



**PLANNING COMMISSION
STAFF REPORT- MINOR SUBDIVISION**

**JANUARY 19, 2017
MS_2003-0001**

SUMMARY

OWNER: WOOD KENNETH E & LYNN W TTEES
1021 LAKE MENDOCINO DR
UKIAH, CA 95482

REQUEST: Minor Subdivision creating four (4) parcels of 12,100, 12,091, 12,096, 27,982 sq. ft and a Remainder Parcel of 31,225 sq. ft. Also requested is an Exception to the 60-foot road width requirement and the naming of the private roadway "Wood Lane."

DATE DEEMED COMPLETE: April 13, 2016

LOCATION: 2± miles northeast of Ukiah near Lake Mendocino, one (1) mile east of the intersection of North State Street (CR 104) and Lake Mendocino Drive (CR 227B), lying on the south side of Lake Mendocino Drive, located at 1021 Lake Mendocino Drive (APN 168-241-41).

TOTAL ACREAGE: 2.1± acres

GENERAL PLAN: SR (Suburban Residential)

ZONING: SR (Suburban Residential)

SUPERVISORIAL DISTRICT: 1

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve with conditions

STAFF PLANNER: ROBERT DOSTALEK

BACKGROUND

PROJECT DESCRIPTION: The applicant proposes to subdivide an existing 2.1± acre parcel into four (4) parcels of 12,100, 12,091, 12,096, 27,982 sq. ft and a Remainder Parcel of 31,225 sq. ft. The project also includes a request for an Exception to the 60 foot road width requirement and the naming of the private roadway "Wood Lane."

RELATED ON-SITE APPLICATIONS:

- Boundary Line Adjustment: #B 14-2003
- General Plan Amendment/Rezone: #GP 8-92/R 4-92

SITE CHARACTERISTICS: The project site lies southeast of Lake Mendocino Drive and is developed with a single family residence and accessory storage structure. The improvements are positioned in the northwestern most portion of the property and are accessed by a private driveway off Lake Mendocino Drive. From Lake Mendocino Drive, the property gently slopes southeastward toward the rear yard, which terminates at the Russian River. Existing residential development surrounds the parcel to the northeast and southwest. The project site lies entirely in the Coyote Dam Inundation Zone and MS4 storm water permitting area.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTHWEST	Rural Residential (RR1)	Rural Residential, 1-acre minimum (RR1)	.50 +-ac	Residential
NORTHEAST	Suburban Residential (SR)	Suburban Residential (SR)	6,000 sq. ft to 2.1+-ac	Residential
SOUTHEAST	Rural Residential (RR5)	Rural Residential, 5-acre minimum (RR5)	Russian River/1+-ac	Russian River/Residential
SOUTHWEST	Rural Residential (RR1)	Rural Residential, 1-acre minimum (RR1)	12,000 sq. ft. to 1.24+- ac	Res

PUBLIC SERVICES:

Access: LAKE MENDOCINO DRIVE
Fire District: UKIAH VALLEY FIRE DISTRICT
Water District: MILLVIEW COUNTY WATER DISTRICT
Sewer District: NONE
School District: UKIAH UNIFIED

AGENCY COMMENTS: On April 13, 2016 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation	Encroachment Permit	Comments	April 24, 2016
Environmental Health-Ukiah		Comments	May 23, 2016
Building Services-Ukiah PBS		Comments	May 11, 2016
Air Quality Management District		No Comment	April 14, 2016
Russian River Flood Control		No Response	
County Addressor		Comments	April 13, 2016
Millview Water District		Comments	April 16, 2016
Ukiah Valley Fire District		Comments	April 20, 2016 & September 20, 2016
Dept. of Fish & Wildlife		No Response	
Army Corp. of Engineers		Comments	September 4, 2003

KEY ISSUES

1. General Plan and Zoning Consistency:

The Mendocino County General Plan Policy DE-13 states the following as the intent of the Suburban Residential (SR) Land Use Category:

The Suburban Residential classification is intended to be applied to transitional lands adjacent to cities or towns, including in portions of Community Planning Areas where only residential activities are considered desirable, which lands are appropriate to accommodate future growth. Lands within the Suburban Residential classification should have moderate to light constraints for residential development, should be served by the publicly-maintained road

network, and should be located within public service districts or the logical extensions thereof. Portions of lands within the Suburban Residential classification will be appropriate for development of residential subdivisions. Such areas should be developed as major subdivisions, not minor subdivisions; or retained in parcels of sufficient size to be economically developed as subdivisions at some future time.

General Plan Policy DE-13 further directs that lands with the SR classification should be located within sewer or water service areas, and ideally both. Parcels with the SR Classification located within water or sewer service districts may have a minimum lot size of 12,000 square feet for single family residential dwellings. The parcel is located within a water district, but not in a sewer district. When the project was originally submitted in 2003, service was not available from the Millview County Water District. However, a letter dated November 18, 2015 from the Millview County Water District indicates that the District now has sufficient water to supply the project. Therefore, the proposed 12,000 square foot parcels would conform to the minimum lot size for the SR Land Use Classification.

The subdivision would result in an increased density of one additional single family residence per new parcel. The accessory use regulations in MCC Chapter 20.164 allow the establishment of second residential units in all zone districts which allow single-family dwellings. However, further residential development on the new parcels—in the form of second residential units—is unlikely due to constraints created by leach field requirements.

There currently exists one single family residence and storage structure on the property, which would be located on the remainder parcel. The residence adheres to off-street parking requirements per Mendocino County Code §20.180. Mendocino County Code (MCC) §20.044.035 requires a front yard setback of 20 feet. Due to the configuration of the northwestern portion of the parcel, the existing residence would become non-conforming to the corridor preservation and front yard setback as a result of the newly created access road. Specifically, the existing house would be positioned approximately 11.5 feet from the edge of proposed Wood Lane private road easement.

Otherwise, staff finds the proposed subdivision to be consistent with the General Plan and all other applicable zoning codes.

2. Special Plans/Area Plans:

UVAP Land Use and Community Development Goal LU1 is to “create compact, mixed-use, and well-balanced communities”. The proposed subdivision is located within an area designated as SR-Suburban Residential and is within a mile of I-Industrial and C-Commercial designated land along the North State Street corridor. This is consistent with the overarching aim of Goal LU1, and specifically with LU 1.2a which states that compact urban forms should be encouraged in order to “promote resource management and conservation, service and infrastructure efficiencies, and avoid the degradation or waste of social, economic and environmental resources.”

The project is also consistent with Goal LU4 and associated policies, which requires future growth be managed to “ensure that essential support infrastructure is in place prior to development.” As the proposed subdivision is located on a County maintained road and is within a public water district, the project meets these criteria.

Staff finds the proposed subdivision to be consistent with the UVAP and its applicable goals and policies.

3. Division of Land Regulations:

The project was reviewed by the County Subdivision Committee on June 6, 2016, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in MCC §17-48.5.

An exception request per MCC §17-86 has been submitted to reduce the private road easement width from 60 feet to 30 feet. The roadway easement location is significantly constrained, as it's positioned between two existing single-family dwellings. Accordingly, the easement width reduction exception to 30 feet has been deemed acceptable by the Mendocino County Department of Transportation and the Ukiah Valley Fire Authority.

