
Name: Rene and June Van Wingerden
Nonrenewal Date: December 31, 2008
Original Preserve Recorded: September 25, 1996
Original Instrument Number: 1996-058425

NOTICE is hereby given (pursuant to Section 51245 of the Government Code, State of California) that your agricultural preserve shall not be renewed nor be considered renewed as provided in Sections 51244 or 51244.5 of the Government Code. The Land Conservation Agreement by and between Rene and June Van Wingerden, Landowners, and the County of Santa Barbara, a political subdivision of the State of California, entered into on January 1, 1997, shall be terminated effective December 31, 2017. You are advised that under Government Code Section 51245 you may make written protest of this Notice upon receiving it, and that the County may, prior to January 1, 2009, withdraw it.

DATED _____

COUNTY OF SANTA BARBARA

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

By _____
SALUD CARBAJAL
Chairperson, Board of Supervisors

By 
Deputy County Counsel

ATTEST:
Clerk of the Board

By _____
Deputy Clerk

xc: Recorder's Office
Clerk of the Board
Assessor's Office
County Counsel
Surveyor's Office
Planning and Development Attn: Julie Harris

Certified Mail (Property Owner)
TO: Rene and June Van Wingerden
ADDRESS: 4444 Foothill Road
Carpinteria, CA 93013

LEGAL DESCRIPTION
08AGP-00000-00019
(for Notice of Nonrenewal of 96-AP-002)

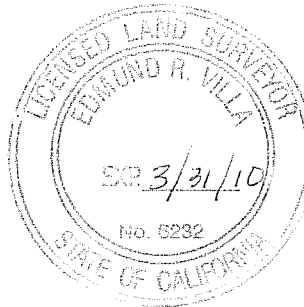
Parcel One of Parcel Map No. 14363 as shown and recorded in Book 51, Pages 50 and 51 of Parcel Maps, in the office of the County Recorder of Santa Barbara County, State of California.

APPROVED AS TO FORM
AND SURVEY CONTENT

Edmund R. Villa
MICHAEL B. EMMONS, PLS 5899
COUNTY SURVEYOR
LICENSE EXP. 12/31/08

*Deputy County
Surveyor*

FOR:





Not to Scale

Wingerden Agricultural Preserve

No: 08AGP-00000-00019
Nonrenewal Contract

Approved by the County Board of Supervisors
Resolution No. _____
Passed and Adopted _____

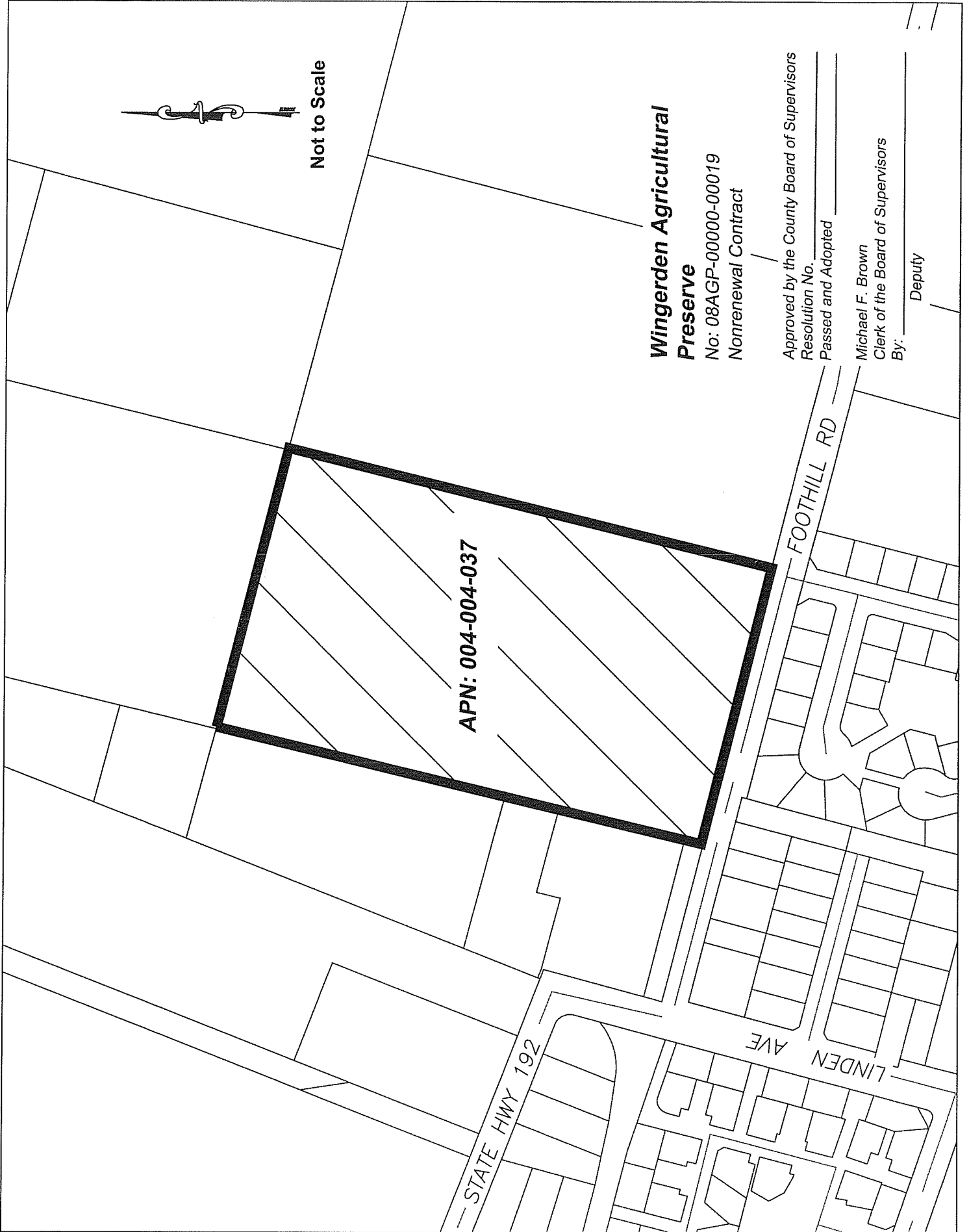
Michael F. Brown
Clerk of the Board of Supervisors
By: _____ Deputy

APN: 004-004-037

FOOTHILL RD

STATE HWY 192

LINDEN AVE





COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

APPROVED MINUTES

MEETING OF APRIL 4, 2008

9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by William Gillette at 9:01 A.M. in the Santa Barbara County Board of Supervisors Conference Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

William Gillette, Agricultural Commissioner
 Lisa Hammock, Assessor's Office
 John Karamitsos, Planning and Development
 Michael Emmons, Surveyor's Office

PRESENT:

X
 X
 X via remote testimony, North Co.; left at 10:02 a.m.
 X

STAFF MEMBERS

David Allen, Deputy County Counsel
 MaryAnn Slutzky, Deputy County Counsel
 Rachel Van Mullem, Deputy County Counsel
 Jessica Opland, Planning & Development

PRESENT

X
 X
 X

NUMBER OF INTERESTED PERSONS: 2

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENT: None.

II. MINUTES: The Minutes of March 7, 2008 were considered as follows:

ACTION: Karamitsos moved, seconded by Emmons, and carried by a vote of 4 to 0 to approve the Minutes of March 7, 2008.

