

# Williamson Act Compatible Use Determination (WA)

Williamson Act contracted land must be devoted to the commercial production of agricultural commodities, as defined in the *Guideline for Commercial Agricultural Use*, as a pre-condition to development. Any other uses or development of contracted lands must be compatible with and ancillary to the use of the land for commercial agriculture. A maximum of 10% of the parcel, not to exceed 5 acres, may be devoted to compatible uses and development. Whether the agricultural use would continue to be the primary use of the land involves evaluating the amount/intensity of commercial agriculture on the parcel as compared to the size and scale of the proposed compatible use development.

The following documentation is required to process an application for a Compatible Use Determination. The property owner or authorized representative must sign the application, pay the current filing fee, and submit **all** the pertinent information described below or the application will **not** be accepted. Following initial distribution and review of submitted materials, additional information may be required. **Questions?** Contact the Planning Office at (408) 299-5770.

## Checklist of Required Application Materials

The documents listed below are **required** for your Williamson Act Compatible Use Determination and **must be submitted in electronic form on a CD or thumb drive, along with 2 copies of the plans on paper. Incomplete submittals will not be accepted.** All plans must be legibly drawn to an appropriate scale, and the paper copies must be sheet size **18"x 24" minimum to 24"x36" maximum, and folded.**

- Copy of Assessor's Parcel Map** (Available at the Assessor's Office-5<sup>th</sup> Floor, County Government Center)
- Copy of Current Recorded Grant Deed**
- Description of the proposed use(s) and development.** If the project proposes events, information must be provided on the type and number of events, when the events would take place (months of the year, days of the week, hours of events), the number of visitors/attendees and any related staffers, where would the uses occur on the property, etc.
- Description of the commercial agricultural use(s) on the parcel.** If the agricultural use is timber production or the production of other forest products, the parcel must be at least 40 acres in size.
- Substantiation of revenue from commercial agriculture** on at least 60% of the parcel (if standard sized) or 75% of the parcel (if substandard sized) in 3 of the past 5 years using federal income tax documents, such as Form 1040 Schedule F, filed in those years. **Please remove sensitive information (Social Security Number and taxpayer identification number) as the submitted documents will be placed in a publicly available file.** If the agricultural use is timber production, submit an active Non-Industrial Timber Management Plan, an active Timber Harvest Plan or Timber Harvest Plan filed and executed within the last 15 years. Declared annual revenue from commercial agriculture must be accompanied by a *Declaration regarding Agricultural Income on Williamson Act Property* affidavit form.
- Site Plan showing all of the following:**
  - Calculation of the percentage of land in agricultural production (60% of the parcel if standard sized or 75% of the parcel if substandard sized). Any parcels using Condition 5 or 6 ("income-only" options) of the *Guideline for Commercial Agricultural Use* must have a least 50% of the land in commercial agricultural use;
  - Footprints of all existing and proposed structures, hardscape and associated improvements; and
  - Calculation of the square footage of the footprints of all existing and proposed structures, hardscape and associated improvements. (A registered civil engineer, licensed land surveyor or licensed architect may be required to verify the computation of calculations by signature and stamp.)
- Acknowledgements and Agreements Form**, signed by owner.

*In addition to the requirements stated in Williamson Act Guidelines and Ordinance, development proposals must comply with all applicable zoning ordinances and building code requirements.*