



**PLANNING COMMISSION
STAFF REPORT- AGRICULTURAL PRESERVE**

**APRIL 6, 2023
A_2022-0002**

SUMMARY

OWNER: SPENCER & AMANDA SAWYERS
468 PINE RIDGE RD
UKIAH, CA 95482

APPLICANT: SPENCER SAWYERS
468 PINE RIDGE RD
UKIAH, CA 95482

REQUEST: Agricultural Preserve application to re-establish a Williamson Act contract on a group of parcels under common ownership located in the western foothills of the Ukiah Valley.

LOCATION: 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; APNs: 156-200-02, 155-230-02, 155-240-01, and 156-210-02.

TOTAL ACREAGE: 527± Acres

GENERAL PLAN: Rangeland 160-Acre Minimum (RL:160)

ZONING: Rangeland (RL)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: LIAM CROWLEY

BACKGROUND

PROJECT DESCRIPTION: The applicant requests to establish approximately 527± acres of land as an agricultural preserve and to place said land into a Williamson Act contract. The land is comprised of four (4) contiguous Assessor's Parcels (APNs) within the Rangeland zoning district and appears to be a single legal lot. The land is used for cattle grazing.

APPLICANT STATEMENT:

"My name is Spencer Sawyers, I was born in Ukiah, raised at 1000 Pine Ridge R[oa]d, now our neighboring property. As a kid I had always hoped to own a ranch and a long way down the road I was able to make this happen. I think it's sad to see all of the old sheep and cattle ranches broken up and developed so that we can have more subdivisions and hoop houses, it really appears from the sky that we don't care about the overall landscape of our state. That said, our property is approximately 530 acres and was in the ag-preserve for many years, I would like to get it back into the program. My family grazed sheep and cattle on the 1000 Pine Ridge property and this 468 Pine Ridge property in the 70's when the Wyatt family owned the place. The last owner chose to let the Ag[ricultural] preserve contract run out because they were absentee owners. Our family lives here on the ranch and we intend to start a regulated cattle grazing program this season to help with fire danger and management of invasive star-thistle. Not knowing when the drought situation will end it is difficult to forecast how many cattle the land will support and for how long.

I'm sure we will need to adjust our program as we see the results in real time, but 10 head for 4 months should give us a pretty good idea of what's possible. Getting back into the ag-preserve will give us a break on our property taxes which will in turn help us to finance improvements to fencing and fire fuel reduction. The ranch is perimeter fenced and has ample roads for access to most areas. I would like to see the ranch stay together and passed down to my kids and have them be able to afford to keep it."

RELATED APPLICATIONS:

- Agricultural Preserve A34-75 for 527± acres, adopted by Resolution No.75-443 8/10/75
- Business License 36-95 for sale of eggs & plants produced on the premises, approved 2/6/95

SITE CHARACTERISTICS: The site consists of four (4) contiguous APNs, with APN: 156-200-02 abutting Pine Ridge Road (CR 220). A private road extends from Pine Ridge Road along the northern property boundary leading to a residence, accessory structures, and a pond located on APN: 155-240-01. There are several private roads leading to other parts of the property. The terrain is steep in certain locations and contains mostly oak trees, Douglas-fir, and grasses. The property is used for cattle grazing.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rangeland (RL:160)	Rangeland (RL)	162±, 9± Acres	Agricultural
EAST	RL:160	RL	175±, 40±, 40±, 98± Acres	Agricultural
SOUTH	Forestland (FL:160) and RL:160	Timber Production (TP) and RL	100±, 80±, 160± Acres	Agricultural
WEST	FL:160	TP	80±, 80±, 40± Acres	Agricultural

PUBLIC SERVICES:

Access: Pine Ridge Road (CR 220)
Fire District: None
Water District: None
Sewer District: None
School District: Ukiah Unified

AGENCY COMMENTS: On May 10, 2022, project referrals were sent to the following agencies with jurisdiction over the project. Any comment that would trigger a project modification, denial, conditions of approval, or required permits are discussed in full in the following section. A summary of agency comments is listed below.

REFERRAL AGENCIES	COMMENT
Agricultural Commissioner	No Response
Assessor's Office	No Response
Farm Advisor	No Comment
Forestry Advisor	No Comment
Resource Lands Protection Committee (RLPC)	Comments
CALFIRE (Resource Management)	No Response
U.S. Department of Fish & Wildlife	No Response
U.S. Natural Resources Conservation	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	Comments
Sherwood Valley Band of Pomo Indians	No Response

KEY ISSUES

General Plan Consistency: The land subject to the request is classified as Rangeland 160-Acre Minimum (RL:160) per the Mendocino County General Plan (see attached General Plan Classifications). The RL:160 classification is intended...

"...to be applied to lands which are suited for and are appropriately retained for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands. 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."

General Uses: Residential uses, agricultural uses, forestry, cottage industries, residential clustering, uses determined to be related to and compatible with ranching, conservation, processing and development of natural resources, recreation, utility installations."

The property is used for grazing and an agricultural preserve would be established, thereby restricting use of the property to agricultural and other compatible activities in accord with the RL:160 classification. The proposal is consistent with other applicable goals and policies of the General Plan as follows:

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.*

Staff therefore finds that the proposal is substantially in conformance with the General Plan.

Zoning Consistency: The land subject to the request is within the Rangeland (RL) zoning district. The RL 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 RL 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."

The proposal would restrict use of the property to agricultural and limited compatible uses. Staff therefore finds that use of the property for grazing purposes within an agricultural preserve is consistent with the intent of the RL district.