III. CONTINUED ITEMS:

1. Modified Boundaries---Ag Preserve Contracts 70-AP-139 and 95-AP-013 (Ardantz)

The Agricultural Preserve Committee will have a discussion at the request of Committee Member, Lisa Hammock, regarding the need for new contracts, replacement contracts or the non-renewal of existing contracts, and direct staff to put on a future agenda for any necessary action.

Issues Requiring Resolution:

- 1) Parcel Map No. 14,661, PM 059/89-90, recorded 06-30-2006 has created new lot lines that no longer equate to the boundaries of the two separate agricultural preserve contracts referenced above.
- 2) The same recorded parcel map has resulted in two separate ownerships on newly created lot # 2.

Background Information for Staff:

- a) Contract 70-AP-139 consists of original assessor parcels 113-090-012 & 113-090-023.
- b) Contract 95-AP-013 consists of original assessor parcels 113-090-021 & 113-090-022.

- c) Parcel Map No. 14,661, PM 059/89-90, recorded 06-30-2006 has created a lot line that bisects contract 70-AP-139 thus placing a portion of the contract on the newly created parcel to the east. Lot # 2 is now configured to have a portion of 70-AP-139 and 95-AP-013.
- d) The ownership vesting is in two separate ownerships which may be contrary to the provisions of the subdivision map act. In addition, for the assessor's office to bill the proper owner the ownership of each parcel must be in one entity (which could be several owners as joint tenants, tenants in common, partnerships, etc.). (Continued from 7/13/07, 10/05/07, 12/07/07, 02/01/08)


ACTION: Emmons moved, seconded by Karamitsos, and carried by a vote of 4 to 0 to continue this item to the August meeting, at the request of the applicant, in order to resolve ownership issues.

2. 96-AP-002 VanWingerden/AYSO Soccer Fields Consistency Carpinteria
07SCD-00000-00040 Julie Harris, Planner (805) 568-3518

Consider the request of Pat Elton, One Stop Permits, agent for the applicant, AYSO and owners, Rene and June VanWingerden, of Case No. 07SCD-00000-00040 regarding whether a soccer field use on this parcel is a compatible use and consistent with the Uniform Rules and Williamson Act. The property is a 13.03 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 03/07/08)

ACTION: Gillette moved, seconded by Emmons, and carried by a vote of 4 to 0 to continue this item to the May meeting, at the request of the applicant.

IV. NEW ITEMS:

 3. 96-AP-002 VanWingerden Non-Renewal Carpinteria
Julie Harris, Planner (805) 568-3518

Consider the request of the Agricultural Preserve Advisory Committee regarding non-renewal of 96-AP-002 for lack of agricultural production on the parcel. The property is 13.03 acres identified as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District.

ACTION: Gillette moved, seconded by Hammock, and carried by a vote of 4 to 0 to recommend that the Board of Supervisors non-renew this contract due to lack of agricultural production on the parcel.

4. 77-AP-011 Scoggin and Sundheim Tier II Winery Buellton
08DVP-00000-00003, 08CUP-00000-00004, Tammy Weber, Planner (805) 934-6254
08CUP-00000-00010

Consider the request of JoAnn Scoggin and John Sundheim, owners, of Case Nos. 08DVP-00000-00003, 08CUP-00000-00004 and 08CUP-00000-00010 regarding a 20,000 square foot Development Plan for a Tier II Winery and its consistency with the Uniform Rules. The property is 132.3 acres identified as Assessor's Parcel Number 083-160-014, zoned AG-II with an AC Comprehensive Plan designation located at 7020 Santa Rosa Road in the Buellton area, Third Supervisorial District.



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

APPROVED MINUTES

MEETING OF April 6, 2007
9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by Wayne Jensen at 9:05 A.M. in the Santa Barbara County Board of Supervisors Conference Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

PRESENT:

William Gillette, Agricultural Commissioner	
Lisa Hammock, Assessor's Office	
John Karamitsos, Planning and Development	X
Michael Emmons, Surveyor's Office	X
Wayne Jensen, Cooperative Extension	X
Willy Chamberlin, Agricultural Representative	X
Bill Giorgi, Agricultural Representative	X

STAFF MEMBERS

PRESENT

David Allen, Deputy County Counsel	
MaryAnn Slutzky, Deputy County Counsel	X
David Lackie, Comprehensive Planning	X
Jessica Opland, Planning & Development	X

NUMBER OF INTERESTED PERSONS: 10

ADMINISTRATIVE AGENDA:

I. **PUBLIC COMMENT:** Marc Chytilo expressed his surprise at not seeing the Santa Barbara Ranch project on the agenda and also discussed his letter concerning the inaccuracy of the Agricultural Preserve minutes.

II. **MINUTES:** The minutes of March 2, 2007 were considered as follows:

ACTION: Giorgi moved, seconded by Chamberlin, and carried by a vote of 5 to 0 (Gillette and Hammock absent) to continue the Minutes of March 2, 2007 to the meeting of May 4, 2007, contingent upon County Counsel looking into the possibility of going into closed session in consideration of these minutes.

III. CONTINUED ITEMS:

C-1. 72-AP-102 Hollister Ranch Lot 92 Hollister Ranch
07CDH-00000-00001 J. Ritterbeck, Planner (805) 568-3509

Consider the request of Brett Ettinger, agent for the owner, Andy Chapman, for Case No. 07CDH-00000-00001 regarding a new 1,315 square foot barn with a ½ bath, private septic, and retaining wall up to five feet in height and its consistency with the Uniform Rules. The property is a 104.88 acre parcel shown as Assessor's Parcel Number 083-690-010, zoned AG-II-320 with an A-II-320 Comprehensive Plan designation; located on Lot 92 in the Hollister Ranch area, Third Supervisorial District. (Continued from 3/2/07)

ACTION: Giorgi moved, seconded by Emmons, and carried by a vote of 5 to 0 (Gillette and Hammock absent) to find this item consistent with the Uniform Rules, contingent upon the revisions of the 2 acre building envelope to include the driveways pertinent to the residences.

C-2. 76-AP-062A Kozak Replacement Contract Cuyama
07AGP-00000-00001 Florence Trotter-Cadena, Planner (805) 934-6253

Consider the request of Frank and Monique Kozak, owners, for Case No. 07AGP-00000-00001 regarding a replacement contract and its consistency with the Uniform Rules. The property is a 99.80 acre parcel shown as Assessor's Parcel Number 147-150-016, zoned AG-II-100 with an AC Comprehensive Plan designation; located east of Aliso Canyon Road in the Cuyama area, Fifth Supervisorial District. (Continued from 3/2/07)

ACTION: Chamberlin moved, seconded by Giorgi, and carried by a vote of 5 to 0 (Gillette and Hammock absent) to continue this item to the meeting of May 4, 2007. The applicant needs to provide information showing that the agricultural production requirements have been met.

- Michael Emmons explained that the parcel was actually created by a parcel map filed in 2000 that was based on a field survey. This was surveyed at the time so that the acreage that you see and the dimensions that you see of the parcel on the Assessor's Parcel Map are reflective of what was true in the field. 99.8 acres is the net size of the parcel.

C-3. 96-AP-002 Van Wingerden Uniform Rules Eligibility Carpinteria
06GOV-00000-00005 Dan Gullett, Planner (805) 568-2002

Consider the request of the Agricultural Preserve Advisory Committee to review contract 96-AP-002 regarding compliance with the Uniform Rules eligibility requirements for superprime land and possibly recommend non-renewal if the agricultural production requirements are not met. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation; located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06, 4/07/06, 6/02/06, 7/07/06, 8/11/06, 9/08/06, 10/06/06 and 1/12/07, 3/2/07)

ACTION: Chamberlin moved, seconded by Giorgi, and carried by a vote of 5 to 0 (Gillette and Hammock absent) to find this item in conformity with the Uniform Rules, contingent on planting within this calendar year.

