

**Staff Report**  
**Mariposa Planning**

Item # 2A

**PLANNING COMMISSION MEETING**  
**of October 22, 2009**

SUMMARY AND RECOMMENDATIONS

- Project:** County Policy Amendment No. 2005-230
- Proposal:** Amendments to "Rules of Procedure to Implement the California Land Conservation Act of 1965"
- Location:** This is a comprehensive amendment to county-wide policies, which will affect all Land Conservation Act (Williamson Act) contracts in the county which are not in non-renewal.
- Proponent:** Mariposa County
- Recommendation:** Based upon the recommendation of the Mariposa County Agricultural Advisory Committee, staff recommends that the Planning Commission adopt a resolution:
- Recommending that the Board of Supervisors adopt a resolution with findings, finding the project is exempt from environmental review and approving County Policy Amendment No. 2005-230 as amended

Prepared by



David Guy, Consultant  
Sarah Williams, Deputy Director

## INTRODUCTION

The Board of Supervisors in Resolution No. 05-546 "initiate[d] an action to modify the policies and provisions implementing the California Land Conservation Act of 1965 (LCA)." The Board adopted the following findings as the basis for undertaking these amendments to Mariposa County's policies for LCA implementation:

1. Agricultural production is and will remain a principle land use in Mariposa County.
2. Agricultural production on lands within Mariposa County constitutes an important physical, social, aesthetic and economic asset to the county. Agricultural lands contribute significantly to the rural character of Mariposa County.
3. The Land Conservation Act of 1965 provides an important tool to ensure that viable agricultural operations within the county remain economically viable.
4. Properties which are not in compliance with the Land Conservation Act of 1965 and contract provisions threaten the viability of the program within Mariposa County.
5. This amendment is in the interest of the health and safety of Mariposa County residents.

The Board of Supervisors directed staff to research options for implementation of these policies to meet the following objectives:

- Objective 1: All parcels under contract shall be subject to the same standards.
- Objective 2: Implement Objective 1 immediately.
- Objective 3: Preserve as many viable parcels under contract as possible.
- Objective 4: Ensure that the process is legally defensible.

As described below, the Agricultural Advisory Committee recently convened to discuss various options to meet these objectives and now recommends the "Rules of Procedure to Implement the California Land Conservation Act of 1965."

## BACKGROUND

The California Land Conservation Act of 1965 (LCA), also known as the Williamson Act, was enacted to conserve agricultural lands in California. The Act employs a two step strategy: a local government establishes agricultural preserves and then executes land conservation contracts with landowners to preserve the agricultural uses during the term of the contract. (Gov. Code section 51231.) The hallmark of this statutory program is a voluntary agreement between the local government and the landowner, where the landowner chooses, on an annual basis, to accept certain limits on his or her use of the land in return for an explicit tax reduction. The California Legislature has determined that this program and the expenditure of public subvention funds to local governments are in the public interest and necessary for the promotion of the general welfare.

In Mariposa County, the Board of Supervisors on October 18, 1977 adopted Resolution 77-157 to implement the LCA by providing a program for landowners to receive tax benefits under the California Constitution in return for their land "being used for the purpose of producing an agricultural commodity for commercial purposes" during the term of contract. The minimum term of the contracts is twenty years with automatic annual renewals, unless the landowner or County files a notice of non-renewal.

In Mariposa County, the Williamson Act program currently includes the following:

- There are a total of 186 Land Conservation Act contracts, 9 of which are in non-renewal or partial non-renewal.
- There are a total of 750 parcels (APNs) under contract, 97 of which are in non-renewal and 17 of which are government owned (MID, State or County).
- There are a total of 186,124.4 acres under contract.
- There are an additional 21,685.21 acres in non-renewal.

### **AGRICULTURAL ADVISORY COMMITTEE PROCESS**

The Agricultural Advisory Committee (Committee) recently met on August 21, 2008, September 25, 2008, January 22, 2009, March 4, 2009 and April 2, 2009 to discuss and develop its final recommendations for a comprehensive set of rules for the LCA (eight meetings of the committee were conducted in 2003, 2004 and 2005 to develop the basis for the rules). In its deliberations, the Committee unanimously emphasized the importance of the LCA to viable farming and ranching in Mariposa County and committed to preserve the LCA in accordance with the Board's direction in Resolution No. 05-546. The Committee heard various public comments and incorporated many of the ideas into its discussion and recommendation. The Committee also incorporated oral comments provided by the California Department of Conservation, the state agency that oversees the LCA.