Otherwise, no conflicts with the County Division of Land Regulations were identified.

4. Environmental Protection:

An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). Staff did not identify any potentially significant impacts to the environment which would result from the project that would require mitigation. Therefore, a Negative Declaration was prepared.

RECOMMENDATION

By resolution, adopt a Negative Declaration and grant the Subdivision Map for the Project, as proposed by the applicant, based on the facts and findings in the record and subject to the conditions of approval.

DATE

ROBERT DOSTALEK

Appeal Period: 10 Days

Appeal Fee: \$910.00

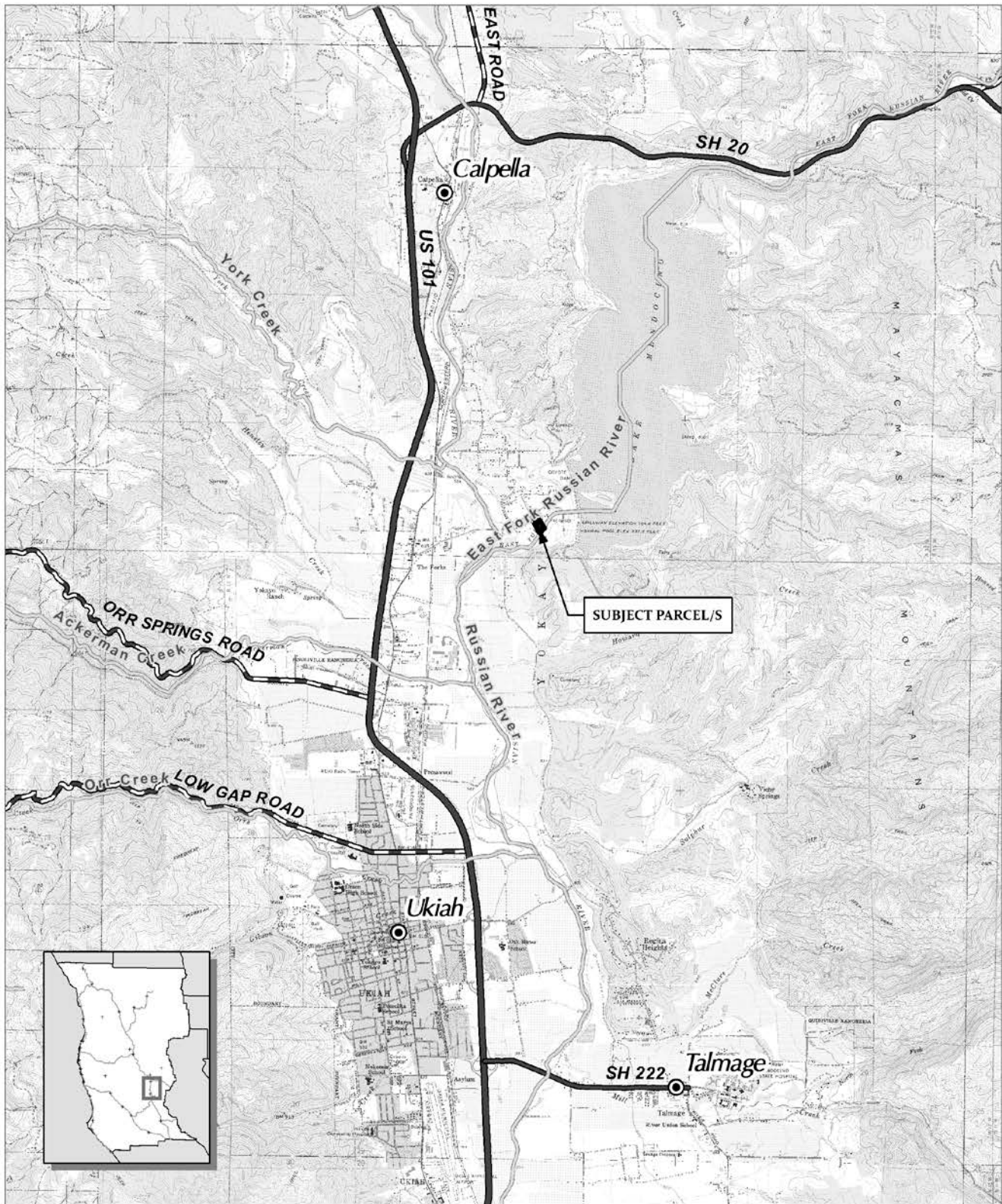
ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Site/Tentative Map
- D. Adjacent Owner Map
- E. Zoning Map
- F. General Plan/LCP Map
- G. Fire Hazards Map
- H. Flood Zone
- I. Dam Inundation
- J. MS4 Stormwater
- K. Water District
- L. Earthquake Fault Zones

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

NEGATIVE DECLARATION and Initial Study available online at:

<http://www.co.mendocino.ca.us/planning/meetings.htm>



CASE: MS 2003-0001
 OWNER: WOOD, Kenneth & Lynn
 APN: 168-241-41
 APLCT: Ken Wood
 ADDRESS: 1021 Lake Mendocino Dr., UK

