



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

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

MEETING DATE: September 1, 2020

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Public hearing to consider two (2) new Williamson Act Contracts and one (1) amended contract due to change in ownership and a lot line adjustment for Personeni, Miller, Gates and Mora.

RECOMMENDATION: Adopt the attached Resolution for two (2) new Williamson Act Contracts and one (1) amended contract due to change in ownership and a lot line adjustment. The current parcels are already covered under a single Williamson Act contract. No new parcels will be added under contract nor will any parcels be removed from a contract.

FUNDING: The existing parcels are all currently under and Agricultural Preserve contract and have been since 1976. The amended contract and two (2) new contracts would not add or subtract acreage from the total acreage under contract. The State no longer reimburses these revenues due to the suspension of the Open Space Subvention Act.

ATTACHMENTS:

1. Resolution and amended contract for Personeni (WAC20-0002)
2. Resolution and new contract for Miller (WAC20-0003)
3. Resolution and new contract for Gates/Mora (WAC20-0001)
4. Vicinity/Aerial Map
5. Agriculture Advisory Commission Staff Report
6. 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 applications meet and/or exceed these criteria with Agricultural Exclusive (AE) zoning; total acreage, capital outlay and gross profits. A site visit conducted by the Nevada County Agricultural Commissioner on July 9, 2020 confirmed that a viable agricultural operation exists on the described lands above and that the supporting documents and claims meets the criteria outlined in the guidelines above. The properties have a long history of grazing and other agricultural endeavors over the decades.

On July 15, 2020, the Nevada County Agricultural Advisory Commission (AAC) voted 6-0, to recommend the Board of Supervisors approve an amended contract and two new contracts for Personeni, Miller, Gates/Mora. In making their recommendation, the AAC determined the contracts 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.

The properties have all been under contract since the 1970's but due to the change in ownership and the lot line adjustment the assessed value will be reevaluated by the Assessor's Office. All of the special districts were contacted and none have objections to the project. The applications for all the properties meet and/or exceed 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 the amendment to the existing contract and adopt two new contracts under the Williamson Act.

Approved by: Brian Foss, Director of Planning