

ATTACHMENT B

- (1) Proposed Resolution Creating Farmland Security Zones (FSZs), Agricultural Preservation Review Committee Sheets and GIS data:
 - Exhibit “B-3” FSZ No. 2013-003 (Minhoto Family Partnership)
 - Exhibit “B-4” FSZ No. 2013-004 (Josephine S. Dolan, Trustee of the Josephine S. Dolan Trust Agreement dated November 30, 1999 and Glenn E. Dolan, Trustee of the Glenn E. Dolan Trust Agreement dated November 30, 1999 and Stacey Dolan, tenants in common)
 - Exhibit “B-5” FSZ No. 2013-005 (Hambey Properties, LP).

- (2) Proposed Resolution Continuing Agricultural Preserve (AgP) No. 2013-002 (M. Rodoni and Company), Agricultural Preservation Review Committee Sheets and GIS data:
 - Exhibit “B-2” AgP No. 2013-002 (M. Rodoni and Company)

- (3) Proposed Resolution Denying AgP Application No. 2012-009 (John H. Hinrichs, Jr., Trustee); FSZ Application No. 2011-007 (Ryan Land Co. & Ryan Ranch); FSZ Application Nos. 2012-21, 2012-22, 2012-23 (L&W Land Company, Inc.) and FSZ Application No. 2012-24 (Sakata Ranches, Inc.).

Attachment B – 1



**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

- Public Hearing to:)
- a. Approve three (3) Applications to create Farmland Security Zones and establish FSZ Contracts (FSZ Application Nos. 2013-003 [Minhoto Family Partnership], 2013-004 [Dolan Trust et al] and, 2013-005 [Hambey Properties LP]) pending execution of the corresponding FSZ Contracts by the property owners; and, rescind Agricultural Preserve and Land Conservation Contract No. 97-1313 between the County and Glenn E. Dolan and Josephine S. Dolan and simultaneously place the entire property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2013-004.)
 - b. Authorize Chair to execute Farmland Security Zone Contract Nos. 2013-003, 2013-004 and 2013-005.)
 - c. Direct the Clerk of the Board to record the Farmland Security Zone Contract Nos. 2013-003, 2013-004 and 2013-005, pending execution of the corresponding FSZ Contracts by the property owners of record, and timely receipt of said FSZ Contracts by the County, prior to the January 1, 2013 property tax lien date.)
- (PLN120585/Williamson Act Contract Applications, County-wide))

WHEREAS, the Board of Supervisors finds that the parcels of property hereinafter described in Exhibits "B-3," "B-4" and "B-5" attached hereto and made a part hereof, including applications numbered:

- FSZ No. 2013-003 (Minhoto Family Partnership)
- FSZ No. 2013-004 (Josephine S. Dolan, Trustee of the Josephine S. Dolan Trust Agreement dated November 30, 1999 and Glenn E. Dolan, Trustee of the Glenn E. Dolan Trust Agreement dated November 30, 1999 and Stacey Dolan, tenants in common)(hereafter, Dolan Trust et al)
- FSZ No. 2013-005 (Hambey Properties, LP)

qualify, are consistent with the General Plan of Monterey County, and are suitable for inclusion in a Farmland Security Zone pursuant to Government Code Section 51296 et seq. and Board of Supervisors Resolution No. 01-486, it being the intention to create Farmland Security Zones for these parcels, as expressly requested by the property owners of record; and

NOW, THEREFORE,

IT IS HEREBY RESOLVED that the Board hereby rescinds Agricultural Preserve and Land Conservation Contract No. 97-013 between the County and Glenn E. Dolan and Josephine S. Dolan and simultaneously places the entire property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to

proposed new Farmland Security Zone Contract No. 2013-004 between the County and the Dolan Trust et al; and,

IT IS HEREBY FURTHER RESOLVED that Farmland Security Zones are hereby created for the properties described in Exhibits "B-3", "B-4" and "B-5" and that said properties are simultaneously placed in Farmland Security Zones pending the execution of FSZ Contracts by the property owners of record, and timely receipt of said FSZ Contracts by the County; and,

IT IS FURTHER RESOLVED that the Chair of the Board is authorized to execute the Farmland Security Zone Contracts with the property owners of record and the Clerk of the Board is directed to record the FSZ Contracts with the County Recorder.

PASSED AND ADOPTED this 4th day of December, 2012, upon motion of Supervisor _____ seconded by Supervisor _____, and carried by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

