



**PLANNING COMMISSION
STAFF REPORT- REZONE REQUEST**

**R_2017-0003
NOVEMBER 16, 2017**

SUMMARY

OWNER/ APPLICANT: WAYNE BAYNHAM
PO BOX 202
LAYTONVILLE, CA 95454

AGENT: JIM RONCO
445 N. STATE STREET
UKIAH, CA 95482

REQUEST: Rezone privately owned parcel from PF (Public Facilities) to FL (Forest Land) to be consistent with the General Plan designation.

DATE DEEMED COMPLETE: June 30, 2017

LOCATION: 6± miles east of the US 101 and Spyrock Road (CR 323) intersection, at the terminus of Fitzhugh Road (private), 6,000± feet southeast of its intersection with Iron Creek Road (private), located at 6820 Fitzhugh Road, Laytonville (APNs: 033-040-48 & 033-040-49).

TOTAL ACREAGE: 160 + acres

GENERAL PLAN: FL 160

ZONING: PF: 0

SUPERVISORIAL DISTRICT: 3

ENVIRONMENTAL DETERMINATION: Categorically Exempt per Section 15183

RECOMMENDATION: Approval

STAFF PLANNER: Julia Acker

BACKGROUND

PROJECT DESCRIPTION: Rezone request to rezone a privately owned parcel from Public Facilities (PF) to Forest Land (FL). The rezone request will bring the subject parcel into compliance with the County's current General Plan designation for the site.

SITE CHARACTERISTICS: The subject parcel is located 16± miles north of Laytonville and 2 miles southeast of Spyrock Road at the terminus of Fitzhugh Road. Parcel size is 160± acres. There is a 2,300 square foot storage shed under construction in the northwest section of the subject parcel. The site is not located within a water or sanitation district. The parcel is characterized by mixed vegetation typical of transitional timber land and rolling up sloping hills leading to Iron Peak north and White Rock to the northwest. Surrounding parcel uses are Timber Production, Public Facility, Upland Residential or Forest Land.

SURROUNDING LAND USE AND ZONING:

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	FL 160	FL	11.02± acres, 28± , 22.46± & 5	Forestland, residential
EAST:	FL 160, RMR 20	FL, PF & UR 20	56.46±, 40± & 21.66 acres	Forestland, residential
SOUTH:	FL 160, RMR 20 & PL	TP, PF & UR 20	139.68± acres	Residential
WEST:	FL 160, PL	TP & PF	40.9± acres	Forestland, vacant

PUBLIC SERVICES:

Access: Fitzhugh Road (Private)
Fire District: CalFire
Water District: None
Sewer District: None
School District: None

AGENCY COMMENTS: On June 30, 2017 project referrals were sent to all responsible or trustee agencies with jurisdiction over the Project. No agencies responded with requirements or conditions for the proposal.

KEY ISSUES

1. General Plan and Zoning Consistency:

Policy DE-19: “The Public Lands classification is intended to be applied to land in *public ownership* not appropriately included in some other classification. The classification is also intended to be applied to lands held and managed for public recreation or appropriate for acquisition for public purposes.”

The subject parcel is located within the Public Facilities zoning district, however, is privately owned. Development of the site is hindered by the zoning classification in that residential development is not allowed. Surrounding zoning designations and uses are consistent with residential and forest production. Rezoning the subject site to reflect both General Plan and area land use consistency would satisfy Policy DE-19.

Policy DE-18 “The Forest Lands classification is intended to be applied to lands which are suited for and appropriately retained for the growing, harvesting, and production of timber and timber-related products. The classification should include lands eligible to be zoned Timberland Production; intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of timber resource lands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.”

The General Plan designation for the subject site is currently Forest Land, the zoning is Public Facilities. According to Table 3-1 of the General Plan, the Public Facilities zoning designation is appropriate in almost all of the other General Plan locations *except* for Forest Lands. As such, the application is to rezone the subject parcel to be consistent with the County’s General Plan, and to preserve the character of the site as a potential for timber-related activities.

The subject site is consistent with the minimum parcel size of 160 acres in the Forest Land zoning district, per Mendocino County Code Section 20.064.030.

2. Environmental Determination: Article 12, Section 15183 of the California Environmental Quality Act allows for projects that are consistent with the General Plan to be exempt from additional review, as it can be established that the environmental determination was previously completed.

RECOMMENDATION

The Planning Commission recommends that the Board of Supervisors approve the Rezone.