The Committee on April 2, 2009 adopted a motion recommending the Planning Commission and the Board of Supervisors adopt the "Rules of Procedure to Implement the California Land Conservation Act of 1965." The Committee also recommended the Planning Commission repeal its Resolution 84-41, which describes a small portion of the process that is now described in more detail in the Rules.

### **COMPREHENSIVE RULES FOR MARIPOSA COUNTY**

The "Rules of Procedure to Implement the California Land Conservation Act of 1965" (hereafter "rules" or "proposed rules") are intended to provide clear and detailed guidance for Mariposa County ("County") to administer the program and for landowners, farmers and ranchers, and the general public to understand and participate in this important program. More specifically, the rules provide basic criteria and procedures to determine eligibility in the program and they describe the land use restrictions for the agricultural lands enrolled in the program.

The rules make it clear that these rules, and future amendments to the rules, replace the previous provisions in Board Resolutions 77-157, 78-8 and 95-350 for all LCA contracts that are executed or automatically renewed after the effective date of these rules. This is supported by a recent appellate decision, County of Humboldt v. McKee (2008) 165 Cal.App.4<sup>th</sup> 1476, which found that guidelines (i.e., rules) adopted by the County were incorporated into the LCA contracts upon the automatic renewal of the contract. To be effective, LCA contract holders must be notified of the proposed changes in the rules and they should be aware that they have an ability to non-renew their contract if they do not want to accept the terms in the new rules.

## SUMMARY OF RULES

### 1. Agricultural Preserves

The LCA requires a county to establish an agricultural preserve "for the purpose of defining the boundaries of those areas within which the county will be willing to enter into contracts pursuant to the LCA." (Gov. Code 51230.) The General Plan Agriculture/Working Landscape Land Use Classification and the Agricultural Exclusive Zone (AEZ) establish a minimum parcel size of 160 acres. (Section 5.3.04, Mariposa County General Plan; and Chapter 17.40, Zoning Ordinance). To be consistent with the Mariposa County General Plan and the Agricultural Exclusive Zone (AEZ), the minimum size for an agricultural preserve is proposed to be 160 contiguous acres.

Note that the state law and the proposed policy make a distinction between the size requirements for an agricultural preserve and the size requirements for a parcel entering into contract.

*(The current policy establishes a minimum size for an agricultural preserve of 100 acres. The current policy allows the Board to establish an agricultural preserve of less than 100 acres if a finding is made that a smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that the preserve of less than 100 acres is consistent with the General Plan of Mariposa.)*

### 2. LCA Contracts

The minimum term of contracts is twenty years with automatic annual renewals.

*(The current policy also establishes a minimum term of contracts of 20 years, with automatic annual renewals.)*

The LCA provides that lands under contract must be used for commercial agricultural production for the landowner to receive the tax benefits of the program. The rules provide that it is the intent of the County for its staff, the Agricultural Advisory Committee and the Planning Commission to closely scrutinize all applications for a LCA contract to help assure that the land has been used for commercial agricultural operations for the past three years and will support commercial agricultural operations for the term of the contract. The rules

require the submittal of "evidence and verification" that the property has been used for the past 3 years for the purpose of producing an "agricultural commodity for commercial uses."

*(The current policy requires that land be used for agricultural production and compatible uses / agricultural purposes for the past 3 years prior to submittal of an application for contract. The word "commercial" is not in the current policy.)*

To be eligible for a LCA contract or to qualify for continuing participation in the program, the proposed rules specify that a parcel must be "of adequate size to sustain a commercial agricultural operation." "No parcel of less than 160 acres or a legal quarter section in size may be considered for a LCA contract if the agricultural production use is rangeland and pasture for livestock production." "Parcels that are used for a more intensive commercial agricultural use may be less than 160 acres if the landowner can show that the land is being used for the purpose of producing an agricultural commodity for commercial purposes." Special rules apply to multiple parcels, as described below. The review for compliance with this criteria ("adequate size to sustain a commercial agricultural operation") will be determined during the application process and by landowners with LCA contracts filing a biennial report with the County Assessor that provides a full description of the "agricultural production uses" on the parcel for the past year, how the agricultural commodities were used for commercial purposes, and contain a signed verification by the landowner, under penalty of perjury, that "the land is being used for the purpose of producing an agricultural commodity for commercial purposes."

