

Resolution Number PC 2020-0015

County of Mendocino
Ukiah, California

DECEMBER 3, 2020

A_2019-0003 - CAPISTRAN RANCH, 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 ESTABLISHING AN AGRICULTURAL PRESERVE FOR THE LANDS OF CAPISTRAN RANCH, LLC, AND APPROVING A NEW WILLIAMSON ACT CONTRACT (A_2019-0003)

WHEREAS, the applicant, Capistran Ranch, LLC filed an application with the Mendocino County Department of Planning and Building Services to incorporate 982± acres into an Agricultural Preserve and Williamson Act contract in multiple locations around the Round Valley area, and which areas are described in Exhibit "A" (the "Project"); APNs 034-100-41, 45, 034-121-81, 83, 84, 034-150-07, 034-160-36, 035-110-17; General Plan RL (Rangeland) and AG (Agriculture); Zoning RL (Rangeland) and AG (Agriculture); Supervisorial District 3; 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 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, December 3, 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 December 3, 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 A_2019-0003:

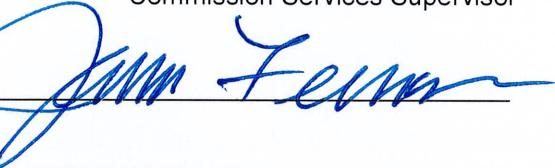
1. The Planning Commission recommends that the Project is consistent with the property's General Plan land use designations of RL (Rangeland) and AG (Agriculture) and with applicable goals and policies of the General Plan.
2. The Planning Commission recommends that the Project is consistent with the property's zoning districts of RL (Rangeland) and AG (Agriculture) and is in conformance with Mendocino County Code Chapters 20.052 and 20.056.
3. The Planning Commission recommends that the Project satisfies the eligibility requirement criteria set forth in Sections 4.3 and 5.3 of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts; and

4. The Planning Commission recommends that the Board of Supervisors find the project Categorically Exempt from the California Environmental Quality Act under Class 17; and
5. 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 contract in a form approved by the Mendocino County Counsel, and that the owners shall cause to be recorded with the County Recorder's Office one (1) map per contract, written legal descriptions for each and contracts for the preserve in accordance with the established procedures of the County Recorder's Office.

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 Provision of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES FEENAN
Commission Services Supervisor

By: 

BY: BRENT SCHULTZ
Planning Director


MARILYN OGLE, Chair
Mendocino County Planning Commission



EXHIBIT A

LANDS OF CAPISTRAN RANCH, LLC

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

TRACT ONE (BENTLEY GROUP):

The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 16 and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22 North, Range 11 West, Mount Diablo Base and Meridian

APNs: 034-100-41, 45

TRACT TWO (FAIRBANKS GROUP):

Parcel 4, as numbered and designated on the Parcel Map for Parcel Division P 2014-0001 recorded December 9, 2016 in Maps Drawer 85, Pages 99 and 100, Mendocino County Records.

APN: 034-121-81

Parcel 3 as shown on the Parcel Map for Parcel Division P 2014-0001 recorded December 9, 2016 in Maps Drawer 85, Pages 99 and 100, Mendocino County Records.

EXCEPTING THEREFROM THE FOLLOWING: Beginning at the northeast corner of Lot 19 as shown on the Survey and Map of Tuttle Subdivision No. 1 recorded January 17, 1956 in Map Case 1, Drawer 10, Page 35, Mendocino County Records; thence North 00°00'00" East, 460.00 feet; thence North 90°00'00" East, 619.13 feet to a point on the east line of Parcel 3 noted above; thence along the east line of said Parcel 3 South 00°42'39" West, 765.99 feet to the southeast corner of said Parcel 3 and being on the north line of Fairbanks Road; thence along the southerly boundary of said Parcel 3 North 89°26'00" West, 61.66 feet; thence North 00°00'00" East, 162.00 feet; thence North 89°26'00" West, 248.00 feet; thence South 00°00'00" East, 12.00 feet; thence North 89°26'00" West 290.00 feet; thence North 00°00'00" East, 150.00 feet to the Point of Beginning.

APN: 034-121-83, 84

TRACT THREE (HAYSHED GROUP):

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28;

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the S $\frac{1}{2}$ of Section 34;

Township 22 North, Range 11 West, Mount Diablo Base & Meridian

Lots 2, 3 and 4 of Section 3, Township 12 North, Range 11 West, Mount Diablo Base & Meridian

APNs: 034-150-07, 034-160-36, 035-110-17