



**PLANNING COMMISSION
STAFF REPORT- REZONE_INLAND**

**OCTOBER 6, 2016
R_2016-0003**

SUMMARY

OWNER: ROSHELLE MELVIN L & CHRISTINE
23700 RIDGEWAY HWY
POTTER VALLEY, CA 95469

REQUEST: Rezone of an 119± acre property from Range Land (RL) to Timberland Production (TP).

DATE DEEMED COMPLETE: July 14, 2016

LOCATION: 9.5± miles north of Potter Valley, 3± miles from the end of Ridgeway Highway, located at 23700 Ridgeway Highway, Potter Valley; APN 108-223-02.

TOTAL ACREAGE: Approximately 119 acres

GENERAL PLAN: RL160

ZONING: RL:160

SUPERVISORIAL DISTRICT: 1

ENVIRONMENTAL DETERMINATION: The project is Statutorily Exempt from CEQA per section 15264. A notice of exemption will be filed for this project.

RECOMMENDATION: Approve the zone reclassification from Rangeland to Timberland Production Zone, subject to the attached findings and conditions of approval, and find the project exempt from CEQA review.

STAFF PLANNER: ADELE PHILLIPS

BACKGROUND

PROJECT DESCRIPTION: Rezone of a 119+/- acre property from Range Land (RL) to Timberland Production (TP).

RELATED APPLICATIONS ON SITE:

- None.

SITE CHARACTERISTICS: The site is located approximately 9.5 miles north of Potter Valley. Comprised of two Assessor Parcel Numbers the site is approximately 119.5 acres and dominated by mixed conifer timber stands, with Douglas-fir, Ponderosa pine, and a mixture of hardwood species. Approximately 17 acres of the site are considered natural grasslands. Slopes on the timbered portion of the site are generally over 30% while the grasslands are under 30% slope. The Eel River traverses the western most portion of the site and is designated as a Wild and Scenic River in this location.

The site is developed with a single family residence and an accessory structure. The site is currently under a Williamson Act Contract.

The surrounding properties range in size from 46 acres to 596 acres and are primarily used for agriculture and timber production. Many of the adjacent properties are zoned Timber Production Zone, while others are enrolled in Williamson Act Contracts.

The site has a very high fire hazard rating. The portion of the site adjacent to the Eel River is within the flood zone. The site is within the Potter Valley Community Services District.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	FL160	TP 160	522.5+/- ac	Timber
EAST	FL160	TP 160	120+/- ac	Timber, Agriculture
SOUTH	FL160	TP 160 and RL 160	40 - 103+/- ac	Timber, Agriculture
WEST	RL160 and PL	FL 160, TP 160 and PF	47.08 and 40.8+/- ac	Timber, Agriculture

PUBLIC SERVICES:

Access: Via Ridgeway Highway
 Fire District: Potter Valley Community Services District (Volunteer)/State Responsibility Area
 Water District: None
 Sewer District: None
 School District: Potter Valley Community Unified School District

AGENCY COMMENTS: On July 14, 2016 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
Department of Transportation		No Response	
Environmental Health- Ukiah		No Response	
Building Services-Ukiah PBS		No Response	
Assessor		No Response	
Agricultural Commissioner		No Response	
Forestry Advisor		No Response	
Resource Land Protection Committee		Approval	8/4/16
CalFire Resource Management		Comments	8/9/16
<ul style="list-style-type: none"> Property was selectively harvested in 1993 under a timber harvest plan. Given viable market for the commercial timber species present, the property will be harvested again in the future. The Forest management Plan specifies that at least 75% of the property, or 91 acres, is Site Class III or better commercial timberland. Rezone of the property is consistent with the stated management objectives and forest attribute values described in the Forest Management Plan. 			
Department of Fish and Wildlife		No Response	
Department of Conservation		No Response	

Sherwood Valley Band of Pomo Indians		No Response	
Redwood Valley Rancheria		No Response	
Cloverdale Rancheria		No Response	

KEY ISSUES

1. General Plan and Zoning Consistency:

The project is consistent with the land use designation of Range Land with a 160 acre minimum parcel size. The land use section Policy DE-17: RL- Range Land of the General Plans states the intent of RL as follows:

The Range Land classification is intended to be applied to lands which are suited for and are appropriately retained for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the efficient management of range lands. The policy of the county and the intent of this classification shall be to protect these lands from the pressures and preserve them for future use as designated.

The project does not propose a change to the RL land use designation. The general uses in the RL designation include forestry, which will be the primary use of the site under the Timberland Production Zone. Under the Timber Production Zone minimum lot sizes remain 160 acres. The change in zoning will not constitute an increase the development pressure on the site.

The site is 119.5 acres total and is substandard to the 160 acre minimum. The change in zoning does not increase the non-conformity of the site to this standard.

Zoning Ordinance section 22.07.020 Creation of Timberland Production Zones outlines procedures and application materials required to rezone land to timber production zone. These materials are used to demonstrate compliance with the Timber Production Zone Criteria specified in Section 22.07.030. Criteria include:

- (A) *The ownership shall contain at least 40 acres of Site Quality III or better.*
- (B) *Those ownerships of greater than 80 acres shall contain at least 50% of the property under consideration in Site Quality III or better.*

The project site is 119.5 acres. Of this area 102.5 acres is timberland. Within the timbered area 75% has been identified in a Timber Management Plan as Site Quality III or better. Therefore the site meets both criteria (A) and (B) above, making it eligible for rezone.

The intent of Zoning Code section 20.068 Timberland Production Zones is as follows:

This district is intended to be applied to areas of the County which because of their general soil types, location and timber growing capabilities should be devoted to growing, harvesting, and production of timber and timber related products and taxed as such.

The Site appears to meet the intent of the zone. The management objectives stated in the Timber Management Plan include increasing conifer inventory while maintaining conifer vigor and at the same time removing conifer timber at a rate not to exceed growth during any given decade. The site has been deemed capable of growing timber.

The site is currently within a Williamson Act Contract. Pursuant to California Government Code Section 51282.5, the applicant may choose to petition the Board of Supervisors for cancellation of the contract for all or part of the land that has been re-zoned to TPZ. However, the property is currently in the roll-out

stage of a non-renewal process and staff does not believe it to be essential for a cancellation to be initiated. There is no conflict with the Williamson Act Contract provisions overall.

2. Environmental Protection:

The project is exempt under the California Environmental Quality Act pursuant to section 15264
Timberland Preserves

RECOMMENDATION

By resolution, recommend that the Planning Commission adopt a Notice of Exemption and recommend that the Board of Supervisors grant the Zone Reclassification for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