Major Towns & Places
 Major Roads
 Major Rivers
 Highways

0 2,600 5,200 Feet
 0 0.5 1 Miles



LOCATION MAP



CASE: **MS 2003-0001**
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 APLCT: **Ken Wood**
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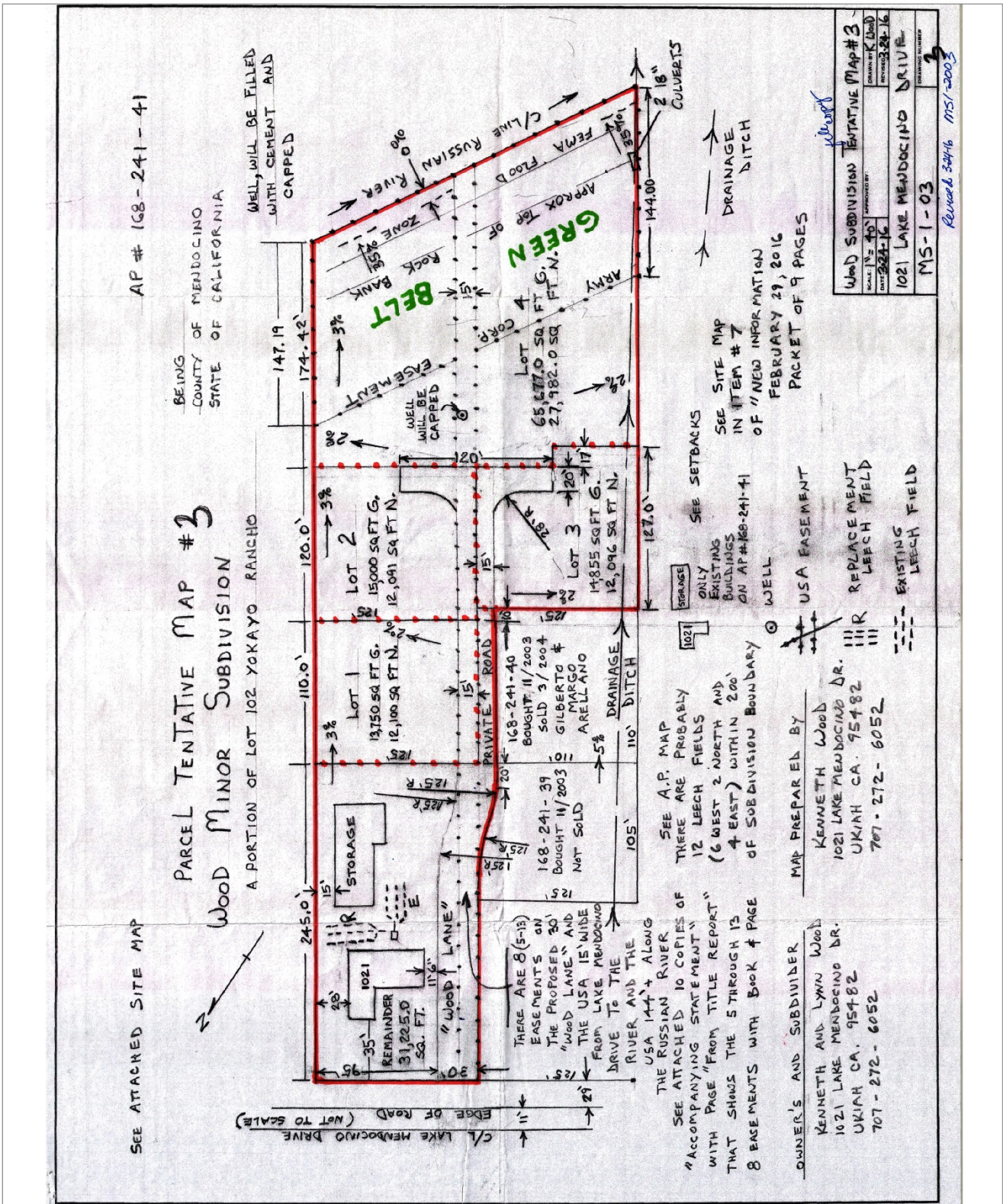
Named Rivers
 Public Roads
 Private Roads

