



**MINOR SUBDIVISION
STAFF REPORT- MINOR SUBDIVISION**

**JULY 19, 2018
MS_2017-0011**

SUMMARY

OWNER: ADEL PARK LLC
1432 EDINGER AVE STE 120
TUSTIN, CA 92780

APPLICANT: TOMMY LEE
1432 EDINGER AVE STE 120
TUSTIN, CA 92780

AGENT: RICHARD RUFF
100 W STANDLEY ST
UKIAH, CA 95482

REQUEST: Subdivision of a 6.13± acre parcel into 4 parcels of 0.78±, 0.79±, 1.13±, and 2.64± acres and a 0.79± acre remainder parcel.

LOCATION: 4± mi. north of Ukiah center, on the west side of N. State St. (CR 104), 0.2 mi. south of its intersection with Parducci Road (CR 224). Located at 4260 N State St., Ukiah (APN: 167-260-12).

TOTAL ACREAGE: 6.13± acres

GENERAL PLAN: Industrial (I)

ZONING: Industrial – General (I2:12K) / Seismic Study (SS)

SUPERVISORIAL DISTRICT: 1

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Sam 'Vandy' Vandewater

BACKGROUND

PROJECT DESCRIPTION: Subdivision of a 6.13± acre parcel into 4 parcels of 0.78±, 0.79±, 1.13±, and 2.64± acres and a 0.79± acre remainder parcel.

SITE CHARACTERISTICS: The subject parcel is located on the west side of North State Street, roughly 4 miles north of downtown Ukiah. The parcel is relatively flat with various surfaces including pavement, gravel, and grasses. There is some vegetation around the periphery of the parcel with the majority being a mix of paved and gravel driveway and parking areas. The parcel is located within the Millview Water District, but does not have access to a sanitation district. PG&E provides its services to the parcel as well. A driveway off of North State Street provides access to project site.

Parcel 1, which abuts Highway 101, has a proposed acreage of 2.64± acres and is developed with a large industrial structure with an adjacent concrete slab. Parcels 2, 3, 4, and 5 (remainder) are not developed and they have a proposed acreages of 0.78±, 1.13±, 0.79±, and 0.79± acres, respectively. Parcel 3 has frontage along North State Street. Parcel 5 abuts Highway 101 to the west and Pomo Lane to the north.

RELATED APPLICATIONS ON-SITE:

- **GS 2-2004:** Geological Study to determine fault zones for a subsequent minor subdivision.
- **MS 20-2005:** Minor subdivision establishing existing legal parcel.
- **DR 2-2007:** Development Review of potential recycling center.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Industrial (I)	RR:1; I1	Pomo Ln	Road
EAST	Industrial (I)	I2	3.9+	Industrial
SOUTH	Industrial (I)	I2	3+, 3.9	Industrial
WEST	Industrial (I)	RR:1	Hwy 101	Highway

PUBLIC SERVICES:

Access: N. State Street (CR 104) & Pomo Lane (CR 228A)
Fire District: Ukiah Valley Fire Protection Area
Water District: Millview Water District
Sewer District: None
School District: Ukiah Unified

AGENCY COMMENTS: On November 6, 2017, 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 Response
Assessor	No Response
Air Quality Management District	Comment
County Addresser	No Response
Archaeological Commission	No Response
CalTrans	No Response
Russian River Flood Control	No Comment
Ukiah Valley Fire Protection District	No Response
Millview Water District	No Comment
Sonoma State University	Comment
Cloverdale Rancheria	No Response
Potter Valley Rancheria	No Response
Redwood Valley Rancheria	Comment
Sherwood Valley Rancheria	No Response

KEY ISSUES

1. General Plan and Zoning Consistency: The subject parcel has a General Plan Land Use Designation of Industrial (I) as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Commercial classification is intended,

“to be applied to lands suited for major industrial uses, where necessary services such as transportation systems and utilities exist or can be efficiently provided, where disruption of proximate uses will be least, and where the potential for environmental disruption is minimal or can be adequately controlled. This classification is intended to protect these lands from the pressures of development and preserve them for future use as designated.”

The project is consistent with the General Plan designation as it is located within the developed corridor of North State Street. The subject parcel is also served by North State Street, a publically maintained road, further showing the parcel's consistency with the Industrial General Plan designation. The Project would help to stimulate growth in the future by providing more opportunities for developers and businesses. Furthermore, the project does not conflict with any policy identified in the Ukiah Valley Area Plan, and is consistent with Policy LU1.2b which discusses *Infill Incentives*. The project promotes infill by dividing developed land from undeveloped land, thus allowing for future growth along a major transportation corridor. Due to the lack of a sanitation district, the proposed subdivision must have minimum parcels sizes of 12,000 square feet; the proposed project is consistent with this requirement.

The Zoning designation for the subject parcel is classified as “Industrial – General” (I2), which is intended,

“to create and preserve areas where a full range of industrial uses with moderate to high nuisance characteristics may locate. Typically this district would be applied to locations where large land acreages were available and where the impacts associated with the unsightliness, noise, odor, and traffic, and the hazards associated with certain industrial uses, would not impact on residential and commercial areas.”

The project is consistent with the I2 zoning district as the subdivision allows for more industrial uses to be developed. Being enclosed by major transit routes (North State Street and Highway 101), as well as other industrial zoned parcels, helps to ensure the nuisance aspects of industrial operations are appropriately managed and do no impact surrounding residential and commercial areas.

2. Geologic Hazards: The proposed project is located on at least two fault zones of the greater Maacama Fault, as identified in the May, 2005, Geological Study (GS 2-2004) completed by The Geoservices Group. The study states that the location of the previous subdivision (MS 20-2005) is subject to potential ground shaking from earthquakes, as well as surface fault ruptures, and precautions should be taken to ensure development occurs within a safe area.

The research method involved trenching 3 separate areas to determine the significance of the two faults. The concluding remarks suggest setbacks from the faults for any structural development. Trenches 1 and 3 examine the same fault, which runs in a (roughly) north-south orientation through the center of the subject parcel. Trench 1 should be provided a 25 foot setback for any future structural development while Trench 3 should be provided a 50 foot setback. Trench 2 examines the additional fault located directly east of the first fault discussed in this section. Trench 2 should be provided a 25 foot setback.

The report finds that structural development of the subject parcel is possible, assuming the aforementioned setbacks are being adhered. The report further states that appropriately designed structures will also help to reduce any impacts a potential earthquake might have on the parcel.

3. Environmental Protection: An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). There are no significant impacts to the environment identified which would result from the project that could not be mitigated, thus a Negative Declaration was prepared. It is noted in the Initial Study that the proposed subdivision could result in some impacts due to future development; however these were considered to be less than significant impacts.

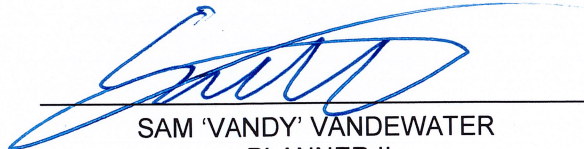
4. Division of Land Regulations: The project was reviewed by the County Subdivision Committee on April 12, 2018, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in MCC §17-48.5. No conflicts with the County Division of Land Regulations were identified.

5. Ukiah Valley Area Plan: The proposed project is subject to the Ukiah Valley Area Plan and has been found to be consistent with the policies of the Plan. In particular, Policy LU 1.4a Land Use Planning encourages increasing land use density and capacity. The proposed project supports this policy by providing more opportunity for industrial development along the N State Street development corridor.

RECOMMENDATION

By resolution, the Planning Commission adopt a Negative Declaration and grant MS_2017-0011 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