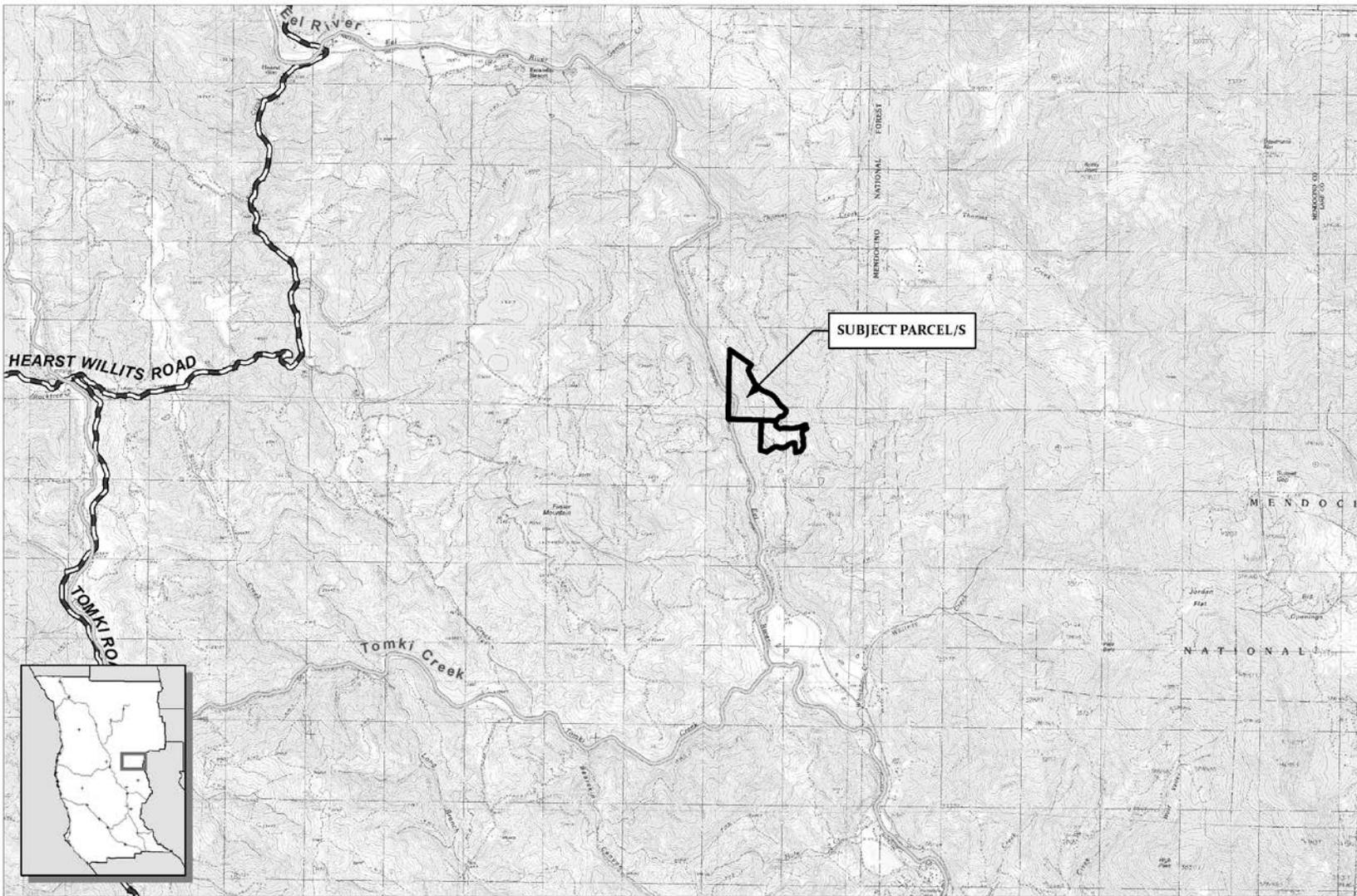
DATE

ADELE PHILLIPS

ATTACHMENTS:

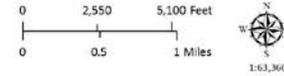
- A. Location Map
- B. Vicinity Map
- C. Topographical Map
- D. Aerial Map
- E. Zoning Map
- F. General Plan Map
- G. Adjacent Parcels
- H. Fire Hazards Map
- I. Important Farmland
- J. Flood Zone
- K. Slope Map
- L. Soils Map
- M. Williamson Act Map
- N. Timber Production Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):



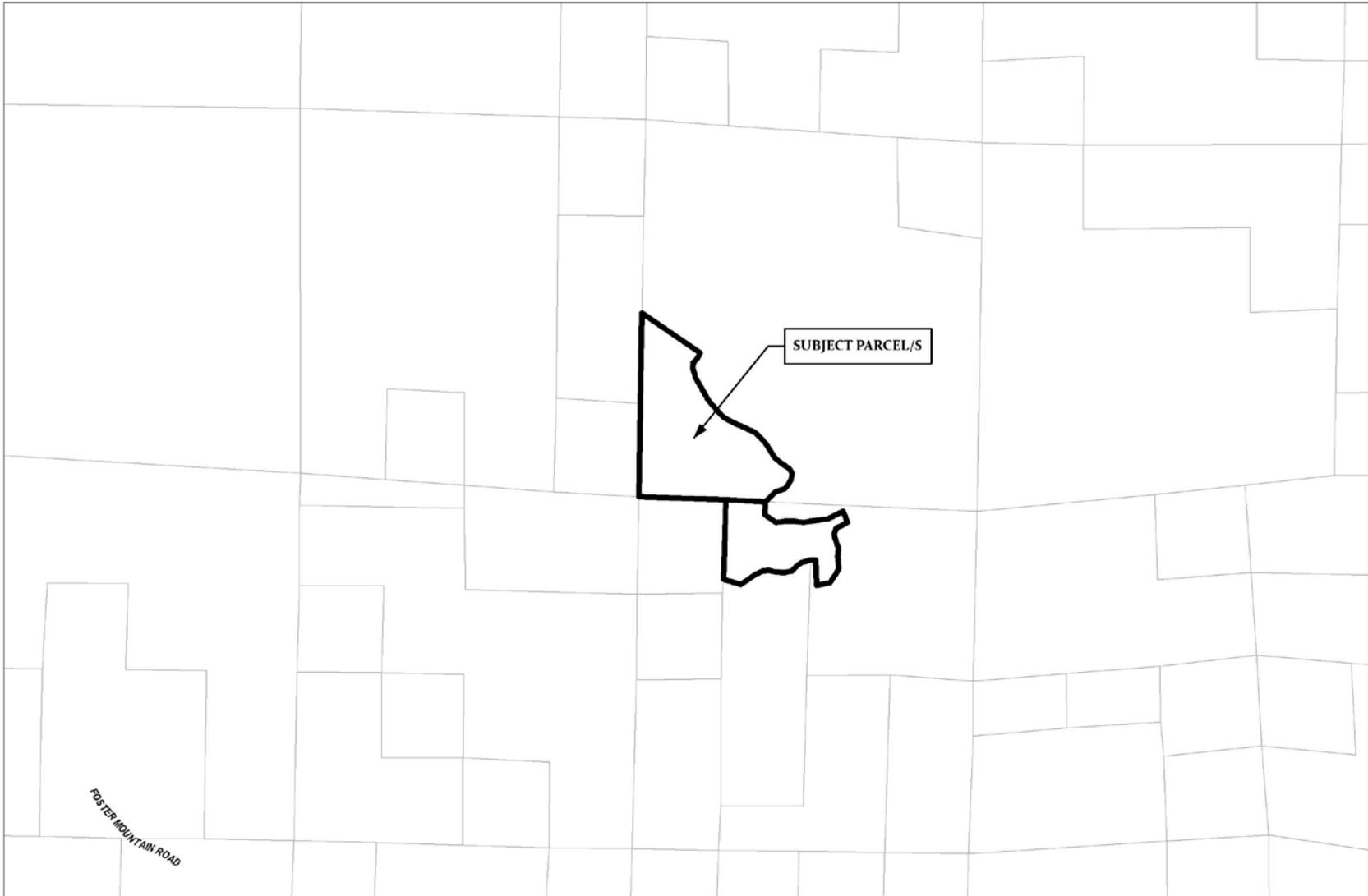
CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

 Major Rivers
 Major Roads

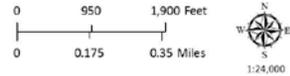


LOCATION MAP

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.