EXHIBIT B-3

AGRICULTURAL PRESERVATION REVIEW COMMITTEE
FARMLAND SECURITY ZONE APPLICATION

Applicant Name: Minhoto Family Partnership c/o John Piini

Application Number: 2013-003

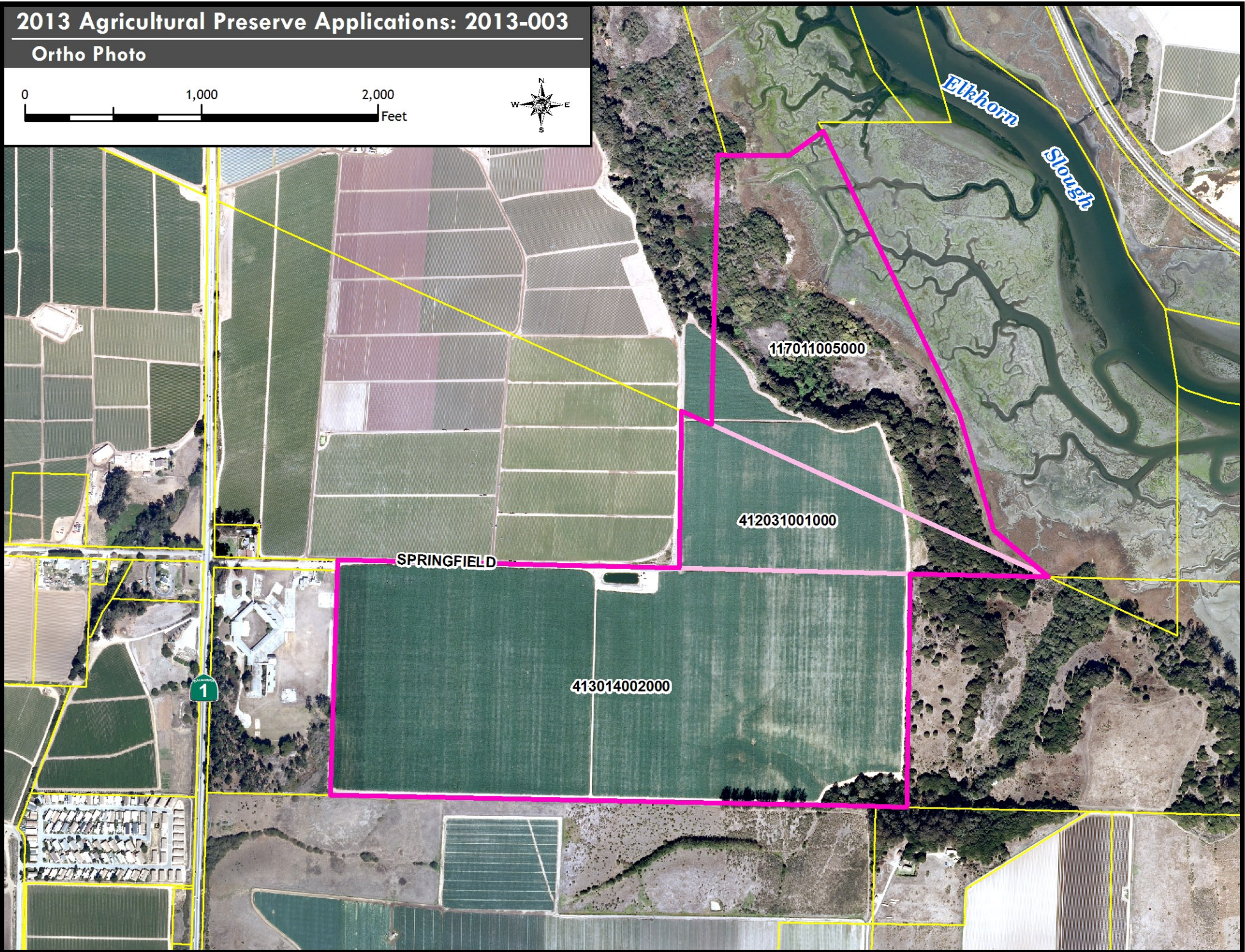
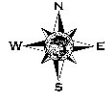
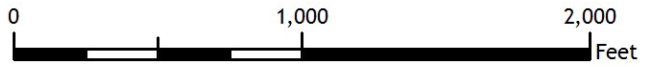
Assessor's Parcel Number(s): 117-011-005; 412-031-001; 413-014-002

1. Is the application consistent with the General Plan? Yes
2. Is the property located within an existing Agricultural Preserve? No
3. What is the soil capability classification (Soil Survey of Monterey County/USDA Soil Conservation Service)? Ac, EeE, EdB, ShC
4. Does the application meet acreage requirements? Yes (174.29 acres)
5. Does the application meet income requirements? Yes (\$230,000+ per annum)
6. Has the Owner expressly requested that the County create a farmland security zone? Yes
7. Is the property designated on the Important Farmland Series Maps, pursuant to Section 65570 as predominantly one or more of the following: (1) prime farmland; (2) farmland of statewide significance; (3) unique farmland; (4) farmland of local importance? Yes
8. If not designated on the Important Farmland Series maps, is the property predominantly prime agricultural land as defined in Section 51201(c)? n/a
9. Is the property enforceably restricted pursuant to the Open-Space Easement Act of 1974 (commencing with Government Code Section 51070)? No
10. Is the property used for any purpose other than the production of food and fibre for commercial purposes? No
11. Is the property used for any use based on the compatible use provisions contained in Government Code Section 51238.1(c), or any of the compatible use provisions contained in County Resolution No. 96-416? No (Elkhorn Slough)
12. Is the application within one mile of a city? No
13. Is the application within a city's sphere of influence? No

14. If within a city's sphere of influence, has the city expressly approved the creation of the farmland security zone by resolution? n/a
15. What tax impact will the application have? -\$799
16. What is the state subvention payment? \$0
17. What is the net loss to the County? -\$799
18. What is the net gain to the County? n/a
19. Is there any income from hunting? No
20. Is the application contiguous to any existing or proposed farmland security zones or agricultural preserve? Yes
21. Committee recommendation: Approve

2013 Agricultural Preserve Applications: 2013-003

Ortho Photo



2013 Agricultural Preserve Applications: 2013-003

CDC FMMP (2010)

- | | |
|---|---|
|  Prime Farmland |  Urban & Built-Up Land |
|  Farmland of Statewide Importance |  Water |
|  Unique Farmland |  Other Lands |
|  Grazing Land | |

