

**NEVADA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT
ERIC ROOD ADMINISTRATION BUILDING
950 Maidu Avenue
Nevada City, California 95959-8617
Phone: (530) 265-1222 FAX : (530) 265-9851**

**APPLICATION PACKET for
A WILLIAMSON ACT CONTRACT**

This packet contains filing forms and instructions for submitting a complete application for a Williamson Act contract or for contract cancellations. All forms must be completed and all required supplemental documents must be submitted, or your application will not be accepted.

Applications must be filed in person in the Planning Department before 4:30 p.m.

Once a complete application has been received, your proposal must be circulated to a number of agencies for comment. Upon close of the comment period, a public hearing will be scheduled before the Nevada County Agricultural Advisory Commission, who will make recommendations to the Board of Supervisors. Approximately 10 days prior to that hearing you will receive a Staff Report containing Recommendations for your contract proposal. Surrounding property owners will also be notified of the hearing. **You or your authorized representative (may be the NRCS or Farm Advisor) must attend the public hearing to answer any questions the Commission may have.** At the hearing, the Agricultural Commission will consider the staff recommendation, your comments, and any input from the public. The Commission will make a recommendation to the Board of Supervisors and may modify your proposal or continue it for additional information if necessary.

Once the Commission has made a recommendation, your proposal will be scheduled for a review by the Board of Supervisors who have final authority for approving or denying your request. A new staff report will be prepared and you will again receive a copy of that Report and an agenda for the Board meeting. If a rezoning is required, a third hearing will be necessary, before the Planning Commission.

Following approval by the Board of Supervisors, the Clerk of the Board of Supervisors will record the contract, sending a copy to the County Assessor.

**SUBMITTING A COMPLETE AND ACCURATE APPLICATION
WILL HELP TO MAINTAIN YOUR DESIRED HEARING SCHEDULE**

LAND USE APPLICATION

Please print or type in black ink

Type of application(s) for which you are applying:

- | | | |
|---|---|--|
| <input type="checkbox"/> Tentative Map | <input type="checkbox"/> Ordinance Amendment | <input type="checkbox"/> Certificate of Compliance |
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Voluntary Merger |
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Home Business |
| <input type="checkbox"/> Administrative Dev. Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Temporary Commercial Permit |
| <input type="checkbox"/> Boundary Line Adjustment | <input type="checkbox"/> Setback Easement | |

Other (specify): Williamson Act contract (New, or Cancellation)

PROJECT DESCRIPTION: _____

Assessor's Parcel No(s): _____

Property Owner names (as shown on recorded deed): _____

Mailing Address(es) of Property Owner(s): _____

Telephone No: () _____ FAX No: () _____ E-Mail: _____

Name of Representative (if applicable): _____

Address of Representative: _____

Telephone No: () _____ FAX No: () _____ E-Mail: _____

Situs address (es): _____ Acreage(s): _____

Water Source: _____ Method of Sewage Disposal: _____

I hereby acknowledge that I have read the instructions for filing this application and state under penalty of perjury that the information provided on all attached documents is correct.

Signature of () Property Owner(s) or () Authorized Representative*

_____ Date: _____

_____ Date: _____

*Representative may sign if a Letter of Authorization from the owner is provided.

COUNTY OF NEVADA

DEPARTMENTS OF PLANNING, TRANSPORTATION AND SANITATION, and ENVIRONMENTAL HEALTH

AGREEMENT TO PAY FORM

Pursuant to County Board of Supervisors Resolution, fees for services rendered in the review of a land use project shall be billed to parties requesting the service at a direct hourly cost. This form must be completed, signed and filed with the **Planning Department** with the completed application package.

Questions regarding specific hourly rates and billing procedures should be directed to the appropriate Department:
Planning: (530) 265-1440 Transportation/Sanitation: (530) 265-1411 Environmental Health: (530) 265-1452

I/We, as project applicant and authorized representative, mutually agree that billings incurred for the Department of Transportation and Sanitation, Environmental Health Department, and the Planning Department, for all engineering and/or staff services rendered by said Department, will be paid by the party indicated below. All fees will be required to be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required.

I/We understand that the Department of Transportation and Sanitation, Environmental Health Department, and/or the Planning Department, will bill as services are rendered, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing for the project located on **Assessor's Parcel Nos:**

Billings should be mailed to: (Please type or print in black ink)

Please check appropriate box

→ **Applicant:** _____ **or Representative:** _____

(_____)

Area Code

Telephone No.

Signature of Applicant

Printed Name

Date

DRIVER'S LIC. #: _____ **STATE:** _____ **CLASS:** _____ **EXP. DATE:** _____

Signature of Project Representative

Printed Name

Date

DRIVER'S LIC. #: _____ **STATE:** _____ **CLASS:** _____ **EXP. DATE:** _____

THIS SECTION FOR OFFICE USE ONLY:

PLANNING DEPT. RECEIPT NO.: _____ **PROJECT FILE #:** _____
Date of receipt

EH JOB #: _____ **Issued By:** _____ **Date:** _____

DOT #: _____ **WO#:** _____ **Requested By:** _____ **Date:** _____

NOTARIZED SIGNATURES OF ALL HOLDERS OF INTEREST

I (We) declare under penalty of perjury that the foregoing is true and correct and that the person or persons indicated as the Representative is designated to act in my/our behalf; that I am (we are) the only owners and encumbrance holders who possess any interest in the property covered or proposed to be covered by contract under the Land Conservation Act of 1965.

PRINT NAME UNDER EACH SIGNATURE AND INDICATE WHETHER OWNER OR HOLDER OF DEED OF TRUST OR OTHER ENCUMBRANCE (ALL SIGNATURES MUST BE NOTARIZED). OWNERS NAMES MUST BE EXACTLY AS THEY APPEAR ON THE RECORDED DEED.

