



**PLANNING COMMISSION
STAFF REPORT- REZONE**

**JUNE 21, 2018
R_2018-0001**

SUMMARY

OWNER: FEEDLOT HOLDINGS LLC
930 KNOB HILL RD
UKIAH, CA 95482

APPLICANT: JORDAN POOL
6250 HOLLYWOOD BLVD UNIT 6B
LOS ANGELES, CA 90028

AGENT: KAREN MANTELE
PO BOX 783
LUCERNE, CA 95458

REQUEST: Rezone two (2) parcels totaling 1.2± acres from I1 (Limited Industrial) to C2:CR (General Commercial-Contract Rezone) to be consistent with the General Plan designation.

LOCATION: 1.7± miles north of Ukiah downtown, on the north side of Feed Lot Lane (CR 250B), 0.1± miles west of its intersection with Lovers Lane (CR 222). Located at 120 & 140 Feed Lot Lane, Ukiah (APNs: 170-100-37 & -41).

TOTAL ACREAGE: 1.2± acres

GENERAL PLAN: Mixed Use (MU-2)

ZONING: Industrial – Limited (I1:12K)

SUPERVISORIAL DISTRICT: 1

ENVIRONMENTAL DETERMINATION: Exempt per CEQA Section 15183

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Sam 'Vandy' Vandewater

BACKGROUND

PROJECT DESCRIPTION: Rezone two (2) parcels totaling 1.2± from I1 (Limited Industrial) to C2:CR (General Commercial – Contract Rezone) to be consistent with the General Plan designation. A Contract Rezone, per Section 20.212.010 of the Mendocino County Code, is required to secure compliance of conditions imposed by the Mendocino County Department of Transportation.

SITE CHARACTERISTICS: The proposed project is located roughly 1.7 miles north of downtown Ukiah, on the north side of Feed Lot Lane. The parcels are entirely developed with two existing structures (4,700 and 8,700 square feet) currently used for storage purposes and a small manufacturer on APN: 170-100-41, and two existing structures (3,500 and 4,000 square feet), which are currently vacant, on APN: 170-100-37. The parcels are within the Millview Water District and have a sewer connection to the Ukiah Valley Sanitation District. Access to the parcels is gained from Feed Lot Lane and the parcels are within the Ukiah Valley Fire Protection District.

RELATED APPLICATIONS:

On-Site:

B66-99: Established existing legal parcel boundaries. This entailed no change to Parcel (APN: 170-100-37), but incorporation of a portion of Parcel (APN: 170-100-33) into Parcel (APN: 170-100-35) to establish Parcel 170-100-41, a subject parcel for the project.

MS14-96: Subdivided (APN: 170-100-26) into four parcels. This established Parcels (APNs: 170-100-36, -37, -38 & -39). Parcel (APN: 170-100-37) is a subject parcel for the project.

B88-92: Resulted in changed parcel boundaries lines such that Parcel (APN: 170-100-26) is combined with Parcel (APN: 170-100-25) to establish parcel (APN: 170-100-35). The western side of Parcels (APNs: 170-100-06, 170-100-25& -35) were established into a new parcel (APN: 170-100-33). The remainder of Parcel (APN: 170-100-06) became Parcel (APN: 170-100-34).

Neighboring Property:

U_2015-0008: Renovations to existing gas station to develop a more contemporary gas station plaza.

R_2015-0001: Rezone to bring parcel into conformity from I:1 to C2; this also established General Plan consistency.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Mixed Use (MU-2)	Industrial – Limited (I1)	0.75±, 0.37±	Commercial/Industrial
EAST	Mixed Use (MU-2)	Industrial – Limited (I1)	0.3±, 0.16±	Commercial/Industrial
SOUTH	Mixed Use (MU-2)	Industrial – Limited (I1)	1.5±, 0.27±	Residential
WEST	Suburban Residential (SR)	Single-Family Residential (R1)	0.22±, 0.2±, 0.17±	Residential

PUBLIC SERVICES:

Access: Feed Lot Lane (CR 250B)
Fire District: Ukiah Valley Area Fire Protection District
Water District: Millview Water District
Sewer District: Ukiah Valley Sanitation District
School District: Ukiah Unified School District

AGENCY COMMENTS: On April 24, 2018, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comment
Environmental Health	Comment
Building Inspection	No Comment
City of Ukiah – Planning	No Response
Russian River Flood Control	No Response
Ukiah Valley Fire Protection District	No Response
Millview Water District	No Response

KEY ISSUES

1. General Plan and Zoning Consistency: The proposed project is the rezone of two parcels, which are

currently industrial – Limited (I1), into the Commercial – General (C2) zoning district. The purpose of the project is to establish consistency between the General Plan Land Use Designation and the subsequent zoning district. Upon the adoption of the Ukiah Valley Area Plan, the General Plan Land Use Designation of numerous parcels was changed to encourage specific types of spatial development and land use. The subject parcels were included in this change, thus making this rezone a necessary action to begin such development. In addition to bringing the zoning into compliance, the proposed project meets Policy DE-48.

Policy DE-48: “Support business creation, expansion, retention, and redevelopment to serve local and regional needs, consistent with General Plan objectives.” The policy would be supported through the proposed project as the site, which had previously been used for storage only, will be able to diversify and provide for the creation, expansion, and redevelopment of the businesses on the parcel.

A change to the zoning district does not affect the minimum parcel size as the subject parcels are within the Millview Water District and Ukiah Valley Sanitation District; the minimum parcel size remains zero (0).

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 through the adoption of the Ukiah Valley Area Plan (UVAP).

3. Ukiah Valley Area Plan (UVAP) Consistency: The proposed project is located within the Ukiah Valley Area Plan (UVAP) and is thus informed by such goals and policies. The adoption of the UVAP in 2011 resulted in amendments to many General Plan designations throughout the prescribed area; the subject parcels were included in this alteration. Previously the parcels were designated Industrial (I), but the General Plan designation of the subject parcels was changed to Mixed Use in the UVAP to help develop a variety of commercial and residential uses. Furthermore, the change removed Industrial areas from what has developed into a mixed commercial and residential area.

