



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.gov
www.mendocinocounty.org/pbs

January 26, 2024

Planning –Ukiah
Department of Transportation
Environmental Health - Ukiah
Building Inspection - Ukiah
Assessor

Farm Advisor
Agriculture Commissioner
Caltrans
Department of Forestry/ CalFire
-Land Use

Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians
Anderson Valley Fire District

CASE#: RE_2024-0001

DATE FILED: 1/12/2024

OWNER/APPLICANT: JOANN BURGESS

REQUEST: Cancellation of the existing Williamson Act contract on APN 046-080-26 by 4.4± acres and 048-530-14 by 3.2± acres to match property boundaries adjusted by a Boundary Line Adjustment (B_2019-0053).

LOCATION: 0.5± miles east of the Philo town center, lying on the northeast side of State Route 128 (SR 128), 0.4± miles east of its intersection with Indian Creek Road (CR 129), located at 17501 Indian Creek Road, Philo; APNs: 046-080-26 and 046-530-14.

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: SHELBY MILLER

RESPONSE DUE DATE: February 09, 2024

PROJECT INFORMATION CAN BE FOUND AT:

www.mendocinocounty.org

Select "Government" from the drop-down; then locate Planning and Building Services/Public Agency Referrals.

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- No comment at this time.
- Recommend conditional approval (attached).
- Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
- Recommend denial (Attach reasons for recommending denial).
- Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
- Other comments (attach as necessary).

REVIEWED BY:

Signature _____ Department _____ Date _____

CASE: RE_2024-0001

OWNER/

APPLICANT: JOANN BORGES

REQUEST: Cancellation of the existing Williamson Act contract on APN 046-080-26 by 4.4± acres and 048-530-14 by 3.2± acres to match property boundaries adjusted by a Boundary Line Adjustment (B_2019-0053).

LOCATION: 0.5± miles east of the Philo town center, lying on the northeast of State Route 128 (SR 128), 0.4± miles east of its intersection with Indian Creek Road (CR 129), located at 17501 Indian Creek Road, Philo; APNs: 046-080-26 and 046-530-14.

APN/S: 046-530-14 and 046-080-26

PARCEL SIZE: 14± Acres and 38± Acres

GENERAL PLAN: Agricultural 40-Acre Minimum (AG40)

ZONING: Agricultural 40-Acre Minimum (AG 40)

EXISTING USES: Agriculture and Residential

DISTRICT: 5 (Williams)

RELATED CASES: B_2019-0053

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Agricultural (AG40)	Agricultural (AG 40), Timber Production (TP160)	0.6±, 2.5±, 5±, 7.5± Acres	Undeveloped
EAST:	Agricultural (AG40), Rangeland	Agricultural (AG 40), Rangeland (RL 160)	40± Acres	Undeveloped
SOUTH:	Rangeland (RL160), Agricultural (AG40)	Rangeland (RL 160), Agricultural (AG 40)	79±, 44±, 14 Acres	Agriculture, Undeveloped
WEST:	Agricultural (AG40), Rural Residential (RR5)	Agricultural (AG 40), Rural Residential (RR5)	2.5±, 5.5±, 27.5±, 4.5± Acres	Residential, Agriculture

REFERRAL AGENCIES

LOCAL

- Agricultural Commissioner
- Assessor's Office
- Building Division Ukiah
- Department of Transportation (DOT)
- Environmental Health (EH)
- Farm Advisor

- Anderson Valley Community Fire District

- Planning Division Ukiah

STATE

- CALFIRE (Land Use)
- CALTRANS

TRIBAL

- Cloverdale Rancheria
 - Redwood Valley Rancheria
 - Sherwood Valley Band of Pomo Indians
-

ADDITIONAL INFORMATION: Boundary Line Adjustment B_2019-0053 is pending upon project approval.

STAFF PLANNER: SHELBY MILLER

DATE: 1/26/2024

ENVIRONMENTAL DATA

1. MAC:

GIS

N/A

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

High

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

Anderson Valley Community Services Fire District

4. FARMLAND CLASSIFICATION:

GIS

Grazing Land

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Western: Wolfey-Bearwallow complex

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

No

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

YES

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

Fluvial Natural: Indian Creek

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

YES

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

No

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

No

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

No

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

No

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

No

21. STATE CLEARINGHOUSE REQUIRED:

Policy

No

22. OAK WOODLAND AREA:

USDA

Yes

23. HARBOR DISTRICT:

Sec. 20.512

No



PLANNING & BUILDING SERVICES

CASE NO:	RE-2024-0001
DATE FILED:	1-12-2024
FEE:	\$2,675.00
RECEIPT NO:	PRJ-060316
RECEIVED BY:	<i>M. Rahn</i>
Office Use Only	

APPLICATION FORM

APPLICANT:

Joann Borges, Trustee of The Borges Family Revocable Living Trust, 707-468-9151
 Name: Successor in interest to the Albert Prather Trust Phone:
 Mailing Address: P.O. Box 344
 City: Redwood Valley State/Zip: CA 95470 Email: jmborges@comcast.net

PROPERTY OWNER:

Joann Borges, Trustee of The Borges Family Revocable Living Trust 707-468-9151
 Name: Phone:
 Mailing Address: P.O. Box 344
 City: Redwood Valley State/Zip: CA 95470 Email: jmborges@comcast.net

AGENT:

Name: Phone:
 Mailing Address:
 City: State/Zip: Email:

ASSESSOR'S PARCEL NUMBER/S: 046-530-14 & 046-080-26

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] 11/19/23 *Joann Borges* 11-5-23
 Signature of Applicant/Agent Date Signature of Owner Date
Diana D. Padilla

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.

2. Structures/Lot Coverage	NO. OF UNITS		SQUARE FOOTAGE		
	EXISTING	PROPOSED	EXISTING	PROPOSED	TOTAL
<input 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:					
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: _____

Estimated No. of shifts per day: _____

Type of loading facilities proposed: _____

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

NO YES If yes, explain your plans for phasing:

N/A

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

NO YES If yes, explain:

N/A

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:

N/A

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.)

N/A

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: _____

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:

N/A

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: 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.

N/A

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): N/A 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): N/A
- Septic Tank
- Other (specify): _____

19. What will be the domestic water source:

- Community Water System (specify supplier): N/A
- 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.)

N/A

B 2019-0053

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.)

N/A

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

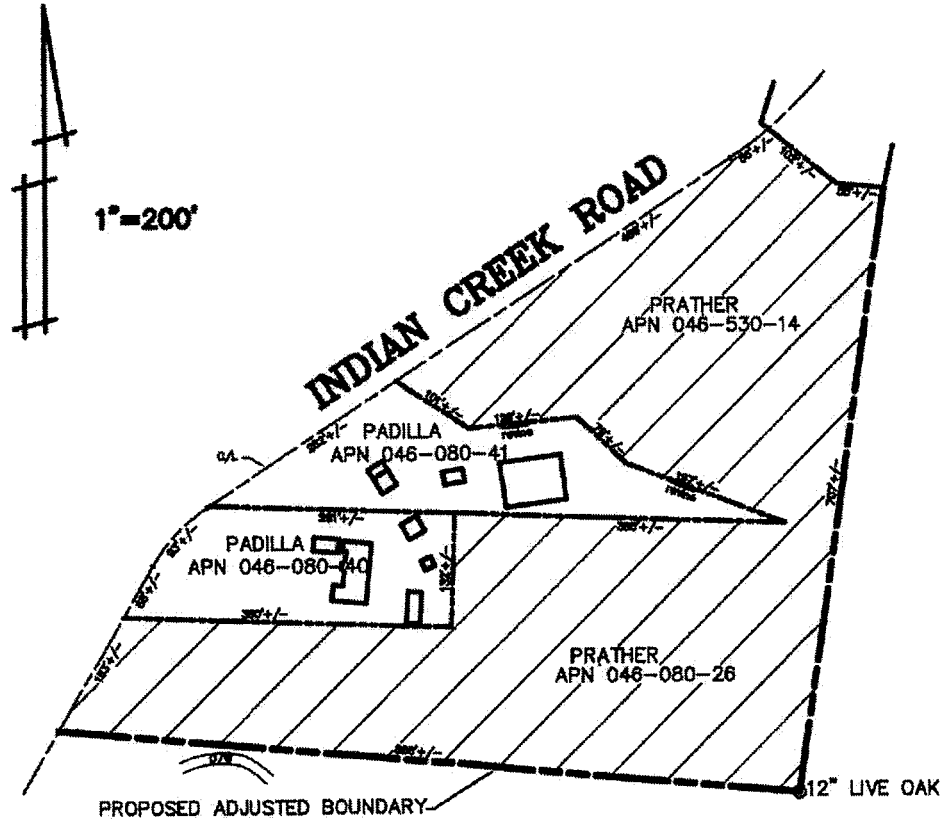
N/A

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

N/A

EXHIBIT B



REFERENCES B_2019-0053	AREA 7.6 ACRES +/-	PARTIAL CANCELLATION		
		WILLIAMSON ACT CONTRACT NO. 928		
		SCALE: 1"=200'	DRAWN: MDV	APPROVED BY:
				DWG. NO. 1813NR

Indemnification And Hold Harmless

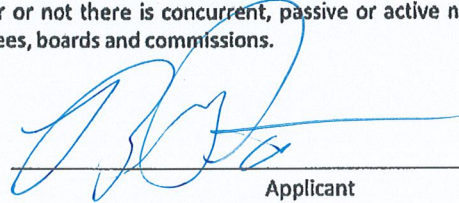
ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4, 1991, requires applicants for discretionary land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

Indemnification Agreement

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

11/19/23

Date



Applicant

Diana D. Padilla



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING & BUILDING SVCS.

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pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

ACKNOWLEDGEMENT OF DEPOSIT/HOURLY FEE

By signing below, the applicant acknowledges that the staff at Planning and Building Services has discussed the potential for collection of a deposit fee for the projects listed below (as adopted by the Board of Supervisors Resolution No.'s 11-072, 16-150, 18-122 and 19-170)

1. Division of Land Project
2. General Plan Project
3. Coastal Project
4. Zoning Project
5. Administrative Project
6. Cannabis Project
7. Private Road Naming

Once an application has been submitted and the processing costs approach 80% of the application fee, additional staff processing time will be billed at \$90.00/hour. Staff will notify the applicant/owner that a deposit equal to 50% of the initial filing fee is required for further processing, and more than one deposit may be required depending on the complexity of the project and the staff time necessary to complete application processing.

I acknowledge that I was advised of the deposit fee for continued processing after the initial application fee has been expended.

Applicant Signature

11/19/23

Date

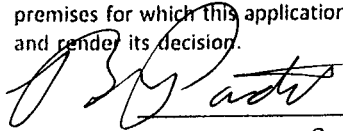
Thomas D. Padella

OFFICE USE ONLY:

Project or Permit Number

CERTIFICATION AND SITE VIEW AUTHORIZATION

1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the County.
2. I hereby grant permission for County Planning and Building Services staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

 Thana D. Padilla
Owner/Authorized Agent

12/3/2023
Date

NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.

AUTHORIZATION OF AGENT

I hereby authorize _____ to act as my representative and to bind me in all matters concerning this application.

Owner

Date

MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page 1 of the application form.

<p>Name Brian Padilla</p>	<p>Name</p>	<p>Name</p>
<p>Mailing Address 197 Ryland St. San Jose, CA 95110</p>	<p>Mailing Address</p>	<p>Mailing Address</p>

Law Offices of Christine M. Kouvaris, Inc.
Estate Planning & Estate Administration

Christine M. Kouvaris, Esq.
*Certified Specialist in Estate Planning, Trust &
Probate Law, by the State Bar of California,
Board of Legal Specialization*

2542 S. Bascom Avenue, Suite 295
Campbell, CA 95008
Ph. 408-384-8540
christine@kouvarislaw.com

December 8, 2023

County of Mendocino
Department of Planning & Building Services
Attn: Russell Ford
860 North Bush Street
Ukiah, CA 95482

RE: Brian Padilla and Diana Davenport-Padilla - Parcel Numbers 046-53-14 and
046-080-26

Dear Russ:

Enclosed is a fully-executed Application Form signed by my clients, Brian Padilla and Diana Davenport-Padilla, and the current representative of Mr. Prather's estate, to cancel the Williamson Act on the above-referenced parcels.

Also enclosed is a check in the amount of \$2,675 to cover processing costs.

If you have any questions, or require any additional documentation, please let me know.

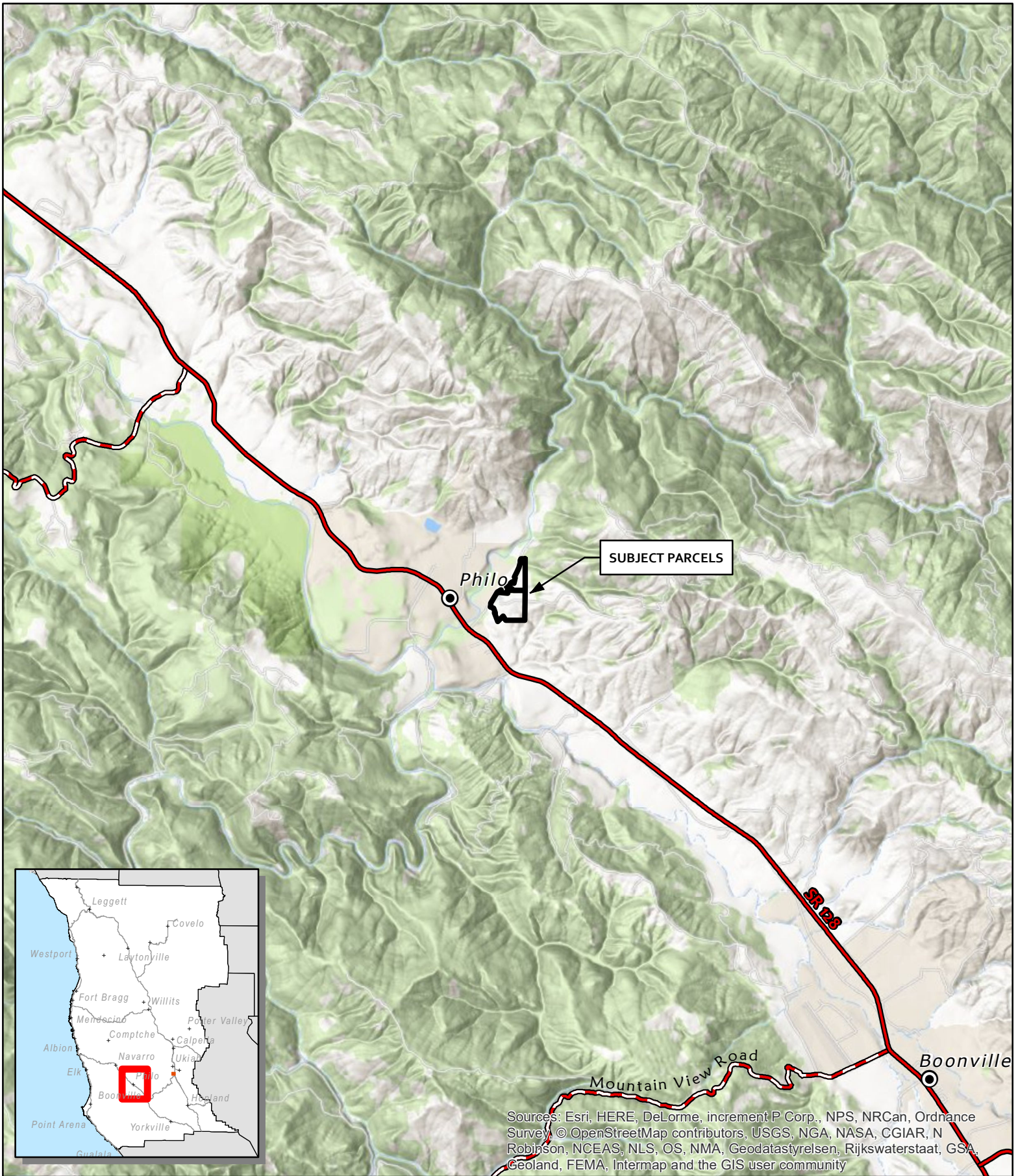
Sincerely,
Law Offices of Christine M. Kouvaris, Inc.

Christine Kouvaris

Christine M. Kouvaris, Esq.

CMK/elb
Enclosures
cc: clients (via email only)

M -
PLEASE REVIEW
& REEVAL, IF
POSSIBLE. -R



SUBJECT PARCELS

Philo

SR 128

Mountain View Road

Boonville

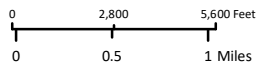
Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasysteisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Major Towns & Places

Highways

Major Roads



1:63,360

LOCATION

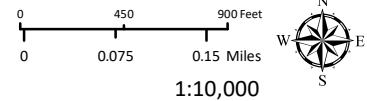
CASE: RE 2024-0001
OWNER: BORGES, Joann
APN: 046-530-14 & 046-080-26
APLCT: Joann Borges, Trustee
AGENT:
ADDRESS: 17501 Indian Creek Rd, Philo

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



CASE: RE 2024-0001
OWNER: BORGES, Joann
APN: 046-530-14 & 046-080-26
APLCT: Joann Borges, Trustee
AGENT:
ADDRESS: 17501 Indian Creek Rd, Philo

- Highways (2017)
- Public Roads
- Private Roads
- - - - Driveways/Unnamed Roads
- Public Roads
- Private Roads



1:10,000
AERIAL IMAGERY

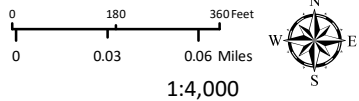
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community,
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