STATE OF CALIFORNIA)
) ss.
COUNTY OF NEVADA)

On _____, before me, _____, a Notary Public in and for said County and State, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public
My Commission Expires _____

AGRICULTURAL PRESERVE CONTRACT
FILING INSTRUCTIONS & CHECKLIST

This form must be filed with your application. Please check off (✓) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

- () 1. The signed and completed Application form, including a letter of authorization from the property owner(s) if the applicant is not the property owner.
- () 2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors.
- () 3. The signed and completed Agreement to Pay Form.
- () 4. One copy of the property Grant Deed(s), verifying ownership and the legal description of each affected parcel.
- () 5. The completed, attached NOTORIZED SIGNATURES form.
- () 6. A map that adequately depicts all effected parcels, existing structures, and land use by acreage. All exhibits, including any attached to the Conservation/Production Plan, must be adequate for recording, i.e., 8.5" x 11" in size, black and white, and not too dark to be scanned.
- () 7. One public notice map and a list of Assessor's Parcel Numbers, per attached instructions.
- () 8. If the parcel covered by the contract application is proposed to be subdivided, or separate parcels covered by one contract are proposed to be sold separately in the future, include a preliminary map indicating the parcel or parcels which may be sold separately.

For applications proposing a contract for agricultural uses of land as required in Section III. of Resolution No. 88-36:

- () 9. Documentation substantiating capital outlay for agricultural improvements, livestock, plant material, and animal can crop enhancement products in the minimum total sum of \$15,000.00.
- () 10. Documentation of a minimum of \$3,000.00 annual gross profit from agricultural production on the parcel or parcels described in the contract in two of the three years preceding contract application.
- () 11. A Conservation/Agricultural Production Plan consistent with the criteria specified in the County's adopted Williamson Act Resolutions.
- () 12. Indicate whether land is owner-operated, leased or share-cropped.

For applications proposing a contract for open space uses of land, as required in Section III. of Resolution No. 88-36:

- () 13. Attach a description of existing or proposed open space use of the land to be covered by contract
- () 14. Attach a plan which outlines the conservation and resource management program in effect or to be implemented for the property, including a statement from the State Department of Fish and Game, if required.
- () 15. If appropriate restrictive zoning is not in place at the time contract application is made, a zoning petition shall be filed concurrently with this application.

For applications proposing a contract for recreation uses of land, as required in Section IV of Resolution No. 88-36:

- () 16. Attach a description of existing or proposed recreational use of land to be covered by contract:
- () 17. Attach a statement of legal non-conforming status, or a site plan or conditional use permit approval, indicating that the existing or proposed public recreational use is consistent with county regulations.
- () 18. Attach a plan which outlines the conservation and resource management program in effect, or to be implemented, for the property under consideration.

For applications proposing cancellation of a contract, as required in Section VII of Resolution 88-36:

- () 19. Attach a letter of written notice requesting contract cancellation, explaining the reason for the cancellation, and any information that will assist the County in determining that it is in the public interest to cancel the contract and that such cancellation will not be inconsistent with the purpose of County Resolutions relative to the Williamson Act.

PREPARING A PUBLIC HEARING NOTICE MAP AND LIST

All projects that require a public hearing shall submit a public notice list and map, prepared by the applicant. State Government Code Section 65091 (a) (3) requires noticing be given to owners within 300' of the real property that is the subject of the hearing. In addition, County ordinance requires that notice also be provided to the owners of at least 10 parcels (in addition to the parcel which is the subject of the hearing). If the property that is subject to the hearing is located within an area that is designated with a minimum parcel size of 5 acres or greater, additional noticing shall be given to extend to owners within 500' of the subject property.

A. MAP

The Public Notice Map shall be based on the most currently available Assessor's Parcel Map Books, County of Nevada. Where more than one page from a given book needs to be used, all the maps shall be graphically combined into one map, with one common scale, clearly indicating the appropriate book and page for each section. A sample public notice map is attached. Public Notice Maps shall be prepared as follows:

- a. The maximum size of the map shall be 11" x 17"; the minimum size 8-1/2" x 11".
- b. The Name of the Applicant(s) shall be shown on the map.
- c. The map must be clearly reproducible on clear paper; lined or graph paper is not acceptable.
- d. A North Arrow and Scale shall be shown.
- e. All roads, watercourses, city boundaries or landmarks should be shown so as to make the subject property clearly identifiable.
- f. The subject property shall be clearly marked.
- h. All properties within 300' of the subject property shall be clearly delineated by a radius line and labeled as the 300' line. If the subject property is zoned for a minimum 5-acre parcel size or greater, noticing shall be extended to 500'.
- i. No fewer than ten parcels, plus the subject property, shall be shown.
- j. All Assessor's Book and Page Numbers, including block numbers, shall be shown, including parcels outside the boundaries of Nevada County.

B. LIST

The Public Notice List is a listing of parcel numbers only. List in numerical order all those Assessor's Parcel Numbers mapped as directed above, including those parcel numbers outside the boundaries of Nevada County. DO NOT list the property owners or their addresses for properties within Nevada County. For properties outside of Nevada County, provide a current list of property owner names and addresses and labels.

Special arrangements can be made with the Planning Department staff, in advance of submittal, for particularly unusual situations.

Preparing an accurate Public Notice Map and List are the applicant's responsibility and errors may result in delays or continued hearings. Please check your numbers carefully.

(SAMPLE)
PUBLIC NOTICE MAP
for John Doe

<u>ASSESSORS MAP BOOK & PAGE #</u>		
A	77	030
B	77	040

C

77 140

D	77	071
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