IV. NEW ITEMS:

1.

96-AP-002	Van Wingerden Horse Stables/Corrals	Carpinteria
07CDP-00000-00012		Errin Briggs, Planner (805) 568-2047

Consider the request of Rene Van Wingerden, owner, for Case No. 07CDP-00000-00014 regarding a 3,300 square foot of open pipe horse stables with roof and 3,000 square foot of open pipe horse corrals and its consistency with the Uniform Rules. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation; located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District.

ACTION: Chamberlin moved, seconded by Giorgi, and carried by a vote of 5 to 0 (Gillette and Hammock absent) to find this item consistent with the Uniform Rules, contingent upon its being within a 10,000 square foot envelope for personal use.

➤ Counsel provided the Williamson Act Advisory Contract to owner, Rene Van Wingerden.

2.	69-AP-044A/B	Garrick Non-renewal	Lompoc
	07AGP-00000-00002		Florence Trotter-Cadena, Planner (805) 934-6253

Consider the request of Shruti Chandra, Dudek & Associates, agent for the owner, Joanne Garrick, for Case No. 07AGP-00000-00002 regarding a non-renewal of 69-AP-044 and its consistency with the Uniform Rules. The property is a 1,100 acre parcel shown as Assessor's Parcel Numbers 099-100-008, -021, and 099-610-012, -013, zoned AG-II-100 with an AC Comprehensive Plan designation; located approximately 900 feet north of the intersection of Hwy 246 and Gypsy Canyon Drive, known as 4425 Hwy 246 in the Lompoc area, Fourth Supervisorial District.

ACTION: Chamberlin moved, seconded by Emmons, and carried by a vote of 5 to 0 (Gillette and Hammock absent) to recommend acceptance of the non-renewal.

not relevant set



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

APPROVED MINUTES

MEETING OF March 2, 2007

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by William Gillette at 9:01 A.M. in the Santa Barbara County Board of Supervisors Conference Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

<u>COMMITTEE MEMBERS</u>	<u>PRESENT:</u>
William Gillette, Agricultural Commissioner	X
Lisa Hammock, Assessor's Office	X
John Karamitsos, Planning and Development	X
Michael Emmons, Surveyor's Office	
Wayne Jensen, Cooperative Extension	X
Willy Chamberlin, Agricultural Representative	X
Bill Giorgi, Agricultural Representative	X
Landon Stableford, Alternate	

<u>STAFF MEMBERS</u>	<u>PRESENT</u>
David Allen, Deputy County Counsel	X
MaryAnn Slutzky, Deputy County Counsel	X
David Lackie, Comprehensive Planning	X
Jessica Opland, Planning & Development	X

NUMBER OF INTERESTED PERSONS: 6

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENT: NONE.

II. MINUTES: The minutes of February 2, 2007 were considered as follows:

ACTION: Jensen moved, seconded by Giorgi, and carried by a vote of 6 to 0 (Emmons absent) to approve the Minutes of February 2, 2007.

III. CONTINUED ITEMS:

C-1.	<u>96-AP-002</u>	<u>Van Wingerden General Plan Conformity</u>	<u>Carpinteria</u>
	06GOV-00000-00005		Dan Gullett, Planner (805) 568-2002

Consider the request of the Agricultural Preserve Advisory Committee to review contract 96-AP-002 regarding compliance with the Uniform Rules eligibility requirements for superprime land and possibly recommend non-renewal if the agricultural production requirements are not met. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation; located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District.

Item continued

ACTION: Jensen moved, seconded by Giorgi, and carried by a vote of 4 to 0 (Emmons, Karamitsos & Hammock absent) to continue the item to the APAC meeting of April 6, 2007.

C-2. 70-AP-103 Amby Ag Preserve Split Buellton
No planner assigned

Consider the request of DeWayne Holmdahl, agent for the owner, Raymond P. Amby, to split Agricultural Preserve 70-AP-103 into two Agricultural Preserves. The property is a 148.93 acre parcel (60.05 acres on 99-240-073, 88.88 acres on 99-240-078) shown as Assessor's Parcel Numbers 99-240-73 and -78, zoned AG-II-40 with an AG-I-40 Comprehensive Plan designation, located at 1050 W. Highway 246 in the Buellton area, Third Supervisorial District.

ACTION: Giorgi moved, seconded by Jensen, and carried by a vote of 5 to 0 (Emmons & Karamitsos absent) to continue the item to the APAC meeting of August 10, 2007. This project cannot go forward until the revised Uniform Rules are adopted.

IV. NEW ITEMS:

1. 72-AP-171 Shannon Residential Agricultural Unit Santa Ynez
Dana Carmichael, Planner (805) 934-6266

Consider the request of Mike Wood, Eagle Mobile Homes, agent for owner, Jeffrey Shannon, Case No. 72-AP-171 regarding construction of a 2,083 square foot Residential Agricultural Unit with a 480 square foot detached garage and its consistency with the Uniform Rules. The property is a 201.47 acre parcel shown as Assessor's Parcel Number 141-090-023, zoned AG-II-100 with an AC Comprehensive Plan designation; located at 7423 Happy Canyon Road in the Santa Ynez area, Third Supervisorial District.

ACTION: Chamberlin moved, seconded by Jensen, and carried by a vote of 5 to 0 (Emmons & Karamitsos absent) to find the item consistent with the Uniform Rules, contingent upon the planner making the finding that both residences on the property are within the 2 acres allowed. The Committee also found that based on the letter submitted the Committee would approve changing the Residential Agricultural Unit to a Farm Employee Dwelling, contingent upon Planning and Development's verification of employment.

- A letter from the owners, Jeffrey and Jeanne Shannon was submitted into the record.
- Counsel provided the Williamson Act Contract Advisory to owners, Jeffrey and Jeanne Shannon.

2. 06-AP-009 Quail H Ranch Trust Santa Ynez
Dana Carmichael, Planner (805) 934-6266

Consider the request of Rodney Williams, R. Williams Construction, agent for the owners, Michael and Phyllis Hennigan, Quail H Ranch Trust, for Case No. 06-AP-009 regarding a new 11,550 square foot single family dwelling, swimming pool and attached garage and its consistency with the Uniform Rules. The property is a 211.25 acre parcel shown as Assessor's Parcel Number 141-250-027, zoned AG-II-100 with an AC Comprehensive Plan designation; located at 1156 Alisos Avenue in the Santa Ynez area, Third Supervisorial District.



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE APPROVED MINUTES

MEETING OF January 12, 2007
9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by Bill Gillette at 9:05 A.M. in the Santa Barbara County Planning Commission Hearing Room, Room 17, 123 East Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

William Gillette, Agricultural Commissioner
Lisa Hammock, Assessor's Office
John Karamitsos, Planning and Development
Michael Emmons, Surveyor's Office
Wayne Jensen, Cooperative Extension
Willy Chamberlin, Agricultural Representative
Bill Giorgi, Agricultural Representative
Landon Stableford, Alternate

PRESENT:

✓
✓
✓
✓
✓
✓
✓
✓

STAFF MEMBERS

David Allen, Deputy County Counsel
MaryAnn Slutzky, Deputy County Counsel

PRESENT

✓

NUMBER OF INTERESTED PERSONS: 6

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENT:

- **Rene Van Wingerden** - expressed concern that Agricultural Preserve-enrolled properties contain housing which is not being occupied by agricultural workers and that many of these non-agricultural workers are insensitive to agricultural activities.
- **Bill Gillette** - asked that this issue be placed on the February 2, 2007 agenda for discussion purposes.

