



Mariposa County

MINUTES of the Planning Commission

ACTION SUMMARY MINUTES

MEETING DATE: November 19, 2021
TIME: 9:00 AM
LOCATION: Board Chambers
Mariposa County Government Center
5100 Bullion Street, Second Floor, Mariposa, CA 95338

1. CALL TO ORDER

The meeting was called to order by Vice Chair Herman at 9:01 a.m.

Attendee Name	Title	Status	Arrived
Ed Walls	District I Planning Commissioner	Excused	
Jack Wilmeth	District II Planning Commissioner	Present	9:00 AM
Mick Herman	District III Planning Commissioner	Present	9:00 AM
Deni Smith	District IV Planning Commissioner	Present	9:00 AM
John McCamman	District V Planning Commissioner	Excused	

2. PLEDGE OF ALLEGIANCE

The Pledge was led by Commissioner Wilmeth.

3. Minutes Approval

A. Planning Commission – Regular Meeting – September 24, 2021 9:00 AM

By motion of Commissioner Smith, seconded by Commissioner Wilmeth, the Minutes of September 24, 2021 were approved as presented.

Motion was carried by the following vote:

RESULT: ADOPTED [3-0]

AYES: Wilmeth, Herman, Smith

4. PUBLIC ADDRESS

Persons wishing to speak on any item of interest within the subject matter or jurisdiction of the Commission that is not on the agenda. None.

5. PUBLIC HEARINGS

- A. Public Hearing: Adopt a Resolution Recommending that the Board of Supervisors Approve Land Conservation Act (LCA) Contract Application No. 2021-150, Land Conservation Act (LCA) Application No. 2021-150 is Proposed**

for One (1) New LCA Contract Applicable to One (1) Parcel Located at 3671 Old Toll Road, APN 011-260-0060, 299.48 Acres. We Weave Dreams Academy, the Yuan & Dong Trust, Owners. Yong Yuan Aka Andy Yuan, Applicant. 2021-PCRES-17 Planner: Kaitlyn Casner

Kaitlyn Casner, Planner II, presented the item along with a Power Point presentation.

By motion of Commissioner Smith, seconded by Commissioner Wilmeth, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a resolution, finding that the project is exempt from environmental review; and approving Land Conservation Act Application No. 2021-150 with the recommended findings and procedural steps.

Motion was carried by the following vote:

RESULT: ADOPTED [3-0]

AYES: Wilmeth, Herman, Smith

B. Public Hearing: Adopt a Resolution Recommending that the Board of Supervisors Approve Land Conservation Act (LCA) Contract Modification Application No. 2021-167, a Modification of LCA Contract No. 2019-051 for the Addition of Three Parcels (APNs 017-100-0180, 017-100-0210 and 017-100-0240) to the Existing Contract Resulting in (8) Contiguous Parcels Totaling 1,331.73 Acres. James W. Larrick and Jun Chen Living Trust, Applicants. 2021-PCRES-18 Planner: Kaitlyn Casner

Kaitlyn Casner, Planner II, presented the item along with a Power Point presentation, making a note that in the printed version of the packet, page 45 should be page 2 of the 3rd item in the packet and has nothing to do with her presentation.

By motion of Commissioner Wilmeth, seconded by Commissioner Smith, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a resolution, finding that the project is exempt from environmental review; and approving Land Conservation Act (LCA) Modification 2021-167.

Motion was carried by the following vote:

RESULT: ADOPTED [3-0]

AYES: Wilmeth, Herman, Smith

C. PUBLIC HEARING - Adopt a Resolution Recommending the Board of Supervisors: 1) Adopt a Resolution Approving County Code Amendment No. 2021-162, to Establish Flexibility in Use of Historic Buildings Countywide, with Findings, including a Finding the Project is Exempt from Environmental

**Review, and 2) Adopt an Ordinance Amending County Code Pursuant to
County Code Amendment No. 2021-162 with Findings; County of Mariposa,
Project Proponent 2021-PCRES-19 Planner: Sarah Williams**

Alvaro Arias, Deputy Planning Director, presented the item along with a Power Point presentation.

By motion of Commissioner Smith, seconded by Commissioner Wilmeth, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a resolution approving County Code Amendment No. 2021-162 with the recommended findings, including a finding the project is exempt from environmental review; and adopt an ordinance amending County Code pursuant to County Code Amendment No. 2021-162.

Motion was carried by the following vote:

RESULT: ADOPTED [3-0]

AYES: Wilmeth, Herman, Smith

6. ACTION ITEMS

1. Resolution Acknowledging the Service of Alvaro Arias 2021-PCRES-20

Planner: Sarah Williams

In the absence of Planning Director, Sarah Williams, Vice Chair Herman presented the item.

Public comment was received by:

Russ Marks, Rene LaRoche, Ben Goger, Wayne Forsythe, Eileen Collins, Carol Suggs, Mick Herman and Steve Engfer.

All spoke very highly of Arias both personally and professionally, greatly acknowledging his service to The Planning Department and the entire community.

The resolution was approved unanimously.

Herman read the resolution into the record, congratulated Arias and presented him with a framed resolution acknowledging his service.

The Mariposa County Planning Commission adopted Res 2021-20 as presented.

RESULT: ADOPTED [3-0]

AYES: Wilmeth, Herman, Smith

7. PLANNING COMMISSIONER INFORMATION

Information was received by: None

8. INFORMATION ITEMS

Arias provided information on the upcoming Planning Advisory Committee meetings and the next Planning Commission meeting.

9. ADJOURN

There being no further business, the meeting was adjourned at 9:49 a.m.

Mick Herman, Vice-Chair
Mariposa County Planning Commission

Carol Suggs, Secretary
Mariposa County Planning Commission

Note: Full audio recordings of the minutes are available from the Planning Department by request or online:

<http://mariposacountyca.iqm2.com/citizens/calendar.aspx?view=list>.



Mariposa County

MINUTES of the Planning Commission

ACTION SUMMARY MINUTES

MEETING DATE: September 24, 2021
TIME: 9:00 AM
LOCATION: Board Chambers
 Mariposa County Government Center
 5100 Bullion Street, Second Floor, Mariposa, CA 95338

1. CALL TO ORDER

Attendee Name	Title	Status
Ed Walls	District I Planning Commissioner	Present
Jack Wilmeth	District II Planning Commissioner	Present
Mick Herman	District III Planning Commissioner	Present
Deni Smith	District IV Planning Commissioner	Present
John McCamman	District V Planning Commissioner	Present

2. PLEDGE OF ALLEGIANCE

The Pledge was led by Commissioner Herman.

3. MINUTES APPROVAL

A. Planning Commission – Regular Meeting – July 23, 2021 9:00 AM

By motion of Commissioner Herman, Seconded by Commissioner McCamman, the minutes were approved as presented.

Motion was carried by the following vote:

RESULT: ADOPTED: (5-0)

AYES: Walls, Wilmeth, Herman, Smith, McCamman

4. PUBLIC ADDRESS

Persons wishing to speak on any item of interest within the subject matter or jurisdiction of the Commission that is not on the agenda. NONE.

5. PUBLIC HEARINGS

- A. Public Hearing: Adopt a Resolution Adopting a Mitigated Negative Declaration and Approving Major Subdivision No. 2009-052 with Findings, Conditions, and Mitigation Measures. JCS Capital Resources; Applicant. Request is for Approval of a Major Subdivision that Will Subdivide an Approximately 114.84 Acre Parcel into Twenty-Seven (27) Lots Ranging in Size from 2.50 Acres (Net)**

to 16.87 Acres (Gross). Project Parcel is APN 016-110-049 and is Located at 2748 Highway 140 in Catheys Valley. 2021-PCRES-14 Planner: Alvaro Arias

Deputy Director, Alvaro Arias, presented the Commissioners with a memo explaining corrections to conditions, and then presented the project along with a PowerPoint presentation.

Public Comment was received from Tim Miller, Miller Planning

By motion of Commissioner Herman, Seconded by Commissioner McCamman, the Planning Commission adopted a resolution adopting a Mitigated Negative Declaration and approving Major Subdivision Application No. 2009-052 with the recommended findings, conditions, and mitigation measures including the new amended conditions as presented.

Motion was carried by the following vote:

RESULT: ADOPTED: (5-0)

AYES: Walls, Wilmeth, Herman, Smith, McCamman

B. PUBLIC HEARING: Resolution Approving Variance Application No. 2021-055 with Findings and Conditions, including a Finding that the Project is Exempt from Environmental Review; Blessed Hope Wolf, Applicant. Project is Located at 7178 Yosemite Park Way, Yosemite West APN 006-080-0040. 2021-PCRES-15 Planner: Steve Engfer

Senior Planner, Steve Engfer, presented the project along with a PowerPoint presentation.

Public Comment was received by Blessed Hope Wolf (Property owner).

By motion of Commissioner McCamman, Seconded by Commissioner Smith, the Planning Commission adopted a resolution finding that the project is exempt from environmental review and approving Variance Application No. 2021-055 with the recommended findings and conditions.

Motion was carried by the following vote:

RESULT: ADOPTED: (5-0)

AYES: Walls, Wilmeth, Herman, Smith, McCamman

C. PUBLIC HEARING - Adopt a Resolution Recommending the Board of Supervisors: 1) Adopt a Resolution Approving General Plan/Zoning Amendment No. 2017-084 for Special Event Facilities with the Recommended Changes Proposed by the Board of Supervisors on July 27, 2021, with Recommended Findings, Including a Finding the Project is Exempt from Environmental Review, and 2) Waive the First Reading and Introduce an Ordinance Amending County Code Pursuant to County Code Amendment No. 2017-084 with the Recommended Changes Proposed by the Board of Supervisors on July 27, 2021 with Findings 2021-PCRES-16 Planner: Sarah Williams

Planning Director, Sarah Williams, presented the project with a PowerPoint Presentation.

Public Comment was received by Kris Casto.

By motion of Commissioner McCamman, Seconded by Commissioner Herman, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a resolution approving General Plan/Zoning Amendment No. 2017-084 for Special Event Facilities with the recommended changes proposed by the Board of Supervisors on July 27, 2021 and three additional changes, and with recommended findings, including a finding the project is exempt from environmental review; and Waive the first reading and introduce an ordinance amending County Code pursuant to County Code Amendment No. 2017-084 with the recommended changes proposed by the Board of Supervisors on July 27, 2021 and three additional changes with findings.

