



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
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March 25, 2022

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the Mendocino County Board of Supervisors at their regular meeting on Tuesday, April 5, 2022, will conduct a public hearing on the following project at 9:00 a.m., or as soon thereafter as the item(s) may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to Government Code section 54953(e)(1)(A)). Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

**CASE#:** R 2-2007

**DATE FILED:** 6/26/2007

**OWNER:** RANCHO YOKAYO LP

**APPLICANT:** COUNTY OF MENDOCINO

**REQUEST:** Corrections to Rezone R 2-2007, which rezoned 15 additional acres to Multiple-Family Residential (R3) Zoning at Location III – Previously known as Assessor Parcel Numbers (APNs) 184-110-19 and 184-110-20, now known as APNs 184-110-28 and 184-110-29, and correcting the zoning to Suburban Residential (SR).

**ENVIRONMENTAL DETERMINATION:** Addendum to Previously Adopted Mitigated Negative Declaration

**LOCATION:** 2± miles south of the City of Ukiah, lying on the west side of South State Street (CR 104A), immediately south of its intersection with Gobalet Lane (private) addressed at 3000 South State Street; APNs 184-110-28, 184-110-29, 184-120-21 & 184-120-01.

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** JULIA KROG

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission, at their March 3, 2022 meeting, recommended approval of the Project to the Board of Supervisors and adoption of an Addendum to the previously adopted Mitigated Negative Declaration.

The staff report, notice, draft addendum to the previously adopted Mitigated Negative Declaration, and related materials will be available for public review 10 days prior to the scheduled hearing on the Department of Planning and Building Services website at:

<https://www.mendocinocounty.org/government/planning-building-services/public-notices>

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings in lieu of personal attendance. Comment may be made in any of the following ways: via written comment using our online eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, through voicemail messaging by calling 707-234-6333, or by telephone via telecomment. Information regarding telecomment participation can be found here: <https://www.mendocinocounty.org/government/board-of-supervisors/agendas-and-minutes>. All submitted eComments will be made available to the Supervisors, staff, and the general public immediately upon submittal.

For details and a complete list of the latest available options by which to engage with agenda items, please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

The Board of Supervisors action shall be final. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in

written correspondence delivered to the Department of Planning and Building Services/Board of Supervisors at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item may be obtained by calling the Clerk of the Board of Supervisors at 707-463-4441, or the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the decision of the Board of Supervisors you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Clerk of the Board of Supervisors.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact Clerk of the Board of Supervisors at 707-463-4441 at least five days prior to the meeting.

Carmel J. Angelo  
Clerk of the Board

**TO: Board of Supervisors**

**FROM:** Planning and Building Services Choose an item.

**MEETING DATE:** April 5, 2022

**DEPARTMENT CONTACT:** Julia Krog

**PHONE:** 234-6650

**DEPARTMENT CONTACT:** Nash Gonzalez

**PHONE:** 234-6650

**ITEM TYPE:** Noticed Public Hearing

**TIME ALLOCATED FOR ITEM:** 10 minutes

**AGENDA TITLE:**

Noticed Public Hearing – Discussion and Possible Action Including (1) Adoption of a Resolution Approving and Adopting an Addendum to the Previously Adopted Mitigated Negative Declaration, in Compliance with California Environmental Quality Act Requirements, for a Rezoning of APN 184-110-29 from Multi-Family Residential (R-3) to Suburban Residential (SR) to Correct a Zoning Error of Rezoning (R 2-2007); and (2) Adoption of an Ordinance Changing the Zoning of Real Property Within Mendocino County by Rezoning APN 184-110-29 from Multi-Family Residential (R-3) to Suburban Residential (SR) to Correct a Zoning Error of Rezoning (R 2-2007)

**RECOMMENDED ACTION/MOTION:**

(1) Adopt a Resolution approving and adopting an addendum to the previously adopted Mitigated Negative Declaration for Corrections to Rezoning (R 2-2007), in Compliance with California Environmental Quality Act Requirements; and (2) Adopt an Ordinance changing the zoning of real property within Mendocino County by rezoning APN 184-110-29 from Multi-Family Residential (R-3) to Suburban Residential (SR) to correct a zoning error of Rezoning (R 2-2007); and authorize Chair to sign same.

**PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:**

On June 26, 2007 the Mendocino County Board of Supervisors (“Board”) acted to initiate a rezoning process that would result in an increase of land zoned for multi-family residential use. The Board directive was the first step in implementing Action Item 4.2 of the 2004 Housing Element of the General Plan.

On December 11, 2007, the Board of Supervisors adopted Resolution No. 07-257 and Ordinance No. 4195 amending the General Plan designation and zoning designations for several sites within the County, including this site.

**SUMMARY OF REQUEST:** This rezoning is a correction to Rezone R 2-2007, which rezoned 15 additional acres to Multiple-Family Residential (R3) Zoning at Location III – Previously known as Assessor Parcel Numbers (APNs) 184-110-19 and 184-110-20, now known as APNs 184-110-28 and 184-110-29, and correcting the zoning to Suburban Residential (SR). At the time of adoption of Ordinance No. 4195, an error was made with regards to Location III and the amount of area that was rezoned on APN 184-110-19 and APN 184-110-20. In the instance of APN 184-110-19 only 2.8± acres of the 18± acre parcel were meant to be rezoned to R-3. The Planning Team also incorrectly identified that the entirety of APN 184-110-20 would be rezoned to R-3 when all mapping associated with the project demonstrates only a portion would be rezoned. In addition, APNs 184-110-19 and 184-110-20 were historical APNs that had changed due to a Boundary Line Adjustment (B 36-2006) and should not have been utilized as part of the Ordinance. Boundary Line Adjustment, B 36-2006, adjusted parcel boundaries, in part, of APNs 184-110-19 and 184-110-20 to align the parcel boundaries with the portion of APNs 184-110-19 and 184-110-20 that were meant to be rezoned to R-3. B 36-2006, established new APNs for the revised parcel configuration – APNs 184-110-28 and 184-110-29.

To restate simply, Ordinance No. 4195 should have rezoned APN 184-110-28 instead of APNs 184-110-19 and 184-110-20 as these parcels, in their previous configuration prior to B 36-2006, no longer existed and were historical APNs. The result was the incorrect rezoning of 15± additional acres to R-3 (APN 184-110-

29). Staff has prepared an Ordinance for consideration of the Board correcting the error in zoning as it relates to APN 184-110-29. The appropriate zoning for this parcel is SR, which aligns with the current General Plan designation of said parcel of SR.

The Planning Commission adopted Resolution No. PC\_2022-0004 making its report and recommendation to the Board on this rezoning request. As detailed in the Resolution, the Planning Commission recommends that the Board adopt the Addendum to the Mitigated Negative Declaration and grant the rezoning request.

Please see attached memorandum and associated documents for additional details.

**ALTERNATIVE ACTION/MOTION:**

Provide direction to staff.

**DOES THIS ITEM SUPPORT THE GENERAL PLAN? Yes**

**SUPERVISORIAL DISTRICT: DISTRICT 5**

**VOTE REQUIREMENT: Majority**

**SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

<https://www.mendocinocounty.org/government/planning-building-services/public-notice>

**FISCAL DETAILS:**

**SOURCE OF FUNDING: N/A**

**CURRENT F/Y COST: N/A**

**ANNUAL RECURRING COST: N/A**

**BUDGET CLARIFICATION: N/A**

**BUDGETED IN CURRENT F/Y: N/A**

**IF NO, PLEASE DESCRIBE:**

**REVENUE AGREEMENT: N/A**

**AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes**

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**CEO LIAISON: Judy Morris, Deputy CEO**

**CEO REVIEW: Choose an item.**

**CEO COMMENTS:**

**FOR COB USE ONLY**

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Executed By: Deputy Clerk

Date: Date Executed

Final Status:Item Status

Executed Item Type: item Number:



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## MEMORANDUM

**DATE:** April 5, 2022

**TO:** Honorable Board of Supervisors

**FROM:** Julia Krog, Director

**SUBJECT:** **Corrections to Rezone R 2-2007 Related to Multiple-Family Residential (R3) Zoning of Location III – Previously known as Assessor Parcel Numbers (APNs) 184-110-19 and 184-110-20, now known as APNs 184-110-28 and 184-110-29**

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### **BACKGROUND:**

On June 26, 2007 the Mendocino County Board of Supervisors (“Board”) acted to initiate a rezoning process that would result in an increase of land zoned for multi-family residential use. The Board directive was the first step in implementing Action Item 4.2 of the 2004 Housing Element of the General Plan. Action Item 4.2 of the 2004 Housing Element read as follows:

***Action 4.2:** Increase Multi-Family Zoned Sites for Lower Income Housing: To facilitate development of lower income housing the County will by July 1, 2007 rezone at least 50 acres to R-3 (or comparable density zoning for multi-family housing without a conditional use permit) in urban or community areas throughout the County, with a high priority given to land within water and/or sewer service districts or within or adjacent to towns. The total of 50 acres may be accomplished by a cumulative total of County and/or privately initiated rezoning applications.*

The Planning Team (who functioned independently of Planning and Building Services) processed a Rezone, R 2-2007, to rezone 13 locations within the County to the Multiple-Family Residential (R-3) zoning district. Eight (8) of the 13 locations required a General Plan Amendment, GP 2-2007, to ensure consistency between the R-3 zoning and the General Plan designation for these locations. The following 13 locations were part of the Rezone and General Plan Amendment (Location III is in **bold**):

LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION III: **South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.**

LOCATION IV: In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

LOCATION V: In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.

LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres

lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

LOCATION VIII: Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to the General Plan category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

LOCATION IX: In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

LOCATION X: In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XI: In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

LOCATION XII: In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XIII: Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

GP 2-2007/R 2-2007 was reviewed by the Mendocino County Planning Commission on November 15, 2007, where they provided a report and recommendation to the Board as follows:

*To recommend to the Board of Supervisors inclusion of Locations 1, 2, 9, 12 and 13 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors that Location 3 be remanded to the Airport Land Use Commission for further consideration with those considerations to be given to the Board of Supervisors with all interested parties notified.*

*To recommend to the Board of Supervisors inclusion of Locations 4 and 5 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors inclusion of Location 6 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors inclusion of Location 7 in the Mitigated Negative Declaration.*

*No recommendation will be made to the Board of Supervisors regarding the inclusion or exclusion of Location 8 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors exclusion of Location 11 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors approval of the General Plan Amendment reclassifications as recommended by Mr. Gorny.*

Please see Attachment A for the November 15, 2007 Planning Commission staff report, note that documents unrelated to Location III have been removed, and see Attachment B for the adopted Planning Commission minutes with this item highlighted. As is noted in the November 15, 2007 adopted Planning Commission minutes, Location III was reviewed at the March 15, 2007 Airport Land Use Commission (ALUC) meeting where concerns had been expressed regarding the possibility of structures in close proximity with the Airport take-off zone; therefore, possibly presenting a safety issue. The Planning Team recommended that the Planning Commission recommend an override of the ALUC action considering the need for housing as a reason to support the override. Please see the Planning Commission Addendum Report regarding this inside Attachment A. The Planning Team then asked the Board of Supervisors to support an override of the ALUC action, which was granted as noted below.

On December 11, 2007, the Board held a noticed public hearing related to GP 2-2007/R 2-2007, where the Board adopted Resolution No. 07-257 and Ordinance No. 4195, with the following specific actions related to Location III as noted in the Minutes (Attachment C):

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors overrides the determination of the Airport Land Use Commission, finding that, with respect to Location III (Gobalet Lane, South State Street, Ukiah sites), the Board overrules the findings for the Airport Land Use Commission that these sites are incompatible with the B-2 Airport Zone, finding instead, pursuant to Public Utilities Code Section 21676.5, subdivision (b), that the proposed rezoning is consistent with the goals and purposes of Public Utilities Code Section 21670, and further, facts to support the findings of consistency are contained within the body of report.*

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors waives the reading and adopts an ordinance to rezone certain parcels to Multiple Family Residential (R-3), with conditions, and based on findings including that a duly noticed hearing was conducted by the Planning Commission on November 15, 2007; that the Board has conducted a duly noticed public hearing on December 11, 2007; that the rezonings are consistent with the County General Plan, its land use designations, and its goals and policies; and that a Mitigated Negative Declaration has been approved and adopted for this project with a finding that the conditions attached to the rezonings are sufficient to reduce any potential adverse environmental impacts to levels of insignificance, and authorizes Chair to sign same.*

### **LOCATION III ERROR:**

At the time of adoption of Ordinance No. 4195 (Attachment D), an error was made with regards to Location III and the amount of area that was rezoned on APN 184-110-19 and APN 184-110-20. In the instance of APN 184-110-19 only 2.8± acres of the 18± acre parcel were meant to be rezoned to R-3. The Planning Team also incorrectly identified that the entirety of APN 184-110-20 would be rezoned to R-3 when all mapping associated with the project demonstrates only a portion would be rezoned. In addition, APNs 184-110-19 and 184-110-20 were historical APNs and should not have been utilized as part of the Ordinance.

As is evidenced in the various hearing documents for GP 2-2007/R 2-2007, only 2.8± acres of APN 184-110-19 were meant to be rezoned from Suburban Residential (SR) to R-3. Instead of only a portion of APN 184-110-19 being rezoned, Ordinance No. 4195 rezoned the entirety of APN 184-110-19 for a total of 18± acres. The error related to the rezoning of APN 184-110-20 is that the ordinance rezoned a larger area than was intended. The mapping and staff reports associated with the project clearly identify that only a portion (2.8± acres) of the parcel should have been rezoned to R-3. In addition, an outdated, historic APN was utilized in the Ordinance. This error rezoned an additional 15± acres of APN 184-110-19 to R-3.

Please see Figure 1 below, which is an excerpt of the graphic depiction of Location III from the Planning Commission staff report (Attachment A) with annotations added by Planning and Building Services Staff to describe the error. The red outlined area in Figure 1 below shows the portions of both APNs 184-110-19 and 184-110-20 that should have been rezoned to R-3.

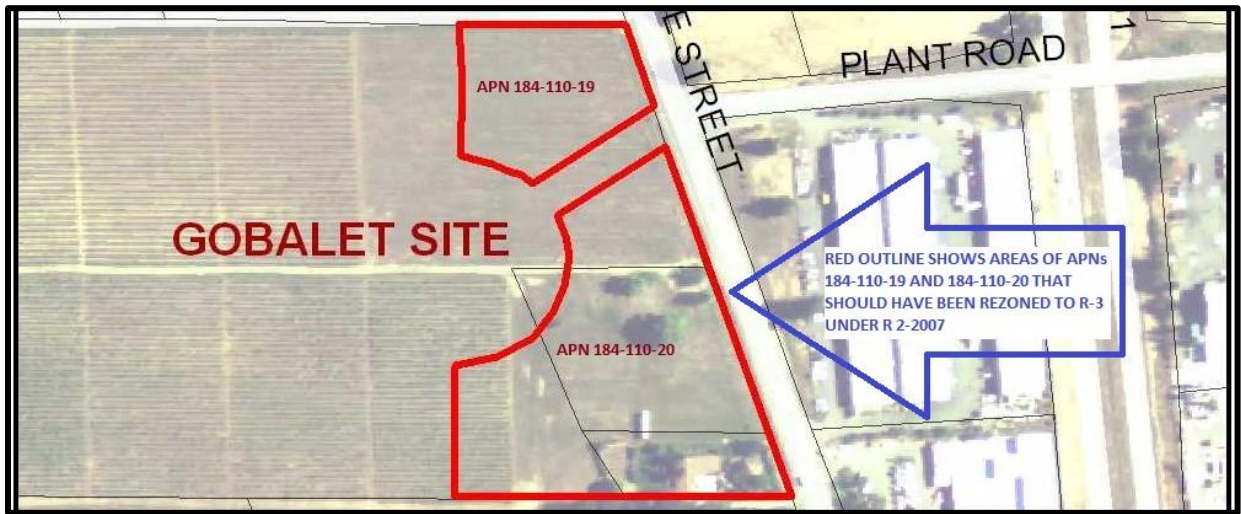


Figure 1. Excerpt of Attachment A showing area intended to be rezoned, with annotations by PBS staff.

Applied for concurrently with the processing of the General Plan Amendment and Rezone, Boundary Line Adjustment, B 36-2006, adjusted parcel boundaries, in part, of APNs 184-110-19 and 184-110-20 to align the parcel boundaries with the portion of APNs 184-110-19 and 184-110-20 that were meant to be rezoned to R-3. However, B 36-2006 was finalized on April 9, 2007, eight months prior to the adoption of Ordinance No. 4195. B 36-2006, established new APNs for the revised parcel configuration – APNs 184-110-28 and 184-110-29. The current APN 184-110-28 aligns with the portion of APNs 184-110-19 and 184-110-20 that were meant to be rezoned to R-3 as part of GP 2-2007/R 2-2007. APN 184-110-29 should be zoned SR, not R-3. Please see Figure 2 below, which is the new Assessor Parcel Map resulting from B 36-2006 with the pertinent area denoted by the red box. Please see Figure 3 below, which is an enlarged view to the pertinent area denoted by the red box in Figure 2.