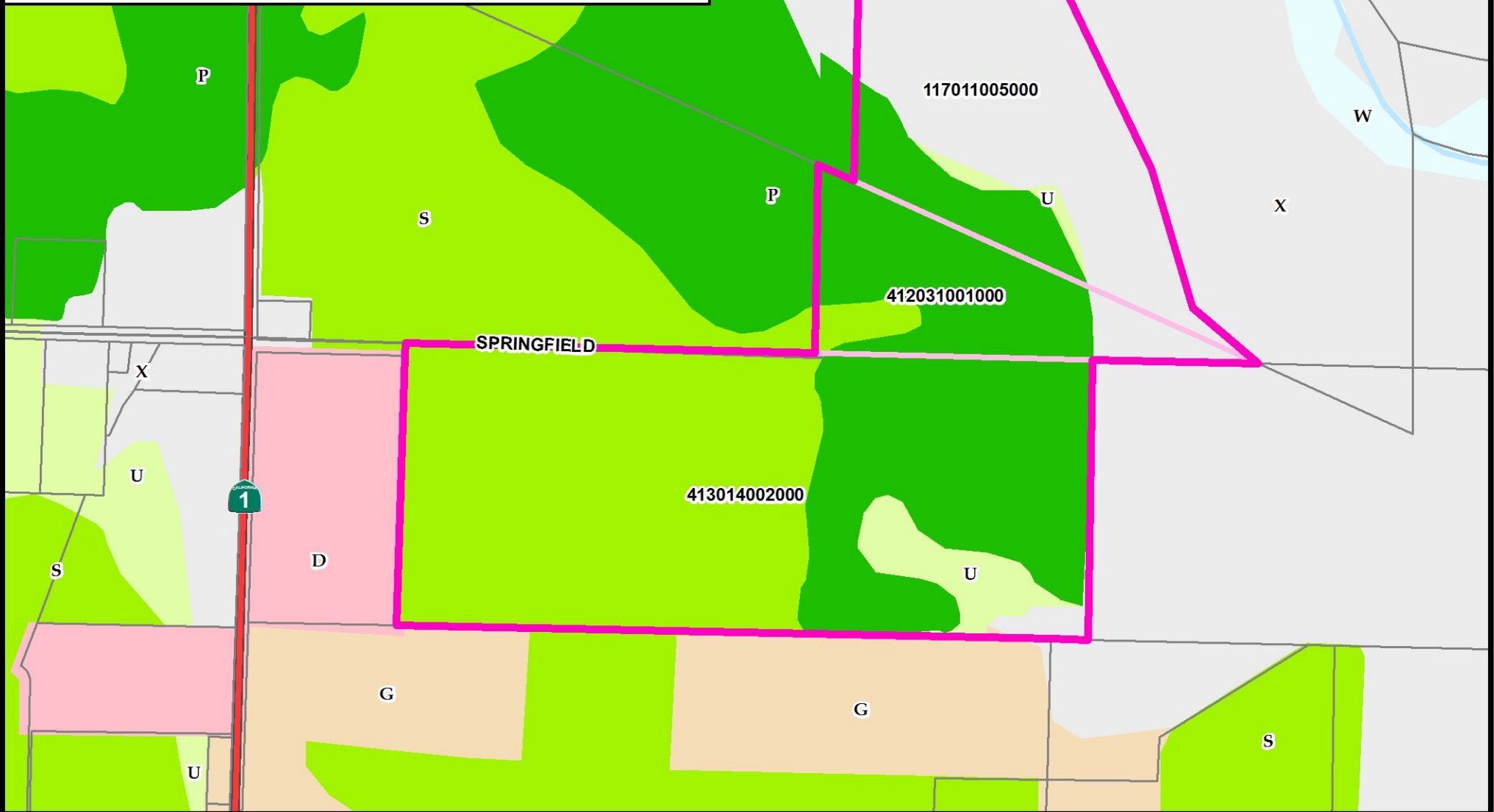
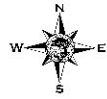
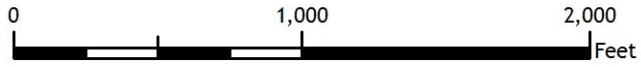


EXHIBIT B-4

AGRICULTURAL PRESERVATION REVIEW COMMITTEE
FARMLAND SECURITY ZONE APPLICATION

Applicant Name: Stacey V. Dolan, successor trustee of the Glen E. Dolan Trust, Stacey Dolan and Josephine S. Dolan, trustee of the Josephine S. Dolan Trust

Application Number: 2013-004

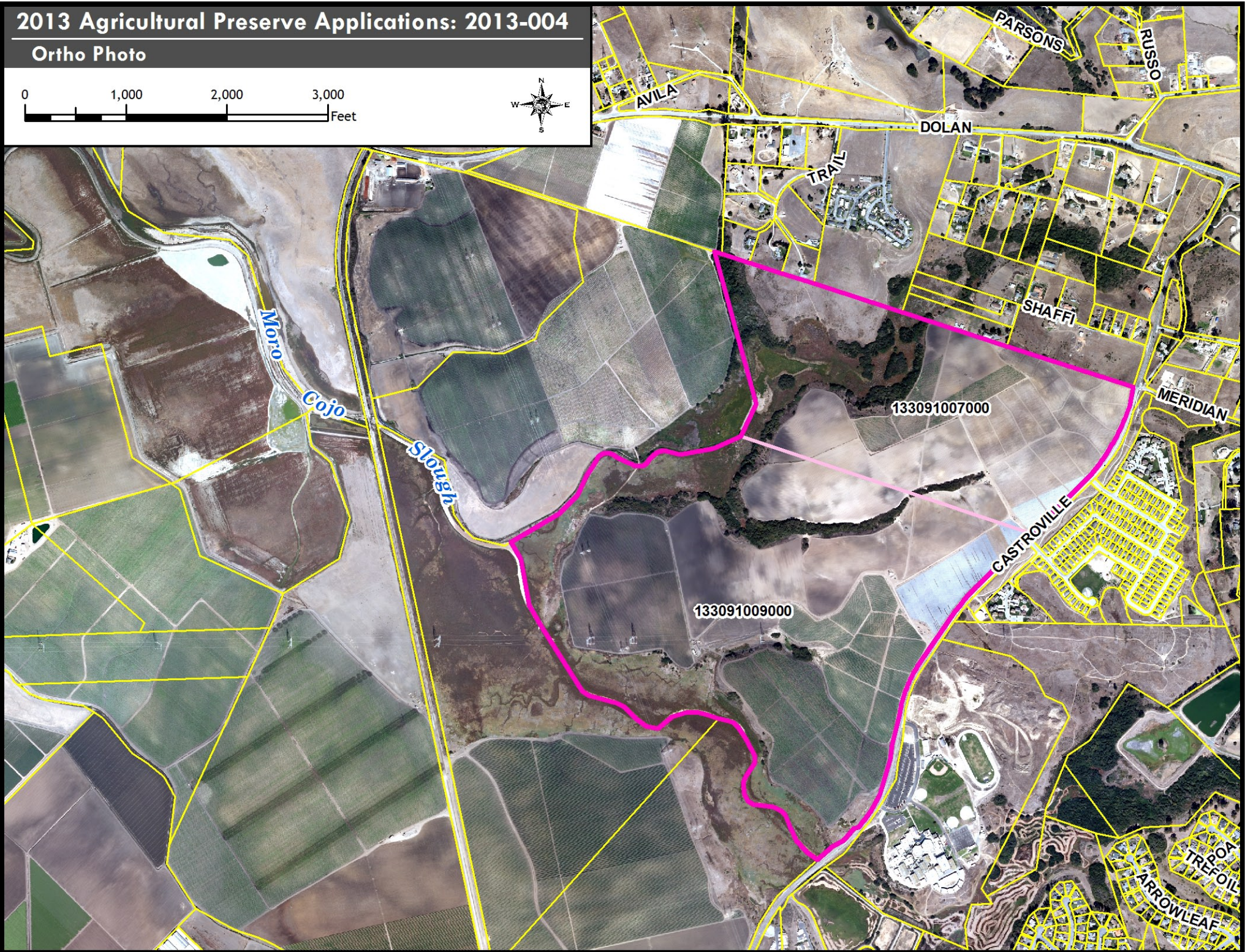
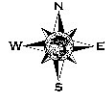
Assessor's Parcel Number(s): 133-091-007 and 133-091-009

