



MARIPOSA COUNTY

Planning · 209-966-5151



RESOLUTION - ACTION REQUESTED 2015-559

MEETING: November 24, 2015

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: LCA (Williamson Act) 2013-2014 Biennial Review – Authorization for Enforcement and Notices of Non-Re

RECOMMENDATION AND JUSTIFICATION:

Authorize Enforcement Action to Record Notices of Non-Renewal on Land Conservation Act (Williamson Act) Contracted Parcels that Were Determined to be Non-Compliant with Resolution 10-150 Based on the County's Review of Biennial Reports for Reporting Years 2011-2012 and 2013-2014.

Staff is requesting authorization to proceed with enforcement action to record Notices of Non-renewal on Land Conservation Act (LCA), commonly known as Williamson Act, contracted parcels that were determined to be non-compliant with Board of Supervisors Resolution No. 10-150 based on the County's review of Biennial Reports **for reporting years 2011-2012 and 2013-2014**. Authorization will allow staff to:

1. Prepare Notices of Non-renewal for 18 parcels, to be effective January 1, 2017; the Notice of Non-renewal is signed by the Clerk of the Board,
2. Provide property owners of these 18 parcels with written notice of the intended non-renewal action; notice will provide property owners with a 20 calendar-day opportunity to file a written protest,
3. Review any supplemental information that may be subsequently received from the property owners (if supplemental information provides evidence of compliance, no further enforcement action would occur),
4. Record the Notices of Non-renewal (following the protest period, action anticipated during the first quarter of 2016), and
5. Record Notices of Withdrawal of Non-renewals for parcels that may become compliant with Resolution 10-150, prior to January 1, 2017, and in conformance with Government Code §51245.

The Report also provides final information to the Board regarding contracted parcels that were determined to be non-compliant with Board of Supervisors Resolution No. 10-150 based on the County's Biennial Report review **for reporting years 2013-2014**.

Please see the attached staff report for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

3/23/2010 - Resolution No. 10-150 (comprehensive update to Board policies to implement Williamson Act in Mariposa County)

6/2/2015 - LCA 2013-2014 Biennial Review Progress Report

8/18/2015 - LCA 2013-2014 Biennial Review Final Report

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative action would mean LCA policies of Resolution 10-150 are not met.

ATTACHMENTS:

LCA Biennial Review BOS Memo NNR Actions Final (DOC)

Attachment A- MAP LCA Lands (PDF)

Attacehment B- RES. 10-150 Rules of Procedure (PDF)

Attacehment C- AUG 18 BOS LCA BR 13 14 MEMO (PDF)

Attachment D- LCA BR VIOLATION LETTER SAMPLE (PDF)

Attachment E- Notice of Nonrenewal Sample (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 11/19/2015

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Merlin Jones, Marshall Long, John Carrier

EXCUSED: Kevin Cann

See Attached Memo