Resource Lands Protection Committee (RLPC): The project was referred to the RLPC on May 10, 2022. There was some concern from the RLPC as to whether the land was previously devoted to grazing. To qualify for a preserve and contract according to County policies and procedures (see Section 5.3 below), the land must have been devoted to agricultural purposes prior to application. According to the submitted lease agreement, past agricultural preserve, and applicant statement, it is clear the land has been devoted to agricultural purposes prior to 2024, the year in which the contract would begin. No other concerns were raised by RLPC.

Policies and Procedures for Agricultural Preserves and Williamson Act Contracts: The Policies and Procedures document became effective in 2016 and has since been updated in 2017 and 2018 via Resolution Numbers 17-041 and 18-050. The project's consistency with these policies and procedures is summarized below:

Per Section 4.3(B), the proposed Agricultural Preserve is comprised of a single lot greater than one hundred (100) acres in size. The lot is comprised of four (4) contiguous APNs.

Per Section 5.3(B), the land proposed to be restricted by contract has been devoted to agricultural purposes prior to application as evidenced by the previous Agricultural Preserve established in 1975, the applicant's statement, and the grazing lease agreement submitted as part of the application.

Per Section 5.3(C), the land proposed to be restricted by contract meets the 40-acre minimum parcel size requirement for Non-Prime Agricultural Land.

Per Section 5.3(D), the land must generate an annual income not less than \$2,000.00 plus \$2.50 per acre, or a total of approximately \$3,317.50 for the proposed land to be restricted by contract. The lease agreement provided to staff indicates that annual gross income for the grazing operation is at least \$3,500, and thus meets this requirement.

Staff therefore finds that the proposal is consistent with the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts.

ENVIRONMENTAL DETERMINATION

The California Natural Resources Secretary 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. Staff finds that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) per 14 CCR §15317 Class 17, *Open Space Contracts or Easements*. The proposal consists of the establishment of an agricultural preserve and Williamson Act contract, which aligns with the language of the Class 17 exemption.

RECOMMENDATION

By resolution, that the Planning Commission recommend approval of A_2022-0002 to the Board of Supervisors subject to the findings contained in the attached Exhibit A.

