

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

## Agenda Number:

**Prepared on:** October 12, 2005  
**Department:** P&D  
**Budget Unit:** 053  
**Agenda Date:** November 8, 2005  
**Placement:** Administrative  
**Estimate Time:** 5 minutes on December 6, 2005  
**Continued Item:** NO  
**If Yes, date from:**  
**Document FileName:** G:\GROUP\Permitting\Case Files\AGP\05 cases\05AGP-00000-00035\BSAdminsetnonrenewal.doc

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**TO:** Board of Supervisors

**FROM:** Dianne Meester, Assistant Director  
Planning and Development

**STAFF CONTACT:** Florence Trotter-Cadena, Planner III  
Development Review Division –North County  
934-6253

**SUBJECT:** 03AGP-00000-00022 (05AGP-00000-00035), Sederland/Wells Fargo  
Agricultural Preserve Non-Renewal

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## Recommendation:

Set date to hear the request of the Wells Fargo Bank, agent for Judith Jerome Sederland, owners, to consider Case No. 03AGP-00000-00022 (05AGP-00000-00035) for non-renewal of an existing agricultural preserve contract. The subject non-renewal involves Assessor's Parcel No. 139-250-063, located approximately 1 mile northwest of the intersection of Refugio and Mesa Verde Roads, in the Solvang area, Third Supervisorial District. (SET DATE FOR ADMINISTRATIVE AGENDA ON DECEMBER 6, 2005).

## Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

## Executive Summary and Discussion:

The proposed submission of 03AGP-00000-00022 by the landowner for nonrenewal will be acknowledged by the Agricultural Preserve Advisory Committee on November 4, 2005. The effective date for nonrenewal of the contract will be December 31, 2005. The subject property

has been in an agricultural preserve since the original contract, 03AGP-00000-00022, was approved by the Board of Supervisors on September 13, 2005. The subject property had originally been under agricultural preserve contract (75-AP-045) since January 1, 1976. A tentative parcel map (TPM 14,598) modified the boundaries requiring the above replacement contract which recorded on October 3, 2005. The owners are requesting non-renewal of the contract as they wish to sell the property. The site is approximately 105 acres and is used for crops.

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 does not encourage removal of property from preserve status. However, 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 is no longer interested in participating in the program.

**Mandates and Service Levels:**

Government Code §51200 (known as the California Land Conservation Act of 1965 or the Williamson Act) provides that local jurisdictions may establish an agricultural preserve program having the goal of retaining land in an agricultural use. The County of Santa Barbara has adopted such a program which is codified under the Agricultural Preserve Program Uniform Rules. Both the County's Uniform Rules and the Government Code provide that agricultural preserve contracts between the County and landowners are voluntary. Therefore, there are no state mandates associated with this program.

**Fiscal and Facilities Impacts:**

The costs associated with processing this contract non-renewal are offset by fees 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 2005 – 2006 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:**

N/A

**Concurrence:**

N/A