II. **MINUTES:** Chamberlin moved, seconded by Hammock, and carried by a vote of 5 to 0 (Jensen & Giorgi absent) to approve the Minutes of October 6, 2006.

Chamberlin moved, seconded by Stableford, and carried by a vote of 5 to 0 to 2 (Emmons & Hammock abstained) to approve the Minutes of December 1, 2006.

III. CONTINUED ITEMS:

C-1.

96-AP-002	Van Wingerden General Plan Conformity	Carpinteria
06GOV-00000-00005		Dan Gullett, Planner (805) 568-2002

Consider the request of the Agricultural Preserve Advisory Committee to review contract 96-AP-002 regarding compliance with the Uniform Rules eligibility requirements for superprime land and possibly recommend non-renewal if the agricultural production requirements are not met. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation, located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06, 4/07/06, 6/02/06, 7/07/06, 8/11/06, 9/08/06, and 10/06/06)

Chamberlin moved, seconded by Emmons, and carried by a vote of 7 to 0 to continue the item to the March 2, 2007 APAC meeting.

- Rene Van Wingerden, owner, described the planting of Birds of Paradise in 15 gallon containers to be distributed on the subject property, indicating that 6,000 plants occupying 18 square feet per plant comprising a 4.75 acre area would be placed onsite by June, 2007. Mr. Van Wingerden also described the uncompleted structure onsite.
- Bill Gillette, Willy Chamberlin, and David Lackie described the Super-Prime provisions of the Uniform Rules.
- Lisa Hammock discussed the facilities onsite and taxation issues.

IV. NEW ITEMS:

1. 72-AP-121	Luck Lucky Trust Single Family Dwelling, Guesthouse, and Detached Garage	Hollister Ranch
06CDH-00000-00047		Jim Heaton, Planner (805) 568-2516

Consider the request of B.L. Burkhalter, agent for A. Massie, Trustee, of case no. 06CDH-00000-00047 regarding the construction of a new 1,435 square foot Single-Family Dwelling; 796 square foot guest house; and 345 square foot detached garage, and its consistency with the Uniform Rules. The property is a 101.78 acre parcel shown as Assessor's Parcel Number 083-700-011, zoned AG-II-320 with an A-II-320 Comprehensive Plan designation located at Parcel 115 in the Hollister Ranch area, Third Supervisorial District.

Emmons moved, seconded by Chamberlin, and carried by a vote of 7 to 0 to find the project consistent with the Uniform Rules contingent upon Planning & Development verification of adherence to the 2 acre non-agricultural building envelope requirement on the subject parcel.

- Ben Burkhalter, Agent; and Jim Heaton, Planner, introduced the project: less than 2,500 sq.ft. of development within a 1.1 acre area on a vacant parcel. Cattle grazing components onsite consist of a water trough and cattle trail. A biological report has been prepared.
- Willy Chamberlin and John Karamitsos discussed biological resource issues relative to the County permit process, and effects on agricultural properties. The APAC may review these issues as a discussion item at a future meeting.



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

UNAPPROVED MINUTES

MEETING OF October 6, 2006

9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by William Gillette at 9:08 A.M. in the Office of the Agricultural Commissioner, 263 Camino Del Remedio, Santa Barbara, CA 93110.

COMMITTEE MEMBERS

William Gillette, Agricultural Commissioner
Lisa Hammock, Assessor's Office
John Karamitsos, Planning and Development
Michael Emmons, Surveyor's Office
Wayne Jensen, Cooperative Extension
Willy Chamberlin, Agricultural Representative
Bill Giorgi, Agricultural Representative
Landon Stableford, Alternate

PRESENT:

✓
✓
✓
✓
✓
✓

STAFF MEMBERS

David Allen, Deputy County Counsel
MaryAnn Slutzky, Deputy County Counsel

PRESENT

✓

NUMBER OF INTERESTED PERSONS: 6

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENTS:

- **Scott Van der Kar** - discussed Coastal Development Permit (CDP) application, 04CDP-00000-00095, which he believes threatens the County Agricultural Preserve Program, which is very important to him and his family's farm. He states that the subject CDP, which is on a 13 acre agriculturally-zoned parcel enrolled in the Program, is no longer an agricultural property, but rather the site of a "massive" 9,000 square foot home and yard. He believes that such projects demonstrate abuse of the Program to the public, and objects to his property, which is adjacent to the subject parcel, being used to justify qualification for an Agricultural Preserve Contract.
- **Bill Gillette** - responded that staff would check with the Planning and Development planner to verify that the non-agricultural development on-site does not exceed the building envelope size limit.

II. **MINUTES:** No action taken on the Minutes of September 8, 2006. They will be considered at the November 3, 2006 APAC meeting.

III. CONTINUED ITEMS:

C-1. 96-AP-002 Van Wingerden General Plan Conformity Carpinteria
06GOV-00000-00005 Dan Gullett, Planner (805) 568-2002

Consider the request of the Agricultural Preserve Advisory Committee to review contract 96-AP-002 regarding compliance with the Uniform Rules eligibility requirements for superprime land and possibly recommend non-renewal if the agricultural production requirements are not met. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation, located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06, 4/07/06, 6/02/06, 7/07/06, 8/11/06, and 9/08/06)

Emmons moved, seconded by Hammock, and carried by a vote of 5 to 0 (Jensen and Giorgi absent) to continue the item to the January 2007 APAC, in order to provide time for Bill Gillette to monitor the submitted Management/Farm Production Plan and report back to the APAC regarding the ability of the property to remain under contract. As noticed, the APAC may consider making a determination of non-renewal.

- Bill Gillette reported on the receipt of a business plan from the landowner, with the expectation that the plan would be implemented by the end of the year.
- Willy Chamberlin inquired about the submitted plan, any deadline for installation, and whether or not implementation would be likely to qualify. He observed that with the Flood Control easement in place, APAC needs to monitor agricultural use in combination with Flood Control uses.
- Lisa Hammock inquired about the soccer field and packing plant.
- Michael Emmons noted that the issue will be recurring, in relation to Flood Control use of the easement; which occurs in response to anticipated flooding.
- David Allen inquired about the ability to produce a crop while the Flood Control easement is in use.
- Bill Gillette noted the possibility, although it didn't happen this year.

C-2. 69-AP-047 Schaff Lot Split Lompoc
06TPM-00000-00006 TPM 14,695 Jeanne Bozzano, Planner (805) 934-6283

Consider the request of Christopher Price, Price and Associates, agent for the owner Victor Schaff, of Case No. 06TPM-00000-00006. regarding review of subdivision application for consistency with the Uniform Rules. The project proposes a two-way lot split of an existing 642.64 acre parcel into two parcels of approximately 321 acres each. Three potential development envelopes are proposed for each lot. The property is a 642.64 acre parcel, developed with one single family dwelling, is shown as Assessor's Parcel Number 099-090-013, zoned AG-II-320 with an AC Comprehensive Plan designation, located approximately 1.5 miles north from Highway 246 on Cebada Canyon Road (a private road), in the Lompoc area, Fourth Supervisorial District. (Continued from 7/07/06 and 9/08/06)

Emmons moved, seconded by Chamberlin, and carried by a vote of 5 to 0 (Jensen and Giorgi absent) to drop the item from the agenda.



