



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR
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September 11, 2023

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Board of Supervisors, at their regular meeting on Tuesday, September 26, 2023, will conduct a public hearing on the following project at 9:00 a.m. or as soon thereafter as the item may be heard. This meeting will be held in the Board of Supervisors Chambers, **501 Low Gap Road, Ukiah, California**, and virtual attendance will be available via Zoom (pursuant to Government Code section 54953(e)(1)(A)). Meetings are live streamed and available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

CASE#: A_2022-0007

DATE FILED: 11/21/2022

OWNER: ISLAND MOUNTAIN LP

APPLICANT: TOM WAGNER

REQUEST: Discussion and possible action including adoption of a resolution approving Agricultural Preserve No. A_2022-0007, authorizing the placement of 156± acres into a Williamson Act contract for the lands of Island Mountain LP.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 17± miles northwest of Covelo, 0.5± miles southwest of Island Mountain Road (private) and 1.5± miles southeast of its intersection with the Trinity County Line, located at 73500 Island Mountain Road, Covelo; APN 011-670-20.

SUPERVISORIAL DISTRICT: 4 (Gjerde)

STAFF PLANNER: LIAM CROWLEY

PLANNING COMMISSION RECOMMENDATION: The Planning Commission, at their April 6, 2023 meeting, recommended approval of the Agricultural Preserve and Contract to the Board of Supervisors.

The staff report, notice, and related materials will be available for public review 10 days prior to the scheduled hearing on the Department of Planning and Building Services website at:

<https://www.mendocinocounty.org/government/planning-building-services/public-notices>

Virtual Attendance: Meetings are live streamed and available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

Mendocino County provides for digital attendance through Zoom. Zoom webinar information will be provided on the published agenda for the meeting. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Board reserves the right to conduct the meeting without remote access. Therefore, the only ways to guarantee that your participation or comments are received and considered by Board are to attend the meeting in person or submit your comment in writing in advance of the meeting.

Comments can be submitted using our online eComment platform at <https://mendocino.legistar.com/Calendar.aspx>. All submitted eComments will be made available to the Supervisors, staff, and the general public immediately upon submittal.

For details and a complete list of the latest available options by which to engage with agenda items, please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

The decision of the Board of Supervisors shall be final. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services/Board of Supervisors at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item(s) may be obtained by calling the Clerk of the Board of Supervisors at 707-463-4441, Monday through Friday, 8:00 a.m. through 5:00 p.m., or the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Board's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Clerk of the Board of Supervisors.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact Clerk of the Board of Supervisors at 707-463-4441 at least five days prior to the meeting.

JULIA KROG, Director of Planning and Building Services

TO: Board of Supervisors

FROM: Planning and Building Services

MEETING DATE: September 26, 2023

DEPARTMENT CONTACT: Liam Crowley

PHONE: 707-234-6650

DEPARTMENT CONTACT: Julia Krog

PHONE: 707-234-6650

ITEM TYPE: Noticed Public Hearing

TIME ALLOCATED FOR ITEM: 15 Minutes

AGENDA TITLE:

Noticed Public Hearing - Discussion and Possible Action including Adoption of a Resolution Approving Agricultural Preserve No. A_2022-0007, Authorizing the Placement of Approximately One Hundred Fifty-Six (156±) Acres into a Williamson Act Contract for Island Mountain LP, in Covelo (APN 011-670-20) (Sponsor: Planning & Building Services)

RECOMMENDED ACTION/MOTION:

Hold the public hearing and adopt a Resolution approving Agricultural Preserve No. A_2022-0007, authorizing the placement of approximately one hundred fifty-six (156±) acres into a Williamson Act Contract for Island Mountain LP; and authorize Chair to sign same.

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:

Ordinance No. 4345, Resolution No. 15-156 (Policies and Procedures for Agricultural Preserves and Williamson Act Contracts) Approved on October 6, 2015, Amended on March 21, 2017 by Resolution No. 12-041, Amended on March 27, 2018 by Resolution No. 18-050.

SUMMARY OF REQUEST:

Tom Wagner, on behalf of Island Mountain LP, requests establishment of a Williamson Act Contract over 156± acres zoned Rangeland in Covelo (APN 011-670-20). The land is used for cattle grazing. The request is consistent with the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts. The Request was unanimously recommended for approval to the Board of Supervisors by the Planning Commission at their meeting on April 6, 2023.

See attached Memorandum to the Board, Planning Commission Staff Report, Planning Commission Resolution, and related materials for additional information.

ALTERNATIVE ACTION/MOTION:

Deny the request for establishment of an Agricultural Preserve and Williamson Act Contract over APN 011-670-20, finding the Project to be inconsistent with the goals and policies of the General Plan and/or the applicable sections of the Mendocino County Code, with respect to criteria necessary for inclusion into an Agricultural Preserve as found in Mendocino County's Policies and Procedures for Agricultural Preserves and Williamson Act Contracts. Provide direction to Staff.

DOES THIS ITEM SUPPORT THE GENERAL PLAN? Yes

STRATEGIC PLAN PRIORITY DESIGNATION: A Thriving Economy

SUPERVISORIAL DISTRICT: DISTRICT 4

VOTE REQUIREMENT: Majority

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-notice>

FISCAL DETAILS:

SOURCE OF FUNDING: N/A
CURRENT F/Y COST: N/A
ANNUAL RECURRING COST: N/A
BUDGET CLARIFICATION: N/A

BUDGETED IN CURRENT F/Y: N/A
IF NO, PLEASE DESCRIBE:
REVENUE AGREEMENT: N/A

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO LIAISON: Steve Dunicliff, Deputy CEO

CEO REVIEW: Choose an item.

CEO COMMENTS:

FOR COB USE ONLY

Executed By: Deputy Clerk

Date: Date Executed

Final Status:Item Status

Executed Item Type: item Number:



MEMORANDUM

DATE: SEPTEMBER 26, 2023

TO: HONORABLE BOARD OF SUPERVISORS

FROM: LIAM CROWLEY, PLANNING AND BUILDING SERVICES

SUBJECT: A_2022-0007, REQUEST TO ESTABLISH A WILLIAMSON ACT CONTRACT OVER 156± ACRES FOR ISLAND MOUNTAIN LP

The applicant, Tom Wagner, is requesting the establishment of 156± acres into a Williamson Act contract for the lands of Island Mountain LP, of which Mr. Wagner is a partner. The land is located on a private road 17± miles northwest of Covelo, 0.5± miles southwest of Island Mountain Road (private) and 1.5± miles southeast of its intersection with the Trinity County Line, located at 73500 Island Mountain Road (APN: 011-670-20). The land is used for cattle grazing.

The Project is consistent with the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, as summarized below:

Per Section 5.3(A), the land proposed to be restricted by contract is within the existing Agricultural Preserve No. 247 established by Resolution No. 71-312. While the land was previously under Williamson Act contract and that contract was non-renewed, the preserve was never formally disestablished.

Per Section 5.3(B), the land proposed to be restricted by contract has been devoted to agricultural purposes for some time prior to application as evidenced by the previous Williamson Act contract which expired in 2020, the applicant's statement, and the lease agreement submitted as part of the application.

Per Section 5.3(C), the land proposed to be restricted by contract meets the 40-acre minimum parcel size requirement for Non-Prime Agricultural Land.

Per Section 5.3(D), the land must generate an annual income not less than \$2,000 plus \$2.50 per acre, or a total of approximately \$2,391.38 for the proposed land to be restricted by contract. The lease agreement provided to staff indicates that annual gross income for the grazing operation is greater than \$3,000, and thus meets this requirement.

The project was heard by the Planning Commission on April 6, 2023 where the Commission, by resolution, recommended unanimous approval to the Board of Supervisors.

RECOMMENDATION: Hold the public hearing and adopt a Resolution approving Agricultural Preserve No. A_2022-0007, authorizing the placement of approximately one hundred fifty-six (156±) acres into a Williamson Act Contract for Island Mountain LP; and authorize Chair to sign same.

ATTACHMENTS:

- A. RESOLUTION
- B. PLANNING COMMISISON PACKET
- C. PLANNING COMMISSION RESOLUTION NO. PC_2023-0004
- D. PLANNING COMMISSION APPROVED MINUTES FROM APRIL 6, 2023.

RESOLUTION NO. 23-_____

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING A WILLIAMSON ACT CONTRACT FOR THE LANDS OF ISLAND MOUNTAIN LP, APN 011-670-20 (A_2022-0007)

WHEREAS, the applicant, Tom Wagner, filed an application with the Mendocino County Department of Planning and Building Services to incorporate 156± acres of land into a Williamson Act contract, located on a private road 17± miles northwest of Covelo, 0.5± miles southwest of Island Mountain Road (private) and 1.5± miles southeast of its intersection with the Trinity County Line, at 73500 Island Mountain Road, Covelo, and which areas are described in Exhibit “A” (the “Project”); APN 011-670-20; General Plan Rangeland (RL); Zoning Rangeland (R-L); Supervisorial District 4; and

WHEREAS, the Project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, April 6, 2023 at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project; and

WHEREAS, at the Planning Commission hearing on April 6, 2023, all interested persons were given an opportunity to be heard regarding the Project, and the Planning Commission did hear and make its recommendation to the Board of Supervisors on the Project; and

WHEREAS, the Board of Supervisors upon receipt of the Planning Commission’s report did schedule a public hearing to consider the applicant’s request for said agricultural contract; and

WHEREAS, said public hearing was duly held on the 26th day of September, 2023, pursuant to proper notice and all evidence was received and the same fully considered; and

WHEREAS, Mendocino County has adopted Policies and Procedures for Agricultural Preserves and Williamson Act Contracts pursuant to Mendocino County Code section 22.08.010, which provides that no application for a new Williamson Act contract shall be approved by the Board of Supervisors unless certain requirements are met; and

WHEREAS, the Board of Supervisors has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board of Supervisors regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors makes the following findings, based on the evidence in the record before it:

1. General Plan and Zoning Consistency Findings

- a. The Project is consistent with the property’s General Plan land use designation of Rangeland (RL) and with applicable goals and policies of the General Plan.
- b. The Project is consistent with the property’s zoning district of Rangeland (R-L) and is in conformance with Mendocino County Code Chapter 20.060.

