



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 **Mendocino County Board Chambers at 501 Low Gap Road, Ukiah California, 95482**

CASE#: A_2022-0005

DATE FILED: 10/6/2022

OWNER/APPLICANT: THE WILDLANDS CONSERVANCY

REQUEST: Agricultural Preserve application to establish a 3,864± acre preserve over 16 parcels and place the land under a Williamson Act Contract.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the western Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek; there is no address associated with these parcels (APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35).

SUPERVISORIAL DISTRICT: 3 & 4 (Haschak & Gjerde)

STAFF PLANNER: LIAM CROWLEY

PLANNING COMMISSION RECOMMENDATION: The Planning Commission, at their August 3, 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.gov/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.

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_2022-0005, Authorizing the Placement of Approximately Three Thousand Eight Hundred Sixty-Four (3,864±) Acres into an Agricultural Preserve and Williamson Act Contract for The Wildlands Conservancy, in the Round Valley Area (APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35) (Sponsor: Planning & Building Services)

RECOMMENDED ACTION/MOTION:

Hold the public hearing and adopt the Resolution approving Agricultural Preserve No. A_2022-0005, authorizing the placement of approximately three thousand eight hundred sixty four (3,864±) acres into an Agricultural Preserve and Williamson Act Contract for The Wildlands Conservancy, in the Round Valley area (APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35); 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:

The Wildlands Conservancy requests establishment of an Agricultural Preserve and Williamson Act Contract over 3,864± acres, zoned Rangeland in the Round Valley area ((APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35). 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 August 3, 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 APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35, 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 3 & 4

VOTE REQUIREMENT: Majority

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

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

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:



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MEMORANDUM

DATE: SEPTEMBER 26, 2023

TO: HONORABLE BOARD OF SUPERVISORS

FROM: LIAM CROWLEY, PLANNING AND BUILDING SERVICES

SUBJECT: A_2022-0005, REQUEST TO ESTABLISH AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT OVER 3,864± ACRES FOR THE WILDLANDS CONSERVANCY

The applicant, The Wildlands Conservancy, is requesting the establishment of an Agricultural Preserve and Williamson Act Contract over 3,864± acres for the lands of the same. The land is located in the western Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek; there is no address associated with these parcels (APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35). 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 4.3, all properties within the proposed preserve boundaries are within the Rangeland (R-L) zoning district. The proposed preserve consists of contiguous parcels and is greater than 100 acres.

Per Section 5.3(A), the Board of Supervisors may approve an application for the establishment of an agricultural preserve concurrently with its approval of an application for a contract within the preserve.

Per Section 5.3(B), more than 50 percent of the land proposed to be restricted by contract has been devoted to agricultural uses as evidenced by the grazing lease provided by the applicant.

Per Section 5.3(C), the land proposed to be restricted by contract meets the minimum parcel size requirements as discussed in the staff report and supporting materials.

Per Section 5.3(D), the land proposed to be restricted by contract meets the annual income requirements as discussed in the staff report and supporting materials.

The project was heard by the Planning Commission on August 3, 2023, where the Commission, by resolution, recommended unanimous approval to the Board of Supervisors.

RECOMMENDATION: Hold the public hearing and adopt the Resolution approving Agricultural Preserve No. A_2022-0005, authorizing the placement of approximately three thousand eight hundred sixty four (3,864±) acres into an Agricultural Preserve and Williamson Act Contract for The Wildlands Conservancy, in the Round Valley Area (APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35); and authorize Chair to sign same.

ATTACHMENTS:

- A. RESOLUTION
- B. PLANNING COMMISSION PACKET
- C. PLANNING COMMISSION MINUTES
- D. PLANNING COMMISSION RESOLUTION NO. PC_2023-0018

RESOLUTION NO. 23-_____

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE WILDLANDS CONSERVANCY, APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35 (A_2022-0005)

WHEREAS, the applicant, The Wildlands Conservancy, filed an application with the Mendocino County Department of Planning and Building Services to establish 3,864± acres of land as an Agricultural Preserve and incorporate such land into a Williamson Act contract, in the western Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek (no listed address), and which areas are described in Exhibit "A" (the "Project"); APN: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35; General Plan Rangeland (RL); Zoning Rangeland (R-L); Supervisorial District 3 & 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 noticed public hearing on, August 3, 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 August 3, 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 noticed public hearing to consider the applicant's request for said agricultural preserve and 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 provide that no property shall be incorporated into an agricultural preserve and 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, based on the evidence in the record before it, makes the following findings:

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 preserve and 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 documents 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 Clerk of the Board, 501 Low Gap Road, Ukiah, CA 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

(as described in Document No. 2021-17023, Mendocino County Records)

All that certain real property situated in the County of Mendocino, State of California, more particularly described as follows:

All that portion of the following described real property lying South of the Mendocino-Trinity County Line.

Lots 3, 4, 5, 8, 9, 11 and 12; the South half of the Southeast quarter and the Southwest and the Southwest quarter of Section 2; all of Section 3 comprising of Lots 1 to 12 inclusive and the South half of said Section 3; Lots 1, 2, 3, 4, 5, 6, 7, 10, 11 and 13; the East half of Lot 8; the East half of Lot 9; the East half of Lot 12, Lots 14 and 15; the Northeast quarter of the Southeast quarter of Section 4; all that portion of Lots 1 and 6 of Section 5, lying North and East of the center of the channel of the Eel River; Lot 1 of Section 9; Lot 1, 2, 3 and 4 of Section 10; Lots 1, 2, 3 and 4; the Northeast quarter and the North half of the Northwest quarter of Section 11; Lot 1, the North half of the Northwest quarter, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 12; Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Also the South half of the South half of the Southeast quarter of Section 36, Township 5 South, Range 6 East, Humboldt Meridian.

Also the South half of the South half of the South Half of Section 31; the South half of the South half of the South half of Section 32; the South half of the South half of the Southwest quarter of the Southeast quarter of Section 33, Township 5 South, Range 7 East, Humboldt Meridian.

Saving and excepting that portion thereof conveyed by George N. Merritt et ux to Northwestern Pacific Rail Road Company by deed recorded in Book 118 of Deeds, Page 119, Mendocino County Records.

Also the West half of Lot 8, Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Excepting therefrom a piece or parcel of land situate, lying and being in Lot 8 of Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian, in an unincorporated area of Mendocino County, California, described as follows:

Beginning at a point in the Westerly line of said Section 4, said point of beginning also being the Southwest corner of said Lot 8; thence North along said Westerly line a distance of 825.00 feet; thence South 70° 00' 20" East, 280 feet; thence South 40° 00' East, 115 feet; thence South 7° 19' 20" East, 150.51 feet, thence South 35° 00' West, 360.00 feet; thence South 10° 00' West, 200.00 feet to a point on the Southerly line of said Lot 8, thence West along said Southerly line a distance of 115.00 feet to the point of beginning.

Excepting from the hereinabove described parcel of land, any portion thereof lying with the land described in the deed from Ramsey Land and Live Stock Company to Northwestern Pacific Railroad Company, recorded February 14, 1911 in Book 118 of deeds, Page 115, Mendocino County Records.

APN: 011-530-10
031-010-01, 09, 13, 17
031-020-06, 07, 08
031-030-01, 02, 05, 06
031-150-28, 29, 34, 35



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July 19, 2023

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission, at their regular meeting to be held on Thursday, August 3, 2023, at 9:30a.m., will conduct a public hearing on the following project at the time listed or as soon thereafter as the item may be heard. This meeting will take place in the **Board of Supervisors Chambers, 501 Low Gap Road, Ukiah California**, and Virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>. In lieu of personal attendance, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

CASE#: A_2022-0005

DATE FILED: 10/6/2022

OWNER/APPLICANT: THE WILDLANDS CONSERVANCY

REQUEST: Agricultural Preserve application to establish a 3,864± acre preserve over 16 parcels and place the land under a Williamson Act Contract.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the eastern Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek; there is no address associated with these parcels; APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35.

SUPERVISORIAL DISTRICT: 3 & 4 (Haschak & Gjerde)

STAFF PLANNER: LIAM CROWLEY

The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, 860 North Bush Street, Ukiah, California. The public may participate digitally in meetings in lieu of personal attendance by sending comments to pbscommissions@mendocinocounty.org by August 2, 2023, or orally via telecomment. All public comment will be made available to the Planning Commission, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

The Planning Commission's action regarding this item shall be a recommendation to the Board of Supervisors, and the Board's action 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 at, or prior to, the public hearing. All persons are invited to present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling 707-234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling 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 Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT- AGRICULTURAL PRESERVE**

**AUGUST 3, 2023
A_2022-0005**

SUMMARY

OWNER/APPLICANT: THE WILDLANDS CONSERVANCY
39611 OAK GLEN RD UNIT 12
OAK GLEN, CA 92399

REQUEST: Agricultural Preserve application to establish a 3,864± acre preserve over 16 parcels and place the land under a Williamson Act Contract.

LOCATION: In the eastern Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek; there is no address associated with these parcels; APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35.

TOTAL ACREAGE: 3,864± Acres

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

ZONING: Rangeland (R-L)

SUPERVISORIAL DISTRICT: 3 & 4 (Haschak & Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: RECOMMEND APPROVAL TO BOARD OF SUPERVISORS

STAFF PLANNER: LIAM CROWLEY

BACKGROUND

PROJECT DESCRIPTION: Agricultural Preserve application to establish a 3,864± acre preserve over 16 parcels and place the land under a Williamson Act Contract. The land is used for cattle grazing.

SITE CHARACTERISTICS: The property is a portion of what is known as the Lone Pine Ranch which extends north into Trinity County. According to the submitted application materials, there is an existing hay barn on the property. The property is used for cattle grazing. The property lies primarily east of the Eel River and north of the North Fork of the Eel River. To the north in Trinity County, a ridge divides the ranch into two sections in a generally north-south direction. While the eastern side of the ridge in Trinity County contains mostly timberland, the western side and the portion in Mendocino County contains mostly grassland and scattered woodlands. A portion of the ranch is deeded to Northwest Pacific Railroad. Private roads are located throughout the ranch. A pond is located at the northern extend of the property along the County line (APN: 031-030-01).

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	N/A (Trinity County)	N/A (Trinity County)	N/A (Trinity County)	Agricultural
EAST	Rangeland (RL:160) and Public Lands (PL)	Rangeland (R-L), Timberland Production (T-P), Public Facilities (P-F)	Various (10-240± Acres)	Vacant/Agricultural
SOUTH	Rangeland (RL:160) and Public Lands (PL)	Rangeland (R-L) and Public Facilities (P-F)	Various (40-233± Acres)	Vacant/Agricultural
WEST	Rangeland (RL:160)	Rangeland (R-L)	Various (4-195± Acres)	Vacant/Agricultural

PUBLIC SERVICES:

Access: Private roads
 Fire District: None
 Water District: None
 Sewer District: None
 School District: Round Valley Unified, Laytonville Unified

AGENCY COMMENTS: On February 1, 2023 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
Assessor's Office	No Response
Farm Advisor	No Comment
Forestry Advisor	No Comment
Archaeological Commission	No Comment
Resource Lands Protection Committee	Comments
Native Plant Society	No Response
California Department of Conservation	No Response
Sierra Club	No Response
CAL FIRE (Resource Management)	No Response
California Dept. of Fish & Wildlife	No Comment
U.S. Natural Resources Conservation Service	No Response
Round Valley Municipal Advisory Council	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Covelo Fire District	No Response

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 an agricultural preserve 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 agriculture 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 in conformance with the General Plan.

