

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:

Prepared on: December 1, 2004
Department: Planning & Development
Budget Unit: 053
Agenda Date: December 14, 2004
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TO: Board of Supervisors

FROM: Valentin Alexeeff, Director
Planning and Development

STAFF CONTACT: Holly Bradbury, Planner
Development Review Division – South County
(805) 568-3577

SUBJECT: 75-AP-012, Knill Agricultural Preserve Non-Renewal

Recommendation:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 75-AP-12, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 005-080-017, located at 370 Ortega Ridge Road, in the Montecito area, First Supervisorial District

Alignment with Board Strategic Plan:

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

Executive Summary and Discussion:

On November 5, 2004, the Agricultural Preserve Advisory Committee acknowledged, by a unanimous vote of 4 to 0, the submission of non-renewal of 75-AP-12 by the landowner. The effective date for nonrenewal of the contract will be December 31, 2004. The subject property has been in an agricultural preserve since the original contract, 75-AP-12, was recorded on January 29, 1976. The owners are requesting non-renewal because there are few agricultural sites remaining in the surrounding area. The site is approximately 84 acres, with 30 acres of lemon trees and 20 acres of avocado trees.

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.

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, South Division on Page D-300 of the adopted 2004 – 2005 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:

Clerk of the Board: Please record the attached Notice of Non-Renewal by the Landowner for each contract, following your Board's approval and execution, and distribute copies of the executed Notice to County Counsel, the County Assessor, Planning & Development, and the Landowner.

Landowner: Ellen Knill
9370 Ortega Ridge Road
Santa Barbara, CA 93108

Concurrence:

N/A

Attachments: Notice of Nonrenewal
Legal Descriptions
Vicinity Map