Motion was carried by the following vote:

RESULT: ADOPTED: (5-0)

AYES: Walls, Wilmeth, Herman, Smith, McCamman

6. PLANNING COMMISSIONER INFORMATION

Commissioners Walls and Smith announced they cannot make first meeting in October.

Williams stated that meeting will be cancelled as there was no public hearings scheduled.

7. INFORMATION ITEMS

Information was received from Williams.

8. ADJOURN

There being no further business, Commissioner Walls adjourned the meeting at 10:37 a.m.

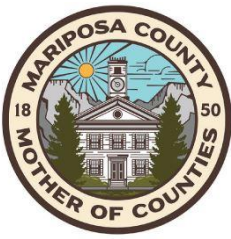
Ed Walls, Chair
Mariposa County Planning Commission

Carol Suggs, Secretary
Mariposa County Planning Commission

Note: Full audio recordings of the minutes are available from the Planning Department by request or on-line:

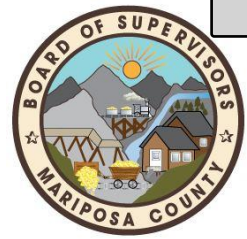
<http://mariposacountyca.iqm2.com/citizens/calendar.aspx?view=list>

Minutes Acceptance: Minutes of Sep 24, 2021 9:00 AM (Minutes Approval)



MARIPOSA COUNTY

Planning Commission • 209-966-5151



5.A

MEETING: November 19, 2021

TO: The Mariposa County Planning Commission

FROM: Sarah Williams, Planning Director

RE: Land Conservation Act Application No. 2021-150

Public Hearing: Adopt a Resolution Recommending that the Board of Supervisors Approve Land Conservation Act (LCA) Contract Application No. 2021-150, Land Conservation Act (LCA) Application No. 2021-150 is Proposed for One (1) New LCA Contract Applicable to One (1) Parcel Located at 3671 Old Toll Road, APN 011-260-0060, 299.48 Acres. We Weave Dreams Academy, the Yuan & Dong Trust, Owners. Yong Yuan Aka Andy Yuan, Applicant.
Please see the attached report for additional information.

ATTACHMENTS:

Staff Report (PDF)

Attachment A - PC Resolution (PDF)

Attachment B- Vicinity Map (PDF)

Attachment C- LCA Application (PDF)

Attachment D - Notice of Exemption (PDF)

PC Presentation (PDF)

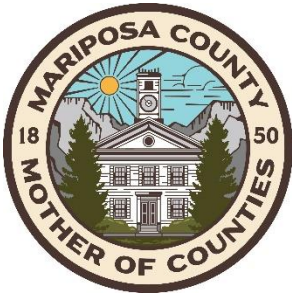
RESULT: ADOPTED [UNANIMOUS]

MOVER: Deni Smith, District IV Planning Commissioner

SECONDER: Jack Wilmeth, District II Planning Commissioner

AYES: Jack Wilmeth, Mick Herman, Deni Smith

EXCUSED: Ed Walls, John McCamman



MARIPOSA PLANNING STAFF REPORT

From: Sarah Williams, Planning Director

Prepared By: Kaitlyn Casner, Planner II

Planning Commission Meeting Date: November 19, 2021

PROJECT: Land Conservation Act (LCA) Application No. 2021-150

PROPOSAL: Land Conservation Act (LCA) Application No. 2021-150 is proposed for one (1) new LCA Contract applicable to one (1) parcel located at 3671 Old Toll Road, APN 011-260-0060, 299.48 acres.

PROCESS: The process is as follows:

1. Agricultural Advisory Committee consideration and recommendation to the Planning Commission (**Recommended Approval on October 21, 2021**)
2. Planning Commission consideration and recommendation to the Board of Supervisors (**Current Step**)
3. Board of Supervisors consideration and approval.

OWNER/

APPLICANT: We Weave Dreams Academy, The Yuan & Dong Trust, owners. Yong Yuan aka Andy Yuan, applicant.

LOCATION: Project parcel is located at 3671 Old Toll Road, Hornitos area just north of the intersection of Old Toll Road and Hornitos Road.

ASSESSOR

PARCEL

NUMBER: 011-260-0060

GENERAL PLAN

LAND USE: Agriculture/Working Landscape

ZONING: Agriculture Exclusive

COMMITTEE

ACTION: The Agricultural Advisory Committee recommends the Planning Commission adopt a Resolution recommending the Board of Supervisors adopt a resolution:

- a) Finding that the project is exempt from environmental review; and
- b) Approving Land Conservation Act Application No. 2021-150 with the recommended findings and procedural steps

PROJECT DESCRIPTION

Background

The project parcel is in the Agriculture Exclusive (AE) Zone with a General Plan Land Use Classification of Agriculture/Working Landscape (AWL).

The resultant total LCA contracted area would be one parcel totaling 299.48 acres.

The applicant intends to continue to run cattle on the property.

(Attachment B- Vicinity Map/Proposed LCA Parcel)

Code Compliance

Code compliance review of the LCA application identified that there are two open compliance cases (RFI 2013-482 & 2016-018) existing on the referenced property. Both cases involve the installation of a mobile home on the property without permits.

In 2019, a second violation was added to the case file. During the Detwiler Fire in July of 2017, the legal stick-built dwelling on the property was destroyed. Currently the ash and burn debris from that fire remain onsite. The debris and ash must be removed using Environmental Health's Ash disposal procedure, which includes soil testing to ensure that any contaminated soil is removed from the site.

Due to the code compliance abatement efforts, and because the request is for an LCA tax offset contract with the county, a condition of approval is recommended to require remedy of the code case/s prior to execution of the LCA contract.

Agricultural Preserve Size and Use:

Staff provides review comments pursuant to Mariposa County Resolution No. 10-150 (effective policies).

Minimum Size -- The proposed contract will result in a single Williamson Act Contract of one (1) parcel with a total area of 299.48 acres. The proposed acreage exceeds the 160-acre minimum size requirement of Mariposa County's Rules of Procedure to Implement the California LCA of 1965 for rangeland and pasture for livestock production and forage (Resolution 2010-150).

Agricultural Use - In order to qualify for inclusion in an agricultural preserve and contract, Mariposa County Policy requires that evidence be submitted that shows that the parcel has been used for commercial agricultural purposes for three years.

The applicant has reported that the subject property has been used for grazing of pasture cattle. The application included the County Agricultural Preserve Questionnaire which reports that cattle grazing uses occurred over the last 3 years on the subject parcel and that cattle grazing will continue on the proposed parcel in the future.

Biennial Report - Mariposa County Policy requires the filing of a biennial report on odd numbered years. The proposed parcel was not required to report as they were not a part of a contract, however, if approved reporting will be required in the future.

California Land Conservation (Williamson) Act

The California Land Conservation Act or Williamson Act was passed to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. Private landowners voluntarily restrict their land to agricultural uses under a 20-year rolling term contract with Mariposa County. In return, restricted parcels are assessed for property tax purposes at a significantly reduced rate (approximately 75% less) rather than at their potential market value. Because the contracts are “rolling terms”, there are always 20 years remaining in a contract (unless the contract is non-renewed).

The purpose of the Williamson Act includes the following:

- Preservation of the maximum amount of the limited supply of agricultural land is necessary.
- Discouragement of premature and unnecessary conversion of agricultural land to urban uses is in the public interest and is a benefit to the state.
- Agricultural lands have important and valuable open space aspects in an urbanizing society and should be kept in production.

Procedural Requirements

Agricultural Advisory Committee:

Pursuant to Section 2.110.060.C, County Code, and the Agricultural Advisory Committee:

“shall provide comment, recommendation, and advice to the Planning Commission, Board of Supervisors and its personnel on the following matters: ...C. Review and provide recommendations on applications for new Williamson Act (Land Conservation Act) contracts, applications for cancellation of Williamson Act (Land Conservation Act) contracts, and non-renewal of Williamson Act (Land Conservation Act) contracts...”

The Planning Commission will consider the AAC’s recommendation, staff report and application and make a recommendation for final action to the Board of Supervisors.

Department of Conservation:

The Department of Conservation is a State Agency which performs primarily educational and resource functions to the local agencies which are empowered to interpret and implement the California Land Conservation Act in their jurisdictions.

Staff will send a copy of the executed and recorded contract to the Department of Conservation.

Planning Commission Meeting November 19, 2021
 Land Conservation Act (LCA) Contract Application No. 2021-150
 Yong Yuan aka Andy Yuan, applicant.

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Agency

Comments: One (1) comment was received from the Agricultural Commissioner which stated that the contract does not present any significant agricultural concerns or issues which require additional recommendations from their office.

Public

Comments: Prior to the Planning Commission's public hearing, a notice was published in the Mariposa Gazette on November 4, 2021. A notice was mailed to all property owners within 600 feet of the project parcel, on October 29, 2021. Notices were also posted in the community and on the County's website.

No public comments were received prior to the publication of this staff report. If any comments are received prior to the public hearing, they will be provided to the Commission and Board of Supervisors at the hearings.

Fish & Wildlife

Fees: Because the project is exempt from environmental review, the Department of Fish and Wildlife Fees for the filing of a Negative Declaration does not apply to the project. If a Notice of Exemption (NOE) is filed, a County administrative filing fee of \$50.00 for the notice will be required. Filing the NOE is optional for the applicants.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA):

In order to approve a project, including this project, a CEQA or environmental determination would need to be made by the lead agency (the government agency which has action authority over the permit). The Land Conservation Act contract is exempt from CEQA pursuant to: Class 17; Section 15317, Open Space Contracts or Easements, CEQA Guidelines.

Recommended Project Finding and Conditions are as shown in the attached Planning Commission Resolution.