Zoning Consistency: The land subject to the request is within the Rangeland (R-L) zoning district as described in Mendocino County Code Chapter 20.060. The R-L 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 R-L 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. This includes cattle grazing, which is a permitted use in the R-L district under the Animal Raising – General Agriculture use type. Staff therefore finds that use of the property for grazing purposes within an agricultural preserve is consistent with Chapter 20.060 of the Mendocino County Code.

Resource Lands Protection Committee (RLPC): The RLPC met on March 22, 2023 and determined that additional financial information must be provided regarding the project. The applicant subsequently submitted the requested financial information as described below. No other concerns were raised by the RLPC.

Policies and Procedures for Agricultural Preserves and Williamson Act Contracts: 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. The Project's consistency with applicable policies includes the following:

Per Section 4.3, all properties within the proposed preserve boundaries are within the Rangeland (R-L) zoning district. The proposed preserve consists of contiguous parcels and is greater than 100 acres.

Per Section 5.3, the applicant submitted a written statement that at least fifty percent (50%) of the land is continuously used or maintained for agricultural uses. The applicant submitted a lease agreement, effective 12/09/21, which outlines the management of a cattle herd on the property (available on file at Planning & Building Services). The premises described in the lease agreement include that of the proposed Agricultural Preserve. The lease agreement requires the tenant to use and occupy the premises solely for the feeding, pasturing, maintenance, and production of agricultural livestock, including beef cattle. For calculating annual income and minimum parcel size requirements, the property is considered Non-Prime Agricultural Land. The land proposed to be restricted by contract meets the 40-acre minimum parcel size requirement for Non-Prime Agricultural Land.

The annual income requirement for Non-Prime Agricultural Land is \$2,000.00 plus \$2.50 gross income per acre, or a total of \$11,660.00 for the proposed preserve. The applicant submitted financial information, including receipts from the Humboldt Auction Yard for cattle sold by the tenant, Mora Livestock Co. (available on file at Planning & Building Services). However, the financial information does not specify whether the cattle sold were related to the portion of the ranch in Mendocino County. Therefore, to estimate the income relative to the proposed preserve, staff divided the total income submitted by the total acreage of the ranch premises shown on the lease

agreement to find the dollar per acre value of the land, then multiplied the value by the acreage of the proposed preserve to find an estimated income generated by the portion in Mendocino County only. According to this method and the receipts submitted, the income generated by the Mendocino County portion of the ranch between June 22, 2022 and September 7, 2022 exceeded the annual income requirement.

Staff finds that the proposed Agricultural Preserve and Williamson Act contract is consistent with the applicable Policies and Procedures.

ENVIRONMENTAL DETERMINATION

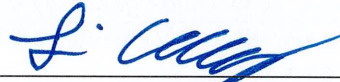
The California Natural Resources Secretary has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. Staff finds that the project is categorically exempt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

RECOMMENDATION

By resolution, that the Planning Commission recommend approval of A_2022-0005 to the Board of Supervisors subject to the findings contained in the Resolution.

7/10/23

DATE



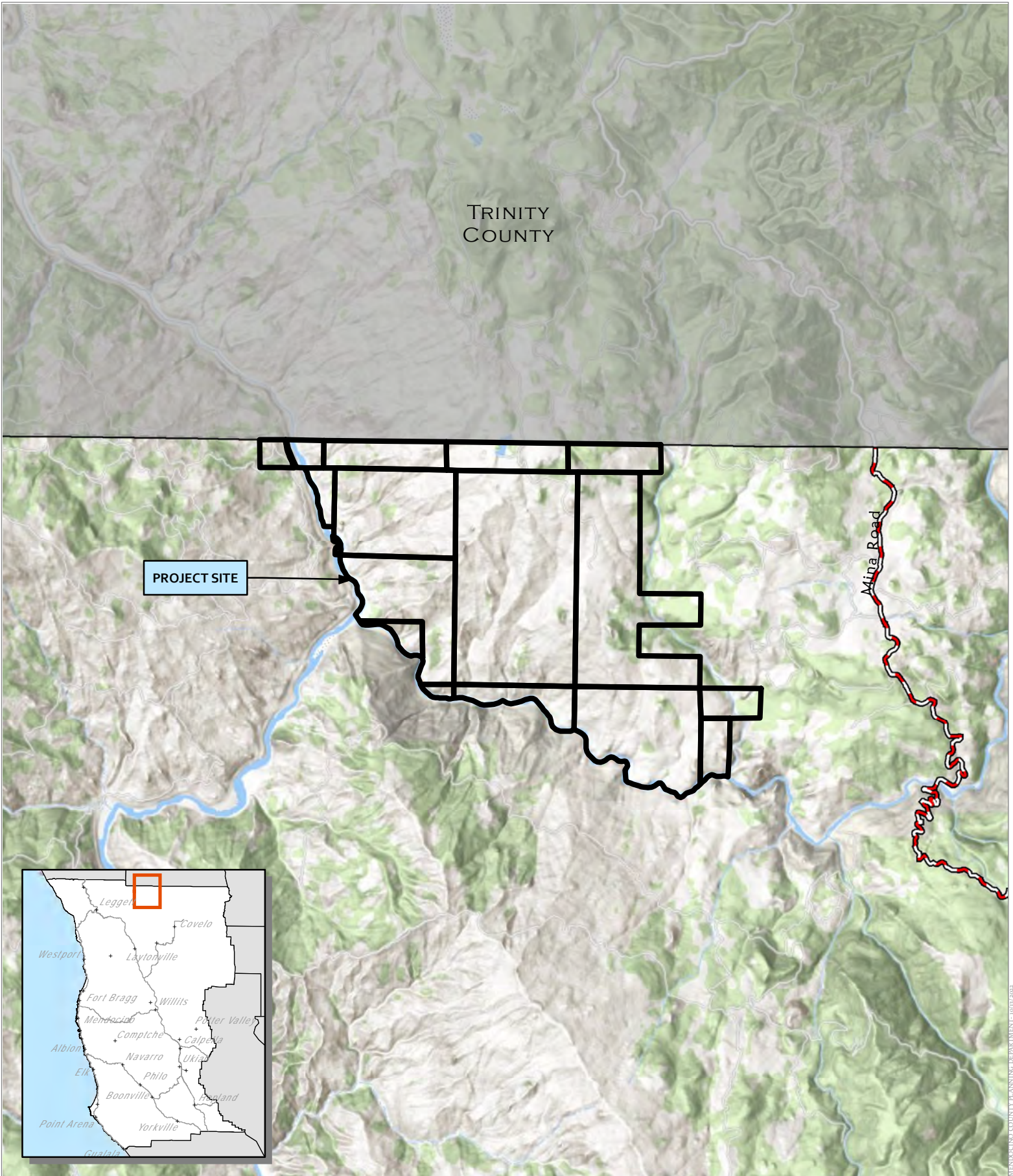
LIAM CROWLEY
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$2,674.00

ATTACHMENTS:

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

RESOLUTION AND LEGAL DESCRIPTION (Exhibit A)



