

DEPARTMENT: Planning

By: Jean Clark, Associate Planner

Phone: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes___ No X)

Adopt a resolution approving Agricultural Preserve Applications No. 2000-1 (Mike and Jean Terry, applicants), No. 2000-2 (Molly and George Pearce, Jr., applicants), No. 2000-3 (Elinor L. Pursley, Trustee, applicant), No. 2000-4 (Jodi and Mario Marchetti, applicants), and No. 2000-5 (The Ranger Group, applicant) with the findings and condition set forth in Planning Commission Resolution No. 2000-7 and authorize the Chairman of the Board to sign the Williamson Act contracts. This action is based on the recommendation of the Planning Commission.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has not taken any action on these applications.

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.

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

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:

1. Agricultural Preserve Standards
2. Planning Commission Resolution No. 2000-7
3. Planning Commission Minutes, November 3, 2000
4. Staff Reports to the Planning Commission, Nov. 3, 2000
5. Draft Board Resolution

CLERK'S USE ONLY

Res. No.: 00-425 Ord. No.: _____

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

Vote - Ayes: 4

Absent: Patton

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

Recommended

Not Recommended

For Policy Determination

Submitted for Comment

Returned for Further Action

Comment: _____

A.O. Initials: [Signature]

MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 2000-425

A RESOLUTION APPROVING AGRICULTURAL PRESERVE
APPLICATIONS NOS. 2000-1, 2000-2, 2000-3, 2000-4 and 2000-5

WHEREAS, Agricultural Preserve Applications No. 2000-1 (Mike and Jean Terry, applicants), No. 2000-2 (Molly and George Pearce, Jr., applicants), No. 2000-3 (Elinor L. Pursley, Trustee, applicant), No. 2000-4 (Jodi and Mario Marchetti, applicants), and No. 2000-5 (The Ranger Group, applicant) have been submitted to the County of Mariposa in accordance with the requirements of State law 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 applications No. 2000-1, 2000-3, and No. 2000-5 with a condition; and

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

WHEREAS, the Planning Commission recommended the filing of a Notice of Exemption pursuant to Section 15317 of CEQA Guidelines and the approval of applications No. 2000-1, No. 2000-2, No. 2000-3, No. 2000-4, and No. 2000-5 with a condition; and

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 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 pursuant to Section 15317 of CEQA Guidelines; and
- 2) The approval of Agricultural Preserve Applications No. 2000-1, No. 2000-2, No. 2000-3, No. 2000-4, and No. 2000-5 with the following condition:

No Certificate of Compliance application shall be submitted by the property owner or considered by Mariposa County during the tenure of the Land Conservation Act contract.

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.

The Land Conservation Act promotes the preservation and development of agricultural lands, as encouraged by the Conservation Element. The Open Space Element confirms the importance of maintaining the viability of the agricultural industry for Mariposa County. These projects will result in the execution of Land Conservation Act contracts, which are 20 year commitments to agriculture and open space uses for the sites.

- 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. The parcels have been used for agricultural purposes for at least three years, and the agricultural uses have been profitable.

BE IT FINALLY RESOLVED, the Chairman of the Board is hereby authorized to sign the Land Conservation (Williamson) Act contracts.

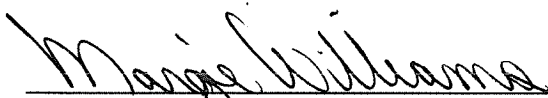
PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 5th day of December, 2000 by the following vote:

AYES: Reilly, Balmain, Stewart, Pickard
NOES: None
ABSENT: Parker
ABSTAIN: None



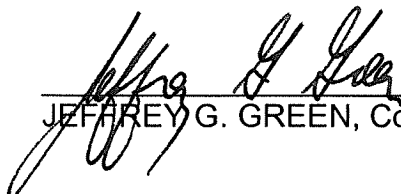
GARRY R. PARKER, Chair
Mariposa County Board of Supervisors

ATTEST:



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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel