



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482  
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

IGNACIO GONZALEZ, INTERIM DIRECTOR  
TELEPHONE: 707-234-6650  
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FB FAX: 707-961-2427  
pbs@co.mendocino.ca.us  
www.co.mendocino.ca.us/planning

May 26, 2017

Department of Transportation  
Environmental Health - Ukiah  
Building Inspection - Ukiah  
Emergency Services  
Assessor

Farm Advisor  
Agriculture Commissioner  
Forestry Advisor  
Round Valley Water District  
Covelo Fire Protection District

County Water Agency  
Sonoma State University  
Redwood Valley Rancheria  
Sherwood Rancheria  
Cloverdale Rancheria

**CASE#:** UM\_2017-0003

**DATE FILED:** 4/27/2017

**OWNER/APPLICANT:** MARTIN MILECK

**AGENT:** SEAN O'ROURKE

**REQUEST:** Request to modify Use Permit #22-88 to allow for agricultural sales and services on the west side of Hill Road. Modification request to also change Condition #C-5 to reduce setback from 50ft to 10ft.

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**LOCATION:** 3.5± mi. east of Covelo center, on the east side of Hill Road (CR 327B), 1± mi. south of eastern terminus of East Lane; 74540 Hill Road (APN: 034-020-68) Covelo

**STAFF PLANNER:** SAM VANDEWATER

**RESPONSE DUE DATE:** June 9, 2017

Attached to this form is information describing the above noted project(s). The County Planning and Building Services Department is soliciting your input, which will be used in staff analysis, and will be forwarded to the appropriate public hearing.

You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to [pbs@co.mendocino.ca.us](mailto:pbs@co.mendocino.ca.us). Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- ☐ No comment at this time.
- ☐ Recommend conditional approval (attached).
- ☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
- ☐ Recommend denial (Attach reasons for recommending denial).
- ☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
- ☐ Other comments (attach as necessary).

**REVIEWED BY:**

Signature \_\_\_\_\_ Department \_\_\_\_\_ Date \_\_\_\_\_

REPORT FOR: USE PERMIT MODIFICATION

CASE #: UM\_2017-0003

OWNER: MARTIN MILECK

APPLICANT: MARTIN MILECK

AGENT: SEAN O'ROURKE

REQUEST: Request to modify Use Permit #22-88 to allow for agricultural sales and services on the west side of Hill Road. Modification request to also change Condition #C-5 to reduce setback from 50ft to 10ft.

LOCATION: 3.5± mi. east of Covelo center, on the east side of Hill Road (CR 327B), 1± mi. south of eastern terminus of East Lane; 74540 Hill Road (APN: 034-020-68) Covelo

ACREAGE: 9.64 ACRES

GENERAL PLAN: AG40

ZONING: AG:40

COASTAL ZONE: NO

EXISTING USES: Commercial

SUPERVISORIAL DISTRICT: 3

TOWNSHIP: 22N

RANGE: 12W

SECTION: 10

USGS QUAD#: 16

RELATED CASES ON SITE: U90-83, U22-88, UM22-88/90  
RELATED CASES IN VICINITY: N/A

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	AG:40	AG:40	69.67± ac.	Agriculture
EAST:	AG:40	AG:40	69.67± ac.	Agriculture
SOUTH:	AG:40	AG:40	69.67± ac.	Agriculture
WEST:	AG:40	AG:40	69.67± ac.	Agriculture

- REFERRAL AGENCIES:
- ☒ Department of Transportation
  - ☒ Environmental Health (Ukiah)
  - ☒ Building Inspection (Ukiah)
  - ☒ Emergency Services
  - ☒ Assessor
  - ☒ Farm Advisor
  - ☒ Forestry Advisor
  - ☒ Agriculture Commissioner
  - ☒ Round Valley Water District
  - ☒ Covelo Fire Protection District
  - ☒ County Water Agency
  - ☒ Sonoma State University
  - ☒ Redwood Valley Rancheria
  - ☒ Sherwood Rancheria
  - ☒ Cloverdale Rancheria

ADDITIONAL INFORMATION:

ASSESSOR’S PARCEL #: 034-020-68

PROJECT COORDINATOR: Sam ‘VANDY’ Vandewater    PREPARED BY: Sam ‘VANDY’ Vandewater  
DATE: MAY 17, 2017

**ENVIRONMENTAL DATA**  
**(To be completed by Planner)**

		COUNTY WIDE
Yes	No	
	NO	1. Alquist-Priolo Earthquake Fault Zone
YES		2. Floodplain/Floodway Map
YES / YES		3. Adjacent to Agriculture Preserve / Timberland Production
NO		4. Within/Near Hazardous Waste Site
NO		5. Natural Diversity Data Base
NO		6. Airport CLUP Planning Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Adjacent to State Forest/Park/Recreation Area.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Adjacent to Equestrian/Hiking Trail.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Hazard/Landslides Map
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Require Water Efficient Landscape Plan.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. Biological Resources/Natural Area Map.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Fire Hazard Severity Classification: <input checked="" type="checkbox"/> LRA <input type="checkbox"/> SRA-CDF#
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Covelo Fire Protection District
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. Soil Type(s)/Pygmy Soils.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Eastern Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14. Wild and Scenic River.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15. Specific Plan Area.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16. State Permitting Required/State Clearinghouse Review
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17. Oak Woodland Area



Planning and Building  
Services

Case No:	UM 2017 - 0003
CalFire No:	
Date Filed:	4/27/17
Fee:	\$2,202.
Receipt No:	015105
Received By:	Vandy
Office use only	

## APPLICATION FORM

### APPLICANT

Name: M&M Feed & Supply - c/o Martin Mileck

Phone: 707-489-4821

#### Mailing

Address: 74540 Hill Road

City: Covelo

State/Zip: CA, 95428

email: msmileck@saber.net

### PROPERTY OWNER

Name: Martin Mileck

Phone: 707-489-4821

#### Mailing

Address: 74540 Hill Road

City: Covelo

State/Zip: CA, 95428

email: msmileck@saber.net

### AGENT

Name: Sean O'Rourke

Phone: 707-671-6843

#### Mailing

Address: PO Box 671

City: Mendocino

State/Zip: CA, 95460

email: sporourke@hotmail.com

Parcel Size: 9.64 acres (Sq. feet/Acres) Address of Property: 74540 Hill Road, Covelo, CA 95428

Assessor Parcel Number(s): 034-020-68

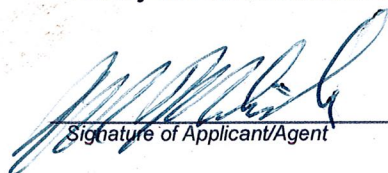
### TYPE OF APPLICATION:

- ☐ Administrative Permit
- ☐ Agricultural Preserve
- ☐ Airport Land Use
- ☐ CDP- Admin
- ☐ CDP- Standard
- ☐ Certificate of Compliance
- ☐ Development Review
- ☐ Exception

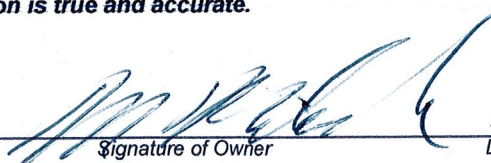
- ☐ Flood Hazard
- ☐ General Plan Amendment
- ☐ Land Division-Minor
- ☐ Land Division- Major
- ☐ Land Division-Parcel
- ☐ Land Division-Resubdivision
- ☒ Modification of Conditions
- ☐ Reversion to Acreage

- ☐ Rezoning
- ☐ Use Permit-Cottage
- ☒ Use Permit-Minor
- ☐ Use Permit-Major
- ☐ Variance
- ☐ Other

I certify that the information submitted with this application is true and accurate.

