



**PLANNING COMMISSION
STAFF REPORT- MINOR SUBDIVISION**

**JULY 16, 2015
#MS 2010-0014**

OWNER/APPLICANT: MORGAN DEBOLD & SANDRA DARR
PO BOX 936
LAYTONVILLE, CA 95454

AGENT: SAM POPE
1540 HARRAH DRIVE
WILLITS, CA 95490

REQUEST: Subdivision of a 62.6± acres parcel, creating two (2) parcels of 21.8± acres and 40.8± acres in size.

DATE DEEMED COMPLETE: 3/3/2015

LOCATION: 10± mile north of Laytonville, lying on both sides of Bell Springs Road (CR 324) 0.5± miles from its intersection with Highway 101; located at 57800 Bell Springs Road; APN 053-490-08.

PROJECT COORDINATOR: FRED TARR

TOTAL ACREAGE: 62.6 Acres

GENERAL PLAN: Remote Residential-20 acre minimum (RMR 20)

ZONING: Upland Residential-20 acre minimum (UR 20)

ADJACENT USES: Residential and vacant

SUPERVISORIAL DISTRICT: 3

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Approve the request

OTHER RELATED APPLICATIONS ON SITE

- Boundary Line Adjustment (B 71-95) (Expired)

OTHER RELATED APPLICATIONS ON ADJACENT SITES

- Boundary Line Adjustment (B 71-95) (Expired)
- Use Permit (U 53-79) (Temporary mobile home while construction of SFD)

PROJECT DESCRIPTION: The property owner proposes a minor subdivision of a 62.6± acre property to create two parcels of 21.8 and 40.8± acres. The property is located approximately 1± miles north of Highway 101 on Bell Springs Road (CR 324). Bell Springs Road currently divides the property and the proposed minor subdivision will result in having Bell Springs Road separate the newly created parcels.

There is a private road that traverses proposed Parcel #1 and serves approximately 6-8 houses to the north of the subject property. The existing dwelling units on proposed Parcel #1 gain access directly from Bell Springs Road (CR 324) by way of a driveway which is separate from this private road.

Proposed Parcel 1 is located to the west of Bell Springs Road and has two single family dwellings, a shop building, two sanitary septic systems and two springs. Proposed Parcel 2 has one single family dwelling, one spring and one sanitary septic system.

APPLICANT'S STATEMENT: Split property by county road. Lot 1 -1 permitted house site and in process of getting 1 house permitted Class K and shop. Lot 2 in process of getting house permitted with Class K.

SITE CHARACTERISTICS: As noted on the attached aerial photograph and as stated within the application, the site is heavily wooded with deciduous trees, primarily oak and madrone, and includes some ravines; one ravine is where Cummings Creek traverses proposed Parcel 2.

SERVICES:

Access: The two proposed parcels will be accessed by existing private driveways off of Bell Springs Road (CR 324). There is also a private roadway serving other properties to the north that traverses proposed Parcel 1.

Fire District: Long Valley Fire District and CalFire

Water District: N/A

Sewer District: N/A

School District: Laytonville Unified School District

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RMR 40	UR 40	20-80± acre	Residential
EAST	PF	PL	160± acre	Vacant
SOUTH	RMR 20/ RMR 40/	UR 20/UR 40	29-80± acre	Residential
WEST	RMR 40	UR 40	25± acre	Res / Ag

REFERRAL AGENCY COMMENTS:

Agency comments relevant to this application are listed within the Key Issues Section of this report and are noted within the Conditions of Approval. Several of the reviewing agencies had no comment regarding the proposed project.

REFERRAL AGENCIES	NOT RETURNED	"NO COMMENT"	COMMENTS
DOT- County Transportation			X
Environmental Health- Ukiah			X
Building Services-Ukiah PBS		X	
Air Quality		X	
Sonoma State Univ.			X
Archaeological Commission			X
Dept. of Fish and Wildlife	X		
Caltrans	X		
CalFire			X
Long Valley Fire District	X		
County Addresser	X		

KEY ISSUES:

Issue #1-Land Use General Plan Consistency:

The project is consistent with the General Plan designation Remote Residential-20 acre minimum. The Land Use Section Policy DE-15 of the General Plan states the following for the intent of Remote Residential:

“The RMR classification is intended to be applied to lands having constraints for commercial agriculture, timber production or grazing, which are well suited for small scale farming and low density agricultural/residential uses by the absence of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource land uses. The classification is also applied to some areas which might not otherwise qualify except for the fact that the land has been divided and substantial development has occurred.”

