

MARIPOSA COUNTY AGRICULTURAL ADVISORY COMMITTEE

The following public comment options continue to be offered during the pandemic pursuant to the Governor's Executive Order N-29-20, which relaxed certain provisions of the Brown Act to allow public meetings accessible telephonically to all public members seeking to observe and address that committee/council/commission and or working group.

Members of the public who wish to participate in the meeting are invited to do so by submitting written comments (instructions follow) or by joining the teleconference by:

To join meeting by dialing in on phone, call this number:

United States: +1 (786) 535-3211 Access Code: 135-062-653

****Please note that all callers will be limited on their speaking time, and will be muted before and after public comment periods****

Planning Advisory Committee written commenting processes are as follows

WRITTEN COMMENTS: Written comments may be submitted via U.S. Postal Service, email or may be dropped off at the Planning Department. In your written communication please note in the subject line: Which Planning Advisory Committee you are commenting to and indicate which "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT NON-AGENDA ITEM" that you are commenting on.

1) Mail • Send written communication to:

Mariposa County Planning Department
PO Box 2039
Mariposa CA 95338

2) Email • Send an email to the planningdept@mariposacounty.org

3) Drop Off:• Written communication can be dropped off at:

Mariposa County Planning Department
5100 Bullion Street, 1st Floor
Mariposa, CA 95338

No matter which of these formats you choose to use for written communication (Mail, Email or Drop Off) please know that in order to ensure distribution to the committee prior to their consideration of the agenda, and in order for your written comments to be placed into the record it must be received no later than 8:00 a.m. on the day of the meeting.

MARIPOSA COUNTY AGRICULTURAL ADVISORY COMMITTEE

MEETING AGENDA

DATE: THURSDAY, June 24, 2021
TIME: 8:30 A.M.
LOCATION: BOARD CHAMBERS, UPPER LEVEL
GOVERNMENT CENTER
5100 BULLION STREET
MARIPOSA, CALIFORNIA

1. **Roll call and Introductions**
2. **Persons wishing to speak on a matter not on the agenda**, but within the jurisdiction of the committee
3. **Approval of Minutes from April 8, 2021 Meeting**
4. **Action Items - Recommendation to Planning Director**
 - a. **Site Plan Review Application No. 2021-067** Gillian and Stephen Wildey, Applicants. Request for Third Residence on LCA Land (Williamson Act) located at 10427 and 10436 Priest Coulterville Road in Coulterville. APN: 003-100-0100.
5. **Correspondence**
6. **Informational Items:** no action will be taken by the Committee
 - a. Board of Supervisors Activities
 - b. Planning Commission Activities
 - c. Member and Staff Activities
 - d. Planning Department
 - i. **2019-2020 LCA Biennial Review Report** Update
 - ii. **TerraCount and (SALC) Grants** Update
 - iii. **County Wildfire Protection Plan** Update
7. **Set next meeting** (if necessary) and **Adjourn**

MARIPOSA COUNTY AGRICULTURAL ADVISORY COMMITTEE

MEETING MINUTES DRAFT

DATE: THURSDAY, APRIL 8, 2021
TIME: 8:30 A.M.
LOCATION: BOARD CHAMBERS, UPPER LEVEL

GOVERNMENT CENTER
5100 BULLION STREET
MARIPOSA, CALIFORNIA

1. **Roll call and Introductions:** Members: Tony Toso, Elnora George, David Mecchi, Carla Kelly. County Staff: Tammie Guenthart, Assessors Office; Robyn Smith, National Resource Conservation Services; Monica Nielsen, Agricultural Commissioner's Office and Sarah Williams, Steve Engfer, Katy Casner, Carol Suggs, Skip Strathearn and Alvaro Arias (call in) from the Planning Department.
2. **Election of Officers for 2021**

Motion made by Kelly, seconded by George, that Tony Toso remain the chair for 2021, motion passed.

Motion made by Mecchi, seconded by Kelly, that John Shimer remain the Vice Chair for 2021, motion passed.
3. **Persons wishing to speak on a matter not on the agenda, but within the jurisdiction of the committee.** None.
4. **Approval of Minutes from August 29, 2019.** Tabled due to lack of quorum of members present at that meeting.

Approval of Minutes from June 25, 2020. Motion made by Mecchi, seconded by Kelly to approve the minutes as presented, motion passed.
5. **Action Items - Recommendation Requested**

General Plan/Zoning Amendment No. 2017-084 for Special Event Facilities. Recommendation will be to Planning Commission and Board of Supervisors. Presentation by Sarah Williams. Initiated by the BOS, this project will be formal action to establish policies for special event facilities for rural areas and add regs to title 17 to define events, facilities and development standards. Ag to PC to BOS. Applicable county wide in rural areas. Your charter could be allowed in the AE zone, but not allowed on LCA contracted parcels. Williams stated that currently our GP and title codes do not have an established code for this. She then described the activities, emphasizing that this isn't for a one time

thing, this is a proposal to address permanent facilities. This would also allow us to issue permits for these facilities, i.e. restrooms etc. Currently we are unable to process certain improvements because there is no provisions in code. Williams went through the packet and referred to the table on packet page 3 and went over the table which described the tiers of events based on attendance. She then went over the specifics of how a facility would apply.

Toso asked for discussion on the matter.

Carla: When the events are being held is there a financial benefit to the county?

Williams: No. If the operator had TOT, yes. There could be a slight increase in improved values through the assessor's office. These facilities would attract secondary impacts to people staying in hotels, buying, eating.

Carla: should we put a basic fee on there to help us with enforcement? Concerned about financial cost to the community. It is positive but will have a financial cost to the community. Can we take permits away if needed?

Williams: we could recommend that we have some type of fee to administrate the program once the event facility is established. We could also add text to be able to revoke the permit.

Elnora: ranch owner, grass, responsibility of the party for parking, smoking, exhaust etc. That should be investigated to prevent fires. Williams stated that we could add a provision that cal fire and county fire be included on the permitting and they be invoiced in establishing CAL FIRE requirements for parking and fuel modifications. When we do process public assembly permits they are involved, that is a good add we will add that in.

Tammy: Is there not a fee for a special use permit.

Williams: there are application processing fees, we are only allowed to collect fees for processing.

Tammie: these events are already going on and this will help to provide rules.

Williams: the fee that Carla was talking about would be in addition to the processing fees.

Skip: section c on page 6 of the standards, it talks about providing fire safety provisions. Skip read the section. There is some basic text.

Williams agreed but stated that we need to have additional text for CAL FIRE provisions.

