DEPARTMENT: PLANNING  BY: Greta Hudak  PHONE: 966-5151

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

Adopt a resolution approving with conditions Agricultural Preserve Applications Nos. 94-1 (Albert W. Anderson, applicant), 94-2 (Glenn and Deborah Stickle, applicants), 94-3 (Foster Poultry Farms, applicant), and 94-4 (Donald Brown, applicant) based on the findings and conditions set forth in Planning Commission Resolution No. 94-20. This recommendation is based on the recommendation of the Planning Commission for approval of the applications with conditions based on the findings the applicants are consistent with the General Plan and Agricultural Preserve Policy.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board continued the public hearings for Agricultural Preserve Applications Nos. 94-1, 94-2 and 94-3 from January 10, 1995, 11:00 a.m. to January 17, 1995, 11:00 a.m., in order to hold the public hearings for all 1994 Agricultural Preserve Applications at one time.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Alternatives: 1) Approve the applications with modified conditions and findings; 2) Deny one or more of the applications; 3) Continue matter for discussion.

Negative action would result in denial of the applications and prevent the recordation of Land Conservation (Williamson) Act contracts on the properties.

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COSTS:  (x) Not Applicable
A. Budgeted current FY  $__________
B. Total anticipated costs  $__________
C. Required additional funding  $__________
D. Internal transfers  $__________

SOURCE:  ( ) 4/5ths Vote Required  $__________
A. Unanticipated revenues  $__________
B. Reserve for contingencies  $__________
C. Source description: Balance in Reserve for Contingencies, if approved: $__________

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SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively:
1. Memo to Board
2. Agricultural Preserve Standards
3. Planning Commission Resolutions Nos. 94-20; 95-1
5. Planning Commission Staff Reports

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CLERK'S USE ONLY:
Vote - Ayes: _______  Noes: _______
Absent: _______  Abstained: _______
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
County of Mariposa, State of California
By: Deputy

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ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
L Recommended
N Not Recommended
F For Policy Determination
S Submitted with Comment
R Returned for Further Action

Comment: _______
A.O. Initials: _______

Action Form Revised 5/92
MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 95-27

A RESOLUTION APPROVING AGRICULTURAL PRESERVE
APPLICATIONS NO. 94-1, 94-2, 94-3 and 94-4

WHEREAS, Agricultural Preserve Applications No. 94-1 (Albert
Anderson, applicant), No. 94-2 (Glenn and Deborah Stickles,
applicants), No. 94-3 (Foster Poultry Farms, applicant), and No.
94-4 (Donald Brown, applicant) have been submitted to the County
of Mariposa in accordance with the requirements of County Code
and adopted County policy; and

WHEREAS, said applications were reviewed by the Mariposa
County Agricultural Advisory Committee, Mariposa County
Planning Commission and Mariposa County Board of Supervisors for
consistency with the California Land Conservation (Williamson)
Act, Mariposa County General Plan, and Mariposa County
Agricultural Preserve Policy; and

WHEREAS, the Agricultural Advisory Committee recommended
approval of the applications with conditions; and

WHEREAS, the Planning Commission has held a public hearing
on the applications in accordance with County Code and State law.

WHEREAS, the Board of Supervisors has held a public hearing
on the applications in accordance with County Code and State law.

NOW THEREFORE, BE IT HEREBY RESOLVED, the Mariposa County
Board of Supervisors hereby approves the following:

1) The filing of a notice of exemption (from environmental
review) for the projects;
2) The approval of Agricultural Preserve Applications No. 94-1, 94-2, 94-3 and 94-4 with the following conditions:

   A) A restriction shall be included in the Land Conservation Act contract prohibiting the conveyance of parcels less than 100 acres as separate parcels except for conveyances to immediate family members of the property owner.

   B) A restriction shall be included in the Land Conservation Act contract prohibiting the construction of new residential dwellings on parcels less than 40 acres in size.

