



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
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November 20, 2023

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Board of Supervisors at their regular meeting on Tuesday, December 5, 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_2023-0001

DATE FILED: 4/21/2023

OWNER/APPLICANT: PAUL SOUSA

AGENT: LEE PERSICO

REQUEST: Agricultural Preserve to establish a Williamson Act contract over 250± acres in the Willits area.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 2.5± miles northeast of Willits city center, on the south side of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01.

SUPERVISORIAL DISTRICT: 3 (Haschak)

STAFF PLANNER: STEVEN SWITZER

PLANNING COMMISSION RECOMMENDATION: The Planning Commission, at their November 16, 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-notice>

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: December 5, 2023

DEPARTMENT CONTACT: Steven Switzer

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_2023-0001, Authorizing the Placement of Approximately Two Hundred and Fifty (250±) Acres into an Agricultural Preserve and Williamson Act Contract for the Lands of Paul Sousa, in the Willits Area (APNs: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01).

RECOMMENDED ACTION/MOTION:

Hold the public hearing and adopt the Resolution approving Agricultural Preserve No. A_2023-0001, authorizing the Placement of approximately two hundred and fifty (250±) Acres into an Agricultural Preserve and Williamson Act Contract for the lands of Paul Sousa, in the Willits Area (APNs: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01); 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 Applicant, Paul Sousa, requests establishment of an Agricultural Preserve and Williamson Act Contract over 250± acres, zoned Agricultural and Rangeland in the Willits area (APNs: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01). The land is used for cattle, horse, sheep, and goat 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 November 16, 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: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01), 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

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:



MEMORANDUM

DATE: DECEMBER 5, 2023

TO: HONORABLE BOARD OF SUPERVISORS

FROM: STEVEN SWITZER, PLANNING AND BUILDING SERVICES

SUBJECT: **A_2023-0001, REQUEST TO ESTABLISH AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT OVER 250± ACRES IN THE WILLITS AREA**

The applicant, Paul Sousa, is requesting the establishment of an Agricultural Preserve and Williamson Act Contract over 250± acres for the lands of the same. The land is located in the Willits area, 2.5± miles northeast of Willits city center, on the south side of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01. The land is used for animal husbandry including grazing, feeding, and caring of cattle, horses, sheep, goats, and pigs.

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

Pursuant to Section 4.2 (A), the properties within the proposed preserve boundaries have Agriculture (AG) and Rangeland (RL) zoning designations.

Pursuant to Section 4.2 (B), the land proposed to be restricted by contract meets the 100 minimum acreage requirements as discussed in the staff report and supporting materials.

Pursuant to Section 5.2(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.

Pursuant to Section 5.2(B), more than 50 percent of the land proposed to be restricted by contract has been devoted to agricultural uses as evidenced by the submitted application materials.

Pursuant to Section 5.2(C), the land proposed to be restricted by contract meets the minimum parcel size requirements as discussed in the staff report and supporting materials.

Pursuant to Section 5.2(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 November 16, 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_2023-0001, authorizing the placement of approximately two hundred and fifty (250±) acres into an Agricultural Preserve and Williamson Act Contract for Paul Sousa, in the Willits Area (APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01); and authorize Chair to sign same.

ATTACHMENTS:

- A. RESOLUTION
- B. PLANNING COMMISSION PACKET
- C. PLANNING COMMISSION DRAFT MINUTES
- D. PLANNING COMMISSION RESOLUTION NO. PC_2023-0023

RESOLUTION NO. 23-_____

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE LANDS OF PAUL SOUSA (APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01), (A_2023-0001).

WHEREAS, the applicant, PAUL SOUSA, filed an application with the Mendocino County Department of Planning and Building Services to establish an Agricultural Preserve over 250± acres and establish a Williamson Act contract over said land in the Willits area, 2.5± miles northeast of Willits city center, on the southside of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01, and which areas are described in Exhibit "A" (the "Project"); General Plan Agricultural (AG); Zoning Agricultural (AG) and Rangeland (RL); Supervisorial District 3; 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, November 16, 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 November 16, 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 5th day of December 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. **GENERAL PLAN:** The Project is consistent with the property's General Plan land use designation of Agricultural (AG) and with applicable goals and policies of the General Plan.
- b. **ZONING:** The Project is consistent with the property's zoning district of Agricultural (AG) and Rangeland (RL) and is in conformance with Mendocino County Code Chapters 20.052 and 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 5.2 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"

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

PARCEL ONE:

COMMENCING AT THE CORNER OF SECTIONS NINE (9), TEN (10), FIFTEEN (15) AND SIXTEEN (16) AND RUNNING THENCE WEST, ALONG THE SECTION LINE 20 CHAINS, MORE OR LESS TO THE COUNTY ROAD; THENCE NORTH ALONG THE COUNTY ROAD 18.10 CHAINS; THENCE NORTH 88-1/2° EAST, IN A STRAIGHT LINE 40 CHAINS, MORE OR LESS, TO THE EASTERN LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 10; THENCE SOUTH ALONG SAID LINE 18.80 CHAINS, MORE OR LESS, TO THE SECTION LINE BETWEEN SECTORS 10 AND 15; THENCE WESTERLY, ALONG SAID SECTION LINE, 20 CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING, ALL BEING IN TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) WEST, MOUNT DIABLO BASE AND MERIDIAN.

APN: 108-120-11 AND 108-150-06

PARCEL TWO:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION NINE (9); ALSO THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION NINE (9), LYING SOUTH OF THE CENTER OF BERRY CREEK; ALL IN TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) WEST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THE DEED TO THE COUNTY OF MENDOCINO RECORDED APRIL 3, 1981 IN BOOK 1299 OF OFFICIAL RECORDS, PAGE 318, MENDOCINO COUNTY RECORDS.

APN: 108-120-17

PARCEL THREE:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15 AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 18 NORTH, RANGE 13 WEST, MOUNT DIABLO BASE AND MERIDIAN.

APN: 103-180-08 AND 108-181-01

APN: 108-120-11-0, 108-150-06, 108-120-17, 103-180-08, 108-181-01



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October 31, 2023

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission, at their regular meeting to be held on Thursday, November 16, 2023, at 10:00 a.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.gov or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

CASE#: A_2023-0001

DATE FILED: 4/21/2023

OWNER/APPLICANT: PAUL SOUSA

AGENT: LEE PERSICO

REQUEST: Agricultural Preserve to establish a Williamson Act contract over 250± acres in the Willits area.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 2.5± miles northeast of Willits city center, on the south side of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01.

SUPERVISORIAL DISTRICT: 3 (Haschak)

STAFF PLANNER: STEVEN SWITZER

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.gov by November 15, 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**

**NOVEMBER 16, 2023
A_2023-0001**

SUMMARY

OWNER/ APPLICANT: PAUL SOUSA
23701 EASTSIDE RD
WILLITS, CA 95490

AGENT: LEE PERSICO
100 SOUTH ST
WILLITS, CA 95490

REQUEST: Agricultural Preserve to establish a Williamson Act contract over 250± acres in the Willits area.

LOCATION: 2.5± miles northeast of Willits city center, on the south side of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01.

TOTAL ACREAGE: 250.6± Acres

GENERAL PLAN: Agricultural- 40 Acre Minimum (AG40)

ZONING: Agricultural -40 Acre Minimum (AG40); Rangeland -160 Acre Minimum (RL160)

SUPERVISORIAL DISTRICT: 3 (Haschak)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: RECOMMEND APPROVAL TO BOARD OF SUPERVISORS

STAFF PLANNER: STEVEN SWITZER

BACKGROUND

PROJECT DESCRIPTION: Agricultural Preserve to establish a Williamson Act contract over 250± acres in the Willits area. The Agricultural Preserve would be comprised of 5 parcels.

The following acreages would be utilized as follows: 80± acres would be dedicated as hay field with seasonal cattle and horse grazing, 6± acres would be dedicated for goat and sheep grazing together with pig barn and living area, 25± acres dedicated as hay field with goat/sheep grazing area and horse training arena, 8± acres for horse stables and pens, 2± acres for chicken coop and grazing area, and 13± acres for shared cattle and sheep grazing area. In total, the applicant intends to utilize 134± acres for agricultural uses.

APPLICANT'S STATEMENT: *"We are requesting creation of the new contract. We are running 'East Side Ranch' out of 23701 East Side Road. I raise pigs, sheep, goats, chickens, and cattle from the property. I own 250 acres and 80 acres are grass hay."*

RELATED APPLICATIONS:

- BU_2007-0266 –Hay Storage/Tack Room
- BU_2007-0265 –Stable
- BU_2007-0050 –Roof Mount Solar on Barn (BU_2005-1008)
- BU_2005-1008 –Barn

SITE CHARACTERISTICS: The property is located 2.5± miles northeast of Willits city center, on the south side of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits. The proposed Agricultural Preserve is comprised of 5 parcels totaling 250± Acres. The farmland classification for these parcels is grazing land, land on which the existing vegetation is suited to the grazing of livestock.¹ The subject parcels are served by the Little Lake Fire Protection District and split between Local and State Fire Responsibility Areas.² The subject parcels are served by a private well connection for groundwater resources and a private on-site sewage system. A local utility company provides electrical service to the subject parcels. The Wente Scout Reservation, a national accredited Boy Scouts' camp is located to the east of the subject parcels.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Agricultural (AG40); Range Lands (RL)	Agricultural (AG40); Rangeland (RL)	3.85± to 57.42± Acres	Residential, Agriculture
EAST	Range Lands (RL)	Rangeland (RL)	78.79± to 81.94± Acres	Recreational
SOUTH	Agricultural (AG40); Range Lands (RL)	Agricultural (AG40); Rangeland (RL)	1.65± to 38.17± Acres	Residential, Agriculture
WEST	Agricultural (AG40)	Agricultural (AG40)	5.23± to 39.20± Acres	Residential, Agriculture

PUBLIC SERVICES:

Access: East Side Road (CR 304)
 Fire District: Little Lake Fire Protection District
 Water District: NONE
 Sewer District: NONE
 School District: Willits Unified

AGENCY COMMENTS: On May 15, 2023, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

REFERRAL AGENCIES	COMMENT
Assessor	No Comment
Farm Advisor	No Comment
Agriculture Commissioner	No Comment
Resource Lands Protection Committee	Comment
CA Division of Land Resource Protection	No Response
CalFire Resource Management	No Response
Department of Fish and Wildlife	Comment
Redwood Valley Municipal Advisory Council	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Little Lake Fire Protection District	No Response

¹ Farmland Classifications Map

² Fire Hazards Map

KEY ISSUES

GENERAL PLAN CONSISTENCY: The subject parcels are designated under Mendocino County General Plan, Chapter 3–Development Element, Policy DE-16: Land Use Category: AG-Agricultural Lands that provides the following:

The Agricultural Lands classification is intended to be applied to lands that are suited for and are appropriately retained for the production of crops. The classification should include lands presently under Type I agricultural preserve contracts, land having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which non-compatible uses could jeopardize the agricultural use of agricultural lands. Permitted non-agricultural uses, to the greatest extent possible, should not occur on lands that might otherwise be devoted to crop production. 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. (MCGP, Ch. 3, Policy DE-16)

Currently, the subject parcels are utilized for grazing and the raising of livestock. A residential use is also located on APN: 108-120-11. The establishment of an agricultural preserve would restrict the five (5) subject parcels to have predominately agricultural and compatible land uses in accordance with the AG land use category. In addition to the project's consistency with the AG land use category, the following General Plan policies would also apply:

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. (MCGP, Ch. 4)*

Staff finds that application materials demonstrate the proposed project to establish a Williamson Act contract over 250± acres in the Willits area for livestock grazing and other compatible agricultural uses would be consistent with the applicable General Plan goals and policies.