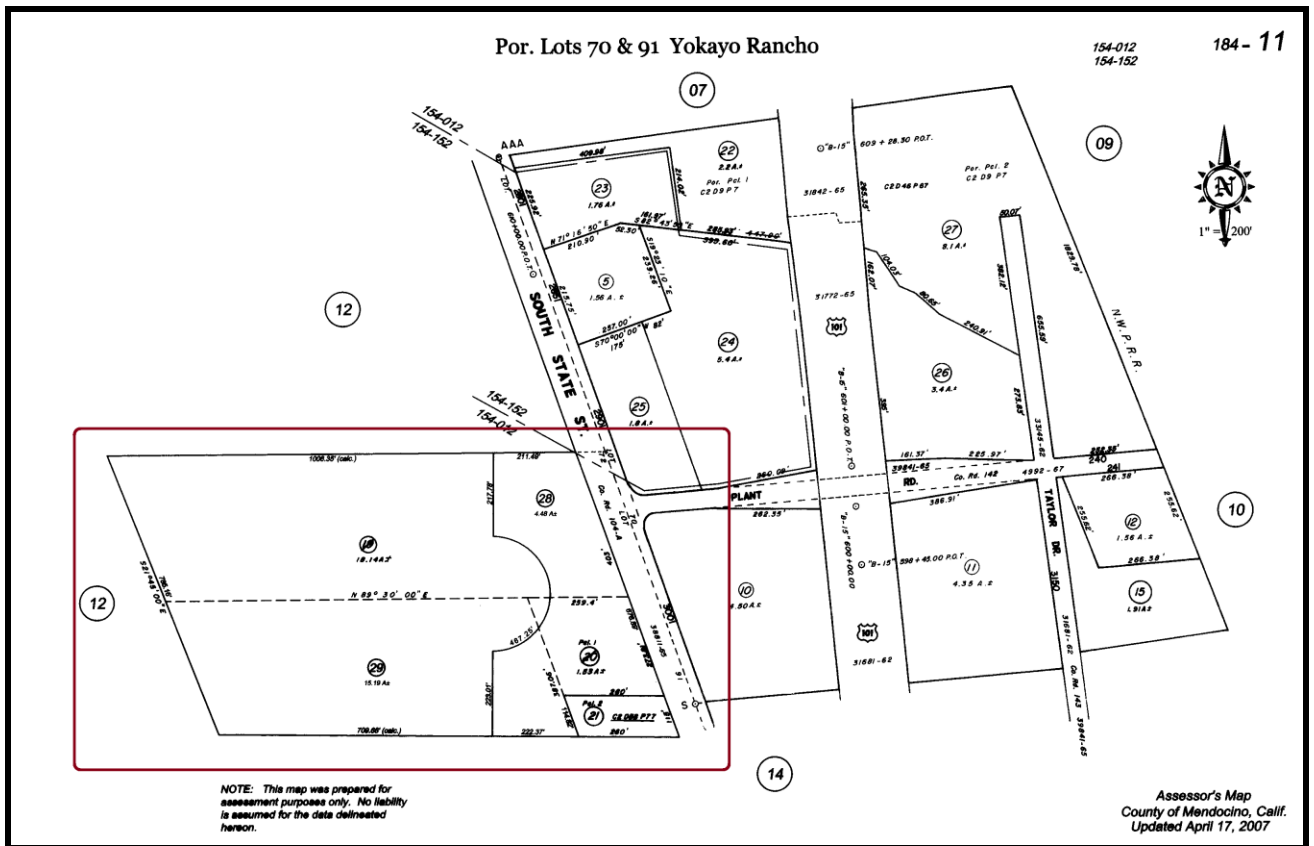
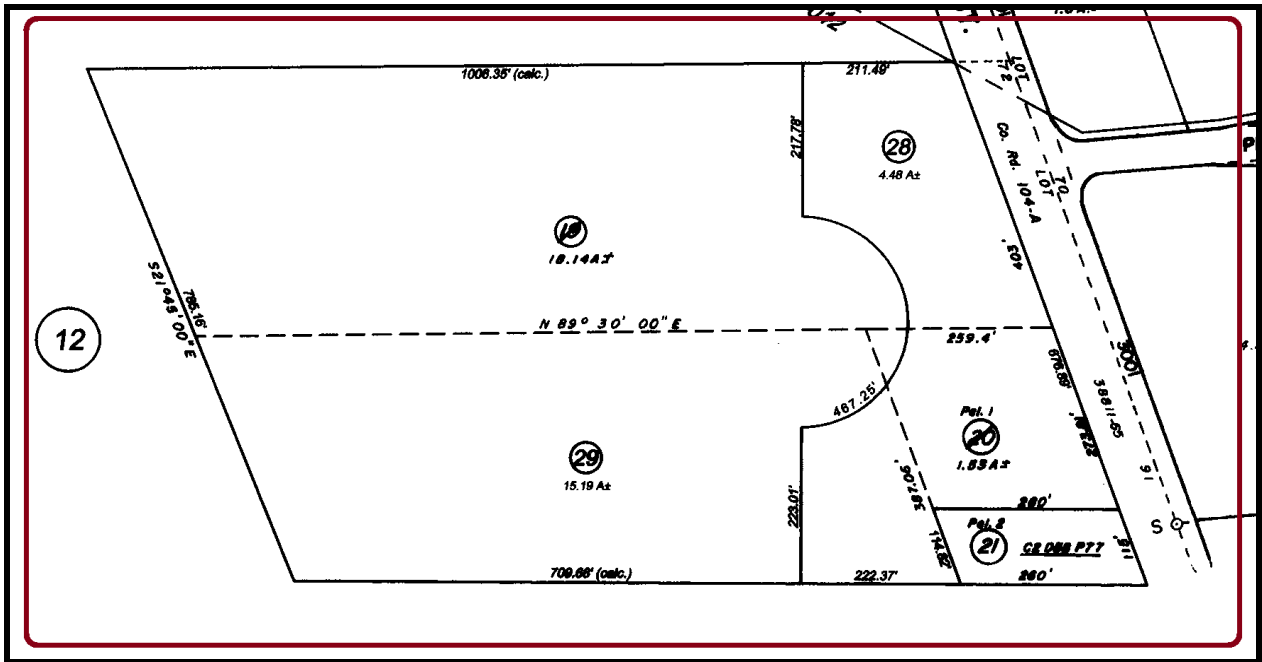


Figure 2. Assessor Parcel Map, Book 184, Page 11, with pertinent area denoted by red box.





**Figure 3. Enlarged view of pertinent area from Assessor Parcel Map, Book 184, Page 11**

To restate simply, Ordinance No. 4195 should have rezoned APN 184-110-28 instead of APNs 184-110-19 and 184-110-20 as these parcels, in their previous configuration prior to B 36-2006, no longer existed and were historical APNs. The result was the incorrect rezoning of 15± additional acres to R-3 (APN 184-110-29).

Due to the obvious error in the documents, Staff has prepared an Ordinance for consideration of the Board correcting the error in zoning as it relates to APN 184-110-29. The appropriate zoning for this parcel is SR, which aligns with the current General Plan designation of said parcel of SR.

**PLANNING COMMISSION RECOMMENDATION:**

The Mendocino County Planning Commission conducted a Noticed Public Hearing on the subject rezoning and Addendum to the previously adopted Mitigated Negative Declaration on March 3, 2022. The Planning Commission adopted Resolution No. PC\_2022-0004 making its report and recommendation to the Board on this rezoning request. As detailed in the Resolution (Attachment G), the Planning Commission recommends that the Board adopt the Addendum to the Mitigated Negative Declaration and grant the rezoning request.

**ENVIRONMENTAL DETERMINATION:**

An Addendum to the existing Mitigated Negative Declaration has been completed in compliance with CEQA and CEQA guidelines. The Addendum includes analysis and findings that establish the basis for determining that none of the conditions described in Section 15162 of the CEQA Guidelines, calling for the preparation of a subsequent negative declaration or environmental impact report have occurred.

**ATTACHMENTS:**

- A. November 15, 2007 Planning Commission Staff Report (documents unrelated to Location III have been removed) Including Mitigated Negative Declaration
- B. November 15, 2007 Planning Commission Minutes
- C. December 11, 2007 Board of Supervisors Minutes
- D. Ordinance No. 4195 with errors highlighted
- E. Location, Aerial, Zoning and General Plan Maps
- F. Planning Commission Memorandum
- G. Planning Commission Resolution PC\_2022-0004
- H. Draft Board Resolution Adopting the Addendum to the Mitigated Negative Declaration and Approval
- I. Draft Ordinance



**COUNTY OF MENDOCINO  
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## MEMORANDUM

**DATE:** 11/1/07  
**TO:** Planning Commission  
**FROM:** Diana Hershey

### **General Plan Amendments and Rezones to comply with Housing Element Action Item 4.2**

#### **Background:**

On June 26, 2007 the Board of Supervisors acted to initiate a rezoning process that would result in an increase of land zoned for multi-family residential use. The Board directive was the first step in implementing Action 4.2 of the Housing Element of the County General Plan.

- **Action 4.2:** Increase Multi-Family Zoned Sites for Lower Income Housing:  
To facilitate development of lower income housing the County will by July 1, 2007 rezone at least 50 acres to R-3 (or comparable density zoning for multi-family housing without a conditional use permit) in urban or community areas throughout the County, with a high priority given to land within water and/or sewer service districts or within or adjacent to towns. The total of 50 acres may be accomplished by a cumulative total of County and/or privately initiated rezoning applications.

#### **Discussion:**

Overall, the Planning Team Staff intends to offer more than 50 acres of land for consideration for rezoning over the next several months. At today's hearing, staff is offering the first wave of these parcels that total 51± acres. Some of the parcels require a concurrent General Plan Amendment so that the new zoning will be consistent with the General Plan classification.

As per Board request, these parcels are scattered throughout the County. Some parcels are located in areas where water and sewer infrastructure is unavailable. On average, the new multi-family zoning will allow 20 units/acre where water and sewer are available. Fewer units/acre will be permitted when water or sewer are not available and must be developed on-site.

In addition, there are several more parcels located within the Ukiah Valley Area Plan (UVAP) that will be offered for consideration for multi-family rezoning. They are going forward under the UVAP environmental process. Many parcels within the UVAP boundaries have water and sewer available and are highly suitable for the maximum density allowable under the R-3 zoning.

**ATTACHMENT A**

**CASE #:** GP 2-2007/R 2-2007

**OWNER:** Various

**REQUEST:** Rezoning to allow Multifamily Residential uses (R-3) without a conditional use permit and/or General Plan Amendment.

**LOCATION I:** South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street.

**APN#s:** 003-430-21, 003-430-53, 003-430-51

**Total Project Size:** Approx. 1 acre

*Staff recommends the inclusion of this location in the Mitigated Negative Declaration (see Appendix A) and recommends rezoning of these parcels.*

**LOCATION II:** South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street.

**APNs#:** 180-190-11, 180-190-12

**Total Project Size:** Approx. 1 acre

*Staff recommends the inclusion of this location in the Mitigated Negative Declaration (see Appendix A) and recommends rezoning of these parcels.*

**LOCATION III:** South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane.

**APN#s:** 184-120-10, 184-120-11, 184-120-09, 184-110-20,

184-110-21 and approx. 2.8± acres of 184-110-19

**Total Project Size:** 8.13 acres

*Staff recommends the inclusion of this location in the Mitigated Negative Declaration (see Appendix A) and recommends rezoning of these parcels.*

**LOCATION IV:** In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Hwy 175.

**APN#:** 048-230-27

**Total Project Size:** 3.14 acres

*Staff recommends the inclusion of this location in the Mitigated Negative Declaration with mitigation (see Appendix A) and recommends rezoning of this parcel.*

**LOCATION V:** In Old Hopland, approximately 1.38± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street.

**APN#s:** 048-230-10 and 048-230-28

**Total Project Size:** 1.38 acres

*The larger parcel is a County-owned property with sewer and water connections, while the smaller piece already has a Multi-family structure but needs to be rezoned to conform with the existing use. Staff recommends the inclusion of this location in the Mitigated Negative Declaration (see Appendix A), a General Plan Amendment for the County Yard, and the rezoning of both parcels.*

## ATTACHMENT A

**LOCATION VI:** Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437.

**APN#:** 069-310-44

**Total Project Size:** 5.5 acres

*The parcel is next to a mobile home park and outside the Coastal Zone and would therefore be eligible for Multi-family uses. Staff recommends the inclusion of this location in the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of this parcel.*

**LOCATION VII:** Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490.

**APN#s:** 007-031-08, 007-031-09, 007-031-10,  
007-031-11, 007-031-12

**Total Project Size:** 4.49 acres

*These parcels are adjacent to the City of Willits and can be annexed into the City's Sewer District, though on-site water would need to be developed. The parcels are currently non-conforming to their General Plan designation (AG) and zoning classification (Ag 40), having residential uses on-site and on surrounding lands. The parcels are mostly less than one acre, but as aggregated total nearly five acres. Staff recommends the inclusion of these parcels in the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of these parcels.*

**LOCATION VIII:** Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490.

**APN#s:** 007-220-05, 007-220-07

**Total Project Size:** 6.1± acres

*These parcels are adjacent to the City of Willits and can be annexed into the City's sewer district, though on-site water would need to be developed. The larger parcel is bordered on the north and east by residential uses (both single and multi-family). The smaller one is currently owned by the Church of the Nazarene, and is a church. The larger parcel is in the process of removal from Williamson Act status, and the owners are interested in rezoning to R3. Because this area is the next logical area of development in the Willits area, staff recommends the inclusion of these parcels in the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of these parcels.*

**LOCATION IX:** In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive.

**APN#:** 029-450-22

**Total Project Size:** 5.0± acres

This parcel was submitted by members of the Anderson Valley Unified School Board. They were notified of other smaller parcels in the area that were under consideration, and thought this parcel more suitable. Septic study has been completed on the school property for 9 bedrooms, and the School is ready to move forward quickly. They are also open to considering tenants who are not teachers.

*Staff has examined both groups of parcels and recommends that the school property be included in the rezone and that the other Anderson Valley **parcels be removed from consideration because of size unsuitability.***

**ATTACHMENT A**

**LOCATION X:** In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road.

**APN#s:** 046-060-46, 046-060-47, 046-060-48,  
046-060-49, and 046-060-50

**Total Project Size:** 1.5 acres

Because this area has a huge need for affordable housing, staff recommends the inclusion of this location in *the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of these parcels.*

**LOCATION XI:** In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA.

**APN#s:** 014-020-08, 014-020-09, and 014-020-24 **Total Project Area:** 6± acres

*Staff recommends the inclusion of these parcels in the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of these parcels.*

**LOCATION XII:** In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville.

**APN#:** 014-090-38

**Total Project Area:** 5± acres

*Staff recommends the inclusion of this location in the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of this parcel.*

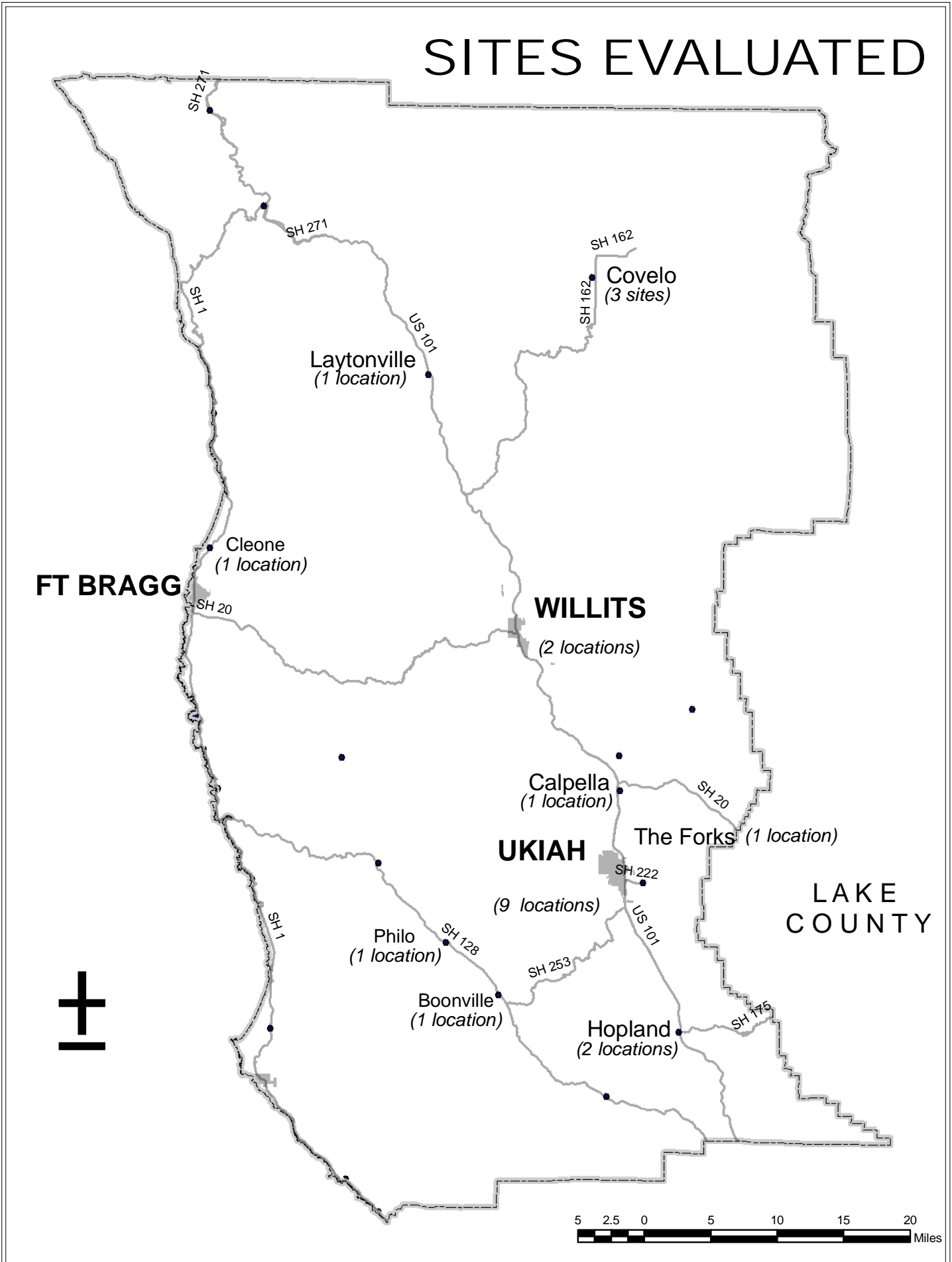
**LOCATION XIII:** Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street.

