

Attachment F

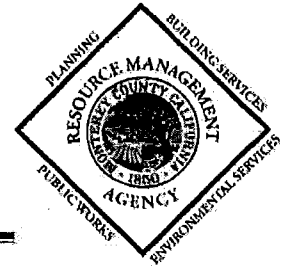
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ATTACHMENT E.

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director

John Guertin, Acting Deputy Director



Daniel Dobrilovic, Acting Building Official

Michael Novo, AICP, Director of Planning

Robert K. Murdoch, P.E., Director of Public Works

168 W. Alisal Street, 2nd Floor
Salinas, CA 93901
www.co.monterey.ca.us/rma

MEMORANDUM

Date: October 14, 2015

To: Agricultural Advisory Committee Members

From: Steve Mason, Associate Planner *SM*

Subject: Williamson Act 2016 Applications – October 22, 2015 Agenda Item

Each calendar year, the Board of Supervisors must consider Williamson Act Agricultural Preserve (AgP) and Farmland Security Zone (FSZ) contract applications pursuant to the Land Conservation Act of 1965. Property under these contracts (20-year revolving term) may receive a lower assessed tax valuation if the property owner agrees to restrict their lands to commercial agricultural activity, and a limited number of "compatible uses." This year, a total of twelve (12) applications will be considered. Board action is required to establish AgP and FSZ status for those selected applications if the subject property meets the criteria found under Board Resolution No. 01-485, as amended by Board Resolution No. 03-383 (Procedures for Agricultural Preserves) and Board Resolution No. 01-486 (Procedure for the Creation of Farmland Security Zones and Contracts).

Satellite photo maps of the applications are attached. The Agricultural Preserve Review Committee (APRC), comprised of representatives from the Planning Department, Office of the County Counsel, Assessor's Office and Ag Commissioner's Office, have reviewed all of the applications and will be recommending "approval" to the Board of Supervisors, with the following exceptions:

FSZ Application No. 2016-001:

Owner/Applicant, Linda DeSantiago, 170 acres, Foothill Road, Soledad. This application was continued from last year's round of applications for 2015. Condition Compliance for the approved Minor Subdivision per Planning File No. PLN 030214 must be finalized prior to processing the subject application. As currently configured, the subject property does not meet the requirement that FSZs consist of predominantly (over 50%) prime agricultural land as defined in Government Code Section 51201 (c). The subject property is currently within an existing Agricultural Preserve and Land Conservation Contract No. 73-014. Staff recommends a continuance to the 2017 round of applications.

Ag P Application No. 2016-002: Owner/Applicant, Ben Work et al, 594.75 acres, +/- 60 parcels, South County location. Application No. 2016-002 is incomplete; it is missing the required title company lot book report and legible, recordable, legal descriptions. Staff is not able to verify property ownership interests, nor the subject of the application. Contracts cannot be prepared without ownership information and legal descriptions. Staff recommends a continuance to the 2017 round of applications.

FSZ Application No. 2016-006:

Hitchcock Children's Trust #1, UTA dated January 11, 2011, David and Susan Gill Family Trust UTA dated January 26, 1983, 571.28 acres, South Soledad. The subject property is currently within an existing Agricultural Preserve, Land Conservation Contract No. 2014-003. The subject parcels are not predominantly prime (over 50%) agricultural land as defined in Government Code Section 51201(c), or designated on the Important Farmland Series maps, prepared pursuant to Government Code Section 65570 as predominantly one or more of the following: (1) prime farmland; (2) farmland of statewide significance; (3) unique farmland; (4) farmland of local importance, as required to establish a Farmland Security Zone Contract (See item 11. e. Prime Agricultural Land, Board Resolution No. 01-486). Staff recommends "denial" because the subject property is not predominantly prime agricultural land as defined in the Williamson Act and as required per Board Resolution No. 01-486.

FSZ Application No. 2016-011:

Anstalt Ariach LTD, 93.77 acre parcel, located at Blanco Road, Salinas. The subject parcel is next to an existing Agricultural Preserve (Land Conservation Contract No. 95-004) which is under separate ownership. The property is within one (1) mile of the City of Salinas. Therefore, the City must be notified of the pending application. Establishment of an FSZ for the subject parcel would offer protection from annexation of land designated as an FSZ to a City (Government Code Section 51296.3), or Special District (Government Code Section 51296.4). In addition, establishment of an FSZ would prohibit a school district from rendering a County Zoning Ordinance inapplicable to the use of land by said School District (Government Code Section 51296.5).

Board Resolution No. 01-486 provides that applications for an FSZ will not be considered unless the parcel or group of contiguous parcels to be included contains 100 or more acres. However, the Board will consider creating FSZs of less than 100 acres, but of 40 or more acres if it finds that smaller FSZs are necessary due to unique characteristics of the agricultural enterprises in the area and the establishment of FSZs of less than 100 acres is consistent with the general plan of the County. The subject property is zoned "Farming/40-acre minimum", and is within the Greater Salinas Area Plan. (See item 11.c. Minimum size and gross income, Board Resolution No. 01-486). The subject property, consisting of 93.77 acres, is less than 100 acres, but over 40 acres. The subject parcel falls short of the 100 acre minimum requirement by 6.23 acres. Staff is not able to recommend approval due to the minimum 100 acre requirement and; therefore, must defer to the Board of Supervisors. Consistent with Agricultural Advisory Committee (AAC) Bylaws, APRC Staff seeks a recommendation from the AAC to forward to the Board of Supervisors.