Toso: there has been some activity already, do we know what zoning areas that this is happening in? And to piggyback that question, if we are charged to consider ag purposes, how can use foresight to go into zone change? Concerned about encroaching into Ag land.

Williams: most are in MH areas surrounding or near Mariposa, Bootjack, Jerseydale, Usona, Silva, 49 north... in general we don't get complaints about these facilities. The operators are doing something right about how they are operating. Could be that we implement these and down the road we have to amend it. Opening the door to future zone changes we wanted to establish a limited authority. So that it wouldn't be a full time commercial operation but would allow the community to enjoy some of these.

Toso: Tammie mentioned a parcel in non-renewal, could they?

Williams: no, they are still subject to the contract restrictions.

Steve: procedurally for an admin use permit on ag land, would that be considered by this committee.

Williams yes, we can do another amendment to make that clear.

Motion made by Kelly, seconded by Mecchi, to recommend: 1) BOS to consider a separate fee per event/per person to cover cost for the county per event 2) text added to be able to revoke 3) text added as it relates to County Fire and CAL Fire regulations to review and condition as appropriate and 4)add text that any on any Ag land that it come to Ag Advisory for review prior to action, motion passed.

b. Annual Review of \$3,000 Income Requirement Established by Board of Supervisors Resolution No. 10-150. Recommendation will be to Board of Supervisors.

Engfer provided information regarding the \$3000 annual for intensive ag for LCA reporting.

Motion made by Mecchi, seconded by Kelly that the \$3,000 income requirement for intensive agriculture for Williamson Act Contracted lands stay in effect, motion passed.

6. Review, Follow Up and Possible Direction to Staff on the development of a prescribed burning program for Mariposa County.

Williams stated that this is a carry-over from prior meetings, staff doesn't have anything prepared for the committee on this subject today. Toso may have an update .

Toso stated that a southern sierra group is trying to get together, sounds like we have been making progress locally. From a state level from getting these groups together. The cattlemen's (CCA) web site you can get on there to see who has a pda available and there is info on there. CCA put together a subcommittee, strong team. Anthony and Linya have been instrumental. Cattlemen have influence over 38 million acres in California. Creating these mosaics. This is burn boss certification. Getting ready to do the first class. We have three bills sitting in sac right now, two from prominent democrats. Problem for private burns, re: liability. A lot of support letters for this bill. Senator Dobb is behind that. 2nd bill is being carried by Robert Regis (?) state lands that are not being grazed. Affords the opportunity for fencing, water development etc so we can graze state lands. 3rd bill is Pass program which standardize criteria for a rancher to do 4 hours of education and you can get an ag pass card, so you can get into your

ranch during a fire. The governor's plan 30/30 plan hope that for LCA lands and conservation easement plans if we get an executive order forced on us, those lands should be counted in that tally. Valid point that those should be counted as conserved lands.

Steve stated that the BOS adopted the county wide fire plan, available online. Fire Advisory committee has been working on a schedule of activities, prescribed burns have been identified. Marshall Long is on that committee for prevention and conservation. We can send an email link to the committee if they would like.

7. Correspondence none.

8. Informational Items:

a. Planning Department

Williams stated that there is nothing prepared, but we do have some items to talk about.

Arias:

- i. **Landing of Small Aircraft on Williamson Act Contracted Lands** Alvaro gave the presentation. We made this determination on this, wanted to bring it to the committee. Williams not seeking a recommendation unless we have concerns. Toso stated that he read through it, all was covered, commission agreed.
- ii. **2019-2020 LCA Biennial Review Report** Update from Katy Casner. Refer to staff report for stats. Casner to report back with final report at the end of summer.
- iii. and iv. **Working Lands Riparian Corridors (TerraCount) Grant and Sustainable Ag Lands Conservation (SALC) Program Planning Grant - Award and Work Plan Update.**

Engfer provided updates on the 2 grants. Depart of Conv \$100 k for terra count. Modeling tool to determine carbon sequestration values on ag lands to understand greenhouse gas offsets. There has been a delay due to COVID. Geospatial is our contractor working on this. Base line has been established based on veg types. Working next on the case site specific analysis. There will be a lot of activity on these grants in the next year. \$247K SALC, gear to a long-range conservation ag plan in place. Some of the Terra count data can feed into this. Economic and Education component to this. Working on the agreement with the sierra foothill conservation easement and will be coming to the Cattlemen's association.

Toso remarked that this is important and encouraging work.

9. Set next meeting (if necessary) and Adjourn 9:29 a.m.

Mariposa County

SARAH WILLIAMS

Planning Director

Steve Engfer

Senior Planner



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www.mariposacounty.org

MEMORANDUM

Date: June 24, 2021
To: Agricultural Advisory Committee
From: Steve Engfer, Senior Planner
Topic: Agenda item 4. a. Site Plan Review Application No. 2021-067 LCA Contract Land-Request for Third Residential Unit, Gillian and Stephen Wildey, applicants APN: 003-100-0100

Background

A Site Plan Review Application to request a third dwelling on an LCA contracted parcel was submitted by Gillian and Stephen Wildey, applicants. The proposed residence would initially be an efficiency unit, with the long term build of a typical 3-4 bedroom single family residence. The property is subject to the requirements of Mariposa County Board of Supervisor's (BOS) Resolution 10-150 (LCA Rules) and, therefore, Agricultural Advisory Committee review and recommendation is requested.

Analysis

The site is located at 10427 and 10436 Priest Coulterville Road in Coulterville, APN: 003-100-0100. (Attachment A- Vicinity Map) The property is a 1,472 +/- acres acre parcel zoned Agriculture Exclusive (AEZ) with a General Plan Land Use Classification of Agriculture/Working Landscape. The Zoning Ordinance and General Plan density standards allow two residences per 160 acres and one additional "secondary residence" (total of 3 residences). The LCA Contract further limits residential use and development. The application packet includes a description of the agricultural production activities being conducted on the property. (Attachment B- Project Application and Site Plan)

One-family dwellings are permitted uses pursuant to Resolution 10-150, Section III E. 1. Agriculture "Agricultural and Compatible Uses", ix., in **bold text** below:

E. Agricultural Production and Compatible Uses

For landowners to receive the tax benefits under the California Constitution and the Revenue and Tax Code, the LCA provides that the land must be "devoted to agricultural use" and every LCA contract shall "provide for the exclusion of uses other than agricultural, and other than those compatible with agricultural uses, for the duration of the contract."