There was significant discussion by the Agricultural Advisory Committee regarding the appropriate standards to include in the policies for minimum and adequate parcel sizes for contracts. For example, the Committee discussed in detail whether the minimum parcel size in Mariposa County to support commercial agricultural production is 160, 320 or 640 acres, eventually arriving at 160 acres. The discussion acknowledged the wide variety of agricultural land in the county (which affects its productivity) and the range in productivity of an agricultural use based upon its intensity.

*(The current policy establishes a minimum size for an agricultural preserve, but is silent on a minimum size for a parcel entering into contract. The current policy establishes a performance standard that "the agricultural use must be profitable except under uncontrollable circumstances." Generally, 100 acres has been considered the minimum size for a parcel entering into contract, if there has been an "agricultural production use on the property." The LCA establishes a broad presumption that the minimum parcel size for LCA contracts for non-prime land is 40 acres, while allowing the County to determine that larger minimum parcel sizes are necessary to sustain commercial agricultural uses in the County.*

*There are no mandated reporting requirements established in the current policy. The Assessor/Recorder sends out a questionnaire every 3 years as required by the State Board of Equalization. Although tax code requires that the questionnaire be returned, there is no penalty for not returning it.)*

### 3. Multiple Parcels

The Agricultural Advisory Committee spent considerable time deliberating about rules applying to multiple parcels. The Committee recommends the rules distinguish between new applications for a LCA contract and existing parcels under an LCA contract.

For new applications, more stringent rules apply that require multiple legal parcels that are less than the minimum size necessary to sustain a commercial agricultural operation be contiguous and, at the option of the landowner, either: (i) merged prior to executing a LCA contract into a parcel that complies with the minimum size criteria for a commercial agricultural operation or (ii) the LCA contract shall include an express provision that prohibits the sale of the parcels individually during the term of the LCA contract.

For existing parcels under contract on the date these rules are enacted, a parcel that is less than the minimum size requirements will be eligible to remain under the existing contract and participate in the program if the landowner can show that the multiple parcels, even if not contiguous, are jointly operated for commercial agricultural production.

If the landowner cannot meet these requirements, the County shall non-renew the contract(s) for any parcel that does not meet the minimum size requirements.

*(The current policy states that if contiguous and under the same ownership, multiple parcels should be merged to create a single unit. The "should" is not mandatory and has not been enforced.)*

#### ***4. Divisions and Boundary Adjustments***

All proposals to change boundaries of land under LCA contract shall comply with the minimum parcel size requirements for commercial agricultural productivity, described in 2, above. The rules prohibit processing of Certificate of Compliance applications on LCA lands, unless accompanied by a parcel merger application for parcels which do not comply with minimum parcel size and agricultural productivity requirements. The rules require new LCA contracts for resulting conforming parcels as well.

*(The current policy is silent on divisions and boundary adjustments, as well as parcel recognized through the Certificate of Compliance process.)*

#### ***5. Agricultural Production and Compatible Uses***

For landowners to receive the tax benefits under the California Constitution and the Revenue and Tax Code, the LCA provides that the land must be "devoted to agricultural use" and every LCA contract shall "provide for the exclusion of uses other than agricultural, and other than those compatible with agricultural uses, for the duration of the contract." (Gov. Code sections 51242(a); 51243(a).) As such, the primary use of contracted land shall be for commercial agricultural production uses including production of agricultural commodities for sale in wholesale or direct marketing channels. The rules define both agricultural production uses and compatible uses.

*(The current policy also identifies the agricultural production uses and compatible uses as those uses which may occur on Williamson Act contracted land. There are no uses which have been removed from the list of allowed uses (with the exception of*

*raising of fish, unless a finding is made that raising of game animals including fish), however some clarification has been made. Additionally, new uses have been added in the proposed rules.*

#### **6. Residential Uses**

Any residential structure on LCA contract land must be occupied by persons directly engaged in the commercial agricultural operation.

*(The current policy contains this same requirement.)*

#### **7. Compliance Monitoring**

The Planning Department and Assessor's Office will actively monitor this program by periodically reviewing the biennial reports to determine whether landowners are complying with the program by using their property for commercial agricultural operations and to assure the intent of the program to encourage commercial agricultural production is being carried out in Mariposa County. When it appears to the Planning Department or the Assessor's Office that a landowner is not complying with state law, these rules, other County policies or the terms in the LCA contract, the County will formally notify the landowner about the potential violations. The County will provide up to one year for the landowner to rectify any violations before beginning the enforcement proceedings described below.