3/13/23

DATE



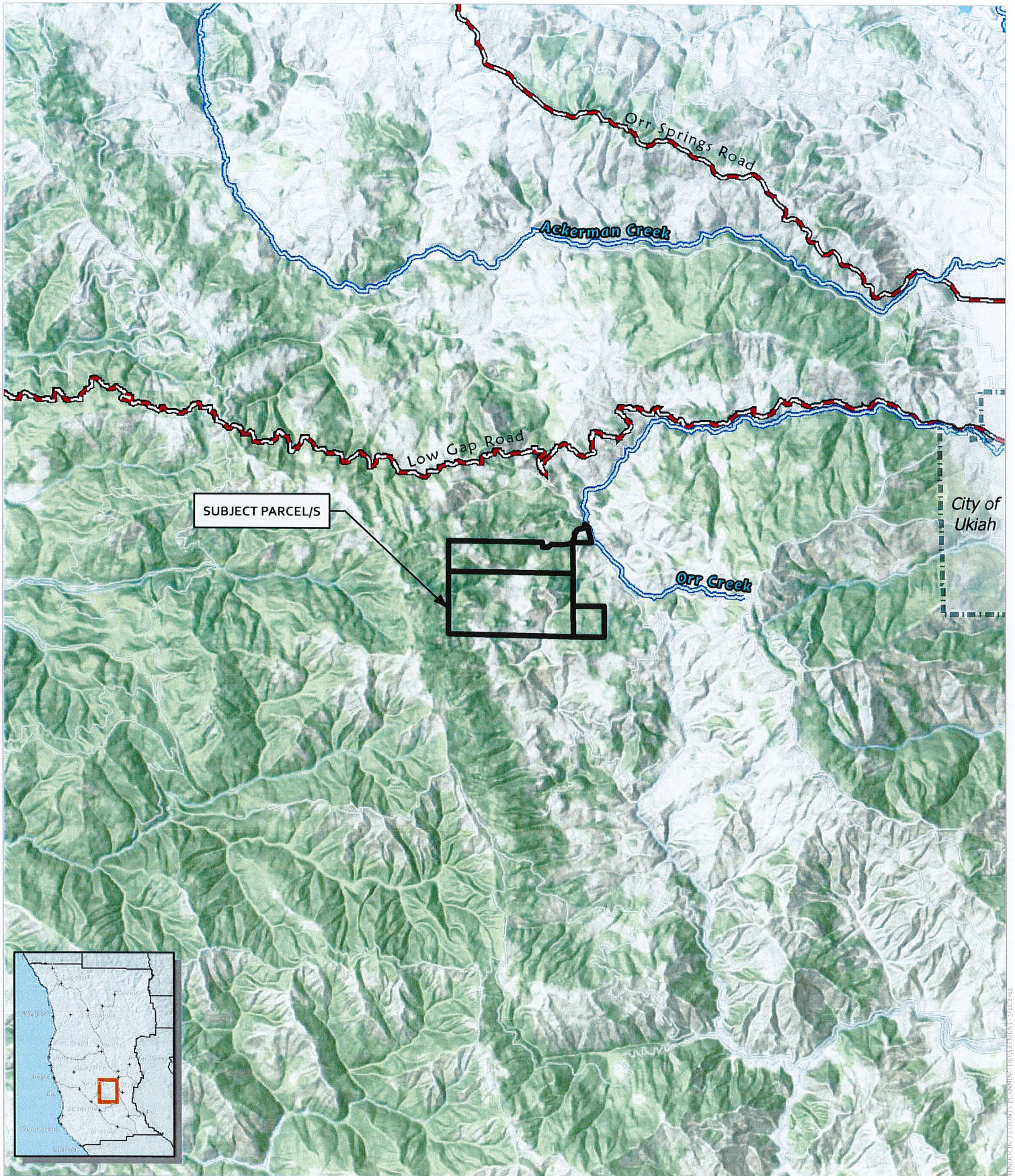
LIAM CROWLEY
PLANNER I

Appeal Period: 10 Days
Appeal Fee: \$\$2620.00




ATTACHMENTS:

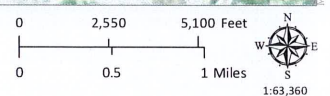
- A. Location Map
- B. Aerial Imagery
- C. Topographic Map
- D. Zoning Display Map
- E. General Plan Classifications
- F. Adjacent Parcels
- G. Farmland Classifications
- H. Lands in Williamson Act Contracts

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

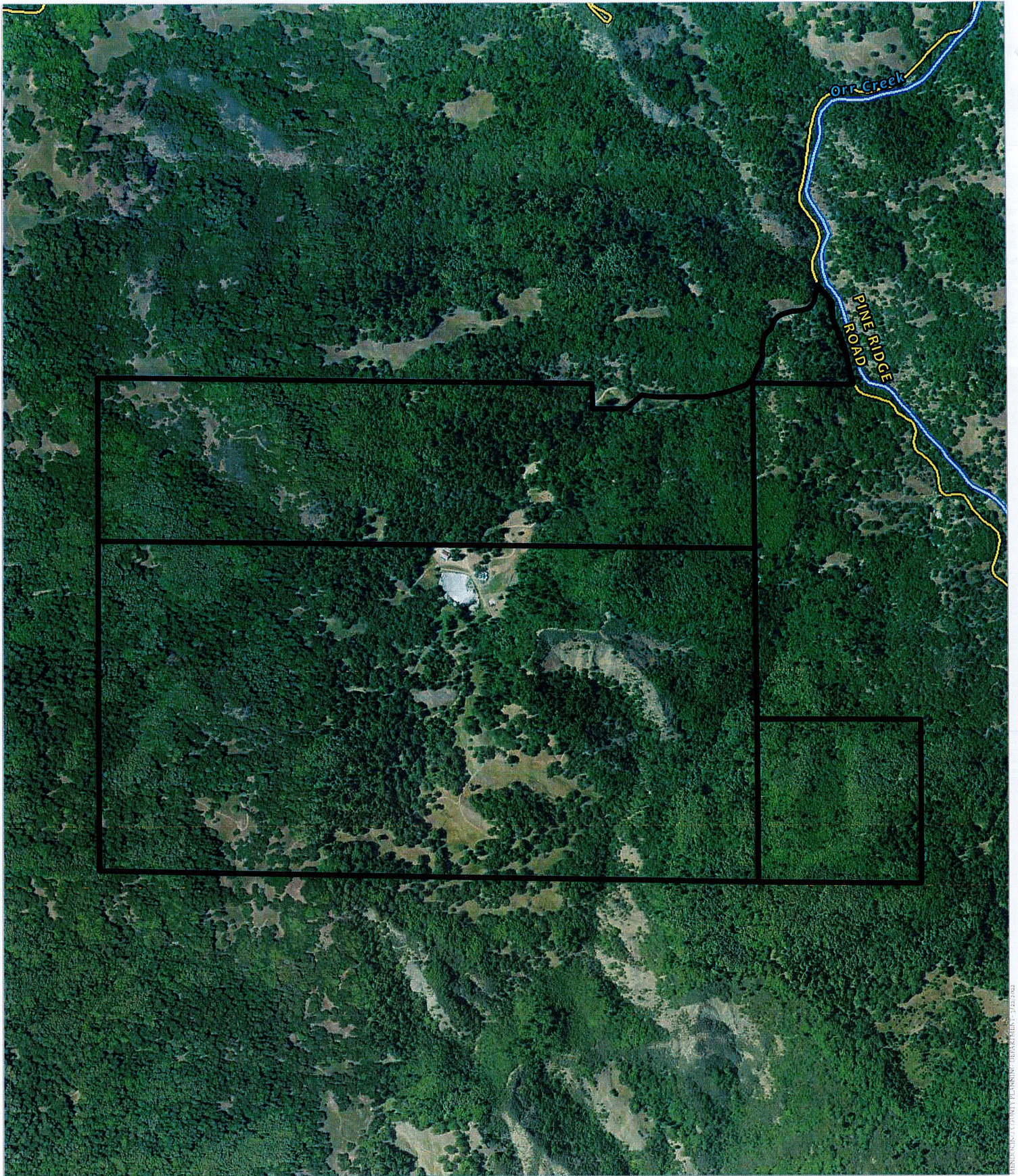


CASE: A 2022-0002
 OWNER: SAWYERS, Spencer
 APN: 155-230-02, ET AL
 APLCT: Spencer Sawyers
 AGENT:
 ADDRESS: 468 Pine Ridge Road, Ukiah

