

**RESOLUTION NO. 17-144**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING A CATEGORICAL EXEMPTION AND ESTABLISHING AN AGRICULTURAL PRESERVE FOR THE LANDS OF MARIETTA VINEYARDS, LLC, AND APPROVING A NEW WILLIAMSON ACT CONTRACT (A 2017-0001)**

WHEREAS, the applicant, Marietta Vineyards, LLC, filed an application with the Mendocino County Department of Planning and Building Services to establish a 133± acre Agricultural Preserve and Williamson Act contract 2.60± miles north of Hopland on the east side of Old River Road (CR 201), 2.70± miles north of its intersection with State Highway 175 AT 10501 Old River Road Hopland, and which areas are described in Exhibit "A" (the "Project"); APN 047-370-12x; General Plan AG-40 (Agriculture); Zoning AG 40 (Agriculture); 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, July 6, 2017 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 July 6, 2017, 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 this 3<sup>rd</sup> day of October, 2017, 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 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 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 AG-Agriculture and with applicable goals and policies of the General Plan.
  - b. The Project is consistent with the property's zoning district of AG-Agriculture 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 Section 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 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 document 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 County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, California 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 Hamburg, seconded by Supervisor Brown, and carried this 3<sup>rd</sup> day of October, 2017 by the following vote:

AYES: Supervisors Brown, McCowen, Croskey, Gjerde, and Hamburg  
NOES: None  
ABSENT: None

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

ATTEST: CARMEL J. ANGELO  
Clerk of the Board



JOHN MCCOWEN, Chair  
Mendocino County Board of Supervisors

  
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:  
KATHARINE L. ELLIOTT  
County Counsel

BY: CARMEL J. ANGELO  
Clerk of the Board

  
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Deputy

## EXHIBIT A

That certain real property situated in the County of Mendocino, State of California, described as follows:

Parcel Three as numbered and designated on the Parcel Map filed for record in Maps Draw 86, Page 7, Mendocino County Records.

APN: 047-370-12x.