Driveways/Unnamed Roads

0 50 100 Feet
 0 0.0075 0.015 Miles



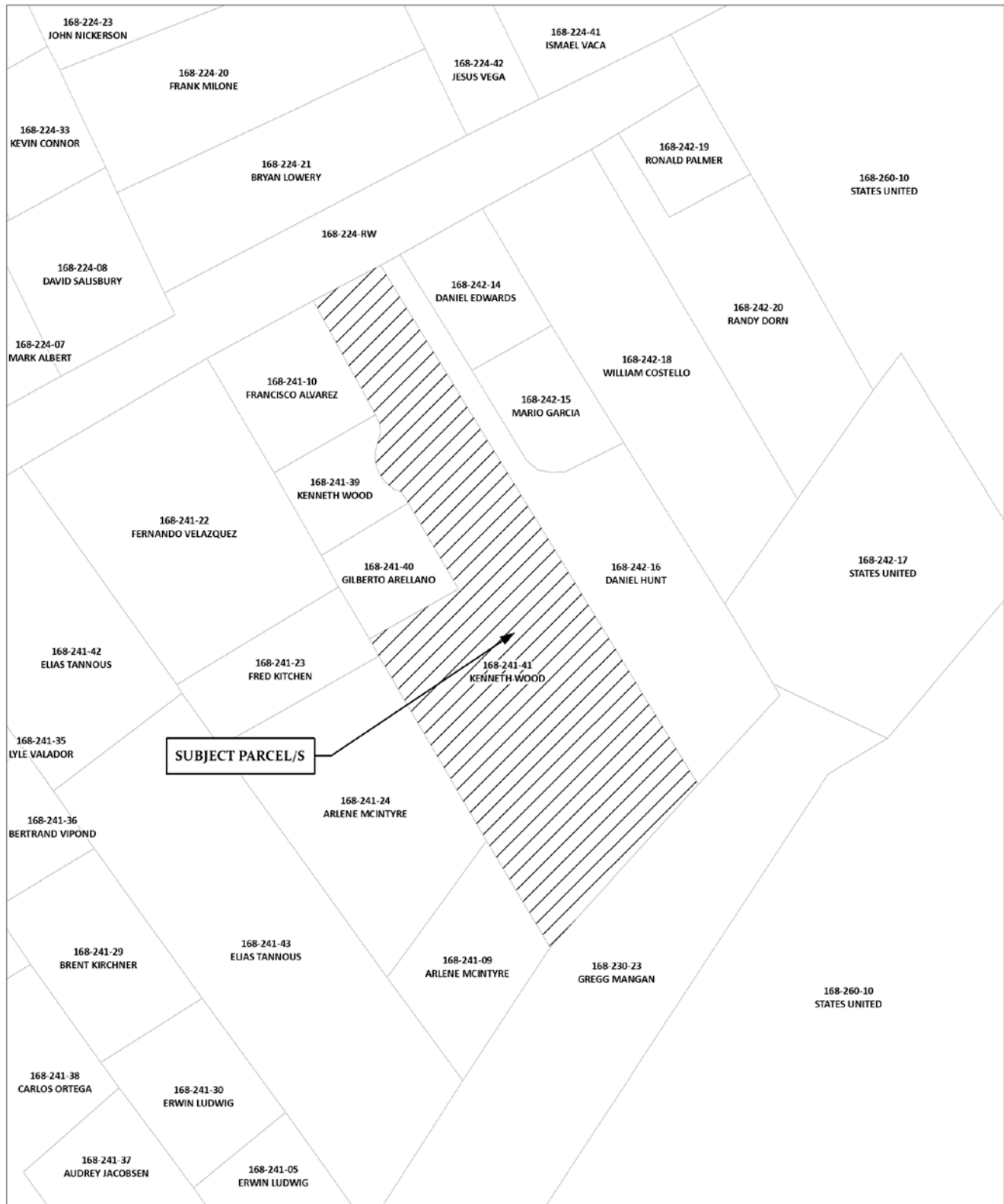
2014 NAIP IMAGERY



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NO SCALE

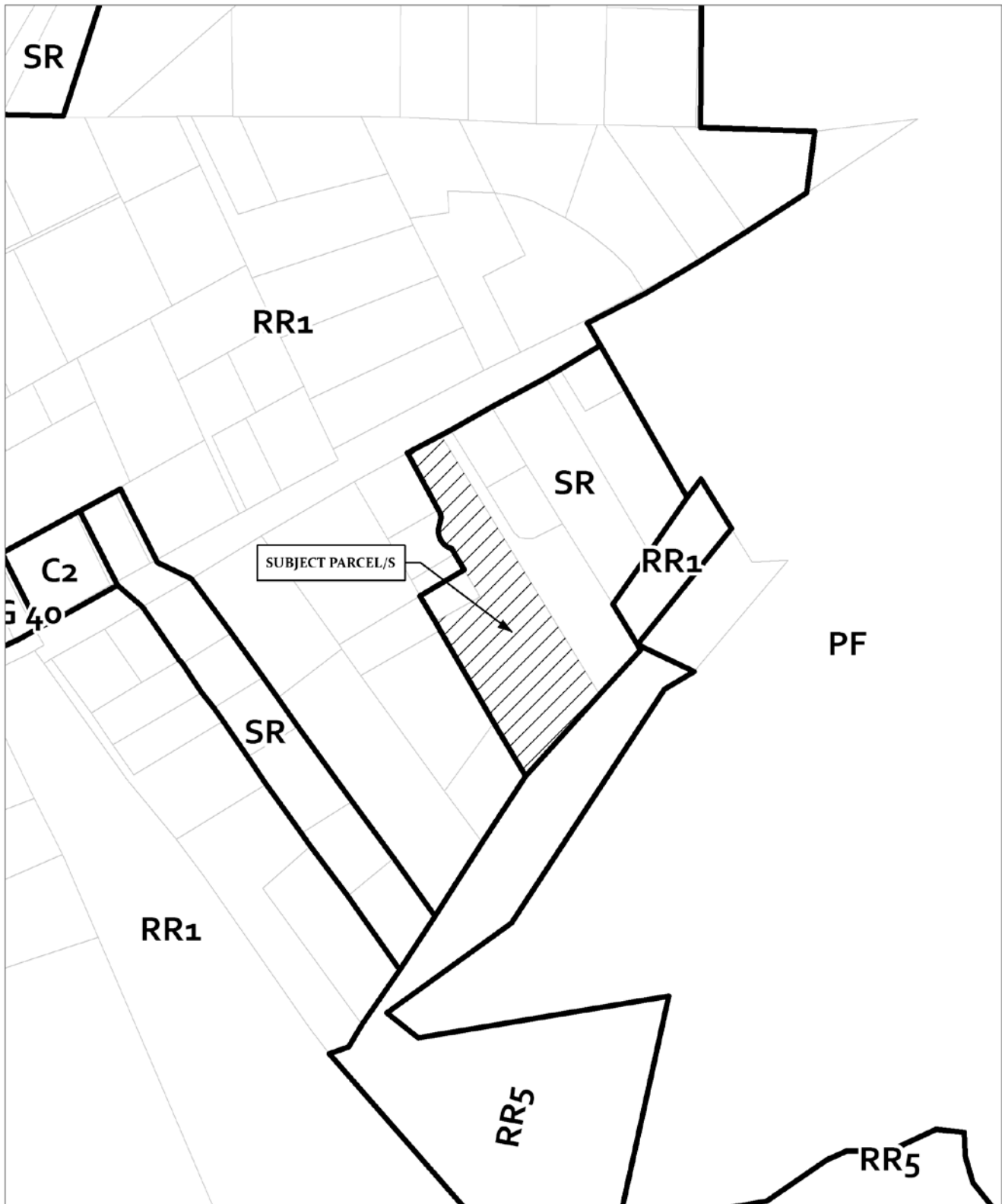
REVISÉD TENTATIVE MAP



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ADJACENT PARCELS



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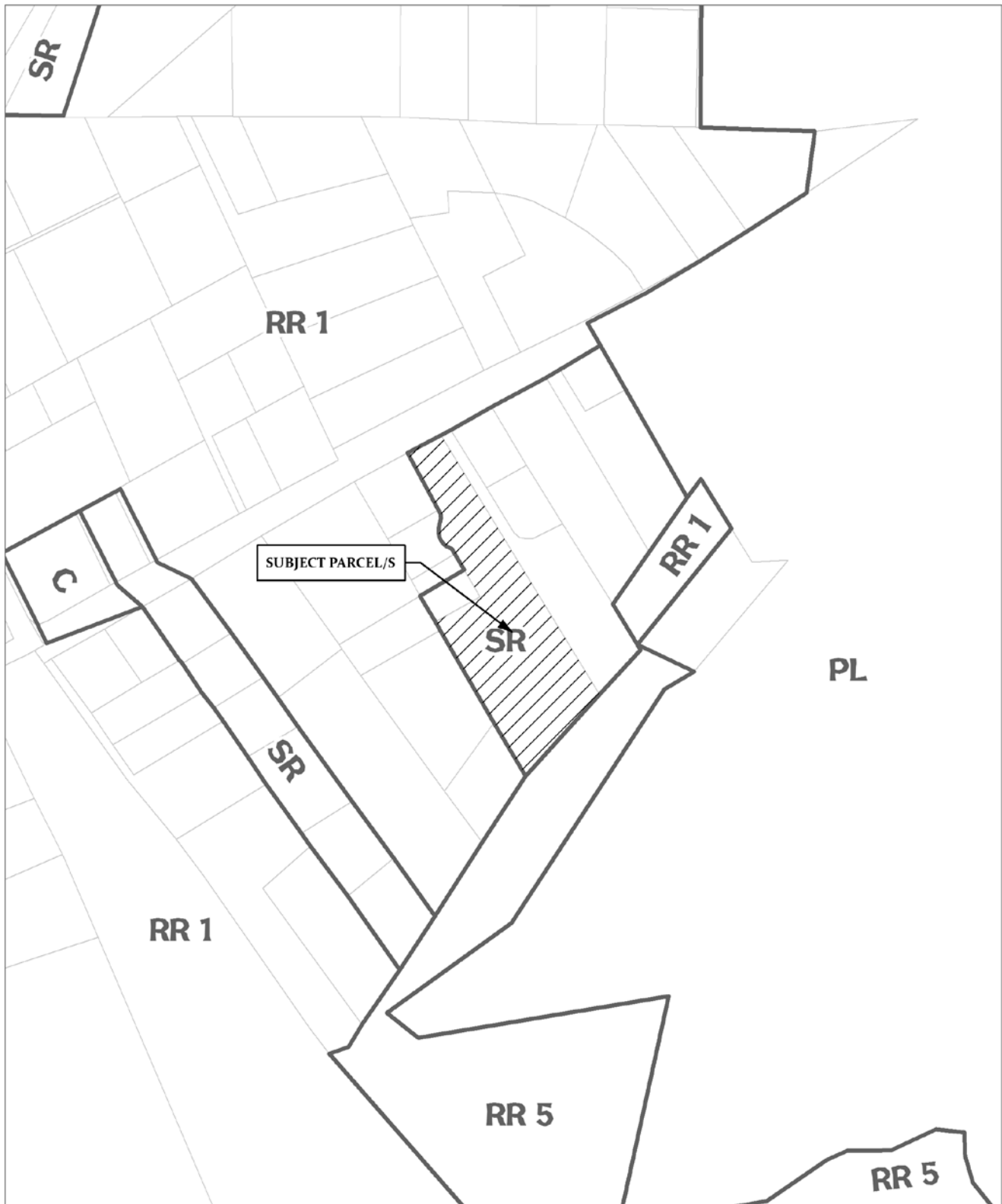
 Zoning Master

0 150 300 Feet
 0 0.025 0.05 Miles



ZONING DISPLAY MAP

Map produced by the Mendocino County Planning & Building Services, November, 2015
 All spatial data is approximate. Map provided without warranty of any kind.