*(There are no enforcement and monitoring provisions in the current policy.)*

#### **8. Enforcement**

The County shall actively enforce the terms of the program and ensuing contracts and shall take any action legally available to enforce state law, these rules, other County policies, and the terms set forth in a LCA contract.

*(There are no enforcement and monitoring provisions in the current policy.)*

#### **9. Terminating Contracts**

The rules describe the procedures for non-renewal and cancellation of contracts, as well as how public acquisition affects contracts. The procedures implement provisions in the Land Conservation Act.

*(There are no procedures for non-renewal or cancellations described in the current policy.)*

### **NEW POLICIES FROM STATE ON HORSES**

Since the completion of the Agricultural Advisory Committee's recommendations in April, the California State Board of Food and Agriculture, the California Horse Council and the

State Department of Conservation have issued a written proposal to clarify the California Land Conservation Act of 1965 relative to the commercial breeding and training of horses (including training for racing as well as stock horses). Information from the State is included as an Attachment to this report.

Mariposa County's existing policies (from 1977) allow for the "raising, feeding, maintaining and breeding of horses" as an agricultural production use. The proposed rules would allow "horses raised or maintained primarily for ranching work" as a compatible use.

At its last meeting, the Agricultural Advisory Committee requested that staff provide information to the Planning Commission on the State's recent clarifications, and modify the text of the proposed rules as appropriate. Staff recommends that the proposed rules be amended to allow as an Agricultural Production Use:

"Commercial breeding and training of horses (including training for racing as well as stock horses)". A finding must be made, based upon evidence, that the primary function of a commercial horse breeding or training facility is commercial horse breeding or training for sale. A finding must be made, based upon evidence, that breeding or training for sale is the source of revenue or income to cover the cost(s) of the operation.

Staff recommends that this be *in addition* to the compatible use listed above.

This recommendation would not allow a recreational or hobby type horse operation.

## NOTICE TO LANDOWNERS

The County has provided mailed notice of the Planning Commission public hearing and a full copy of the proposed rules to all landowners with LCA contracts in Mariposa County.

Existing policies are posted on the Planning website.

All interested persons will be provided an opportunity to participate in any public hearings before the Planning Commission.

## PUBLIC INPUT

As of the date of preparation of this staff report, a number of telephone calls have been received from the public in response to the affected property owner notice, and two formal letters have been submitted regarding the amendments.

### 1. *Dair and Anne Gordon - Parcel Size Issues*

Dair and Anne Gordon are very concerned about the rules, as they may impact their operation. The Gordons put their 118.24 acre parcel (consisting of three quarter-quarter sections into contract in 1978, as a stand-alone parcel. The 118.24 acre parcel was found to



be in compliance with the Resolution 77-157 in 1978, and the Gordons have been running cattle on their property since this time. The Gordons also own an adjacent 19.76 acre parcel in Mariposa County, which is not under a LCA contract, as well as an adjacent 19.89 acre parcel in Madera County which is in an Agriculture Preserve (and contract). These two additional 19+ acre parcels are a quarter-quarter section together. Based upon information from the Gordons, their operation would be considered an agricultural production use which is "rangeland and pasture for livestock production," so it would be subject to the mandatory 160 acre minimum parcel size pursuant to the proposed rules (Section III.C.1 and III.C.3, Draft Rules). Consequently, the Gordons 118.24 acre parcel could be subject to a Notice of Non-Renewal if the Rules are adopted as proposed and the Gordon's additional properties are not collectively part of a joint operation under the rules. Staff notes that the Gordons have the option of amending their current contract to add their adjacent 19.76 acre Mariposa County parcel (making their current contract 138 acres), which when considered with their Madera County contracted property totals 157.89 acres (four quarter-quarter sections or the equivalent of a quarter section). This total would comply with the intent of the proposed rules.

Staff researched how many other parcels there are currently under Mariposa County contract which are less than 160 acres in size, and which were approved by the County for contract "as is" (a contract was written for one parcel which is less than 160 acres in size). There are ten such properties, including the Gordons, which include the following:

