

DEPARTMENT: PLANNING

BY: DUANE HALL

PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: Adoption of a resolution of intention to initiate proceedings to amend the General Plan Land Use Map and County Zoning Maps and modify the land use classifications and zoning districts on the properties shown in the attached exhibits to the Agricultural Exclusive or Mountain Preserve land uses or zones. This recommendation is based on the following: 1) The properties are or will be located in the Agricultural Preserve and Land Conservation (Williamson) Act contracts have been or will be executed on the properties; 2) the properties are required by State law and County policy to be placed in the Agricultural Exclusive or Mountain Preserve land uses and zone; and 3) the amendments will bring the properties into compliance with State law and County policy and prohibit divisions into parcels less than 160 acres.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board previously executed LCA contracts on the properties but did not require the property owners at the time of the contract to rezone the properties.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Alternatives--1) Take no action; 2) continue matter for additional discussion.

Negative action would result in properties remaining in existing land use and zone and potentially allow for possible division of parcels to 40 acres.

COSTS: () Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required Add'l funding \$ _____
D. Source: _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
1) Exhibits showing property locations
2) Memo

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:
Res. No.: 90-614
Ord. No.: _____
Vote - Ayes: 5 Noes: _____
Absent: _____ Abstained: _____
Am Approved () Denied
() Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

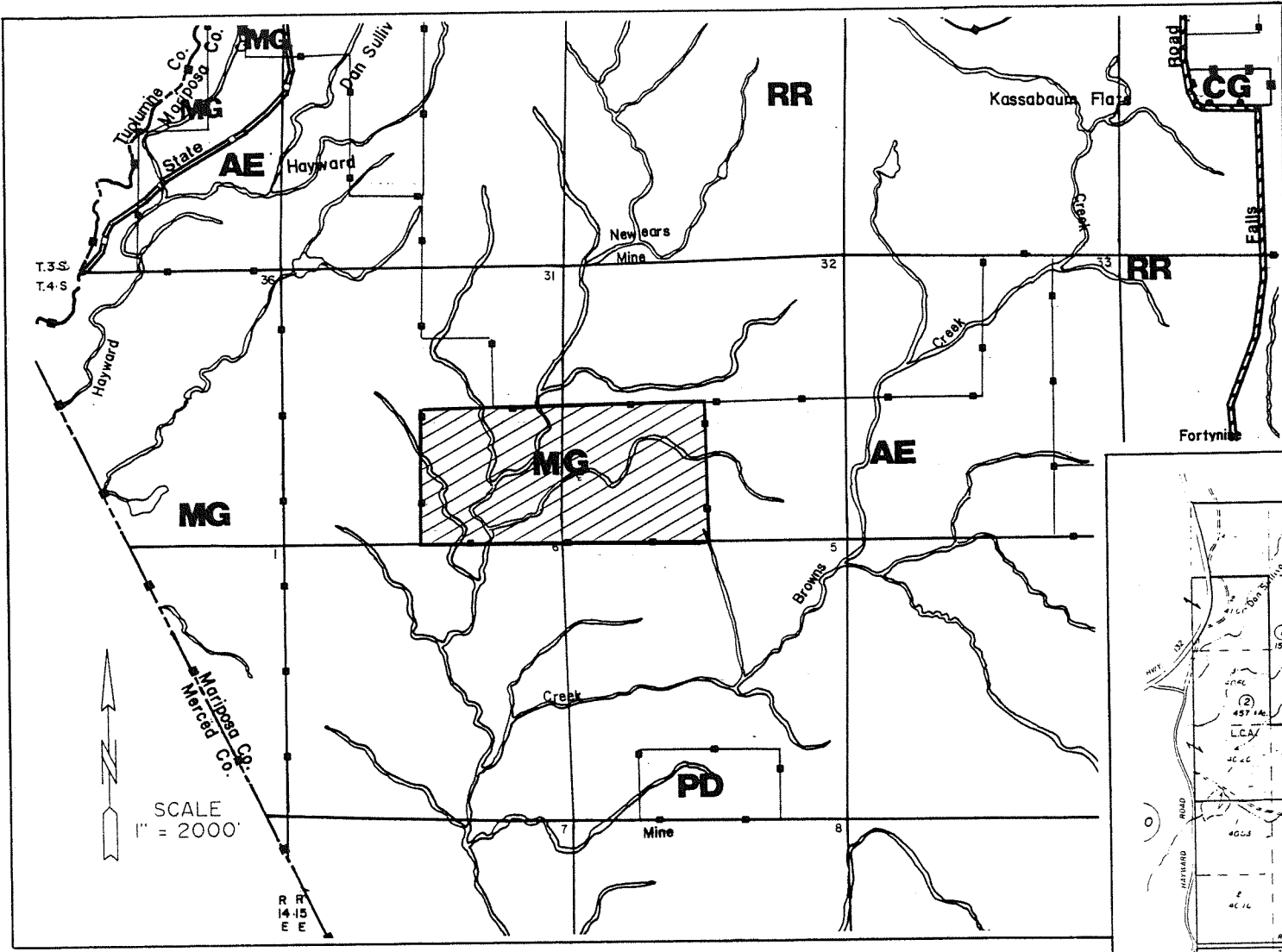
The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By: _____
Deputy