ZONING CONSISTENCY: The subject parcels are within two zoning districts, Agricultural (AG) and Rangeland (RL). The intent of the AG district is to:

...create and preserve areas for the raising of crops and animals. Processing of products produced or raised on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically, the A-G District would be applied to lands subject to Type I Agricultural Preserve contracts, land having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which noncompatible uses could jeopardize the agricultural use of surrounding lands. (MCC, Div. I, Ch. 20.052)

The RL district provides the following:

This 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. (MCC, Div. I, Ch. 20.060)

As detailed in the project description, the applicant intends to establish a Williamson Act contract over 250± acres in which the land would be utilized for the raising and grazing of livestock including pigs, sheep, goats, chickens, and cattle. The proposed use of the land is a permitted agricultural use within both AG and RL zoning districts. Therefore, the project request is consistent with Mendocino County Code Chapters 20.052 and 20.060.

RESOURCE LANDS PROTECTION COMMITTEE: The applicant provided financial information demonstrating evidence of substantial investment/development including capital improvements, maintenance and other costs related to qualified agricultural uses. The Resource Lands Protection Committee met on September 18, 2023 and determined that the submitted financial information was sufficient to be substituted for minimum annual income requirements. The Resource Lands Protection Committee recommended approval of the Agricultural Preserve.

AGRICULTURAL PRESERVES & WILLIAMSON ACT CONTRACTS POLICIES AND PROCEDURES: The legislature of the State of California, in enacting the California Land Conservation Act of 1965 also known as the Williamson Act and subsequent amendments, found that the preservation of a maximum amount of a limited supply of prime agricultural land is necessary to the state's economic resources; that the discouragement of premature and unnecessary conversion of prime agricultural land to urban uses is a matter of public interest; that in a rapidly urbanizing society agricultural lands have a definite public value as open space; that the preservation of a maximum amount of the limited supply of agricultural land is necessary for the maintenance of the agricultural economy of the state and for an assurance of adequate, healthful and nutritious food for future residents of this state and the nation; that the agricultural work force is vital to sustaining agricultural productivity and that land within a scenic highway corridor or wildlife habitat has a value to the state because of its scenic beauty and its location adjacent to or within the view of a state scenic highway or because it is of great importance as habitat for wildlife and contributes to the preservation or enhancement thereof.

Mendocino County Board of Supervisors concurs with the findings of the California State Legislature and has subsequently adopted and amended a Policies and Procedures for Agricultural Preserves and Williamson Act Contract document. The following policies and procedures applicable to the project are as follows:

- **Section 4.2 (A)** provides that no agricultural preserve may be established or approved by the Board of Supervisors unless all properties within the proposed preserve boundaries have the following restrictive zoning: Agriculture (AG), Rangeland (RL), or Forestland (FL).

The properties within the proposed preserve boundaries have AG and RL zoning designations and meet this requirement.

- **Section 4.2(B)** provides that an agricultural preserve shall consist of no less than 100 acres; provided that, in order to meet this requirement, two or more parcels may be combined if they are contiguous and further provided that no parcel containing less than 100 acres shall be combined for this purpose with any other parcels within an existing agricultural preserve unless the owners of all parcels included within the agricultural preserve have indicated their approval in writing on the petition.

The proposed preserve is comprised of 5 parcels totaling 250.6± acres and meets this requirement.

- **Section 5.2(B)** provides that agricultural or open space land shall be deemed to be devoted to agricultural or open space uses when a minimum of 50 percent of the land is continuously used or maintained for agricultural uses.

Application materials demonstrate that 80± acres would be dedicated as hay field with seasonal

cattle and horse grazing, 6± acres would be dedicated for goat and sheep grazing together with pig barn and living area, 25± acres dedicated as hay field with goat/sheep grazing area and horse training arena, 8± acres for horse stables and pens, 2± acres for chicken coop and grazing area, and 13± acres for shared cattle and sheep grazing area. 50 percent of the proposed 250± acre Agricultural Preserve would be 125± acres. The applicant meets this requirement and intends to utilize 134± acres for agricultural uses.

- **Section 5.2(D)** provides that the land must generate an annual income not less than \$2,000.00 in gross total income (or an equivalent exchange of goods and services) plus \$2.50 gross income per acre for a total of \$2,625.00 for the proposed 250± acre Agricultural Preserve. Evidence of substantial investment/development (whether incurred by a property owner or tenant), including capitalized improvements, maintenance and other costs related to qualified agricultural uses, may be substituted for annual income. The County may consider all qualifying agricultural income generated by the property, including tenant income, which shall be pro-rated based on the percentage of the year the property was used by the tenant.

Application materials demonstrate that substantial investment, development, maintenance, and other costs related to qualified agricultural uses total well in excess of the \$2,625.00 threshold and may be substituted for annual income requirements.

ENVIRONMENTAL DETERMINATION

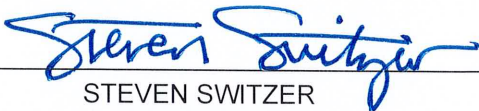
The Secretary for Resources has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. Pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15317, Class 17 of California Environmental Quality Act (CEQA) Guidelines, a categorical exemption is offered for the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. The proposed project of establishing an Agricultural Preserve was determined to meet these criteria under CEQA Class 17 and is categorically exempt from further environmental review.

RECOMMENDATION

By Resolution, the Planning Commission makes its report and recommendation to the Board of Supervisors recommending the approval of the proposed Agricultural Preserve, subject to the findings contained in the Resolution.

26 OCT 2023

DATE



STEVEN SWITZER
PLANNER II

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

ATTACHMENTS:

- | | |
|---------------------------------|-------------------------------------|
| A. Application | J. Dam Inundation Zone Map |
| B. Location Map | K. Wetlands Map |
| C. Aerial Map | L. Slopes Map |
| D. Zoning Map | M. Soil Classifications Map |
| E. General Plan Map | N. Williamson Act Map |
| F. Adjacent Parcels Map | O. Important Farmlands Map |
| G. Fire Hazard Zones Map | P. Crops Map |
| H. Wildland-urban Interface Map | Q. Township, Range, and Section Map |
| I. Flood Zone Map | |

RESOLUTION AND EXHIBIT A



PLANNING & BUILDING SERVICES

CASE NO: A 2023-0001
DATE FILED: 4/21/23
FEE: \$4,657-
RECEIPT NO: 55867
RECEIVED BY: RPF
Office Use Only

APPLICATION FORM

APPLICANT:

Name: PAUL SOUSA Phone: 408-910-5143
Mailing Address: 23701 EASTSIDE RD
City: WILLITS State/Zip: CAL 95490 Email: P.SOUSA@HP@YAHOO.COM

PROPERTY OWNER:

Name: PAUL SOUSA Phone: 408-910-5143
Mailing Address: 23701 EASTSIDE RD
City: WILLITS State/Zip: CAL 95490 Email: P.SOUSA@HP@YAHOO.COM

AGENT:

Name: LEE P PERSICO Phone: 707-459-5389
Mailing Address: 100 50 STREET
City: WILLITS State/Zip: CAL Email: Lee.P.Persico@WILLITS.COM

ASSESSOR'S PARCEL NUMBER/S: 108-120-11, 108-102-17, 108-180-8, 108-150-6, 108-181-1

TYPE OF APPLICATION:

- Administrative Permit
Agricultural Preserve: New Contract
Agricultural Preserve: Cancellation
Agricultural Preserve: Rescind & ReEnter
Airport Land Use
Development Review
Exception
Flood Hazard Development Permit
General Plan Amendment
Land Division - Minor
Land Division - Major
Land Division - Parcel
Land Division - Re-Subdivision
Modification of Conditions
Reversion to Acreage
Rezoning
Use Permit - Cottage
Use Permit - Minor
Use Permit - Major
Use Permit - Modification
Variance
Other

I certify that the information submitted with this application is true and accurate.

Signature of Applicant/Agent: [Signature] Date: 3/22/23

Signature of Owner

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc. If the proposal is for cancellation of a Williamson Act contract, please specify a proposed alternative use for the land.

We are requesting creation of the new contract. We are running "East side Ranch" out of 23701 Eastside Road. I raise pigs, sheep, goats, chickens and cattle from the property. I own 250 Acres and 80 Acres are grass hay.

2. Structures/Lot Coverage	NO. OF UNITS		SQUARE FOOTAGE		
	EXISTING	PROPOSED	EXISTING	PROPOSED	TOTAL
<input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Mobile Home <input type="checkbox"/> Duplex <input type="checkbox"/> Multifamily <input type="checkbox"/> Other: <input type="checkbox"/> Other:	2		7,500 Sqft		
GRAND TOTAL (Equal to gross area of Parcel):					

3. Is the project commercial, industrial, or institutional? If yes, complete item 3. If no, skip to item 4.

Estimated No. of Employees per shift: 0

Estimated No. of shifts per day: 0

Type of loading facilities proposed: N/A

4. Will the project be phased? (Work being done over separate periods of time)

NO YES If yes, explain your plans for phasing:

5. Will vegetation be removed on areas other than the building sites and roads?

NO YES If yes, explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?

NO YES If yes, explain:

7. How much off-street parking will be provided?

	Number	Size
No. of covered spaces:	N/A	
No. of uncovered spaces:		
No. of standard spaces:		
No. of accessible spaces:		
Existing no. of spaces:		
Proposed additional spaces:		
Total:		

8. Is any road construction or grading planned? If yes, grading and drainage plans may be required.

NO YES Also, please describe the terrain to be traversed. (e.g., steep, moderate slope, flat, etc.)

9. For grading or road construction, complete the following:

Amount of cut: N/A cubic yards

Amount of fill: _____ cubic yards

Max. height of fill slope: _____ feet

Max. height of cut slope: _____ feet

Amount of import/export: _____ cubic yards

Location of borrow or disposal site: N/A

10. Does the project involve sand removal, mining or gravel extraction? If yes, detailed extraction, reclamation and monitoring plans may be required.

NO YES

11. Will the proposed development convert land currently or previously used for agriculture to another use?

NO YES

12. Will the development provide public or private recreation opportunities?

NO YES If yes, explain how:

13. Is the proposed development visible from State Route 1 or other scenic route?

NO YES

14. Is the proposed development visible from a park, beach or other recreational area?

NO YES

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking: NO YES

Filling: NO YES

Dredging: NO YES

Structures: *N/A* Open Coastal Waters Wetlands Estuaries Lakes

If so, what is the amount of material to be dredged/filled?: _____ cubic yards

Location of dredged material disposal site?: _____

Has a U.S. Army Corps of Engineers permit been applied for? NO YES

16. Will there be any exterior lighting?

NO YES If yes, describe below and identify the location of all exterior lighting on the plot and building plans.

17. Utilities will be supplied to the site as follows:

Electricity: Utility Company (service exists to parcel)
 Utility Company (requires extension of service to site): _____ feet _____ miles
 On Site Generation – Specify:

Gas: Utility Company/Tank
 On Site Generation – Specify:
 None

Telephone: NO YES

18. What will be the method of sewage disposal?

- Community Sewage System (specify supplier): _____
- Septic Tank
- Other (specify): _____

19. What will be the domestic water source:

- Community Water System (specify supplier): _____
- Well
- Spring
- Other (specify): _____

20. Are there any associated projects and/or adjacent properties under your ownership?

- NO
 - YES If yes, list below (Assessor's Parcel Number, address, etc.)
- _____
- _____
- _____

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, State and Federal agencies:

N/A

22. Describe the location of the site in terms of readily identifiable landmarks: (e.g., mailboxes, mile posts, street intersections, etc.)

East on Commercial Street from Main Street. Turn left on East side Rd At big oak tree drive North on Eastside Rd until you see big red barn on right side and Aluminum hanger on left side.

23. Are there existing structures on the property? If yes and the proposal is for a subdivision, describe below and identify the use of each structure on the plot plan or tentative map.

- NO
 - YES
- Not for Subdivision
- _____
- _____
- _____

24. Will any existing structure be demolished or removed? If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.

- NO
 - YES
- _____
- _____
- _____

Refer to legend for Number description



Refer to legend for Number description



#1 Hay field and seasonal Cattle Pasture grazing.

#2 Cattle feed lot and grazing

#3 Horse Pasture and hay storage barn.

#4 Goat and sheep barn and grazing area

#5 Pig barn and living area and farrowing stalls

#6 Hay field and sheep grazing

#7 Sheep/Goat grazing area

#8 Horse training center and arena

#9 Horse stables and pens

#10 Chicken/poultry coop and grazing area

#11 Cattle/sheep grazing area

(80 Acres)

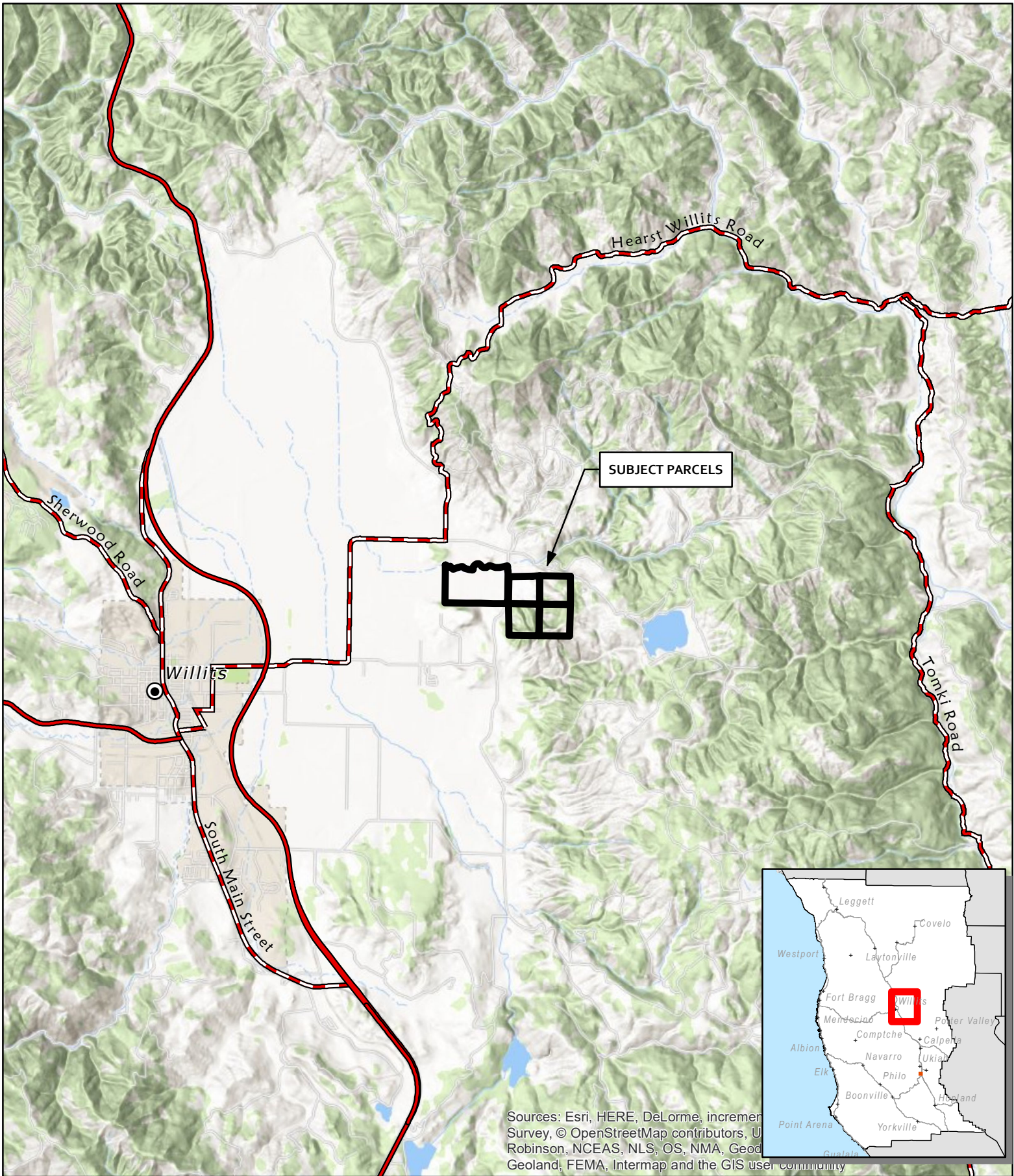
(6 Acres)

(25 Acres)

(8 Acres)

(2 Acres)

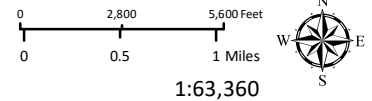
(13 Acres)



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CASE: A 2023-0001
OWNER: SOUSA, Paul
APN: Various
APLCT: Paul Sousa
AGENT: Lee Persico
ADDRESS: 23701 East Side Rd

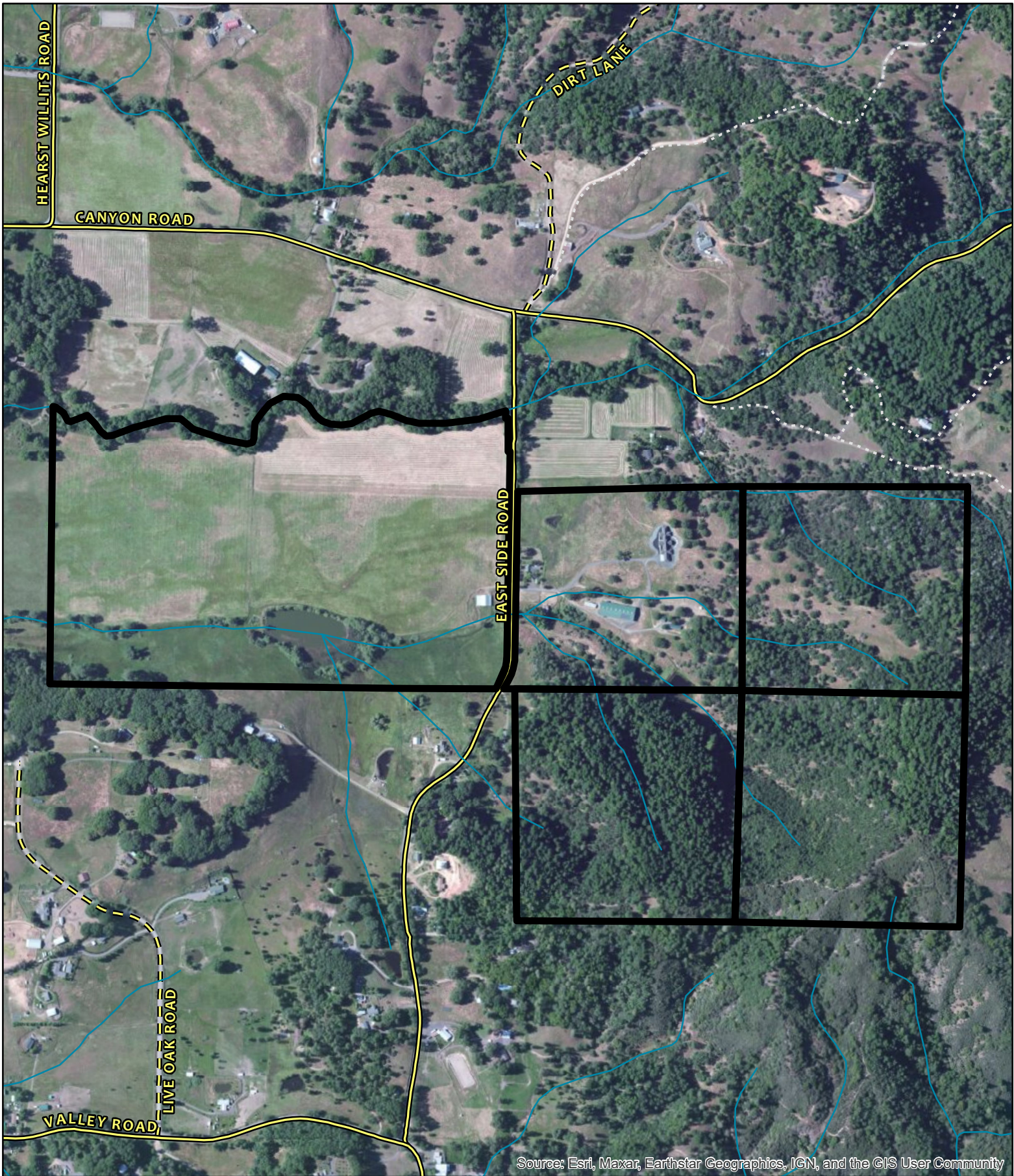
-  Major Towns & Places
-  Highways
-  Major Roads



1:63,360




LOCATION

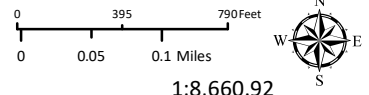
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Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