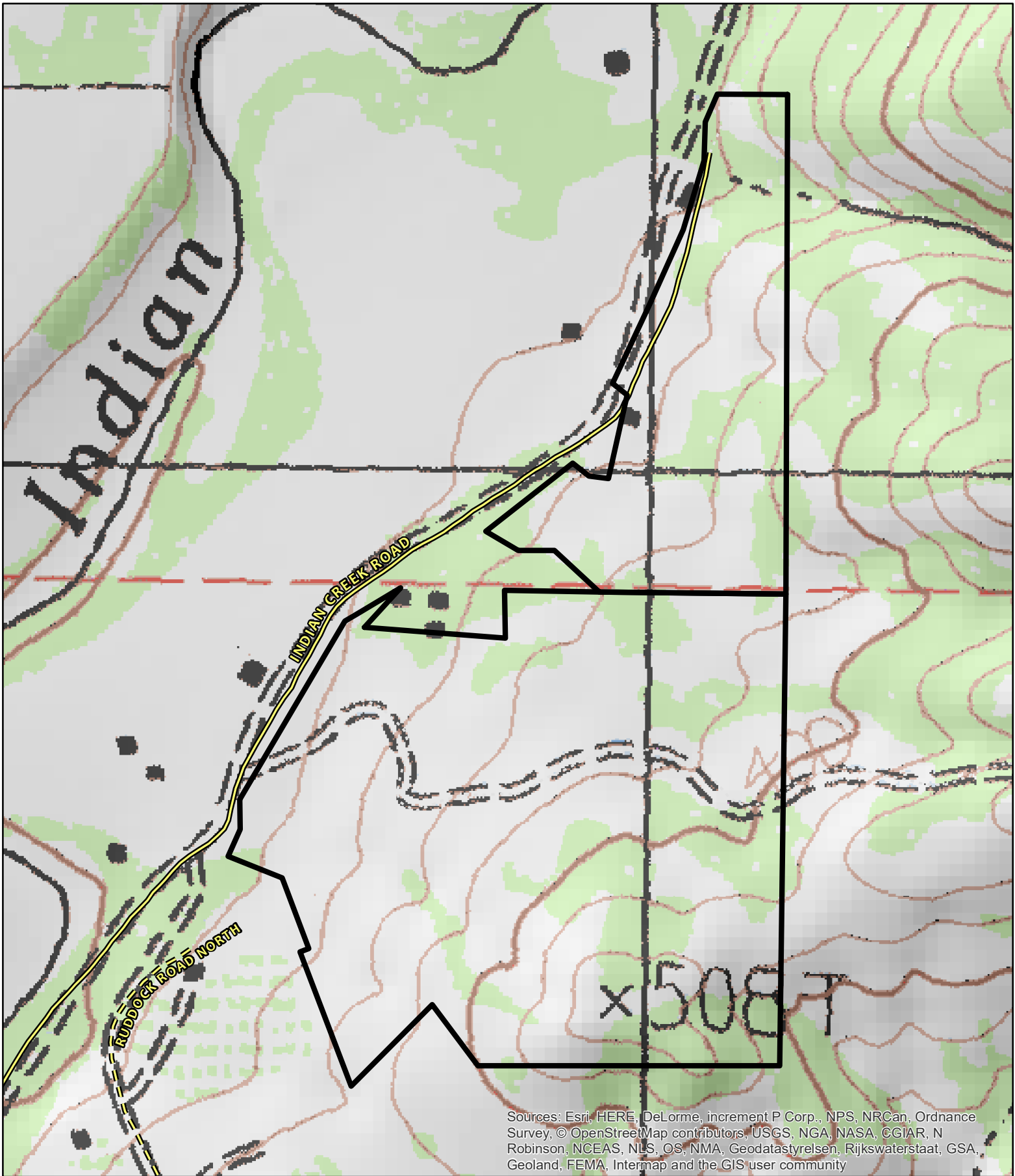
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— Public Roads
- - - Private Roads



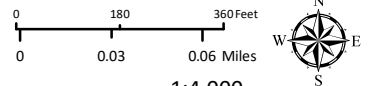
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AERIAL IMAGERY

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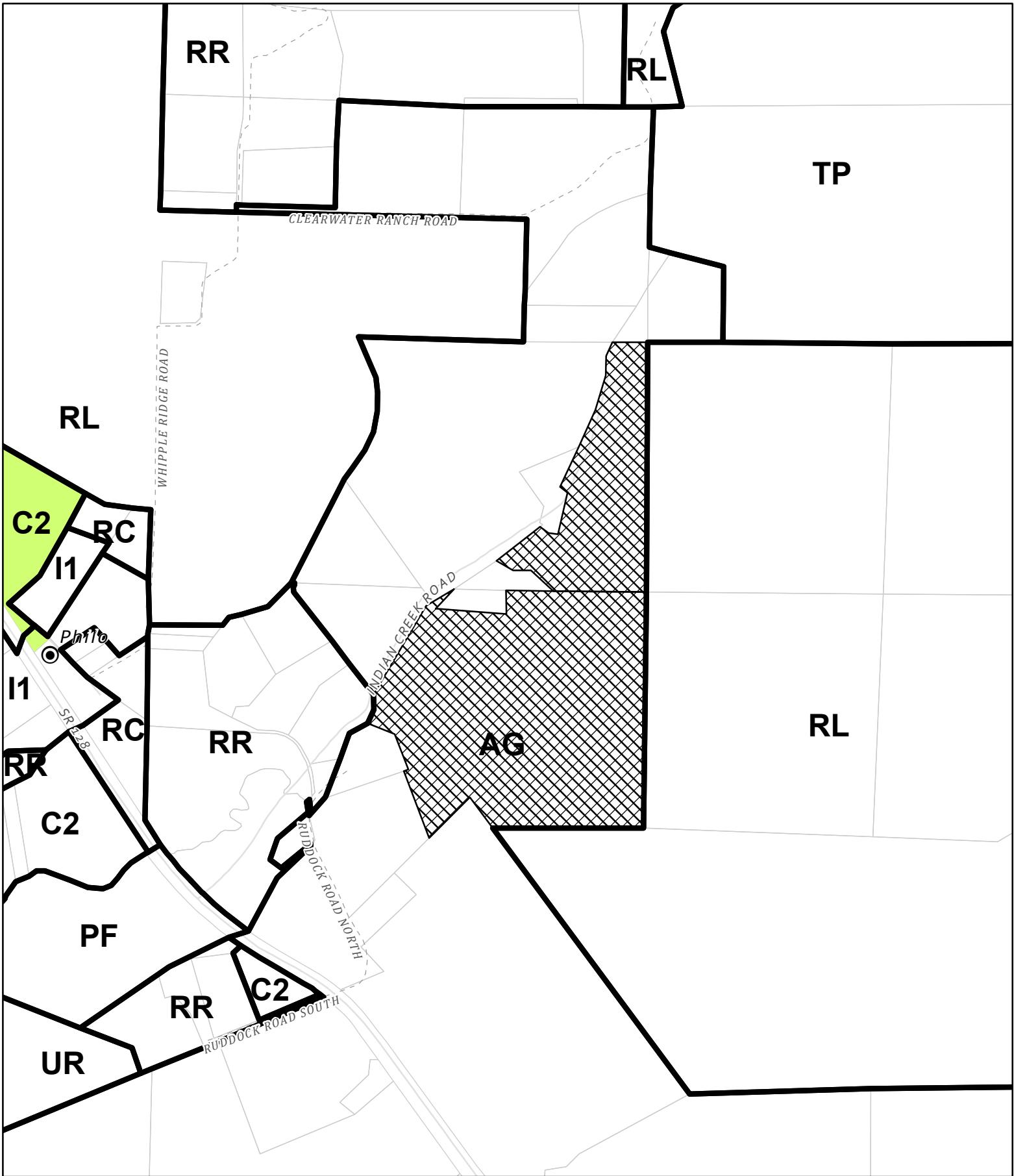
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-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads





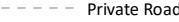
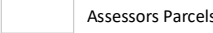


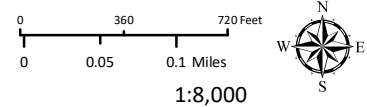
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TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

