



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
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October 2, 2019

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, October 17, 2019, at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project at the time listed or as soon thereafter as the item(s) may be heard.

CASE#: A_2019-0002

DATE FILED: 4/15/2019

OWNER/APPLICANT: LANCE D & JAMIE C STORNETTA

REQUEST: Agricultural Preserve application to establish a new preserve and Williamson Act contract on 39± acres of Rangeland (RL) currently used as part of the Windy Hollow dairy.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 0.35± miles south of Manchester on the west side of State Route 1 (SR 1) at its intersection with Biaggi Road (private), located at 44151 Biaggi Rd., Manchester (APN: 133-020-09).

STAFF PLANNER: RUSSELL FORD

The staff report and notice will be available for public review 10 days prior to the hearing at 860 North Bush Street, Ukiah, California and on the Department of Planning and Building Services website at www.mendocinocounty.org/pbs.

Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California, 95482, no later than October 16, 2019. Oral comments may be presented to the Planning Commission during the public hearing.

The Planning Commission's action regarding the item shall be a recommendation to the Board of Supervisors, and the Board's action shall be final, except that an approved project may be appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

BRENT SCHULTZ, Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT- AGRICULTURAL PRESERVE**

**OCTOBER 17, 2019
A_2019-0002**

SUMMARY

OWNER/APPLICANT: LANCE D. & JAMIE STORNETTA
PO BOX 296
MANCHESTER, CA 95459

REQUEST: Agricultural Preserve application to establish a new preserve and extend an existing Williamson Act contract over 39± Acres of Rangeland currently used as part of the Windy Hollow Dairy.

LOCATION: In the Coastal Zone 0.35± miles south of Manchester on the west side of State Route 1 (SR 1) at its intersection with Biaggi Road (private), located at 44151 Biaggi Road and 44501 Kinney Road, Manchester (APN: 133-020-09).

TOTAL ACREAGE: 39± (to be added)/225± total contracted area

GENERAL PLAN: RL (Rangeland)

ZONING: RL (Rangeland)

SUPERVISORIAL DISTRICT: District 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Class 17

RECOMMENDATION: The Planning Commission recommends that the Board of Supervisors, by resolution, establish an Agricultural Preserve and Williamson Act contract as proposed by the applicant, based on the facts and findings.

STAFF PLANNER: RUSSELL FORD

BACKGROUND

PROJECT DESCRIPTION: Windy Hollow farm is the location of the Stornetta Dairy in Manchester and has been in operation for at least 50 years. An Agricultural Preserve and Williamson Act contract was established on the property (formerly owned by Biaggi) in 1971, under Ag. Preserve Resolution No. 69-66E (APNs: 133-010-06, 16, 20, 05, 133-020-04, 05, 06). APN: 133-020-09 is immediately adjacent to the dairy lands but not currently included in the contract. A pending Boundary Line Adjustment (B_2019-0019) intends to transfer all but 5± acres of this 44± acre parcel into the Windy Hollow ownership to be used as support land for the dairy operation. The applicants desire to establish an Agricultural Preserve over the transferred land (approximately 39± acres) and incorporate it into the existing Williamson Act contract, number 17, creating a 225± acre contract.

APPLICANT'S STATEMENT: "Place 39± acres into Agricultural Preserve. Add to existing Windy Hollow Preserve and contract on 39± acres. Land to be placed in Ag Preserve is grazing/dairy operation (Stornetta). The existing preserve has a dairy operation. The existing legal parcel has 187± acres. With BLA will total 225± acres. Existing improvements include ranch house, barn, two modulares, shop and other ag storage buildings/sheds and equipment."

RELATED APPLICATIONS:

- Boundary Line Adjustment B_2019-0019 will be reviewed by the Subdivision Committee and Coastal Permit Administrator on October 10th. That adjustment proposes to transfer 39± of the existing 44± acres into Windy Hollow ownership to be used as part of the dairy operation.
- Resolution Number 69-66E established an Agricultural Preserve and Williamson Act contract over the lands currently held by Windy Hollow. APNs: 133-010-06, 16, 20, 05, 133-020-04, 05, 06.
- Coastal Development Permit CDP_1992-0014 approved the construction of a single family residence and barn on APN: 133-020-09.

SITE CHARACTERISTICS: The project site is located on alluvial bottomland soils on the north side of Lagoon Creek less than one mile from the Pacific Ocean. The area is adjacent to Manchester Beach and is mostly flat, with an average elevation of 80 feet. Both lots are accessed from Biaggi Road, a private road taking access off State Route 1. There is an existing Single Family Residence and associated accessory structures on the parcel, but it is otherwise undeveloped with Rangeland and some Forestland. Following the Boundary Line Adjustment, the SFR and structures will remain on a separate, 5± acre parcel while the remaining 39± acres is incorporated into the existing ag operation.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RL (Rangeland)	RL (Rangeland)	25±	Agricultural/ Residential
EAST	RV (Rural Village)	RV (Rural Village)	3±	Residential
SOUTH	Agricultural (AG)	Agricultural (AG)	192±	Agricultural
WEST	Agricultural (AG)	Agricultural (AG)	107±	Agricultural

PUBLIC SERVICES:

Access: State Route 1 (via private drive *Biaggi Road*)
Fire District: Redwood Coast Fire Protection District
Water District: None
Sewer District: None
School District: Manchester Union Elementary

AGENCY COMMENTS: On May 3, 2019 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. 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
Resource Lands Protection Committee	None	Reviewed by RLPC on 5/17. No objections to the project were noted.	5/17/2019
Forestry Advisor	None	No Comment	5/14/2019
Planning Division – Fort Bragg	None	No Comment	5/10/2019

KEY ISSUES

1. General Plan and Zoning Consistency: The proposed project, establishing an Agricultural Preserve and extending the existing Williamson Act contract over an additional 39± acres to be used for the existing dairy operation is consistent with pertinent agricultural goals and policies of the General Plan as follows:

Policy RM-10 (Agriculture): Protection of agriculture as a basic industry important to the economy and quality of life and food security of the county by maintain extensive agricultural land areas and limiting incompatible uses.

Policy RM-100: Maintain extensive agricultural land areas and limit incompatible uses.

Policy RM-101: The County supports policies and programs to maintain and enhance the viability of agricultural operations and retention of agricultural land.

Policy RM-110: Consistent with State funding, encourage the creation and renewal of Williamson Act contracts on eligible lands.

2. Agricultural Preserve Regulations: As indicated on aerial imagery and the existing Williamson Act contract, the property has been used for ag production for at least 50 years and is currently used for a major dairy operation. The intent is to incorporate an additional 39± acres into the existing contracted area to be used as support land and possible operational development. Based upon the existing and continued use of the property, staff finds that the property meets the criteria for establishment of a Williamson Act contract under Section 22.08 of the Mendocino County Code.

3. Environmental Protection: The project has been found to be exempt from the California Environmental Quality Act (CEQA) per Section 15317 of the CEQA guidelines (Class 17), which exempts “the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act...” Therefore, no further environmental consideration is necessary.

RECOMMENDATION

The Planning Commission recommends approval of A_2019-0002 to the Board of Supervisors, making the following findings, consistent with the General Plan and Mendocino County Code Section 22.08:

Environmental Findings: This project is categorically exempt from CEQA review per Section 15317 of the CEQA Guidelines (Class 17).

Agricultural Preserve Findings: The lands referenced in this Staff Report are currently zoned RL (Rangeland). Per Section 4.2(a) of the Revised Policies and Procedures, only lands zoned AG (Agriculture), RL (Rangeland) or FL (Forestland) are eligible to qualify as Agricultural Preserves. Staff finds that the proposed addition to the existing contract qualifies based on this criteria.

Williamson Act Findings: The proposed Williamson Act contract is consistent with requirements as specified in the Revised Policies and Procedures with regard to lot size, agricultural use type, accessory development and income threshold.

DATE

RUSSELL FORD
PLANNER III

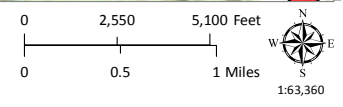
ATTACHMENTS:

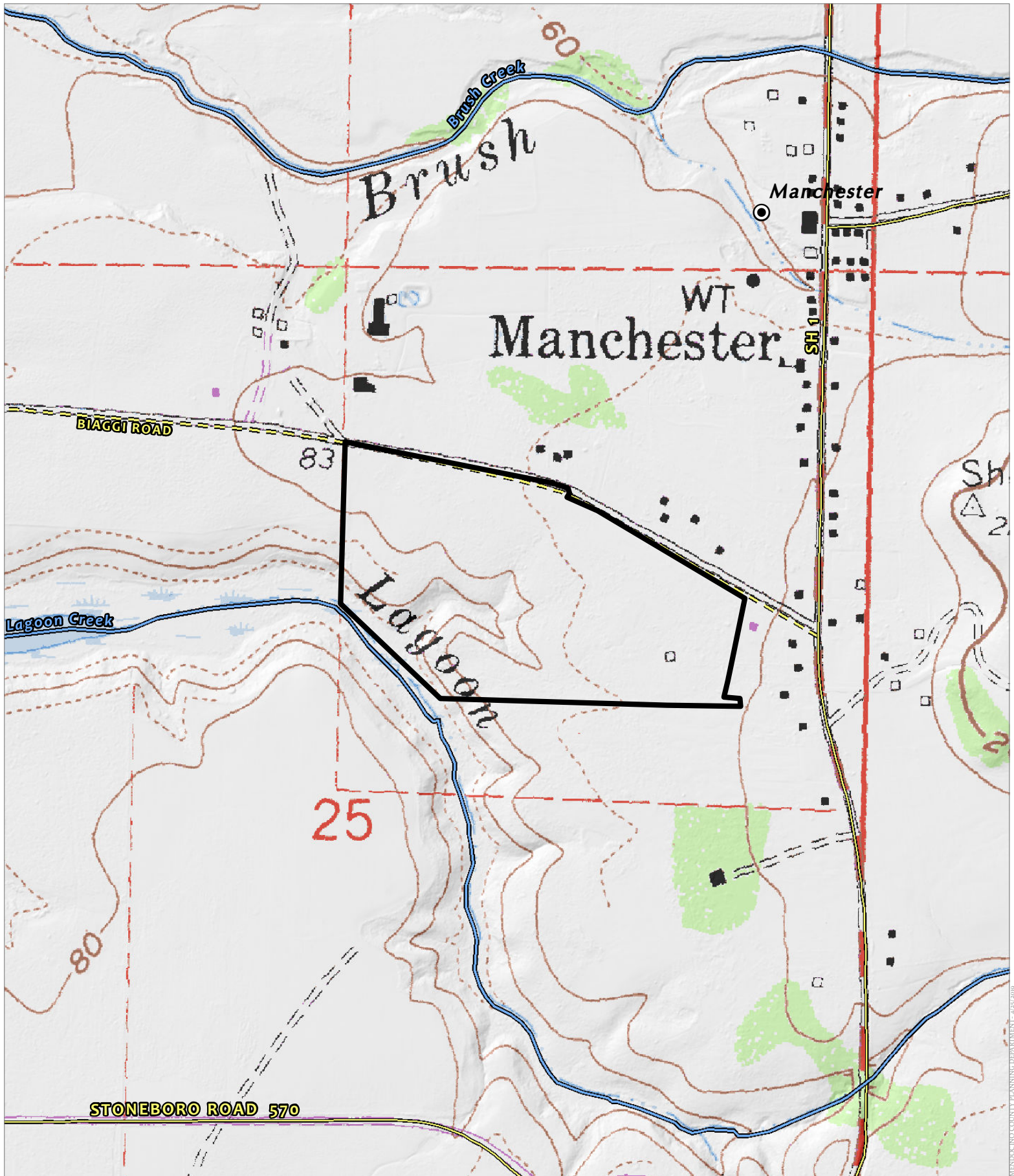
- A. Location Map
- B. Topographic Map
- C. Aerial Imagery
- D. Zoning Classifications
- E. General Plan Classifications
- F. LCP Land Use Map
- G. LCP Land Capabilities
- H. LCP Habitats & Resources
- I. Appealable Areas
- J. Adjacent Parcels
- K. Fire Hazard Zones
- L. Important Farmland
- M. DWR Crop Type
- N. Ground Water Resources
- O. Special Flood Hazard Zones
- P. Highly Scenic & Tree Removal Areas
- Q. Estimated Slope
- R. Local Soils
- S. Wetlands
- T. Lands in Williamson Act



