ORDINANCE NO. NS – 9.277

AN INTERIM ORDINANCE EXTENDING
THE EXPIRATION DATE OF CERTAIN BUILDING
SITE APPROVALS ON LAND COVERED
BY WILLIAMSON ACT CONTRACTS

Summary
This interim ordinance extends to a date certain
the expiration date of building site approvals
that expired or would expire between
August 1, 2005 and June 30, 2006 for
properties subject to Williamson Act contracts.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA
ORDAINS AS FOLLOWS:

SECTION 1. Background and Intent

In January 2002, the Board of Supervisors directed that a thorough review of the
County’s Williamson Act practices and procedures be placed on the Planning Office work plan
as a “high priority” item. This process has been more complex and taken significantly more time
than originally anticipated. The Board did not take final action on this issue until March 14,
2006.

While work on the County’s Williamson Act practices and procedures was underway,
several property owners with land under Williamson Act contract obtained building site approval
for their parcels. A condition of these site approvals requires the owner to demonstrate
compliance with their Williamson Act contract before they may obtain a building permit.

Section C12-319 of the County of Santa Clara Ordinance Code provides that a building
site approval expires after 24 months, with a possible extension of time not to exceed an
additional 2 years (4 years in total). Interim Ordinance No. NS-9.276 extended to June 30, 2006
the expiration date of building site approvals for which this 4-year period expired between
August 1, 2005 and December 31, 2005. When that ordinance was enacted, it was assumed the
Board would have concluded policy and ordinance changes associated with the Williamson
contracts prior to December 31, 2005.

This ordinance will allow affected property owners sufficient time to evaluate and take
needed actions related to their building site by extending to June 30, 2007 the expiration date of
building site approvals that have expired or will expire between August 1, 2005 and June 30,
2006.
SECTION 2. Extension of Time

(a) Extension of Approval Period in Section C12-319. The approval period for any building site approval issued pursuant to Section C12-300 et seq. of the County of Santa Clara Ordinance Code for property covered by a Land Conservation Contract issued pursuant to the Williamson Act and for which the initial 24-month approval period plus the 2-year extension of time (which was duly requested and approved pursuant to County of Santa Clara Ordinance Code §C12-319) expired or would expire between August 1, 2005 and June 30, 2006 is hereby extended to June 30, 2007. No further extensions of time beyond June 30, 2007 will be granted for these building site approvals.

(b) No Additional Fee or Application Required for Extension of Approval Period. The approval period extension authorized pursuant to Section 2(a) of this ordinance extension will take effect automatically. No application for extension must be submitted and no additional fee is required.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California on ____________ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________________________
James T. Beall, Jr., Chair
Board of Supervisors

ATTEST:

____________________________________
Phyllis A Perez
Clerk of the Board of Supervisors:

APPROVED AS TO FORM AND LEGALITY:

____________________________________
Lizanite Reynolds, Deputy County Counsel