**APN#s:** 033-270-06, 033-240-01, 033-190-50

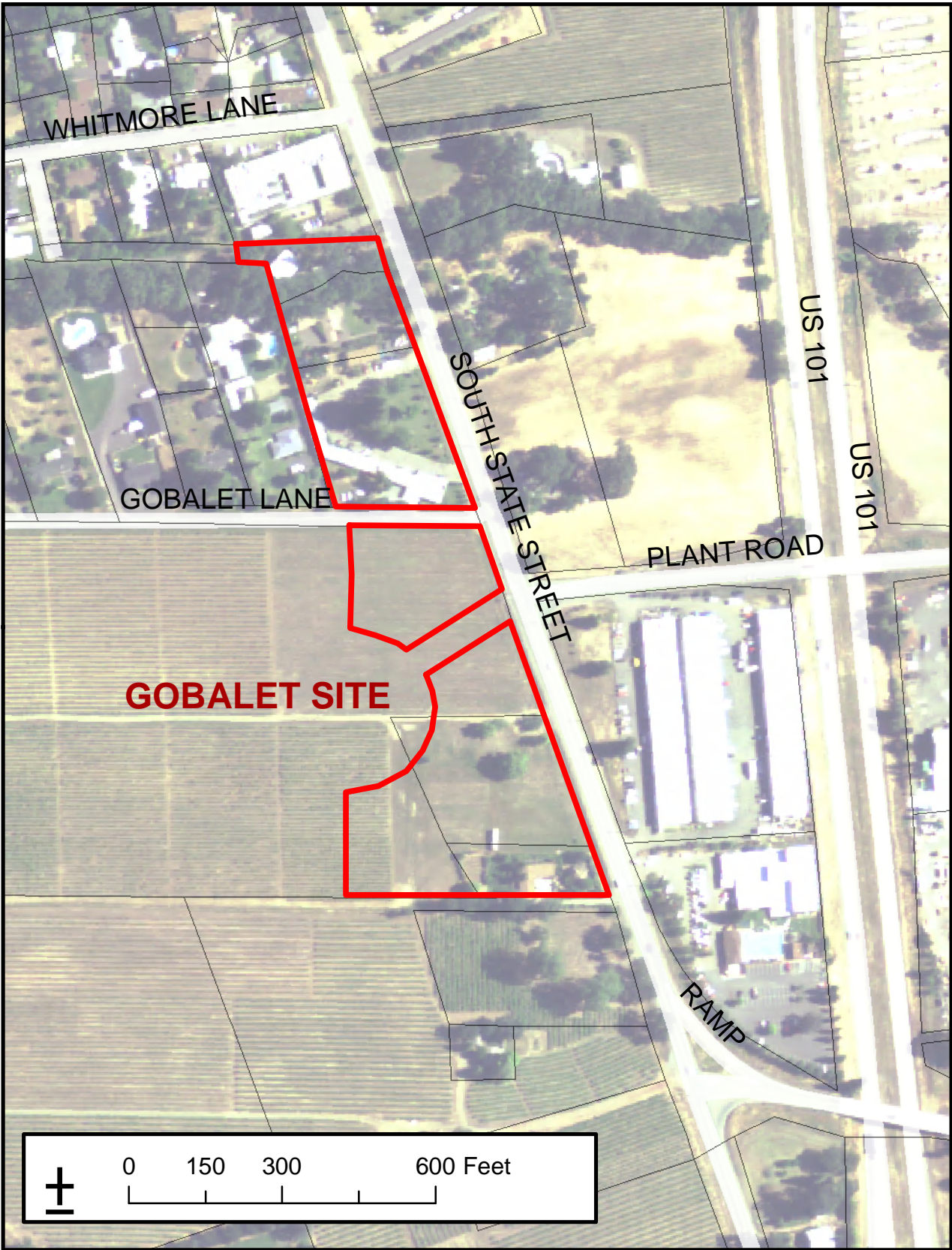
**Total Project Area:** 2.68 acres

*Staff recommends the inclusion of this location in the Mitigated Negative Declaration with mitigation (see Appendix A), a General Plan Amendment, and rezoning of this parcel.*

# SITES EVALUATED



# Gobalet Multifamily Sites



**ATTACHMENT A**

REFERRAL     STAFF REPORT

HEARING OR DUE DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** R 2-2007

**APPLICATION TYPE:** Rezone

**OWNER:** Various

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** Rezone to R-3, Multi-family

**LOCATION/STREET ADDRESS:** South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19.

**ASSESSOR'S PARCEL NOS:**

184-120-09	184-120-11	184-110-20
184-120-10	184-110-19	184-110-21

**PARCEL SIZES:** .5 acre to 2 acres

**PROJECT SITE SIZE:** 8.13 acres

**GENERAL PLAN:** Suburban Residential

**ZONING:** SR

**SUPERVISORIAL DISTRICT:** 5th

**EXISTING USES:**

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	Residential	R1	.1 to .5 acres	
<b>EAST:</b>	Commercial	C1 and C2	2 to 20 acres	
<b>WEST:</b>	Suburban Residential	SR	.25 to 5 acres	
<b>SOUTH:</b>	Commercial	C1	2 acres	

**Other Information: Located in Airport Zone B2**

**TOWNSHIP:** Yokayo Rancho      **RANGE:**      **SECTION:**      **USGS QUAD:**

**ASSESSOR'S PARCEL NO:** 184-120-09, 184-120-10, 184-120-11, 184-110-19, 184-110-20, 184-110-21

**PROJECT COORDINATOR:** Phil Gorny

**PREPARED BY:** Patrick Ford

**DATE:** 8/7/06



## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed rezone area constitutes mostly lands that are already developed along with one vacant parcel. One of the occupied parcels is used for multi-family residential purposes with the remainder being used as large-lot rural residential. Rezoning the subject parcels would not create drastic changes on the properties currently being used as residences. Only the vacant property would be likely to see any form of new construction activity as a consequence of this particular rezoning. Likewise, this rezoning would pose few if any significant environmental impacts.

It should be noted that any future development on the vacant parcel would likely be connected to the fate of the larger single-family residential project that is proposed immediately to the west of the project site (and not part of this rezoning project). The likely impacts of that development project would be covered under its own EIR and are beyond the scope of discussion here.

**ATTACHMENT A**

*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

ENVIRONMENTAL DATA - COUNTYWIDE			
YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input checked="" type="checkbox"/> Ukiah Valley Area Plan <input checked="" type="checkbox"/> Redevelopment Area (central portion)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> ( <i>applies in &amp; out of Coastal Zone</i> )	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input checked="" type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport: Ukiah Municipal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	Hazards: 1 mile from Mayacama Fault
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazard/Landslides Map</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Flood Zone</b>	<input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input checked="" type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class: <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDDB "Rare Finds"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDDB "Rare Finds"

**ATTACHMENT A**

YES	NO	ISSUE	DETAIL
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <u>Botanical Survey NCRM</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWCID)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite Provider name: Willow Water District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Ukiah Valley Sanitation District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Urban Area <input type="checkbox"/> Rural Area	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/submerged/tide/public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____

**ATTACHMENT A**

**PROJECT NOTIFICATION**

**CASE# R 2-2007**

<b>X</b>	300' - Standard notification		General Plan/Specific/Area Plan: SB 18 Tribal Consultation		
	500' - Major Subdivision		Coastal Notifications		
	1 mile - Ag Preserve		Additional Notification:- see last page of application form		

**ASSESSOR'S PARCELS NUMBERS: (Mailing list: Appendix A)**


**AP#:** 184-120-09, 184-120-10, 184-120-11, 184-110-19, 184-110-20, 184-110-21

**Project Coordinator:** Phil Gorny

**Date:** August 7, 2006

**Date Rev:** October 2, 2007

**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately one mile from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

**ATTACHMENT A**

**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?			X		
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X		
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?			X		
j. Inundation by seiche, tsunami, or mudflow?	X				

The northern portion of the proposed rezone does lie within the 100-year flood plain of one of the tributary drainages into the Russian River (Cleland Creek) and as such could pose significant impacts to any future development permitted under this rezoning. A Botanical Survey of the site recommends enhancement of the minimal riparian corridor and protection during design review. Most of the project area does lie outside of the flood zone, careful site design by a future developer could reduce the impact to any future inhabitants to a less than significant level, as well as protect water quality.

Proper adherence to RWQCB guidelines on site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area during the construction phase.

**ATTACHMENT A**

**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?			X		
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?		X			
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

Most of the proposed rezone consists of highly disturbed lands and as such lacks any form of habitat for native or endangered flora and fauna. The southern-most parcel (approximately 40% of the total area) is currently vacant. The Natural Diversity Database indicated that no threatened or endangered species were likely to be located there. Any change in land use would most likely not change this significantly. It should be noted however, that by utilizing this land more intensively, land elsewhere would be less likely to be converted from agricultural or open space uses.

As noted in the Botanical Survey, the northern-most parcel has a portion of Cleland Mountain Creek going through it that has been impacted by previous development. NRCM recommends that future development on the site take the opportunity to restore/enhance the riparian vegetation near the creek.

**ATTACHMENT A**

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject sites from Suburban Residential to R-3 Residential could potentially pose conflicts with existing plans. Specifically, this site is also part of the Mendocino County Airport Comprehensive Land Use Plan, which sets development criterion for any future uses, including residential. By properly following those plans at the site design stage, any future development will be able to remain consistent with the Airport Plan. As a consequence, the proposed rezoning will pose a less than significant impact to any other existing land use plan or policy.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This area is not located in an agricultural preserve of any type nor is actively being cultivated. Areas to the east, west and north have already transitioned to suburban or urban uses, while currently adopted plans already allow non-agricultural uses for the subject properties and those to the south. This rezoning would simply permit more intensive levels of non-agricultural usage than are currently permissible. As a result, this rezoning would pose a less than significant impact to agricultural resources.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			



**ATTACHMENT A**

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			
d. Disturb any human remains, including those interred outside of formal cemeteries?		X			

As the project area has been highly disturbed over the past century, little to no items of cultural significance are expected to remain on the site. The development on-site is of no historic value, with some of it in poor condition.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?		X			
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. Those densities however would not pose significant impacts to existing infrastructure, nor spur additional growth on adjacent properties.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?	X				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X			
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		X			
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		

The project site is not scenic, nor is obstructing any scenic resource. The proposed rezoning will do little to alter that fact.

New sources of light or glare from this rezone project will be mitigated by the use of downward-directed street lighting and other treatments as needed.

**ATTACHMENT A**

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
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?	X				

The number of new residential units created by the proposed rezoning would remain a small percentage of the overall number of residential units located in that region. As such, any increased usage by future residents would not reach levels as to accelerate the deterioration of existing recreational facilities. Measures detailed in Section 13 of this checklist can further minimize this impact.

**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?		X			
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The project area is already being utilized in a manner similar to what the proposed rezoning would envision for the area. As such there would be little to no change to cumulative impacts to air quality from the marginal number of additional pollutant sources possible under a rezoning.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

**ATTACHMENT A**

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level. If a redevelopment project does occur subsequent to the rezoning, it would more than likely be more energy efficient than what currently exists on-site.

The proposed site is situated along two Mendocino Transit Agency bus lines and as a result, future residents would not be totally dependent on personal vehicles for access.

**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X			
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning would not significantly impact transportation patterns along South State Street. Though allowable land use intensity would increase in this area, the overall number of new vehicles added would be insignificant when compared to the total traffic volumes for that area. Careful site access design elements (such as locating curb cuts) during the design stage would further ensure that the safety of both future residents and future users of South State Street would not be adversely impacted.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		

**ATTACHMENT A**

c. Schools?		X		
d. Parks?			X	
e. Other public facilities?		X		

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

Additionally, the introduction of a sizable number of units in an area with few recreational opportunities (parks) can be detrimental to the future residents and could adversely impact the neighboring properties. The inclusion of an on-site playground and/or commons area could mitigate this issue. So too would some form of developer's fee (assessed at the time of construction) to fund the public park system. Either option when combined with the fact that the overall number of new residential units theoretically possible under the new zoning would remain only a small percentage of the total number of the units in that area demonstrate that this impact would be less than significant.

Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?	X				
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X			
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?		X			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			

**ATTACHMENT A**

g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			
---	--	---	--	--	--

The rezone area already utilizes these services to a certain extent, though the introduction of a multi-family unit on the open southern parcel may increase utility service demands somewhat. This increase however would be small and not represent a significant impact to overall utility demands.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.			X		
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence (on-site). The project area is located just under 2000 feet from a known Superfund site, though any impact from its location should remain negligible to future development.

This project would however fall within the B2 zone of the Airport Land Use Plan. Situated approximately one mile from the southern portion of the Ukiah Municipal Airport, this site would

**ATTACHMENT A**

be impacted by noise from aviation operations and subject to land use limitations as per the Airport Plan. Those would include overall residential density, site layout and open space percentage requirements. By properly adhering to those standards at the design stage and requiring sound-insulating windows at the time of construction, impacts from airport operations can be reduced to a less than significant level.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?			X		
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?	X				

The proposed rezone is situated along a significant thoroughfare (South State Street) and in close proximity to US-101 and as a consequence would subject any future inhabitants of the site to somewhat elevated noise levels from vehicular traffic. This site is also located in the B2 zone of the Ukiah Municipal Airport, which would further subject the inhabitants to noise emanating from low-flying aircraft. Both impacts could be mitigated to a less than significant level at the design and construction stage of any future project by mandating the use of sound dampening/insulating windows as well as other design features that would lessen the effect of outside noise.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents as any future use would be strictly residential in nature.

ATTACHMENT A

FILING REQUESTED BY  
County of Mendocino  
Planning Team Office  
501 Low Gap Road, Room 1204  
Ukiah, CA 95482

AND WHEN FILED MAIL TO  
County of Mendocino  
Planning Team Office  
501 Low Gap Road, Room 1204  
Ukiah, CA 95482

Filed  
12/12/07

NOTICE OF DETERMINATION

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

Mendocino County Clerk  
501 Low Gap Road, Room 1020  
Ukiah, CA 95482

Subject: Filing of Notice of Determination in compliance with Section 21108 and 21152 of the Public Resources code.

Project Title:

Mitigated Negative Declaration for case GP 2-2007/R 2-2007 (filed February 2, 2007) to rezone approximately 49 acres to allow for multi-family housing (R-3) by right in thirteen locations throughout unincorporated Mendocino County.

State clearing House Number <small>(If Submitted to Clearing House)</small>	Contact Person	Area Code/Number/Extension
2007102108	Phil Gorny	707-467-2573

Project Location:

Various locations throughout the unincorporated area of Mendocino (See Attached).

Project Description:

Rezone parcels to R-3 Multi-family Residential

This is to advise that the County of Mendocino has approved the above-described project on December 12, 2007 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared pursuant to the provisions of CEQA.
3. Mitigation measures were a condition of the project approval.
4. A Statement of Overriding Considerations was not adopted.

This is to certify that the Negative Declaration and record of project approval is available to the general public at 501 Low Gap Road, Room 1204, Ukiah (707) 467-2569.

Date of Filing December 12, 2007

Signature 

**ATTACHMENT A**

**COUNTY OF MENDOCINO  
ENVIRONMENTAL REVIEW GUIDELINES  
NEGATIVE DECLARATION**

**I. DESCRIPTION OF PROJECT:**

**DATE: October 10, 2007**

The Mendocino County Planning Team has prepared a Mitigated Negative Declaration for case GP 2-2007/R 2-2007 (filed February 2, 2007) to rezone approximately 51 acres to allow for multi-family housing (R-3) by right in thirteen locations throughout unincorporated Mendocino County.