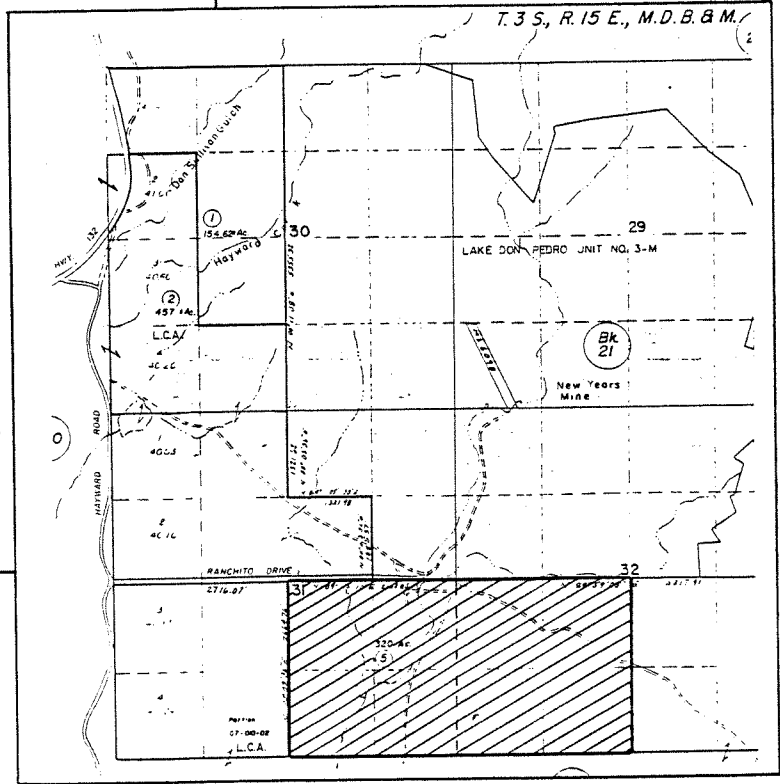
Comment: _____

A.O. Initials: PH

EXHIBIT A



FROM: MOUNTAIN GENERAL
TO: AGRICULTURAL EXCLUSIVE