4. Section 20.212 Consistency: The proposed project is regulated by Section 20.212 of the Mendocino County Code regarding changes to zoning districts. Section 20.212.010(B) requires a contract be formulated for the purpose of imposing conditions. Department of Transportation has recommended a number of conditions to bring the sidewalk and driveways into compliance with the County of Mendocino Road and Development Standards as Feed Lot Lane is a publically maintained County road (CR 250B). As such, a contract has been prepared to ensure conditions requested by the Department of Transportation will be adhered to by the applicant. The contract is necessary to ensure and defend the safety and general welfare standards of the County of Mendocino.

RECOMMENDATION

By resolution, the Planning Commission recommends to the Board of Supervisors grant Rezone R_2018-0001 for the Project, as proposed by the applicant, based on the facts and findings and subject to the Conditions of Approval.

DATE

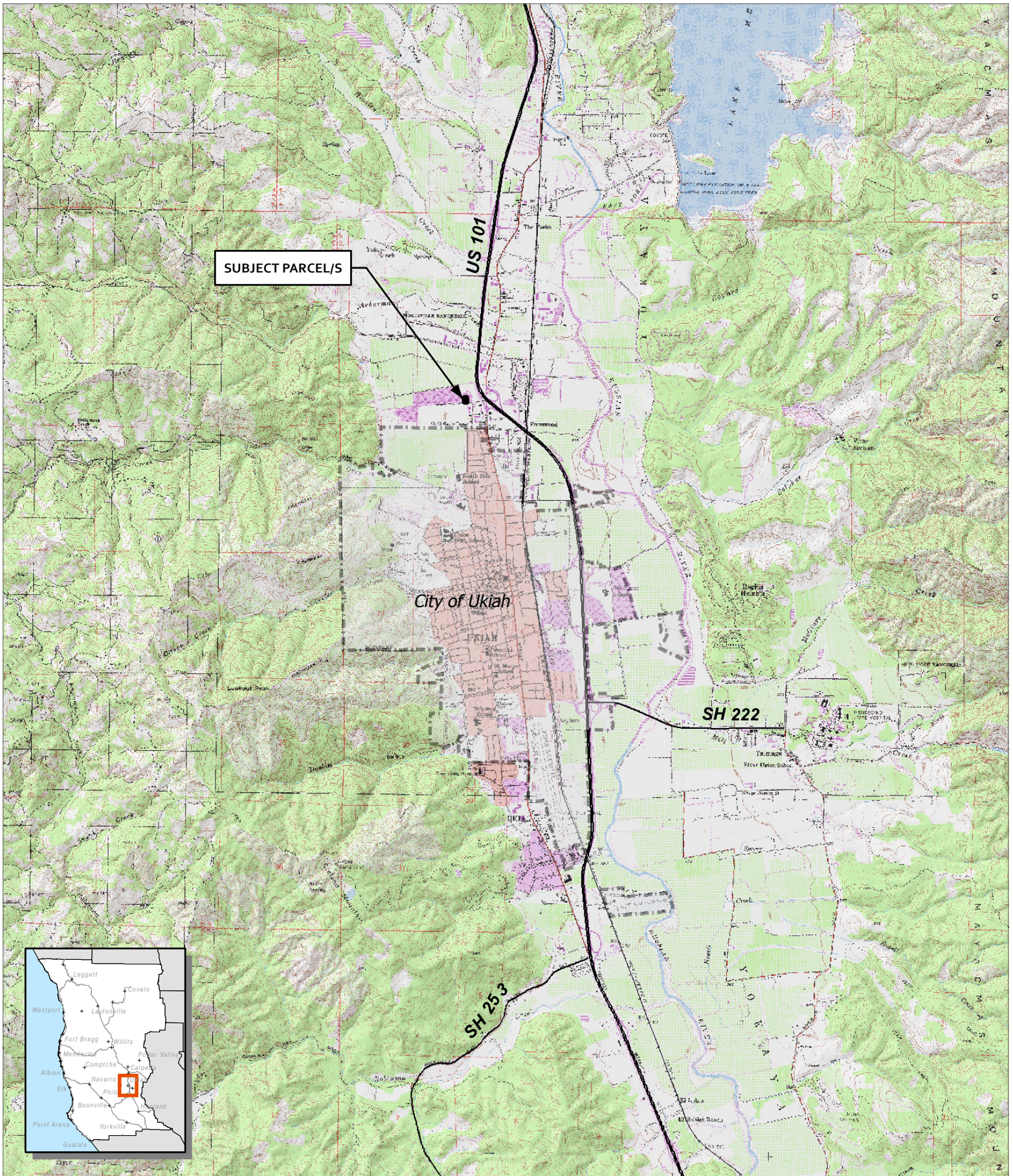
SAM ‘VANDY’ VANDEWATER
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1,616.00




ATTACHMENTS:

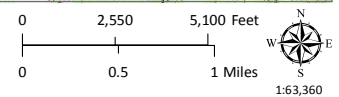
- A. Location Map
- B. Aerial Map
- C. Site Map
- D. Zoning Map
- E. General Plan Map
- F. Adjacent Owner Map
- G. Fire Hazards Map
- H. Water District Map
- I. Stormwater Map
- J. Miscellaneous Map

RESOLUTION AND CONTRACT:



CASE: R 2018-0001
OWNER: Feedlot Holdings, LLC
APN: 170-100-37
APLCT: Jordan Pool
AGENT: Karen Mantele
ADDRESS: 120 Feed Lot Lane, Ukiah

 City Limits
 Highways
 Railroads



LOCATION MAP

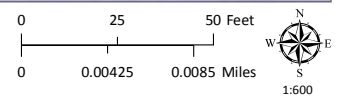
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

