



# Agricultural Preserve Cancellation

The purpose of the cancellation provision of the Williamson Act is to provide relief from the provisions of contracts entered into pursuant to the conditions of the Act. Conditions for approval of the cancellation of all or part of the land in preserve are found in Section 51282 of the Williamson Act, which state:

- (a) The landowner may petition the board or council for cancellation of any contract as to all or any part of the subject land. The Board or Council may grant tentative approval for cancellation of a contract only if it makes one of the following findings:
  - (1) That the cancellation is consistent with the purposes of this chapter; or
  - (2) That cancellation is in the public interest.
- (b) For purposes of paragraph (1) of subdivision (a) cancellation of a contract shall be consistent with the purposes of this chapter only if the Board or Council makes all of the following findings:
  - (1) That the cancellation is for land on which a notice of non-renewal has been served pursuant to Section 51245.
  - (2) That cancellation is not likely to result in the removal of adjacent lands from agricultural use.
  - (3) That cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan.
  - (4) That cancellation will not result in discontinuous patterns of urban development.
  - (5) That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land."

Applications for cancellation are subject to the provisions of Government Code § 51281.1 authorizing the County to require the payment of a reasonable application fee. Significant tax benefits which currently accrue to the landowner will be lost if the Agricultural Preserve contract is cancelled.

## THIS PACKAGE CONTAINS

- ✓ SUBMITTAL REQUIREMENTS AND SUPPLEMENTAL QUESTIONS
- ✓ APPLICATION FORM
- ✓ INDEMNIFICATION AGREEMENT
- ✓ AGRICULTURAL ACTIVITIES SHEET  
[Click to download Agricultural Activities Supplement form](#)
- ✓ AGREEMENT FOR PAYMENT OF PROCESSING FEES  
[Click to download Agreement to Pay form](#)

## AND, IF ✓'D, ALSO CONTAINS

- PLAN AND MAP REQUIREMENTS  
[Click to download Site Plan and Topographical Map Requirements](#)

**South County Office**  
 123 E. Anapamu Street  
 Santa Barbara, CA 93101  
 Phone: (805) 568-2000  
 Fax: (805) 568-2030

**Energy Division**  
 123 E. Anapamu Street  
 Santa Barbara, CA 93101  
 Phone: (805) 568-2000  
 Fax: (805) 568-2030

**North County Office**  
 624 W. Foster Road, Suite C  
 Santa Maria, CA 93455  
 Phone: (805) 934-6250  
 Fax: (805) 934-6258

## SUBMITTAL REQUIREMENTS

- \_\_\_\_\_ 12 Copies of completed Cancellation of Agricultural Preserve Application.
- \_\_\_\_\_ 12 Copies of plot (site) plans prepared in accordance with instructions.  
[Click to download Site Plan and Topographical Map Requirements](#)
- \_\_\_\_\_ 12 Agricultural Activities Supplemental Form  
[Click to download Agricultural Activities Supplement form](#)
- \_\_\_\_\_ 12 Copies of contour map showing topography including existing natural contours and proposed grading lines.
- \_\_\_\_\_ 5 Clear, legible copies of Legal Descriptions of the exterior boundaries of all parcels included in the application.
- \_\_\_\_\_ 1 8½" x 11" vicinity map showing project location with respect to identifiable landmarks, roadways, etc.
- \_\_\_\_\_ 2 Clear, legible copies of Certificates of Compliance (if applicable).
- \_\_\_\_\_ 3 Record Owners' Guarantee or Title Report- no older than 60 days.
- \_\_\_\_\_ 2 Sets of three photos taken from three vantage points which illustrate the project close-up, mid-field, and entire property. Label, date, and mount on heavy 8 1/2" x 11" paper. Color photos preferred. If aerial photos are submitted, please outline property in grease pencil or with colored tape. NO XEROX COPIES ACCEPTED.
- \_\_\_\_\_ 2 8½" x 11" reduced copy of site plan.
- \_\_\_\_\_ 1 Check payable to Planning & Development.
- \_\_\_\_\_ 1 Agreement to Pay Form  
[Click to download Agreement to Pay form](#)
- \_\_\_\_\_ 1 Indemnification Agreement