LAND USE & ZONE



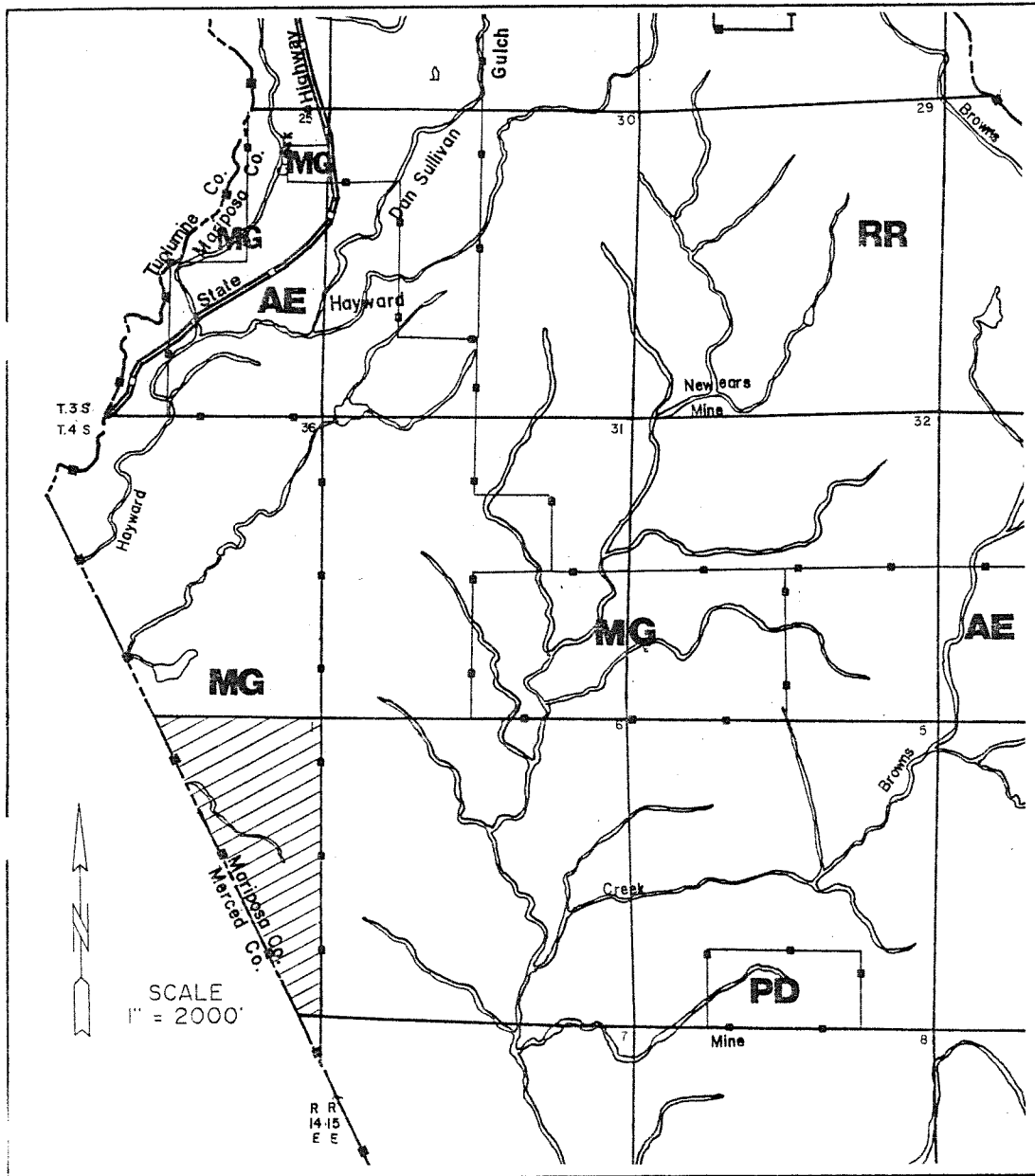


EXHIBIT C

FROM: MOUNTAIN GENERAL
TO: AGRICULTURAL EXCLUSIVE