1. Contract 13: 122 acres; APN 011-050-019 (original applicant Richardsons)
2. Contract 19: 85 acres; APN 011-210-010 (original applicant Turners)
3. Contract 46: 118.24 acres; APN 018-290-011 (original applicant Gordons)
4. Contract 74: 112 acres; APN 017-250-007 (original applicant Guillemmin)
5. Contract 84-3: 153 acres; APN 011-310-019 (original applicant Richardsons)
6. Contract 85-4 and Amendment 88-1: 38 acres, 2 acres, 40 acres and 25 acres (total 105 acres) (original applicant Bennetts)
7. Contract 86-4: 107 acres; APN 018-170-002 (original applicant Appling)
8. Contract 86-8: 149.3 acres; APN 018-240-014 (original applicant Ownbey)
9. Contract 2000-1: 149 acres; APN 018-220-038 (original applicant Terry)
10. Contract 2001-2: 137 acres; APN 011-010-002 (original applicant Jenkins)

Staff notes that there are many other Mariposa County parcels under contract which are less than 160 acres in size, however these are either:

- owned and managed together with adjacent parcels (so the entire ranch property is greater than 160 acres in size) or
- were recognized through the Certificate of Compliance and sold individually (and have never been reviewed for compliance with the Williamson Act as a "stand-alone" property) (as eligible to come under contract).

The decision of appropriate minimum and adequate parcel sizes for contracts is ultimately a policy decision of the Board of Supervisors, and must be based upon consideration of the state law requirements, the purpose of the program to provide a tax reduction for properties used for commercial agricultural production, the types and variety of existing commercial agricultural uses in the county, and the opportunities for development of new commercial

agricultural uses in the county. The Agricultural Advisory Committee, after discussing 160, 320 and 640 acres, recommends the 160 acre minimum for "rangeland and pasture for livestock production" and a variable minimum for more intensive farming for commercial purposes.

The options relative to this matter include:

1. Leave the policies as written. The 10 parcels identified above, if used for "rangeland and pasture for livestock production" would be subject to Notices of Non-Renewal.
2. Amend the policies to include "grand-fathered" provisions for these 10 parcels, enabling them to remain under contract as existing non-conforming sized parcels. The policies would not allow additional parcels less than 160 acres in size which are used for "rangeland and pasture for livestock production" to come into contract. Staff notes that this option does not address the Board of Supervisors' Objective 1, which is to ensure that all parcels are subject to the same standards. These parcels would still be required to be used for commercial agricultural production.
3. Amend the policies to reduce the minimum parcel size for parcels which are used for "rangeland and pasture for livestock production". Staff notes that this option effectively results in modification of the entire set of policies for 10 existing parcels.
4. Encourage the Gordons to enroll their other parcels under the LCA so they can show their parcels are jointly operated for commercial agricultural production, as previously discussed.

### *2. General Calls – Multiple Parcels*

Many phone calls were received from contract holders who owned multiple parcels under one contract. Because the rules expressly provide for this situation, these property owners concerns appear to be addressed based on their description of their property.

### *3. Starchman & Bryant – Multiple Issues*

Starchman & Bryant Attorneys At Law express concern about a number of issues.

- a. Starchman & Bryant question the reason for enforcing these terms and conditions on existing contract holders, but have no objection to enforcement of the policies on new contracts.

Staff notes that the rules were written in response to the Board of Supervisors Objective 1 and the Committee's desire to have a meaningful LCA program in Mariposa County. Importantly, LCA contracts are not a perpetual contract; but instead are rolling 20-year contracts that are automatically renewed annually, unless the landowner files a notice of non-renewal.

- b. Starchman & Bryant question the role of the State Department of Conservation, since subvention funds were not paid to Mariposa County this year.

Staff notes that there have been no changes in state law describing the role of the Department of Conservation, and it is hoped that the non-funding of subvention

monies for this year's budget is a temporary solution to the State's current fiscal crisis.

- c. Starchman & Bryant do not believe that the rules adequately meet the intent of the Committee relative to sale of combined parcels as long as the acreage meets the minimum parcel size of 160 acres.

Staff believes that footnote 5 addresses this comment. Staff also notes that a property owner has the option of executing multiple contracts for a property which has multiple parcels and meets the minimum size requirements, should there be a concern about the ability to sell property in the future.

- d. Starchman & Bryant question the rule prohibiting the processing of Certificate of Compliance applications on LCA contracted lands unless accompanied by a Parcel Merger Application for parcels not complying with minimum parcel size and agricultural productivity requirements of state law and the rules.

Staff notes that a more restriction condition than that in the rules has been applied to all contracts processed since the late 1990s, as a result of the impacts created by the recognition and sale of parcels which do not comply with minimum requirements established by the contract or by the policies. The condition has been applied without the benefit of an adopted policy.

Additionally, staff notes that an applicant has the option of having their Certificate of Compliance applications processed prior to submittal and processing of the LCA applications.

