



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: September 22, 2015
Board Meeting Date: October 6, 2015
Special Notice / Hearing: 10-Day Notice
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: EXECUTIVE SUMMARY: County-Initiated Notice of Non-Renewal of California Land Conservation Contracts

RECOMMENDATION:

Adopt a resolution authorizing the Planning and Building Department to file a Notice of Non-Renewal of California Land Conservation Contracts (En Masse) pursuant to the San Mateo County Land Conservation (Williamson) Act Uniform Rules and Procedures for the identified non-compliant parcels.

BACKGROUND:

In 2013, the Board of Supervisors adopted the San Mateo County Land Conservation (Williamson) Act Uniform Rules and Procedures (Program) under which the Department administers the Program and performs audits to ensure contract compliance. Program compliance requires ongoing commercial agriculture and allows agriculturally compatible uses (e.g., single-family residences) to a limited extent on contracted lands.

In July of 2015, the Department received the Assessor's Office annual Agricultural Preserve Questionnaire data for contract compliance review. Department staff has reviewed the data and has identified non-compliant parcels based on non-submittal of the most recent Questionnaire to the Assessor's Office. On July 31, 2015 and August 28, 2015, staff mailed letters to the affected landowners to provide them with additional opportunities to submit the Questionnaire and to inform them of the County's intent to record a notice of non-renewal for the contracted parcels.

DISCUSSION:

The Department has identified 46 contracted parcels where landowners (1) have not submitted the Assessor's Office Questionnaire necessary to evaluate agricultural uses and (2) have been unresponsive to the Department's requests to submit said Questionnaire. As a result, the Department has determined that these parcels are not compliant with the Program. Where lands were known by staff to have been farmed

and where staff had contact information, staff reached out by email or phone to these landowners to verify Questionnaire non-submittal. In these cases, landowners stated that the Questionnaires were not returned because they intended that their contracts not be renewed.

Should the Board authorize the non-renewals, the Planning and Building Department will file a Notice of Non-Renewal of California Land Conservation Contracts (en masse non-renewal) with the Assessor's Office. The recordation will trigger property tax reassessment of the affected parcels and a nine-year contract phase out period will commence.

Landowners may choose to file a written protest of the County-initiated non-renewal which will effectively stay the increase in property tax assessment for up to three years, by which time the written protest must be resolved. During this time, the landowner must substantiate compliance with the Williamson Act in order to remain under contract. If sufficient evidence is submitted, the County may rescind the notice of non-renewal.

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

Non-renewal of the identified non-compliant parcels contributes to the 2025 Shared Vision outcome of a Livable Community by assuring Land Conservation Contracts and development are not in conflict.

FISCAL IMPACT:

Costs associated with processing the non-renewals include staff time, which, over time, will be offset by the increase in property tax reassessment of those parcels exiting the Williamson Act Program.