2. Environmental Finding

The Project is categorically exempt from CEQA review per 14 CCR Section 15317 (Class 17 *Open Space Contracts or Easements*).

3. Williamson Act and Agricultural Preserve Finding

The Project satisfies the eligibility requirement criteria set forth in Section 5.3 of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts.

BE IT FURTHER RESOLVED that the lands described in Exhibit "A", attached hereto and incorporated herein by this reference, be entered into a new contract, in a form approved by the Mendocino County Counsel, and that the owner shall cause to be recorded with the County Recorder's Office a map, written legal description and contract for the preserve in accordance with the established procedures of the County Recorder's Office; and

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, California 95482; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors shall transmit a certified copy of this resolution to the County Recorder of the County of Mendocino.

This foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this ____ day of _____, 2023 by the following vote:

AYES:
NOES:
ABSENT:

WHEREUPON, THE Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

GLENN MCGOURTY, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS,
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy _____

EXHIBIT "A"
Legal Description

For APN/Parcel No ID: 011-670-20

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 13 and 20 of Section 1 and Lots 17 and 18 of Section 2, Township 24 North, Range 15 West, Mount Diablo Base and Meridian.

Excepting therefrom 1/2 of all oil, gas and casing-head gas and other hydrocarbon or mineral substances, as reserved in the deed from Roger Jessup Farms, a limited partnership B.T. Henry and Mary M. Henry, husband and wife, recorded October 25, 1960 in Book 552, Official Records, Page 214, Mendocino County Records.



**PLANNING COMMISSION
STAFF REPORT- AGRICULTURAL PRESERVE**

**APRIL 6, 2023
A_2022-0007**

SUMMARY

OWNER: ISLAND MOUNTAIN LP
1419 FRANSICAN WAY
SAN DIEGO, CA 92116

APPLICANT/AGENT: TOM WAGNER
1419 FRANSICAN WAY
SAN DIEGO, CA 92116

REQUEST: Request to re-establish a Williamson Act contract on a 156± acre parcel within an existing Agricultural Preserve used as grazing land.

LOCATION: On a private road 17± miles northwest of Covelo, 0.5± miles southwest of Island Mountain Road (private) and 1.5± miles southeast of its intersection with the Trinity County line, located at 73500 Island Mountain Road, Covelo; APN 011-670-20.

TOTAL ACREAGE: 156± Acres

GENERAL PLAN: Rangeland 160-Acre Minimum (RL:160)

ZONING: Rangeland (RL)

SUPERVISORIAL DISTRICT: 4th (Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: LIAM CROWLEY

BACKGROUND

PROJECT DESCRIPTION: The applicant requests to place approximately 156± acres of land into a Williamson Act contract. The land is comprised of one (1) parcel within the Rangeland (RL) zoning district and is within an existing Agricultural Preserve. The land is used for cattle grazing.

APPLICANT'S STATEMENT:

"Subject property is open grazing land, gentle slopes used for grazing cattle by Island Mountain since 1979...surrounding property has timber growth and open range land used for cattle grazing."

RELATED APPLICATIONS:

- IC_2022-0758: Code Enforcement inquiry, closed 10/21/2022

SITE CHARACTERISTICS: The site is accessed from Island Mountain Road (private) via an unnamed private road. Other private roads are located on the property which serve surrounding parcels. From the west, the parcel slopes gradually upward toward a small ridgeline which bisects the property in a northeast-

southwest direction. The ridge slopes upward toward a peak northeast of the property boundary. This peak has an elevation of approximately 3800 feet. The western half of the parcel is thickly wooded. Woody vegetation becomes sparse toward the eastern half. The lowest point on the parcel is likely at the southwestern property boundary, with an elevation of approximately 2600 feet. The land is currently used for cattle grazing.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rangeland (RL:160)	Rangeland (RL)	118± Acres	Agricultural
EAST	RL:160	RL	158± Acres	Agricultural
SOUTH	RL:160	RL	160± Acres	Agricultural
WEST	RL:160	RL	32±, 76± Acres	Agricultural

PUBLIC SERVICES:

Access: Island Mountain Road (private)
 Fire District: None
 Water District: None
 Sewer District: None
 School District: Laytonville Unified

AGENCY COMMENTS:

On December 13, 2022, project referrals were sent to the following agencies with jurisdiction over the project. Any comment that would trigger a project modification, denial, conditions of approval, or required permits are discussed in full in the following section. A summary of agency comments is listed below.

REFERRAL AGENCIES	COMMENT
Agricultural Commissioner	No Response
Assessor's Office	No Response
Department of Transportation	No Comment
Environmental Health	No Response
Farm Advisor	No Comment
Forestry Advisor	No Comment
Laytonville Municipal Advisory Council	No Response
Resource Lands Protection Committee	No Comment
CAL FIRE (Resource Management)	No Response
California Dept. of Fish & Wildlife	No Response
Regional Water Quality Control Board	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

According to GIS software, the subject parcel appears to be within the Williamson Act Non-Renewal period. However, staff contacted the Assessor's office on December 6, 2022 and confirmed that the Non-Renewal period had expired in 2020.

KEY ISSUES

General Plan Consistency: The land subject to the request is classified as Rangeland 160-Acre Minimum

(RL:160) per the Mendocino County General Plan (see attached General Plan Classifications). The RL:160 classification is intended...

"...to be applied to lands which are suited for and are appropriately retained for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.

General Uses: Residential uses, agricultural uses, forestry, cottage industries, residential clustering, uses determined to be related to and compatible with ranching, conservation, processing and development of natural resources, recreation, utility installations."

The property is used for grazing and a Williamson Act contract would be established, thereby restricting use of the property to agricultural and other compatible activities in accord with the RL:160 classification. The proposal is consistent with other applicable goals and policies of the General Plan as follows:

Goal RM-10 (Agriculture): Protection of agriculture as a basic industry important to the economy and quality of life and food security of the county by maintaining extensive agricultural land areas and limiting incompatible uses.

Policy RM-100: Maintain extensive agricultural land areas and limit incompatible uses.

Policy RM-101: The County supports policies and programs to maintain and enhance the viability of agricultural operations and retention of agricultural land.

Policy RM-110: Consistent with State funding, encourage the creation and renewal of Williamson Act contracts on eligible lands.

Staff therefore finds that the proposal is consistent with the General Plan.

Zoning Consistency: The land subject to the request is within the Rangeland (RL) zoning district. The RL district is intended...

"...to create and preserve areas for (A) the grazing of livestock, (B) the production and harvest of natural resources, and (C) the protection of such natural resources as watershed lands from fire, pollution, erosion, and other detrimental effects. Processing of products produced on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the RL District would be applied to lands for incorporation into Type H Agricultural Preserves, other lands generally in range use, and intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands."

The proposal would restrict use of the property to agricultural and limited compatible uses. Staff therefore finds that use of the property for grazing purposes within an agricultural preserve is consistent with the intent of the RL district.

Resource Lands Protection Committee: The Mendocino County Resource Lands Protection Committee met on January 11, 2023 to discuss the proposal. The committee expressed no concerns with the proposed contract.

Policies and Procedures for Agricultural Preserves and Williamson Act Contracts: The Policies and Procedures document became effective in 2016 and has since been updated in 2017 and 2018 via Resolution Numbers 17-041 and 18-050. The project's consistency with these policies and procedures is summarized below:

Per Section 5.3(B), the land proposed to be restricted by contract has been devoted to agricultural purposes for some time prior to application as evidenced by the previous Williamson Act contract which expired in 2020, the applicant's statement, and the lease agreement submitted as part of the application.

Per Section 5.3(C), the land proposed to be restricted by contract meets the 40-acre minimum parcel size requirement for Non-Prime Agricultural Land.

Per Section 5.3(D), the land must generate an annual income not less than \$2,000 plus \$2.50 per acre, or a total of approximately \$2,391.38 for the proposed land to be restricted by contract. The lease agreement provided to staff indicates that annual gross income for the grazing operation is at least \$3,000, and thus meets this requirement.

ENVIRONMENTAL DETERMINATION


The California Natural Resources Secretary has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. Staff finds that the project is categorically exempt from the requirement for the preparation of environmental documents. Staff finds that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) per 14 CCR §15317 Class 17, *Open Space Contracts or Easements*. The proposal consists of establishment of a Williamson Act contract, which aligns with the language of the Class 17 exemption.

RECOMMENDATION

By resolution, that the Planning Commission recommends approval of A_2022-0007 to the Board of Supervisors subject to the findings contained in the Resolution and attached Exhibit A.