CASE: A 2019-0002
 OWNER: STORNETTA, Lance & Jamie
 APN: 133-020-09
 APLCT: Lance Stornetta
 AGENT: J.R. Barrett
 ADDRESS: 44151 Biaggi Road, Manchester

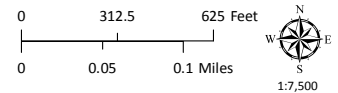
- | | | | |
|--|-----------------------|--|--------------|
| | Major Towns & Places | | Major Rivers |
| | City Limits | | Highways |
| | Coastal Zone Boundary | | Major Roads |





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
- Major Towns & Places
- Private Roads
- Named Rivers
- Driveways/Unnamed Roads
- Public Roads

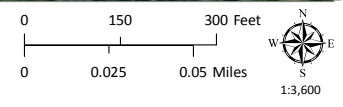


TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET
 ATTACHMENT B

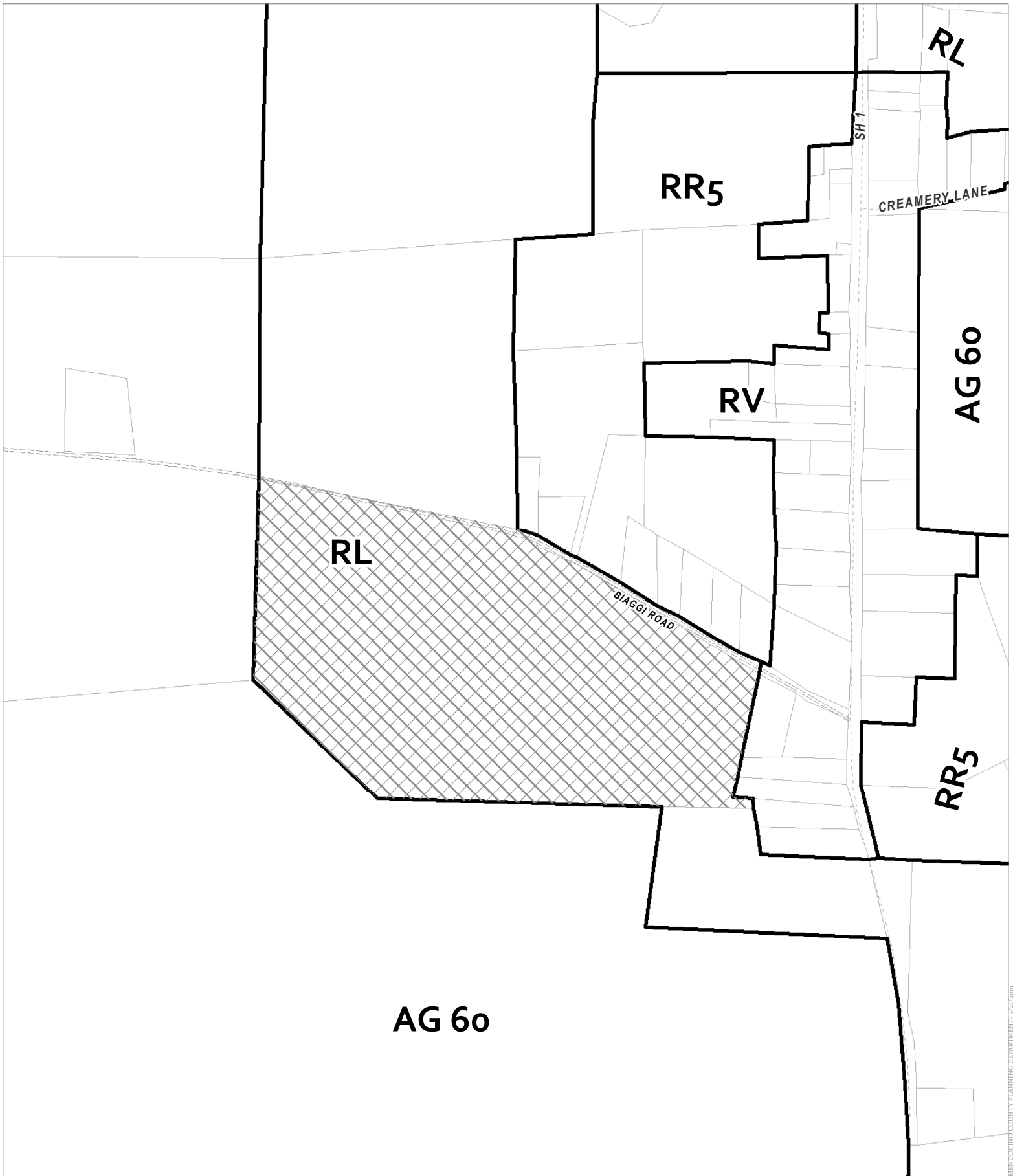


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 Named Rivers
 Private Roads






AERIAL IMAGERY
ATTACHMENT C



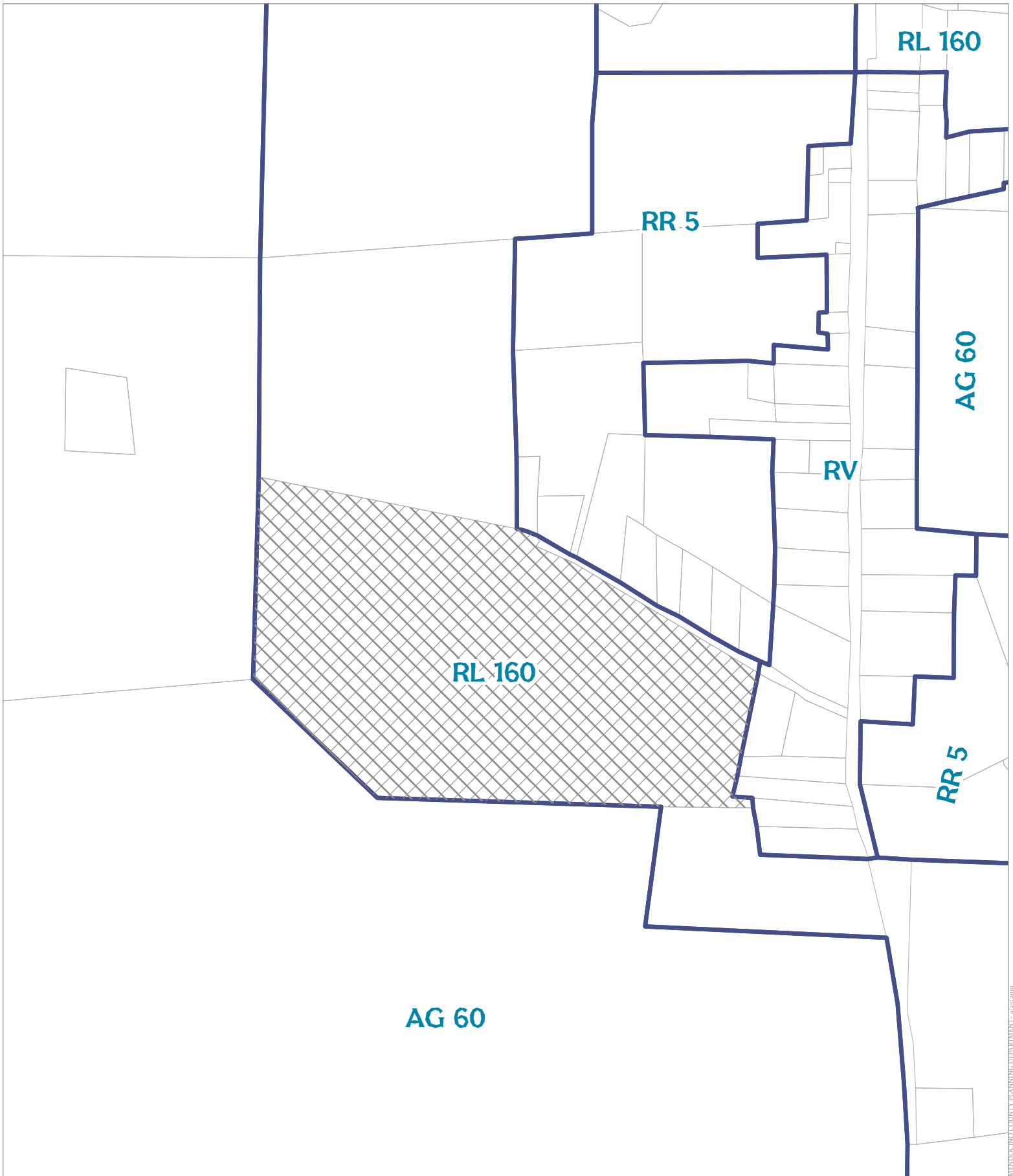
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/25/2019