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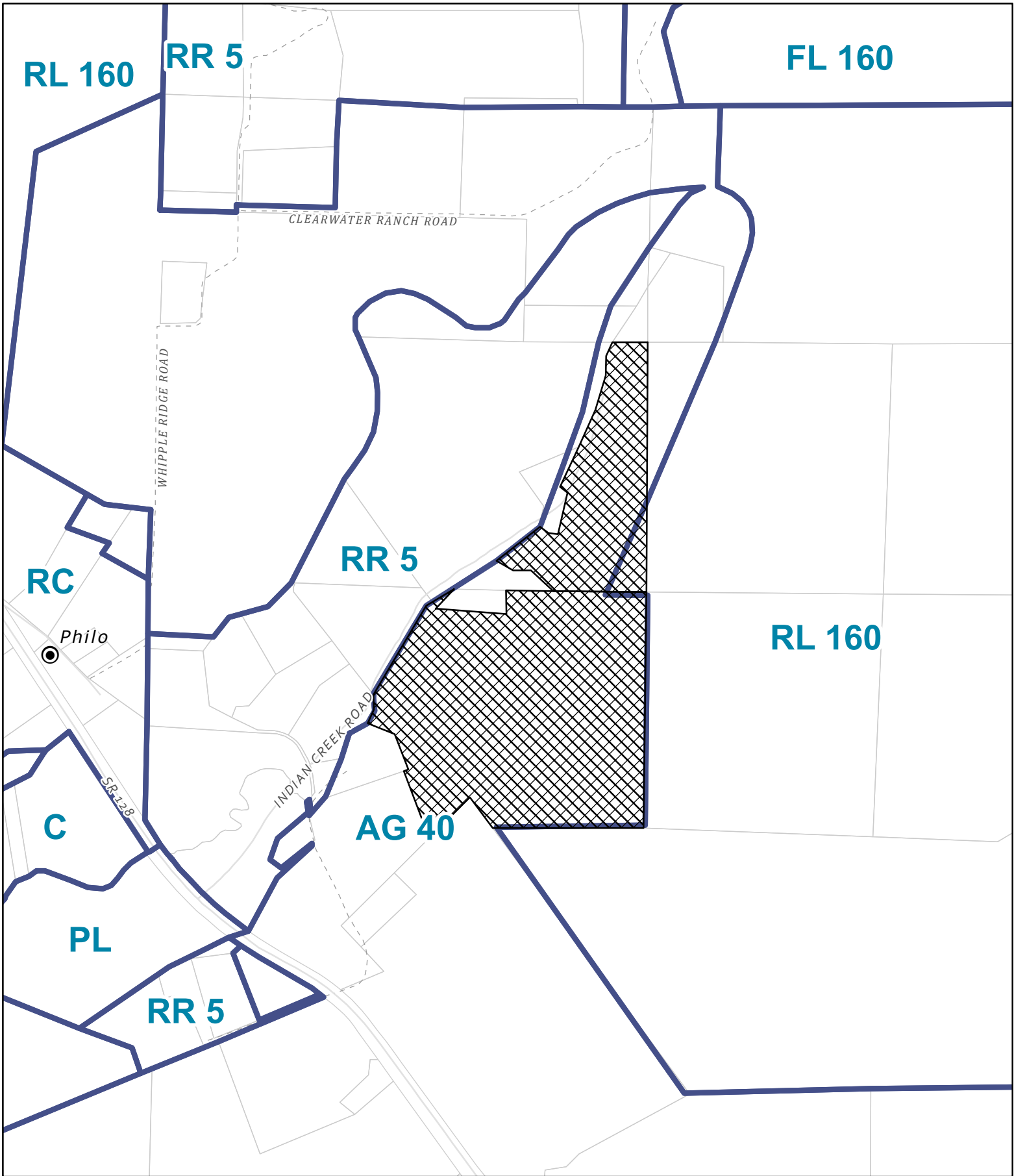
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-  Major Towns & Places
-  Zoning Districts
-  Community Character (CC) Districts
-  Public Roads
-  Private Roads
-  Assessors Parcels







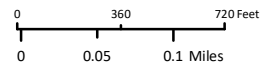
ZONING

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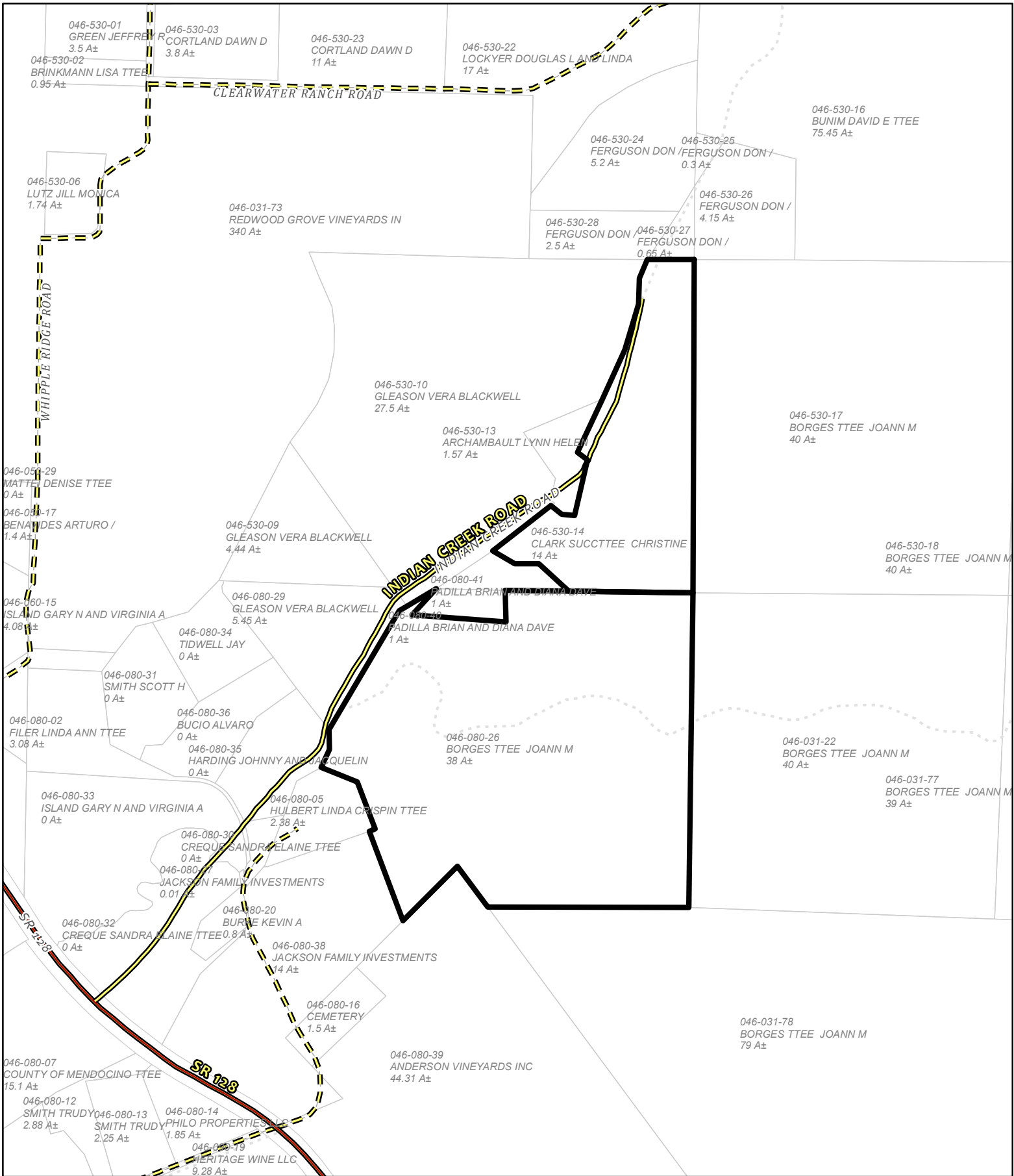
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-  Major Towns & Places
-  Public Roads
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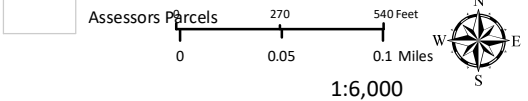
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GENERAL PLAN

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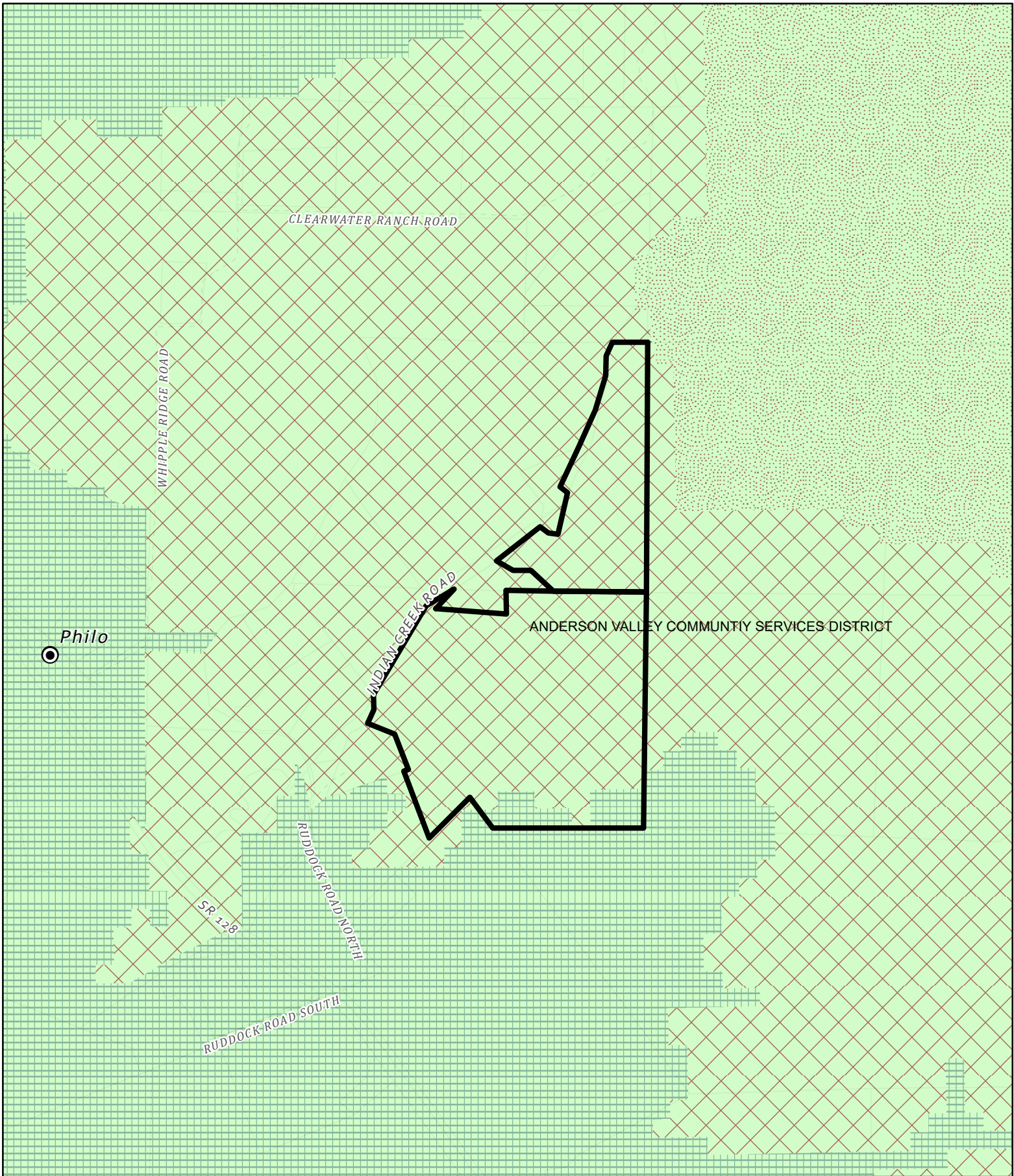
CASE: RE 2024-0001
OWNER: BORGES, Joann
APN: 046-530-14 & 046-080-26
APLCT: Joann Borges, Trustee
AGENT:
ADDRESS: 17501 Indian Creek Rd, Philo