Attachments:

- A. Planning Commission Resolution
- B. Vicinity Map
- C. Application
- D. Notice of Exemption

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION**

Resolution No. 2021- **A resolution recommending that the Board of Supervisors approve Land Conservation Act (LCA) Contract Application No. 2021-150, APN 011-260-0060; We Weave Dreams Academy, The Yuan & Dong Trust, owners. Yong Yuan aka Andy Yuan, applicant.**

WHEREAS, an application for a Land Conservation (Williamson) Act Contract was received on August 18, 2021, from We Weave Dreams Academy, The Yuan & Dong Trust, owners. Yong Yuan aka Andy Yuan, applicant for property located at Old Toll Road in Mariposa, also known as Assessor Parcel Number 011-260-0060; and

WHEREAS, the property has been used for commercial agricultural purposes for a minimum of three years; and

WHEREAS, the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS, a project review was scheduled for the duly noticed Agricultural Advisory Committee meeting of October 21st 2021; and

WHEREAS, a Staff Report and environmental determination were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS, the Agricultural Advisory Committee recommended that the Planning Commission recommend that the Board of Supervisors approve the Agricultural Preserve on the subject property and enter into a modified Land Conservation Act Contract with the applicant, covering the subject property; and

WHEREAS, a duly noticed Planning Commission public hearing for the project was scheduled for November 19th 2021; and

WHEREAS, the Planning Department determined that the establishment of a new agricultural preserve and execution of new Williamson Act Contract on the property is an action that is categorically exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report, testimony presented by the public concerning the application and the recommendation of staff.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors find that the project is exempt from environmental review pursuant to the California Environmental Quality Act.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors approve Land Conservation Act Application No. 2021-150, to establish an Agricultural Preserve on the subject property

and enter into a Land Conservation Act Contract with the applicant, covering the subject property as requested by the applicant.

BE IT THEREFORE FINALLY RESOLVED THAT this action is recommended based upon the findings set forth in Exhibit 1 and the conditions/steps established in Exhibit 2.

ON MOTION BY Commissioner , seconded by Commissioner , this resolution is duly passed and adopted this by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

Ed Walls, Chair
Mariposa County Planning Commission

Attest:

Jil Chiesa, Secretary
Mariposa County Planning Commission

EXHIBIT 1

Project Findings

This project is reviewed in accordance with Mariposa County Resolution No. 10-150 implementing the Land Conservation Act in Mariposa County and California Government Code Section 51257 (Williamson Act Law), the following findings are made:

1. **FINDING:** The project is 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.

The Land Conservation Act promotes the preservation and development of agricultural lands, as encouraged by the Agricultural Element and its emphasis on preserving agricultural lands (Section 10.1.01 of The General Plan) and maintaining the rural character of the county (Section 10.1.04 of The General Plan). The Conservation and Open Space Element confirms the importance of maintaining the open space nature of the county. This project will result in the execution of a Land Conservation Act contract, which is a 20-year commitment to agriculture and open space uses for the site. The preserve is consistent with the General Plan. The current and past use of the property is for agricultural purposes. This finding is made in accordance with Section 51234 of Government Code.

2. **FINDING:** The contract exceeds the minimum size (160 acres) established by the Board of Supervisors for an agricultural preserve. The use of this property is for cattle grazing, or other Agricultural Production Uses or Compatible Uses as will be specified in the contract.
3. **FINDING:** All of the land will be under the new contract; thereby increasing new LCA contracted lands in the County by 299.48 acres.
4. **FINDING:** The contract will be large enough to sustain a commercial agricultural use (dryland grazing) at 299.48 acres. Objective evidence has been submitted that the properties have been used for grazing. Review by the Agricultural Advisory Committee (AAC) did not identify any concerns. The contracted acreage exceeds the minimum 160 acres requirement for grazing.
5. **FINDING:** The new LCA contract will not compromise the long-term agricultural productivity of the as the LCA contracted lands requires agricultural productivity in conformance to Mariposa County Resolution No. 10-150 over the existing applicable zoning of Agriculture Exclusive. The land will continue to be used for cattle grazing.
6. **FINDING:** The inclusion of this land is not likely to result in the removal of adjacent land from agricultural use. There is no evidence to support a finding that this new contract will have any effect on any adjacent agricultural uses.
7. **FINDING:** The approval of the Williamson Act Contract is based upon review of the project specific and site-specific details of this case.

8. **FINDING:** This project is Categorically Exempt based on the following: Class 17; Section 15317, Open Space Contracts or Easements, CEQA Guidelines.

EXHIBIT 2
Project Steps/Conditions
FOR
Land Conservation Act No. 2021-150

1. Prior to completion of the steps for completing Land Conservation Act Application No. 2021-150 and execution of the LCA Contract, the Code Compliance Cases (RFI No. 2013-482 & No. 2016-018) and related 2019 structure fire ash clean up, shall be abated. A verification letter from the Code Compliance Division demonstrating to the Planning Director that the abatement is achieved, shall be required prior LCA contract recordation.
2. **Preparation of Legal Description (APPLICANT'S RESPONSIBILITY):** Prior to recordation of the Williamson Act Contract, a typed, stamped, and signed copy of the approved legal description for the land that is to be placed under the contract must be provided by the applicant to Mariposa Planning.
3. **Preparation of the Williamson Act Contract (MARIPOSA PLANNING RESPONSIBILITY):** In order to complete this project, the Williamson Act Contract will be prepared by Mariposa Planning. Mariposa Planning will coordinate obtaining the signature of the representative authorized by the Board of Supervisors to sign the contract. Mariposa Planning will send the original contract to the property owner(s) involved in the application.
4. **Signing and Notarizing the Williamson Act Contract (APPLICANT'S RESPONSIBILITY):** The contract must be signed by the property owner(s), and the signature(s) must be notarized.
5. **Recordation of Contract (MARIPOSA PLANNING RESPONSIBILITY):** When the contract has been signed and notarized by both parties, Mariposa Planning will record the contract. This step completes the Land Conservation Act Contract Process.



PROJECT TYPE: LCA 2021-150

APPLICANT: APPLICANT/OWNER: Yong Yuan aka Andy Yuan

We Weave Dreams Academy and The Yuan & Dong Trust

APN: 011-260-0060

SITE ADDRESS: 3671 Old Toll Rd, Cathey's Valley

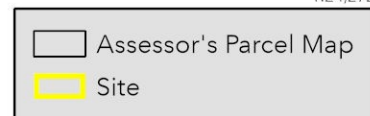
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Date: Thursday, August 26, 2021

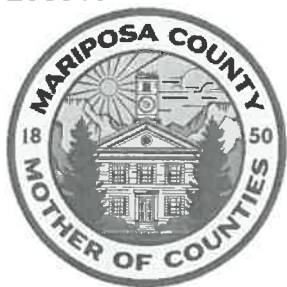
Data Source: Mariposa County Planning Department GIS;

Assessor's Parcel Map Update: 07/2021

Map Credit: jwhite



200510



LAND CONSERVATION ACT (WILLIAMSON ACT) CONTRACT APPLICATION

Mariposa County Planning Department

5100 Bullion Street, P.O. Box 2039

Mariposa, CA 95338

Telephone (209) 966-5151 FAX (209) 742-5024

www.mariposacounty.org planningdept@mariposacounty.org
FOR OFFICE USE ONLY

Date Submitted

8/18/21

Received By

SSC

Fees Paid \$

8/26/21

Receipt No.

317492

Received By

J. Pacheco

Application No.

2021-150

Application Complete

Final Action

Date

Applicant:

Name Yong Yuan aka Andy Yuan

Mailing Address PO Box 1232

Fremont, CA 94538

Daytime Telephone (510) 999-2600

E-Mail Address Andy.Yuan@TheYuan.Org

Agent: (if applicable)

Yong Yuan aka Andy Yuan

PO Box 1232

Fremont, CA 94538

(510) 999-2600

Andy.Yuan@TheYuan.Org

Property Owner Name(s)*

We Weave Dreams Academy and The Yuan & Dong Trust

*If different than applicant, attach letter of authorization or other document that authorizes the applicant to submit an application on the owner's behalf. Applicant must also be a lessee, purchaser in escrow, or optionee of the subject property. If there is more than one property owner, please list the name and mailing address of all other individuals holding an interest.

Yong Yuan aka Andy Yuan, President of We Weave Dreams Academy

Yong Yuan aka Andy Yuan, Trustee of The Yuan & Dong Trust

Attachment: Attachment C- LCA Application (2021-PCRES-17 : Land Conservation Act Application No. 2021-150)

200510

Property Information:

Assessor's Parcel Number (APN):

011-260-0060

Acreage:

299.48

Land Use Classification: Zoning:

agriculture

Present use of property:

cattle and horse grazing and poultry farming

Date the property was acquired by applicant:

10/26/2018

Deed Reference Volume _____ Page _____

- I. Applicant requests that Agricultural Preserve of less than 100 acres be established by Mariposa County Board of Supervisors due to the following unique characteristics of the agricultural enterprise:

- II. The names and addresses of the holders of First Trust deeds upon said property included in the application: (Note Trust Deed Beneficiary must sign Consent to Execute Land Conservation Contract by land owner attached to the contract.)

Assessors Parcel Number

011-260-0060011-260-0060

Trust Deed Beneficiary

We Weave Dreams AcademyThe Yuan & Dong Trust

Mailing Address

PO Box 1232, Fremont, CA 94538PO Box 1232, Fremont, CA 94538

Attachment: Attachment C- LCA Application (2021-PCRES-17 : Land Conservation Act Application No. 2021-150)

MARIPOSA COUNTY

NOTICE OF EXEMPTION

TO: County Clerk
County of Mariposa
P.O. Box 247
Mariposa, CA 95338

FROM: Mariposa County
Board of Supervisors
P.O. Box 784
Mariposa, CA 95338

Project Title: Land Conservation Act Contract No. 2021-150

Project Location: The project site is Assessor Parcel Number (APN) 011-260-0060, 299.48 acres located at 3671 Old Toll Rd in Mariposa.

Description of Project: Land Conservation Act (LCA) Application No. 2021-150 is proposed for one (1) new LCA Contract applicable to one (1) parcel located at 3671 Old Toll Road, APN 011-260-0060, 299.48 acres.

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Person/Agency
Carrying Out Project: Yong Yuan aka Andy Yuan

Exempt Status: CEQA Guidelines Class 17 §15317 Open Space Contract or Easement

Reason Why
Project Is Exempt: Project is a Land Conservation Act contracts where no physical change will occur.

Lead Agency Contact Person: Kaitlyn Casner, Planner II

Phone Number: (209) 966-5151

Sarah Williams, Planning Director

Date

Attachment: Attachment D - Notice of Exemption (2021-PCRES-17 : Land Conservation Act Application No. 2021-150)



Land Conservation Act Application No. 2021-150

Yong Yuan aka Andy Yuan,
applicant.

We Weave Dreams Academy & The
Yuan & Dong Trust, owners.

