

LAND PRESERVATION CONTRACT APPLICATION

WILLIAMSON ACT AND FARMLAND SECURITY ZONE (Gov. Code § 51200 et seq.)

<p>FILE COMPLETED & NOTARIZED APPLICATION WITH: County of Santa Clara Clerk of the Board of Supervisors 70 West Hedding Street East Wing, 10th Floor San Jose, Ca 95110 Telephone (408) 299-5001</p>	<p>NON-REFUNDABLE FILING FEE: \$1,110 <i>Make Check payable to County of Santa Clara</i> <i>Note: A minimum fixed fee will be charged at the time of application. When the fixed fee is exhausted, the applicant will be required to pay additional fees to cover the cost of additional staff time to process the application. The hourly rate for the additional staff time is \$165 for the Planning Office and \$130 for the Division of Agriculture. Payment of a filing fee does not guarantee approval and additional fees may be required.</i></p>
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Please fill out fill out each section fully and include all required attachments.
 If more space is needed for any of the required answers, please attach additional sheets as needed.

Application for: _____ Williamson Act (10 Yr. Term), or _____ Farmland Security Zone (20 Yr. Term)

1. OWNER INFORMATION

A. Name as it appears on current deed.

Separate applications are required if titles to parcels are vested differently or if parcels of property are non-contiguous. Persons signing under authority of a Power of Attorney must attach a copy of the Power of Attorney.

B. List name(s) of authorized signers.

If person signing is an owner, please print or type full names in the same manner as name appears on current deed. If a person is signing for an LLC or other Corporation, provide documentation showing that person has the authority to sign for the LLC or other Corporation.

C. Contact Information for notices/correspondence.

Name: _____ Daytime Phone #: _____

Address: _____

City, State, Zip: _____

Email: _____

OFFICIAL USE ONLY

Filing Fee Receipt No. _____ Deputy Clerk _____ Application No. # _____ - _____

2. ASSESSOR'S PARCEL NUMBER(S) (APNs), ACREAGE and PROPERTY LOCATION

How many APNs are covered by this application? _____

APNs	Acreage	Property Location (Provide the street address and describe the location, e.g. N. side of Main St. between 1 st and 2 nd Streets, for each APN.)

3. EXISTING WILLIAMSON ACT CONTRACT(S)

Are any of the parcels currently under Williamson Act or Farmland Security Zone contract(s)?

_____ No _____ Yes If yes, provide contract number(s): _____

4. PROPERTY INFORMATION

A. The property that is the subject of this application is currently zoned as follows:

_____A (Exclusive Agriculture) _____HS (Hillsides) _____AR (Agricultural Ranchlands) _____Other

Note: If this application applies to various parcels with different zoning designations, please provide the zoning designation for each parcel. Attach a separate page if necessary.

B. Is the property within the sphere of influence of a city's jurisdiction? _____No _____Yes

If yes, name of city: _____

Visit Santa Clara County's Property Profile for zoning information and sphere of influence (SOI) information. <https://sccdapps.com/profile/>

C. The property that is the subject of this application is currently in land that is designated on the Important Farmland Series maps as follows (check applicable land type):

_____ Prime farmland _____ Farmland of statewide significance
 _____ Unique farmland _____ Farmland of local importance

To find which land type is applicable to the subject property, visit Santa Clara County's Interactive Property Assessment GIS Map, enter in the subject APN(s), click the plant icon in the upper right corner, and select "Farmland Monitoring Program 2018."

<https://sccplanning.maps.arcgis.com/home/index.html>

5. COMMERCIAL AGRICULTURAL PRODUCTION ON PROPERTY

COMMERCIAL AG PRODUCTION REQUIREMENTS BY TYPE

Cultivation		Grazing & livestock	Timber
Row crops ¹	Field crops ²		
<p>The property produces a specialty crop with a minimum annual revenue* of \$12,000 and the area under cultivation is either:</p> <p>A. At least 6 acres;</p> <p style="text-align: center;">-OR-</p> <p>B. At least 60% of the parcel.</p>	<p>The property produces hay or field crops with a minimum annual revenue* of \$2,000 and the area under cultivation is either:</p> <p>A. At least 24 acres;</p> <p style="text-align: center;">-OR-</p> <p>B. At least 60% of the parcel.</p>	<p>The property produces livestock through grazing or pasture, with a minimum annual revenue* of \$1,000 or \$20/acre whichever is greater, and the area that is fenced, available, and appropriate for grazing is either:</p> <p>A. At least 24 acres;</p> <p style="text-align: center;">-OR-</p> <p>B. At least 60% of the parcel.</p>	<p>The property is at least 40 acres in size and produces timber or other forest products under an active Non-Industrial Timber Management Plan, an active Timber Harvest Plan, or a Timber Harvest Plan that was filed and executed within the last 15 years.</p>

* Minimum annual revenue must be met in three of the past five years, using federal income tax documents filed in those years. Revenue refers to gross income generated by the agricultural use of the property. The Agricultural Commissioner may consider sales receipts when federal income tax documents are not available and may consider revenue projections from future sales of agricultural commodities on property currently planted with perennial crops which will not bear fruits or nuts until two or more years after planting. When minimum annual revenue is calculated per acre, the acreage of the entire parcel will be used, not only those acres being used for commercial agricultural production. Monetary values will be reviewed periodically and may be adjusted to account for inflation in an amount determined by the Board of Supervisors.

