



**PLANNING COMMISSION
STAFF REPORT- DIVISION OF LAND**

**JULY 6, 2017
MS_2017-0001**

SUMMARY

OWNER/APPLICANT: SLOTTE TIMOTHY E & CANDY M
13251 ESTATE DR
BOONVILLE, CA 95415

AGENT: RON FRANZ
2335 APPOLINARIS DRIVE
UKIAH, CA 95482

REQUEST: Subdivision of 2.5± acres into one 1± ac. parcel and one 1.5± ac. parcel for residential use.

DATE DEEMED COMPLETE: January 18, 2017

LOCATION: 0.5± mile southeast of Boonville center, on the northeast side of SH 128. 0.25± mile northwest from intersection of SH 128 and SH 253. 14701 Hwy 128. APN 029-160-47

TOTAL ACREAGE: 2.5± Acres

GENERAL PLAN: Rural Community (RC)

ZONING: Rural Community (RC:40K)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Sam "Vandy" Vandewater

BACKGROUND

PROJECT DESCRIPTION: The subdivision is to divide a 2.5± acre parcel into two separate parcels for residential use; a 1± ac. parcel and a 1.5± ac. parcel.

SITE CHARACTERISTICS: The subject parcels are located ½ south of Boonville center and is 2.5± acres in size. The parcel is on the northeast side of CA Highway 128 and is accessed by a dirt driveway off the aforementioned state road. There are several buildings on the subject parcel including a house, an old barn, and several small storage buildings. The house has an existing well and septic field. The subject parcel has a mix of grassy field and tree vegetation, and is bordered by agricultural lands to the east. The closet neighboring house is on the parcel north of the proposed subdivision on CA Highway 128.

TABLE 1 – SURROUNDING LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	AG40 (Agriculture)	AG40/SR (Agriculture / Suburban Residential)	<1±, <1±	Residential
EAST	AG40 (Agriculture)	TP (Timber Production)	52.3±	Agriculture
SOUTH	RL160 (Rangeland)	RL (Rangeland)	52.3±, 16.19±	Residential/Agriculture
WEST	PS (Public Services)	TP (Timber Production)	16.19±	Agriculture

RELATED APPLICATIONS:

On-Site:

- No related applications on the subject parcel have been identified as important in regards to this proposed project.

Neighboring Property:

- **U_2010-0011**, use permit for a cheese factory and cheese and wine tasting on-site.

PUBLIC SERVICES:

Access: Highway 128 (SH 128)
Fire District: Anderson Valley Fire District
Water District: NONE
Sewer District: NONE
School District: NONE

AGENCY COMMENTS: On January 5, 2017, 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.

TABLE 2 – SUMMARY OF AGENCY REFERRALS			
REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation		NO RESPONSE	
Environmental Health – FB		Comment	February 16, 2017
<ul style="list-style-type: none"> • Standard septic requirements per each parcel. • Standard water source requirements. 			
Building Inspection – FB PBS		NO RESPONSE	
Environmental Health – Hazmat		NO RESPONSE	
Assessor		NO RESPONSE	
Air Quality Management District		NO RESPONSE	
County Water Agency		NO RESPONSE	
Alcoholic Beverage Control (ABC)		NO RESPONSE	
CalFire		NO RESPONSE	
Dept. of Fish & Wildlife		NO RESPONSE	
Regional Water Quality Control		NO RESPONSE	
Redwood Valley Rancheria		Comment	February 17, 2017
<ul style="list-style-type: none"> • Protection of Tan Oak and traditional food sources. 			
Cloverdale Rancheria		NO RESPONSE	
Sherwood Valley Band Rancheria		NO RESPONSE	
Elk Fire District		NO RESPONSE	
Elk Community Services District		NO RESPONSE	

KEY ISSUES

1. General Plan and Zoning Consistency: The subject parcel has a General Plan Land Use Designation of Rural Community (RC) as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Rural Community classification is intended “to be applied to ***small, unincorporated towns and community centers*** (including areas in the Community Planning Areas) and

to areas near City boundaries, which provide a variety of community and tourist-oriented goods and services but may not have well-defined or identifiable commercial or residential districts. This classification may also be appropriate around a central commercial or industrial nucleus.

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

Lower residential density and intensity of development is planned away from the town centers, near the peripheries of the Community Planning Areas, in order to ensure a transition to outlying resource lands and open space areas. New development shall only be permitted when provisions are made for construction or expansion of public service facilities, such as schools, recreation facilities, fire stations, water systems, sewer systems, storm drainage and solid waste disposal facilities.

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

The applicant requests the approval of a subdivision of the subject parcel into two parcels. The General Plan Land Use Designation of Rural Community (RC) supports this subdivision by allowing for an increase in dwelling density on near the community core of small unincorporated town, such as Boonville. Furthermore, the Rural Community designation promotes higher densities near community cores where utilities and public services are readily available, the subject parcel being well located in this regard.

In addition to its consistency with the General Plan Land Use Designation of Rural Community, the proposed subdivision is also consistent with the following Anderson Valley Goal that are established in the County of Mendocino General Plan.

GOAL CP-AV-2: *Expand economic and housing opportunities in Anderson Valley consistent with the desired rural agrarian character of the valley.*

By approving the proposed subdivision, the opportunity for housing increases as there would be additional parcels on which new dwelling units could be developed. The subject parcel is within the Rural Community Zoning District (discussed below) which provides the potential to develop multiple-family dwelling units, further supporting the aforementioned Anderson Valley Goal.

With regards to zoning districts, the subject parcel is located within the Rural Community District (MCC 20.084). The Mendocino County Code identifies the intent of the Rural Community District 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.***"

This further supports the proposed project as the subdivision would allow for new development in a rural community core area and lead to an increase of residential uses in a mixed land-use parts of Boonville.

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

The Redwood Valley Little Rover Band of Pomo Indians responded to staff's referral with concerns

regarding the oak species on the property, as the trees are cultural and biological resources for the Rancheria. While the subject parcel does not contain a large abundance of oak woodlands, it is recommended that the property owner preserve several oak species that do exist.

3. Division of Land Regulations:

The project was reviewed by the County Subdivision Committee on April 13, 2017, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in MCC §17-48.5. No conflicts with the County Division of Land Regulations were identified.