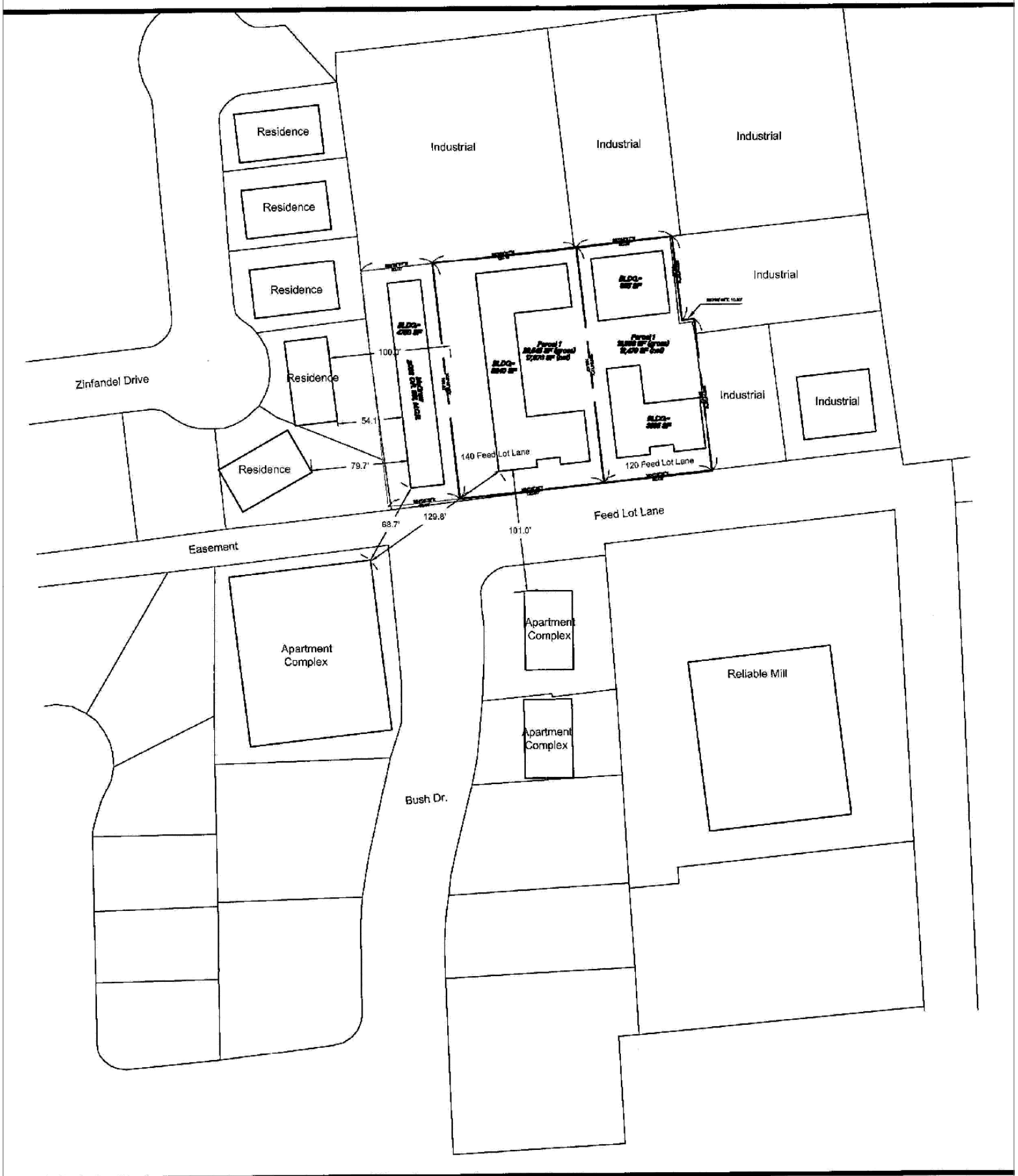
CASE: R 2018-0001
OWNER: Feedlot Holdings, LLC
APN: 170-100-37, 41
APLCT: Jordan Pool
AGENT: Karen Mantele
ADDRESS: 120 Feed Lot Lane, Ukiah