11/6/2017
DATE

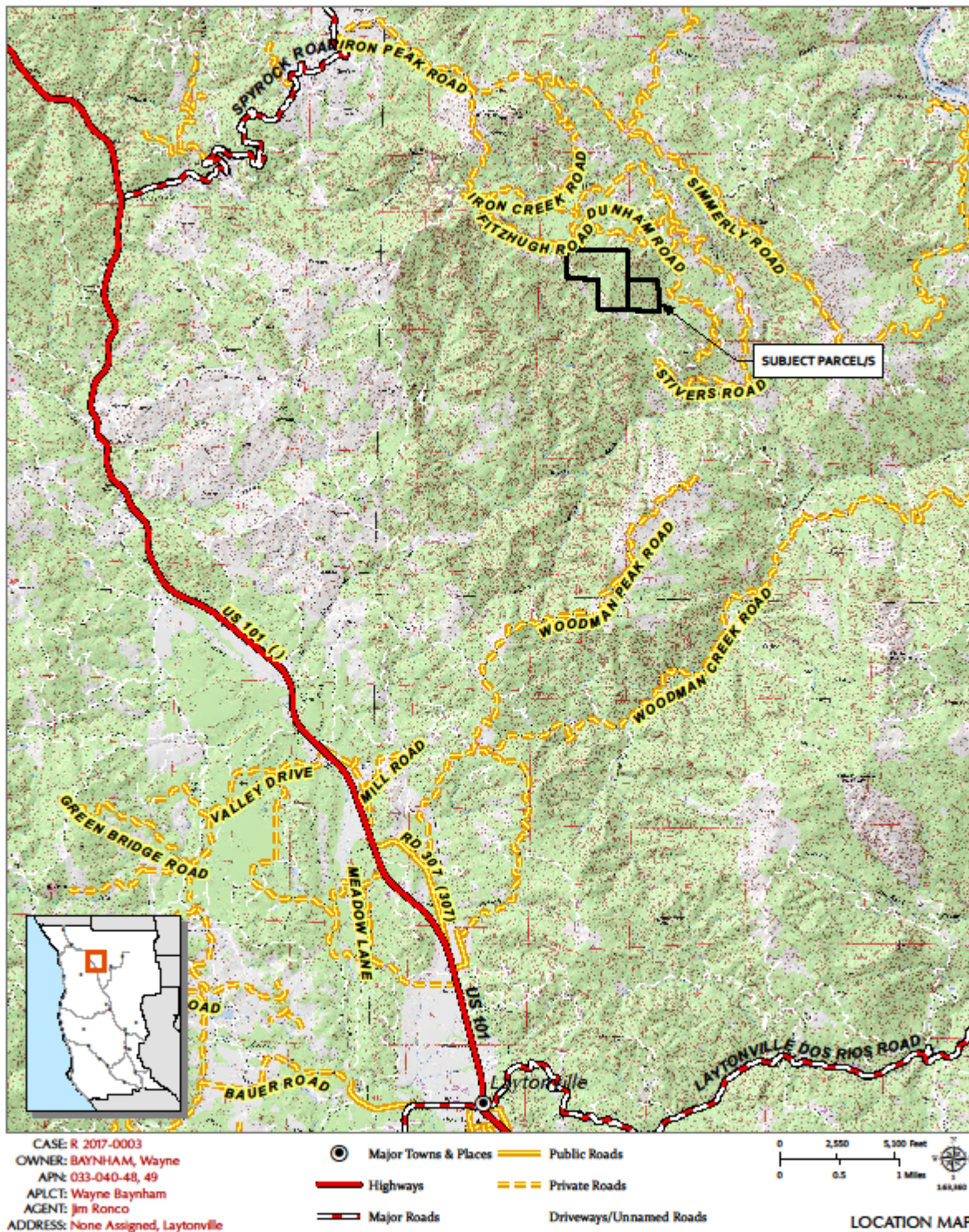
Julia Acker
JULIA ACKER

ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Zoning Map
- D. General Plan Map
- E. Adjacent Owner Map
- F. Fire Hazard Zone Map
- G. Local Soils Map
- H. Important Farmland Map
- I. Timber Production Map
- J. Supervisor District Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