RECOMMENDATION

By resolution, adopt a Negative Declaration and grant Subdivision MS_2017-0001 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

6/22/17
DATE

Vandy
SAM 'VANDY' VANDEWATER

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

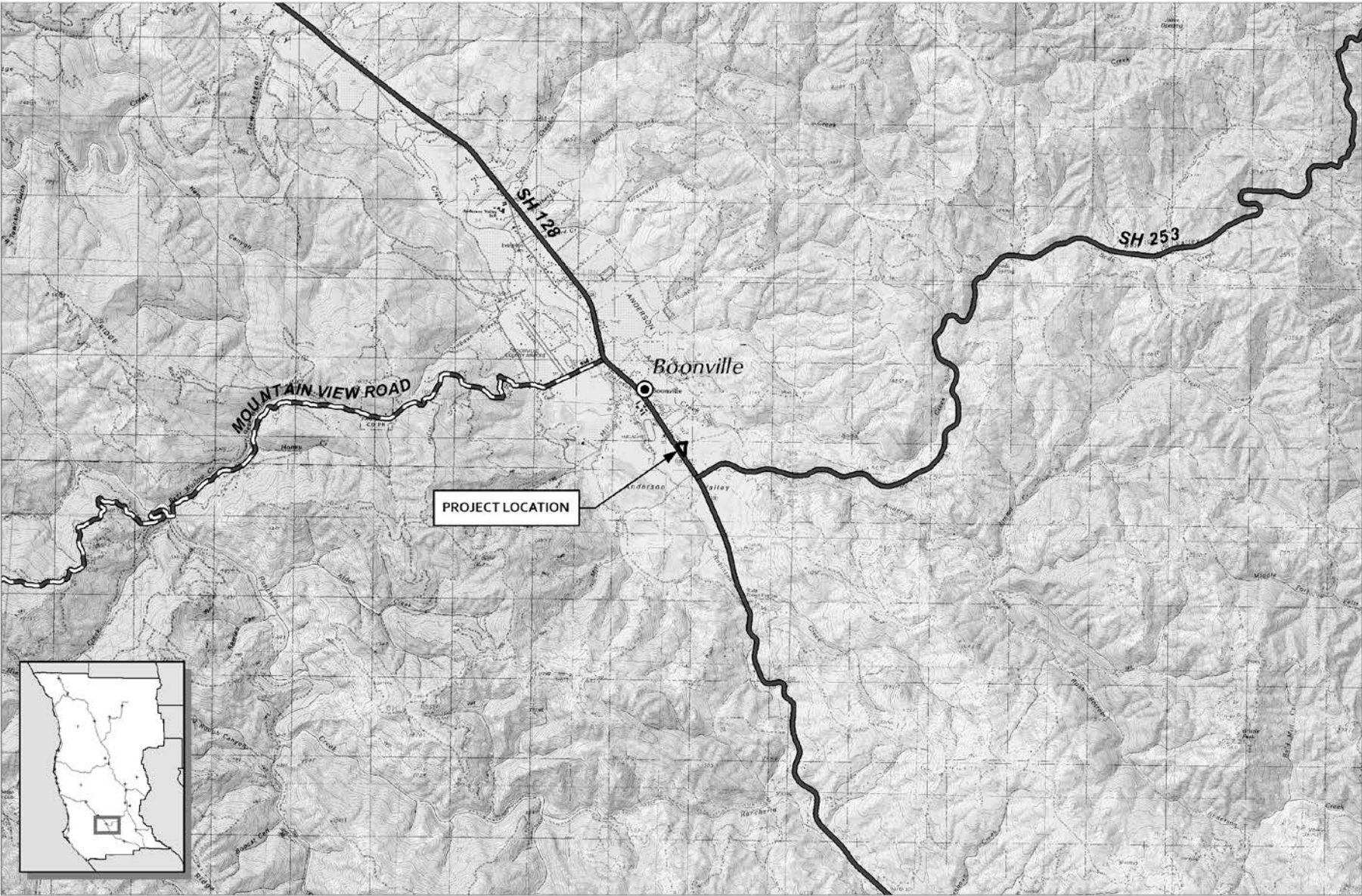
ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Tentative Map
- D. Zoning Map
- E. General Plan Map
- F. Adjacent Map
- G. Fire Hazards Map
- H. Wildland-Urban Interface Map
- I. Farmland Map
- J. Williamson Act Map
- K. School District
- L. Airport Zones Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

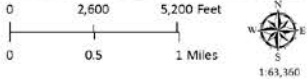
**[NEGATIVE DECLARATION or MITIGATED NEGATIVE DECLARATION] Initial Study available
online at: <http://www.co.mendocino.ca.us/planning/meetings.htm>**

ATTACHMENT A



CASE: MS 2017-0001
OWNER: SLOTTE, Timothy & Candy
APN: 029-160-47
APLCT: Ed Slotte
AGENT: Ron Franz
ADDRESS: 14701 Hwy. 128, Boonville

- Major Towns & Places
- Highways
- Major Roads



LOCATION MAP

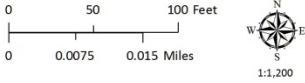
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All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT B