Public Roads



AERIAL IMAGERY

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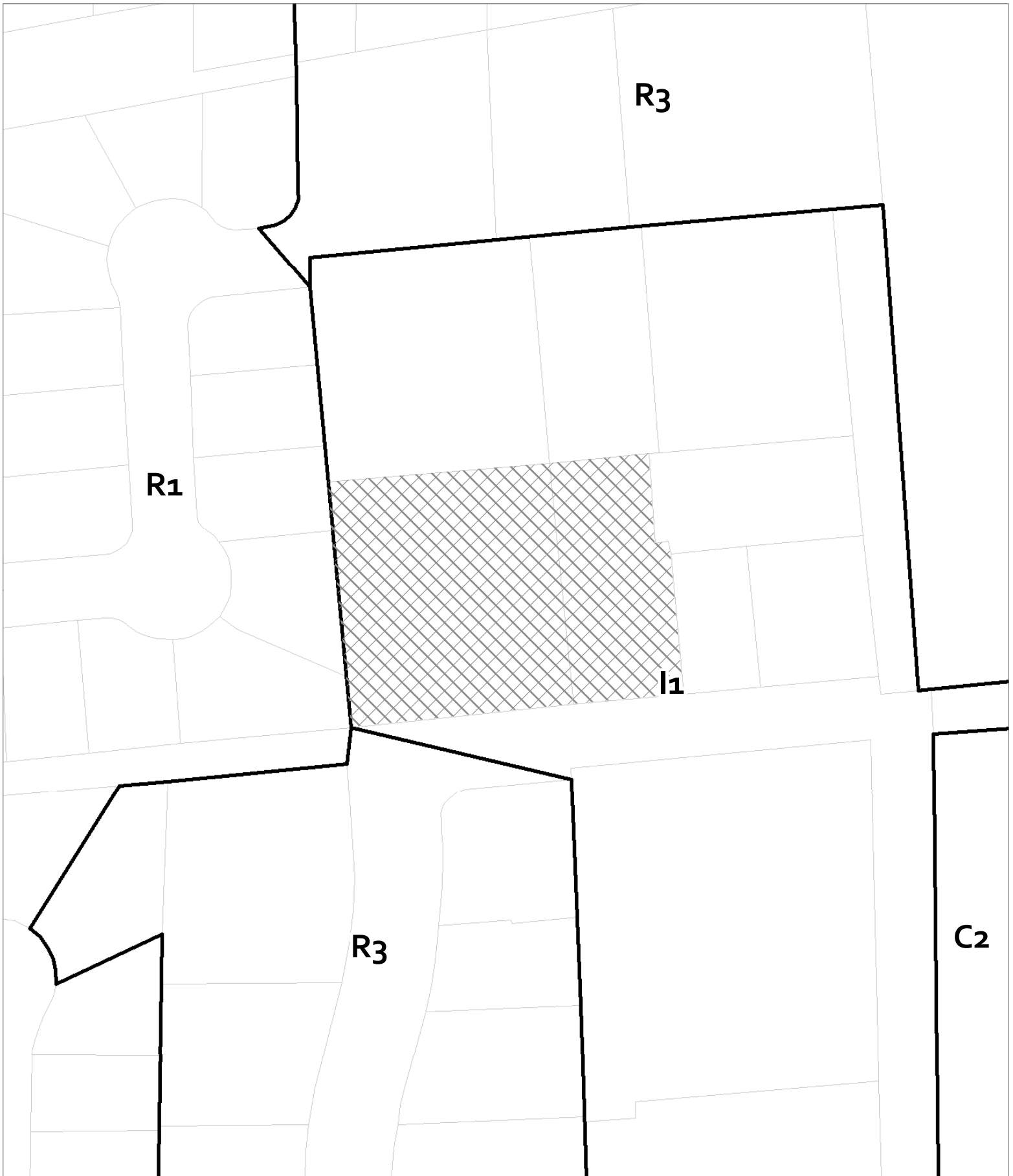


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 AGENT: Karen Mantele
 ADDRESS: 120 Feed Lot Lane, Ukiah


NO SCALE

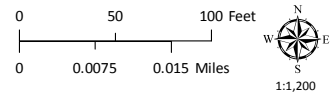
SITE PLAN

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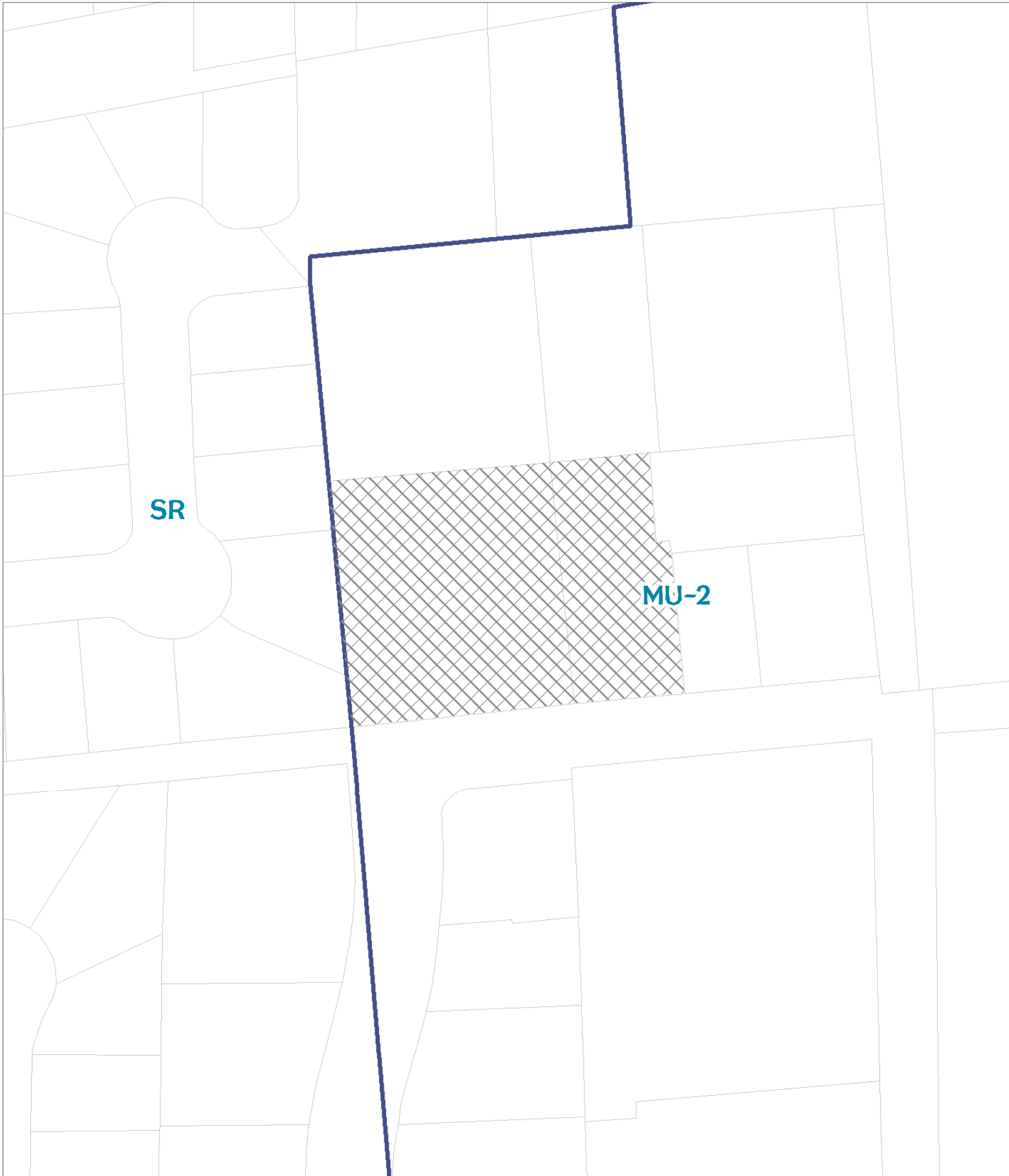
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 Zoning Districts