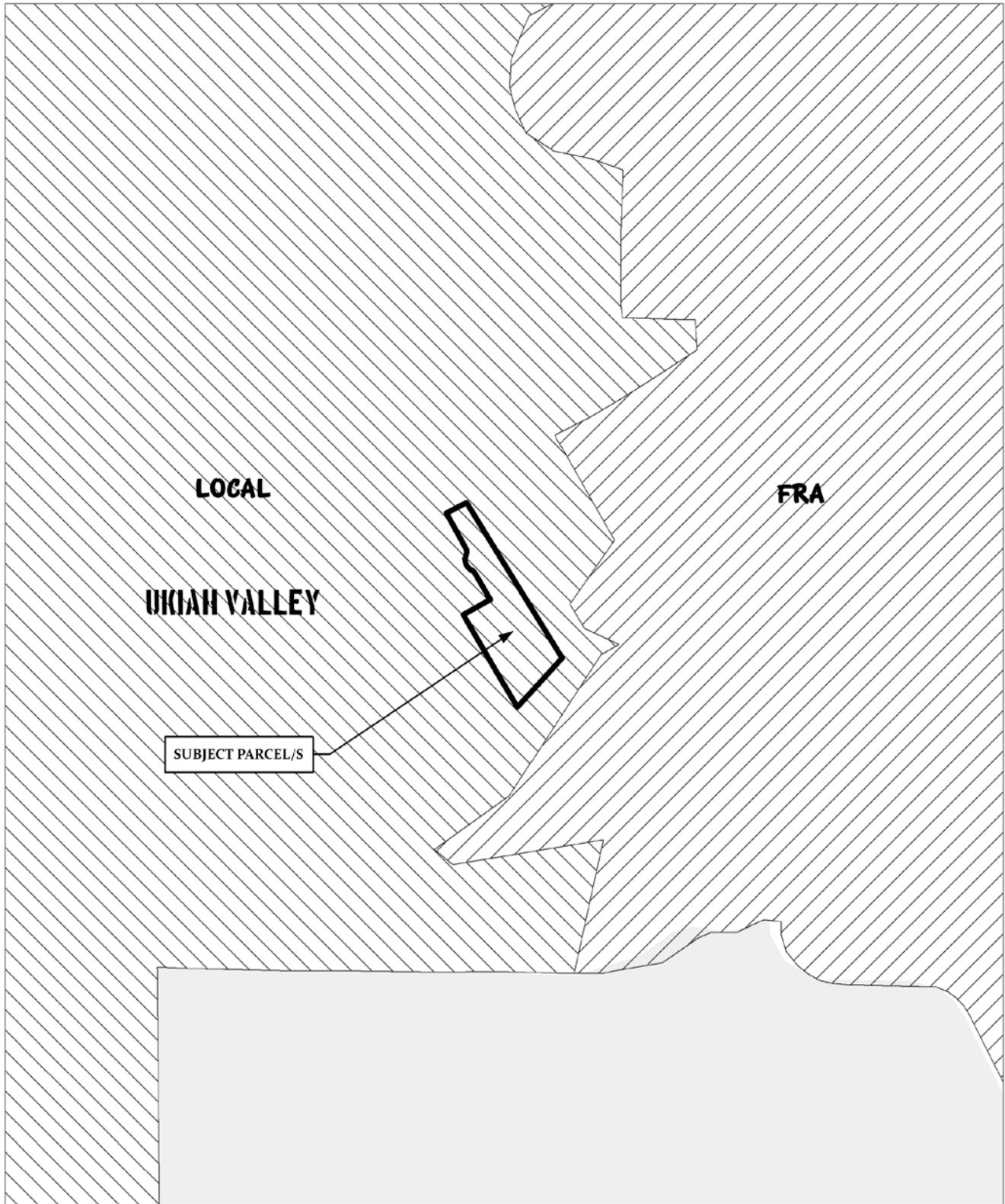
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General Plan Master

GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, November, 2015
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 County Fire Districts
 Moderate Fire Hazard

0 250 500 Feet
 0 0.0425 0.085 Miles








FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 LOCAL RESPONSIBILITY AREA

Map produced by the Mendocino County Planning & Building Services, November, 2015
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 Flood Zone
 Named Rivers
 Public Roads
 Private Roads
 Driveways/Unnamed Roads


0 50 100 Feet
 0 0.0075 0.015 Miles



FEMA FLOOD ZONE
 NFIP MAPS, JUNE 2nd, 2011



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 Estimated Inundation Zones



INUNDATION ZONES

Map produced by the Mendocino County Planning & Building Services, November, 2015
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Ukiah Stormwater Areas

0 250 500 Feet
0 0.0425 0.085 Miles




MS4 STORMWATER PERMITTING AREAS

Map produced by the Mendocino County Planning & Building Services, November, 2015
All spatial data is approximate. Map provided without warranty of any kind.



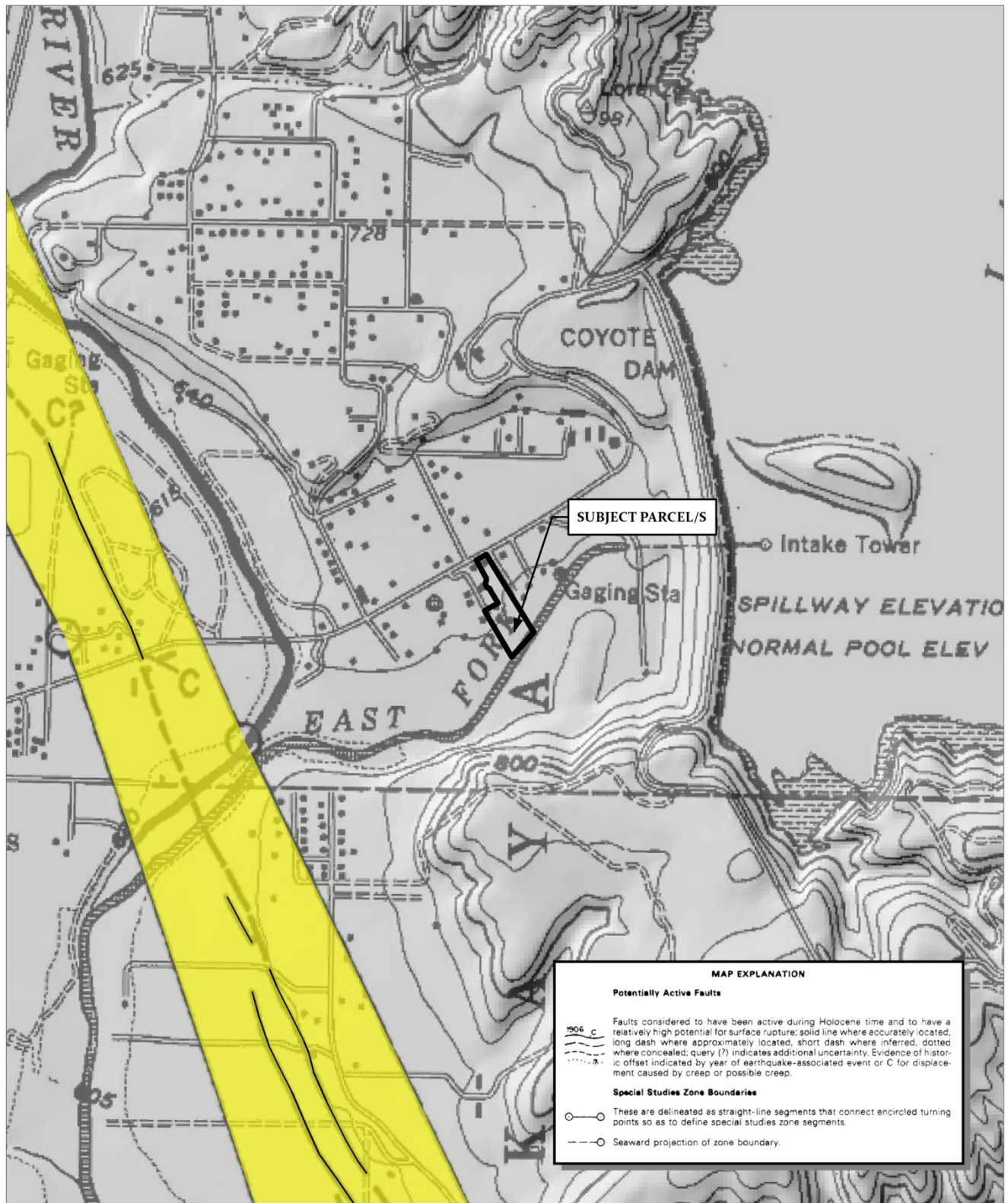
CASE: MS 2003-0001
OWNER: WOOD, Kenneth & Lynn
APN: 168-241-41
APLCT: Ken Wood
ADDRESS: 1021 Lake Mendocino Dr., UK