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

APPROVED MINUTES

MEETING OF September 8, 2006

9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by William Gillette at 9:00 A.M. in the Santa Barbara County Board of Supervisors Hearing Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

William Gillette, Agricultural Commissioner
 Lisa Hammock, Assessor's Office
 John Karamitsos, Planning and Development
 Michael Emmons, Surveyor's Office
 Wayne Jensen, Cooperative Extension
 Willy Chamberlin, Agricultural Representative
 Bill Giorgi, Agricultural Representative
 Landon Stableford, Alternate

PRESENT:

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STAFF MEMBERS

David Allen, Deputy County Counsel
 MaryAnn Slutzky, Deputy County Counsel

PRESENT

✓
 ✓ (for Item 11)

David Lackie, CEO's Office, Comprehensive Planning

NUMBER OF INTERESTED PERSONS: 3

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENTS: None

II. MINUTES: Chamberlin moved, seconded by Emmons, and carried by a vote of 5 to 0 to 2 (Hammock and Giorgi abstained) to approve the Minutes of June 2, 2006.

Stableford moved, seconded by Jensen, and carried by a vote of 4 to 0 to 3 (Gillette, Chamberlin, and Giorgi abstained) to approve the Minutes of July 7, 2006.

Emmons moved, seconded by Jensen, and carried by a vote of 4 to 0 to 3 (Hammock, Karamitsos, and Chamberlin abstained) to approve the Minutes of August 11, 2006.

III. CONTINUED ITEMS:

C-1. 69-AP-047 Schaff Lot Split Lompoc
06TPM-00000-00006 TPM 14,695 Jeanne Bozzano, Planner (805) 934-6283

Consider the request of Christopher Price, Price and Associates, agent for the owner Victor Schaff, of case no. 06TPM-00000-00006, regarding review of subdivision application for consistency with the Uniform Rules. The project proposes a two-way lot split of an existing 642.64 acre parcel into two parcels of approximately 321 acres each. Three potential development envelopes are proposed for each lot. The property is a 642.64 acre parcel, developed with one single family dwelling, is shown as **Assessor's Parcel Number 099-090-013**, zoned AG-II-320 with an AC Comprehensive Plan designation, located approximately 1.5 miles north from Highway 246 on Cebada Canyon Road (a private road), in the Lompoc area, Fourth Supervisorial District. (Continued from 7/07/06)

Emmons moved, seconded by Jensen, and carried by a vote of 7 to 0 to continue the item to the APAC meeting of October 6, 2006.

C-2. 96-AP-002 Van Wingerden General Plan Conformity Carpinteria
06GOV-00000-00005 Dan Gullett, Planner (805) 568-2002

Consider the request of the Agricultural Preserve Advisory Committee to review contract 96-AP-002 regarding compliance with the Uniform Rule eligibility requirements for Superprime land. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation, located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06, 4/07/06, 6/02/06, 7/07/06, and 8/11/06)

Chamberlin moved, seconded by Gillette, and carried by a vote of 7 to 0 to continue the item to the APAC meeting of October 6, 2006, in order to provide time for **Bill Gillette to meet with the landowner and request a Management/Farm Production Plan in order to receive consideration for remaining under contract.** In the absence of such a plan, the APAC will consider making a determination of non-renewal.

- **Bill Gillette reported on a discussion with the landowner. Significant activity is necessary to resume cultivation.**
- **Willy Chamberlin stated that the landowner should be put on notice of potential non-renewal, and that to remain under contract a plan should be provided which identifies a specific date by which compliance would be attained.**

IV. NEW ITEMS:

1. 76-AP-016 Lugli Farm Employee Dwelling Lompoc
06CUP-00000-00050 Jeanne Bozzano, Planner (805) 934-6283

Consider the request of Jeff Martin, agent for the owner Russell Lugli, of case no. 06CUP-00000-00050, regarding a manufactured home to be used for a Ranch Manager and its consistency with the Uniform Rules. The property is a 181 acre parcel, shown as **Assessor's Parcel Number 083-160-025**, zoned AG-II-100 with an AC Comprehensive Plan designation, located at 6495 Santa Rosa Road, in the Lompoc area, Fourth Supervisorial District.

Chamberlin moved, seconded by Emmons, and carried by a vote of 7 to 0 to find the project consistent with the Uniform Rules contingent on verification of employment by **Planning & Development.**



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

APPROVED MINUTES

MEETING OF August 11, 2006
9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by William Gillette at 9:00 A.M. in the Santa Barbara County Board of Supervisors Conference Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

PRESENT:

- William Gillette, Agricultural Commissioner
Lisa Hammock, Assessor's Office
John Karamitsos, Planning and Development
Michael Emmons, Surveyor's Office
Wayne Jensen, Cooperative Extension
Willy Chamberlin, Agricultural Representative
Bill Giorgi, Agricultural Representative
Landon Stableford, Alternate

STAFF MEMBERS

PRESENT

- David Allen, Deputy County Counsel
MaryAnn Slutzky, Deputy County Counsel
Shelly Ingram, Planning and Development

NUMBER OF INTERESTED PERSONS: 16

ADMINISTRATIVE AGENDA:

Jenzen moved seconded by Emmons carried by a vote of 3-1 (Giorgi no; Hammock, Karamitsos, Chamberlin, Stableford absent) to cancel the APAC meeting of September 1, 2006, and to schedule a special meeting on September 8, 2006.

- I. PUBLIC COMMENTS: None
II. MINUTES: Quorum present but APAC members in attendance insufficient to approve minutes; determined that the June 2, 2006 and July 7, 2006 minutes will be heard at the September 8, 2006 APAC meeting.
III. CONTINUED ITEMS:

C-1. 73-AP-010 Radio Representatives Broadcast Towers Contract Garey
00-CP-050 (no planner assigned)

Follow up to 2003 discussions regarding the agricultural status of the property and the need for a replacement contract. The property is a 79.09 acre parcel shown as Assessor's Parcel Number 129-170-002, zoned AG-II-100 with an AC Comprehensive Plan designation located north of Clark Avenue and west of Dominion Road in the Garey area, Fourth Supervisorial District. (Continued from 2/7/03, 3/7/03, 5/2/03, 8/8/03, 9/05/03, and 2/03/06)

Jensen moved, seconded by Emmons, and carried by a vote of 4 to 0 (Hammock, Karamitsos, Chamberlain, Stableford absent) to continue the item to the October 6, 2006 APAC meeting.

- The applicant has obtained a Certificate of Compliance, and would like to intensify ag use-strawberries and is interested in selling. He has a meeting scheduled with Lisa Brodigi of the Ag Commissioner's office. The APAC discussed CTS issue, non-compliance and replacement for each of the pieces now 80 and 160 acres.

C-2. 75-AP-028 Van Wingerden Superprime Compliance Carpinteria

Consider the request of the Agricultural Preserve Advisory Committee to review contract 75-AP-028 regarding compliance with the Uniform Rule eligibility requirements for Superprime land. The property is a 5.03 acre parcel shown as **Assessor's Parcel Number 155-180-049**, zoned AG-I-5 with an A-I-10 Comprehensive Plan designation, located at 4468 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 11/4/05, 4/07/06, and 7/07/06)

Emmons moved, seconded by Jensen, and carried by a vote of 4 to 0 (Hammock, Karamitsos, Chamberlain, Stableford absent) to re-agendize the item for non-renewal action at the September 8, 2006 APAC meeting.

