Resolution No. \_\_\_\_\_-\_\_\_\_\_

Resolution of the Siskiyou County Board of Supervisors Approving

the Rescission and Re-Entry of Existing Williamson Act Contract

Under Application APA-23-21

**WHEREAS,** the California Land Conservation Act (the “Williamson Act”) was enacted on July 14, 1965, to implement a variety of state farmland preservation policies directed at discouraging the unnecessary and premature conversion of farmland to other uses; and

**WHEREAS,** Justin and Rebecca McMahon own property that was originally placed in Williamson Act contract on April 17, 2008; and

**WHEREAS,** a Boundary Line Adjustment application (BLA-23-18) was submitted to the County on October 12, 2023, that proposes to transfer approximately 14 acres of land from a legal parcel that is owned by Deborah Goltz in exchange for approximately 6 acres of land from a legal parcel that is owned by the Justin and Rebecca McMahon; and

**WHEREAS,** property involved in BLA-23-18 is within an existing established Williamson Act contract and the subject ownership transfer would exchange said property to a property that is not subject to a Williamson Act contract; and

**WHEREAS,** in order for the Planning Commission to approve BLA-23-18, the Board of Supervisors would need to first make certain findings and approve the rescission of the subject contracts and re-entry into new Williamson Act contracts; and

**WHEREAS,** pursuant to the *Rules for the Establishment and Administration of Agricultural* *Preserves and Williamson Act Contracts*, as adopted by the Siskiyou County Board of Supervisors on February 7, 2012, and amended on December 13, 2022, in order to allow the transfer of property, the area subject to Williamson Act contract must be changed to reflect the property transfer subject to approval in BLA-23-18; and

**WHEREAS,** the Staff Report for APA-23-21 prepared for the Agricultural Preserve Administrator contains a detailed analysis of how said application complies with Government Code Section 51257(a), and the *Rules for the* *Establishment and Administration of Agricultural Preserves and* *Williamson Act Contracts*, as adopted by the Siskiyou County Board of Supervisors on February 7, 2012 and amended on December 13, 2022; and

**WHEREAS,** the Staff Report for APA-23-21 prepared for the Board of Supervisors contains the staff analysis and recommendation by the Agricultural Preserve Administrator; and

**WHEREAS,** a Notice of Public Hearing was published in the Siskiyou Daily News on February 7, 2024, for this matter to be heard at the February 20, 2024 Board of Supervisors meeting; and

**WHEREAS,** public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 et seq.; and

**WHEREAS,** the Planning Division presented its oral and written staff report on the proposed Williamson Act Contract request (APA-23-21) at a regular meeting of the Board of Supervisors on February 20, 2024; and

**WHEREAS,** the Board of Supervisors has reviewed the analysis contained in the Staff Report prepared for APA-23-21 and concurs with the draft findings contained therein; and

**WHEREAS,** the new contract(s) would initially restrict land within adjusted boundaries of legal lots for at least ten (10) years for Williamson Act contracts; and

**WHEREAS,** there would be no net decrease in the amount of the aggregate acreage subject to the existing and proposed contracts; and

**WHEREAS,** at least ninety (90%) percent of the land under the existing contracts would remain under the proposed contracts; and

**WHEREAS,** the resulting legal lot areas subject to contract would be large enough to sustain qualifying agricultural uses; and

**WHEREAS,** boundary line adjustment BLA-23-21 would not compromise the long-term agricultural production of land within the proposed legal lots or other agricultural lands subject to contract(s); and

**WHEREAS,** the boundary line adjustment is not likely to result in the removal of adjacent land from agricultural uses; and

**WHEREAS,** the boundary line adjustment would not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; and

**WHEREAS,** approval of the proposed project would not result in any significant adverse environmental effect and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15317, *Open Space Contracts or Easements.*

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors finds the above recitals true and correct.

**BE IT FURTHER RESOLVED** that the Board of Supervisors approves the rescission and re-entry of existing Williamson Act contracts under application APA-23-21 subject to the following conditions:

1. The property owner must agree to rescind their existing Williamson Act contracts and simultaneously re-enter into new contracts; and
2. In the event that the property in question is not transferred and the approval of BLA-23-18 lapses this approval shall automatically lapse and said boundaries shall be restored to the same configurations which existed prior to the adoption of this resolution without further action by the County.

**BE IT FURTHER RESOLVED** that the Board of Supervisors instructs staff to take the necessary steps to rescind from the existing contracts the land in question and take the necessary actions to prepare for the re-entry of that same land into new Williamson Act contracts.

**BE IT FURTHER RESOLVED** that County Counsel is hereby authorized to make any necessary technical amendments to the legal descriptions in order to fully implement the intent of the Board of Supervisors in amending these Williamson Act contracts.

**BE IT FURTHER RESOLVED** the Chair of the Board of Supervisors is hereby authorized to sign said contracts on behalf of the County of Siskiyou.

**BE IT FURTHER RESOLVED** that County staff is directed to record said Williamson Act contracts at the earliest opportunity once completed and concurrently with the recordation of BLA-23-18.

**IT IS HEREBY CERTIFIED** that the foregoing Resolution No. \_\_\_\_\_\_\_\_\_ was duly adopted on a motion by Supervisor \_\_\_\_\_\_\_\_\_\_\_\_\_ and seconded by Supervisor \_\_\_\_\_\_\_\_\_\_\_\_\_\_, at a regular meeting of the Board of Supervisors of the County of Siskiyou, State of California, held on the 20th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michael N. Kobseff, Chair

Board of Supervisors

ATTEST:

Laura Bynum, Clerk

Board of Supervisors

By

Deputy