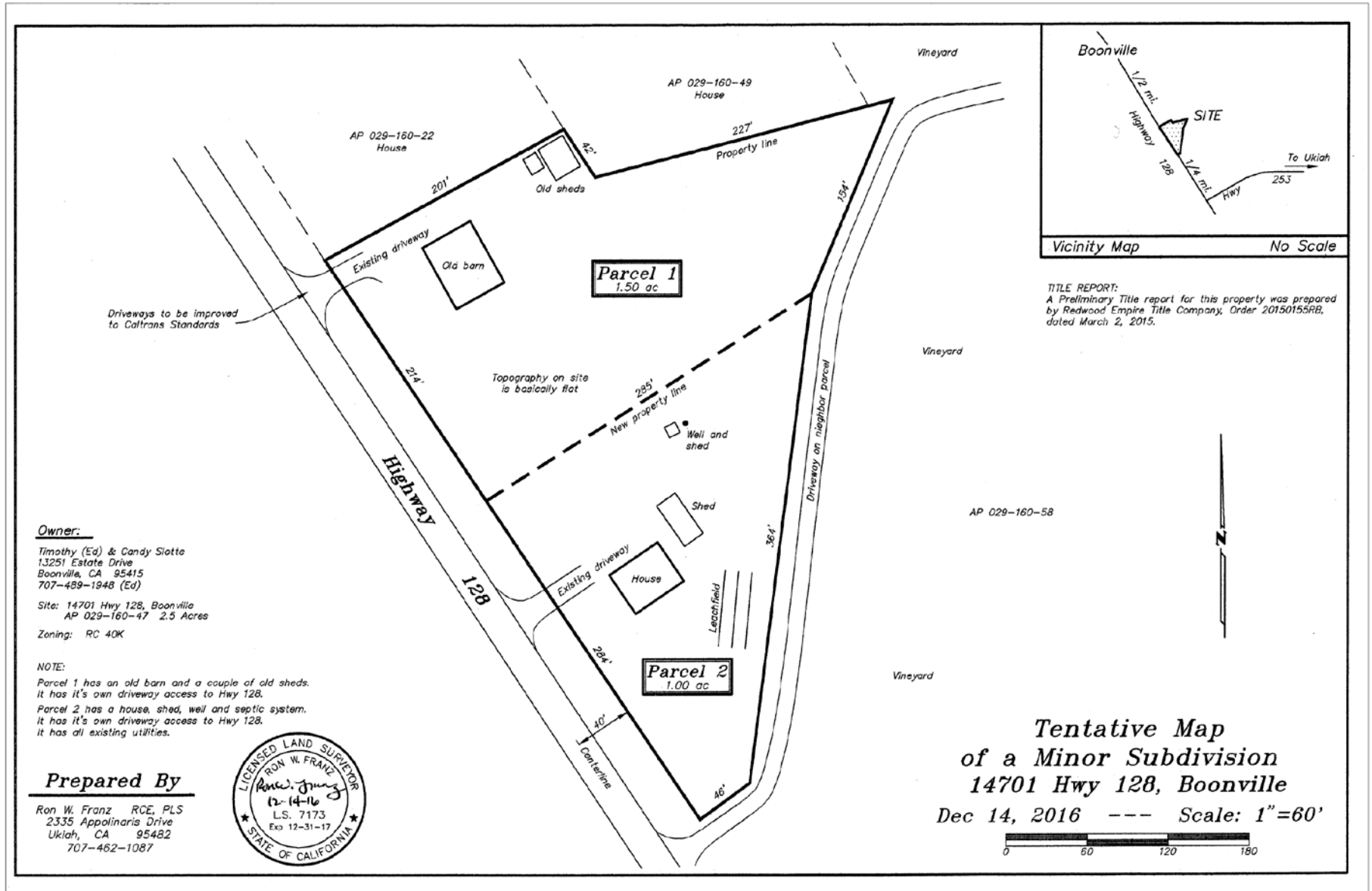
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— Public Roads
- - - Private Roads



AERIAL IMAGERY

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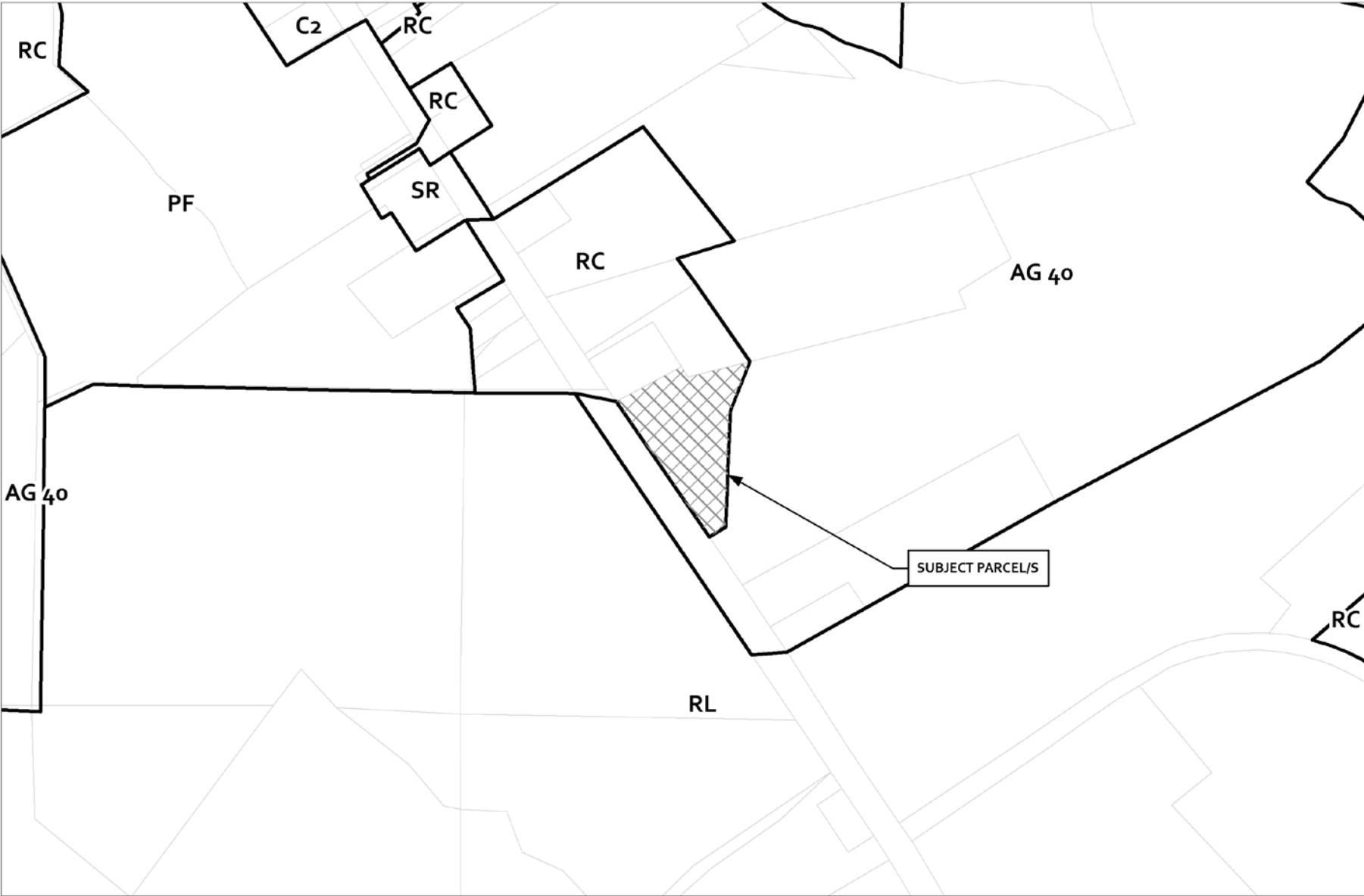