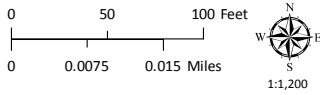
ZONING DISPLAY MAP

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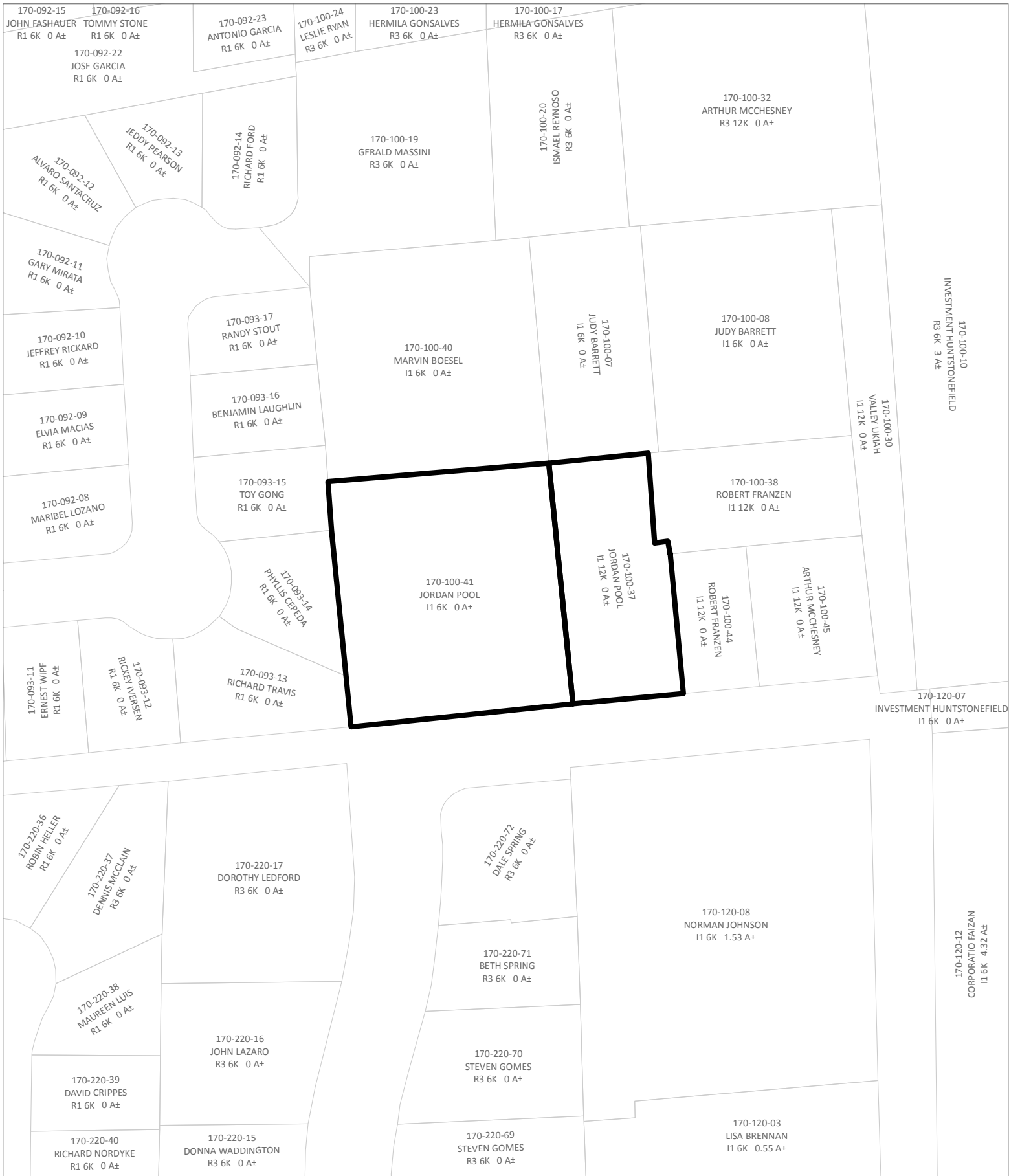
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 General Plan Classes

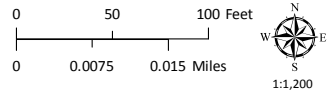


GENERAL PLAN CLASSIFICATIONS

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ADJACENT PARCELS

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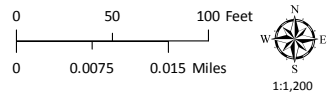
LOCAL