ATTACHMENT A



THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT B



CASE: R 2017-0003
OWNER: BAYNHAM, Wayne
APN: 033-040-48, 49
APLCT: Wayne Baynham
AGENT: Jim Ronco

ADDRESS: None Assigned, Laytonville

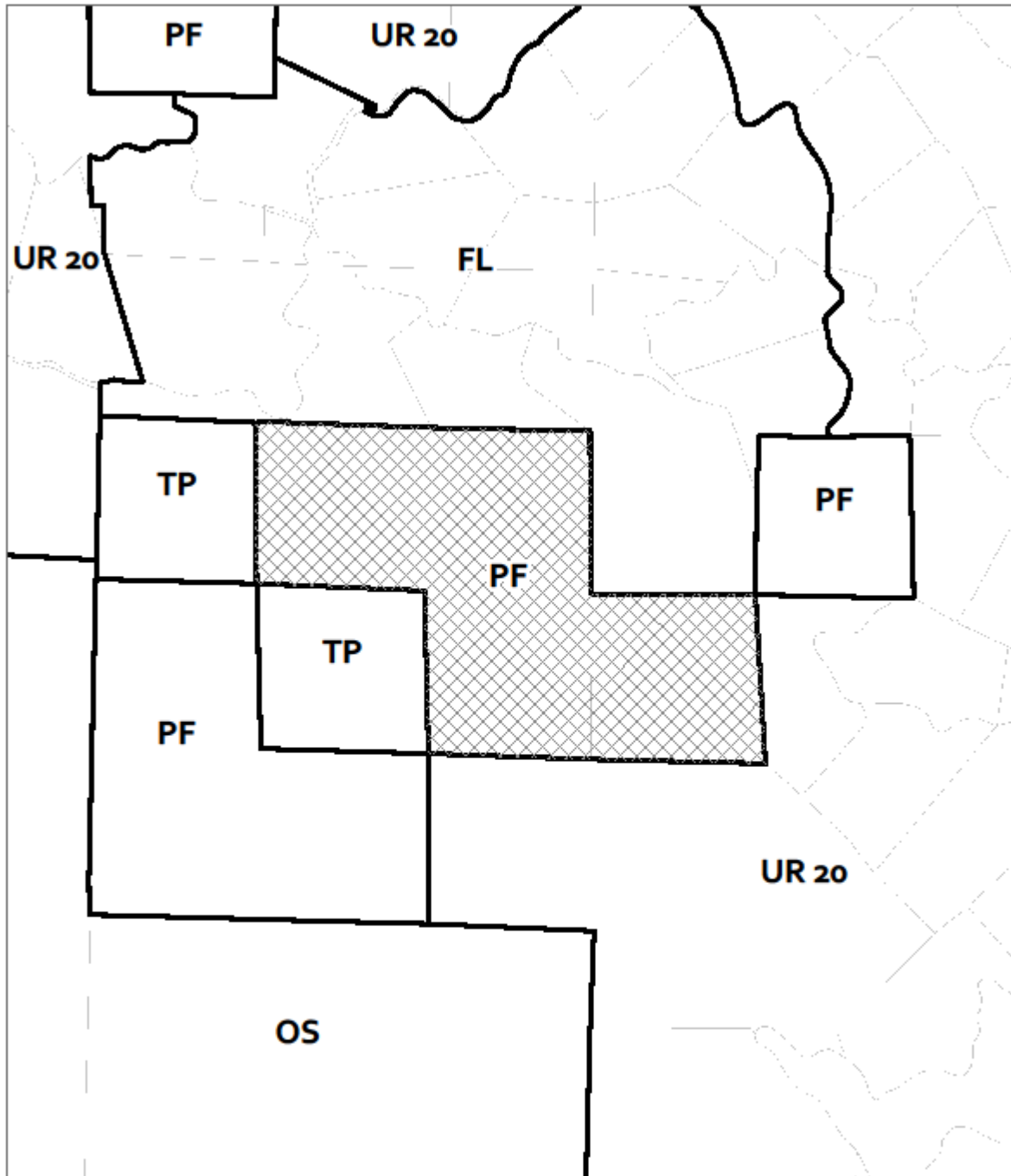
— Hydrology
 === Private Roads
 Driveways/Unnamed Roads