CASE: A 2019-0002
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 ADDRESS: 44151 Biaggi Road, Manchester

 Zoning Districts
 Public Roads


0 250 500 Feet
 0 0.0425 0.085 Miles

 1:6,000

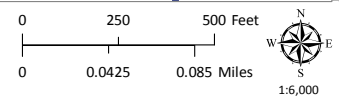
ZONING DISPLAY MAP
 ATTACHMENT D



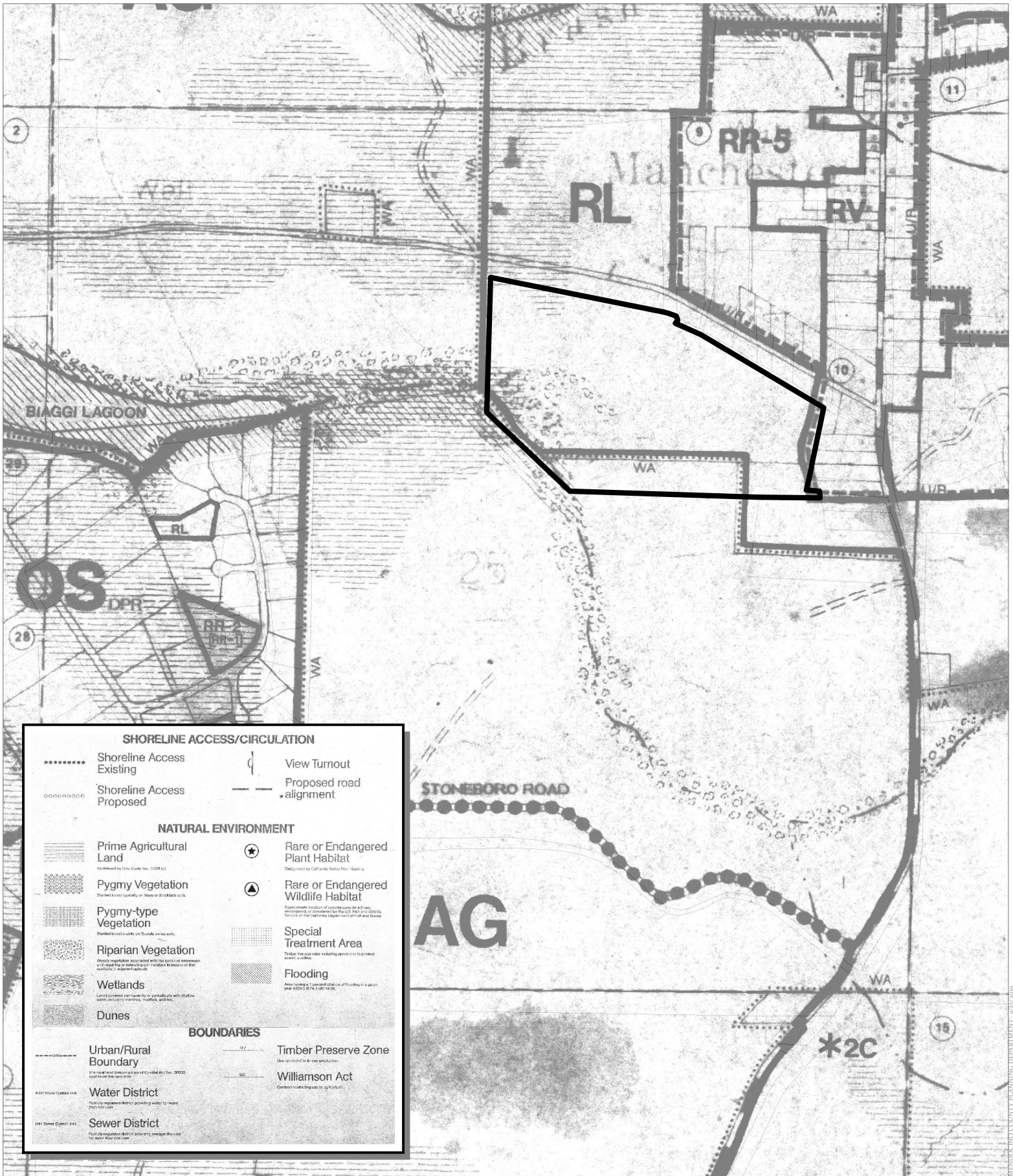
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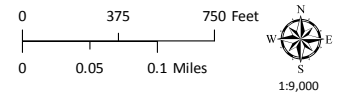
 General Plan Classes

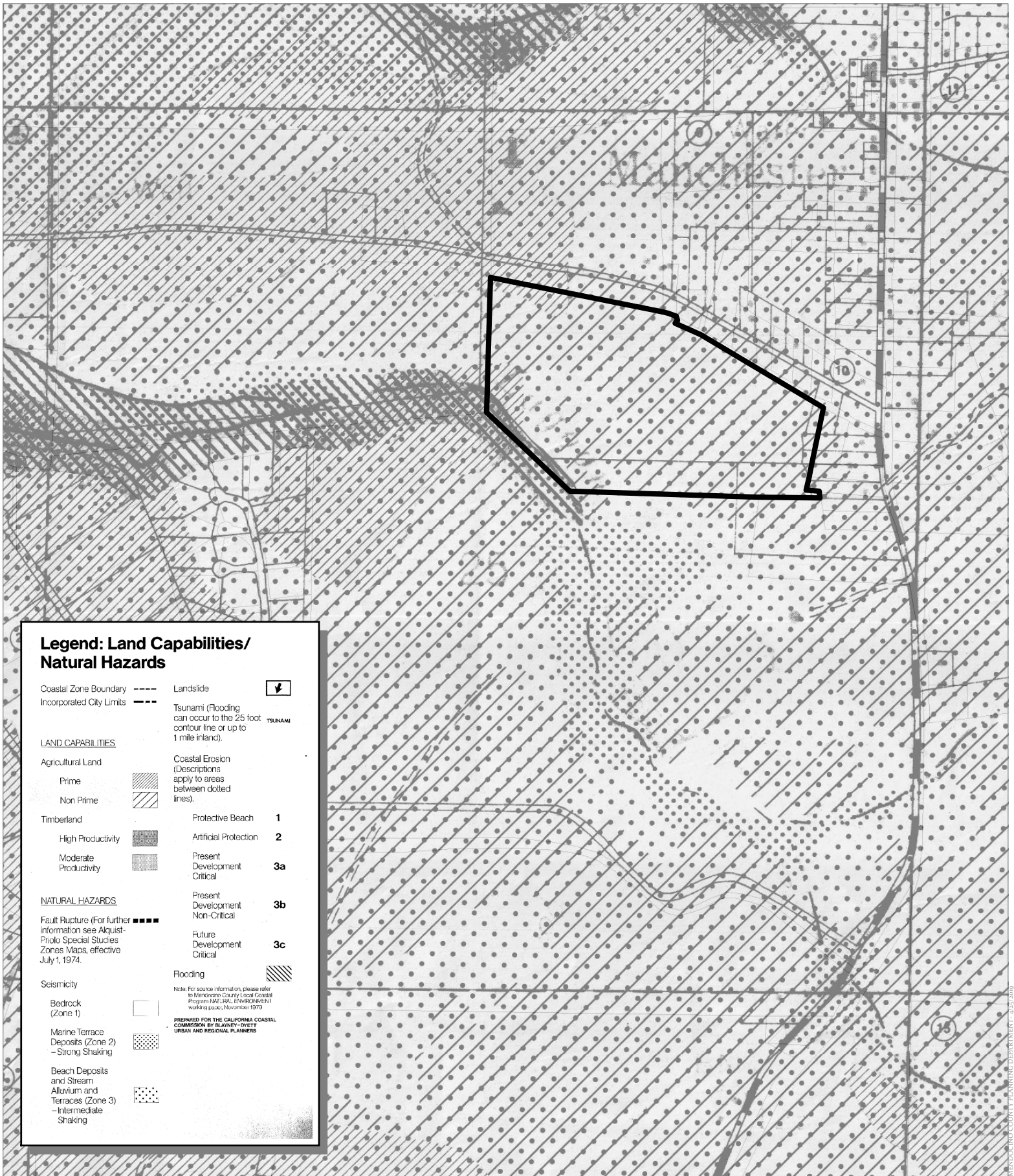


GENERAL PLAN CLASSIFICATIONS
 ATTACHMENT E



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Legend: Land Capabilities/ Natural Hazards

Coastal Zone Boundary ---
Incorporated City Limits ---

LAND CAPABILITIES

Agricultural Land

Prime

Non Prime

Timberland

High Productivity

Moderate Productivity

NATURAL HAZARDS

Fault Rupture (For further information see Alquist-Prilo Special Studies Zones Maps, effective July 1, 1974.)

Seismicity

Bedrock (Zone 1)

Marine Terrace Deposits (Zone 2) - Strong Shaking

Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking

Landslide

Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).

Coastal Erosion (Descriptions apply to areas between dotted lines).