 City Limits
 Highways
 Major Roads

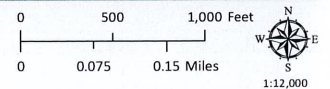


LOCATION MAP

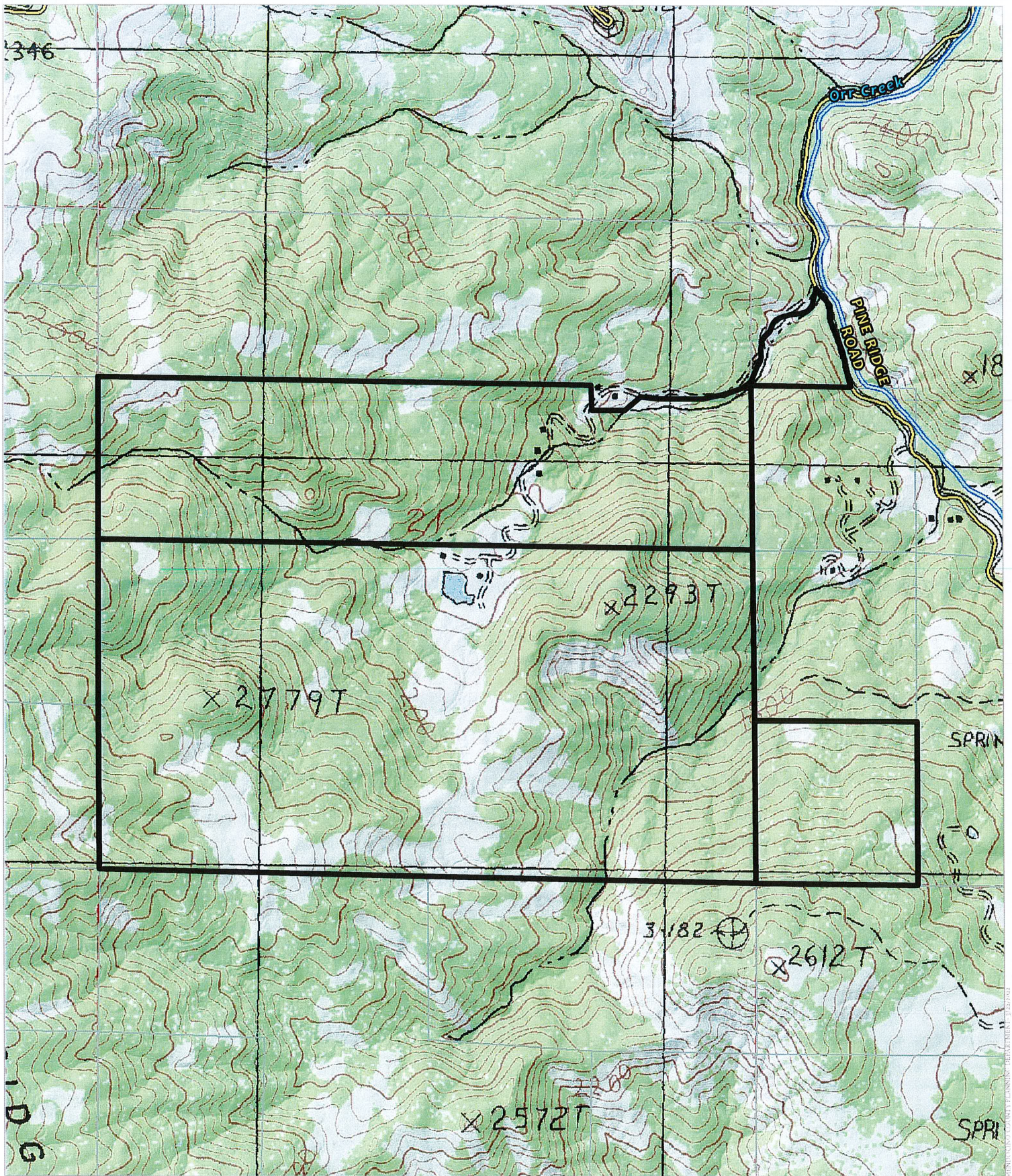


CASE: A 2022-0002
OWNER: SAWYERS, Spencer
APN: 155-230-02, ET AL
APLCT: Spencer Sawyers
AGENT:
ADDRESS: 468 Pine Ridge Road, Ukiah