1. Is the application consistent with the General Plan? Yes
2. Is the property located within an existing Agricultural Preserve? Yes (AgP 97-13)
3. What is the soil capability classification (Soil Survey of Monterey County/USDA Soil Conservation Service)? DbD, Rb, ShC, CnC, DbE,
4. Does the application meet acreage requirements? Yes (403 acres)
5. Does the application meet income requirements? Yes (\$380,000+ per annum)
6. Has the Owner expressly requested that the County create a farmland security zone? Yes
7. Is the property designated on the Important Farmland Series Maps, pursuant to Section 65570 as predominantly one or more of the following: (1) prime farmland; (2) farmland of statewide significance; (3) unique farmland; (4) farmland of local importance? Yes
8. If not designated on the Important Farmland Series maps, is the property predominantly prime agricultural land as defined in Section 51201(c)? n/a
9. Is the property enforceably restricted pursuant to the Open-Space Easement Act of 1974 (commencing with Government Code Section 51070)? (Conservation Easement)
10. Is the property used for any purpose other than the production of food and fibre for commercial purposes? Yes
 - Maintained in a natural state for recreation, plan or animal preserve.
 - Public utility installations (PG&E power & gas line easements)
11. Is the property used for any use based on the compatible use provisions contained in Government Code Section 51238.1(c), or any of the compatible use provisions contained in County Resolution No. 96-416? See above
12. Is the application within one mile of a city? No

13. Is the application within a city's sphere of influence? No
14. If within a city's sphere of influence, has the city expressly approved the creation of the farmland security zone by resolution? n/a
15. What tax impact will the application have? -\$11,077
16. What is the state subvention payment? \$0
17. What is the net loss to the County? -\$11,077
18. What is the net gain to the County? n/a
19. Is there any income from hunting? No
20. Is the application contiguous to any existing or proposed farmland security zones? agricultural preserve? No
21. Committee recommendation: Approve








2013 Agricultural Preserve Applications: 2013-004

Ortho Photo



2013 Agricultural Preserve Applications: 2013-004

CDC FMMP (2010)

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|---|---|
|  Prime Farmland |  Urban & Built-Up Land |
|  Farmland of Statewide Importance |  Water |
|  Unique Farmland |  Other Lands |
|  Grazing Land | |