7/5/18
DATE


SAM 'VANDY' VANDEWATER
PLANNER II

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

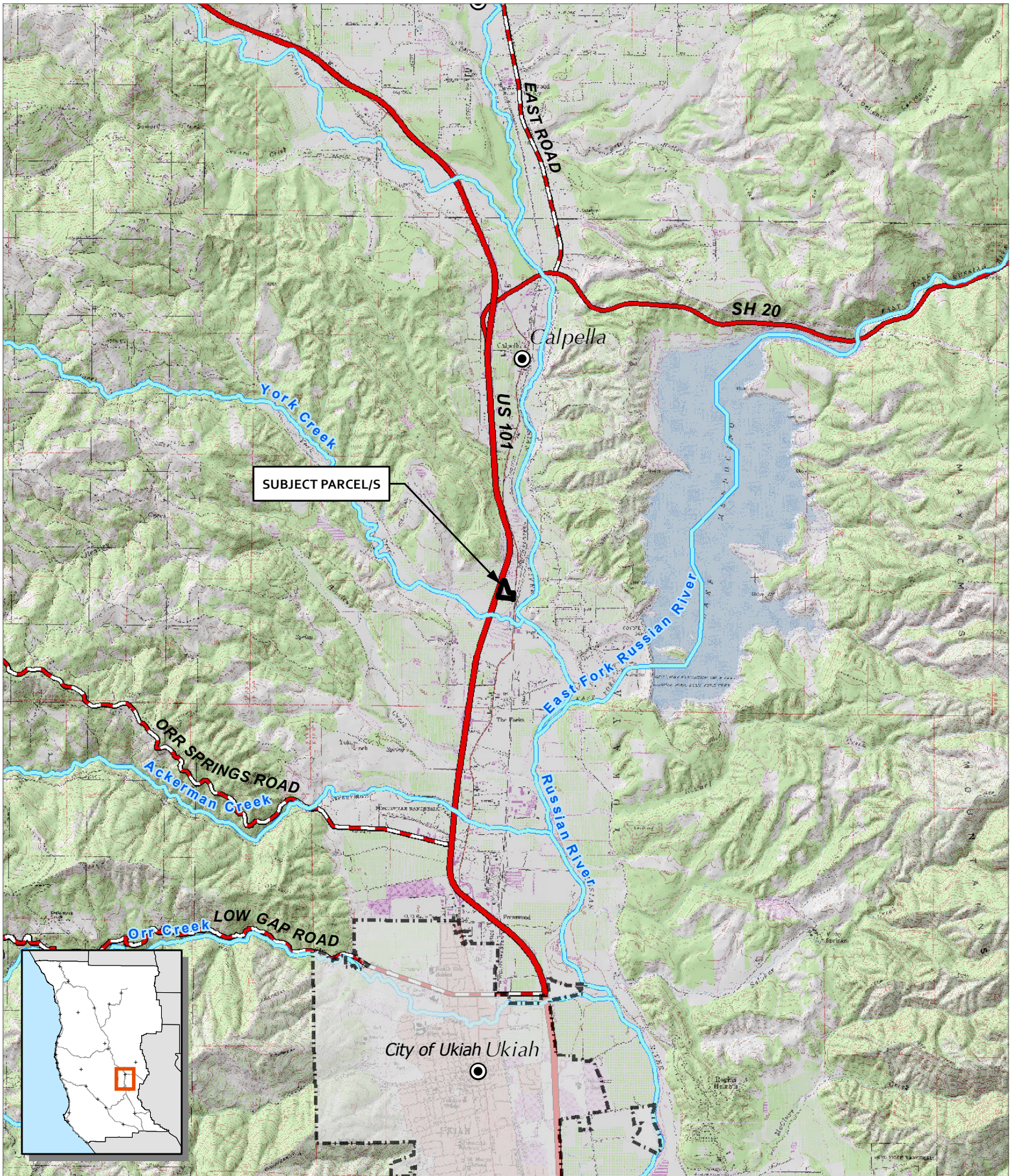
ATTACHMENTS:

- A. Location Map
- B. Topographical Map
- C. Aerial Map
- D. Tentative Map
- E. Zoning Map
- F. General Plan Map
- G. Adjacent Owner Map
- H. Fire Hazards Map
- I. Water Districts Map
- J. Dam Inundation Map
- K. Stormwater Map
- L. Earthquake Fault Zones Map
- M. Miscellaneous Map





RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

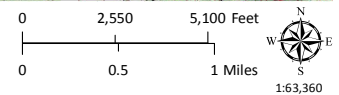
NEGATIVE DECLARATION Initial Study available online at:

<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>



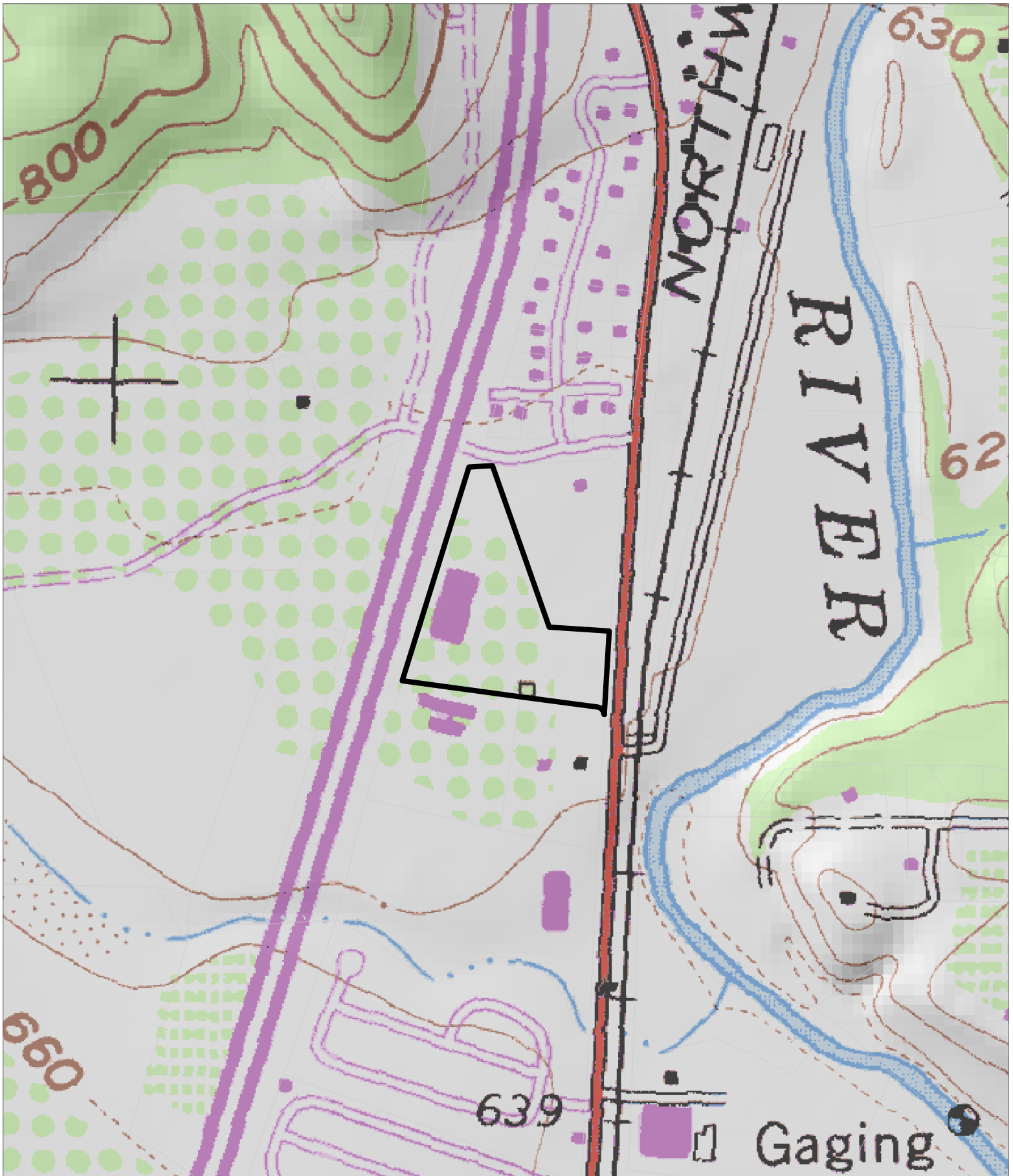
CASE: MS 2017-0011
OWNER: Adel Park, LLC
APN: 167-260-12
APLCT: Tommy Lee
AGENT: Richard Ruff
ADDRESS: 4260 N. State Street, Ukiah

-  Major Towns & Places
-  Highways
-  Incorporated City Limits
-  Major Roads
-  Major Rivers

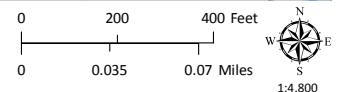


LOCATION MAP

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TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

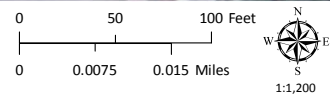
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

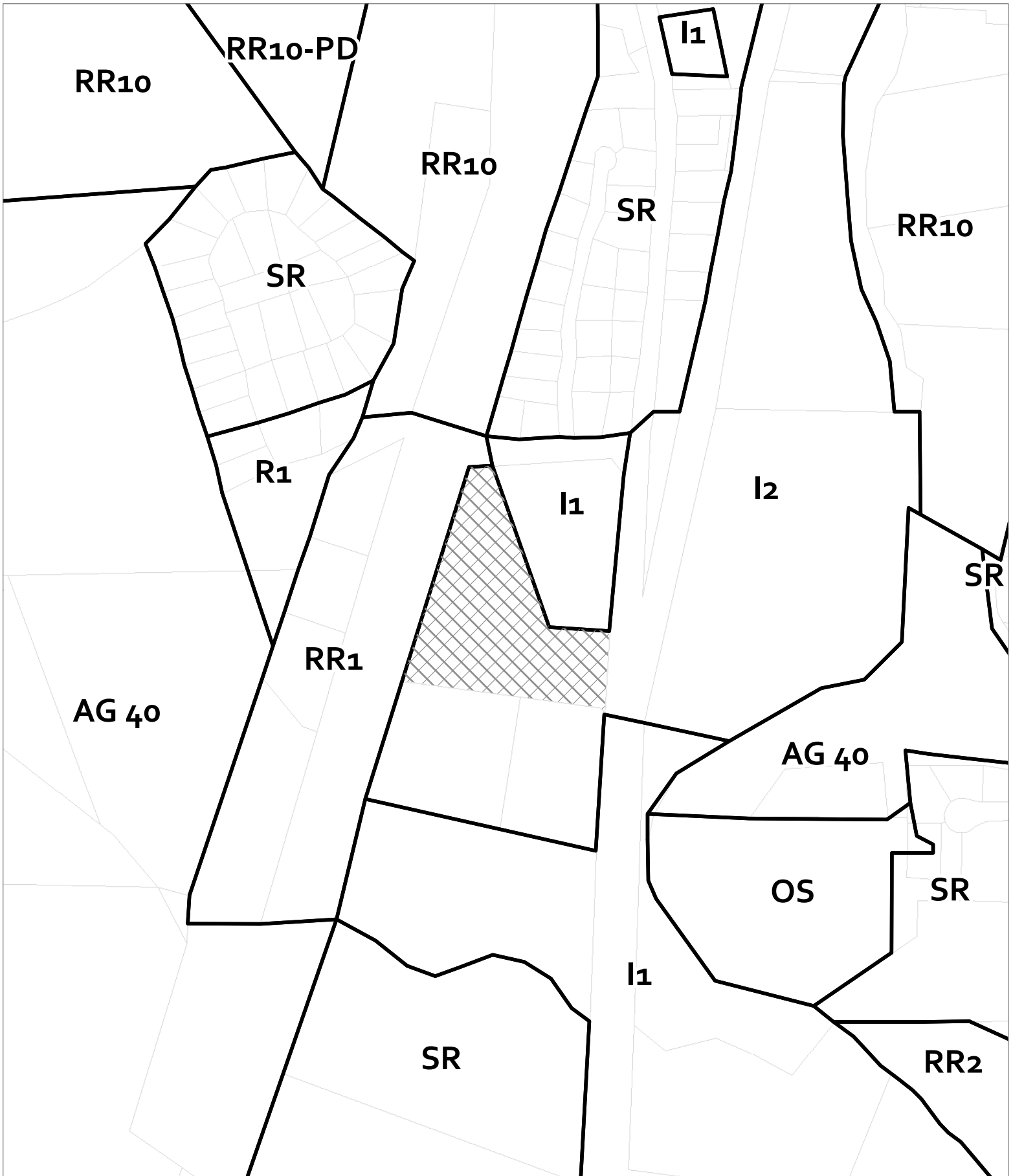
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Highways
Public Roads