Public Roads

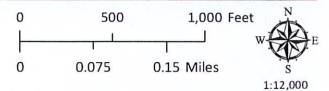


AERIAL IMAGERY

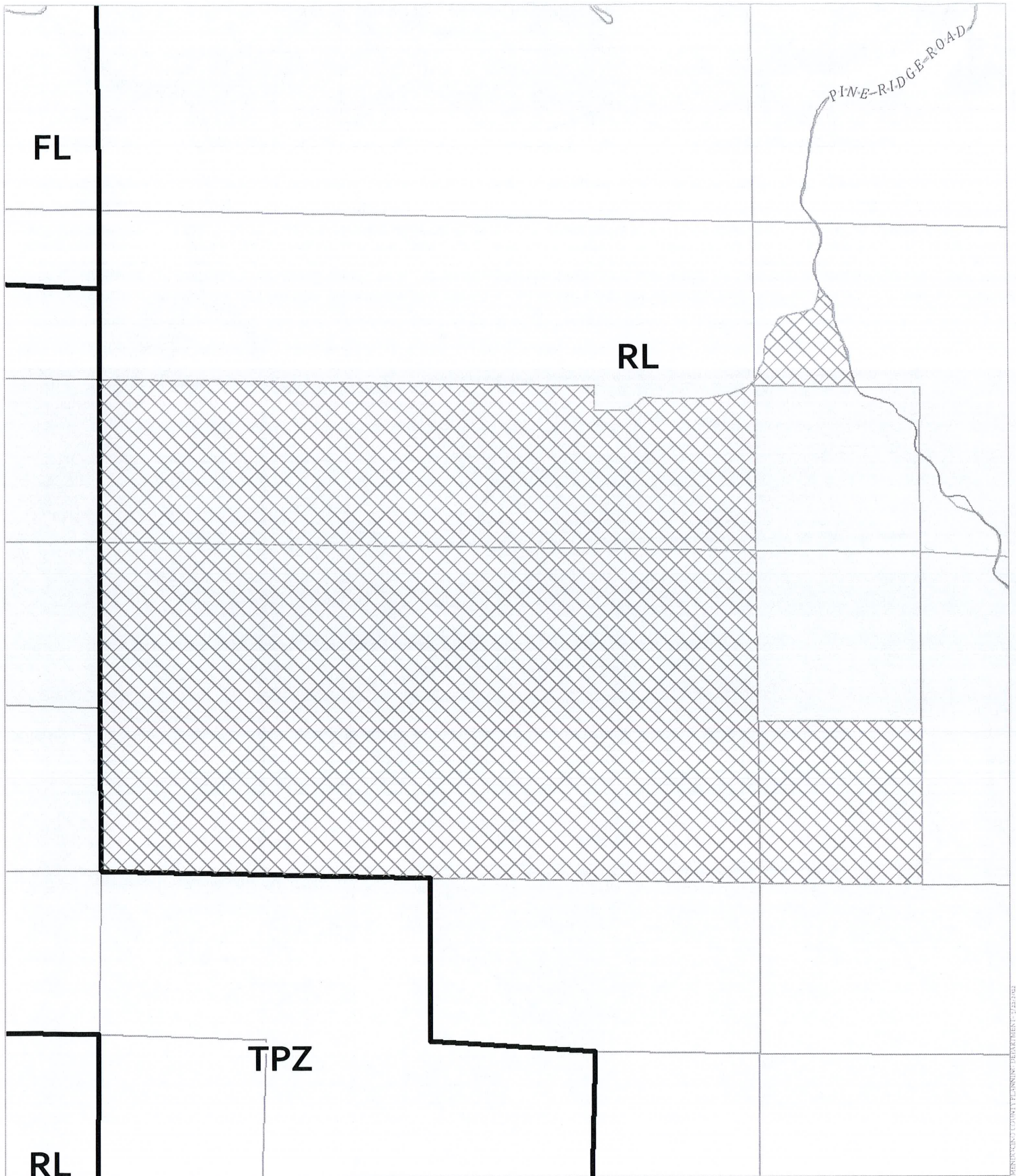


CASE: A 2022-0002
OWNER: SAWYERS, Spencer
APN: 155-230-02, ET AL
APLCT: Spencer Sawyers
AGENT:
ADDRESS: 468 Pine Ridge Road, Ukiah