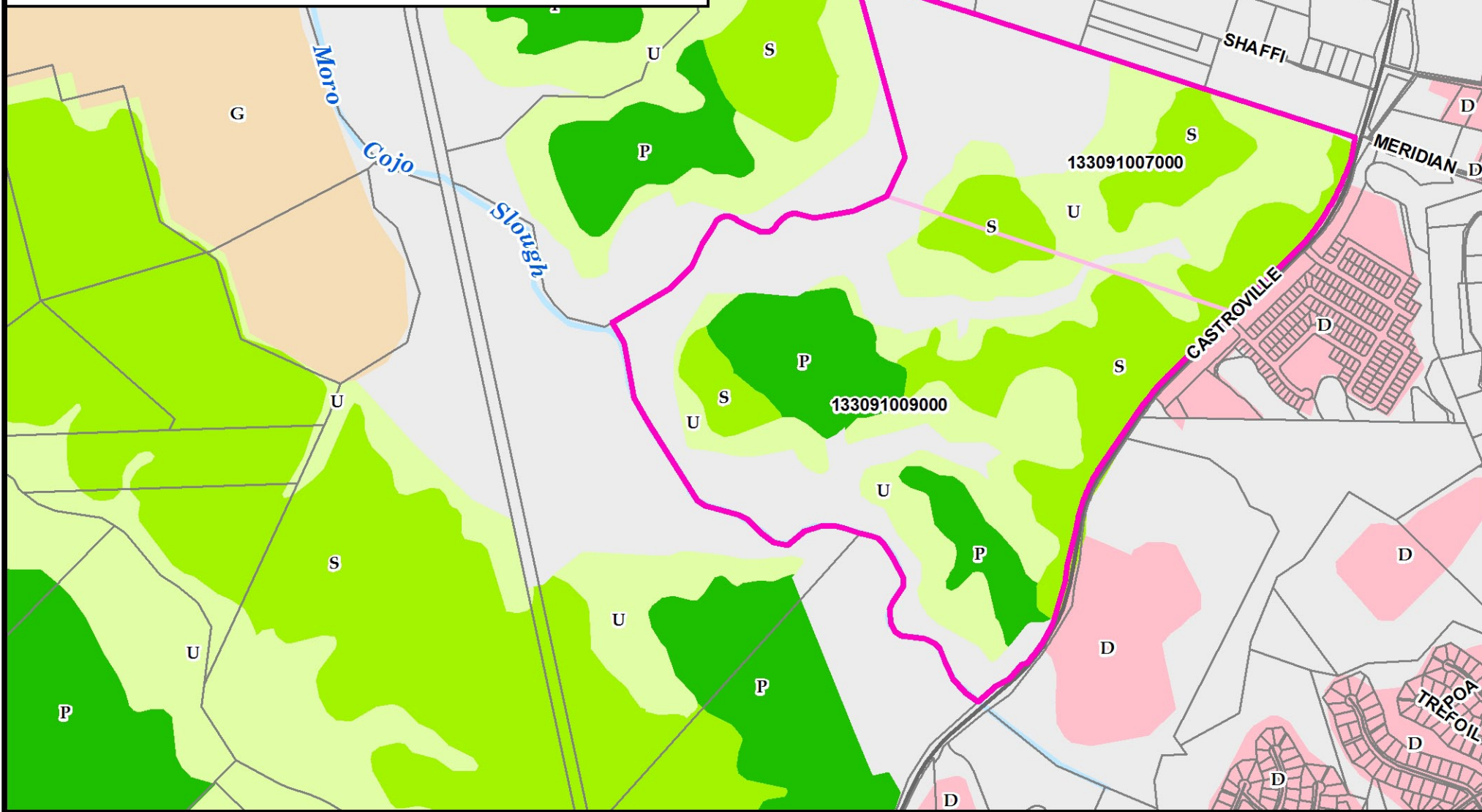


EXHIBIT B-5

AGRICULTURAL PRESERVATION REVIEW COMMITTEE
FARMLAND SECURITY ZONE APPLICATION

Applicant Name: Hambey Properties LP

Application Number: 2013-005

Assessor's Parcel Number(s): 253-012-043

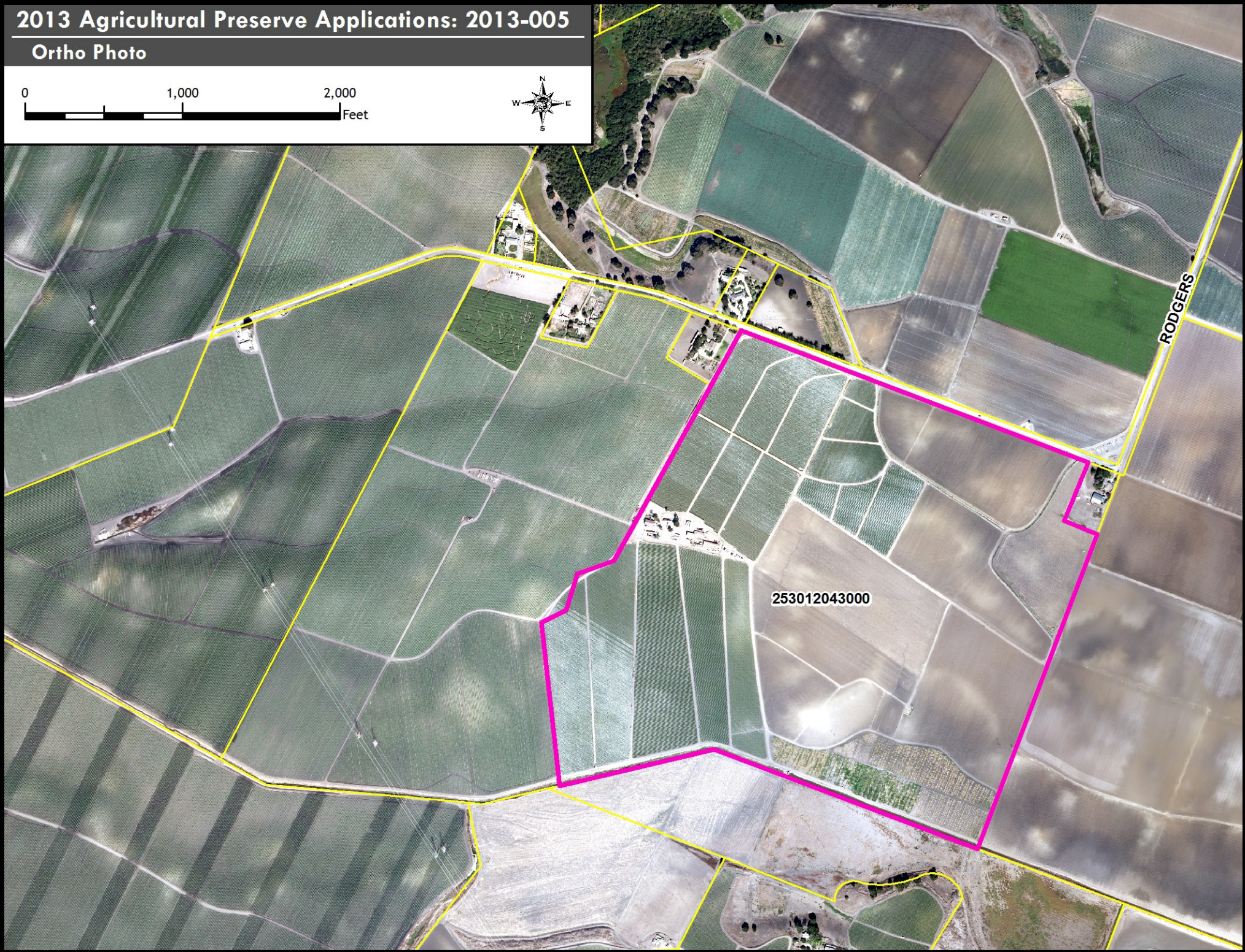
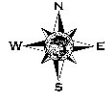
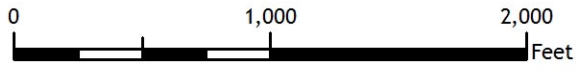
1. Is the application consistent with the General Plan? Yes
2. Is the property located within an existing Agricultural Preserve? No
3. What is the soil capability classification (Soil Survey of Monterey County/USDA Soil Conservation Service)? DbE, AeA, AeD, DbD, Cg, Pa
4. Does the application meet acreage requirements? Yes (168 acres)
5. Does the application meet income requirements? Yes (\$133,000 + per annum)
6. Has the Owner expressly requested that the County create a farmland security zone? Yes
7. Is the property designated on the Important Farmland Series Maps, pursuant to Section 65570 as predominantly one or more of the following: (1) prime farmland; (2) farmland of statewide significance; (3) unique farmland; (4) farmland of local importance? Yes
8. If not designated on the Important Farmland Series maps, is the property predominantly prime agricultural land as defined in Section 51201(c)? n/a
9. Is the property enforceably restricted pursuant to the Open-Space Easement Act of 1974 (commencing with Government Code Section 51070)? No
10. Is the property used for any purpose other than the production of food and fibre for commercial purposes? Yes
- Single family dwelling for residence of family or owner or employees
11. Is the property used for any use based on the compatible use provisions contained in Government Code Section 51238.1(c), or any of the compatible use provisions contained in County Resolution No. 96-416? See #10, above
12. Is the application within one mile of a city? No

