



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	18-1070	Name:	2019 Williamson Act Applications (REF180014)
Type:	General Agenda Item	Status:	RMA Land Use - Consent
File created:	10/18/2018	In control:	Board of Supervisors
On agenda:	11/6/2018	Final action:	
Title:	<p>a. Set a public hearing for December 4, 2018 to consider twelve (12) 2019 Williamson Act Applications (REF180014):</p> <ol style="list-style-type: none">1. No. 2019-001 (AgP)- Sanders Family Vineyard, LLC; APN 422-081-0642. No. 2019-002 (FSZ)- Michael G. & Vicki L. Reed, Cotrustees of the MV Reed Revocable Living Trust; Philip Reed, Trustee; Amelia M. Reed Irrevocable Trust; Kenneth Reed; James Reed; Kevin Reed; APNs 221-021-005 and 221-021-0063. No. 2019-003 (FSZ)- Craig D. McPherson and Jennifer L. McPherson, Trustees of the McPherson Family Trust dated July 19, 2013, as Craig McPherson's sole and separate property, an undivided fifty percent (50%); and Heather M. Washington, Trustee of the Heather M. Washington Separate Property Trust dated February 29, 2016, and undivided fifty percent (50%); APNs 137-091-002; 137-091-003; and 137-091-0044. No. 2019-004 (FSZ)- Craig D. McPherson and Jennifer L. McPherson, Trustees of the McPherson Family Trust dated July 19, 2013, as Craig McPherson's sole and separate property, an undivided fifty percent (50%); and Heather M. Washington, Trustee of the Heather M. Washington Separate Property Trust dated February 29, 2016, and undivided fifty percent (50%) APNs 137-051-006 and 137-081-0015. No. 2019-005 (FSZ)- Wilder Ranch LLC, a California limited liability company (undivided ½ interest); and Wilder Sly Ranch LLC (undivided ½ interest); APN 227-051-0046. No. 2019-006 (FSZ)- aka Fairview Road Ranch; Andrew P. Gilmour; Maureen G. Cook; J. Link Leavens; and Leslie A. Leavens; APN 216-022-0027. No. 2019-007 (FSZ)- Lawrence Abram, Trustee of the Abram Family Trust dated February 24, 1983; Lawrence Abram, Trustee of the Abram Family Trust u/t/a dated June 28, 1993; Lawrence Abram, Trustee of the Bypass Trust Under the Abram Family Trust u/t/a dated May 7, 1982; Lori Abram, Trustee of the 2007 Lori A. Abram Irrevocable Trust dated September 2, 2007; APN 137-051-0098. No. 2019-008 (FSZ)- Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and 117-411-024 (Continued FSZ Application No. 2018-001)9. No. 2019-009 (FSZ)- Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2018-006)10. No. 2019-010 (AgP)- George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-001; 424-181-002; and 424-181-022 (Continued AgP Application No. 2018-007)11. No. 2019-011 (FSZ)- Ag Land Trust Inc.; APN 253-014-00312. No. 2019-012 (AgP)- Assellus Monterey II LLC; APNs 422-121-004; 422-121-005; and 422-121-032 <p>b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 4, 2018 at 10:30 a.m. to consider the 2019 applications, including three (3) continued applications, to create nine (9) Farmland Security Zones ("FSZ") and FSZ Contracts and establish three (3) Agricultural Preserves ("AgP") and Land Conservation Contracts.</p>		

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Board Report, 2. Attachment A - Notice of Hearing for December 4, 2018, 3. Attachment B - Board Resolution No. 01-485, as amended by Board Resolution No. 03-383, 4. Attachment C - Board

Resolution No. 01-486, 5. Attachment D - 2019 Application Matrix, 6. Attachment E - County-wide Map - 2019 Williamson Act Applications, 7. 55. Completed Board Order, 8. 55. Revised Board Order

Date	Ver.	Action By	Action	Result
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a. Set a public hearing for December 4, 2018 to consider twelve (12) 2019 Williamson Act Applications (REF180014):