**II. DETERMINATION:**

In accordance with Mendocino County's procedures for compliance with the California Environmental Quality Act (CEQA), the County has conducted an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, it has been determined that:

Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures required for the project will reduce potentially significant effects to a less than significant level. Therefore, it is recommended that a NEGATIVE DECLARATION be adopted.

The attached Initial Study and staff report incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project.



MENDOCINO COUNTY  
 ENVIRONMENTAL REVIEW GUIDELINES  
 INITIAL STUDY

Section I	Description Of Project.
	<p><b>DATE: OCTOBER 10, 2007</b></p> <p><b>CASE #:</b> GP 2-2007/R 2-2007  <b>DATE FILED:</b> February 2, 2007  <b>OWNER:</b> Various  <b>APPLICANT:</b> County of Mendocino</p> <p><b>REQUEST:</b> As required by Housing Element Action 4.2, Mendocino County, is initiating the process of rezoning 50 acres of land to Multiple-Family Residential in order to increase the number of potential multifamily units that are allowed "by right" (without discretionary County permits) to facilitate the Housing Element's housing unit objective. The zoning will allow a maximum of 29 units per acre when public water and sewer are available.</p> <p><i>Action 4.2: Increase Multi-Family Zoned Sites for Lower Income Housing:                  To facilitate development of lower income housing the County will by July 1, 2007 rezone at least 50 acres to R-3 (or comparable density zoning for multi-family housing without a conditional use permit) in urban or community areas throughout the County, with a high priority given to land within water and/or sewer service districts or within or adjacent to towns. The total of 50 acres may be accomplished by a cumulative total of County and/or privately initiated rezoning applications.</i></p> <p>A total of thirty-four (30) parcels totaling approximately 49 acres have been identified by Mendocino County to be rezoned to R-3 in thirteen (13) locations throughout the county. These locations are as follows:</p> <p>LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street.</p> <p>LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street.</p> <p>LOCATION III: South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19.</p> <p>LOCATION IV: In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175.</p> <p>LOCATION V: In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street.</p> <p>LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437.</p> <p>LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490.</p>

## ATTACHMENT A

### INITIAL STUDY ENVIRONMENTAL CHECKLIST

LOCATION VIII: Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490.

LOCATION IX: In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive.

**LOCATION X:** In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. **REMOVED**

LOCATION XI: In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA.

LOCATION XII: In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville.

LOCATION XIII: Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Lovell Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovell Street, also known as 23740 Howard Street.

An overview map of the project area follows this page.

#### 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, as "Attachment A" is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist for each of the thirteen individual rezone sites. This includes explanations of "no" responses. Maps of each of the individual areas are also attached.

ATTACHMENT A

INITIAL STUDY ENVIRONMENTAL CHECKLIST

<b>Section IV</b>	<b>Mandatory Findings of Significance.</b>
	<p>A. As discussed in the preceding sections, the project (as mitigated) <u>does not</u> have the potential to significantly degrade the quality of the environment, including effects on animals or plants, or to eliminate historic or prehistoric sites.</p> <p>B. As discussed in the preceding sections, both short-term and long-term environmental effects associated with the project will be <u>less than significant</u>.</p> <p>C. When impacts associated with the project are considered alone or in combination with other impacts, the project-related impacts are <u>insignificant</u>.</p> <p>D. The above discussions <u>do not</u> identify <u>any</u> substantial adverse impacts to people as a result of the project.</p>

<b>Section V</b>	<b>Determination.</b>
	<p>On the basis of this initial evaluation, it has been determined that:</p> <p><input type="checkbox"/> The proposed project will not have a significant effect on the environment, and it is recommended that a NEGATIVE DECLARATION be adopted.</p> <p><input checked="" type="checkbox"/> Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures required for the project will reduce potentially significant effects to a less than significant level, therefore, it is recommended that a NEGATIVE DECLARATION be adopted.</p> <p><input type="checkbox"/> The proposed project may have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</p>

12/12/07  
DATE

  
DIANA HERSHEY, PLANNER III

**ATTACHMENT A**

X  REFERRAL     X  STAFF REPORT

**HEARING DATE:** November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** R 2-2007

**APPLICATION TYPE:** Rezone

**OWNERS:** Andrew & Mary Duman  
Baldomero Maldonado  
Ioannis & Katina Vasilopoulos

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** Rezone to R-3

**LOCATION/STREET ADDRESS:** South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street.

**ASSESSOR'S PARCEL NOS:**

003-430-21	003-430-51	003-430-53
------------	------------	------------

**PARCEL SIZES:** Approximately 0.3 acre

**PROJECT SITE SIZE:** Approximately 1 acre

**GENERAL PLAN:** Suburban Residential

**ZONING:** R-1

**SUPERVISORIAL DISTRICT:** 2nd

**EXISTING USES:** The current use of the properties is single-family residential.

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	Suburban Residential	R1	.1 to .25 acres	Assorted Residential uses
<b>EAST:</b>	Commercial	C2	Under 1 acre	Commercial structures
<b>WEST:</b>	Residential	R1	.25 to 5 acres	Assorted Residential uses
<b>SOUTH:</b>	Commercial	C2	5 to 10 acres	School and Community Center

**Other Information:** Located in Airport Zone D.

<b>TOWNSHIP:</b> Yokayo Rancho	<b>RANGE:</b>	<b>SECTION:</b>	<b>USGS QUAD:</b>
<b>ASSESSOR'S PARCEL NO:</b> 003-430-21, 003-430-51, 003-430-53			
<b>PROJECT COORDINATOR:</b> Phil Gorny	<b>PREPARED BY:</b> Patrick Ford	<b>DATE:</b> 9-11-07	

## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed rezone area constitutes lands that are developed with single-family homes. Rezoning the subject parcels would allow for construction of a multi-family structure or structures on or adjacent to already existing structures if the current or future owners of the properties in question were interested.

It should be noted that this area is also subject to redevelopment as it is part of the South State Redevelopment Area. The Redevelopment Agency has contemplated a renewal project that encompasses the very same area. Rezoning this property R-3 would likely ensure that most or all redevelopment that would occur be multi-family in nature. Though no formal project currently exists for this area, it is not in anyway, precluded by this rezoning either.

**ATTACHMENT A**

*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input checked="" type="checkbox"/> Ukiah Valley Area Plan <input checked="" type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input checked="" type="checkbox"/> Zone D Airport: Ukiah Municipal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 1 mile from Mayacama Fault
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input checked="" type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDDB "Rare Finds"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDDB "Rare Finds"

**ATTACHMENT A**

<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWCID)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite Provider name: Willow Water District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Ukiah Valley Sanitation District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____





**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?	X				
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately one mile from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?	X				
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?	X				
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?	X				
f. Otherwise substantially degrade water quality?	X				
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?	X				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	X				
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?	X				
j. Inundation by seiche, tsunami, or mudflow?	X				

The Jefferson rezoning area does not lie within the 100-year flood plain of any tributary drainage into the Russian River. It is not subject to any other hydrological hazard nor does it impact the hydrological system.

Proper adherence to RWQCB guidelines on site design and construction will ensure that any future redevelopment will pose little to no impact to water quality on and off the proposed project area.

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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?		X			
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			
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?	X				
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

The proposed rezone consists of highly disturbed lands and as such lacks any form of habitat for native or endangered flora and fauna. Any change in land use would most likely not change this significantly. It should be noted however, that by utilizing this land more intensively, land elsewhere would be less likely to be converted from agricultural or open space uses.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?	X				
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?		X			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from R-1 to R-3 Residential would not pose conflicts with existing plans, including the Airport Comprehensive Land Use Plan. Additionally, most of the properties to be rezoned are also part of the Redevelopment Agency, which has additional plans and policies

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for that area. By properly following those plans at the site design stage and working together with the Redevelopment Agency, any future development will be able to remain consistent with the Airport Plan and meet the goals set out in the Redevelopment Plan. With these mitigation measures, the proposed rezoning will pose a less than significant impact to any other existing land use plan or policy.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?	X				

The project area is not agricultural in nature nor are the properties that surround it. Any type development proposed under current or proposed plans will not affect agricultural operations.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	X				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

As the project area has been highly disturbed over the past century, little to no items of cultural significance are expected to remain on the site. The development on-site is of no historic value.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?		X			

**ATTACHMENT A**

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The existing single-family houses could potentially be torn down and replaced with multi-family units. While this would result in a loss of at least three existing units, as many as 20 units could wind up replacing them, resulting in a modest net growth in new units. As each of the parcels are under separate ownership, fewer units may result if only one or two of the current or future property owners decide to redevelop their properties.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?	X				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	X				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X				

The project site is not scenic, nor is obstructing any scenic resource. The proposed rezoning will do little to alter that fact.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
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?	X				

The number of new residential units created by the proposed rezoning would remain a small percentage of the overall number of residential units located in that region. As such, any increased usage by future residents would not reach levels as to accelerate the deterioration of existing recreational facilities. Additionally, the project area is located across the street from Grace Hudson School, which would permit future residents to utilize the school grounds during periods when the school would not be in session. Measures detailed in Section 13 of this checklist can further minimize the impact to recreational facilities.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?		X			
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The project area is already being utilized in a manner similar to what the proposed rezoning would envision for the area. As such there would be little to no change to cumulative impacts to air quality from the marginal number of additional pollutant sources possible under a rezoning.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?		X			
b. A significant increase in transportation-related energy use?		X			

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level. If a redevelopment project does occur subsequent to the rezoning, it would more than likely be more energy efficient than what currently exists on-site.

The proposed site is situated near two Mendocino Transit Agency bus lines and as a result, future residents would not be totally dependent on personal vehicles for access. The siting of additional residential units in this area would also take advantage of the site’s close proximity to an elementary school and a few commercial establishments. As a consequence, fewer vehicular trips (along with their requisite energy needs) would be generated when compared to a similar project further out.

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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)		X			
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed project would not significantly impact transportation patterns along South State Street. Rezoning would simply reflect the status quo for the area and only marginally increase land use from the properties themselves, insignificantly increasing traffic usage. Careful site access design elements (such as locating curb cuts) during the design stage would further ensure that the safety of both future residents and future users of Fircrest and Dora Streets would not be adversely impacted.

Furthermore, the proposed site is situated nearby two Mendocino Transit Agency bus lines and as a result future residents would not be totally dependent on personal vehicles for access. The siting of additional residential units in this area would also take advantage of the site's close proximity to an elementary school and a few commercial establishments. As a consequence fewer vehicular trips onto State Street would likely be generated when compared to a similar project further out.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?		X			
d. Parks?			X		
e. Other public facilities?		X			

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Simply rezoning the subject area R-3 will not fundamentally alter the fact that this area already contains a number of high-density residential housing units. These units already pose impacts on public services and marginally increasing the number of new units will not significantly change this. On the subject properties, these impacts could be reduced by following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

Though the subject area is in close proximity to recreational opportunities offered by the facilities of Grace Hudson School, the inclusion of an on-site playground and/or commons area could reduce any future development's impact on that site. So too would some form of developer's fee (assessed at the time of construction) to fund the public park system. Either option when combined with the fact that the overall number of new residential units theoretically possible under the new zoning would remain only a small percentage of the total number of the units in that area demonstrate that this impact would be less than significant.

Other impacts from this project to the issue of public services would be less than significant regardless whether or not the subject area is redeveloped.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?		X			
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?		X			
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X			
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?		X			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

The rezone area already utilizes these services to a certain extent and as little additional development is likely to arise out of the proposed rezone, little to no additional impacts are likely to arise. A redevelopment project will not alter that impact.



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**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site or off.

The project is located within the D zone of the Airport Land Use plan and is situated over than one half mile west of the Ukiah Municipal Airport, well away from any established flight paths. Only minor, mostly noise impacts would be posed by noise from aviation operations with no land use limitations as per the Airport Plan.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

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**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?		X			
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?	X				

The proposed rezone is situated about one hundred feet from a significant thoroughfare (South State) and less than a half mile from the Ukiah Municipal Airport. Both would subject any future inhabitants of the site to somewhat elevated noise levels from vehicular and aviation traffic. Both impacts could be well mitigated at the design and construction stage of any future project by mandating the use of sound dampening/insulating windows as well as other design features that would lessen the effect of outside noise.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature. A redevelopment project could likely result in more sound-proofed residential units than currently exist and such actually could be considered a beneficial impact.

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REFERRAL     STAFF REPORT

**HEARING OR DUE DATE:** November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** R 2-2007

**APPLICATION TYPE:** Rezone

**OWNER:** Various

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** Rezone to R-3, Multi-family

**LOCATION/STREET ADDRESS:** South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street.

**ASSESSOR'S PARCEL NOs:**

180-190-11
180-190-12

**PARCEL SIZES:** .5 acres      **PROJECT SITE SIZE:** Approximately 1 acre

**GENERAL PLAN:** Suburban Residential

**ZONING:** R-1

**SUPERVISORIAL DISTRICT:** 2nd

**EXISTING USES:**

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	Commercial	C1	5 to 10 acres	School and Community Center
<b>EAST:</b>	Commercial	C1 and C2	2 acres	Multi-family Structure
<b>WEST:</b>	Residential	R1	.25 to 5 acres	Hillside residential
<b>SOUTH:</b>	Suburban Residential	SR	.1 to .25 acres	Assorted residential uses

**Other Information:** Located in Airport Zone D.

**TOWNSHIP:**                      **RANGE:**                      **SECTION:**                      **USGS QUAD:**

**ASSESSOR'S PARCEL NO:** 180-190-11 and 180-190-12

**PROJECT COORDINATOR:** Phil Gorny      **PREPARED BY:** Patrick Ford      **DATE:** 9-11-07

## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed rezone area constitutes lands that are partially developed with a pair of single-family homes situated on relatively large parcels. Rezoning the subject parcels would allow for construction of a multi-family structure or structures on or adjacent to already existing structures, across the street from a school.

It should be noted that this area is also subject to redevelopment as it is part of the South State Redevelopment Area. The Redevelopment Agency has contemplated a renewal project that encompasses the very same area. Rezoning this property R-3 would likely ensure that most or all redevelopment that would occur be multi-family in nature. Though no formal project currently exists for this area, it would not in any way be precluded by this rezoning.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input checked="" type="checkbox"/> Ukiah Valley Area Plan <input checked="" type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input checked="" type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input checked="" type="checkbox"/> Zone D Airport: Ukiah Municipal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 1 mile from Mayacama Fault
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Flood Zone</b>	<input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input checked="" type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDB "Rare Finds"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDB "Rare Finds"

**ATTACHMENT A**

YES	NO	ISSUE	DETAIL
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWID)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite Provider name: Willow Water District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Ukiah Valley Sanitation District
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____

**ATTACHMENT A**

**PROJECT NOTIFICATION**

**CASE#: R 2-2007**

<b>X</b>	300' - Standard notification		General Plan/Specific/Area Plan: SB 18 Tribal Consultation	
	500' - Major Subdivision		Coastal Notifications	
	1 mile - Ag Preserve		Additional Notification:- see last page of application form	

**ASSESSOR'S PARCELS NUMBERS: (Mailing list: Appendix A)**


**AP#: 180-190-11, 180-190-12**

**Project Coordinator: Phil Gorny**

**Date: 10-04-07**

**Date Rev: \_\_\_\_\_**

**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?	X				
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately one mile from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.



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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?	X				

The southwestern boundary of the proposed rezone does lie within the 100-year flood plain of one of the tributary drainages into the Russian River. However, most of the property has already been raised out of the flood plain and as such should pose a less than significant impact to any future development permitted under this rezoning.

Proper adherence to RWQCB guidelines on site design and construction will ensure that any future redevelopment will pose little to no impact to water quality on and off the proposed project area.

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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?		X			
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			
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?	X				
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

The proposed rezone consists of highly disturbed lands and as such lacks any form of habitat for native or endangered flora and fauna. Any change in land use would most likely not change this significantly. It should be noted however, that by utilizing this land more intensively, land elsewhere would be less likely to be converted from agricultural or open space uses.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?	X				
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?		X			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from R-1 to R-3 Residential would not pose conflicts with existing plans, including the Airport Comprehensive Land Use Plan. Additionally, most of the properties to be rezoned are also part of the Redevelopment Agency, which has additional plans and

**ATTACHMENT A**

policies for that area. By properly following those plans at the site design stage and working together with the Redevelopment Agency, any future development will be able to remain consistent with the Airport Plan and meet the goals set out in the Redevelopment Plan. With these mitigation measures, the proposed rezoning will pose a less than significant impact to any other existing land use plan or policy.

