



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: March 24, 2016
Board Meeting Date: April 12, 2016
Special Notice / Hearing: 10-Day Notice
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: Public hearing to consider: (1) a General Plan Map Amendment changing the land use designation of one parcel from Open Space to Timber Production; (2) a Zoning Map Amendment to rezone same parcel from Resource Management (RM) to Timberland Preserve Zone (TPZ); and (3) Williamson Act contract non-renewal.

RECOMMENDATION:

1. Adopt a Resolution amending the San Mateo County General Plan Land Use Map to change the land use of one parcel from "Open Space" to "Timber Production" in the unincorporated South Skyline area.
2. Adopt an Ordinance amending Chapter 2 of Division VI of the San Mateo County Ordinance Code (Zoning Annex) to revise the Zoning Maps, Appendix A, to change the zoning of one parcel from "Resource Management" (RM) to "Timberland Preserve Zone" (TPZ) in the unincorporated South Skyline area.
3. Adopt a Resolution authorizing the Planning and Building Department to file a Notice of Non-Renewal of California Land Conservation Contract pursuant to the California Land Conservation Act of 1965 (Williamson Act) for the identified parcel.

BACKGROUND:

During the County's Williamson Act Program Uniform Rules and Procedures (Program) update, the Board of Supervisors (Board), at its March 25, 2014 public hearing, considered the inclusion of timber harvesting as a qualifying Williamson Act agricultural use. After considering public testimony and staff's analysis, a decision was reached to exclude timber harvesting from the Program as an agricultural use, though it remains a compatible use.

As a result of this action, two parcels used for timber harvesting became ineligible to remain under Williamson Act contracts since no other qualifying agricultural use is

present on the properties. In recognition that this would necessitate non-renewal of the contracts and a subsequent increase in property taxes, it was observed that the landowners have the option of applying to rezone the parcels from Resource Management to Timberland Preserve Zone and, if approved, would result in a property tax formula that is similar to the method used for Williamson Act contracted lands.

To date, the applicant is the only landowner that has requested to rezone a parcel from "Resource Management" to "Timberland Preserve Zone," and re-designate the land use from "Open Space" to "Timber Production" as a result of the updates to the County's Williamson Act Program.

DISCUSSION:

Staff's research of the land use activities on the Stoddard property has identified a 1972 timber harvesting permit and a 2010 Non-Industrial Timber Management Plan (though withdrawn), and also notes harvesting prior to the 1930s. The landowner has indicated a continued interest in timber harvesting and has signed a contract for future timber harvesting with a local timber operator in anticipation of a future timber harvest plan submittal.

The rezone is consistent with Rural Land Use Policies of the General Plan, which encourage existing and potential timber production land uses, and the Zoning Regulation submittal requirements of the Timberland Preserve Zone District in that the required Timber Management Plan was prepared and submitted in accordance with Chapters 34, 34A, and 34B of the Zoning Regulations.

The proposed Williamson Act contract non-renewal is consistent with the California Land Conservation Act of 1965 which requires the County to serve a notice of its intent to not renew contracts for lands zoned timberland production (Government Code Section 51246(b)).

The Planning Commission at its January 13, 2016 public hearing recommended approval of the General Plan and Zoning amendments.

Environmental Review: California Environmental Quality Act (CEQA) statutory exemption Section 15264 *Timberland Preserves for rezoning*; Williamson Act contract non-renewal not subject to CEQA under Section 15061(b)(3).

County Counsel has reviewed and approved the Resolutions and Ordinance as to form.

Approval of the rezoning contributes to the 2025 Shared Vision outcome of a Livable Community because the proposal is consistent with the County's land use regulations and encourages the protection and potential best use of forestry resources within the County.

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FISCAL IMPACT:

The economic effect of exiting the Williamson Act Program and rezoning to Timberland Preserve Zone, as assessed by the Assessor's Office, is comparable to the current property tax benefit of the Williamson Act contracted Resource Management designated parcel.