- Richard Diaz is the new owner. He has concerns about the building envelop limitations and has no plans to meet agricultural production requirements. This item will come back to APAC as an action item on September 8 for a recommendation for non-renewal to the Board of Supervisors.

**C-3. 96-AP-002 Van Wingerden General Plan Conformity Carpinteria
06GOV-00000-00005 Dan Gullett, Planner (805) 568-2002**

Consider the request of the Agricultural Preserve Advisory Committee to review contract 96-AP-002 regarding compliance with the Uniform Rule eligibility requirements for Superprime land. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation, located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06, 4/07/06, 6/02/06 and 7/07/06)

Emmons moved, seconded by Jensen, and carried by a vote of 4 to 0 (Hammock, Karamitsos, Chamberlain, Stableford absent) to continue the item to the September 08, 2006 APAC meeting to verify planting.

- Project representativess said something will be planted within 2 weeks; the APAC recognized that the case is consistent with the Uniform Rules.

IV. NEW ITEMS:

**1. 77-AP-014 Santa Barbara Ranch Gaviota
05AGP-00000-00011 Tom Figg, Planner (805) 377-9116**

Consider the request of Matt Osgood, Santa Barbara Ranch, LLC, of Case No. 06AGP-00000-00011, regarding cancellation of contract 77-AP-014 totaling 2,566 acres and concurrent replacement with an Agricultural Conservation Easement totaling 2,629 acres, along with issuance of a new Agricultural Preserve contract totaling of 2,305 acres. These three separate and inter-related matters are proposed as concurrent actions under the non-renewal provisions of the Williamson Act regulations. The property consists of 3,254 acres shown as



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE APPROVED MINUTES

MEETING OF July 7, 2006
9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by Wayne Jensen at 9:10 A.M. in the Santa Barbara County Board of Supervisors Conference Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

PRESENT:

William Gillette, Agricultural Commissioner	
Lisa Hammock, Assessor's Office	✓
John Karamitsos, Planning and Development	✓
Michael Emmons, Surveyor's Office	
Wayne Jensen, Cooperative Extension	✓
Willy Chamberlin, Agricultural Representative	
Bill Giorgi, Agricultural Representative	
Landon Stableford, Alternate	✓

STAFF MEMBERS

PRESENT

David Allen, Deputy County Counsel	✓
MaryAnn Slutzky, Deputy County Counsel	

NUMBER OF INTERESTED PERSONS: 1

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENTS:

- John Karamitsos acknowledged and congratulated Lisa Hammock and her team for being recognized as County Employees of the Month for the month of July.

II. MINUTES: Karamitsos moved, seconded by Stableford, and carried by a vote of 4 to 0 (Gillette, Emmons, Chamberlin and Giorgi absent) to continue consideration of the Minutes of June 2, 2006 to the August 11, 2006 meeting.

III. CONTINUED ITEMS:

C-1.	96-AP-002	Van Wingerden General Plan Conformity	Carpinteria
	06GOV-00000-00005		Dan Gullett, Planner (805) 568-2002

Consider the request of Tom Fayam, Deputy Director, Santa Barbara County Flood Control Division, to determine whether the County of Santa Barbara Flood Control Division's acceptance of an approximately 11 acre easement is in conformity with the County's approved General Plan under the requirements of Government Code Section 65402 and consistent with the Uniform Rules. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-1-10 with an A-1-10 Comprehensive Plan designation, located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06 and 4/07/06)

Karamitsos moved, seconded by Stableford, and carried by a vote of 4 to 0 (Gillette, Emmons, Chamberlin and Giorgi absent) to continue the item to the August 11, 2006 meeting in order to clarify the agenda to reflect applicability of the item to the entire parcel rather than the drainage easement only.

- A discussion of the need to properly agendize the item took place. The purpose of the continuance is to discuss the absence of agricultural production on the subject parcel. Previous APAC meetings have determined that the use of the subject parcel to stockpile soil and sediment would not reduce the productivity of the soils and APAC found the easement consistent.
- The need to clarify use(s) and physical features of the property and the relationship of the easement to the contract was briefly discussed.
- David Allen advised that agenda item should be clarified and that the property owner or representative should be present during consideration of this item.

C-2. 75-AP-028 Van Wingerden Superprime Compliance Carpinteria

Consider the request of the Agricultural Preserve Advisory Committee to review contract 75-AP-028 regarding compliance with the Uniform Rule eligibility requirements for Superprime land. The property is a 5.03 acre parcel shown as **Assessor's Parcel Number 155-180-049**, zoned AG-I-5 with an A-I-10 Comprehensive Plan designation, located at 4468 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 11/4/05 and 4/07/06)

Hammock moved, seconded by Stableford, and carried by a vote of 4 to 0 (Gillette, Emmons, Chamberlin and Giorgi absent) to continue the item to the September 1, 2006 meeting with a commitment from from Planning & Development and County Counsel to work directly with Mr. Baer formulate options within the scope of the ordinance for accomplishing objectives without the need to create separate parcels and separate agricultural preserve contracts.

- Lisa Hammock noted that the property has undergone a recent change in ownership and that the home site greatly exceeds the 10,000 square foot limitation and there are no agricultural activities underway onsite.
- An extensive discussion of: 1) definition of employee dwelling and employee; 2) applicability of an Residential Agricultural Unit designation; 3) whether Baer Family (Owner) can realize their goal without having to create separate parcels and separate ag preserve contracts, followed.

**C-3. 97-AP-006 Rancho La Vina Winery Lompoc
(no planner assigned)**

Consider the request of Arley Baer, agent for Rancho La Vina, to consider conversion of an existing residence to an employee dwelling and whether the employee meets the criteria established by the Agricultural Preserve Advisory Committee. The property is a 517.41 acre parcel shown as **Assessor's Parcel Number 083-140-018**, zoned AG-II-100 with an AC Comprehensive Plan designation, located at 4455 Santa Rosa Road in the Lompoc area, Fourth Supervisorial District. (Continued from 4/07/06)

Hammock moved, seconded by Stableford, and carried by a vote of 4 to 0 (Gillette, Emmons, Chamberlin and Giorgi absent) to continue the item to the September 1, 2006



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE APPROVED MINUTES

MEETING OF April 7, 2006
9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by William Gillette at 9:01 A.M. in the Santa Barbara County Board of Supervisors Private Conference Room, 4th Floor, 105 East Anapamu Street, Santa Barbara, CA 93101.

<u>COMMITTEE MEMBERS</u>	<u>PRESENT:</u>
William Gillette, Agricultural Commissioner	✓
Lisa Hammock, Assessor's Office	✓
John Karamitsos, Planning and Development	✓
Michael Emmons, Surveyor's Office	✓
Wayne Jensen, Cooperative Extension	✓
Willy Chamberlin, Agricultural Representative	✓
Bill Giorgi, Agricultural Representative	

<u>STAFF MEMBERS</u>	<u>PRESENT</u>
David Allen, Deputy County Counsel	
MaryAnn Slutzky, Deputy County Counsel	✓

NUMBER OF INTERESTED PERSONS: 10-12

ADMINISTRATIVE AGENDA:

- I. PUBLIC COMMENTS: None
- II. MINUTES: Jensen moved, seconded by Chamberlin, and carried by a vote of 6 to 0 (Giorgi absent) to approve the Minutes of March 3, 2006.
- III. CONTINUED ITEMS:

C-1.	<u>97-AP-005</u>	<u>Cody Non-Renewal</u>	<u>Buellton</u>
	04ZEV-00000-00137		Barbara Walshon, Planner (805) 934-6252

Consider the request of Barbara Walshon, Planning & Development Code Enforcement Planner, to discuss initiation of the Agricultural Preserve Contract Non-Renewal process based on un-permitted grading for a motocross track that has been in violation of Article III since 2004. The property is a 118.59 acre parcel shown as Assessor's Parcel Number 083-160-024, zoned AG-II-100 with an AC Comprehensive Plan designation, located at 7222 Santa Rosa Road in the Buellton area, Third Supervisorial District. (Continued from 3/03/06)

Karamitsos moved, seconded by Jensen, and carried by a vote of 6 to 0 (Giorgi absent) to drop the item from the agenda.