AERIAL IMAGERY

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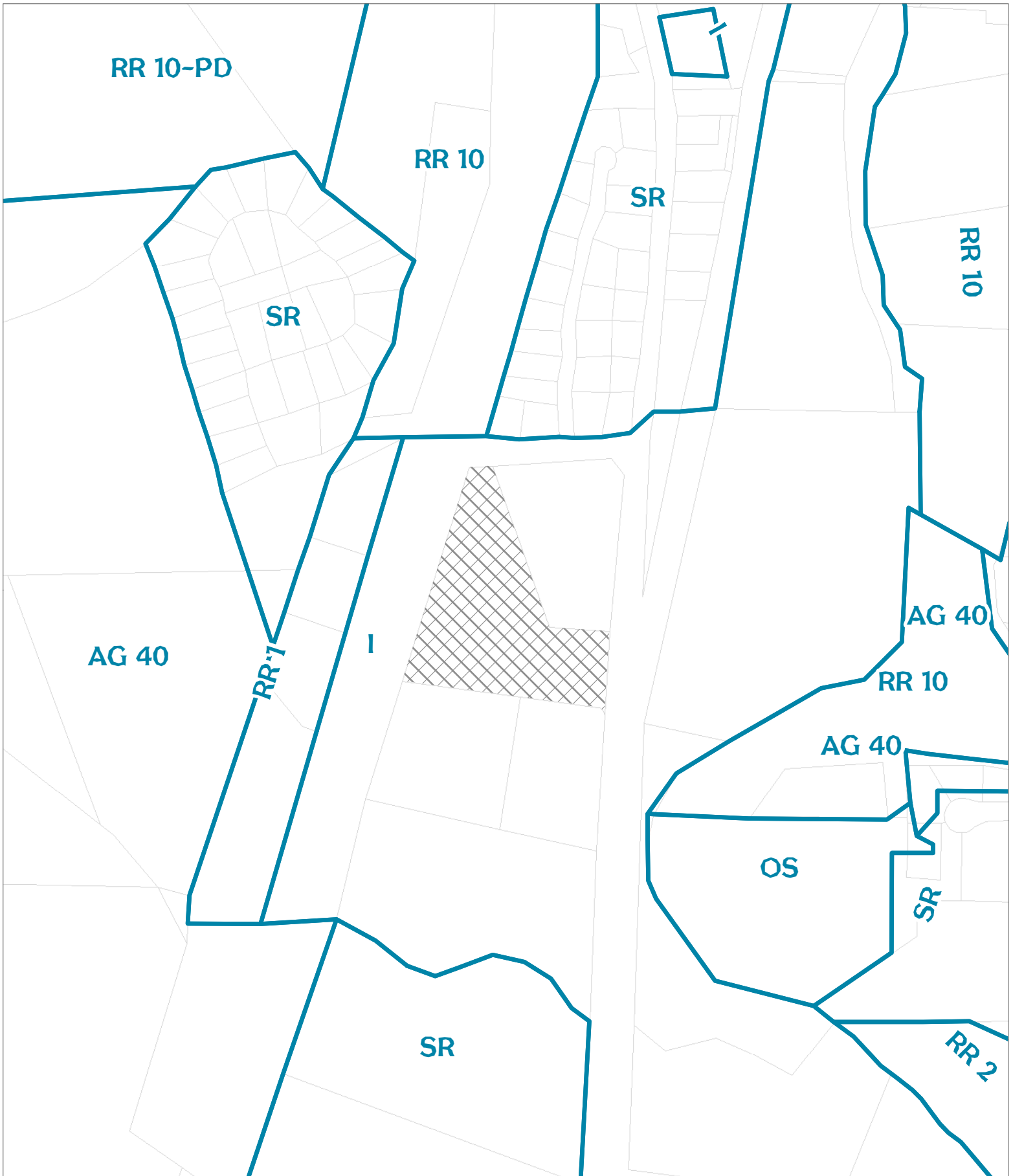
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 Zoning Districts


0 200 400 Feet
0 0.035 0.07 Miles
N
W E
S
1:4,800

ZONING DISPLAY MAP

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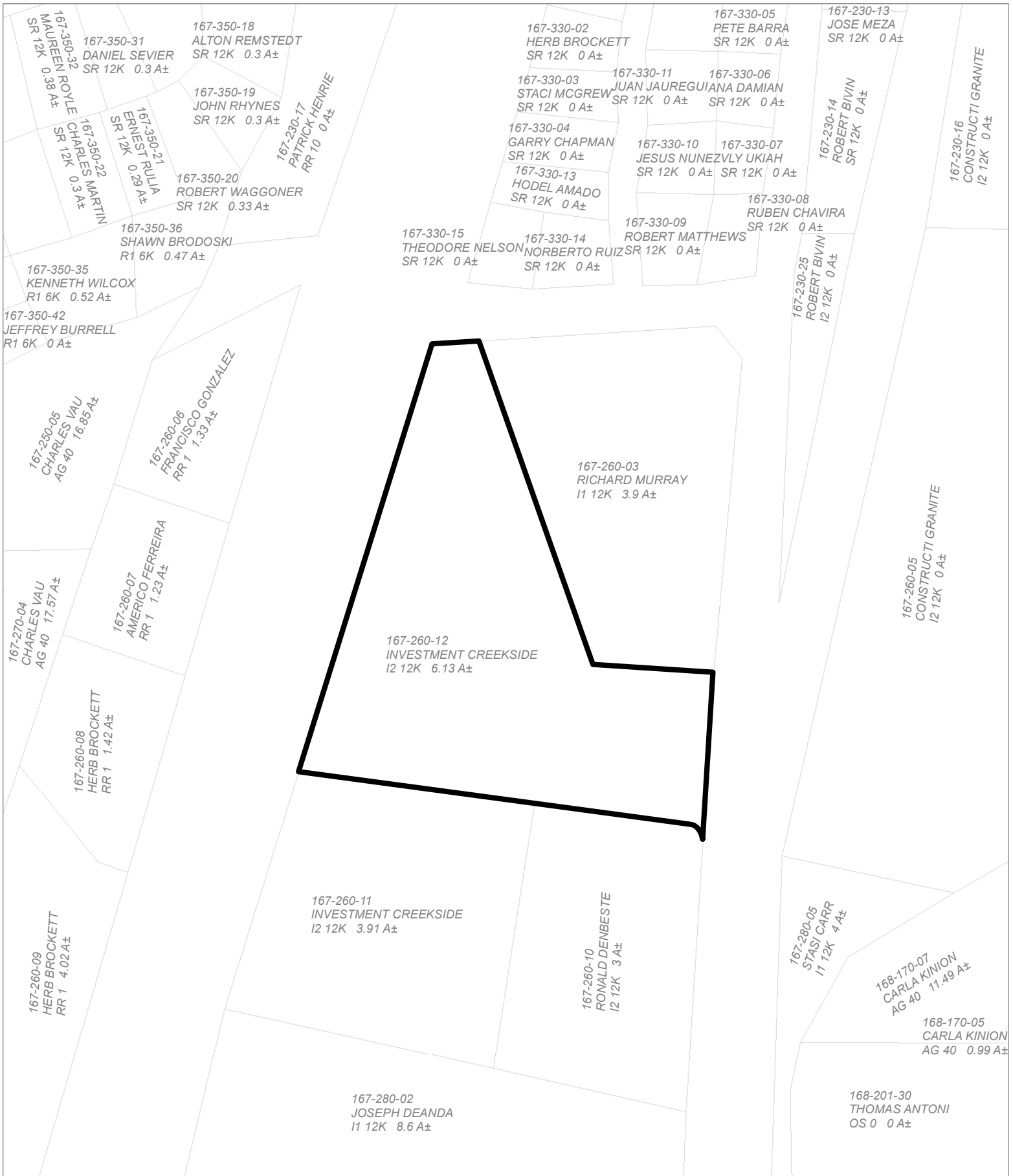


