




COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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MEMORANDUM

DATE: October 21, 2021
TO: Planning Commission
FROM: Keith Gronendyke, Planner III 
SUBJECT: Mark Minor Subdivision Application, MS_2020-0007

The above noted minor subdivision application proposes to subdivide an approximately 144 acre parcel into two parcels of 60± acres and 84± acres at 17950 Highlands Ridge Road. The property is currently encumbered by a Williamson Act Contract.

At the Resource Lands Protection Committee meeting of October 13, 2021, it was noted that there currently does not appear to be any agricultural use of the property, as required by the Williamson Act. As of the hearing date, the property owner(s) had not responded to the mandatory questionnaire about the nature of the qualifying agricultural use. As such, the County Assessor would likely initiate a non-renewal process to remove the property located at 17950 Highlands Ridge Road from the Williamson Act. This would require action by the Board of Supervisors, and would not happen this year, which means that the property owner(s) are still bound by the regulations of the Williamson Act contract regarding a legitimate agricultural use of the property.

Unless the applicant(s) are able to prove a qualifying agricultural use, it is likely that the Planning Department would not be able to meet the findings required in Section 11.2(4) of the Williamson Act Policies and Procedures to support the subdivision application. Two alternatives are possible to address this issue:

- The owner(s) could submit a Notice of Non-Renewal of the Williamson Act contract themselves, but as the September 1st deadline has passed for this year, that still means the County would not be able to approve the subdivision until the non-renewal phase-out process had begun, likely no earlier than January of 2023.
- The applicant has indicated that they allow sheep to graze on the property for an income that could possibly qualify as a legitimate agricultural use, as specified in Section 11.2(4) of the Williamson Act Policies and Procedures. The County Assessor and the Agricultural Commissioner would need to evaluate this possibility, which also will take some time.

As such, staff requests that the above noted item, MS_2020-0007 Mark Minor Subdivision application be continued to a date and time uncertain.