



**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: 12/5/2006
Placement: Set Hearing
Estimate Time: N/A
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) John Baker, Director
Planning and Development
Contact Info: Dianne Black, Assistant Director (568-2086)
Development Review - South County

SUBJECT: Rancho Feliz, LLC Agricultural Preserve Non-Renewal Contract, Carpinteria

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 for December 12, 2006 (Administrative agenda) at the request of Harwood A. White Jr., Agent for the Owner, to consider Case No. 06AGP-00000-00024, for non-renewal of an existing agricultural preserve contract.

- A. Accept the request for non-renewal of Agricultural Preserve 68-AP-10, and;
- B. Execute the attached Notice of Non-renewal of the County Land Conservation Contract for Assessor's Parcel No.'s 001-030-027 and 001-030-037, in the Carpinteria area, First Supervisorial District. (SET ON ADMINISTRATIVE AGENDA FOR DECEMBER 12, 2006)

Summary:

On November 3, 2006, the Agricultural Preserve Advisory Committee acknowledged the request of the landowner not to renew an Agricultural Preserve (68-AP-10), due to the need to fund probate taxes and plan larger home sites than allowed under the Uniform Rules of the County's Agriculture Preserve Program. The nonrenewal period of the contract will begin effective December 31, 2006. The agriculture preserve contract on the subject property was entered into on December 9, 1968 and recorded on December 30, 1968. The site is approximately 43.5 acres and is used for an avocado orchard.

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, South Division on Page D-290 of the adopted 2006 – 2007 fiscal year budget.

Staffing Impact(s):

Legal Positions:

N/A

FTEs:

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
Rancho Feliz, LLC	Contract, Map
Viktor A. Mauracher, President	
1535 Meadow Circle	
Carpinteria, CA 93013	

Attachments:

1. Notice of Non-Renewal
2. Legal Description
3. Agricultural Preserve Contract
4. Vicinity Map

Authored by:

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Development Review Division – South, Planning and Development Department