



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

BRENT SCHULTZ, DIRECTOR
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January 8, 2019

Department of Transportation
Laytonville County Water District
Caltrans

Department of Forestry/CalFire
Department of Fish and Wildlife
Laytonville Municipal Advisory Council

Long Valley Fire District

**NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT NEGATIVE
DECLARATION FOR PUBLIC REVIEW**

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, February 7, 2019, at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project and the Draft Negative Declaration at the time listed or as soon thereafter as the item may be heard.

CASE#: MS_2018-0005

DATE FILED: 7/6/2018

OWNER: ERIK LARSON & ILIANA MORENO

APPLICANT/AGENT: ERIK LARSON

REQUEST: Subdivision of a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres.

LOCATION: In Laytonville town center, on the west side of US Hwy. 101 (Hwy 101), 200± ft. north of its intersection with Branscomb Road (CR 429), located at 45020 N. Hwy. 101, Laytonville (APN: 014-040-23).

ENVIRONMENTAL DETERMINATION: Negative Declaration

STAFF PLANNER: SAM VANDEWATER

RESPONSE DUE DATE: February 6, 2019. If no response is received by this date, we will assume no recommendation or comments are forthcoming and that you are in agreement with the contents of the Draft Negative Declaration. A copy of the Draft Negative Declaration is attached for your review.

It should be noted that the decision making body may consider and approve modifications to the requested project(s). Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street Ukiah, California. Oral comments may be presented to the Planning Commission during the public hearing(s).

The Planning Commission's action shall be final unless appealed to the Board of Supervisors. The last day to file an appeal is the 10th calendar day after the Planning Commission's decision. If appealed, the Board of Supervisors action shall be final. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing(s). All persons are invited to appear and present testimony in this matter.

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

BRENT SCHULTZ, Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT- MINOR SUBDIVISION**

**FEBRUARY 7, 2019
MS_2018-0005**

SUMMARY

OWNER: ERIK LARSON & ILIANA MORENO
4745 OREGON ST
SAN DIEGO, CA 92116

APPLICANT & AGENT: ERIK LARSON
4745 OREGON ST
SAN DIEGO, CA 92116

REQUEST: Subdivision of a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres.

LOCATION: In Laytonville town center, on the west side of US Hwy. 101 (US 101), 200± ft. north of its intersection with Branscomb Road (CR 429), located at 45020 N. Hwy. 101, Laytonville (APN: 014-040-23).

TOTAL ACREAGE: 4.9± acres

GENERAL PLAN: Rural Community (RC)

ZONING: General Commercial and Community Character (C2:12K/CC)

SUPERVISORIAL DISTRICT: 3

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Sam "Vandy" Vandewater

BACKGROUND

PROJECT DESCRIPTION: Subdivision of a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres.

SITE CHARACTERISTICS: The subject parcel is partially developed, mostly along US 101, from which it gains its access. The development includes a multiple-use commercial structure and associated parking and paved areas. The western portion of the parcel, which is to become a new parcel per the proposed subdivision, is vegetated with grasses, small plants, and a few larger shrubs and trees. The parcel is located in the Laytonville Water District, but utilizes on-site septic for wastewater. The new undeveloped parcel will also be accessed from US 101, is the Laytonville Water District, and will utilize a septic system.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES (ACRES)	USES
NORTH	Rural Community (RC)	Industrial Limited (I1)	16.6±	Vacant
EAST	Rural Community (RC)	Commercial Limited (C1)	13±, 0.2±, 0.3±	Commercial
SOUTH	Rural Community (RC)	Industrial Limited (I1) Commercial Limited (C1)	0.3±, 1.27±, 1±	Commercial
WEST	Rural Community (RC)	Industrial Limited (I1)	16.6±	Vacant

PUBLIC SERVICES:

Access: US 101
Fire District: Long Fire Protection District
Water District: Laytonville Water District
Sewer District: None
School District: Laytonville Unified School District

AGENCY COMMENTS: On August 17, 2018, 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 Comment
Assessor	No Response
Air Quality Management District	No Comment
County Addresser	No Comment
Archaeological Commission	Comment
CalTrans	No Response
CalFire	No Comment
Department of Fish and Wildlife	Comment
Laytonville Municipal Advisory Council	No Response
Long Valley Fire Protection District	No Response
Laytonville Water District	No Response
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 Rural Community (RC) as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Rural Community classification is intended,

“to be applied to small, unincorporated towns and community centers (including areas in the Community Planning Areas) and to areas near City boundaries, which provide a variety of community and tourist-oriented goods and services but may not have well-defined or identifiable commercial or residential districts. This classification may also be appropriate around a central commercial or industrial nucleus.

The Rural Community designation anticipates multiple land uses on any given lot, consistent with and supportive of a higher intensity of development in the community area core that will further define each of these town centers. Preference shall be given to those projects providing affordable housing, consistent with policies of the County’s Housing Element, and infill development.

Lower residential density and intensity of development is planned away from the town centers, near the peripheries of the Community Planning Areas, in order to ensure a transition to outlying resource lands and open space areas. New development shall only be permitted when provisions are made for construction or expansion of public service

facilities, such as schools, recreation facilities, fire stations, water systems, sewer systems, storm drainage and solid waste disposal facilities.

General Uses: Residential developments of varying densities (with development of affordable multi-family residential units to be classified in the Zoning Ordinance as a permitted use), mobile home parks, community commercial, tourist commercial, cottage industries, light industrial, public facilities, public services, public assemblies, utility installations."

The applicant requests the approval of a subdivision of the subject parcel into two parcels. The General Plan Land Use Designation of Rural Community (RC) supports this subdivision by allowing for an increase in commercial infill near the community core of small unincorporated towns, such as Laytonville.

The proposed project is also consistent with the General Commercial (C2) zoning district, as defined by the Mendocino County Code (MCC). Chapter 20.092.005 of the MCC defines General Commercial as a district,

"intended to create and enhance commercial areas where complete retail sales and services are available and desirable for public service are available and desirable for public and convenience. Typically this district would be applied in the central core of community areas where central area commercial facilities were desired, or at major roadway intersections. Uses in this district are also intended to facilitate live/work convenience through multiple story construction and shared parking arrangements for a range of residential and commercial uses."

The proposed project is consistent with the zoning district as the subdivision will allow for more commercial, and potentially mixed-use, development. As the subject parcel is located in the town center of Laytonville, the proposed project supports the prescribed zoning by allowing for infill opportunities.

The proposed project is also located within the Community Character (CC) combining district which regulates the character of certain developments in commercial zoning districts. The proposed project does not entail any new development, but future construction will require the structure(s) to adhere to the standards of MCC Section 20.147.

2. Division of Land Regulations: The project was reviewed by the Mendocino County Subdivision Committee on December 13, 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.

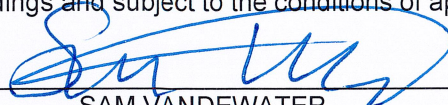
3. Environmental Protection: An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). There are no significant impacts to the environment identified which would result from the project, thus a Negative Declaration was prepared. It is 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.

