

Staff Report

Submission Date: November 21, 2023

To: Siskiyou County Agricultural Preserve Administrator

From: Bernadette Cizin, Assistant Planner

Subject: Recommendation by Staff to issue a Notice of Non-Renewal of portions of certain Williamson Act Contracts.

Location: Multiple Parcels in Siskiyou County

Exhibits: **A.** 78019 Existing Contract
 B. Correspondence

Background and Discussion

Pursuant to Siskiyou County Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts (guidelines), staff continues to survey and review properties under Williamson Act contract to verify compliance and determine if commercial agricultural operations continue to be the primary use of the property. Additionally, courtesy notices are sent to new property owners of Williamson Act contracted land, which provides a where the county guidelines can be found and explains that should their property be only a portion of an existing contract, they must submit an application to the county to rescind their property from the existing contract and reissue a new contract consisting solely of their property. When they apply for their own contract, the property and uses are evaluated for compliance and compatibility with the current county guidelines.

As required by County Guidelines, The Wildlands Conservancy applied to have their property rescinded from the existing contract and a new contract issued, consisting solely of their property as they purchase property that was only a portion of an existing contract (Guidelines Section VI, C). The board considered and did not approve this request on September 5, 2023. Pursuant to County Guidelines Section VI, C, 2, in the event that the new contract is not approved by the County, the County will issue a notice of non-renewal for the existing contract at the earliest possible time in accordance with Government Code and local rules.

On September 13, 2023, staff provided notice of the Board's decision to not approve the Wildlands Conservancy request and as a result, the Contract would be brought back before the board for issuance of non-renewal. This notice explained that these property owners could request that their property be rescinded from Contract 78019 and a new contract be issued, should they wish to not have their property be issued a notice of non-renewal. They were provided with 60-days to submit an application. These notices were sent Certified USPS letter to each of the remaining property owners under Contract 78019.

Contract 78019 (Exhibit A)

- Williamson Act Contract – Contract No. 78019 as recorded on February 23, 1978, in the Siskiyou County Records in Volume 807 at Page 872.
- Agricultural Preserve – Established by Board Resolution No. 39, Book 8, adopted on February 14, 1978.

