

**FROM THE MINUTES OF FEBRUARY 8, 2007**

**8. WILLIAMSON ACT CONTRACT/REZONE (Public Hearing)**

**Williamson Act Contract WAC06-0014/Rezone Z06-0039** submitted by GREG and SHARON BAIOCCHI to establish a new agricultural preserve and rezone the same property from Estate Residential Ten-acre (RE-10) to Agricultural Preserve (AP). The property, identified by Assessor's Parcel Number 046-061-37, consisting of 35.2 acres, is located on the south side of Hidden Ranch Road, 0.5 mile east of the intersection with Mt. Aukum Road, in the **Somerset area** (Supervisory District II). (Categorically exempt pursuant to Section 15317 of the CEQA Guidelines)

Staff: Michael Baron recommended approval. Commissioner Mac Cready asked how the new setbacks would affect these properties. Bill Stephans, Agricultural Commissioner, said they have identified criteria for those areas where there have been problems over the past few years. Paula Frantz, County Counsel, explained further. Mr. Stephans again asked that this application be continued. Ms. Frantz said the Board is only taking action on the administrative relief at the present time.

Greg Biaocchi agreed to a continuance but would like action taken on his application this year.

A.L. Hamilton, representing Elaine Hoyt, said this is an effective taking of Ms. Hoyt's property because of the 200-foot setback. Her property is surrounded on three sides by the subject property. They do not object to the contract but do object to the setbacks. They have no problem with traffic that would occur should there be a tasting room in the future.

Commissioner Mathews asked if Hidden Ranch Road is paved. Mr. Baron commented it is gravel.

Peter Maurer said there are no plans for a tasting room today, but one could be allowed under a special use permit.

Art Marinaccio said agreed with the Board of Supervisors that more information needs to be provided on the adjacent properties when considering these types of applications.

Ken Greenwood commented this was not an Agricultural District when the surrounding property owners purchased their properties. If other people were creating this much of an impact and not an agricultural use, they would be required to obtain a permit. There are many issues that need to be discussed.

Dave Pratt said this application is about going into a Williamson Act Contract. It meets the necessary criteria. There are rules in place, and the Agricultural Commission made the necessary findings for approval.

There was no further input.

**MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MATHEWS, AND UNANIMOUSLY CARRIED, IT WAS MOVED TO CONTINUE WAC06-0014/Z06-0039 TO THE MEETING OF JULY 12, 2007.**

**ATTACHMENT 3**