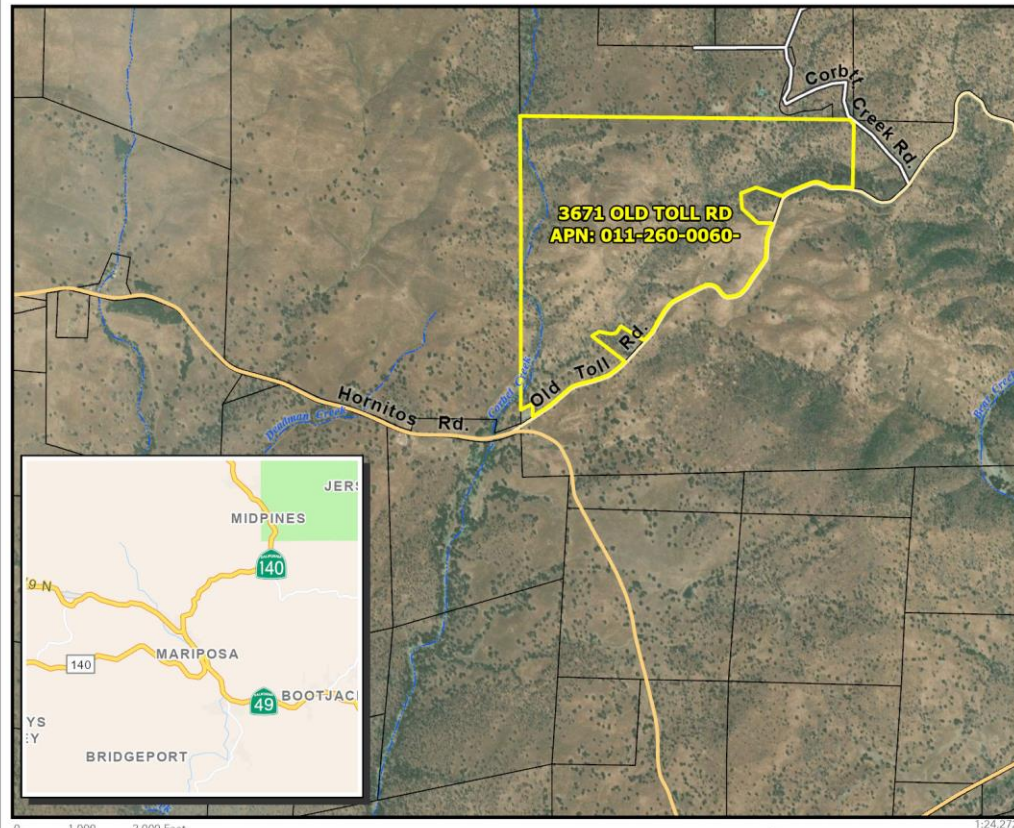
Planning Commission Public
Hearing November 19, 2021

Project Description

- ❖ Land Conservation Act (LCA) Application No. 2021-150 is proposed for one (1) new LCA Contract applicable to one (1) parcel located at 3671 Old Toll Road, APN 011-260-0060, 299.48 acres.
- ❖ General Plan Land Use: Agricultural/ Working Landscape – 160 acre minimum
- ❖ Zoning: Agriculture Exclusive – 160 acre minimum

Mariposa County Planning Department Project Vicinity Map

5.A.f



PROJECT TYPE: LCA 2021-150

APPLICANT: APPLICANT/OWNER: Yong Yuan aka Andy Yuan

We Weave Dreams Academy and The Yuan & Dong Trust

APN: 011-260-0060

SITE ADDRESS: 3671 Old Toll Rd, Cathey's Valley

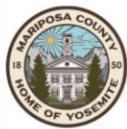
Coordinate System: NAD 1983 State Plane California III FIPS 0403 Feet

Date: Thursday, August 26, 2021

Data Source: Mariposa County Planning Department GIS;

Assessor's Parcel Map Update: 07/2021

Map Credit: jwhite



Mariposa County Planning Department
PO BOX 2039 5100 Bullion Street
Mariposa, California 95338-2039
209.966.5151 FAX 209.742.5024
mariposaplanning@mariposacounty.org
<http://www.mariposacounty.org/planning>



Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data. Location in Mariposa County

Attachment: PC Presentation (2021-PCRES-17 : Land Conservation Act Application No.

Procedural Steps- Process

- ❖ Agricultural Advisory Committee consideration and recommendation to the Planning Commission (October 21, 2021) – Recommended Approval
- ❖ **Planning Commission Consideration and Action (Current Step)**
- ❖ Board of Supervisors Consideration
- ❖ If approved the project will have a LCA Contract that will start a 20-year rolling term for conservation on the three new parcels.

Land Conservation Act

- ❖ **Minimum Size** – The project parcels meet the minimum of 160 acres required and is, therefore, consistent with the minimum size requirement of the Board of Supervisors Resolution 2010- 150 of 160 acres for range and forage.
- ❖ **Agricultural Use** – Mariposa County Policy requires that evidence be submitted that shows that the parcel has been used for agricultural purposes for three years and the agricultural use is and has been used for the purpose of producing an agricultural commodity for commercial uses.
 - The applicant has reported that the subject property has been used for grazing of cattle for the require preceding 3 years
- ❖ **Biennial Reports-** Mariposa County Policy requires the filing of a biennial report on numbered years. The proposed parcel was not required to report as they were not a part of a contract, however, if approved reporting will be required in the future.

Code Compliance

- ◆ Code compliance review of the LCA application identified that there are two open code compliance cases (RFI 2013-482 & 2016-018) existing on the referenced property. Both cases involve the installation of a mobile home on the property without permits.
- ◆ In 2019, a second violation was added to the case file. During the Detwiler Fire in July of 2017, the legal stick-built dwelling on the property was destroyed. Currently the ash and burn debris from that fire remain onsite. The debris and ash must be removed using Environmental Health's Ash disposal procedure, which includes soil testing to ensure that any contaminated soil is removed from the site.
- ◆ Due to the code compliance abatement efforts, and because the request is for an LCA exchange offset contract with the county, a condition of approval is recommended to require removal of the code case/s prior to execution of the LCA contract.

Public Comment

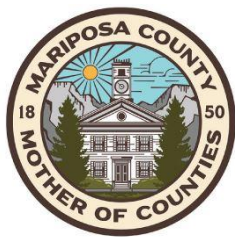
- ❖ Comments
 - ❖ No public comments received to date
 - ❖ Department of Conservation will be provided a copy of the new contract

Environmental Determination

- ❖ This project is Categorically Exempt based on the following: Class 17; Section 15317, Open Space Contracts or Easements, CEQA Guidelines.

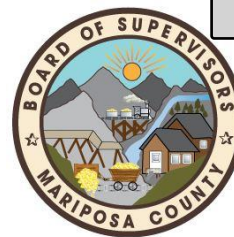
Recommendation

- ❖ The Agricultural Advisory Committee Recommends the Planning Commission adopt a resolution:
 - ❖ Finding that the project is exempt from environmental review; and
 - ❖ Approving Land Conservation Act (LCA) Contract Application No. 2021-150 with the recommended findings, condition and procedural steps



MARIPOSA COUNTY

Planning Commission • 209-966-5151



5.B

MEETING: November 19, 2021

TO: The Mariposa County Planning Commission

FROM: Sarah Williams, Planning Director

RE: Land Conservation Act Application No. 2021-167

Public Hearing: Adopt a Resolution Recommending that the Board of Supervisors Approve Land Conservation Act (LCA) Contract Modification Application No. 2021-167, a Modification of LCA Contract No. 2019-051 for the Addition of Three Parcels (APNs 017-100-0180, 017-100-0210 and 017-100-0240) to the Existing Contract Resulting in (8) Contiguous Parcels Totaling 1,331.73 Acres. James W. Larrick and Jun Chen Living Trust, Applicants.

Please see the attached report for additional information.

ATTACHMENTS:

Staff Report (PDF)
Attachment A - PC Resolution (PDF)
Attachment B - Vicinity Map (PDF)
Attachment C- LCA Application (PDF)
Attachment D - Notice of Exemption (PDF)
PC Presentation (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jack Wilmeth, District II Planning Commissioner

SECONDER: Deni Smith, District IV Planning Commissioner

AYES: Jack Wilmeth, Mick Herman, Deni Smith

EXCUSED: Ed Walls, John McCamman



MARIPOSA PLANNING STAFF REPORT

From: Sarah Williams, Planning Director

Prepared By: Kaitlyn Casner, Planner II

Planning Commission Meeting Date: November 19, 2021

PROJECT: Land Conservation Act (LCA) Modification Application No. 2021-167

PROPOSAL: A modification of LCA Contract No. 2019-051 for the addition of three (3) parcels, Parcel 1- APN 017-100-0180 (162.31 acres), Parcel 2- APN 017-100-0210 (137.84 acres), and Parcel 3- APN 017-100-0240 (237.18 acres) to the existing contract containing five (5) parcels resulting in eight (8) contiguous parcels totaling 1,331.73 acres.

PROCESS: The process is as follows:

1. Agricultural Advisory Committee consideration and recommendation to the Planning Commission (**Recommended Approval on October 21, 2021**)
2. Planning Commission consideration and recommendation to the Board of Supervisors (**Current Step**)
3. Board of Supervisors consideration and approval.

OWNER/

APPLICANT: James W. Larrick and Jun Chen Living Trust

LOCATION: Project parcels are located approximately 1/2 of a mile north of the intersection of Ben Hur Road and Silver Bar Road (unassigned address). All parcels are contiguous to one another and situated between Ben Hur Road and Silver Bar Road.

ASSESSOR

PARCEL

NUMBERS: 017-100-018 (unassigned address), 017-100-0210 (unassigned address) & 017-100-0240 (unassigned address) in Mariposa

GENERAL PLAN

LAND USE: Agriculture/Working Landscape

ZONING: Agriculture Exclusive

COMMISSION

ACTION: The Planning Commission should adopt a Resolution recommending the Board of Supervisors adopt a Resolution:

- a. Finding that the project is exempt from environmental review; and
- b. Approving Land Conservation Act Modification Application No. 2021-167

PROJECT DESCRIPTION

Background

The project parcels are all in the Agriculture Exclusive (AE) Zone with a General Plan Land Use Classification of Agriculture/Working Landscape (AWL).

The resultant total LCA contracted area would be eight (8) parcels totaling 1,331.73 acres. All parcels included are listed below.

Assessor Parcel Numbers	Acreage
017-100-0180	162.31*
017-100-0210	137.84*
017-100-0240	273.18*
017-100-0300	160
017-100-0330	200
017-100-0350	147.69
017-100-0410	81.02
017-100-0430	169.69

* New parcels (this application)

The site is undeveloped land. The applicant intends to continue to run cattle on the property.

(Attachment B- Vicinity Map/Proposed LCA Parcel)

Agricultural Preserve Size and Use:

Staff provides review comments pursuant to Mariposa County Resolution No. 10-150 (effective policies).