TRINITY COUNTY

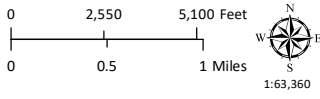
PROJECT SITE

Mina Road



CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

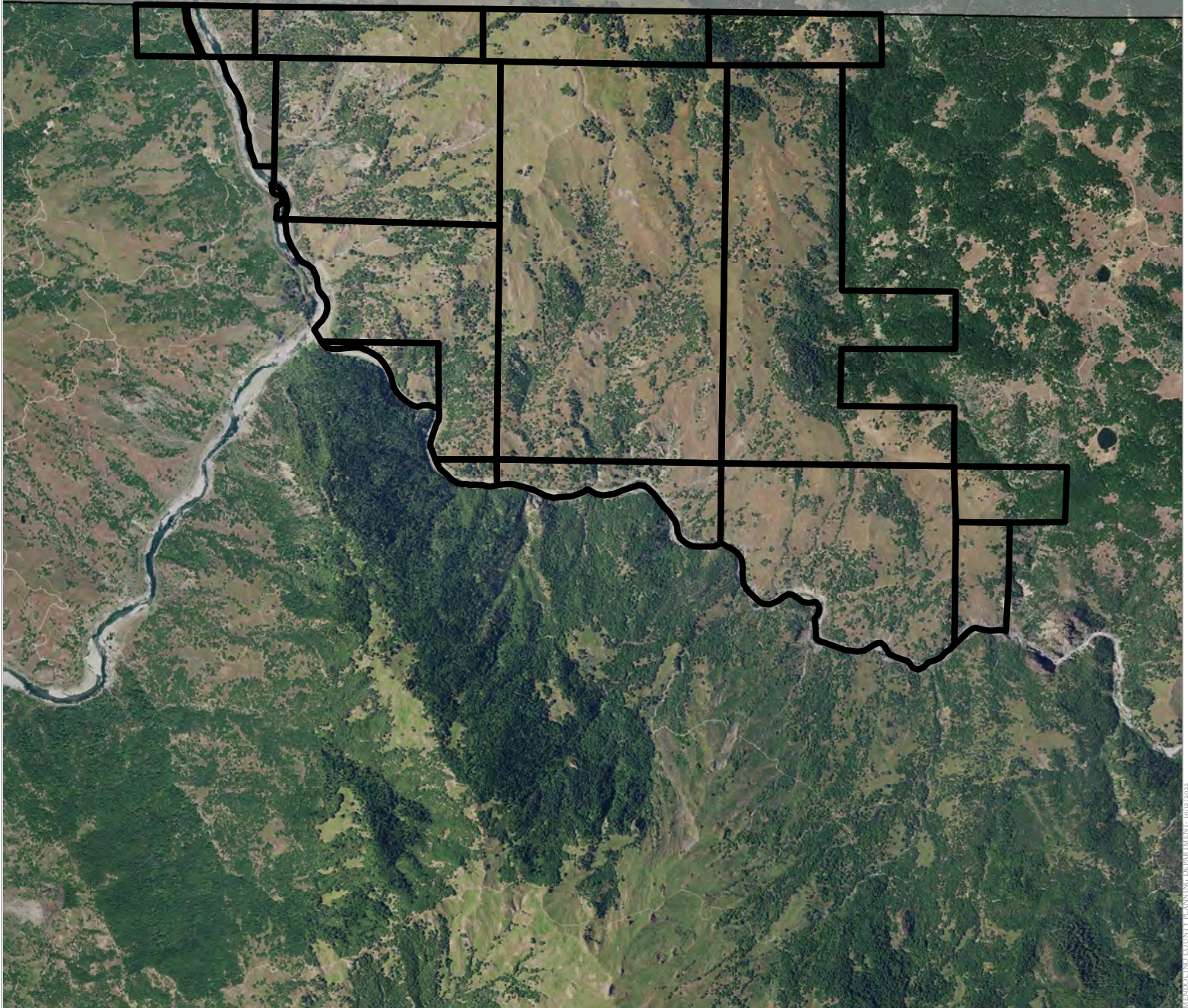
 Major Roads



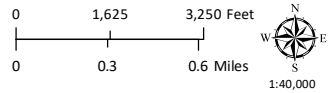
LOCATION

MENDOCINO COUNTY PLANNING DEPARTMENT - 10/03/2022

TRINITY
COUNTY

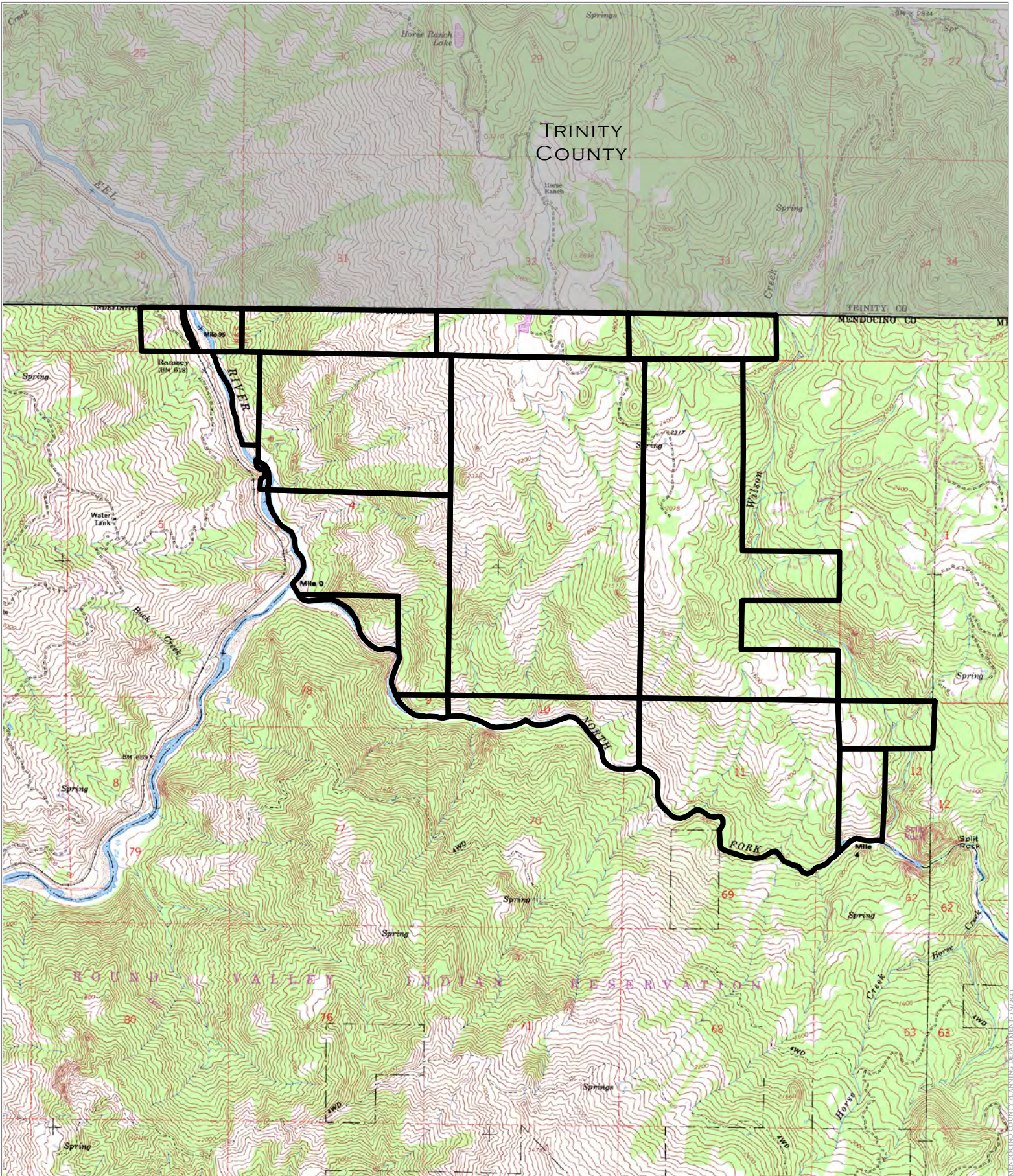


CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

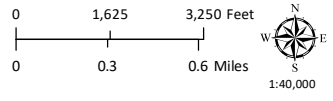


AERIAL IMAGERY

TRINITY COUNTY TELECOMMUNICATIONS DEPARTMENT 10/27/2022

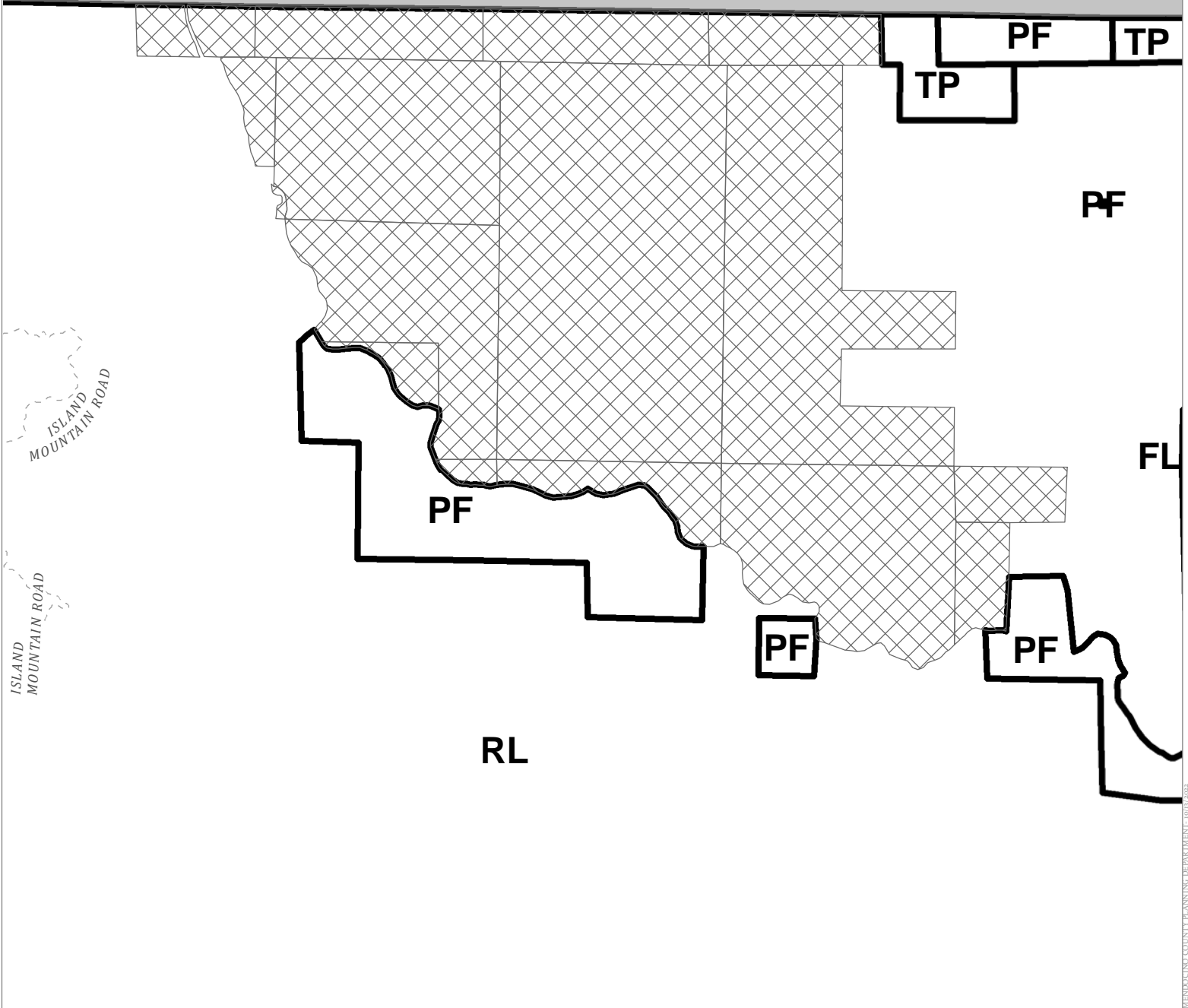


CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None



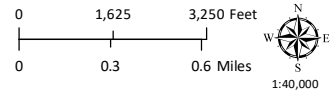
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

TRINITY COUNTY



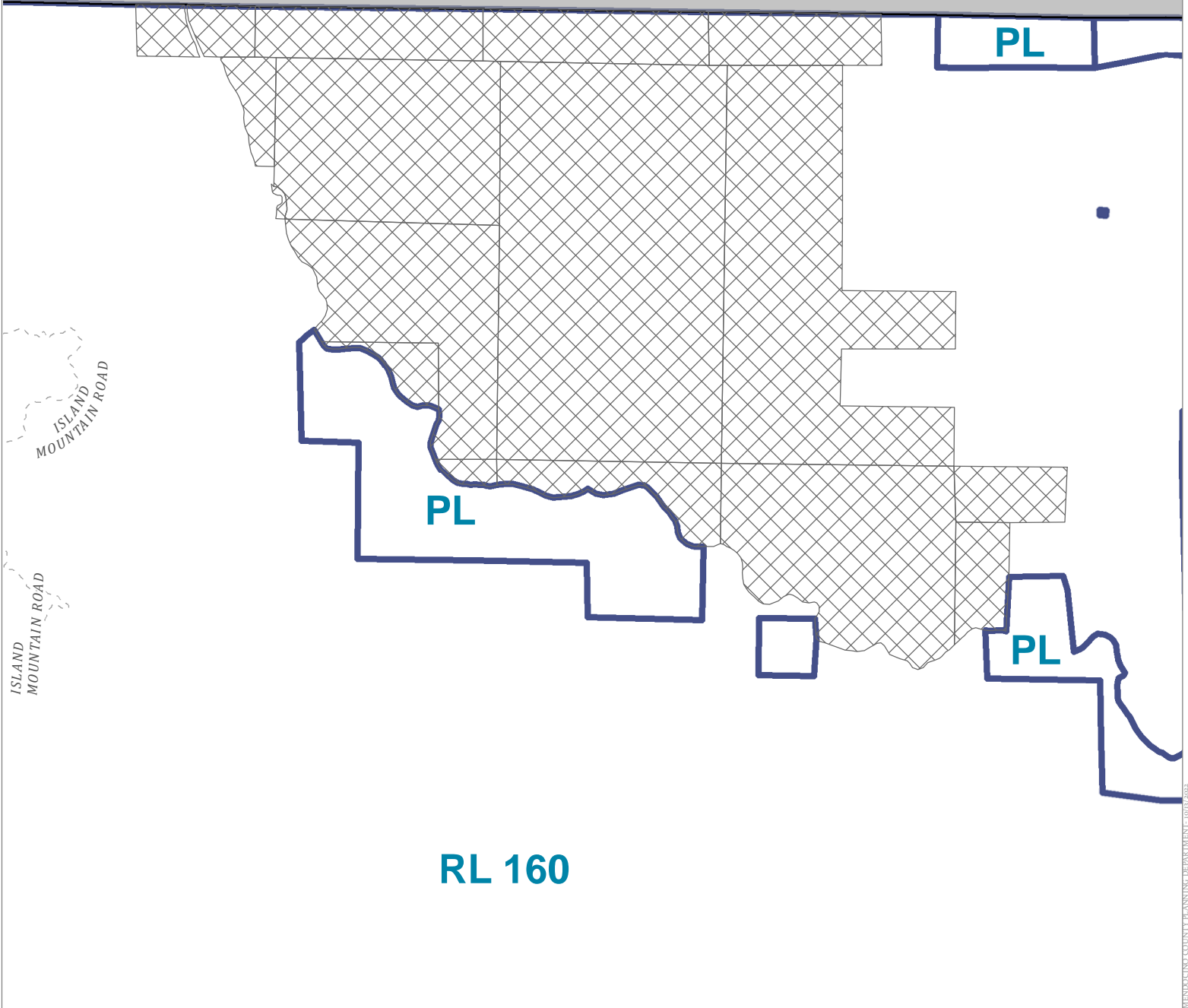
CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