- Bill Gillette described a conversation with Mr. Cody regarding on-site agricultural operations consisting of 5 acres of lavender and a cattle grazing lease.

- Willy Chamberlin suggested that future items of this nature should be agendized as "Zoning Violations" rather than "Non-Renewals;" County Counsel indicated that, because the APAC does not consider zoning ordinance violations, a preferable reference would be "Consideration of Non-Renewal."

C-2. 70-AP-051 Frank Motocross and Associated Grading Los Alamos
05ZEV-00000-00106 Barbara Walshon, Planner (805) 934-6252

Consider the request of Barbara Walshon, Code Enforcement Planner, of Case No. 05ZEV-00000-00106 regarding discussion of use of a portion of the parcel for a personal motocross track and associated grading. The property is a 102.7 acre parcel shown as Assessor's Parcel Numbers 133-100-031, zoned AG-II-100 with an AC Comprehensive Plan designation, located at 8900 Aliso Canyon Road, in the Los Alamos area, Third Supervisorial District. (Continued from 11/4/05)

Emmons moved, seconded by Jensen, and carried by a vote of 6 to 0 (Giorgi absent) to continue the item to the meeting of May 5, 2006.

- Bill Gillette to conduct a site visit on April 19th to discuss agricultural preserve issues with the property manager.

C-3. 96-AP-002 Van Wingenen General Plan Conformity Carpinteria
06GOV-00000-00005 Dan Gullett, Planner (805) 568-2002

Consider the request of Tom Fayam, Deputy Director, Santa Barbara County Flood Control Division, to determine whether the County of Santa Barbara Flood Control Division's acceptance of an approximately 13 acre easement is in conformity with the County's approved General Plan under the requirements of Government Code Section 65402 and consistent with the Uniform Rules. The property is a 13.02 acre parcel shown as Assessor's Parcel Number 004-004-037, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation, located at 5154 Foothill Road in the Carpinteria area, First Supervisorial District. (Continued from 3/03/06)

Chamberlin moved, seconded by Emmons, and carried by a vote of 6 to 0 (Giorgi absent) to find that the APAC determine the Flood Control easement is consistent with the Uniform Rules.

Chamberlin moved, seconded by Emmons, and carried by a vote of 6 to 0 (Giorgi absent) to continue the item to the meeting of July 7, 2006, in order to verify consistency with the Uniform Rules agricultural production requirements.

- There was an extensive discussion of various issues associated with the subject property, including the amount and type of agricultural uses, structural development supporting agricultural uses, flood control uses, terms of the easement, and APAC role in the subject issue. Specifically, Bill Gillette discussed the relationship between Flood Control placed topsoil as a potentially consistent activity and the degree of agricultural activity onsite qualifying as a contracted operation. Larry Fausett explained that the easement remains in place until such time as the District and the landowner mutually agree to revise the terms or terminate the agreement.

ATTACHMENT 4

Recording Requested by)	96-058425	Rec Fee	.00
County of Santa Barbara)		Total	.00
When Recorded Return to the)	Recorded		
Clerk of the Board of Supervisors)	Official Records		
County of Santa Barbara)	County of		
105 East Anapamu Street)	Santa Barbara		
Santa Barbara, California 93101)	Kenneth A Pettit		
	Recorder		
	8:02am 25-Sep-96	COSB	BE 8

SHORT FORM LAND CONSERVATION CONTRACT

Incorporating Board of Supervisors Resolutions and
Long Form Contract by Reference

THIS LAND CONSERVATION CONTRACT, by and between Rene and June VanWingerden, Trustees, hereinafter referred to as "OWNER" and the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, OWNER possesses certain real property situated in the County of Santa Barbara, State of California, hereinafter referred to as "THE SUBJECT PROPERTY," and more particularly described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, THE SUBJECT PROPERTY is now devoted to agricultural uses and uses compatible thereto; and

WHEREAS, the parties hereto desire to create an "agricultural preserve," consisting of THE SUBJECT PROPERTY, to be established by COUNTY by resolution and by this contract,

and to be designated as the VanWingerden Agricultural Preserve, 96-AP-002, (Assessor Parcel Number 004-004-037, 14.15 acres) replacing 74-AP-008, with zoning of AG-I-10-CZ, and AG-I Comprehensive Plan designation restrictions.

NOW, THEREFORE, both OWNER and COUNTY, in consideration of the mutual promises, covenants and conditions to which reference is made herein and substantial public benefits to be derived therefrom, do hereby agree as follows:

FIRST: THE SUBJECT PROPERTY shall be subject to all restrictions and conditions adopted or to be adopted by resolutions and minute orders by the Board of Supervisors of the County of Santa Barbara, California, including those recorded on November 5, 1971, as Inst. No. 36187, Bk. 2371, pg. 404; January 3, 1972, as Inst. No. 57, Bk. 2381, page 794; October 30, 1974, as Instr. No. 38788, Bk. 2539, pg. 258; November 10, 1975, as Instr. Nos. 40442 and 40443, Bk. 2592, pgs. 1763 and 1767; December 11, 1975, as Instr. No. 44871, Bk. 2595, pg. 2134; May 20, 1977, as Reel No. 77-24881; July 11, 1977, Reel No. 77-34734; November 14, 1978, Reel No. 78-52990; and October 15, 1980, Reel No. 80-41873 of the Official Records of the County of Santa Barbara, California, and IT IS MUTUALLY AGREED that the conditions and restrictions set forth in said resolutions and minute orders are adopted and incorporated herein and made a part hereof as though fully set forth herein at length, and the OWNER will observe and perform said provisions.

SECOND: In consideration of the premises, OWNER shall indemnify and save harmless COUNTY from and against any and all claims, liability, suits, damages, costs including reasonable attorney's fees, losses and expenses in any manner resulting from, arising out of, or

connected with the use of any Surveyor's Map depicting the preserve and the description of THE SUBJECT PROPERTY attached hereto.

THIRD: This Contract shall be effective as of the first day of January, 1997, and shall remain in effect for a period of ten (10) years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract on Sept. 3, 1996.

ATTEST:

COUNTY OF SANTA BARBARA

CLERK OF THE BOARD

By Jeanne Daffy
Chair, Board of Supervisors

By Elizabeth Martens
Deputy Clerk

OWNERS:

RENE T. VANWINGERDEN AND JUNE VANWINGERDEN, Trustees, U/D/T dated November 28, 1995, F/B/O the R. and J. Van Wingerden Family Trust.