AERIAL IMAGERY

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ATTACHMENT C



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APLC: Wayne Baynham
AGENT: Jim Ronco
ADDRESS: None Assigned, Laytonville

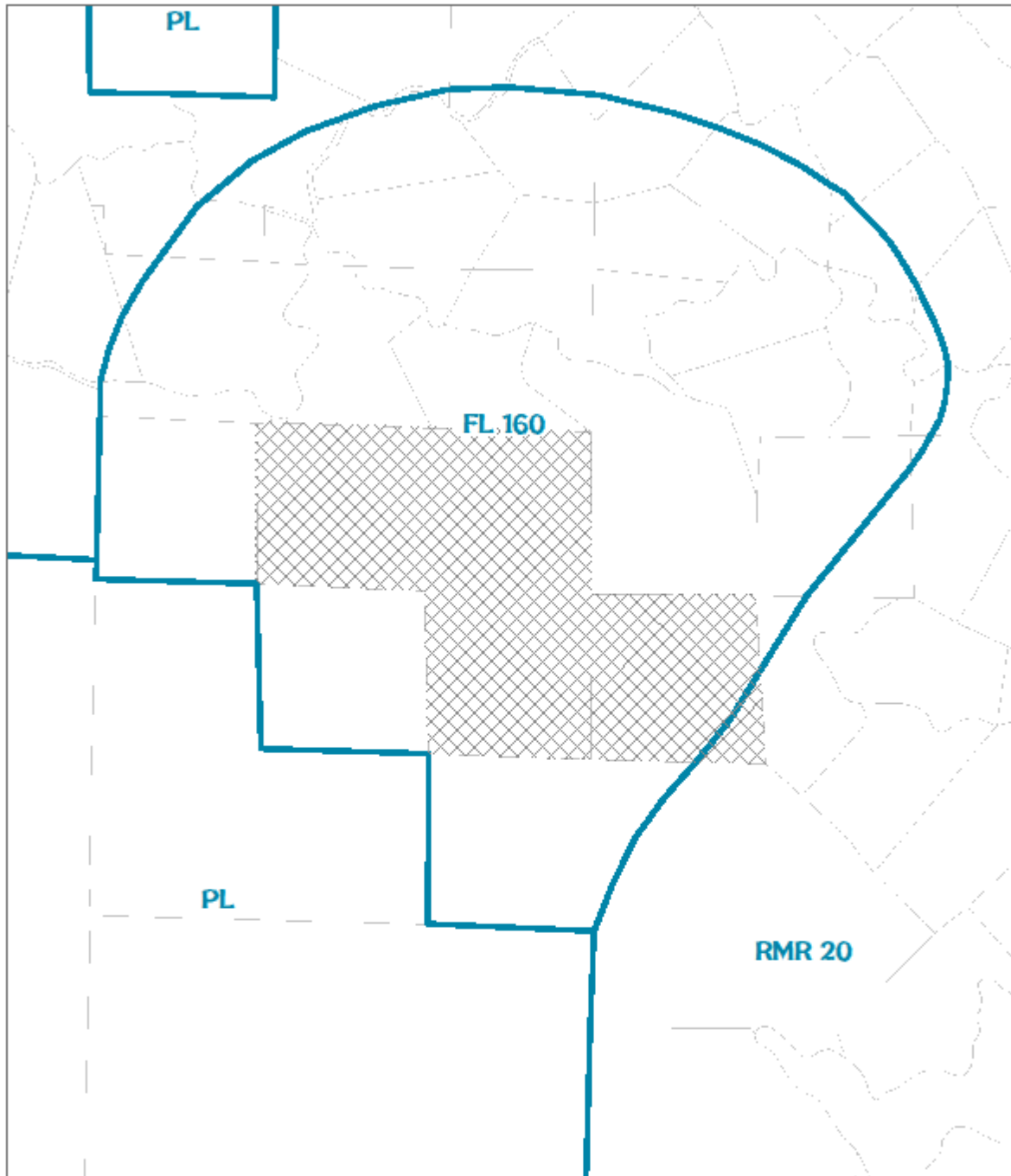
 Zoning Districts

0 500 1,000 Feet
0 0.075 0.15 Miles
1:12,000


ZONING DISPLAY MAP

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ATTACHMENT D



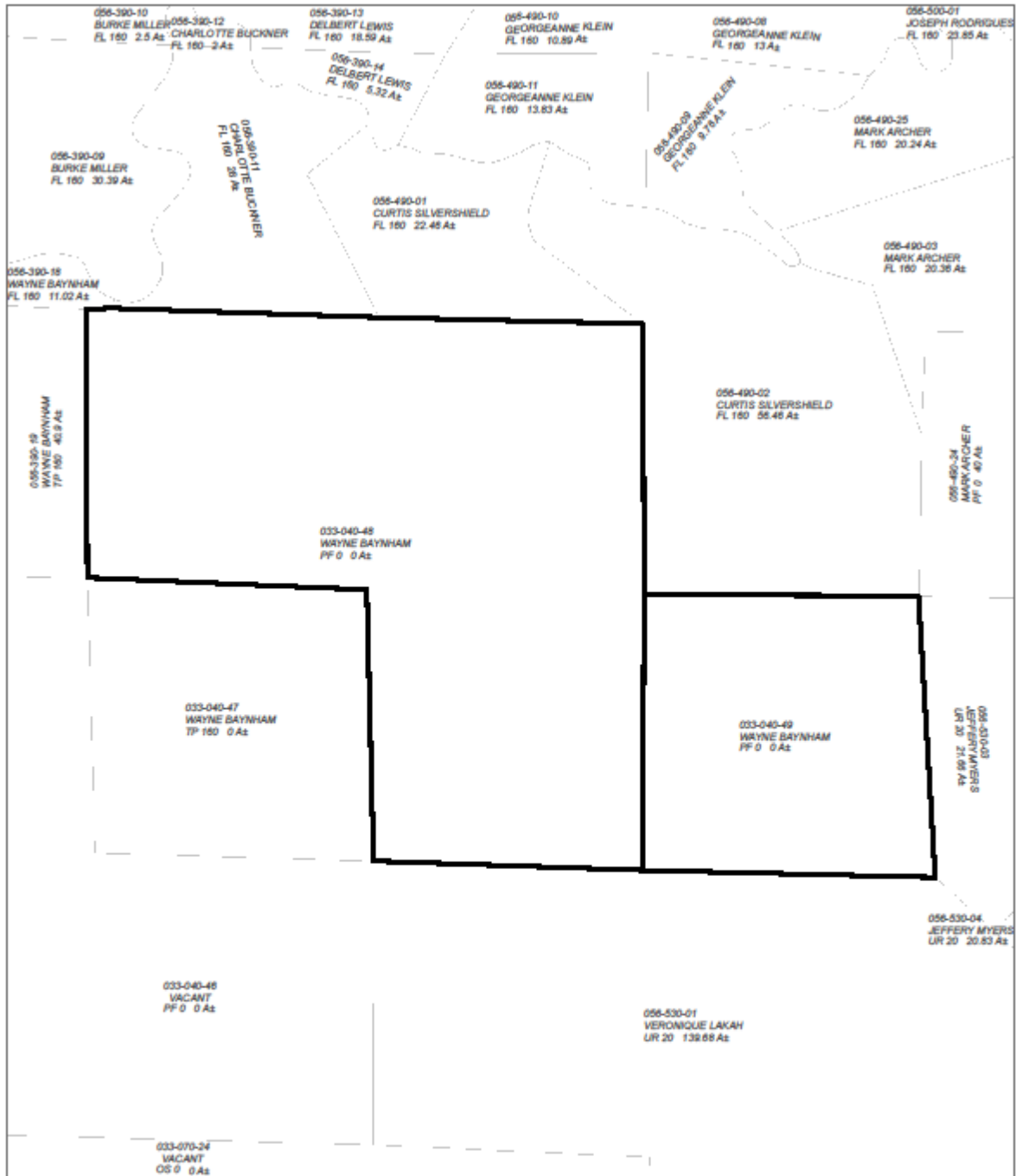
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 General Plan Classes

GENERAL PLAN CLASSIFICATIONS

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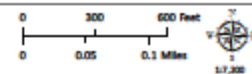
ATTACHMENT E