 Zoning Districts




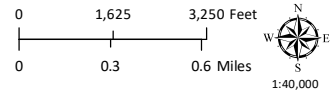
ZONING

TRINITY COUNTY



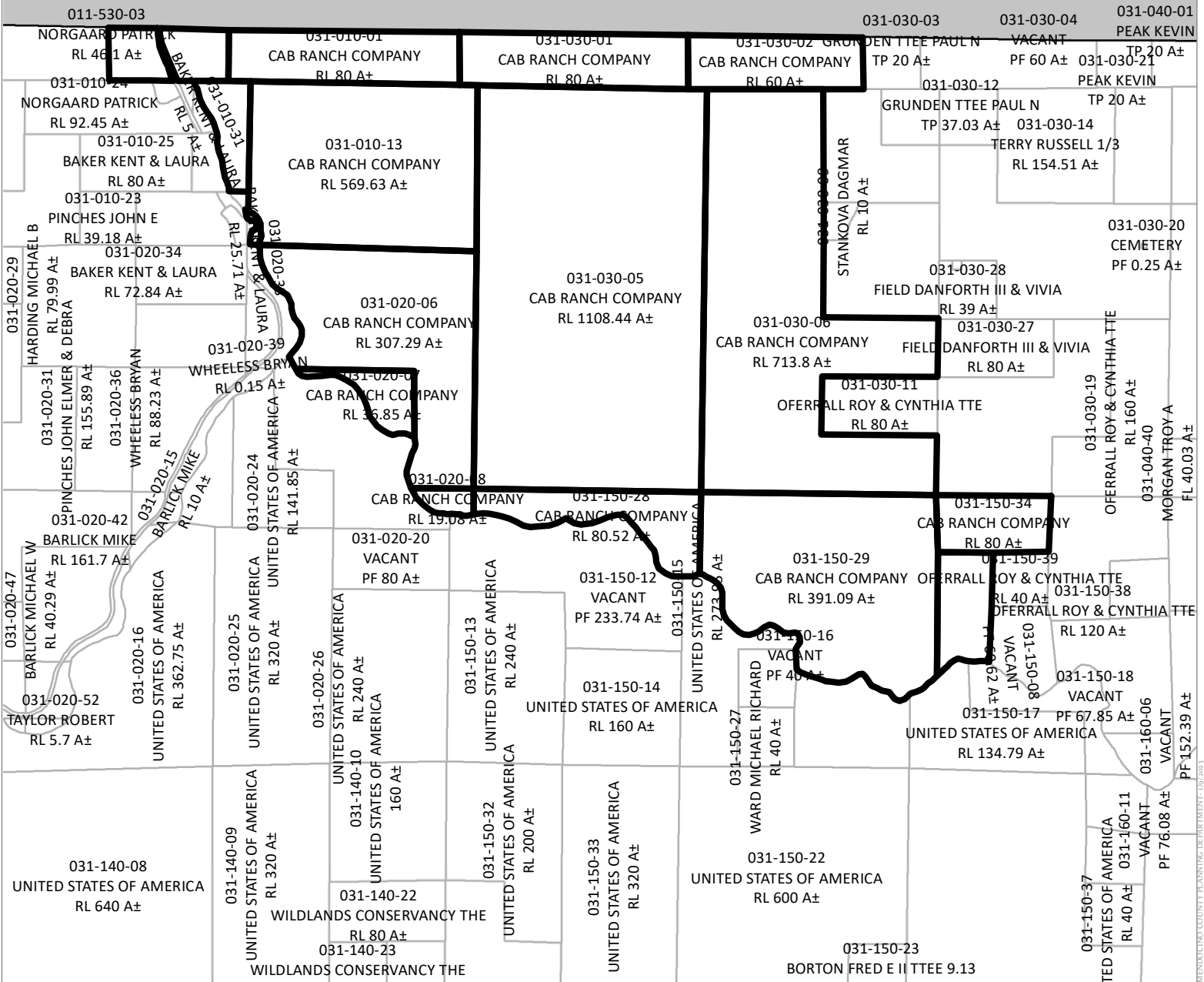
CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

