

Williamson Act Program Application Package

NOTE: Your application is a public record and information regarding your application is available both in person at the Department of Planning and Building in the County Government Center and on the County Planning and Building Department's website. All references to names, addresses, telephone numbers, email addresses and project information are part of this public record. All applications must be filed under the property owner's name and address of the property that is the subject of the application; however, you may use an alternate contact address and telephone number.



GENERAL INFORMATION

FILING FEE AND COST ACCOUNTING FORM

Filing fees are as required by the county fee ordinance for the following:

- > Agricultural Preserve and contract application fee (which also applies to an amendment adding land to an existing preserve and/or modifying the terms of the contract).
- > Land Conservation contract in a previously established agricultural preserve.
- > Application to serve a Notice of Nonrenewal or Partial Notice of Nonrenewal.
- > Lot book guarantee to accompany the contract after the preserve is approved or amended: The fee charged by title companies normally ranges between \$100.00 and \$200.00 and is paid directly to the Title Company

OBJECTIVES OF THE PROGRAM

The objectives of the Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or the "Williamson Act" is to protect agricultural lands (for continued production of food & fiber) and limited types of open space and outdoor recreation lands of statewide importance as described in the County Rules of Procedure. Once a landowner enters into a contract with the county, the land is reassessed on the basis of the agricultural income producing capability of the land. In most cases but not all, property valuations and taxes will remain at generally lower levels.

The county's Rules of Procedure, which were first adopted in 1972, provide the standards for property eligibility and land use restrictions under the program. They also provide procedures for terminating contracts and monitoring the agricultural preserve program.

An agricultural preserve is established by landowner request. The primary incentive for a landowner is to reduce current and/or future property taxes. The program is designed for the property owner who is dedicated to the long-term use of the land for agricultural, recreational and open space purposes. Approximately 37% of the county is subject to land conservation contracts. We encourage your voluntary participation in the program to strengthen the agricultural economy of San Luis Obispo County.

WHAT IS THE DIFFERENCE BETWEEN AN AGRICULTURAL PRESERVE AND A CONTRACT?

Establishment of an agricultural preserve is a prerequisite for landowners to enter into a land conservation contract with the county. A land conservation contract is a contract entered into by and between the property owner and lien holders (if any) and the county to enforceably restrict the use of the land for agricultural and compatible uses for a minimum term of 10 years or more. San Luis Obispo county contracts have minimum terms of 10 to 20 years, depending on property locations. Without recording a land conservation contract, a landowner will not receive any reduction in assessed property value for the establishment of an agricultural preserve.

WHAT KIND OF TAX REDUCTION WILL I GET?

Any landowner with property meeting the eligibility standards may apply to form an agricultural preserve and, once the preserve is approved by the Board of Supervisors, enter into a land conservation contract with the county. Following the recording of the contract, the property is reassessed on the basis of the agricultural income producing capability instead of fair market value or Proposition 13 value. In most cases the resulting assessed value will be lower than it was prior to being under contract. In exchange for the reduction in assessed property value with the program, the landowner agrees to keep the land in agriculture, open-space, or recreational use and in large parcel sizes related to the agricultural quality of the land or the existing use.

Landowners often experience substantial property tax reductions. For more information, the county Assessor's Office (781-5643) should be contacted. **It should also be noted that a residence, other improvements, and the immediate residential site areas, are assessed at fair market or Proposition 13 value and are not subject to reduced valuations and taxes under the program.**

WHAT DO I HAVE TO GIVE UP IN EXCHANGE FOR THE PRESERVATION OF AGRICULTURE AND OPEN SPACE LAND?

In exchange for the property being reassessed on the basis of the agricultural income producing capability of the land instead of fair market value or the Proposition 13 value, whichever is less, the landowner (through the land conservation contract) agrees to keep the land in large parcels ranging from 20 acres for irrigated crops on Class I soils to 320 acres for grazing land on Class VI through VII soils. The contract prohibits the creation of new parcels smaller than the minimum parcel size applied to the agricultural preserve (which is never smaller than 20 acres). The contract also prohibits separate conveyance of an existing parcel or group of parcels that would result in separate ownership smaller than the agricultural preserve minimum parcel size for new land division. However, an exception exists for a property located within a mile of an urban area or adjacent to a village area designated on the county's general plan. They would be allowed conveyances to the smaller minimum acreages indicated for program qualification. The contract also prohibits certain non-agricultural uses of the land (For more information, refer to the information bulletin "Agricultural and Compatible Uses for Lands Subject to Land Conservation Contracts").