Minimum Size -- The modification proposed will result in a single Williamson Act Contract of eight (8) parcels with a total area of 1,331.73 acres. The proposed acreage exceeds the 160 acre minimum size requirement of Mariposa County's Rules of Procedure to Implement the California LCA of 1965 for rangeland and pasture for livestock production and forage (Resolution 2010-150).

Multiple Parcels/ Merging of Parcels – Mariposa County Policy states that a LCA Application involving multiple contiguous legal parcels that are less than the minimum size necessary shall either require merger (prior to contract execution) or the LCA contract shall include an express provision that prohibits the sale of the parcels individually during the term of the LCA Contract. This application is proposing to place a total of eight (8) parcels under one (1) LCA Contract, three (3) of which do not meet the minimum 160 acre requirement. A provision prohibiting the sale of parcels individually during the term of the contract will be included in the contract which encumber the parcels.

Agricultural Use - In order to qualify for inclusion in an agricultural preserve and contract, Mariposa County Policy requires that evidence be submitted that shows that the parcel has been used for commercial agricultural purposes for three years.

The subject property has been used for grazing of pasture cattle. The application included the County Agricultural Preserve Questionnaire which reports that cattle grazing uses occurred over the last 3 years on all of the subject parcels and that cattle grazing will continue on the existing contracted lands and the proposed additional 6th, 7th, and 8th parcel in the future.

Biennial Report - Mariposa County Policy requires the filing of a biennial report on odd numbered years. A biennial report was filed for the existing contracted lands proposed for modification (Contract No. 2019-051) in January 2021. The report was found compliant as the property was used for commercial agricultural purposes (grazing cattle). The three proposed additional parcels were not required to report as they were not a part of the contract, however, if approved reporting will be required in the future.

California Land Conservation (Williamson) Act

The California Land Conservation Act or Williamson Act was passed to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. Private landowners voluntarily restrict their land to agricultural uses under a 20-year rolling term contract with Mariposa County. In return, restricted parcels are assessed for property tax purposes at a significantly reduced rate (approximately 75% less) rather than at their potential market value. Because the contracts are “rolling terms”, there are always 20 years remaining in a contract (unless the contract is non-renewed).

The purpose of the Williamson Act includes the following:

- Preservation of the maximum amount of the limited supply of agricultural land is necessary.
- Discouragement of premature and unnecessary conversion of agricultural land to urban uses is in the public interest and is a benefit to the state.
- Agricultural lands have important and valuable open space aspects in an urbanizing society, and should be kept in production.

Procedural Requirements

Agricultural Advisory Committee:

Pursuant to Section 2.110.060.C, County Code, and the Agricultural Advisory Committee:

“shall provide comment, recommendation, and advice to the Planning Commission, Board of Supervisors and its personnel on the following matters: ...C. Review and provide recommendations on applications for new Williamson Act (Land Conservation Act) contracts, applications for cancellation of Williamson Act (Land Conservation Act) contracts, and non-renewal of Williamson Act (Land Conservation Act) contracts...”

The Planning Commission will consider the AAC’s recommendation, staff report and application and make a recommendation for final action to the Board of Supervisors.

Department of Conservation:

The Department of Conservation is a State Agency which performs primarily educational and resource functions to the local agencies which are empowered to interpret and implement the California Land

Conservation Act in their jurisdictions. Staff will send a copy of the executed and recorded contract to the Department of Conservation.

Agency

Comments: One (1) comment was received from the Agricultural Commissioner which stated that the addition of the three parcels into the contract does not present any significant agricultural concerns or issues which require additional recommendations from their office.

Public

Comments: Prior to the Planning Commission's public hearing, a notice was published in the Mariposa Gazette on November 4, 2021. A direct mailed notice was mailed to all property owners within 600 feet of the project parcels on October 29, 2021. Notices are also posted in the community and on the County's website.

Public comment received from Glenda Graham on November 8, 2021 (phone call-message) regarding the application. Commenter thought it was a land division application and no opposition to LCA application was voiced on the message.

If any additional comments are received prior to the public hearing, they will be provided to the Commission and Board of Supervisors at the hearings.

Options: The Planning Commission may recommend approval, denial, or modification of any of the proposed actions. In addition, the Commission can amend the environmental determination.

Fish & Wildlife

Fees: Because the project is exempt from environmental review, the Department of Fish and Wildlife Fees for the filing of a Negative Declaration does not apply to the project. If a Notice of Exemption (NOE) is filed, a County administrative filing fee of \$50.00 for the notice will be required. Filing the NOE is optional for the applicants.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA):

In order to approve a project, including this project, a CEQA or environmental determination would need to be made by the lead agency (the government agency which has action authority over the permit). The Land Conservation Act contract is exempt from CEQA pursuant to: Class 17; Section 15317, Open Space Contracts or Easements, CEQA Guidelines.

Recommended Project Finding and Conditions are as shown in the attached Planning Commission Resolution.

Attachments:

- A. Planning Commission Resolution
- B. Vicinity Map/Proposed Amended LCA Contract
- C. Application
- D. Notice of Exemption

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION**

Resolution
No. 2021-

A resolution recommending that the Board of Supervisors approve Land Conservation Act (LCA) Contract Modification Application No. 2021-167, a Modification of LCA Contract No. 2019-051 for the Addition of Three Parcels (APNs 017-100-0180, 017-100-0210 and 017-100-0240) to the Existing Contract resulting in (8) Contiguous Parcels totaling 1,331.73 Acres. James W. Larrick and Jun Chen Living Trust, Applicants.

WHEREAS, an application for a Land Conservation (Williamson) Act Contract modification was received on September 21, 2021, from James W. Larrick and Jun Chen Living Trust for the addition of three parcels to the existing contract, Parcel 1 (APN 017-100-0180, 162.31 acres), Parcel 2 (APN 017-100-0210, 137.84 acres) and Parcel 3 (APN 017-100-0240, 237.18 acres) totaling 8 contiguous parcels and 1,331.73 Acres for the Contract, located approximately one (1) mile east of the intersection of Ben Hur Road and Silver Bar Road; and

WHEREAS, the property has been used for commercial agricultural purposes for a minimum of three years; and

WHEREAS, the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS, a project review was scheduled for the duly noticed Agricultural Advisory Committee meeting of October 21st 2021; and

WHEREAS, a Staff Report and environmental determination were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS, the Agricultural Advisory Committee recommended that the Planning Commission recommend that the Board of Supervisors approve the Agricultural Preserve on the subject property and enter into a modified Land Conservation Act Contract with the applicant, covering the subject property; and

WHEREAS, a duly noticed Planning Commission public hearing for the project was scheduled for November 19th 2021; and

WHEREAS, the Planning Department determined that the inclusion of an additional parcel into the existing new agricultural preserve and execution of a modified Williamson Act Contract on the property is an action that is categorically exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report, testimony presented by the public concerning the application and the recommendation of staff.

Attachment: Attachment A - PC Resolution (2021-PCRES-18 : Land Conservation Act Application No. 2021-167)

Resolution No.**Land Conservation Act Application No. 2021-167, James W. Larrick and Jun Chen Living Trust, applicant.****Planning Commission Meeting November 19th, 2021**

Page 2 of 4 pages

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors find that the project is exempt from environmental review pursuant to the California Environmental Quality Act.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors approve Land Conservation Act Application No. 2021-167, to establish an Agricultural Preserve on the subject property and enter into a modified Land Conservation Act Contract with the applicant, covering the subject property as requested by the applicant.

BE IT THEREFORE FINALLY RESOLVED THAT this action is recommended based upon the findings set forth in Exhibit 1 and the conditions/steps established in Exhibit 2.

ON MOTION BY Commissioner , seconded by Commissioner , this resolution is duly passed and adopted this by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

Ed Walls, Chair
Mariposa County Planning Commission

Attest:

Jil Chiesa, Secretary
Mariposa County Planning Commission

EXHIBIT 1

Project Findings

This project is reviewed in accordance with Mariposa County Resolution No. 10-150 implementing the Land Conservation Act in Mariposa County and California Government Code Section 51257 (Williamson Act Law), the following findings are made:

1. **FINDING:** The project is 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.

The Land Conservation Act promotes the preservation and development of agricultural lands, as encouraged by the Agricultural Element and its emphasis on preserving agricultural lands (Section 10.1.01 of The General Plan) and maintaining the rural character of the county (Section 10.1.04 of The General Plan). The Conservation and Open Space Element confirms the importance of maintaining the open space nature of the county. This project will result in the execution of a Land Conservation Act contract, which is a 20 year commitment to agriculture and open space uses for the site. The preserve is consistent with the General Plan. The current and past use of the property is for agricultural purposes. This finding is made in accordance with Section 51234 of Government Code.

2. **FINDING:** The contract exceeds the minimum size (160 acres) established by the Board of Supervisors for an agricultural preserve. The use of this property is for cattle grazing, or other Agricultural Production Uses or Compatible Uses as will be specified in the contract.
3. **FINDING:** All of the land will be under the new contract; thereby increasing new LCA contracted lands in the County by 573.33 acres (from 758.4 acres) to a total of 1,331.73 acres.
4. **FINDING:** The contract will be large enough to sustain a commercial agricultural use (dryland grazing) at 1,331.73 acres. Objective evidence has been submitted that the properties have been used for grazing. Review by the AAC did not identify any concerns. The contracted acreage exceeds the minimum 160 acres requirement for grazing.
5. **FINDING:** The new LCA contract will not compromise the long-term agricultural productivity of the as the LCA contracted lands requires agricultural productivity in conformance to Mariposa County Resolution No. 10-150 over the existing applicable zoning of Agriculture Exclusive. The land will continue to be used for cattle grazing.
6. **FINDING:** The inclusion of this land is not likely to result in the removal of adjacent land from agricultural use. There is no evidence to support a finding that this new contract will have any effect on any adjacent agricultural uses.
7. **FINDING:** The approval of the Williamson Act Contract Modification is based upon review of the project specific and site-specific details of this case.

Resolution No.

Land Conservation Act Application No. 2021-167, James W. Larrick and Jun Chen Living Trust, applicant.

Planning Commission Meeting November 19th, 2021

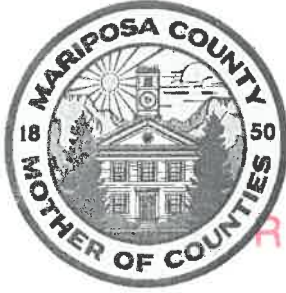
Page 4 of 4 pages

8. **FINDING:** This project is Categorically Exempt based on the following: Class 17; Section 15317, Open Space Contracts or Easements, CEQA Guidelines.