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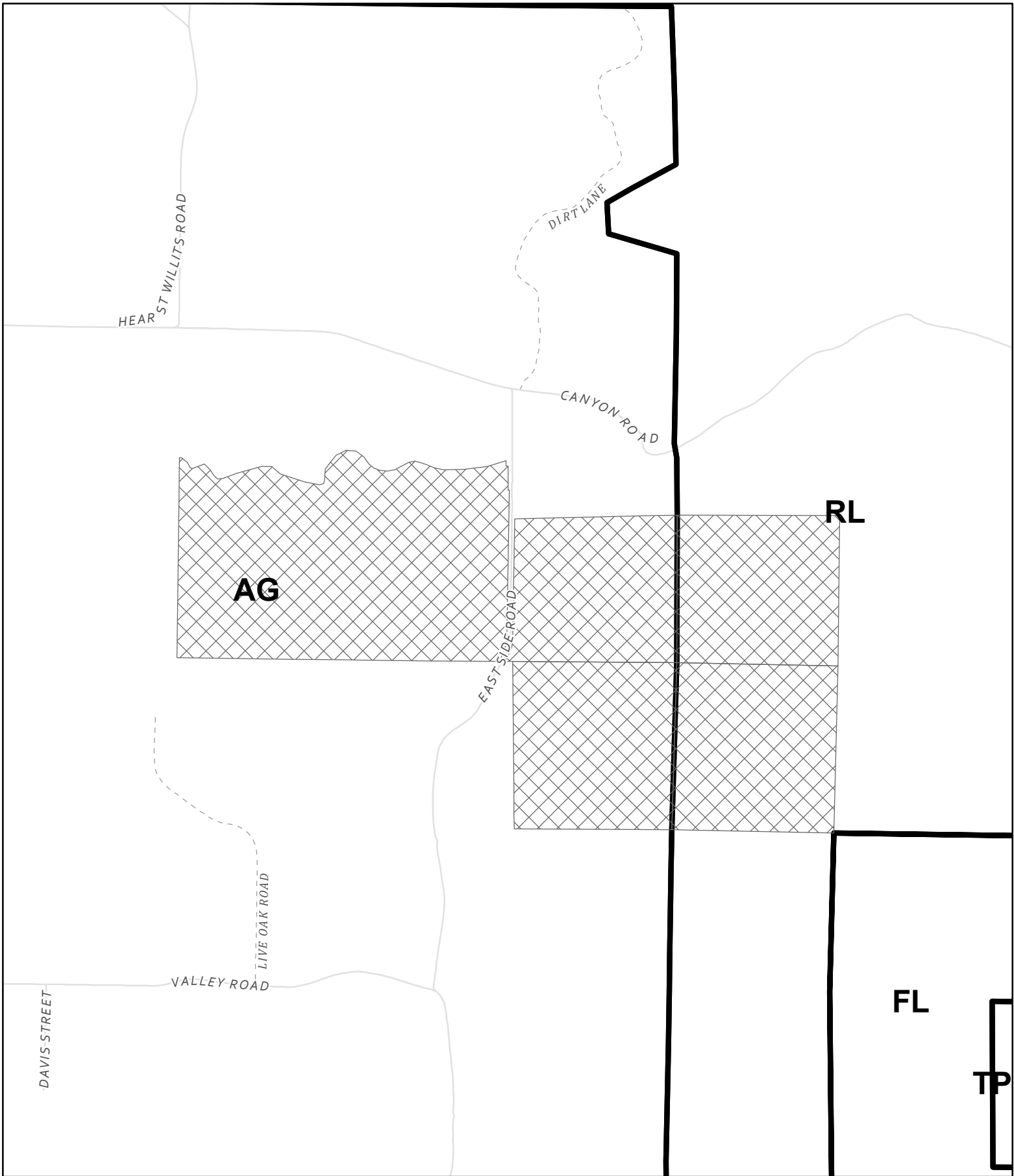
-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads






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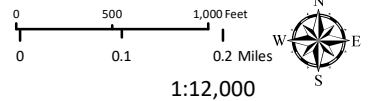
AERIAL IMAGERY

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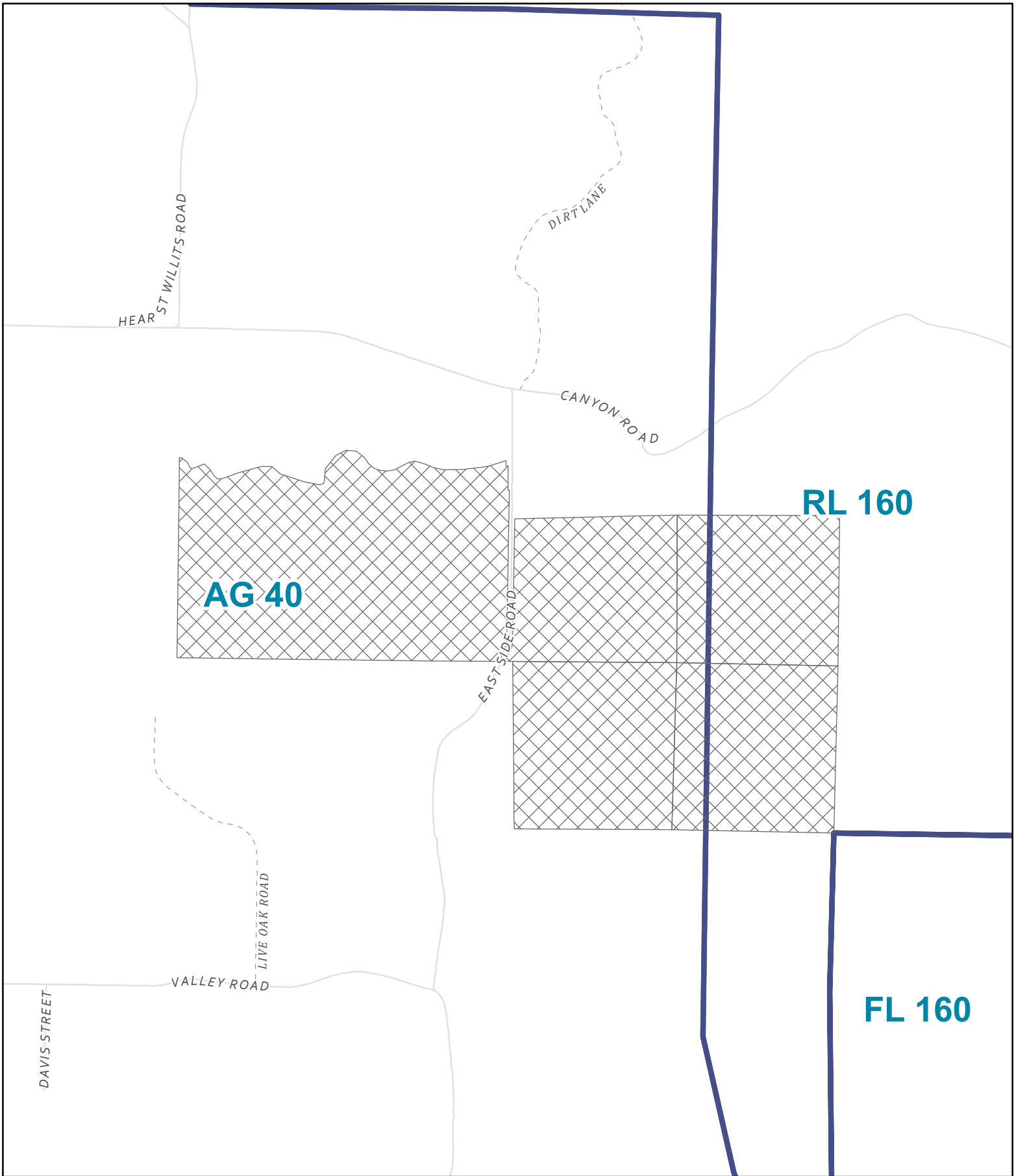
-  Zoning Districts
-  Public Roads
-  Private Roads



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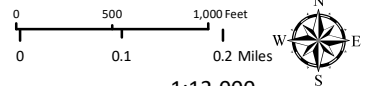
ZONING

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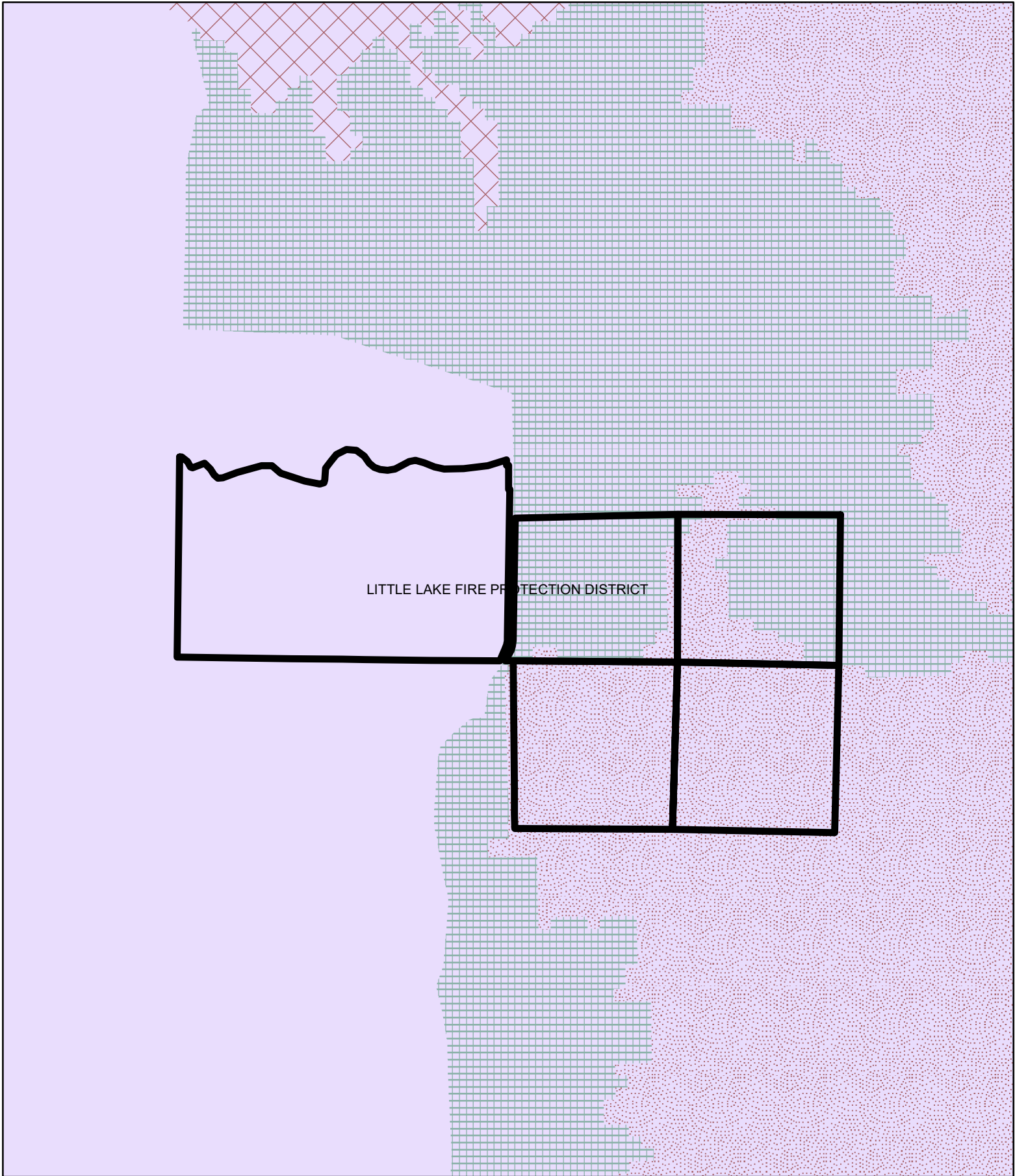
— Public Roads
 - - - Private Roads