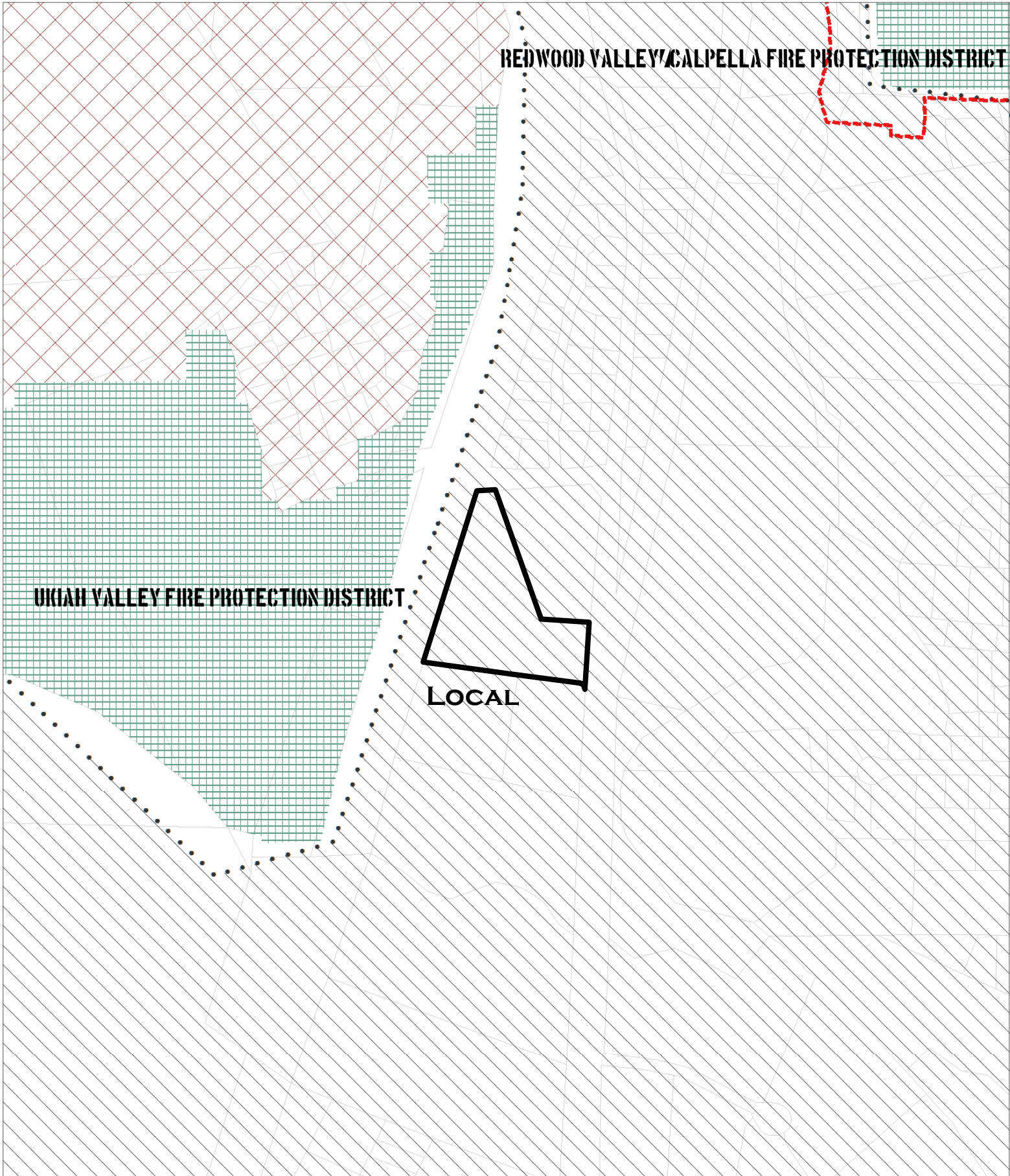
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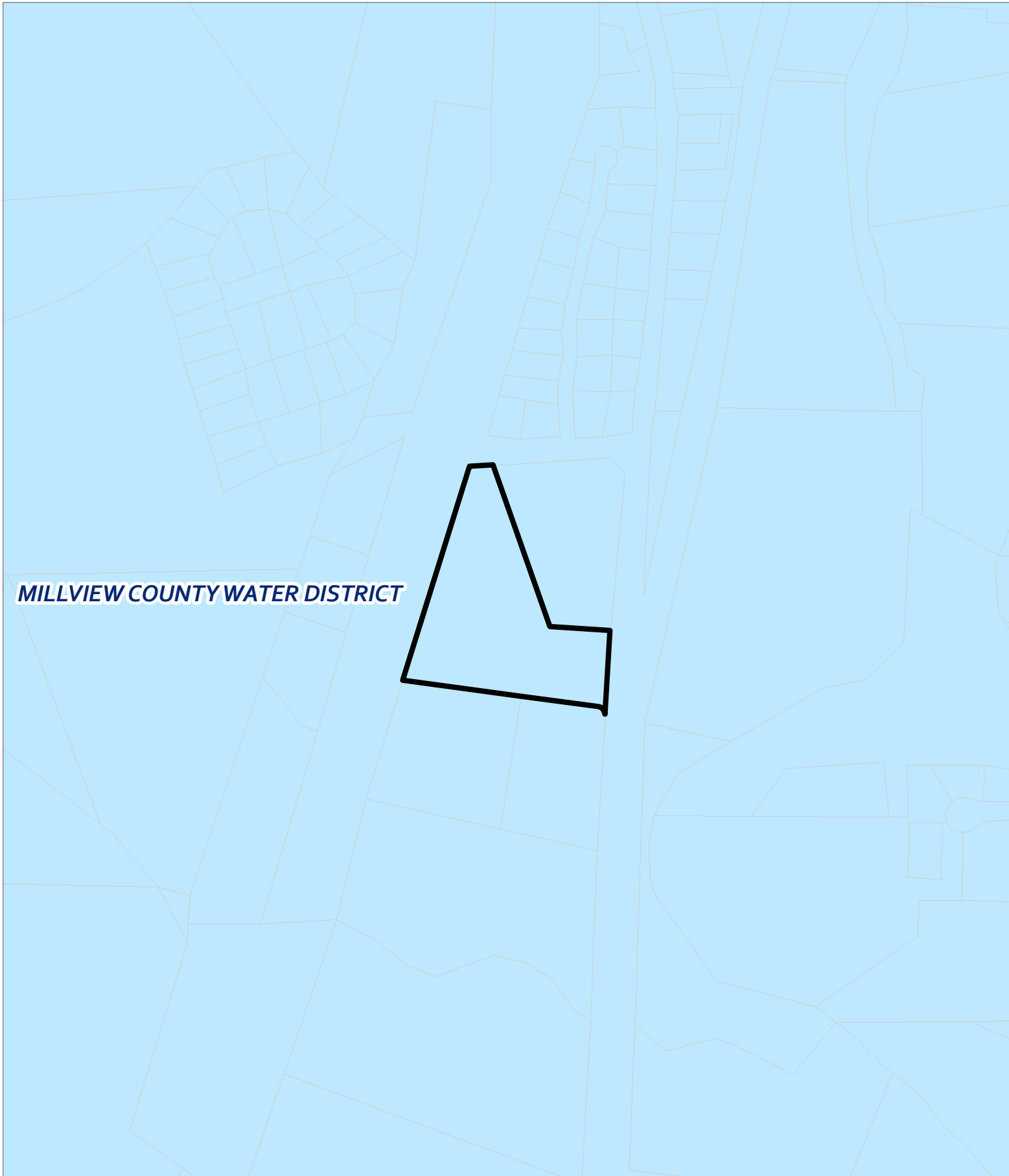
 General Plan Classes

GENERAL PLAN CLASSIFICATIONS

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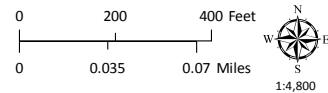