- Highways (2017)
- Public Roads
- Private Roads
- - - - Driveways/Unnamed Roads
- Public Roads
- - - - Private Roads



1:6,000
ADJACENT PARCELS

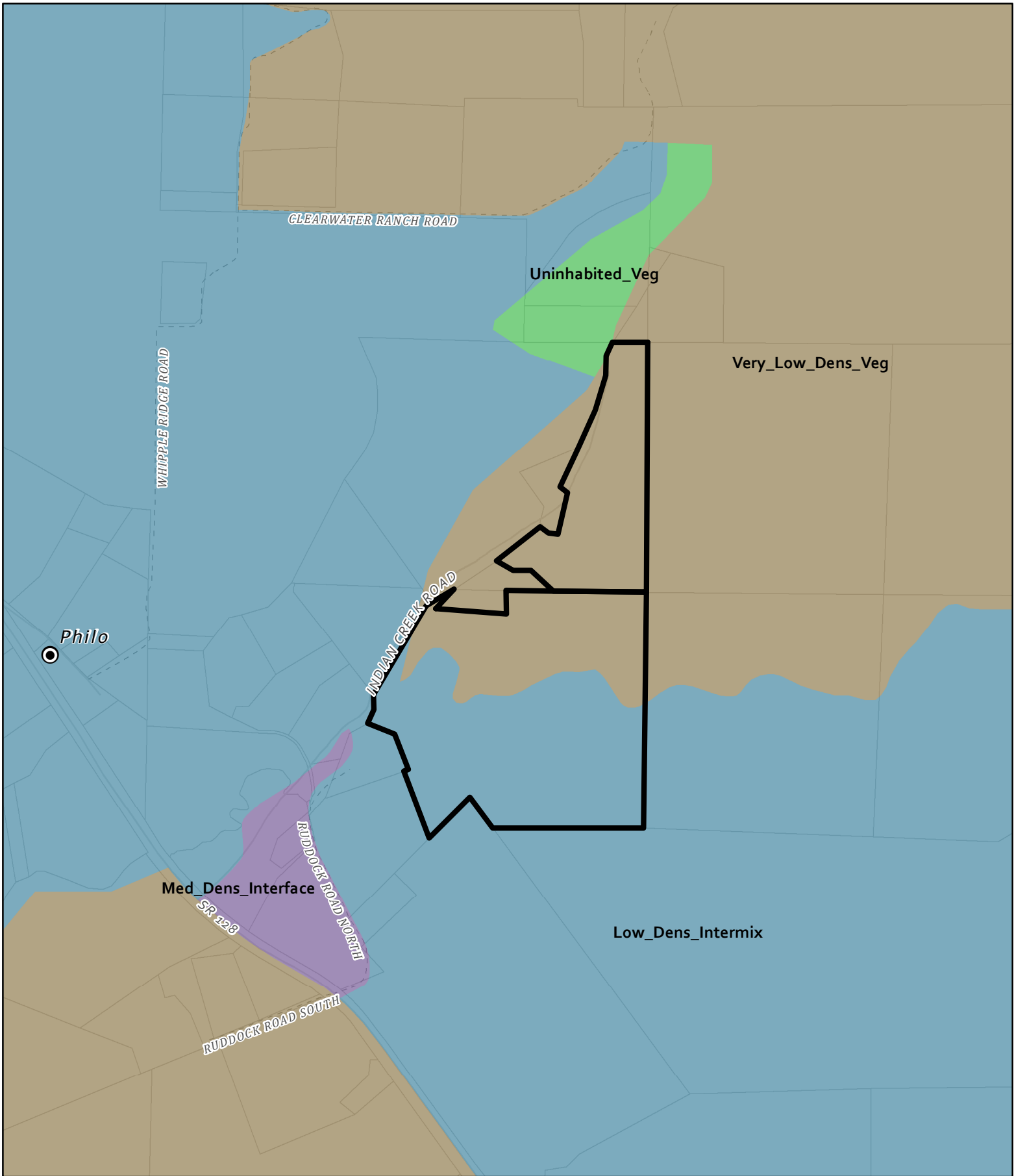
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CASE: RE 2024-0001
OWNER: BORGES, Joann
APN: 046-530-14 & 046-080-26
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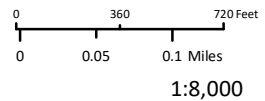
Major Towns & Places	Moderate Fire Hazard	Private Roads	 1:8,000	
Very High Fire Hazard	County Fire Districts	Assessors Parcels		
High Fire Hazard	Public Roads	FIRE HAZARD ZONES & RESPONSIBILITY AREAS STATE RESPONSIBILITY AREA		

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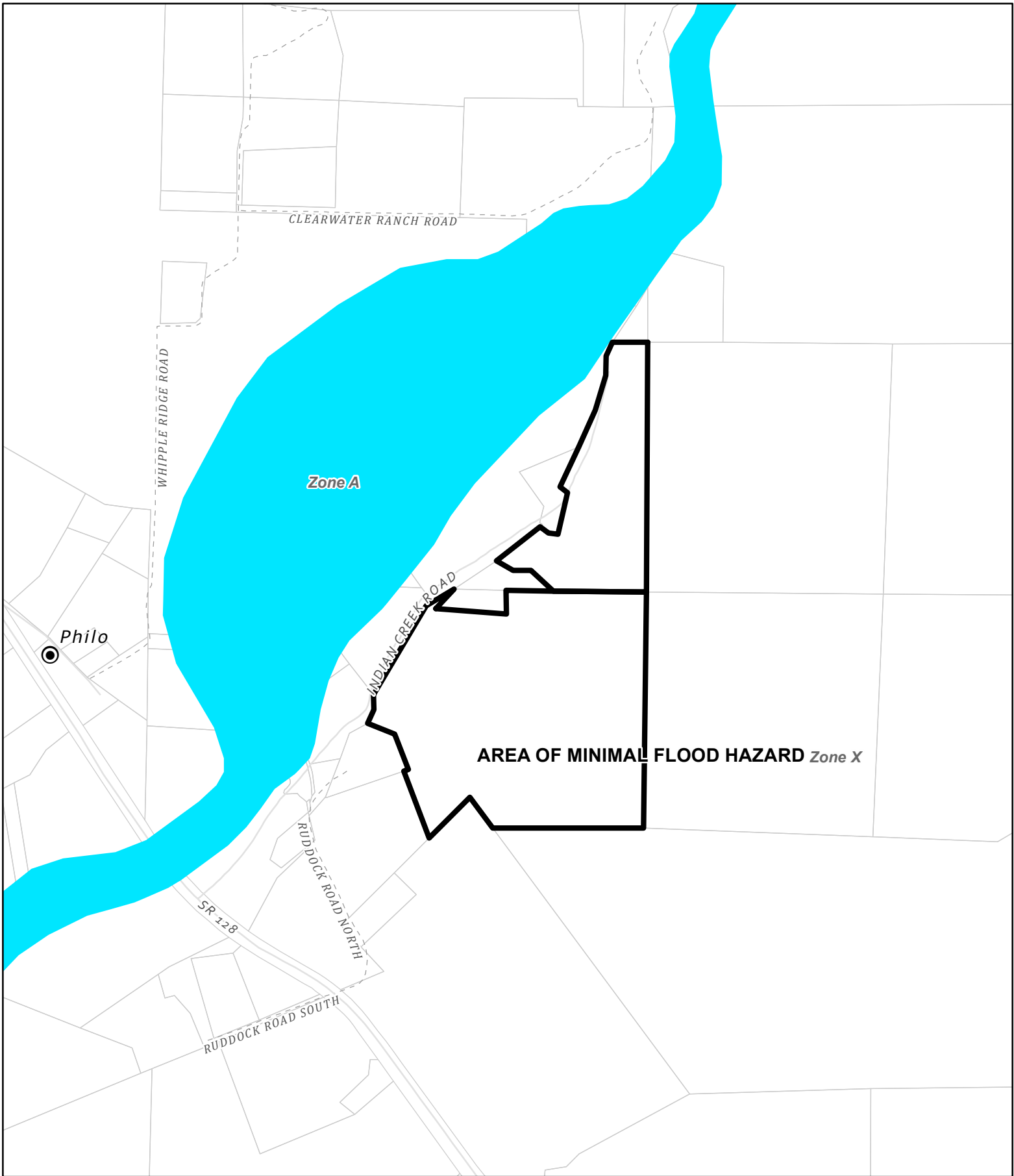
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-  Major Towns & Places
-  Public Roads
-  Private Roads
-  Assessors Parcels