  
Signature of Applicant/Agent

April 24, 2017  
Date

  
Signature of Owner

April 24, 2017  
Date



## SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

### THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

The request is to modify Use Permit #22-88 & UM #22-88/90 to allow for agricultural sales and services on the west side of Hill Road associated with the existing M&M Feed & Supply business.

The applicant would also like to request modification of Condition #5 which states "All outside storage of materials and goods must be set back 50 feet from Hill Road". The applicant requests to modify the setback from 50 feet to 10 feet.

See Project Description for more details.

2. Structures/Lot Coverage	Number of Units		Square Footage		
	Existing	Proposed	Existing	Proposed	Total
<input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Mobile Home <input type="checkbox"/> Duplex <input type="checkbox"/> Multifamily <input checked="" type="checkbox"/> Other: Store, hay barn, storage & shop <input checked="" type="checkbox"/> Other: Garage & carport	7	N/A	22,440 SF	N/A	22,440 SF
<b>Total Structures Paved</b> <b>Area Landscaped Area</b> <b>Unimproved Area</b>		N/A		N/A	
<b>GRAND TOTAL (Equal to gross area of Parcel) 22,440 SF of structures</b>					

3. If the project is commercial, industrial or institutional, complete the following:

Estimated employees per shift: 10 to 15 employees

Estimated shifts per day: 1 shift per day

Type of loading facilities proposed: No new loading facilities proposed.

4. Will the proposed project be phased? ☐ Yes ☒ No If yes, explain your plans for phasing:

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5. Will vegetation be removed on areas other than the building sites and roads? ☐ Yes ☒ No Explain:

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6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives? ☐ Yes ☒ No If yes, explain:

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7. How much off-street parking will be provided?

	Number	Size
Number of covered spaces	<u>N/A</u>	<u>N/A</u>
Number of uncovered spaces	<u>N/A</u>	<u>N/A</u>
Number of standard spaces	<u>N/A</u>	<u>N/A</u>
Number of handicapped spaces	<u>N/A</u>	<u>N/A</u>
Existing Number of Spaces	<u>20</u>	
Proposed Additional Spaces	<u>N/A</u>	
Total	<u>20</u>	

8. Is any road construction or grading planned? ☐ Yes ☒ No If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

The existing terrain is flat.

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9. For grading or road construction, complete the following:

- A. Amount of cut N/A cubic yards
- B. Amount of fill N/A cubic yards
- C. Maximum height of fill slope N/A feet
- D. Maximum height of cut slope N/A feet
- E. Amount of import or export N/A cubic yards
- F. Location of borrow or disposal site N/A

<p>10. Does the project involve sand removal, mining or gravel extraction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, detailed extraction, reclamation and monitoring plans may be required?</p> <p>11. Will the proposed development convert land currently or previously used for agriculture to another use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many acres will be converted? <u>N/A</u> acres. An agricultural economic feasibility study may be required.</p> <p>12. Will the development provide public or private recreational opportunities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain below: <u>N/A</u> _____ _____ _____</p>	
<p>13. Is the proposed development visible from State Highway 1 or other scenic route? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>14. Is the proposed development visible from a park, beach or other recreational area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Diking : <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Filling: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Dredging: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> </div> <div style="width: 45%;"> <p>Placement of structures in:</p> <p><input type="checkbox"/> open coastal waters</p> <p><input type="checkbox"/> wetlands</p> <p><input type="checkbox"/> estuaries</p> <p><input type="checkbox"/> lakes</p> </div> </div> <p>If so, amount of material to be dredged or filled? <u>N/A</u> cubic yards.</p> <p>Location of dredged material disposal site? <u>N/A</u></p> <p>Has a U.S. Army Corps of Engineers permit been applied for? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>16. Will there be any exterior lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans. <u>N/A</u> _____</p>	
<p>17. Utilities will be supplied to the site as follows:</p> <p>A. Electricity:</p> <p><input checked="" type="checkbox"/> Utility Company (service exists to the parcel)</p> <p><input type="checkbox"/> Utility Company (requires extension of service to site: _____ feet _____ miles)</p> <p><input type="checkbox"/> On Site Generation - Specify: _____</p> <p>B. Gas:</p> <p><input checked="" type="checkbox"/> Utility Company/Tank</p> <p><input type="checkbox"/> On Site Generation - Specify: _____</p> <p><input type="checkbox"/> None</p> <p>C. Telephone: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>18. What will be the method of sewage disposal?</p> <p><input type="checkbox"/> Community sewage system - Specify supplier _____</p> <p><input checked="" type="checkbox"/> Septic Tank</p> <p><input type="checkbox"/> Other - Specify: _____</p>	
<p>19. What will be the domestic water source:</p> <p><input type="checkbox"/> Community water system - Specify supplier _____</p> <p><input checked="" type="checkbox"/> Well</p> <p><input checked="" type="checkbox"/> Spring</p> <p><input type="checkbox"/> Other - Specify: _____</p>	

20. Are there any associated projects and/or adjacent properties under your ownership?  
☒ Yes ☐ No If yes, explain (e.g., Assessor's Parcel Number, address, etc.):  
 APNs: 034-010-16, 034-010-18, 034-020-67 & 034-020-16

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21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, state and federal agencies:  
 N/A

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22. Describe the location of the site in terms of readily identifiable landmarks (e.g., mailboxes, mile posts, street intersections, etc.):  
 The site is located on Hill Road approximately 5,000 ft south of the intersection of East Lane and Hill Road.

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23. Are there existing structures on the property? ☒ Yes ☐ No  
 If yes, describe below, and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.  
 Existing structures include: store, hay barn, shop, storage, and house.

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24. Will any existing structures be demolished or removed? ☐ Yes ☒ No  
 If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.  
 N/A

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25. Project Height. Maximum height of existing structures 30 feet. Maximum height of proposed structures N/A feet.

26. Gross floor area of existing structures 22,440 square feet (including covered parking and accessory buildings). Gross floor area of proposed structures N/A square feet (including covered parking and accessory buildings).

27. Lot area (within property lines): 9.64 ☐ square feet ☒ acres.

28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful.  
 The site is an existing feed and supply store located along Hill Road in Covelo on flat terrain. No new development is proposed as part of the project. Existing structures include: store, hay barn, storage, shop, and house.

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29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.  
 The surrounding properties are large agriculturally zoned properties located in a rural part of Mendocino County. There is no known historic or cultural features associated with the property.

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30. Indicate the surrounding land uses:

	North	East	South	West
Vacant	X	X		X
Residential Agricultural			X	
Commercial Industrial				
Institutional Timberland				
Other				



# CERTIFICATION AND SITE VIEW AUTHORIZATION- SUBMIT ONLY ONE COPY

1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the County.
2. I hereby grant permission for County Planning and Building Services staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

  
Owner/Authorized Agent

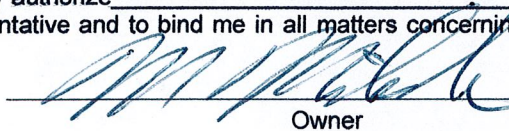
April 24, 2017

Date

NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.

