

improvement plans for the future installation of services (and main extensions, where required) for each lot and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII. In the event that archaeological resources are encountered during construction on the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

- **27. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the Parcel Map the subdivider must: (1) obtain a certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.
- **28. It shall be the responsibility of the applicant to ensure that contractors engaged to perform work on the site are aware of the conditions of this project and that all work performed is in compliance with applicable conditions.

SPECIAL CONDITIONS OF APPROVAL

- **1. Prior to the recordation of the Parcel Map, all building and zoning violations shall be adequately addressed. (Added by Planning Commission 11/18/2010)
- 2. All existing structures shall meet current setback requirements to newly proposed property lines. A site map shall be submitted to the satisfaction of Planning and Building Services clearly identifying compliance. The site map shall include and identify the location of all structures, septic/leach fields and water sources.**

THIS DIVISION OF LAND IS DEEMED COMPLETE WHEN ALL CONDITIONS HAVE BEEN MET, AND THE APPROVED PARCEL MAP IS RECORDED BY THE COUNTY RECORDER.

AYES: Krueger, Nelson Warner, Holtkamp, Hall, Ogle
NOES: None
ABSENT: Little

6b. CASE#: R_2013-0006

DATE FILED: 7/23/2013

OWNER: ARIETTA DAVID A & THERESA WALS

PROJECT COORDINATOR: DUSTY DULEY

REQUEST: Rezone of approximately 80 acres property from the Forestland (FL-160) zoning district to the Timberland Production (TP-160) zoning district.

ENVIRONMENTAL DETERMINATION: Statutorily Exempt from CEQA Section 15264 (Local agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq. (Gov. Code, Sec. 51119)).

LOCATION: 4.5± miles west of Philo, lying on the south side of Philo Greenwood Road (CR 132), 0.5± mile west of its intersection with Signal Ridge Road (CR 133), located at 21491 Philo Greenwood Road; APN 026-600-28.

RECOMMENDED ACTION: Recommend approval to the Board of Supervisors.

Dusty Duley, Project Coordinator, reviewed the staff report and noted a forest management plan was prepared by Mark Edwards, which noted the improved area. He discussed the benefit to the applicant for rezoning his parcel to Timberland Production and noted the property met the minimum qualifications listed in Mendocino County Code Section 22.07. He noted staff was recommending that the Planning Commission recommend approval to the Board of Supervisors and noted a correction to page 5 of the staff report, to strike "and subject to the conditions of approval" as the rezone did not have conditions.

Mr. Steve Arietta was present for questions.

Lou Sciochetti, CalFire, discussed the harvest plan that was filed 2005 and stated the property is forestland and had been harvested. He felt the property would be ready for another harvest in 10-15 years, as currently managed.

Chair Warner asked how slopes greater than 35% were harvested.

Mr. Sciochetti commented that there was an existing road system and would allow for tractors to harvest. He noted that slopes greater than 50% generally required helicopters.

Mr. Matt Kiedrowski, County Counsel, stated that the documents before the Commission should be packeted into a single ordinance, versus a resolution and ordinance, to be less confusing for the Board.

Chair Warner asked if the change would affect the recommendation.

Mr. Kiedrowski stated there was no need for a separate resolution; the findings could be included in the ordinance for approval and the Commissions would recommend the Board approve the rezoning by ordinance.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Commissioner Hall discussed the draft Resolution in the packet.

Mr. Gustavson commented that the resolution was not needed for this project, but was an important planning tool for action by the Board. He stated, in this case, the Commission would recommend the Board adopt the rezoning by Ordinance and staff would combine the findings into a single document before the scheduled Board hearing.

Upon motion by Commissioner Hall, seconded by Commissioner Nelson and carried by the following roll call vote (6-0), IT IS ORDERED to recommend the Board of Supervisors adopt and Ordinance and approve Rezone # R_2013-0006, per the findings as included by staff in the report dated November 19, 2015.

Environmental Findings: The project is Statutory Exempt from CEQA Section 15264 (Local agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq. (Gov. Code, Sec. 51119)).

General Plan Findings: The proposed project is consistent with the property General Plan designation of Forestland (FL) and with applicable goals and policies of the General Plan.

Timberland Production Findings: The proposed project meets the minimum eligibility requirements of County Code Chapter 22.07 as necessary to support the incorporation of the subject parcel into the Timberland Production zoning district as it contains 62 acres of soils capable of supporting site class III timberland and meets timber stocking standards as set forth in Section 4561 of the California Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located.

AYES: Krueger, Nelson Warner, Holtkamp, Hall, Ogle
NOES: None
ABSENT: Little

7. **Matters from Staff.**

Chair Warner commented that she would like to attend the Planning Commission Conference at Sonoma State and asked if the County would pay the registration fee.

Mr. Gustavson felt the County could pay the fee.