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NO SCALE

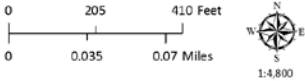
TENTATIVE MAP

ATTACHMENT D



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 Zoning Districts



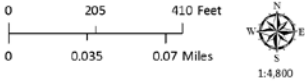
ZONING DISPLAY MAP

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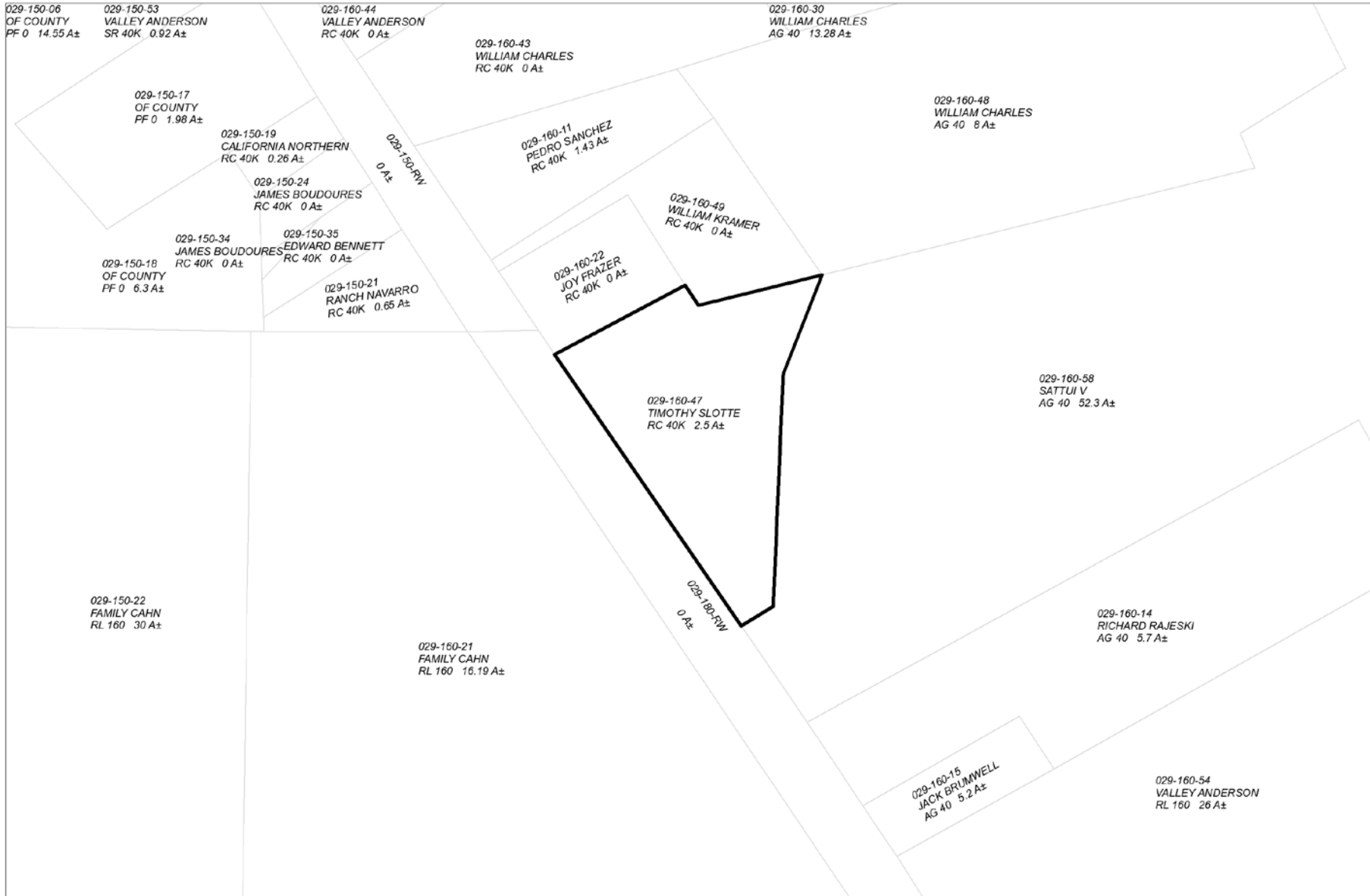
 General Plan Classes