## AUTHORIZATION OF AGENT

I hereby authorize **Sean O'Rourke** to act as my representative and to bind me in all matters concerning this application.

  
Owner

April 24, 2017

Date

## MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page 1 of the application form.

Name	Name	Name
Mailing Address	Mailing Address	Mailing Address

## INDEMNIFICATION AND HOLD HARMLESS

ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4, 1991, requires applicants for discretionary land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

## INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

Applicant:



Date:

April 24, 2017



# **Mendocino County**

## **Planning and Building Services**

860 North Bush Street  
Ukiah, CA 95482  
(707) 234-6650

120 West Fir Street  
Fort Bragg, CA 95437  
(707) 964-5379

**Paid By: M&M FEED AND SUPPLY**  
74540 HILL RD

COVELO

CA 95428

**Project Number: UM\_2017-0003**

**Project Description:**

**Site Address:**

**UM\_2017-0003**

**Receipt: PRJ\_015105**

**Date: 4/27/2017**

**Pay Method: CHECK 9053**

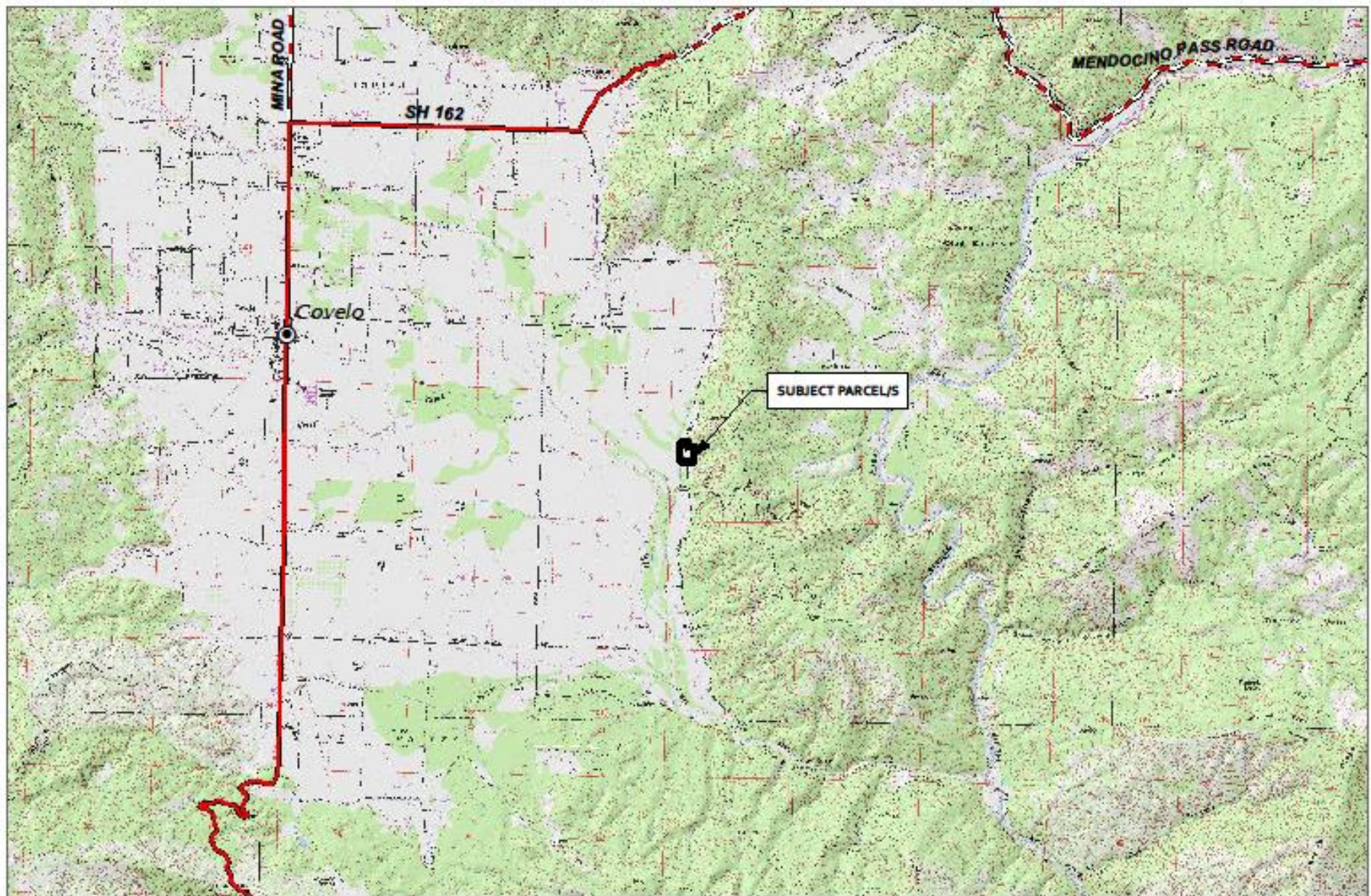
**Received By: SAM VANDEWATER**

<b>Fee Description</b>	<b>Account Number</b>	<b>Qty</b>	<b>Fee Amount</b>
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UMIN UMAJ COT DR CDPA CDPS COUNTY R			\$400.00
EH FEES	1100-4011-822606		\$252.00
UMIN OR UMAJ EH			\$252.00
GENERAL PLAN	1100-2851-826188		\$50.00
			\$50.00
MODIFICATION	1100-2851-822605		\$1,460.00
UMIN MODIFICATION			\$1,460.00
RECORDS MANAGEMENT	1222-2852-826260		\$40.00
			\$40.00

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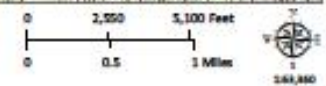
<b>Total Fees Paid:</b>	<b>\$2,202.00</b>
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CASE: UM 2017-0003  
OWNER: MILECK, Martin  
APN: 034-020-68  
APLCT: Martin Mileck  
AGENT: Sean O'Rourke  
ADDRESS: 74540 Hill Road, Covelo

- Major Towns & Places
- Highways
- - Major Roads



LOCATION MAP

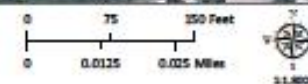
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.





CASE: UM 2017-0003  
 OWNER: MILECK, Martin  
 APN: 034-020-68  
 APLCT: Martin Mileck  
 AGENT: Sean O'Rourke  
 ADDRESS: 74540 Hill Road, Covelo

