

5-2-00 Adopt
CA-4

DEPARTMENT: Planning

By: Skip Strathearn
Assistant Planner

Phone: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: Policy Item: Yes ___ No X

Waive first reading and ^{INTRODUCE} adopt an ordinance approving Development Agreement 00-1 with the recommended findings. Direct chairman to execute development agreement. The Development Agreement is necessary to complete Land Division Application #1513 to mitigate potentially significant impacts of the land division project on emergency access and evacuation. The Planning Commission recommends approval of the Development Agreement

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- ALTERNATIVES: 1) Revise Development Agreement
2) Not approving the Development Agreement.

NEGATIVE ACTION: If agreement is not approved the applicant would be unable to satisfy land division project conditions and the land division could not be completed.

COSTS: (X) Not Applicable	
A. Budgeted Current FY	\$ _____
B. Total anticipated Costs	\$ _____
C. Required additional funding	\$ _____
D. Internal transfers	\$ _____
COSTS: () 4/5th Vote Required	
A. Unanticipated revenues	\$ _____
B. Reserve for Contingencies	\$ _____
C. Source Description	\$ _____
Balance in Reserve Contingencies, If Approved:	
\$	_____

SPECIAL INSTRUCTIONS
List the attachments and number the pages consecutively:

Memorandum to Board with Attachments

Attachment 1 Staff Report to Planning Commission

Attachment 2 Planning Commission Resolution recommending approval

Attachment 3 Proposed Ordinance approving Development Agreement 00-1

CLERK'S USE ONLY

Res. No.: _____ Ord. No.: 947

Vote - Ayes: 4 Noes: _____

Absent: _____ Abstained: Reilly

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board

By: _____

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

_____ Recommended

_____ Not Recommended

_____ For Policy Determination

_____ Submitted for Comment

_____ Returned for Further Action

Comment: _____

A.O. Initials: [Signature]

**MARIPOSA COUNTY ORDINANCE NO. 947
(Not to be Codified)**

**AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT NO. 00-1
KENT AND JANICE STOEL, APPLICANTS**

WHEREAS, a land division application was submitted by Kent and Janice Stoel to subdivide 111.87 acres of land into three parcels of 43.73, 29.84, and 38.30 acres; and

WHEREAS, the environmental review of this application found that there could be potentially significant impacts from the division of land, specifically related to emergency access and evacuation; and

WHEREAS, mitigation developed to address these potentially significant impacts required the execution of a Development Agreement, in order to limit the development on the parcels; and.

WHEREAS, an application for a Development Agreement was submitted by the Stoels pursuant to mitigation; and

WHEREAS, the Planning Commission and Board of Supervisors have held duly noticed public hearings on the matter in accordance with State Law and County Code and have considered all public input.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors does hereby ordain as follows:

SECTION 1: The Board of Supervisors approves Development Agreement No. 00-1 as shown in Exhibit 1 of this ordinance.

SECTION 2: This action of the Board is based on the findings mandated by Section 17.124.130.C of Mariposa County Code as stated and discussed in Exhibit 2.

SECTION 3: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

Board of Supervisors Ordinance No. 947

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this
2nd day of May, 2000 by the following vote:

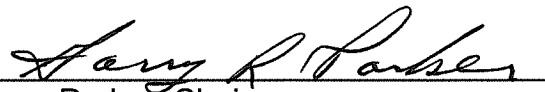
AYES: Balmain, Stewart, Parker, and Pickard

NOES: None

ABSTAINED: Reilly

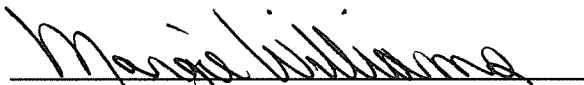
EXCUSED: None

NOT VOTING: None




Garry Parker, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel

RECEIVED
MAY 08 2000
MARIPOSA GAZETTE

**ACKNOWLEDGMENT
RE NEWSPAPER PUBLICATION**

[Instructions: Please have a representative with the GAZETTE complete the following acknowledgment of receipt regarding legal publications. Please forward the billing request to the Mariposa County Board of Supervisors, Post Office Box 784, Mariposa, California 95338. Should you have any questions, please contact our office (attention: Donna) at (209) 966-3222. Thank you.]

I, RD Tucker hereby acknowledge receipt of the
(Print Name)

following document (s) for legal publication in the May 11, 2000, issue of the "Mariposa Gazette," on this 8th day of May, 2000.

MARIPOSA COUNTY ORDINANCE NO. 947

AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT
NO. 00-1, KENT AND JANICE STOEL, APPLICANTS

By:

RD Tucker
(Representative)