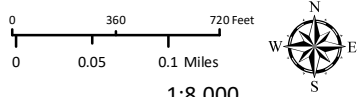
WILDLAND-URBAN INTERFACE

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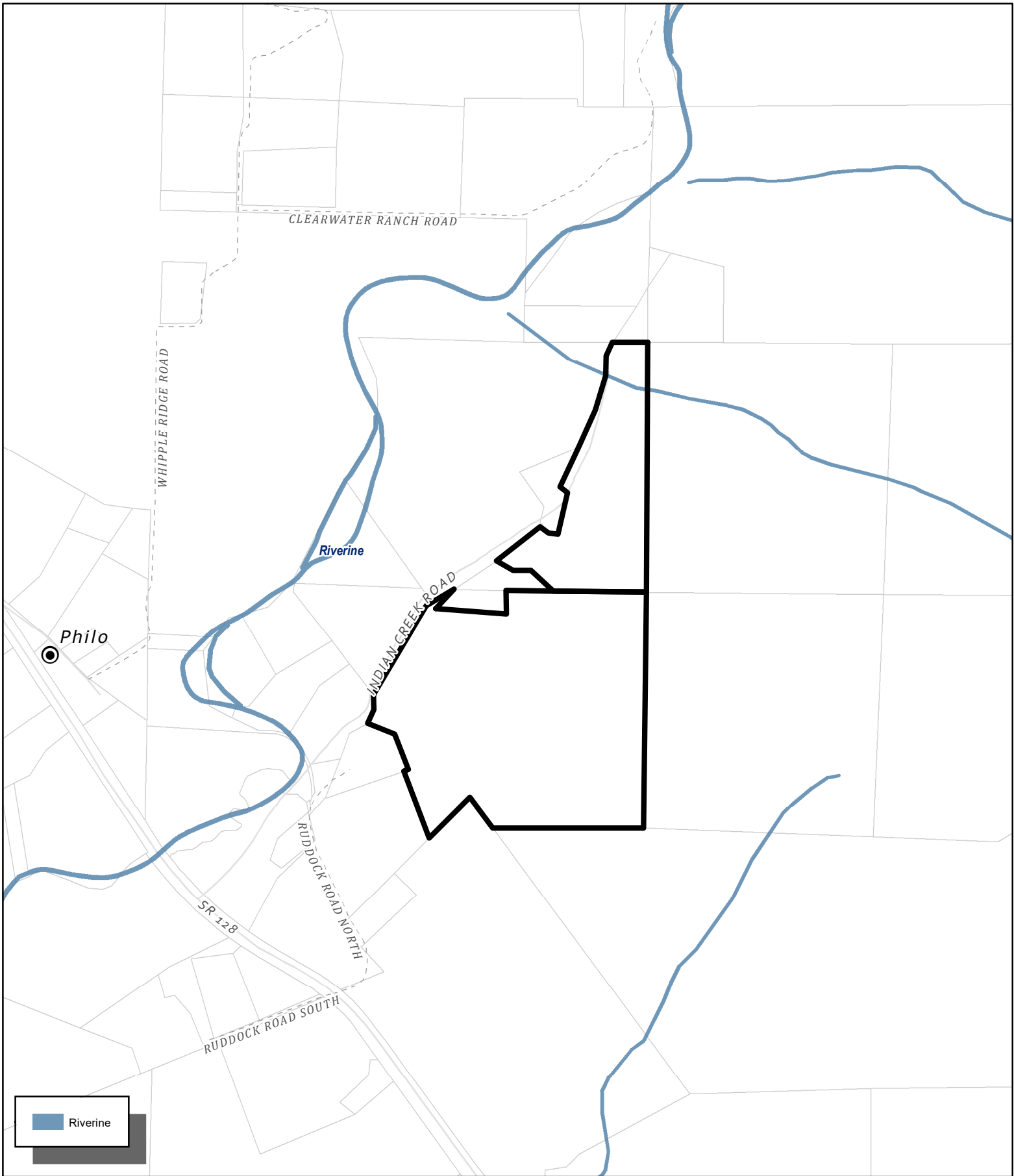
CASE: RE 2024-0001
OWNER: BORGES, Joann
APN: 046-530-14 & 046-080-26
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AGENT:
ADDRESS: 17501 Indian Creek Rd, Philo

- Major Towns & Places
- 1% Annual Chance Flood Hazard
- Private Roads
- Assessors Parcels
- Public Roads







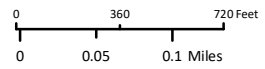
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FLOOD ZONE

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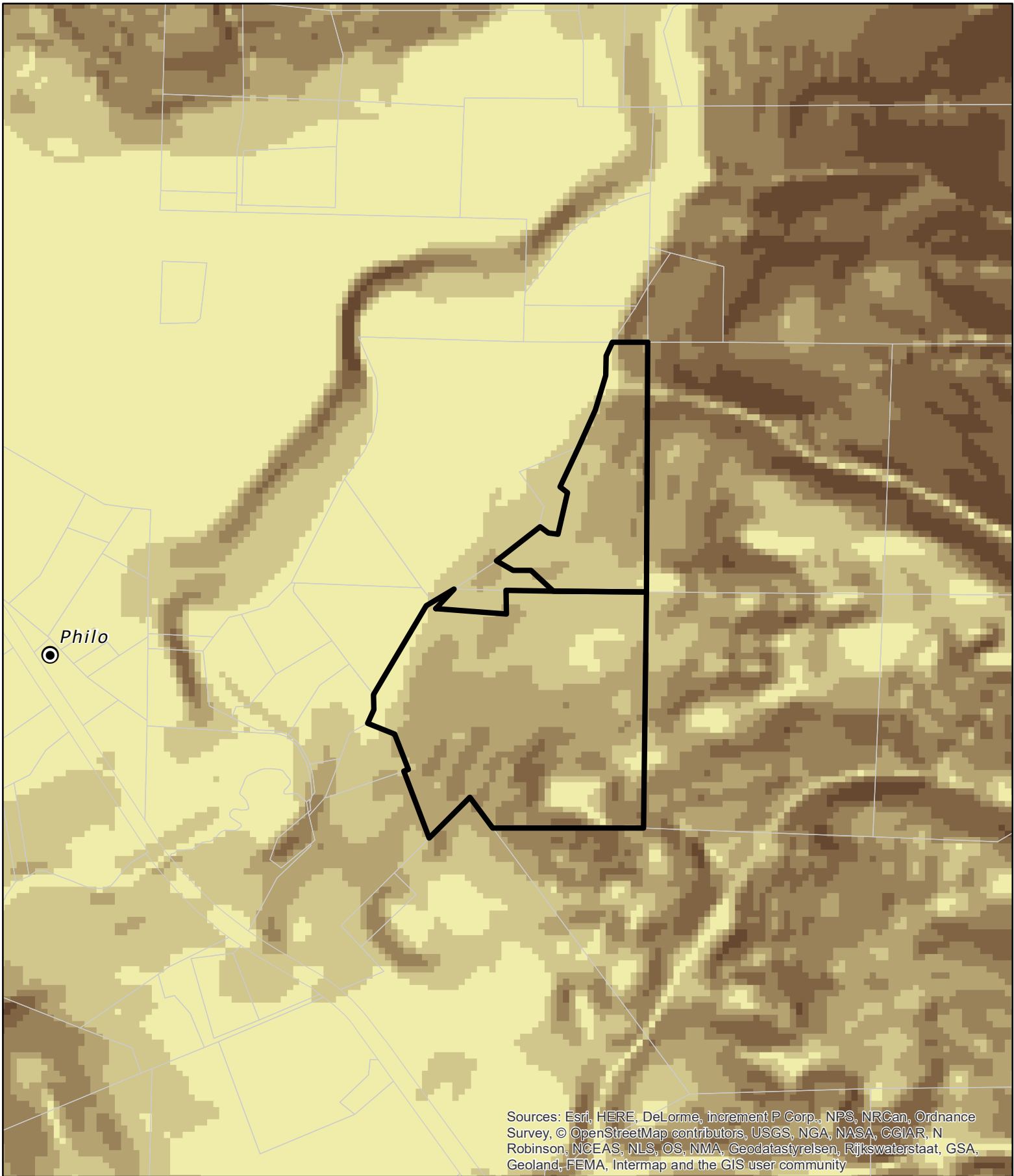
CASE: RE 2024-0001
OWNER: BORGES, Joann
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-  Major Towns & Places
-  Public Roads
-  Private Roads
-  Assessors Parcels