EXHIBIT 2
Project Steps/Conditions
FOR
Land Conservation Act No. 2021-167

1. **Preparation of Legal Description (APPLICANT'S RESPONSIBILITY):** Prior to recordation of the Williamson Act Contract, a typed, stamped, and signed copy of the approved legal description for the land that is to be placed under the modified contract must be provided by the applicant to Mariposa Planning.
2. **Preparation of the Williamson Act Contract (MARIPOSA PLANNING RESPONSIBILITY):** In order to complete this project, the Williamson Act Contract will be prepared by Mariposa Planning. Mariposa Planning will coordinate obtaining the signature of the representative authorized by the Board of Supervisors to sign the contract. Mariposa Planning will send the original contract to the property owner(s) involved in the application.
3. **Signing and Notarizing the Williamson Act Contract (APPLICANT'S RESPONSIBILITY):** The contract must be signed by the property owner(s), and the signature(s) must be notarized.
4. **Recordation of Contract (MARIPOSA PLANNING RESPONSIBILITY):** When the contract has been signed and notarized by both parties, Mariposa Planning will record the contract. This step completes the Land Conservation Act Contract Process.

200501



**LAND CONSERVATION ACT (WILLIAMSON ACT)
CONTRACT MODIFICATION/AMENDMENT**

Mariposa County Planning Department

5100 Bullion Street / P.O. Box 2039

Mariposa, CA 95338

Telephone (209) 966-5151 FAX (209) 742-5024

www.mariposacounty.org planningdept@mariposacounty.org

RECEIVED

SEP 21 2021

FOR OFFICE USE ONLY

Date Submitted Mariposa County Planning Department Received By SE
 Fees Paid \$ 1944.00 Receipt No. ce Received By [Signature] 9/22/21
 Application No. 2021-167 Application Complete _____
 Final Action: ☐ APPROVED ☐ DENIED Date _____

Applicant:Name James W. Larrick & Jun Chen Living TrustMailing Address 1230 Bordeaux DriveSunnyvale, CA 94089-1202Daytime Telephone (415) 264-6311E-mail jwlarrick@gmail.com**Agent: (if applicable)****Contract Information:**Existing Williamson Act Contract No. 2008-149Acreage under contract 775.2Number of parcels / APNs under contract: 5

Are there other parcels owned by the applicant which are under contract (a different contract) which are managed together with the contract which is the subject of this application? Yes x No

If yes, please describe: Quick Ranch, Ben Hur Road, Mariposa; Striped Creek Ranch (Williamson Contract No. 2018-153)

Person(s) who signed existing Williamson Act Contract: James W. Larrick & Jun Chen, as Trustees of the James W. Larrick and Jun Chen Living Trust

Person(s) signing Modified Williamson Act Contract: James W. Larrick & Jun Chen, as Trustees of the James W. Larrick and Jun Chen Living Trust

Is this contract subject to a Notice of Non-Renewal? Yes No X

200501

Acreage to be added: 573.33 Description of acreage to be added: grazing land

Acreage to be subtracted: NA Description of acreage to be subtracted: NA

Final change in acreage of contract after modification: +573.33

Purpose of Modification: to place all 8 contiguous parcels under one contract

Attachment: Attachment C- LCA Application (2021-PCRES-18 : Land Conservation Act Application No. 2021-167)

MARIPOSA COUNTY

NOTICE OF EXEMPTION

**TO: County Clerk
County of Mariposa
P.O. Box 247
Mariposa, CA 95338**

**FROM: Mariposa County
Board of Supervisors
P.O. Box 784
Mariposa, CA 95338**

Project Title: Land Conservation Act Application No. 2021-167

Project Location: The project site is Assessor Parcel Numbers (APNs) 017-100-0180, 162.31 acres, 017-100-0210, 137.84 acres & 017-100-0240, 237.18 acres, all unassigned address, located approximately ½ mile north of the intersection of Ben Hur Road and Silver Bar Road.

Description of Project: A modification of LCA Contract No. 2019-051 for the addition of three (3) parcels, Parcel 1- APN 017-100-0180 (162.31 acres), Parcel 2- APN 017-100-0210 (137.84 acres), and Parcel 3- APN 017-100-0240 (237.18 acres) to the existing contract containing five (5) parcels resulting in eight (8) contiguous parcels totaling 1,331.73 acres.

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Person/Agency Carrying Out Project: James W. Larrick and Jun Chen Living Trust

Exempt Status: CEQA Guidelines Class 17 §15317 Open Space Contract or Easement

Reason Why Project Is Exempt: Project is a Land Conservation Act contract modification where no physical change will occur.

Lead Agency Contact Person: Kaitlyn Casner, Planner II

Phone Number: (209) 966-5151

Sarah Williams, Planning Director

Date

Attachment: Attachment D - Notice of Exemption (2021-PCRES-18 : Land Conservation Act Application No. 2021-167)



Land Conservation Act Application No. 2021-167

James W. Larrick & Jun Chen
Living Trust,
Applicants/owners

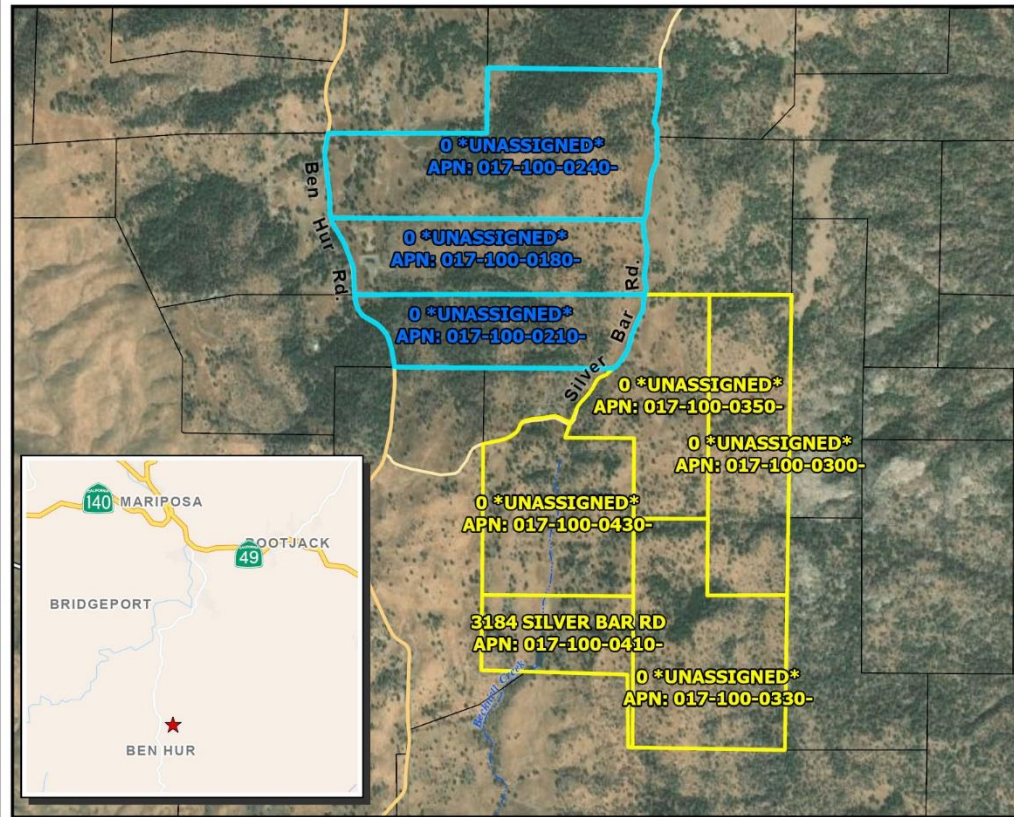
Planning Commission Public
Hearing November 19, 2021

Project Description

- ❖ The proposal is for a modification of LCA Contract No. 2019-051 for the addition of three (3) parcels, Parcel 1- APN 017-100-0180 (162.31 acres), Parcel 2- APN 017-100-0210 (137.84 acres) and Parcel 3- APN 017-100-0240 (273.18 acres), to the existing contract containing five (5) parcels resulting in eight (8) contiguous parcels totaling 1,331.73 acres.
 - The sites are located at between Ben Hur Road and Silver Bar Road (all unassigned addresses)
 - APNs 017-100-0180, 017-100-0210 & 017-100-0240
- ❖ General Plan Land Use: Agricultural/ Working Landscape – 160 acre minimum
- ❖ Zoning: Agriculture Exclusive – 160 acre minimum

Mariposa County Planning Department Project Vicinity Map

5.B.f



PROJECT TYPE: LCA modification 2021-167

APPLICANT: James Larrick, TR & Jun Chen, TR

APN: Existing 017-100-0300 & 0330 & 0350 & 0410 & 0430;

Proposed 017-100-0180 & 0210 & 0240

SITE ADDRESS: 3184 Silver Bar Rd & Unassigned addresses

Coordinate System: NAD 1983 State Plane California III FIPS 4003 Feet

Date: Friday, October 01, 2021

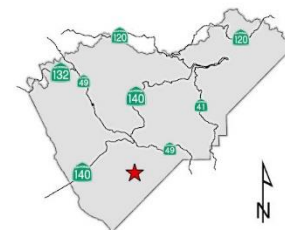
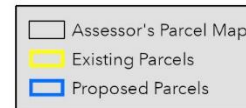
Data Source: Mariposa County Planning Department GIS;

Assessor's Parcel Map Update: 08/2021

Map Credit: jwhite



Mariposa County Planning Department
PO BOX 2039 5100 Bullion Street
Mariposa, California 95338-2039
209.966.5151 FAX 209.742.5024
mariposaplanning@mariposacounty.org
<http://www.mariposacounty.org/planning>



Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data. Location in Mariposa County

Procedural Steps- Process

- ❖ Agricultural Advisory Committee consideration and recommendation to the Planning Commission (October 21, 2021) – Recommended Approval
- ❖ **Planning Commission Consideration and Action (Current Step)**
- ❖ Board of Supervisors Consideration
- ❖ If approved the project will have a modified LCA Contract that will start a 20 year rolling term for conservation on the three new parcels.