LAND USE & ZONE

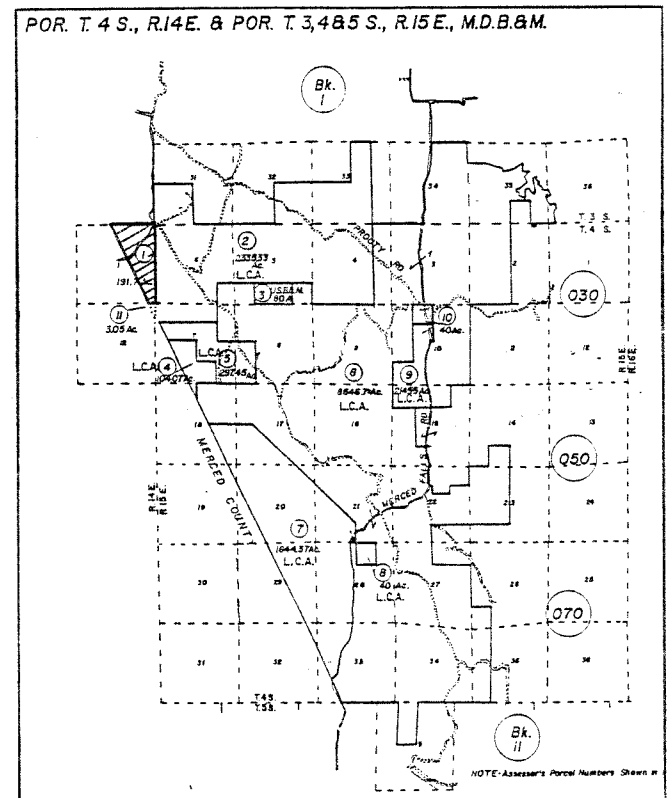
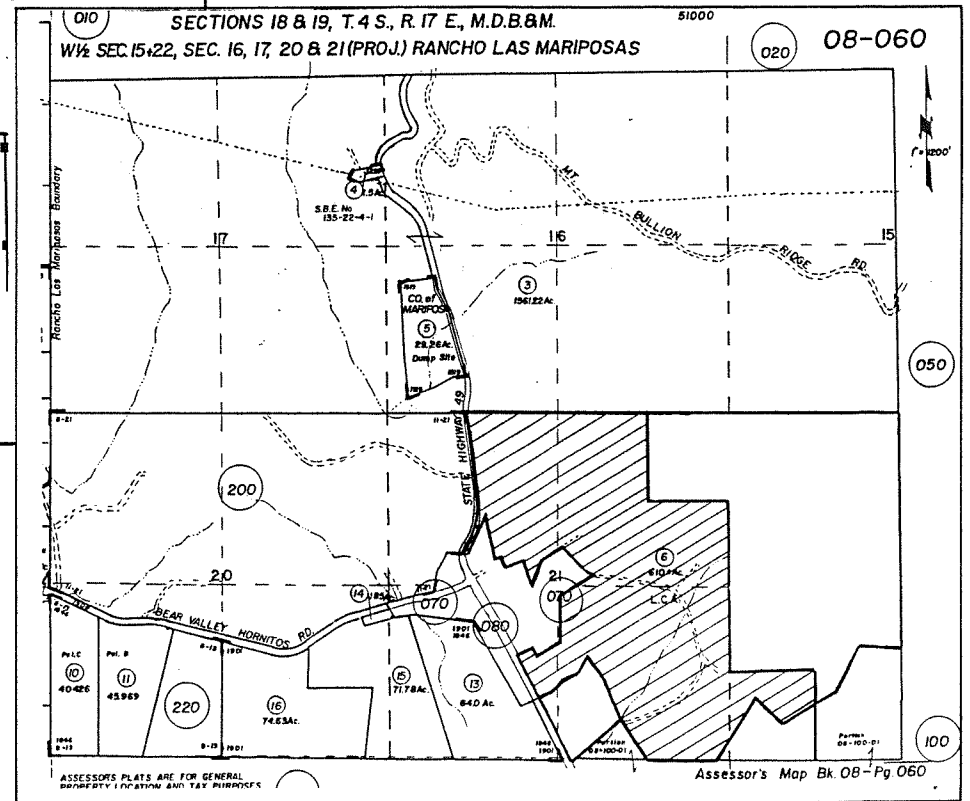
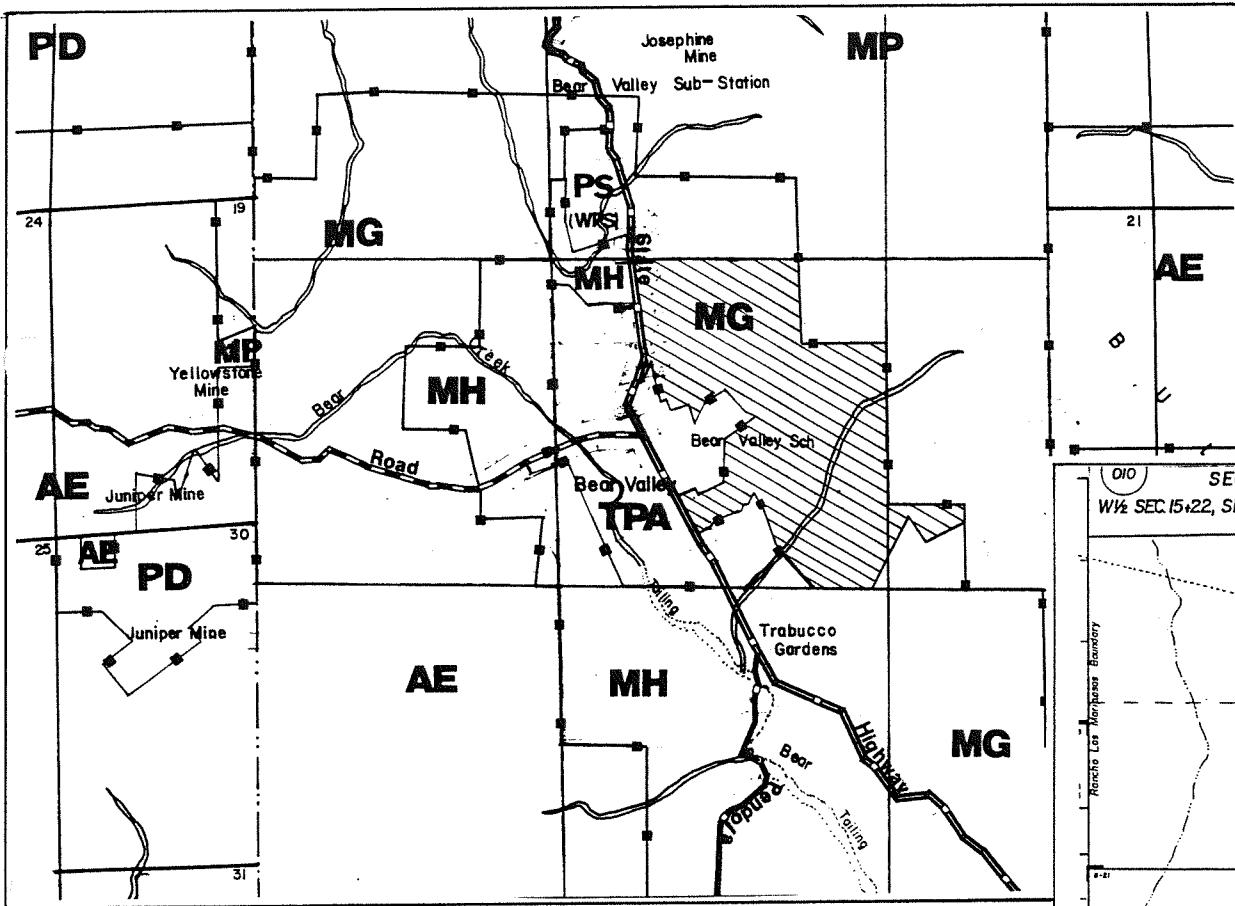


