

RESOLUTION NO. MCM: 99-68

SUPPORTING VOLUNTARY LAND CONSERVATION TECHNIQUES

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MESA COUNTY
PLANNING DEPARTMENT

WHEREAS, the agricultural lands and other private and public open lands of Mesa County, each have distinct and unique functions and are among the most valuable resources contributing to the high quality of life in the county; and

WHEREAS, the *Mesa Countywide Land Use Plan*, an element of the official *Mesa County Master Plan*, was adopted by the Mesa County Planning Commission on 17 October 1996, pursuant to Section 30-28-108 of the Colorado Revised Statutes; and

WHEREAS, the *Mesa Countywide Land Use Plan* expresses countywide goals, policies, and implementation actions to provide guidance in land use decision making; and

WHEREAS, the *Mesa Countywide Land Use Plan* includes chapter #7, the Mesa County Land Use Incentives Final Report which lists incentives to implement the *Mesa Countywide Land Use Plan*; and

WHEREAS, the *Mesa Countywide Land Use Plan* includes numerous goals, policies, and implementation items supporting voluntary techniques to conserve agricultural lands and other important open lands in the county; and

WHEREAS, the *Mesa Countywide Land Use Plan* includes, but is not limited to, implementation items AG 1.10, OLT 1.1, and OLT 1.2 which state respectively:

“Adopt a resolution supporting voluntary techniques to preserve agricultural lands.”

“Create a technical resource committee to advise land owners on voluntary open land incentives, land protection options, and right-to-farm provisions.”

“Establish a voluntary funding source for voluntary open land preservation and coordinate with existing entities.”; and

WHEREAS, in July, 1997, the Board of County Commissioners of Mesa County, Colorado considered and adopted the *Mesa County Right to Farm and Ranch Policy* which protects agricultural operations and/or practices that are historical, traditional, legitimate, and reasonable, and states that the inconveniences of agriculture shall not be considered a nuisance as long as they occur as a part of legitimate, non-negligent, and legal agricultural practice; and

WHEREAS, the Board of County Commissioners, pursuant to the *Mesa County Right to Farm and Ranch Policy*, created a citizen Agricultural Advisory Panel to assist in resolving agricultural conflicts between neighbors, and to determine whether an agricultural practice is historical, traditional, legitimate, and reasonable; and

WHEREAS, on 9 February 1998, the Board of County Commissioners of Mesa County, Colorado considered and adopted COOPERATIVE PLANNING AGREEMENTS, with the Town of Palisade, City of Grand Junction, and City of Fruita creating cooperative planning areas (community separators) between the above municipalities; and

WHEREAS, the COOPERATIVE PLANNING AGREEMENTS include the following implementation steps:

All parties will work cooperatively to:

“c. explore, develop, and support options and seek funding mechanisms available for preserving open lands and enhancing the rural character of the cooperative planning area,

d. establish joint open space funding for acquisition of important land, development rights, and open space and conservation easements.”

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO THAT THE BOARD OF COUNTY COMMISSIONERS HEREBY:

1. Supports and endorses:
 - a. the use of voluntary land conservation techniques throughout Mesa County; and
 - b. the creation of a technical resource advisory team, combining the expertise of land use planning, agricultural, legal, accounting, and conservation disciplines, to advise land owners on voluntary open land protection options, estate planning, right-to-farm options, and other alternative approaches to protect open lands with innovative alternatives.
2. Directs the Mesa County Planning and Development Department to:
 - a. publish and distribute information describing available voluntary land conservation techniques. This information shall be:
 - i. available to the general public and distributed at pre-application meetings with potential development applicants;
 - ii. on the Mesa County government web-page;
 - iii. distributed to various real estate, building, and land conservation organizations; and
 - b. begin the process for the Board of County Commissioners to create a technical resource advisory team to advise land owners on voluntary open land protection techniques.

3. Pending the completion of the Community Separator Inventory and Demonstration Project, directs the Facilities and Parks Department to:
- a. seek funding mechanisms and partnerships available for preserving open lands with an emphasis on enhancing the rural character of the cooperative planning areas; and
 - b. work cooperatively with the County's municipalities and other potential partners to establish joint open space funding for acquisition of important open land and/or development rights throughout Mesa County.

DULY MOVED, SECONDED, AND PASSED, this 5th day of April, 1999

BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY



By: Kathryn H. Hall
Kathryn H. Hall, Chairman

Attest:

Monika Todd
Monika Todd, Clerk and Recorder

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