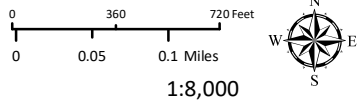
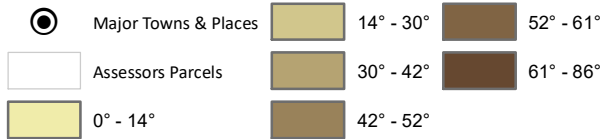
WETLANDS

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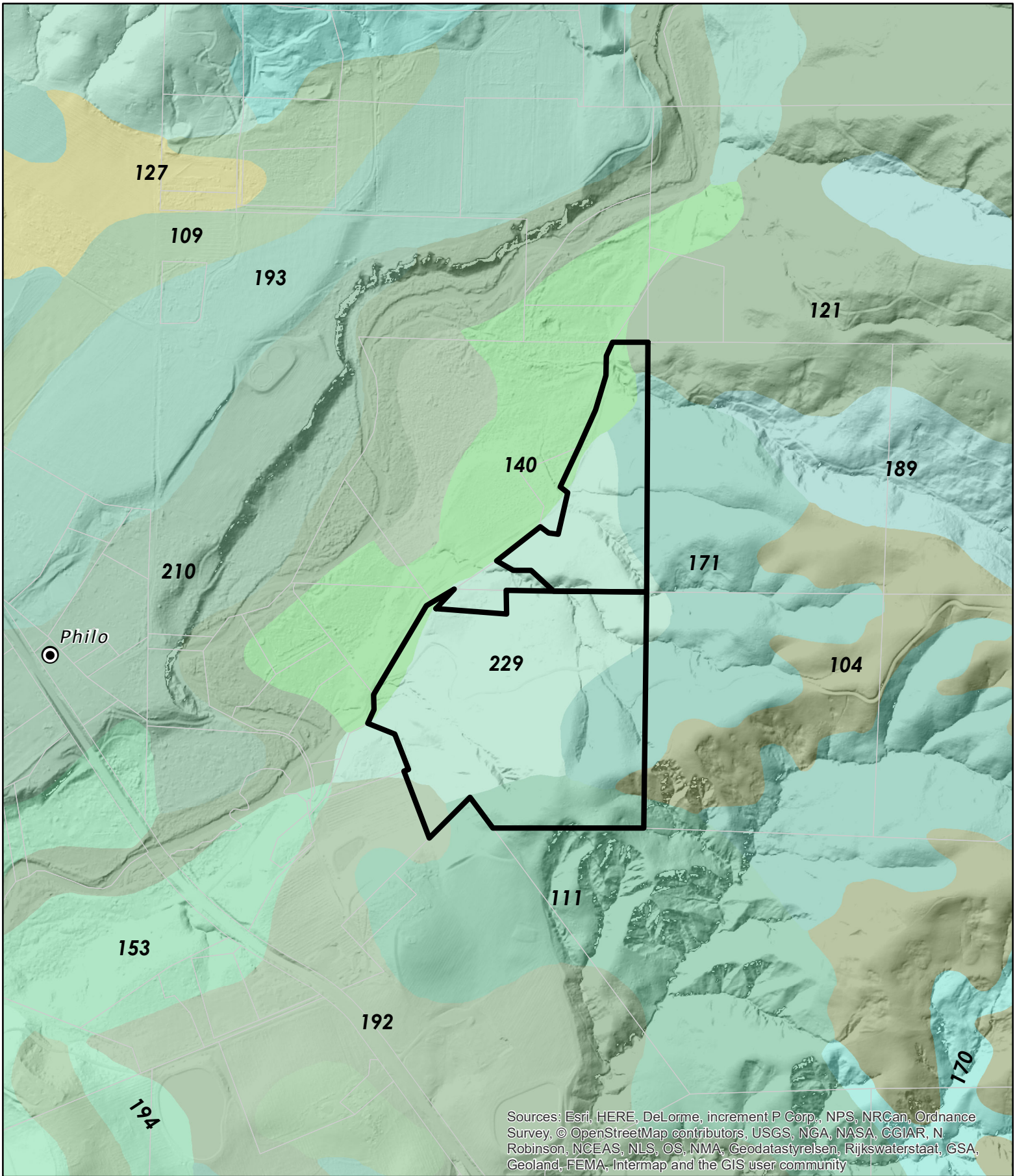
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1:8,000
ESTIMATED SLOPE

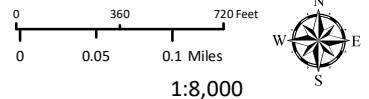
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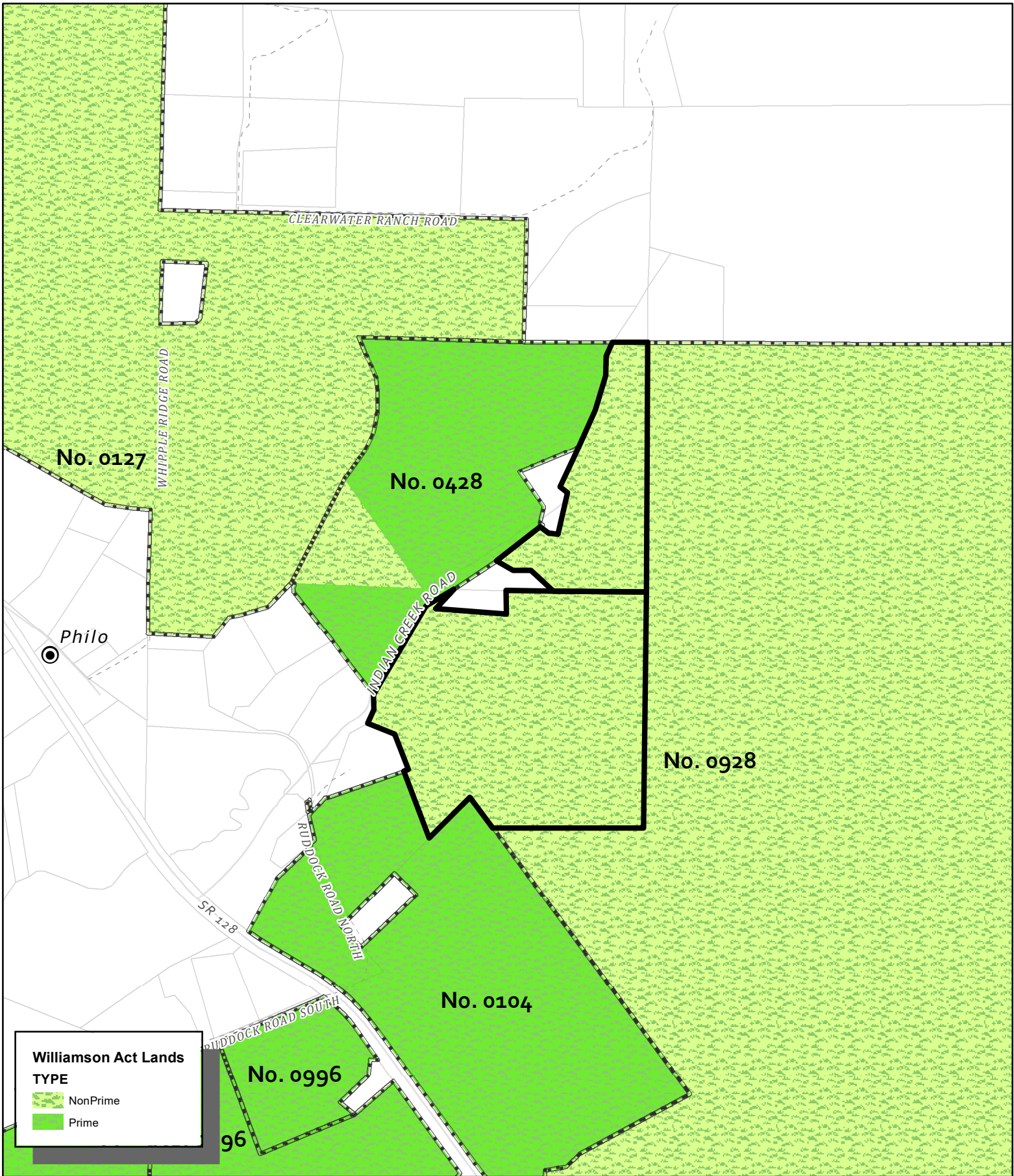
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 Major Towns & Places
 Assessors Parcels