**5. Agricultural Resources**

*Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?	X				

The project area is not agricultural in nature nor are the properties that surround it. Any type of development proposed under current or proposed plans will not affect agricultural operations.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	X				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

As the project area has been highly disturbed over the past century, little to no items of cultural significance are expected to remain on the site. The development on-site is of no historic value.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?		X			

**ATTACHMENT A**

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The existing single-family houses could potentially be torn down and replaced with multi-family units. While this would result in a loss of at least two existing units, as many as 20 units could replace them, resulting in a modest net growth in new units.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?	X				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	X				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X				

The project site is not scenic, nor is obstructing any scenic resource. The proposed rezoning will not alter that fact.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
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?	X				

The number of new residential units created by the proposed rezoning would remain a small percentage of the overall number of residential units located in that region. As such, any increased usage by future residents would not reach levels as to accelerate the deterioration of existing recreational facilities. Additionally, the project area is located across the street from Grace Hudson School, which would permit future residents to utilize the school grounds during periods when the school would not be in session. Measures detailed in Section 13 of this checklist can further minimize the impact to recreational facilities.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?		X			
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The project area is already being utilized in a manner similar to what the proposed rezoning would envision for the area. As such there would be little to no change to cumulative impacts to air quality from the marginal number of additional pollutant sources possible under a rezoning.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?		X			
b. A significant increase in transportation-related energy use?		X			

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level. If a redevelopment project does occur subsequent to the rezoning, it would more than likely be more energy efficient than what currently exists on-site.

The proposed site is situated near two Mendocino Transit Agency bus lines and as a result, future residents would not be totally dependent on personal vehicles for access. The siting of additional residential units in this area would also take advantage of the site’s close proximity to an elementary school and a few commercial establishments. As a consequence, fewer vehicular trips (along with their requisite energy needs) would be generated when compared to a similar project further out.

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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)		X			
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed project would not significantly impact transportation patterns along South State Street. Rezoning would simply reflect the status quo for the area and only marginally increase land use from the properties themselves, insignificantly increasing traffic usage. Careful site access design elements (such as locating curb cuts) during the design stage would further ensure that the safety of both future residents and future users of Fircrest and Dora Streets would not be adversely impacted.

Furthermore, the proposed site is situated near two Mendocino Transit Agency bus lines and as a result future residents would not be totally dependent on personal vehicles for access. The situating of additional residential units in this area would also take advantage of the site's close proximity to an elementary school and a few commercial establishments. As a consequence fewer vehicular trips onto State Street would likely be generated when compared to a similar project further out.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?		X			
d. Parks?			X		
e. Other public facilities?		X			

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Rezoning the subject area R-3 will not fundamentally alter the fact that this area already contains a number of high-density residential housing units. These units already pose impacts on public services and marginally increasing the number of new units will not significantly change this. On the subject properties, these impacts could be reduced by following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

Though the subject area is in close proximity to recreational opportunities offered by the facilities of Grace Hudson School, the inclusion of an on-site playground and/or common area could reduce any future development's impact on that site, as would some form of developer's fee (assessed at the time of construction) to fund the public park system. Either option when combined with the fact that the overall number of new residential units theoretically possible under the new zoning would remain only a small percentage of the total number of the units in that area demonstrate that this impact would be less than significant.

Other impacts from this project would be less than significant, regardless of whether or not the subject area is redeveloped.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?		X			
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?		X			
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X			
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?		X			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

The rezone area already utilizes these services to a certain extent and as little additional development is likely to arise out of the proposed rezone, little to no additional impacts are likely to arise. A redevelopment project will not significantly alter that impact.

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**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site or off.

The project is located within the D zone of the Airport Land Use Plan and is situated more than one half mile west of the Ukiah Municipal Airport, well away from any established flight paths. Only minor noise impacts would be posed resulting from aviation operations with no land use limitations as per the Airport Plan.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.



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**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?		X			
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?	X				

The proposed rezone is situated along a couple hundred feet from a significant thoroughfare (South State Street) and more than a half mile from Ukiah Municipal Airport. Both would subject any future inhabitants of the site to somewhat elevated noise levels from vehicular and aviation traffic. Both impacts could be well mitigated at the design and construction stage of any future project by mandating the use of sound dampening/insulating windows as well as other design features that would lessen the effect of outside noise.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature. A redevelopment project could likely result in more sound-proofed residential units than currently exist and therefore could be considered a beneficial impact.

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X  REFERRAL     X  STAFF REPORT

HEARING OR DUE DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** R 2-2007

**APPLICATION TYPE:** Rezone

**OWNER:** Various

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** Rezone to R-3, Multi-family

**LOCATION/STREET ADDRESS:** South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19.

**ASSESSOR'S PARCEL NOs:**

184-120-09	184-120-11	184-110-20
184-120-10	184-110-19	184-110-21

**PARCEL SIZES:** .5 acre to 2 acres

**PROJECT SITE SIZE:** 8.13 acres

**GENERAL PLAN:** Suburban Residential

**ZONING:** SR

**SUPERVISORIAL DISTRICT:** 5th

**EXISTING USES:**

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	Residential	R1	.1 to .5 acres	
<b>EAST:</b>	Commercial	C1 and C2	2 to 20 acres	
<b>WEST:</b>	Suburban Residential	SR	.25 to 5 acres	
<b>SOUTH:</b>	Commercial	C1	2 acres	

**Other Information: Located in Airport Zone B2**

<b>TOWNSHIP:</b> Yokayo Rancho	<b>RANGE:</b>	<b>SECTION:</b>	<b>USGS QUAD:</b>
<b>ASSESSOR'S PARCEL NO:</b> 184-120-09, 184-120-10, 184-120-11, 184-110-19, 184-110-20, 184-110-21			
<b>PROJECT COORDINATOR:</b> Phil Gorny	<b>PREPARED BY:</b> Patrick Ford	<b>DATE:</b> 8/7/06	

## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed rezone area constitutes mostly lands that are already developed along with one vacant parcel. One of the occupied parcels is used for multi-family residential purposes with the remainder being used as large-lot rural residential. Rezoning the subject parcels would not create drastic changes on the properties currently being used as residences. Only the vacant property would be likely to see any form of new construction activity as a consequence of this particular rezoning. Likewise, this rezoning would pose few if any significant environmental impacts.

It should be noted that any future development on the vacant parcel would likely be connected to the fate of the larger single-family residential project that is proposed immediately to the west of the project site (and not part of this rezoning project). The likely impacts of that development project would be covered under its own EIR and are beyond the scope of discussion here.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input checked="" type="checkbox"/> Ukiah Valley Area Plan <input checked="" type="checkbox"/> Redevelopment Area (central portion)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> ( <i>applies in &amp; out of Coastal Zone</i> )	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input checked="" type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport: Ukiah Municipal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	Hazards: 1 mile from Mayacama Fault
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazard/Landslides Map</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Flood Zone</b>	<input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)- <b>CDF#</b> <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input checked="" type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDDB "Rare Finds"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDDB "Rare Finds"

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <u>Botanical Survey NCRM</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWCID)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite Provider name: Willow Water District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Ukiah Valley Sanitation District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Urban Area <input type="checkbox"/> Rural Area	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/submerged/tide/public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____



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**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately one mile from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?			X		
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X		
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?			X		
j. Inundation by seiche, tsunami, or mudflow?	X				

The northern portion of the proposed rezone does lie within the 100-year flood plain of one of the tributary drainages into the Russian River (Cleland Creek) and as such could pose significant impacts to any future development permitted under this rezoning. A Botanical Survey of the site recommends enhancement of the minimal riparian corridor and protection during design review. Most of the project area does lie outside of the flood zone, careful site design by a future developer could reduce the impact to any future inhabitants to a less than significant level, as well as protect water quality.

Proper adherence to RWQCB guidelines on site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area during the construction phase.



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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?			X		
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?		X			
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

Most of the proposed rezone consists of highly disturbed lands and as such lacks any form of habitat for native or endangered flora and fauna. The southern-most parcel (approximately 40% of the total area) is currently vacant. The Natural Diversity Database indicated that no threatened or endangered species were likely to be located there. Any change in land use would most likely not change this significantly. It should be noted however, that by utilizing this land more intensively, land elsewhere would be less likely to be converted from agricultural or open space uses.

As noted in the Botanical Survey, the northern-most parcel has a portion of Cleland Mountain Creek going through it that has been impacted by previous development. NRCM recommends that future development on the site take the opportunity to restore/enhance the riparian vegetation near the creek.

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**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject sites from Suburban Residential to R-3 Residential could potentially pose conflicts with existing plans. Specifically, this site is also part of the Mendocino County Airport Comprehensive Land Use Plan, which sets development criterion for any future uses, including residential. By properly following those plans at the site design stage, any future development will be able to remain consistent with the Airport Plan. As a consequence, the proposed rezoning will pose a less than significant impact to any other existing land use plan or policy.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This area is not located in an agricultural preserve of any type nor is actively being cultivated. Areas to the east, west and north have already transitioned to suburban or urban uses, while currently adopted plans already allow non-agricultural uses for the subject properties and those to the south. This rezoning would simply permit more intensive levels of non-agricultural usage than are currently permissible. As a result, this rezoning would pose a less than significant impact to agricultural resources.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			

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c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			
d. Disturb any human remains, including those interred outside of formal cemeteries?		X			

As the project area has been highly disturbed over the past century, little to no items of cultural significance are expected to remain on the site. The development on-site is of no historic value, with some of it in poor condition.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?		X			
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. Those densities however would not pose significant impacts to existing infrastructure, nor spur additional growth on adjacent properties.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?	X				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X			
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		X			
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		

The project site is not scenic, nor is obstructing any scenic resource. The proposed rezoning will do little to alter that fact.

New sources of light or glare from this rezone project will be mitigated by the use of downward-directed street lighting and other treatments as needed.

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**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
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?	X				

The number of new residential units created by the proposed rezoning would remain a small percentage of the overall number of residential units located in that region. As such, any increased usage by future residents would not reach levels as to accelerate the deterioration of existing recreational facilities. Measures detailed in Section 13 of this checklist can further minimize this impact.

**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?		X			
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The project area is already being utilized in a manner similar to what the proposed rezoning would envision for the area. As such there would be little to no change to cumulative impacts to air quality from the marginal number of additional pollutant sources possible under a rezoning.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

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Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level. If a redevelopment project does occur subsequent to the rezoning, it would more than likely be more energy efficient than what currently exists on-site.

The proposed site is situated along two Mendocino Transit Agency bus lines and as a result, future residents would not be totally dependent on personal vehicles for access.

### 12. Transportation/Traffic

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)		X			
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning would not significantly impact transportation patterns along South State Street. Though allowable land use intensity would increase in this area, the overall number of new vehicles added would be insignificant when compared to the total traffic volumes for that area. Careful site access design elements (such as locating curb cuts) during the design stage would further ensure that the safety of both future residents and future users of South State Street would not be adversely impacted.

### 13. Public Services

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?		X			

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d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

Additionally, the introduction of a sizable number of units in an area with few recreational opportunities (parks) can be detrimental to the future residents and could adversely impact the neighboring properties. The inclusion of an on-site playground and/or commons area could mitigate this issue. So too would some form of developer's fee (assessed at the time of construction) to fund the public park system. Either option when combined with the fact that the overall number of new residential units theoretically possible under the new zoning would remain only a small percentage of the total number of the units in that area demonstrate that this impact would be less than significant.

Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?	X				
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X			
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?		X			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

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The rezone area already utilizes these services to a certain extent, though the introduction of a multi-family unit on the open southern parcel may increase utility service demands somewhat. This increase however would be small and not represent a significant impact to overall utility demands.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.			X		
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence (on-site). The project area is located just under 2000 feet from a known Superfund site, though any impact from its location should remain negligible to future development.

This project would however fall within the B2 zone of the Airport Land Use Plan. Situated approximately one mile from the southern portion of the Ukiah Municipal Airport, this site would be impacted by noise from aviation operations and subject to land use limitations as per the Airport Plan. Those would include overall residential density, site layout and open space percentage requirements. By properly adhering to those standards at the design stage and

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requiring sound-insulating windows at the time of construction, impacts from airport operations can be reduced to a less than significant level.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?			X		
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?	X				

The proposed rezone is situated along a significant thoroughfare (South State Street) and in close proximity to US-101 and as a consequence would subject any future inhabitants of the site to somewhat elevated noise levels from vehicular traffic. This site is also located in the B2 zone of the Ukiah Municipal Airport, which would further subject the inhabitants to noise emanating from low-flying aircraft. Both impacts could be mitigated to a less than significant level at the design and construction stage of any future project by mandating the use of sound dampening/insulating windows as well as other design features that would lessen the effect of outside noise.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents as any future use would be strictly residential in nature.



**ATTACHMENT A**

REFERRAL     STAFF REPORT

**HEARING OR DUE DATE:** November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** R 2-2007

**APPLICATION TYPE:** Rezone

**OWNER:** Ronald Rosetti

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** Rezone to R-3

**LOCATION/STREET ADDRESS:** In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175.

**ASSESSOR'S PARCEL NO:** 048-230-27

**PARCEL SIZES:** 3.14 acres    **PROJECT SITE SIZE:** Same

**GENERAL PLAN:** SR

**ZONING:** SR

**SUPERVISORIAL DISTRICT:** 5th

**EXISTING USES:**

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	Commercial, Suburban Residential	SR	.25 to 20 acres	Residential and grazing
<b>EAST:</b>	Commercial, Agricultural	SR	.25 to 20 acres	Residential
<b>WEST:</b>	Suburban Residential	SR	.25 to 20 acres	Residential
<b>SOUTH:</b>	Rural Residential	SR	.25 to 20 acres	Residential
<b>Other Information:</b>				
<b>TOWNSHIP:</b>	<b>RANGE:</b>	<b>SECTION:</b>	<b>USGS QUAD:</b>	
<b>ASSESSOR'S PARCEL NO:</b> 048-230-27				
<b>PROJECT COORDINATOR:</b> Phil Gorny		<b>PREPARED BY:</b> Patrick Ford		<b>DATE:</b> 11-22-06

## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed rezone area constitutes an undeveloped parcel, on the valley floor. It is located within Hopland Public Utility District and has an active water connection. It is currently zoned as SR, and surrounded by a mix of single- and multi-family housing. Although zoned for residential uses, the current use is a vineyard.

**ATTACHMENT A**

*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input checked="" type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport: Ukiah Municipal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 1 mile from Mayacama Fault
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)- <b>CDF#</b> <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> <i>(housing, school, care)</i>	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input checked="" type="checkbox"/> Russian River <input type="checkbox"/> Coastal <i>(coastal resources data)</i>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources:





**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?		X			
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?		X			
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?			X		
f. 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?	X				
g. 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?	X				

The project area is located adjacent to the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

The Rosetti parcel area is located on the valley floor and potentially could be prone to liquefaction.

**ATTACHMENT A**

**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?			X		
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?		X			
f. Otherwise substantially degrade water quality?			X		
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?	X				

The 100-year flood zone passes through the southeastern corner of the site, and the lack of slopes on the valley does permit water to pond during periods of excessive rain. Dooley Creek passes near that portion of the site and **it is required that all development be kept at least 75 feet from the creek edge to protect water quality.** Proper adherence to RWQCB guidelines on site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area.

**ATTACHMENT A**

**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?			X		
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			
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?		X			
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X			
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area is a mix of vacant land within and adjacent to previous developed residential lands. The Rosetti parcel is bordered by residential structures to the northeast, and west.

A review of the Natural Diversity Data base indicates that no endangered or threatened species are likely to be found on the property. A Botanical Survey has identified the riparian corridor of Dooley Creek as an opportunity for restoration that must be addressed in design review.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?	X				
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?		X			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				



**ATTACHMENT A**

Rezoning the subject area from Suburban Residential to R-3 Residential would pose few conflicts with existing plans.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This site is currently zoned for single-family residential, non-agricultural in nature and is surrounded by non-agricultural land uses.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X			
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

Though this area has never seen large-scale urbanization, it does have a long history of cultivation and a limited number of residential and non-residential structures constructed on site. A Level One Archaeological Survey, conducted by Archaeological Resource Service, found a scattering of artifacts and determined the risk of disturbing an actual archaeological site is low. However, **the use of an archaeological monitor during construction** is recommended as project mitigation. There are no historic or geological resources of note on the parcel and no record of human interment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		

**ATTACHMENT A**

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. The small size of the rezoned area and limiting number of environmental constraints, full build-out at R-3 densities would not induce a significant amount of new residential units to be constructed. No residents would be displaced from the existing area if it were developed.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X			
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		X			
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject areas do not contain scenic resources, so the transitioning of the site multi-family residences would not represent a significant impact on visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities in an area lacking of even basic facilities. Thus the impact (without any mitigation) on recreational facilities is potentially significant. Mitigation for these impacts could include paying a park impact fee or the development of a pocket park on-site for the use of potential residents.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from agriculture to residential could pose air quality impacts due to the increased use of motor vehicles. Even though the amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility or service, but is adjacent local commercial services. Development of this site would represent a less than significant increase in transportation-related energy usage.

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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)		X			
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X		
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		
e. Result in inadequate emergency access?			X		
f. Result in inadequate parking capacity?			X		
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning could potentially impact transportation patterns around the Old Hopland area. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of the Old Hopland area street network.

From the standpoint of road capacity, any development induced by rezoning would introduce an insignificant number of vehicle trips onto the local street network. At this time, this network continues to have capacity to handle the increased number of vehicles generated by the rezoning.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?		X			
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact

**ATTACHMENT A**

police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

This development would be located in an area with no recreational opportunities and therefore would require on-site recreational facilities or the payment of park impact fees to reduce any negative impacts to existing recreational facilities.

Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

This project site has a connection to water and sewer infrastructure and poses less than significant impacts to these services. Water conserving site design and landscape measures will lessen the impacts on the area's limited water situation.

The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

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**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?		X			

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The Rosetti site is not at risk from wildland fires.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				

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d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?	X				
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?	X				

The proposed rezone is not in an area subject to elevated ambient noise levels and would not permit the introduction of new sources of excessive noise.

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X  REFERRAL     X  STAFF REPORT

**HEARING DATE:** November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:** County of Mendocino, J. Luis Castanon

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street.

**ASSESSOR'S PARCEL NOS:**

048-230-10	048-230-28
------------	------------

**PARCEL SIZES:** 1.23 acres, .15 acre

**PROJECT SITE SIZE:** 1.38 acres

**GENERAL PLAN:** PS-Public Services, C

**ZONING:** PF- Public Facilities, C1

**SUPERVISORIAL DISTRICT:** District 2

**EXISTING USES:** Mendocino Corporation Yard

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	SR	SR	Under 1 acre	Multi-family residential
<b>EAST:</b>	SR	SR	1.2 acres	Single-family residential
<b>WEST:</b>	C	C1	Under 1 acre	Commercial
<b>SOUTH:</b>	C	C1	Under 1 acre	Residential
<b>Other Information</b>				
<b>TOWNSHIP:</b> Hopland <b>RANGE:</b> <b>SECTION:</b> <b>USGS QUAD:</b>				
<b>ASSESSOR'S PARCEL NOS:</b> 048-230-10, 048-230-28				
<b>PROJECT COORDINATOR:</b> Phil Gorny <b>PREPARED BY:</b> Diana Hershey <b>DATE:</b> 9/27/07				



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### GENERAL OBSERVATION:

The proposed area is currently undeveloped; however, multi-family residential development already exists to the east. Hwy. 175 runs along the northwestern side of the parcel and provides good access to the parcel, with additional access provided by Harrison and McDowell Streets to the southwest and west. Water and sewer are potentially available from Hopland Public Utility District. The site is within walking distance to a local store.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines (applies in &amp; out of Coastal Zone)</b>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport: Ukiah Municipal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone Earthquake Fault Zone</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses (housing, school, care)</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input checked="" type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input checked="" type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources:

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWCID)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite Provider name: Hopland Public Utility District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Hopland Public Utility District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____



**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located more than one mile from the Mayacama Fault and ten miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. With proper adherence to earthquake safety codes at the design and construction stage, any minor risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?		X			
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?		X			

The subject site is a level site located ¼ mile from Dooley Creek and out of the 100-year floodplain. The lack of slopes on the site does permit water to pond during periods of excessive rain, and the 500-year floodplain passes through the site. New development on the site should be elevated above the floodplain to avoid future problems on the site. Proper adherence to RWQCB guidelines on site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area.

**ATTACHMENT A**

**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?		X			
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

No listed plant species were found on this site, however, the Botanical Survey of the site identified a large Valley Oak (18" DBH) at the western border of the property that should be protected during any future development.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from PC to Multi-family Residential would bring the parcel into conformity with existing uses on the northern parcel. Affordable housing is a great need in the

**ATTACHMENT A**

Hopland area, and the Mendocino Department of Transportation does not currently use the yard because the noise associated with yard use is objectionable to surrounding property owners.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?		X			
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This site is currently zoned for Public Service uses. No agricultural uses are existing or planned for this site.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

This area has been impacted by heavy road equipment and is essentially a disturbed site. Consequentially, the risk of disturbing intact archaeological resources is low. A Level 1 Archaeological Survey conducted in Aug.-Sept. 2007 found not artifacts on the undisturbed portions of the site and the probability of further resources being discovered was determined to be low. There are no historic or geological resources of note on any of the parcels and no record of human internment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		



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b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. With the small size of the rezoned area, full build-out at R-3 densities would induce a small number of new residential units to be constructed. No existing residents would be displaced from the area if it were developed because it is currently undeveloped.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, and transitioning the area east of Hwy. 175 from vacant to multi-family residences, would not represent a significant impact on visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from vacant to residential could pose air quality impacts due to the increased use of motor vehicles. Even though the amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility, but it faces Hwy. 175. It is also within walking distance to rural commercial locations and services. Any development (single- or multi-family) could represent an insignificant increase in transportation-related energy usage.

**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		

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b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning would not appreciably increase intensities of use on Hwy. 175, although the overall number of new vehicles trips would be expected to rise. This impact could be significant if not mitigated at time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of Hwy.175 would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a number of vehicle trips onto Hwy. 175. When combined with other possible developments in this area (proposed and/or possible) the impact of this rezoning could have impacts that are cumulatively significant. As a consequence, any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to handle the cumulative increase in traffic volumes.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be Police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

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Additionally, this project when combined with other proposed and possible projects would also represent an impact to school facilities that could be considered cumulatively significant, and therefore school impact fees would need to be assessed.

This development would be located in an area with little recreational opportunities and the density associated with multi-family residential could potentially impact existing recreational facilities. As with school impacts, impacts to park and recreation facilities would be mitigated with park impact fees. Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X			
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

Both parcels have existing water and sewer services from the Hopland Community Utility District.

The project would however, pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				

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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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The project area is not located near a known Superfund site, or other hazardous materials site.

The parcels comprising the project site has fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				

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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?	X				
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?	X				

The proposed rezone is situated along Hwy 1 and as a consequence would subject any future inhabitants of the site to elevated noise levels from vehicular traffic associated with this regional corridor. However if proper noise guidelines (including insulation noise buffers etc.) are followed during construction, the noise can be mitigated to a less than significant level.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

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X REFERRAL    X STAFF REPORT

HEARING DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:**        GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:**         Natasha Vickers

**APPLICANT:**    County of Mendocino

**AGENT:**         Mendocino County Planning Team

**REQUEST:**      General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437.

**ASSESSOR'S PARCEL NO:**

069-310-44

**PARCEL SIZES:** 5.5 acres

**PROJECT SITE SIZE:** 5.5 acres

**GENERAL PLAN:** RL 160

**ZONING:** RL

**SUPERVISORIAL DISTRICT:** 4th

**EXISTING USES:**

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	C	C1	2.4 acres	Vacant
<b>EAST:</b>	RR	RR1	2.7	Mobile Home park
<b>WEST:</b>	RV	RV	.59 acres	Vacant
<b>SOUTH:</b>	RL160	RL	13.66 acres	Rangeland
<b>Other Information:</b>				
<b>TOWNSHIP: 19N                    RANGE: 17W                    SECTION:                    USGS QUAD:</b>				
<b>ASSESSOR'S PARCEL NO:</b> 069-310-44				
<b>PROJECT COORDINATOR:</b> Phil Gorny <b>PREPARED BY:</b> Diana Hershey <b>DATE:</b> 9/27/07				

## **ATTACHMENT A**

### **GENERAL OBSERVATION:**

The proposed area is currently undeveloped; however, a multi-family residential development already exists to the east. Hwy. 1 runs along the western side of the parcel and provides good access to the parcel, with additional access provided from Mill Creek Drive to the south. No water or sewer districts are available, and services would have to be developed on-site.



**ATTACHMENT A**

*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input checked="" type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input checked="" type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input checked="" type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDB "Rare Finds" -- possibility of Western Snowy Plover and Deceiving Sedge
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDB "Rare Finds" -- possibility of Western Snowy Plover and Deceiving Sedge

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWCID)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Community or offsite Provider name: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input checked="" type="checkbox"/> Septic system <input type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Ukiah Valley Sanitation District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input checked="" type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____



**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located over twenty miles from the Mayacama Fault and the San Andreas Fault. Both systems are capable of generating damaging earthquakes. Distance from these faults will protect the site, however, with proper adherence to earthquake safety codes at the design and construction stage, any minor risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?		X			
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?		X			

The subject site is a level site located .63 miles away from the immediate coast and .56 miles away from Mill Creek, and therefore at little risk of flooding.

**ATTACHMENT A**

**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?			X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?			X		
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area is currently vacant and registers as a possible site for Deceiving Sedge (*Carex salilifolia*) in the Rare Finds database. A Botanical Survey of the site would need to be done and site design will need to protect any plants discovered on the site. The site is also listed as a possible for Western Snowy Plover (*Charadrius alexandrinus nivosus*) and a biological evaluation would need to be completed and any nesting sites etc. protected by proper site design.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

## ATTACHMENT A

Rezoning the subject area from C to Multi-family Residential would simply bring the parcel into conformity with existing uses on surrounding parcels. Surrounding sites are currently being used for multi-family residential (Mobile Home Park) and other residential uses.

### 5. Agricultural Resources

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?		X			
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?		X			
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This site is currently partially developed, but zoned for commercial uses. No agricultural uses are existing or planned for this site.

### 6. Cultural Resources

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

Though this area has never seen large-scale urbanization, a limited number of residential and non-residential structures have been constructed around the site. Consequentially, the risk of disturbing archaeological resources is low. There are no historic nor geological resources of note on any of the parcels and no record of human interment.

### 7. Population and Housing

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		

**ATTACHMENT A**

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. With the small size of the rezoned area, full build-out at R-3 densities would induce a small number of new residential units to be constructed, and a less than significant impact would result. No existing residents would be displaced from the area if it were developed because it is currently undeveloped.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, and transitioning the area east of Hwy 1 from vacant to multi-family residences, would not represent a significant impact on visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities.



**ATTACHMENT A**

**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from vacant to residential could pose air quality impacts due to the increased use of motor vehicles. The amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount somewhat.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility but it faces Hwy 1. It is also within walking distance to commercial locations and services. Any development (single- or multi-family) could represent a less than significant increase in transportation-related energy usage.

**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		

**ATTACHMENT A**

b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e.	Result in inadequate emergency access?		X			
f.	Result in inadequate parking capacity?		X			
g.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning would not appreciably increase intensities of use on Hwy. 101, although the overall number of new vehicles trips would be expected to rise. This impact could be significant if not mitigated at time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of Hwy.1 would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a number of vehicle trips onto Hwy. 1. However any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to handle any cumulative increase in traffic volumes.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

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Because infrastructure development will be on-site, density of R-3 development will not be at maximum density. Therefore impacts to schools and park facilities will be minimal and can be mitigated by the payment of impact fees to those public facilities.

Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

The proposed rezone of this project site would require the development of on-site water and sewer, which would limit the potential density allowable. The property is in a "Marginal Water Resource" coastal ground water area, and will require proof of water for build-out.

The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				

**ATTACHMENT A**

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The project area is not located near a known Superfund site, or other hazardous materials site.

The project site has fire protection from the local fire department and is at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				

**ATTACHMENT A**

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?	X				
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?	X				

The proposed rezone is situated along Hwy 1 and as a consequence would subject any future inhabitants of the site to elevated noise levels from vehicular traffic associated with this regional corridor. However if proper noise guidelines (including insulation, noise buffers, etc.) are followed during construction, the noise can be mitigated to a less than significant level.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

**ATTACHMENT A**

X  REFERRAL     X  STAFF REPORT

HEARING DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:** Betty Erbes, Chuck Ream, Cecil Caldwell, Lee Bryant

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490.

**ASSESSOR'S PARCEL NOS:**

007-031-08	007-031-11
007-031-09	007-031-12
007-031-10	

**PARCEL SIZES:** Varies: 3.48, .23, .26, .25 .26

**PROJECT SITE SIZE:** 4.49 acres

**GENERAL PLAN:** Ag 40

**ZONING:** Ag

**SUPERVISORIAL DISTRICT:** 3rd

**EXISTING USES:**

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	Ag. 40	Ag	11.9 acres	Recreational, City of Willits
<b>EAST:</b>	Ag. 40	Ag	3.95 acres	Rural residential
<b>WEST:</b>	Ag. 40	Ag.	.59 acre	Single-family residential
<b>SOUTH:</b>	Ag. 40	Ag	11.8 acres	Ag.

**Other Information:** Baechtel Creek runs through a portion of the property and must be preserved and protected during future development.

**TOWNSHIP:** 18N      **RANGE:** 14W      **SECTION:**      **USGS QUAD:**

**ASSESSOR'S PARCEL NO:** 007-031-08, 007-031-09, 007-031-10, 007-031-11, 007-031-12

**PROJECT COORDINATOR:** Phil Gorny      **PREPARED BY:** Diana Hershey      **DATE:** 10-02-06

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### GENERAL OBSERVATION:

The proposed area is largely undeveloped, and residential developments already exist to the west and to the southwest. East Valley Street provides good access to the parcels, which are annexable to the City of Willits water and sewer districts.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
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YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input checked="" type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 10 miles from Mayacama Fault
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Flood Zone</b>	<input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> <i>(housing, school, care)</i>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input checked="" type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input checked="" type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input type="checkbox"/> Coastal <i>(coastal resources data)</i>	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources:



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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite Provider name: Willits Water District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Willits Sewer District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Urban Area <input type="checkbox"/> Rural Area	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____



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**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately ten miles from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?			X		
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X		
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?			X		
j. Inundation by seiche, tsunami, or mudflow?	X				

The subject site is a level area located within the 100-year floodplain of the drained Little Lake basin. This area has been farmed then developed for residential uses. Any structures should be elevated above floodplain level and therefore mitigated to a less than significant impact.

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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?	X				
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area is agricultural in character, but is in transition to residential uses. Though the land is vegetated, that vegetation is not native or even naturally occurring. A review of the Natural Diversity Data base indicates that no endangered or threatened species are likely to be found on the property.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from Ag. to R-3 Residential could pose limited conflicts with existing plans. However the surrounding sites are currently being used for residential uses and the General Plan and zoning needs to be changed to reflect actual uses.

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**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?			X		
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This area is in transition from agricultural uses. Most of the subject sites are less than one acre and can no longer be successfully farmed. A couple of residential housing units and several out buildings were observed as well. It should be noted that this property is not under Williamson Act protection nor are any of the surrounding lands. Non-agricultural uses, including recreational uses for the City of Willits, surround these parcels.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

Though this area has never seen large-scale urbanization, it does have a long history of cultivation and a limited number of residential and non-residential structures constructed around the site. Consequentially, the risk of disturbing archaeological resources is low. There are no historic or geological resources of note on any of the parcels and no record of human interment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?		X			
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				

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c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				
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The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. With the size of the rezoned area, full build-out at R-3 densities could induce up to 145 new residential units to be constructed. However, few if any existing residents would be displaced from the existing area if it were developed.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, and transitioning the 5 acres from an agrarian setting to single- and multi-family residences would not represent a significant impact on the visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities. However, the site is adjacent to the recreational facilities for the City of Willits, and thus the impact on recreational facilities is less than significant.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from agriculture to residential could pose air quality impacts due to the increased use of motor vehicles. The amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount to a less than significant impact.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is situated within walking distance of transportation service and it is near several commercial locations. As a consequence, any development (single- or multi-family) would represent a less than significant increase in transportation-related energy usage.



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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning could potentially impact transportation patterns along East Valley Street. As allowable land use intensity increases in this area, the overall number of new vehicles trips would be expected to rise. This impact could be significant if not mitigated at time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of East Valley Street would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a number of vehicle trips onto East Valley Street. As a consequence, any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to handle the cumulative increase in traffic volumes.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational

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availability. Inappropriately designed multi-family structures, when combined with poor site management, frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

The project would also represent an impact to school facilities and school impact fees should be assessed to reduce the impacts to less than significant.

This development would be located in an area with recreational opportunities and no undue negative impacts to existing recreational facilities would be created by this project. In addition, other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

The proposed rezone of this project site would require the development of on-site water infrastructure because the Willits Water District is under moratorium at this time. However, the Willits Sewer District could be extended to serve development on this site. Due to the small size of the project site and the necessity of on-site water development, the impacts to utility systems will be less than significant.