(Government Code sections 51242(a); 51243(a).)¹ As such, the primary use of contracted land shall be for commercial agricultural production uses including production of agricultural commodities for sale in wholesale or direct marketing channels. Agricultural commodity means “any and all plant and animal products produced in this state for commercial purposes.” (Government Code section 51201(a).)

Agricultural production and compatible uses shall be defined as follows:

1. *Agricultural Production Uses:* The following land uses, and those uses which in the opinion of the Board of Supervisors may be substantially similar in nature thereto, shall be deemed agricultural production uses and thus allowed within an agriculture preserve on LCA contracted lands:
 - i. Rangeland and pasture for livestock production and forage.
 - ii. Intensive farming, including but not limited to the growing and harvesting of vegetables, field crops, fruit and nut crops, bush and berry crops, vineyards, hay crops, and nursery, cut flower, other ornamental crops, and confined animal facility operations.
 - iii. Livestock production for food and/or fiber.
 - iv. Dairies.
 - v. Keeping of honey bees.
 - vi. Commercial breeding and training of horses, including training for racing as well as stock horses. A finding must be made, based upon evidence, that the primary function of the operation is commercial horse breeding or training for sale and this is the sources of revenue or income to cover the cost(s) of the operation.
 - vii. Fiber for basket-making and related commercial purposes.
 - viii. Plant products used for producing biofuels.
 - ix. **Accessory uses and structures appurtenant and necessary to the commercial agricultural operation, including one-family dwellings located on the land and occupied by persons directly engaged in the commercial agricultural operation (including both lessors and lessees).**

¹ The Agriculture/Working Landscape Land Use Classification “identifies lands where the primary use is the production of agriculture...for economic benefit, which incidentally have scenic value and appear as open space areas.” (General Plan 5.3.04A.)

Resolution 10-150, Section III E., 3. Residential Uses. States:

“3. *Residential Uses*. Any residential structure on LCA contract land must be occupied by persons directly engaged in the commercial agricultural operation. Landowners who lease their land for commercial agricultural uses may reside on a permanent or temporary basis on contracted land to monitor the lease arrangements and provisions pursuant to this restriction.

For residential development on contracted parcels that meet the minimum parcel requirements, there is no discretionary review for any proposed single family residential home; although the structures must be a single family dwelling as determined by the Planning Director. Any proposed residential development which creates more than one residence per property owner is subject to review by the Planning Director, and if necessary, by the Agricultural Advisory Committee, and shall comply with these rules and the density provisions of the applicable zoning and general plan land use designation. All residential building permits on parcels under LCA contract shall be conditioned upon the applicant executing a new LCA contract; but only if the LCA contract covers multiple parcels that are under different property ownership.

No new residential dwelling permits may be issued to a contracted parcel, unless the parcel is in full compliance with state law, county policy, and contract requirements. Employee and agricultural laborer housing, such as duplexes or dormitories, shall comply with the provisions in Government Code section 51230.2 and are subject to review by the Planning Director, and if necessary, by the Agricultural Advisory Committee, and shall comply with these rules and the density provisions of the applicable zoning and general plan land use designation.

Any other proposed residential development is subject to review by the Planning Director, and if necessary, by the Agricultural Advisory Committee, and shall comply with these rules and the density provisions of the applicable zoning and general plan designation. As described below, the County shall seek enforcement pursuant to Government Code section 51250 *et seq.* against landowners who have materially breached their contracts by constructing any commercial, industrial, or residential building not allowed by the LCA contract. “

(Attachment C - BOS Resolution 10-150 excerpts)

Descriptions of the agricultural operations, including the duties of the existing and proposed dwelling occupants are included in the attached application packet. The proposed new building site and existing structure are shown on the proposed site plan. If the development moves forward, all applicable County Building, Planning and Health permits and requirements will be required as is typical for residential development throughout the County.

Biennial Review

The property was found compliant based on the required Biennial Review Reports submitted for 2019-2020 reporting cycle. Property used for cattle grazing and breeding operation.

Summary

The third residence request requires direction/approval from the Agricultural Advisory Committee. There are two primary criteria to consider.

1. Density- The proposed residence would result in three residential units and is compliant with General Plan and Zoning that allows three.
2. Use- How the inhabitants of the residence are engaged in the agricultural operation is part of the review to find compliance with BOS Res. 10-150.
 - BOS Resolution 10-150, Section III E., 3. Residential Uses, states:

“Any residential structure on LCA contract land must be occupied by persons directly engaged in the commercial agricultural operation. Landowners who lease their land for commercial agricultural uses may reside on the property on a permanent or temporary basis on contracted land to monitor the lease arrangements and provisions pursuant to this restriction.”

According to BOS Resolution 10-150, the landowner may reside on the property (contracted land) on a permanent or temporary basis to monitor lease arrangements and provisions to the restriction of occupancy (stipulation that residential structure occupants must be directly engaged in the commercial agricultural operations). Presently, the site includes two existing dwellings where the property owners reside. The owners are engaged in the operations per the application materials and site plan as follows: House A-James and Martha Munn, property Owner and Manager and Adrienne Munn, caretaker of her parents James and Martha, veterinarian, horse and sheep manager; House B- Owner, Lease and Pasture Manager Richard Fox. (See Attachment – Application Materials). The applicant, (proposal for residing in the third residence), is also working to improve the land for resource conservation, agricultural productivity, and succession planning. Per the application, they are directly engaged in the agricultural operation.

If the occupants are engaged in the agricultural operation, as stated, then it could be found compliant with the LCA contract per Resolution 10-150, as long as the occupants of the proposed dwelling are to be and will remain directly engaged in the on-site agricultural operations.