Public Roads  
 Driveways/Unnamed Roads

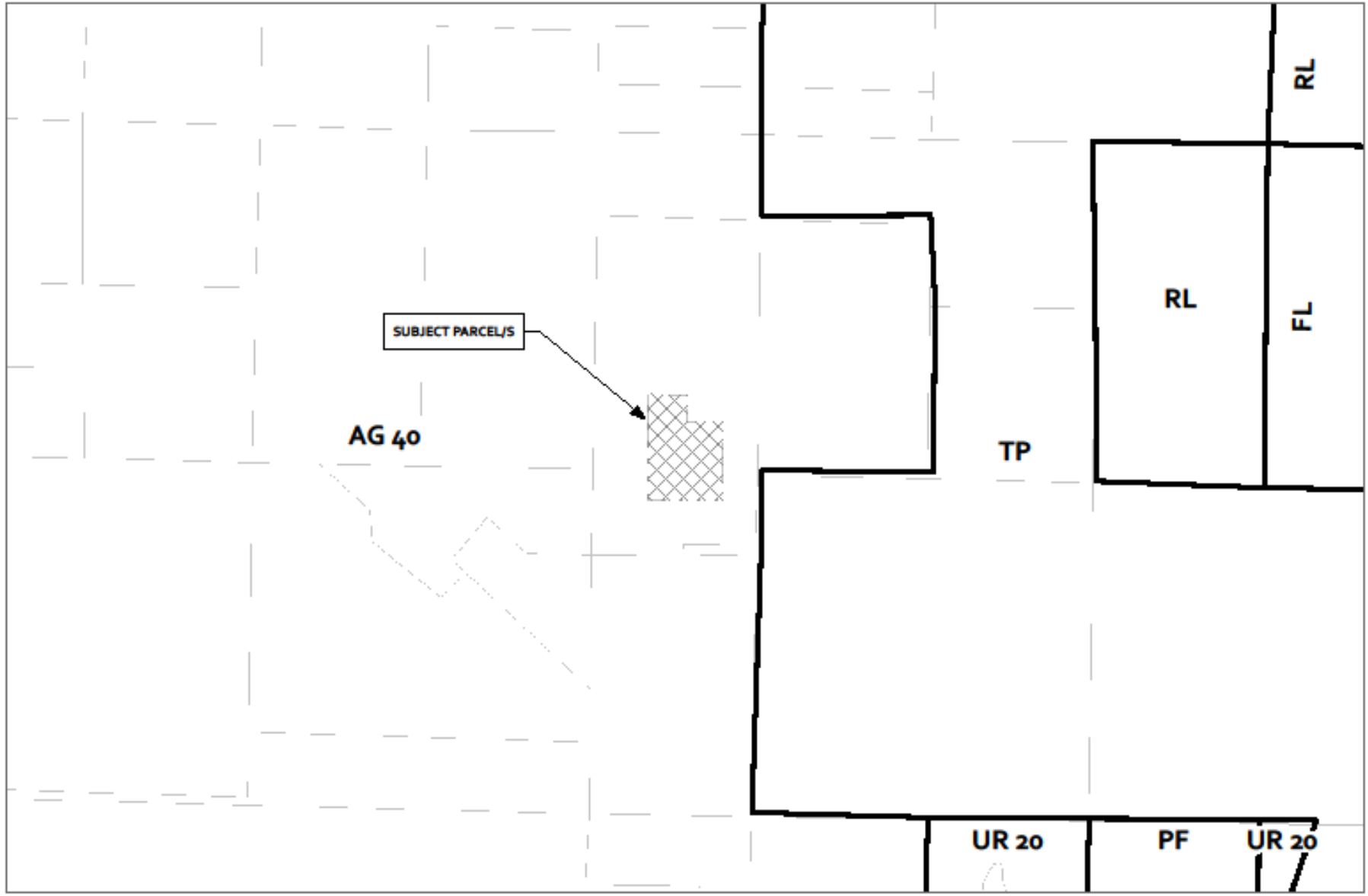


AERIAL IMAGERY


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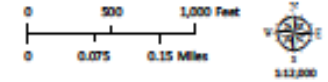






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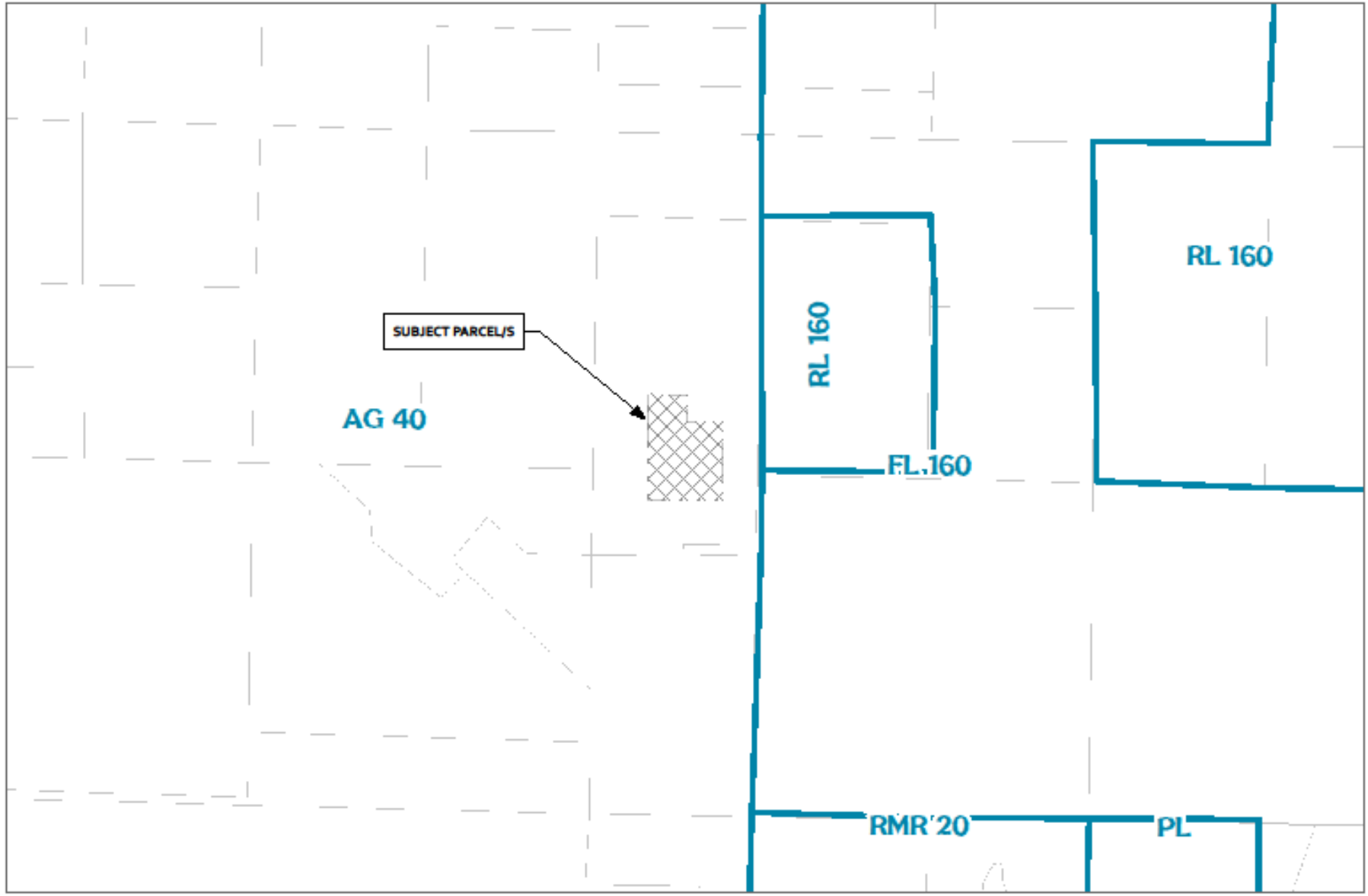
 Zoning Districts