MILLVIEW COUNTY WATER DISTRICT

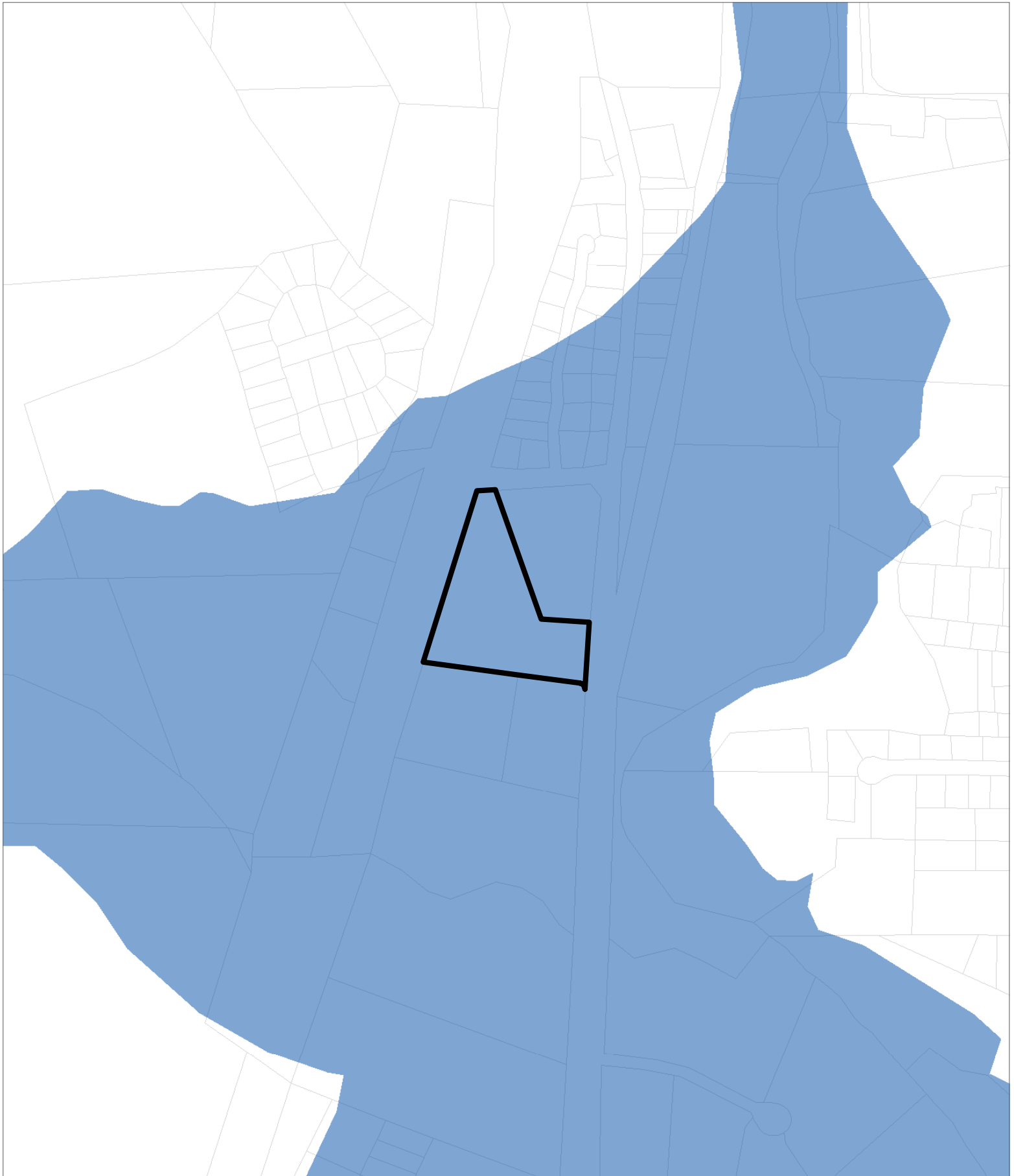
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 County Water Districts



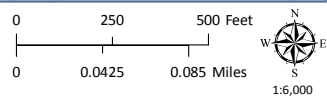
WATER DISTRICTS


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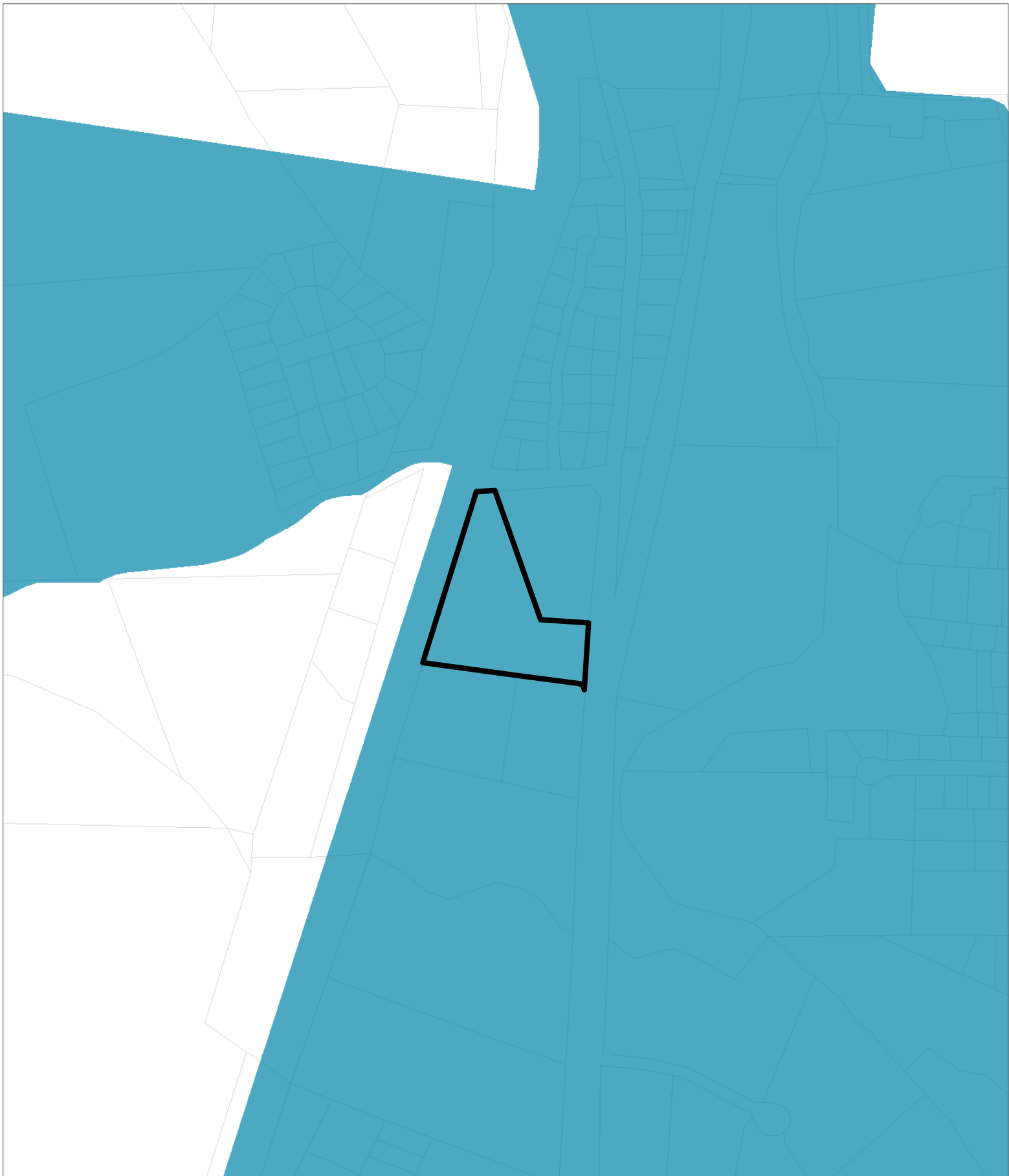
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 Estimated Inundation Zones

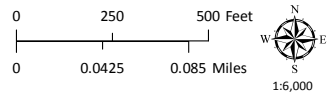
INUNDATION ZONES

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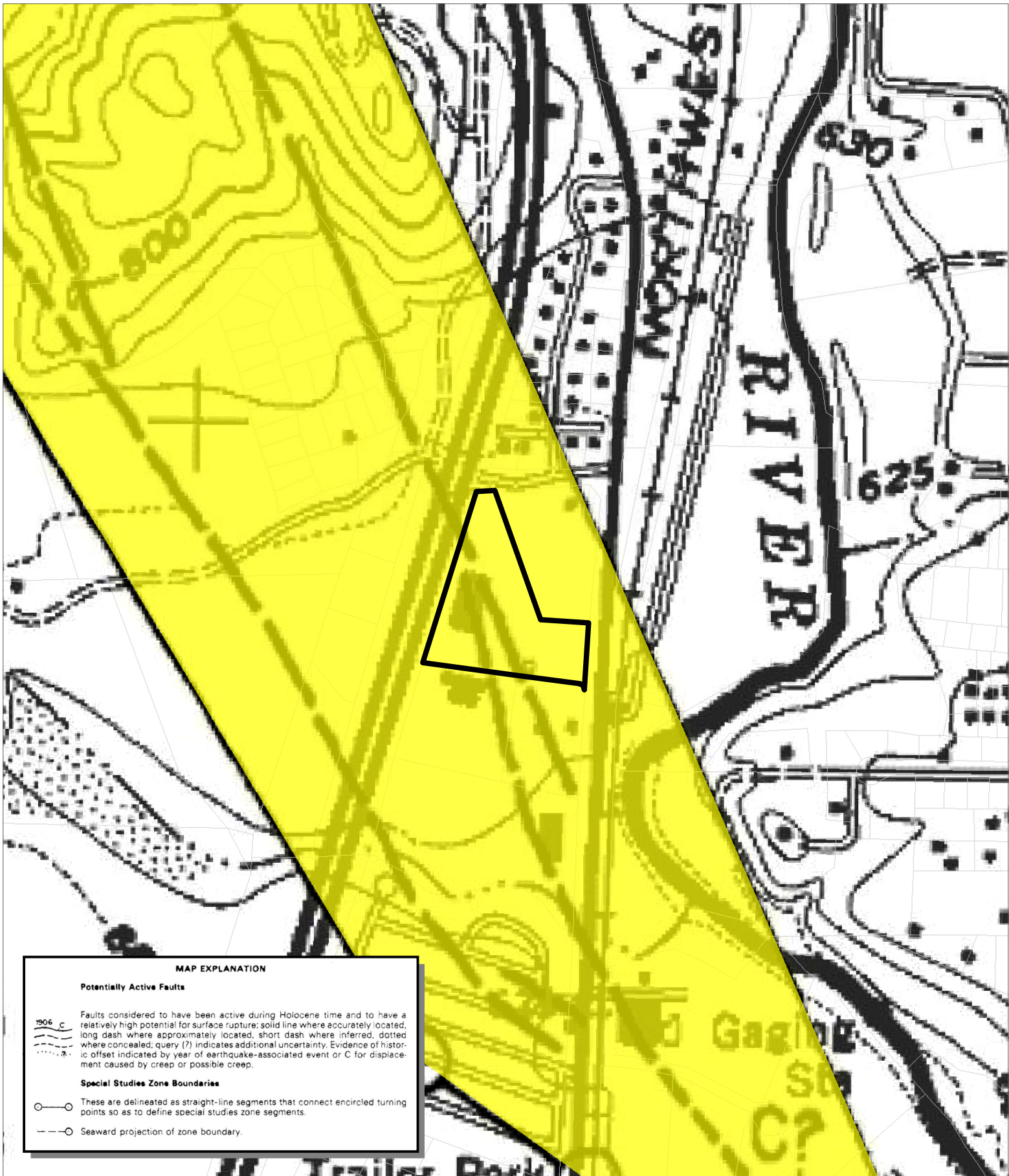
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 Ukiah Stormwater Areas