Recommendation

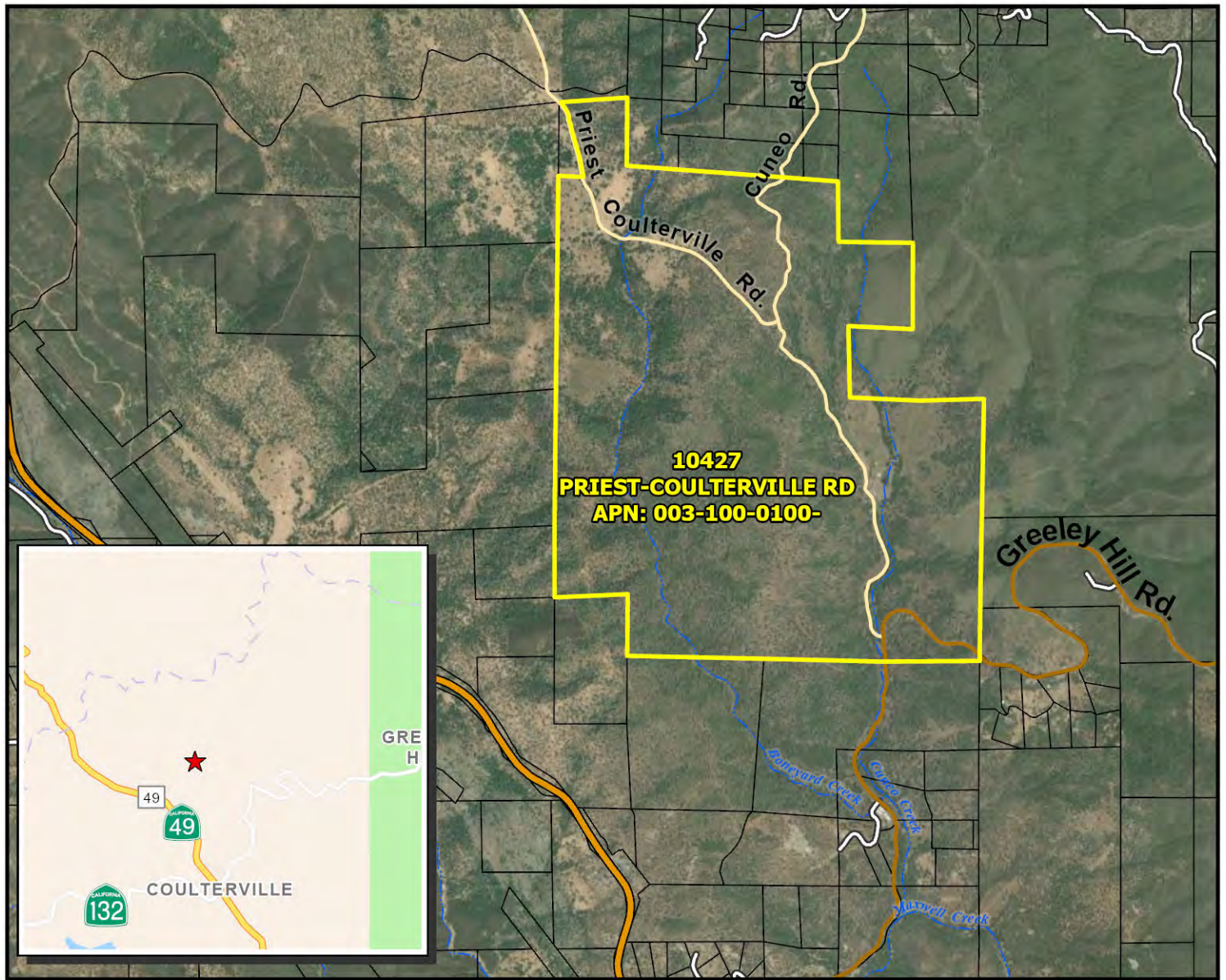
BOS Resolution 10-150 allows for consideration of the requests for residential uses on LCA contracted parcels by the Agricultural Advisory Committee.

- The requested residences three residences would be compliant with the Zoning Ordinance and General Plan density standards.
- The applicant has provided their justification for support of the residential units and have stated the occupants would be family and farm labor, thereby adhering to the requirements of the BOS Resolution 10-150.
- The expansion of the third residence is consistent with the requirements of BOS Resolution 10-150.

Staff requests the Agricultural Advisory Committee recommendation to:

1. Approve, conditionally approve, or deny the third residence

Mariposa County Planning Department Project Vicinity Map



0 0.5 1 Miles

1:35,351

PROJECT TYPE: Site Plan Review 2021-067

APPLICANT: Gillian & Stephen Wildey

APN: 003-100-0100-

SITE ADDRESS: 10427 10436 Priest0Coulterville Road, Coulterville

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

Date: Thursday, April 22, 2021

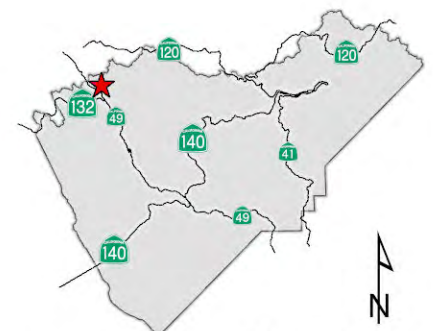
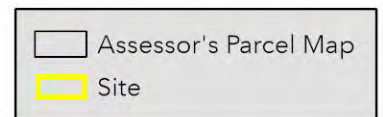
Data Source: Mariposa County Planning Department GIS;

Assessor's Parcel Map Update: 7/2020

Map Credit: J.W.



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>



**SITE PLAN / PRE-APPLICATION REVIEW 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 *Mariposa County Planning Department*

RECEIVED**APR 20 2021**

FOR OFFICE USE ONLY			
Date Submitted	<u>4/20/21</u>	Received By	<u>SE.</u>
Fees Paid \$	<u>278.00</u>	Receipt No.	<u>CL</u>
Application No.	<u>2021-067</u>	Received By	<u>KL Amie Coney</u>
Application Complete	_____		
Final Action	_____		
Date	_____		

Applicant (Proponent, if county project):Name Gillian & Steven WilderMailing Address 5780 Lozano St
Coulterville Ca 95311Daytime Telephone (757) 264-0673E-Mail Address Wilderjson@gmail.com**Agent: (if applicable)**Property Owner Name(s)* James & Martha Munn, Richard & Susan Fox

*If different than applicant (proponent), attach letter of authorization or other document that authorizes the applicant (proponent) to submit an application on the owner's behalf. Applicant (proponent) 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.

Property Information:Assessor's Parcel Number (APN) 003-100-0100 Parcel Size 1472 acAddress 10436 Priest Coulterville Rd. Town CoultervilleGeneral Plan Land Use Agriculture Zoning Districts AE

Project Information:

Please describe the proposed project or use (refer to attached pages as needed). A site plan review will focus primarily on the layout and technical requirements for the site plan such as setbacks etc. A pre-application review is a more in-depth review intended to determine significant issues to inform decisions on future land use entitlement applications. *It is recommended that sufficient detail of the project scope be included in order to provide a meaningful Pre-Application Review process.*

Efficiency dwelling Proposed 3rd dwelling
Williamson Act

Will new structure/s to be constructed? ☒ Yes ☐ No

If yes, please briefly describe the structure/s and its intended use (refer to attached pages as needed).

Efficiency dwelling for family residence
* see attached

Is an existing structure to be remodeled? ☐ Yes ☒ No

If yes, please briefly describe the remodeling activities and the intended use.