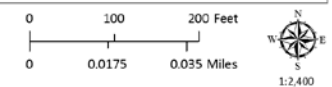
GENERAL PLAN CLASSIFICATIONS

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ATTACHMENT F

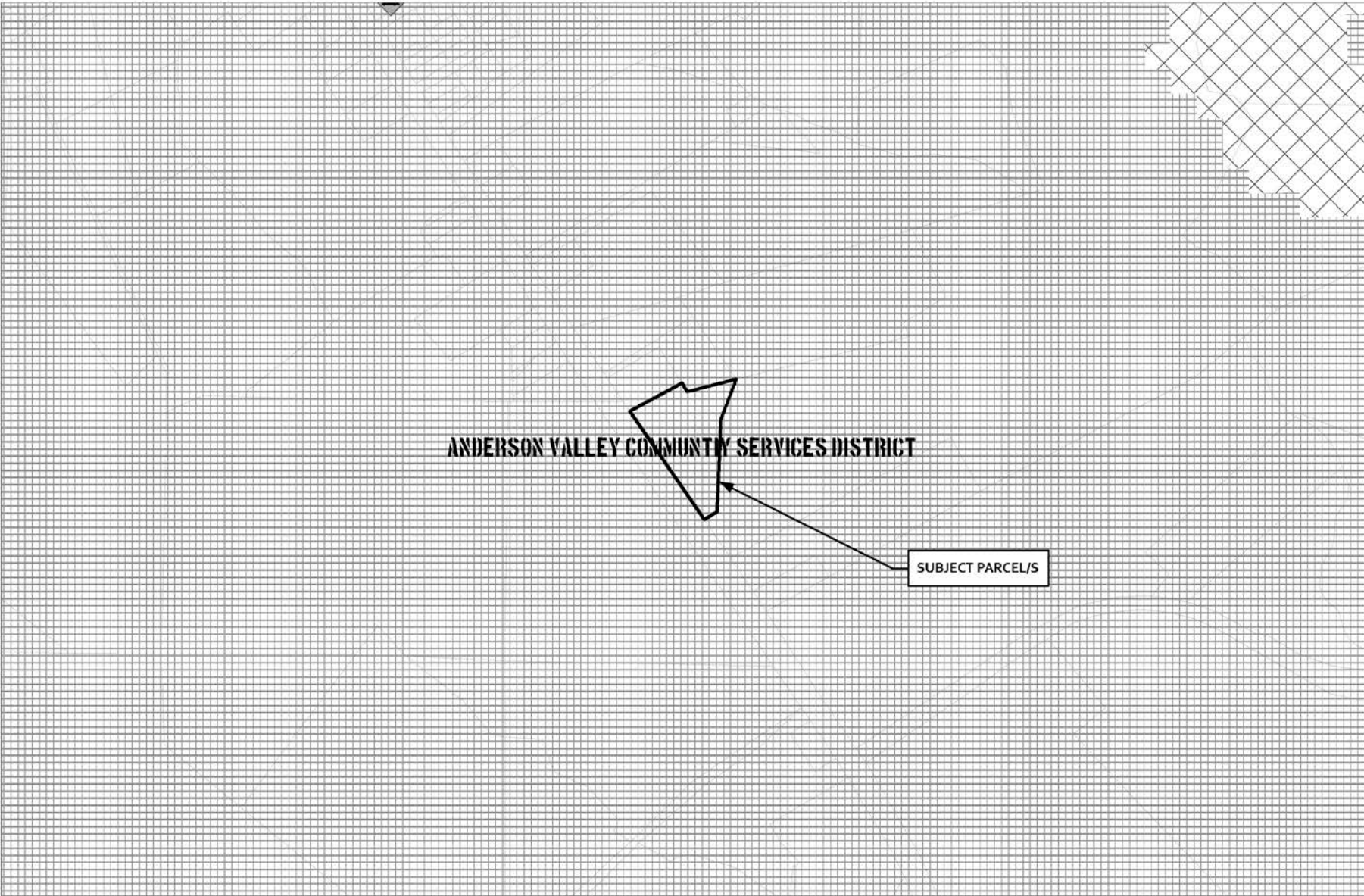


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


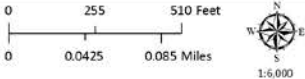
ADJACENT PARCELS

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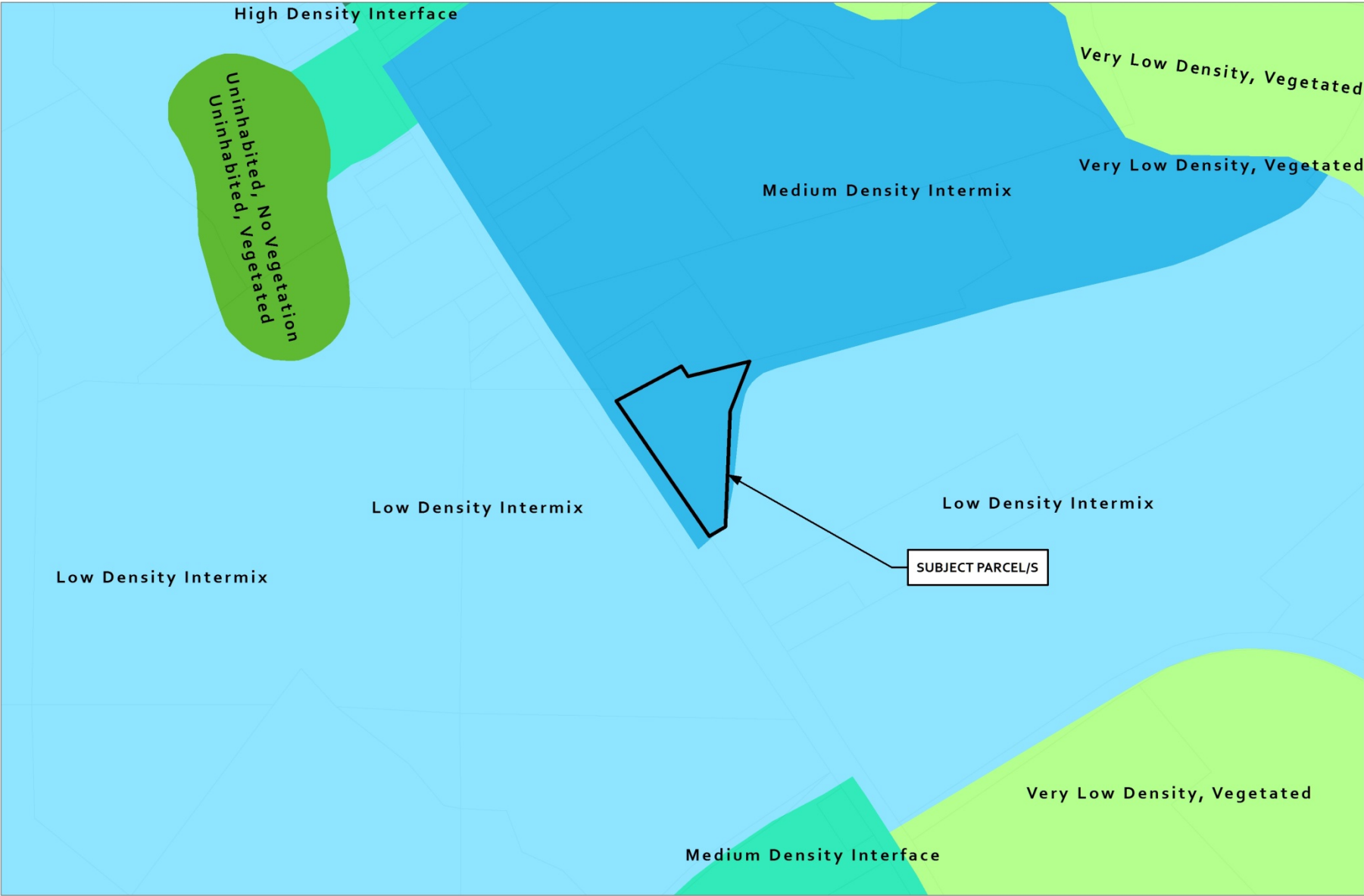
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-  Fire Stations
-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard



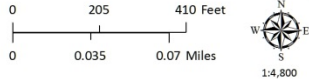
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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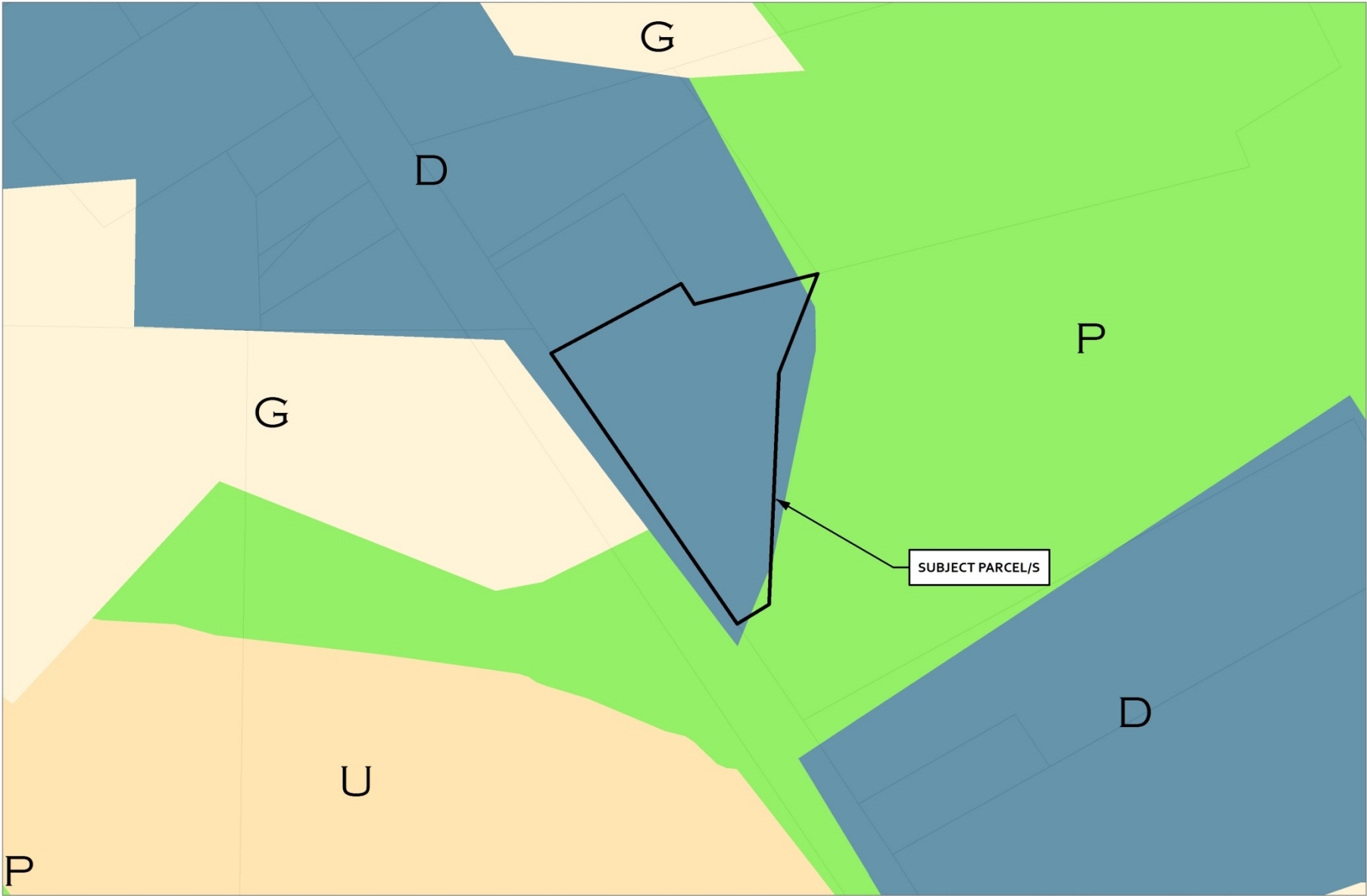
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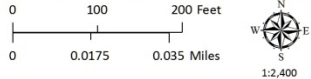
WILDLAND-URBAN INTERFACE ZONES

ATTACHMENT I



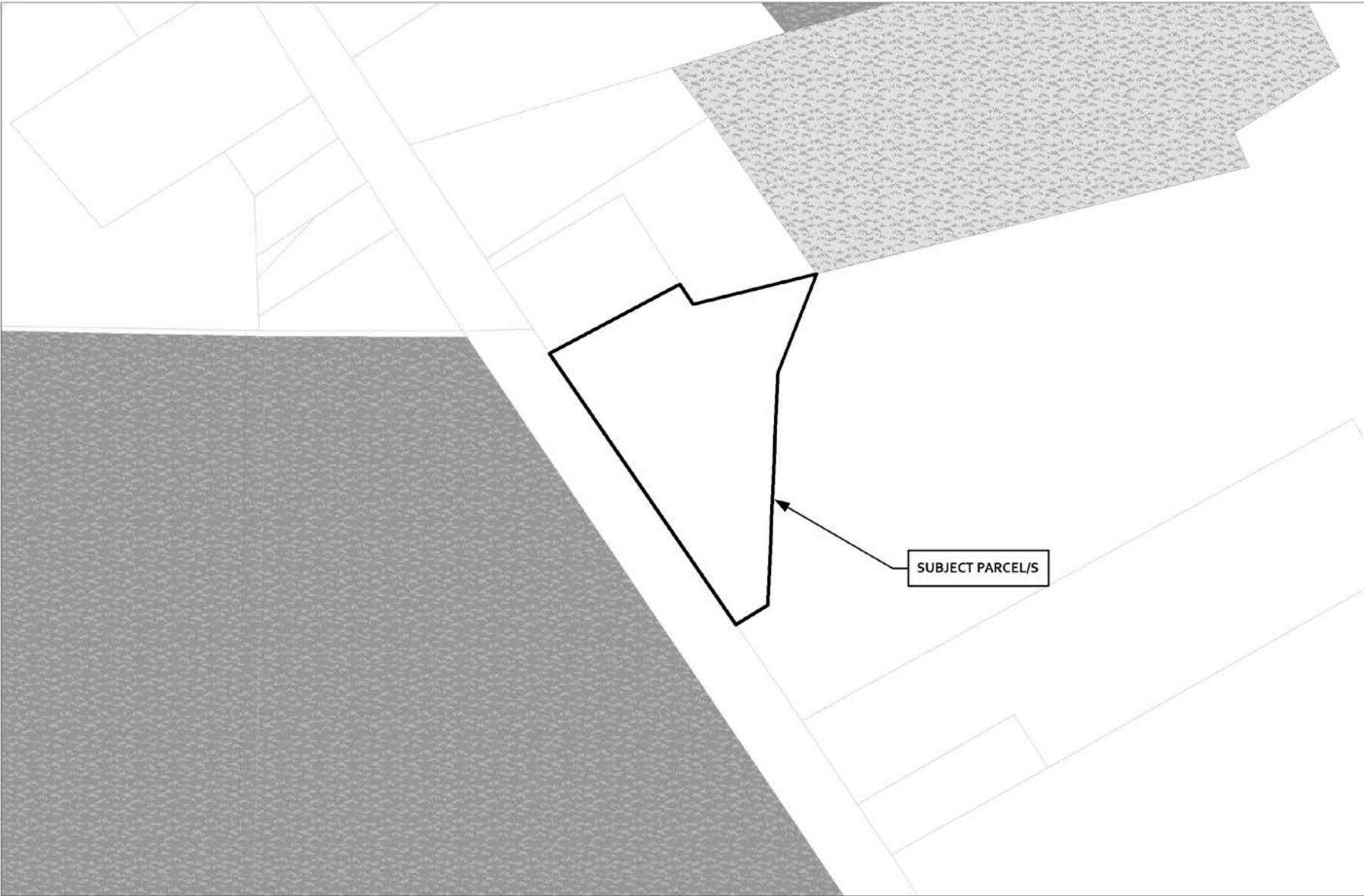
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- Urban & Built-Up Land (D)
- Unique Farmland (U)
- Grazing Land (G)
- Prime Farmland (P)