RECOMMENDATION

By resolution, adopt a Negative Declaration and grant Minor Subdivision MS_2018-0005 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

1/8/19

DATE



SAM VANDEWATER
PLANNER II

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

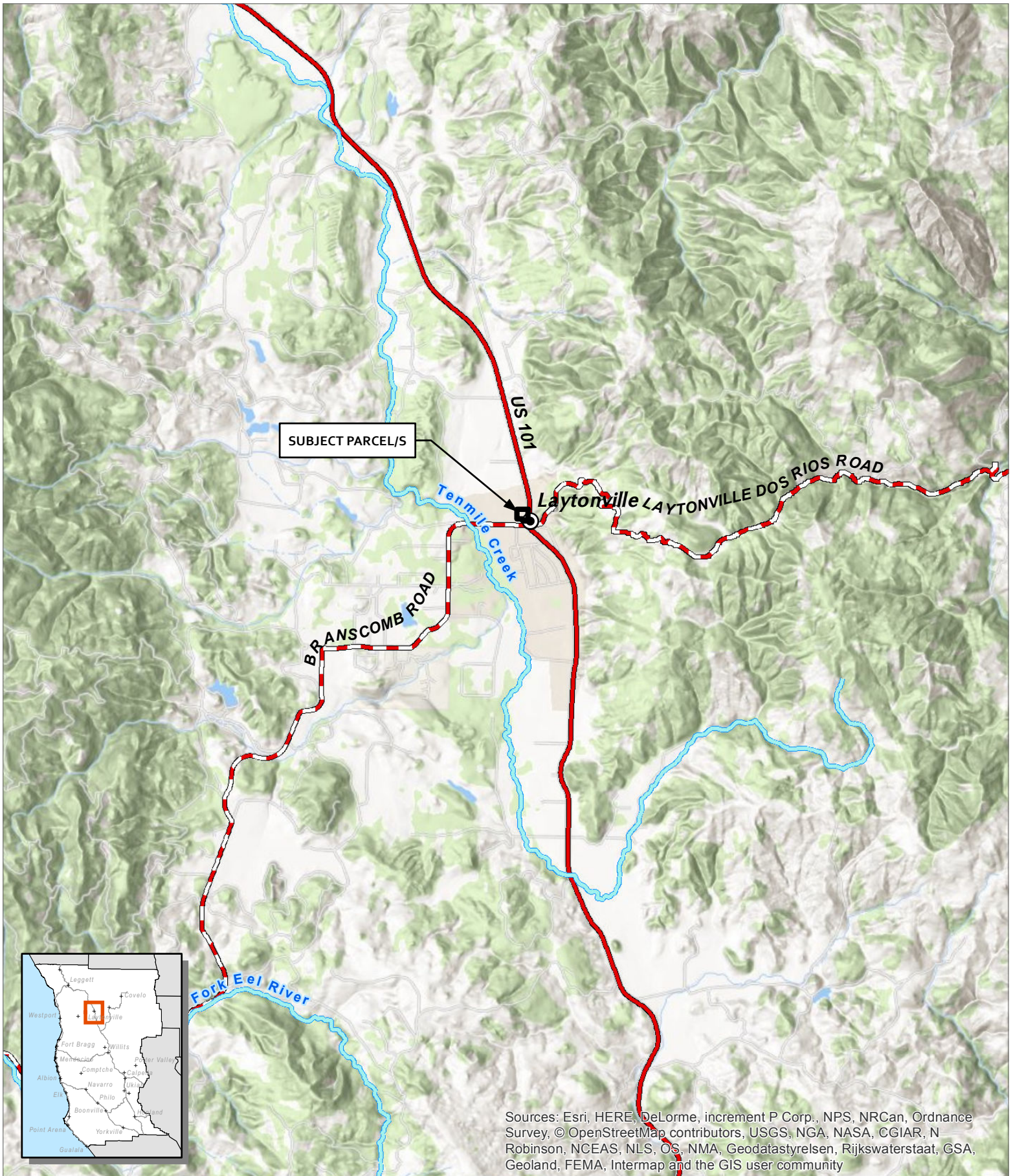
ATTACHMENTS:

- A. Location Map
- B. Aerial Vicinity Map
- C. Aerial Project Map
- D. Topographical Map
- E. Tentative Map
- F. Zoning Map
- G. General Plan Map
- H. Adjacent Owner Map
- I. Fire Hazards Map
- J. Wildland-Urban Interface Map
- K. Water District Map
- L. Soils Map
- M. Important Farmland Map





RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

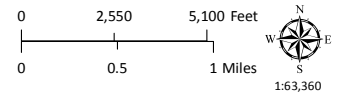
NEGATIVE DECLARATION Initial Study available online at:

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



CASE: MS 2018-0005
 OWNER: LARSON, Erik & Iliana
 APN: 014-040-23
 APLCT: Erik Larson
 AGENT:
 ADDRESS: 45020 N. Hwy. 101, Laytonville

-  Major Towns & Places
-  Major Roads
-  Major Rivers
-  Highways



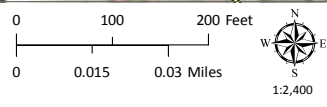
LOCATION MAP
 ATTACHMENT A

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● Major Towns & Places
— Public Roads



AERIAL IMAGERY
ATTACHMENT B

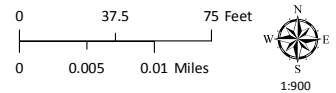
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

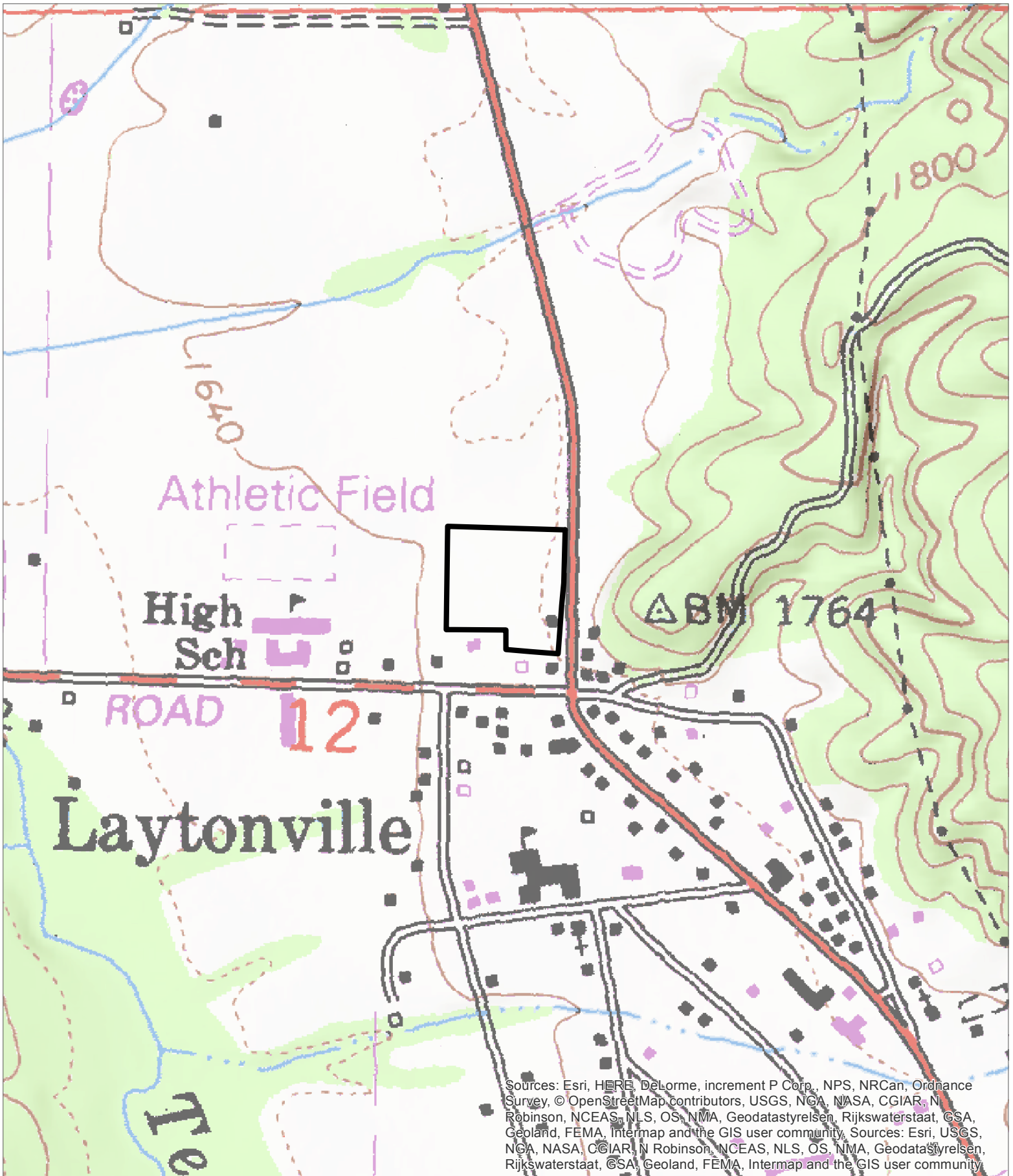
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Public Roads