   **BE IT FURTHER RESOLVED** this action by the Board of Supervisors is based on the following findings:

   1) The projects are found to support, accomplish, or have no effect on the goals, policies, and standards of the General Plan as a whole and will not obstruct the achievement of the Plan's purpose. This finding is made in accordance with Section 2.600 et. seq. of the General Plan and is supported by information contained in the staff reports.

   2) The projects, upon compliance with the required conditions, comply with all standards of the California Land Conservation (Williamson) Act and the Mariposa County Agricultural Preserve policy. This finding is supported by information contained in the staff reports.

   **PASSED AND ADOPTED** by the Mariposa County Board of Supervisors on this 17th day of January 17th, 1995 by the following vote:

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BoS Resolution No. 95-27, Page 3

AYES: PARKER, TABER, STEWART, BALMAIN, REILLY

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

GARRY R. PARKER, Chairman  
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board  
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND LEGAL SUFICIENCY

JEFFREY GREEN, County Counsel
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ED JOHNSON, Planning and Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: PUBLIC HEARINGS to Consider Approval or Denial of Agricultural Preserve Application Numbers 94-1 (Anderson, 94-1; Stickles, 94-2; Foster Poultry Farms, 94-3; Brown, 94-4 Resolution Number 95-27

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on January 17, 1995

ACTION AND VOTE:

11:42 a.m. Ed Johnson, Planning and Building Director;
A) PUBLIC HEARINGS to Consider Approval or Denial of Agricultural Preserve Application Numbers 94-1 (Albert W. Anderson, Applicant); 94-2 (Glenn and Deborah Stickles, Applicants), 94-3 (Foster Poultry Farms, Applicant), and 94-4 (Donald Brown, Applicant) (Continued from 01/10/95)
BOARD ACTION: Staff report was presented by Greta Hudak/Assistant Planner. Public portion of the hearings was opened and input provided by: Don Brown/applicant for No. 94-4, expressed concern with the restriction that prohibits conveyance of parcels less than 100 acres as separate parcels except for conveyances to immediate family members of the property owner, and advised that this restriction was not placed on his previous applications. Mr. Brown responded to questions from the Board relative to his parcels and previous applications. Public portion of the hearings was closed and Board commenced with deliberations. Greta Hudak and Ed Johnson responded to questions from the Board relative to the restriction and historic parcels. (M)Taber, (S)Reilly, Res. 95-27 adopted approving Agricultural Preserve Application Numbers 94-1, 94-2, 94-3 and 94-4, with conditions as recommended by the Planning Commission/Ayes: Unanimous. Hearings were closed.

Bud Swift/Agricultural Advisory Committee, requested a cut-off date be established for receiving Agricultural Preserve applications in the future - Chairman requested that Planning staff review this request and come back to the Board with a recommendation.

cc: File
MARIPOSA COUNTY PLANNING COMMISSION
RESOLUTION NO. 94-20

A RESOLUTION RECOMMENDING APPROVAL OF AGRICULTURAL PRESERVE
APPLICATIONS NO. 94-1, 94-2 AND 94-3

WHEREAS, Agricultural Preserve Applications No. 94-1 (Albert
Anderson, applicant), No. 94-2 (Glenn and Deborah Stickles,
applicants) and No. 94-3 (Foster Poultry Farms, applicant) have
been submitted to the County of Mariposa in accordance with the
requirements of County Code and adopted County policy; and

WHEREAS, said applications were reviewed by the Mariposa
County Agricultural Advisory Committee and the Mariposa County
Planning Commission for consistency with the California Land
Conservation (Williamson) Act, Mariposa County General Plan, and
Mariposa County Agricultural Preserve Policy; and

WHEREAS, the Agricultural Advisory Committee recommended
approval of the applications with conditions; and

WHEREAS, the Planning Commission has held a public hearing
on the applications in accordance with County Code and State law.

