

**MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 97-438**

**A RESOLUTION APPROVING AGRICULTURAL PRESERVE
APPLICATIONS NOS. 97-1, 97-2, 97-3, 97-4**

WHEREAS, Agricultural Preserve Applications No. 97-1 (Mario and Jodi Marchetti, applicants) No. 97-2 (Robert "Red" and Nancy Arnold, applicants), No. 97-3 (Paul and Shari Morrison, applicants), and No. 97-4 (Frank Tuttle, 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. 97-1 and No. 97-3 with a condition and applications No. 97-2 and No. 97-4 with no conditions; 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 approval of applications No. 97-1 and No. 97-3 with a condition and applications No. 97-2 and No. 97-4 with no conditions; 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;
- 2) The approval of Agricultural Preserve Applications No. 97-1 and No. 97-3 with

the following condition:

(A) 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; and

- 3) The approval of Agricultural Preserve Applications No. 97-2 and No. 97-4 with no condition.

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

1) In accordance with Section 2.600 et. Seq. of the General Plan, the projects 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. 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 are larger than 100 acres. 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 18th day of November, 1997 by the following vote:

AYES: Balmain, Parker, Reilly, Stewart

NOES: None

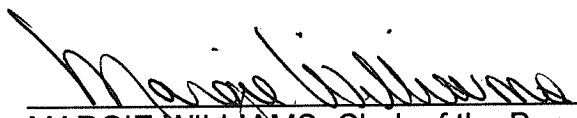
ABSENT: None

EXCUSED: Pickard



ROBERT C. STEWART, Chairman
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 GREEN, County Counsel