

How to Apply for an Agricultural Preserve Contract

What is an agricultural preserve?



An agricultural preserve is privately held land that the owner has agreed to devote solely to permitted agricultural and other compatible uses. The agreement is in the form of a Land Conservation Contract, known as a Williamson Act Contract, which the owner signs with the County.

Why does the County have agricultural preserves?

Agricultural preserves help to protect prime agricultural soils and preserve open space.

Why is it beneficial to a landowner to enter into a Williamson Act Contract?

There can be a significant property tax advantage. Land under a Williamson Act Contract will be assessed according to its agricultural or open space productivity rather than its market value. This reduced assessment will apply to all land under the contract except any portion used for residential purposes and any improvements on that portion.

How do I determine the specific effect a Williamson Act Contract will have on my assessment?

Contact the County Assessor's Office. If you submit an application, the Assessor's staff will perform an analysis.

How can agricultural preserve land be used?

Agricultural uses include:

- ✓ The production of any agricultural commodity, plant or animal, for commercial use
- ✓ Land dedicated to a scenic highway corridor, wildlife habitat, salt pond, managed wetland, submerged area, open space, or recreational use.

Compatible uses include:

- ✓ Single-family homes, home occupations, accessory buildings, and other uses normally accompanying residential dwellings
- ✓ Accessory buildings and uses normally accompanying permitted nonresidential uses in the RM zone.

The Planning staff can explain other commercial uses such as riding academies, kennels, and camping, as well as agricultural uses.

What kind of land qualifies for a contract?

There are two types of contracts: Class A and Class B.

Class A Contract land must be:

- ✓ Within 2 miles of an area designated by the County General Plan for urbanization or for a rural service area, and which contains at least 50% prime soils.
- ✓ At least 40 acres in size, or be at least 5 acres in size and have either exceptionally high open space value or be dedicated to intensive agricultural use.

Class B Contract land must be:

- ✓ At least 100 acres in size, or
- ✓ At least 40 acres in size if the land is contiguous to an existing agricultural preserve.

For how long am I obligated to the contract?



The initial term is 10 years. Each year on the anniversary of its signing, the contract is automatically extended for an additional year.

Suppose I don't want to extend the contract. What can I do?

Give the County written notice of nonrenewal 90 days prior to the anniversary. The contract will then expire 9 years from your anniversary date.

Can I get out of my contract any sooner than 9 years?

If you have a Class A contract, you can apply to have the Board of Supervisors cancel it immediately. Under certain conditions, they will do so.

Class B contracts cannot be canceled. If you wish to terminate a Class B contract, you must file a notice of nonrenewal and then wait 9 years.

Are there cancellation penalties?



There is a cancellation fee of 12.5% of the property's fair market value.

Are there nonrenewal penalties?

No.

How do I apply for a Williamson Act Contract?



Submit an application to Planning. Applications are considered once each year. The annual filing deadline is November 1.

Who will consider my application?

Planning staff will review the application and then refer it to the State Department of Fish and Game, the County Agricultural Advisory Committee, the Assessor's Office, and your school district. The Planning Commission will hold public hearings and make a recommendation to the Board of Supervisors, which will also hold public hearings and make the final decision.

What fees must I pay?

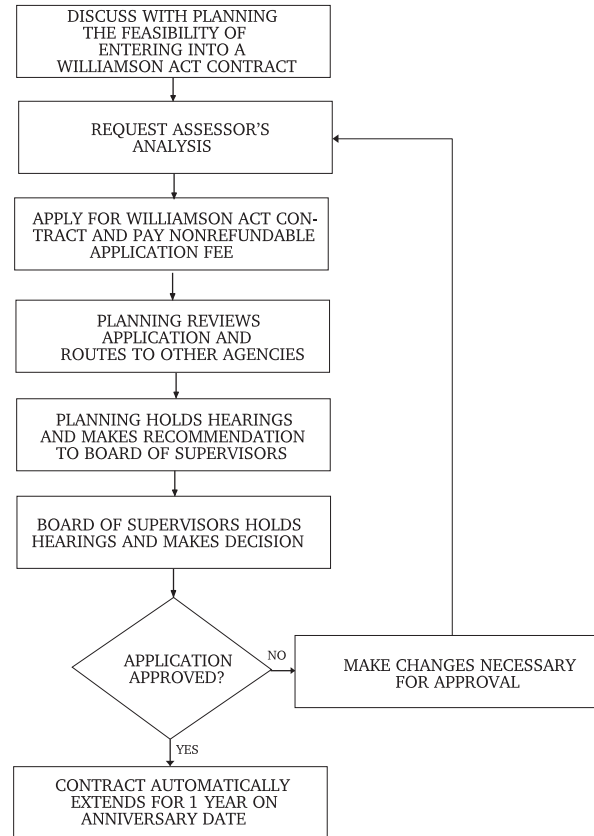


You must pay a flat nonrefundable application fee.

Are there other matters that I should consider?

Yes, there are. A booklet entitled *The Williamson Act: Agriculture and Open Space Preservation* contains a much more detailed description. You can get this booklet free of charge from the Planning counter.

Agricultural Preserve Contract Application Process



San Mateo County
Planning and Building Division

How to Apply for an Agricultural Preserve Contract

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