13. Is the application within a city's sphere of influence? No
14. If within a city's sphere of influence, has the city expressly approved the creation of the farmland security zone by resolution? n/a
15. What tax impact will the application have? -\$5,950
16. What is the state subvention payment? \$0
17. What is the net loss to the County? -\$5,950
18. What is the net gain to the County? n/a
19. Is there any income from hunting? No
20. Is the application contiguous to any existing or proposed farmland security zones? agricultural preserve? No
21. Committee recommendation: Approve

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2013 Agricultural Preserve Applications: 2013-005

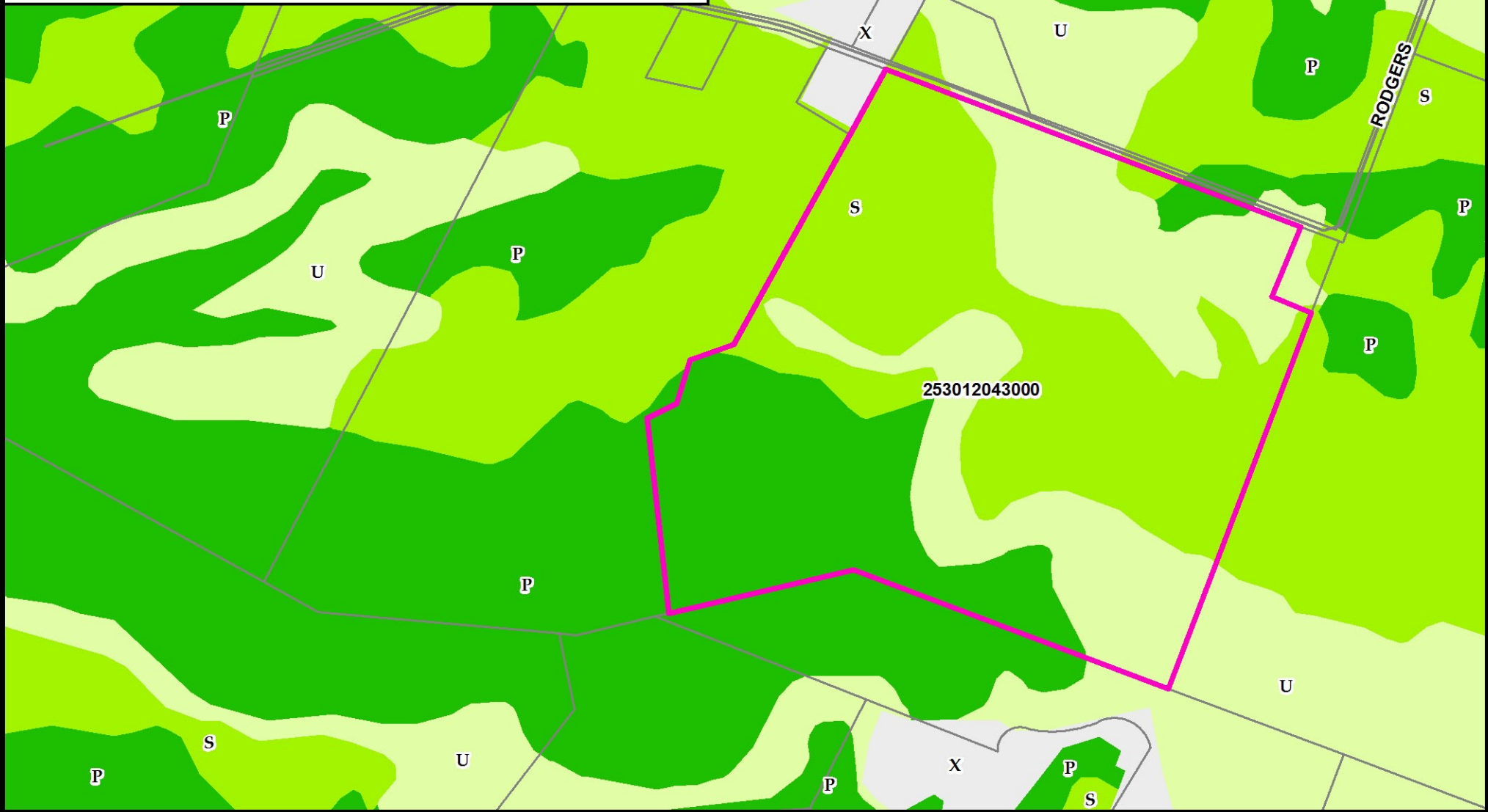
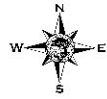
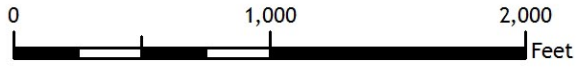
Ortho Photo



2013 Agricultural Preserve Applications: 2013-005

CDC FMMP (2010)

- | | |
|---|---|
|  Prime Farmland |  Urban & Built-Up Land |
|  Farmland of Statewide Importance |  Water |
|  Unique Farmland |  Other Lands |
|  Grazing Land | |



Attachment B – 2

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

- a. Continue one (1) Application for an Agricultural Preserve)
(AgP) and Land Conservation Contract Application (No.)
2013-002 [M. Rodoni and Company]) to the 2014)
application review period.)
(PLN120585/Williamson Act Contract Applications, County-)
wide))

WHEREAS, the Board of Supervisors finds that the application numbered:

AgP No. 2013-002 (M. Rodoni and Company)

shall be continued according to the recommendation of the Agricultural Preserve Review Committee (hereafter, "Committee"); and,

WHEREAS, the Committee recommends a continuance of AgP Application No. 2013-002 (M. Rodoni and Company) to the 2014 application review period because the subject property does not meet the established program entry requirement of \$8,000 dollars of annual gross income for three of the last five years; and,

