# Staff Report

Meeting Date: November 12, 2024

To: Siskiyou County Board of Supervisors

From: Bernadette Cizin, Associate Planner

Subject: Update to the Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts Continued from September 3, 2024

## Background

During the August 6, 2024, Board of Supervisors meeting, planning staff presented information on the Williamson Act program and discussed potential revisions to the County’s Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts (‘Guidelines’).

Based on the discussion and direction from the Board, Staff incorporated revisions to better clarify responsibilities and requirements of the County and contracted landowners and to simplify the contracting and amendment process. These revisions were brought before the Board of Supervisors at the September 3, 2024 regular meeting in a Public Hearing.

Further discussion regarding the recommended changes took place. No Public Comments were received. The Agricultural Commissioner was present and stated that they were in support of the recommendations. Staff requested the hearing be continued to allow time to incorporate the revisions into a final draft document. The Board directed staff to reach out to the Siskiyou County Farm Bureau, Cattlemen’s and Cattlewomen's associations for comment.

The public hearing was continued to November 12, 2024.

## Discussion

The following recommended changes have been incorporated into the Draft version of the County Guidelines:

1. **Better define what is considered a significant increase to an existing Williamson Act Contract (See Section III Item A of Exhibit A).**

* The county considers an increase of up to 25 acres or 2.5% of the existing contracted property, whichever is lesser, to not be a significant increase to a contract.   
  A proposed increase of the Agricultural Preserve by more than 25 acres or more than 2.5% of the contracted land would be considered by the Agricultural Administrator and the Board on a case-by-case basis.

1. **Remove the growing and harvesting of timber as an allowed primary use of contracted property (See Section IV Item A of Exhibit A).**
   * The county will no longer approve contracts (new or amendments) for land where the primary use is timber.
     + If an owner of contracted land wishes to change the primary use to the growing and harvesting of timber they must Rezone to Timber Production Zoning (no cancellation fees, as noted in Government Code Section 51282.5) or should go through the Non-Renewal process prior to discontinuing the primary use agreed upon in the existing contract.
2. **Remove and revise Commercial Agricultural Production Uses (See Section IV Item A of Exhibit A).**

* Remove uses described as accessory as these belong under compatible uses.
* Better describe the use of Production of Fiber

1. **Remove Agritourism activities from Compatible Uses (See Section IV Item B of Exhibit A).**

* Remove Agritourism, as it is not defined in County Code and list these types of activities in Compatible Uses.

1. **Include Vacation Rentals under Residential Uses (See Section IV Item B of Exhibit A).**

* Allow the use of an existing residence to be rented on a short-term basis with applicable permits.

1. **Revised Conservation Programs to require property owners to provide Conservation contracts/easements to the Planning Division (See Section IV Item B of Exhibit A).**

* Clarify that it is the responsibility of the property owner to provide Conservation Contracts or Easements for review of compatibility with their Williamson Act and clarifies that if this does not occur, the county will issue a Notice of Non-Renewal.

1. **Included a Minor Amendment - Agricultural Preserve Administrator may approve a Change in Use as a Minor Contract Amendment. (See Section IV Item C of Exhibit A).**

* Allow a Minor Amendment Fee to be assessed (50% of the normal application fees plus CEQA fees (Planning Fees County Code Section 10-6.1601)
* Allow review and approval by the Agricultural Preserve Administrator.

1. **Included a process for Withdraw a Notice of Non-Renewal (See Section VII Item A of Exhibit A).**

* Provide clarification as to the withdrawal process depending on if the property owner or the county issues the Notice of Non-Renewal.

*The following were discussed at the September Board meeting but not incorporated into the Draft version of the County Guidelines for the reasons described below:*

1. **Establish one Agricultural Preserve consisting of all property within the county which is currently encumbered by Williamson Act Contract.**

* Even though staff initially recommended the establishment of a single preserve, upon further discussion, staff would recommend leaving the Agricultural Preserves as they are until they can be researched.
* A complete list of land that has been placed in Agricultural Preserves by the Board should be made before any major adjustments are made.
* Staff will likely bring this recommendation back to the board in the future with a complete list and map of all properties in each adopted Agricultural Preserve.
* Staff will continue to make recommendations on Agricultural Preserve amendments with each relevant project.

*The following were not discussed at the September Board meeting however have been incorporated into the Draft version of the County Guidelines for the reasons described below:*

1. **Revised process for Landowner to issue a Notice of Non-Renewal upon the County.**

* The process for a landowner to issue a Notice of Non-Renewal upon the County was unclear.
* As very specific information is required for the notice to be effective, all non-renewals should be processed first through the County.
* In instances where the property to be non-renewed is only a portion of the contract, the Board of Supervisors must approve the request prior to the landowner recording the Notice of Non-Renewal.

1. **Expanded Public Acquistion section.**

* It was previously understood that when land was acquired by a government agency, the contract became null and void
* This is only the case when acquired by eminent domain or in lieu of eminent domain and has been clarified in the update.
* Government agencies must notify the County and allow time to comment prior to the acquisition of land in Agricultural Preserve.
  + This process has also been incorporated into the update.

1. **Property under Williamson Act contract can be Rezoned to Timber Production Zoning (TPZ)**

* This section was added to make landowners aware that if the Use of their property changed from the approved use in their contract to Timber Production, they do have the option to rezone to TPZ, should their property qualify.

## Comments

Notice of the project was published and posted as required prior to the Board of Supervisors meeting and no agency comment were received as of the preparation of this staff report.

Public Comments

***Mark Coats – October 4, 2024***

Mr. Coats gave background on his ranch regarding use and entry in the Williamson Act program. He expressed his interest in reentry in the program.

## Recommended Motions

I move to adopt the Resolution hereby taking the following actions:

1. Determine the amendments to the *Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts* becategorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15307 and 15061(b)(3) of the CEQA Guidelines; and
2. The Siskiyou County Board of Supervisors do hereby adopt the amendments to Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts attached as Exhibit A of this Resolution attached and incorporated herein.

## Attachments

1. Draft Resolution, a Resolution of the County of Siskiyou, State of California, Amending the Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts
   * + 1. Exhibit A within Draft Resolution: Proposed Amendments to the Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts
2. Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts, Revised 11/12/2024 (clean copy)
3. Comments