



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
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

November 21, 2019

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, December 19, 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#: GP_2019-0005 / R_2019-0006 / U_2019-0009

DATE FILED: 5/23/2019

OWNER: GOLD WEST LAND COMPANY LLC

APPLICANT: TYLER PEARSON

REQUEST: The proposed project consists of three request components. 1) A general plan amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation; 2) a rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community zoning district, with a contract rezone combining district to limit uses (RC:CR); and 3) a use permit to allow for retail, manufacturing (volatile and non-volatile), and distribution.

ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION

LOCATION: 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25).

SUPERVISORIAL DISTRICT: 3

STAFF PLANNER: SAM VANDY VANDEWATER

A copy of the Draft Mitigated Negative Declaration will be available for public review 21 days prior to the public hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California. The staff report and notice will also be available on the Department of Planning and Building Services website at www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission.

Your comments regarding the above project and/or the Draft Negative Declaration are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California 95482, no later than December 18, 2019. Oral comments may be presented to the Planning Commission during the public hearing.

The Planning Commission's action regarding this item shall be a recommendation to the Board of Supervisors, and the Board's action shall be final. 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 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. 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's 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.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Planning and Building Services Department by calling (707) 234-6650 at least five days prior to the meeting.

BRENT SCHULTZ, Director of Planning and Building Services



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
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

November 22, 2019

Mendocino Co. Planning & Building Services
Department of Transportation
Environmental Health - Ukiah
Mendocino County Sheriff's Office
Mendocino County Cannabis Program
Native Plant Society
Caltrans
CalFire – Prevention

CalFire – Resource Management
California Highway Patrol
Department of Fish and Wildlife
Long Valley Fire District
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

**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, December 19, 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#: GP_2019-0005 / R_2019-0006 / U_2019-0009

DATE FILED: 5/23/2019

OWNER: GOLD WEST LAND COMPANY LLC

APPLICANT: TYLER PEARSON

REQUEST: The proposed project consists of three request components. 1) A general plan amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation; 2) a rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community zoning district, with a contract rezone combining district to limit uses (RC:CR); and 3) a use permit to allow for retail, manufacturing (volatile and non-volatile), and distribution.

ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION

LOCATION: 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25).

STAFF PLANNER: SAM VANDY VANDEWATER

RESPONSE DUE DATE: December 4, 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.

A copy of the Draft Negative Declaration will be available for public review 21 days prior to the public hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California. The staff report and notice will also be available on the Department of Planning and Building Services website at www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission.

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 regarding this item shall be a recommendation to the Board of Supervisors, and the Board's action shall be final. 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 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. 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's 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.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Planning and Building Services Department by calling (707) 234-6650 at least five days prior to the meeting.

BRENT SCHULTZ, Director of Planning and Building Services



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
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

November 19, 2019

TO: Mendocino County Observer and Ukiah Daily Journal
FROM: James F. Feenan, Commissioner Service Supervisor
SUBJECT: Publication of Legal Notice.

Please publish the following notice at least 1/8 page in size, one time on November 21, 2019 in the Legal Notices Section of the Mendocino Coast Observer one time on November 27, 2019 in the Legal Notices Section of the Ukiah Daily Journal.

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, December 19, 2019, at 9:00 a.m., to be held in the Board of Supervisors Chamber, 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#: GP_2019-0005 / R_2019-0006 / U_2019_0009

DATE FILED: 5/23/2019

OWNER: GOLD WEST LAND COMPANY LLC

APPLICANT: TYLER PEARSON

REQUEST: The proposed project consists of three request components. 1) A general plan amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation; 2) a rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community zoning district, with a contract rezone combining district to limit uses (RC:CR); and 3) a use permit to allow for retail, manufacturing (volatile and non-volatile), and distribution.

ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION

LOCATION: 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25).

STAFF PLANNER: SAM VANDY VANDEWATER

A copy of the Draft Mitigated Negative Declaration will be available for public review 21 days prior to the public hearing at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California. The staff report and notice will also be available on the Department of Planning and Building Services website at www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission.

Your comments regarding the above project and/or the Draft Negative Declaration are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California 95482, no later than December 18, 2019. Oral comments may be presented to the Planning Commission during the public hearing.

The Planning Commission's action regarding this item shall be a recommendation to the Board of Supervisors, and the Board's action shall be final. 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 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. 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's 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.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Planning and Building Services Department by calling (707) 234-6650 at least five days prior to the meeting.

BRENT SCHULTZ, Director of Planning and Building Services



PLANNING COMMISSION STAFF REPORT
GENERAL PLAN/REZONE/USE PERMIT GP_2019-0005/R_2019-0006/U_2019-0009

DECEMBER 19, 2019

SUMMARY

OWNER: GOLD WEST LAND COMPANY LLC.
PO BOX 1838
LAYTONVILLE, CA 95454

APPLICANT: TYLER PEARSON
513 CENTER ST
HEALDSBURG, CA 95448

REQUEST: The proposed project consists of three request components. 1) A general plan amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation; 2) a rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community zoning district, with a contract rezone combining district to limit uses (RC:CR); and 3) a use permit to allow for retail, manufacturing (volatile and non-volatile), and distribution.

LOCATION: 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25).

TOTAL ACREAGE: 79.5± Acres

GENERAL PLAN: Remote Residential (RMR)

ZONING: Upland Residential (UR:40)

SUPERVISORIAL DISTRICT: District 3 (Haschak)

ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: SAM "VANDY" VANDEWATER

BACKGROUND

PROJECT DESCRIPTION: The proposed project consists of three request components. A General Plan Amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation. Additionally, a Contract Rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community (RC) zoning district, with a contract that will limit the allowed uses in this partial rezone area. Lastly, a Use Permit to allow for cannabis retail, manufacturing (volatile and non-volatile), and distribution in the portioned area.

SITE CHARACTERISTICS: The subject parcel is located on the east side of US 101, roughly 1.5 miles south of Laytonville center. It gains its access from US 101, is located in the Laytonville Fire Protection District and utilizes on-site septic and water. There are a number of existing structures, including the one intended for the various proposed cannabis uses. A majority of the parcel is grasslands and forest lands.

RELATED APPLICATIONS: The proposed project will expand upon the existing cannabis processing facility that was permitted by **AP_2018-0095**.

SURROUNDING LAND USE AND ZONING:

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES (ACRES)	ADJACENT USES
NORTH	Rural Community (RC); Rangeland (RL)	Rural Community (RC-CR); Rangeland (RL:160)	0.5±, 41±, 120± Acres	Residential/Agriculture
EAST	Rangeland (RL)	Rangeland (RL:160)	40± Acres	Residential/Agriculture
SOUTH	Remote Residential (RMR)	Upland Residential (UR:40)	41± to 40± Acres	Residential/Agriculture
WEST	Agriculture (AG)	Agriculture (AG:40)	4±, 0.5±, 7.5±	Residential/Agriculture

PUBLIC SERVICES:

Access: U.S. Highway 101
Fire District: Long Valley Fire Protection District
Water District: None
Sewer District: None
School District: Laytonville Unified School District

AGENCY COMMENTS: On July 1, 2019, 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	No Response
Environmental Health	Comment
Building Inspection	No Comment
Assessor	No Response
Air Quality Management District	No Response
Archaeological Commission	Comment
Mendocino County Sheriff's Office	No Response
Mendocino County Cannabis Program	No Comment
Sonoma State University	Comment
Native Plant Society	No Response
CalTrans	Comment
CalFire – Prevention	No Response
CalFire – Resource Management	No Response
California Highway Patrol	No Comment
Department of Fish and Wildlife	No Response
Laytonville Municipal Advisory Council	No Response
Long Valley Fire District	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

KEY ISSUES

1. General Plan and Zoning Consistency: The proposed project is currently located within the Remote Residential (RMR) General Plan Land Use Designation and the Upland Residential (UR) zoning district. These General Plan and Zoning District designations have allowed the applicant to develop a cannabis processing facility, in addition to a large mixed-light cannabis cultivation site of no more than 10,000 square feet, as well as 12,000 square feet of nursery stock.

The project proposes a change to the General Plan Land Use Designation to that of Rural Community (RC), which is defined by Chapter 3: Development Element of the Mendocino County General Plan. The Rural Community General Plan 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 General Plan Amendment, Rezone, and Use Permit for a portion of the subject parcel. The proposed General Plan Land Use Designation of Rural Community (RC) supports the Rezone to the Rural Community zoning district and Use Permit for the cannabis facilities by providing a small semi-agricultural, semi-industrial space south of the Laytonville center. The General Plan Amendment is support by the Laytonville Community Area Policies through the following policies:

CP-L-7: Laytonville and Long Valley shall be maintained as a community with businesses that are unique or local to Mendocino County which... provide a community scale and context compatible with surrounding uses.