The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

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**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The project area is not located near a known Superfund site, or other hazardous materials sites.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		

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b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?		X			
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?	X				

The proposed rezone is situated along a quiet rural road, and as a consequence would not subject any future inhabitants of the site to elevated noise levels from vehicular traffic.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

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X  REFERRAL     X  STAFF REPORT

**HEARING DATE:** November 1, 2007

**PROJECT INFORMATION:**

**CASE NO:**     GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:**        Vonweien Trust, Nazarene Church Advisory Board

**APPLICANT:**    County of Mendocino

**AGENT:**         Mendocino County Planning Team

**REQUEST:**      General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490.

**ASSESSOR'S PARCEL NOs:**

007-220-05	007-220-07
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**PARCEL SIZES:** 53.5 acres, .39 acre

**PROJECT SITE SIZE:** 6.13 acres

**GENERAL PLAN:** RL 160

**ZONING:** RL

**SUPERVISORIAL DISTRICT:** 3rd

**EXISTING USES:**

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	City Zoning	City Zoning	1.8 acres	Commercial
<b>EAST:</b>	City Zoning	City Zoning	Less than ½ acre	Single-family residential
<b>WEST:</b>	SR	SR	10.4 acres	Single-family residential
<b>SOUTH:</b>	RL160	RL	13.66 acres	Rangeland

**Other Information:** Parcels are just outside City of Willits boundary and could be annexed to the sewer district.

**TOWNSHIP:** 18N                      **RANGE:** 14W                      **SECTION:**                      **USGS QUAD:**

**ASSESSOR'S PARCEL NO:** 007-220-05, 007-220-07

**PROJECT COORDINATOR:** Phil Gorny                      **PREPARED BY:** Diana Hershey                      **DATE:** 10-02-06

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### GENERAL OBSERVATION:

The proposed area is currently undeveloped, however, residential and commercial developments already exist to the north, east and to the west. Hwy 101 provides good access to the parcels, which are annexable to the City of Willits Sewer District. Water would need to be developed on-site since the water district is under a moratorium.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
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YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> ( <i>applies in &amp; out of Coastal Zone</i> )	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 10 miles from Mayacama Fault
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input checked="" type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Watershed</b> <input checked="" type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Agriculture Preserve:</b>	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDDB "Rare Finds" -- possibility of Baker's Meadowfoam on lower portion of site, <b>not in the area suggested for rezoning.</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDDB "Rare Finds"

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YES	NO	ISSUE	DETAIL
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Community or offsite Provider name: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Willits Sewer District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Urban Area <input type="checkbox"/> Rural Area	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/submerged/tide/public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____





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**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately ten miles from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?		X			
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?	X				

The subject site is a level area located well above the 100-year floodplain of Baechtel Creek and therefore in no danger of flooding.

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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?			X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?	X				
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area is currently used as rangeland, however the lower part of the site registers as a population of Baker’s Meadowfoam in the CNDDDB “Rare Finds” database. A Botanical Survey of the upland portion of the site would need to be done to ensure the plant is not on the upland portion.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from RL160 to R-3 Residential would simply bring the parcel into conformity with existing uses on surrounding parcels. Surrounding sites are currently being

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used for residential and commercial uses and the General Plan and zoning designations need to be changed to reflect actual uses.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?			X		
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This area is in transition from rangeland uses. The whole site is currently in Williamson Act land, but the owner wants to transition the portion near the Highway out of the Act. The portion of the site proposed for rezoning is elevated and separated from the bulk of the rangeland area. It is adjacent to Hwy 101 and near other services important to Multi-family Residential densities.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

Though this area has never seen large-scale urbanization, it does have a long history of cultivation and a limited number of residential and non-residential structures constructed around the site. Consequentially, the risk of disturbing archaeological resources is low. There are no historic or geological resources of note on any of the parcels and no record of human interment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?		X			

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b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. With the size of the rezoned area, full build-out at R-3 densities could induce a number of new residential units to be constructed. No existing residents would be displaced from the area if it were developed because it is currently undeveloped.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, and transitioning the area along Hwy 101 from a rangeland setting to multi-family residences would not represent a significant impact on visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from Rangeland to Residential could pose air quality impacts due to the increased use of motor vehicles. Even though the amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount somewhat.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is situated along the Willits to Ukiah MTA bus line. It is also within walking distance to commercial locations and services. However, any development (single- or multi-family) could still increase the use of transportation related energy.

**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		

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b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning would not appreciably increase intensities of use on Hwy. 101, although the overall number of new vehicle trips would be expected to rise. This impact could be significant if not mitigated at time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of Hwy.101 would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a number of vehicle trips onto Hwy. 101. When combined with other possible developments in this area (proposed and/or possible), the impact of this rezoning could have impacts that are cumulatively significant. As a consequence, any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to handle the cumulative increase in traffic volumes.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures, when combined with poor site management, frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.



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Additionally, this project, when combined with other proposed and possible projects, would represent an impact to school facilities that could be considered cumulatively significant. A school impact mitigation fee would be required to reduce development to a less than significant level.

This development would be located in an area with little recreational opportunities and the density associated with multi-family residential could potentially impact existing recreational facilities, therefore developers would be required to pay a school impact fee to reduce significance. Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

The proposed rezone of this project site would require the annexation to Willits Community Sewer District. The property currently has water from the Willits Water District; however, it is for a single-family residence, and it is unclear if this could be expanded for multi-family since Willits Water District is under moratorium at this time. However, if the sewer annexation takes place it would be possible to secure water from a well.

The project would however pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

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**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The project area is not located near a known Superfund site, or other hazardous materials site.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		

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b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?	X				
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?	X				

The proposed rezone is situated along Hwy 101 and as a consequence, would subject any future inhabitants of the site to elevated noise levels from vehicular traffic associated with this regional corridor. However, if proper noise guidelines (including insulation noise buffers etc.) are followed during construction, the noise can be mitigated to a less than significant level.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

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X REFERRAL    X STAFF REPORT

HEARING DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:** Anderson Valley Unified School District

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** General Plan Amendment to RCand Rezone to R-3

**LOCATION/STREET ADDRESS:** In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive.

**ASSESSOR'S PARCEL NO:**

029-450-22

**PARCEL SIZES:** 5± acres

**PROJECT SITE SIZE:** 5± acres

**GENERAL PLAN:** PS

**ZONING:** PF

**SUPERVISORIAL DISTRICT:** 5th

**EXISTING USES:**

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	RR	RR1	1.59 acres	
<b>EAST:</b>	RC	RC	19.2 acres	
<b>WEST:</b>	RC	C2	Less than 1 acre	
<b>SOUTH:</b>	RC	C2	C Less than 1 acre	
<b>Other Information:</b>				
<b>TOWNSHIP:</b> 13N <b>RANGE:</b> 14W <b>SECTION:</b> <b>USGS QUAD:</b>				
<b>ASSESSOR'S PARCEL NO:</b> 029-450-22				
<b>PROJECT COORDINATOR:</b> Phil Gorny <b>PREPARED BY:</b> Diana Hershey <b>DATE:</b> 10/3/07				

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### GENERAL OBSERVATION:

The proposed area is owned by the Anderson Valley Unified School District and is proposed for affordable teacher housing. No water or sewer districts are available, however the parcel has a well and a septic study has been completed for nine bedrooms. The School District has been unable to attract teachers because housing in Anderson Valley is not affordable.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input checked="" type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input checked="" type="checkbox"/> Zone B2 <input checked="" type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport: Boonville Airport
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> <i>(housing, school, care)</i>	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input checked="" type="checkbox"/> Coastal <i>(coastal resources data)</i>	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDB "Rare Finds"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDB "Rare Finds"

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: Russian River Flood Control and Water Conservation Improvement District (RRFCWCID)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Community or offsite Provider name: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input checked="" type="checkbox"/> Septic system <input type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: _____
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input checked="" type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____





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**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?		X			
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located over twenty miles from the Mayacama Fault and the San Andreas Fault. Both systems are capable of generating damaging earthquakes. Distance from these faults will protect the site, however, with proper adherence to earthquake safety codes at the design and construction stage, any minor risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?		X			
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?		X			

The subject site is a level site located away from any streams. Therefore the project site is at little risk of flooding.

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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?		X			
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?		X			
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?			X		
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area currently has been modified for school uses and has had prior ground disturbance. As per CNDDDB "Rare Finds," no listed species are expected to be found on the site.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from PS to R-3 Residential would allow the school district to provide housing for teachers and to enhance school objectives in teacher recruitment. A portion of the site is within the B2 zone of the Boonville Airport (a small local airport). Construction should avoid this zone.

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**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?	X				

This site is currently partially developed for the high school facilities. No agricultural uses are existing or planned for this site.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

This site has seen large-scale leveling for school uses and, consequentially, the possibility of disturbed archaeological resources is low. There are no historic or geological resources of note on the portion of the parcel recommended for rezoning and no record of human interment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X		

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The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. With the small size of the rezoned area, full build-out at R-3 densities would induce a small number of new residential units to be constructed. No existing residents would be displaced from the site if it were developed to full density.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, and developing the teacher housing would not negatively impact the visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities. However the school recreation facilities will be adequate to handle the small increase in demand.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from low density to higher density residential could pose air quality impacts due to the increased use of motor vehicles. The amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility but has access to Hwy. 128 via Mountain View Road. Housing teachers on the school site will reduce vehicle trips to work, though trips to services could increase. Any development (single- or multi-family) could represent an increase in transportation-related energy usage.

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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

Although the proposed rezoning would increase intensities of use on Estate Drive, this impact could be mitigated at the time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and current users of Estate Drive would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a number of vehicle trips onto the local road. However, the small number of proposed units would not pose a significant cumulative impact.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?		X			
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site

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layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

Development of this project site will require the development of on-site water and sewer. A potential increase in density allowable by the rezone could require additional expansion of the current on-site services. However a septic system study has been completed for 9 bedrooms. An on-site well will serve any development.

The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				



**ATTACHMENT A**

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The project area is not located near a known Superfund site, or other hazardous materials sites.

The project site has fire protection from the local fire department and is at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				

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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?	X				
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?	X				

The proposed rezone is not situated along Hwy 128 and as a consequence would not subject any future inhabitants of the site to elevated noise levels from vehicular traffic associated with this regional corridor. In addition, if proper noise guidelines (including insulation, noise buffers etc.) are followed during construction, any noise can be mitigated to a less than significant level.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

**ATTACHMENT A**

REFERRAL     STAFF REPORT

**HEARING DATE:** November 1, 2007

**PROJECT INFORMATION**

**CASE NO:**     GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:**        John Moffly & Lily Wu

**APPLICANT:**   County of Mendocino

**AGENT:**        Mendocino County Planning Team

**REQUEST:**     General Plan Amendment to RC and Rezone to R-3

**LOCATION/STREET ADDRESS:** In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road.

**ASSESSOR'S PARCEL NOS:**

046-060-46	046-060-49
046-060-47	046-060-50
046-060-48	

**PARCEL SIZES:** .46 acre, .25 acre, .12 acre, .06 acre, .61 acre     **PROJECT SITE SIZE:** 1.5 acres

**GENERAL PLAN:** RC

**ZONING:** C2

**SUPERVISORIAL DISTRICT:** 5th

**EXISTING USES:**

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	RC	C2	7 acres	
<b>EAST:</b>	RC	I1	13 acres	Lumber yard
<b>WEST:</b>	RC	C2	1.56 acres	Residence
<b>SOUTH:</b>	RC	I1	13 acres	Lumber yard
<b>Other Information:</b>				
<b>TOWNSHIP:</b> 14N <b>RANGE:</b> 14W <b>SECTION:</b> <b>USGS QUAD:</b>				
<b>ASSESSOR'S PARCEL NO:</b> 046-060-46, 046-060-47, 046-060-48, 046-060-49, 046-060-50				
<b>PROJECT COORDINATOR:</b> Phil Gorny <b>PREPARED BY:</b> Diana Hershey <b>DATE:</b> 9/28/07				

## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed area borders Hwy. 128 and has excellent access, in addition a mixed-use structure already exists with some multi-family residential use. No water or sewer districts are available and on-site services would need to be developed.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input checked="" type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> <i>(housing, school, care)</i>	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input checked="" type="checkbox"/> Coastal <i>(coastal resources data)</i>	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDB "Rare Finds" -- possibility of Coast Fawn Lily
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDB "Rare Finds" -- possibility of Western Snowy Plover and Deceiving Sedge

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: Coast Fawn Lily <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Community or offsite Provider name: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input checked="" type="checkbox"/> Septic system <input type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: _____
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____



**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?		X			
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located more than twenty miles from the Mayacama Fault and the San Andreas Fault. Both systems are capable of generating damaging earthquakes. Distance from these faults will protect the site; however, with proper adherence to earthquake safety codes at the design and construction stage, any minor risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.



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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?		X			
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?		X			
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			
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?		X			
j. Inundation by seiche, tsunami, or mudflow?		X			

The subject site is a level site located away from any streams. Therefore, the project site is at little risk of flooding.

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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?			X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?			X		
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area currently has mixed residential and commercial uses on it and has had prior ground disturbance. However, it registers as a possible site for Coast Fawn Lily (*Erythronium revolutum*) in the CNDDDB "Rare Finds" database. A Botanical Survey of the site would need to be done to insure the plant is not found on site. If found, **design review would require a site design that protects the plants and their habitat.**

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?		X			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject area from C2 to Multi-family Residential would simply bring the parcel into conformity with existing uses. The RC General Plan classification allows multi-family uses.

**ATTACHMENT A**

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?	X				

This site is currently partially developed, but zoned for commercial uses. No agricultural uses are existing or planned for this site.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

Though this area has never seen large-scale urbanization, a limited number of residential and non-residential structures have been constructed on the site. Consequently, the risk of disturbing archaeological resources is low. There are no historic or geological resources of note on any of the parcels and no record of human interment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X		

**ATTACHMENT A**

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. With the small size of the rezoned area, full build-out at R-3 densities would induce an insignificant number of new residential units to be constructed.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, and redeveloping the current structures would improve the visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created as a result of the rezoning will create an increased demand for recreational opportunities. A parks impact fee could be levied to reduce the significance of impact.

**ATTACHMENT A**

**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from low density to higher density residential could pose air quality impacts due to the increased use of motor vehicles and/or residential wood burning. Even though the amount of pollutants created would be small and standard air quality mitigation measures could reduce that amount.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility but it faces Hwy 128. It is also near to commercial locations and services. Any development (single- or multi-family) could represent an increase in transportation-related energy usage.

**ATTACHMENT A**

**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning would not appreciably increase intensities of use on Hwy. 128, although the overall number of new vehicles trips would be expected to rise. This impact could be significant if not mitigated at time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of Hwy.128 would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a number of vehicle trips onto Hwy. 128. When combined with other possible developments in this area (proposed and/or possible) the impact of this rezoning could have impacts that are cumulatively significant. As a consequence, any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to handle the cumulative increase in traffic volumes.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

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The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be Police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

Additionally, this project when combined with other proposed and possible projects would also represent an impact to school facilities that could be considered cumulatively significant, and therefore a school impact fee would need to be assessed.

This development would be located in an area with little recreational opportunities and the density associated with multi-family residential could potentially impact existing recreational facilities. Therefore, on-site recreational facilities should be included in site design or park impact fees should be assessed. Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

This project site currently has mixed commercial and multi-family uses which require the development of on-site water and sewer. A potential increase in density allowable by the rezone could require additional expansion of the on-site services.

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The project would however pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site. The project area is not located near a known Superfund site, or other hazardous materials site.

The project site has fire protection from the local fire department and is at low risk of wildfire originating from the urban-wildlands interface.



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**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?	X				
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?	X				

The proposed rezone is situated along Hwy 128 and as a consequence would subject any future inhabitants of the site to elevated noise levels from vehicular traffic associated with this regional corridor. However if proper noise guidelines (including insulation, noise buffers etc.) are followed during construction, the noise can be mitigated to a less than significant level.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

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REFERRAL     STAFF REPORT

**HEARING DATE:** November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:** Jean Marie and Marcia Lagourque

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA.

**ASSESSOR'S PARCEL NO:**

014-020-08	014-020-24
014-020-09	

**PARCEL SIZES:** 2± acres

**PROJECT SIZE:** 6± acres

**SUPERVISORIAL DISTRICT:** 3rd

**EXISTING USES:** Undeveloped land

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	RR5	RR	2.1 acres	Undeveloped
<b>EAST:</b>	RR5	RR	1.89 acres	Undeveloped
<b>WEST:</b>	RMR40	UR	77.0 acres	Undeveloped
<b>SOUTH:</b>	Rural Residential	RR	.5 to 22 acres	Undeveloped

**Other information:** Ten Mile Creek runs through a portion of the property and must be preserved and protected during future development.

**TOWNSHIP:** 21N      **RANGE:** 15SW      **SECTION:**      **USGS QUAD:**

**ASSESSOR'S PARCEL NO:** 014-090-38

**PROJECT COORDINATOR:** Phil Gorny      **PREPARED BY:** Diana Hershey      **DATE:** 10-012-06

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**GENERAL OBSERVATION:**

The proposed rezone area constitutes undeveloped lands surrounded by undeveloped lands. Laytonville Water District plans expansion to this area as soon as possible.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input checked="" type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 10 miles from Mayacama Fault
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input checked="" type="checkbox"/> Eel Eiver <input type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources: CNDDB "Rare Finds"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources: CNDDB "Rare Finds"

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input type="checkbox"/> Well <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Community or offsite (FUTURE) Provider name: Laytonville County Water District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input checked="" type="checkbox"/> Septic system <input type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: _____
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection:                      2005 LOS:                      2020 LOS: Segment:                              2005 LOS:                      2020 LOS:



**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately ten miles from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?			X		
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?			X		
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X		
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?	X				
j. Inundation by seiche, tsunami, or mudflow?	X				

These parcels are not located near any rivers/creeks and are outside the floodplains of all nearby water sources. The lack of slopes will retard erosion during construction, and proper adherence to RWQCB guidelines to site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area.



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**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			
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?		X			
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area is undeveloped and although the land is vegetated, much of that vegetation is not native or even naturally occurring. It has been subjected to grazing for many years. A review of the Natural Diversity Data base indicates that no endangered nor threatened species are likely to be found on the property.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Amending the General Plan Classification and rezoning the subject area to R-3 Residential should pose no conflict with other plans. The current zoning on surrounding parcels already accommodates residential uses, and multi-family uses are at a premium in the Laytonville area.