 General Plan Classes

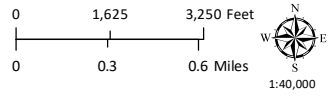


GENERAL PLAN

TRINITY COUNTY

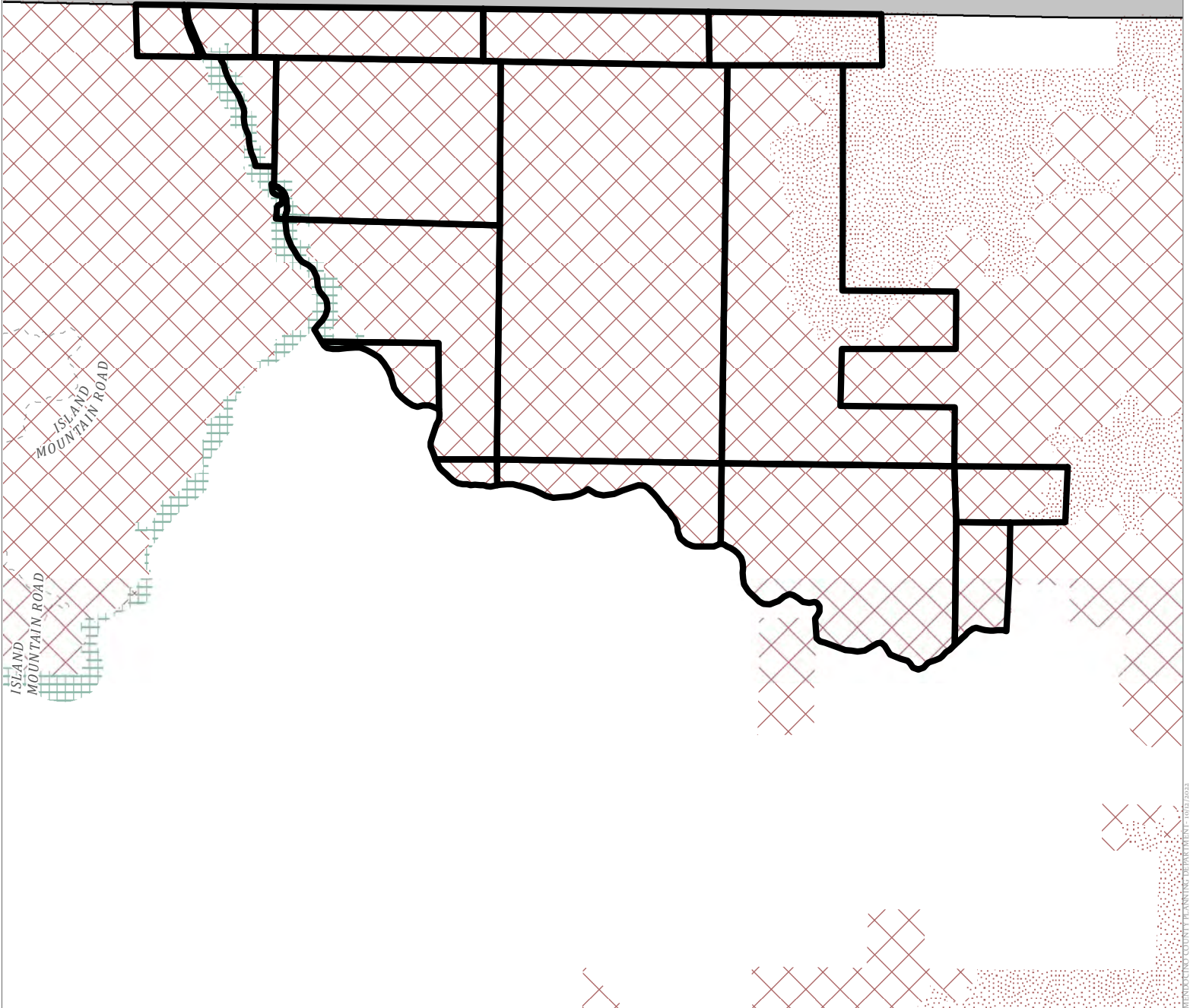


CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None



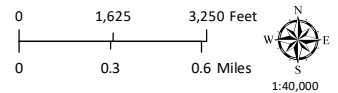
ADJACENT PARCELS

TRINITY
COUNTY



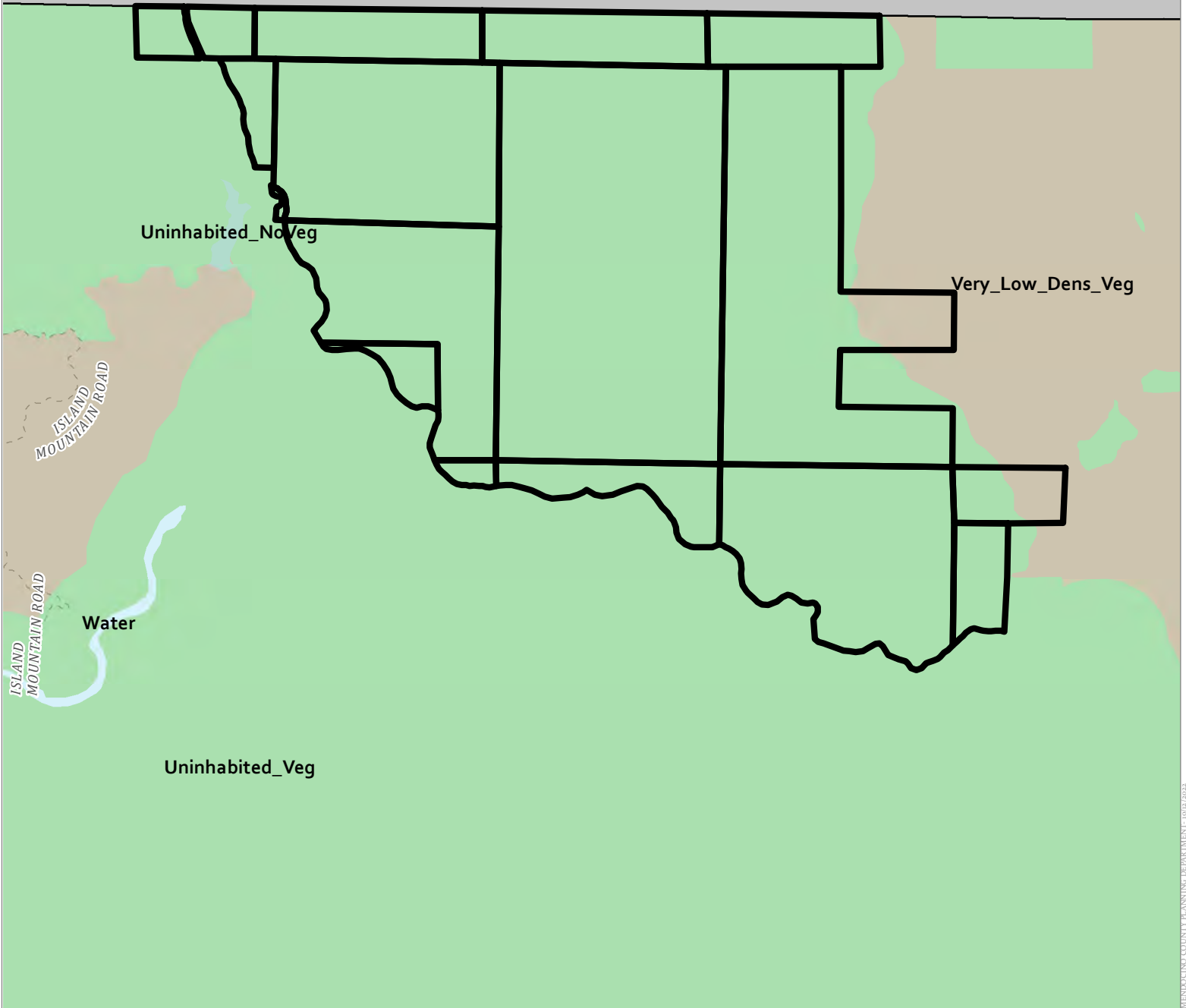
CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

 Very High Fire Hazard  Moderate Fire Hazard
 High Fire Hazard

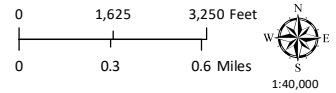


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

TRINITY
COUNTY

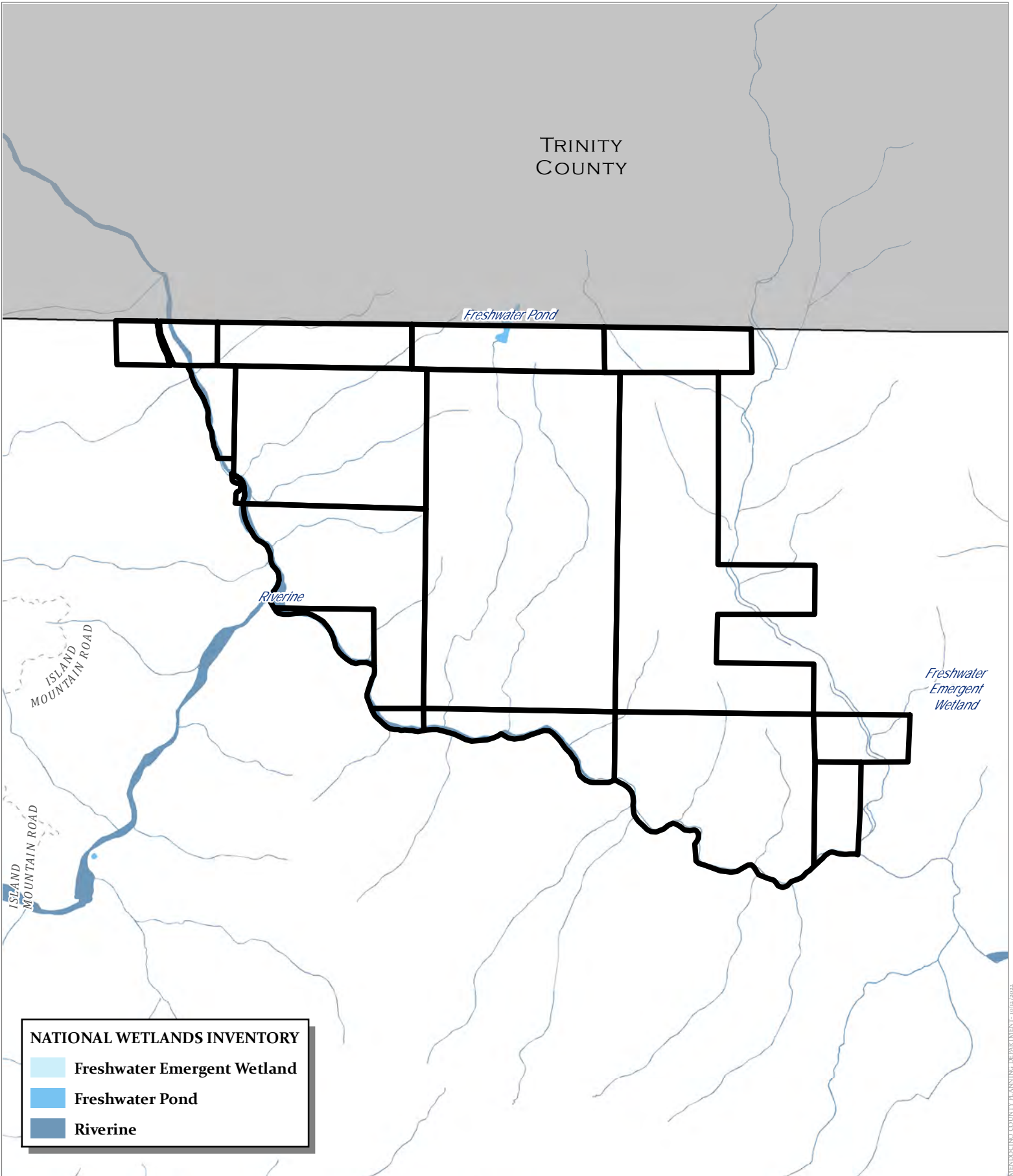


CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None






WILDLAND-URBAN INTERFACE

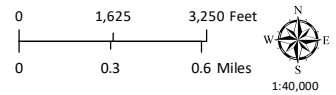
TRINITY COUNTY



NATIONAL WETLANDS INVENTORY

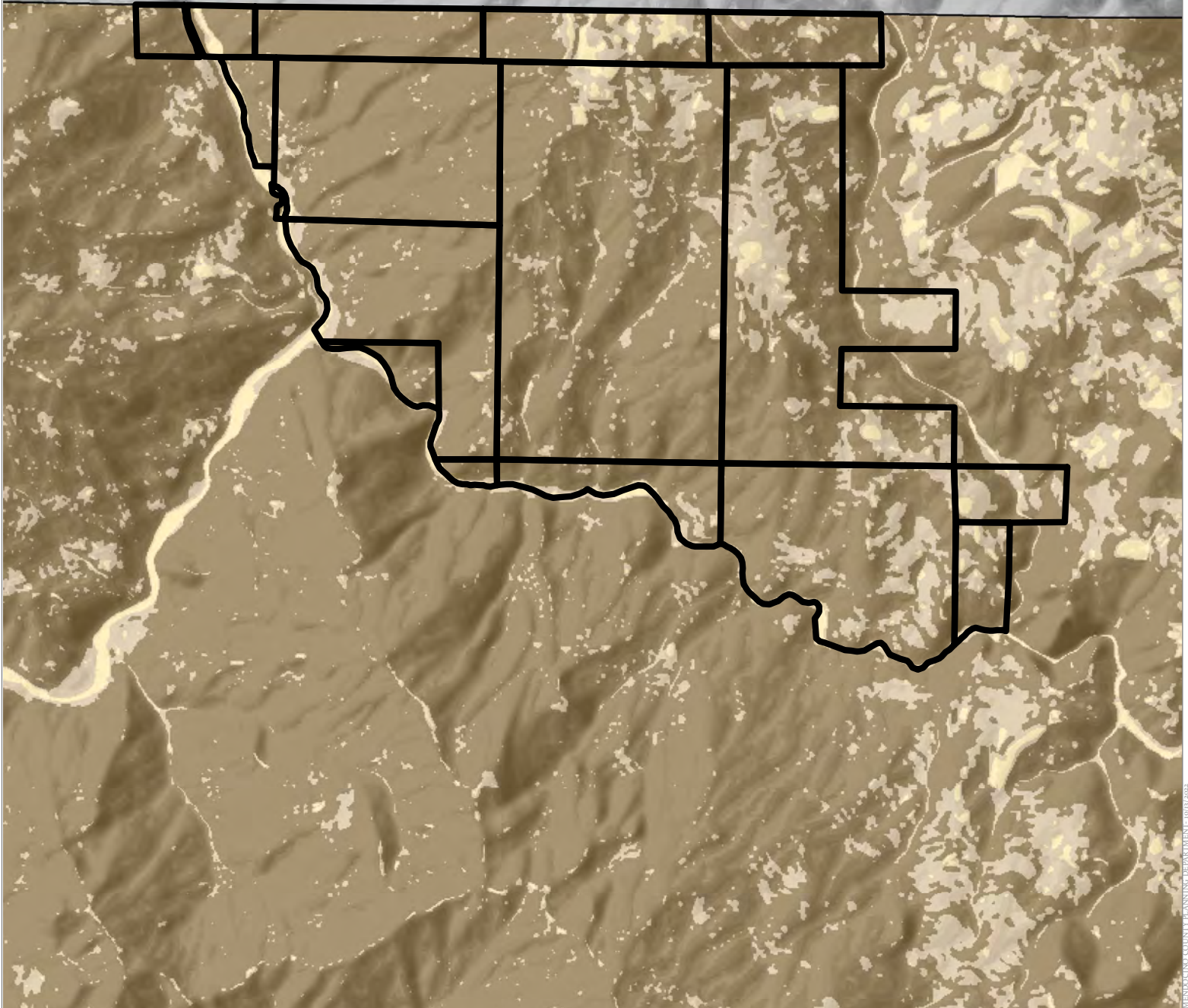
-  Freshwater Emergent Wetland
-  Freshwater Pond
-  Riverine

CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

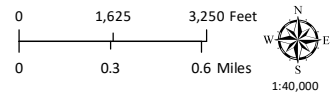
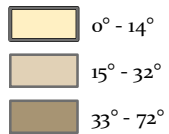


WETLANDS

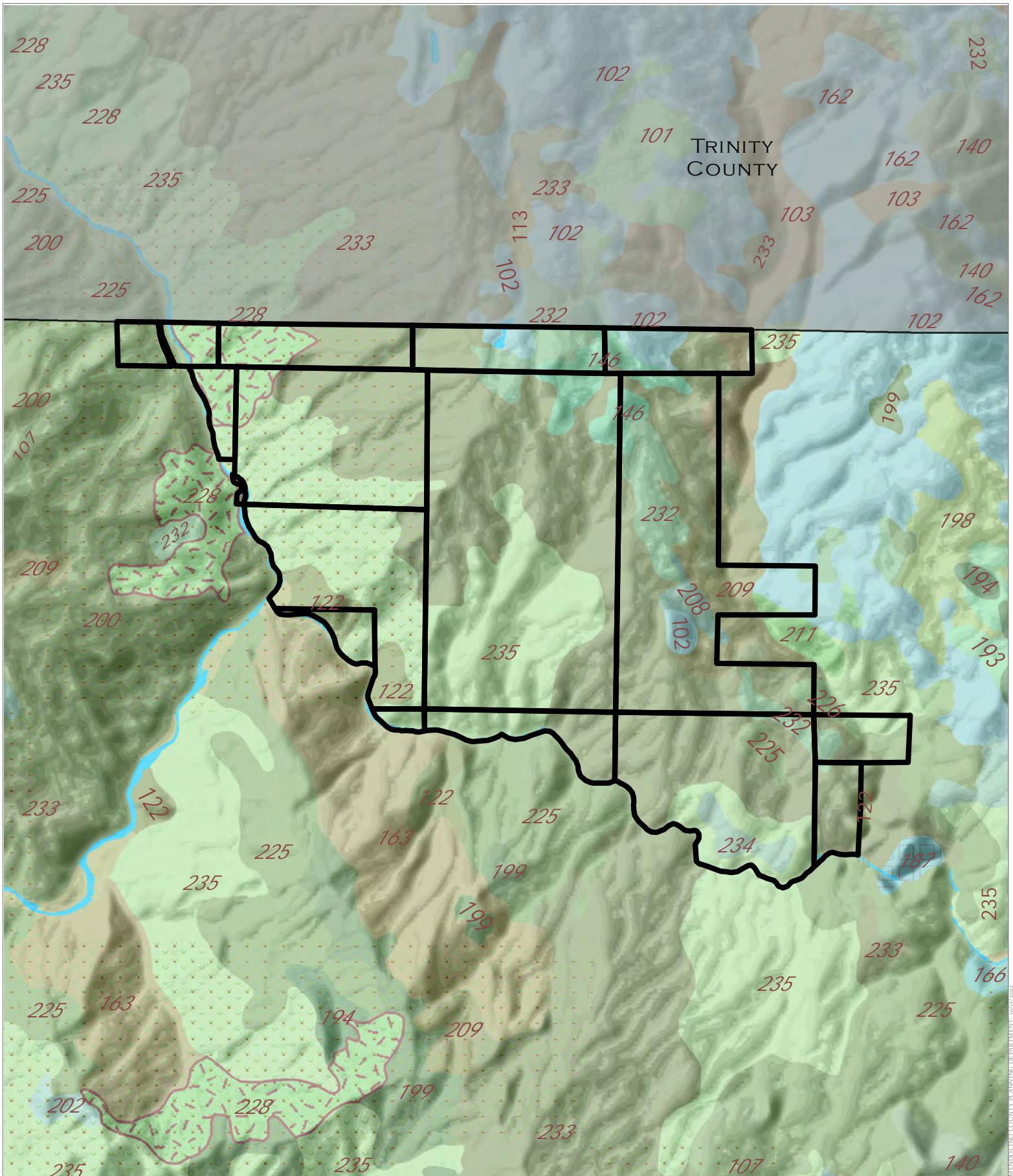
TRINITY
COUNTY






CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

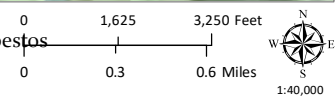


ESTIMATED SLOPE



CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

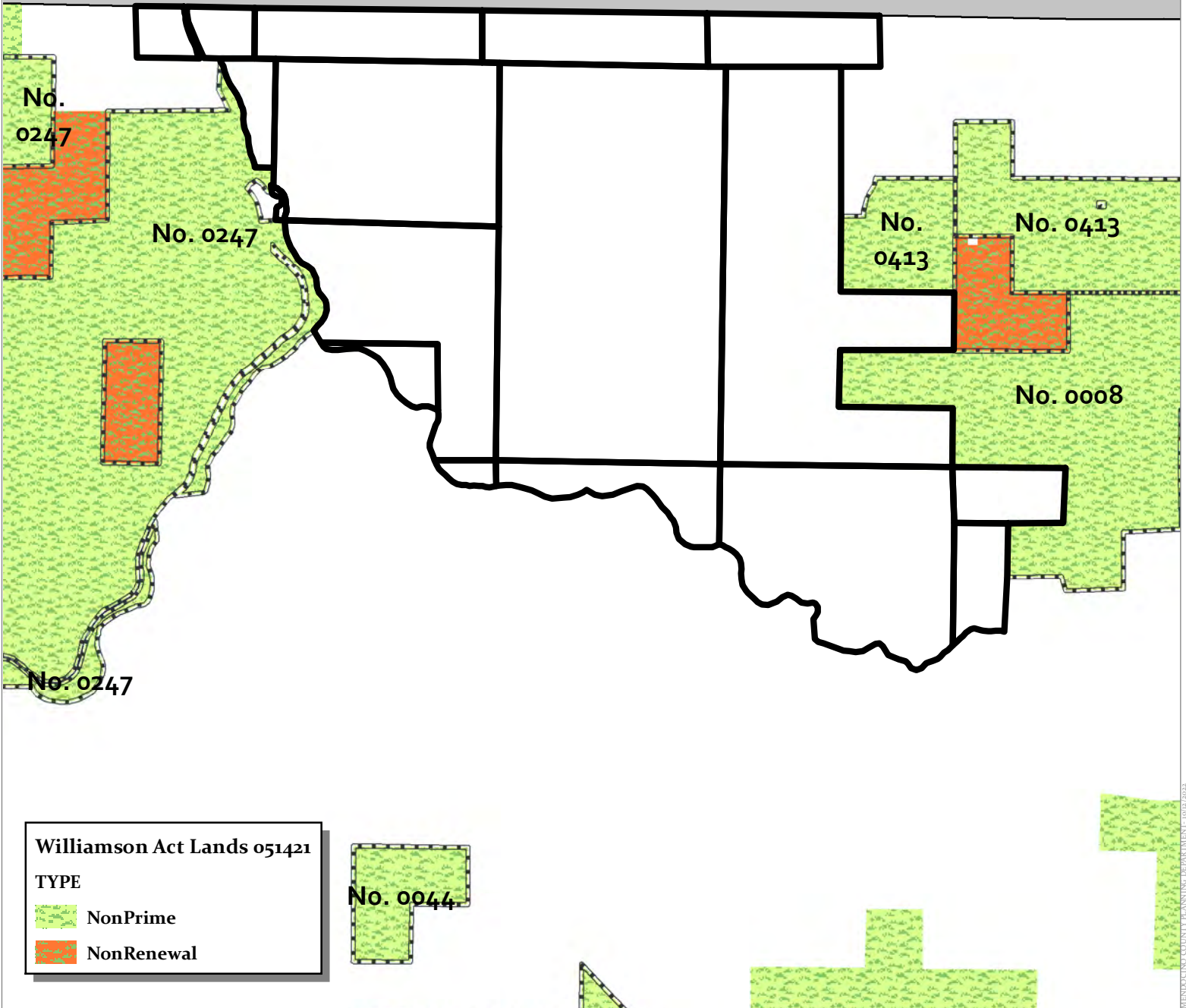
-  Eastern Serpentine Inclusions
-  Naturally Occurring Asbestos
-  Eastern Rock Outcrops



EASTERN SOIL CLASSIFICATIONS

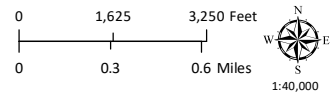
TRINITY COUNTY PLANNING DEPARTMENT - 10/03/2022

TRINITY COUNTY



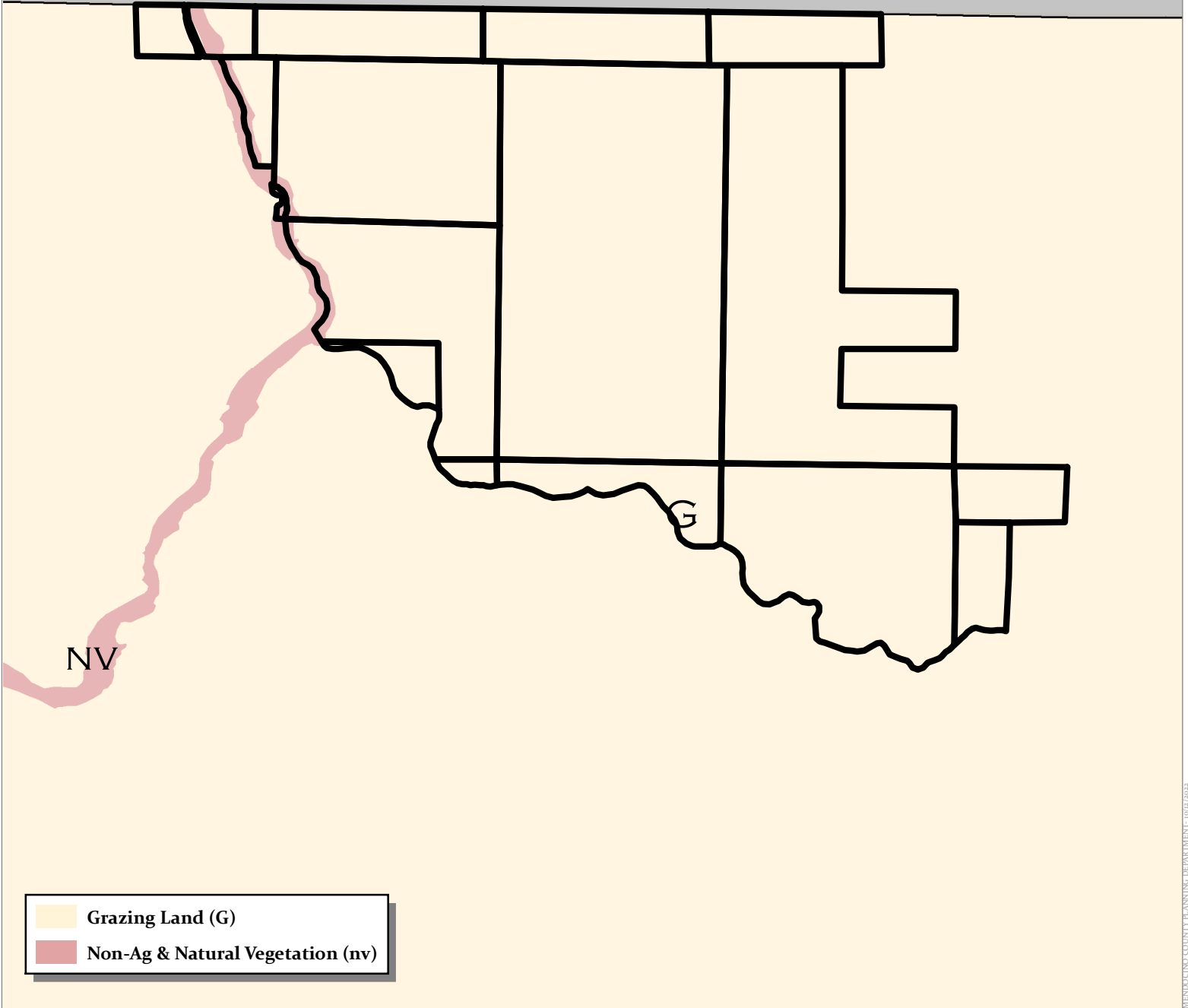
CASE: **A 2022-0005**
OWNER: **THE WILDLANDS CONSERVANCY**
APN: **Various**
APLCT: **The Wildlands Conservancy**
AGENT: **The Wildlands Conservancy**
ADDRESS: **None**