 County Water Districts

0 150 300 Feet
0 0.025 0.05 Miles



WATER DISTRICTS



CASE: MS 2003-0001
 OWNER: WOOD, Kenneth & Lynn
 APN: 168-241-41
 APLCT: Ken Wood
 ADDRESS: 1021 Lake Mendocino Dr., UK

Maacama Fault Zone

0 500 1,000 Feet
 0 0.075 0.15 Miles



EARTHQUAKE FAULT ZONES

Section I Description Of Project.**DATE:** January 19, 2017**CASE#:** MS_2003-0001**DATE FILED:** 2/21/2003**OWNER:** WOOD KENNETH E & LYNN W**APPLICANT:** KENNETH WOOD**REQUEST:** Minor Subdivision creating 4 parcels of 12,100, 12,091, 12,096, 27,982 sq. ft and a Remainder Parcel of 31,225 sq. ft. Also requested is an Exception to the 60-foot road width requirement and the naming of the private roadway "Wood Lane"**ENVIRONMENTAL DETERMINATION:** Negative Declaration**LOCATION:** Approximately 2 miles northeast of Ukiah near Lake Mendocino Drive, one (1) mile east of the intersection of North State Street (CR 104) and Lake Mendocino Drive (CR 227B), lying on the south side of Lake Mendocino Drive, located at 1021 Lake Mendocino Drive; APN 168-241-41**STAFF PLANNER:** ROBERT DOSTALEK**Section II Environmental Checklist.**

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

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

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

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

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

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

a, b, c) No Impact

The project site is situated below the Lake Mendocino dam, abutting the Russian River. The surrounding properties are residentially developed and are not designated as scenic vistas or characterized as scenic resources. The newly created parcels would potentially support modest development based on their sizes and areas suitable for building. Therefore, the site and its surroundings would not be substantially degraded.

d) Less than Significant Impact

Per **Condition 1**, a note shall appear on Parcel Map stating: "All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed." Approval of this application entitles up to four new residences, one per proposed parcel. Although the maximum potential development has limited possibility to impact aesthetics, **Condition 1** will ensure that potential future alterations to the existing development will not impact aesthetic resources.

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

No Impact- The proposed subdivision is surrounded by development and is not located in an area that contains agricultural or forestry resources.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Less than significant impact- The Mendocino County Air Quality Management District reviewed the project and provided no comment. However, **Condition 2** would require a notation on the parcel map indicating future development may be subject to grading requirements and drainage control measures. **Condition 3** would require a note on the final parcel map to ensure developments comply with Air Quality Management District Regulations CCR 93105 and 93106 relating to naturally occurring asbestos.

IV. BIOLOGICAL RESOURCES. 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"/>

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

a-f) No Impact

Staff reviewed the Natural Diversity Data Base and found no documented occurrences of rare or endangered plant or wildlife species on the subject property. On April 13, 2016 the California Department of Fish and Wildlife was sent a project referral for review and comment. As of the writing of this report, staff has received no comments from the Department of Fish and Wildlife. The project is, however, subject to the filing fees required by Fish and Game Code Section 711.4 unless a waiver is granted by that agency. See **Condition Number 4**.

<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"/>

No Impact- A review by Sonoma State University and the Archaeological Commission was previously conducted for applications #GP 8-92 and #R 4-92. Sonoma State University and the Archaeological Commission determined that no survey was required.

While no Archeological Survey was required of this project, Code Sections 22.12.090 and 22.12.100 (Discovery Clause) would apply in the event that archaeological resources are encountered during any future excavation operations. **Condition 5** is recommended to increase the protection of cultural resources for any future ground disturbance activity.

<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 checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Less than Significant or No Impact: Approval of the proposed subdivision allows for one Single Family Residence and accessory buildings per parcel. The project is outside of all Alquist-Priolo Special Study Areas, and is not located near any other geological phenomena that may expose persons to substantial risks.

Pursuant to a referral response dated May 23, 2016 from the County Division of Environmental Health, **Conditions 11-14** are recommended to ensure compliance with wastewater regulations of the County and/or State.

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

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Less than significant impact- Assembly Bill 32 (AB32), the California Global Warming Solutions Act, 2006 recognized that California is a source of substantial amounts of greenhouse gas (GHGs) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. AB32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow. In order to address global climate change associated with air quality impacts, CEQA statues were amended to require evaluation of GHG emission which includes criteria air pollutants (regional) and toxic air contaminants (local) As a result, Mendocino County Air Quality Management District (MCAQMD) adopted CEQA thresholds of significance for criteria air pollutants and GHGs, and issued updated CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project's individual emissions would be cumulatively considerable. According to the MCQAMD, these CEQA thresholds of significance are the same as those which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 Metric tons CO₂e (CO₂ equivalent) of operation emission on an annual basis. The expected level of emissions per residence is approximately 7.5 Metric tons per year. As this subdivision creates the potential for up to eight (8) additional residences, its maximum level of emissions would be 60 metric tons, well below the threshold of significance.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<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
emergency evacuation plan?				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No impact- The proposed subdivision is for residential uses in a residential zone district. Hazardous materials are not anticipated to be used in significant amounts on the parcels. The project is outside of any airport zoning or overlay areas.

<u>IX. HYDROLOGY AND WATER QUALITY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Result in an increase in pollutant discharges to	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>IX. HYDROLOGY AND WATER QUALITY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?				
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Less than Significant or No Impact: A letter dated November 15, 2015 from the Millview Water District states the District has sufficient water supply to serve the project. The subject parcel lies outside the nearest sanitation district — Ukiah Valley Sanitation District — which extends only as far as the west side of the Russian River (1800± feet west of the subject property). Pursuant to a referral response dated May 23, 2016 from the County Division of Environmental Health, **Conditions 11-16** are recommended to ensure compliance with water and wastewater regulations of the County and/or State.