3/14/23

DATE

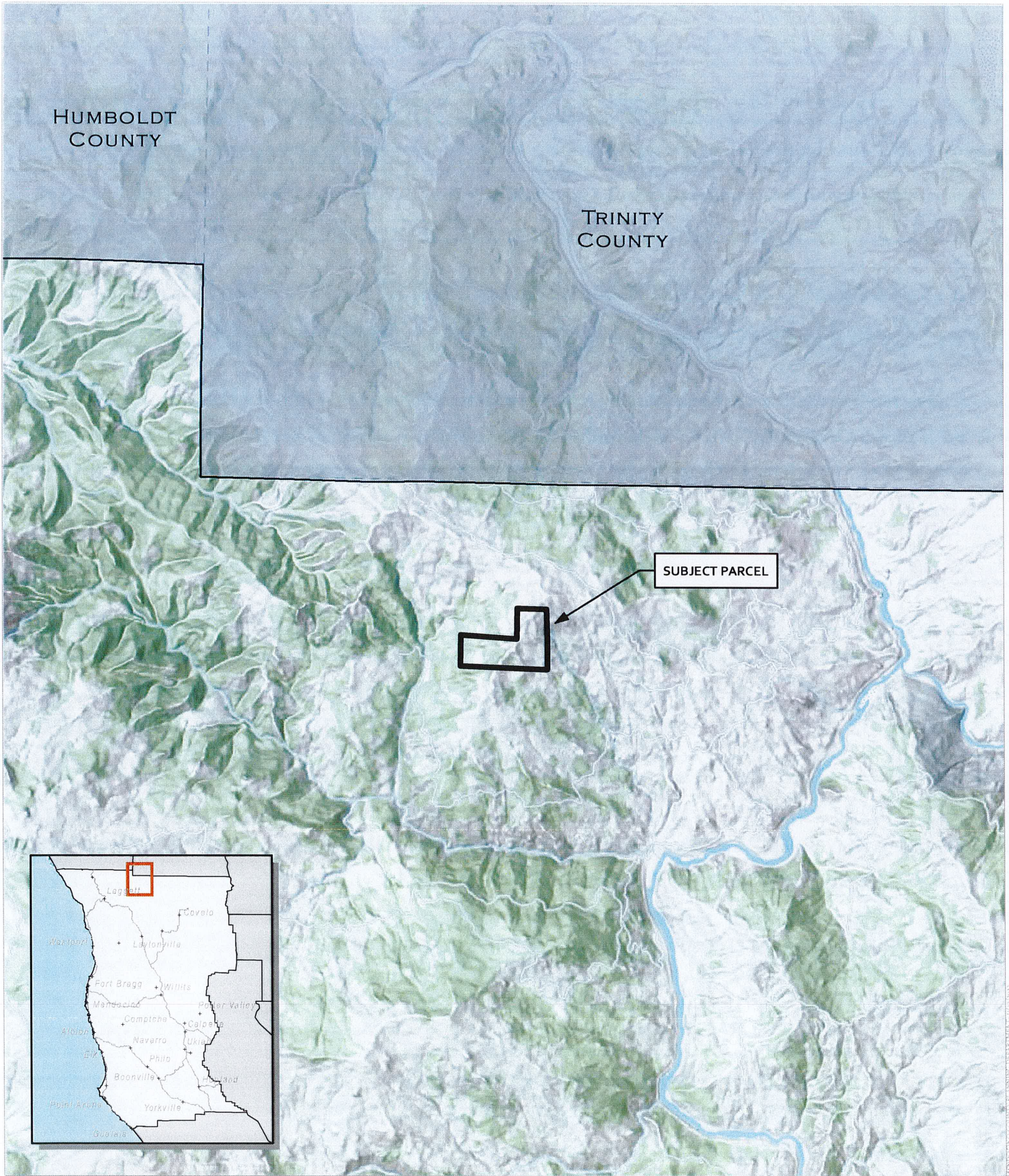


LIAM CROWLEY
PLANNER I

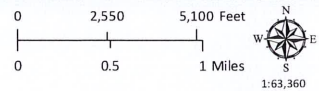
ATTACHMENTS:

- | | |
|---|---------------------------------|
| A. Location | G. Wildland-Urban Interface |
| B. Aerial Imagery | H. Wetlands |
| C. Zoning | I. Estimated Slope |
| D. General Plan | J. Eastern Soil Classifications |
| E. Adjacent Parcels | K. Williamson Act |
| F. Fire Hazard Zones & Responsibility Areas | L. Important Farmlands |
| | M. Municipal Advisory Council |

RESOLUTION AND EXHIBIT A:

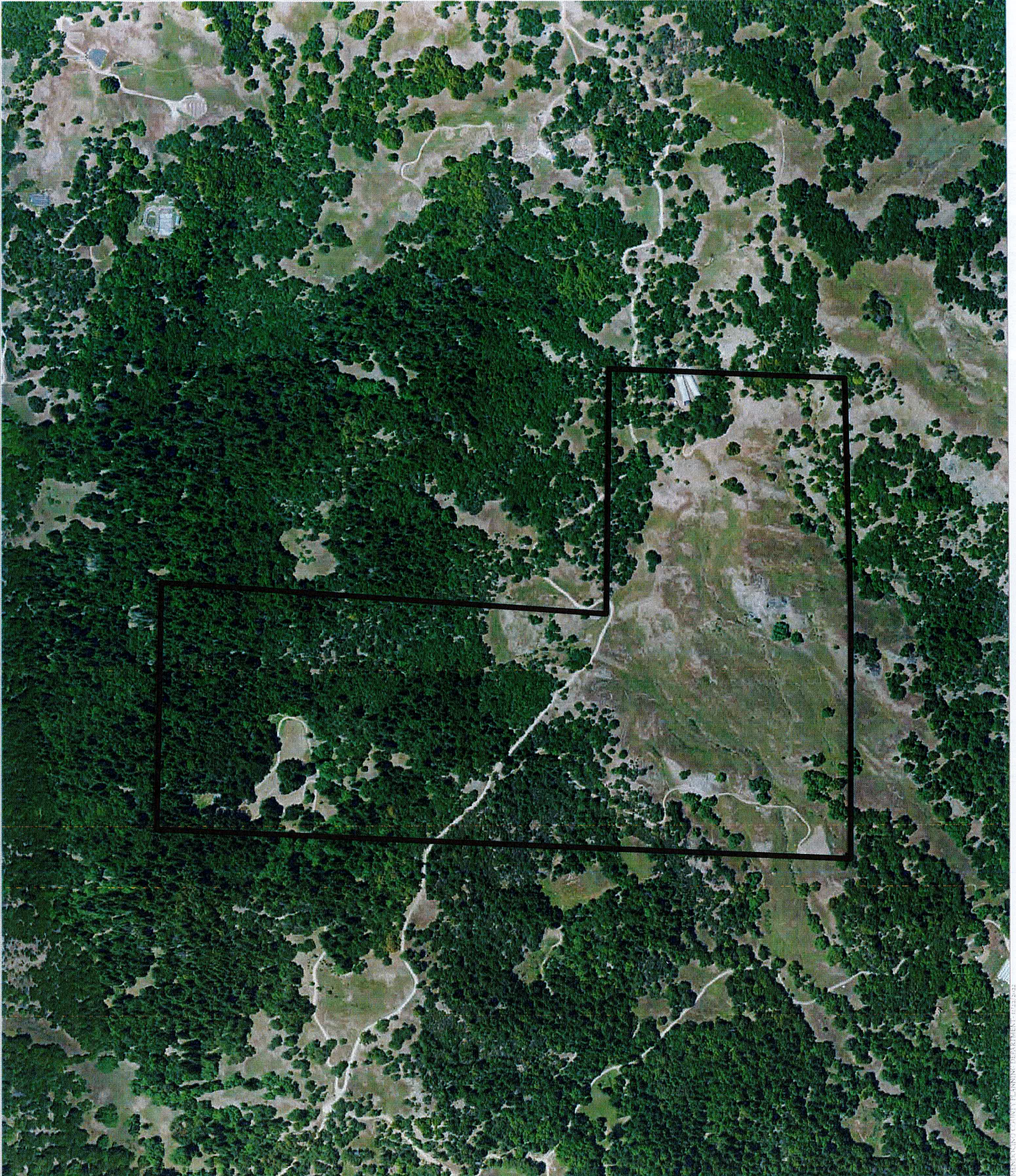


CASE: A 2022-0007
OWNER: ISLAND MOUNTAIN, LP
APN: 011-670-20
APLCT: Tom Wagner
AGENT: Tom Wagner
ADDRESS: 73500 Island Mountain Rd., Covelo

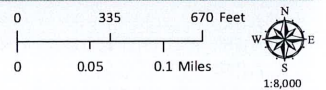


LOCATION

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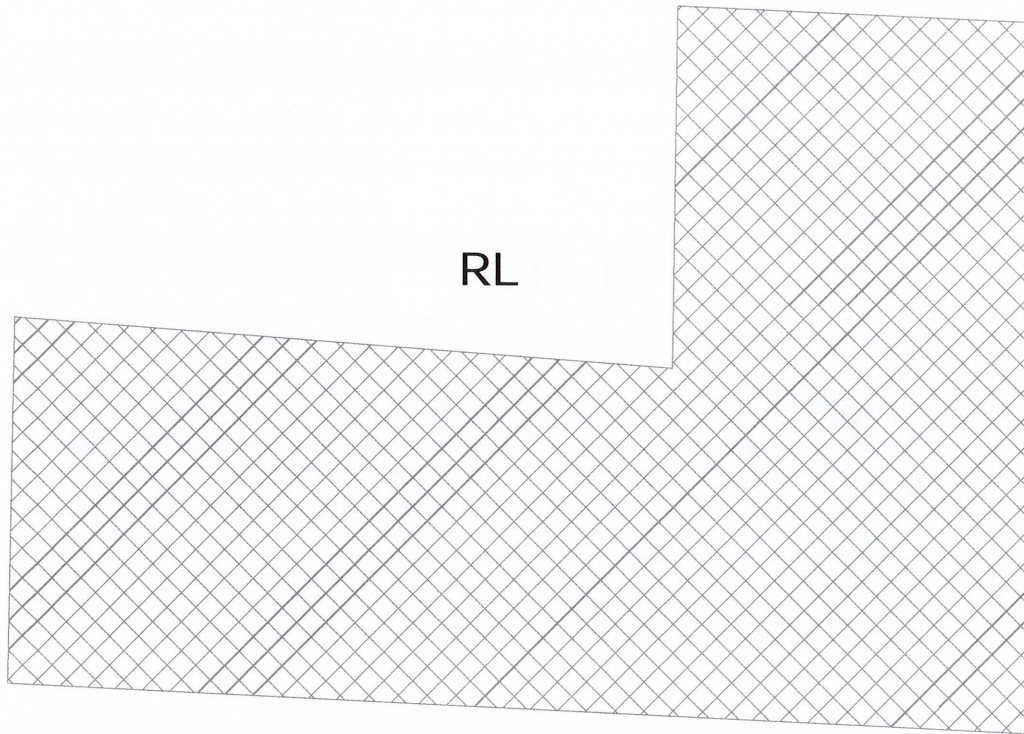
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AERIAL IMAGERY

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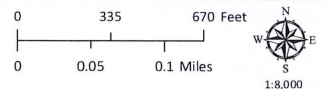
ISLAND
MOUNTAIN ROAD



RL

CASE: A 2022-0007
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 Zoning Districts