Protective Beach 1

Artificial Protection 2

Present Development Critical 3a

Present Development Non-Critical 3b

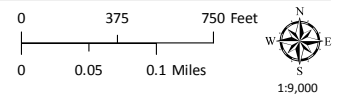
Future Development Critical 3c

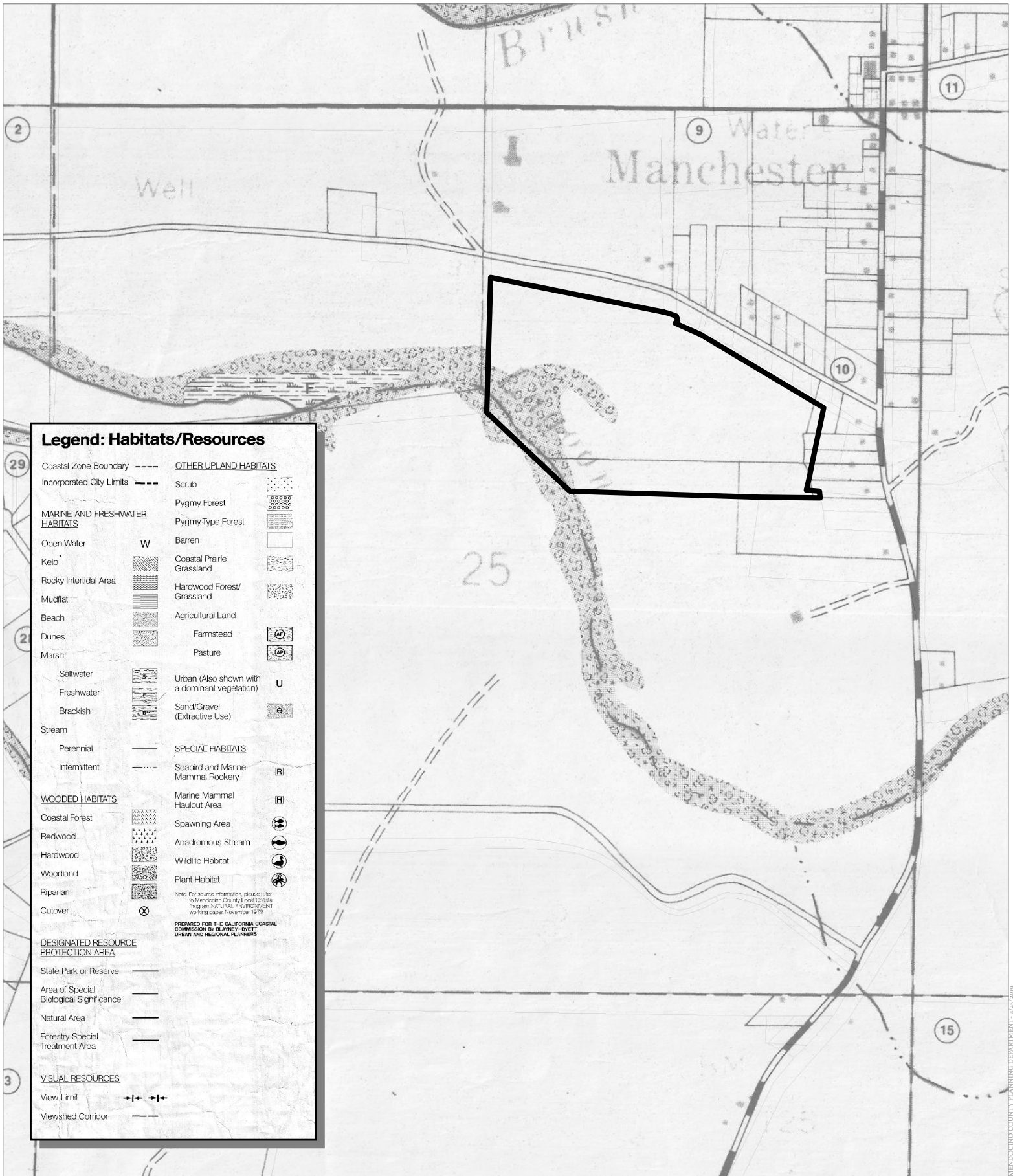
Flooding

Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT working paper, November 1979.

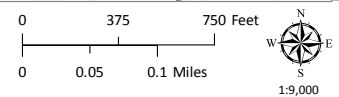
PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAINEY-DWYTT URBAN AND REGIONAL PLANNERS

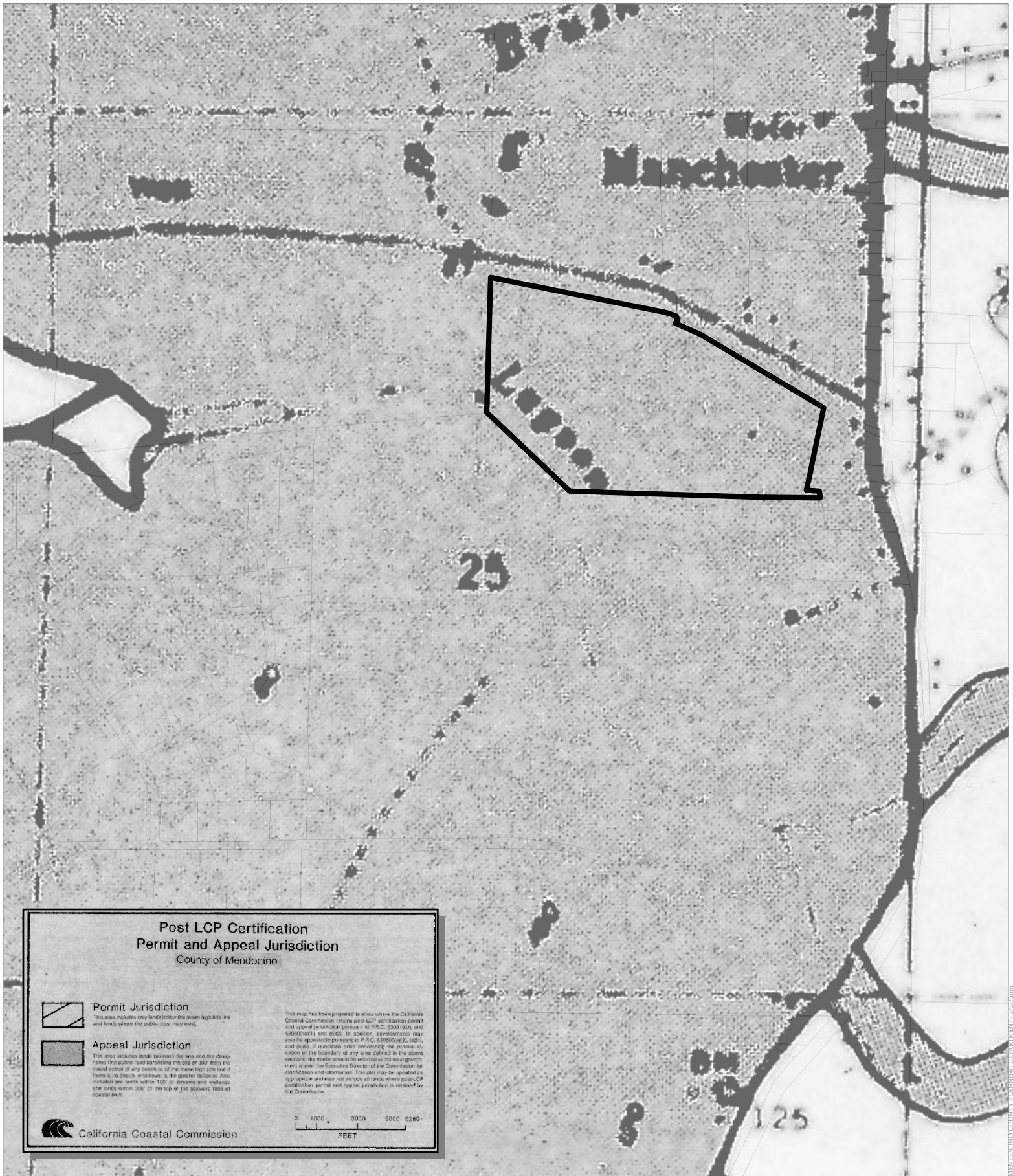
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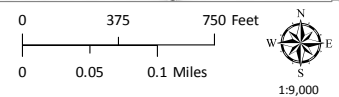


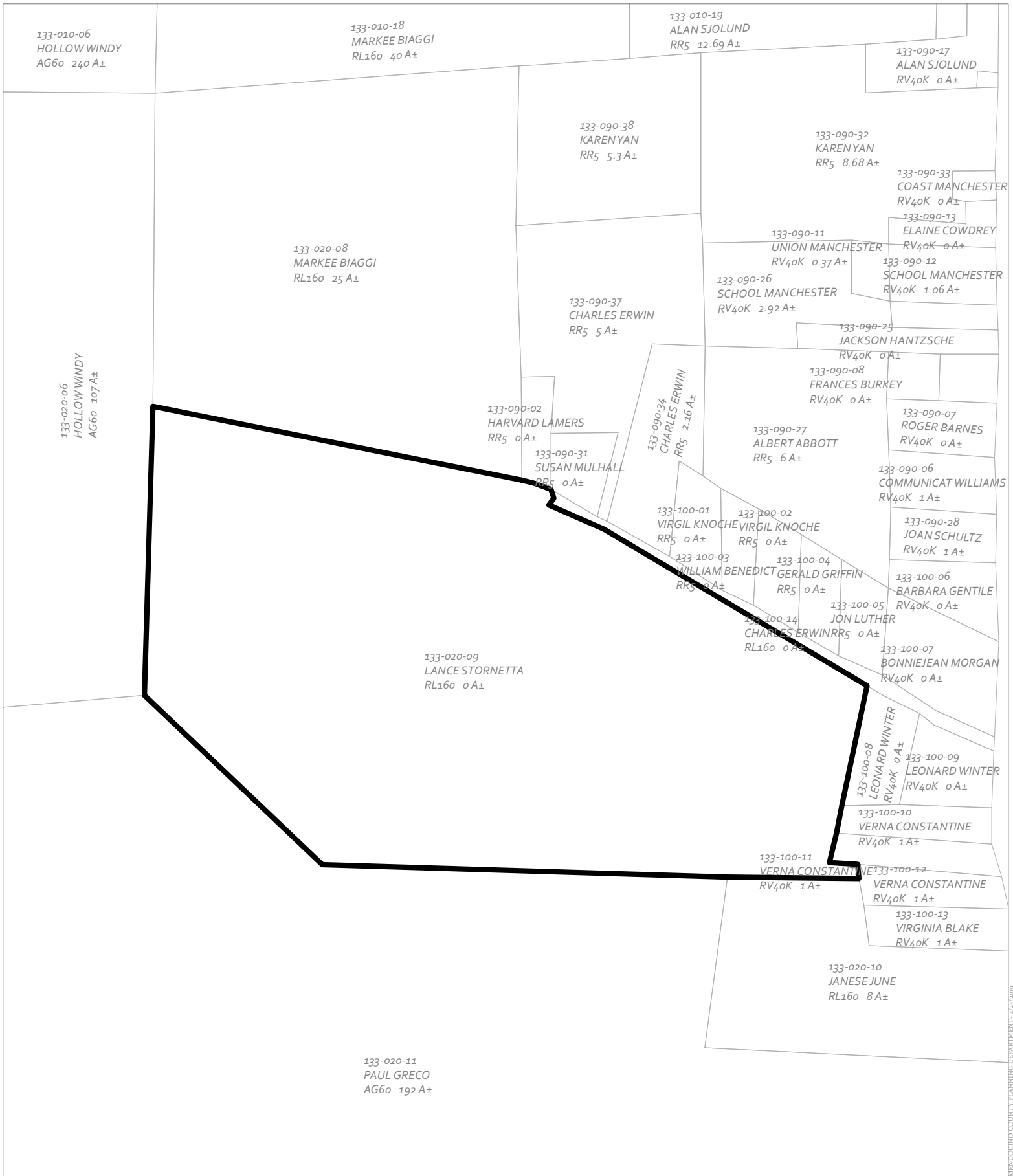
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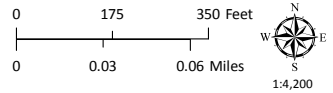