Days & Hours of Operation _____

Number of Employees NA Number of Anticipated Customers NA

Number of Existing On-site Parking Spaces 2 Number of Proposed On-Site Parking Spaces 2

Primary Access from* Greeley Hill rd

Secondary Access from* _____

*Please provide information on whether the access road is a County road, non-County road, private easement or driveway, information on the width and type of surface, and the name of the road. If an existing or proposed easement is located off-site, please attach adequate documentation that clearly demonstrates the subject property has the necessary rights to use the easement, or that the necessary easement could be obtained from the adjoining property owner.

Preliminary Environmental Information:

Provide information on the adjacent land uses for those properties adjacent to the project site (i.e., vacant, residential, commercial, grazing land, agricultural, mining, timber, etc.).

	<u>Parcel Size</u>	<u>Use of Property</u>
North	1037+	AC
Northeast	1280	PD
East	1280	PD
Southeast	2401	MG, PD, MH
South		
Southwest	200+	MG
West	160+	AG
Northwest	1309+	AG

Are the following items listed below applicable to the project with respect to having a possible effect on the environment? A brief discussion of those items checks 'yes' or 'maybe' must be attached to the application.

- | <u>Yes</u> | <u>Maybe</u> | <u>No</u> | |
|--------------------------|--------------------------|-------------------------------------|--|
| ☐ | ☐ | ☒ | 1. Would the construction of roads, driveways, and building pads associated with the project result in grading on slopes of greater than 20% result in a change in the existing topography of any hills on the site, or result in the alteration of any lakes, ponds, rivers, or drainage courses? |
| ☐ | ☐ | ☒ | 2. Would the project result in any change in the pattern, scale, or character of development in the general area of the project? |
| ☐ | ☐ | ☒ | 3. Would the project result in a change in the quantity or quality of ground and surface water supplies? |
| ☐ | ☐ | ☒ | 4. Would the project result in an increase in noise or light levels in noise or light levels in the vicinity of the project site? |
| ☐ | ☐ | ☒ | 5. Would the project result in the use of hazardous materials such as toxic substances, chemicals, flammables, or explosives? |
| ☐ | ☐ | ☒ | 6. Are there any historical or archaeological structures or sites located on the project site or in the surrounding area? |
| ☐ | ☐ | ☒ | 7. Would the project result in an increase of traffic or existing easement roads? |

REQUIRED SIGNATURE(S)

Affidavit

I/we, the undersigned (Property Owner and Applicant), agree to defend, indemnify, and hold harmless the County and its agents, officers and employees from any claim, action or proceeding against the County arising from the Property Owner and Applicant project.

I/we declare under the penalty of perjury that the statements and information submitted in this application are in all respects true and correct to the best of my/our knowledge.

I/we acknowledge that I/we have read and understand the information contained in the application package relating to the submittal and processing of this application.

I/we understand that the processing of the application will be delayed if any required information is incorrect, omitted, or illegible.

I/we declare that if an entity listed below is a Partnership, Limited Liability Corporation, Corporation or Trust the signer(s) below certifies that he/she is authorized by that entity to apply and sign the application attached herewithin.

<u>Property Owner (printed name):</u> James L. Munn	<u>2nd Property Owner (printed name):</u> Martha K Munn	<u>Applicant (printed name):</u> Stephen & Gillian Wildey
<u>Property Owner (signature):</u> + James L Munn	<u>2nd Property Owner (signature):</u> Martha K Munn	<u>Applicant (signature):</u> 
<u>Date:</u> 3/17/2021	<u>Date:</u> 3/17/2021	<u>Date:</u> 20APR2021

If there are more than two property owners, additional copies of this page shall be provided.

IMPORTANT: This page must be signed by all property owners and any authorized applicant.

IMPORTANT: Please note that if the property owner/s is/are authorizing someone other than themselves to act as the applicant or agent, the next page must also be signed.

IMPORTANT: Failure to have all necessary signatures will DELAY the commencement of processing the application.. The application will be returned to the applicant to provide all necessary signatures.

This page to be signed IF the property owner(s) is (are) authorizing someone to act as an agent or applicant for this application.

Affidavit

Applicant/Agent Authorization:

I/we James & Martha Munn Property Owner(s) hereby authorize Stephen & Gillian Wildey to act as a representative/Applicant and/or agent in all matters pertaining to the processing and approval of this application, including modifying the project, and agree to be bound by all representations and agreements made by the designated Applicant and/or Agent.

I/we declare that if the Property Owner and/or Applicant is a Partnership, Limited Liability Corporation, Corporation or Trust, the individual(s) listed below certifies that he/she/they is/are authorized by that entity to execute the application form attached herewithin.

Property Owner (printed name): James L. Munn	Applicant (printed name): Stephen Wildey	Agent (printed name):
Property Owner (signature): James L. Munn	Applicant (signature): Stephen Wildey	Agent (capacity/title):
Property Owner (capacity/title):	Applicant (capacity/title):	
Date: 3/17/2021	Date:	
2nd Property Owner (printed name): Martha K Munn	Co-Applicant (printed name): Gillian Wildey	
2nd Property Owner (signature): Martha K Munn	Co-Applicant (signature): Gillian Wildey	
Date: 3/17/2021	Date: 20 APR 2021	

REQUIRED SIGNATURE(S)

Affidavit

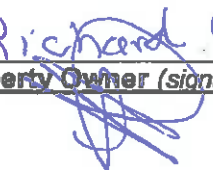
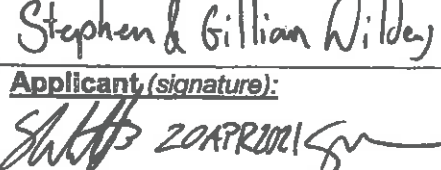
I/we, the undersigned (Property Owner and Applicant), agree to defend, indemnify, and hold harmless the County and its agents, officers and employees from any claim, action or proceeding against the County arising from the Property Owner and Applicant project.

I/we declare under the penalty of perjury that the statements and information submitted in this application are in all respects true and correct to the best of my/our knowledge.

I/we acknowledge that I/we have read and understand the information contained in the application package relating to the submittal and processing of this application.

I/we understand that the processing of the application will be delayed if any required information is incorrect, omitted, or illegible.

I/we declare that if an entity listed below is a Partnership, Limited Liability Corporation, Corporation or Trust the signer(s) below certifies that he/she is authorized by that entity to apply and sign the application attached herewithin.