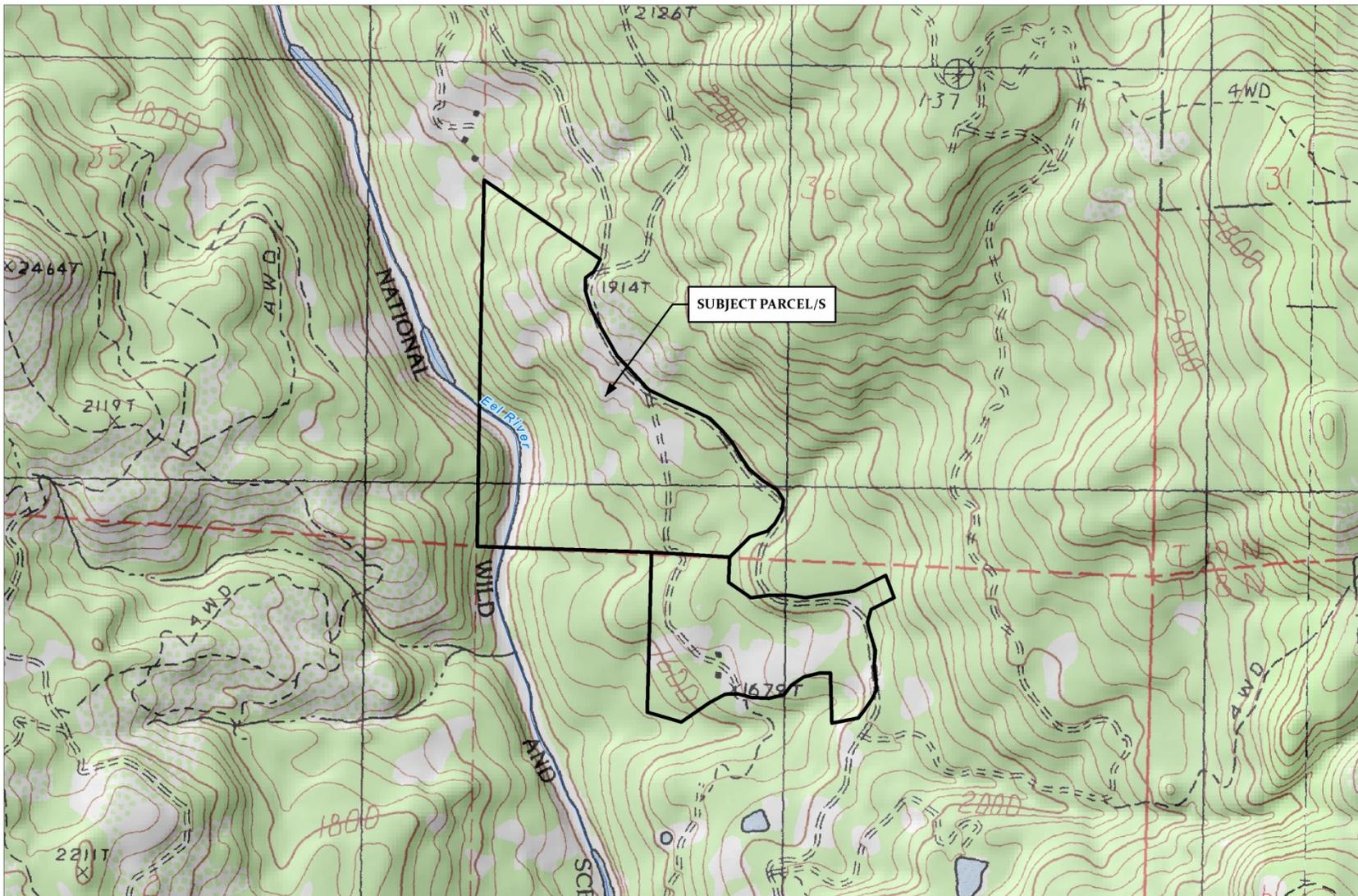


CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley



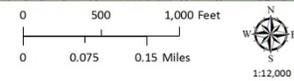
VICINITY MAP

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



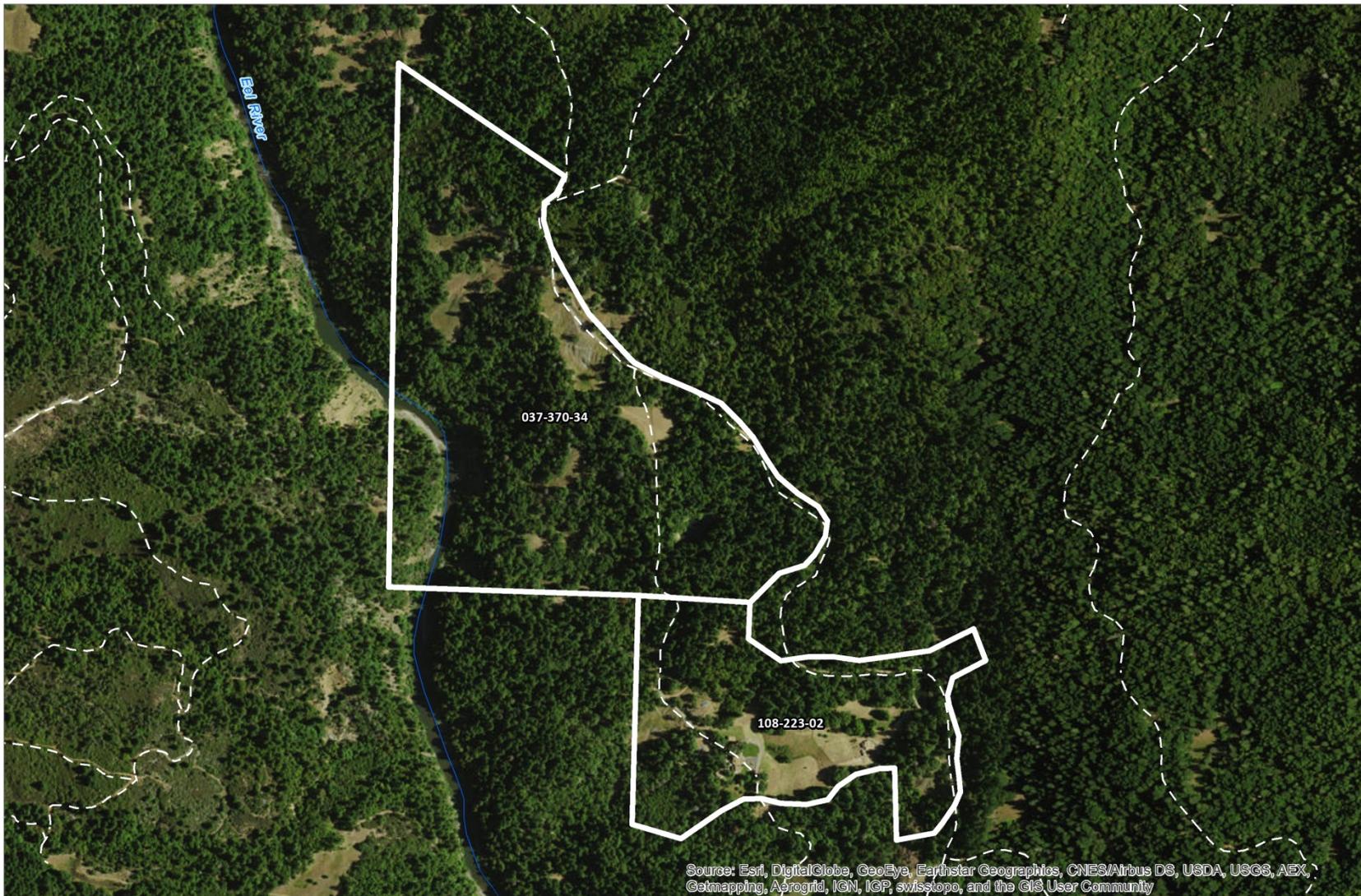
CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