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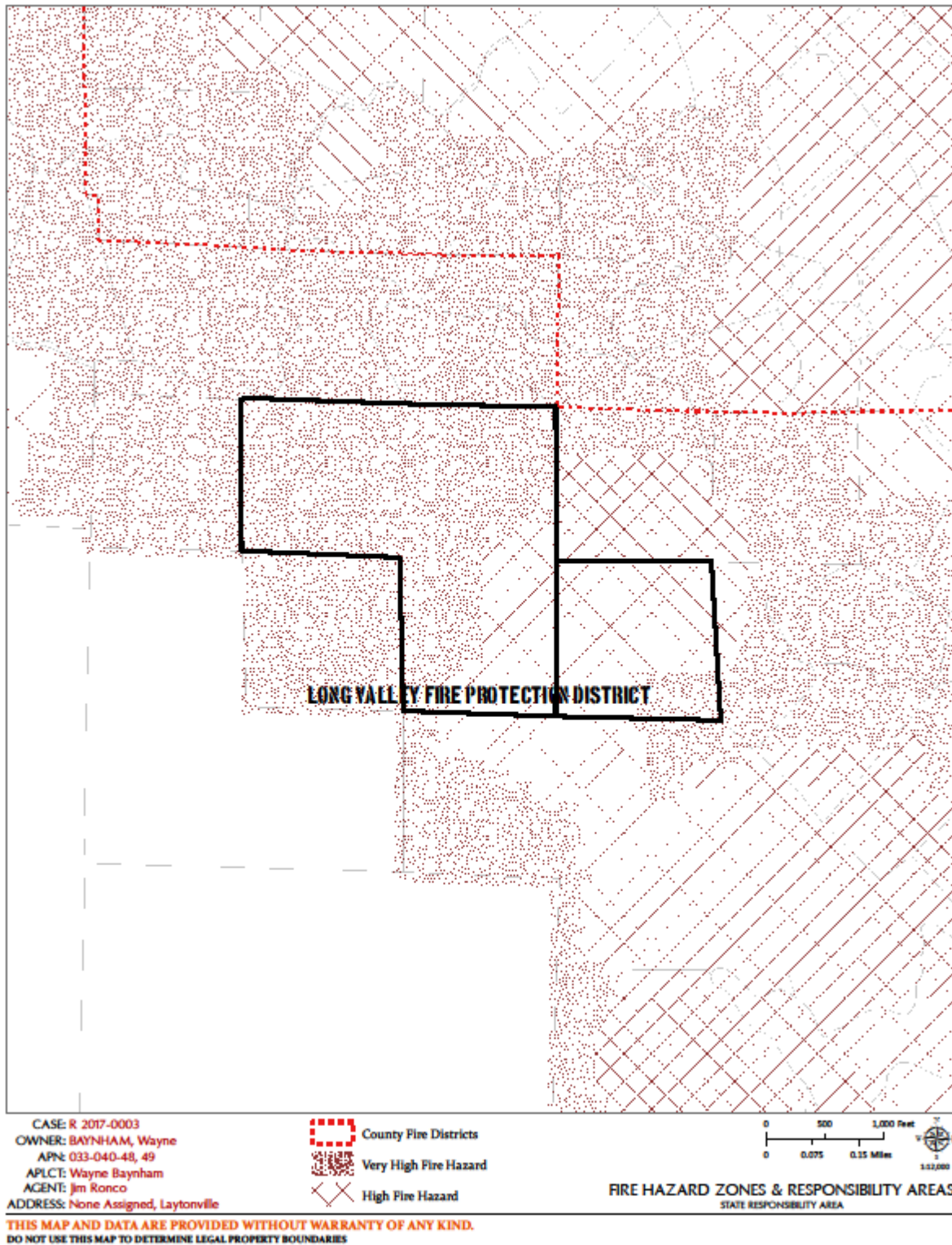
ADDRESS: None Assigned, Laytonville

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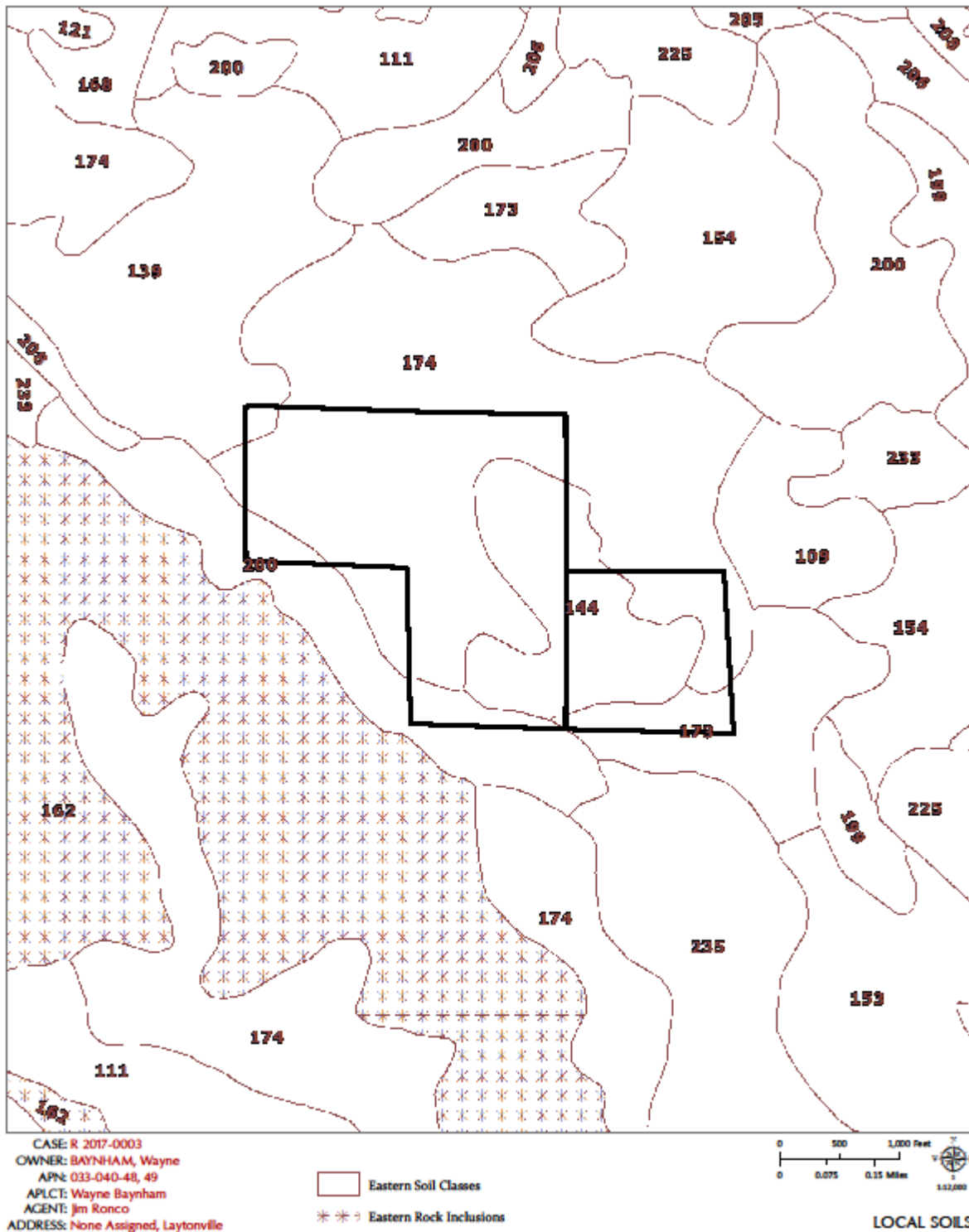


