

RESOLUTION NO. 20-117

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXTENDING AN EXISTING AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE LANDS OF LANCE AND JAMIE STORNETTA OVER A PORTION OF APN 133-020-09 (A_2019-0002)

WHEREAS, the applicant, Lance Stornetta, filed an application with the Mendocino County Department of Planning and Building Services to incorporate a 39± acre parcel into an existing Agricultural Preserve and Williamson Act contract, located 0.35± miles south of Manchester on the west side of State Route 1 (SR 1) at its intersection with Biaggi Road (private) at 44151 Biaggi Road, Manchester, and which areas are described in Exhibit "A" (the "Project"); APN: 133-020-09x; General Plan RL (Rangeland); Zoning RL (Rangeland); 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, October 17, 2019 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 October 17, 2019, 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 opened on May 19, 2020, pursuant to proper notice and all evidence was received; and

WHEREAS, the Board of Supervisors continued the public hearing from May 19, 2020 to September 1, 2020; and

WHEREAS, a public hearing was duly held on September 1, 2020, 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 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 RL (Rangeland) and with applicable goals and policies of the General Plan.
- b. The Project is consistent with the property's zoning district of RL (Rangeland) and is in conformance with Mendocino County Code Chapter 20.052.

2. Environmental Finding

The Project is categorically exempt from CEQA review per Section 15317 of the CEQA guidelines (Class 17).

3. Williamson Act and Agricultural Preserve Finding

The Project satisfies the eligibility requirement criteria set forth in Sections 4.2 and 5.2 of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts; and

BE IT FURTHER RESOLVED that the lands described in Exhibit "A", attached hereto and incorporated herein by this reference, be added into Contract #17, Agricultural Preserve Resolution No. 69-66E, 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 of Supervisors as the custodian of the documents and other materials, which constitutes the record of proceedings upon which the Board of Supervisors' decision herein is based. These documents may be found at the office of the Office of the Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, 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 Williams, seconded by Supervisor Brown, and carried this 1st day of September, 2020 by the following vote:

AYES: Supervisors Brown, McCowen, Haschak, Gjerde, and Williams
NOES: None.
ABSENT: None.

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

ATTEST: CARMEL J. ANGELO
Clerk of the Board

JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

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

Deputy

APPROVED AS TO FORM:

CHRISTIAN M. CURTIS, County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy _____

EXHIBIT "A"

Any and all lands and any and all interest thereto lying within the following described real property, said property is situated in the County of Mendocino, State of California more particularly described as follows:

TRACT ONE :

The south half of the southwest quarter of Section 24 and the north half of the northwest quarter of Section 25, Township 13 North, Range 17 West, Mount Diablo Base and Meridian.

TOGETHER WITH the following:

BEGINNING at a point 14 chains due North from the center of Section 25, Township 13 North, Range 17 West, Mount Diablo Meridian, thence South 84° West, 20.11 chains to the northeast corner of that parcel of land conveyed by John P. Bowen to D.C. Clanton, by deed dated January 8, 1877, recorded in Book 22 of Deeds, Page 110, Mendocino County Records; thence South 84° West along the north line of said Clanton land to the west line of said Section 25; thence due North on said section line to the northwest corner of the southwest quarter of the northwest quarter of Section 25; thence due East, 40 chains, more or less, to the northeast corner of the southeast quarter of the northwest quarter of said Section 25; thence due South 6 chains to the Point of Beginning.

EXCEPTING from the above described **TRACT ONE**, the following:

EXCEPTION 1:

BEGINNING at a post in the corner of Sections 23, 24, 25 and 26, Township 13 North, Range 17 West, Mount Diablo Meridian; thence running North along the subdivision line, 20 chains, more or less, to the northwest corner of the southwest quarter of the southwest quarter of Section 24; thence East on the subdivision line 53 links to a stake; thence South 0°23' East, 45 chains to the waters of the lagoon; thence West following the edge of the waters of the said lagoon 83 links to the line between Section 25 and 26, Township 13 North, Range 17 West, Mount Diablo Meridian; thence North along said line to the Point of Beginning.

EXCEPTION 2:

All that portion described in the deed executed by James P. Biaggi, et ux, to Russell Biaggi and Margarete Biaggi, dated November 15, 1964, recorded November 16, 1964 in Book 675 of Official Records, Page 284, Mendocino County Records.

EXCEPTION 3:

All that 300 foot square portion described in the deed executed by James P. Biaggi, et ux, to Russell Biaggi and Margarete Biaggi, dated April 21, 1966 recorded April 28, 1966 in Book 715 of Official Records, Page 214, Mendocino County Records.

EXCEPTION 4:

Parcels A, B and D as numbered and designated upon the map of Hunter's Lagoon, a subdivision, recorded May 3, 1966 in Map Case 2, Drawer 5, Page 29, Mendocino County Records.

AP 133-020-06 and portion of 133-010-06.

TRACT TWO:

A parcel of land lying in the northeast quarter of Section 25, Township 13 North, Range 17 West, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the point of intersection of the west line of California State Highway 1 with the southerly line of a private road sometimes called Biaggi-Cremonini Road and thence following along the southerly

edge of said private road and the meanders thereof Westerly to the west line of the northeast quarter of Section 25, Township 13 North, Range 17 West, Mount Diablo Base and Meridian; thence Southerly along said west line to the northerly line of the land described in the deed from Erick Dahl to Emelie Dahl, recorded July 6, 1931 in Book 62 of Official Records, Page 438, Mendocino County Records; thence following along the northerly line of said Dahl land Southeasterly and Easterly to the southwest corner of that certain parcel of land described in the deed from Nellie Sharpless to Karen Marie Schlachter, recorded June 29, 1943, in Book 164 of Official Records, Page 126, Mendocino County Records; thence following along the west line of said Schlachter land and the west line of that certain parcel of land described in the deed from Fred and Blanche Bishop to Charles Wilson, recorded March 30, 1933 in Book 80 of Official Records, Page 439, Mendocino County Records, Northerly 200 feet, more or less, to the northwest corner of said Wilson land; thence following along the northerly line of said Wilson land Easterly 435 feet, more or less, to the west line of California State Highway 1; thence Northerly along the west line of said highway to the Point of Beginning.

EXCEPTING from the above described **TRACT TWO**, the following:

EXCEPTION 1:

That portion conveyed to Bill Reifers, et ux, by deed recorded April 13, 1965 in Book 686 of Official Records, Page 610, Mendocino County Records.

EXCEPTION 2:

That portion conveyed to Bill Reifers, et ux, by deed recorded June 1, 1967 in Book 741 of Official Records, Page 192, Mendocino County Records.

EXCEPTION 3:

COMMENCING at a 5/8 inch rebar tagged LS 3117 marking the northeast corner of the Reifers property as described in Book 686 of Official Records, Page 610, Mendocino County Records; thence along the south line of Biaggi Lane and the north line of said Reifers property North 61°23'55" West, 154.72 feet to a 5/8 inch rebar tagged LS 3117 marking the northwest corner of the Reifers property and being the **POINT OF BEGINNING**; thence continuing along the south line of Biaggi Lane North 61°23'55" West, 282.00 feet; thence leaving said south line South 67°16'07" West, 230.00 feet; thence North 61°23'55" West, 82.00 feet; thence South 67°16'07" West, 225.00 feet; thence South 10°46'01" East, 155.00 feet; thence South 74°39'42" East, 666.16 feet to a 5/8 inch rebar tagged LS 3117 marking the southwest corner of the Reifers property; thence along the west line of said Reifers property North 11°37'00" East, 336.95 feet to the Point of Beginning.

Portion of AP 133-020-09