

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:

Prepared on: September 14, 2005
Department: P&D
Budget Unit: 053
Agenda Date: October 11, 2005
Placement: Administrative
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Continued Item: NO
If Yes, date from:
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TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

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Development Review Division –North County
934-6253

SUBJECT: 77-AP-024, Flag is Up Farms Agricultural Preserve Non-Renewal

Recommendation:

Set date to hear the request of County of Santa Barbara, Agricultural Preserve Advisory Committee to consider Case No. 77-AP-024 for non-renewal of an existing agricultural preserve contract. The subject non-renewal involves Assessor's Parcel Nos. 137-120-087, 137-250-063, -077, -078, located approximately $\frac{3}{4}$ miles northeast of the intersection of Ballard Canyon Road and Highway 246, known as 901 and 959 Highway 246, in the Solvang area, Third Supervisorial District. (SET DATE FOR ADMINISTRATIVE AGENDA ON NOVEMBER 22, 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 subject properties have been in an agricultural preserve (77-AP-24) since January 1, 1978. The non-renewal was heard by the Agricultural Preserve Advisory Committee on March 4, 2005. The site is approximately 118 acres and is used as a horse operation. 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 does not comply with the Uniform Rules.

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