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GENERAL PLAN

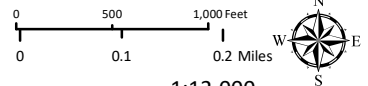
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LITTLE LAKE FIRE PROTECTION DISTRICT

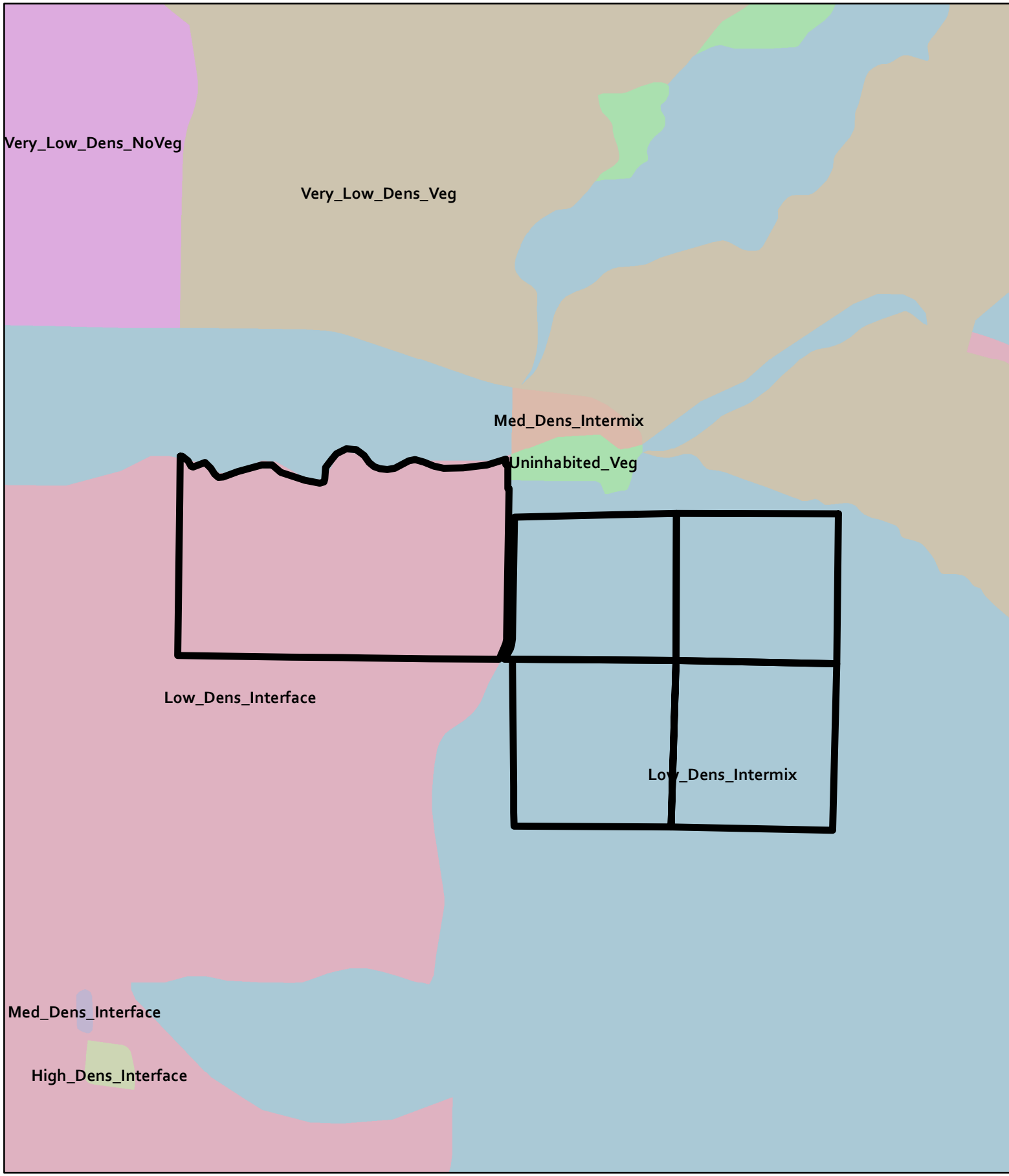
CASE: A 2023-0001
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ADDRESS: 23701 East Side Rd

-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts



1:12,000
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

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Very_Low_Dens_NoVeg

Very_Low_Dens_Veg

Med_Dens_Intermix

Uninhabited_Veg

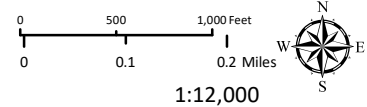
Low_Dens_Interface

Low_Dens_Intermix

Med_Dens_Interface

High_Dens_Interface

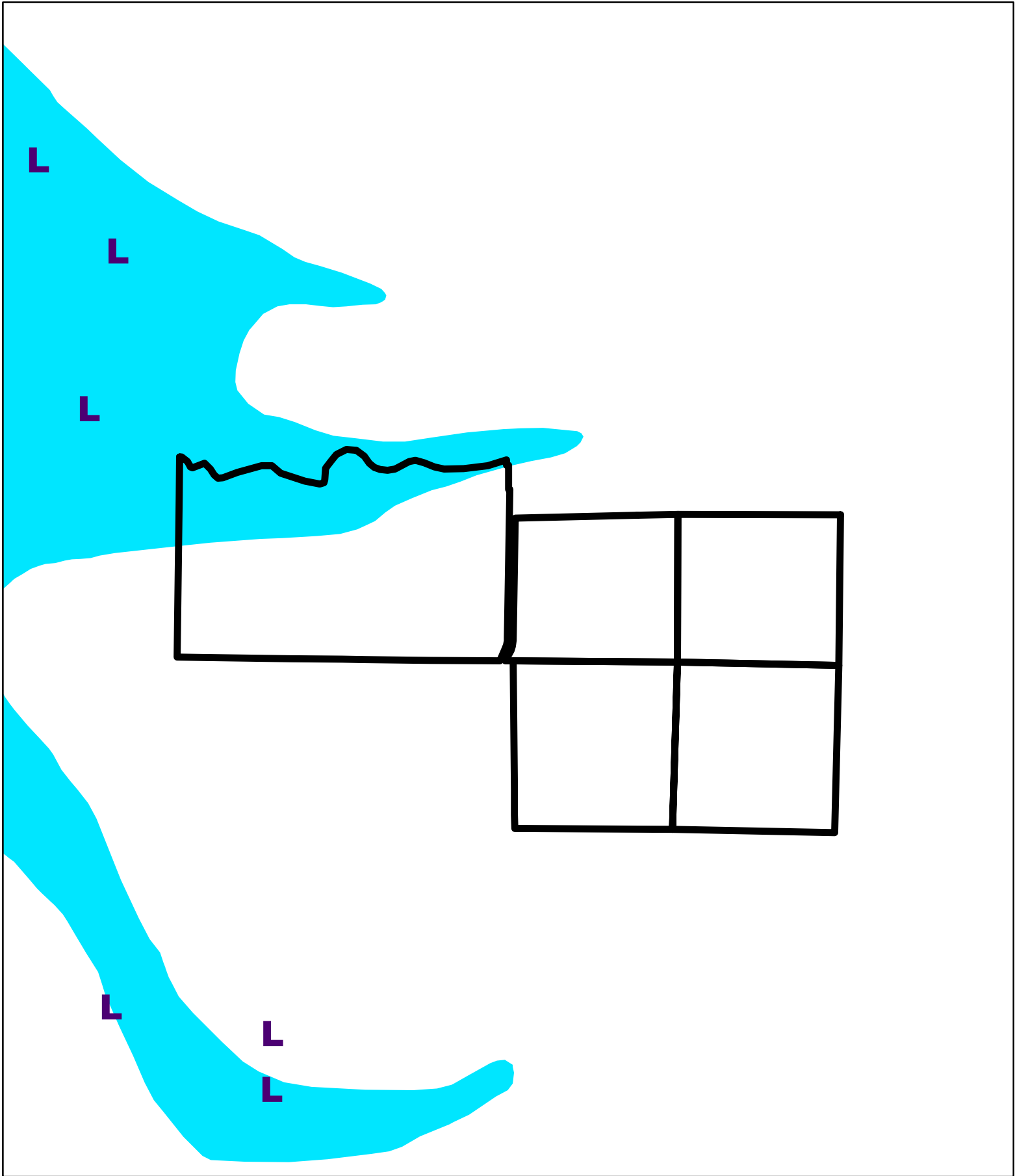
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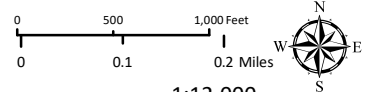
WILDLAND-URBAN INTERFACE

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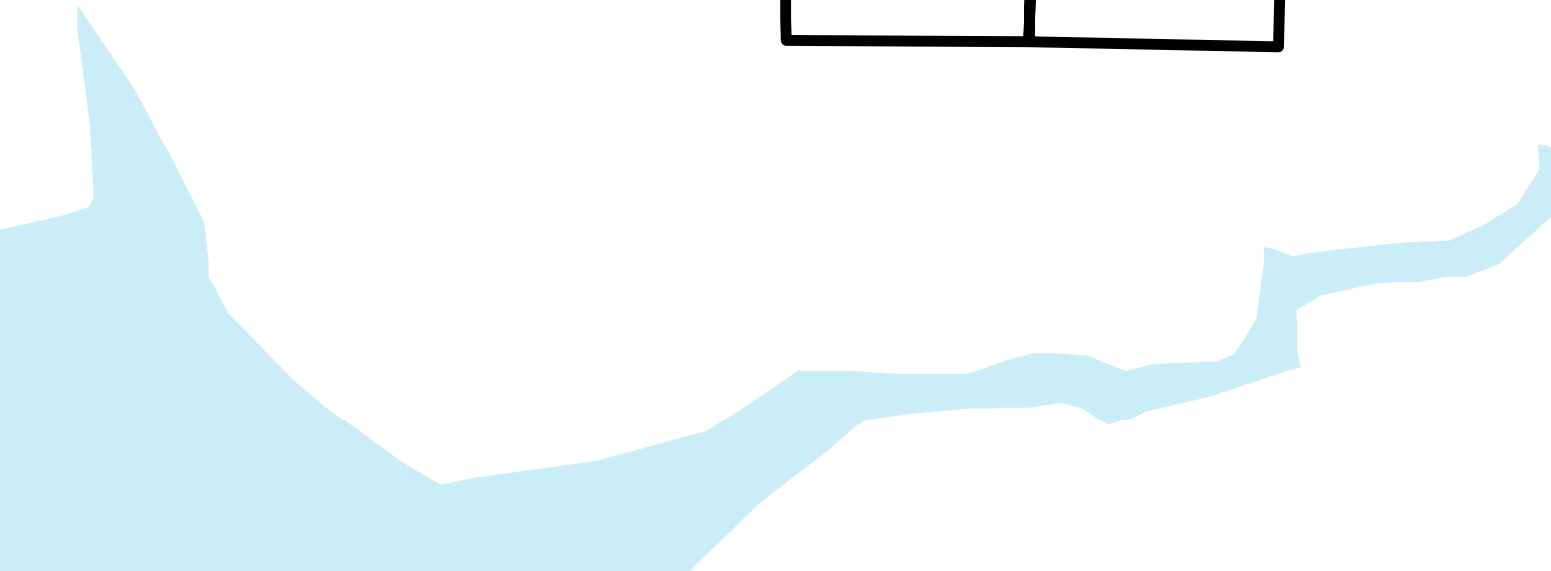
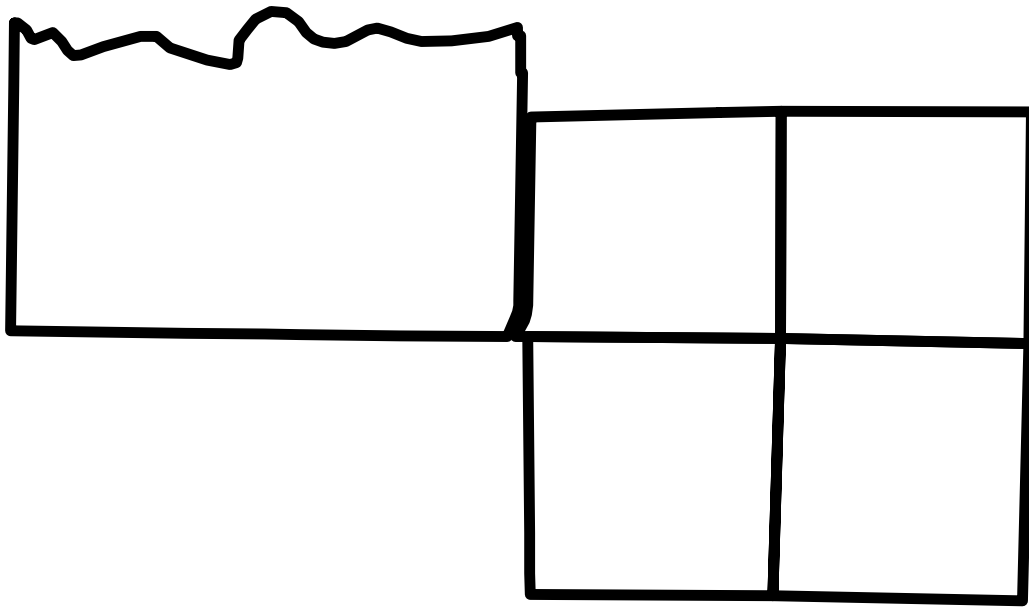
CASE: A 2023-0001
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 LOMA Letters
 1% Annual Chance Flood Hazard