Land Conservation Act

- ❖ **Minimum Size** – The project parcels meet the minimum of 160 acres required and is, therefore, consistent with the minimum size requirement of the Board of Supervisors Resolution 2010- 150 of 160 acres for range and forage.
- ❖ **Agricultural Use** – Mariposa County Policy requires that evidence be submitted that shows that the parcel has been used for agricultural purposes for three years and the agricultural use is and has been used for the purpose of producing an agricultural commodity for commercial uses.
 - The applicant has reported that the subject property has been used for grazing of cattle
- ❖ **Biennial Reports-** Mariposa County Policy requires the filing of a biennial report on odd numbered years. A biennial report was filed for the existing contracted lands proposed for modification (Contract No. 2019-051) in January 2021. The report was found compliant as the property was used for commercial agricultural purposes (grazing cattle). The three proposed additional parcels were not required to report as they were not a part of the contract, however, if approved reporting will be required in the future.

Public Comment

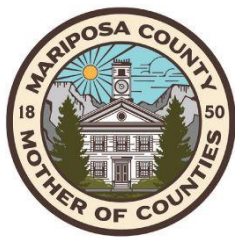
- ❖ Comments
 - ❖ No public comments received
 - ❖ Department of Conservation will be provided a copy of the new contract

Environmental Determination

- ❖ This project is Categorically Exempt based on the following: Class 17; Section 15317, Open Space Contracts or Easements, CEQA Guidelines.

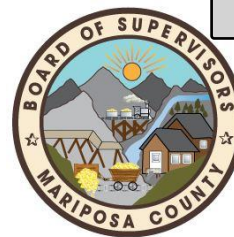
Recommendation

- ❖ The Agricultural Advisory Committee Recommends the Planning Commission adopt a resolution:
 - ❖ Finding that the project is exempt from environmental review; and
 - ❖ Approving Land Conservation Act (LCA) Contract Application No. 2021-167 with the recommended findings, conditions and procedural steps



MARIPOSA COUNTY

Planning Commission • 209-966-5151



5.C

MEETING: November 19, 2021

TO: The Mariposa County Planning Commission

FROM: Sarah Williams, Planning Director

RE: County Code Amendment No. 2021-162 for Flexibility in Use of Historic Structures Countywide

PUBLIC HEARING - Adopt a Resolution Recommending the Board of Supervisors: 1) Adopt a Resolution Approving County Code Amendment No. 2021-162, to Establish Flexibility in Use of Historic Buildings Countywide, with Findings, Including a Finding the Project is Exempt from Environmental Review, and 2) Adopt an Ordinance Amending County Code Pursuant to County Code Amendment No. 2021-162 with Findings; County of Mariposa, Project Proponent

See Staff Report and Draft Resolution for information and justification.

ATTACHMENTS:

- 1 211119 PC Staff Report (DOC)
- 2 211119 Draft PC Resolution (DOCX)
- 3 211119 Draft NOE (DOC)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Deni Smith, District IV Planning Commissioner

SECONDER: Jack Wilmeth, District II Planning Commissioner

AYES: Jack Wilmeth, Mick Herman, Deni Smith

EXCUSED: Ed Walls, John McCamman



MARIPOSA PLANNING STAFF REPORT

From: Sarah Williams, Planning Director

Planning Commission Meeting Date: November 19th, 2021

PROJECT:	County Code Amendment No. 2021-162
PROPOSAL:	Add a section to Title 17, Mariposa County Zoning Ordinance, which will allow flexibility in the use of historic structures countywide.
PROPONENT:	County of Mariposa
AMENDMENT AREA:	Applies countywide
NOTICING:	Gazette Ad: November 4 th , 2021 Posted Notice: November 1 st , 2021
COMMISSION ACTION:	Staff and the Historic Sites and Records Preservation Commission recommend the Planning Commission adopt a resolution recommending that the Board of Supervisors: A. Adopt a resolution approving County Code Amendment No. 2021-162 with the recommended findings, including a finding the project is exempt from environmental review; and B. Adopt an ordinance amending County Code pursuant to County Code Amendment No. 2021-162.

SUMMARY OF AMENDMENT

The amendment will add a new section to Chapter 17.108 (Supplementary Standards) in Title 17 that will address flexibility in the use of historic structures countywide. The new code text will be Section 17.108.230 of Title 17.

The amendment will mirror text in Section 17.334.050 of Title 17, Mariposa County Zoning Ordinance, which contains Special Use Provisions for Historic Structures in the community of Mariposa. Currently, such provisions are limited to the community of Mariposa.

BACKGROUND

The Mariposa County Board of Supervisors adopted Ordinance No. 822 on the 21st day of January 1992 adding Sub-Title 17.300 to Title 17 for the Mariposa Town Planning Area Specific Plan Zoning Regulations. Ordinance No. 822 included Section 17.334.050 establishing Special Use Provisions for Historic Structures. These provisions establish flexibility for uses in identified historic structures if the project includes restoring and preserving the historic structure to reflect its original state. These provisions, which are implemented through the conditional use permit process, are currently only applicable in the town of Mariposa. They have been successfully used to restore and preserve historic structures in the community. Given its success in Mariposa, there has been an interest in establishing similar provisions for historic structures countywide, in the rural areas of Mariposa County.

On August 24th, 2021, the Mariposa County Board of Supervisors adopted Resolution No. 2021-499 to initiate the processing of the amendment to add this new section to the zoning ordinance.

In initiating the amendment, the Board considered the following regarding the proposed amendment:

1. Establishes flexibility to allow for any use to be considered for structures or buildings included on the Mariposa County List of Buildings and Structures with Special Historical or Architectural Significance (or eligible to on such list, as determined by the Historic Sites and Records Preservation Commission, which may require documentation) through the conditional use permit process.
2. A conditional use permit application is a project specific/parcel specific discretionary review. The Planning Commission is the approval authority, and review is at a noticed public hearing. An application may be approved, approved with conditions or denied. California Environmental Quality Act (CEQA) review is required for a conditional use permit.
3. The project would have to be of benefit to the county by requiring the restoration and preservation of the historic structure to reflect its original state.
4. Exterior modifications, alterations, or reconstruction to take place on the structure would be described as part of the conditional use permit application, and if approved by the Planning Commission, would be made part of the conditions granting the permit.
5. Uses which could be a nuisance or have detrimental effects on adjacent properties may not be approved.

The amendment will create incentive for restoring and preserving historic structures, which is a significant benefit to Mariposa County.

RECOMMENDED TEXT OF PROPOSED AMENDMENT

The recommended text of the proposed amendment is as shown in the draft Planning Commission resolution, which is included in this staff report as an Attachment.

RECOMMENDED FINDINGS OF APPROVAL FOR ZONING AMENDMENT NO. 2021-162

Recommended Findings are as shown in the draft Planning Commission resolution included in this staff report as an Attachment.

MARIPOSA COUNTY HISTORIC SITES AND RECORDS PRESERVATION COMMISSION RECOMMENDATION

The Historic Sites and Records Preservation Commission (HSRPC) reviewed the proposed amendment at a duly noticed meeting of the Commission on October 18th, 2021. The Commission voted to recommend approval of the amendment.

PUBLIC NOTICE

The Planning Commission hearing notice with a summary of the proposed code amendment was published in the Mariposa Gazette on November 4th, 2021. Notices were also posted in 17 community locations throughout the county and on the county's website on November 1st, 2021.

At the time of publication of this staff report, no public input has been received. Written comments received after publication of the Staff Report shall be supplied to the Commission.

FUTURE ACTION ON PROJECT

After the Planning Commission makes a recommendation to the Board of Supervisors, the Board will hold a noticed public hearing on the project. The Board of Supervisors will take final action on the amendment by way of resolution for the amendment text and environmental determination, and by way of an ordinance for the amendments to Title 17. If the Board takes action to approve the project at the first hearing, a second reading of the ordinance will be scheduled. The second reading of the ordinance approving the amendment to county code will occur two weeks following. The ordinance is effective thirty (30) days after the second reading. Once the code amendment becomes effective, the process is final.

Attachments	Draft PC Resolution
	Draft Notice of Exemption

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION**

Resolution
No 2021-

**A Resolution Recommending that the Board of Supervisors
approve County Code Amendment No. 2021-162 to Add Section
17.108.230 to Title 17 to Establish Provisions for Flexibility in the
Use of Historic Structures Countywide**

WHEREAS, the Mariposa County Board of Supervisors adopted Ordinance No. 822 on the 21st day of January 1992 adding Sub-Title 17.300 to Title 17 for the Mariposa Town Planning Area Specific Plan Zoning Regulations; and

WHEREAS, Ordinance No. 822 included Section 17.334.050 establishing Special Use Provisions for Historic Structures; and

WHEREAS, these provisions establish flexibility for uses in identified historic structures if the project includes restoring and preserving the historic structure to reflect its original state; and

WHEREAS, these provisions, which are implemented through the conditional use permit process, are only applicable in the town of Mariposa; and

WHEREAS, these provisions have been successfully used to restore and preserve historic structures; and

WHEREAS, there is an interest in establishing similar provisions for historic structures countywide, in the rural areas of Mariposa County; and

WHEREAS, the Board of Supervisors adopted Resolution No. 2021-499 initiating the processing of the amendment to add Section 17.108.230 to Chapter 17.108 (Supplementary Standards), of Title 17, Mariposa County Zoning Ordinance, which will allow flexibility in the use of historic structures or buildings countywide, in rural areas; and

WHEREAS, this project is known as County Code Amendment No. 2021-162; and

WHEREAS, the Historic Sites and Records Preservation Commission considered this project at a duly noticed public meeting on the 18th day of October 2021 and recommended approval of the amendment; and

WHEREAS, a duly noticed Planning Commission public hearing on the project was scheduled for the 19th day of October 2021; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report packet and testimony presented by the public, and the recommendation of the Historic Sites and Records Preservation Commission.

NOW BE IT THEREFORE RESOLVED THAT, the Planning Commission does hereby recommend that the Board of Supervisors adopt a resolution approving an amendment to County Code Title 17 pursuant to Zoning Amendment No. 2021-162; with the recommended findings, including a finding the project is exempt from environmental review; and adopt an ordinance amending County Code pursuant to County Code Amendment No. 2021-162; action includes findings. The recommended amendment text is as shown in Exhibit 1.

BE IT THEREFORE FINALLY RESOLVED THAT the recommendation for project approval is based on the following recommended findings supported by substantial evidence in the public record:

1. **Finding:** The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare.