EXHIBIT D

FROM: MOUNTAIN GENERAL
TO: MOUNTAIN PRESERVE
LAND USE & ZONE



SCALE
1" = 2000'

EXHIBIT F

FROM: MOUNTAIN GENERAL
TO: AGRICULTURAL EXCLUSIVE
LAND USE & ZONE

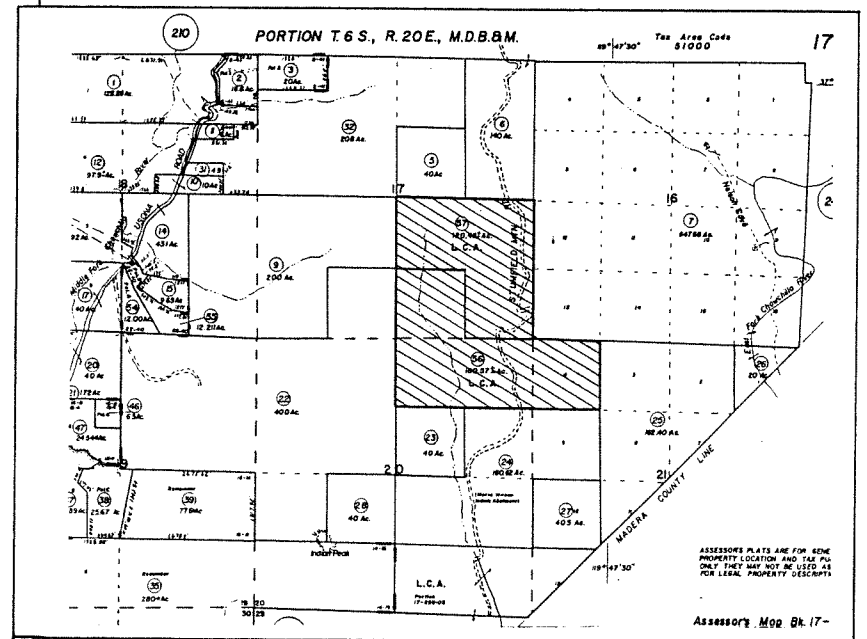
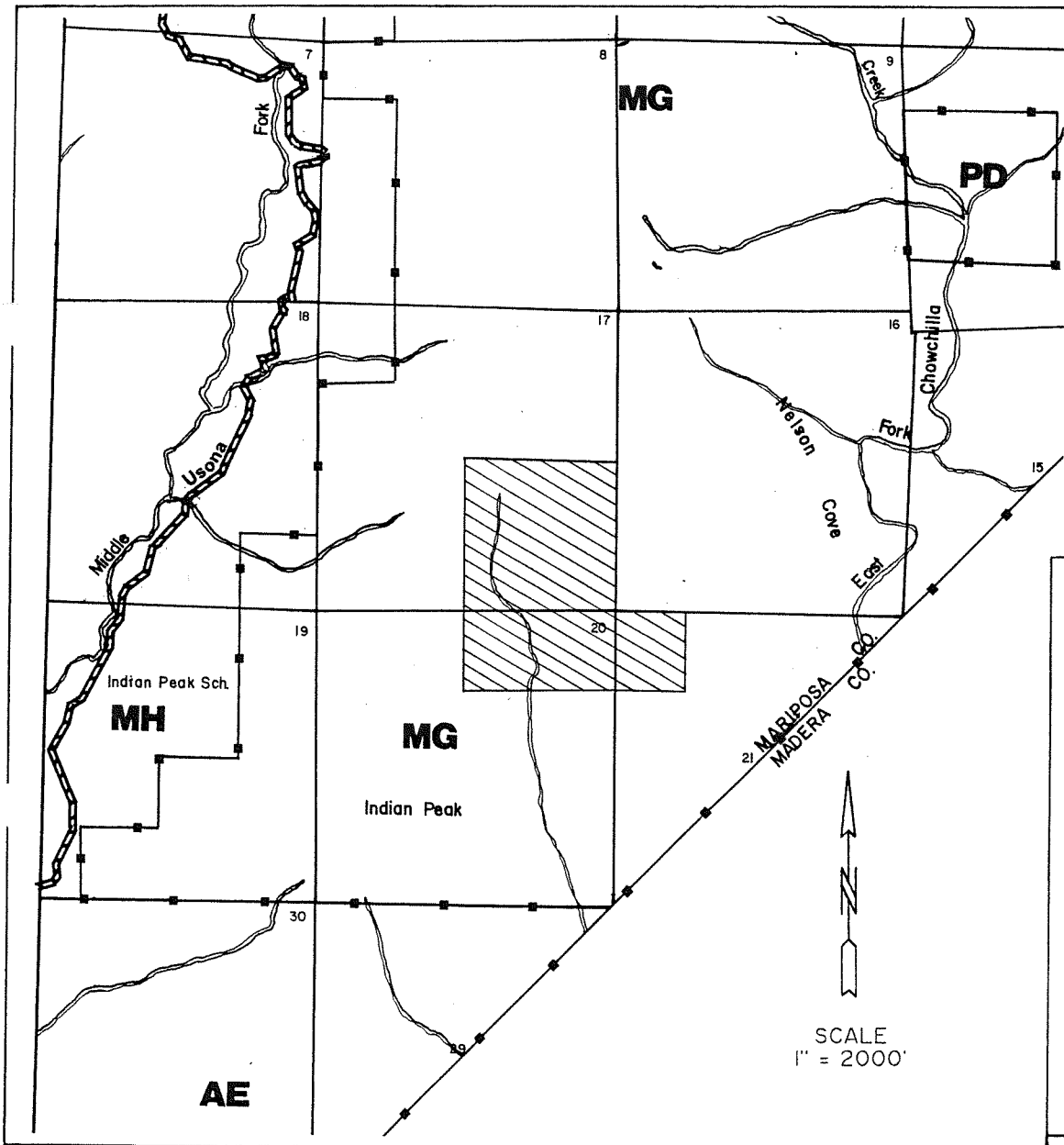