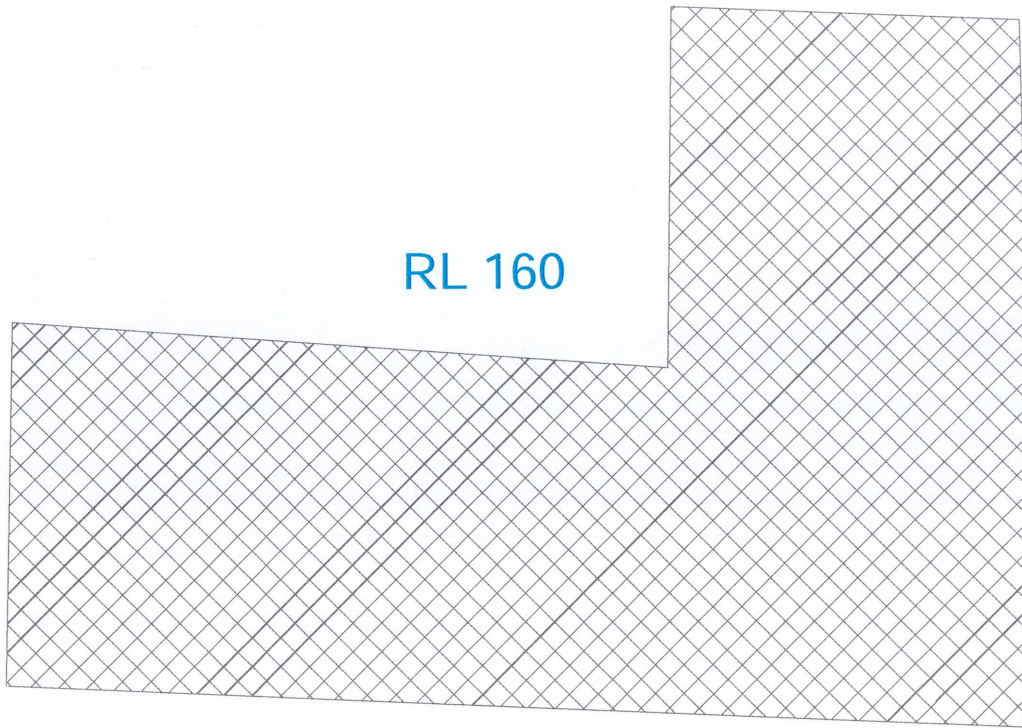


ZONING


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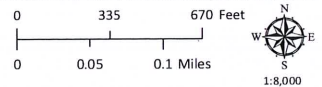
ISLAND
MOUNTAIN ROAD

RL 160



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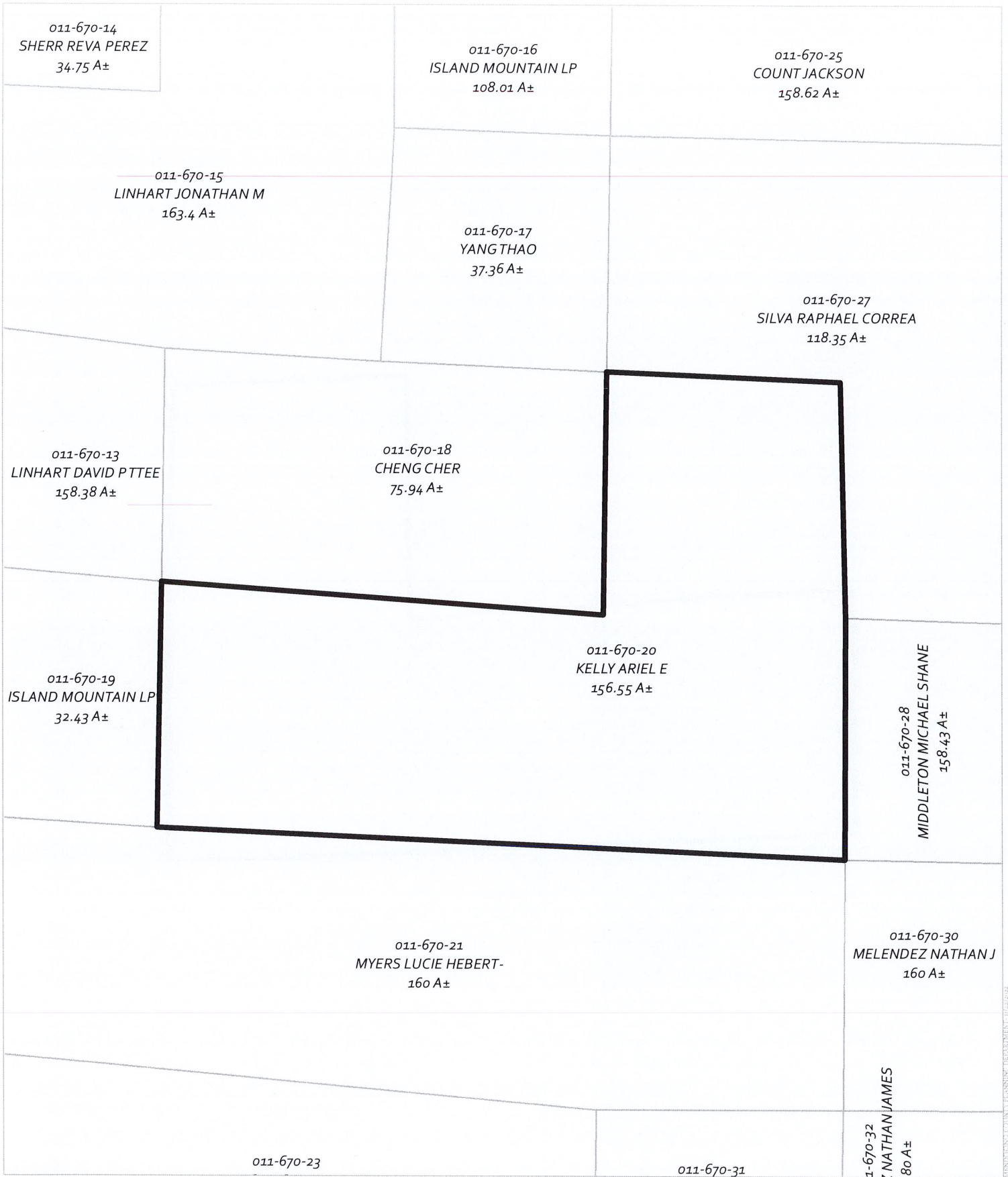
 General Plan Classes



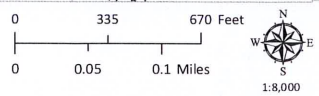
GENERAL PLAN

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RENDERING TECHNOLOGY DEPARTMENT 03/22/22

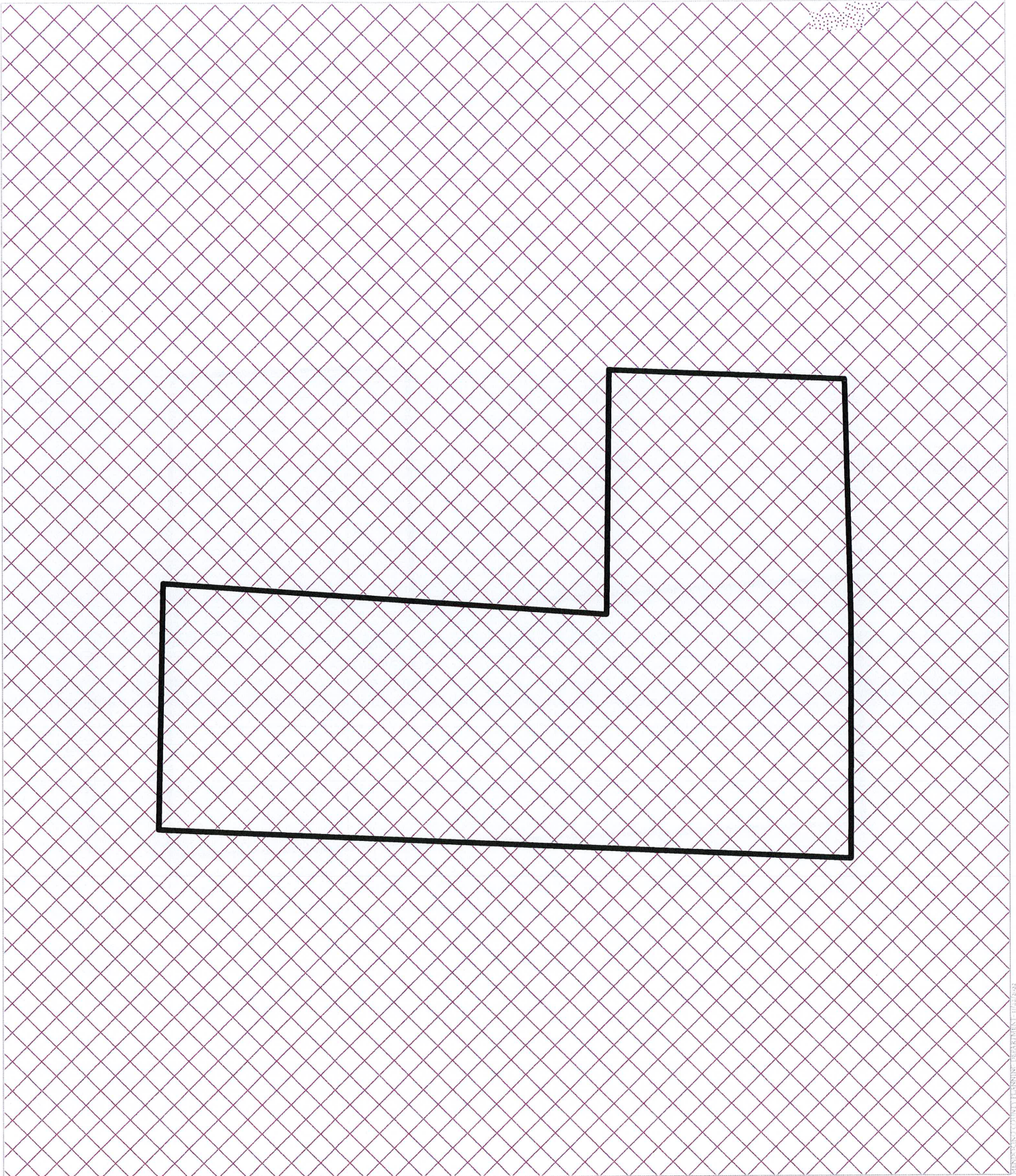


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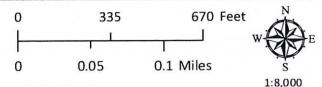
ADJACENT PARCELS