STORMWATER PERMITTING ZONES

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MAP EXPLANATION

Potentially Active Faults

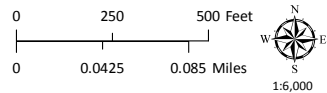
1906 C
Faults considered to have been active during Holocene time and to have a relatively high potential for surface rupture; solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Special Studies Zone Boundaries

- — ○ These are delineated as straight-line segments that connect encircled turning points so as to define special studies zone segments.
- ○ Seaward projection of zone boundary.

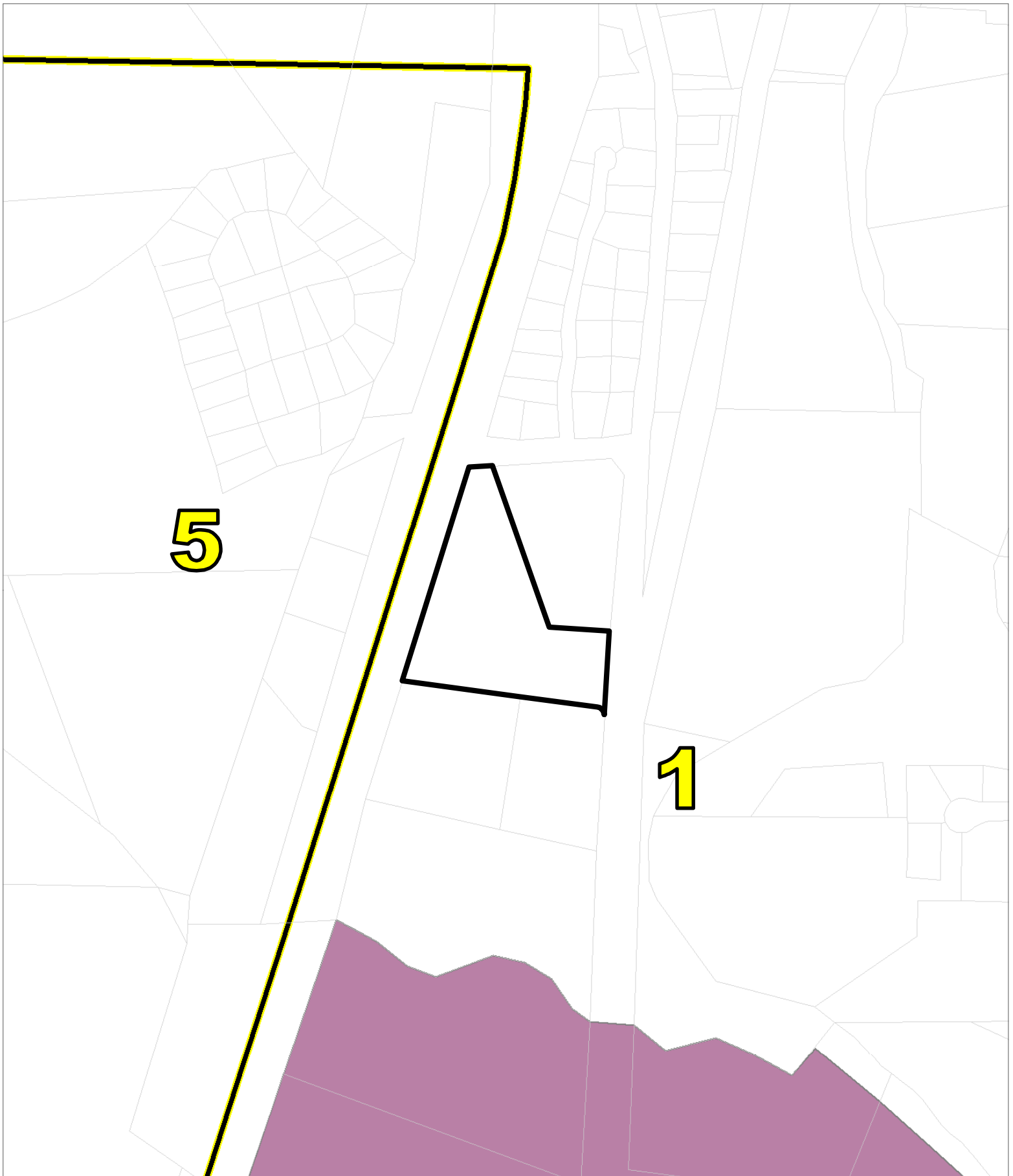
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 Maacama Fault Zone






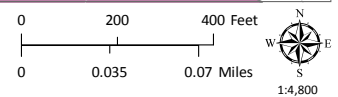
EARTHQUAKE FAULT ZONES

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-  UVAP Boundary
-  Supervisorial Districts 2010
-  Ukiah Valley Sanitation Dist.



MISC

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Section I	Description Of Project.
	<p>DATE: 5/16/2018 CASE#: MS_2017-0011 DATE FILED: 8/31/2017 OWNER: ADEL PARK LLC APPLICANT: TOMMY LEE AGENT: RICHARD RUFF REQUEST: Subdivision of a 6.13± acre parcel into 4 parcels of 0.78±, 0.79±, 1.13±, and 2.64± acres and a 0.79± acre remainder parcel. LOCATION: 4± mi. north of Ukiah center, on the west side of N. State St. (CR 104), 0.2 mi. south of its intersection with Parducci Road (CR 224). Located at 4260 N. State St., Ukiah (APN: 167-260-12). ENVIRONMENTAL DETERMINATION: Negative Declaration STAFF PLANNER: Sam 'Vandy' Vandewater</p>
Section II	Environmental Checklist.
	<p><i>"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.</i></p>

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities / Service Systems
	<input type="checkbox"/> Mandatory Findings of Significance	

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off site as well as on-site; cumulative as well as project level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

“Less Than Significant Impact” means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

“No Impact” means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<u>I. AESTHETICS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-c) **No Impact:** The proposed project is not located on any scenic state highway, thus there is no potential for the project to damage any scenic resources or have adverse effects on any scenic vistas. Additionally, the project will not require the removal of any natural elements such as trees or rocks, thus there is no impact to those resources. As the proposed project is a subdivision of industrially zoned land, there is no visual character or site quality that would be impacted, even with potential future development.

d) **Less Than Significant Impact:** While the proposed project would not entail any additional sources of light, potential development in the future could create new sources of light that may have an impact on day and nighttime views. However, a condition has been included to ensure this impact is considered less than significant.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-e) **No Impact:** The land on which the proposed project will be located is considered to be "Urban & Built-up Land" per the *Attachment M Important Farmland Map*, thus there will be no conversion of Prime, Unique, or state farmland to a non-agricultural use. Additionally, the lack of important or unique farmland means there is little to no conflict with any Williamson Act contract or other agricultural use. Furthermore, there are no nearby parcels that are within a Williamson Act contract. The project does not entail the removal of any tree species and it is not considered part of a 'forestland', thus there is no impact to timber resources.

<u>III. AIR QUALITY.</u> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-e) **No Impact:** The proposed project was referred to the Mendocino County Air Quality Management District, who provided comments in their response dated November 14, 2017; conditions have been included to help reduce any impacts the project and potential future development might have on the subject parcel(s). The proposed project does not entail any activity that would create substantial pollution, or damage air quality in any way, thus the project would not conflict with any air quality plan, nor would it violate any air quality standards. Subsequently, there will be no considerable net increase of pollutants

due to the project. Aside from potential future development that would be standard for such a zoning district, the project would not expose any sensitive receptors to pollution, nor would any objectionable odors be created by the project.