PLANNING & DEVELOPMENT
PERMIT APPLICATION

SITE ADDRESS: \_\_\_\_\_

ASSESSOR PARCEL NUMBER: \_\_\_\_\_

PARCEL SIZE (acres/sq.ft.): Gross \_\_\_\_\_ Net \_\_\_\_\_

COMPREHENSIVE/COASTAL PLAN DESIGNATION: \_\_\_\_\_ ZONING: \_\_\_\_\_

Are there previous permits/applications? [ ]no [ ]yes numbers: \_\_\_\_\_
(include permit# & lot # if tract)

Did you have a pre-application? [ ]no [ ]yes if yes, who was the planner? \_\_\_\_\_

Are there previous environmental (CEQA) documents? [ ]no [ ]yes numbers: \_\_\_\_\_

1. Financially Responsible Person \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_
(For this project)

Mailing Address: \_\_\_\_\_
Street City State Zip

2. Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_
Street City State Zip

3. Agent: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_
Street City State Zip

4. Arch./Designer: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_
Street City State Zip

5. Engineer/Surveyor: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_
Street City State Zip

6. Contractor: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_
Street City State Zip

7. Soils Lab: \_\_\_\_\_ Phone: \_\_\_\_\_ Reg. \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_
Street City State Zip

PARCEL INFORMATION: (Check each that apply. Fill in all blanks or indicate "N/A")

1. Existing Use: [ ]Agric [ ]Residential [ ]Retail [ ]Office [ ]Indus [ ]Vacant [ ]Other

2. Proposed Use: [ ]Agric [ ]Residential [ ]Retail [ ]Office [ ]Indus [ ]Other

3. Existing: # of Buildings \_\_\_\_\_ Gross Sq. Ft.: \_\_\_\_\_ # Res. Units: \_\_\_\_\_ Age of Oldest Struct.:

4. Proposed: Project: \_\_\_\_\_ Gross Sq. Ft.: \_\_\_\_\_ # Res. Units

5. Grading (cu. yd.): Cut \_\_\_\_\_ Fill \_\_\_\_\_ Import \_\_\_\_\_ Export \_\_\_\_\_ Total:

Total area disturbed by grading (sq. ft. or acres): \_\_\_\_\_

COUNTY USE ONLY

Case Number: \_\_\_\_\_ Companion Case Number: \_\_\_\_\_

Supervisory District: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

Applicable Zoning Ordinance: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Project Planner: \_\_\_\_\_ Accepted for Processing \_\_\_\_\_

Zoning Designation: \_\_\_\_\_ Comp. Plan Designation \_\_\_\_\_

For all questions below, attach additional sheets if necessary, referencing the section and question number. Please fill in every blank. Use "N/A" where question is not applicable.

**II. PROJECT DESCRIPTION:** Please use the space below or type on a separate sheet and attach to the front of your application a complete description of your request including the permit/decision requested, location, setting, and purpose of the project.

*EXAMPLE: We are requesting a major Conditional Use Permit for a church in the existing building at the corner of \_\_\_ and \_\_\_\_. The church would serve a congregation of \_\_\_\_, with services on \_\_\_ and \_\_\_\_, classes on \_\_\_ and \_\_\_ and would include a preschool which would operate on weekdays from 6:30 a.m. to 7:00 p.m. serving a maximum of 50 children ages \_\_\_ to \_\_\_\_. A playground is also proposed at the NE corner of the building site. No signs are proposed at this time. One tree will be removed at the SW corner to make room for improvements for parking. The parking area will consist of 100 spaces and will be screened with a landscaped berm. Include parking, grading, storm water drainage, trees fencing, walls, screening and any other details which help describe the project in full. If your project has the potential to impact storm water quality, describe measures that will be incorporated into the project description to minimize/eliminate the impacts.\**

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III. GRADING: Will there be any grading associated with the project? Y N

If yes, answer below. If no, go to ACCESS.

(NOTE: For proposed access drives over 15% grade, a clearance letter from the Fire Dept. will be required)

CUT \_\_\_\_\_ cubic yards AMOUNT TO BE EXPORTED \_\_\_\_\_ c.y.

FILL \_\_\_\_\_ c.y. AMOUNT TO BE IMPORTED \_\_\_\_\_ c.y.