Property Owner (printed name): Richard C. Fox	2nd Property Owner (printed name): John C. Fox	Applicant (printed name): Stephen & Gillian Wilder
Property Owner (signature): 	2nd Property Owner (signature): 	Applicant (signature): 
Date: 3-21-21	Date: 4/4/21	Date: 20APR2021

If there are more than two property owners, additional copies of this page shall be provided.

IMPORTANT: This page must be signed by all property owners and any authorized applicant.

IMPORTANT: Please note that if the property owner/s is/are authorizing someone other than themselves to act as the applicant or agent, the next page must also be signed.

IMPORTANT: Failure to have all necessary signatures will **DELAY** the commencement of processing the application. The application will be returned to the applicant to provide all necessary signatures.

200501

This page to be signed IF the property owner(s) is (are) authorizing someone to act as an agent or applicant for this application.

Affidavit

Applicant/Agent Authorization:

I/we, Richard Fox and John C. Fox Property Owner(s) hereby authorize Stephen & Gillian Wildey to act as a representative/Applicant and/or agent to act as a representative/Agent in all matters pertaining to the processing and approval of this application, including modifying the project, and agree to be bound by all representations and agreements made by the designated Applicant and/or Agent.

I/we declare that if the Property Owner and/or Applicant is a Partnership, Limited Liability Corporation, Corporation or Trust, the individual(s) listed below certifies that he/she/they is/are authorized by that entity to execute the application form attached herewithin.

<u>Property Owner (printed name):</u> <u>Richard C. Fox</u>	<u>Applicant (printed name):</u> <u>Stephen Wildey</u>	<u>Agent (printed name):</u>
<u>Property Owner (signature):</u> 	<u>Applicant (signature):</u> 	<u>Agent (capacity/title):</u>
<u>Property Owner (capacity/title):</u>	<u>Applicant (capacity/title):</u>	
Date: <u>3-21-21</u>	Date:	
<u>2nd Property Owner (printed name):</u> <u>John C. Fox</u>	<u>Co-Applicant (printed name):</u> <u>Gillian Wildey</u>	
<u>2nd Property Owner (signature):</u> 	<u>Co-Applicant (signature):</u> 	
Date: <u>4/4/21</u>	Date: <u>20 APR 2021</u>	

House A- James and Martha Munn, property Owner and Manager. Adrienne Munn, caretaker of her parents James and Martha, veterinarian, horse and sheep manager.

House B- Owner, Lease and Pasture Manager Richard Fox.

Proposed House C- Gillian and Stephen Wildey, future management of ranch and current ranch hands. Both military veterans utilizing education benefits from GI-bill to study biology. Applying education to the further development of the ranch. Goals are to continue current leasing of land for grazing cattle while building diversity of production, restoring old buildings/ fences and further management strategies to improve the landscape for livestock.

Building diversity of production: We are currently growing an Apiary, Plant/ Tree Nursery, Flock of hair sheep, and Flock of layer hens with plans of using animal husbandry to implement permaculture practices such as silvopature to help improve soil health and increase biodiversity.

Restoring old buildings and fences: The barn specifically is a target for restoration, having been built over 100 years ago it is still structurally sound, however due to wood peckers much of the exterior needs work, having been out of use for many years due to not utilizing mules for work it has become storage and is in the process of being cleaned out to be prepared for being put back into use for more agricultural practices like shearing sheep, winter storage of bee hive frames, tack room, chicken coop for brooding hens, and feed storage. Fences on the ranch have become old and need much maintenance, passed deals with leases to help restore fence failing to meet expectations will possibly lead to nonrenewal of leases and returning to running our own livestock again, we have begun building new fence for paddocks and restoring old fence.

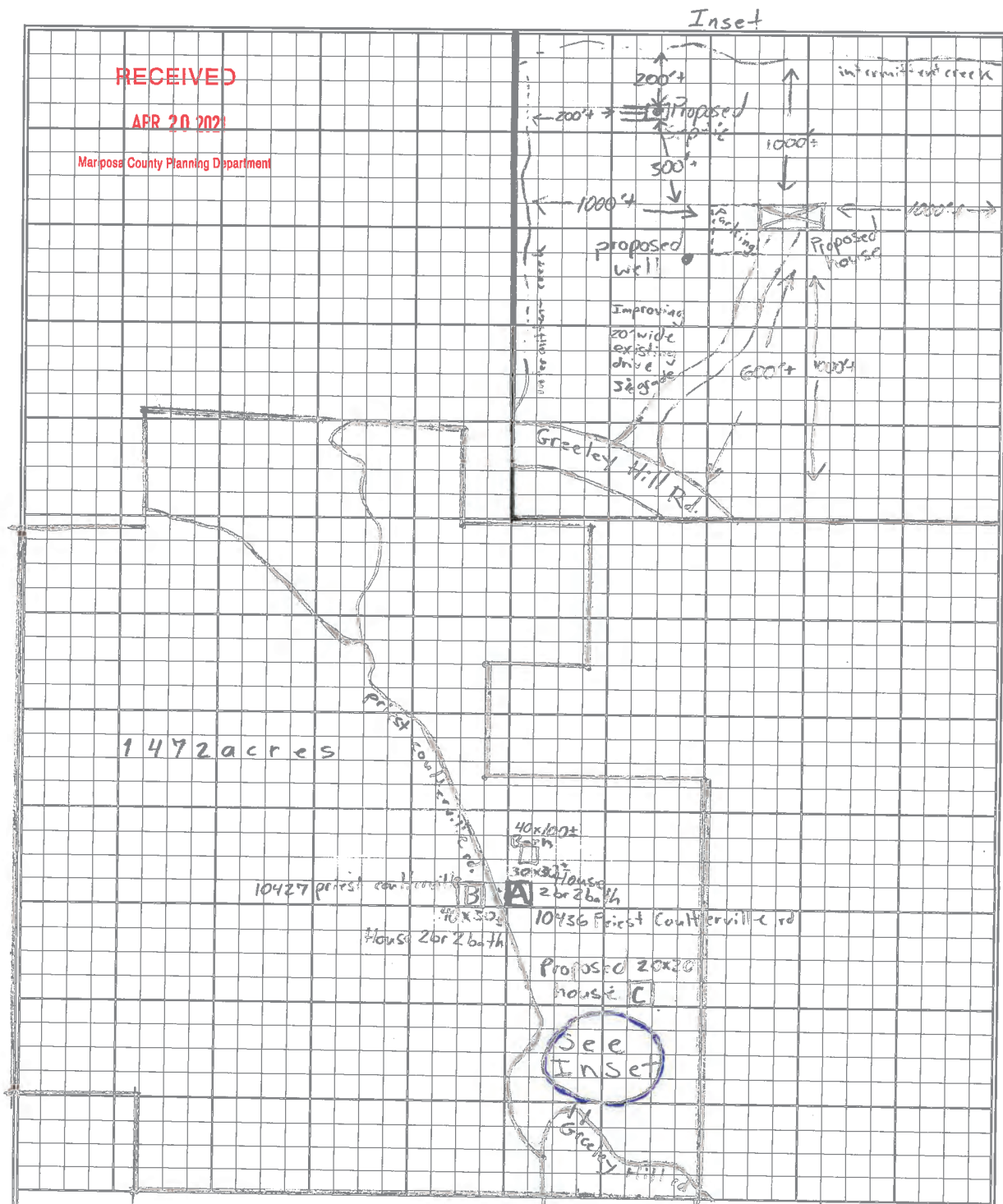
Management strategies and improving landscape for livestock: We are implementing more intensive grazing management and utilizing our plant and tree nursery to increase desired native grass, shrubs and trees for forage to improve landscape ecology, sustainability, and livestock health.