UKIAH VALLEY FIRE PROTECTION DISTRICT

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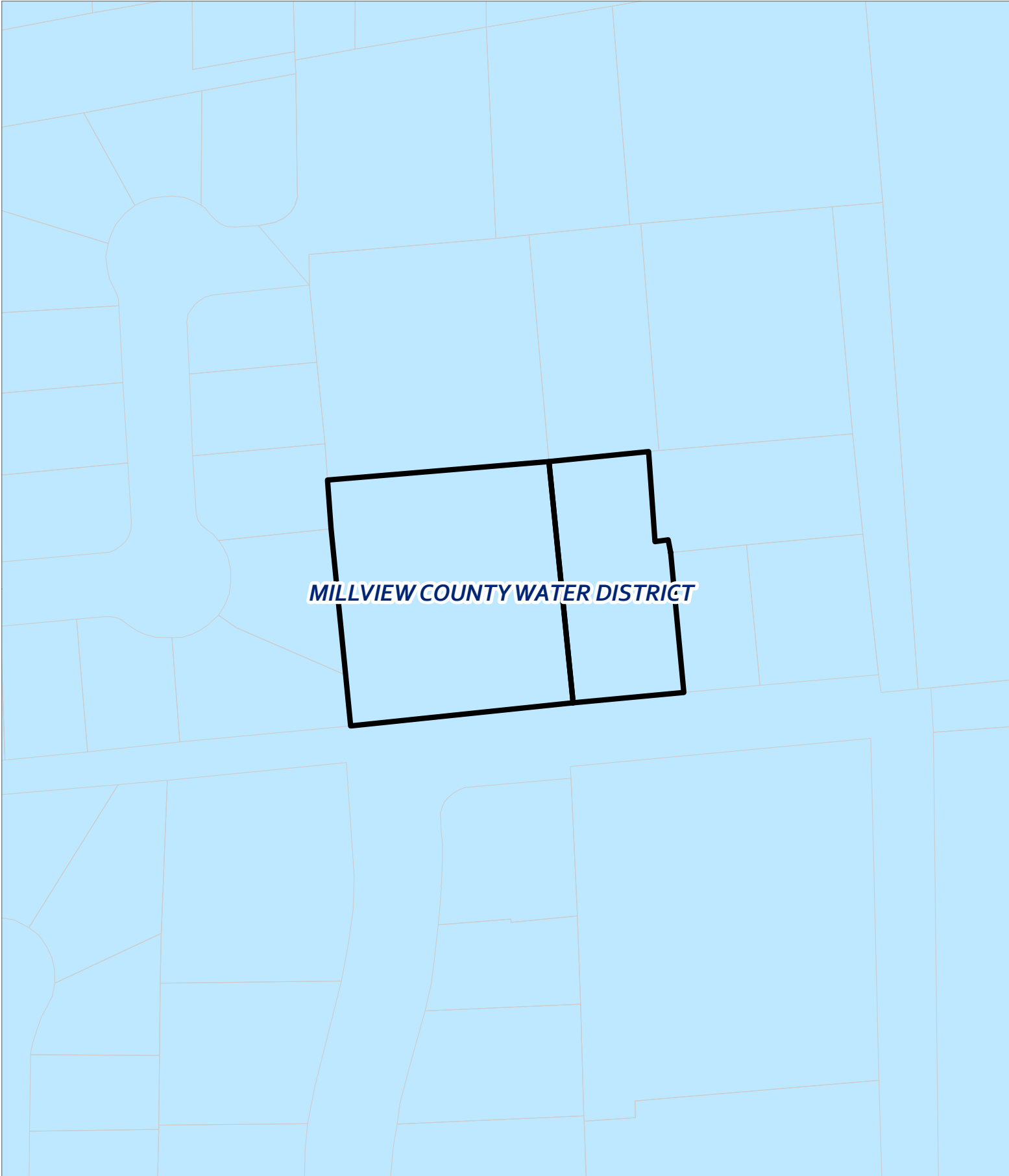


County Fire Districts
Local Responsibility Areas




FIRE RESPONSIBILITY AREAS

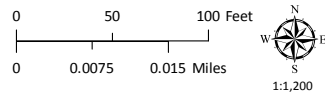
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MILLVIEW COUNTY WATER DISTRICT

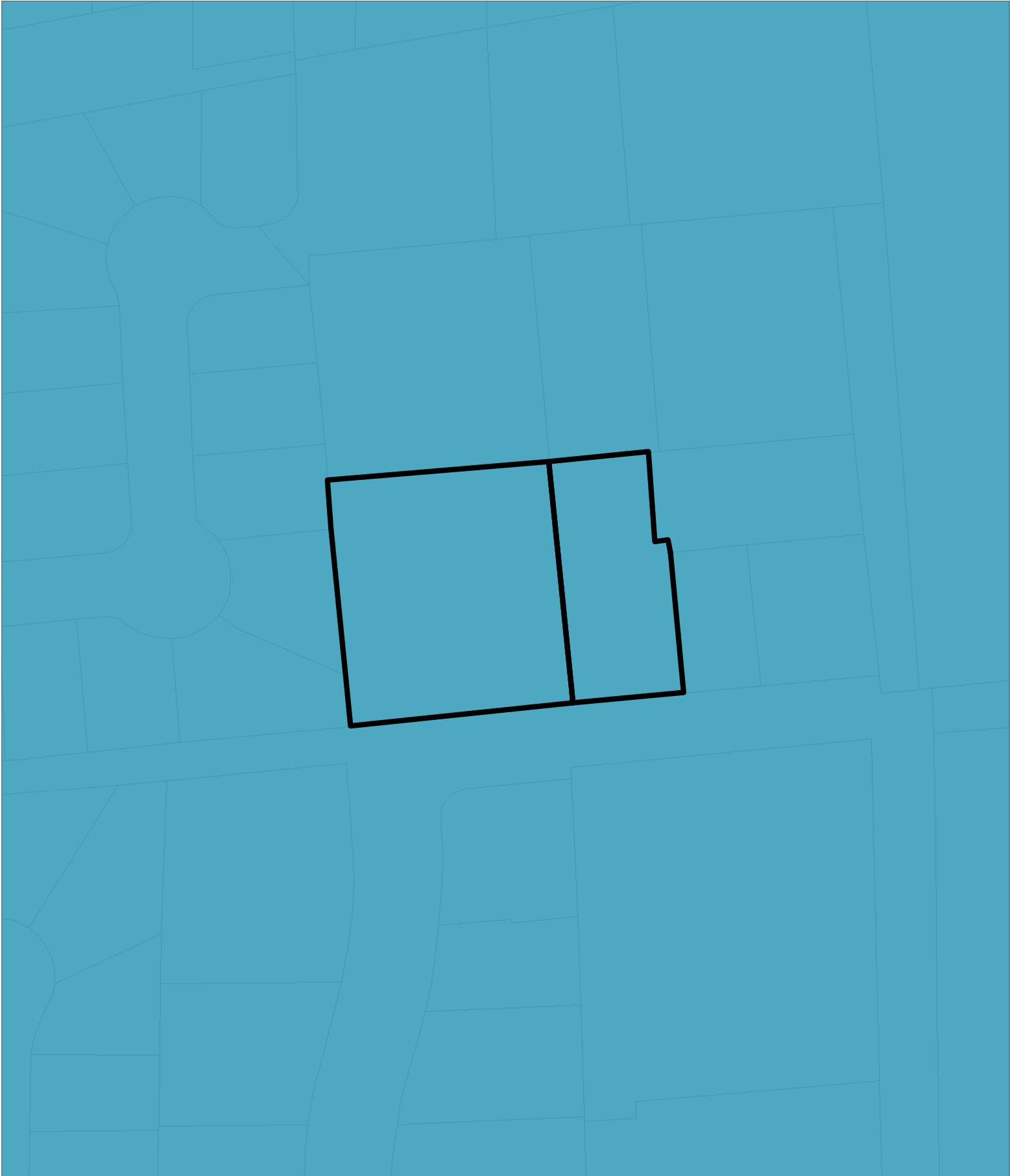
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 County Water Districts