~ ~ ~ ~ ~ Named Rivers



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

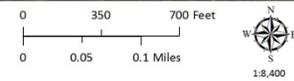
Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

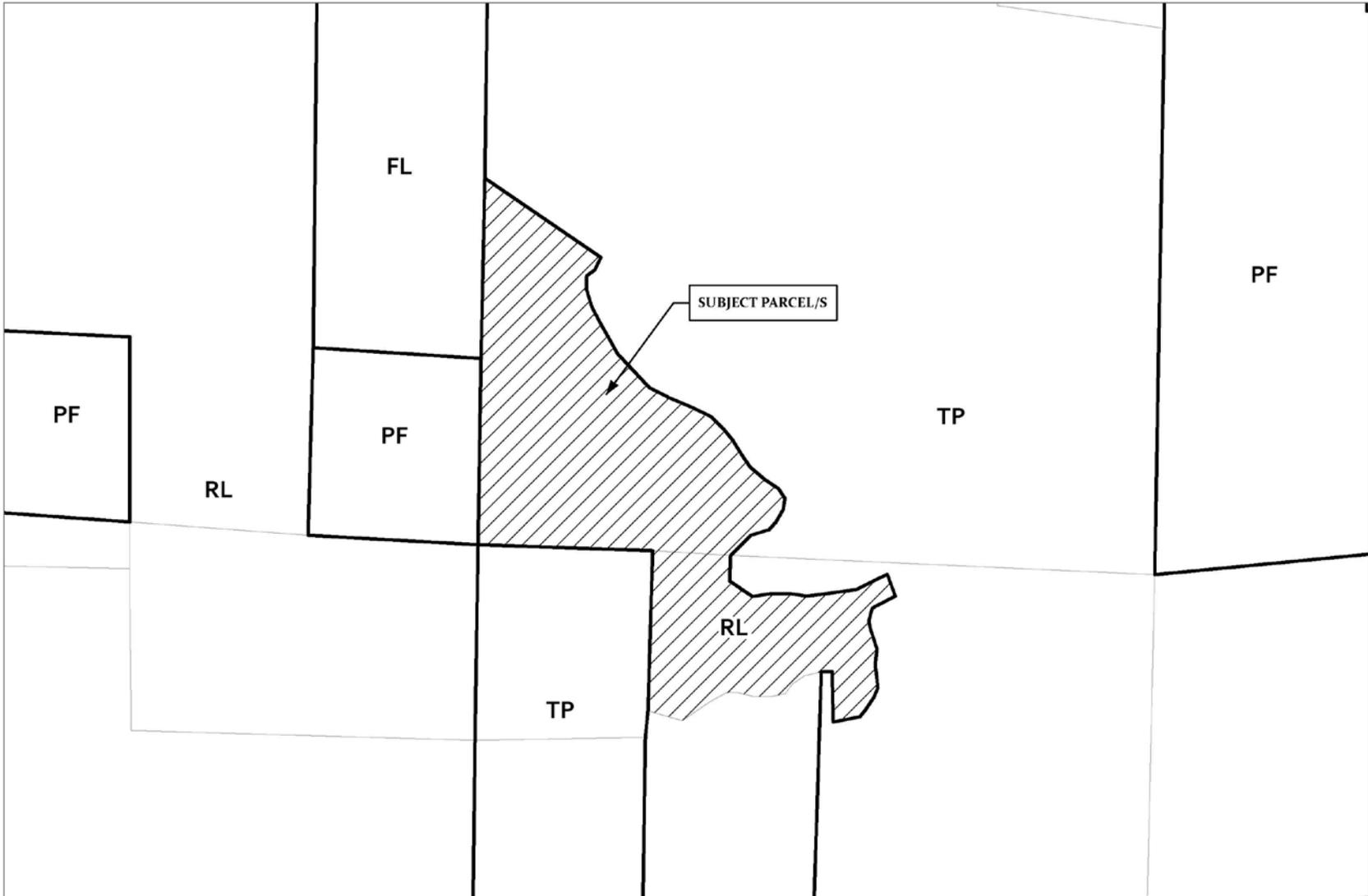
CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy, Potter Valley

Named Rivers
Driveways/Unnamed Roads



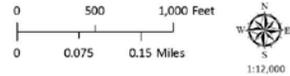
ESRI IMAGERY

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



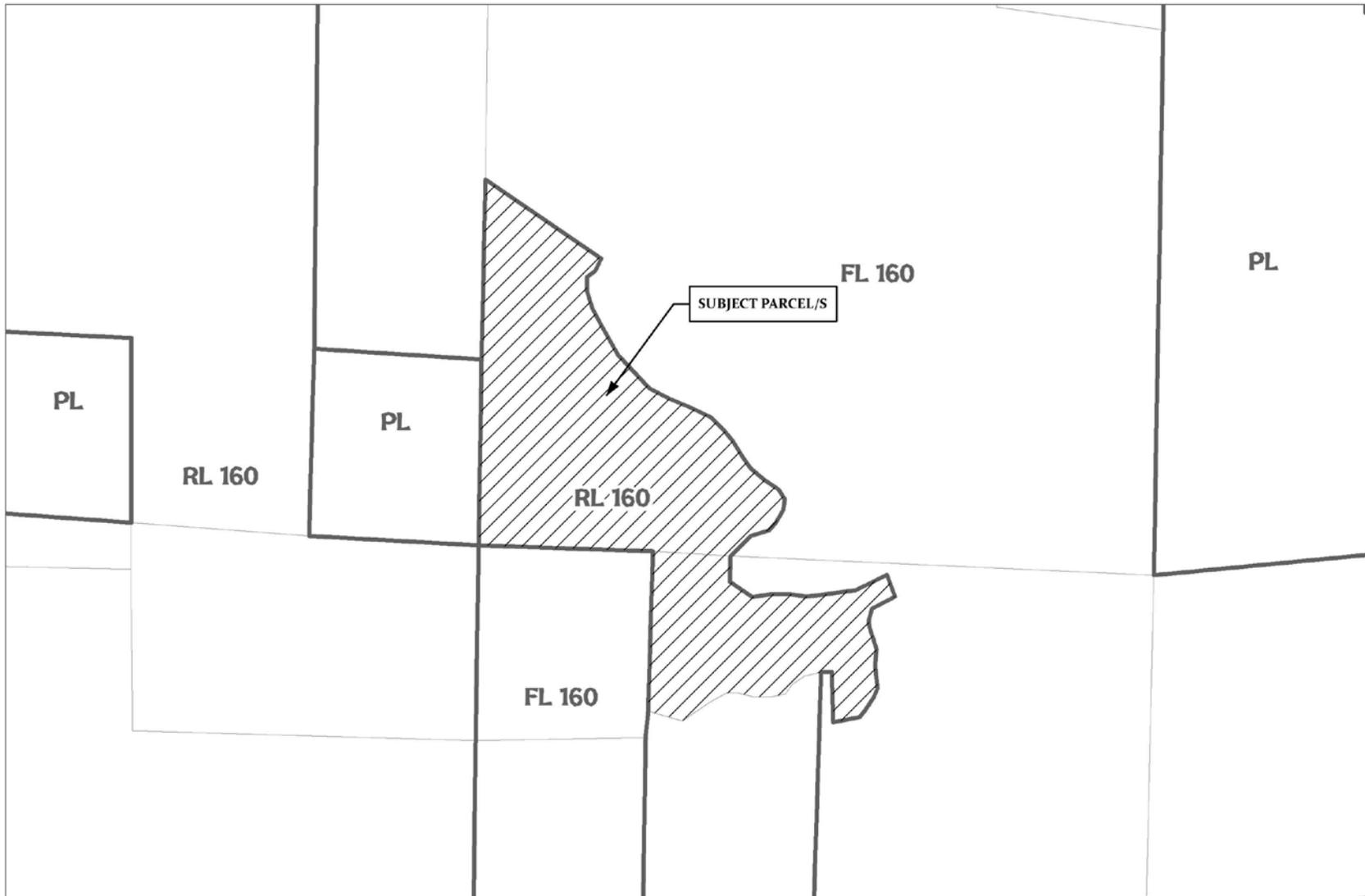
CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