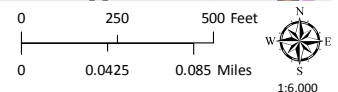
AERIAL IMAGERY
ATTACHMENT C

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Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, CSA, Geoland, FEMA, Intermap and the GIS user community. Sources: Esri, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, CSA, Geoland, FEMA, Intermap and the GIS user community.

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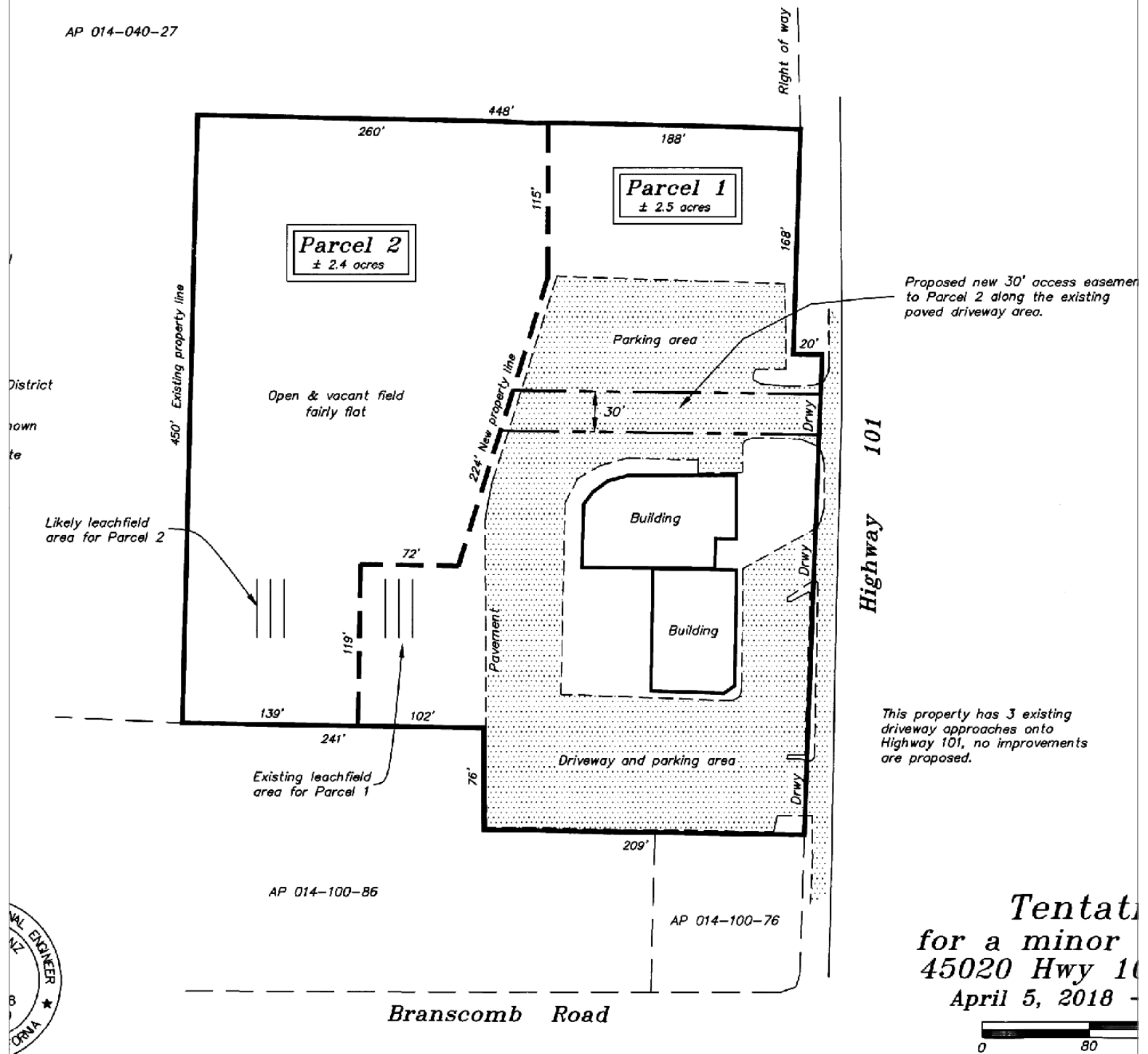


TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

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ATTACHMENT D

AP 014-040-27

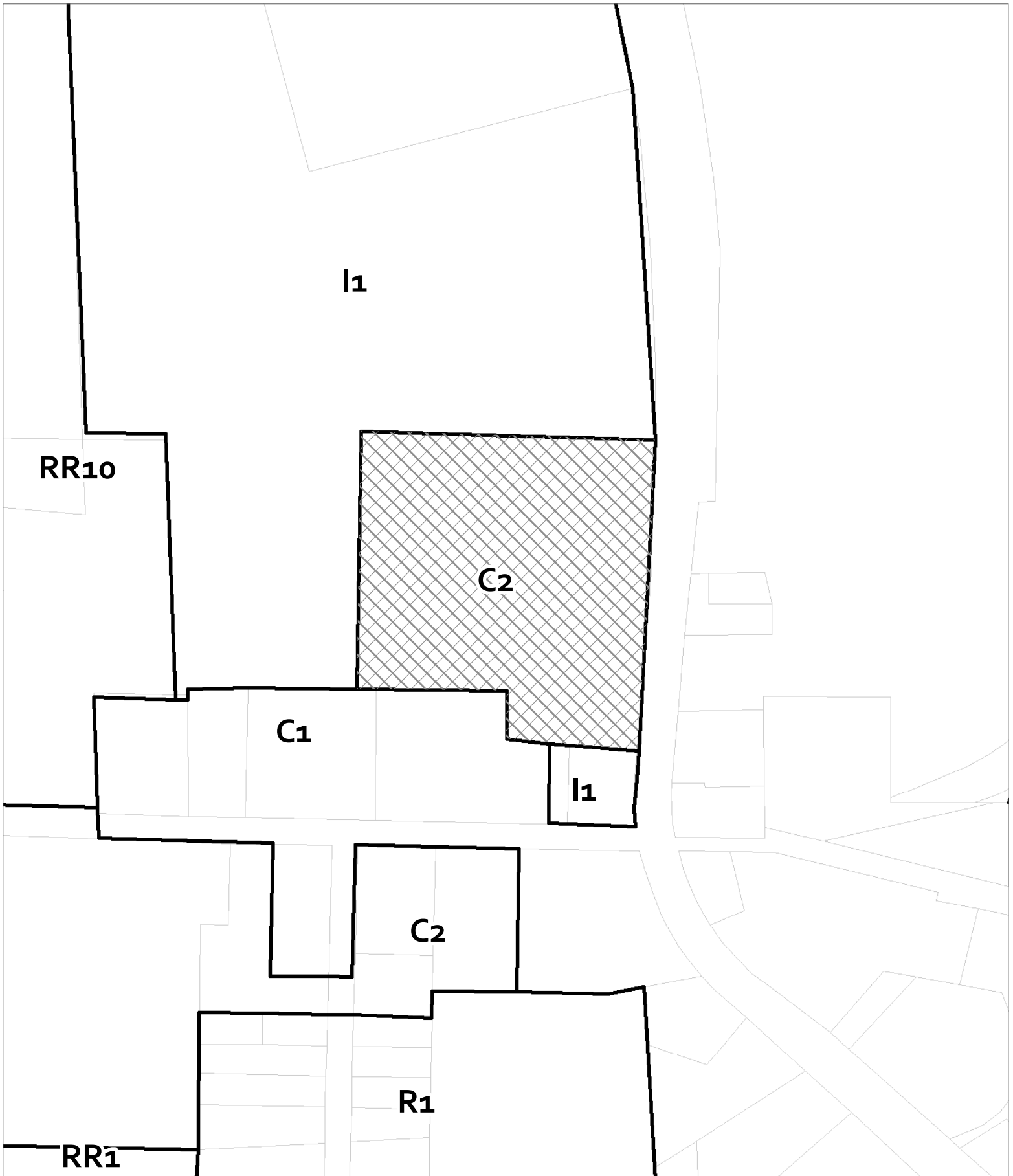


CASE: MS 2018-0005
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NO SCALE

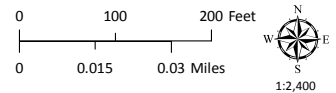
TENTATIVE MAP
ATTACHMENT E

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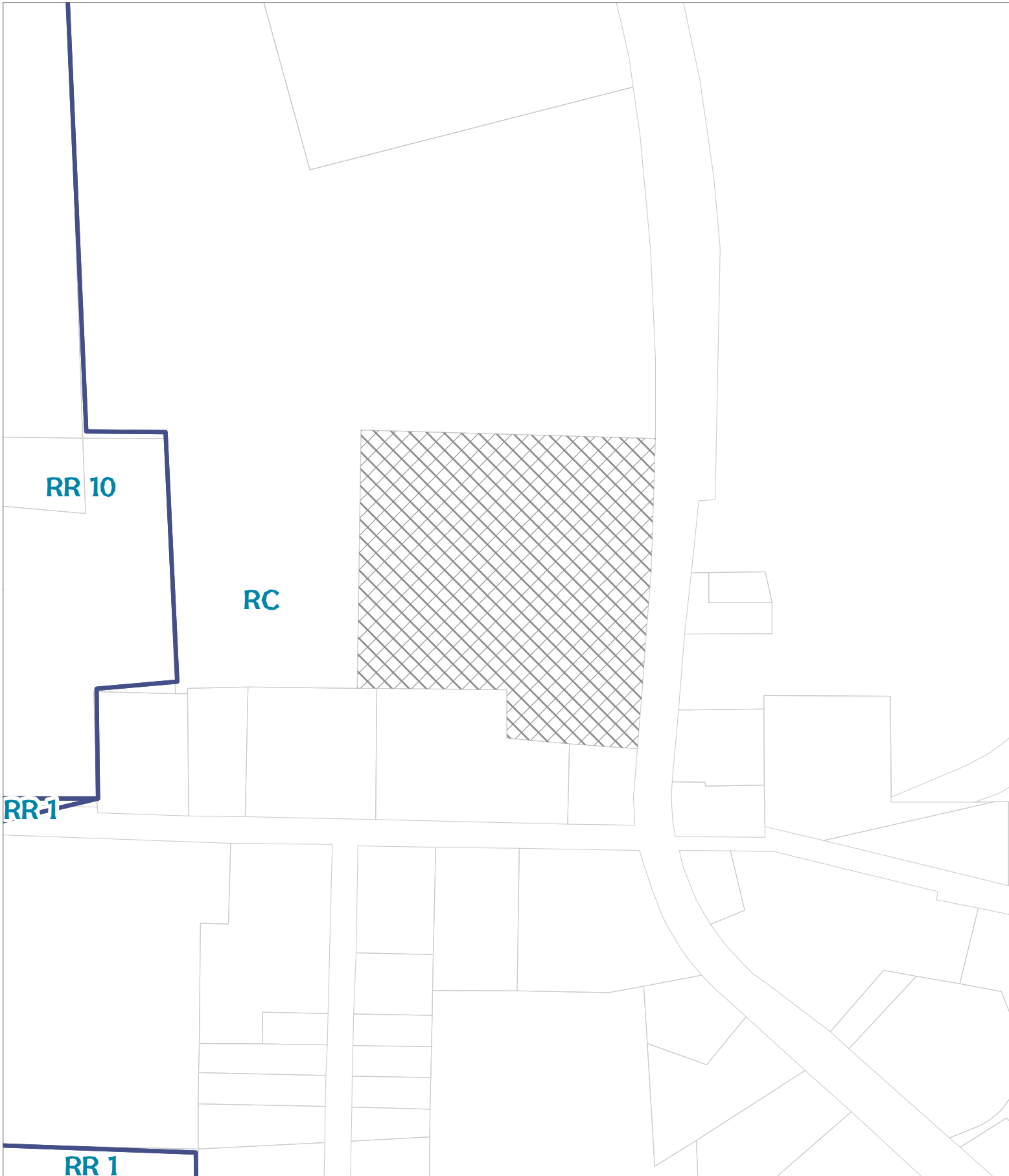
CASE: MS 2018-0005
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 Zoning Districts