CP-L-9: The County encourages job creation and economic development through local sustainable, non-polluting light industries.

With regards to zoning districts, the project proposes to partially Rezone the parcel into the Rural Community District (MCC 20.084). The Mendocino County Code identifies the intent of the Rural Community is to,

“maintain and enhance existing rural communities where a mixture of residential, commercial, and limited industrial uses are desired. Such a mixture may include commercial uses occupying the ground floor with residential uses above, or limited industrial uses abutting commercial uses with appropriate buffering to achieve compatibility with adjacent uses. The regulations of this Chapter are intended to insure that new developments, particularly commercial and limited industrial uses, are compatible in scale, function and character in those communities where this district is applied.”

While the subject parcel is not located within the town center of Laytonville, the proposed project does provide a small industrial area that is of a reasonable scale for the Laytonville area, provide a function for the cannabis industry within the area, and retain the agricultural character of the area.

As the subject parcel is almost twice as large as the minimum acreage size (40 acres), the proposed partial General Plan Amendment and Rezone would allow the Remote Residential land use designation and Upland Residential zoning district to remain consistent with their intended uses, while also allowing the development of a semi-agricultural, semi-industrial node. Furthermore the proposed project would provide a location for surrounding cultivation site and cultivators to send their material, thus reducing the need for many operations to develop their own small industrial operations. Lastly, the proposed changes are appropriately located directly along U.S. Highway 101, thus limiting traffic issues in more rural areas.

In terms of the proposed Contract Rezone, the following uses were identified as those to be retained for potential use in future developments on the subject parcel:

Sec. 20.084.010 - Permitted Uses.

The following uses types are permitted in the R-C Districts:

- (A) Civic Use Types (See Chapter 20.020).
 - Administrative Service, government
 - Community recreation
 - Cultural exhibits and library services
 - Lodge, fraternal, and civic assembly
 - Minor impact utilities
- (B) Agricultural Use Types (See Chapter 20.032).
 - Animal raising – general agriculture
 - Animal raising – personal
- (C) Accessory uses as provided in Chapter 20.032.

Sec. 20.084.015 - Uses Subject to a Minor Use Permit.

The following uses are permitted in the R-C District upon issuance of a Minor use permit:

- (A) Commercial Use Types (See Chapter 20.024).
 - Cottage industries – limited
 - Eating and drinking establishments
 - Financial services
 - Food and beverage retail sales
 - Repair services
 - Research services
 - Retail sales, general
 - Swap meets
 - Wholesaling, storage, and distribution – all types

Sec. 20.084.020 - Uses Subject to a Major Use Permit.

The following use types are permitted in the R-C District upon securing a Major Use Permit:

- (A) Civic Use Types (See Chapter 20.020).
 - Educational facilities;

(B) Commercial Use Types (See Chapter 20.028).

- Commercial recreation – all types
- Scrap operations
- Transient habitation – all types

Uses described in County Code Section 20.243 for cannabis facilities shall be permitted within the partial rezone area, as well as Section 20.242 should cultivation be permitted in the RC district in the future.

2. Use Permit Findings: The proposed Use Permit is required to meet the Use Permit findings set forth in the Mendocino County Code (MCC Section 20.196.020). Below is the discussion of each finding and how the Use Permit appropriately meets those requirements.

A. That the establishment, maintenance or operation of a use or building applied for is in conformity with the General Plan;

As shown in the previous section, the proposed Use Permit and partial Rezone would be in conformity of the proposed General Plan, with the approval of the partial General Plan Amendment and partial Rezone being prerequisites for the Use Permit. The intended uses permitted by the Use Permit are compatible with the general uses of the Rural Community Land Use Designation and are permitted in the Rural Community zoning district by MCC Section 20.243.

B. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;

The propose project already operates a cannabis processing business which utilizes existing water, septic, and access to U.S. 101. Additionally, no concerns were expressed regarding the utilities, access, or drainage of the parcel by any referral agency.

C. That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect;

An initial study was completed and a Negative Declaration was prepared stating the proposed project will not be detrimental to the environment. Additionally, the proposed use of a cannabis retail business is less intensive than other permitted uses generally allowed in the Rural Community zoning district, thus the project will not be a detriment to the wellbeing of surrounding neighbors or the environment. Conditions of Approval are recommended to ensure the proposed project will not create a nuisance.

D. That such use preserves the integrity of the zoning district.

Similarly to the General Plan conformity finding above, compliance with the Mendocino County Code zoning district is discussed in the previous section. The contract rezone from Upland Residential (UR) to Rural Community (RC) and the subsequent Use Permit requirement ensures the integrity.

3. Limitations by Contract: The proposed rezone is a contract rezone that will limit the future permitted uses on the parcel. As the entirety of these project focuses on cannabis uses, the Contract Rezone will limit permitted uses to those allowed in MCC Section 20.243, as well as some of the uses of the Rural Community district, as defined by MCC Section 20.084. This shall include any permitted use or those granted by the issuance of a minor or major use permit as listed in Key Issues Section 1 of this report.

4. Environmental Protection Findings: An Initial Study for the proposed project was competed 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, recommend the Board of Supervisors adopt a Negative Declaration and grant a General Plan Amendment from Remote Residential (RMR) to Rural Community (RC), a Rezone from Upland Residential (UR) to Rural Community with a Contract Rezone combining district (RC-CR), to a portion of the subject parcel, and a Minor Use Permit for cannabis retail, volatile and non-volatile manufacturing and distribution within said portion.

11-22-2019

DATE


SAM "VANDY" VANDEWATER
PLANNER II

ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Site Map
- D. Zoning Map
- E. Rezone Map
- F. General Plan Map
- G. General Plan Amendment Map
- H. Adjacent Owner Map
- I. Fire Hazards Map
- J. Wetlands Map
- K. Important Farmland Map
- L. Soils Map
- M. Miscellaneous Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

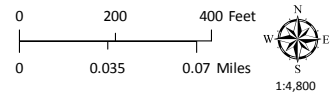
[NEGATIVE DECLARATION] Initial Study available online at:

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



CASE: GP 2019-0005 / R 2019-0006
OWNER: Gold West Land Company, LLC
APN: 035-150-25
APLCT: Gillian Hayes
AGENT:
ADDRESS: 43045 N. Highway 101, Laytonville

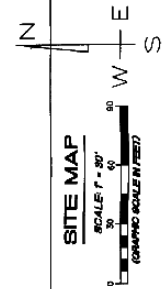
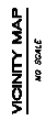
Public Roads
Driveways/Unnamed Roads



