

DEPARTMENT: Planning

By: Jean Clark, Assistant Planner

Phone: 966-5151

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:

Memorandum to Board with Attachments:

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: 5 Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached 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: Jay MW

**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



DOUG BALMAIN, 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

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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

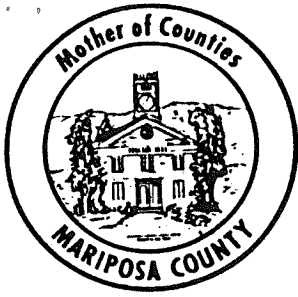
THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

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 Grasmoe, 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 Grasmoe. 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



Mariposa County Planning and Building Department


EDWARD J. JOHNSON
Director

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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. Grasmoe 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.