ZONING DISPLAY MAP

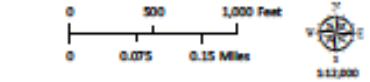
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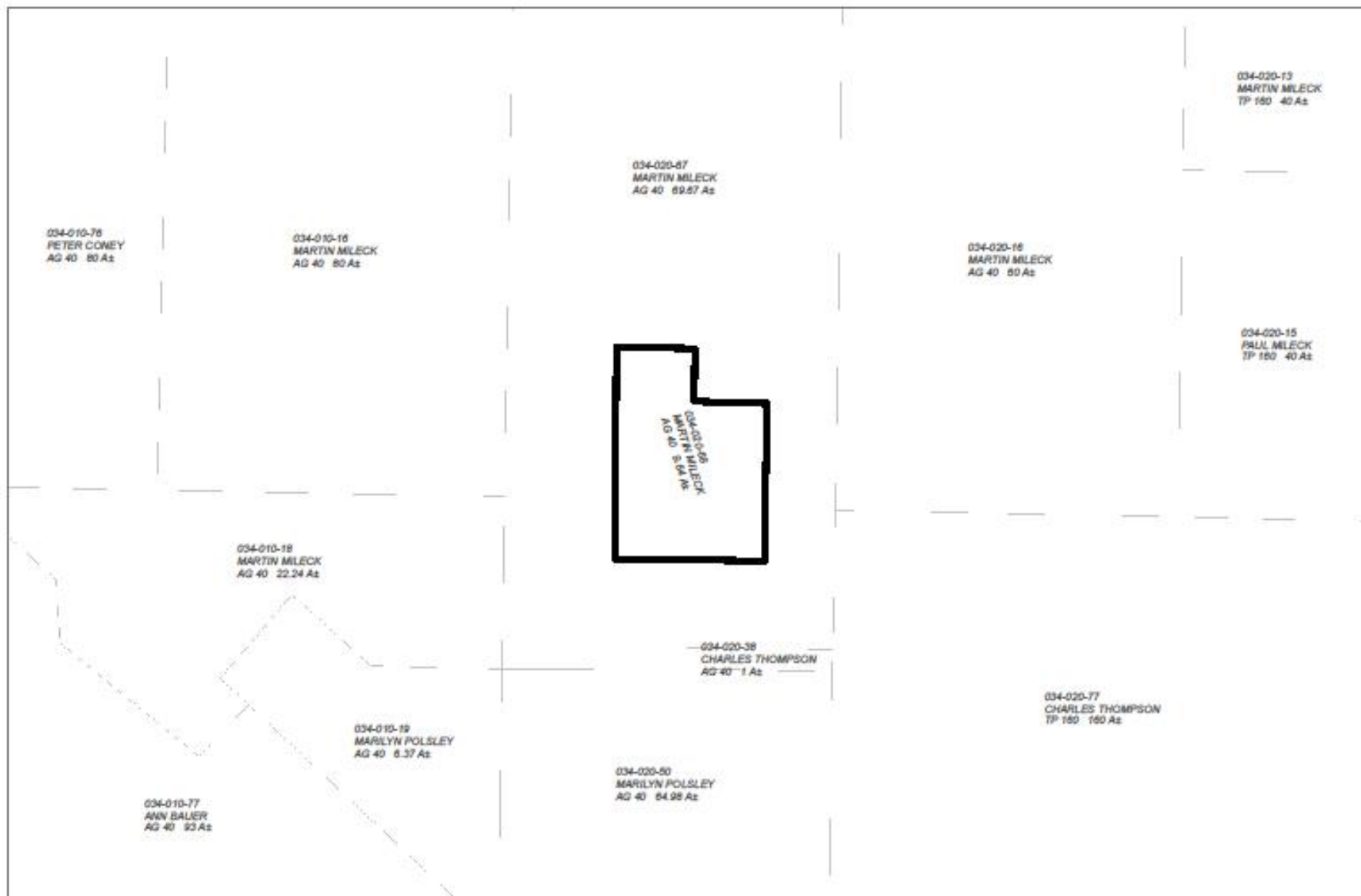
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 General Plan Classes



GENERAL PLAN CLASSIFICATIONS

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

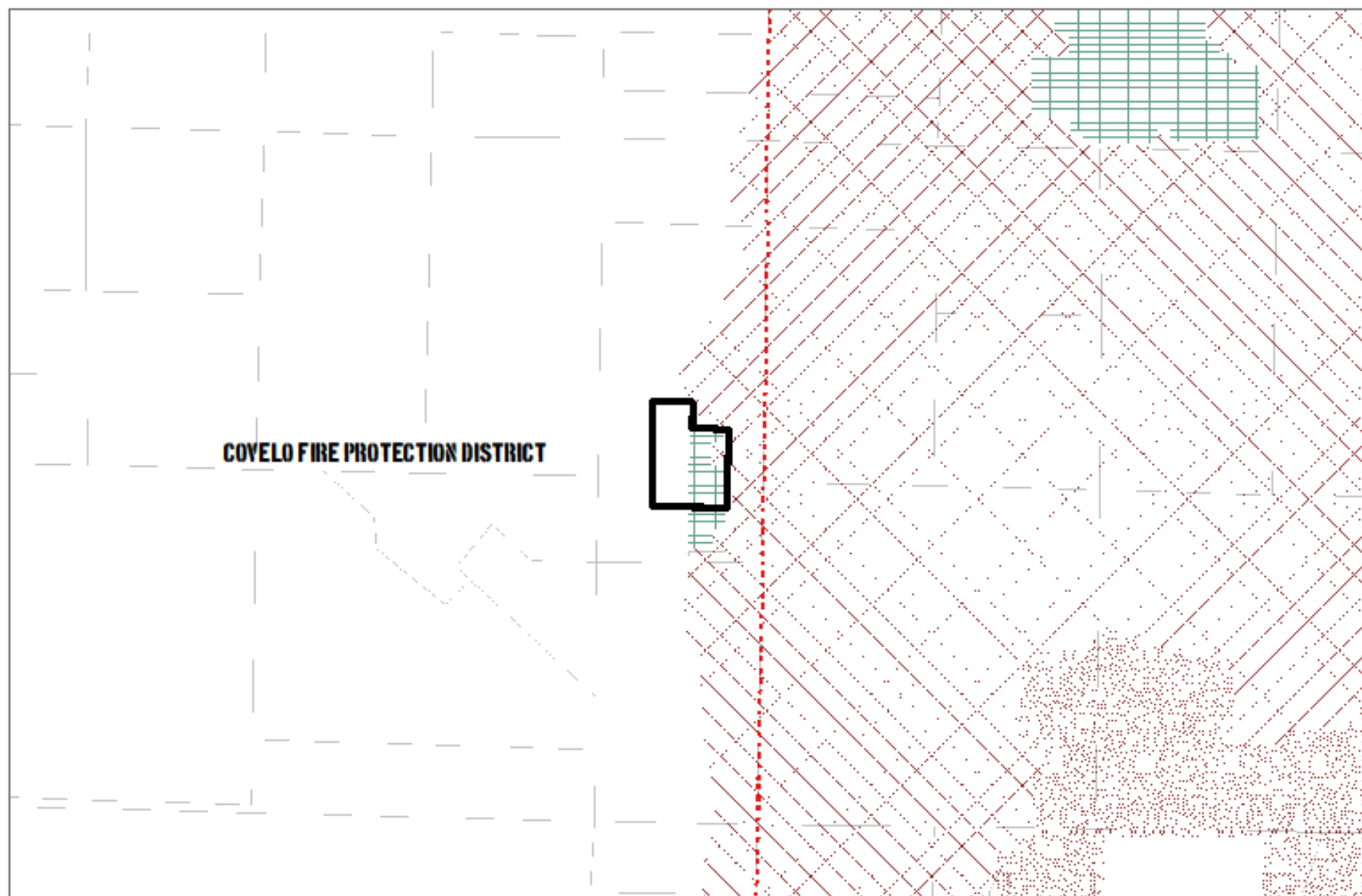


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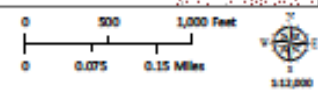


