

## **RESOLUTION NO. 23-115**

### **RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE LANDS OF SPENCER AND AMANDA SAWYERS, APNs 156-200-02, 155-230-02, 155-240-01, AND 156-210-02 (A\_2022-0002)**

WHEREAS, the applicant, Spencer Sawyers, filed an application with the Mendocino County Department of Planning and Building Services to establish 527± acres of land as an Agricultural Preserve and incorporate such land into a Williamson Act contract, approximately 4.5± miles west of the Ukiah City Center, lying on the south side of Low Gap Rd (CR 212), 1.82± miles south of its intersection with Pine Ridge Rd. (CR 220), located at 468 Pine Ridge Rd, Ukiah, and which areas are described in Exhibit “A” (the “Project”); APN: 156-200-02, 155-230-02, 155-240-01, and 156-210-02; General Plan Rangeland (RL); Zoning Rangeland (R-L); Supervisorial District 5; and

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

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

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

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

WHEREAS, said public hearing was duly held on the 20<sup>th</sup> day of June, 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 unless the Board of Supervisors finds that the property meets the eligibility qualifications established by such Policies and Procedures; and

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

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

#### **1. General Plan and Zoning Consistency Findings**

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

**2. Environmental Finding**

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

**3. Williamson Act and Agricultural Preserve Finding**

The Project satisfies the eligibility requirement criteria set forth in Section 5.2 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 ; 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.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 20<sup>th</sup> day of June, 2023, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams  
NOES: None  
ABSENT: None

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

ATTEST: DARCIE ANTLE  
Clerk of the Board

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GLENN MCGOURTY, Chair  
Mendocino County Board of Supervisors

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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

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Deputy

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 155-230-02, 155-240-01, 156-200-02 and 156-210-02**

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

The South half and the South half of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 21; the Southwest quarter of the Southwest quarter of Section 22; all in Township 15 North, Range 13 West, M.D.B. & M.

Also: all that portion of the East half of the Northeast quarter of Section 21 and the Northwest quarter of the Northwest quarter of Section 22, Township 15 North, Range 13, West M.D.B. & M. lying West of the Pine Ridge Road and South of a line 15 feet Northerly and parallel to the centerline of a private ranch road, said centerline being described as follows:

Beginning at a cement marker of the Easterly line of land conveyed by R.E. Dawson, et ux, to Lucie D. Cardwell, recorded September 13, 1954 in Book 379 at Page 291, Mendocino County Records, from which point the Northeast corner of the Southwest quarter of the Northeast quarter of Section 21, Township 15 North, Range 13 West, M.D.B. & M.

bears North 34.5 feet; thence North 84° 20' East 82.9 feet; thence South 77° 24' East 121.9 feet; thence South 82° 44' East 316.9 feet; thence North 83° 32' East 160.6 feet; thence North 85° 23' East, 231.4 feet; thence North 68° 18' East 206.8 feet; thence North 32° 11' East, 173.00 feet; thence North 14° 49' East 107.8 feet; thence North 3° 11' West, 92.7 feet; thence North 30° 01' East, 144.1 feet; thence North 31° 24' East, 110.3 feet; thence North 74° 18' East, 257.2 feet; thence North 32° 04' East, 85.1 feet; thence North 0° 43' West, 115.4 feet to a cement marker of the West line of the County Road [Pine Ridge] from which marker the centerline of the bridge over Orr Creek bears North 12° 00' West, 98.6 feet and also from which marker the centerline of the bridge over the main fork of Orr Creek bears South 34° 32' East, 77.8 feet.