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

Adopt a resolution approving Agricultural Preserve Applications No. 96-1 (Nancy Lint and Ione Grasmoen, applicants), No. 96-3 (Cassacia, et al., applicants), and No. 96-4 (John and Rosemary Lasgoity, applicants) with the findings and conditions set forth in Planning Commission Resolution No. 96-12. 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; 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.

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:

1. Agricultural Preserve Standards
2. Planning Commission Resolution No. 96-12
3. Planning Commission Minutes, November 1, 1996
4. Staff Reports to the Planning Commission, Nov. 1, 1996

CLERK’S USE ONLY
Res. No.: 96-481
Ord. No.: ________

Vote - Ayes: ________
Absent: ________
Noes: ________
Abstained: ________
Approved □
Denied □
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

ADMINISTRATIVE OFFICER’S RECOMMENDATION:
This item on agenda as:

\[Recommended\]
\[Not Recommended\]
\[For Policy Determination\]
\[Submitted for Comment\]
\[Returned for Further Action\]

Comment: __________________________________________

A.O. Initials: __________
MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 96-481

A RESOLUTION APPROVING AGRICULTURAL PRESERVE
APPLICATIONS NOS. 96-1, 96-3, AND 96-4

WHEREAS, Agricultural Preserve Applications No. 96-1, Nancy Lint and Ione Grasmoen, applicants), No. 96-3 (Cassacia, et al., applicants), and No. 96-4, (John and Rosemary Lasgoity, applicants) 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 Planning Commission recommended approval of the applications with conditions.

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. 96-1, 96-3, and 96-4 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.

3) The approval of Agricultural Preserve 96-3 with the following additional condition:

   A) An application shall be processed by the County and the parcel shall be rezoned to Agriculture Exclusive (AE) within one (1) year of execution of a Land Conservation Act contract. The property owner shall be responsible for all processing costs and other application requirements.

   **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.
BE IT FINALLY RESOLVED, the Chairman of the Board is hereby authorized to sign the Land Conservation (Williamson) Act contracts upon compliance with the required conditions.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 26th day of November, 1996 by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, and Pickard

NOES: None

ABSENT: None

ABSTAINED: None

[Signature]
DOUG BALMAIN, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]
MARGIE WILLIAMS, Clerk of the Board
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
JEFFREY GREEN, County Counsel
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO:          ED JOHNSON, Planning & Building Director
FROM:        MARGIE WILLIAMS, Clerk of the Board
SUBJECT:     AGRICULTURAL PRESERVE APPLICATIONS

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on November 26, 1996

ACTION AND VOTE:

10:30 a.m.  Ed Johnson, Planning and Building Director;
PUBLIC HEARING to Consider the Approval or Denial of Agricultural Preserve
Applications No. 96-1/Nancy Lint and Ione Grasmoen, Applicants; No. 96-3/Cassacia, et
al., Applicants; and No. 96-4/John and Rosemary Lasgoity, Applicants

BOARD ACTION: Jean Clark, Assistant Planner, presented staff report for Application
No. 96-1/Lint and Grasmoen. Staff responded to questions from the Board relative to
condition for applicant to obtain Agricultural Exclusive (AE) zoning and what would
happen if the applicant is unsuccessful in obtaining the AE zoning within one year. Jean
Clark presented staff report for Application No. 96-3/Cassacia, and No. 96-4/Lasgoity.
Staff responded to questions from the Board relative to being able to get out of a
Williamson Act Contract and whether there are any implications to the County. Public
portion of the hearing was opened. There was no public input. Public portion of the
hearing was closed and Board commenced with deliberations. Staff responded to
additional questions from the Board relative to minimum parcel size for AE zoning and
whether that is a concern for entering into a Williamson Act Contract. (M)Reilly,
(S)Stewart, Res. 96-481 adopted approving Application Nos. 96-1, 96-3, and 96-4, and
authorizing Chairman to sign the Williamson Act Contracts for these applications/Ayes:
Unanimous. Hearing was closed.

cc:       File
MEMORANDUM

December 13, 1996

TO:       Doug Balmain, Chairman, Board of Supervisors

FROM:     Jean Clark, Assistant Planner
          Ed Johnson, Planning Director

RE:       Signing of Williamson Act Contracts

Please sign the attached two sets of Williamson Act contracts as approved by the Board of Supervisors on November 26, 1996. You will find two original copies of a contract for Nancy Lint / Arnold J. Grasmoen Tr., et al. and two original copies of a contract for John and Rosemary Lasgoity.

Property owners Michael Cassacia, et al. have chosen not to sign their contract. The applicants are aware that failure to sign the contract makes the family ineligible for tax benefits under the Williamson Act for the tax year 1996-1997.