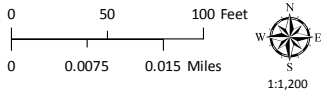
WATER DISTRICTS

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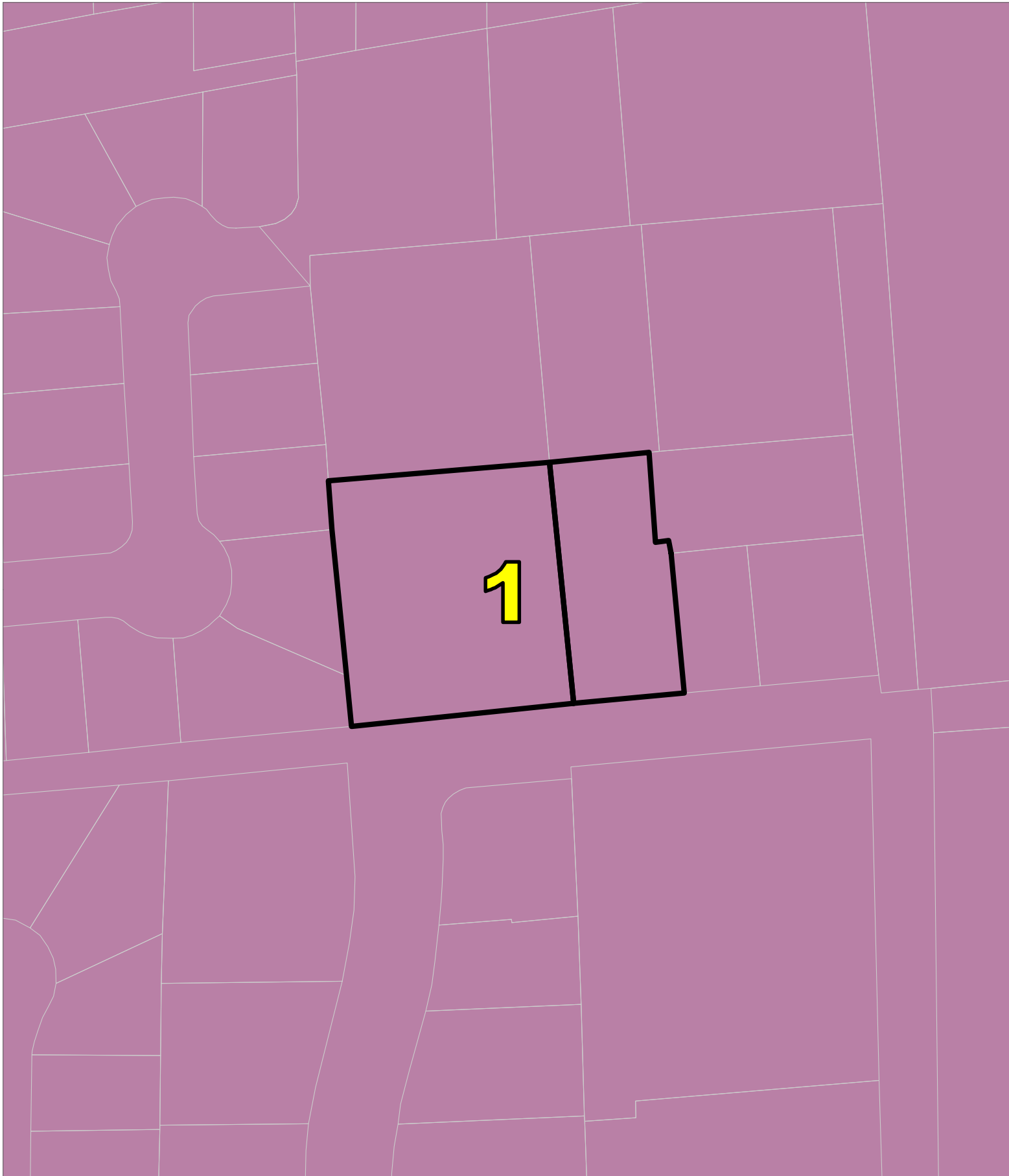
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 Ukiah Stormwater Areas




STORMWATER PERMITTING ZONES


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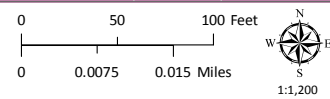
UVAP Boundary



Supervisory Districts 2010



Ukiah Valley Sanitation Dist.