ADJACENT PARCELS

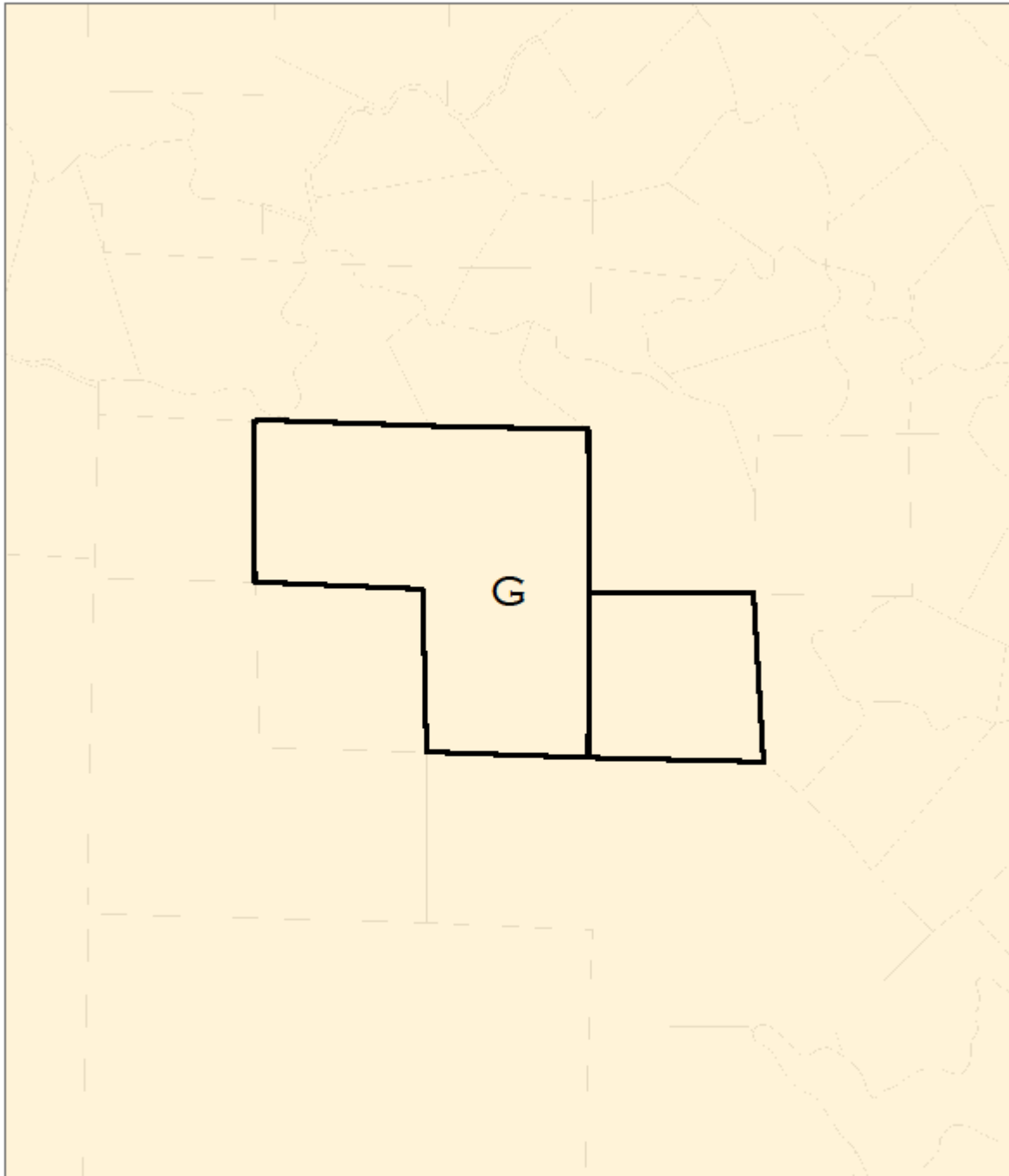
ATTACHMENT F




ATTACHMENT G

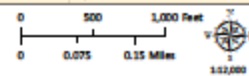


ATTACHMENT H



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APN: 033-040-48, 49
APLC: Wayne Baynham
AGENT: Jim Ronco
ADDRESS: None Assigned, Laytonville