HOW IS A LAND CONSERVATION CONTRACT RECORDED?

The contract is prepared by the applicant using the sample contract provided by staff. The signatures of owners, trust deed beneficiaries and/or mortgagees as identified in a current title company lot book guarantee or preliminary title report must be notarized. The signed contract and title company report are submitted to the Department of Planning and Building for review and approval. The contract is then scheduled for approval on the Board of Supervisor's consent agenda. After Board approval, the contract is recorded. All contracts must be recorded by the end of December in a given year in order for the property to be reassessed beginning the following year.

HOW DO I GET OUT OF A LAND CONSERVATION CONTRACT?

The minimum term of a contract is 20 years, except for properties located within one mile of an urban reserve line or adjacent to a village reserve line. These properties are eligible for a 10 year minimum term contract. 10 years after the execution of a 20 year contract, it becomes, in effect, a 10 year contract. Beginning on the first year following the execution of a 10 year contract, one year is automatically added for each year that elapses to maintain an ongoing 10 year contract unless a notice of nonrenewal is filed.

- A. **Nonrenewal.** Nonrenewal is the most common method for a landowner to terminate a land conservation contract. All that is required is for the landowner to serve a notice of nonrenewal. Once a notice of nonrenewal is served, it takes 9 to 10 years for the contract to expire. A notice of nonrenewal can only be served after the first 10 years of a 20 year contract has expired. Once the landowner serves a notice of nonrenewal on the county, the property assessment and taxes will usually increase substantially the first year of the contract nonrenewal period and continue to increase to fair market value or Prop 13 value (whichever is lower) by the end of the period.
- B. **Cancellation.** A property owner may request cancellation of a land conservation contract in order to terminate the contract on all or a portion of the property within one year after an application is accepted for processing. However, cancellation can be approved only under **extraordinary circumstances** as provided in state law. Staff can provide a copy of the required findings at your request. Also there is a substantial fee that is required to be paid to the state for cancellation.

HOW LONG WILL THE PROCESS TAKE AND WHEN DO I HAVE TO SUBMIT MY APPLICATION?

It takes at least four to six months to process an agricultural preserve application and land conservation contract. Agricultural preserve applications may be submitted at anytime and are processed throughout the year. However, applications must be submitted to the county Planning and Building Department by the end of June in any given year to allow sufficient time for contracts to be recorded (by the end of December) in time for the following year's reassessment and property tax reductions.

ELIGIBILITY CRITERIA

An individual property must satisfy these minimum standards (these are for agricultural preserve and land conservation contract eligibility, not for subsequent land division):

LAND USE CATEGORY

The property must be within a rural land use category. If the land is not already within the Agriculture land use category, a general plan amendment will be processed by the county to change the land use category to Agriculture after the agricultural preserve request is approved.

MINIMUM SIZE REQUIRED

Minimum property size criteria apply to both agricultural preserves and land conservation contracts (once the land is under an established agricultural preserve). The Williamson Act requires that all preserves are to be at least 100 acres in size, except where the land is considered Prime Land as defined in the Rules of Procedure to Implement the Land Conservation Act of 1965 (Rules of Procedure), in which case the preserve may be 40 acres in size. Please see the Department of Planning and Building website to access the Rules of Procedure online. <http://www.slocounty.ca.gov/planning/landplanning/landuse.htm>

Dry Farm Preserve & Rangeland Preserve

For a 160 acre minimum agricultural preserve size:

Site must contain at least 160 acres of Class III or IV soils that are not irrigated (sometimes called a dry farm preserve based on higher quality soils)

For a 320 acre minimum agricultural preserve size:

Site must contain 320 acres with at least 100 acres of Class VI or VII soils that are not irrigated where those soil types are moderately to well-suited for rangeland as described in the Natural Resources Conservation Service Reports (sometimes called a rangeland preserve based on agricultural use.) (*Class VIII land cannot be used for eligibility to participate in the Ag preserve program)

Prime Land Preserve

For a 40 acre minimum agricultural preserve size (Must have 40 acres or more of land and consist of one or more of the following characteristics):

Site must contain at least 10 acres of Class I or II soils that are irrigated

Site must contain at least 20 acres of Class III, IV, VI or VII soils that are developed with irrigated Orchards and/or Vineyards

Site must contain at least 40 acres of Class III or IV soils that are in other irrigated crops

Prime Land Preserves may consist of either a single ownership or contiguous ownerships of at least 10 acres per ownership, if each ownership meets the above individual contract eligibility requirements.