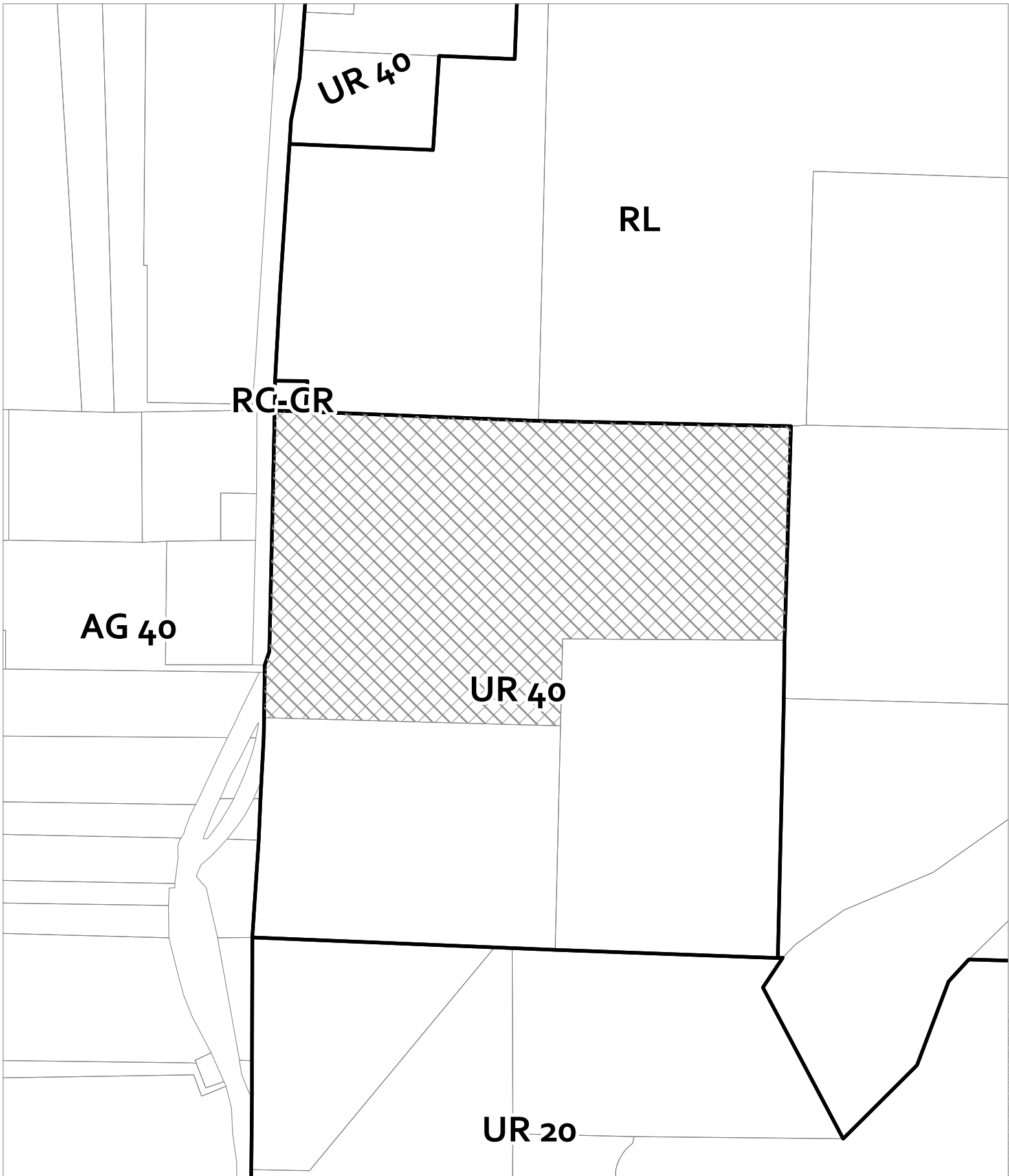
AERIAL IMAGERY
ATTACHMENT B

OWNER

HERITAGE HOLDING OF CA, INC
P.O. BOX 1679
WILLITS, CA 95490



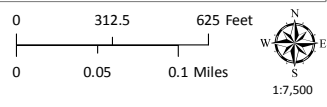
ATTACHMENT C



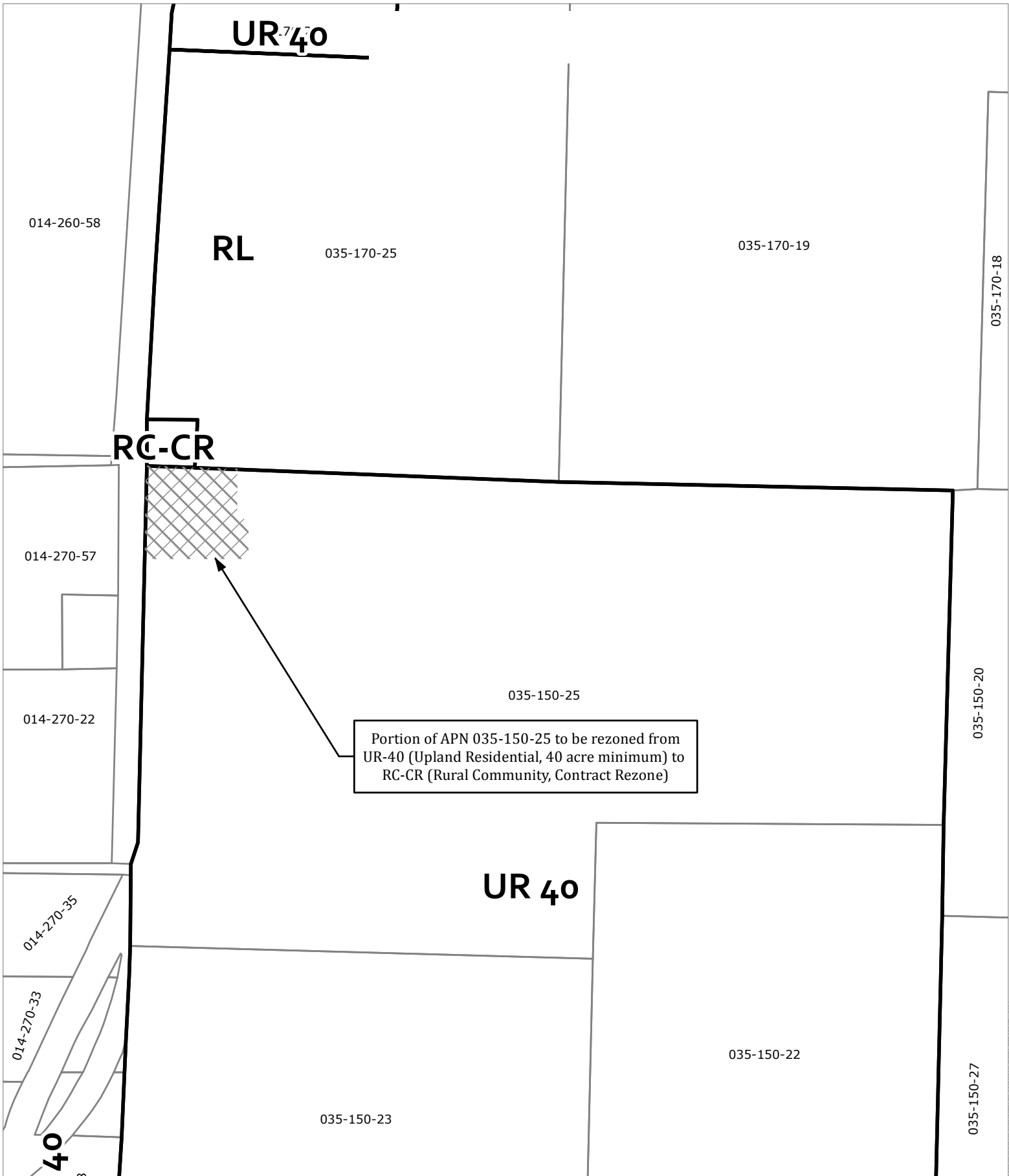
MENDOCINO COUNTY PLANNING DEPARTMENT - 6/6/2019

CASE: GP 2019-0005 / R 2019-0006
OWNER: Gold West Land Company, LLC
APN: 035-150-25
APLCT: Gillian Hayes
AGENT:
ADDRESS: 43045 N. Highway 101, Laytonville