 Zoning Districts



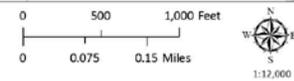
ZONING DISPLAY MAP

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



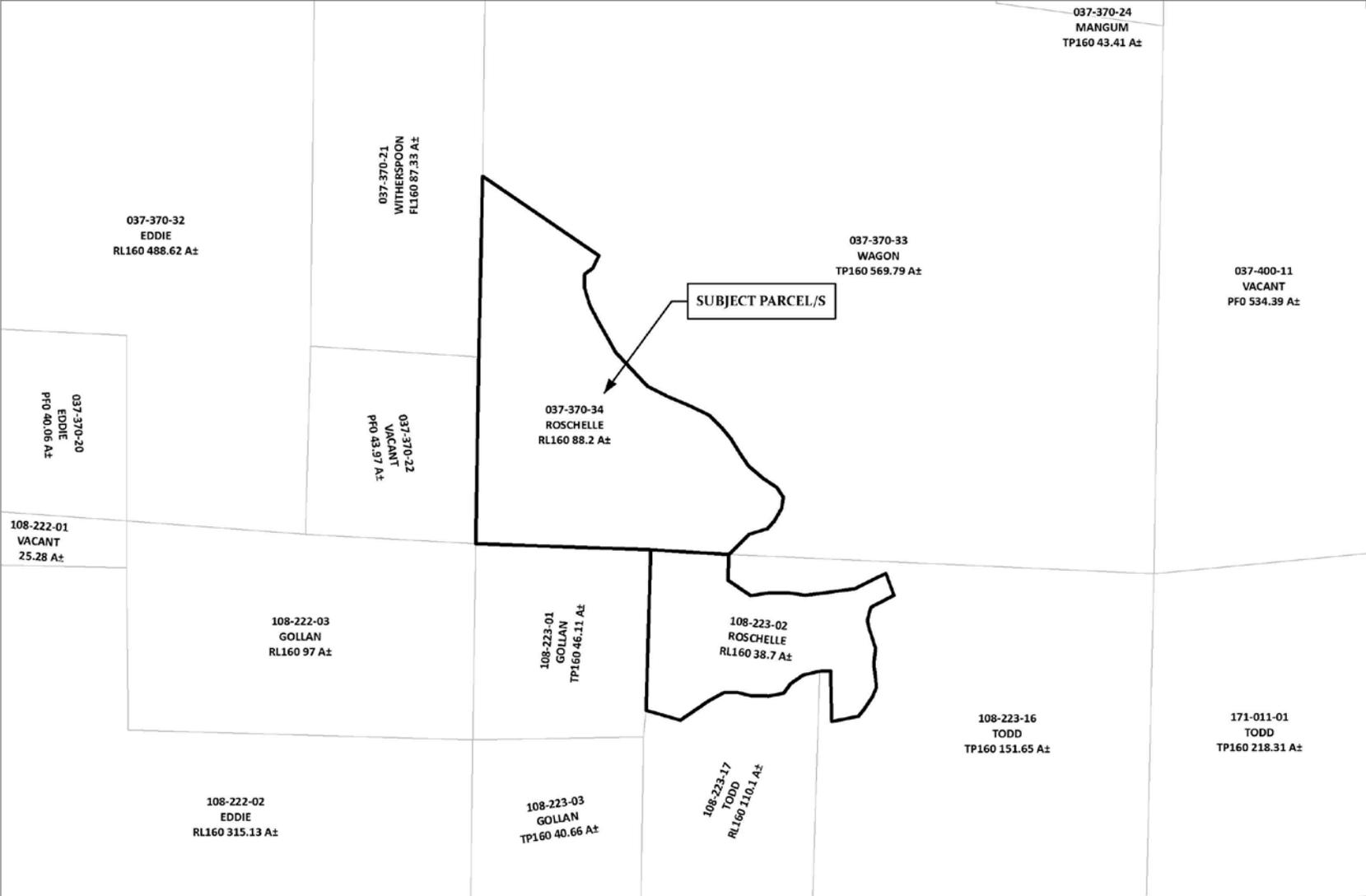
CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

 General Plan Classes

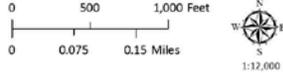


GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.