High Productivity Prime Land (Small Specialized Farms)

Minimum Preserve Size: 20 acres gross

Minimum Soil Requirements: 10 of the 20 acres must be Class I or Class II soils fully planted in irrigated crops (excluding home sites, accessory structures and land not suited as farmland).

Productivity Requirements: Must include land planted in crops which have produced an annual gross value of \$2,000 or more per acre for three of the previous five years. Production value is to be substantiated by requiring land owners to submit commodity sales receipts or agricultural income forms from their income tax records. (Alternatively a land owner may provide crop production records from the Agricultural Commissioner's office if available, subject to review and approval by Planning Department staff in consultation with Agricultural Commissioner's staff.)

Minimum Parcel Size for Division or Conveyance:

Class I – 20 acres

Class II – 40 acres

SPECIAL PROVISIONS

For properties that are not at least 40 acres in size the following apply:

1. A landowner whose property qualifies individually but doesn't have enough acreage for its own preserve can add property to an existing preserve to equal or exceed the required preserve size.
2. A landowner who already has property under contract and acquires adjacent parcels of any size can add these parcels to the existing preserve and contract.
3. A landowner whose property qualifies individually and doesn't have enough acreage to meet the required preserve size, but is adjacent to public land or land in an open space easement can create a preserve of a smaller size.
4. A landowner whose property consists of discontinuous parcels that together meets all the eligibility and preserve size requirements can qualify for a preserve and a single contract.

MIXED AGRICULTURAL POTENTIAL OR USE

Where the property has intermixed land capability (soil type) or agricultural use, the qualifications are determined by calculating whether the total of the fractional portions of each type of use or soil is one or more. If so, then the property would qualify for an agricultural preserve. For example:

A 90 acre total property size with 15 acres in irrigated orchard and 75 acres in dry farm.

- > Since irrigated orchard requires a minimum of 20 acres to qualify, divide the 15 acres of use by the 20 acres to qualify, equaling .75.
- > Since dry farm requires a minimum of 160 acres to qualify, also divide the 75 acres of use by the 160 acres to qualify, equaling .47.
- > Adding those two fractional portions together equals 1.22. That number is greater than one and so the property would qualify for an agricultural preserve.

REQUIRED CONTENTS

The following information is required to be submitted with your application. If any information is missing, your application may be returned to you until such time as all required materials are included with the submittal.

FORMS – These forms are all included in this application package

- * Completed **William Act Program Application Form**
- * Consent of Landowner Form (if applicant does not own the property)
- * Completed **William Act Program Application Supplement**
- * Signed Information Disclosure Form

FEES

Application Fee - Fees will be calculated at the time of submittal

PLANS

Site Layout Plan - an accurate drawing of the property. The site plan must show the following items (where they apply to your site):

- * Exterior boundaries and dimensions of the entire site
- * North arrow and scale.
- * Location of principal agricultural uses (irrigated, dry farm, and grazing lands), other significant land uses, residences, barns, and road access.
- * When requested by staff provide either a letter from the landowner or lessee elaborating on agricultural uses, operations, and physical characteristics or letters and documents describing the unique environmental features of the property if the application is based on the open space or outdoor public recreation standards.

COPIES OF PLANS

- * 2 copies of all drawings/maps reduced to the size of an 8-1/2 by 11 inch page (or an 11 by 17 inch page if more room is needed to show information clearly).

OTHER INFORMATION

Abandoned oil and gas wells - if applicable - information is available from the California Division of Oil & Gas, P.O. Box 227, Santa Maria, Ca. 93456, (805) 925-2686.