- e. Starchman & Bryant request that "open space" be added to the list of compatible uses.

Staff notes that this issue was discussed during the Agricultural Advisory Committee meetings and not supported by the committee.

- f. Starchman & Bryant raise the issue of the recently released policies on commercial breeding and training of horses, including race horses and stock horses.

Staff has already addressed this issue (see above).

- g. Starchman & Bryant raise the issue of noticing existing contract holders of the date of automatic renewals, as there has been confusion regarding this date.

The automatic renewal date is now January 1<sup>st</sup> of each year. Any contract which has not filed a non-renewal (recorded) prior to December 31<sup>st</sup> of any year is renewed as of January 1<sup>st</sup>. If the rules are adopted as proposed, any contract which is not in a non-renewal will be subject to the rules.

## GENERAL PLAN CONSISTENCY

The Mariposa County General Plan, which has been referred to as the "constitution" of a County, is more than a document regulating land use. The General Plan provides the long-range vision and policy direction defining what the county is and wants to become.

The General Plan addresses agriculture in many ways; one of the Guiding Principles adopted by the Board of Supervisors is, "The Protection of Agriculture is Critical for the County's Future". Strong policies are established in the plan to protect and preserve agriculture for Mariposa County's future. Agriculture contributes to the County's economic and social sustainability and is a major aspect of the county's rural character.

Chapter 10 is the Agriculture Element, one of the Optional Elements contained within the plan. This element supports many of the proposed rules (County Policy Amendment No. 2005-230) as proposed. For example, text within this element states:

"Many of the County's current large agriculture preserves were assembled by an acquisition of smaller properties over a long period of time. Although the large property today may show on the assessor rolls as a single piece, it may actually consist of a number of legally created smaller parcels. Property owners have the ability to seek a Certificate of Compliance for these legal parcels—even though they may not conform to current zoning regulations.

The challenge that results from the issuance of a Certificate of Compliance is the recognition, and subsequent sales to individual owners of individual parcels that may be incapable of meeting Williamson Act Contract requirements. The requirements of the overall Williamson Act contract still apply to the entire contracted property even when an underlying parcel is recognized or otherwise sold. To maintain overall economic viability of an agriculture preserve and ensure it remains in compliance with new Williamson Act Contracts, the General Plan places a great emphasis on ensuring that substandard agricultural parcels are not recognized through the Certificate of Compliance process during the tenure of the new contract and that the sale of substandard contract parcels does not create premature expectations of residential development."

Some of the Implementation Measures established for Policy 10-2a "Agriculture lands should be retained" include the following:

"Implementation Measure 10-2a(2): Lot line adjustments in the Agriculture/Working Landscape land use classification, including Williamson Act contracted parcels, shall result in parcels which are in compliance with the underlying land use designation, including minimum parcel size. The County may approve a boundary modification of an existing parcel that does not meet the minimum size requirements when a finding is made that the modification results in an improvement of the circumstances and/or design of both parcels or lots and in achieving the goals and policies of the General Plan and the purpose of the Agriculture/Working Landscape land use classification."

"Implementation Measure 10-2a(3): Standards shall be developed for issuance of development permits for substandard size parcels under Williamson Act contract."

Some of the Implementation Measures established for Policy 10-6 "Preserve agriculture lands to maintain County character" include the following:

"Policy 6a: Maintain viability of agriculture lands when historic parcels are discovered."

"Implementation Measure 10-6a(1): Prohibit the construction of residences on parcels that are subject to a Williamson Act contract unless they comply with the terms of a Williamson Act contract."

"Implementation Measure 10-6a(2): Review enforcement of Williamson Act provisions requiring onsite residents to be actively performing qualifying agricultural activities on all contracted property."

## ATTACHMENTS

1. Draft Rules of Procedure to Implement the California Land Conservation Act of 1965 (Agricultural Advisory Committee Recommendations April 2, 2009) (Proposed)
2. Information from State on Commercial Breeding and Training of Horses on Williamson Act Land
3. Mariposa County Resolution No. 77-157 Implementing the California Land Conservation Act of 1965 (Existing Policy)
4. Mariposa County Resolution No. 78-8 Amending Resolution 77-157 (Existing Policy)
5. Mariposa County Resolution No. 95-350 Amending Resolution 77-157 (Existing Policy)
6. Public Input Received as of Date of Preparation of Staff Report
7. Draft Notice of Exemption
8. Draft Planning Commission Resolution