



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

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**NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo**

MEETING DATE: November 15, 2016

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Public hearing to consider a new Agricultural Preserve contract under the Williamson Act for Robert Harris for a cattle operation on approximately 1,414 acres on Sanford Road and Garden Bar Road (APNs 54-160-07; and 54-170-02, -08, and -12) (AG16-001). (District II)

RECOMMENDATION: Adopt the attached Resolution for a Williamson Act contract on four parcels totaling 1,414 acres owned by Robert Harris.

FUNDING: This Williamson Act contract approval would result in a reduction in the assessed value of the subject parcels from \$2,447,884 (current 2016/17 assessed value) to approximately \$1,025,000 (hypothetical 2016/17 assessed value with contract). Based on the applicable tax rate of 1.0%, there would be an annual property tax revenue loss of approximately \$14,228, with 27% of that loss to the Nevada County General Fund (\$3,842). The State no longer reimburses these revenues due to the suspension of the Open Space Subvention Act.

ATTACHMENTS:

1. Resolution containing the proposed contract
2. Vicinity/Zoning Map
3. Aerial Map
4. Agriculture Advisory Commission Staff Report
5. Recommendation of the Agriculture Advisory Commission

BACKGROUND:

The California Land Conservation Act of 1965 (Williamson Act), adopted by Nevada County in 1975 with amendments through 1994, enables local governments to enter into contracts with private landowners to preserve land for agricultural uses. In return,

landowners receive annual property tax assessments based on the agricultural-use value rather than the traditional valuation methodology under Proposition 13. This economic relief to farmers and ranchers and the attendant preservation of rural farmlands in turn provides public benefits such as more orderly development patterns, diversification of the economy, and the assurance of local, healthful food sources. The Williamson Act contract restricts the land to agricultural uses for at least 10 years, with automatic annual renewals that maintain the 10-year contract term until non-renewal or cancellation.

As required in Nevada County's Williamson Act Contract Rules and Regulations, the property must have the following in place for approval of a new contract:

- AE, AG, or TPZ zoning,
- a minimum of 40 acres for non-Prime agricultural soils,
- a minimum capital outlay for agricultural improvements of \$15,000,
- a minimum of \$3,000 annual gross profit, and
- a conservation and agricultural production plan.

The Harris application meets and exceeds these criteria with Agricultural Exclusive (AE) zoning; 1,414 acres total; capital outlay of over \$360,000; approximately \$55,000 gross annual profit in both 2014 and 2015; and an agricultural management plan prepared by the Farm Advisor for the ongoing management and improvement of the cattle operation. The property also has a long history as a working ranch, having been in operation since the 1800s, and the applicant is familiar with the long-term management needs of the property, having run the cattle operation for many years.

On September 21, 2016, the Nevada County Agricultural Advisory Commission (AAC) voted 8-0, with Commission Member Ed Scofield abstaining, to recommend the Board of Supervisors approve a new Williamson Act contract for Robert Harris. In making their recommendation, the AAC determined the contract to be consistent with the purpose and intent of the County's Williamson Act Rules and Regulations, and consistent with the Nevada County General Plan as follows: Objective 16.8 encourages the placement of significant agricultural lands into the Williamson Act, Policy 16.1 encourages agricultural operations in Rural Regions, Policy 16.2 includes the raising of livestock within the definition of "agricultural operations," and Policy 16.13 encourages participation in the Williamson Act program.

Based on the hypothetical assessed value under Williamson Act Contract for FY 2016/17, the contract would reduce property tax allocations to schools by \$7,541; Nevada Irrigation District (NID) by \$1,707; special districts by a total of \$1,138; and the Nevada County General Fund by \$3,842. Any loss of school tax revenues is backfilled by the State for the districts in which this property is located (Pleasant Ridge, Nevada Union, and Sierra College). NID has indicated support of the contract and the long-term agricultural use of the property. All of the special districts were contacted and none have objections to the project. The application meets and exceeds Williamson Act contract

criteria and would have long-term public benefits as previously declared by the County in its resolutions adopting the Williamson Act. Staff therefore recommends that the Board approve this proposed Williamson Act Contract.

Please contact me if you have any questions or require any additional information.

Item Initiated by: Jessica Hankins, Senior Planner

Approved by: Brian Foss, Director of Planning