



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Planning and Building



**Date:** October 11, 2013  
**Board Meeting Date:** October 22, 2013  
**Special Notice / Hearing:** 10-Day Notice  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Jim Eggemeyer, Community Development Director

**Subject:** EXECUTIVE SUMMARY: San Mateo County Land Conservation Act (Williamson Act) Uniform Rules and Procedures

**RECOMMENDATION:**

Adopt a Resolution adopting the San Mateo County Land Conservation Act (Williamson Act) Uniform Rules and Procedures.

**BACKGROUND:**

In 2007, the California Department of Conservation (DOC) conducted a statewide audit of counties with Williamson Act contracts. In reviewing San Mateo County, the DOC informed the County that it must update its Williamson Act implementation.

In response to the audit, the Planning and Building Department (Department) developed a multi-step plan to address the audit findings, which included a full compliance review of existing contracts and an update to the County's rules and procedures for implementing the Williamson Act.

Since the audit, the Department has continued to update the draft Uniform Rules and Procedures (Program) through collaboration with the Agricultural Advisory Committee's Williamson Act Subcommittee. Recommendations and suggestions from community members, the Department of Conservation, the San Mateo County Farm Bureau, the Agricultural Commissioner, and the Assessor's Office, as well as comments received at the November 2012 Board of Supervisors Study Session and the May 2013 Williamson Act Public Workshop, have been incorporated into the draft Rules and Procedures.

**DISCUSSION:**

During its Study Session in November 2012, the Board directed staff to accomplish four tasks, including (1) researching horse stabling/boarding as a qualifying agricultural use, (2) providing maps of private and public contracted and non-contracted lands, (3) considering revisions to the Program's Determination of Compatibility Exceptions,

and (4) coordinating with the Assessor's Office to provide landowners a document for estimating property taxes for future contract non-renewals. The Department has completed the above items and with the assistance of the Assessor's Office has drafted the attached document for landowners to estimate the effects of contract non-renewal on property taxes.

In May 2013, the Department held a public workshop inviting interested parties of eligible lands to provide recommendations on the draft Program. Staff answered general questions from the audience during the workshop and requested modifications were gathered and considered by the Williamson Act Subcommittee, the Department and the Agricultural Advisory Committee and subsequently were incorporated into the draft Program.

Should the Board adopt the draft Uniform Rules and Procedures, the Department will then conduct a second review of the remaining contracted parcels for compliance with the draft Program. Non-compliant parcels will be submitted to the Board for non-renewal of the Williamson Act contracts for those lands. The Department will then continue compliance reviews of 20% of contracts each year thereafter.

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

Adoption and 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:**

The cost of County participation in the Williamson Act program includes the allocation of limited staff resources for administering and updating the program, and a reduction in the amount of property taxes received from contracted lands. The estimated cost of staff time spent on the program exceeds \$140,000 since the State's audit of the County's program in 2007. The County, upon application to the State, may be eligible to receive subvention payments to offset the loss of tax revenues administering parcels under contract, if subvention funds are contained in the State budget and made available to participating local governments by the Department of Conservation, which has varied from year to year. The County has not received any subvention payments since 2006 (last payment received totaled \$57,909). The proposed update to the County's rules and procedures, along with the improvements that have been made to the way in which the County tracks and maintains relevant data, will make the County eligible for subvention payments if such funds are made available.