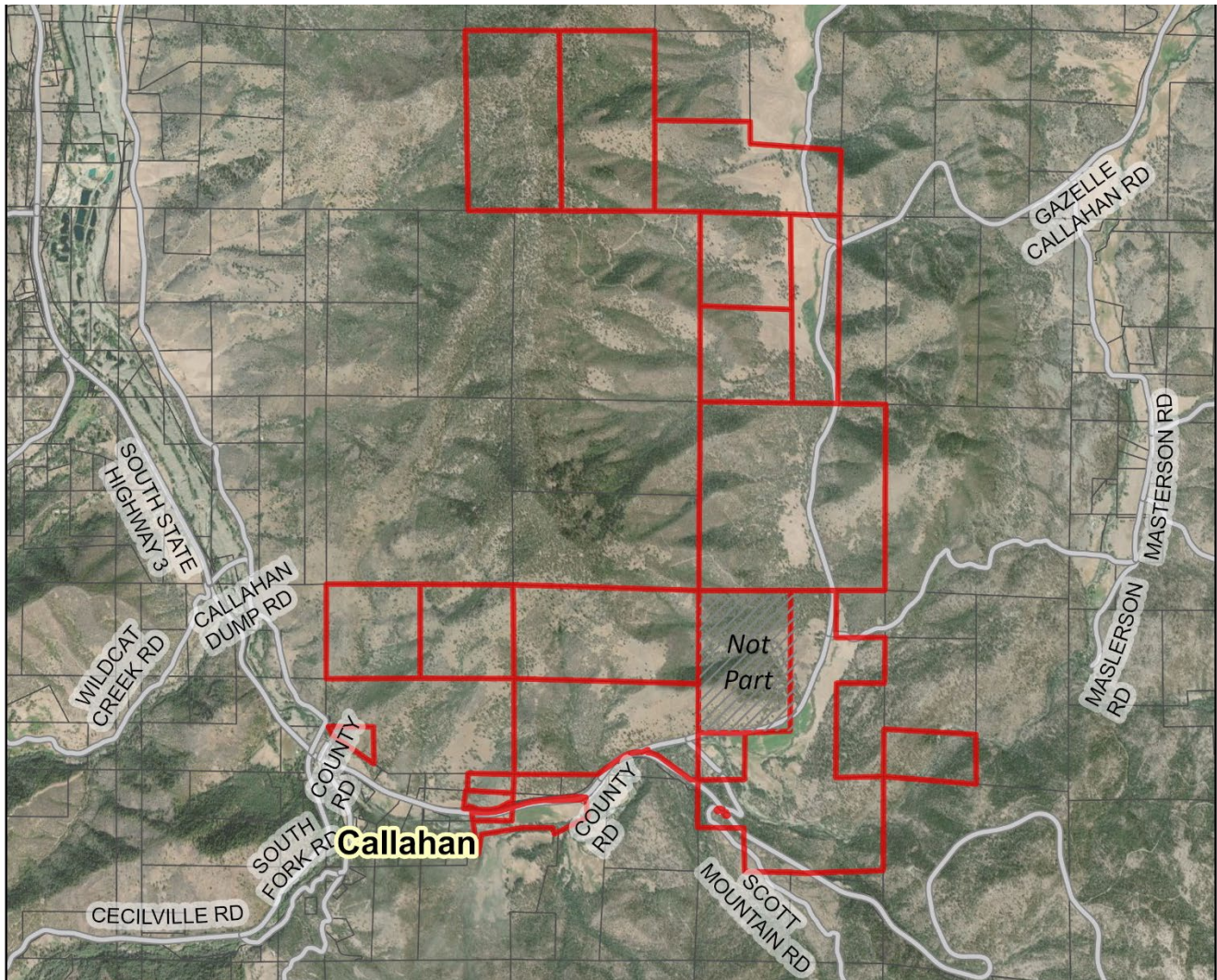


Figure 1 – Wildlands Conservancy

Wildlands Conservancy -

Located on Highway 3, north and east of the community of Callahan on APNs 023-400-220, 023-410-110, 023-410-120, 031-210-050, 031-210-100, 031-210-110, 031-210-120, 031-230-070, 031-230-080, 031-241-050, 031-241-110, 031-241-120, 031-241-130, 031-241-160, 031-241-240, 031-241-250, 031-250-040, 031-250-330, 031-250-340, 031-250-360, 031-250-370 and 031-560-030.

Their request to have their property rescinded from contract 78019 and a new contract issued was not approved by the Board of Supervisors and therefore a notice of non-renewal should be issued.



Figure 2 – Richard Hayden Property

Hayden, Richard

Located on Highway 3, north and east of the community of Callahan on APNs 031-241-090 and 031-241-100. It should be noted that in addition to the issue of this property being under a multi-owner contract, it is also considered substandard in size at 13.5 acres.

As of the preparation of this report, no correspondence has been received from the property owner.

Merlo

In response to the 60-day notice, this property owner contacted the Agricultural Preserve administrator. She was granted an extension to December 31, 2023 to submit and complete an application package.

On November 8, 2023, the owner sent a letter regarding the recommendation to issue a notice of non-renewal for Contract #78019 (Exhibit B)

Earnest

This property owner has contacted staff, stating she is working on her application package but needed some extra time to obtain signatures of all property owners, some of whom live outside of the area. She intends to submit a complete application package no later than December 31, 2023.

Staff granted her request for an extension.

Because the owner is actively working on an application package, there are no compliance concerns at this time and staff recommends this property remain under the current contract until the proposal for a new contract can be presented to the board.

Hayden, Charles

This property owner has submitted an application package requesting their property be rescinded from Contract 78019 and a new contract be issued, consisting of property solely under their ownership.

Because the owner has applied for their own contract, there are no compliance concerns at this time and staff recommends this property remain under the current contract until the proposal for a new contract can be presented to the board.