WILLIAMSON ACT PROGRAM APPLICATION FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Department Use Only
Do Not Mark
(Staff Apply Label Here)

APPLICATION TYPE

- Notice of Non-renewal (staff review and assistance)
- Agricultural Preserve - Establish or Amend
- Amend existing Preserve & Contract
(e.g.: add land or amend Preserve & Contract)
- Enter into Contract or amended Contract for property in existing Preserve

APPLICANT INFORMATION *Check box for contact person assigned to this project*

Landowner Name _____ Daytime Phone _____
 Mailing Address _____ Zip _____
 Email Address: _____

Applicant Name _____ Daytime Phone _____
 Mailing Address _____ Zip _____
 Email Address: _____

Agent Name _____ Daytime Phone _____
 Mailing Address _____ Zip _____
 Email Address: _____

PROPERTY INFORMATION

Total Size of Site: _____ Assessor Parcel Number(s): _____

Legal Description: _____

Address of the project (if known): _____

Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: _____

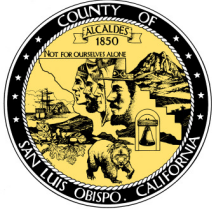
Describe current uses, existing structures, and other improvements and vegetation on the property: _____

COMMENTS

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature _____ Date _____



WILLIAMSON ACT PROGRAM SUPPLEMENTAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET ♦ ROOM 200 ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600

Promoting the Wise Use of Land ♦ Helping to Build Great Communities

FILE NUMBER _____

OWNERSHIP INTEREST

List all landowners not shown on the General Permit Application, as well as all Trust Deed Beneficiaries and/or Mortgagees (all of whom will need to sign the contract after the preserve is established or the amendment is approved):

NAME/INTEREST	ADDRESS	TYPE OF OWNERSHIP
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

EXISTING LAND USES

TYPE

ACRES

IRRIGATED CROPS _____

DRY FARM CROPS _____

DRY LAND GRAZING Open Grassland _____

Moderate Tree Cover _____

Dense Woodland or Chaparral _____

OTHER USES (MINING, RECREATION, ETC.) _____

UNUSED (OPEN SPACE) _____

EXISTING AGRICULTURAL INFORMATION

FOR IRRIGATED LAND:

Irrigation well production: _____ gpm Well depth: _____ feet

Storage tank capacity: _____ gal OR Other water impoundments: _____ acre feet

Irrigation Method: Furrow Sprinkler Drip

Multiple cropping: Number of irrigated crops harvested on same acreage each year. _____

FOR ORCHARDS OR VINEYARDS:

Orchard Vineyard Year Planted _____

Commercial production at present _____ tons per acre AND Anticipated production at full bearing _____ tons per acre

FOR DRY FARM GRAIN AND HAY:

Planted every year? Yes No OR Once every _____ years

GRAZING:

Type of Livestock: _____

Number of head normally grazed on property: _____

Is the property fenced? Yes No Water source(s) for livestock: _____

Is the property grazed yearlong? Yes No If no, what months is the land grazed: _____ through _____.

OTHER USES:

Other animal, nursery or specialty uses? _____

Any proposed changes to the agricultural uses in the near future? Yes No

If yes, please describe: _____

OPERATOR:

The farm or ranch is operated by: Owner Lessee Lessee Name: _____

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature _____ Date _____

CONSENT OF LANDOWNER

San Luis Obispo County Department of Planning and Building

File No _____

I (we) the undersigned owner of record of the fee interest in the parcel of land located at (print address): _____ identified as Assessor Parcel Number _____ for which a construction permit, land use permit, land division, general plan or ordinance amendment, or LAFCo application referral is being filed with the county requesting an approval for: _____ specify type of project, for example: addition to a single family residence; or general plan amendment), do hereby certify that:

1. Such application may be filed and processed with my (our) full consent, and that I (we) have authorized the agent named below to act as my (our) agent in all contacts with the county and to sign for all necessary permits in connection with this matter.

2. I (we) hereby grant consent to the County of San Luis Obispo, its officers, agents, employees, independent contractors, consultants, sub-consultants and their officers, agents, and employees to enter the property identified above to conduct any and all surveys and inspections that are considered appropriate by the inspecting person or entity to process this application. This consent also extends to governmental entities other than the county, their officers, agencies, employees, independent contractors, consultants, sub-consultants, and their officers agents or employees if the other governmental entities are providing review, inspections and surveys to assist the county in processing this application. This consent will expire upon completion of the project.