NOW THEREFORE, BE IT HEREBY RESOLVED, the Mariposa County
Planning Commission hereby recommends to the Board of Supervisors
the following:

1) The filing of a notice of exemption (from environmental
review) for the projects;

2) The approval of Agricultural Preserve Applications No.
94-1, 94-2 and 94-3 with the following conditions:

A) A restriction shall be included in the Land Conservation
Act contract prohibiting the conveyance of parcels less than 100
acres as separate parcels except for conveyances to immediate
family members of the property owner.

B) A restriction shall be included in the Land Conservation Act contract prohibiting the construction of new residential dwellings on parcels less than 40 acres in size.

BE IT FURTHER RESOLVED this action by the Planning Commission is based on the following findings:

1) The projects are found to support, accomplish, or have no effect on the goals, policies, and standards of the General Plan as a whole and will not obstruct the achievement of the Plan's purpose. This finding is made in accordance with Section 2.600 et. seq. of the General Plan and is supported by information contained in the staff reports.

2) The projects, upon compliance with the required conditions, comply with all standards of the California Land Conservation (Williamson) Act and the Mariposa County Agricultural Preserve policy. This finding is supported by information contained in the staff reports.

PASSED AND ADOPTED by the Mariposa County Planning Commission on this 16th day of December, 1994 by the following vote:

AYES: SWIFT, MCFADEN, STEWART
NOES: NONE
ABSENT: STEAGALL
ABSTAINED: NONE

[Signature]
BRIAN MCFADEN, Chairman
Mariposa County Planning Commission

ATTEST:
/SUSAN BANCHERO, Secretary
Mariposa County Planning Commission
MARIPOSA COUNTY PLANNING COMMISSION
RESOLUTION NO. 95-1

A RESOLUTION RECOMMENDING APPROVAL OF AGRICULTURAL PRESERVE APPLICATION NO. 94-4

WHEREAS, Agricultural Preserve Application No. 94-4 (Donald Brown, applicant) has been submitted to the County of Mariposa in accordance with the requirements of County Code and adopted County policy; and

WHEREAS, said application was reviewed by the Mariposa County Agricultural Advisory Committee and the Mariposa County Planning Commission for consistency with the California Land Conservation (Williamson) Act, Mariposa County General Plan, and Mariposa County Agricultural Preserve Policy; and

WHEREAS, the Agricultural Advisory Committee recommended approval of the application with conditions; and

WHEREAS, the Planning Commission has held a public hearing on the application in accordance with County Code and State law.

NOW THEREFORE, BE IT HEREBY RESOLVED, the Mariposa County Planning Commission hereby recommends to the Board of Supervisors the following:

1) The filing of a notice of exemption (from environmental review) for the project;

2) The approval of Agricultural Preserve Application No. 94-4 with the following conditions:

A) A restriction shall be included in the Land Conservation Act contract prohibiting the conveyance of parcels less than 100 acres as separate parcels except for conveyances to immediate family members of the property owner.
B) A restriction shall be included in the Land Conservation Act contract prohibiting the construction of new residential dwellings on parcels less than 40 acres in size.

BE IT FURTHER RESOLVED this action by the Planning Commission is based on the following findings:

1) The project is found to support, accomplish, or have no effect on the goals, policies, and standards of the General Plan as a whole and will not obstruct the achievement of the Plan's purpose. This finding is made in accordance with Section 2.600 et. seq. of the General Plan and is supported by information contained in the staff report.

2) The project, upon compliance with the required conditions, complies with all standards of the California Land Conservation (Williamson) Act and the Mariposa County Agricultural Preserve policy. This finding is supported by information contained in the staff report.

PASSED AND ADOPTED by the Mariposa County Planning Commission on this 6th day of January, 1995 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

BRIAN MCFADEN, Chairman Mariposa County Planning Commission

ATTEST:
SUZAN RANCHERO, Secretary Mariposa County Planning Commission