

Resolution Number PC 2016-0010

County of Mendocino
Ukiah, California
October 6, 2016

R_2016-0001 RUSTIC RETIREMENT LLC

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 APN 046-550-76 FROM RANGELAND TO TIMBER PRODUCTION ZONE.

WHEREAS, the applicant, RUSTIC RETIREMENT LLC, filed an application for rezoning with the Mendocino County Department of Planning and Building Services to reclassify 160 acres from Rangeland (RL) to Timber Production Zone (TPZ). The subject property is 4.5± miles north of Boonville, accessible by 0.5± mile private drive located at approximately 3.5 miles on Peachland Road (CR 128), from its intersection with State Highway 128, 9120 Peachland Rd., Boonville; APN: 046-550-76; General Plan RL160; Zoning RL:160; Supervisorial District 5; (the "Project"); and

WHEREAS, a Nonindustrial Timber Management Plan was prepared by a Registered Professional Forester, and subsequently found to be in conformance with the Rules and Regulations of the Board of Forestry pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973, by the California Department of Forestry and Fire Protection; 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, California Code of Regulations Title 14, Chapter 3; 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, based on evidence in the record;

1. General Plan Findings

The project is consistent with the land use designation of Rangeland (RL) with a 160 acre minimum parcel size. 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 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, subject to the Conditions of Approval 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 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 THOMPSON
Secretary to the Planning Commission

By: _____

BY: STEVE DUNNICLIFF
Director

MOLLY WARNER, Chair
Mendocino County Planning Commission

EXHIBIT A: REZONE EXHIBIT MAP, APN 046-550-76

EXHIBIT A