Public Roads



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

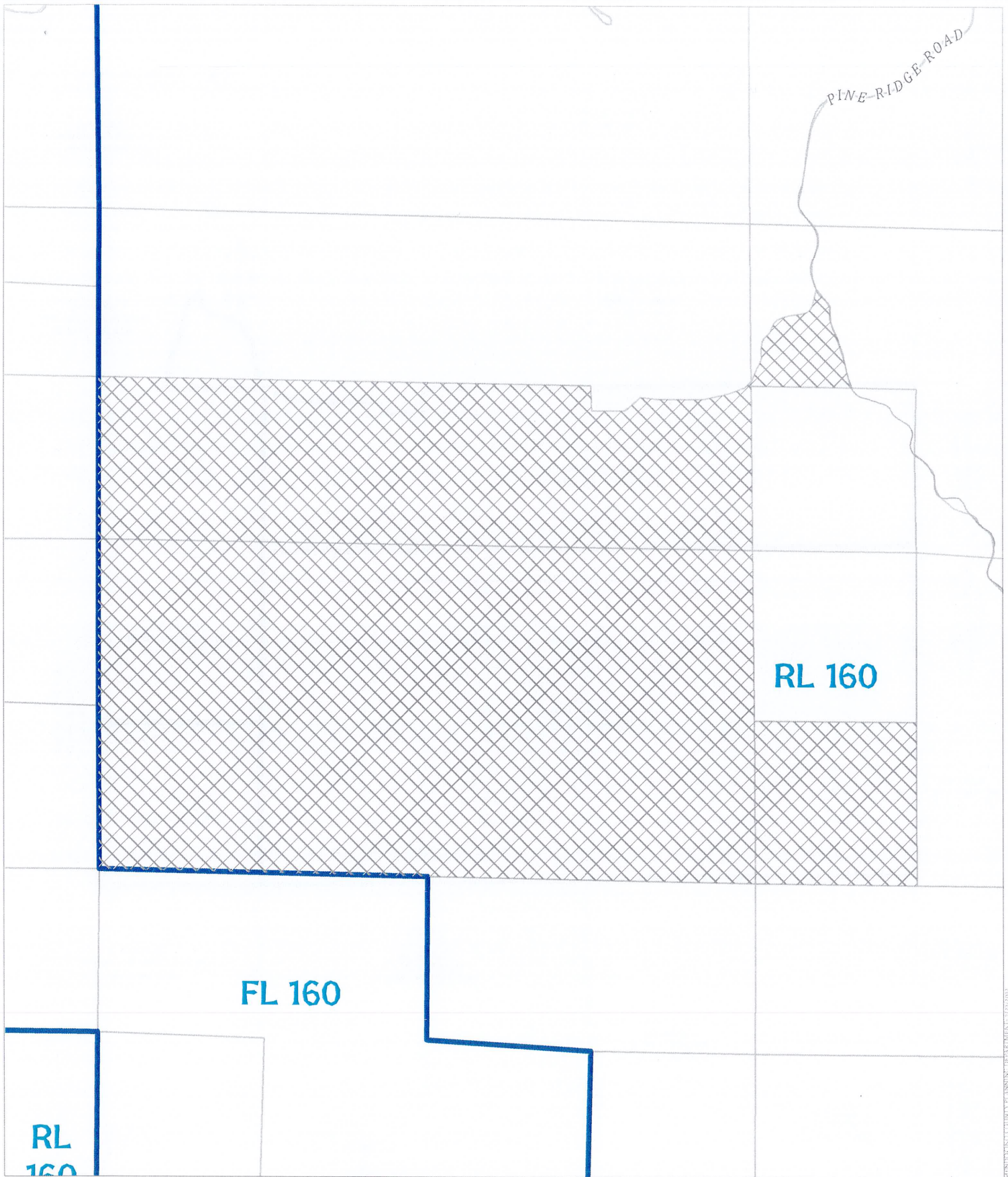


CASE: A 2022-0002
OWNER: SAWYERS, Spencer
APN: 155-230-02, ET AL
APLCT: Spencer Sawyers
AGENT:
ADDRESS: 468 Pine Ridge Road, Ukiah



 Zoning Districts
 Public Roads

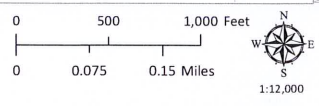
0 500 1,000 Feet
0 0.075 0.15 Miles
N
W
S
E
1:12,000

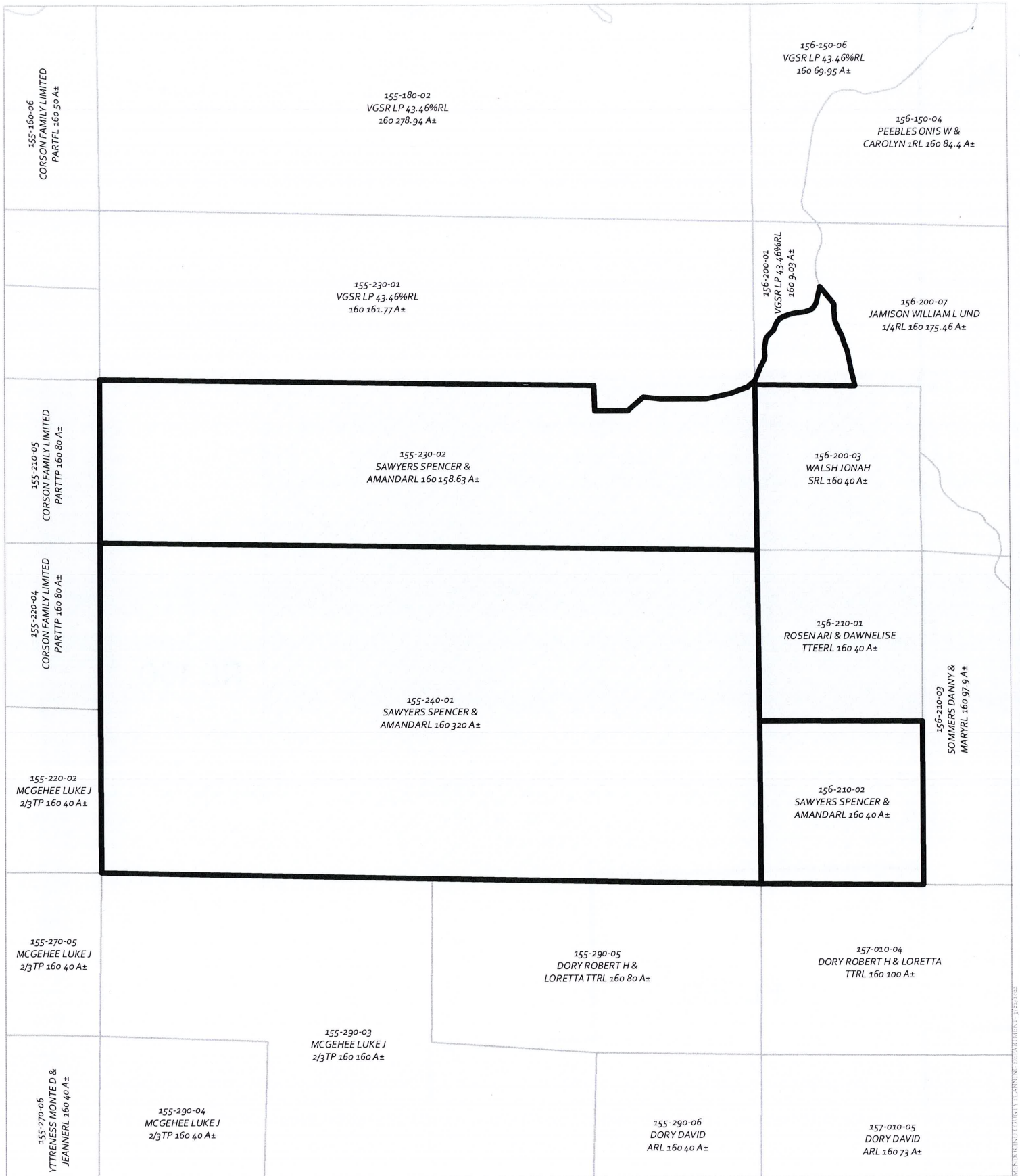
ZONING DISPLAY MAP



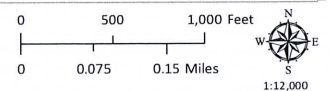
CASE: A 2022-0002
OWNER: SAWYERS, Spencer
APN: 155-230-02, ET AL
APLCT: Spencer Sawyers
AGENT:
ADDRESS: 468 Pine Ridge Road, Ukiah