¹ "Row crops" includes fruits, nuts, vegetables, seed crops, and nursery crops, for the purposes of this table.

² "Field crops" includes hay, industrial hemp, and Christmas trees, for the purposes of this table.

A. Describe the commercial agricultural use(s) of each property? (e.g. orchard, row crop, hay, grazing, livestock, timber) _____

B. How many acres are in production for each commercial agricultural use on each parcel? _____

C. How many years has each commercial agricultural operation been conducted on each property?

D. Do you hold a current pesticide permit for the agricultural use? ___ No ___ Yes

If yes, under what name is the pesticide permit issued? _____

E. What is the annual revenue from sales of agricultural commodities generated by each property?

F. Do you lease or rent this property to others for the production of agricultural commodities?

____ No ____ Yes If yes, Tenant Name: _____

Tenant Phone #: _____ Tenant Email: _____

6. DEVELOPMENT / OTHER USES ON PROPERTY

G. For each APN, indicate what percentage of the land is developed with structures or hardscapes and describe all existing buildings, structures, uses, and improvements (see definition of development in "Guideline for Williamson Act and Farmland Security Zone Contracts").

Attach labeled photographs with APN Map, and a site plan showing the location and size (square footage) of all such development, with references to the photographs (see 9E).

APN	% of Developed Land	Describe buildings, structures use and improvements.

7. EXISTING PERMITS OR LAND USE VIOLATIONS

A. Identify all land use and building permits issued for each APN:

B. Are there any structures on the property that were built without permits or constructed prior to 1947?

____ No ____ Yes If yes, describe _____

C. Are there any known land use violations on the property (e.g., non-permitted uses, illegally constructed structures, unauthorized grading)? ____ No ____ Yes

If yes, specify APN(s) and violation(s):

8. APPLICANT ATTACHMENTS CHECKLIST

- _____ A. Assessor's Parcel Map(s) ("APN Maps") OUTLINING the property(ies) proposed for a Land Preservation Contract (8-1/2"x11" size paper). APN maps may be downloaded from the Office of the Assessor's website at: <https://www.sccassessor.org/>
- _____ B. Previously recorded, photographically reproducible legal description or a legal description, such as Exhibit A in the Grant Deed, prepared by a person authorized to practice land surveying (on 8-1/2"x11" size paper). Identify each legal description by APN.
- _____ C. Federal income tax documents filed in 3 of the past 5 years substantiating revenue from commercial agriculture on the property.
- _____ D. Site plan showing the location and size (square footage) of all development, with reference to the photographs.
- _____ E. Numbered photographs of the site(s), particularly of any development and non-agricultural uses on the property, with an additional copy of APN Map showing the direction and location of the photographs taken.
- _____ F. If you lease or rent this property to others for the production of agricultural commodities (see section 6G above), attach rental or lease agreement.
- _____ G. If signing for an LLC or other Corporation, provide documentation showing that person/persons have the authority to sign for the LLC or other Corporation (see section 1B above).
- _____ H. If signing under authority of a Power of Attorney, attach a copy of the Power of Attorney.

9. INFORMATIONAL ATTACHMENTS

- *Sample Land Conservation Contract*
- *Guideline for Commercial Agricultural Use*
- *Guideline for Compatible Use Development on Restricted Lands*
- *Guideline for General Administration, Monitoring and Enforcement of Williamson Act Contracts and Open Space Easement Agreements*

Links to the following guides can be found on the Office of the Clerk of the Board Website/Williamson Act:

- <https://boardclerk.sccgov.org/williamson-act>
- [Sample Williamson Act Agreement \(pdf\)](#)
- [Nonrenewal and Cancellation](#)

10. FINAL CONTRACT INFORMATION

Following approval by the Board of Supervisors, two originals of a Land Preservation Contract must be signed by all property owners and security interest holders. All signatures on both copies of the contract must be identical to the manner in which title to or interest in the property is vested and must be properly notarized using a full-page acknowledgement form. A sample contract is provided for your reference.

11. APPLICANT SIGNATURES

The undersigned property owners declare under penalty of perjury that the information supplied on this Application is true and correct:

x

Signature

(Print Name/Title)

x

Signature

(Print Name/Title)

x

Signature

(Print Name/Title)

x

Signature

(Print Name/Title)

x

Signature

(Print Name/Title)

x

Signature

(Print Name/Title)

FILE COMPLETED & NOTARIZED APPLICATION WITH:

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San Jose, California 95110
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