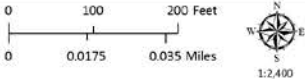
IMPORTANT FARMLAND

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 Williamson Act 2015
 Prime Ag 2015
 Non-Prime Ag 2015

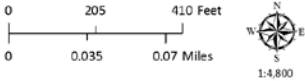


LANDS IN WILLIAMSON ACT CONTRACTS

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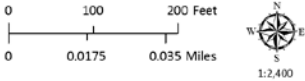
SCHOOL DISTRICTS

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AIRPORT ZONES

Section I Description Of Project.**DATE:** MAY 19, 2017**CASE#:** MS_2017-0001**DATE FILED:** 1/3/2017**OWNER & APPLICANT:** SLOTTE TIMOTHY & CANDY**PROJECT COORDINATOR:** SAM VANDEWATER**REQUEST:** Subdivision of 2.5± acres into one 1± ac. parcel and one 1.5± ac. parcel for residential use.**ENVIRONMENTAL DETERMINATION:** Negative Declaration**LOCATION:** 0.5± mile southeast of Boonville center, on the northeast side of SH 128. 0.25± mile northwest from intersection of SH 128 and SH 253. 14701 HWY 128. APN 029-160-47.**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 type="checkbox"/>	<input checked="" type="checkbox"/>

- a-d) **No Impact:** The proposed subdivision will not have any substantial adverse effects on a scenic vista. The proposed subdivision will not substantially damage any scenic resources. The proposed subdivision will not substantially degrade the existing visual character nor will it degrade the quality of the site and its surroundings. The proposed subdivision, itself, will not create a new source of substantial light, though there is potential for new sources of light in the future with the development of the subdivided parcels.

<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 checked="" type="checkbox"/>	<input 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"/>
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) **Less Than Significant Impact**

The proposed subdivision will not covert any Farmland to a non-agricultural use. However, there is potential in the future for this to happen. There are two small portions of Prime Farmland located on the eastern edges of the parcel, though the loss this Prime Farmland will have a "less than significant impact" on the subject and adjacent parcels.

b-e) **No Impact**

The proposed subdivision will not conflict with any existing land used for agriculture, or with any Williamson Act contract. The proposed subdivision will not conflict with any existing forest land, timberland, or timberland production zone. The proposed subdivision will not result in the loss of any forest land or in the conversion of any forest land.

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:** There are no identified potential effects to air quality caused by the proposed subdivision. There is potential for developments in the future to have effects on air quality.

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"/>
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-b) **No Impact:** The proposed subdivision will not have an adverse effect, directly or through habitat modifications. However, it should be noted that there are several oak species on the property that are of cultural and biological importance to the Redwood Valley Little River Band of Pomo Indians. Any future development should consider the preservation of the oak species. The proposed subdivision will have no adverse effect on any riparian habitat or sensitive natural community. The proposed subdivision will not have a substantial impact on federally protected wetlands. The proposed subdivision will not interfere with the movement of native resident, migratory fish, or wildlife species. The proposed subdivision does not conflict with any local policies, nor does it conflict with any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plan.

<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-e) **No Impact:** The proposed subdivision will not cause any adverse change to a historical or archaeological resource. The proposed subdivision will not, directly or indirectly, destroy a unique paleontological resource, nor should it disturb any human remains.

<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 subdivision will not expose any people or structures to potential substantial adverse effects related to Fault Zones, strong seismic ground shaking, ground failure, or landslides. The proposed subdivision will not result in soil erosion. The proposed subdivision is not located on unstable soil. The proposed project is not located on expansive soil.

<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 subdivision will not generate any greenhouse gas emissions that will have a significant impact on the environment, nor does the proposed subdivision conflict with any applicable plan, policy, or regulation aimed at reducing greenhouse gas emissions.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-d) **No Impact:** The proposed subdivision will not create a hazard to the public or environment through routine transport, use, or disposal of hazardous materials. There is little-to-no likelihood that the proposed subdivision will result in the release of hazardous materials into the environment. The proposed subdivision will not emit hazardous emissions, nor handle any hazardous materials, within one-quarter mile of any existing or proposed school.
- e-f) **Less Than Significant Impact:** The proposed subdivision is within an airport zone. However, there will be no adverse impact to the safety for people residing and working in the project area. Additionally, the proposed subdivision will not result in any safety hazard.
- g-h) **No Impact:** The proposed subdivision will not impair or physically interfere with any emergency response plan or evacuation plan. The proposed subdivision will not expose people or structures to any significant loss, injury, or death involving wildland fires.

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

a-i, m) **No Impact:** The proposed subdivision will not violate any water quality standards or waste discharge requirements. The proposed subdivision will not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. The proposed subdivision will not substantially alter any

existing drainage pattern of the site or area. The proposed subdivision will not create or contribute any runoff water which would exceed the capacity of a storm water drainage system. The proposed subdivision will not substantially degrade water quality. The proposed subdivision will not place any housing or structure within a 100-year flood hazard. The proposed subdivision will not expose people or structures to any significant risk of loss, injury, or death involving flooding. The proposed subdivision is not within any inundation zone, nor will it impact any aquatic, wetland, or riparian habitat.

- k-l) **Less than Significant Impact:** The proposed subdivision will not result in any pollutant discharges or have an impact on groundwater quality. However, there is potential in the future for these issues because of the potential for future development of the subject parcel; more intensive uses could result in pollutant discharges and impacts on groundwater quality.

IX. Hydrology and Water Quality b) through m) No Impact

<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-c) **No Impact:** The proposed subdivision will not physically divide any established community, nor will it conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The proposed subdivision will not conflict with any applicable habitat conservation plan or natural community conservation plan.

<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 subdivision will not result in any loss of mineral resources, nor would it result in the loss of any available locally-important mineral resource recovery site.