Evidence: The amendment promotes the general public health, safety, peace, and welfare. Restoring and preserving historic structures and buildings is a significant benefit in Mariposa County given the county's rich historic past. The amendment helps obtain the goal of restoring and preserving historic structures and buildings by providing flexibility in how the structure may be used, regardless of the primary land use or zone in which the structure is located, where it can be demonstrated that the special use will be of benefit to the community through the requirement that the restoration and preservation of a historic structure reflects its original state. The amendment mirrors language in the existing zoning standards for the community of Mariposa, which have have been successful in restoring and preserving historic structures and buildings. The special use provisions for historic structures and buildings can only be granted through the approval of a conditional use permit, a process that requires a noticed public hearing. The amendment text clearly states that the Planning Commission shall follow standard conditional use permit procedures in reviewing special historic structure uses and shall not approve uses which have the potential for creating a public nuisance or have substantial detrimental effect on adjacent property and/or be incompatible in an area.

2. **Finding:** The amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making.

Evidence: The Mariposa County General Plan contains a Historic and Cultural Resources Element. This element specifically addresses the issue of the deterioration of historic and cultural resources. The element states that historic

buildings of the County are considered part of the economy, helping to define the County's character. Goal 14-3 in the Historic and Cultural Resources Element states the following: *"Use financial incentives and partnership opportunities to preserve historic and cultural resources."* This goal is followed by Policy 14-3a which states: *"Attempt to increase the number of historic resources in Mariposa County that are preserved, protected and/or rehabilitated."* In the context of this amendment, owners of historic structures or buildings are incentivized to restore and rehabilitate the structure or building to its original state providing they have flexibility on how the structure or building may be used. Goal 14-6 in the Historic and Cultural Resources Element states: *"Avoid demolition or destruction of historic and cultural resources."* This amendment helps to implement that goal. The amendment helps to implement the provisions of the General Plan by providing a long term guide for the restoration and rehabilitation of historic structures and buildings and provides a short term basis for day-to-day decision making on individual properties through the conditional use permit process. Section 14.1.04(A) (Zoning, Use, and Design Review) in the Historic and Cultural Resources Element states in part: *"Zoning and design codes implement General Plan policies."* This amendment to the zoning ordinance implement General Plan policies.

3. **Finding:** That amendment conforms to the requirements of state law and county policy.

Evidence: This project has been processed in accordance with State law and county policy, including consultation with local agencies, and public noticing.

4. **Finding:** The amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan.

Evidence: A general plan is required to be internally consistent throughout its varied elements. The Historic and Cultural Resources Element is consistent with the all other elements of the General Plan. Section 14.3 (Related General Plan Elements) in the Historic and Cultural Resources Element specifically addresses the connection between that element and the Economic Development and Regional Tourism elements. This section states that the County's historic and cultural heritage is important in the ability to achieve its economic goals, as set forth in the Economic Development Element. It further states that the County's historic and cultural resources is one of the aspect that the Regional Tourism Element identifies as the basis for programs to encourage visitors to make extended trips within the County. The amendment assists in implementing the Historic and Cultural Resources Element and therefore the General Plan.

5. **Finding:** County Code Amendment No. 2021-162 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) – common sense exemption – (there is no possibility the activity in question may have a significant effect on the environment), CEQA Guidelines. The amendment merely establishes

November 19, 2021 • page 4 of 5

zoning provisions to allow flexibility in the use of historic structures or buildings under prescribed conditions. The amendment does not propose a specific development project.

ON MOTION BY Commissioner _____, seconded by Commissioner _____, this resolution is duly passed and adopted this 19th day of November 2021 by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

Ed Walls, Chair
Mariposa County Planning Commission

Attest:

Jil Chiesa, Secretary to the
Mariposa County Planning Commission

Exhibit 1

Add a new Section 17.108.230 to Chapter 17.108 [Supplementary Standards] of County Code as follows:

17.108.230 Special Use Provisions For Historic Structures

All uses may be considered for structures or buildings included on the List of Historical Resources in Mariposa (or eligible to be on the List of Historical Resources in Mariposa as determined by the Historic Sites and Records Preservation Commission, which may require documentation), with the exception of permitted uses, regardless of the primary land use or zone within which the structure is located subject to the following provisions:

- A. The planning commission may approve a conditional use permit on designated historic structures where it is demonstrated that the special use will be of benefit to the community by requiring the restoration and preservation of a historic structure to reflect its original state;
- B. All exterior modifications, alterations or reconstruction to take place on the structure are to be described as part of the conditional use permit application, and if approved by the planning commission, are to be made part of the conditions granting the permit;
- C. The planning commission shall follow standard conditional use permit procedures in reviewing special historic structure uses and shall not approve uses which have the potential for creating a public nuisance or have substantial detrimental effect on adjacent property. In reviewing such matters, the commission must consider the advantages of preserving a historic structure to the benefit of the county versus the possible negative effects of permitting a normally incompatible use in an area. Such review and deliberation may encompass alternative uses which may be of a lesser negative impact yet achieve the primary purpose of feasible historic preservation and restoration of historic structures;
- D. The special use provisions of this section shall only apply to existing historic structures. A building or structure which has been demolished, destroyed or otherwise rendered unusable shall not be subject to these provisions nor shall these provisions apply to proposals which will result in such alterations or remodeling of the historic structure as to cause the structure to lose its original historic character and/or significance.

MARIPOSA COUNTY

NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
P.O. Box 247
Mariposa, CA 95338

FROM: Mariposa County
Planning Department
P.O. Box 2039
Mariposa, CA 95338

Project Title: Zoning Amendment No. 2021-162; Historic Structures

Project Address: Applies countywide

Project Parcels: N/A

Description of Project: This code amendment establishes flexibility for uses in identified historic structures if the project includes restoring and preserving the historic structure to reflect its original state. Code provisions are implemented through the conditional use permit (CUP) process

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Proponent Carrying Out Project: Mariposa County

Exempt Status: Common Sense Exemption; Section 15061(b)(3)

Reason Why Project Is Exempt: This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) – common sense exemption – (there is no possibility the activity in question may have a significant effect on the environment), CEQA Guidelines. The amendment merely establishes policies in Title 17, Mariposa County Zoning Ordinance, to allow flexibility for uses in identified historic structures if the project includes restoring and preserving the historic structure to reflect its original state. The amendment does not propose a specific development project.

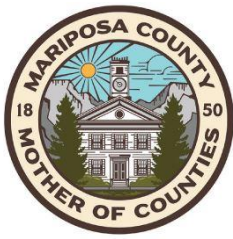
Lead Agency Contact Person: Sarah Williams, Planning Director

Phone Number: (209) 742-1215

Mariposa County Board of Supervisors
by

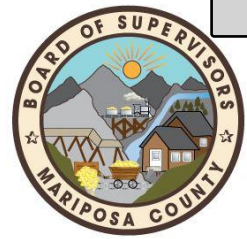
Sarah Williams
Planning Director

Date



MARIPOSA COUNTY

Planning Commission • 209-966-5151



6.1

MEETING: November 19, 2021

TO: The Mariposa County Planning Commission

FROM: Sarah Williams, Planning Director

RE: Resolution Acknowledging the Service of Alvaro Arias

Resolution Acknowledging the Service of Alvaro Arias.

ATTACHMENTS:

211119 AA Resolution (DOCX)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jack Wilmeth, District II Planning Commissioner

SECONDER: Deni Smith, District IV Planning Commissioner

AYES: Jack Wilmeth, Mick Herman, Deni Smith

EXCUSED: Ed Walls, John McCamman

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION**

Resolution No. 2021-20

**A RESOLUTION RECOGNIZING ALVARO ARIAS FOR HIS OUTSTANDING SERVICE to the
MARIPOSA COUNTY PLANNING DEPARTMENT, PLANNING COMMISSION and CITIZENS**

WHEREAS, ALVARO ARIAS started his employment with Mariposa Planning on May 7, 2007 as an Assistant Planner; and

WHEREAS, ALVARO received the following promotions during his tenure at the Mariposa County Planning Department: Associate Planner on September 1, 2008, Senior Planner on May 7, 2013 and Deputy Director on April 16, 2018; and

WHEREAS, ALVARO always took great pride in carrying out numerous tasks and responsibilities as he worked on and processed a multitude of applications and projects, including minor and major subdivisions, land conservation act contracts and amendments, conditional use permits and amendments, variances, appeals, general plan/zoning text and map amendments, time extensions, mining permits and inspections, mining violations, design reviews, certificates of compliance, certificates of development, lot line adjustments, vacation rentals, similar use and non-conforming use determinations, building permit reviews, and CEQA determinations; and

WHEREAS, ALVARO was involved with the following significant and often painstaking issues and projects: General Plan Annual Reports from 2010 through 2021, a GP/ZA and CIM Plan for the Yosemite Zip Lines and Adventure Ranch, a GPA for the Bison Creek Ranch, the Reynolds Appeal in El Portal, a GP/ZA and LLA and LCA for Silver Valley Ranch, the Medicinal Marijuana Ordinance, the Vallecito and JCS Major Subdivisions, a ZA and CUP for the Mariposa Event Center, a GP/ZA and LLA and LCA Amendment for the MCUSD, Long Ranch and Yosemite Zip Lines, a GP/ZA and Major Design Review for the Mariposa Creekside Terrace for a 42-unit apartment complex, the Auto Camp Non-Conforming Use Determination and Design Review, code amendments for Code Compliance Processes, the Hemp Cultivation Ordinance, and the Wildhaven CIM Plan; and

WHEREAS, ALVARO also lead or assisted in leading a variety of Planning Advisory Committees (PACs), including the Midpines PAC and their work on the Midpines Community Plan, the Agricultural Advisory Committee, the Catheys Valley PAC and the Historic Sites and Records Preservation Commission; and

WHEREAS, ALVARO always provided the citizens of Mariposa County with exceptional customer service; and

WHEREAS, ALVARO's departure will leave a serious void in knowledge and guidance to Planning Staff.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recognize **ALVARO ARIAS** for his dedication and outstanding service to Mariposa County. He will be greatly missed and is wished the very best in his future endeavors.

PASSED AND ADOPTED by the Planning Commission on this 19th day of November 2021 by unanimous vote:

Commissioner Walls, District I

Commissioner Smith, District IV

Commissioner Wilmeth, District II

Commissioner McCamman, District V

Commissioner Herman, District III

Attest:

Carol Suggs, Executive Assistant and Secretary to the
Planning Commission

Attachment: 211119 AA Resolution [Revision 2] (2021-PCRES-20 : Resolution Acknowledging the Service of Alvaro Arias)