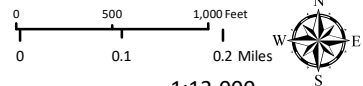
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FLOOD ZONES

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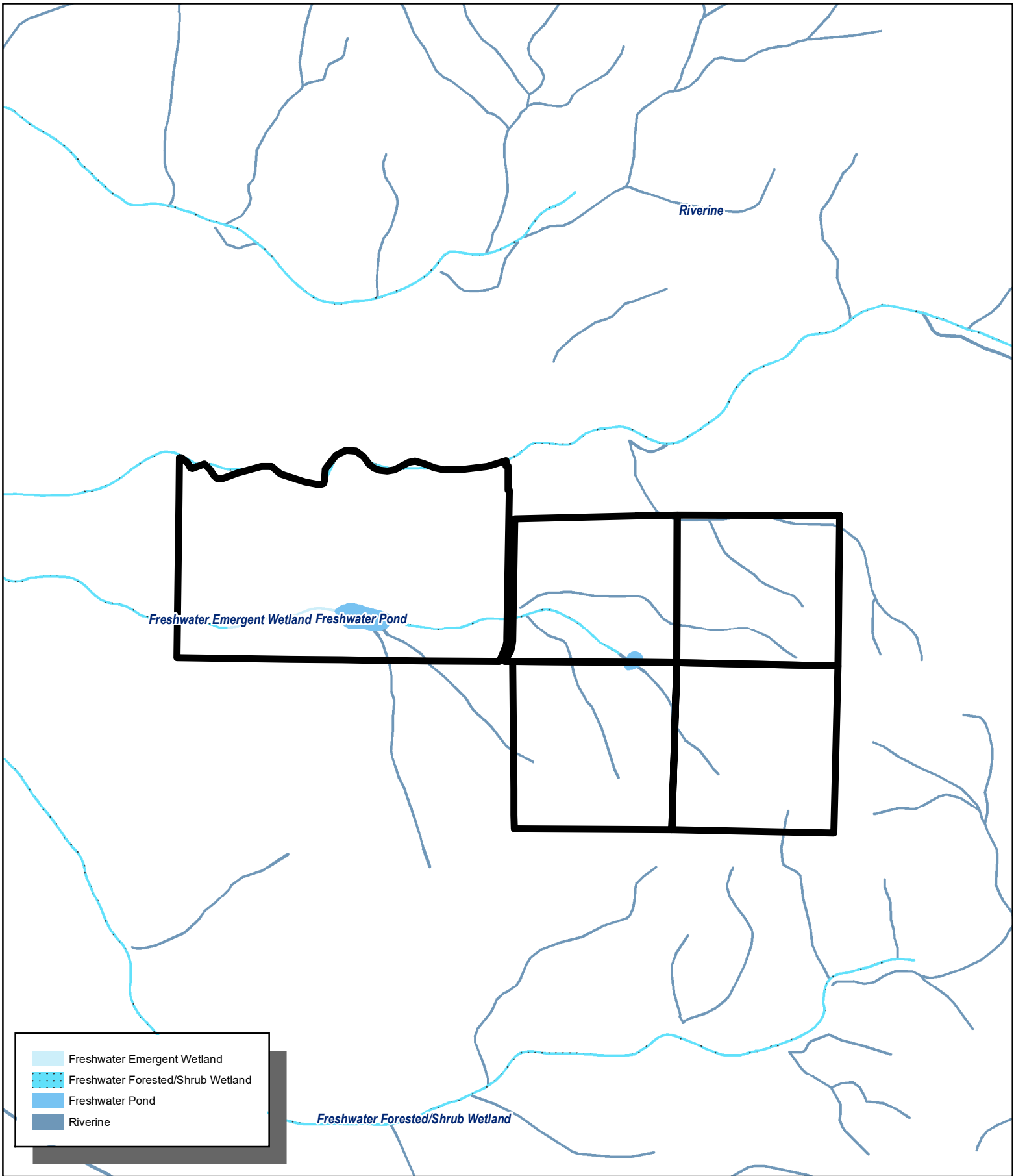
 Scout Lake







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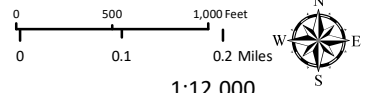
DAM INUNDATION ZONE

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	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Riverine

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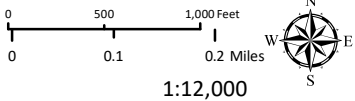
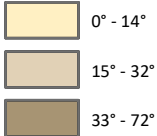
WETLANDS

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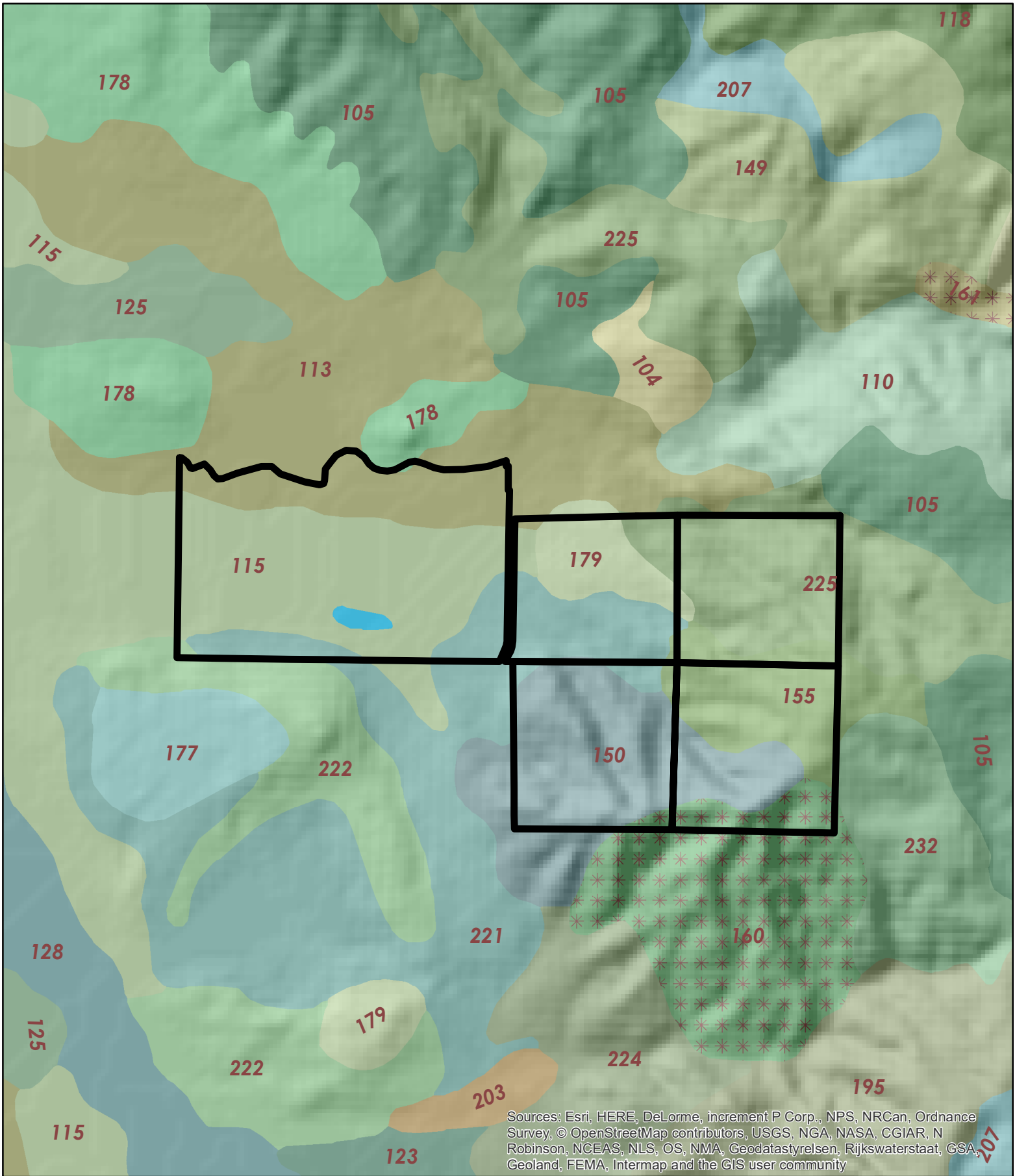
CASE: A 2023-0001
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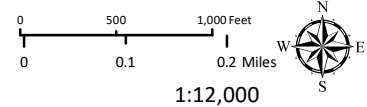
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ESTIMATED SLOPE