The residential development that would result from the four new parcels is not anticipated to generate a substantial level of pollutant loading into surface or groundwater. The project would require earthwork to install the roadway and utility extensions. However, the proposed parcel map does not include grading of individual parcels which would re-contour drainage patterns from the site or alter the course of a river or stream. The project is located within the MS4 stormwater permitting zone and subsequent grading to develop individual parcels would be further regulated through the Building Permit process. **Condition 6** requires the applicant to adhere to “Best Management Practices” and MS4 regulations for future grading activities.

The southeastern portion of the subject property is adjacent to the Russian River. **Condition 7** is recommended to require all areas within the subdivision subject to flooding be clearly identified on the parcel map. The U.S. Army Corps of Engineers (USACE) controls an easement across the southeastern portion of property. A referral response from the USACE received September 4, 2003 advises the applicant that development on the property may require USACE permitting to ensure compliance with discharge regulations (**Condition 17**).

The proposed project is located in potential areas of inundation below Coyote Dam and the project has the potential to expose residents to the water inundation hazard. Staff recommends the following notation be included on the parcel map: *All of the lots are within the Dam Failure Inundation Hazard Area of Coyote Dam (Condition 8).*

<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"/>

No impact- The parcel is zoned SR- Suburban Residential. The intent of the Suburban Residential classification is to be applied to transitional lands on the periphery of cities or towns where lands are appropriate to accommodate future residential growth. This minor subdivision is consistent with the land use designation and the zoning of the property.

There is currently one single-family residence on the property. The proposed parcel division would provide adequate space for all existing buildings to meet setback requirements. The pre-existing 11.5 foot setback between the existing residence and roadway easement would be permitted to remain as legal non-conforming.

<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"/>

No impact- There are no known mineral resources of any value on the parcel proposed to be subdivided.

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

a – f) No Impact

No new development is proposed with only minimal grading proposed for private road improvements. As a result, no excessive noise will result from the project and no mitigation is required.

<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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b, c) Less Than Significant or No Impact

The project would not have any substantial impacts to housing in the area. **Condition 21** is recommended to require the applicant to pay into the County Affordable Housing Trust Fund per County Code Section 20.238.035.

<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 checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) Less than Significant Impact or No Impact

The creation of four new parcels would not create substantial additional service demands or result in substantial adverse physical impacts associated with delivery of fire, police, parks or other public services. The project must meet fire safety standards of the Ukiah Valley Fire District (UVFD). **Condition Number 10** is recommended to ensure the project complies with the condition letter from UVFD dated April 20, 2016 and September 20, 2016. No mitigation is required.

<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"/>
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a, b) No Impact

The project will not result in any impact to recreation in the area. No mitigation is required.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate substantial additional vehicular movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Effect existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially impact existing transportation systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alter present patterns of circulation or movement of people and/or goods?	<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) Increase traffic hazards to motor vehicles, bicyclists or pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Less than Significant or No Impact: Access to the subject property for the proposed subdivision would be over a dead-end access easement, 30 feet in width, and approximately 450 feet in length from Lake Mendocino Drive (CR 227B) to a hammerhead "T" turnaround at the terminus. The existing access road is 12 to 18 feet wide, with portions having a worn chip sealed surface.

Where an access easement serves, or has the potential to serve more than four parcels, easement widths must conform to those required for a major subdivision, in this case, 60 feet wide. Due to limited available width between the property line and an existing residence, the applicant is requesting an exception to the County Code to allow a 30 foot wide access easement.

The County Department of Transportation (DOT) reviewed the project with regards to circulation, ingress and egress. While this subdivision would create an incremental increase in traffic or access hazards, DOT recommends conditions that would improve the safety of the existing access and circulation. At Subdivision Committee on June 9, 2016, DOT reiterated the conditions recommended in their April 24, 2016 referral response letter which are incorporated as project **Conditions 22-27.**

<u>XVII. 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
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 – g) Less Than Significant or No Impact

The project would not result in any significant impacts to utility or services systems. Millview Water District would provide water service to the four proposed parcels. The subject parcel lies outside the nearest sanitation district--Ukiah Valley Sanitation District--which extends only as far as the west side of the Russian River, 1800± feet west of the subject property. The County Division of Environmental Health recommends **Condition Number 15** to ensure compliance with water and sewer regulations of the County and/or State.

<u>XVIII. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

XVIII Mandatory Findings of Significance a) through c) Less than Significant Impact

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.

DATE

ROBERT DOSTALEK

Resolution Number _____

County of Mendocino
Ukiah, California
January 19, 2017

MS_2003-0001 WOOD KENNETH E & LYNN W TTEES

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE
DECLARATION AND GRANTING APPROVAL FOR A MINOR
SUBDIVISION CREATING FOUR PARCELS

WHEREAS, the applicant, Kenneth and Lynn Wood, filed an application for a Minor Subdivision with the Mendocino County Department of Planning and Building Services to subdivide a 2.1± acre parcel creating four new parcels, lying on the south side of Lake Mendocino Drive, located at 1021 Lake Mendocino Drive, Ukiah (APN 168-241-41); General Plan SR:: Zoning SR:12K/FP; Supervisorial District 1; (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on December 15, 2016 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 January 19, 2017, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

1. **General Plan Findings:** The subject property is classified Suburban Residential (SR) under the General Plan, and the Project is consistent with the General Plan per Policy DE-13.
2. **Ukiah Valley Area Plan (UVAP) Findings:** The subject property is classified Suburban Residential and the Project is consistent with the goals and policies of the UVAP.
3. **Zoning Findings:** The subject property is zoned Suburban Residential (SR:12K). The project is consistent with County Zoning per Mendocino County Code §20.044.
4. **Division of Land Regulations:** The Planning Commission finds the Project to be consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations.
5. **Exception Findings:** The Planning Commission grants the request for an exception to Mendocino **County Code Section 17-48.5(A)(1)(e)(i) finding that:**
 1. There are special circumstances or conditions affecting the proposed division of land.
 - The existing private roadway is currently developed.

- The proposed remainder parcel and the neighboring parcel due south both contain existing single family residences which limit the roadway width.
2. The granting of the exception will not be detrimental to the public welfare or injurious to surrounding property.

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

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Minor Subdivision, subject to the Conditions of Approval in Exhibit "A", attached hereto.

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

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

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

ATTEST: ADRIENNE M. THOMPSON
Secretary to the Planning Commission

By: _____

BY: STEVEN D. DUNNICLIFF
Director

MOLLY WARNER, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

**MS_2003-0001 – WOOD
JANUARY 19, 2017**

APPROVED PROJECT DESCRIPTION: The applicant proposes to subdivide an existing 2.1± acre parcel into four (4) parcels of 12,100, 12,091, 12,096, 27,982 sq. ft and a Remainder Parcel of 31,225 sq. ft. The project also includes a request for an Exception to the 60 foot road width requirement and the naming of the private roadway "Wood Lane."

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

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

Aesthetics

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

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

The Planning and Building Services Department will review and sign-off all building permit applications for new structures and will verify that all future lighting associated with the new structures are downcast or positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.

Air Quality

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

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

Mendocino County Grading Permits for access roads, driveways and interior circulation routes will require sign-off from the Air Quality Management District prior to issuance.