 Zoning Districts

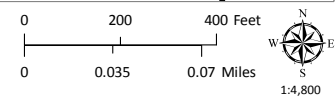


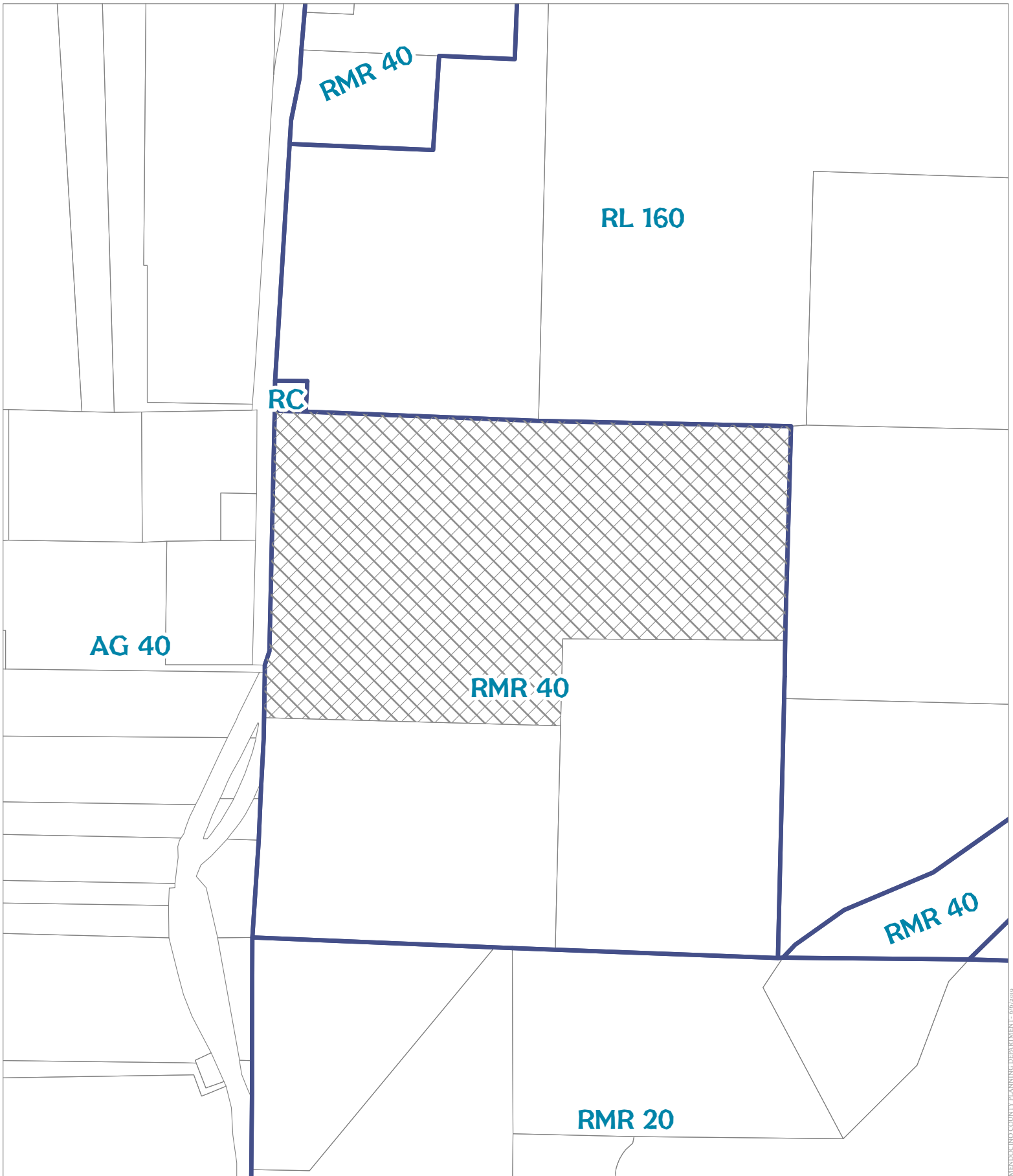
ZONING DISPLAY MAP
ATTACHMENT D



CASE: GP 2019-0005 / R 2019-0006
OWNER: Gold West Land Company, LLC
APN: 035-150-25
APLCT: Gillian Hayes
AGENT:
ADDRESS: 43045 N. Highway 101, Laytonville


-  REZONE FROM: U-R:L-40 (Upland Residential, 40 acre minimum)
TO: RC-CR (Rural Community, Contract Rezone)
-  Zoning Districts



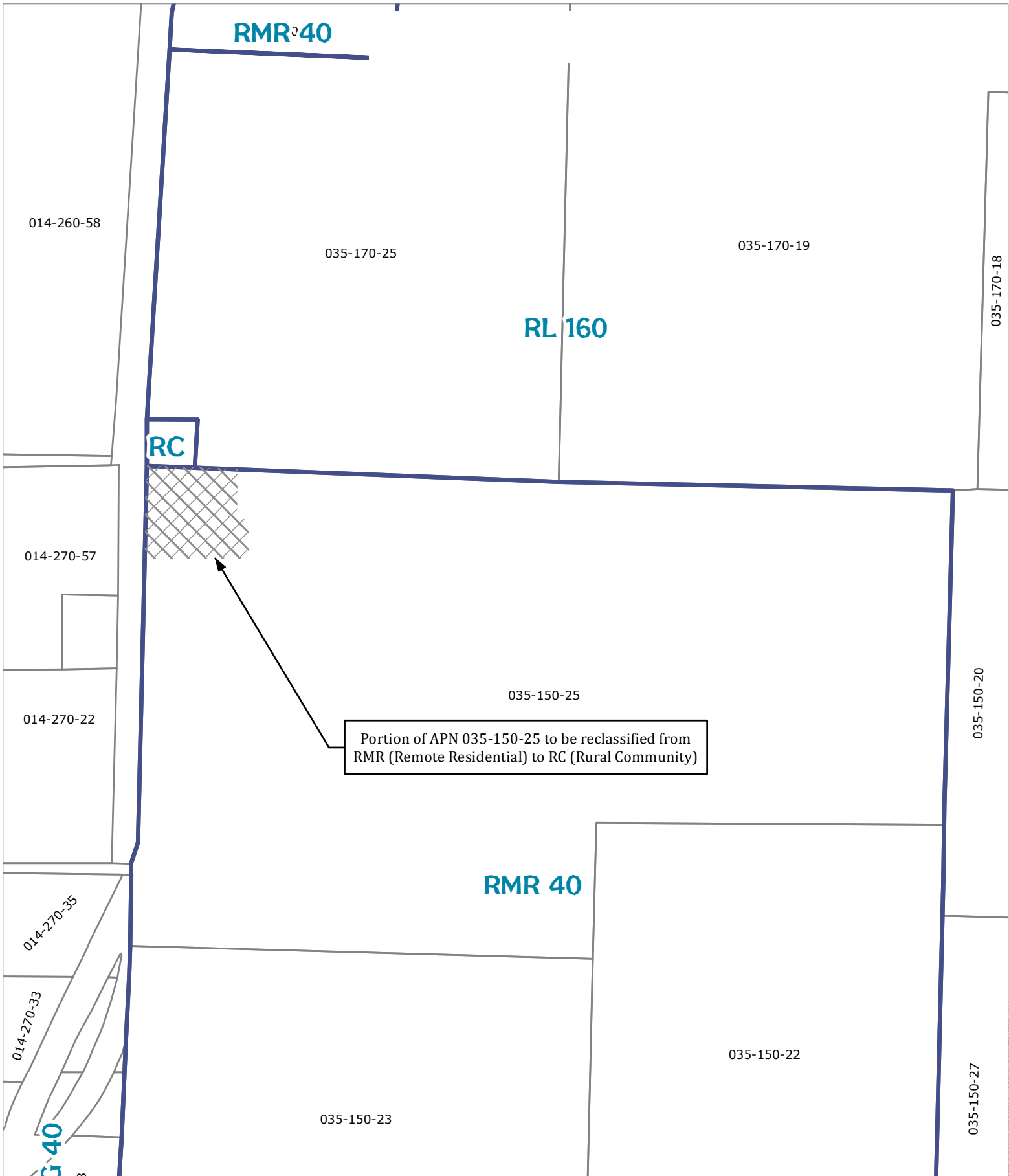


MENDOCINO COUNTY PLANNING DEPARTMENT - 6/6/2019

CASE: GP 2019-0005 / R 2019-0006
 OWNER: Gold West Land Company, LLC
 APN: 035-150-25
 APLCT: Gillian Hayes
 AGENT:
 ADDRESS: 43045 N. Highway 101, Laytonville



 General Plan Classes

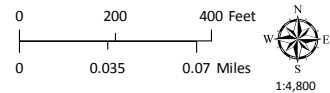
GENERAL PLAN CLASSIFICATIONS
 ATTACHMENT F



Portion of APN 035-150-25 to be reclassified from RMR (Remote Residential) to RC (Rural Community)

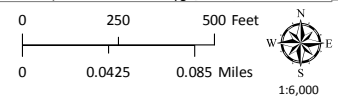
CASE: GP 2019-0005 / R 2019-0006
 OWNER: Gold West Land Company, LLC
 APN: 035-150-25
 APLCT: Gillian Hayes
 AGENT:
 ADDRESS: 43045 N. Highway 101, Laytonville

-  RECLASSIFY FROM: RMR (Remote Residential)
TO: RC (Rural Community)
-  General Plan Classes

