



**BOARD OF SUPERVISORS
STAFF REPORT- AGRICULTURAL PRESERVE**

**OCTOBER 3, 2017
A_2017-0001**

SUMMARY

OWNER/APPLICANT: MARIETTA VINEYARDS LLC
PO BOX 800
GEYSERVILLE, CA 95441

AGENT: BEN KAISI
PO BOX 800
GEYSERVILLE, CA 95441

REQUEST: Creation of a 133± acre Williamson Act contract on a single parcel under a single ownership.

DATE DEEMED COMPLETE: March 1, 2017

LOCATION: Hopland. Parcel is located 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. APN: 047-370-12.

TOTAL ACREAGE: 133.64±

GENERAL PLAN: AG 40

ZONING: AG 40

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Class 17

RECOMMENDATION: Approval

STAFF PLANNER: Russell Ford

BACKGROUND

PROJECT DESCRIPTION: Applicant requests the creation of a single Williamson Act contract on an existing 133± acre legal parcel owned by Marietta Vineyards, LLC. Review of aerial surveys indicate vineyards in existence since at least 1993, and applicant intends to continue use as a working vineyard. Per the application materials, there are currently 3 structures on the parcel; a mobile home, farm labor residence and a shop. No additional structures are proposed at this time.

APPLICANT'S STATEMENT: Drill one well in year of 2017. This is an existing working vineyard.

RELATED APPLICATIONS:

- On August 23rd, 2011 the General Plan classification and Zoning district were changed from Rangeland (RL) to Agricultural (AG) with the approval of GP 2006-0003/R2006-0004.
- On April 21st, 2016, MS 2014-0010 was approved by the Planning Commission, creating four lots of 40±, 40±, 133± and 54± acres.
- Numerous other permits for structures have been approved going back to 1990, including an ag barn and farm labor housing.

SITE CHARACTERISTICS: Located along the eastern slopes of the southern Yokayo Valley just north of Hopland, the parcel is within a quarter mile of the Russian River, and sits at the bottom of a gently sloping foothill. The property is almost evenly split between Hopland-Witherell-Squawrock complex soils along the upper slopes, and Yorkville-Squawrock-Witherell complex soils along the lower slopes, with the 30% slope boundary near the center of the lot. As noted in the Soil Conservation Services Soil Survey, these types of soils are generally used for livestock grazing and wildlife habitat, however the Yorkville and Squawrock soils respond well to fertilization but additional care needs to be taken to protect these units from erosion.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RL 160	RL 160	108±	Agricultural
EAST	RL 160	RL 160	245±	Rangeland
SOUTH	AG 40	AG 40	54±	Rangeland
WEST	AG 40	AG 40	55±	Agricultural

PUBLIC SERVICES:

Access: Old River Road (CR 201)
Fire District: Hopland Sanel Valley
Water District: None
Sewer District: None
School District: Ukiah Unified

AGENCY COMMENTS: On March 13th, 2017 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Resource Lands Protection Committee	None	No Comment	4/14/2017
Redwood Valley Little River Band of Pomo Indians	None	No Comment	3/23/2017

KEY ISSUES

1. General Plan and Zoning Consistency: The proposed project, establishing a Williamson Act contract of 133± acres to be used primarily for vineyard is consistent with pertinent agricultural goals and polices of the General Plan as follows:

Policy 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 maintain extensive agricultural land areas and limiting incompatible uses.

Policy RM-100: Maintain extensive agricultural 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.

2. Agricultural Preserve Regulations: As indicated on aerial imagery, the property has been used as a vineyard for at least 20 years and is currently used for production of Zinfandel and Petite Sirah grapes. The intent is to continue the vineyard use of the property consistent with the requirements for a Williamson Act contract.

Under the revised Agricultural Preserve and Williamson Act Contract Policies and Procedures, adopted October 6th, 2015, lands designated as "Prime Agricultural Land" must be at least 10 acres. This parcel meets that requirement at 133± acres. Table 5-2 of the revised policies (Annual Income Requirements) requires not less than \$1,000 per planted acre for Prime Agricultural Land, which includes Vines and Bushes. Approximately 106± acres of the subject parcel are currently planted with vines. Per the materials submitted by the applicant, the total sales value of grapes in 2016 was \$399,462.25, making the value per acre approximately \$3,768, easily meeting that threshold.

Comments regarding the application were not received from the California Department of Conservation Division of Land Resources Protection (DLRP).

Based upon the expected production of the soil types, combined with the history of the agricultural use of the subject property, staff finds that the property meets the criteria for establishment of a Williamson Act contract under Section 22.08 of the Mendocino County Code.

3. Environmental Protection: The project has been found to be exempt from the California Environmental Quality Act (CEQA) per Section 15317 of the CEQA guidelines (Class 17), which exempts "the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act..." Therefore, no further environmental consideration is necessary.

RECOMMENDATION

The Board of Supervisors adopt a Resolution approving A 2017-0001 to create a new Williamson Act contract on the subject parcel, finding the request to be consistent with the General Plan, the revised Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, and California Government Code Section 51230, and authorizing chair to sign the same.

DATE

RUSSELL FORD

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

ATTACHMENTS:

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|--------------------|---------------------|-------------------|
| A. Location Map | E. General Plan | J. Inundation |
| B. Topographic Map | F. Adjacent Parcels | L. Soils |
| C. Aerial Map | G. Fire Hazards | M. Williamson Act |
| D. Zoning | H. Farmland | |