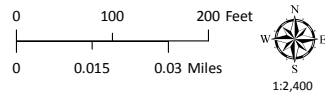
ZONING DISPLAY MAP
ATTACHMENT F

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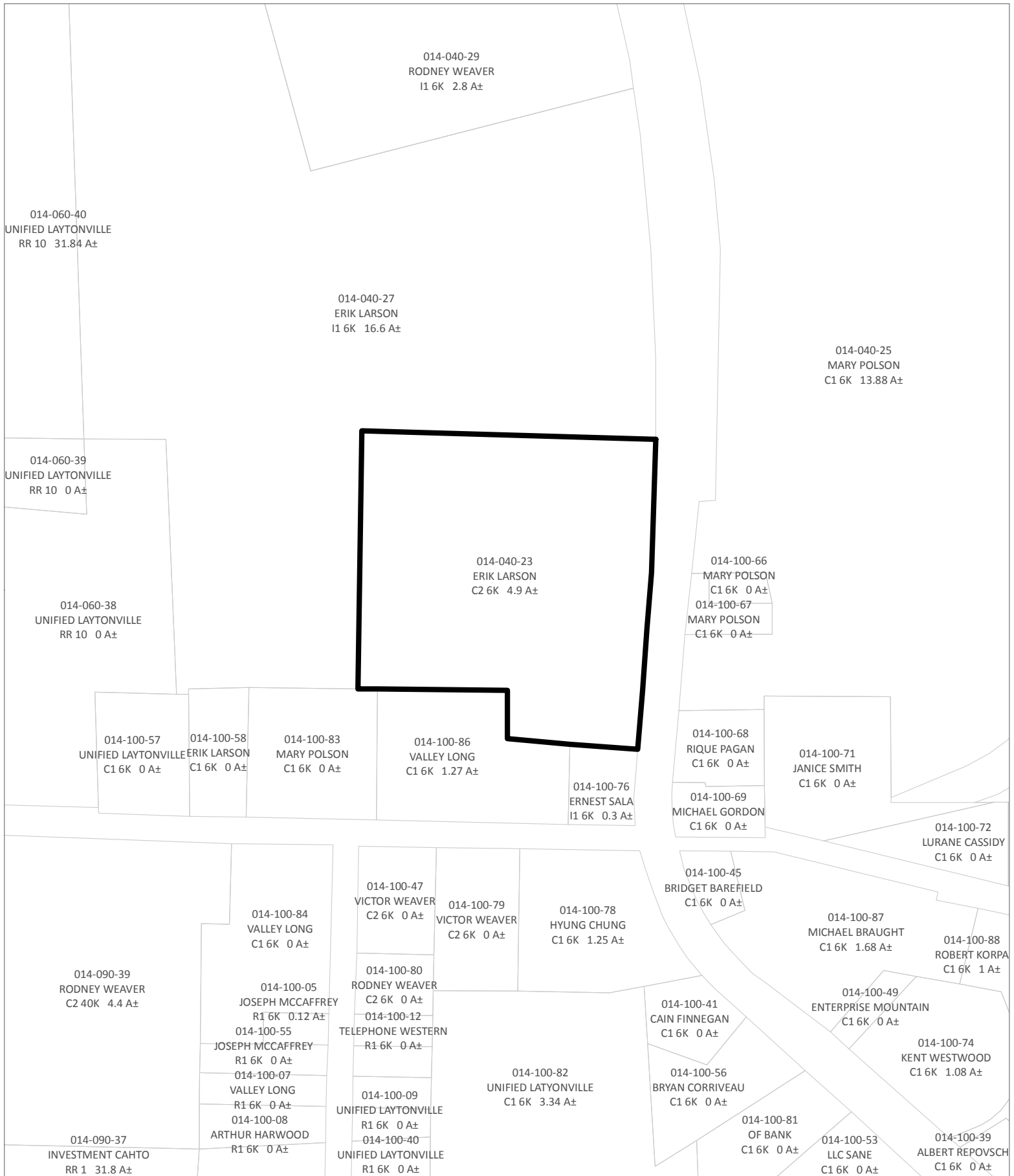
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 General Plan Classes

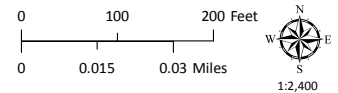


GENERAL PLAN CLASSIFICATIONS
ATTACHMENT G

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ADJACENT PARCELS
ATTACHMENT H

LONG VALLEY FIRE PROTECTION DISTRICT



CASE: MS 2018-0005
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Fire Stations



