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**PLANNING COMMISSION  
STAFF REPORT- REZONE\_INLAND**

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**OCTOBER 6, 2016  
R\_2016-0003**

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**SUMMARY**

**OWNER:** ROSCHELLE 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 and APN 037-370-34.

**TOTAL ACREAGE:** Approximately 119 acres

**GENERAL PLAN:** RL - Rangeland: 160 acre minimum

**ZONING:** RL - Rangeland: 160 acre minimum

**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, 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:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	FL160	TP 160	522.5+/- ac	Timber
<b>EAST</b>	FL160	TP 160	120+/- ac	Timber, Agriculture
<b>SOUTH</b>	FL160	TP 160 and RL 160	40 - 103+/- ac	Timber, Agriculture
<b>WEST</b>	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"> <li>Property was selectively harvested in 1993 under a timber harvest plan.</li> <li>Given viable market for the commercial timber species present, the property will be harvested again in the future.</li> <li>The Forest management Plan specifies that at least 75% of the property, or 91 acres, is Site Class III or better commercial timberland.</li> <li>Rezone of the property is consistent with the stated management objectives and forest attribute values described in the Forest Management Plan.</li> </ul>			
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, and based on the facts and findings contained in the resolution.

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DATE

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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):**