We are seeking to build a home to have a place of our own to eat, wash and sleep after a hard days work, and increase the amount of time we have in attempting to develop the ranch back to its former glory.

RECEIVED

APR 20 2021

Mariposa County Planning Department



SITE PLAN

To help us serve you better, an accurate site plan based upon the attached checklist is required. Incomplete site plans will result in processing delays. If you have any questions, please give us a call and we'll be happy to assist you.

NORTH
ARROW
REQUIRED



PROPERTY OWNER NAME James & Martha Munn Rick & John Fox
DAYTIME PHONE NUMBER 209-878-0870 Rick 209-878-3488
John 415-497-9601
PROJECT SITE ADDRESS _____
ASSESSOR PARCEL NUMBER 003-100-0100
CONTACT NAME Stephen Willey
CONTACT DAYTIME PHONE 757-264-0673

SCALE: Each square = _____ feet

I certify that this plan is true and complete to the best of my knowledge. I understand that the processing of my application may be delayed if required information is inaccurate or omitted from this site plan. The property owner is the responsible party if information is false or inaccurate.

[Signature]

Authorized party signature

Date _____



MARIPOSA COUNTY DEVELOPMENT SERVICES

BUILDING DEPARTMENT • HEALTH DEPARTMENT • PLANNING DEPARTMENT
209-966-3934 209-966-2220 209-966-5151

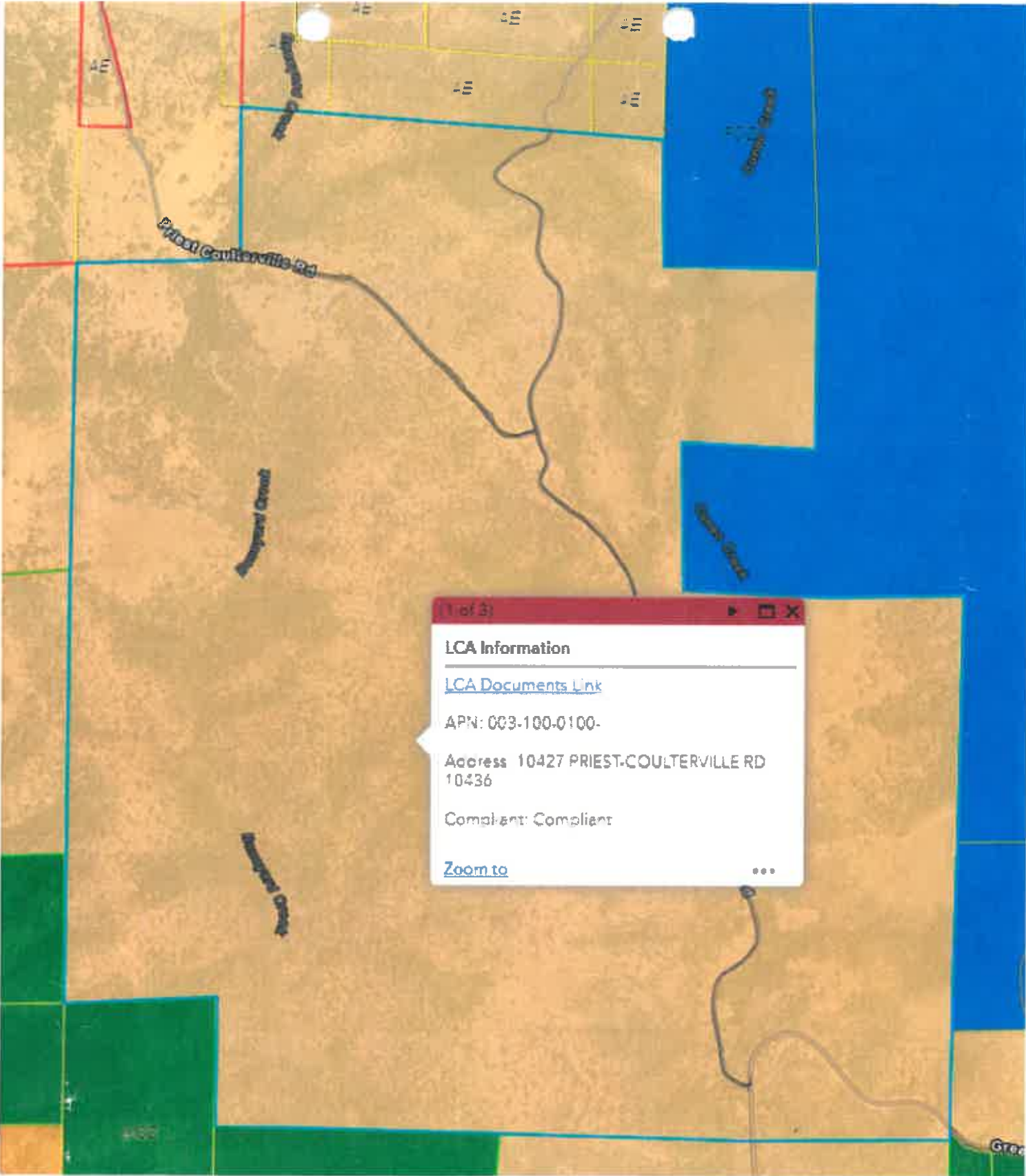


Priest Coulterville

house B
10-28 priest coulterville







(1 of 3)

LCA Information

[LCA Documents Link](#)

APN: 003-100-0100-

Address 10427 PRIEST-COULTERVILLE RD
10436

Compliant: Compliant

[Zoom to](#)

...