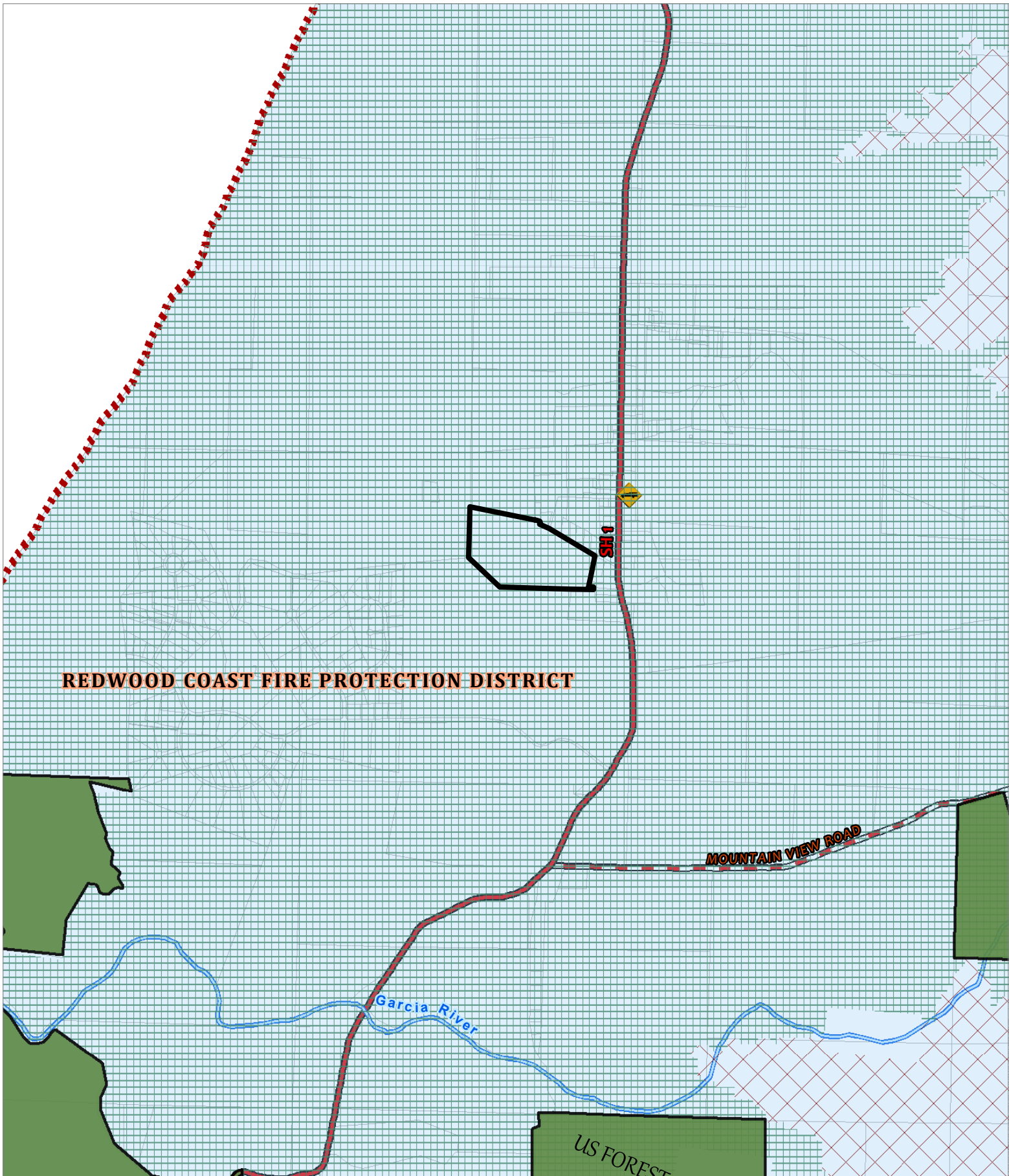
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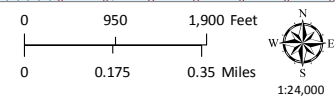
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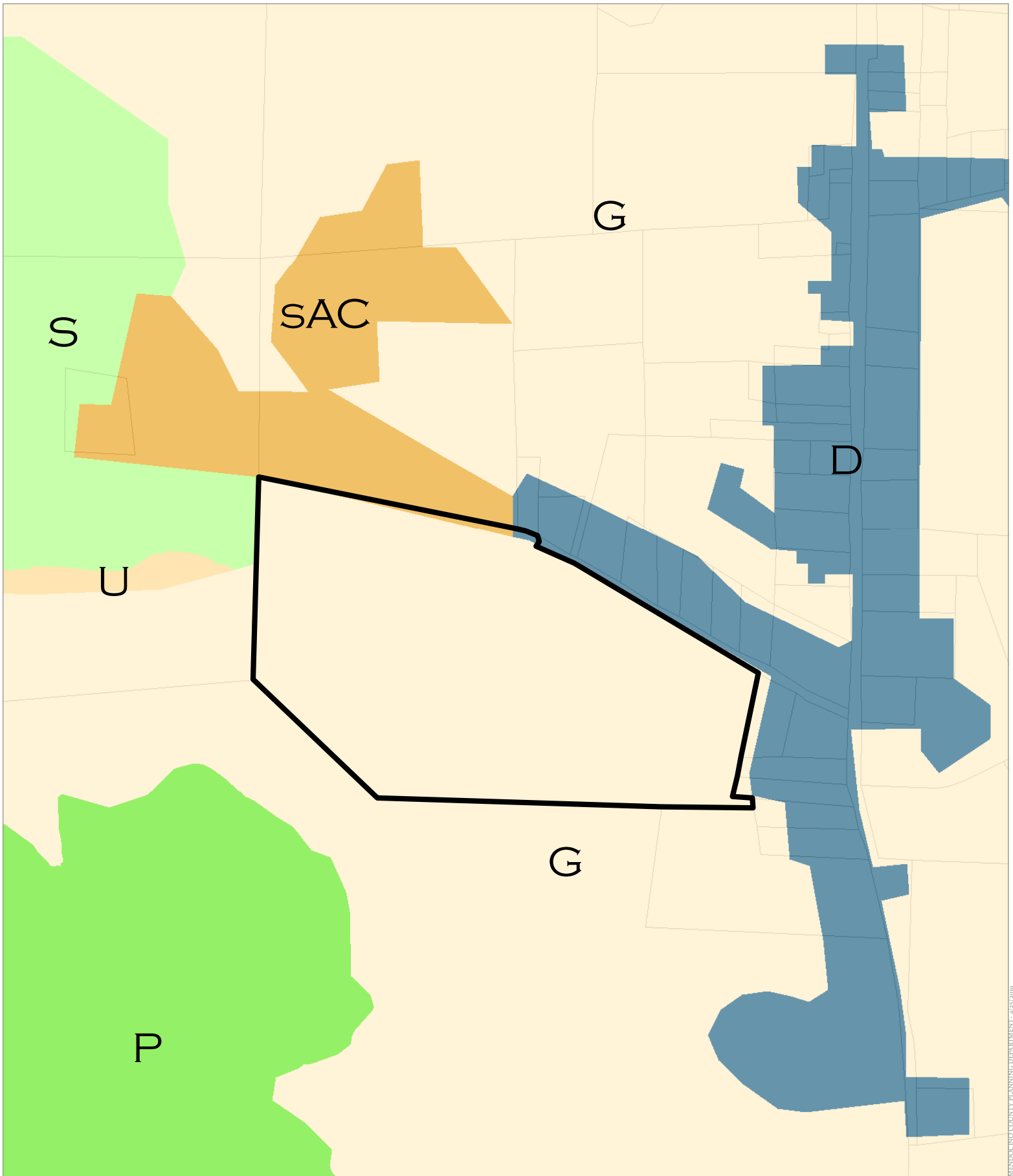


