

ORDINANCE NO. _____

**ORDINANCE REPEALING AND REPLACING CHAPTER 22.08 (RESOURCE PRESERVES)
OF THE MENDOCINO COUNTY CODE AND ADOPTING FINDINGS**

The Mendocino County Board of Supervisors ordain as follows:

Section 1. Chapter 22.08, Resource Preserves, of Title 22, Land Usage, is hereby repealed and replaced in its entirety as follows:

CHAPTER 22.08- Resource Preserves

Sec. 22.08.010 - Declaration.

The legislature of the State of California, in enacting the California Land Conservation Act of 1965 also known as the Williamson Act and subsequent amendments, found that the preservation of a maximum amount of a limited supply of prime agricultural land is necessary to the state's economic resources; that the discouragement of premature and unnecessary conversion of prime agricultural land to urban uses is a matter of public interest; that in a rapidly urbanizing society agricultural lands have a definite public value as open space; that the preservation of a maximum amount of the limited supply of agricultural land is necessary for the maintenance of the agricultural economy of the state and for an assurance of adequate, healthful and nutritious food for future residents of this state and the nation; that the agricultural work force is vital to sustaining agricultural productivity and that land within a scenic highway corridor or wildlife habitat has a value to the state because of its scenic beauty and its location adjacent to or within the view of a state scenic highway or because it is of great importance as habitat for wildlife and contributes to the preservation or enhancement thereof.

The Board of Supervisors of the County of Mendocino concurs with the findings of the California State Legislature.

The Board of Supervisors of the County of Mendocino may adopt by resolution policies and procedures, which may be amended from time to time, establishing an orderly system whereby property within Mendocino County may be incorporated into agricultural preserves and the owners of said property may, by contract, further restrict the use of their property to exclusively agricultural, recreational or open space purposes. As of the date of adoption of the ordinance amending this section, prior versions of this Chapter 22.08 are hereby superseded by the policies and procedures adopted by the Board of Supervisors.

Section 2. Findings. The Board of Supervisors finds that the project will establish procedures and guidelines intended to protect farmlands from potential land uses deemed to be incompatible with production agricultural activities. In addition, it fulfills Action Item RM- 110.1 of the General Plan, which provides that the County “[c]ontinue to monitor and update the County’s Williamson Act program for conformance with State law and the General Plan.”

Section 3. The Board of Supervisors hereby finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15307 (Class 7). Section 15307 of the CEQA Guidelines states that “actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment” are considered to be exempt. The proposed project will establish procedures and guidelines intended to protect farmlands from potential land uses deemed to be incompatible with production agricultural activities. This finding and determination is based on the environmental determination of the Department of Planning and Building Services for this ordinance. The Director of Planning and Building Services is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino,

State of California, on this _____ day of _____, 2015, by the following roll call vote:

AYES:
NOES:
ABSENT:

WHEREUPON, the Chair declared the Ordinance passed and adopted and **SO ORDERED**.

CARRE BROWN
CHAIR, Board of Supervisors

ATTEST: CARMEL J. ANGELO
Clerk of Said Board

By: _____

APPROVED AS TO FORM:
DOUGLAS L. LOSAK, Interim County Counsel

By: _____