The APRC will be presenting the applications for your review and recommendation at the October 22, 2015 AAC meeting.

Attachments:

County-Wide and Individual Application Satellite Photo Maps

Board Resolution No. 03-383 -- Amending Procedure of Agricultural Preserves
Board Resolution No. 01-486 -- Amending Procedure for the Creation of FSZs and Contracts

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

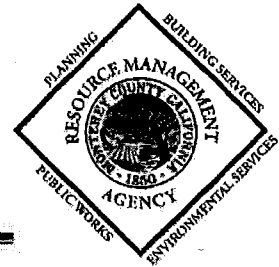
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MEMORANDUM

Date: October 19, 2015

To: Agricultural Advisory Committee Members

From: Steve Mason, Associate Planner *J.M.*

Subject: Addendum - Williamson Act 2016 Applications – October 22, 2015 Agenda Item

This memo provides supplemental information to the memo which was sent on October 14, regarding the 2016 Williamson Act applications to be reviewed at the October 22 AAC meeting.

A Williamson Act Land Conservation Contract is an agreement between a property owner and the County whereby the landowner may receive a reduced property tax assessment by agreeing that their property is to be utilized solely for commercial agricultural production and a limited number of "compatible uses". Williamson Act Contracts provide for a ten (10) or twenty-year term which renews every January 1 to add one (1) additional year to the term unless notice of non-renewal is provided. For County Initiated Notices of Non-Renewal, the County is required to provide a sixty (60) day notice, and to record said notice in advance of the January 1 tax lien date and automatic renewal date.

An Application to Create a Farmland Security Zone and enter into an FSZ Contract must meet the requirements of California Government Code Section 51296 et. seq. (Farmland Security Zones) and Board Resolution No. 01-486. Government Code Section 51296.8 requires that Farmland Security Zones shall only apply to land that is designated on the Important Farmland Series maps, prepared pursuant to Government Code Section 65570, as predominately one or more of the following. Contracted areas must also be of at least 100 acres in size, although contracts of 40 acres or larger may be considered by the Board of Supervisors for inclusion in the event that they meet the following criteria:

- (a) Prime Farmland [or producing unprocessed agricultural plant production of not less than \$200 per acre pursuant to Government Code Section 51201 (c) (4)].
- (b) Farmland of statewide significance.
- (c) Unique Farmland.

(d) Farmland of local importance

The property in each of the applications must meet the minimum gross income requirement of not less than \$8,000 from the production of animals and/or unprocessed agricultural plant products during three of the last five years, or in the case of recently improved lands, the subject property has the potential during the next succeeding year of producing a gross income of \$8,000 from the production of animals and/or unprocessed agricultural plant products.

The attached spreadsheet explains the current status of all of the 2016 applications. Four of the applications which are recommended for either continuance or denial were outlined in the 10/14 memo.

Please feel free to contact me at any time in advance of the October 22, 2015 AAC meeting if you have any questions ((831) 755-5228 – masons@co.monterey.ca.us)

Attachments:

2016 Application Matrix

2016 WILLIAMSON ACT APPLICATIONS FOR CONSIDERATION

App. No.	Planning Area(s)	Applicant	AgP Acreage (approx.)	FSZ Acreage (approx.)	APN(s)	APRC* Recommendations to Board of Supervisors
16-001	Central Salinas Valley	Linda S. DeSantiago Living Trust		101	165-101-006	Continue to 2017 - Lot Line Adjustment must be completed to create compatible parcels
16-002	South County	Ben Work, et al	618		424-161-020 424-181-022 424-181-002	Continue to 2017 - Applicant-provided ownership information and legal descriptions require extensive clarification
16-003	Central Salinas Valley	Romie Family LP		440	145-011-028 269-012-001	Recommend Approval
16-004	South County	Orradre Ranch LP	904		422-161-061 422-161-043 422-161-053	Recommend Approval
16-005	Toro	Nancy V. Larson & Alice M. Kerbo		185	139-101-002 139-081-004 139-081-002	Recommend Approval
16-006	Central Salinas Valley	Hitchcock Children's Trust		583	183-011-014 257-101-014	Recommend Denial: Properties are not predominantly (50%+) prime according to State Fairland Mapping and Monitoring Program (FMMP) data
16-007	Greater Salinas	Espinosa Road Salinas LP, c/o Joseph Van Wingerden		338	253-012-053	Recommend Approval
16-008	Greater Salinas	D'Arrigo Bros.		30	414-013-002	Recommend Approval: Acreage to be added to contiguous FSZ contracted land also owned by D'Arrigo
16-009	Central Salinas Valley	D'Arrigo Bros.		311	257-081-036 257-081-039	Recommend Approval
16-010	Central Salinas Valley/South County	Dalke Family Trust; Tracy G. Foree & Nickolas Foree & Tim Hearne	1,141		420-121-017 420-121-018 420-121-040	Recommend Approval
16-011	Greater Salinas	Araich Limited, S.A. f.n.a. Araich Anstalt, LTD		94	207-021-003	Defer to Board of Supervisors: 94-acre stand-alone parcel (100 acre minimum)
16-012	Central Salinas Valley	Araich Limited, S.A. f.n.a. Araich Anstalt, LTD		156	269-061-005	Recommend Approval