

DEPARTMENT: Planning BY: Greta Hudak PHONE: (209) 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No XX)

Adopt a resolution authorizing the Chairman to sign Land Conservation (Williamson) Act Contract No. 94-10 based on the recommended findings.

Background and justification for the recommended action is provided in the attached memorandum.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board of Supervisors adopted Resolution 84-18 thereby creating an agricultural preserve on the subject property, and executed Land Conservation (Williamson) Act Contract 83-1 thereby executing a LCA contract on the subject property.

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

ALTERNATIVES: 1) Continue matter; 2) Request additional information

NEGATIVE ACTION would result in contract not being executed and property owner not being able to finalize lot line adjustment.

**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: \$ \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**  
List the attachments and number the pages consecutively:  
(1) Memo to Board  
(2) Vicinity map  
(3) Draft Land Conservation Act Contract 94-10

**CLERK'S USE ONLY:**  
Res. No.: 94-553 Ord. No. \_\_\_\_\_  
Vote - Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
Approved: \_\_\_\_\_ Denied: \_\_\_\_\_  
( ) Minute Order Attached ( ) No Action Necessary

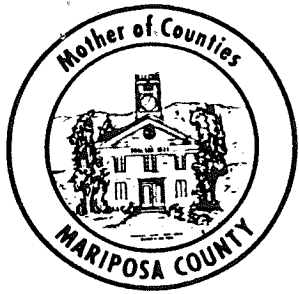
**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
This item on agenda as:

- Recommended
- Not Recommended
- For Policy Determination
- Submitted with Comment
- Returned for Further Action

Comment: \_\_\_\_\_

A.O. Initials: W

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



# Mariposa County Planning and Building Department

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## MEMORANDUM

December 12, 1994

**TO:** Mariposa County Board of Supervisors

**FROM:** Edward Johnson, Planning Director  
Greta Hudak, Assistant Planner

**SUBJECT:** Williamson Act Contract Modification Application No. 94-2;  
Joseph Simon, applicant.

### Staff Recommendation

Staff recommends the Board adopt a resolution authorizing the Chairman to sign Land Conservation (Williamson) Act Contract No. 94-10 with the recommended findings.

### Discussion and Justification

The applicant is in the process of finalizing Lot Line Adjustment No. 381 and 391. Lot line adjustment 381 proposes to modify the property lines between two (2) parcels which will add 2.04 acres to the LCA contract parcel. Lot line adjustment 391 proposes to modify the property lines between three (3) parcels which will add 3.57 acres and remove 2.98 acres on the LCA contract parcel. Since the subject parcel is under the Williamson Act, the Planning commission required the applicant to execute a new contract to reflect the new property lines. This new contract will result in the addition of 5.61 acres to the Williamson Act which is presently not under contract and the removal of 2.98 acres from the Williamson Act. This adjustment affects less than 2% of the subject property, presently containing 1,929.46 acres.

Section 51254 of the Williamson Act (CGC) permits the County and the property owner under mutual agreement to rescind a contract in order to simultaneously enter into a new contract which enforceably restricts the same property.

The provision of the Act has been previously used by the County to modify contracts on Williamson Act properties involved in minor lot line adjustments. It is staff's opinion the contract modification and the new contract will enforceably restrict the same property and recommends approval of the contract modification based on the following recommended findings:

- 1) The new contract enforceably restricts the same property.
- 2) The contract modification will not result in a reduction in the amount of acreage under the Land Conservation Act.