Hayden, Nerva Malcom Trust

This property owner has submitted an application package requesting their property be rescinded from Contract 78019 and a new contract be issued, consisting of property solely under their ownership.

Because the owner has applied for their own contract, there are no compliance concerns at this time and staff recommends this property remain under the current contract until the proposal for a new contract can be presented to the board.

Analysis

Williamson Act Contracts are binding agreements between landowners and the county that assume the terms of the contract continue to be met, and landowners remain in compliance with County Guidelines in exchange for reduced property tax assessments. When it appears to the County that a landowner is not complying with county policies or terms of the contract, the County will issue a notice of non-renewal upon the property owner.

As the subject properties are not in compliance, as detailed in Background and Discussion, it would be appropriate for the County to issue a notice of non-renewal.

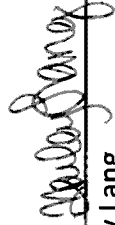
Pursuant to the County Rules Section II. the Agricultural Preserve Administrator (Administrator) will review and make recommendations on terminating (non-renewing) contracts.

Agricultural Preserve Administrator Recommendation

Based on the information contained within this staff report, the Siskiyou County Agricultural Preserve Administrator finds the properties within this staff report are not in compliance with the Siskiyou County Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts and recommends the Siskiyou County Board of Supervisors issue a notice of non-renewal of these properties.

Approved by:

County of Siskiyou
Agricultural Preserve Administrator



Hailey Lang
Agricultural Preserve Administrator

11-28-23

Date of Approval

Preparation: Prepared by the Siskiyou County Planning Division (B. Cizin) on November 21, 2023. Copies are available for review at Siskiyou County Planning, 806 S. Main Street, Yreka, California.

From: arabellamills@aol.com
To: [Brandon Criss](#); [Ed Valenzuela](#); [Michael Kobseff](#); [Nancy Ogren](#); [Ray Haupt](#); [planning](#)
Cc: [Bernadette Cizin](#)
Subject: Non-Renewal of Williamson Act Contract #78019 Protest Letter
Date: Wednesday, November 8, 2023 12:38:09 PM

The Board Of
Supervisors
2023
Siskiyou County
1312 Fairlane Road, Suite 1
Yreka, Ca 96097

November 8,

email c/o Hailey Lang
County of Siskiyou
Community Development Department, Planning Division

Dear Board of Supervisors,

I am writing a written protest of the Notice of Non- Renewal of Williamson Act Contract #78019.

I am writing as a property owner under a shared Williamson Act contract #78019. In this case, I believe another property owner requested a rescission of their property from this existing contract and requested a new contract solely of their property. The Board did not approve that owner's request, and as that new contract was not approved, it is the County's intent to move forward with a notice of non-renewal for the old contract #78019.

The hearing to be likely held in December.

This proposed action by the Board of course greatly affects the other property owners on the same contract, including me. I am one of those who do not wish to have my property to be taken out of this Williamson Act contract.

My family purchased a part of Noyes Valley in the early 1960's. We have acquired surrounding lands thru the years. Some of which were already in the Williamson Act. Some of those contracts were shared by other property owners. Our ranch has been a cow-calf operation since we purchased it. One ranch with one income, various parcels with various Williamson Act contracts. If I understand correctly, taking a parcel out of the Williamson Act will substantially raise the property taxes the following year. This is a hardship financially for us and other ranchers. Part of our ranch was in the Mountain Fire last year, as well.

I also understand that we can apply for a new contract for this parcel, which is not a simple process or guaranteed to be approved after application fees .

Exhibit B

What I am asking the Board of Supervisors is to NOT approve this Non- Renewal or WITHDRAW a Notice of Non-Renewal of Contract #78019.

If you do proceed, I hope you at least either

1. Let the property owners that want to stay in their existing Williamson Act contract (as shared property owners) to stay in it or
2. Allow the property owners more time (like a year) to apply for a new contract before removing their status as being in a Williamson Act contract and thus raising their property taxes.

Sincerely,
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