MAXIMUM VERTICAL HEIGHT OF CUT SLOPES \_\_\_\_\_

MAXIMUM VERTICAL HEIGHT OF FILL SLOPES \_\_\_\_\_

MAXIMUM HEIGHT OF ANY PROPOSED RETAINING WALL(S) \_\_\_\_\_

TOTAL AREA DISTURBED BY GRADING (sq. ft. or acres) \_\_\_\_\_

What is the address of the pick-up/deposit site for any excess cut/fill?

\_\_\_\_\_

Specify the proposed truck haul route to/from this location.

\_\_\_\_\_

IV. ACCESS

A. Existing: Describe the existing access road(s) to the site. Include road widths, shoulders, and type of surface material.

\_\_\_\_\_

\_\_\_\_\_

B. Proposed: Describe any proposed access to the proposed building site(s). Include road width, shoulders, and type of surface material proposed.

\_\_\_\_\_

\_\_\_\_\_

C. Does property front on a public street? Y N

Is access to be taken from this public street? Y N

Name of Public Street

D. Describe any proposed street improvements including paving, curbs and gutters, sidewalks, street trees, street-name signs, stop signs, street lighting, bus stops and fire hydrants.

\_\_\_\_\_

\_\_\_\_\_

E. Will the proposed access utilize an easement across neighboring property? Y\* N

\*Submit documentation, which supports the applicant's use of this easement.

F. Describe proposed construction equipment access \_\_\_\_\_

\_\_\_\_\_

V. DEVELOPMENT AND USE

A. Existing: Describe the existing structures and/or improvements on the site.

<u>Units</u>	<u>Use</u>	<u>Size (sq ft)</u>	<u>Height</u>	<u>#</u>	<u>of</u>	<u>Dwelling</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

B. Proposed: Describe the proposed structures and/or improvements.

<u>Units</u>	<u>Use</u>	<u>Size (sq ft)</u>	<u>Height</u>	<u>#</u>	<u>of</u>	<u>Dwelling</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

C. Will any structures be demolished or removed? \_If so, please list them here as requested.

<u>Current Use</u>	<u>Historic Use</u>	<u>Age</u>	<u>Rental</u>	<u>Price</u>	<u>(if</u>	<u>rented)</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

D. Describe all other existing uses of the property.

\_\_\_\_\_  
\_\_\_\_\_

E. How will the project affect the existing uses of the property?

\_\_\_\_\_  
\_\_\_\_\_

F. Describe any other historic use(s) of the property. This may include agricultural (include crop type), commercial, or residential uses.

\_\_\_\_\_  
\_\_\_\_\_

G. Provide a short description of the land uses surrounding the site.

North \_\_\_\_\_

South \_\_\_\_\_

East \_\_\_\_\_

West \_\_\_\_\_

H. STATISTICS: Mark each section with either the information requested or "n/a" if not applicable.

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>TOTAL</u>
TOTAL BUILDING COVERAGE ON THE SITE, INCLUDING COVERED PARKING AND ACCESSORY STRUCTURES (sq. ft.)	_____	_____	_____
STRUCTURES (sq. ft.)	_____	_____	_____
ROADS/PARKING/WALKWAYS (sq. ft.)	_____	_____	_____
OPEN SPACE (sq. ft.)	_____	_____	_____
RECREATION (sq. ft.)	_____	_____	_____
LANDSCAPING (sq. ft.)	_____	_____	_____
UNPAVED TRAILS (sq. ft.)	_____	_____	_____
AGRICULTURAL LANDS (sq. ft.)	_____	_____	_____
POPULATION (#) (Employees/residents)	_____	_____	_____
DWELLING, HOTEL/MOTEL UNITS	_____	_____	_____
MAX HEIGHT OF STRUCTURES (ft.)	_____	_____	_____
WATER WELLS (#)	_____	_____	_____
SEPTIC SYSTEMS (#)	_____	_____	_____
PARKING (on-site)			
TOTAL # OF SPACES	_____	_____	_____
# OF COVERED SPACES	_____	_____	_____
# OF STANDARD SPACES	_____	_____	_____
SIZE OF STANDARD SPACES	_____	_____	_____
# OF HANDICAPPED SPACES	_____	_____	_____
<i>TOTAL AREA OF IMPERVIOUS SURFACES (SQ. FT. /ACRES)</i>	_____	_____	_____

Estimate the cost of development, excluding land costs. \_\_\_\_\_

**VI. SITE INFORMATION**

A. Is this property under an Agricultural Preserve Contract? Y N

B. Describe the soil characteristics.

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C. Describe any unstable soil areas on the site.