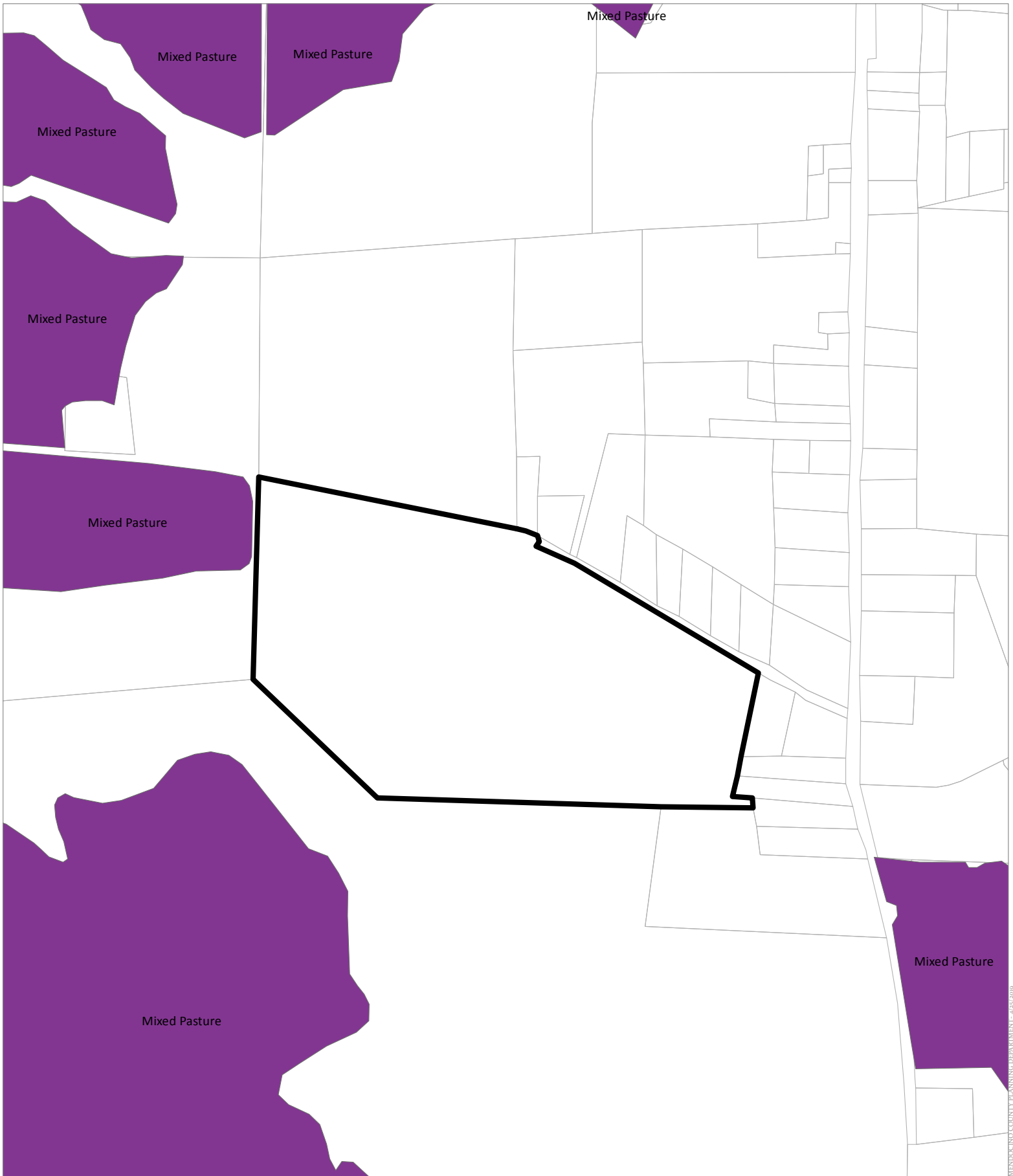
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-  High Fire Hazard
-  Moderate Fire Hazard
-  Fire Stations

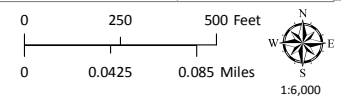


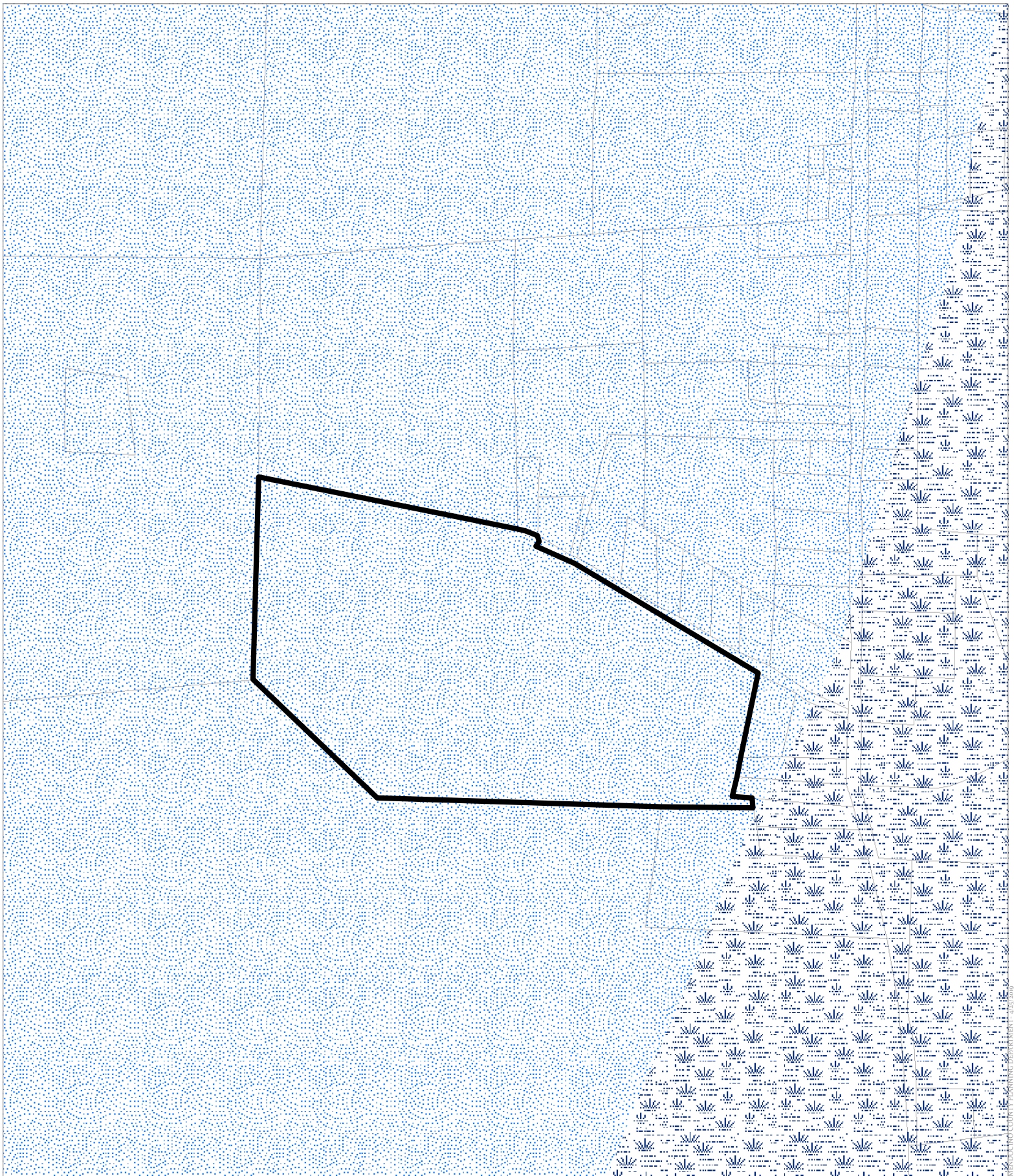
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA







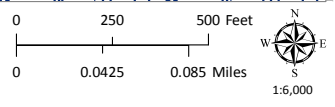
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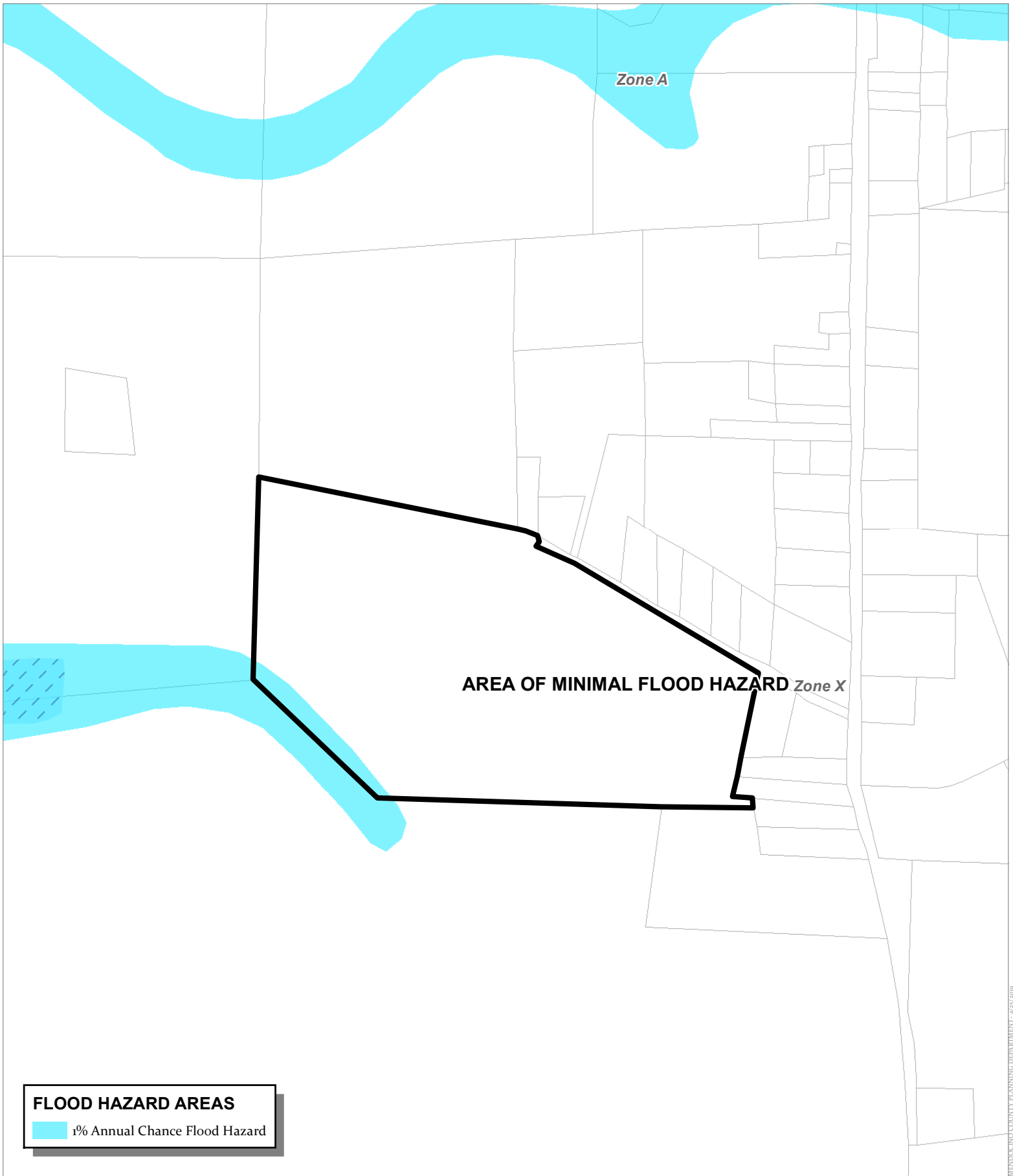




