

RECORDING REQUESTED BY:

Board of Supervisors

07/26/2011, 20110034605

WHEN RECORDED MAIL TO:

**Board of Supervisors
330 Fair Lane
Placerville, CA 95667**

SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE

TITLE (S)

**WILLIAMSON ACT NON-RENEWAL CONTRACT NO. 42
ASSESSOR PARCEL NO. 089-320-03
FRANK BOZZO AND ZACH SPENCER**



County of El Dorado

330 Fair Lane, Building A
Placerville, California
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Master Report

File Number: 11-0715

*File ID: 11-0715	Agenda Type: Agenda Item	Status: Approved
Version: 1	Reference:	Gov Body: Board of Supervisors
Department: Development Services - Planning		Created: 06/15/2011
Agenda Title: DS 07-19-11 Notice of Non-Renewal - Agricultural Preserve No. 42/Bozzo & Spencer		Final Action: 07/19/2011

Title: Development Services Department, Planning Services Division, recommending the Board certify that the County-initiated Notice of Non-Renewal for Agricultural Preserve No. 42/Frank Bozzo and Zach Spencer has been submitted and is consistent with the Board of Supervisors Policy C-12. (Supervisorial District 4)

Notes:

Agenda Date: 07/19/2011

Indexes:

Agenda Number:

Sponsors:

Enactment Date:

Attachments: A-Agricultural Commission Memo and Staff Report.pdf, B-Assessor's Map.pdf

Time Required:

Same:

Hearing Date: 07/19/2011

Contact: Roger Trout (5369)/Pierre Rivas (5841)

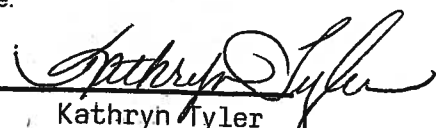
Next Meeting Date:

Approval History

Version	Date	Approver	Action
1	06/17/2011	Roger Trout	Approved

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Supervisors	07/19/2011	Approved				Pass
Action Text:		A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows: 1) Approve this matter; and 2) Direct staff to further investigate how we can stream line this process in the future.					
Notes:		NO PUBLIC COMMENT					


Kathryn Tyler
Deputy Clerk
EDC Board of Supervisors
7-25-2011

ACKNOWLEDGMENT

State of California
County of El Dorado

On July 25, 2011 before me, Loretta Featherston, Notary Public

Personally appeared Kathryn Tyler, Deputy Clerk
who proved to me on the basis of satisfactory evidence to be the
person(s) whose names(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.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Loretta Featherston

Notice of Non-renewal Williamson Act Ag Pres. #42



(Seal)

Mover: John R. Knight

Yes 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and
Supervisor Santiago
Recused 1 - Supervisor Briggs

4-1

Text of Legislative File 11-0715

Development Services Department, Planning Services Division, recommending the Board certify that the County-initiated Notice of Non-Renewal for Agricultural Preserve No. 42/Frank Bozzo and Zach Spencer has been submitted and is consistent with the Board of Supervisors Policy C-12. (Supervisorial District 4)

Background: Pursuant to Section 51245 of the Government Code, a landowner or County may non-renew a contract provided written notice is served by the other party in advance of the renewal date (a County initiated non-renewal notices requires at least 60 days prior to the renewal date). If the County files a notice of non-renewal, the landowner, upon receipt of the notice, may file a written protest of the notice of non-renewal. The County may withdraw the notice prior to the renewal date. The annual renewal date for all contracts is January 1 of each year. The roll-out from the preserve would begin January 1, 2012, therefore, the properties would no longer be subject to the Williamson Act Contract on January 1, 2022.

The County is initiating a non-renewal of the Williamson Act contract due to the Agricultural Commission's determination that the parcel is in breach of contract. The preserve is identified as Assessors Parcel Number 089-320-03, consisting of 28.14 acres. The parcel is accessed from Wallace Road, located in the Placerville area. (Supervisorial District 4)

On August 11, 2010 the Agricultural Commission determined that the parcel is in breach of contract as it does not meet the criteria for an agricultural preserve. Pursuant to County Resolution Number 188-2002, the property shall produce a minimum annual gross income of \$13,500 for high intensive farming operations, including but not limited to orchards, vineyards, and row crops. The parcel historically was used as a pear orchard. When the Agricultural Commission reviewed the property in 2008, it was found to have a 3,981 square foot residential vacation rental, a 1,550 square foot residence, and only three acres of olive trees. In an effort to comply with Ranch Marketing requirements, the orchard was increased to 4.79 acres, but it was determined that in order to meet the minimum income requirements of the Williamson Act the olive orchard would have to be 14 acres. At this time, the property owners have not complied with the criteria requirements for a Williamson Act contract.

Planning Services has reviewed the Notice of Non-Renewal and determined that it is not a partial rollout. There is no other relevant information regarding this Notice of Non-Renewal.

