August 22, 2017

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Amendment of the Agricultural Preserve

Dear Supervisors,

RECOMMENDATION:
Amend the Agricultural Preserve boundary to include the Silveira San Rafael Ranch, LLC properties located in north San Rafael (Assessor Parcels 155-011-04, 155-011-05, 155-011-07, 155-011-08 and 155-011-12)

SUMMARY:
The Agricultural Preserve for Marin County was established by Ordinance 1470 in 1965. Only land located within an agricultural preserve is eligible to participate in the Williamson Act program. The Silveira family and the County have agreed to enter into a Williamson Act contract to include the following five Assessor Parcels: 155-011-04 (formerly 155-010-16), 155-011-05 (formerly 155-010-17), 155-011-07 (formerly 155-010-23), 155-011-08 (formerly 155-010-08) and 155-011-12 (formerly 155-010-45). Prior to the Williamson Act contract becoming effective, however, the Agricultural Preserve will need to be amended to include the five subject parcels. A resolution (Attachment 1) to amend the boundary of the Agricultural Preserve to include certain Silveira family ranch properties is presented for your review and consideration.

BACKGROUND:
The California Land Conservation Act, commonly known as the Williamson Act, was enacted in 1965 to preserve agricultural and open-space lands and discourage conversion to urban uses through property tax incentives and voluntary restrictive-use contracts. The contracts restrict land to agricultural and compatible open space uses under 10-year rolling agreements with local governments. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their agricultural or open space use(s), rather than potential market value. In return, the County benefits by retaining land in agricultural or open space. The contracts run with the land and are binding on all successors. The Farmland Security Zone (Super Williamson Act) program was added in 1998 and allows for 20-year contracts.

The Silveira ranch is adjacent to and east of the Highway 101 corridor between the cities of San Rafael and Novato (Attachment 2). The parcels are zoned A2, Agriculture, Limited, which has a 2-acre minimum lot area. The Countywide Plan
land use designation is Planned Designation: Agricultural and Environmental Resource Area. The five properties include approximately 335 acres and comprise one of the largest agricultural ranches along the Highway 101 corridor. Since the 1800’s, the property has been used for dairy ranch pastureland and oat hay fields, which was purchased by the Silveira family in 1900. The Sonoma-Marin Area Rail Transit (SMART) railroad tracks run through the ranch in a north – south direction. The 248-acre area west of the railroad track consists primarily of non-native grassland for livestock grazing and includes roads, ranch buildings and other related agricultural facilities. The 87 acres east of the railroad tracks consists of oak woodlands.

Only land located within an agricultural preserve is eligible for a Williamson Act contract. Approval of the proposed amendment to the Agricultural Preserve would be a necessary step towards allowing the Silveira family to enter into a new Williamson Act contract to continue to preserve the ranch’s agricultural legacy and in recognition of its importance as a physical and visual separator between the cities of San Rafael and Novato. This is consistent with the Marin Countywide Plan goal to preserve agricultural lands and resources.

REVIEWED BY: (These boxes must be checked)
[X] Department of Finance  [X] N/A
[X] County Counsel  [ ] N/A
[X] Human Resources  [X] N/A

SIGNATURE:  

Kristin Drumm,  
Senior Planner  

Renee Brewer,  
Chief Deputy County Counsel

Attachments:
1. Resolution to Amend the Agricultural Preserve Boundary
2. Map of Proposed Parcels for Addition to the Agricultural Preserve

CC:
Randy Ewert, Assessor
Renee Silveira
Keene Simonds, Marin Local Agency Formation Commission