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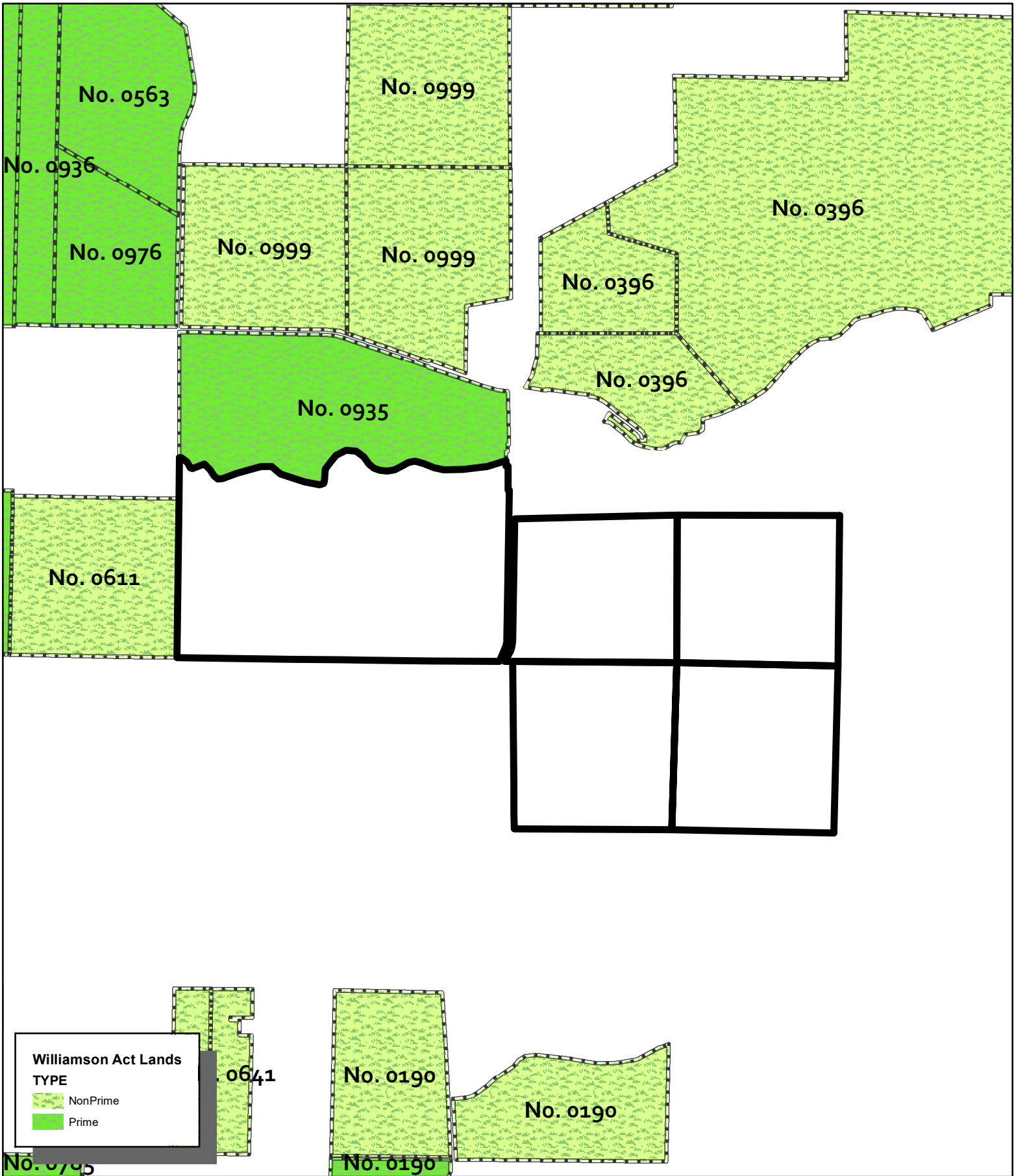



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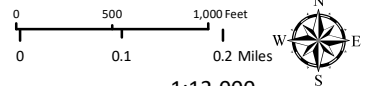
EASTERN SOIL CLASSIFICATIONS

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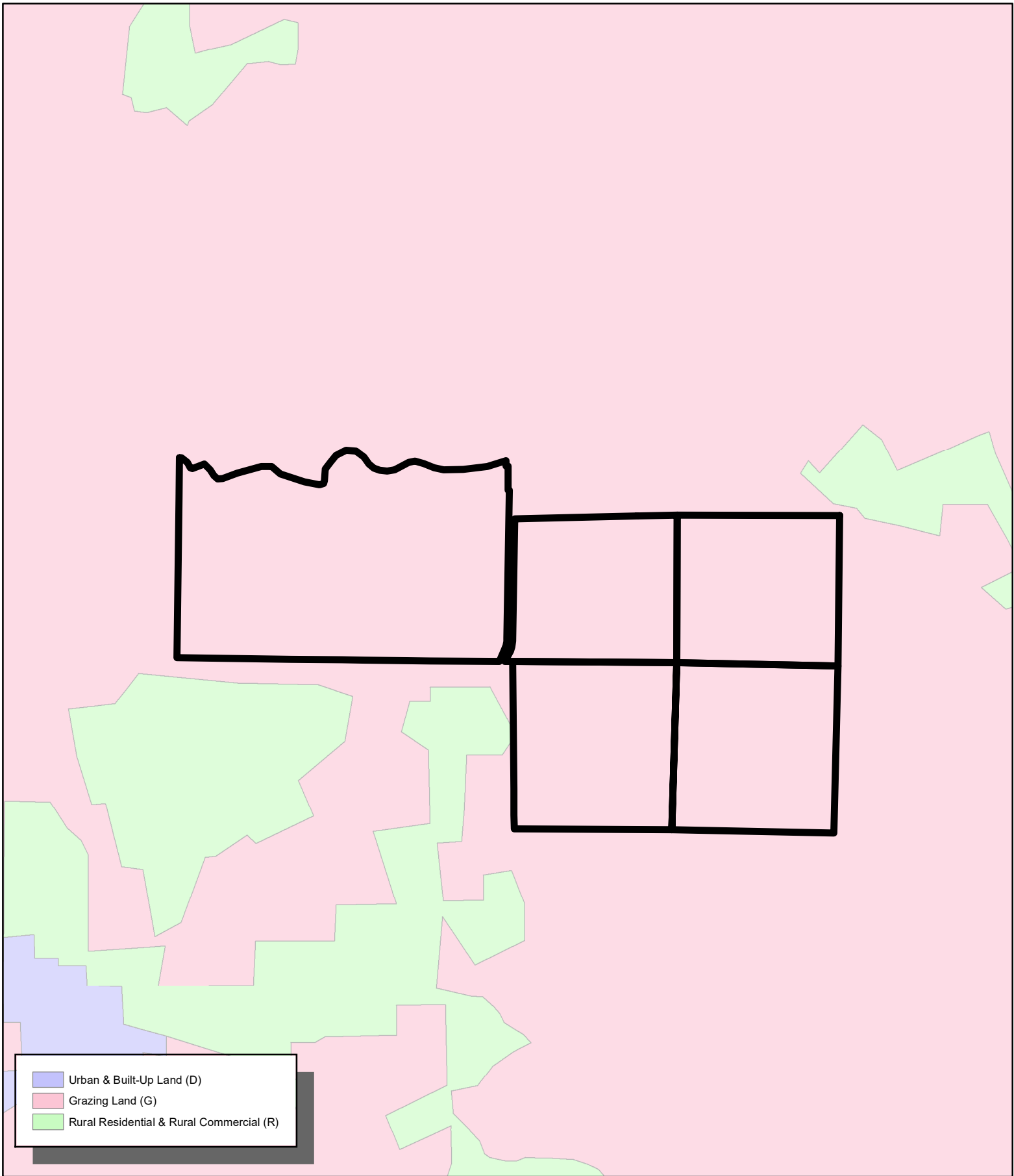
Williamson Act Lands
TYPE
 NonPrime
 Prime

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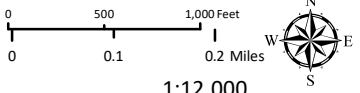


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WILLIAMSON ACT

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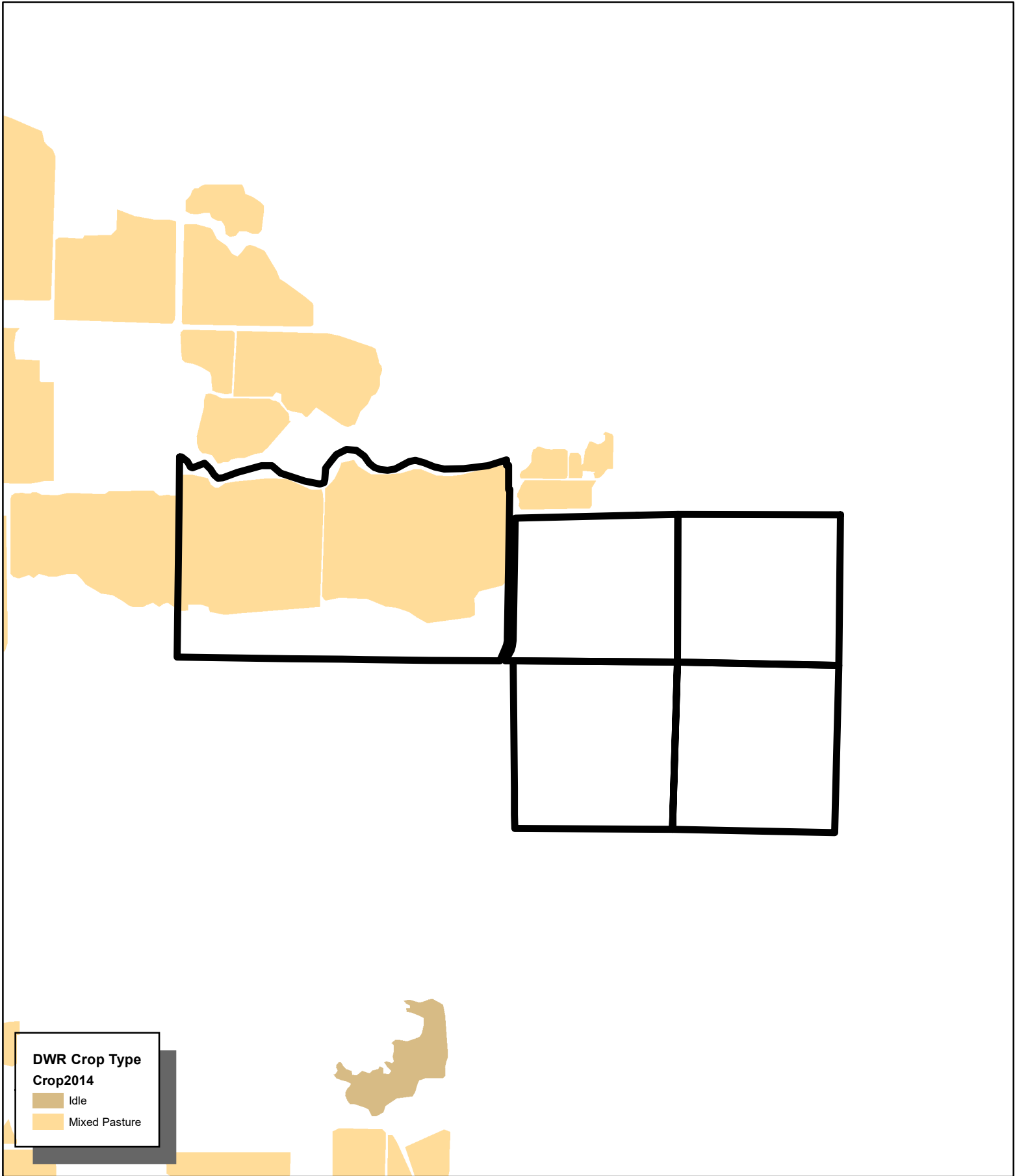
- Urban & Built-Up Land (D)
- Grazing Land (G)
- Rural Residential & Rural Commercial (R)