County Fire Districts



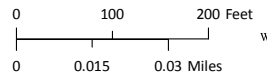
Very High Fire Hazard



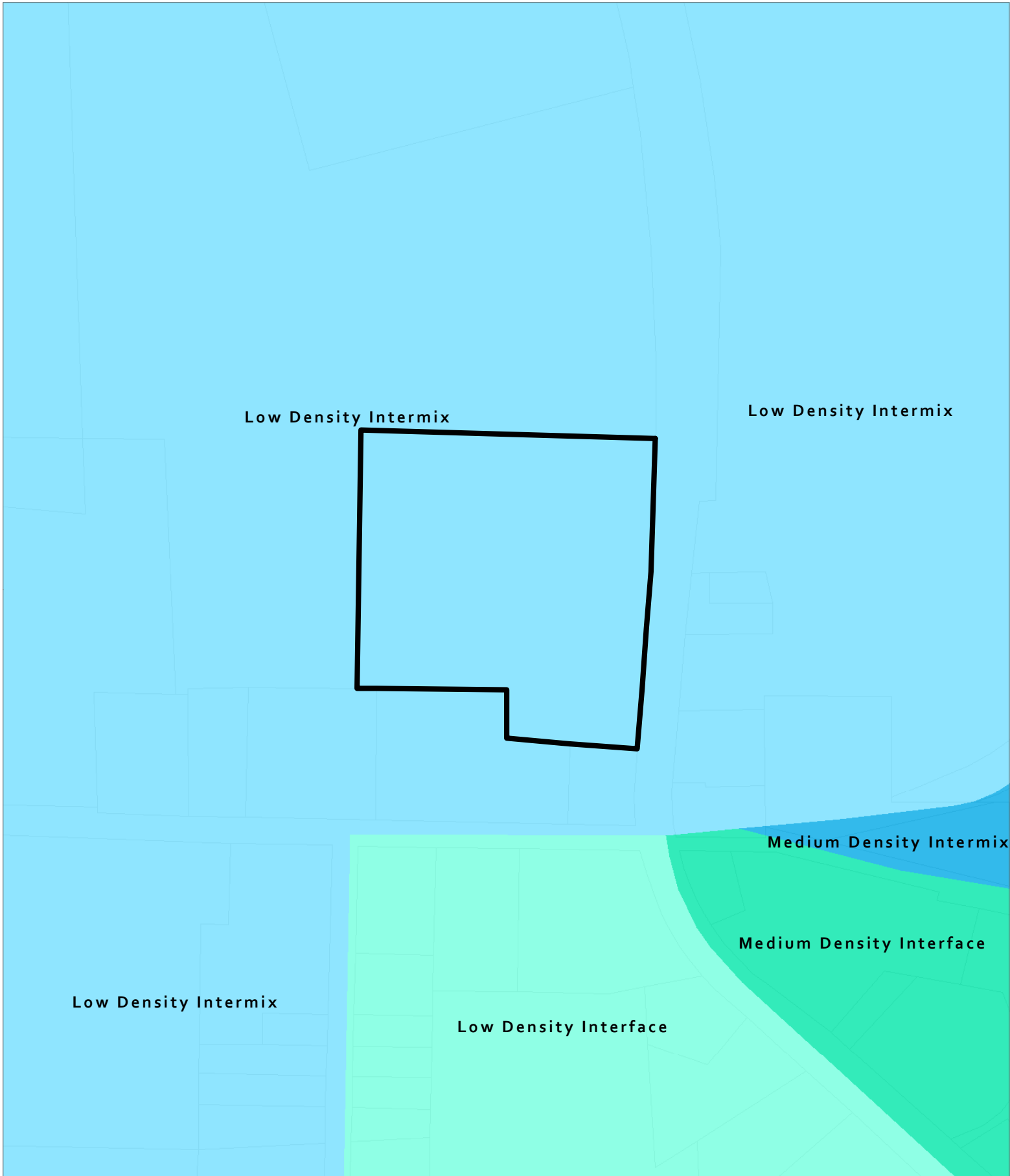
High Fire Hazard



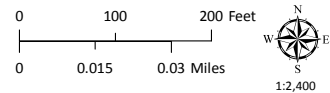
Moderate Fire Hazard

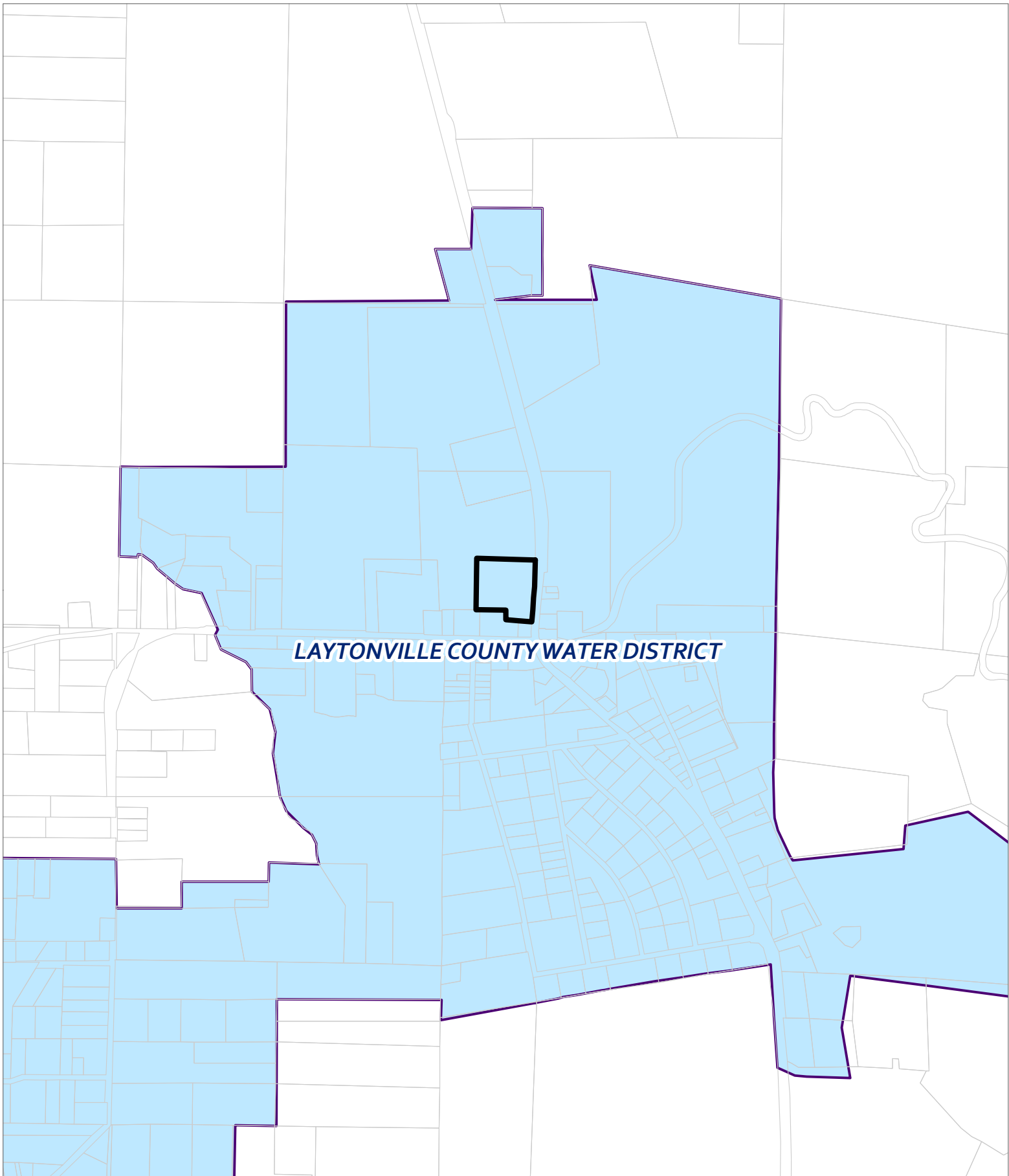


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA



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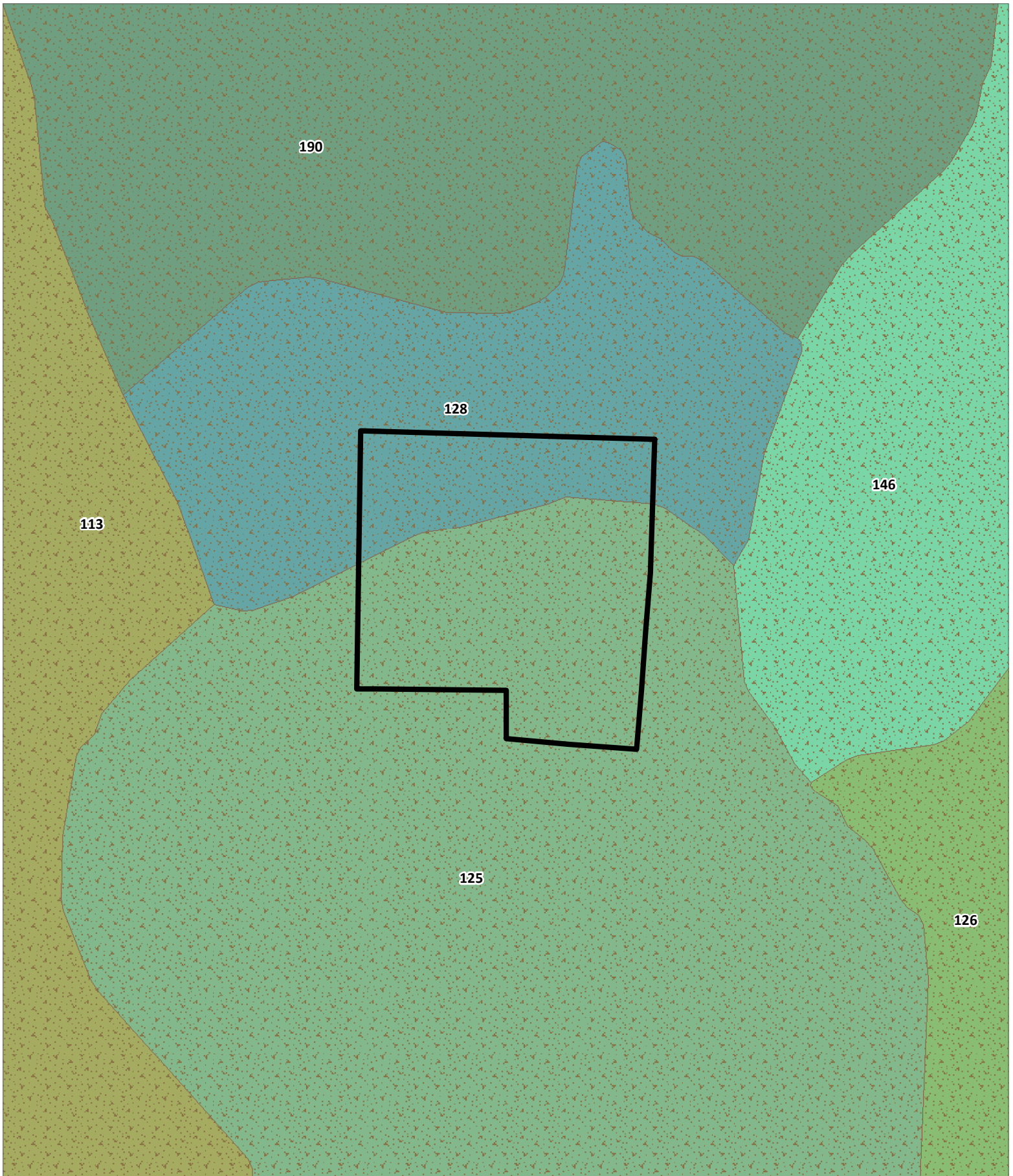