WHEREAS, pursuant to Resolution No. 01-485 as amended by Resolution No. 03-383, lands which do not meet the minimum annual gross income of \$8,000 during three of the last five years may still be considered for approval "...in the case of recently improved lands..." if said lands, "...have a potential during the next succeeding year of producing a gross income of \$8,000."; and,

WHEREAS, of the approximately 2,561 acres proposed under AgP Application No. 2013-002 (M. Rodoni and Company), FMMP mapping references indicate that approximately 450 acres are designated as "Grazing Land" with the remaining 2,111 acres of mostly mountainous terrain designated as "Other Lands." (See Exhibit "B-2" to Staff Report, incorporated by this reference as though fully set forth herein); and,

WHEREAS, the Committee recommends a continuance of AgP Application No. 2013-002 to the 2014 application review period so that the property's potential to generate at least \$8,000 of annual income can be firmly established for the 2014 application review period.

NOW, THEREFORE:

IT IS HEREBY RESOLVED that the application numbered as AgP No. 2013-002 (M. Rodoni and Company) shall be continued to the 2014 application review period according to the recommendation of the Agricultural Preserve Review Committee.

PASSED AND ADOPTED this 4th day of December, 2012, upon motion of Supervisor _____ seconded by Supervisor _____, and carried by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

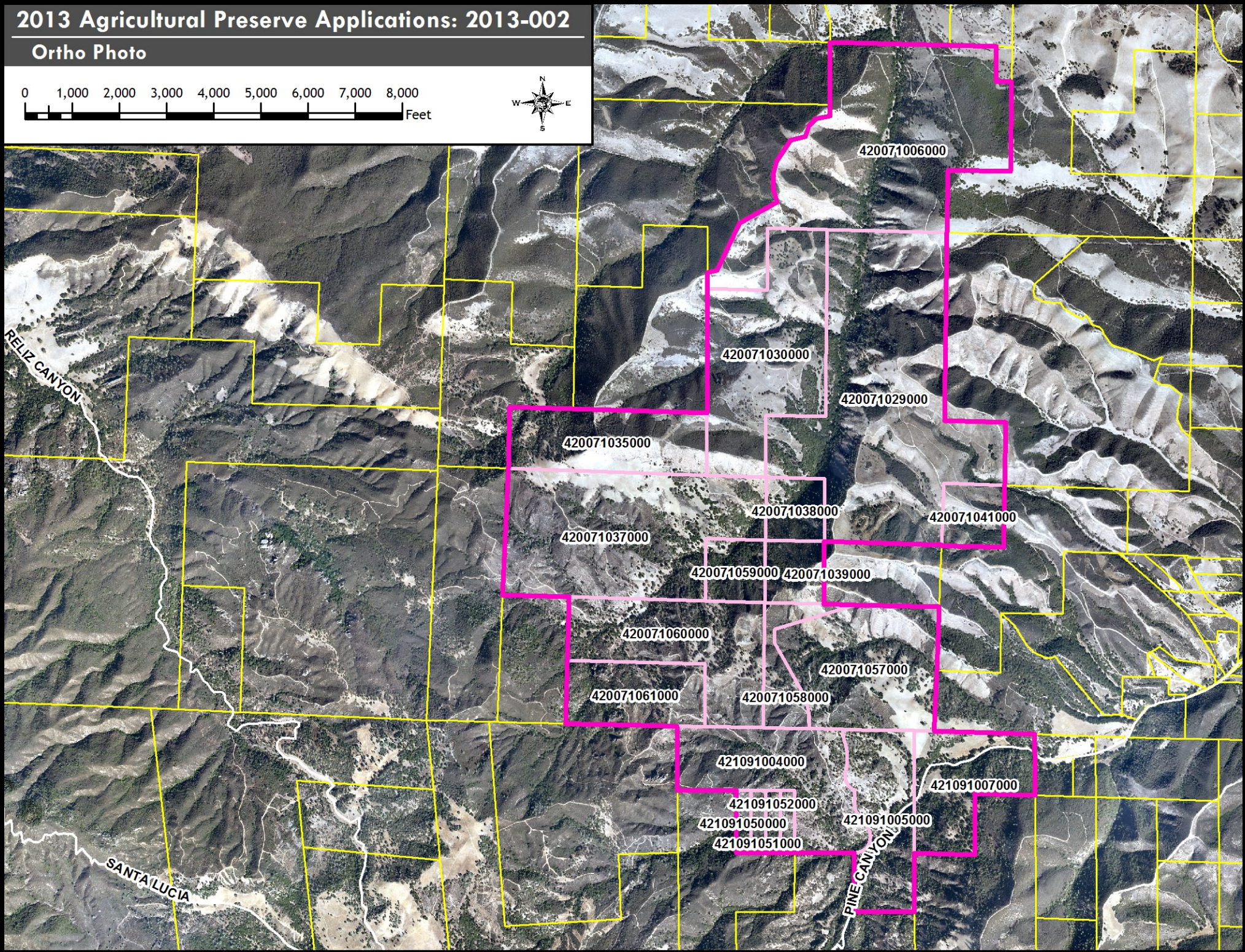
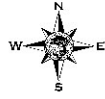
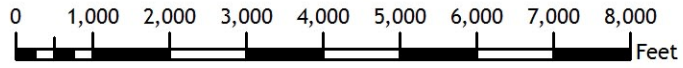
Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