 General Plan Classes
 Public Roads

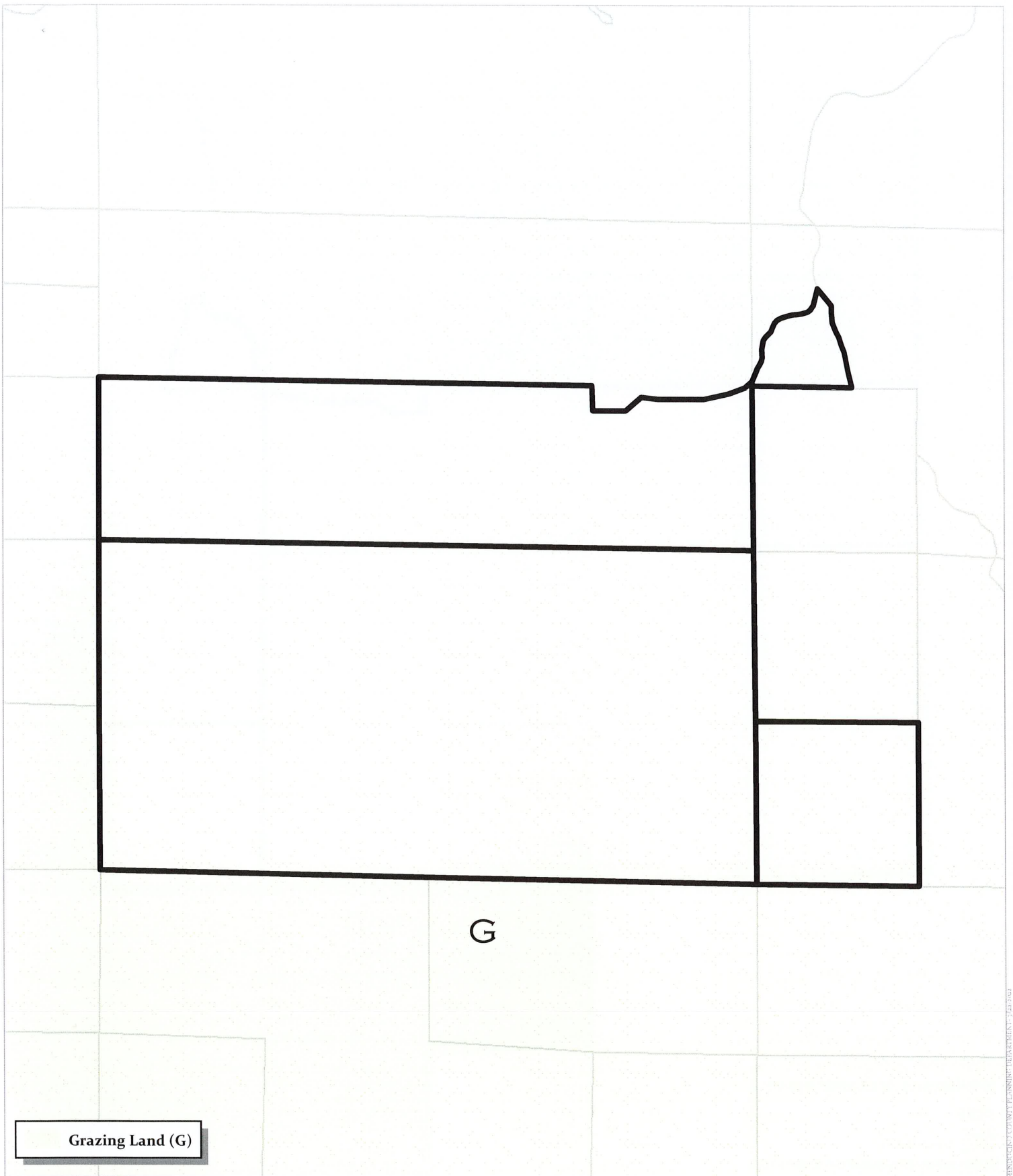




CASE: A 2022-0002
 OWNER: SAWYERS, Spencer
 APN: 155-230-02, ET AL
 APLCT: Spencer Sawyers
 AGENT:
 ADDRESS: 468 Pine Ridge Road, Ukiah