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D. Name and describe any year round or seasonal creeks, ponds, drainage courses or other water bodies. How runoff is currently conveyed from the site?

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E. Has there ever been flooding on the site? Y N

If yes, state the year and describe the effect on the project site.

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F. Describe any proposed drainage and/or flood control measures. How will storm water be conveyed across and from the site? Where will storm water discharge?

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G. Will the project require the removal of any trees? Y N

If so, please list them here as requested. Attach additional sheets as necessary.

<u>Type</u>	<u>Diameter (at 4' height)</u>	<u>Height</u>
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Explain why it is necessary to remove these trees.

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H. Describe the wildlife known to inhabit or frequent the site.

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I. Describe any noise sources that currently affect the site.

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J. Are there any recorded prehistoric or historic archaeological sites on the property or on neighboring parcels? Y N Unknown

If yes, describe. \_\_\_\_\_

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K. Describe all third party property interests (such as easements, leases, licenses, rights-of-way, fee ownerships or water sharing agreements) affecting the project site, provision of public utilities to the site or drainage off the site.

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L. Will any other agencies (such as CA Fish & Game, US Fish & Wildlife, Army Corp. of Engineers, Regional Water Quality Control Board) require permits for the project? If so, list them here.

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M. Have you incorporated any measures into your project to mitigate or reduce potential environmental impacts? If so, list them here. (Examples include tree preservation plans, creek restoration plans, and open space easements.)

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N. Describe measures that will be incorporated into the project design to address storm water quality (e.g., protect riparian corridors, reduce runoff, reduce directly connected impervious areas, eliminate pollutant sources, etc).\*

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\* Refer to Best Management Practices handbooks such as "Start at the Source" by Bay Area Stormwater Management Agencies Association, 1999 and on the Internet at [www.epa.gov/npdes/menuofbmps.htm](http://www.epa.gov/npdes/menuofbmps.htm).  
Updated by DE 041918

**VII. PARCEL VALIDITY**

P&D will not accept an application for development on vacant, unimproved property without clear evidence that the property is a separate legal lot. Acceptable evidence of a separate legal lot include any of the following which show the subject property in it's current configuration: a recorded Parcel or Final Map, a recorded Certificate of Compliance or Conditional Certificate of Compliance, an approved Lot Line Adjustment, a recorded Reversion to Acreage, a recorded Voluntary Merger or an approved Lot Split Plat.

A. Type of evidence provided to demonstrate a separate, legal lot:

\_\_\_\_\_

Copy of evidence attached:        Yes                        No

Reference number for evidence supplied:

B. Date current property owner acquired the property: \_\_\_\_\_

C. Date property was acquired in its present configuration: \_\_\_\_\_

D. Does the applicant own adjacent property?

Address(es): \_\_\_\_\_

E. Is this parcel part of property that the applicant previously subdivided?

Map Number: \_\_\_\_\_ Deed Number: \_\_\_\_\_

**VIII. PUBLIC/PRIVATE SERVICES**

A. WATER:

Existing:

1. If the property is currently served by a private well, submit the following for each well:

- a. Pumpage records (electrical meter or flow meter readings) for the past 10 years
- b. pump test data
- c. location of other wells within 500 feet
- d. water quality analysis
- e. drillers report (with construction details)
- f. copy of applicable well sharing agreement

2. Does the well serve other properties?   Y   N

If yes, address(es): \_\_\_\_\_

3. If the property is currently served by a private or public water district, submit the following:

a. Name: \_\_\_\_\_

b. District/Company meter records for the past 10 years.

Proposed:

4. Will the project require annexation to a public or private water company? Y N

If yes, name: \_\_\_\_\_

5. Is a well proposed? Y N If so, will it serve other properties? Y N

If yes, address(es): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

B. SEWAGE DISPOSAL:

1. Existing: Indicate if the property is currently served by the following:

Yes/No

a. septic system\* \_\_\_\_\_

b. drywell\* \_\_\_\_\_

c. public sewer district  
name: \_\_\_\_\_

\_\_\_\_\_ If yes,

\*Submit engineering details on septic tanks and dry wells, as well as calculations for leach field size, where applicable.