3. If prior notice is required for an entry to survey or inspect the property. Please contact:

Print Name: _____

Daytime Telephone Number: _____

4. I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property _____

Person or entity granting consent:

Print Name: _____

Print Address: _____

Daytime Telephone Number: _____

Signature of landowner: _____

Date: _____

Authorized agent:

Print Name: _____

Print Address: _____

Daytime Telephone Number: _____

Signature of authorized agent: _____

Date: _____

San Luis Obispo County Identified Hazardous Waste Sites - April 1998

IMPACT CITY: ARROYO GRANDE

Site: Union Oil Co - Santa Maria refinery
Location: Willow Rd. north of Guadalupe
City: Arroyo Grande Zip: 93420
Source: DHS1

IMPACT CITY: CAMBRIA

Site: Hampton Hotel
Location: 2601 Main Street
City: Cambria Zip: 93428
Source: WRCB Problem: Tank Leak

Site: Cambria General Store
Location: 850 Main Street
City: Cambria Zip: 93428
Source: WRCB Problem: Tank Leak

Site: Chevron
Location: 2194 Main Street
City: Cambria Zip: 93428
Source: WRCB Problem: Tank Leak

IMPACT CITY: CAYUCOS

Site: Chevron
Location: 12 N Ocean Blvd
City: Cayucos Zip: 93430
Source: WRCB Problem: Tank Leak

Site: Bob's Corner Store
Location: 198 N Ocean Blvd
City: Cayucos Zip: 93430
Source: WRCB Problem: Tank Leak

IMPACT CITY: CHOLAME

Site: Hearst Corp
Location: Highway 46
City: Cholame Zip: 93431
Source: WRCB Problem: Tank Leak

IMPACT CITY: LOS OSOS

Site: Los Osos Valley Garage
Location: 1099 Los Osos Valley Road
City: Los Osos Zip: 93402
Source: WRCB Problem: Tank Leak

Site: Los Osos Landfill
Location: Turri Road
City: Los Osos Zip: 93402
Source: CIWMB Problem: Grndwt

IMPACT CITY: LOS PADRES

Site: Ozena Station
Location: Highway 33
Zip: 93023

Source: WRCB Problem: Tank Leak

IMPACT CITY: NIPOMO

Site: Hemerick
Location: 600 Hill St
City: Nipomo Zip: 93444
Source: WRCB Problem: Tank Leak

IMPACT CITY: OCEANO

Site: Bell Craig (form serv station)
Location: 1899 Cienega
City: Oceano Zip: 93445
Source: WRCB Problem: Tank Leak

IMPACT CITY: PASO ROBLES

Site: Camp Roberts Site 936
Location: Highway 101
City: San Miguel Zip: 93451
Source: WRCB Problem: Tank Leak

Site: San Paso Truck & Auto
Location: Wellsona Road
City: Paso Robles Zip: 93446
Source: WRCB Problem: Tank Leak

IMPACT CITY: SAN LUIS OBISPO

Site: Unocal Tank Farm Facility
Location: 276 Tank Farm Rd
City: SLO Zip: 93401
Source: WRCB Problem: Tank Leak

Site: Hearn Trucking
Location: 4902 Edna Rd
City: SLO Zip: 93401
Source: WRCB Problem: Tank Leak

Site: Camp San Luis Obispo
Location: Hwy. 1 west of Hwy. 101
City: San Luis Obispo Zip: 93401
Source: WRCB Problem: Tank Leak

Site: SLO Golf & Country Club
Location: 255 Country Club
City: San Luis Obispo Zip: 93401
Source: WRCB Problem: Tank Leak

IMPACT CITY: SAN SIMEON

Site: Chevron
Location: 9540 Castillo Drive
City: San Simeon Zip: 93452
Source: WRCB Problem: Tank Leak

IMPACT CITY: SANTA MARGARITA

Site: Kaiser Sand & Gravel
Location: El Camino Real
City: Santa Margarita Zip: 93453
Source: WRCB Problem: Tank Leak

Site: Pacific Beverage
Location: 22255 El Camino Real
City: Santa Margarita Zip: 93453
Source: WRCB Problem: Tank Leak

IMPACT CITY: TEMPLETON

Site: Templeton Mobile
Location: 701 Las Tablas
City: Templeton Zip: 93465
Source: WRCB Problem: Tank Leak

LANDFILL OPERATIONS DISCLOSURE

EL POMAR/ESTRELLA PLANNING AREA

If your site is located within 1/2 mile of either the Paso Robles Municipal or the Chicago Grade Landfills (see maps on file with the Department of Planning and Building), this acts to notify you of your proximity to a landfill operation and all of the associated inconveniences and discomforts resulting from the continuing and future operation of such landfill, including possible expansions. Persons living near landfills may contact the California Integrated Waste Management Board (916) 341-6413 to seek available remedies concerning any improper or unlawful activities at the landfill.