<u>IV. BIOLOGICAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-f) **No Impact:** There are no identified species within the project area, thus the project will not have an impact on any such resources. The proposed project is not located near any sensitive habitats, thus there is no potential for any substantial adverse impacts on a sensitive habitat such as a riparian zone, wetland, wildlife corridor, or any form of conservation land. Additionally, there are no conservation plans, policies, or ordinances with which the project conflicts, thus there will be no impacts to such protections. The California Department of Fish and Wildlife fee of \$2,330.75 will be required within five (5) days of the end of any appeal period.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-d) **No Impact:** The proposed project was referred to Sonoma State University, who responded with comments on December 1, 2017. The comments were reviewed by the Archaeological Commission on December 13, 2017, and it was determined a survey would be required. The survey was submitted to and reviewed by the Commission at the March 14, 2018, meeting and the survey recommendations accepted as conditions, along with the Commission's own conditions for the project. To ensure protection of any undiscovered cultural resources, the Archaeological Commission requested an additional condition be implemented during ground disturbance. This condition is supplemental to the standard discovery clause.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less Than Significant Impact:** The Maacama fault runs through the proposed project location, as established in the geological study (GS 2-2004) completed for Minor Subdivision MS_2005-0020. The study verifies the presence of the at least two fault zones on the subject property and recommends setbacks for any future development. Several conditions have been included to ensure the project has reduced impacts on the environment or any other future tenant of the subject parcels. However, the impact is considered to be less than significant as the report states that earthquake-sensitive structures would suffice for precautionary measures, in addition to the setbacks. Furthermore, the Initial Study for MS_2005-0020 also identified the fault zones as being a less than significant impact with regards to the project. Issues such as liquefaction and landslides are considered to have no impact due to the soil and surrounding terrain of the proposed project.
- b-e) **No Impact:** The proposed project is not located near any terrain that would allow for soil erosion or loss of topsoil. While the proposed project is located on a fault, the project would not trigger any issues such as a landslide or liquefaction, thus there is no impact in this regard. Furthermore, the soil on which the proposed project is located is not identified as expansive or incapable of supporting a septic system, thus these issues are considered to have no impact.

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project does not entail any activities that would generate any greenhouse gases, thus there is no impact in this regard. There are no identified plans, policies, or regulations that would be violated through the any of the project activities, thus there is considered to be no impact.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** As the proposed project does not include the use of any hazardous materials, there will be no transportation of such materials to or from the subject parcel. Additionally, the lack of hazardous material use means there will be no possibility of accidents involving such materials.
- c) **No Impact:** The project does not propose any activities that would emit any hazardous emissions or use any hazardous materials, thus there is no impact in this regard. Furthermore, the closest school is located roughly 2.5 miles south of the project site; Tree of Life Charter School.
- d) **No Impact:** The project site has not been identified as a hazardous materials site, thus there will be no significant hazard to the public or the environment in terms of exposure to on-site hazardous materials.
- e-f) **No Impact:** The proposed project is not located within an airport land use plan, the closest airport being Ukiah Municipal Airport, roughly 5 miles to the south, thus there are no concerns regarding airplanes or airstrips.
- g) **No Impact:** The proposed project gains access from North State Street (CR 104) and allows for on-site parking, thus there will no physical interference with an emergency response or evacuation plan.
- h) **No Impact:** The proposed project is located in a "Medium Density Interface" area per the *Attachment I Wildland-Urban Interface Map*, thus there is the potential for wildland fires to affect the subject property. However, the subject parcel is located within the Ukiah Valley Fire Protection District, the fire station being 6 miles away from the subject parcel, thus the impact is considered to be less than significant. Additionally, a CalFire station is located 1.5 miles south on North State Street.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100 year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100 year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a, f) **No Impact:** The project will not violate any water quality standards or degrade water quality itself as there are no aspects of the proposed subdivision that would affect water quality.
- b) **No Impact:** The proposed project does not require the use of any water resources, thus no substantial depletion of water resources will occur.
- c-e) **No Impact:** The proposed project does not entail alterations to any drainage pattern that would result in erosion or siltation of the site or neighboring properties, thus this concern is considered to have no impact. Furthermore, it is unlikely the proposed project will alter any drainage pattern in terms of stream alterations as there is no stream or river located on the subject parcel. The project is located in the Ukiah

stormwater area, thus drainage in general would not be impacted, and due to its existing presence in the stormwater area, the project will not impact capacity.

- g-h) **No Impact:** The proposed project is not located within a flood plain, thus there is considered to be no impact in terms of these issues. Additionally, the subject parcel is far enough away from the coastline that no ocean related flooding would occur.
- i-j) **Less Than Significant Impact:** The project is located within a dam inundation zone, however given the amount of development in proximity to the project location, inundation concerns are considered to be less than significant. Furthermore, the proposed project is the subdivision of industrial zoned land, thus no residences are intended to be developed on the subject parcel.
- k-l) **No Impact:** The proposed project does not entail any large water discharging that would result in pollutant discharges or any activities that would significantly impact groundwater quality, thus there is considered no impact in terms of these issues.
- m) **No Impact:** The proposed project is not located within or near any aquatic, wetland, or riparian habitats, thus there is no potential for the project to have an impact on these types of environments.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** The proposed project is not located within any established community, thus the project would not physically divide any established community.
- b) **No Impact:** There are no land use plans, policies, or regulations, established by a jurisdictional agency to mitigate environmental impacts, with which the proposed project conflicts.
- c) **No Impact:** There are no identified habitats or natural community conservation plans for the project location, thus there is no possibility for the project to conflict with any such plans. Additionally, there are no special habitats located on the subject parcel.

<u>XI. MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project is not located on or within any identified mineral resource lands, thus it will not result in the loss of any available mineral resource.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a, c, d) **Less Than Significant Impact:** As the proposed project is the subdivision of industrial zoned land, there is the potential for some permitted uses to generate additional noises and new, permanent ambient noise level. However, given the location of the project and proximity of the closest residential areas, any noise concerns are considered to be less than significant. Noises may also arise from the development of the parcels, but this would be temporary.
- b) **Less Than Significant Impact:** The proposed project does not entail any uses or development that would generate groundborne noises or vibrations, but future development could result in such issues. As previously stated however, given the location of the project and proximity of the closest residential areas, any groundborne noise or vibration concerns are considered to be less than significant.
- e-f) **No Impact:** The proposed project is not located near any airport zone or within any airport land use plan, thus it would not be exposing people to any level of noise regarding aircrafts or airstrips.

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-c) **No Impact:** As the proposed project does not entail any new homes or housing infrastructure, it is unlikely that direct or indirect substantial population growth would occur. This lack of development also means that no housing or people will be displaced because of the proposed project. Furthermore, the project is located within an industrial zoning district (I2) which limits the amount of residential uses that can occur on the site, further reducing any impacts to any residences or people.

<u>XIV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** The proposed project does not create any issues for public service delivery as the parcel gains access from North State Street (CR 104). The Department of Transportation has requested a standard commercial driveway encroachment be established for the entrance road; this is included as a condition.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project is not located near state or regional parks, thus it would be unlikely that recreational facilities would deteriorate from usage due to the proposed project. Additionally, the proposed project does not entail the creation of any recreational spaces, thus it would be unnecessary to expand recreational facilities.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-f) **No Impact:** There are no identified policies, plans, regulations, or programs which would be violated by the proposed project, thus these concerns are considered to be less than significant. The project does not entail any obstructions to emergency access. Additionally, the proposed project would not alter any movement patterns, nor increase traffic hazards to others within the surrounding area. A condition has been included to ensure the applicant works with the Mendocino County Department of Transportation, as well as conditions prescribed by DoT to ensure compliancy.

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				
b) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project was referred to Sonoma State University, which responded with comments on December 1, 2017. The comments were reviewed by the Archaeological Commission on December 13, 2017, and it was determined a survey would be required. The survey was submitted to and reviewed by the Commission at the March 14, 2018, meeting and the survey recommendations accepted as conditions, along with the Commission's own conditions for the project. The survey did not identify any Native American tribal resources, thus there are no impacts to such resources.

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project does not entail the use of any water, thus no wastewater will be created. However, future development would not exceed any treatment facility as the proposed project is not located within a wastewater sanitation district and thus the issue will have no impact.
- c) **No Impact:** The project is already located within the Ukiah stormwater area, thus the capacity is already existing for the site and there should be no impacts with regards to such issues.
- d) **No Impact:** The project was referred to the Millview Water District on November 6, 2017 and no comments were provided, indicating no issues with regards to water supply.
- e-g) **No Impact:** The proposed project is not located within any wastewater or district, thus there are no impacts with regard to these issues. Additionally, there are several recycling businesses and solid waste removal businesses within a, 5 mile proximity, thus there will be no impacts with regards to solid waste. As the project is a subdivision, it will not generate any solid waste.

<u>XIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** As noted in previous sections, the proposed project has mostly no impact on the quality of the environment and it would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, nor would the project eliminate important examples of the major periods of California history or prehistory. Any

impacts that would occur are considered to be less than significant and will be diminished through the Conditions of Approval.

- b) **No Impact:** The proposed project will not create any cumulative impacts on the surrounding area and any impact that would occur is considered to be less than significant. Furthermore, the small impacts that will occur are almost exclusively during post-subdivision development.
- c) **No Impact:** Due to the insignificant impacts on the environment, as indicated through this Initial Study, the proposed project would not have an effect on the environment that would have adverse impacts on human beings.