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CASE: **A 2022-0007**
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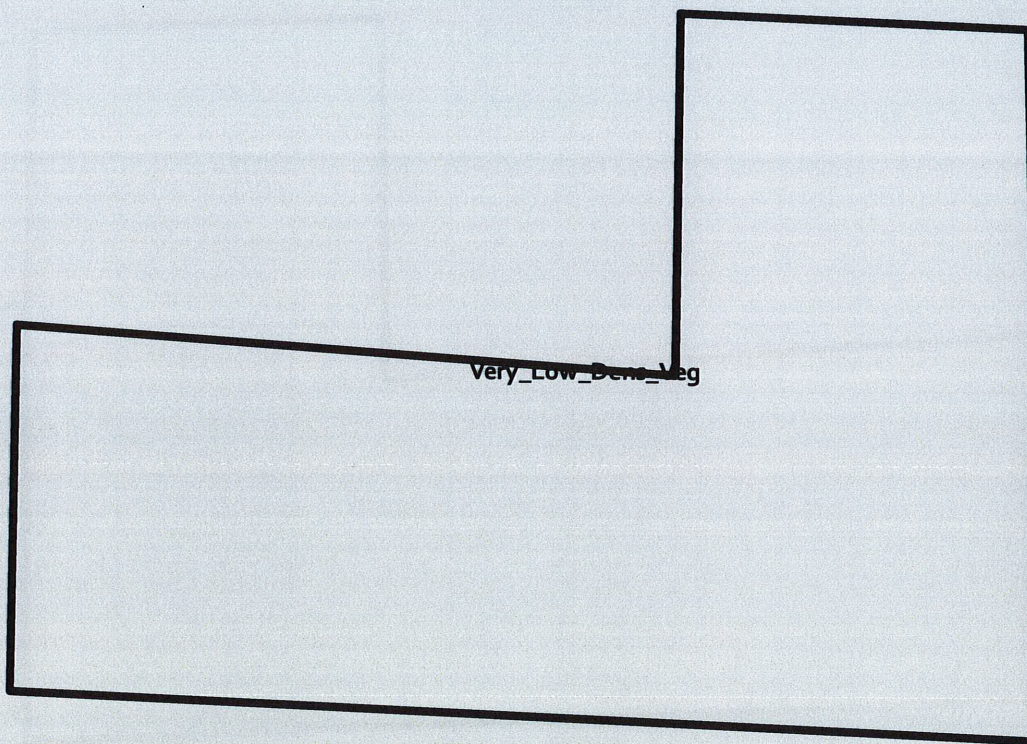
 Very High Fire Hazard
 High Fire Hazard



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

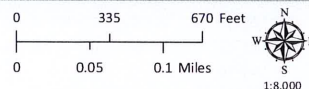
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Uninhabited_Veg



Very_Low_Dens_Veg

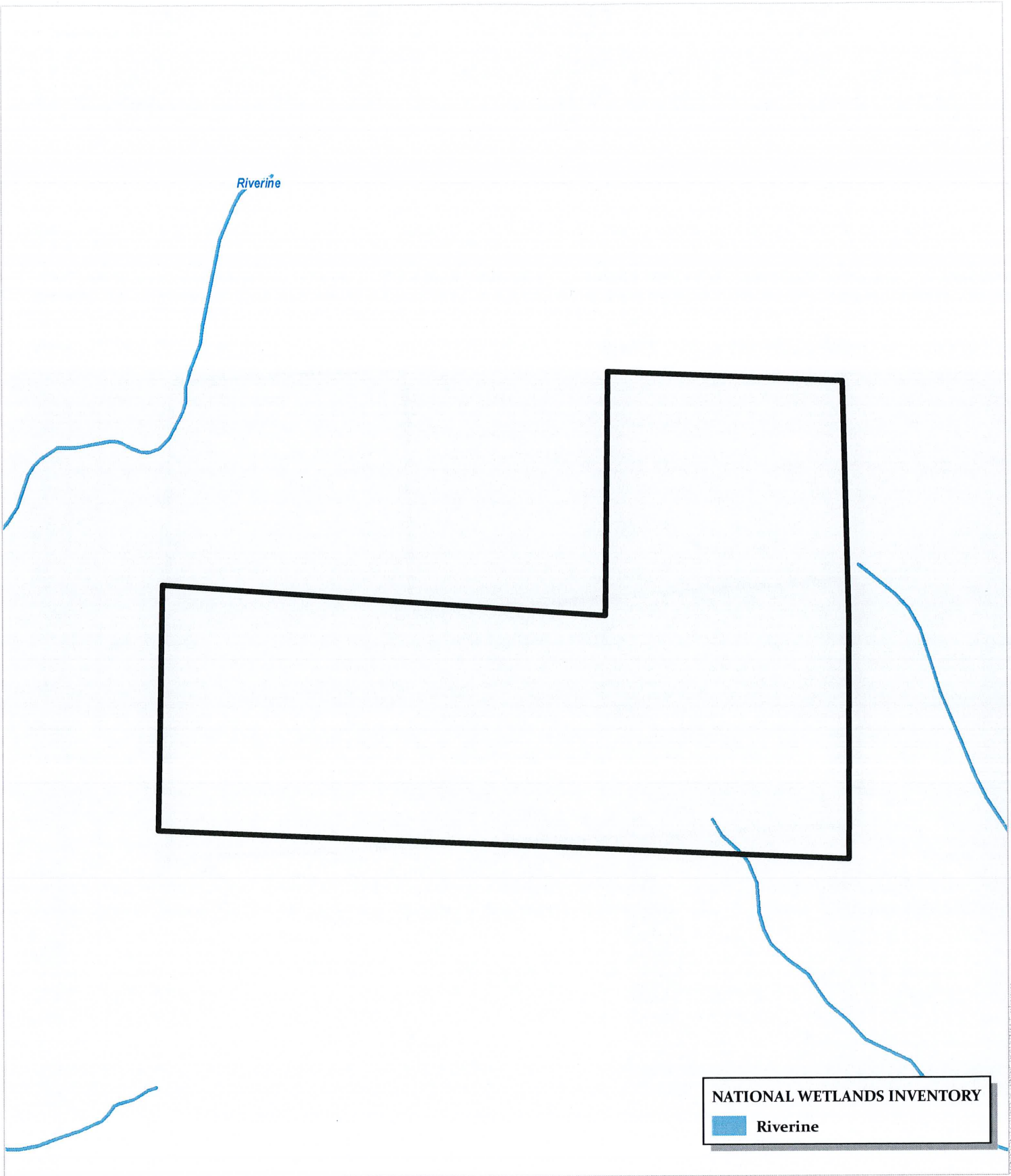
CASE: A 2022-0007
OWNER: ISLAND MOUNTAIN, LP
APN: 011-670-20
APLCT: Tom Wagner
AGENT: Tom Wagner
ADDRESS: 73500 Island Mountain Rd., Covelo



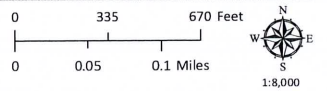
WILDLAND-URBAN INTERFACE

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RENDERING COUNTY PLANNING & REVENUE/11/21/2022

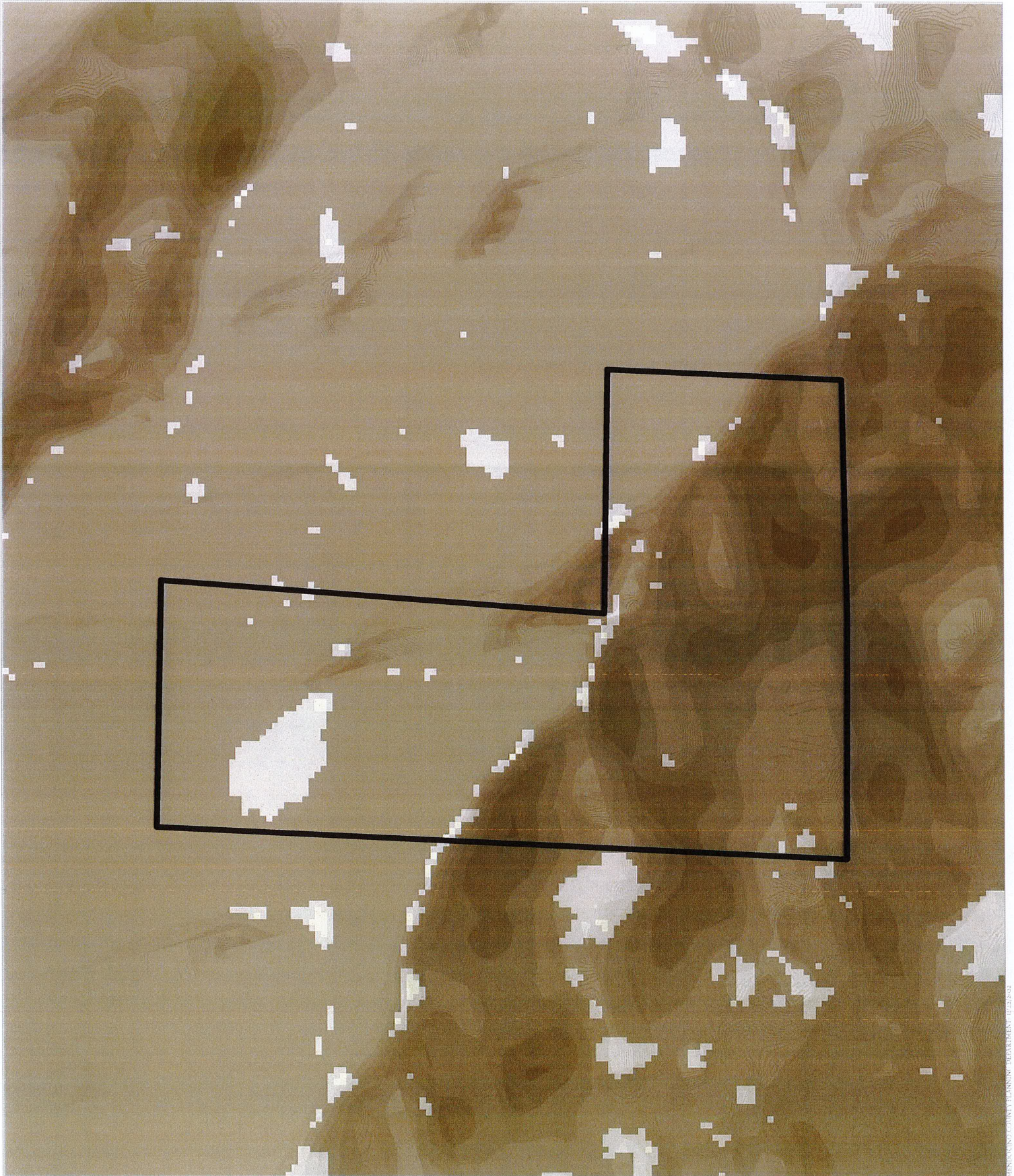


CASE: A 2022-0007
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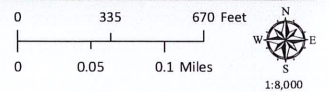
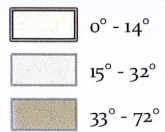