EXHIBIT G

FROM: MOUNTAIN GENERAL
TO: AGRICULTURAL EXCLUSIVE
LAND USE & ZONE

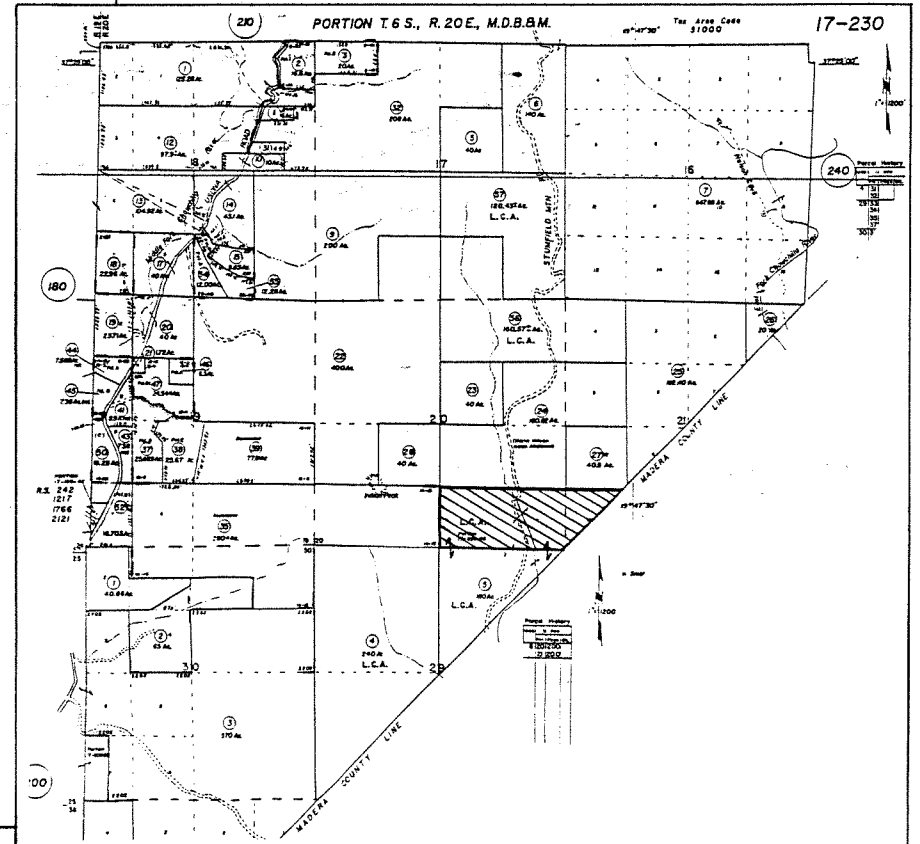
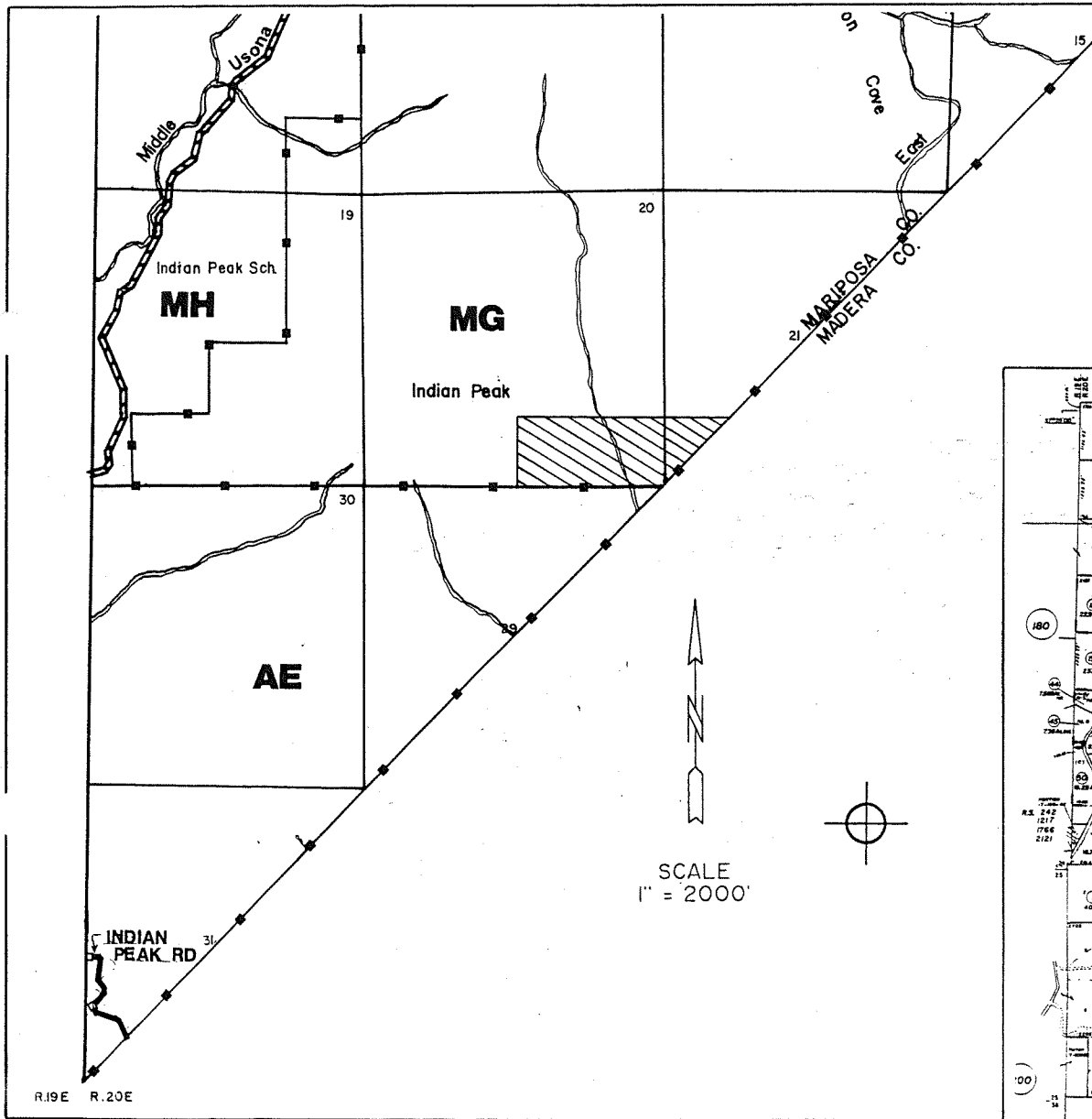
