

Attachment E

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*Before the Board of Supervisors of the
County of Monterey, State of California*

RESOLUTION NO. 00-462

A Resolution of the Monterey County Board of)
Supervisors Relating to the Processing of Lot Line)
Adjustments Affecting Property Under Agricultural)
Preserve Contract Pursuant to the Williamson Act.)

THE BOARD OF SUPERVISORS FINDS, DETERMINES AND DECLARES AS FOLLOWS:

- A. The California Land Conservation Act of 1965, also known as the Williamson Act, (Government Code section 51200 *et seq.*) established a program of property tax incentives for the preservation of agricultural land and open space; and
- B. Section 51257 was added to the California Government Code effective January 1, 1998. Section 51257 facilitates lot line adjustments on Williamson Act lands by providing for the rescission of existing agricultural preserve contracts and the simultaneous creation of new contracts applying to the adjusted parcels; and
- C. When a jurisdiction approves a lot line adjustment on Williamson Act lands, Section 51257 provides for the legislative body of that jurisdiction to make certain findings as a condition of the rescission and simultaneous reexecution of new contracts for the subject lands; and
- D. The California Department of Conservation is the State agency charged with interpreting and overseeing the implementation of the Williamson Act, pursuant to Government Code section 51206. The California Department of Conservation interprets Section 51257 as mandating specified findings by the local legislative body in connection with the approval of any lot line adjustment on Williamson Act lands; and
- E. Section 51257(e) provides that the section shall remain in effect only until January 1, 2003, unless that date is extended or deleted by further act of the Legislature.

NOW, THEREFORE, BE IT RESOLVED THAT as long as Government Code section 51257 remains in effect, no proposed lot line adjustment involving land under agricultural preserve contract pursuant to the Williamson Act shall be approved unless all of the findings enumerated in Section 51257 are made by the Board of Supervisors with respect to the agricultural preserve parcels proposed to be adjusted.

On motion of Supervisor Johnsen, seconded by Supervisor
Potter, the foregoing resolution is adopted this 12th day of December 2000, by

the following vote:

AYES: Supervisor(s) Calcagno, Johnsen and Potter.

NOES: None.

ABSENT: Supervisor Pennycook.

I, SALLY R. REED, 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 resolution of said Board of Supervisors duly made and entered in the minutes thereof at page -- of Minute Book 70, on December 12, 2000

SALLY R. REED, Clerk of the Board of Supervisors,
County of Monterey, State of California

By Nancy Rukensill
Deputy