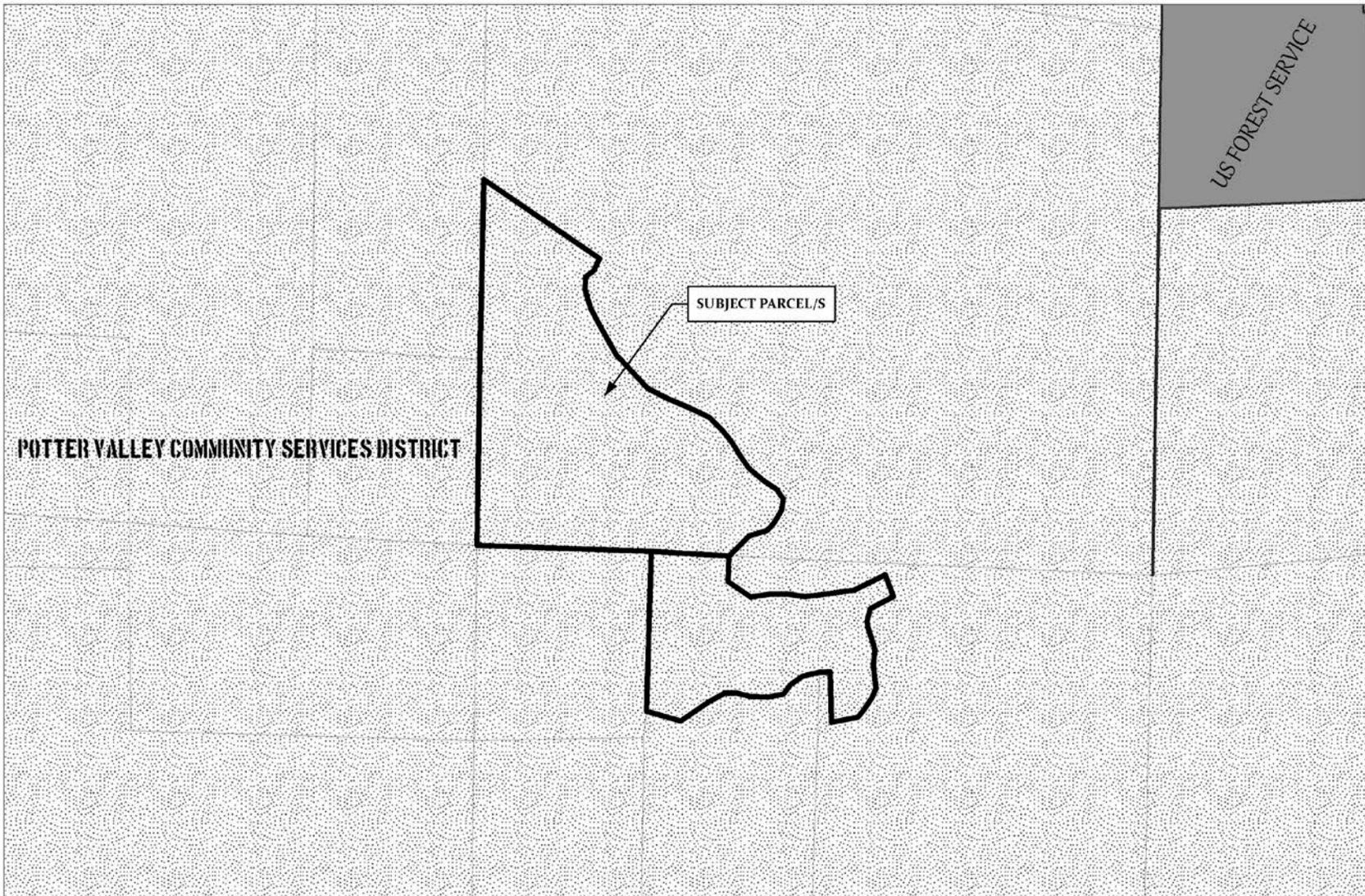


CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley



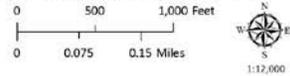
ADJACENT PARCELS

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

-  County Fire Districts
-  Very High Fire Hazard



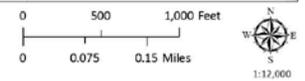
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



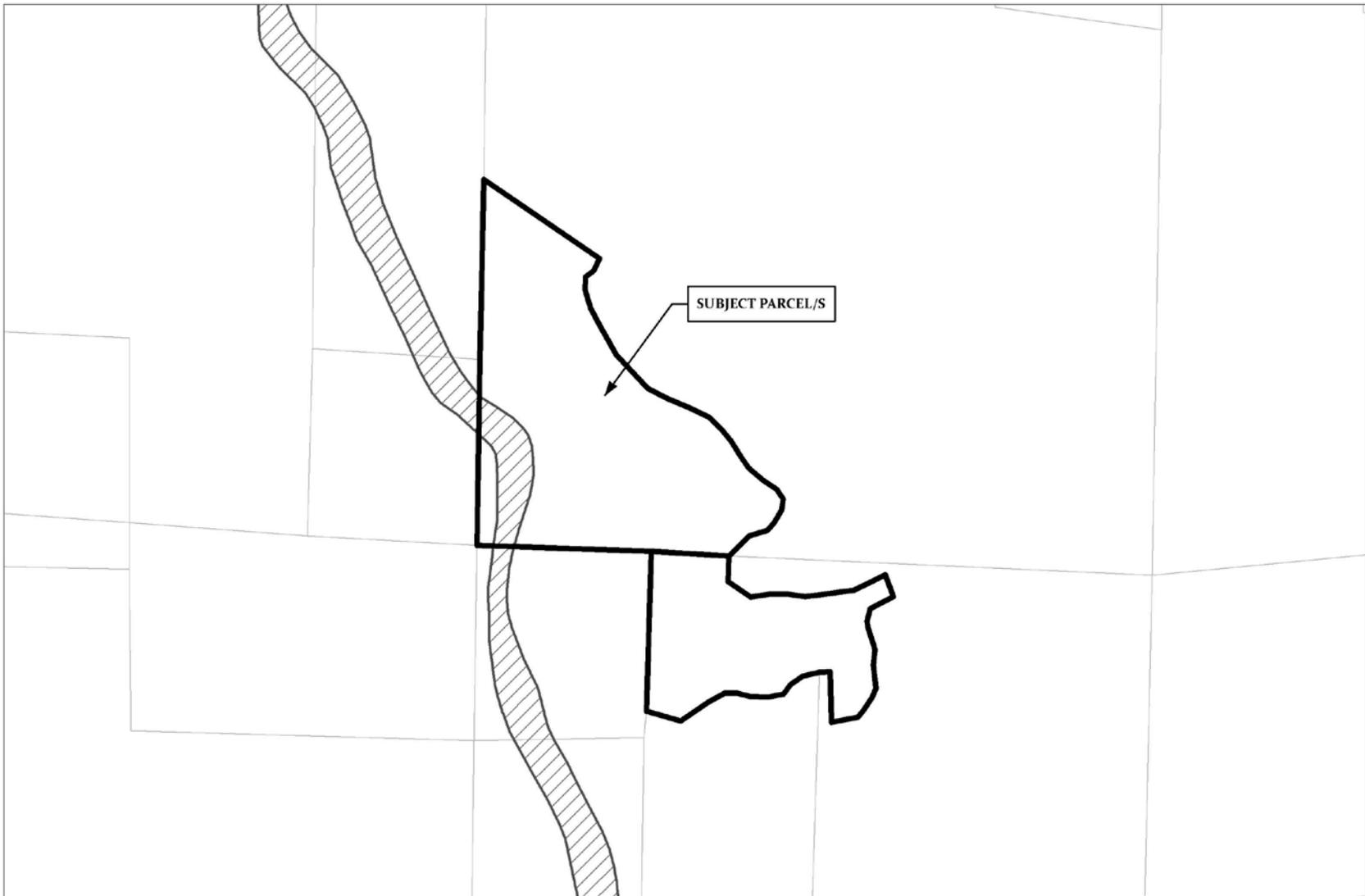
CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

-  Grazing Land (G)
-  Non-Ag & Natural Vegetation (nv)
-  Not Mapped (Z)



IMPORTANT FARMLAND

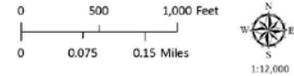
Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