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-  Sufficient Water Resources
-  Marginal Water Resources

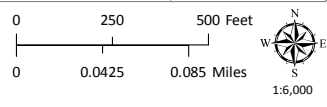


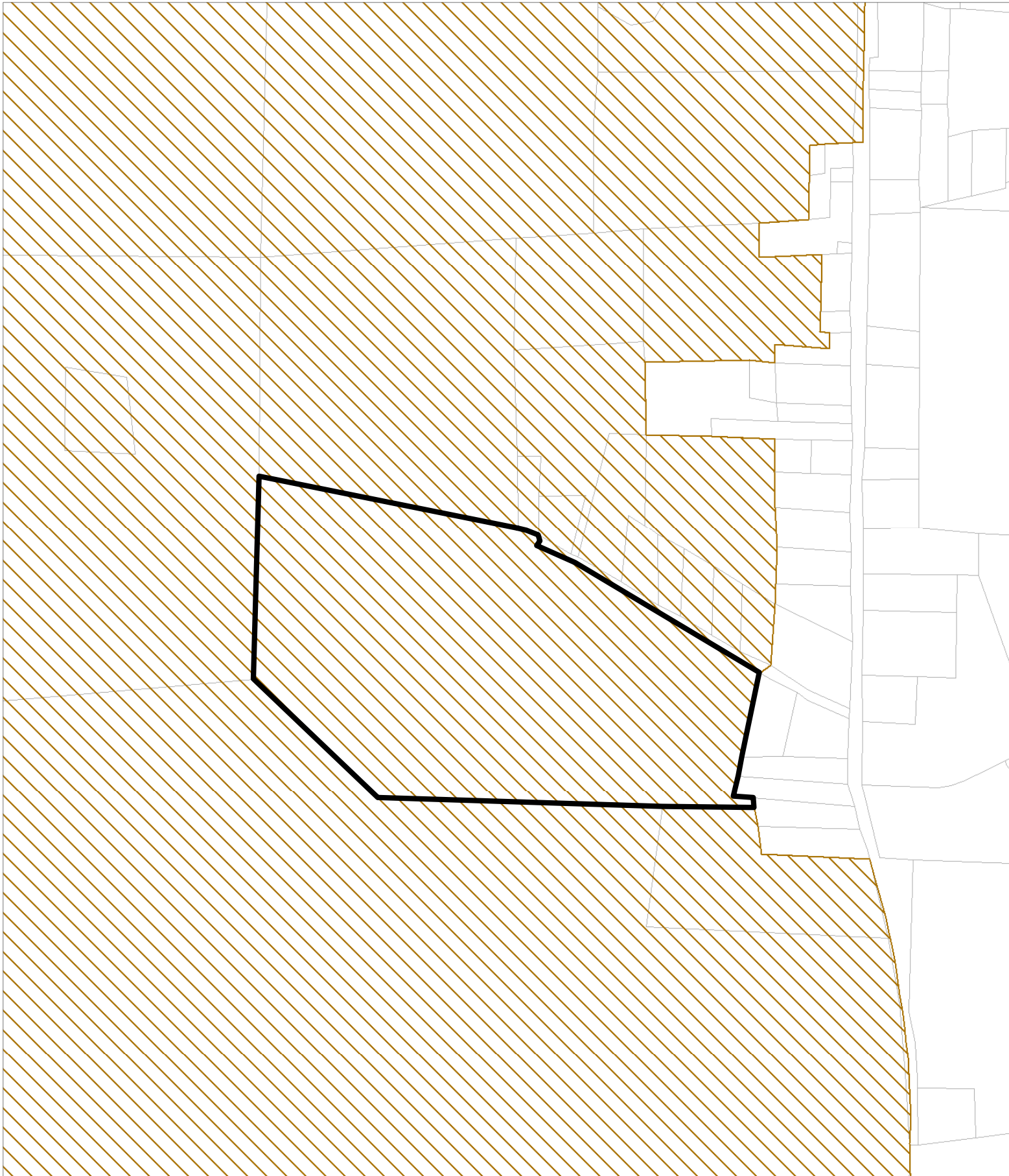


MENDOCINO COUNTY PLANNING DEPARTMENT - 4/25/2019

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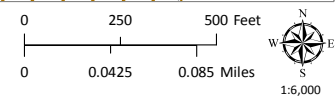
 Tsunami Inundation Zones

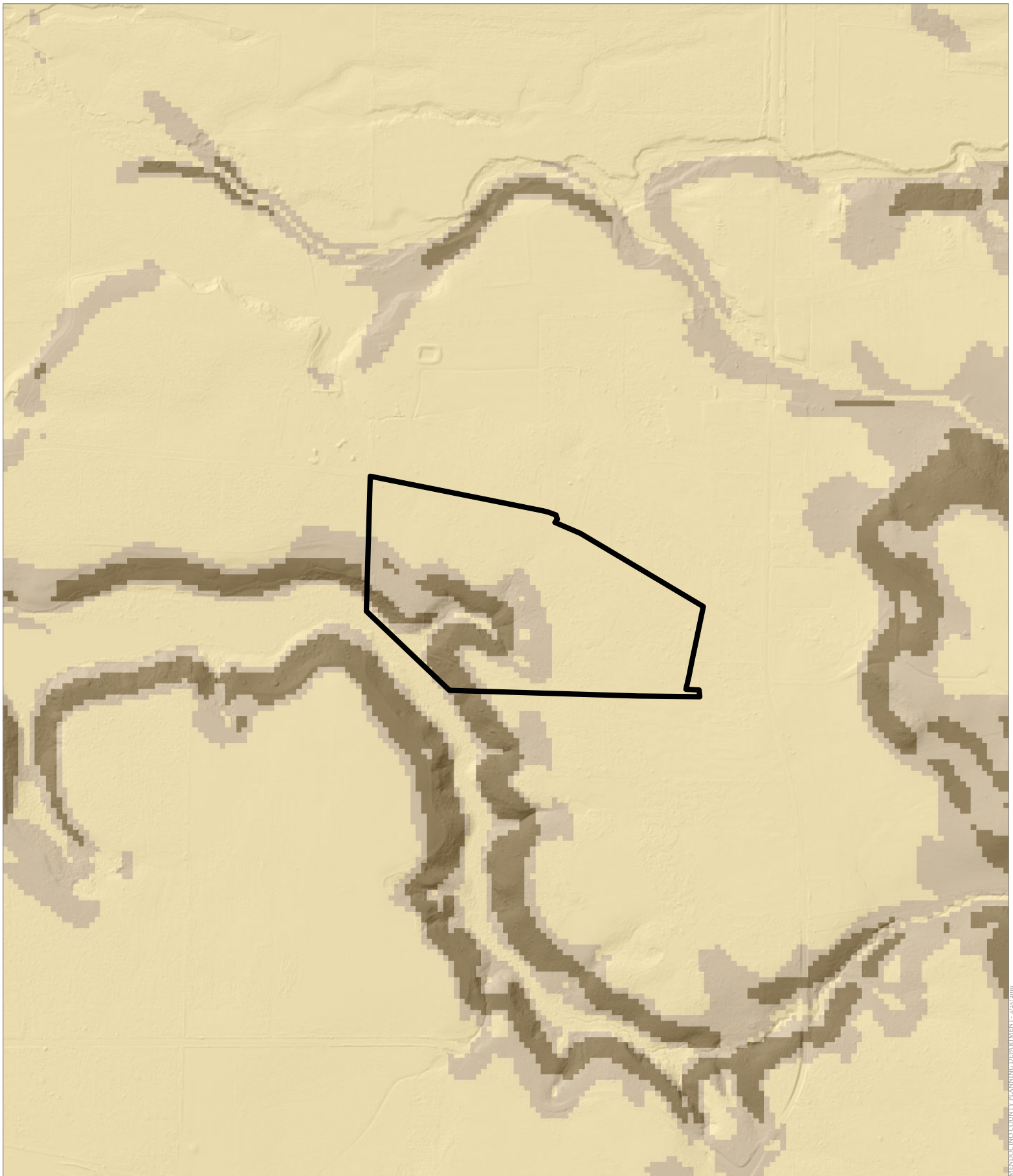




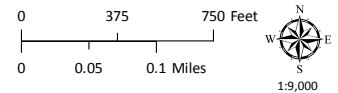
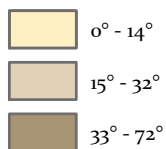
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 Highly Scenic Area