 Contract Boundaries

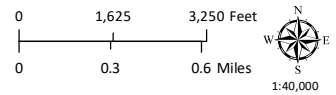


WILLIAMSON ACT

TRINITY
COUNTY

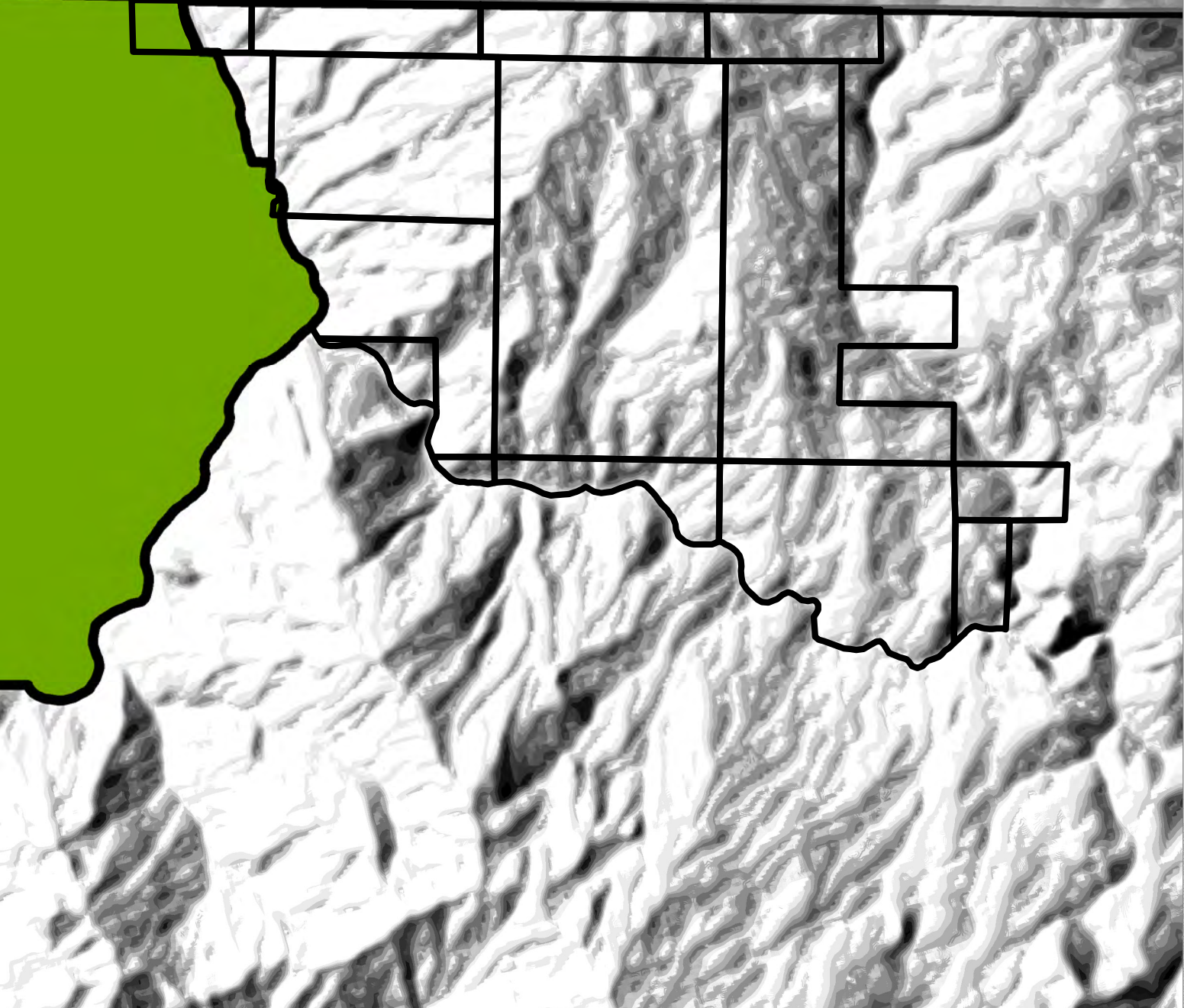


CASE: **A 2022-0005**
OWNER: **THE WILDLANDS CONSERVANCY**
APN: **Various**
APLCT: **The Wildlands Conservancy**
AGENT: **The Wildlands Conservancy**
ADDRESS: **None**





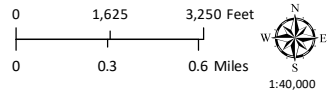
FARMLANDS

TRINITY COUNTY



CASE: A 2022-0005
OWNER: THE WILDLANDS CONSERVANCY
APN: Various
APLCT: The Wildlands Conservancy
AGENT: The Wildlands Conservancy
ADDRESS: None

 Round Valley Area MAC
 Laytonville MAC



LAYTONVILLE MUNICIPAL ADVISORY COUNCIL

TRINITY COUNTY PLANNING DEPARTMENT - 10/19/2022

The Wildlands Conservancy

Land Parcel Listing

Escrow #	APN #	Acq. Date	Acreage
EEL River Canyon (Lone Pine Ranch) Loc 122			
Area 1 (Other parcels in Trinity County)	• 011-530-1000	Nov-21	70.79
Area 1	• 031-010-0100	Nov-21	140.09
Area 1	• 031-010-0900	Nov-21	45.70
Area 1	• 031-010-1300	Nov-21	436.73
Area 1	• 031-010-1700	Nov-21	2.51
Area 1	• 031-020-0600	Nov-21	357.57
Area 1	• 031-020-0700	Nov-21	41.61
Area 1	• 031-020-0800	Nov-21	15.84
Area 1	• 031-030-0100	Nov-21	138.55
Area 1	• 031-030-0200	Nov-21	111.55
Area 1	• 031-030-0500	Nov-21	1,074.19
Area 1	• 031-030-0600	Nov-21	722.12
Area 1	• 031-150-2800	Nov-21	112.45
Area 1	• 031-150-2900	Nov-21	452.16
Area 1	• 031-150-3400	Nov-21	72.51
Area 1	• 031-150-3500	Nov-21	69.66
Total for EEL River Canyon (Lone Pine)			3,864.03

Resolution Number _____

County of Mendocino
Ukiah, California

AUGUST 3, 2023

A_2022-0005 - THE WILDLANDS CONSERVANCY

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 THE LANDS OF THE WILDLANDS CONSERVANCY AND APPROVING A WILLIAMSON ACT CONTRACT OVER SAID LANDS (A_2022-0005).

WHEREAS, the applicant, THE WILDLANDS CONSERVANCY, filed an application with the Mendocino County Department of Planning and Building Services to establish an Agricultural Preserve over 3,864± acres and establish a Williamson Act contract over said land, in the eastern Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek (no site address listed); APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35) General Plan Rangeland (RL:160); Zoning Rangeland (R-L); Supervisorial District 3 & 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 Categorically Exempt from the California Environmental Quality Act (CEQA) per 14 CCR §15317 Class 17 and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, August 3, 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 for the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT 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 Agricultural Preserve A_2022-0005:

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 (R-L) and is in conformance with Mendocino County Code Chapter 20.060; and

EXHIBIT A

(as described in Document No. 2021-17023, Mendocino County Records)

All that certain real property situated in the County of Mendocino, State of California, more particularly described as follows:

All that portion of the following described real property lying South of the Mendocino-Trinity County Line.

Lots 3, 4, 5, 8, 9, 11 and 12; the South half of the Southeast quarter and the Southwest and the Southwest quarter of Section 2; all of Section 3 comprising of Lots 1 to 12 inclusive and the South half of said Section 3; Lots 1, 2, 3, 4, 5, 6, 7, 10, 11 and 13; the East half of Lot 8; the East half of Lot 9; the East half of Lot 12, Lots 14 and 15; the Northeast quarter of the Southeast quarter of Section 4; all that portion of Lots 1 and 6 of Section 5, lying North and East of the center of the channel of the Eel River; Lot 1 of Section 9; Lot 1, 2, 3 and 4 of Section 10; Lots 1, 2, 3 and 4; the Northeast quarter and the North half of the Northwest quarter of Section 11; Lot 1, the North half of the Northwest quarter, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 12; Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Also the South half of the South half of the Southeast quarter of Section 36, Township 5 South, Range 6 East, Humboldt Meridian.

Also the South half of the South half of the South Half of Section 31; the South half of the South half of the South half of Section 32; the South half of the South half of the Southwest quarter of the Southeast quarter of Section 33, Township 5 South, Range 7 East, Humboldt Meridian.

Saving and excepting that portion thereof conveyed by George N. Merritt et ux to Northwestern Pacific Rail Road Company by deed recorded in Book 118 of Deeds, Page 119, Mendocino County Records.

Also the West half of Lot 8, Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Excepting therefrom a piece or parcel of land situate, lying and being in Lot 8 of Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian, in an unincorporated area of Mendocino County, California, described as follows:

Beginning at a point in the Westerly line of said Section 4, said point of beginning also being the Southwest corner of said Lot 8; thence North along said Westerly line a distance of 825.00 feet; thence South 70° 00' 20" East, 280 feet; thence South 40° 00' East, 115 feet; thence South 7° 19' 20" East, 150.51 feet, thence South 35° 00' West, 360.00 feet; thence South 10° 00' West, 200.00 feet to a point on the Southerly line of said Lot 8, thence West along said Southerly line a distance of 115.00 feet to the point of beginning.

