

Resolution Number PC 2020-0008

County of Mendocino
Ukiah, California

July 16, 2020

RE_2019-0002 LANDS OF RAWAH VINEYARDS, LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING THE RECISSION OF THE EXISTING WILLIAMSON ACT CONTRACTS AND SIMULTANEOUS REPLACEMENT OF TWO NEW CONTRACTS FOR THE LANDS OF RAWAH VINEYARDS, LLC AND ANDERSON VINEYARDS, INC. (RE_2019-0002)

WHEREAS, the applicant, Rawah Vineyards, LLC and Anderson Vineyards, Inc filed an application with the Mendocino County Department of Planning and Building Services to rescind and re-enter the existing Williamson Act contract numbers 152 and 487 in the community of Philo on the north side of State Route 128, 0.35± miles east of its intersection with Nash Mill Road (private) at 4741 Highway 128, Philo and which areas are described in Exhibits "A" and "B"; APNs 026-295-10, 026-295-37, 026-330-06, 026-330-44, 026-294-14, and;

WHEREAS, Mendocino County has adopted Policies and Procedures for Agricultural Preserves and Williamson Act Contracts (Amended March 17, 2018; Board of Supervisors Resolution No. 18-050) pursuant to Mendocino County Code section 22.08.010, which provide that 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 the such Policies and Procedures; 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, July 16, 2020 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, at the Planning Commission hearing on July 16, 2020, 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 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 recommendation to the Mendocino County Board of Supervisors regarding project RE_2019-0002:

1. The Planning Commission recommends that 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.
2. The Planning Commission recommends that The Project is consistent with the property's zoning district of RL (Rangeland) and is in conformance with Mendocino County Code Chapter 20.052.
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

EXHIBIT A

LANDS OF RAWAH VINEYARDS, LLC

All that real property situated in the County of Mendocino, State of California, more particularly described follows:

TRACT ONE:

The southwest quarter of Section 35, Township 15 North, Range 15 West, Mount Diablo Meridian.

EXCEPTING THEREFROM the following:

1st: All that portion of the southwest quarter of Section 35, Township 15 North, Range 15 West, Mount Diablo Meridian that lies northerly and westerly of the following described line:

COMMENCING at a ½" iron pipe marking the southwest corner of said Section 35, as shown on the Record of Survey map recorded in Map Case 2, Drawer 6, Page 16, Mendocino County Records, from which a ½" iron pipe marking the west quarter corner of said Section 35 bears North 01° 02' 04" East, 2622.93 feet (record = 2623.60 feet); thence along the west line of said Section 35, North 01° 02' 04" East, 1305.81 feet to the POINT OF BEGINNING of this line description; thence leaving said west line, North 90° 00' 00" East, 9.77 feet to a fence corner; thence along an existing wire fence North 88° 58' 10" East, 102.95 feet; thence South 88° 43' 19" East, 412.34 feet; thence North 88° 44' 43" East, 82.29 feet; thence South 88° 53' 57" East, 299.57 feet; thence South 89° 44' 41" East, 542.08 feet; thence North 87° 13' 07" East, 22.44 feet; thence North 46° 51' 45" East, 101.74 feet; thence North 45° 05' 17" East, 66.70 feet; thence North 13° 02' 40" East, 187.22 feet; thence North 14° 51' 15" East, 88.30 feet; thence North 13° 40' 15" East, 473.76 feet; thence North 13° 37' 44" East, 348.53 feet; thence North 13° 01' 03" East, 140 feet, more or less, to a point on the north line of the said southwest quarter of Section 35 and being the end of this line description.

2nd: That portion conveyed to John Gossman by deed dated January 16, 1873, recorded February 27, 1873 in Book 8 of Deeds at Page 125, Mendocino County Records.

3rd: That portion conveyed to Albert Gossman by deed dated January 9, 1902, recorded January 22, 1902, in Book 85 of Deeds at page 223, Mendocino County Records.

Portions of AP 026-295-10 & 37

TRACT TWO:

COMMENCING at the northwest corner of Section 2, Township 14 North, Range 15 West, Mount Diablo Base and Meridian, running thence East along the township line to Gossman's fence to a redwood stake marked "X", 56 rods; thence Southwesterly along the northwest side of fence to the section line and to redwood stake marked "X", 63 rods and 4 feet; thence North along the section line 34 rods and 2½ feet to the Place of Beginning.

AP 026-330-06

EXHIBIT B

LANDS OF ANDERSON VINEYARDS, INC.

All that real property situated in the County of Mendocino, State of California, more particularly described as follows:

TRACT ONE:

The southeast quarter of the southeast quarter of Section 34, Township 15 North, Range 15 West, Mount Diablo Meridian.