ADJACENT PARCELS



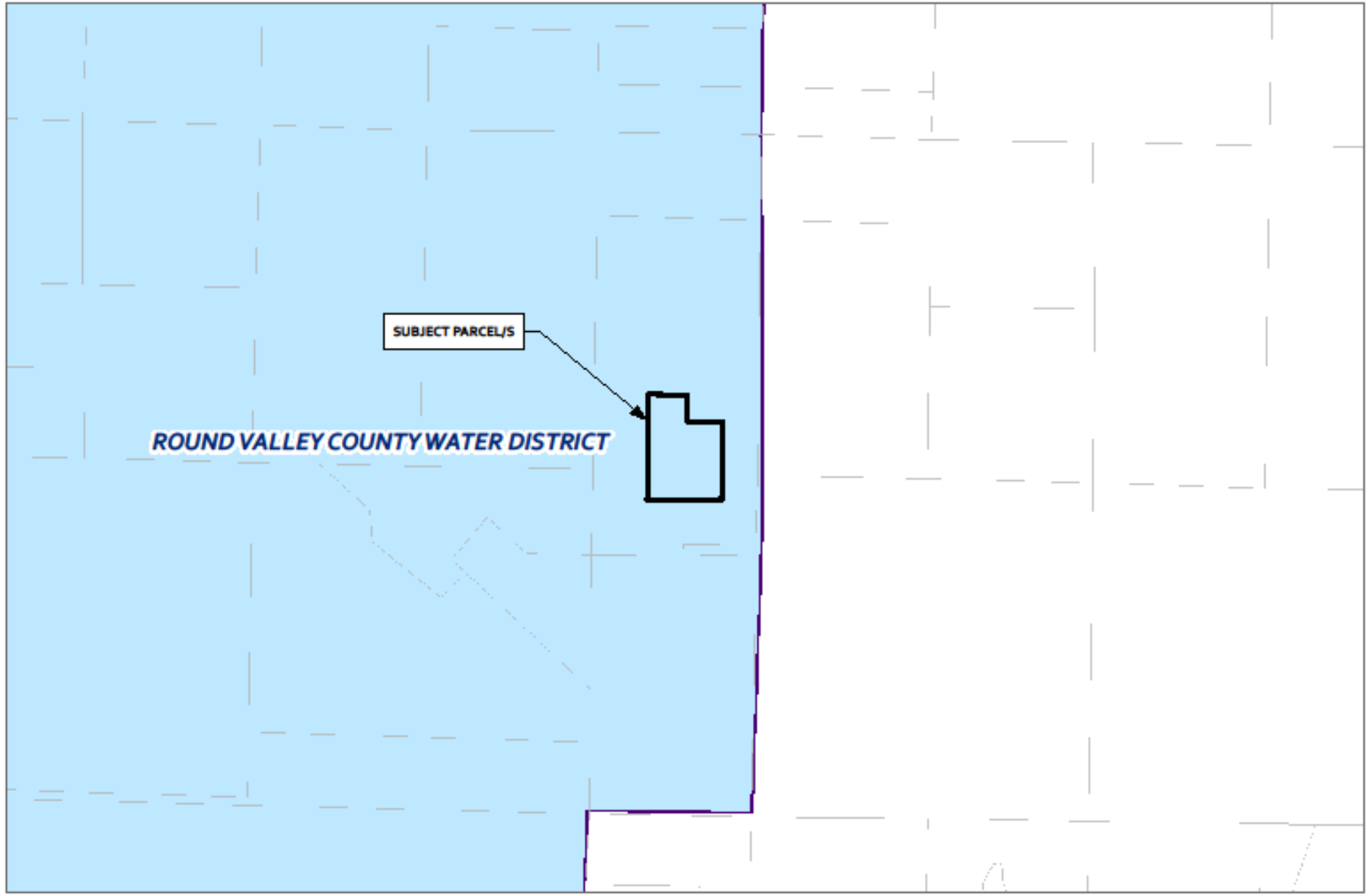
CASE: UM 2017-0003  
OWNER: MILECK, Martin  
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APLCT: Martin Mileck  
AGENT: Sean O'Rourke  
ADDRESS: 74540 Hill Road, Covelo

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




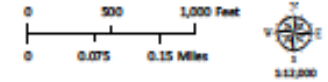
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
STATE RESPONSIBILITY AREA

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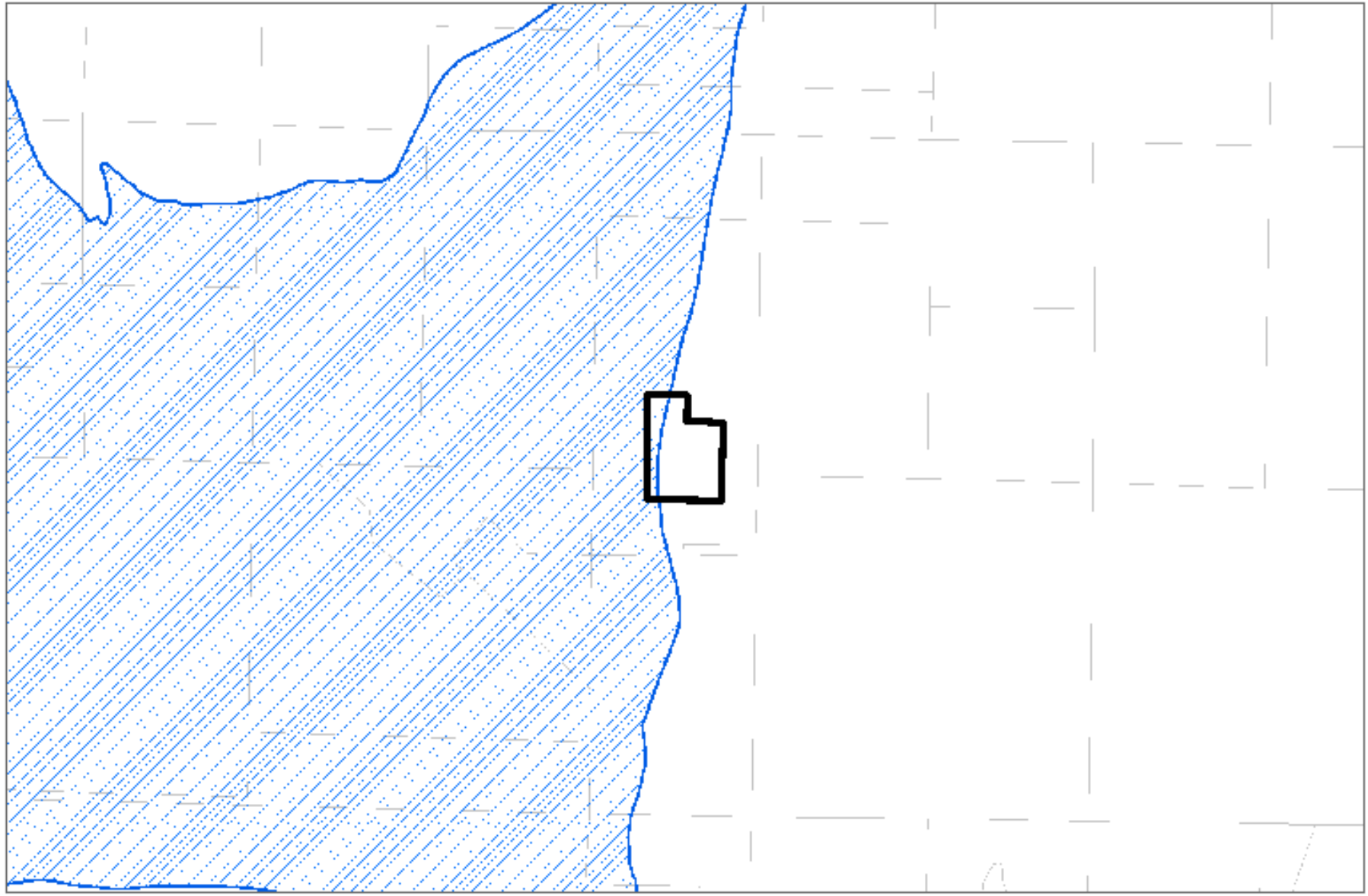
CASE: UM 2017-0003  
OWNER: MILECK, Martin  
APN: 034-020-68  
APLCT: Martin Mileck  
AGENT: Sean O'Rourke  
ADDRESS: 74540 Hill Road, Covelo