Excepting from the hereinabove described parcel of land, any portion thereof lying with the land described in the deed from Ramsey Land and Live Stock Company to Northwestern Pacific Railroad Company, recorded February 14, 1911 in Book 118 of deeds, Page 115, Mendocino County Records.

APN: 011-530-10
031-010-01, 09, 13, 17
031-020-06, 07, 08
031-030-01, 02, 05, 06
031-150-28, 29, 34, 35

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 – August 3, 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 9:32 A.M.

Present: Commissioner Clifford Paulin, Commissioner Marie Jones, Commissioner Alison Pernell, Chair Diana Wiedemann presiding.

Absent: Commissioner Cameron Ramos

Staff Present: Nash Gonzalez, Interim Assistant Director; Russ Ford, Senior Planner; 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

Interim Assistant Director Gonzalez advised the Commission that on July 25, 2023, the Board of Supervisors on a 3-2 vote denied the Cannabis Prohibition District in Redwood Valley, but did vote 5-0 to direct Code Enforcement in the area of the Cannabis Prohibition District.

Commissioner Pernell asked for an update regarding the Zoning Code Ordinance.

Mr. Gonzalez noted that the second administrative draft of the Ordinance had been received, and it is under review by staff. He also noted that the department had received the Division of Land Regulations, and they were under review. He also noted the Department was working with the State to get an extension on the Leap Grant. He advised the Commission that he would be attempting to get copies of the Zoning Code Ordinance to the Commission for review.

Commissioner Jones stated she would like to encourage staff to bring the Ordinance to the Commission before they go through CEQA review process just in case the Commission made significant changes to the draft.

Discussion occurred regarding future agendas, and if there was only one matter, could it be consolidated onto another agenda.

AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC

Public Comment: None

AGENDA ITEM NO. 5 – CONSENT CALENDAR

5a. Approval of July 20, 2023, Planning Commission Minutes.

Upon motion by Commissioner Paulin, seconded by Commissioner Jones, and carried by a roll call vote of (4-0), IT IS ORDERED that the Consent Calendar is approved without edits.

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

AGENDA ITEM NO. 6 – REGULAR CALENDAR

6a. **Noticed Public Hearing**

CASE#: MS_2020-0006

DATE FILED: 12/3/2020

OWNER: JACK RAFTER LLC

APPLICANT: VANCE RICKS

AGENT: JIM RONCO

REQUEST: Minor Subdivision of one legal 6-acre parcel, comprised of APN's 167-190-08 and 167-230-03, creating two separate legal parcels of 2.1± acres and 3.9± acres.

ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION

LOCATION: 4.5± miles north of Ukiah City center, lying on the east side of North State Street (CR 104), 0.3± miles north of its intersection with Pomo Lane (CR 228A), located at 4661 and 4681 North State Street, Ukiah; APN's 167-190-08 and 167-230-03.

SUPERVISORIAL DISTRICT: 1 (McGourty)

STAFF PLANNER: MARK CLISER

The public hearing was declared open.

Staff Presentation: Mark Cliser, Planner II; Interim Assistant Director Gonzalez, Matthew Kiedrowski, Deputy County Counsel; Russ Ford, Senior Planner.

Applicant/Owner/Agent: Dave Flum, Aaron Currie (Attorney for Applicant); Vance Ricks.

Public Comment: No Public Comment was received

Telecomments: No telecomments requested

The public hearing was declared closed.

Commissioner Paulin made a motion to approve the Minor Subdivision, seconded by Commissioner Pernel, which failed by a roll call vote of (2-2).

AYES: PERNELL, PAULIN
 NOES: JONES, WIEDEMANN
 ABSENT: RAMOS

Commissioner Jones made another motion to approve the Minor Subdivision, which failed for lack of a second – NO VOTE TAKEN, NO SECOND ON THE MOTION.

Upon motion by Commissioner Paulin, seconded by Commissioner Pernell, and carried by a roll call vote of (4-0), IT IS ORDERED, By resolution, the Planning Commission, County of Mendocino, State of California adopt a Negative Declaration and grant Minor Subdivision MS_2020-0006, 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 revisions as shown on memo presented during the public meeting.

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

6b. Noticed Public Hearing

CASE#: A_2022-0005
DATE FILED: 10/6/2022
OWNER/APPLICANT: THE WILDLANDS CONSERVANCY
REQUEST: Agricultural Preserve application to establish a 3,864± acre preserve over 16 parcels and place the land under a Williamson Act Contract.
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: In the eastern Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek; there is no address associated with these parcels; APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35.
SUPERVISORIAL DISTRICT: 3 & 4 (Haschak & Gjerde)
STAFF PLANNER: LIAM CROWLEY

The public hearing was declared open.

Staff Presentation: Liam Crowley, Planner II; Russ Ford, Senior Planner

Applicant/Owner/Agent: Dana Rochat

Public Comment: No correspondence received.

Telecomments: No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Pernell, seconded by Commissioner Jones, and carried by a roll call vote of (4-0), IT IS ORDERED, By resolution, that the Planning Commission, County of Mendocino, State of California recommend approval of A_2022-0005 to the Board of Supervisors subject to the findings contained in the Resolution.

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

AGENDA ITEM NO. 7 – MATTERS FROM STAFF

7a. None

AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION

Commissioner Jones requested if there was only one item, that the meeting be cancelled and set for another agenda. She also requested that a quorum check be done for each meeting.

Commissioner Pernell requested a brief demonstration regarding VMT analysis.

Commissioner Paulin informed the Commission that he would not be at the August 17, 2023 meeting.

AGENDA ITEM NO. 9 – ADJOURNMENT

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 10:45 A.M.

Attest: James Feenan
Commission Services Supervisor

DIANA WIEDEMANN, CHAIR

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.

Resolution Number PC 2023-0018

County of Mendocino
Ukiah, California

AUGUST 3, 2023

A_2022-0005 - THE WILDLANDS CONSERVANCY

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 THE LANDS OF THE WILDLANDS CONSERVANCY AND APPROVING A WILLIAMSON ACT CONTRACT OVER SAID LANDS (A_2022-0005).

WHEREAS, the applicant, THE WILDLANDS CONSERVANCY, filed an application with the Mendocino County Department of Planning and Building Services to establish an Agricultural Preserve over 3,864± acres and establish a Williamson Act contract over said land, in the eastern Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek (no site address listed); APNs: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35) General Plan Rangeland (RL:160); Zoning Rangeland (R-L); Supervisorial District 3 & 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 Categorically Exempt from the California Environmental Quality Act (CEQA) per 14 CCR §15317 Class 17 and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, August 3, 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 for the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT 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 Agricultural Preserve A_2022-0005:

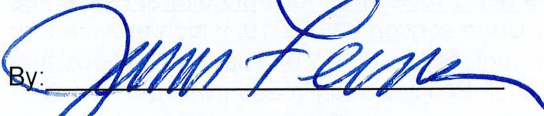
1. The Planning Commission recommends that the Project is consistent with the property's General Plan land use classification of Rangeland (RL:160) and with applicable goals and policies of the General Plan; and
2. The Planning Commission recommends that the Project is consistent with the property's zoning district of Rangeland (R-L) 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 preserve and 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
5. The Planning Commission recommends that the Board of Supervisors find the project Categorically Exempt from CEQA and establish a new Agricultural Preserve over the lands of The Wildlands Conservancy and approve a Williamson Act contract over said lands.

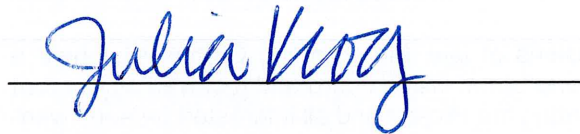
BE IT FURTHER RESOLVED that the Planning Commission designates the Commission Services Supervisor as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of 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 FEENAN
 Commission Services Supervisor

By: 

BY: JULIA KROG
 Director, Planning & Building Services



DIANA WIEDEMANN, Chair
Mendocino County Planning Commission



EXHIBIT A

(as described in Document No. 2021-17023, Mendocino County Records)

All that certain real property situated in the County of Mendocino, State of California, more particularly described as follows:

All that portion of the following described real property lying South of the Mendocino-Trinity County Line.

Lots 3, 4, 5, 8, 9, 11 and 12; the South half of the Southeast quarter and the Southwest and the Southwest quarter of Section 2; all of Section 3 comprising of Lots 1 to 12 inclusive and the South half of said Section 3; Lots 1, 2, 3, 4, 5, 6, 7, 10, 11 and 13; the East half of Lot 8; the East half of Lot 9; the East half of Lot 12, Lots 14 and 15; the Northeast quarter of the Southeast quarter of Section 4; all that portion of Lots 1 and 6 of Section 5, lying North and East of the center of the channel of the Eel River; Lot 1 of Section 9; Lot 1, 2, 3 and 4 of Section 10; Lots 1, 2, 3 and 4; the Northeast quarter and the North half of the Northwest quarter of Section 11; Lot 1, the North half of the Northwest quarter, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 12; Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Also the South half of the South half of the Southeast quarter of Section 36, Township 5 South, Range 6 East, Humboldt Meridian.

Also the South half of the South half of the South Half of Section 31; the South half of the South half of the South half of Section 32; the South half of the South half of the Southwest quarter of the Southeast quarter of Section 33, Township 5 South, Range 7 East, Humboldt Meridian.

Saving and excepting that portion thereof conveyed by George N. Merritt et ux to Northwestern Pacific Rail Road Company by deed recorded in Book 118 of Deeds, Page 119, Mendocino County Records.

Also the West half of Lot 8, Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Excepting therefrom a piece or parcel of land situate, lying and being in Lot 8 of Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian, in an unincorporated area of Mendocino County, California, described as follows:

Beginning at a point in the Westerly line of said Section 4, said point of beginning also being the Southwest corner of said Lot 8; thence North along said Westerly line a distance of 825.00 feet; thence South 70° 00' 20" East, 280 feet; thence South 40° 00' East, 115 feet; thence South 7° 19' 20" East, 150.51 feet, thence South 35° 00' West, 360.00 feet; thence South 10° 00' West, 200.00 feet to a point on the Southerly line of said Lot 8, thence West along said Southerly line a distance of 115.00 feet to the point of beginning.

Excepting from the hereinabove described parcel of land, any portion thereof lying with the land described in the deed from Ramsey Land and Live Stock Company to Northwestern Pacific Railroad Company, recorded February 14, 1911 in Book 118 of deeds, Page 115, Mendocino County Records.

APN: 011-530-10
031-010-01, 09, 13, 17
031-020-06, 07, 08
031-030-01, 02, 05, 06
031-150-28, 29, 34, 35