AP 026-294-14

TRACT TWO:

All that portion of the southwest quarter of Section 35, Township 15 North, Range 15 West, Mount Diablo Meridian that lies northerly and westerly of the following described line:

COMMENCING at a 1/2" iron pipe marking the southwest corner of said Section 35, as shown on the Record of Survey map recorded in Map Case 2, Drawer 6, Page 16, Mendocino County Records, from which a 1/2" iron pipe marking the west quarter corner of said Section 35 bears North 01°02'04" East, 2622.93 feet (record = 2623.60 feet); thence along the west line of said Section 35, North 01°02'04" East, 1305.81 feet to the **POINT OF BEGINNING** of this line description; thence leaving said west line, North 90°00'00" East, 9.77 feet to a fence corner; thence along an existing wire fence North 88°58'10" East, 102.95 feet; thence South 88°43'19" East, 412.34 feet; thence North 88°44'43" East, 82.29 feet; thence South 88°53'57" East, 299.57 feet; thence South 89°44'41" East, 542.08 feet; thence North 87°13'07" East, 22.44 feet; thence North 46°51'45" East, 101.74 feet; thence North 45°05'17" East, 66.70 feet; thence North 13°02'40" East, 187.22 feet; thence North 14°51'15" East, 88.30 feet; thence North 13°40'15" East, 473.76 feet; thence North 13°37'44" East, 348.53 feet; thence North 13°01'03" East, 140 feet, more or less, to a point on the north line of the said southwest quarter of Section 35 and being the end of this line description.

Portions of AP 026-295-10 & 37

TRACT THREE:

That portion of Lots 1 and 2 of Section 3, Township 14 North, Range 15 West, Mount Diablo Meridian lying northerly and easterly of the north line of California State Highway #128, and that portion of the southeast quarter of the northeast quarter of said Section 3 lying northerly and easterly of California State Highway #128 and lying northerly of Philander More or Lazy Creek.

EXCEPTING there from the following:

1st: That portion conveyed by Margaret Holmest to John Grossman, by deed dated July 21, 1884, recorded July 25, 1884 in Book 33 of Deeds, Page 356, Mendocino County Records.

2nd: That portion conveyed in the deed executed by Alma Maddux et al to William K. Maddux et ux, dated September 5, 1967, recorded September 6, 1967 in Volume 747 of Official Records, Page 545, Mendocino County Records.

3rd: That portion conveyed in the deed executed by Blyde A. Perkins and Alice R. Perkins to Aldah H. Rooks, dated January 18, 1972, recorded March 24, 1972, in Book 882, Official Records, Page 502, Mendocino County Records.

4th: That portion of Lot 2 of said Section 3 described as follows:

BEGINNING at a 1/2 inch iron pipe marking the most westerly point of PARCEL ONE as described in the Rooks deed recorded in Book 882, Official Records, Page 502, Mendocino County Records, said point being on the northerly right of way line of State Highway 128; thence along the northwesterly line of said PARCEL ONE, North 48°23'14" East, 300.32 feet to a 1/2 inch iron pipe; thence leaving said northwesterly line, North 53°51'00" West, 433.47 feet; thence South 36°09'00" West, 283.50 feet to a point on the northerly right of way line of State Highway 128; thence along said right of way line South

53°51'00" East, 330.50 feet to a CHC monument; thence South 36°09'00" West, 1000 feet; thence South 53°51'00" East, 39.31 feet to the Point of Beginning.

AP 026-330-44

TRACT FOUR:

A portion of Parcel 3 as shown on the Parcel Map of Minor Subdivision Number 34-77 recorded November 5, 1979 in Map Case 2, Drawer 35, Page 48, Mendocino County Records described as follows:

BEGINNING at the southwest corner of said Parcel 3; thence along the west line of said Parcel 3 North 00°25'07" East, 280.75 feet; thence leaving said west line North 88°40'38" East, 429.56 feet; thence North 09°01'12" East, 245.55 feet; thence North 44°29'31" West, 203.45 feet; thence North 31°25'33" West, 100.76 feet; thence North 63°27'48" West, 52.10 feet; thence North 01°48'54" West, 351.18 feet; thence North 25°58'49" East, 118.80 feet; thence South 81°55'06" East, 132.09 feet; thence South 83°52'22" East, 79.29 feet; thence South 77°42'05" East, 68.91 feet; thence South 74°59'19" East, 77.74 feet; thence South 50°12'19" East, 52.60 feet; thence South 20°59'14" East, 79.22 feet; thence South 48°51'08" East, 43.65 feet; thence South 72°20'50" East, 52.91 feet; thence North 69°29'21" East, 106.62 feet; thence South 74°32'50" East, 137.46 feet; thence North 57°22'39" East, 114.79 feet; thence North 90°00'00" East, 211.26 feet to the east line of said Parcel 3; thence along said east line South 00°15'48" West, 1064.46 feet to the southeast corner of said Parcel 3; thence along the south line of said Parcel 3 North 89°41'23" West, 1315.48 feet to the Point of Beginning.

Portion of AP 026-295-37