1. **No. 2019-001 (AgP)**- Sanders Family Vineyard, LLC; APN 422-081-064
 2. **No. 2019-002 (FSZ)**- Michael G. & Vicki L. Reed, Cotrustees of the MV Reed Revocable Living Trust; Philip Reed, Trustee; Amelia M. Reed Irrevocable Trust; Kenneth Reed; James Reed; Kevin Reed; APNs 221-021-005 and 221-021-006
 3. **No. 2019-003 (FSZ)**- Craig D. McPherson and Jennifer L. McPherson, Trustees of the McPherson Family Trust dated July 19, 2013, as Craig McPherson's sole and separate property, an undivided fifty percent (50%); and Heather M. Washington, Trustee of the Heather M. Washington Separate Property Trust dated February 29, 2016, and undivided fifty percent (50%); APNs 137-091-002; 137-091-003; and 137-091-004
 4. **No. 2019-004 (FSZ)**- Craig D. McPherson and Jennifer L. McPherson, Trustees of the McPherson Family Trust dated July 19, 2013, as Craig McPherson's sole and separate property, an undivided fifty percent (50%); and Heather M. Washington, Trustee of the Heather M. Washington Separate Property Trust dated February 29, 2016, and undivided fifty percent (50%) APNs 137-051-006 and 137-081-001
 5. **No. 2019-005 (FSZ)**- Wilder Ranch LLC, a California limited liability company (undivided ½ interest); and Wilder Sly Ranch LLC (undivided ½ interest); APN 227-051-004
 6. **No. 2019-006 (FSZ)**- aka Fairview Road Ranch; Andrew P. Gilmour; Maureen G. Cook; J. Link Leavens; and Leslie A. Leavens; APN 216-022-002
 7. **No. 2019-007 (FSZ)**- Lawrence Abram, Trustee of the Abram Family Trust dated February 24, 1983; Lawrence Abram, Trustee of the Abram Family Trust u/t/a dated June 28, 1993; Lawrence Abram, Trustee of the Bypass Trust Under the Abram Family Trust u/t/a dated May 7, 1982; Lori Abram, Trustee of the 2007 Lori A. Abram Irrevocable Trust dated September 2, 2007; APN 137-051-009
 8. **No. 2019-008 (FSZ)**- Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and 117-411-024 (Continued FSZ Application No. 2018-001)
 9. **No. 2019-009 (FSZ)**- Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2018-006)
 10. **No. 2019-010 (AgP)**- George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-001; 424-181-002; and 424-181-022 (Continued AgP Application No. 2018-007)
 11. **No. 2019-011 (FSZ)**- Ag Land Trust Inc.; APN 253-014-003
 12. **No. 2019-012 (AgP)**- Assellus Monterey II LLC; APNs 422-121-004; 422-121-005; and 422-121-032
- b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 4, 2018 at 10:30 a.m. to consider the 2019 applications, including three (3) continued applications, to create nine (9) Farmland Security Zones ("FSZ") and FSZ Contracts and establish three (3) Agricultural Preserves ("AgP") and Land Conservation Contracts.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Set a public hearing for December 4, 2018 at 10:30 a.m. to consider the 2019 applications, including three (3) continued applications, to create nine (9) Farmland Security Zones ("FSZ") and FSZ Contracts and establish three (3) Agricultural Preserves ("AgP") and Land Conservation Contracts (hereafter, "Applications").

SUMMARY:

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 of food or fiber and a limited number of “compatible uses”. Williamson Act Contracts are established with an initial twenty (20) year term which renews annually on January 1 of each succeeding year to add one (1) additional year to the term unless notice of nonrenewal is provided.

Each calendar year, the Board of Supervisors must consider AgP and FSZ contract applications pursuant to the Land Conservation Act of 1965. This year, nine (9) applications for the creation of FSZs and FSZ Contracts and the establishment of three (3) AgPs and Land Conservation Contracts will be considered, including three (3) continued applications from last year’s round of applications [last year’s application numbers were: 2018-001 (Miller); 2018-006 (De Santiago); and 2018-007 (Work)]. Of these three continued applications, the Work application will proceed with a recommendation of approval, as the applicants have submitted the outstanding information sufficient to deem the application complete. As far as the De Santiago and Miller applications, staff is recommending a final continuance to next year’s round of applications as the applicants have not resolved property issues, such as finalizing a minor subdivision on the subject parcels for the De Santiago application, and family estate planning matters surrounding the Miller application. The December 4, 2018 Staff Report will provide the Board of Supervisors with the Agricultural Preserve Review Committee’s (APRC) and the Monterey County Agricultural Advisory Committee’s (AAC) recommendations for each of the applications. Board action is required to establish, by contract, AgP and FSZ status for those selected applications, to commence in the year 2019, 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) (Attachment B) and Board Resolution No. 01-486 (Procedure for the Creation of Farmland Security Zones and Contracts) (Attachment C).