CASE: A 2023-0001
OWNER: SOUSA, Paul
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IMPORTANT FARMLANDS

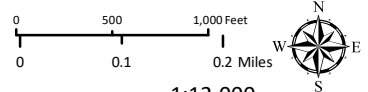
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**DWR Crop Type
Crop2014**

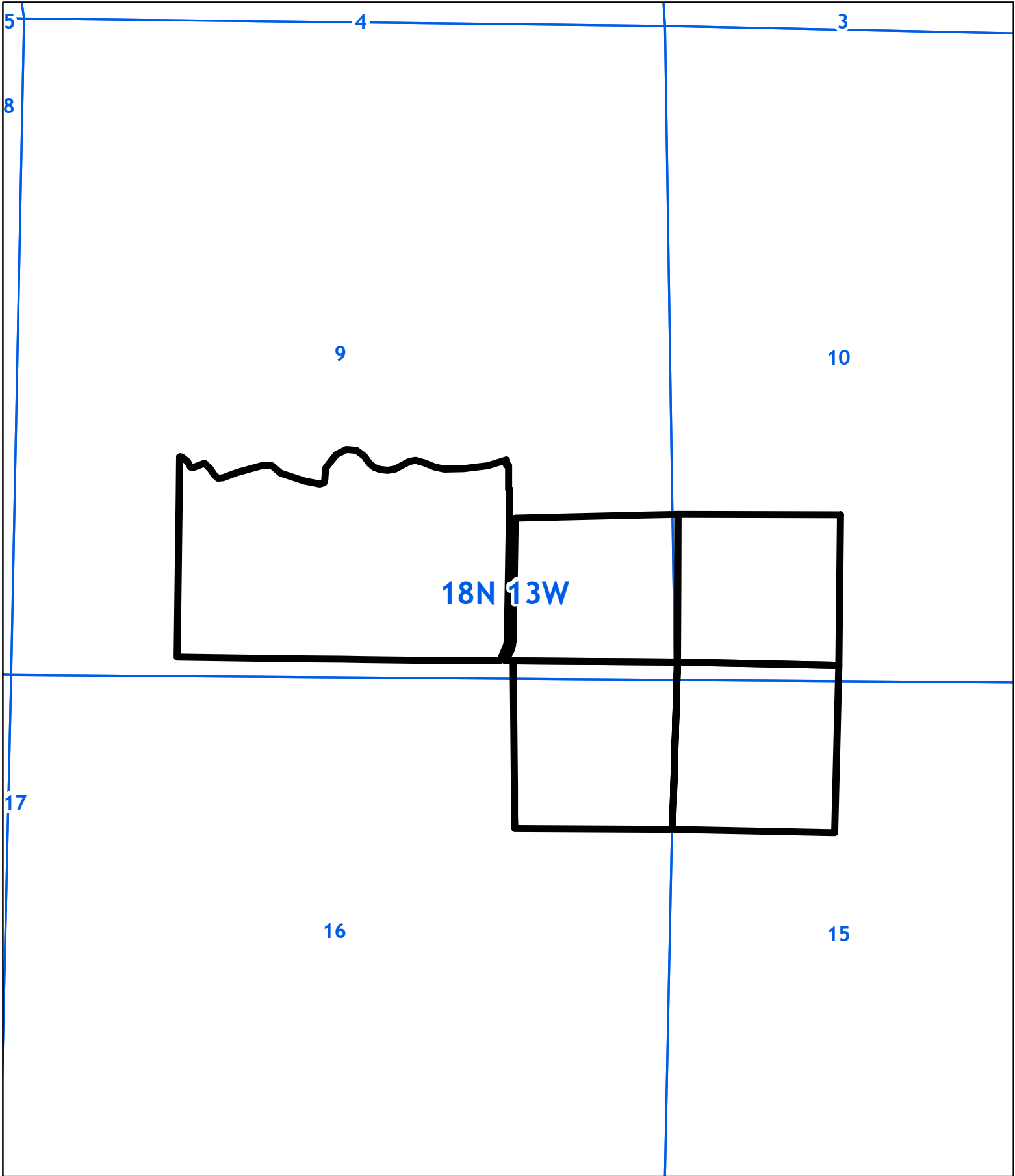
- Idle
- Mixed Pasture

CASE: A 2023-0001
OWNER: SOUSA, Paul
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AGENT: Lee Persico
ADDRESS: 23701 East Side Rd



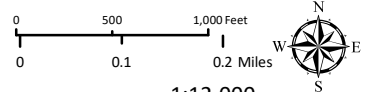
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THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



18N 13W

CASE: A 2023-0001
OWNER: SOUSA, Paul
APN: Various
APLCT: Paul Sousa
AGENT: Lee Persico
ADDRESS: 23701 East Side Rd



1:12,000

TOWNSHIP, RANGE & SECTION

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

Resolution Number

County of Mendocino
Ukiah, California

NOVEMBER 16, 2023

A_2023-0001 – PAUL SOUSA

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 PAUL SOUSA AND APPROVING A WILLIAMSON ACT CONTRACT OVER SAID LANDS (A_2023-0001).

WHEREAS, the applicant, PAUL SOUSA, filed an application with the Mendocino County Department of Planning and Building Services to establish an Agricultural Preserve over 250± acres and establish a Williamson Act contract over said land in the Willits area, 2.5± miles northeast of Willits city center, on the southside of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01; General Plan Agricultural (AG); Zoning Agricultural (AG) and Rangeland (RL); Supervisorial District 3; (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 November 16, 2023, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. 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_2023-0001:

1. The Planning Commission recommends that the Project is consistent with the property's General Plan land use classification of Agricultural (AG) 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 Agricultural (AG) and 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 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 approve a Categorical Exemption and establish a new Agricultural Preserve over the lands of Paul Sousa and approve a Williamson Act contract over said lands.

BE IT FURTHER RESOLVED 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 FEENAN
Commission Services Supervisor

By: _____

By: JULIA KROG
Planning & Building Services Director

DIANA WIEDEMANN, Chair
Mendocino County Planning Commission

EXHIBIT "A"

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

PARCEL ONE:

COMMENCING AT THE CORNER OF SECTIONS NINE (9), TEN (10), FIFTEEN (15) AND SIXTEEN (16) AND RUNNING THENCE WEST, ALONG THE SECTION LINE 20 CHAINS, MORE OR LESS TO THE COUNTY ROAD; THENCE NORTH ALONG THE COUNTY ROAD 18.10 CHAINS; THENCE NORTH 88-1/2° EAST, IN A STRAIGHT LINE 40 CHAINS, MORE OR LESS, TO THE EASTERN LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 10; THENCE SOUTH ALONG SAID LINE 18.80 CHAINS, MORE OR LESS, TO THE SECTION LINE BETWEEN SECTORS 10 AND 15; THENCE WESTERLY, ALONG SAID SECTION LINE, 20 CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING, ALL BEING IN TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) WEST, MOUNT DIABLO BASE AND MERIDIAN.

APN: 108-120-11 AND 108-150-06

PARCEL TWO:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION NINE (9); ALSO THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION NINE (9), LYING SOUTH OF THE CENTER OF BERRY CREEK; ALL IN TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) WEST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THE DEED TO THE COUNTY OF MENDOCINO RECORDED APRIL 3, 1981 IN BOOK 1299 OF OFFICIAL RECORDS, PAGE 318, MENDOCINO COUNTY RECORDS.

APN: 108-120-17

PARCEL THREE:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15 AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 18 NORTH, RANGE 13 WEST, MOUNT DIABLO BASE AND MERIDIAN.

APN: 103-180-08 AND 108-181-01

APN: 108-120-11-0, 108-150-06, 108-120-17, 103-180-08, 108-181-01

CLIFFORD PAULIN
1ST DISTRICT
COMMISSIONER
VICE-CHAIR

ELORA BABBINI
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 – November 16, 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 10:00 A.M.

Present: Commissioner Clifford Paulin, Commissioner Elora Babbini, Commissioner Alison Pernell, Chair Diana Wiedemann presiding.

Absent: Commissioner Marie Jones

Staff Present: Russ Ford, Senior Planner; Steven Switzer, Planner II; James Feenan, Commission Services Supervisor; Jocelyn Gonzalez-Thies, Administrative Assistant; 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

None

AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC

Public Comment:

None

AGENDA ITEM NO. 5 – CONSENT CALENDAR

5a. Approval of 11-2-23 Planning Commission Minutes.

Upon motion by Commissioner Babbini, seconded by Commissioner Pernell, and carried by a roll call vote of (3-0-1), IT IS ORDERED that the Consent Calendar is approved without edits.

AYES: BABBINI, PERNELL, PAULIN
NOES: NONE
ABSTAIN: WIEDEMANN
ABSENT: JONES

AGENDA ITEM NO. 6 – REGULAR CALENDAR

6a. Noticed Public Hearing

CASE#: A_2023-0001
DATE FILED: 4/21/2023
OWNER/APPLICANT: PAUL SOUSA
AGENT: LEE PERSICO
REQUEST: Agricultural Preserve to establish a Williamson Act contract over 250± acres in the Willits area.
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: 2.5± miles northeast of Willits city center, on the south side of Canyon Road (CR 308), 500± feet south of its intersection with East Side Road (CR 304), located at 23701 East Side Road, Willits; APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01.
SUPERVISORIAL DISTRICT: 3 (Haschak)
STAFF PLANNER: STEVEN SWITZER

The public hearing was declared open.

Staff Presentation: Steven Switzer, Planner II; Russ Ford, Senior Planner

Applicant/Owner/Agent: None

Public Comment: All public comments have been uploaded to the Planning Commission website.

Telecomments: No telecomments requested

The public hearing was declared closed.

Upon motion by Commissioner Pernell, seconded by Commissioner Paulin, 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, recommends approval of A_2023-0001 to the Board of Supervisors subject to the findings contained in the Resolution and attached Exhibit A.

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

AGENDA ITEM NO. 7 – MATTERS FROM STAFF

None

AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION

8a. Commissioner Pernell requested an update of any future projects that may come before the Planning Commission in the next calendar year.

Chair Wiedemann requested a timeline regarding the Zoning Ordinance update.

Russ Ford stated that there would be an update soon, and could be provided at the next meeting.

AGENDA ITEM NO. 9 – ADJOURNMENT

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 10:20 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 2023-0023

County of Mendocino
Ukiah, California

NOVEMBER 16, 2023

A_2023-0001 – PAUL SOUSA

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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
Planning & Building Services Director

DIANA WIEDEMANN, Chair
Mendocino County Planning Commission

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