Pursuant to Policy C-12, because this is not a partial rollout, no further action is required by the Agricultural Commission other than to receive and file this report.

ATTACHMENTS

Exhibit A: ~~Agricultural Commission Memo and Staff Report~~

Exhibit B: Assessors Map

Contact: Roger Trout (5369)/Pierre Rivas (5841)

COB Follow-up: Send Dept copy of correspondence and Minute Order

APN 089-320-03

Zach Spencer

Frank Bozzo

1120 Wallace Rd

Placerville, CA 95667

PORS. SECS. 33, 34, T. 11N., R. 10E., M.D.M.

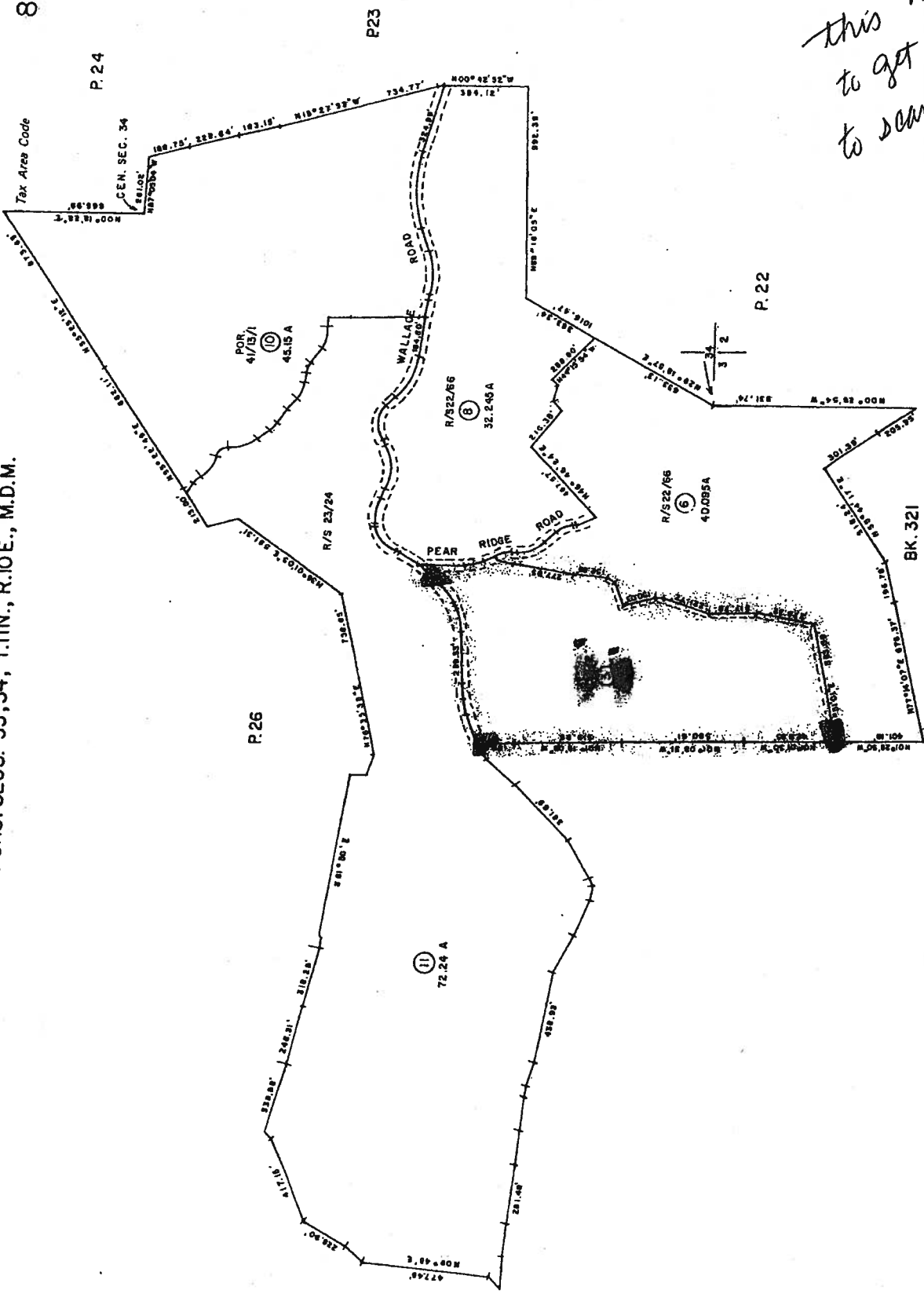
89:32



EXHIBIT B

The Recorder/Clerk had to print this map on 8 1/2 x 14 to get to seem a clear map

Assessor's Map Bk. 89 - Pg. 28
County of El Dorado, California



POB. 41/13/1
45.15 A

72.24 A

R/S 22/86
32.248 A

R/S 22/86
40.085 A

BK. 321

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