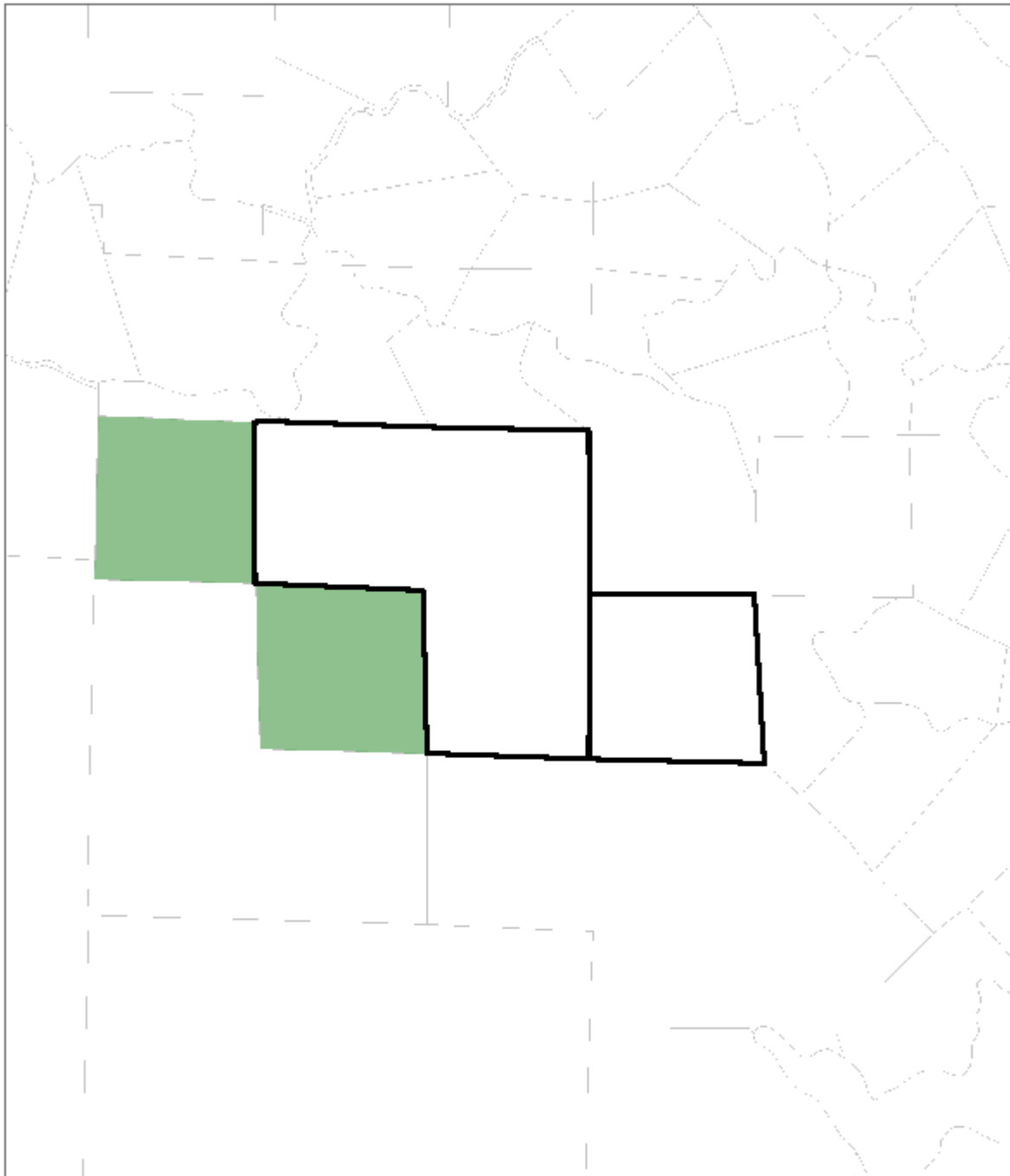
 Grazing Land (G)



IMPORTANT FARMLAND

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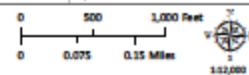
ATTACHMENT I