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 County Water Districts

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WATER DISTRICTS
ATTACHMENT K



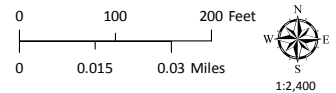
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Naturally Occurring Asbestos

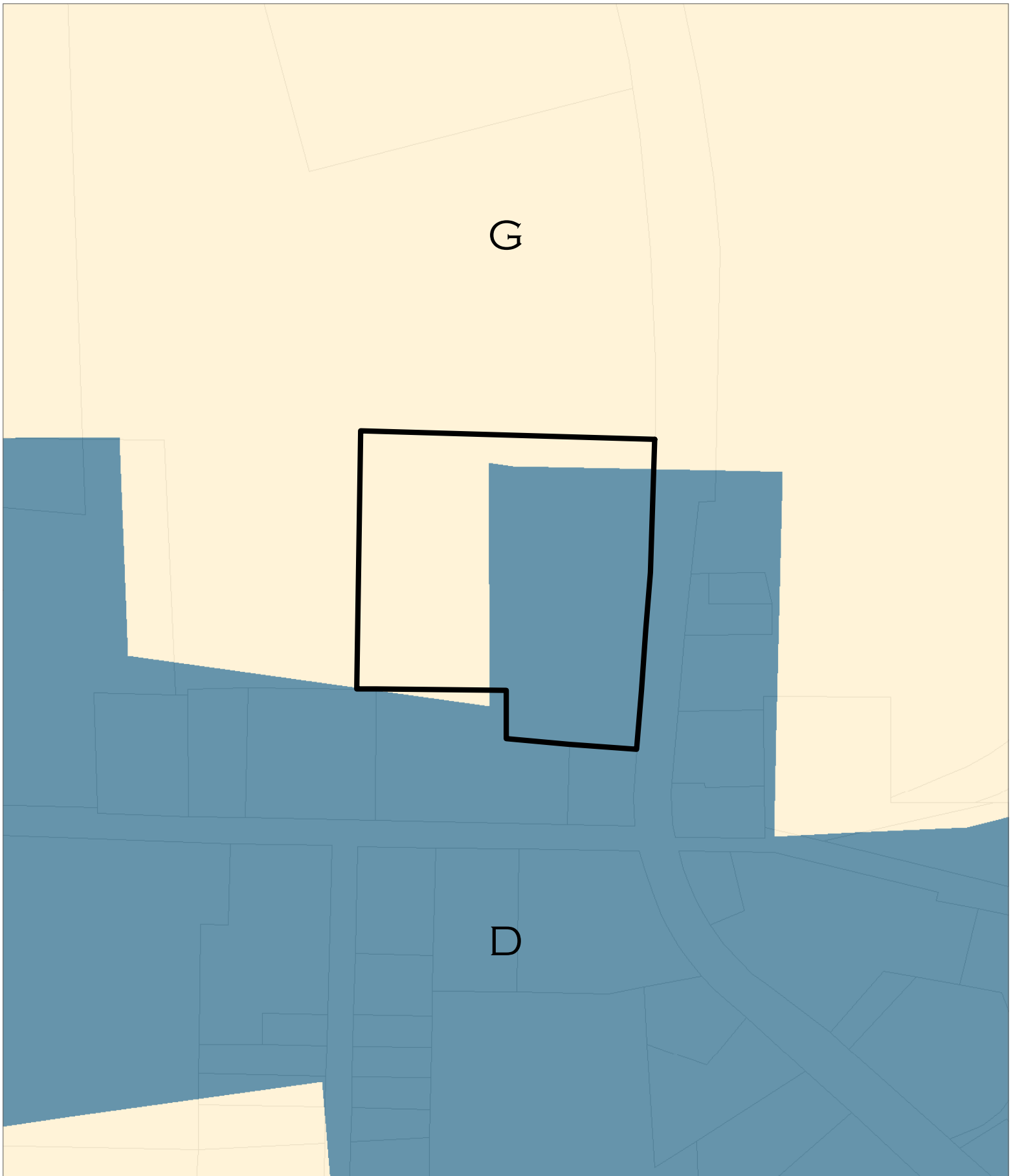


Eastern Study Soil Types



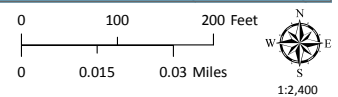
LOCAL SOILS
ATTACHMENT L

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- Urban & Built-Up Land (D)
- Grazing Land (G)



IMPORTANT FARMLAND
ATTACHMENT M

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Section I Description Of Project.**DATE:** February 7, 2019**CASE#:** MS_2018-0005**DATE FILED:** 7/6/2018**OWNER:** ERIK J LARSON & ILIANA MORENO**APPLICANT:** ERIK LARSON**PROJECT COORDINATOR:** SAM "VANDY" VANDEWATER**REQUEST:** Subdivision of a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres.**ENVIRONMENTAL DETERMINATION:** Negative Declaration**LOCATION:** In Laytonville town center, on the west side of US Hwy. 101 (US 101), 200± ft. north of its intersection with Branscomb Road (CR 429), located at 45020 N. Hwy. 101, Laytonville (APN: 014-040-23).**Section II Environmental Checklist.**

"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).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.

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 a 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 commercially 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 itself 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 standard condition is included to ensure impacts remain at less than significant levels.

<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"/>

II. AGRICULTURE AND FORESTRY RESOURCES. 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" and "Grazing 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.

III. AIR QUALITY. 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 "No comment at this time" feedback in their response dated August 29, 2018; however a condition has 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 checked="" type="checkbox"/>	<input 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) **Less Than Significant Impact:** There are a number of nearby sensitive species identified by the California Natural Diversity Database and California Department of Fish and Wildlife (CDFW). In their response dated August 31, 2018, CDFW requested any future development be reviewed by them to ensure protection of the sensitive species; a condition has been included requiring such information be provided.
- b-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 \$2,404.75 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"/>
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 August 29, 2018 recommending a survey. The survey was submitted to and reviewed by the Mendocino County Archaeological Commission at the November 14, 2018 meeting and the survey recommendations were accepted as conditions to the project.