The proposed parcels will each have a net acreage minimum (minus easements) of 20 acres, which meets the minimum parcel size requirement of the RMR classification.

Issue #2-Division of Land Regulations:

The project was reviewed by the County Subdivision Committee on May 14, 2015 at which meeting the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required findings found in Section 17-48.5 of the Mendocino County Code. No conflicts with the County Division of Land Regulations were identified.

Issue #3-Water Quantity/Water Quality

There are currently two single family dwelling units on proposed Parcel 1 and one single family dwelling unit on proposed Parcel 2. The Division of Environmental Health requires that the applicant submit acceptable site evaluation reports for all sanitary sewer systems on the two proposed parcels and submit proof of water reports to be performed by a qualified site evaluator for the existing three springs.

Issue #4-Cultural Resources

On April 8, 2015, the Mendocino County Archaeological Commission accepted an archaeological survey which was prepared by John Parker and recommended that the proposed project be approved as planned with a stipulation that the historic road segment be avoided during any future ground disturbance. See Condition #4.

Issue #5-Transportation

The County Department of Transportation (DOT) has reviewed the project with regards to circulation, ingress and egress. Each of the proposed parcels will have direct access onto the Bell Springs Road (CR 324). DOT requires that two standard private driveway approaches be constructed to serve Parcels 1 and 2.

Issue #6-Fire Hazard Zone:

The subject property is located within a very high fire hazard severity zone in a CalFire responsibility area and the subject property is also located within the Long Valley Fire District, a publicly funded district. CalFire has provided the applicant with conditions of approval which will have to be met prior to recordation of the parcel map (see Condition #13.a). The applicant is also required to meet the required regulations of the Long Valley Fire District (see Condition #13.b).

Issue #7-Environmental Review: Staff has completed an Initial Study for the proposed project in accordance with the California Environmental Quality Act and has determined that the environmental impacts identified for the project can be adequately mitigated through the conditions of approval or features of the project design, so that no significant impacts will result from this project.

Therefore, a Mitigated Negative Declaration can be certified for the project.

STAFF RECOMMENDATION: The Planning Commission, based on the following findings, adopts the attached resolution to certify the Mitigated Negative Declaration and approves the request for Minor Subdivision MS_2010-0014.

Environmental Findings: The environmental impacts identified for the project can be adequately addressed through the conditions of approval or features of the project design so that no significant adverse environmental impacts will result from this project; therefore, a Mitigated Negative Declaration is adopted.

Division of Land Findings:

- 1.) Pursuant to California Government Code Section 66445(e), the Planning Commission finds that division and development of the property in the manner set forth on the approved or conditionally approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement.
- 2.) The proposed minor subdivision complies with all requirements of the Subdivision Map Act and of the Mendocino County Code, specifically with respect to lot area, improvement and design, flood, and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection.
- 3.) The proposed minor subdivision is consistent with the applicable goals and policies of the General Plan and consistent with the Zoning Code as subject to the conditions of approval.

Fire Hazard Findings: In accordance with California Government Code 66474.12, the Subdivision as a whole is consistent with the applicable regulation adopted by the State Board of Forestry and Fire Protection pursuant to Section 4290 and 4291 of the Public Resources Code:

- 1.) The existing development on the proposed parcels and any future structures on the proposed parcel will be able to meet the required State Board of Forestry and Fire Protection Regulations that are found in Sections 4290 and 4291 of the Public Resources Code in maintaining defensible space for fire protection of existing and future structures. CalFire Conditions of Approval listed under CalFire File #356-10 include provisions for maintaining defensible space for fire protection and of existing and new structures.
- 2.) Structural fire protection and suppression services will be available for the subdivision by a funded public entity (Long Valley Fire Protection District) that is organized solely to provide fire protection Services.
- 3.) Ingress and egress for the subdivision will meet CalFire and local ordinance regulations regarding road standards for fire equipment access. CalFire File #356-10 includes the required private road/driveway widths, maximum grades and type of surface required to accommodate fire equipment.

FT/at
May 18, 2015

Mitigated Negative Declaration
Appeal Fee - \$910.00
Appeal Period - 10 days

RESOLUTION AND EXHIBIT A

ATTACHMENTS:

- A. Environmental Review/Initial Study
- B. Location Map
- C. Aerial Photo
- D. Tentative Map
- E. Adjacent Owners
- F. Zoning Map
- G. General Plan
- H. Fire Hazard Map
- I. Soils Map