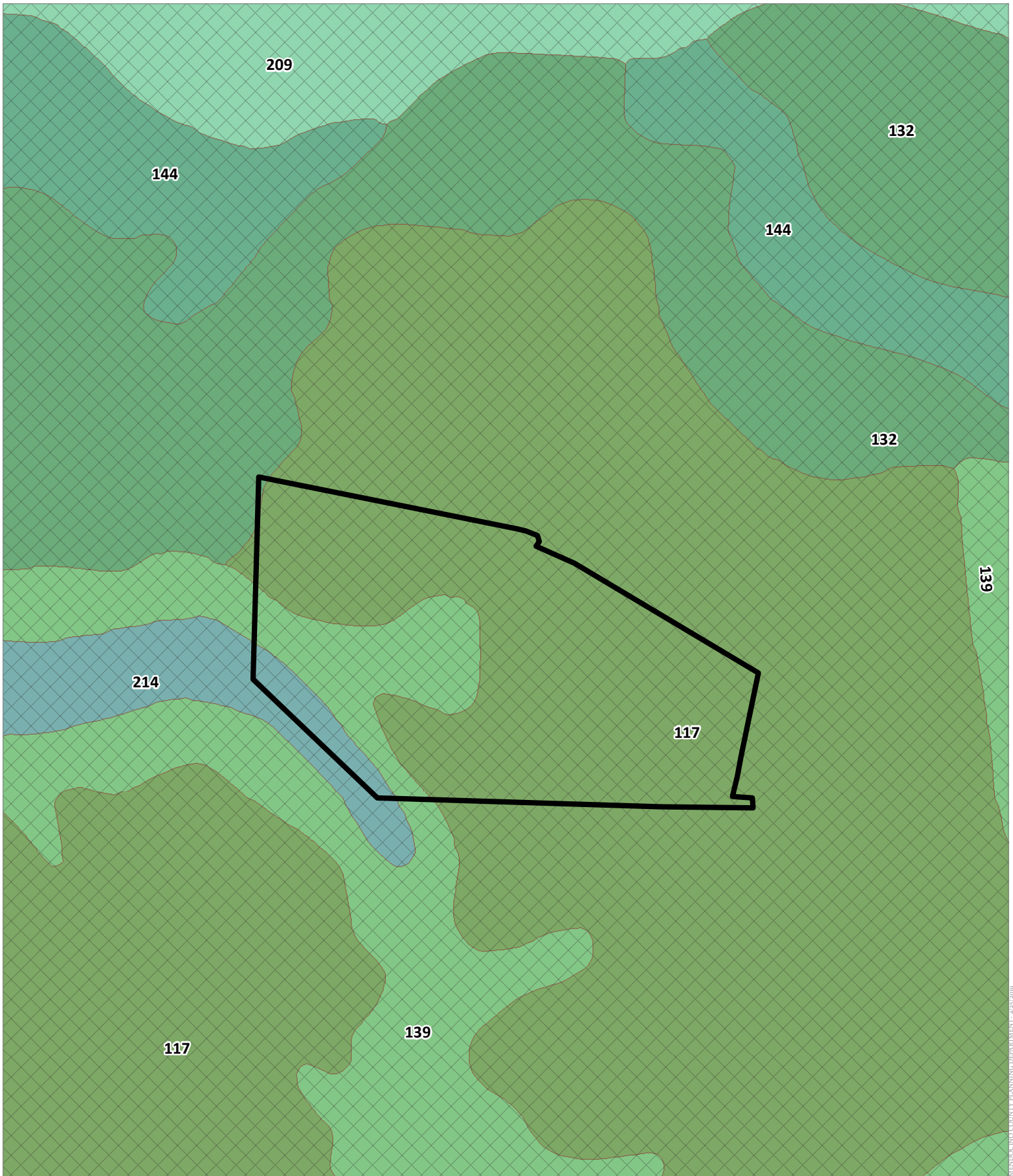






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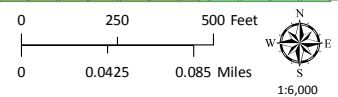


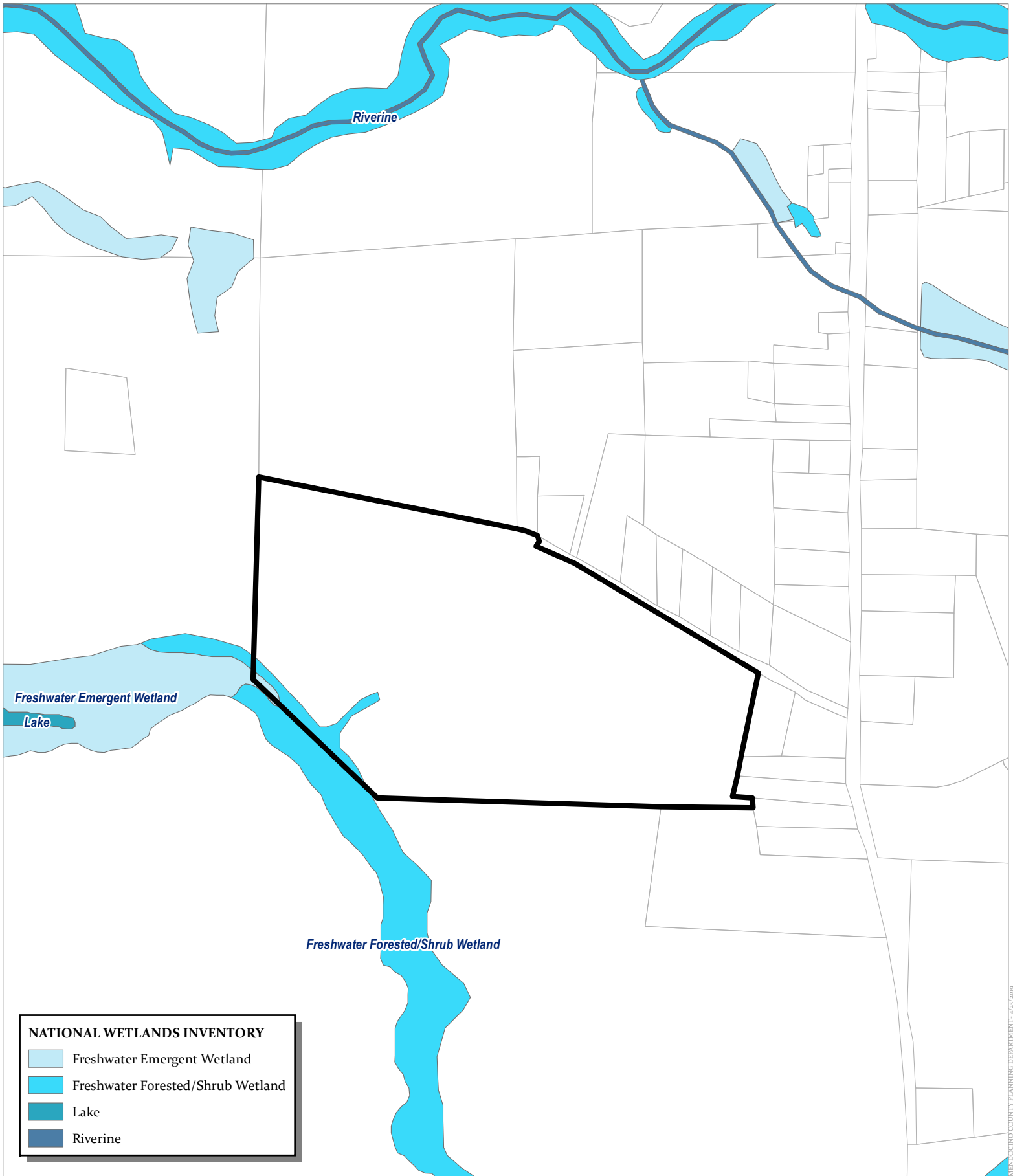
ESTIMATED SLOPE
 ATTACHMENT Q



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-  Bishop Pine
-  Western Study Soil Types





NATIONAL WETLANDS INVENTORY

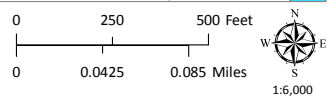
Freshwater Emergent Wetland

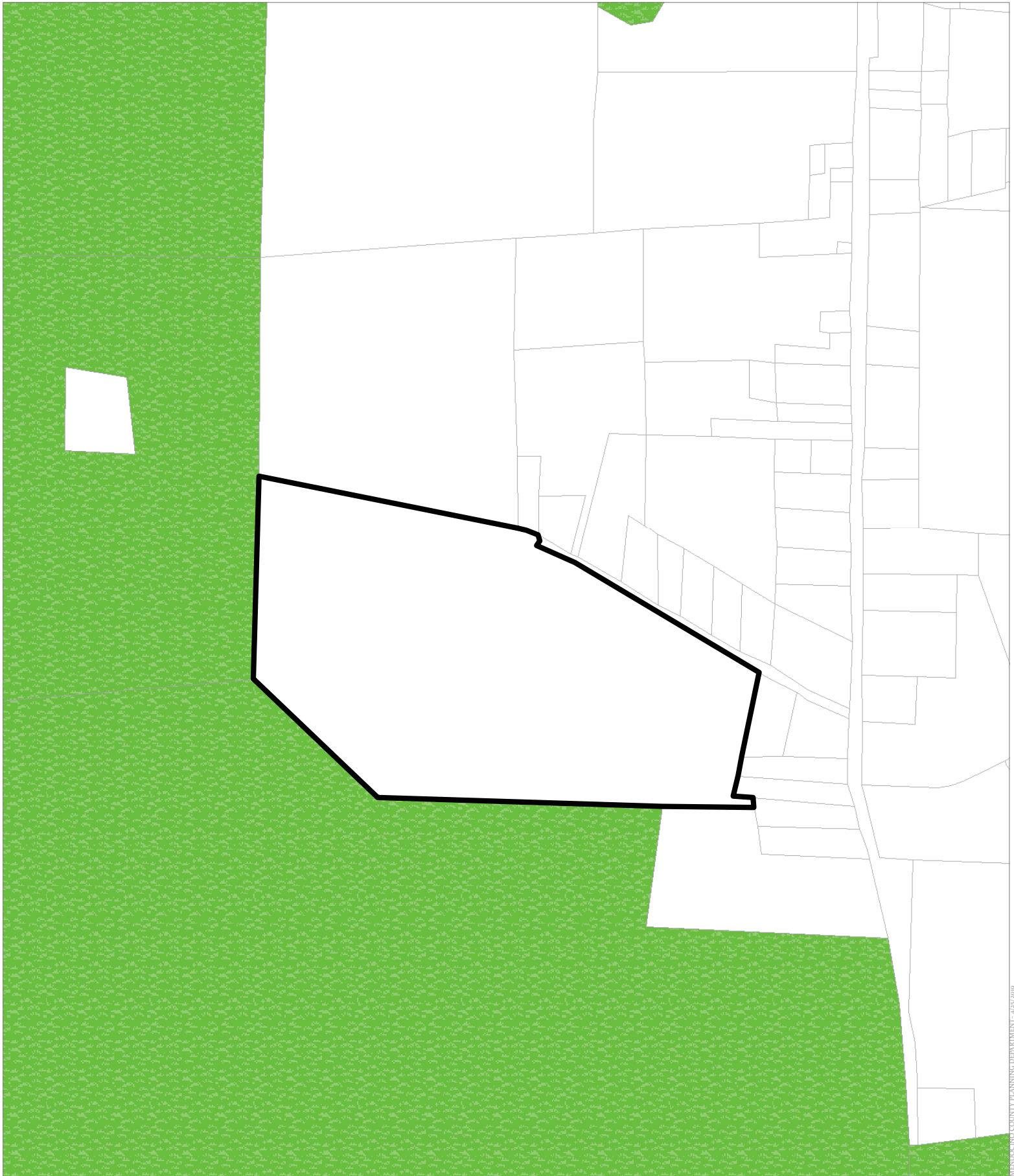
Freshwater Forested/Shrub Wetland

Lake



Riverine

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