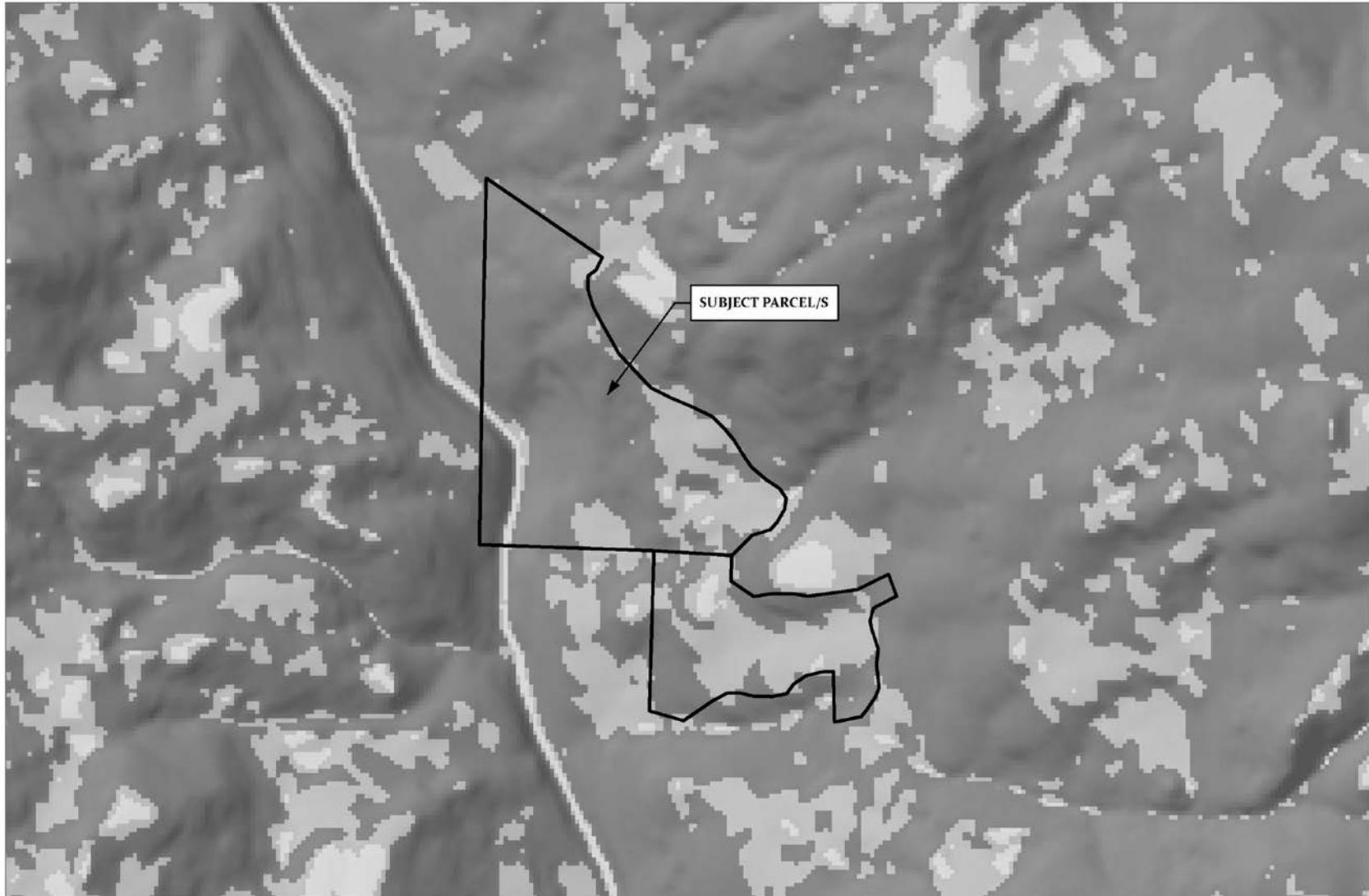


Flood Zone

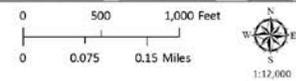
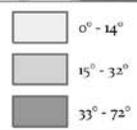


FEMA FLOOD ZONE
NFIP MAPS, JUNE 2nd, 2011

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.