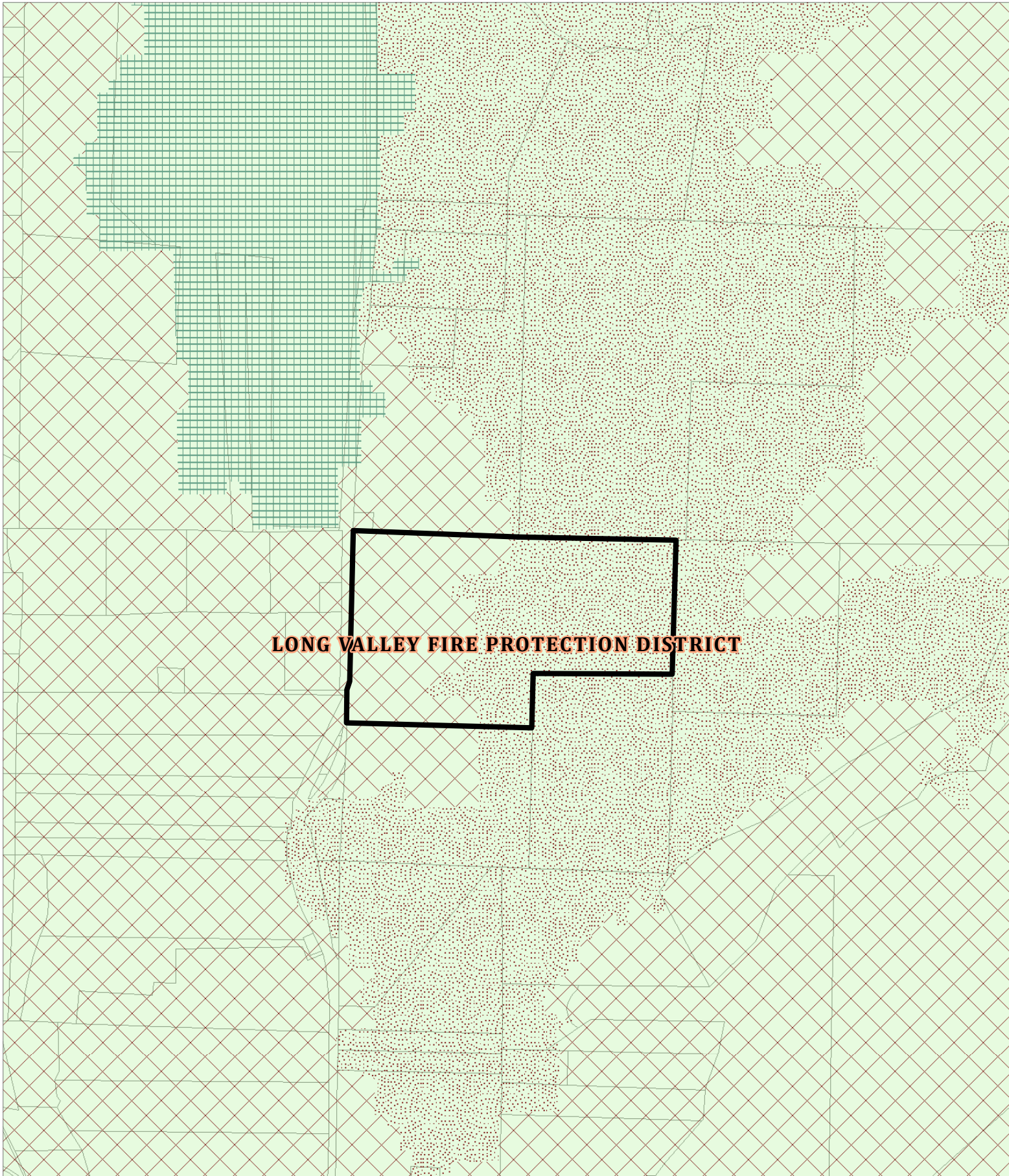


GENERAL PLAN RECLASSIFICATION




ATTACHMENT G

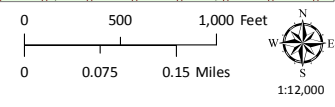


ADJACENT PARCELS
ATTACHMENT H

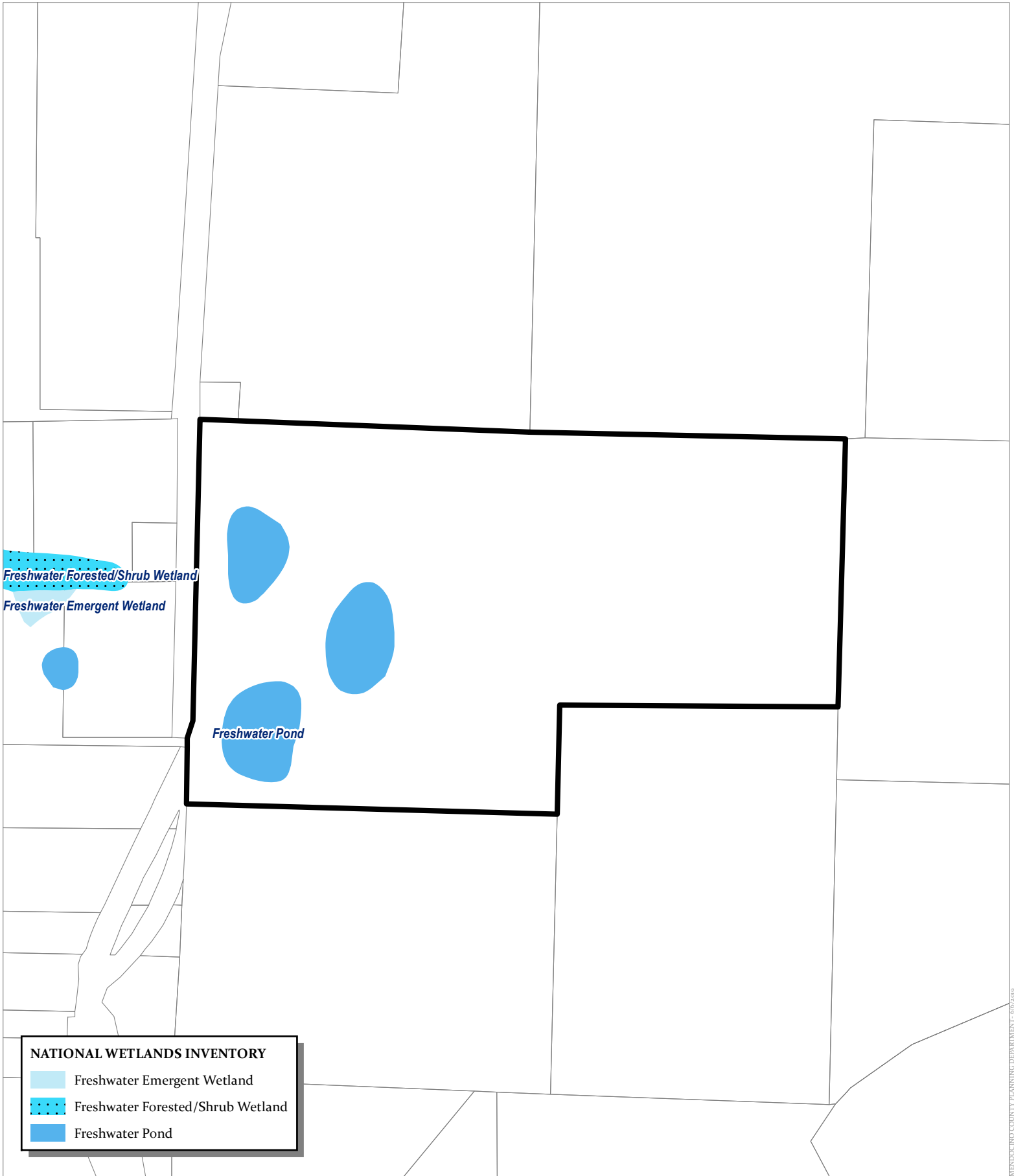


CASE: GP 2019-0005 / R 2019-0006
OWNER: Gold West Land Company, LLC
APN: 035-150-25
APLCT: Gillian Hayes
AGENT:
ADDRESS: 43045 N. Highway 101, Laytonville

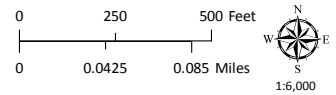
-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts

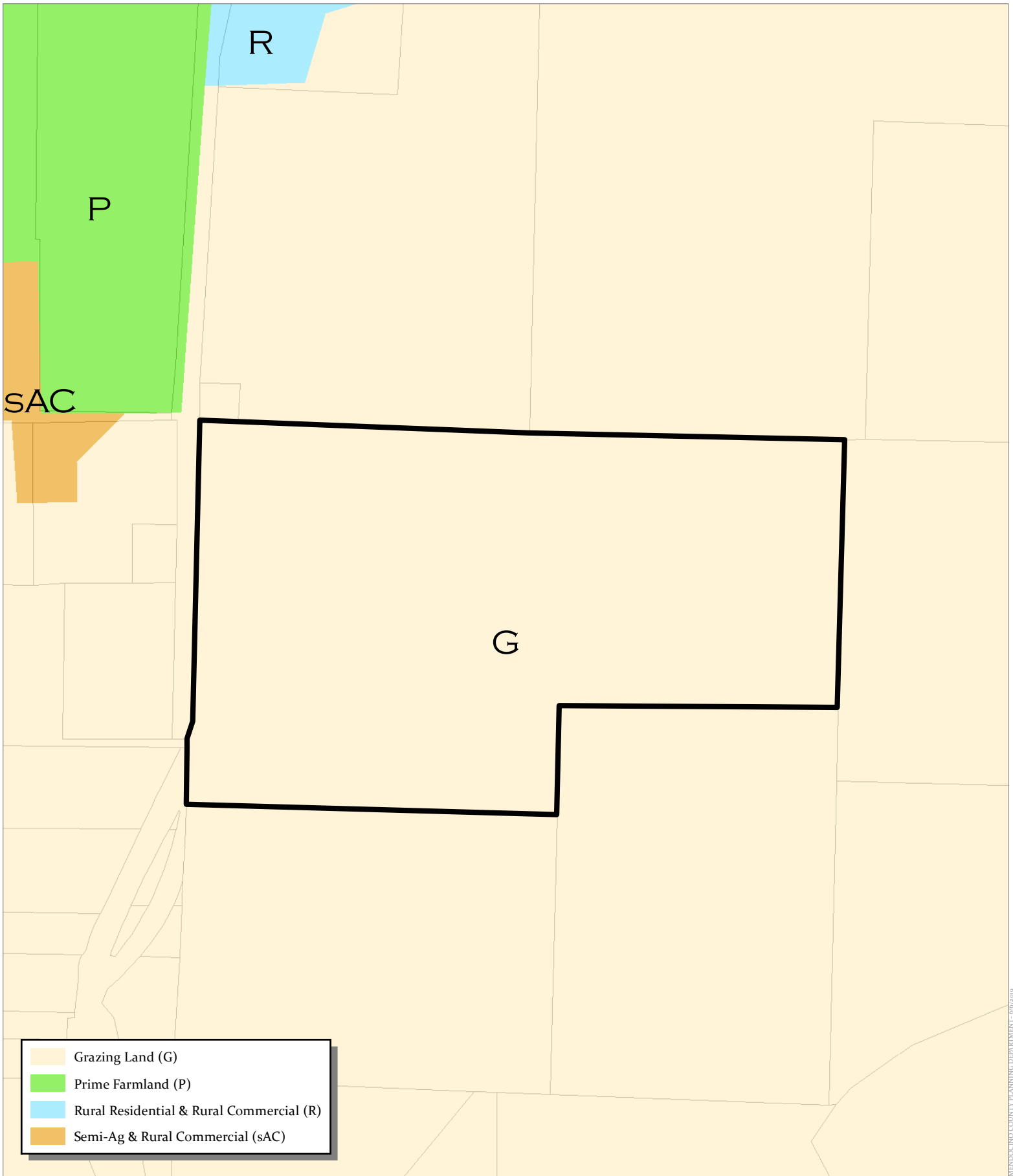


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA



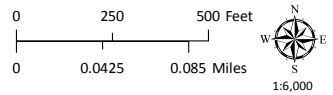
CASE: GP 2019-0005 / R 2019-0006
 OWNER: Gold West Land Company, LLC
 APN: 035-150-25
 APLCT: Gillian Hayes
 AGENT:
 ADDRESS: 43045 N. Highway 101, Laytonville

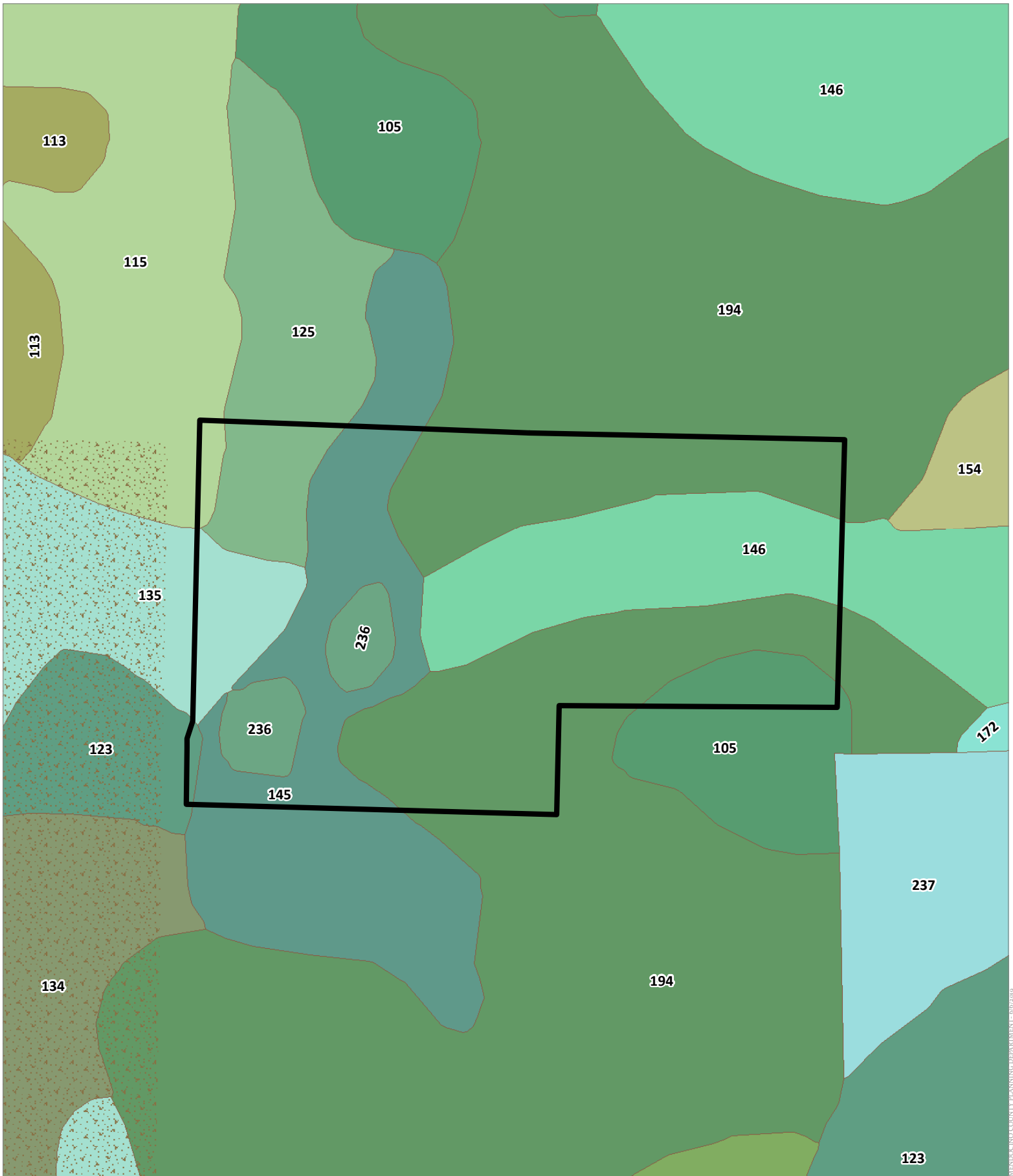






- Grazing Land (G)
- Prime Farmland (P)
- Rural Residential & Rural Commercial (R)
- Semi-Ag & Rural Commercial (sAC)

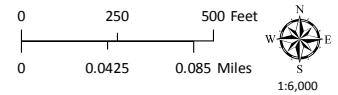
CASE: GP 2019-0005 / R 2019-0006
 OWNER: Gold West Land Company, LLC
 APN: 035-150-25
 APLCT: Gillian Hayes
 AGENT:
 ADDRESS: 43045 N. Highway 101, Laytonville

