

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 11, 2005
Department: Planning and Development
Budget Unit: 053
Agenda Date: November 22, 2005
Placement: Administrative
Estimate Time: 5 minutes
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Permitting\Case Files\AGP\05 cases\05AGP-00000-00029\BSfinalnonrenewal.doc

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

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

SUBJECT: 69-AP-058, Holser/LB/L-DS Ventures Lompoc II, LLC Agricultural Preserve Non-Renewal

Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserves 69-AP-058 and;
- B. Execute the attached Notice of Nonrenewal of Land Conservation Contract by the County for Assessor's Parcel Numbers 093-070-018, -026, -027, -028, and -033, located southwest of the intersection of Pine and Bailey Avenues, in the Lompoc area, Fourth Supervisorial District.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The subject properties have been in an agricultural preserve (69-AP-058) since January 1, 1972. The non-renewal was heard by the Agricultural Preserve Advisory Committee on June 10, 2005, carried by a vote of 4 to 0 (Jensen absent) to find Contract 69-AP-058 inconsistent with the Uniform Rules which prohibits multiple ownerships under a single agricultural preserve contract, and recommend that the Board of Supervisors serve notice of non-renewal by the County. The site is approximately 196 acres and was used for crops. The effective date for nonrenewal of the contract will be December 31, 2005.

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 or does not abide by the requirements of 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:

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.

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:

Please record the attached Notice of Nonrenewal by the County following your Board's approval and execution, and distribute copies of the executed Notice as shown on the notice below.

05AGP-00000-00029 (69-AP-058), Holser/LB/L-DS Lompoc Ventures LLC, Inc. Agricultural Preserve Non-Renewal

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Landowners: Kathlene Holser, Trustee
Holser Revocable Trust
9315 North Harborview Drive
Gig Harbor, WA 98332

LB/L-DS Ventures Lompoc II LLC
3500 West Olive, Suite 650
Burbank, CA 91505

Planning and Development
Assessor's Office
Surveyor's Office
Clerk of the Board

Concurrence:

N/A

Attachments: Notice of Nonrenewal
Legal Descriptions
Vicinity Map

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