WETLANDS

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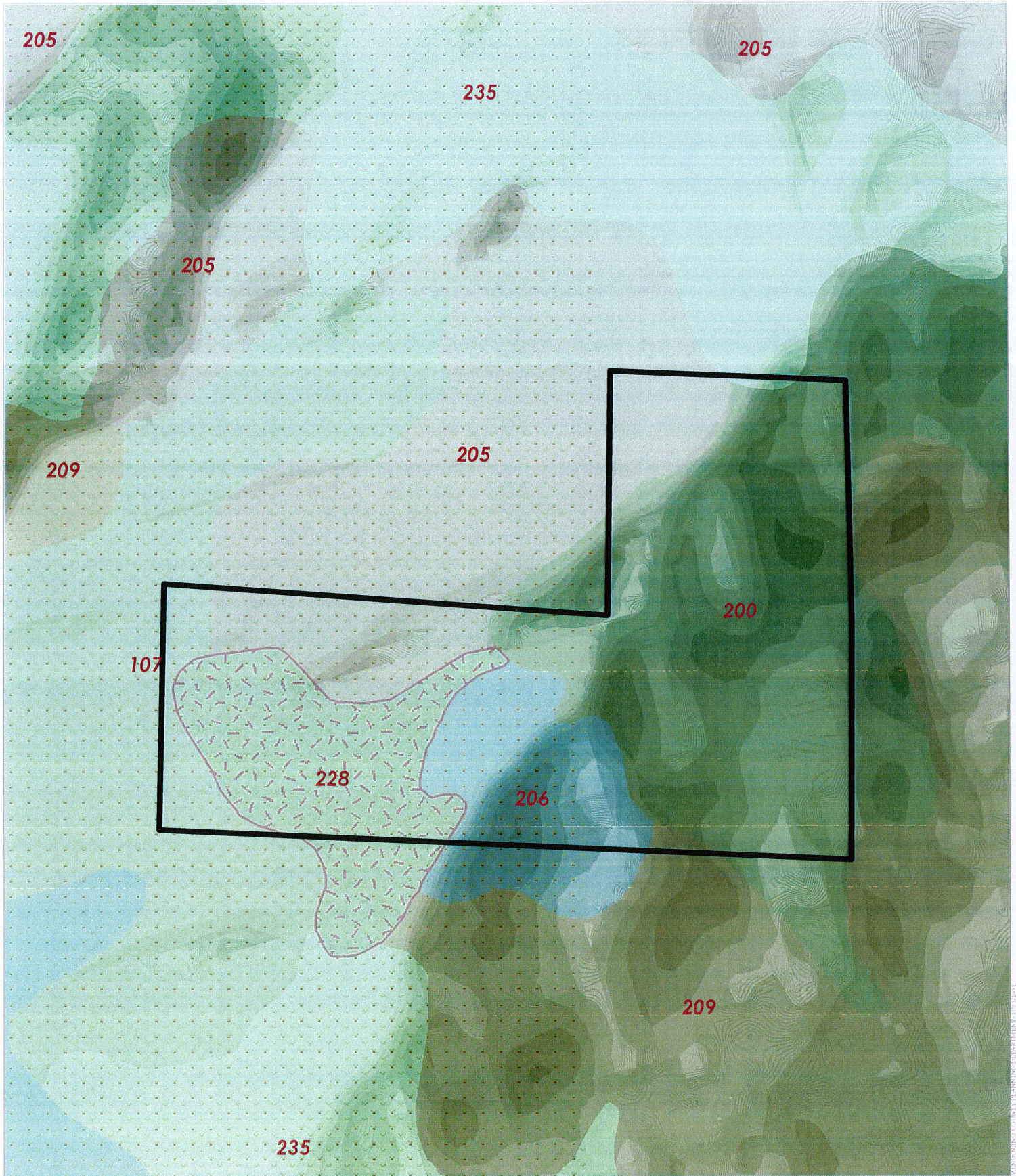
CASE: **A 2022-0007**
 OWNER: **ISLAND MOUNTAIN, LP**
 APN: **011-670-20**
 APLCT: **Tom Wagner**
 AGENT: **Tom Wagner**
 ADDRESS: **73500 Island Mountain Rd., Covelo**





ESTIMATED SLOPE

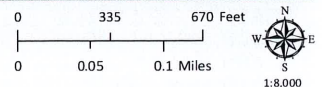
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HENRIKSON COUNTY PLANNING DEPARTMENT FILE 22-002



CASE: A 2022-0007
 OWNER: ISLAND MOUNTAIN, LP
 APN: 011-670-20
 APLCT: Tom Wagner
 AGENT: Tom Wagner
 ADDRESS: 73500 Island Mountain Rd., Covelo

-  Eastern Serpentine Inclusions
-  Naturally Occurring Asbestos



EASTERN SOIL CLASSIFICATION

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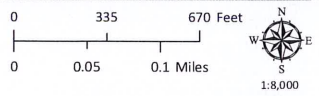
CASE: A 2022-0007
 OWNER: ISLAND MOUNTAIN, LP
 APN: 011-670-20
 APLCT: Tom Wagner
 AGENT: Tom Wagner
 ADDRESS: 73500 Island Mountain Rd., Covelo

 Contract Boundaries

Williamson Act Lands 051421

TYPE

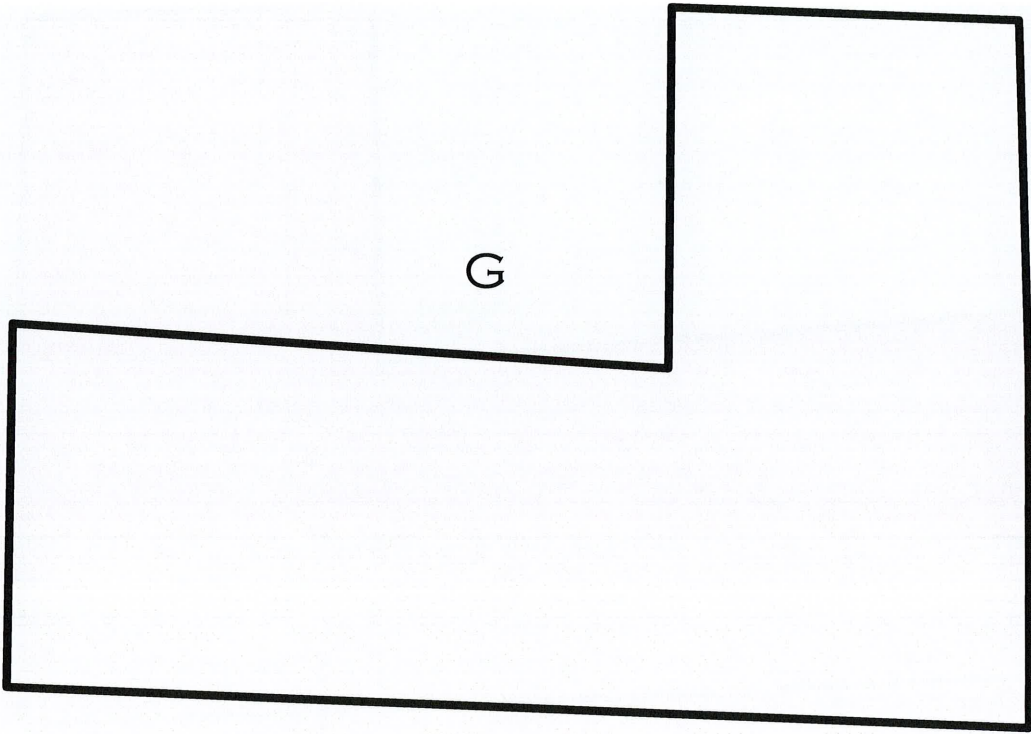
-  NonPrime
-  NonRenewal



WILLIAMSON ACT

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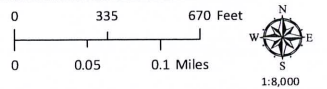
PENDINGS TECHNOLOGY CORPORATION - TERRAPENNY FILES 9/25