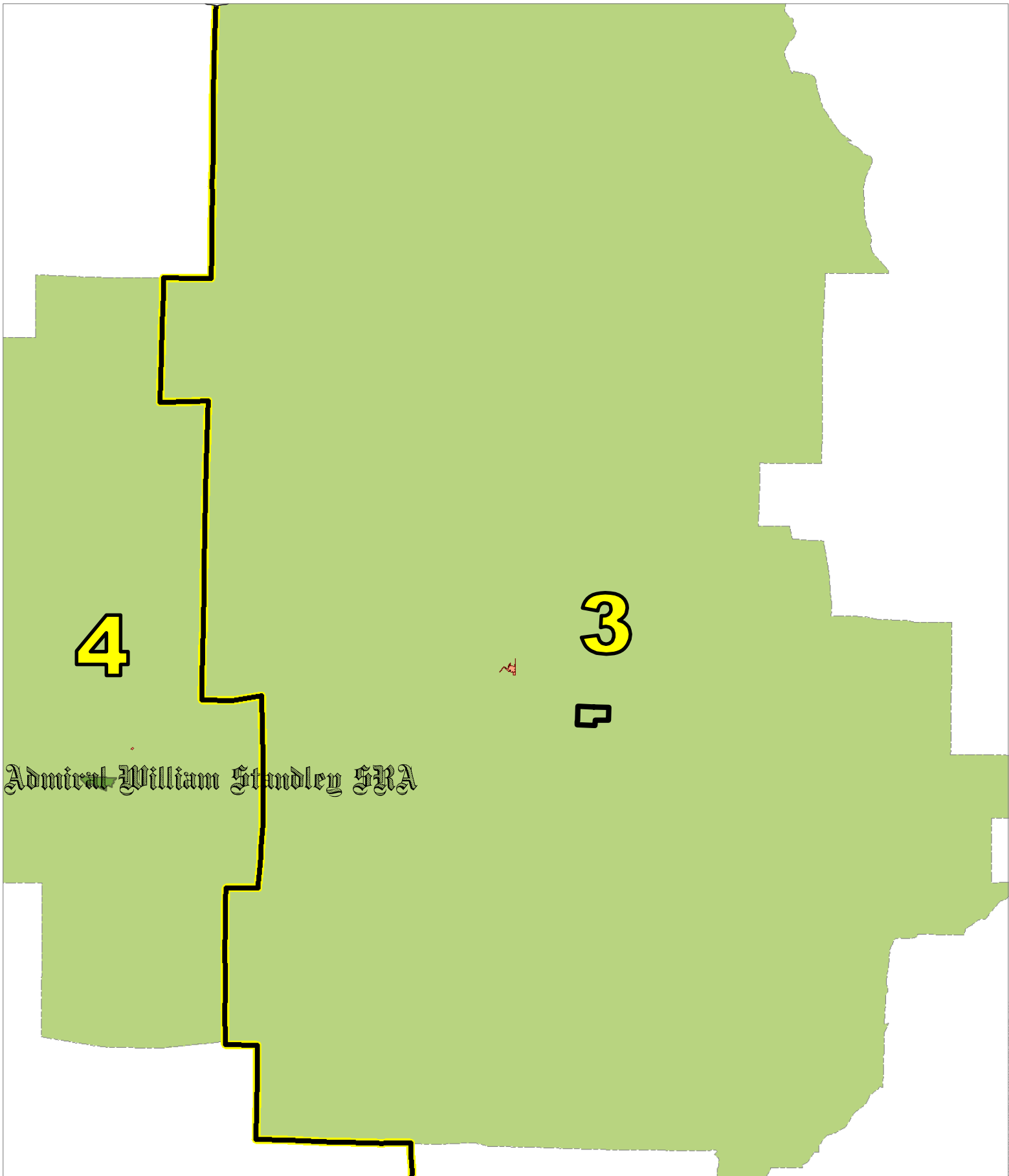








CASE: GP 2019-0005 / R 2019-0006
 OWNER: Gold West Land Company, LLC
 APN: 035-150-25
 APLCT: Gillian Hayes
 AGENT:
 ADDRESS: 43045 N. Highway 101, Laytonville

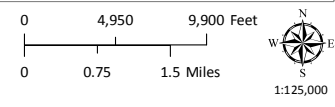
 Naturally Occurring Asbestos
 Eastern Study Soil Types





CASE: GP 2019-0005 / R 2019-0006
OWNER: Gold West Land Company, LLC
APN: 035-150-25
APLCT: Gillian Hayes
AGENT:
ADDRESS: 43045 N. Highway 101, Laytonville

-  Cemetery Lots
-  Laytonville MAC
-  Supervisorial Districts 2010
-  State Parks



Resolution Number _____

County of Mendocino
Ukiah, California

December 19, 2019

GP_2019-0005 / R_2019-0006 / U_2019-0009 – GOLD WEST LAND COMPANY LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS ADOPT A NEGATIVE DECLARATION AND GRANT A GENERAL PLAN AMENDMENT FROM REMOTE RESIDENTIAL (RMR) TO RURAL COMMUNITY (RC), A REZONE FROM UPLAND RESIDENTIAL (UR) TO RURAL COMMUNITY (RC), WITH A CONTRACT REZONE COMBINING DISTRICT (CR), TO A PORTION OF THE SUBJECT PARCEL, AND A MINOR USE PERMIT FOR CANNABIS RETAIL, VOLATILE AND NON-VOLATILE MANUFACTURING AND DISTRIBUTION WITHIN SAID PORTION

WHEREAS, the applicant, TYLER PEARSON, filed an application for a General Plan Amendment, Rezone, and Use Permit with the Mendocino County Department of Planning and Building Services to amend the general plan to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation, contract rezone a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community (RC) zoning district, and allow a use permit for retail, manufacturing (volatile and non-volatile), and distribution, 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25); General Plan RMR; Zoning UR:40/NONE; 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 November 21, 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, December 19, 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 for 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 Findings:** The proposed project is located within the Remote Residential General Plan Land Use Designation and the amendment to the Rural Community General Plan Land Use Designation will be consistent along with the contract rezone. The contract rezone from Upland Residential to Rural Community would be consistent with the General Plan Land Use Designation amendment of Rural Community and provide consistency for the Use Permit request to operate a cannabis retail, manufacturing, and distribution business.
2. **Use Permit Findings:** The Project satisfies the Use Permit required findings per the Mendocino County Code §20.196.020 and as noted in the staff report; and

3. **Limitations by Contract:** The Project will be limited in land uses through a Contract Rezone, pursuant to Mendocino County Code Section 20.212.010, for the benefit of the health and public welfare of surrounding properties and people. The retained uses are identified in Key Issues Section 1 of the accompanying staff report and will be included in the contract for the rezone.
4. **Environmental Protection Findings:** An Initial Study was conducted and a Negative Declaration prepared for the Project in accordance with CEQA, which determined the Project will not have any significant adverse impacts on the environment.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors adopt the Negative Declaration which have been completed, reviewed, and considered, together with the comments received during the public review processes and the evidence in the record in compliance with CEQA and State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgement and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends the Board of Supervisors approve the requested (1) General Plan Amendment, (2) Rezone, and (3) Minor Use Permit as described in the staff report and attachments subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

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

ATTEST: JAMES F. FEENAN
Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ
Director

MARILYN OGLE, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL GP_2019-0005 / R_2019-0006 / U_2019-0009

DECEMBER 19, 2019

APPROVED PROJECT DESCRIPTION: The proposed project consists of three request components. 1) A general plan amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation; 2) a rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community zoning district, with a contract rezone combining district to limit uses (RC:CR); and 3) a use permit to allow for retail, manufacturing (volatile and non-volatile), and distribution.

CONDITIONS OF APPROVAL:

****All of the below conditions are predicated on the successful General Plan Amendment and Rezoning of the property as approved by the Board of Supervisors and shall only apply to the Use Permit aspects of the proposed project.****

STANDARD CONDITIONS

1. The permit shall become effective on the 11th day after Planning Commission approval and shall expire and become null and void at the expiration of two years after the effective date except where use of the property in reliance on such permit has been initiated prior to its expiration.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required permits from the Building Inspection Division of the Department of Planning and Building Services for all construction, structural modifications, establishment of signs and compliance with handicapped accessibility for the facility if required.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited, or the operation of one or more such conditions.

7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

Aesthetics:

8. All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. Outdoor lighting shall be turned off at 7:00 p.m. in the evenings and not be turned back on until the following day after 6:00 a.m. in the morning. (Twenty-four hour security lighting would be exempt from this time requirement; however any exterior security lighting installed on the property shall utilize motion-sensor activation). All lighting along the property boundaries shall be setback a minimum of 20 feet from all property lines.

Biological Resources:

9. 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 December 24, 2019 (within 5 days of the Board of Supervisors meeting). 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 & Tribal Resources:

10. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.

Hazards & Hazardous Materials:

11. A Hazardous Materials Management Plan approved by the Department of Environmental Health shall be approved, maintained and complied with for the duration of the project.

Cannabis Facility:

12. The cannabis facilities shall implement the following security measures:
 - a. Sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products and theft of cannabis or cannabis products.
 - b. Security measures to prevent individuals from remaining on the premises of the facility if they are not engaging in activity expressly related to the operations of the facility.

- c. Storing all cannabis and cannabis products in a secured and locked room, safe, or vault and in a manner sufficient to prevent diversion, theft, and loss.
 - d. Diversion, theft, loss, or any criminal activity involving the facility or any other breach of security must be reported immediately to law enforcement.
- 13. A valid Mendocino County Cannabis Facilities Business License for the subject property shall be issued and kept current by the Mendocino County Tax Collector, and a copy of said license shall be submitted to the Department of Planning and Building Services prior to the operation of the business.
- 14. No public events, as described in Section 20.168.020 of the MCC, are authorized by this permit. Any public event shall require an Administrative Permit or Use Permit from the Mendocino County Department of Planning & Building Services.
- 15. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 6.36 of the Mendocino County Code.
- 16. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 10A.17 of the Mendocino County Code.
- 17. If permitted in the Rural Community (RC) zoning district in the future, it shall be the responsibility of the applicant to adhere to all applicable regulations of Section 20.242 of the Mendocino County Code.
- 18. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 20.243 of the Mendocino County Code.

