

RESOLUTION NO. 21-050

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS 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, 034-120-81, -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 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

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 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 the 6th day of April, 2021, pursuant to proper notice and all evidence was received and the same fully considered; 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, based on the evidence in the record before it makes the following findings:

1. 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 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 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 Project is categorically exempt from CEQA review per Section 15317 of the CEQA guidelines (Class 17).

BE IT FURTHER RESOLVED 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 owner 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; 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 Office of the Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, Ukiah, CA 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 Haschak, seconded by Supervisor Mulheren, and carried this 6th day of April, 2021 by the following vote:

AYES:	Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES:	None
ABSENT:	None

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

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel




DAN GJERDE, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board

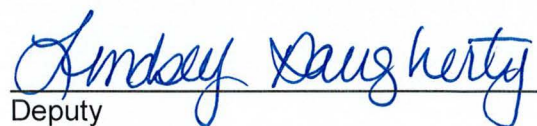

Deputy

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 E½ of the SE¼ of Section 16 and the NE¼ of the NE¼ 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 SE¼ of the NE¼ and the NE¼ of the SE¼ of Section 28;

The N½ of the NW¼, the SE¼ of the NW¼ and the S½ 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