G

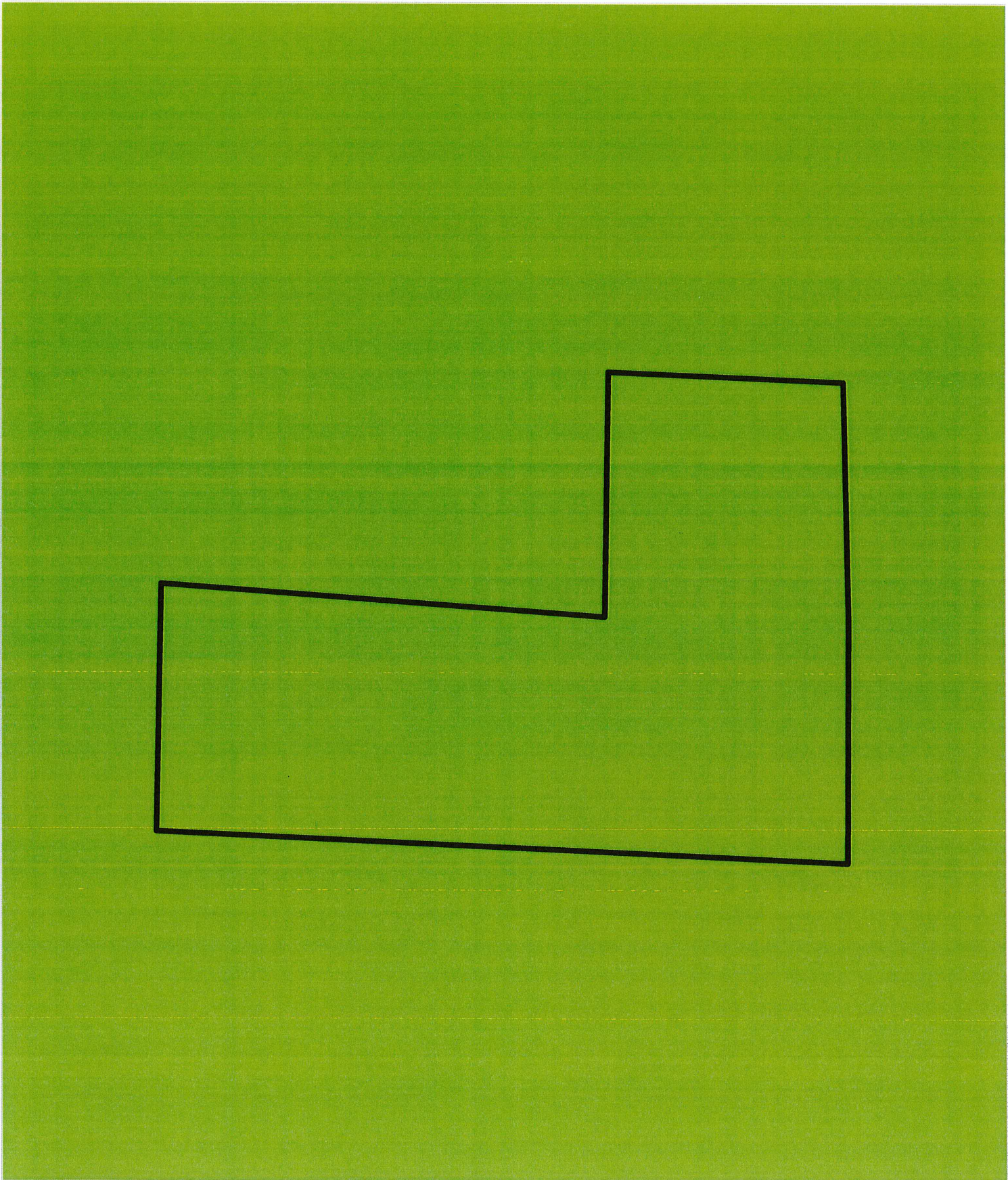
Grazing Land (G)

CASE: A 2022-0007
OWNER: ISLAND MOUNTAIN, LP
APN: 011-670-20
APLCT: Tom Wagner
AGENT: Tom Wagner
ADDRESS: 73500 Island Mountain Rd., Covelo



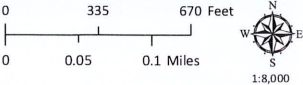
IMPORTANT FARMLANDS

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CASE: A 2022-0007
OWNER: ISLAND MOUNTAIN, LP
APN: 011-670-20
APLCT: Tom Wagner
AGENT: Tom Wagner
ADDRESS: 73500 Island Mountain Rd., Covelo

 Laytonville MAC



MUNICIPAL ADVISORY COUNCIL

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PREPARED BY COUNTY PLANNING DEPARTMENT 11/13/2024

Resolution Number PC 2023-0004

County of Mendocino
Ukiah, California

APRIL 6, 2023

A_2022-0007 - ISLAND MOUNTAIN LP

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING A WILLIAMSON ACT CONTRACT OVER THE LANDS OF ISLAND MOUNTAIN LP (A_2022-0007).

WHEREAS, the applicant, TOM WAGNER, filed an application with the Mendocino County Department of Planning and Building Services to establish an Agricultural Preserve over 156± acres and establish a Williamson Act contract over said land, on a private road 17± miles northwest of Covelo, 0.5± miles southwest of Island Mountain Road (private) and 1.5± miles southeast of its intersection with the Trinity County line, located at 73500 Island Mountain Road, Covelo; APN 011-670-20; General Plan Rangeland (RL:160); Zoning Rangeland (RL); Supervisorial District 4 (“the Project”); and

WHEREAS, Mendocino County has adopted Policies and Procedures for Agricultural Preserves and Williamson Act Contracts pursuant to Mendocino County Code section 22.08.010, which provide that no property shall be incorporated into an agricultural preserve unless the Board of Supervisors finds that the property meets the eligibility qualifications established by such Policies and Procedures; and

WHEREAS, the Project has been determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines per 14 CCR §15317 Class 17; and

WHEREAS, in accordance with the applicable provisions of law, the Planning Commission held a public hearing on April 6, 2023 at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project and all interested persons were given an opportunity to hear and be heard regarding the project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Project.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mendocino County Planning Commission, based on the evidence in the record before it, makes the following report and recommendations to the Mendocino County Board of Supervisors regarding the Project:

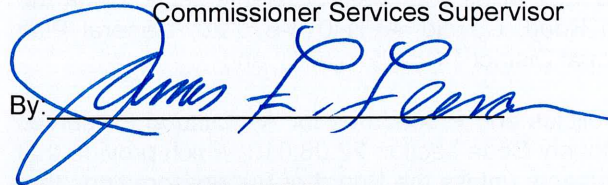
1. The Planning Commission recommends that the Project is consistent with the property's General Plan land use classification of Rangeland (RL:160) and with applicable goals and policies of the General Plan; and
2. The Planning Commission recommends that the Project is consistent with the property's zoning district of Rangeland (RL) and is in conformance with Mendocino County Code Chapter 20.060; and
3. The Planning Commission recommends that the Project satisfies the eligibility requirement criteria set forth in Section 5.2 of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts; and

4. The Planning Commission recommends to the Board of Supervisors that the lands described in Exhibit "A" attached hereto and incorporated herein by this reference, be entered into a new contract in a form approved by the Mendocino County Counsel, and that the owner shall cause to be recorded with the County Recorder's Office a map, written legal description and contracts for the preserve in accordance with the established procedures of the County Recorder's Office; and
5. The Planning Commission recommends that the Board of Supervisors approve a Williamson Act contract over the lands of Island Mountain LP.

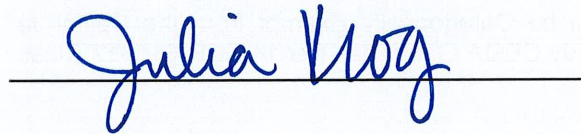
BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah CA 95482.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES F. FEENAN
Commissioner Services Supervisor

By: 

BY: JULIA KROG
Director, Planning & Building Services



DIANA WIEDEMANN, Chair
Mendocino County Planning Commission

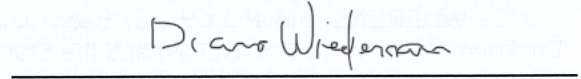


EXHIBIT A

EXHIBIT "A"
Legal Description

For APN/Parcel No ID: 011-670-20

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 13 and 20 of Section 1 and Lots 17 and 18 of Section 2, Township 24 North, Range 15 West, Mount Diablo Base and Meridian.

Excepting therefrom 1/2 of all oil, gas and casing-head gas and other hydrocarbon or mineral substances, as reserved in the deed from Roger Jessup Farms, a limited partnership B.T. Henry and Mary M. Henry, husband and wife, recorded October 25, 1960 in Book 552, Official Records, Page 214, Mendocino County Records.

CLIFFORD PAULIN
1ST DISTRICT
COMMISSIONER
VICE-CHAIR

CAMERON RAMOS
2ND DISTRICT
COMMISSIONER

ALISON PERNELL
3RD DISTRICT
COMMISSIONER

MARIE JONES
4TH DISTRICT
COMMISSIONER

DIANA WIEDEMANN
5TH DISTRICT
COMMISSIONER
CHAIR



JULIA KROG, DIRECTOR
PLANNING AND BUILDING SERVICES

MATTHEW KIEDROWSKI
DEPUTY COUNTY COUNSEL

COUNTY ADMINISTRATION CENTER
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 234-6650 (t)
(707) 463-5709 (f)

pbscommissions@mendocinocounty.org

MENDOCINO COUNTY PLANNING COMMISSION

ACTION MINUTES – April 6, 2023

BEFORE THE PLANNING COMMISSION
COUNTY OF MENDOCINO – STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

AGENDA ITEM NO. 1 – OPEN SESSION AND ROLL CALL 9:02 A.M.

Present: Commissioner Marie Jones (arrived at 9:13 a.m.), Commissioner Cameron Ramos, Commissioner Alison Pernell, Chair Diana Wiedemann presiding.

Absent: Clifford Paulin, by pre-arrangement.

Staff Present: Julia Krog, Director; Nash Gonzalez, Interim Assistant Director; Russ Ford, Senior Planner; Steven Switzer, Planner II; Liam Crowley, Planner II; James Feenan, Commission Services Supervisor; Jocelyn Gonzalez-Thies, Staff Assistant III; Matthew Kiedrowski, Deputy County Counsel; Scott Spears, IT.

AGENDA ITEM NO. 2 - PLANNING COMMISSION ADMINISTRATION.

2a. Determination of Legal Notice – The Clerk advised the Commission that all items on the agenda had been properly noticed.

AGENDA ITEM NO. 3 – DIRECTOR AND ASSISTANT DIRECTOR REPORT

Director Krog advised the Commission regarding the BOS hearing for Bella Vista on April 11, 2023. She will give the Commission an update at the next meeting.

AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC

Public Comment: None

AGENDA ITEM NO. 5 – CONSENT CALENDAR

No items were set for the consent calendar.

AGENDA ITEM NO. 6 – REGULAR CALENDAR**6a. Noticed Public Hearing**

CASE#: MS_2022-0001

DATE FILED: 3/1/2022

OWNER: OMRI ZADIK, SHAHAR KOREN, & MICHAEL ADMONI

APPLICANT: MICHAEL ADMONI

AGENT: POPE ENGINEERING

REQUEST: Minor Subdivision of an existing 30.30± acre parcel into three respective 10.10± acre parcels.

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: 1.5± miles northwest of Covelo Town center, on the east side of Crawford Road (CR 337H), 0.25± miles north from its intersection with Biggar Lane (CR 337C); No Address Assigned; APN: 032-470-63.

SUPERVISORIAL DISTRICT: 3 (Haschak)

STAFF PLANNER: STEVEN SWITZER

The public hearing was declared open.

Staff Presentation: Steven Switzer, Planner II; Russ Ford, Senior Planner; Director Krog; Nash Gonzalez, Interim Assistant Director; Matthew Kiedrowski, Deputy County Counsel; Marlayna Duley, Environmental Health; Alexander Sequeira, Department of Transportation

Commissioner Jones arrived at 9:13 a.m.

Agent: Sam Pope

Public Comment: All correspondence received was uploaded to the public website under this item.

Telecomments: No telecomments requested

The public hearing was declared closed.

9:45 am. Matter has been moved to the end of the agenda.

10:22 a.m. The public hearing was re-opened.

[Break 10:30 a.m. – 10:42 a.m.]

Upon motion by Commissioner Pernell, seconded by Commissioner Ramos, and carried by a roll call vote of (4-0), IT IS ORDERED, By resolution, adopt a Negative Declaration and grant a Minor Subdivision for Project MS_2022-0001, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval contained in Exhibit A of the Resolution with the proposed changes as presented during the public meeting.

AYES: RAMOS, PERNELL, JONES, WIEDEMANN

NOES: NONE

ABSENT: PAULIN

6b. Noticed Public Hearing

CASE#: A_2022-0002

DATE FILED: 3/11/2022

OWNER: SPENCER & AMANDA SAWYERS

APPLICANT: SPENCER SAWYERS

REQUEST: Agricultural Preserve application to re-establish a Williamson Act contract on a group of parcels under common ownership located in the western foothills of the Ukiah Valley.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 4.5± miles west of the Ukiah City Center, lying on the south side of Low Gap Rd (CR 212), 1.82± miles south of its intersection with Pine Ridge Rd. (CR 220), located at 468 Pine Ridge Rd, Ukiah; APNs: 156-200-02, 155-230-02, 155-240-01, and 156-210-02.

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: LIAM CROWLEY

Staff Presentation: Liam Crowley, Planner II; Director Krog; Russ Ford, Senior Planner; Matthew Kiedrowski, Deputy Counsel

The public hearing was declared open.

Applicant: Spencer Sawyers

Public Comment: No correspondence received.

Telecomments: No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Pernell, and carried by a roll call vote of (4-0), IT IS ORDERED, by Resolution, of the Planning Commission, County of Mendocino, State of California, making its report and recommendation to the Mendocino County Board of Supervisors regarding establishment of an Agricultural Preserve for Project A_2022-0002, the land of Spencer & Amanda Sawyers and Approving a Williamson Act Contract over said lands, based on the facts and findings and subject to the conditions of approval contained in Exhibit A of the Resolution.

AYES: PERNELL, JONES, RAMOS, WIEDEMANN

NOES: NONE

ABSENT: PAULIN

6c. **Noticed Public Hearing**

CASE#: A_2022-0007

DATE FILED: 11/21/2022

OWNER: ISLAND MOUNTAIN LP

APPLICANT/AGENT: TOM WAGNER

REQUEST: Request to re-establish a Williamson Act contract on a 156± acre parcel within an existing Agricultural Preserve used as grazing land.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: On a private road 17± miles northwest of Covelo, 0.5± miles southwest of Island Mountain Road (private) and 1.5± miles southeast of its intersection with the Trinity County line, located at 73500 Island Mountain Road, Covelo; APN 011-670-20.

SUPERVISORIAL DISTRICT: 4th (Gjerde)

STAFF PLANNER: LIAM CROWLEY

Staff Presentation: Liam Crowley, Planner II; Russ Ford, Senior Planner; Director Krog; Matthew Kiedrowski, Deputy County Counsel.

The public hearing was declared open.

Applicant: Not Present

Public Comment: No correspondence received.

Telecomments: No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Pernell, and carried by a roll call vote of (4-0), IT IS ORDERED, by Resolution, of the Planning Commission, County of Mendocino, State of California,

making its report and recommendation to the Mendocino County Board of Supervisors regarding establishment of an Agricultural Preserve for Project A_2022-0007, the land of Island Mountain LP and Approving a Williamson Act Contract over said lands, based on the facts and findings and subject to the conditions of approval contained in Exhibit A of the Resolution

AYES: PERNELL, JONES, RAMOS, WIEDEMANN
 NOES: NONE
 ABSENT: PAULIN

6d. Noticed Public Hearing

CASE#: UM_2019-0004

DATE FILED: 10/12/22

OWNER: WOODS COOPERATIVE ASSOCIATION, INC.

APPLICANT: JAMES KACHIK, PRESIDENT OF THE BOARD, WOODS COOPERATIVE ASSOCIATION, INC.

REQUEST: Modification of Minor Use Permit (#U 3-72) to convert an existing 24-bed Assisted Living Facility into affordable residential units for low- to moderate-income seniors, not to exceed 24 units, per Mendocino County Code Section 20.204.035(B)

ENVIRONMENTAL DETERMINATION: Addendum to previously adopted Negative Declaration

LOCATION: 2.3± miles southeast of Little River town center, 0.3± miles south on State Route 1 (SR 1), on the southeast side of Little River-Airport Road (CR 404), 1.8± miles east of its intersection with State Route 1 (SR 1), located at 43300 Little River-Airport Rd., Little River. (APN: 121-330-13)

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: SUSAN SUMMERFORD

The public hearing was declared open.

Staff Presentation: Susan Summerford Planner III; Director Krog; Matthew Kiedrowski, Deputy County Counsel.

Applicant: James Kachik

Public Comment: No correspondence received.

Telecomments: No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Pernell, seconded by Commissioner Ramos, and carried by a roll call vote of (4-0), IT IS ORDERED, By resolution, adopt the addendum to the previously adopted Negative Declaration and grant the Use Permit Modification request UM_2019-0004, as proposed by the Applicant, based on the facts and evidence contained in the record and subject to the Conditions of Approval contained in Exhibit A with the proposed changes as presented during the public meeting.

AYES: RAMOS, PERNELL, JONES, WIEDEMANN
 NOES: NONE
 ABSENT: PAULIN

6e. Nomination of one additional member of the Planning Commission to sit on the Airport Land Use Commission.

Upon motion by Commissioner Ramos, seconded by Commissioner Pernell, and carried by a voice vote of (4-0), IT IS ORDERED: that Commissioner Ramos is recommended to the Board of Supervisors for appointment to the Airport Land Use Commission.

AYES: PERNELL, RAMOS, JONES, WIEDEMANN
 NOES: NONE
 ABSENT: PAULIN

County Counsel advised Commissioner Ramos he will still have to submit an application to the Board of Supervisors.

AGENDA ITEM NO. 7 – MATTERS FROM STAFF

None

AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION

Commissioner Jones and Commissioner Pernell requested an update regarding the timeline for the Zoning Ordinance.

Ms. Krog stated that she would give an update of the timeline for the Zoning Ordinance at the May 4, 2023, meeting.

Commissioner Jones stated she would not be attending the April 20, 2023, meeting.

Chair Wiedemann request an agenda item for discussion regarding venue use and permits, be added to the May 4, 2023, agenda.

AGENDA ITEM NO. 9 – MINUTES

9a. Upon motion by Commissioner Jones, seconded by Commissioner Pernell, and carried by a roll call vote of (4-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the February 3, 2022 minutes, with no edits

AYES: PERNELL, JONES, RAMOS, WIEDEMANN
NOES: NONE
ABSENT: PAULIN

9b. Upon motion by Commissioner Pernell, seconded by Commissioner Jones, and carried by a roll call vote of (4-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the March 3, 2022 (Amended) minutes, with no edits

AYES: JONES, PERNELL, RAMOS, WIEDEMANN
NOES: NONE
ABSENT: PAULIN

9c. Upon motion by Commissioner Ramos, seconded by Commissioner Jones and carried by a roll call vote of (4-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the November 17, 2022 minutes, with no edits

AYES: JONES, RAMOS, PERNELL, WIEDEMANN
NOES: NONE
ABSENT: PAULIN

9d. Upon motion by Commissioner Jones, seconded by Commissioner Ramos, and carried by a roll call vote of (4-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the December 1, 2022 minutes, with no edits

AYES: RAMOS, JONES, PERNELL, WIEDEMANN
NOES: NONE
ABSENT: PAULIN

AGENDA ITEM NO. 10 – ADJOURNMENT

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 11:01 A.M.

Attest: James Feenan
Commission Services Supervisor

Diana Wiedemann
DIANA WIEDEMANN, CHAIR

James Feenan

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY PLANNING COMMISSION MEETINGS.

- Effective March 1, 2020, Planning Commission minutes will be produced in “action only” format. As an alternative service, public access to recorded Commission proceedings will be available on the Planning and Building website.
- LIVE WEB STREAMING OF COMMISSION MEETINGS is now available via the County's YouTube Channel. If technical assistance is needed, please contact Mendocino County Planning & Building Services at (707) 234-6650.
- Minutes are considered draft until adopted/approved by the Planning Commission.
- The Planning Commission action minutes are also posted on the County of Mendocino website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.
- To request an official record of a meeting contact the Mendocino County Planning and Building Department at (707) 234-6650.
- Please reference the departmental website to obtain additional resource information for the Planning Commission at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

Thank you for your interest in the proceedings of the Mendocino County Planning Commission.