

Resolution Number PC 2023-0023

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:

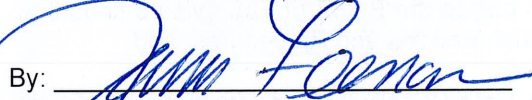
1. The Planning Commission recommends that the Project is consistent with the property's General Plan land use classification of Agricultural (AG) and with applicable goals and policies of the General Plan; and
2. The Planning Commission recommends that the Project is consistent with the property's zoning 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.

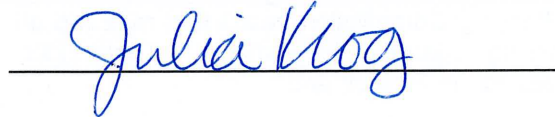
BE IT FURTHER RESOLVED BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of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

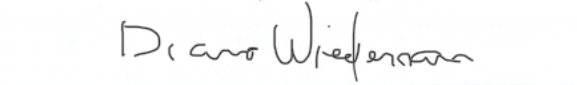


EXHIBIT "A"

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