2013 Agricultural Preserve Applications: 2013-002

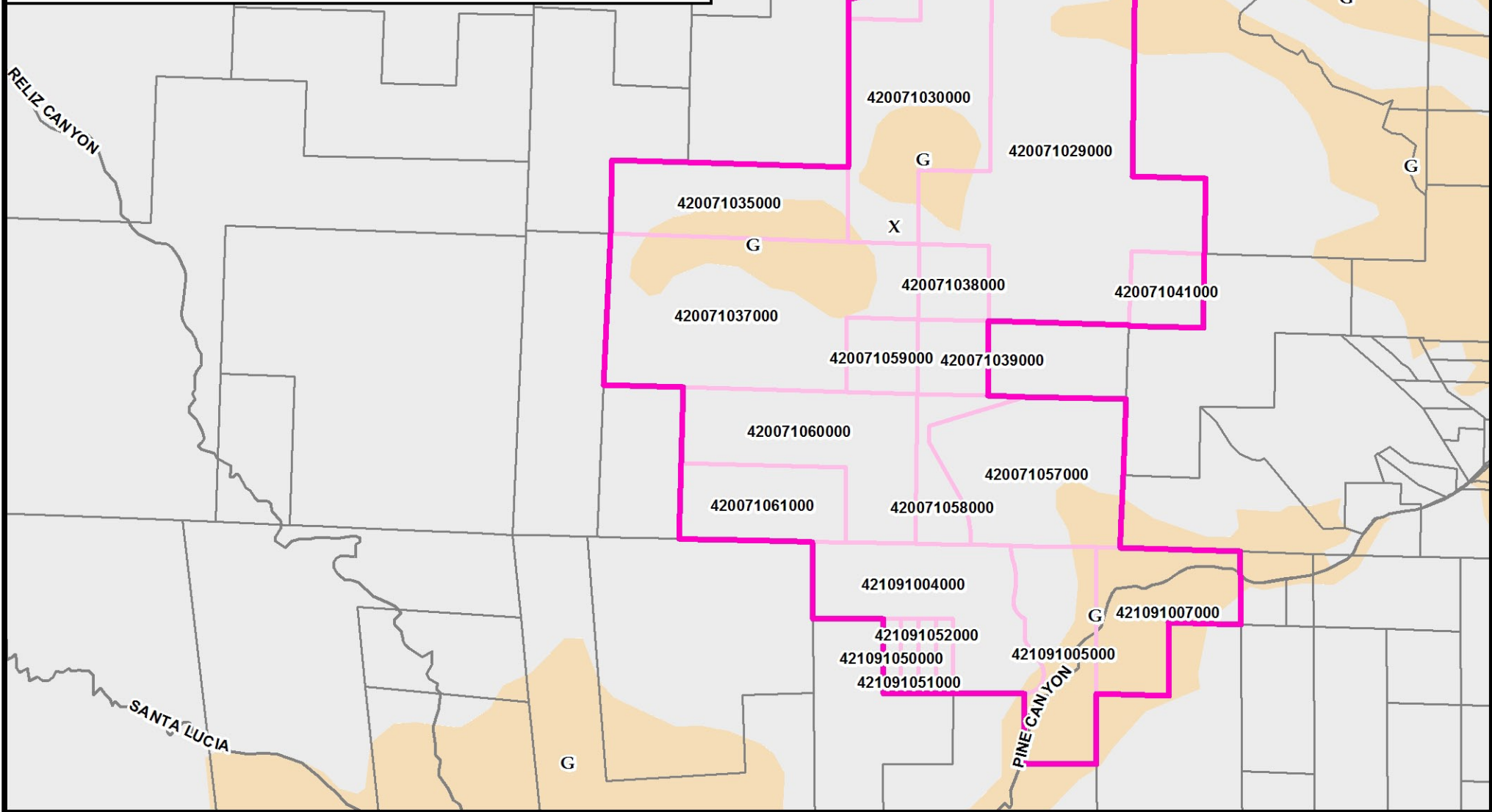
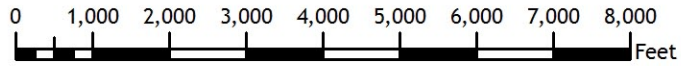
Ortho Photo



2013 Agricultural Preserve Applications: 2013-002

CDC FMMP (2010)

- P** Prime Farmland
- S** Farmland of Statewide Importance
- U** Unique Farmland
- G** Grazing Land
- D** Urban & Built-Up Land
- W** Water
- X** Other Lands



Attachment B – 3



**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

- a. Deny one (1) Application to establish an Agricultural Preserve and Land Conservation Contract (AgP No. 2012-009 [John H. Hinrichs, Jr., Trustee, or Successor Trustee, of the John H. Hinrichs, Jr. Trust dated May 23, 1997]) and five (5) Applications to establish Farmland Security Zones and Contracts (FSZ No. 2011-007 [Ryan Land Co. & Ryan Ranch], FSZ Nos. 2012-021, 2012-022, 2012-023 [L&W Land Company, Inc.] and FSZ No. 2012-024 [Sakata Ranches, Inc.]) (PLN120585/Williamson Act Contract Applications, County-wide)

WHEREAS, the Board of Supervisors finds that the parcels of property hereinafter described in the applications numbered:

- AgP No. 2012-009 (John H. Hinrichs, Jr., Trustee, or Successor Trustee, of the John H. Hinrichs, Jr. Trust dated May 23, 1997)
- FSZ No. 2011-007 (Ryan Land Co. & Ryan Ranch)
- FSZ No. 2012-021 (L&W Land Company, Inc.)
- FSZ No. 2012-022 (L&W Land Company, Inc.)
- FSZ No. 2012-023 (L&W Land Company, Inc.)
- FSZ No. 2012-024 (Sakata Ranches, Inc.)

shall be denied according to the recommendation of the Agricultural Preserve Review Committee; and,

NOW THEREFORE,

IT IS HEREBY RESOLVED that the applications numbered as AgP No. 2012-009 (John H. Hinrichs, Jr., Trustee, or Successor Trustee, of the John H. Hinrichs, Jr. Trust dated May 23, 1997), FSZ No. 2011-007 (Ryan Land Co. & Ryan Ranch), FSZ No. 2012-021 (L&W Land Company, Inc.), FSZ No. 2012-022 (L&W Land Company, Inc.), FSZ No. 2012-023 (L&W Land Company, Inc.) and FSZ No. 2012-024 (Sakata Ranches, Inc.) shall be denied according to the recommendation of the Agricultural Preserve Review Committee contained and stated in the Staff Report and accompanying documents contained in Planning File No. PLN120585, and incorporated by this reference, as though fully set forth herein.

PASSED AND ADOPTED this 4th day of December, 2012, upon motion of Supervisor _____ seconded by Supervisor _____, and carried by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy