



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: March 10, 2014
Board Meeting Date: March 25, 2014
Special Notice / Hearing: 10-Day Notice
Vote Required: Majority

To: Honorable Board of Supervisors

From: Jim Eggemeyer, Community Development Director

Subject: EXECUTIVE SUMMARY: Public hearing to consider whether the San Mateo County Williamson Act Program Rules and Procedures should be amended to establish timber harvesting as a use that qualifies a property for a Williamson Act contract

RECOMMENDATION:

- A) Receive staff's report and public comment regarding the timber harvest provisions of the County's Williamson Act Program Rules and Procedures.
- B) Adopt the Resolution directing the Planning and Building Department to work with owners of Williamson Act contracted lands that have valid timber harvest permits to determine if such lands qualify for rezoning to Timberland Preserve, and if so, waive the fees for processing such amendments.

BACKGROUND:

On October 22, 2013, the Board of Supervisors adopted a set of Uniform Rules and Procedures for implementing at the County level the State Conservation Act, commonly known as the Williamson Act. Testimony and correspondence received at that hearing raised issues and concerns regarding the application of these rules to timber harvesting activities. In response, the Board of Supervisors approved all elements of the Uniform Rules and Procedures, other than those relating to timber harvesting, and directed staff to report back on this matter.

Subsequently, on January 9, 2014, staff of the Planning and Building Department met with representatives of the timber industry, forest landowners, the Farm Bureau, and Cal-Fire. At this meeting, participants discussed whether the County should renew and continue to offer Williamson Act contracts for timber harvesting operations that occur within the Planned Agricultural and Resource Management Zoning Districts. The requirements to obtain such contracts, if offered, were also discussed. The results of

these discussions, and the additional research and analysis that followed this meeting are described below.

DISCUSSION:

The purpose of the County's updated Williamson Act program is to provide an incentive for owners of agricultural land to actually farm their land. While existing zoning regulations protect agricultural and environmental resources from incompatible uses or development, they do not require that farmland be used for agricultural purposes. Thus, the County's voluntary participation in the Williamson Act provides a means by which the County can support the local agricultural economy. Whether similar support is needed or appropriate for timber harvesting in areas of the County that are not zoned Timberland Preserve Zone (TPZ) has not been determined.

With this in mind, participants of the January 9, 2014 meeting discussed the option of rezoning contracted forestlands within the Planned Agricultural and Resource Management Districts (PAD and RM) to the Timberland Preserve Zone (TPZ) designation. There seemed to be agreement among the timber industry and Cal-Fire representatives that TPZ zoning was equal if not preferable to a Williamson Act contract in terms of property taxes and resource management. Participants therefore expressed support for this approach if the County were to cover the costs of the rezoning.

Based on research conducted by staff after this meeting, there are two parcels with the PAD and RM Zoning Districts that have active Williamson Act contracts and are being harvested pursuant to a Timber Harvest Plan or Non-Industrial Timber Management Plan. Pursuing a rezoning for these parcels to the Timberland Preserve Zone (TPZ) designation provides an appropriate means by which the County can resolve the concerns expressed during the October 22, 2013 Board of Supervisors hearing.

It is therefore recommended that the Board of Supervisors adopt said Resolution directing staff to work with owners of Williamson Act contracted lands that have valid timber harvest permits to determine if such lands qualify for rezoning to Timberland Preserve, and if so, waive the fees for processing applications for such amendments. In the event that the owners of non-contracted lands within the PAD and RM Zoning Districts want to apply for a rezoning to TPZ in the future, such proposals will be subject to the processing fees in place at that time.

County Counsel has reviewed and approved the Resolution as to form.

Implementation of an updated Williamson Act Program contributes to the 2025 Shared Vision outcome of a Livable Community by ensuring that the use and development of land encumbered by Land Conservation Contracts are compliant with County and State requirements.

FISCAL IMPACT:

Adoption of the Resolution will require the Planning and Building Department to determine whether the above-identified parcels are eligible to be rezoned to TPZ, and if

so, to cover the processing costs of such a rezoning, which would typically be subject to an application fee of approximately \$35,000. The property tax implications of such a rezoning would need to be determined by the Assessor.