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AGENT: Jim Ronco

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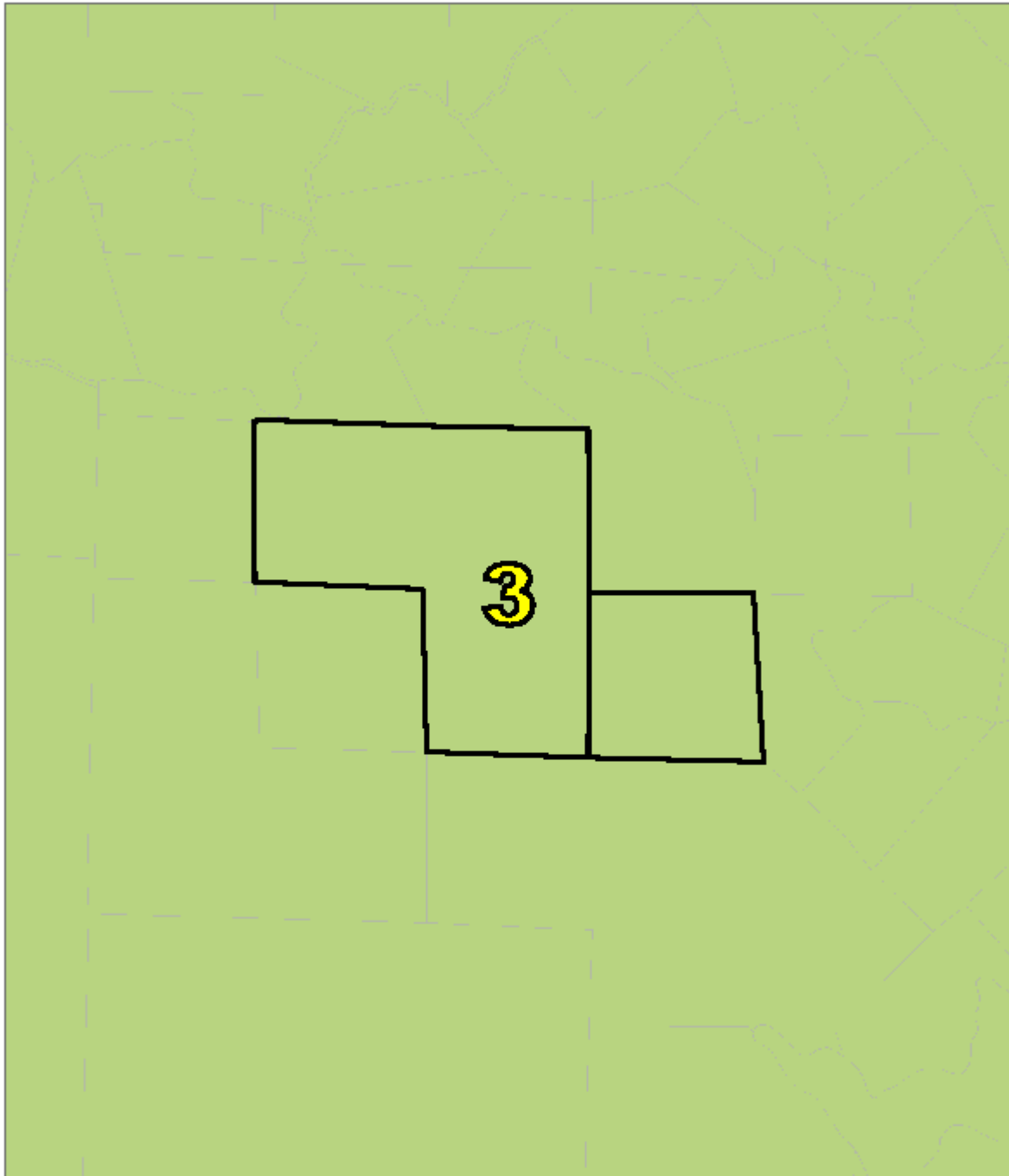
 TPZ 2015





TIMBER PRODUCTION ZONES

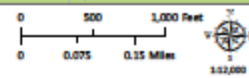
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ATTACHMENT J



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AGENT: Jim Ronco
ADDRESS: None Assigned, Laytonville

 Supervisorial Districts 2010
 Laytonville MAC



MISC

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Resolution Number _____

County of Mendocino
Ukiah, California
November 16, 2017

R_2017-0003 - WAYNE BAYNHAM

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, CERTIFYING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PER ARTICLE 12, SECTION 15183, AND GRANTING A REZONE FOR A ZONE RECLASSIFICATION OF APNs 033-040-48 AND 033-040-49 FROM PUBLIC FACILITIES TO FOREST LAND.

WHEREAS, the applicant, WAYNE BAYNHAM, filed an application for Rezone with the Mendocino County Department of Planning and Building Services to rezone 160± acres from Public Facilities (PF) to Forest Land (FL). The subject property is 6.0± miles east of the U.S. 101 and Spyrock Road (CR 323) intersection, at the terminus of Fitzhugh Road (private), 6,000± feet southeast of its intersection with Iron Creek Road (private), located at 6820 Fitzhugh Road, Laytonville (APN: 033-040-49); Supervisorial District 3; (the "Project"); and

WHEREAS, the Project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines pursuant to Article 12, Section 15183 governing Special Situations and Projects Consistent with the General Plan; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on November 16, 2017, 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 located within the Forest Land General Plan designation and as such, the proposal seeks to bring the Zoning designation into compliance with the General Plan.
2. **Forest Land Zoning District Finding:** That the site meets the stated intent and minimum lot size requirements of the Forest Land Zoning District, as stated in Mendocino County Code Chapter Sections 20.064.005 and 20.064.030.

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: VICTORIA DAVIS
Commission Services Supervisor

By: _____

BY: IGNACIO GONZALEZ
Interim Director

MADELINE HOLTKAMP, Chair
Mendocino County Planning Commission

EXHIBIT A: REZONE EXHIBIT MAP, APNs 033-040-48 and 033-040-49

EXHIBIT A

PF

FL

APNs 033-040-48, 49 to be rezoned
from P-F (Public Facility) to F-L (Forestland)

TP

PF

PF

TP

PF

UR 20

OS

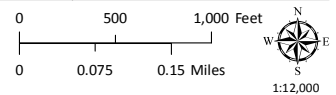
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REZONE FROM P-F (Public Facility)
to F-L (Forestland)



Zoning Districts



REZONE EXHIBIT

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