

DEPARTMENT: PLANNING

BY: Sarah Williams

PHONE: 742-1215

2nd Reading & Adopt
12/21/04

CA-4

RECOMMENDED ACTION AND JUSTIFICATION:

- (1) Adopt A Resolution Establishing the Agricultural Advisory Committee as required by Mariposa County Code, Zoning Ordinance §17.40.010b;
- (2) Waive First Reading and Introduce An Amendment to Mariposa County Code, Zoning Ordinance, §17.40.010b to remove the charter of the Agricultural Advisory Committee from the Zoning Ordinance;
- (3) Waive First Reading and Introduce An Amendment to Mariposa County Code, Administrative and Personnel, Chapter 2.110 to chartering the Committee by Ordinance
- (4) Confirm Appointments of Voting Members to Committee: Dennis Bunning, representing Mariposa County Farm Bureau, Mike Hubert, representing Mariposa County Resource Conservation District, and Blaine Sturtevant, representing an at-large position; and
- (5) Direct Staff to Advertise Two Vacancies on the Committee as required by the Maddy Act, one for an at-large position, and one for a representative from the cattle industry

Ord. 1014
Ord. 1015

The documents have been reviewed by the Agricultural Advisory Committee at meetings on November 14, 2003, December 12, 2003, September 23, 2004 and November 30, 2004. At their meeting on November 30, 2004, the Committee unanimously recommended Board of Supervisor's approval of the draft documents and action contained in this packet.

The documents will modify the make-up of the Committee, to make the Planning Commission representative and the NRCS representative (Jerry Progner) advisory instead of voting. The Committee will include a voting representative from the cattle industry, and both at-large voting members will be required to be representatives of the agricultural community, knowledgeable of local agriculture, or have an agricultural background.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

An Agricultural Advisory Committee was established many years ago by the Board through Ordinance No. 475. The primary role of the Committee was to review Williamson Act contracts. When Title 17 was enacted, the Committee's role expanded to include more zoning actions, particularly related to the AE zoning district. With the enactment of Title 17 in 1988, the repeal of ordinance 475 unintentionally resulted in a committee without a clear charter. The attached resolution complies with the requirements of Title 17 for the Committee to be established by resolution. The attached ordinances result in the charter occurring in the proper Title of County Code (Title 2 instead of Title 17). The duties are proposed to be expanded to better meet the needs of the Board of Supervisors in addressing agricultural issues.

A similar item was scheduled for Board of Supervisors consideration by the previous Planning Director in November, 2003. The Board of Supervisors did not take action on the recommendation, as modifications to the documents were necessary to obtain support of historic members of the Agricultural Advisory Committee.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Modify language in resolution or ordinance, or modify appointments.

No action will result in continued operation of committee with unclear charter.

Financial Impact? Yes No Current FY Cost: \$
 Budgeted Current FY? Yes No Partially Funded
 Amount in Budget: \$ _____
 Additional Funding Needed: \$ _____

Annual Recurring Cost: \$ _____

List Attachments, number pages consecutively _____

Source:
 Internal Transfer _____
 Unanticipated Revenue 4/5's vote _____
 Transfer Between Funds 4/5's vote _____
 Contingency 4/5's vote _____
 General Other

1. Draft Resolution
2. Draft Ordinance Amending Ch 17.40
3. Draft Ordinance Amending Chapter 2.110
4. 10/6/03 Correspondence from Board Clerk
5. Historic Committee Makeup
6. Current Title 17 Language
7. Repealed Title 17 Language
8. Ordinance 475 - Established Original Committee

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 1014 + 1015
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 () Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

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

CAO: [Signature]

MARIPOSA COUNTY ORDINANCE NO. 1014

**AN ORDINANCE AMENDING MARIPOSA COUNTY CODE SECTION 17.40.010
IN THE AGRICULTURE EXCLUSIVE ZONING DISTRICT TO REMOVE THE
CHARTER OF THE AGRICULTURAL ADVISORY COMMITTEE FROM TITLE 17
AS PART OF AN ACTION TO RECHARTER THE COMMITTEE IN TITLE 2.**

Whereas, Agriculture is a critical part of the economy and landscape of the County of Mariposa; and

Whereas, the agricultural community is comprised of a broad cross section of people with specialized knowledge that is important for the Board of Supervisors; and

Whereas, the Board of Supervisors has maintained an Agricultural Advisory Committee since 1978, prior to the adoption of Title 17, Mariposa County Code, Zoning; and

Whereas, the Board of Supervisors empowers its boards, committees, commissions, and departments in Mariposa County Code Title 2, Administration and Personnel; and

Whereas, the Agricultural Advisory Committee is currently chartered within Chapter 17.40 of the Mariposa County Code, a chapter associated with the Agriculture Exclusive zoning district;

Whereas, the Board of Supervisors needs an Agricultural Advisory Committee to provide it with information, recommendations, and advice from a broader perspective than just zoning issues;

Now, Therefore, the Board of Supervisors of Mariposa County, a political subdivision of the State of California, does ordain as follows:

Section I:


Section 17.40.010B of the Mariposa County Code is hereby amended to read as follows:

B. As part of the review of an application for rezoning to place property into or remove property from the Agriculture Exclusive zoning district, the Planning Director shall refer the application to the Agricultural Advisory Committee. The committee shall review each action described above and may, if necessary, inspect the property in question to determine if the property is bona fide agricultural land appropriate for the Agriculture Exclusive zoning district and if such action is consistent with the General Plan. The committee shall forward their recommendation for action on the rezoning application to the Planning Commission.

Section II: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

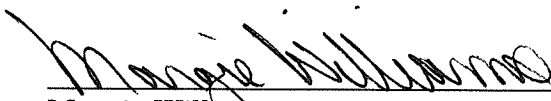
Passed and adopted by the Board of Supervisors of Mariposa County this 21st day of December 2004 by the following vote:

AYES	STETSON, BALMAIN, BIBBY, PARKER, PICKARD
NOES	NONE
ABSENT	NONE
ABSTAIN	NONE



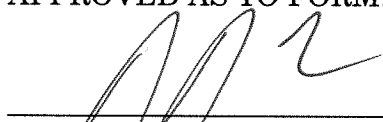
Bob Pickard, Chairman
Board of Supervisors, County of Mariposa

ATTEST:



Margie Williams,
Clerk to the Board of Supervisors

APPROVED AS TO FORM:



Thomas P. Guarino
County Counsel