[Signature] TRUSTEE 8-19-96
Signature Date

June Van Wingerden TRUSTEE 8-19-96
Signature Date

APPROVED AS TO FORM:

STEVEN SHANE STARK
COUNTY COUNSEL

By: [Signature] 8-20-96
Deputy County Counsel (Date)

State of California)
)
County of Santa Barbara)

On September 3, 1996 before me, Elizabeth Martinez,
personally appeared Jeane Graffy,
personally known to me (~~or proved to me on the basis of satisfactory evidence~~)
to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and
acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized
capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the
person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

(Seal)

00.000.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

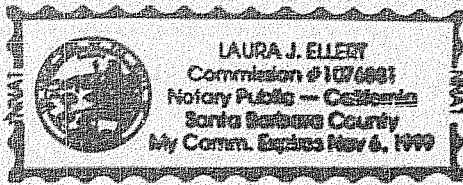
State of California

County of Santa Barbara

On August 19, 1996 before me, Laura J. Ellert, Notary Public
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public")

personally appeared Rene T. Van Wingerden and June Van Wingerden
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Laura J. Ellert
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Short Form Land Conservation Contract

Document Date: Not dated Number of Pages: 5

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Rene T. Van Wingerden

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: June Van Wingerden

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

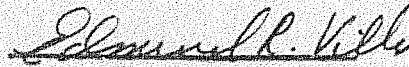
Signer Is Representing: _____

LEGAL DESCRIPTION

96-AP-002

Parcel One of Parcel Map No. 14,363 as shown and recorded in Book 51, Pages 50 and 51 of Parcel Maps, in the office of the County Recorder of Santa Barbara County, State of California.

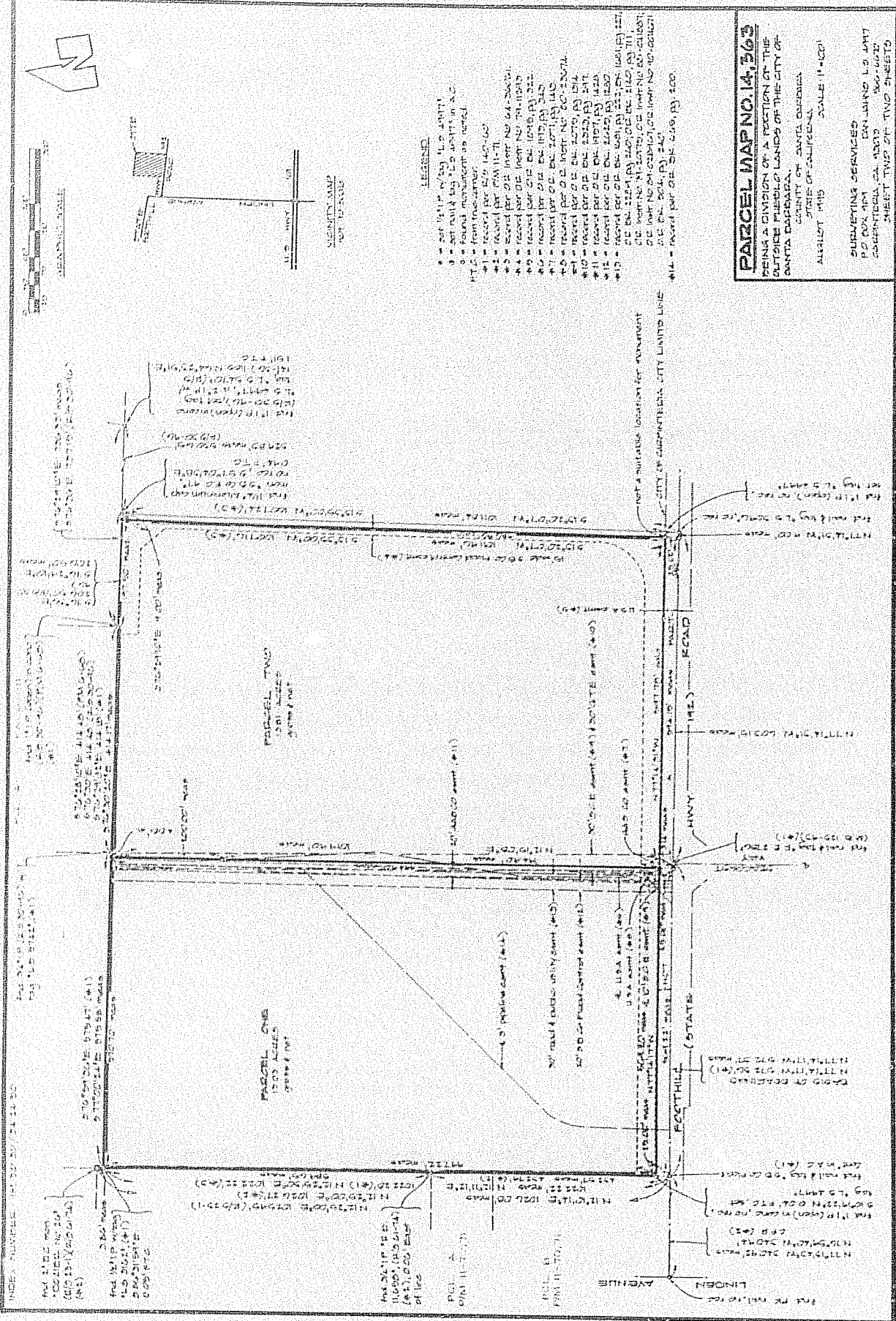
Approved



County Surveyor

Santa Barbara County

Date 7/23/96



PARCEL MAP NO. 14,363
BEING A DIVISION OF A PORTION OF THE
OUTER SAN FRANCISCO BAYLANDS OF THE CITY OF
SANTA BARBARA,
COUNTY OF SANTA BARBARA,
STATE OF CALIFORNIA.
ALLEGED 1/2" SCALE 11" x 17" C.P.I.

SUBMITTING SERVICES:
P.O. BOX 4041
SANTA BARBARA, CA 93103
SHEET TWO OF TWO SHEETS

RECORDED UNDER AUTHORITY OF STATUTE
TYPING OR PRINTING UNLAWFUL ACTIVITY IN THIS
DOCUMENT WHEN RECEIVED.

BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA
CLERK OF THE BOARD OF SUPERVISORS

* * * * *

M I N U T E O R D E R

September 3, 1996, in the a.m.

Present: Supervisors Naomi Schwartz,
Jeanne Graffy, William B. Wallace,
Timothy J. Staffel and Thomas Urbanske
and Kent M. Taylor, Clerk (Martinez)

Supervisor Graffy in the Chair

RE: Planning and Development - Execute agreements with Rene and
June Van Wingerden, Trustees, for agricultural replacement
contracts, 96-AP-002 and 96-AP-003 replacing 74-AP-008,
AP Nos. 004-04-37 and -38, located at 4444 Foothill Road,
Carpinteria area, First District. (96-20,018) (FROM JUN. 18,
JUL. 30, AUG. 20, 1996) (RECORD)

Staffel/Urbanske Approved; Chair to execute.

This is a true certified copy of the original
document on file or of record in my office. It bears
the seal and signature, imprinted in purple ink, of
the Clerk of the Board of Supervisors

Kent M. Taylor
Clerk of the Board, Santa Barbara County, California

Date: 9-11-96 By Deputy: *Elizabeth Martinez*



FILED

Recording Requested By:
Clerk of the Board

Return To:

DO NOT MAIL
File in Official Records

96-058426	Rec Fee	.00
	Total	.00
Recorded		
Official Records		
County of		
Santa Barbara		
Kenneth A Pettit		
Recorder		
8:02am 25-Sep-96	COSB	BE 1

Title(s)

Attachment 5
Vicinity Map

