



**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:** 11/21/2006  
**Placement:** Administrative  
**Estimate Time:** 5 minutes  
**Continued Item:** NO  
**If Yes, date from:**  
**Vote Required:** No Vote Required

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**TO:** Board of Supervisors  
**FROM:** Department Director(s) John Baker, Director  
Planning and Development  
Contact Info: Zoraida Abresch, Deputy Director, (934-6585)  
Development Review - North County  
**SUBJECT: DeBernardi, Santa Maria**

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**County Counsel Concurrence:**

As to form:  Yes  No  N/A

**Auditor-Controller Concurrence:**

As to form:  Yes  No  N/A

**Other Concurrence:** N/A

As to form:  Yes  No  N/A

**Recommended Action(s):**

That the Board of Supervisors:

Set hearing on November 21, 2006 at the request of Edward DeBernardi, to consider Case No. 06AGP-00000-00026, for nonrenewal of an existing agricultural preserve contract.

- A. Accept the request for nonrenewal of Agricultural Preserve 70-AP-044A, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 128-094-012, located south and northeast of Main Street, known as 1935 East Main Street, in the Santa Maria area, Fifth Supervisorial District. (SET ON ADMINISTRATIVE AGENDA FOR DECEMBER 5, 2006)

**Summary:**

On November 3, 2006 the Agricultural Preserve Advisory Committee acknowledged the request of a landowner not to renew due to future estate planning of an Agricultural Preserve (70-AP-044A). Nonrenewal of the contract will become effective December 31, 2006. The subject property has been in an agricultural preserve since January 1, 1972. The site is approximately 81 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  No

**Fiscal Analysis:**

Narrative:

The costs associated with processing this replacement 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.

**Staffing Impact(s):**

**Legal Positions:**  
N/A

**FTEs:**  
N/A

**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
Edward DeBernardi	Contract, Map
1935 East Main Street	
Santa Maria CA 93454	

**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