DETERMINATION: On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.


☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

7/5/18
DATE


SAM 'VANDY' VANDEWATER
PLANNER II

Resolution Number _____

County of Mendocino
Ukiah, California
July 19, 2018

MS_2017-0011 - ADEL PARK LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE
DECLARATION AND GRANTING A MINOR SUBDIVISION

WHEREAS, the applicant, TOMMY LEE, filed an application for a Minor Subdivision with the Mendocino County Department of Planning and Building Services to subdivide a 6.13± acre parcel into 4 parcels and a 0.7± acre remainder, 4± mi. north of Ukiah center, on the west side of N. State St. (CR 104), 0.2 mi. south of its intersection with Parducci Road (CR 224). Located at 4260 N. State St., Ukiah (APN: 167-260-12); General Plan I; Zoning I2:12K/SS; Supervisorial District 1; (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on June 27, 2018, in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, July 19, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Negative Declaration 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 subject parcel has a General Plan Land Use Designation of Industrial (I) and the Project is consistent with the General Plan definition, as well as Policy LU1.2b. Additionally, the subject parcel lies within the Zoning District of Industrial – General (I2:12K), with a combining district of Seismic Study area (SS), and the Project is consistent with the Zoning Districts per Section 20.084 and Section 20.095 of the Mendocino County Code.
2. **Geologic Hazard Findings:** The project is located on the Maacama Fault, as identified by Geological Study GS 2-2004, and has been determined to be developable based on the proposed conditions required for approval.
3. **Environmental Protection Findings:** The CEQA initial study completed by staff identified the Project to have less than significant to no impact on the environment, and any concerns are adequately addressed through the conditions of approval so that no adverse environmental impacts will result from the Project; therefore a Negative Declaration is adopted.
4. **Division of Land Regulations:** The Project is consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations.
5. **Ukiah Valley Area Plan Finding:** The Project is consistent with the Ukiah Valley Area Plan and supports Policy LU 1.4a by providing higher land use density along the N. State Street corridor.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Negative Declaration. The Planning Commission certifies that the Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Minor Subdivision, 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.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST:

VICTORIA DAVIS
Commission Services Supervisor

By:_____

BY: IGNACIO GONZALEZ
Interim Director

MADELIN HOLTKAMP, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL MS_2017-0011 – ADEL PARK LLC JULY 19, 2018

APPROVED PROJECT DESCRIPTION: Subdivision of a 6.13± acre parcel into 4 parcels of 0.78±, 0.79±, 1.13±, and 2.64± acres and a 0.79± acre remainder parcel.

CONDITIONS OF APPROVAL: For a Minor Subdivision which has been approved according to the Mendocino County Code, the following "Conditions of Approval" shall be completed prior to filing a Parcel Map.

ALL CONDITIONS OF APPROVAL MUST BE MET PRIOR TO EXPIRATION OF TWENTY-FOUR (24) MONTHS FROM DATE OF APPROVAL, UNLESS RENEWED PURSUANT TO THE MENDOCINO COUNTY CODE.

Aesthetics:

1. The following note shall be placed on the Parcel Map:

All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.

Air Quality:

2. A notation shall appear on the Parcel Map:

Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval

3. A note shall appear on the Parcel Map:

Prior to the development phase of the project, the sub-divider shall contact the Mendocino County Air Quality Management District for a determination as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR section 93105 and 93106 relating to naturally occurring asbestos. Written verification from the Air Quality Management District shall be submitted to the Department of Planning and Building Services stating that the project is in compliance with State and Local regulations relating to naturally occurring

Biological Resources:

4. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,330.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to July 5, 2018, (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified

deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this Condition.**

Cultural Resources:

5. A note shall appear on the Parcel Map:

In the event that archaeological resources are encountered during development of 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.

6. Those "Recommendations" outlined in the Archaeological Report dated January 26, 2018, prepared by Alex DeGeorgey, Registered Professional Archaeologist s shall be complied with. In the event that additional archaeological resources are encountered during development of 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.
7. An archaeological monitor shall be required for any future ground disturbance.

Geology & Soils:

8. The following note shall be placed on the Parcel Map:

Prior to the issuance of building permits, a soils report and engineered foundation may be required by the Planning and Building Services Department.

9. Prior to filing a Parcel Map, the sub-divider shall submit an Exhibit Map which shall identify building envelopes as determined by the Geologic Study, dated May 19, 2005 and May 19, 2006 (revisions) and prepared by The Geoservices Group.
- a. Areas outside these building envelopes shall be labeled "Not an approved Building Site
- b. A note shall appear on the Parcel Map:

Future development shall be limited to those building envelopes depicted on the Exhibit Map on file with the Department of Planning and Building Services.

9. The boundaries of the Alquist Priolo Special studies Zone located within the project boundaries shall be identified on the Parcel Map.

10. A note shall appear on the Parcel Map:

No structure for human occupancy shall be placed across the trace of an active fault identified in the geologic report on file in the Department of Planning and Building Services.

11. The sub-divider shall **acknowledge in writing** to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
- a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
- b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.

- c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
- d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
- e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
- f. All earth moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
- g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
 - An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
 - A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to

Hazards/Hazardous Materials:

- 12. The sub-divider shall comply with those recommendations of the **Ukiah Valley Fire District** or other alternatives as acceptable to the **Fire District**. Written verification shall be submitted from **Fire District** to the Department of Planning and Building Services that this condition has been met to the satisfaction of the **Fire District**.

Hydrology and Water Quality:

- 13. The applicant shall provide the Division of Environmental Health adequate advance written notice (minimum of 15 days) of the date and time any field soil testing procedures for any proposed on-site sewage systems to allow the Division of Environmental Health staff to be present for soil testing.
- 14. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel(s) 2, 3, 4, and the remainder, completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- 15. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for a replacement system for the existing structure(s) located on parcel(s) 1, completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- 16. The applicant shall submit to the Division of Environmental Health an acceptable site development plan at a scale of not more than 1 inch = 50 feet showing all adjacent parcels on one sheet completed by a qualified individual showing the location and dimensions of the initial sewage

disposal system(s), 100% replacement area(s), acceptable setback distances to water wells and other pertinent setback distances which may impact project site development.

17. The applicant shall either (1) submit to the Division of Environmental Health, a letter from the district(s) or agency(s) stating that water and/or sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 & 17.56); or (2) the applicant shall submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered 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.

Land Use and Planning:

18. That verification be received by a licensed civil engineer or surveyor that each parcel created is a minimum of 12,000 square feet net.
19. 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.

Transportation:

20. EASEMENTS & DEDICATIONS:

- a. There shall be provided an access easement of 60 feet in width from a publicly maintained road to each parcel being created. Documentation of access easement(s) shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.

Note: Per County of Mendocino Road and Development Standards, the minimum easement width for private minor subdivision roads shall be sixty (60) feet, except where the road does not have the potential to serve more than four parcels, in which case the minimum easement width shall be forty (40) feet.

- b. There shall be dedicated by Parcel Map (or granted by Grant Deed if a Unilateral Agreement is filed) thirty-five (35) feet along the west side of N. State Street (CR 104) to provide for the ultimate improvement of the County road. This width shall be measured from the centerline of the existing right-of-way of record, or where no record right-of-way exists, from the center of the physical road.
- c. If a Parcel Map is filed, all easements of record shall be shown on the parcel map. All utility lines shall be shown as easements with widths as shown of record or a minimum of 10 feet, whichever is greater.
- d. This subdivision is located on or near a State Highway. For dedications along the State Highway, Mendocino County Department of Transportation defers to the recommendations of California Department of Transportation (Caltrans).

21. ROAD IMPROVEMENT REQUIREMENTS:

- a. Subdivision road within the access easement shall be improved in accordance with County of Mendocino Road and Development Standards drawing A10H and the following minimum standards:

Road Width	26 feet
Surface Width	20 feet
Minimum Ditch Offset	5 feet
Design Speed	25 miles per hour
Base	12 inch min. Class 2 aggregate base
Surface Type	Double Chip seal

- b. Two **standard commercial road approach** shall be constructed to a minimum width of 18 feet, with improved approach extending 20 feet from the edge of the County road, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
- c. TURNAROUND REQUIREMENTS:
- i. A 40 foot radius turnaround shall be constructed within a 50-foot radius easement at terminus of access easement to the satisfaction of the Mendocino County Department of Transportation.
- d. 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. When specifically requested by the applicant and approved in advance by the County Engineer, required improvements may be constructed without formal improvement plans. If so approved, all work must be completed under the direct supervision and control of a California Registered Civil Engineer who, upon completion of the improvements, shall file a report with the Mendocino County Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices.
- e. If approval of the tentative map is conditioned upon certain improvements being made by the sub-divider, the sub-divider shall notify the Mendocino County Department of Transportation when such improvements have been completed. Prior to the filing of the parcel map, required road improvements must be inspected and approved by the Department of Transportation. Current inspection fees apply.
- f. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

Additional Conditions:

22. Building/Development Setbacks indicating Front/Rear/Side to all property boundary's (existing and proposed) and roadway/easements shall be designated on the Parcel Map.

23. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the Parcel Map, the sub-divider 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.

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