Section I	Description Of Project.
	<p>DATE: November 1, 2019 CASE#: GP_2019-0005 DATE FILED: 5/23/2019 OWNER: GOLD WEST LAND COMPANY LLC APPLICANT: TLER PEARSON REQUEST: The proposed project consists of three request components. 1) A general plan amendment to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation; 2) a rezone to change a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community zoning district, with a contract rezone combining district to limit uses (RC:CR); and 3) a use permit to allow for retail, manufacturing (volatile and non-volatile), and distribution. ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION LOCATION: 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25). 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.

I. AESTHETICS. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

- a-c) **No Impact:** The proposed project is not located on a scenic state highway as the only such road in Mendocino County is State Route 128, in addition to visual resources of the Coastal Zone. 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. Furthermore, there is no visual character or site quality that would be impacted and all structures are existing with downcast lighting, thus no impacts to nighttime views.

II. AGRICULTURE AND FORESTRY RESOURCES. 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"/>
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"/>

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:** According to the California Department of Conservation (CDC) of Farmland Mapping and Monitoring Program, the land on which the proposed project will be located is considered to be "Grazing Land" per the *Important Farmland Map* attachment, thus there will be no conversion of Prime, Unique, or state farmland to a non-agricultural use. The Williamson Act (officially the California Land Conservation Act of 1965) is a California law that provides relief of property tax to owners of farmland and open-space land in exchange for a ten year agreement that the land will not be developed or otherwise converted to another use. The lack of important or unique farmland means there is little to no conflict with any Williamson Act contract or other agricultural use, and there are no nearby parcels that are within a Williamson Act contract.

The Timberland Production Zone (TPZ) was established in 1976 in the California Government Code as a designation for lands for which the Assessor's records as of 1976 demonstrated that the "highest and best use" would be timber production and accessory uses. The proposed project is not located within or near a zoning district intended to be used for timber production. Furthermore, due to the proposed limitation of uses in the Contract Rezone, the harvesting and use of forest products on the subject parcel is prohibited.

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 did not provide any comment regarding the intended uses; however a condition has been included to help reduce any impacts the project and potential future development might have on the

subject parcel. 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. As all activities will be occurring indoors, the proposed 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) **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. These species occur along the western parcel boundary abutting U.S. Highway 101. However, the proposed project does not propose any new ground disturbance or development, thus this impact is considered less than significant.
- b-f) **No Impact:** There are no identified riparian 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 Board of Supervisors meeting.

<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 County of Mendocino regulates cultural resources under Section 22.12 of the County Code which requires projects to be reviewed by the Northwest Information Center at Sonoma State University. The proposed project was referred to Sonoma State University, who responded with comments on July 9, 2019, recommending a survey. As requested, the survey was submitted to and reviewed by the Mendocino County Archaeological Commission at the October 9, 2019 meeting and the survey recommendations were accepted as conditions to the project. No cultural resources were identified within the project area, thus the Discovery Clause was included as a condition.

<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. As the proposed project is not 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. As the proposed project already operates on septic system, there are no impacts with regards to soils being incapable of supporting such a system.

<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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	<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
airstrip, would the project result in a safety hazard for people residing or working in the project area?				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

- a-b) **No Impact:** While the proposed project does intend to use hazardous materials for the purpose of volatile manufacturing, the quantities shall remain at an insignificant level. Materials can include butane, alcohol, and other substances that allow for extraction and cleaning of equipment. Additionally, a condition has been included to ensure the applicant obtain all necessary permits from the Mendocino County Department of Environmental Health, including a Hazardous Material Management Plan should any hazardous materials exceed 55 gallons in quantity, or any other amounts identified by California Health and Safety Code. Therefore, the impact is considered to be less than significant.
- c) **No Impact:** While the closest school is located roughly 1.4 miles away from the subject location, the project does not propose any activities that would emit any hazardous emissions or expose people to any hazardous materials. All activities that will involve hazardous materials will occur within the existing structures, which are built for such activities. Thus, there is considered to be 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, though a small private airstrip exists across the highway; there are no concerns regarding public airstrips.
- g) **No Impact:** The proposed project gains access from US Hwy. 101 and allows for on-site parking, thus there will be no physical interference with an emergency response or evacuation plan.
- h) **Less Than Significant Impact:** The subject parcel is located within the Long Valley Fire Protection District, though under CalFire responsibility, the fire station being within two miles from the subject parcel, thus the impact is considered to be less than significant. Additionally, a CalFire station is located roughly 3 miles north on US Hwy. 101.

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-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"/>

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 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 project that would affect water quality.
- b) **No Impact:** The proposed project uses an existing well and does not intend to exceed the provisions of said well for the foreseeable future, thus there is no impact to groundwater supplies or recharge.
- 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 or neighborhood. The access onto the parcel does not provide access to any additional parcels, 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:** Habitat and Natural Community Conservation Plans are state and federal programs intended to protect extremely endangered species from anthropogenic impacts. There are no identified Habitat or Natural Community Conservation Plans within the project location, thus there is no possibility for the project to conflict with any such plans.

<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 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-b) **No Impact:** Appendix C of the Mendocino County Zoning Code, Division I lists adopted allowable noise limit standards. These standards and the associated levels, which are not to be exceeded for a sustained period of time, can also be found in the County General Plan through Tables 3-J, 3-K, and 3-L. The proposed project will not exceed these standard noise levels as the proposed uses are not major sources of noise. Additionally, the proposed project will not expose persons to excessive groundborne vibration as there are no nearby businesses or activities to create such a disturbance, nor would the project itself cause any ground vibrations.
- c-d) **Less Than Significant Impact:** There is the potential that an increase in intensity, such as from equipment, could permanently and/or temporarily increase ambient noise levels. However, these noises are not expected to impact neighboring land uses or residences and will be contained within a structure.
- 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"/>

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 substantial population growth would occur. Both the Rural Community (RC) and Upland Residential (UR) zoning districts are typically limited to a single dwelling unit, as well as an accessory dwelling unit of less than 1,200 square feet. However, the applicants have not included residential use types in their Contract Rezone, and thus residential uses will be prohibited unless a new Contract Rezone is approved to change this prohibition. As the proposed project is a General Plan amendment, rezone and use permit for a cannabis facility, there would not be any substantial population growth. This lack of substantial 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 barrier for public service delivery as the parcel gains access from U.S. Highway 101, thus there is no impact.

<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. It should be noted that the retained uses in the Contract Rezone include community recreation and commercial recreation, though the later would require a major use permit.

<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 and would not alter any movement patterns, nor increase traffic hazards to others within the surrounding area. The California Department of Transportation replied to referrals requesting permitting be undertaken should a new driveway be established, but noted the existing driveway complied with CalTrans standards; no new driveway is proposed by this project.

<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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-d) **No Impact:** The County of Mendocino regulates cultural resources under Section 22.12 of the County Code which requires projects to be reviewed by the Northwest Information Center at Sonoma State University. The proposed project was referred to Sonoma State University, who responded with comments on July 9, 2019, recommending a survey. As requested, the survey was submitted to and reviewed by the Mendocino County Archaeological Commission at the October 9, 2019 meeting and the survey recommendations were accepted as conditions to the project. No cultural resources were identified within the project area, thus the Discovery Clause was included as a condition.

<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"/>
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. Water that does eventually get used will be removed and enter the parcel's existing septic system. 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, thus the project will have no impact. The septic system is designed in accordance with the Mendocino County Department of Environmental Health.
- 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 operates on an existing well and the Department of Environmental Health had not concerns regarding this aspect, indicating no issues in terms of 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 is a transfer station and a solid waste removal business within a 5 mile proximity, thus there will be no impacts with regards to 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 checked="" type="checkbox"/>	<input 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. Furthermore, many uses of the Rural Community (RC) zoning district will be prohibited by the Contract Rezone, thus reducing the variety of possible developments.

- b) **Less Than Significant:** 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 limited to indoor activities and many of the potential outdoor uses have been limited by the Contract Rezone and will require additional permitting.
- 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.

11-22-2019

DATE



SAM "VANDY" VANDEWATER
PLANNER II