 County Water Districts



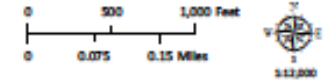
WATER DISTRICTS

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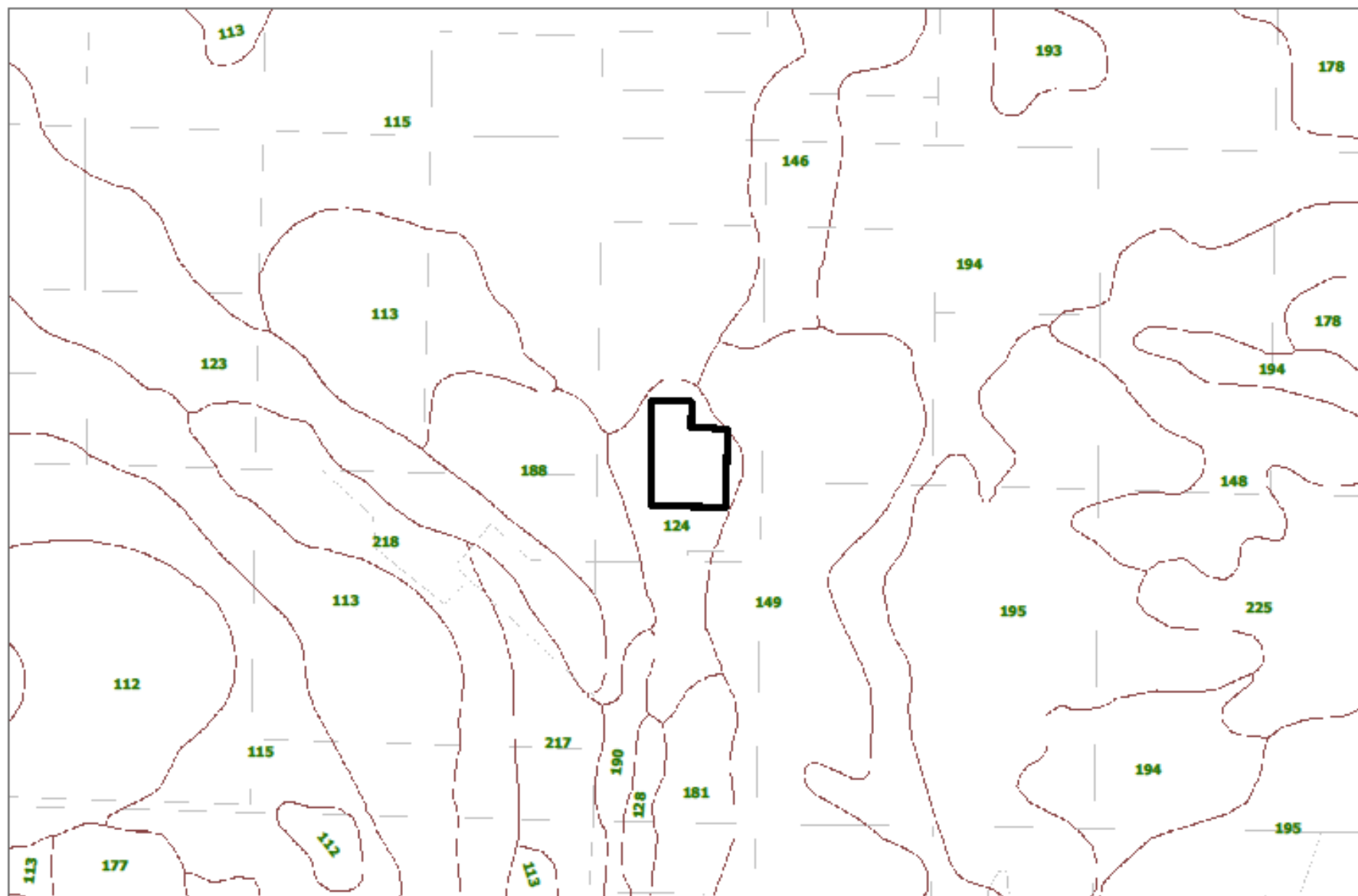
CASE: UM 2017-0003  
OWNER: MILECK, Martin  
APN: 034-020-68  
APLCT: Martin Mileck  
AGENT: Sean O'Rourke  
ADDRESS: 74540 Hill Road, Covelo

 Flood Zone




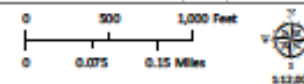
FEMA FLOOD ZONE  
NIP MAPS, JULY 10th, 2017