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

- a-b) **No Impact:** The proposed subdivision will not expose persons to noise levels in excess of established standards, nor will the proposed subdivision expose persons to excessive groundborne vibration.
- c-d) **Less Than Significant Impact:** While the subdivision itself would not increase any ambient noise levels, an increase in intensity, such as new residences, could permanently and/or temporarily increase ambient noise levels.
- e-f) **Less Than Significant Impact:** The proposed subdivision is located within an airport land use plan, with the nearest airport being within two miles of the proposed subdivision. This could expose people to excessive noise levels, however, there are parcels with residences that are closer to the airport than the proposed subdivision, thus the impact is considered less than significant.

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

- a-c) **No Impact:** The proposed subdivision will not induce substantial population growth, nor will it displace a substantial number of existing homes or people.

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

- a) **No Impact:** The proposed subdivision will not result in substantial adverse physical impacts associated with the provision of government facilities.

<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 subdivision will not increase the use of an existing neighborhood or regional park, nor will the proposed subdivision require the construction or expansion of recreational facilities.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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"/>

a, c, f) **Less than Significant Impact:** The proposed subdivision would not immediately generate substantial vehicular movement, have an impact on existing transportation systems, or increase traffic hazards to motor vehicles, bicyclists, or pedestrians. Should the proposed subdivision be developed at a later date, there could be a small increase of the impacts caused by these issues.

b, d, e) **No Impact:** The proposed subdivision will not effect any existing parking facilities, nor will it create a demand for new parking. The proposed subdivision will not alter any patterns of circulation or movement of people and/or goods, nor will it result in inadequate emergency response access.

<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 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-g) **No Impact:** The proposed subdivision will not exceed wastewater treatment requirements. The proposed subdivision will not result in the construction of any new water, wastewater treatment, or storm water drainage facilities. The proposed subdivision will have sufficient water supplies and will not require a determination by the wastewater treatment provider regarding adequate capacity. The proposed subdivision will not have any issues regarding sufficient landfill capacity and disposal needs, and it will comply with all federal, state, and local statutes and regulations related to solid waste.

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

- a- c) **No Impact:** The proposed subdivision does not 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, nor eliminate important examples of the major periods of California history or prehistory. The proposed subdivision does not any issues that are individually limited, but cumulatively impactful. The proposed subdivision will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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

 SAM VANDEWATER

Resolution Number _____

County of Mendocino
Ukiah, California
July 6, 2017

MS_2017-0001 – TIMOTHY & CANDY SLOTTE

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE
DECLARATION AND GRANTING A MINOR SUBDIVISION FOR A 2
PARCEL LOT SPLIT

WHEREAS, the applicant, TIMOTHY AND CANDY SLOTTE, filed an application for a Minor Subdivision with the Mendocino County Department of Planning and Building Services to subdivide a 2.5± acre parcel into a 1.0± acre and 1.5± acre parcel, located 0.5± mile southeast of Boonville center, on the northeast side of SH 128, 0.25± mile northwest from intersection of SH 128 and SH 253; 14701 HWY 128; APN 029-160-47; General Plan RC; Zoning RC:40K/AZ; Supervisorial District 5; (the "Project"); and

WHEREAS, a NEGATIVE DECLARATION was prepared for the Project and noticed and made available for agency and public review on May 25, 2017, in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, July 6, 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 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 Consistency Findings:** The subject parcel has a General Plan Land Use Designation of Rural Community (RC) and the Project is consistent with the General Plan definition, as well as Goal CP-AV-2. Additionally, the subject parcel lies within the Zoning District of Rural Community (RC) and the Project is consistent with the Zoning District per MCC 20.084.
2. **Environmental Protection Findings:** The CEQA initial study completed by staff identified the Project to have less than significant to no impact on the environment, and any concerns are adequately addressed through the conditions of approval so that no adverse environmental impacts will result from the Project; therefore a Negative Declaration is adopted.
3. **Division of Land Regulations:** The Project is consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations.

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

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

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

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

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

ATTEST: VICTORIA DAVIS
Commission Services Supervisor

By: _____

BY: IGNACIO GONZALEZ
Interim Director

MADELINE HOLTKAMP, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL MS_2017-0001 – SLOTTE JULY 6, 2017

Subdivision of 2.5± acres into one 1± ac. parcel and one 1.5± ac. parcel for residential use.

APPROVED PROJECT DESCRIPTION: Subdivision of 2.5± acres into one 1± acre parcel and one 1.5± acre parcel for residential use.

CONDITIONS OF APPROVAL:

1. 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.
2. A notation shall appear on the Parcel Map stating that future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval
3. A note shall appear on the Parcel Map stating that the access road, driveway and interior circulation routes be maintained in such a manner as to insure minimum dust generation subject to Air Quality Management District Regulation 1 Rule 430. All grading must comply with Air Quality Management District Regulations Rule 430. Any rock material, including natural rock from the property, used for surfacing must comply with Air quality Management District regulations regarding asbestos content.
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 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.**
5. Those "Recommendations" outlined in the Archaeological Report dated May 3, 2016, prepared by Thad Van Bueren, Registered Professional Archaeologist shall be complied with. In the event that additional archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
6. The sub-divider shall **acknowledge in writing** to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards:
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion. 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.

- b. 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.
 - c. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
 - d. 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.
 - e. 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.
 - f. 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:
 - i. 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).
 - ii. 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.
7. The sub-divider shall comply with those recommendations in the California Department of Forestry letter of January 11, 2017, (CalFire# 9-17) or other alternatives as acceptable to the Department of Forestry. Written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.
 8. The sub-divider shall comply with those recommendations of the Anderson Valley Fire District or other alternatives as acceptable to the Fire District. Written verification shall be submitted from Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.
 9. 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.
 10. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel 1 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
 11. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for a replacement system for the existing structure(s) located on parcel 2 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).

12. The applicant shall submit to Division of Environmental Health an acceptable wet weather groundwater monitoring and soil permeability data report completed by a qualified individual demonstrating acceptable areas for the initial and replacement sewage disposal areas which are in 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 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.
14. That verification be received by a licensed civil engineer or surveyor that each parcel created is a minimum of 40,000 square feet net.
15. All existing structures shall meet current setback requirements to newly proposed property lines. A site map shall be submitted to the satisfaction of Planning and Building Services clearly identifying compliance.
16. The sub-divider shall comply with those recommendations of the California Department of Transportation or other alternatives as acceptable to the CalTrans.
17. 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.
18. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the Parcel Map, the sub-divider must: (1) Obtain a Certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid, and (2) Pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.