<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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-e) **No Impact:** The proposed project is not located near any terrain that would expose any people or structures to any substantial adverse geological effect, or 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 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"/>
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"/>

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input 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:** While the closest school is located roughly 1,000 feet way from the subject location, 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.
- 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 Round Valley Airport, roughly 13 miles to the east, thus there are no concerns regarding airstrips.
- g) **No Impact:** The proposed project gains access from US Hwy. 101 and allows for on-site parking, thus there will no physical interference with an emergency response or evacuation plan.
- h) **Less Than Significant Impact:** The proposed project is located in a "Low Density Intermix" 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 Long Valley Fire Protection District, the fire station being within a quarter mile from the subject parcel, thus the impact is considered to be less than significant. Additionally, a CalFire station is located roughly 1 mile north on US Hwy. 101.

<u>IX. HYDROLOGY AND WATER QUALITY. Would the project:</u>	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-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>IX. HYDROLOGY AND WATER QUALITY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
flooding on- or off-site?				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. Any future development will be connected to the Long Valley Water District, thus subject to their requirements and resource capacities.
- 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. Lastly, the project is not located in an area with a stormwater drainage system, thus there would be no issue with regards to 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) **No Impact:** The project is not located within a dam inundation zone, tsunami area, or area subject to potential mudflow, thus there are no impacts with regards to these issues.
- 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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-b) **No Impact:** The existing commercial development does not exceed noise levels, nor will the proposed subdivision or subsequent development, as permitted uses are limited to commercial activities, as opposed to noisier, more impactful uses. Additionally, the proposed subdivision will not expose persons to excessive groundborne vibration.

c-d) **Less Than Significant Impact:** While the subdivision itself would not increase any ambient noise levels, an increase in intensity, such as new businesses, could permanently and/or temporarily increase ambient noise levels.

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"/>
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.

<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 US Hwy. 101. 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 (DoT), 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 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				
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- a-b) **No Impact:** The proposed project was referred to Sonoma State University, who responded with comments on August 29, 2018 recommending a survey. The survey was submitted to and reviewed by the Mendocino County Archaeological Commission at the November 14, 2018 meeting and the survey recommendations were accepted as conditions to the project.

<u>VIII. 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"/>
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, though future development does, thus no wastewater will be created. Future development would not exceed the capacity of any treatment facility as the proposed project is not located within a wastewater sanitation district. There is currently a septic system for the existing commercial development, as well as a secondary system for the proposed new parcel, thus the project will have no impact. The septic systems are designed in accordance with the Mendocino County Department of Environmental Health (DEH).
- c) **No Impact:** The project will not create substantial enough stormwater to establish a new drainage facility, thus there is considered to be no impact. There is sufficient undeveloped land on and around the subject parcel that stormwater drainage will not be an issue.
- d) **No Impact:** The project was referred to the Laytonville Water District on August 17, 2018 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 district, thus there are no impacts with regard to these issues. Additionally, there are a transfer station 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>XVIV. 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.

1/8/19
DATE


SAM "VANDY" VANDEWATER
PLANNER II

Resolution Number _____

County of Mendocino
Ukiah, California
February 7, 2019

MS_2018-0005 ERIK J LARSON & ILIANA MORENO

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

WHEREAS, the applicant, ERIK LARSON, filed an application for a minor subdivision with the Mendocino County Department of Planning and Building Services to subdivide a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres on the west side of US Hwy. 101 (Hwy 101), 200± ft. north of its intersection with Branscomb Road (CR 429), located at 45020 N. Hwy. 101, Laytonville (APN: 014-040-23); General Plan RC; Zoning C2:12K/CC; Supervisorial District 3; (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on January 10, 2019 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, February 7, 2019, 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;

1. **General Plan and Zoning Consistency Findings:** The subject parcel has a General Plan Land Use Designation of Rural Community (RC) and the Project is consistent with the General Plan definition. Additionally, the subject parcel lies within the Zoning District of General Commercial with a Community Character combining district (C2:12K/CC), and the Project is consistent with the Zoning Districts per Sections 20.092 and 20.147 of the Mendocino County Code.
2. **Division of Land Regulations:** The Project is consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations.
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.

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: ADRIENNE M. THOMPSON
Administrative Services Manager

By: _____

BY: BRENT SCHULTZ
Director

Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL MS_2018-0005 – ERIK LARSON FEBRUARY 7, 2019

APPROVED PROJECT DESCRIPTION: Subdivision of a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres.

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 stating:

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 stating:

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 stating:

Prior to the development phase of the project, the subdivider 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 asbestos.

Biological Resources

4. A notation shall appear on the Parcel Map stating:

Any future development shall be reviewed and approved by the California Department of Fish and Wildlife.

5. 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 \$2,404.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning

and Building Services prior to February 12, 2018 (within 5 days of the end of any action taken). 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

6. Those “Recommendations” outlined in the Archaeological Report dated **10/15/2018**, prepared by **Thad van Bueren**, Registered Professional Archaeologist, 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.

Geology & Soils

7. The subdivider 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
- 8. The subdivider shall comply with those recommendations in the *California Department of Forestry* letter (CalFire# 204-18) or other alternatives as acceptable to the *Department of Forestry*. Written verification shall be submitted from the *Department of Forestry* to the Department of Planning and Building Services that this condition has been met to the satisfaction of the *Department of Forestry*.
- 9. The subdivider shall comply with those recommendations of the Long 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

10. 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.
11. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel #2 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).
12. 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.
13. 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.

Transportation

14. There shall be provided an access easement of 40 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.

15. 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 ten (10) feet, whichever is greater.
16. Where topography precludes the use of a cul-de-sac design, and if approved in writing by the applicable fire protection service provider(s), in lieu of the turnaround described above, subdivider shall construct a "Hammerhead-T" turnaround within a forty (40) foot wide by eighty (80) foot long easement at the terminus of the access easement. Turnaround shall be constructed with eight (8) inch minimum rock base, twenty (20) feet wide and sixty (60) feet long, with twenty (20) foot radius surfacing returns.

Subdivision Conditions

17. 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.
18. 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.

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

Notice of Determination

To:

☒ Office of Planning and Research
U.S. Mail: Street Address:
PO Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95812

☒ County Clerk:
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

From:

Mendocino County Planning & Building
860 North Bush Street
Ukiah, CA 95482
Contact: Sam "Vandy" Vandewater
Phone: 707-234-6650

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: MS_2018-0005

Project Applicant: ERIK LARSON

Project Location (include county): In Laytonville town center, on the west side of US Hwy. 101 (Hwy 101), 200± ft. north of its intersection with Branscomb Road (CR 429). Located at 45020 N. Hwy. 101, Laytonville (APN: 014-040-23).

Project Description: Subdivision of a 4.9± acre parcel into 2 parcels of 2.4± and 2.5± acres.

This is to advise that the County of Mendocino (Lead Agency) has approved the above described project on February 7, 2019, and has made the following determinations regarding the above described project.

1. The project [☐will ☒will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative declaration is available to the General Public at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>, 860 N. Bush Street, Ukiah CA 95482, and 120 W. Fir Street Ft. Bragg, CA 95437.

Signature (Public Agency): _____ Title: PLANNER II

Date: February 7, 2019 Date Received for filing at OPR: _____