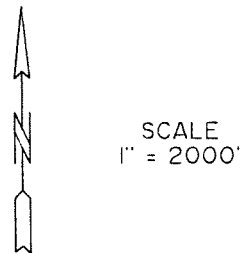
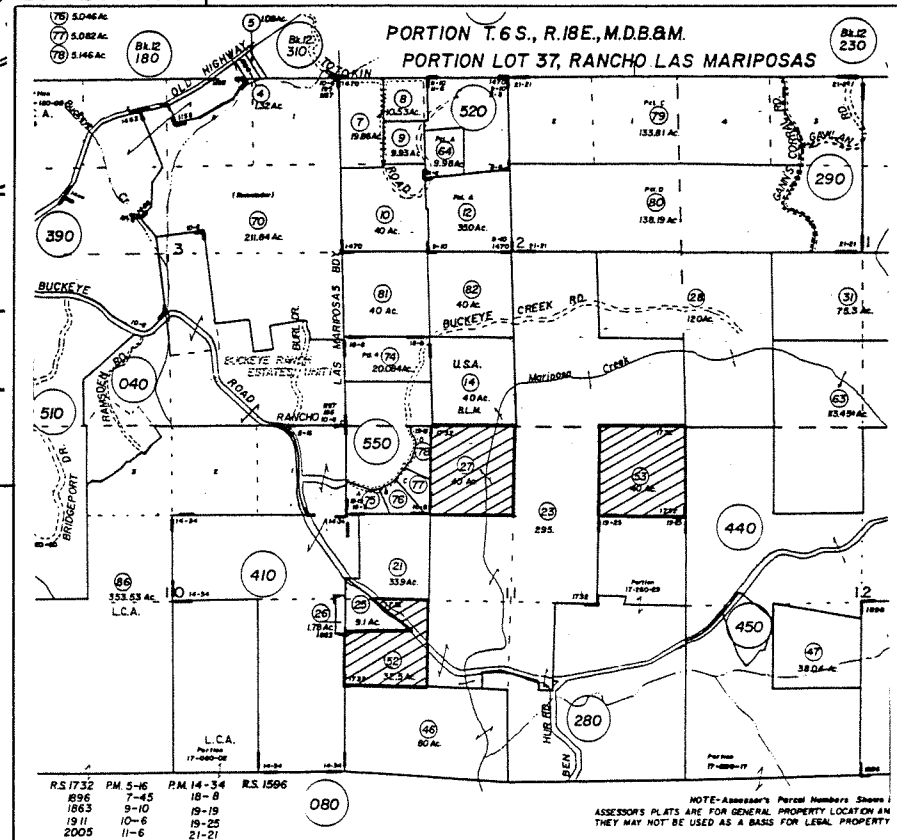
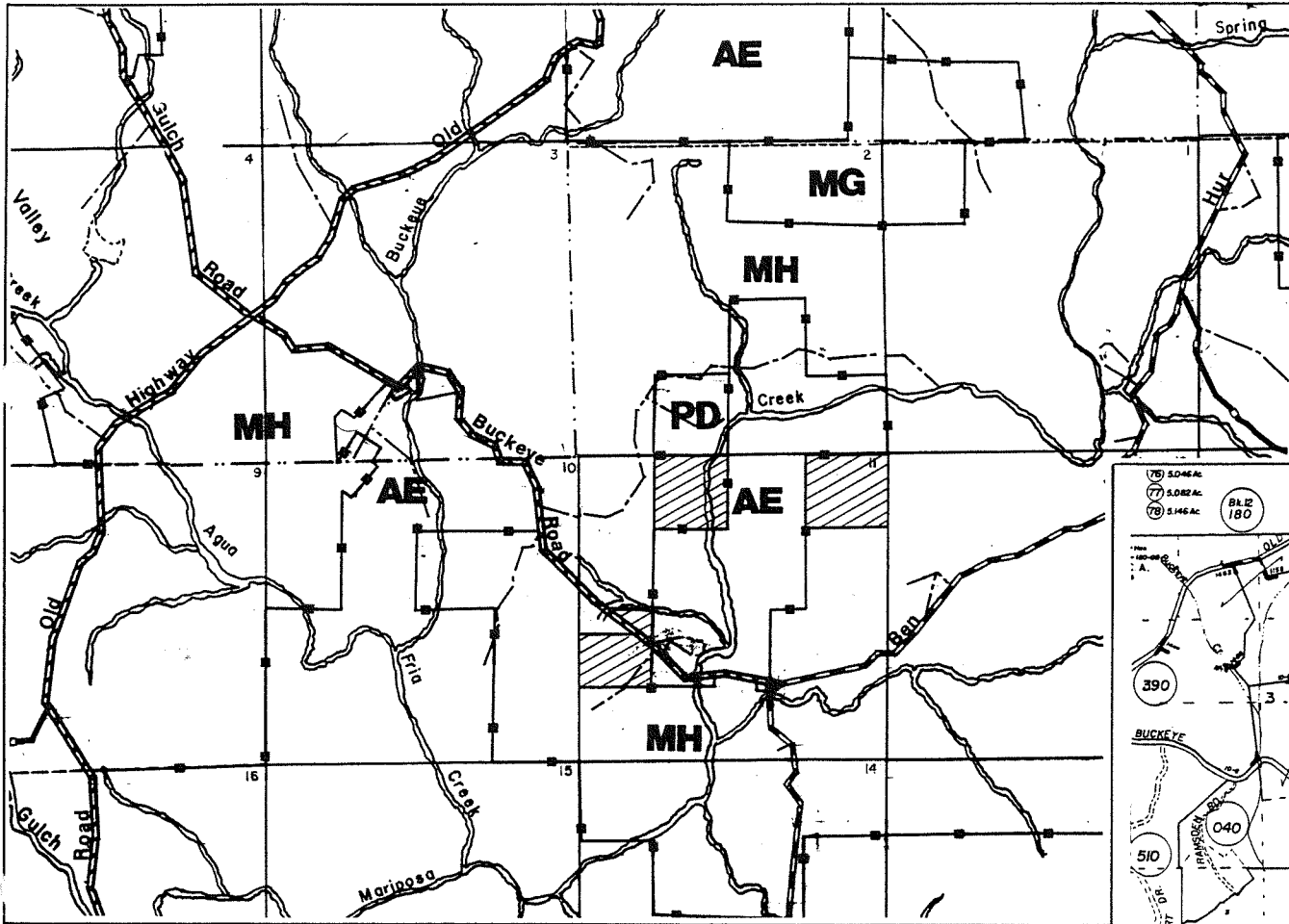
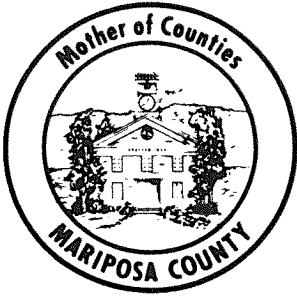