WESTERN SOIL CLASSIFICATIONS

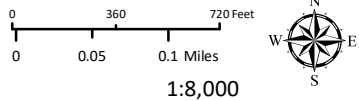
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Williamson Act Lands
TYPE
 NonPrime
 Prime

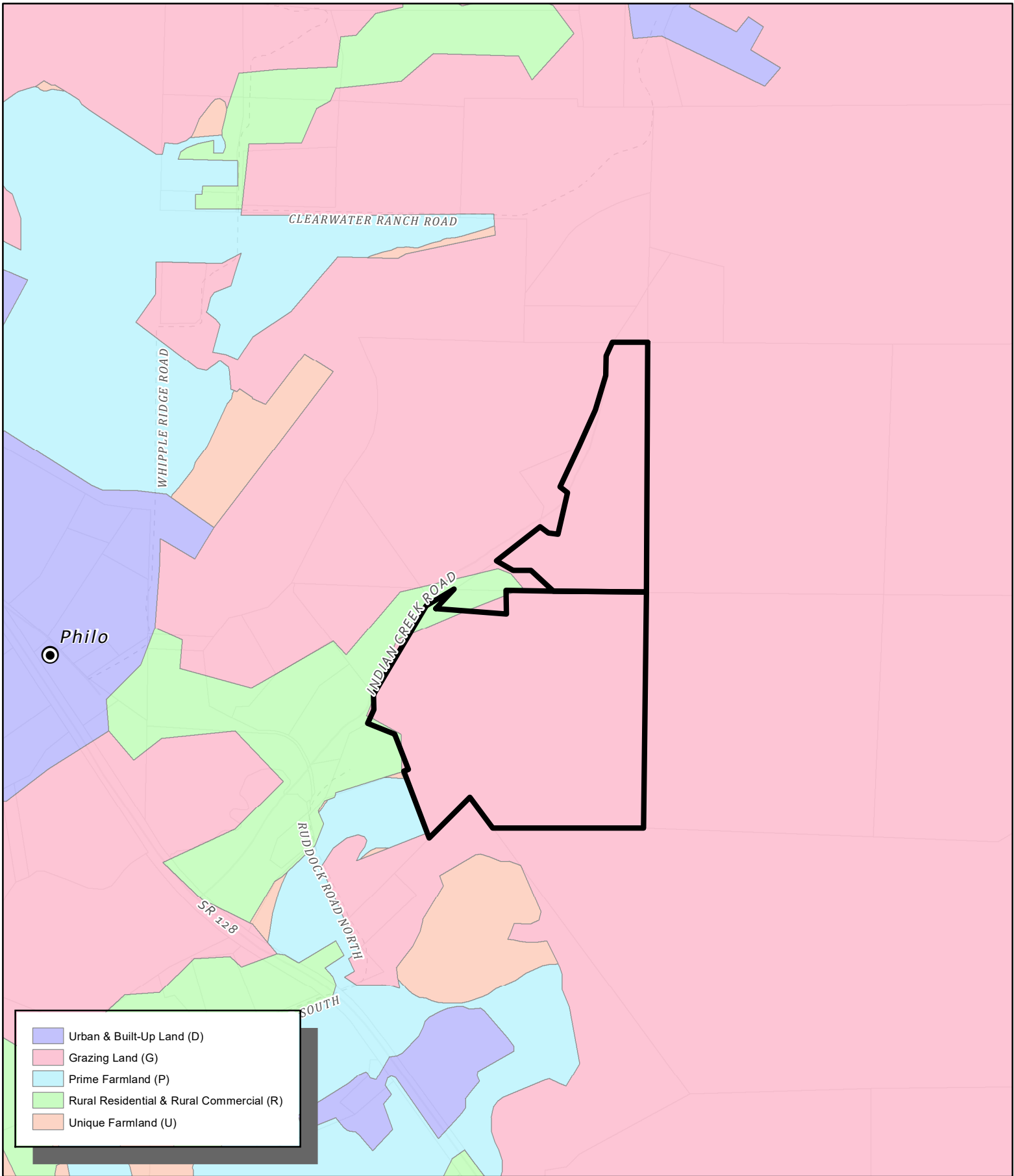
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-  Public Roads
-  Private Roads
-  Assessors Parcels



WILLIAMSON ACT

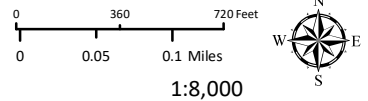
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- Urban & Built-Up Land (D)
- Grazing Land (G)
- Prime Farmland (P)
- Rural Residential & Rural Commercial (R)
- Unique Farmland (U)

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- Major Towns & Places
- Assessors Parcels
- Public Roads
- Private Roads



IMPORTANT FARMLANDS



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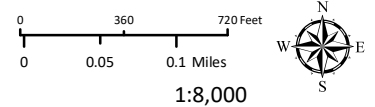
Anderson Valley Unified

Philo

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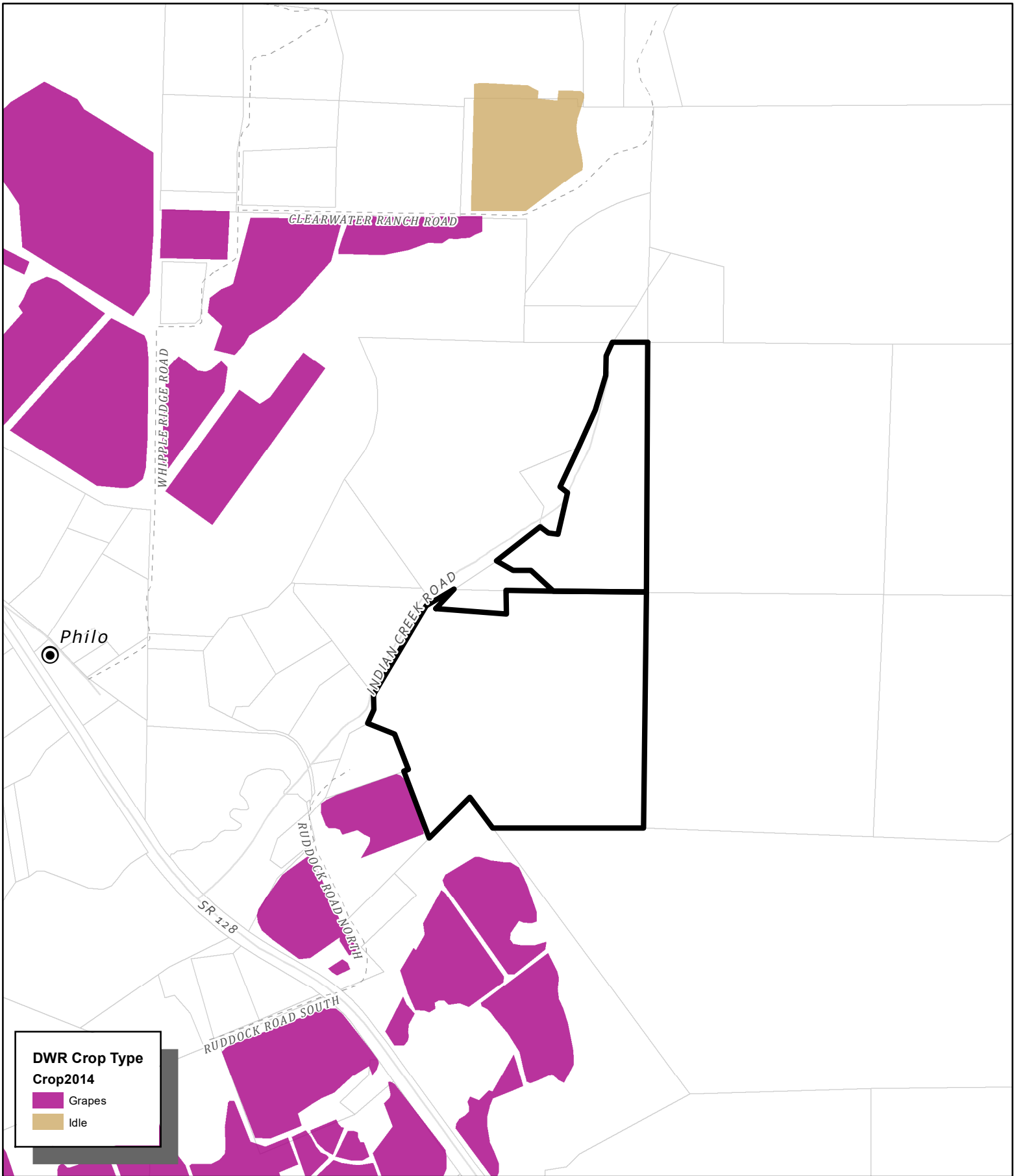
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SCHOOL DISTRICT

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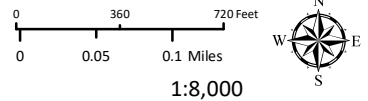


DWR Crop Type
Crop2014

- Grapes
- Idle

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1:8,000

CROP TYPES

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