



Williamson Act Fact Sheet

Guideline for Commercial Agricultural Use

- Contracted land must be devoted to commercial agriculture; compatible uses allowed if land is devoted to agriculture
- State law presumes prime land can sustain commercial agriculture if at least 10 acres, or 40 acres if non-prime land. Staff recommends that new contracts meet these minimum sizes.
- Prime/Non-prime land designation is based upon soil resource quality
- Property is assessed at the lower of its (i) current market value, (ii) Williamson Act value for agricultural use, or (iii) Proposition 13 value
- Residences and other compatible uses are assessed at normal values (lower of current market value or Prop. 13 value)
- Contracts last for 10 years. Contracts may only be terminated through non-renewal (9-year phase out) or cancellation (strict findings, high fee).

Agricultural Preserve Map

- Preserves are at least 100 contiguous acres
- 10 Preserves are proposed (1 large, 9 small)
- Zoning: AR, A, HS, and some RR parcels
- No harm to owners in Preserve that are not under contract

Guideline for Commercial Agricultural Use

- Agricultural commodities are unprocessed products of farms, ranches and production nurseries
- Contracted land must be devoted to the commercial production of agricultural commodities
- Horse-related uses may be compatible (but not primary use of the property)
- Evaluation criteria focus on four elements:
 1. Parcel Size
 2. % Coverage
 3. Income
 4. History

- State law presumes the minimum size needed to sustain an agricultural use is 10 acres prime land / 40 acres non-prime land (“Standard Parcels”)

Standard Parcels (Prime and Non-Prime)

- At least 60% of property used for commercial agriculture
- No minimum revenue requirement, but farm revenue in 3 of last 5 years must be validated by affidavit and substantiated with verifiable documents (i.e. tax records)

Substandard Prime Land

- At least 75% of property used for commercial agriculture
- At least \$3,500 annual gross revenue in 3 of last 5 years

Substandard Non-Prime Land

- At least 75% of property used for commercial agriculture
- At least \$2,000 annual gross revenue in 3 of last 5 years

All Parcels – Income Option

- Prime Land -- At least \$1,000 in annual gross revenue per acre (based on total parcel acreage) **or** \$10,000, whichever is **greater**
- Non-prime Land -- At least \$250 in annual gross revenue per acre (based on total parcel acreage) **or** \$10,000, whichever is **greater**
- For compatible use development, at least 50% of property must be used for commercial agriculture

Guideline for Compatible Use

- Land proposed for development must be devoted to commercial agriculture
- Development must be both “compatible” and “incidental” to the agricultural use of the property; commercial agriculture must continue to be the primary use of the property
- Compatible uses are limited to 10% of the parcel, not to exceed 5 acres
- Compatible uses must comply with siting criteria (minimal grading, clustering, etc.)
- Properties using the “Income Option” must use at least 50% of the parcel for commercial agriculture
- Development restrictions apply during contract non-renewal

Non-Renewal Procedures for Substandard Parcels

- All substandard parcels will be non-renewed in 2006 (will take effect in 2007)
- Owner has 60 days to protest notice of non-renewal. County will withdraw notice if owner demonstrates land has commercial agriculture.
- During 9-year phase out, Act restrictions continue
- Substandard parcels used collectively for commercial agriculture may remain under contract if owners sign and record a joint management agreement
- Property taxes increase during non-renewal period in accordance with a formula established by State law
- Tax increases may be delayed for first 4 years if owner protests non-renewal

Open Space Easements

- State law allows owner to exchange Williamson Act contract for an Open Space Easement
- Definition of “open space” is very broad
- Land must be at least 5 acres and meet other findings. *Public access is not required.*
- Easement must last at least 15 years and automatically renews for an additional year unless non-renewed
- Three levels of easements proposed (at owner's option):
 1. No development
 2. Development restricted to 1,000 sq. ft. residence; no secondary dwellings
 3. Development restricted to 5% of property, not to exceed 5 acres
- Tax benefit depends on how easement affects property value
- Williamson Act properties with no agriculture may qualify to transfer into Open Space and construct a residence