EXHIBIT H

FROM: MOUNTAIN HOME
TO: AGRICULTURAL EXCLUSIVE
LAND USE & ZONE





Mariposa County Planning Department

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Planning Director

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December 12, 1990

MEMORANDUM

TO: MARIPOSA COUNTY BOARD OF SUPERVISORS

FROM: DUANE HALL, ASSOCIATE PLANNER *DH*

SUBJECT: GENERAL PLAN/ZONING AMENDMENTS FOR PROPERTY IN THE LAND CONSERVATION (WILLIAMSON) ACT

RECOMMENDATION

Staff recommends the Board of Supervisors adopt a resolution of intention initiating amendments to the General Plan Land Use Map and County Zoning Maps for those properties shown in the attached exhibits. The amendments would modify the land use classifications and zoning districts on the properties to the Agricultural Exclusive land use and zone.

DISCUSSION

The Board of Supervisors has placed the properties shown in Exhibits A to G in the Agricultural Preserve and executed Land Conservation (Williamson) Act contracts on them. At the time the agricultural preserve applications were approved, the properties were located in the Mountain General land use and Unclassified Zone. It was stated by the County at that time the properties would be reclassified and rezoned to Agricultural Exclusive in order to be consistent with the County Agricultural Preserve Policy and the Land Conservation Act. The property owners were not required to initiate the amendments, and it was stated the amendments would be initiated by the County. However, the County has not yet initiated the amendments, and the properties are located in the Mountain General land use and zone. The properties are not consistent with the Agricultural Preserve Policy and Land Conservation Act, and in addition, there are no specific provisions in the Land Conservation Act or County policy and standards which specifically prohibit the division of LCA property into parcels of 40 acres or larger unless the property is located in the

Agricultural Exclusive land use. As such, staff recommends the Board initiate the general plan/zoning amendments on the properties in order to bring the properties into compliance and prohibit potential 40-acre divisions of the property.

The property shown in Exhibit H is located in the Mountain Home land use and zone and is being considered for inclusion in the Agricultural Preserve at the Board's December 18th meeting (Agricultural Preserve Application No. 90-5; Jack Kirk and Myra Kirk-Goode, applicants). If the application is approved, staff recommends that the County include this property with the other County-initiated amendments for the same reasons stated above.

The following table provides the assessors parcel number, LCA contract number, size, and existing land use of the subject properties:

<u>Exhibit</u>	<u>APN</u>	<u>LCA Contract</u>	<u>Size</u>	<u>Land Use</u>
A	01-260-05	85-3	320 ac	MG
B	03-170-26(portion)	89-4	40 ac	MG
C	07-010-01	85-3	192 ac	MG
D	08-060-06	79-1	350 ac	MG
E	12-250-05	88-3	172 ac	MG
F	17-230-56/57	86-1	281 ac	MG
G	17-250-05(portion)	86-1	100 ac	MG
H	17-030-27/52/53	90-5*	113 ac	MH

		TOTAL	1,568 ac	

*Application must be approved by Board of Supervisors