2. Proposed: Indicate what sewage disposal services are proposed as part of this project?

a. septic system\* \_\_\_\_\_

b. drywell\* \_\_\_\_\_

c. public sewer district \_\_\_\_\_

District Name: \_\_\_\_\_

\*Submit percolation tests and/or drywell performance tests as applicable.

3. Will the project require annexation to any public sewer district? Y N

Name: \_\_\_\_\_

C. FIRE PROTECTION

1. Is the project in a high fire hazard area? Circle one: Yes No

2. Fire protection is (will be) provided by the \_\_\_\_\_ Fire Department. (Montecito, Summerland, S.B. County)

3. Is there an existing water main infrastructure in the vicinity? Circle one: Yes No

4. How far away is the nearest standard fire hydrant? \_\_\_\_\_ feet.

5. If not, is a new fire hydrant proposed? Circle one: Yes No

6. If a new hydrant is proposed, what is the longest driving distance from the proposed hydrant to the proposed building(s)? \_\_\_\_\_ feet.

- 7. Will fire protection be provided by an on-site water storage tank? Circle one: Yes No  
 Tank capacity: \_\_\_\_\_ gallons
- 8. What is the driving distance from the water tank to the proposed structure(s)? \_\_\_\_\_ feet.
- 9. Is a fire sprinkler system proposed? Yes No Location \_\_\_\_\_
- 10. Describe the access for fire trucks. Include width and height clearance for access and surface material.  
 \_\_\_\_\_  
 \_\_\_\_\_
- 11. Will hazardous materials be stored or used? Y/N List any hazardous materials which may be used or stored on the site. \_\_\_\_\_

**D. UTILITIES:**

1. For each of the following service improvements note whether it currently exists on the project site or will be required to accommodate the proposed development:

	<u>Currently Exists</u>	<u>Required</u>
_____ Sewer	_____	_____
_____ Water meter	_____	_____
_____ Septic system	_____	_____
_____ Water well	_____	_____
_____ Power lines	_____	_____
_____ Water storage tanks (size: _____)	_____	_____
_____ Telephone lines	_____	_____
_____ Storm drains	_____	_____
_____ Other	_____	_____

(Note: Staff may require information regarding the location, depth, and width of trenching)

**E. SCHOOLS:** For projects within existing or proposed residential zone districts, provide the names of the elementary, high and unified school districts serving the project site.

Elementary: \_\_\_\_\_

High School: \_\_\_\_\_

Unified School: \_\_\_\_\_

**Please include any other information you feel is relevant to this application.**

**CERTIFICATION OF ACCURACY AND COMPLETENESS** Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

**Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.**

*I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.*

Print name and sign – Firm	Date
Print name and sign - Preparer of this form	Date
Print name and sign - Applicant	Date
Print name and sign - Agent	Date
Print name and sign - Landowner	Date

## SUPPLEMENTAL QUESTIONS FOR AN AGRICULTURAL PRESERVE CANCELLATION

In addition to the above requested information and the application form, please answer the following questions. Attach additional sheets if necessary.

1. Describe any contiguous properties owned by the applicant/agent/owner and any additionally proposed development plans: \_\_\_\_\_  
\_\_\_\_\_

2. Do you have any other application (e.g., subdivision) pending?  
(Circle) Yes No. If yes, give project name and case number.

a. Are you applying for full or partial cancellation of the Agricultural Preserve under Section 51282.3 of the Williamson Act, which states:

"The landowner may petition the board or council for cancellation of any contract if the board or council has determined that agricultural laborer housing is not a compatible use on the contracted lands. Such petition shall stipulate that the purpose of the cancellation is to allow the land to be used exclusively for agricultural laborer housing facilities and shall be deemed to be a petition for cancellation for a specified alternative use of the land. The petition shall be acted upon by the board or council in the manner prescribed in Section 51283.4."

(Circle) YES / NO

b. If no, you are not applying under § 51282.3, please specify your proposal for any other specified alternative use of the land currently held in agricultural preserve. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Project Location: Why is this the only desirable location for the proposed project? Include an explanation and detailed description of other sites that were reviewed, and why they are not considered adequate for the project. Please include the Assessor Parcel Numbers for the reviewed sites. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Please give a detailed description of how your project will benefit the community.  
\_\_\_\_\_  
\_\_\_\_\_