Approximately 786,938 acres of land in Monterey County is presently under Williamson Act contract. The twelve (12) applications under consideration total twenty-three (23) parcels and approximately 3,410 acres. Agricultural Preserves are generally comprised of “non-prime” (typically grazing) lands, whereas Farmland Security Zone acreage must be comprised of at least fifty one percent (51%) “predominantly prime” farmland (typically row crop).

DISCUSSION:

The APRC met on October 2, 2018 and the Monterey County AAC will meet on October 25, 2018 to review the subject applications, which, if approved by the Board, would commence on the January 1, 2019 property tax lien date. Final recommendations by the Committees with detailed analysis and maps of each application will be provided as part of the December 4, 2018 Board of Supervisors report for final action.

Attached to this report is the 2019 Application Matrix (Attachment D) listing the name, acreage and parcel number(s) and General Plan/Area Plan designation, for applications submitted, with a large-scale map (Attachment E) showing the general locations of the proposed applications. The public will be informed of the scheduled December 4, 2018 public hearing by way of Countywide noticing through the publication of notice in a newspaper of general circulation. Notice of the Public Hearing will be mailed to the applicant/owners and/or their legal representatives.

OTHER AGENCY INVOLVEMENT:

The APRC, which consists of representatives from the Agricultural Commissioner’s Office, Resource Management Agency, County Assessor-Recorder’s Office and the Office of the County Counsel, has reviewed the 2019 Applications, including three (3) continued applications. The APRC has made its recommendations using the criteria set forth in Board Resolution No. 01-485, as amended by Board Resolution No. 03-383 (Procedures for Agricultural Preserves) and Board Resolution No. 01-486 (Procedures for the Creation of

FSZs). In addition, the AAC will review the 2019 applications, including the three (3) continued applications, at their October 25, 2018 meeting.

The APRC and the AAC's recommendations will be provided in the Board Report for the Public Hearing on December 4, 2018.

FINANCING:

In the event that the Board of Supervisors decides to approve the applications and enter into these Contracts at the December 4, 2018 hearing, the assessed valuation of properties placed under said Contracts shall be reduced to their respective restricted values, resulting in a property tax reduction. A full estimate of said reduction will be available in the Board Report for the December 4, 2018 Public Hearing.

Prepared by: Nadia Garcia, Associate Planner, ext. 5114

Approved by: Carl P. Holm, AICP, Director Resource Management Agency, ext. 5103

This report was prepared with the assistance by:

Brian Briggs, Deputy County Counsel, Office of the County Counsel

Marc Gomes, GIS Analyst, Agricultural Commissioner's Office

The following attachments are on file with the Clerk of the Board:

Attachment A - Notice of Hearing for December 4, 2018

Attachment B - Board Resolution No. 01-485, as amended by Board Resolution No. 03-383

Attachment C - Board Resolution No. 01-486

Attachment D - 2019 Application Matrix

Attachment E - County-wide Map - 2019 Williamson Act Applications

cc: Front Counter Copy; Board of Supervisors; Jacqueline R. Onciano, RMA-Chief of Planning; Nadia Garcia, Associate Planner; Mary Grace Perry, Deputy County Counsel, Office of the County Counsel; Gregg MacFarlane, Senior Agricultural Appraiser, Assessor-Recorder's Office; Robert A. Roach, Assistant Agricultural Commissioner, Agricultural Commissioner's Office; Applicant/Owners and/or Applicant/Owners' respective Legal Representatives/Agents; The Open Monterey Project; LandWatch; Project File REF180014.