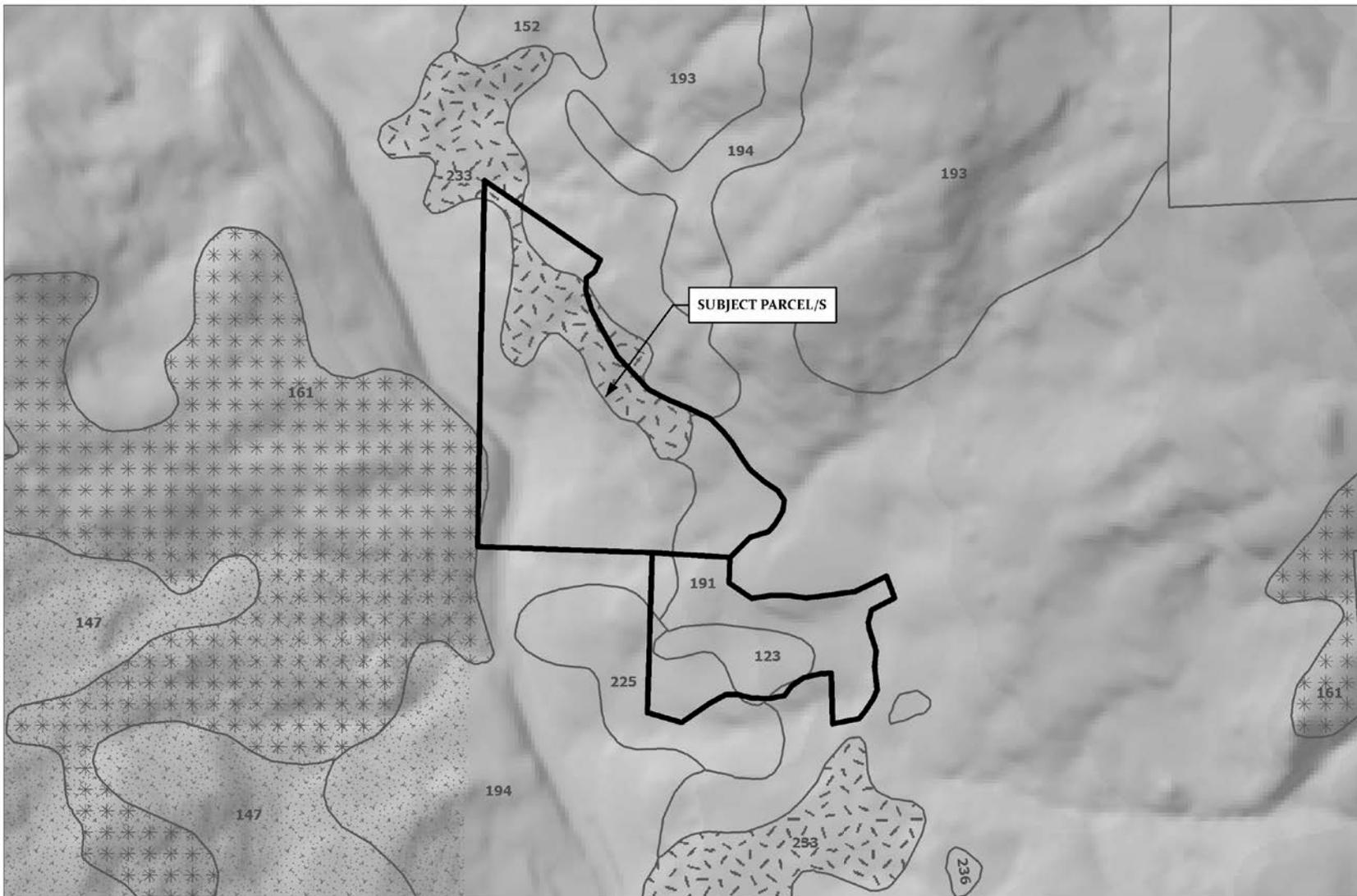


CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley



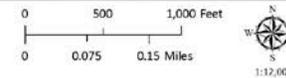
ESTIMATED SLOPE

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



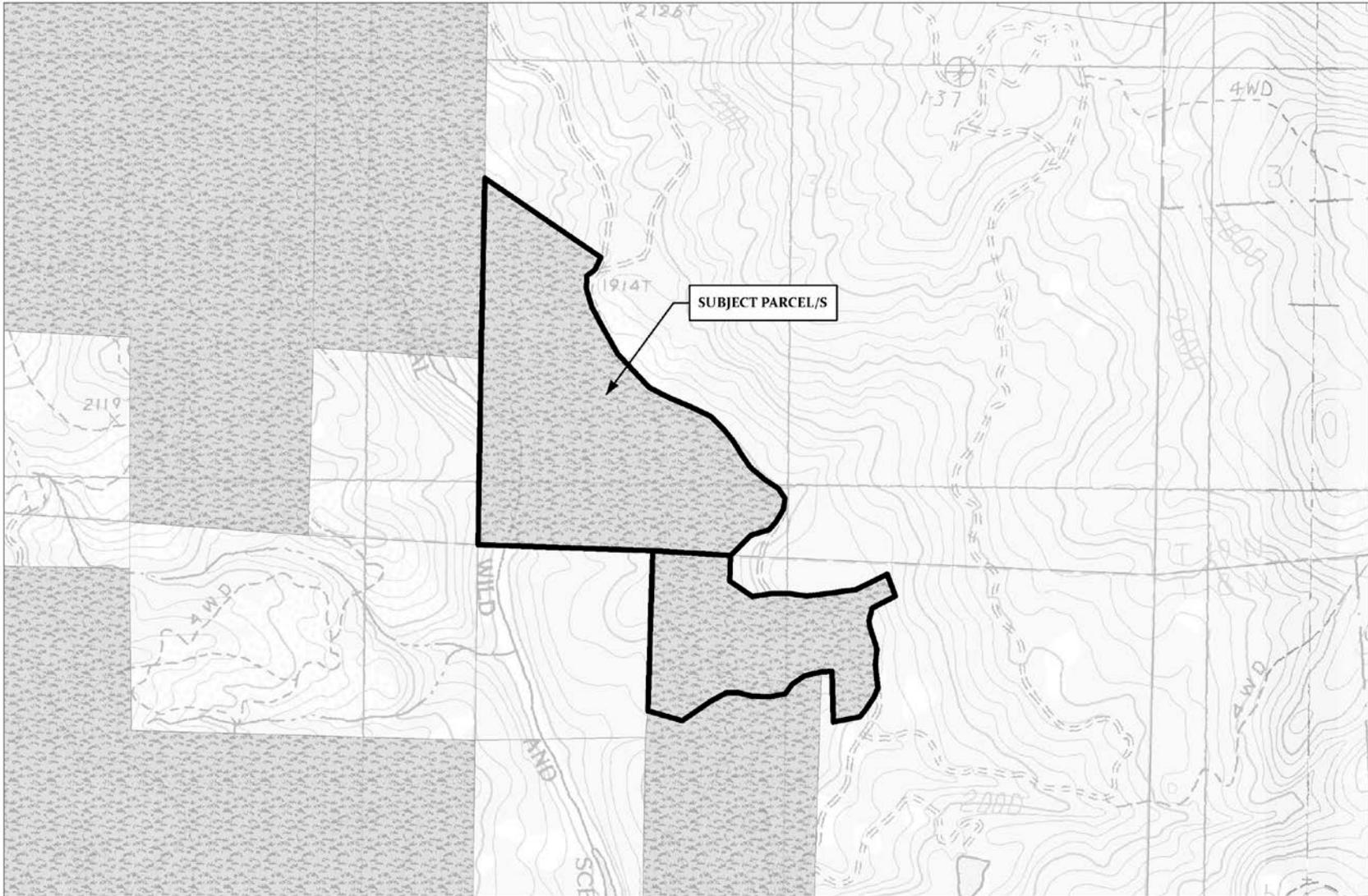
CASE: R 2016-0003
 OWNER: ROSCHELLE, Melvin & Christine
 APN: 037-370-34, 108-223-02
 APLCT: Melvin Roschelle
 AGENT:
 ADDRESS: 23700 Ridgeway Hwy., Potter Valley

-  Eastern Soils
-  Eastern Serpentine Inclusions
-  Naturally Occuring Asbestos
-  Eastern Rock Inclusions



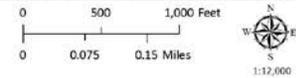
LOCAL SOILS

Map produced by the Mendocino County Planning & Building Services, June, 2016
 All spatial data is approximate. Map provided without warranty of any kind.



CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

 Williamson Act 2015
 Non-Prime Ag 2015



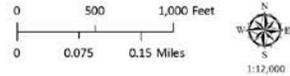
LANDS IN WILLIAMSON ACT CONTRACTS

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



CASE: R 2016-0003
OWNER: ROSCHELLE, Melvin & Christine
APN: 037-370-34, 108-223-02
APLCT: Melvin Roschelle
AGENT:
ADDRESS: 23700 Ridgeway Hwy., Potter Valley

TPZ 2015



TIMBER PRODUCTION ZONES

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.

Resolution Number _____

County of Mendocino
Ukiah, California
October 6, 2016

R_2016-0003 - ROSCHELLE MELVIN L & CHRISTINE

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, CERTIFYING THE PROJECT IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PER SECTION 15264, AND GRANTING A REZONE FOR A ZONE RECLASSIFICATION OF APNs 037-370-34 and 108-223-02 FROM RANGELAND TO TIMBER PRODUCTION ZONE.

WHEREAS, the applicant, ROSCHELLE MELVIN L & CHRISTINE, filed an application for Rezone with the Mendocino County Department of Planning and Building Services to rezone 119.5± acres from Rangeland (RL) to Timber Production Zone (TPZ). The subject property is 9.5± miles north of Potter Valley, 3± miles from the end of Ridgeway Highway, located at 23700 Ridgeway Highway, Potter Valley; APNs: 037-370-34 and 108-223-02; General Plan RL160; Zoning RL:160; Supervisorial District 1; (the "Project"); and

WHEREAS, , the Project is Statutorily Exempt from review under the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines pursuant to section 15264 Timberland Preserves; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on October 6, 2016, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

1. General Plan Findings

The site is 119.5 acres total and is substandard to the 160 acre minimum parcel size. The change in zoning does not increase the non-conformity of the site to this standard. The general uses in the RL designation include forestry, which will be the primary use of the site under the Timberland Production Zone.

2. Timberland Production Zoning District Finding

That the site meets the intent of the Timber Production Zone, as stated in Mendocino County Code Chapter 20.068.

3. Creation of Timberland Production Zone Findings (Section 22.07.020)

The proposed project meets the eligibility requirements of Mendocino County Code Chapter 22.07 as necessary to support the incorporation of the subject parcel into the Timberland Production zoning district:

- a. That the ownership contains at least 40 acres of Site Quality III or better.
- b. That the ownership is greater than 80 acres and at least 50% of the site is Site Quality III or better.

- c. That all uses on the property are in compliance with MCC Chapter 20.068, which governs permitted and compatible uses.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors grant the requested rezone as shown in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Board of Supervisors decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

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

ATTEST: ADRIENNE M. THOMPSON
Secretary to the Planning Commission

By: _____

BY: STEVEN D. DUNNICLIFF
Director

MOLLY WARNER, Chair
Mendocino County Planning Commission

EXHIBIT A: REZONE EXHIBIT MAP, APNs 037-370-34 and 108-223-02