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

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

Biological Resources

4. 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 \$ 2,266.25 (**or current fee**) shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to January 24,

2017 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**

The California Department of Fish and Wildlife filing fee is required to be paid prior to the recordation of the Notice of Determination.

Cultural Resources

5. The following note shall appear on the **Parcel Map**:

“In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.”

Geology & Soils

6. The subdivider shall **acknowledge in writing** to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following “Best Management Practices”. The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
- That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
 - Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
 - All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
 - Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
 - An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
 - A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage.

Flood

7. All areas within the subdivision subject to flooding shall be clearly identified on the **Final Map**. The information on the parcel map shall be based on a flood hazards report prepared by a Civil Engineer and filed with the Planning and Building Services Department and the Mendocino County Department of Transportation. The flood hazards report, using data developed by the Federal Emergency Management

Agency, shall clearly identify the magnitude of the flood potential as such relates to the subdivision. A reference to the report shall be made on the parcel map.

The area of the subdivision within the "floodway" as defined by the federal Emergency Management Agency and on file with the Mendocino County Planning and Building Services Department shall be delineated as a drainage easement on the Parcel Map.

The following note shall appear on the **Parcel Map**:

"Development within the flood plain as identified on this map, is subject to those restrictions in the Flood Plain Regulations of the Mendocino County Code."

8. The following note shall appear on the **Parcel Map**:

"All of the lots are within the Dam Failure Inundation Hazard Area of Coyote Dam."

9. The following note shall appear on the **Parcel Map**:

"No toxic, hazardous or contaminated materials or waste shall be stored in a designated buffer area or clearly identified flood plain or floodway."

Fire

10. The subdivider shall comply with those recommendations of the **Ukiah Valley Fire District** (letters dated April 20, 2016 and September 20, 2016) or other alternatives as acceptable to the **Fire District**. Written verification shall be submitted from **Fire District** to the Department of Planning and Building Services that this condition has been met to the satisfaction of the **Fire District**.

All of Ukiah Valley Fire District's required regulations must be met prior to recordation of the parcel map.

Hydrology and Water Quality

11. The applicant shall provide the Division of Environmental Health adequate advance written notice (minimum of 15 days) of the date and time any field soil testing procedures for any proposed on-site sewage systems to allow the Division of Environmental Health staff to be present for soil testing.
12. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel(s) 1 through 4 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
13. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for a replacement system for the existing structure(s) located on the remainder parcel completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
14. The applicant shall submit to the Division of Environmental Health an acceptable site development plan at a scale of not more than 1 inch = 50 feet showing all adjacent parcels on one sheet completed by a qualified individual showing the location and dimensions of the initial sewage disposal system(s), 100% replacement area(s), acceptable setback distances to water wells and other pertinent setback distances which may impact project site development.
15. The applicant shall either (1) submit to the Division of Environmental Health, a letter from the district(s) or agency(s) stating that water and/or sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 & 17.56); or (2) the applicant shall submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered

improvement plans for the future installation of services (and main extensions, where required) for each lot and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII.

16. The hand dug well on Lot 4 shall be abandoned per Division of Environmental Health requirements.
17. Prior to any development activities associated with or lot development subsequent to parcel map recordation, the subdivider shall secure all necessary permits from the United States Army Corps of Engineers.

Land Use and Planning

18. The applicant shall submit verification prepared by a licensed civil engineer or surveyor that each parcel created is a minimum of 12,000 square feet net.
19. All existing structures shall meet current setback requirements or be deemed legal non-conforming to setback from newly proposed property lines. A site map shall be submitted to the satisfaction of Planning and Building Services clearly identifying compliance.
20. The applicant shall reinstate Building Permit #BU 1996-1041 and request a final inspection prior to recording of the final map.

Population/Housing

21. The subdivider shall pay into the County Affordable Housing Trust Fund (per County Code Section 20.238.035) an amount equaling 5% of the County-wide median sales price of a single family residence as determined by the County Assessor. This percentage is based on the number of unimproved (Single Family Residences) parcels to be created. Said fee shall be collected prior to the recording of the Parcel Map.

Transportation

22. There shall be provided an access easement of 60 feet in width, unless an exception down to 30 feet in width is approved by the Planning Commission, from Lake Mendocino Drive (CR 227 B) to each parcel being created. Documentation of access easement shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.
23. If a Parcel Map is filed, all easements of record shall be shown on the parcel map. All utility lines shall be shown as easements with widths as shown of record or a minimum of ten (10) feet, whichever is greater.
24. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed.
25. If a Parcel Map is filed, all natural drainage and water courses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. If a Parcel Map is filed, such easements shall be shown on the final parcel map. (All parcels 5 acres and less.)
26. ROAD IMPROVEMENT REQUIREMENTS:
 - a. Improve the existing subdivision road to Level "C" of MCDOT Road And Development Standards: twenty-six (26) foot wide road within the access easement including eight (8) inch minimum of new rock base, provided the applicant presents MCDOT with subgrade R-value test results. Alternatively,

the subdivision road may be chip-sealed, using 12 inches of new compacted aggregate base rock. The subdivision road shall have hundred twenty-five (125) foot minimum radius of horizontal curve. Install drainage culverts where necessary. New or replaced culverts shall be a minimum of 18 inches in diameter.

- b. A standard private road approach shall be constructed to a minimum width of twenty-two (26) feet where it meets the new subdivision road, and with a length along the edge of Lake Mendocino Drive (CR 227 B) according to MDOT STD No. A51B, area to be improved twenty (20) feet from the edge of the County road, to be surfaced with asphalt concrete.
 - c. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.
 - d. A 40-foot radius turnaround shall be constructed within a 50-foot radius easement at terminus of access easements to the satisfaction of the Mendocino County Department of Transportation. If approved in writing by the applicable fire protection service provider(s), instead of the turnaround described above, subdivider shall construct a "Hammerhead-T" turnaround within a forty (40) foot wide by eighty (80) foot long easement at the terminus of the access easement. Turnaround shall be constructed with eight (8) inch minimum rock base, eighteen (18) feet wide and sixty (60) feet long, with twenty (20) foot radius surfacing returns.
27. Subdivision road improvements shall be designed to incorporate onsite drainage, and be constructed in accordance with improvement plans prepared by a civil engineer and approved by the Department of Transportation; or improvements shall be constructed under the direct supervision of a civil engineer who, upon completion of the improvements, shall file a report with the Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices.
28. The Private Road Name "Wood Lane" shall be shown on the Final Map to be recorded. It shall be the responsibility of the subdivider to provide a street sign for the newly named private roadway. The sign shall conform to the county standards for signs. Site addresses shall be posted for each of the proposed parcels in conformance with Mendocino County Code Section 18.16.
29. The applicant and/or subsequent grantees shall create to the satisfaction of Mendocino County Counsel and the Department of Planning and Building Services an organization or association for the maintenance of the private roads and appurtenant drainage systems, water systems and sanitation sewer systems within the subdivision or show evidence of the existence of such an agreement or organization. A Review Fee shall be payable to Mendocino County Counsel. (Check with Planning and Building Services for Fee prior to submittal).

Special Conditions

30. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the **Parcel Map**, the subdivider must: (1) Obtain a Certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) Pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

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