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OWNER: MILECK, Martin  
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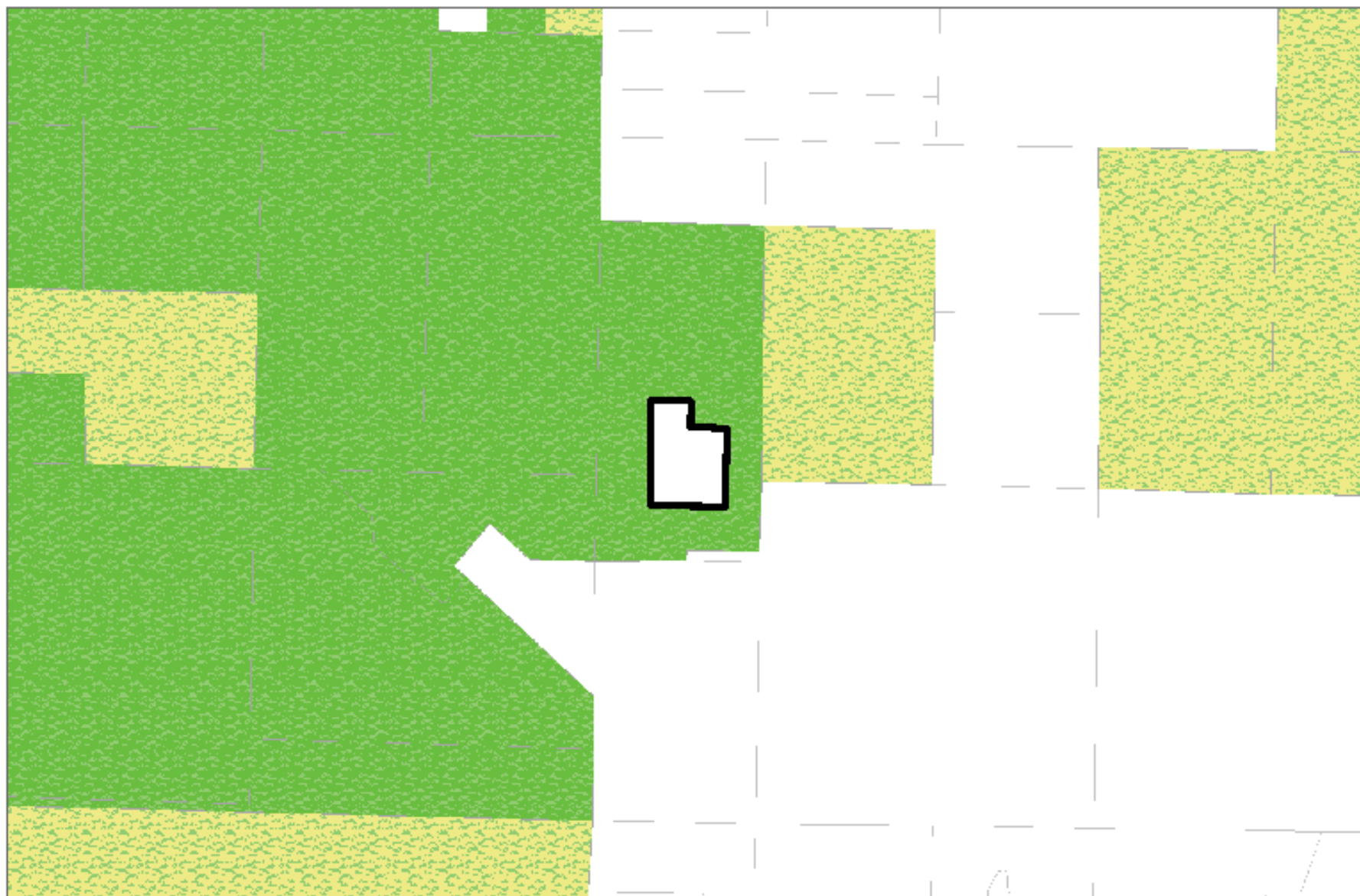
 Eastern Soils



LOCAL SOILS


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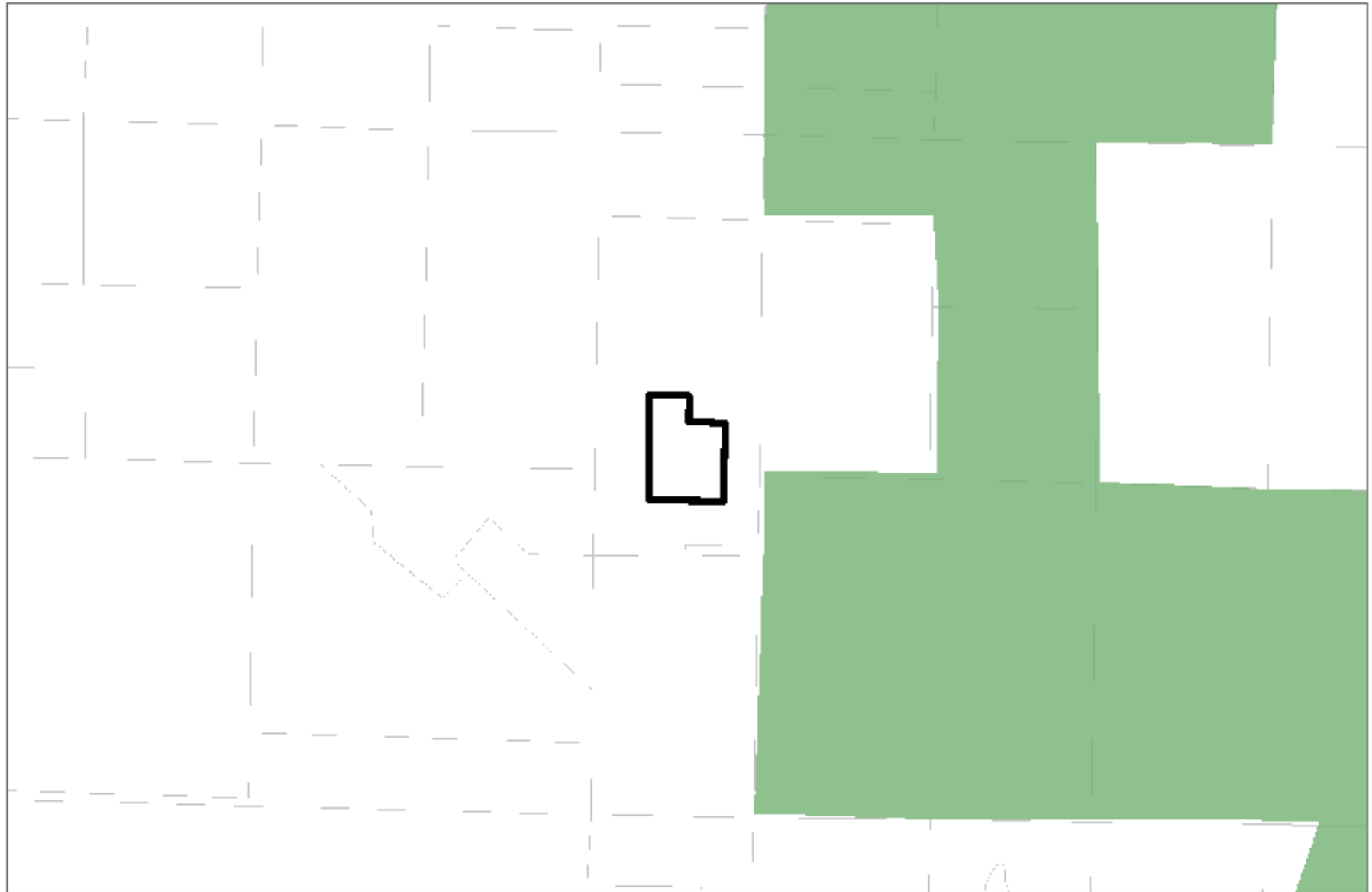
CASE: UM 2017-0003  
OWNER: MILECK, Martin  
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APLCT: Martin Mileck  
AGENT: Sean O'Rourke  
ADDRESS: 74540 Hill Road, Covelo

 Williamson Act 2016  
 Prime Ag 2016  
 Non-Prime Ag 2016

0 500 1,000 Feet  
0 0.075 0.15 Miles  
  
1:12,000

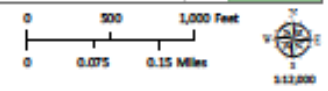
LANDS IN WILLIAMSON ACT CONTRACTS

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 TPZ 2015



TIMBER PRODUCTION ZONES

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