WATER DISTRICTS

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Resolution Number _____

County of Mendocino
Ukiah, California
June 21, 2018

R_2018-0001 - FEEDLOT HOLDINGS LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, GRANTING A REZONE FOR APNs 170-100-37 AND 170-100-41 FROM INDUSTRIAL – LIMITED TO COMMERCIAL – GENERAL WITH A COMBINING DISTRICT OF CONTACT REZONE

WHEREAS, the applicant, FEEDLOT HOLDINGS LLC, filed an application for Rezone with the Mendocino County Department of Planning and Building Services to rezone 1.2± acres from Industrial – Limited (I1) to Commercial – General (C2:CR), 1.7± miles north of Ukiah downtown, on the north side of Feed Lot Lane (CR 250B), 0.1± miles west of its intersection with Lovers Lane (CR 222). Located at 120 & 140 Feed Lot Lane, Ukiah (APNs: 170-100-37 & -41); Supervisorial District 1; (the “Project”); and

WHEREAS, the Project is 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 a General Plan; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on June 21, 2018, 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 and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings based upon the evidence in the record;

1. **General Plan and Zoning Consistency Findings:** The proposed project is located within the Mixed Use General Plan designation and as such the proposal seeks to bring the zoning district into compliance with the General Plan.
2. **Environmental Protection Findings:** The proposed project is exempt from review under CEQA pursuant to Article 12, Section 15183.
3. **Ukiah Valley Area Plan Consistency Findings:** The proposed project is located within the UVAP and as such the proposal seeks to bring the zoning district into compliance with the UVAP.
4. **Mendocino County Code Section 20.212 Consistency:** The proposed project is subject to Mendocino County Code Section 20.212 and as such requires a contract to impose conditions. A Contract Rezone has thus been prepared to ensure and defend the necessary safety and general welfare standards of the County of Mendocino.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors grant the requested Rezone, subject to the Conditions of Approval in Exhibit “B”, 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

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
Secretary to the Planning Commission

By: _____

BY: IGNACIO GONZALEZ
Interim Director

MADELIN HOLTKAMP, Chair
Mendocino County Planning Commission

EXHIBIT A: REZONE EXHIBIT MAP

EXHIBIT B: REZONE CONTRACT

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
County of Mendocino County
Board of Supervisors
501 Low Gap Road
Ukiah, CA 95482

CONTRACT FOR COMPLIANCE WITH REZONING CONDITIONS
(Section 27281.5 of the Government Code)

IN CONSIDERATION OF the adoption by the Board of Supervisors of an ordinance amending Title 20 of the Mendocino County Code so as to add Ordinance Number _____ and thereby rezone Assessor's Parcel Numbers 170-100-37 and 170-100-41 as follows:

Assessor's Parcel Numbers 170-100-37 and 170-100-41 are reclassified from Industrial – Limited (I1) to Commercial – General with a combining district of Contract Rezone (C2:CR), shown in attached Exhibit A.

Assessor's Parcel Numbers 170-100-37 and 170-100-41, as shown in Exhibit A, are contiguous parcels which are consistent with the Ukiah Valley Area Plan.

Feed Lot LLC hereby warrants that they are the owners of the foregoing property, and Agree and Promise to comply with the following conditions pursuant to Section 27281.5 of the California Government Code and Section 20.212 of the Mendocino County Code.

CONDITIONS

The following conditions must be fulfilled in conjunction with the establishment and construction of a structure associated with a permitted use, approved by a building permit, business license or discretionary action, hereinafter referred to as "Project":

- 1) All Projects shall be consistent with the Ukiah Valley Area Plan (UVAP) including but not limited to the general intent, guidelines, uses, and standards associated with the Mixed Use General (UVAP, Appendix I, Page 12-3).
- 2) Curb, gutter, and minimum 5 foot wide sidewalks shall be constructed along the project's frontage to Feed Lot Lane (CR 250B) in accordance with Mendocino County Road and Development Standards No. A40A, Type "A", or as modified by applicant's engineer and approved by Department of Transportation staff. All pedestrian facilities shall comply with State and Federal accessibility requirements.
- 3) New urban road driveway approaches shall be constructed onto Feed Lot Lane (CR 250B) at each proposed access point to the County Road, per County of Mendocino Road and Development Standard No. A50, or as modified by applicant's engineer and approved by Department of Transportation staff.
- 4) Road improvements shall be constructed in accordance with improvement plans prepared by a Civil Engineer and approved by the Mendocino County Department of Transportation. Current improvement plan checking and inspection fees apply.
- 5) Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County rights-of-way.

IT IS AGREED that the forgoing agreement and promise shall constitute a deed restriction and shall run with the land and constitute an equitable servitude and restrictive covenant.

In the event of non-compliance with the aforesaid conditions, consent is hereby given that the aforesaid property may be rezoned in compliance with Government Code Section 65853, et seq., and shall be subject to other action authorized by the Mendocino County Code.

IT IS FURTHER AGREED that this contract shall be binding upon the successors and assigns of the owners of land known as Assessor Parcel Numbers 170-100-37 and 170-100-41 more particularly shown in the attached Exhibit A and shall be effective only after it is signed by the owners and verified by the County of Mendocino.

FEED LOT LLC

DATE

ACKNOWLEDGEMENT

STATE OF CALIFORNIA
County of Mendocino

On the _____ day of _____, 2018, before me, the undersigned a Notary Public, in and for said State, personally appeared _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/ are subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

EXHIBIT A

R₃

R₁

APNs 170-100-37, 41 to be rezoned
from I-1 to C-2

I₁

R₃

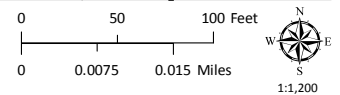
C₂

R₁

CASE: R 2018-0001
OWNER: Feedlot Holdings, LLC
APN: 170-100-37
APLCT: Jordan Pool
AGENT: Karen Mantele
ADDRESS: 120 Fee Lot Lane, Ukiah

REZONE FROM: I-1 (Limited Industrial)
TO: C-2 (General Commercial)

Zoning Districts



REZONE EXHIBIT

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