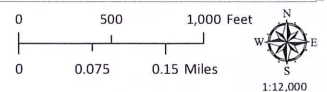
ADJACENT PARCELS



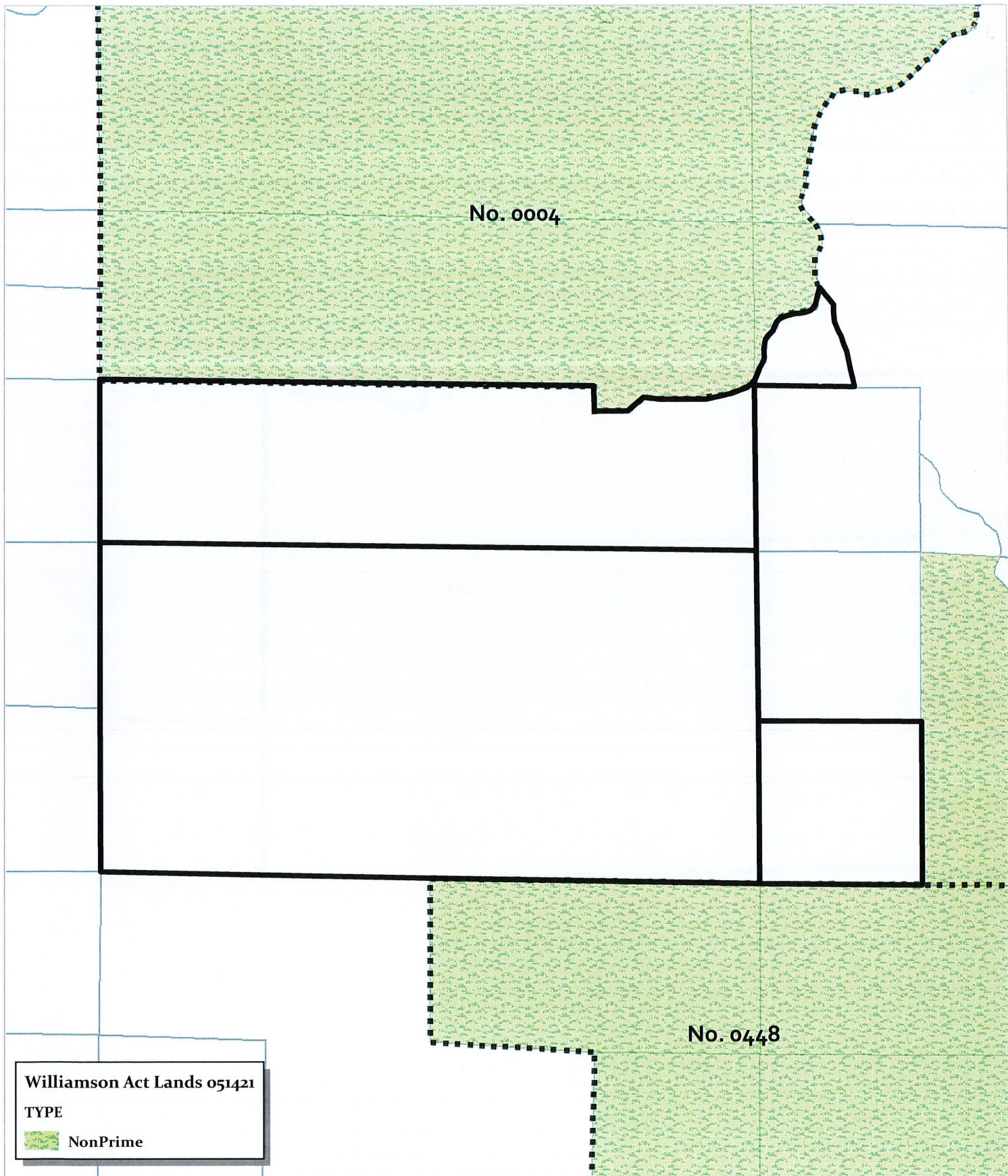
Grazing Land (G)

G

CASE: A 2022-0002
OWNER: SAWYERS, Spencer
APN: 155-230-02, ET AL
APLCT: Spencer Sawyers
AGENT:
ADDRESS: 468 Pine Ridge Road, Ukiah




FARMLAND CLASSIFICATIONS

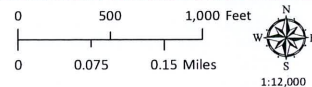


Williamson Act Lands 051421

TYPE

 NonPrime

 Contract Boundaries



CASE: A 2022-0002
OWNER: SAWYERS, Spencer
APN: 155-230-02, ET AL
APLCT: Spencer Sawyers
AGENT:
ADDRESS: 468 Pine Ridge Road, Ukiah

LANDS IN WILLIAMSON ACT CONTRACTS

Resolution Number _____

County of Mendocino
Ukiah, California

APRIL 6, 2023

A_2022-0002 - SAWYERS

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 SPENCER & AMANDA SAWYERS AND APPROVING A WILLIAMSON ACT CONTRACT OVER SAID LANDS (A_2022-0002)

WHEREAS, the applicant, SPENCER SAWYERS, filed an application with the Mendocino County Department of Planning and Building Services to establish an Agricultural Preserve over 527± acres and establish a Williamson Act contract over said land, 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; APNs 156-200-02, 155-230-02, 155-240-01, and 156-210-02; General Plan Rangeland (RL:160); Zoning Rangeland (RL); Supervisorial District 5; 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 the 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 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 forth 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_2022-0002:

1. The Planning Commission recommends that the Project is consistent with the property's General Plan land use classification of Rangeland (RL:160) 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 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 Spencer & Amanda Sawyers and approve a Williamson Act contract over said lands.

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
Director, Planning & Building Services

DIANA WIEDEMANN, Chair
Mendocino County Planning Commission

EXHIBIT A

2020-05919 Page 4 of 405/29/2020 02:03:26 PM

EXHIBIT "A"

Legal Description

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

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.