Board of Supervisors Resolution No. 10-150 County Policy Amendment No. 2005-230.

March 23, 2010 Page 13 of 17 pages

For landowners to receive the tax benefits under the California Constitution and the Revenue and Tax Code, the LCA provides that the land must be "devoted to agricultural use" and every LCA contract shall "provide for the exclusion of uses other than agricultural, and other than those compatible with agricultural uses, for the duration of the contract." (Government Code sections 51242(a); 51243(a).)⁹ As such, the primary use of contracted land shall be for commercial agricultural production uses including production of agricultural commodities for sale in wholesale or direct marketing channels. Agricultural commodity means "any and all plant and animal products produced in this state for commercial purposes." (Government Code section 51201(a).)

Agricultural production and compatible uses shall be defined as follows:

1. *Agricultural Production Uses:* The following land uses, and those uses which in the opinion of the Board of Supervisors may be substantially similar in nature thereto, shall be deemed agricultural production uses and thus allowed within an agriculture preserve on LCA contracted lands:
 - i. Rangeland and pasture for livestock production and forage.
 - ii. Intensive farming, including but not limited to the growing and harvesting of vegetables, field crops, fruit and nut crops, bush and berry crops, vineyards, hay crops, and nursery, cut flower, other ornamental crops, and confined animal facility operations.
 - iii. Livestock production for food and/or fiber.
 - iv. Dairies.
 - v. Keeping of honey bees.
 - vi. Commercial breeding and training of horses, including training for racing as well as stock horses. A finding must be made, based upon evidence, that the primary function of the operation is commercial horse breeding or training for sale and this is the sources of revenue or income to cover the cost(s) of the operation.
 - vii. Fiber for basket-making and related commercial purposes.
 - viii. Plant products used for producing biofuels.
 - ix. Accessory uses and structures appurtenant and necessary to the commercial agricultural operation, including one-family dwellings located on the land and occupied by persons directly engaged in the commercial agricultural operation (including both lessors and lessees).

⁹ The Agriculture/Working Landscape Land Use Classification "identifies lands where the primary use is the production of agriculture...for economic benefit, which incidentally have scenic value and appear as open space areas." (General Plan 5.3.04A.)

2. *Compatible Uses:* The following land uses shall be deemed compatible with agricultural production uses and the related scenic and open space values and thus allowed within agricultural preserves, provided that these land uses are not the principal use and the land uses overlay and do not displace the agricultural production use, described above.
- i. Forestry, but not including any processing facilities.
 - ii. Utility lines and substations.
 - iii. Processing and vending facilities that are related to the agricultural production uses on the LCA contract parcel.
 - iv. Recreation that does not displace agricultural production use, but not including permanent structures.
 - v. Private airstrips and heliports if used as a part of an agricultural production use on-site.
 - vi. Production of game animals and fish.
 - vii. Mining if conducted in accordance with all requirements of county ordinance, state and federal law, including the Surface Mining and Reclamation Act of 1975. Reclamation shall be to agricultural production and compatible uses pursuant to Government Code 51238.2. A finding shall be made that the proposal is of limited extent and duration, so as to meet compatibility principles of state law.
 - viii. Horses raised or maintained primarily for ranching work.
 - ix. Growing and harvesting of hardwoods.
 - x. Home enterprises conducted entirely within existing conventional single family residential structures as determined by the Planning Director, and operated by permanent residents. Home enterprises on contracted lands shall not create any significant traffic impacts that affect contracted parcels and there shall be no external evidence of the existence of the business.

Agricultural production and compatible uses are also subject to all applicable Zoning Ordinance provisions and requirements.

3. *Residential Uses.* Any residential structure on LCA contract land must be occupied by persons directly engaged in the commercial agricultural operation. Landowners who lease their land for commercial agricultural uses may reside on a permanent or temporary basis on contracted land to monitor the lease arrangements and provisions pursuant to this restriction.

For residential development on contracted parcels that meet the minimum parcel requirements, there is no discretionary review for any proposed single family residential home; although the structures must be a single family dwelling as determined by the Planning Director. Any proposed residential development which creates more than one residence per property owner is subject to review by the Planning Director, and if

necessary, by the Agricultural Advisory Committee, and shall comply with these rules and the density provisions of the applicable zoning and general plan land use designation. All residential building permits on parcels under LCA contract shall be conditioned upon the applicant executing a new LCA contract; but only if the LCA contract covers multiple parcels that are under different property ownership.

No new residential dwelling permits may be issued to a contracted parcel, unless the parcel is in full compliance with state law, county policy, and contract requirements. Employee and agricultural laborer housing, such as duplexes or dormitories, shall comply with the provisions in Government Code section 51230.2 and are subject to review by the Planning Director, and if necessary, by the Agricultural Advisory Committee, and shall comply with these rules and the density provisions of the applicable zoning and general plan land use designation.

Any other proposed residential development is subject to review by the Planning Director, and if necessary, by the Agricultural Advisory Committee, and shall comply with these rules and the density provisions of the applicable zoning and general plan designation. As described below, the County shall seek enforcement pursuant to Government Code section 51250 et seq. against landowners who have materially breached their contracts by constructing any commercial, industrial or residential building not allowed by the LCA contract.

F. Enforcement and Monitoring

1. Compliance Monitoring

The Planning Department and Assessor's Office shall actively monitor this program by periodically reviewing the biennial reports in III.C.1 to determine whether landowners are complying with the program by using their property for commercial agricultural operations and to assure the intent of the program to encourage commercial agricultural production is being carried out in Mariposa County. When it appears to the Planning Department or the Assessor's Office that a landowner is not complying with state law, these rules, other County policies or the terms in the LCA contract, the County will formally notify the landowner about the potential violations. The County will provide one year for the landowner to rectify any violations before beginning the enforcement proceedings described below.

2. Enforcement

The County shall actively enforce the terms of the program and ensuing contracts and shall take any action legally available to enforce state law, these rules, other County policies, and the terms set forth in a LCA contract. Any conveyance, contract or authorization (whether oral or written) by the landowner or his or her successors in interest that would cause use of the property contrary to state law, these rules, and the terms of the contract shall be enforced by the County by an action filed in Superior Court of the County for the purpose of compelling compliance or restraining breach thereof. This includes the following non-exclusive remedies:

- i. County shall seek a breach of contract claim under the provisions of the LCA contract. If owner materially breaches the contract, owner shall pay County one half

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