

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: November 9, 2005
Department: Planning and Development
Budget Unit: 053
Agenda Date: December 6, 2005
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Permitting\Case Files\AGP\05 cases\05AGP-00000-00035\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: 05AGP-00000-00035 (03AGP-00000-00022), Sederland/Wells Fargo
Agricultural Preserve Non-Renewal

Recommendations:

That the Board of Supervisors:

- A. Accept the request for nonrenewal of Agricultural Preserve 03AGP-00000-00022, and;
- B. Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for 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.

Alignment with Board Strategic Plan:

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

Executive Summary and Discussion:

On November 4, 2005 the Agricultural Preserve Advisory Committee voted by a unanimous vote of 3 to 0 (Jensen and Hammock absent) to acknowledge the submission of non-renewal of 03AGP-00000-00022 by the landowner. 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, 75-AP-045, was approved on January 1, 1976. The owners are requesting non-renewal of the contract as the uniform rules are too restrictive. The site is approximately 56 acres and is used for crops and range land.

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 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:

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

Landowner: Wells Fargo Bank Trustee of the Judith Jerome Sederland

8405 North Fresno Street, Suite 210
Fresno, CA 93720

Concurrence:

N/A

Attachments: Notice of Nonrenewal
Legal Descriptions
Vicinity Map

G:\GROUP\Permitting\Case Files\AGP\05 cases\05AGP-00000-00035\BSfinalnonrenewal.doc