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The proposed rezoning will pose a less than significant impact to any existing land use plan or policy.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?		X			

This area is already zoned for residential use. Development for multi-family would not represent a significant impact to agricultural lands.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

An Archaeological Survey conducted on the site by Archaeological Resource Services indicated “No indication of prehistoric settlement or use (was) observed” on the site.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				

**ATTACHMENT A**

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				
---	---	--	--	--	--

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. Full build-out at R-3 densities could induce a potentially significant amount of new residential units to be constructed. However, density in this area is unlikely to reach full R-3 potential because no sewer is available and County space requirements for leach fields will restrict actual buildable density. No existing residents would be displaced from the existing area if it is developed.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources and the parcels are already zoned for residential uses. Transitioning acreage from undeveloped to multi-family residences would represent an impact on the visual character of the area; however, site design that includes protection of existing Oak Woodland vegetation and places structures away from the Fisherman Drive frontage would reduce the impact to less than significant.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created from the rezoning will create an increased demand for recreational opportunities. However, there are two school facilities within walking distance of the site and those facilities would be available for the use of new residents.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from undeveloped to residential could pose air quality impacts due to the increased use of motor vehicles. The amount of pollutants created would be small and standard air quality mitigation measures would reduce that amount. This project would represent a less than significant impact.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility or service nor is it adjacent to any potential commercial locations. However, services are located in downtown Laytonville, which is within 1.5 miles, and any development on the sites would represent a less than significant increase in transportation related energy uses.

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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?			X		
f. Result in inadequate parking capacity?			X		
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning could potentially impact transportation patterns along Fisherman Road. As allowable land use intensity increases in this area, the overall number of new vehicles trips would be expected to rise. This impact could be significant if not mitigated at time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of Fisherman Road would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a potentially significant number of vehicle trips onto Fisherman Road, a two-lane street with low capacity to handle a large increase in number of vehicles trips. As a consequence, any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to handle the cumulative increase in traffic volumes.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

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The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

This development would be located in an area with no recreational opportunities, however proper site design that includes on-site playgrounds and/or park facilities would mitigate impacts to existing recreational facilities.

Additionally, this project, when combined with other possible projects, would represent an impact to school facilities that could be considered cumulatively significant; therefore, a school impact fee should be charged to reduce the impacts to less than significant. Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

No infrastructure is currently available for this project. However the site is within the planned expansion area of the Laytonville County Water District, and development could be dependent on annexation and the payment of service impact fees. On-site septic will be necessary and will limit the density of development. The implementation of water conservation site design will lessen the impacts on the local water situation, and limit the impacts to less than significant.

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The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	X				
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		

**ATTACHMENT A**

b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?	X				
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?	X				

The proposed rezone is situated along a two-lane rural road and as a consequence, would not subject any future inhabitants of the site to elevated noise levels from vehicular traffic.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.



**ATTACHMENT A**

X  REFERRAL     X  STAFF REPORT

HEARING DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:** GP 2-2007/R 2-2007

**APPLICATION TYPE:** General Plan Amendment and Rezone

**OWNER:** Long Valley Fire District

**APPLICANT:** County of Mendocino

**AGENT:** Mendocino County Planning Team

**REQUEST:** General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville.

**ASSESSOR'S PARCEL NO:**

014-090-38

**PARCEL SIZES:** 5 acres

**PROJECT SITE SIZE:** 5 acres

**SUPERVISORIAL DISTRICT:** 3rd

**EXISTING USES:** Undeveloped land

**SURROUNDING LANDS:**

	<b>ADJACENT GENERAL PLAN</b>	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
<b>NORTH:</b>	Rural Residential	SR	31.84 acres	High School
<b>EAST:</b>	Rural Residential	R1	.5 to 3 acres	Single-family residential, and Elementary School
<b>WEST:</b>	Rural Residential	RR	.5 to 19.25 acres	Single-family
<b>SOUTH:</b>	Rural Residential	RR	.5 to 22 acres	Undeveloped

**Other Information:** Ten Mile Creek runs through a portion of the property and must be preserved and protected during future development.

**TOWNSHIP:** 21N                      **RANGE:** 15SW                      **SECTION:**                      **USGS QUAD:**

**ASSESSOR'S PARCEL NO:** 014-090-38

**PROJECT COORDINATOR:** Phil Gorny                      **PREPARED BY:** Diana Hershey                      **DATE:** 10-05-06

## ATTACHMENT A

### GENERAL OBSERVATION:

The proposed rezone area constitutes undeveloped lands with residential development to the north and east. A high school is sited to the north and an elementary school is within easy walking distance of the proposed sites. Water and sewer are a concern.

**ATTACHMENT A**

*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
--

YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input checked="" type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> ( <i>applies in &amp; out of Coastal Zone</i> )	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D Airport:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 10 miles from Mayacama Fault
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)-CDF# <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input type="checkbox"/> Onsite <input checked="" type="checkbox"/> North <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input checked="" type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources:

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Community or offsite Provider name: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input checked="" type="checkbox"/> Septic system <input type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: _____
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: _____
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection:                      2005 LOS:                      2020 LOS: Segment:                              2005 LOS:                      2020 LOS:



**ATTACHMENT A**

**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately ten miles from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?	X				
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?		X			
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?			X		
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?			X		
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X		
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?	X				
j. Inundation by seiche, tsunami, or mudflow?	X				

The 100-year floodplain for Ten Mile Creek passes through the southwestern corner of the subject site so development would necessarily need to be located outside the floodplain. The lack of slopes will retard erosion during construction and proper adherence to RWQCB guidelines on site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area.

**ATTACHMENT A**

**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?			X		
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X		
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?		X			
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

This area is undeveloped and although the land is vegetated, much of that vegetation is not native or even naturally occurring. However a Botanical Review of the site indicates there may be wetland species in the southwest corner, and any development must be situated away from those resources. A review of the Natural Diversity Data base indicates that no endangered or threatened species are likely to be found on the property, and indeed no such species were discovered during the Botanical Review.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?		X			
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?			X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				



**ATTACHMENT A**

Rezoning the subject area from Suburban Residential to R-3 Residential should pose no conflict with other plans. This site is near other multi-family projects and within walking distance to both an elementary school and a high school. The proposed rezoning will pose a less than significant impact to any other existing land use plan or policy.

**5. Agricultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?			X		

This area is already zoned for residential use. Development for multi-family would not represent a significant impact to agricultural lands.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

An Archaeological Survey conducted on the site by Archaeological Resource Services indicated "No indication of prehistoric settlement or use (was) observed" on the site.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				

**ATTACHMENT A**

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				
---	---	--	--	--	--

The proposed rezoning would allow increased population densities within the project area, beyond what could be considered under the existing zoning. Full build-out at R-3 densities could induce a potentially significant amount of new residential units to be constructed; however, no existing residents would be displaced from the existing area if developed.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources and the surrounding uses are residential in nature. Transitioning acreage from undeveloped to multi-family residences would not represent an impact on the visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities. However, there are two school facilities within walking distance of the site and those facilities would be available for the use of new residents.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area from undeveloped to residential could pose air quality impacts due to the increased use of motor vehicles. The amount of pollutants created would be small and standard air quality mitigation measures could further reduce that amount.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?		X			

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility or service. It is within walking distance to commercial locations. As a consequence, any development (single- or multi-family) would represent a less than significant increase in transportation-related energy usage.

**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		

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b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X			
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?			X		
f. Result in inadequate parking capacity?			X		
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning could potentially impact transportation patterns along Branscomb Road. As allowable land use intensity increases in this area, the overall number of new vehicle trips would be expected to rise. This impact could be significant if not mitigated at the time of site design. Careful site access features (such as locating curb cuts, sight lines) during the design stage would further ensure that the safety of both future residents and future users of Branscomb Road would not be adversely impacted.

From the standpoint of road capacity, any development induced by rezoning would introduce a potentially significant number of vehicle trips onto Branscomb Road, a two-lane street with low capacity to handle a large increase in number of vehicles trips. As a consequence, any development should pay impact fees—that together with other projects—could fund the necessary road capacity improvements needed to accommodate the cumulative increase in traffic volume.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?		X			
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?		X			

The location of high-density residential housing units will introduce potential impacts to public services. The two most impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

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This development would be located in an area with no recreational opportunities and when combined with the potential level permitted by this development, undue negative impacts to existing recreational facilities could be created by this project. However, two public schools (with associated recreational facilities) are within walking distance of the site. The increased use of school facilities represents an impact to the school facilities and should be mitigated by payment of school and park impact fees. Other impacts from this project to the issue of public services would be less than significant.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

No infrastructure is available for this rezone project. The development of on-site well and septic will be necessary, and will limit the density of development allowable on the site. The implementation of water conservation site design and landscaping will lessen the impacts on the local water situation.

The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				

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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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	X				
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				

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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?	X				
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?	X				

The proposed rezone is situated along a two-lane rural road and as a consequence, would not subject any future inhabitants of the site to elevated noise levels from vehicular traffic.

The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents, as any future use would be strictly residential in nature.

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X REFERRAL    X STAFF REPORT

HEARING OR DUE DATE: November 1, 2007

**PROJECT INFORMATION**

**CASE NO:**    GP 2-2007 (033-270-06 Only)/R 2-2007

**APPLICATION TYPE:** Rezone

**OWNER:**        Karin Hoehne  
                      Mountain Valley, LLC  
                      Jack Brown

**APPLICANT:** County of Mendocino

**AGENT:**        Mendocino County Planning Team

**REQUEST:**    General Plan Amendment to SR and Rezone to R-3

**LOCATION/STREET ADDRESS:** Within the community of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street.

**ASSESSOR'S PARCEL NO:**

033-240-01	033-270-06	033-190-50
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**PARCEL SIZE:** .98 acre, .67 acre, 1.01 acres

**PROJECT SITE SIZE:** 2.66 acres

**GENERAL PLAN:** C (033-270-06), SR

**ZONING:** C-2 (033-270-06), SR

**SUPERVISORIAL DISTRICT:** 3rd

**EXISTING USES:** Vacant

**SURROUNDING LANDS:**

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
<b>NORTH:</b>	SR	SR	Under 1 acre	Multi-family
<b>EAST:</b>	SR	SR	Under 1 acre	Single family residential
<b>WEST:</b>	SR	SR	Under 1 acre	Single family residential
<b>SOUTH:</b>	SR	SR	Under 1 acre	Multi-family

<b>Other Information:</b>				
<b>TOWNSHIP:</b> 22N	<b>RANGE:</b> 13W	<b>SECTION:</b>	<b>USGS QUAD:</b>	
<b>ASSESSOR'S PARCEL NO:</b> 033-240-01, 033-270-06 and 033-190-50				
<b>PROJECT COORDINATOR:</b> Phil Gorny		<b>PREPARED BY:</b> Diana Hershey		<b>DATE:</b> 9-12-07



## **ATTACHMENT A**

### **GENERAL OBSERVATION:**

The proposed rezone area is an area of small parcels with a mixture of single-family and multi-family uses present. All parcels are vacant and within the Covelo Community Sewer District. The properties are within walking distance to commercial services located along Hwy 162. The area is a rural community area where multi-family housing is at a premium.

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*In table below, direction refers to location with respect to site (i.e., 'north' -- the issue is north of the site).*

<b>ENVIRONMENTAL DATA - COUNTYWIDE</b>
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YES	NO	ISSUE	DETAIL
<b>PLANNING</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Community, Area or Other Plan</b>	<input type="checkbox"/> Gualala Town Plan <input type="checkbox"/> Mendocino Town Plan <input type="checkbox"/> Brooktrails Specific Plan <input type="checkbox"/> Ukiah Valley Area Plan <input type="checkbox"/> Redevelopment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Municipal Advisory Council</b>	<input type="checkbox"/> Gualala MAC <input type="checkbox"/> Laytonville Area MAC
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Coastal Groundwater Guidelines</b> <i>(applies in &amp; out of Coastal Zone)</i>	<input type="checkbox"/> Sufficient <input type="checkbox"/> Marginal <input type="checkbox"/> Critical <input type="checkbox"/> Critical-Bedrock
<b>HAZARDS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Comprehensive Land Use Plan (Airport)</b>	<input type="checkbox"/> Zone A <input type="checkbox"/> Zone B2 <input type="checkbox"/> Zone C <input type="checkbox"/> Zone D
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Studies Zone</b> Earthquake Fault Zone	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Hazard/Landslides Map</b>	Hazards: 10 miles from Mayacama Fault
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Flood Zone</b>	<input type="checkbox"/> Floodplain <input type="checkbox"/> Floodway Access traverses floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Fire Hazard Severity Zone</b>	<input checked="" type="checkbox"/> Local (LRA) <input type="checkbox"/> State (SRA)- <b>CDF#</b> <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low Access traverses: <input type="checkbox"/> VH <input type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Hazardous Waste Site</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Serpentine/Naturally Occurring Asbestos Soils</b>	Onsite: Unpaved access traverses:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>"Sensitive" uses</b> (housing, school, care)	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input checked="" type="checkbox"/> West <input type="checkbox"/> South Uses:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>"Heavy/hazardous" uses</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Uses:
<b>RESOURCES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Watershed</b> <input checked="" type="checkbox"/> Eel River <input type="checkbox"/> Russian River <input type="checkbox"/> Coastal (coastal resources data)	
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime agricultural land</b>	Class I, II <input type="checkbox"/> Class III <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Soil Types</b>	Soil Type/Capability Class:  <input type="checkbox"/> Pygmy Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Agriculture Preserve:</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Prime timber land</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Timberland Production Zone</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Biological Res/ Natural Area Map</b>	Resources:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>DFG Natural Diversity Database</b>	Resources:

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<b>YES</b>	<b>NO</b>	<b>ISSUE</b>	<b>DETAIL</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Native Plant Society inventory</b>	Resources: <a href="http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi">http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi</a>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Within 100 feet of watercourse</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____ USGS Type: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Public Forest/Park/ Recreation Area</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South Name: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Equestrian/Hiking Trail</b>	<input type="checkbox"/> Onsite <input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> Trail along road (name): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Wild and Scenic River (Eel River):</b>	Wild and Scenic River (Eel River):
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Other scenic area</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oak Woodlands Map</b>	Resource: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>County Stormwater Plan Area</b>	Plan area: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RWQCB NPDES Phase II</b>	Potential for more than one acre disturbed at build-out (cumulative)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Mineral resources</b>	Within one mile of active mine
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	N/A
<b>FACILITIES/SERVICES</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Potable water (proposed)</b>	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Community or offsite Provider name: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Sewage disposal (proposed)</b>	<input type="checkbox"/> Septic system <input checked="" type="checkbox"/> Community or offsite <input type="checkbox"/> Other Provider name: Covelo Community Sewer District
<input type="checkbox"/>	<input type="checkbox"/>	<b>Water Efficient Landscape Plan</b>	Area/Quantity: N/A
<b>COASTAL ONLY</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Urban Area</b> <input type="checkbox"/> <b>Rural Area</b>	<input type="checkbox"/> CDP Exclusion Area <input type="checkbox"/> Appealable Area <input type="checkbox"/> Original Jurisdiction
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Build-out policy</b>	Market Area No: _____ Build-out: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Planning Area</b>	<i>Coastal Element, p.136+:</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Special Communities</b>	<input type="checkbox"/> Special Communities <input type="checkbox"/> Noyo Harbor/Albion Harbor
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Land Use Map-Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Habitats/ESHA/ Resources</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Capabilities/Natural Hazards Map</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Oceanfront/Blufftop Geology</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Adjacent to beach/ submerged/tide/ public trust lands</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Amend "dots" on Coastal Land Use Maps</b>	Timber Production Zone or Agricultural Preserve
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Scenic</b>	<input type="checkbox"/> Highly Scenic <input type="checkbox"/> Tree removal <input type="checkbox"/> Special Treatment Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SR 1 Corridor Study (75/50 scenario)</b>	Intersection: _____ 2005 LOS: _____ 2020 LOS: _____ Segment: _____ 2005 LOS: _____ 2020 LOS: _____



**ENVIRONMENTAL INITIAL STUDY CHECKLIST**

The proposed project may cause a potentially significant impact in one or more of the issue areas below. Information sources are cited.

**1. Geology, Soils and Minerals**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		
i. Rupture of known earthquake fault on most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)			X		
ii. Strong seismic ground shaking?			X		
iii. Seismic-related ground failure, including liquefaction?		X			
iv. Landslides?	X				
b. Result in substantial soil erosion or the loss of topsoil?		X			
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?	X				
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?	X				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative water disposal systems where sewers are not available for the disposal of waste water?	X				
f. 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?	X				
g. 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?	X				

The project area is located approximately ten miles from the Mayacama Fault and over twenty miles from the San Andreas Fault. Both systems are capable of generating damaging earthquakes. However, with proper adherence to earthquake safety codes at the design and construction stage, any risk to future inhabitants of the subject site would be reduced to a level of insignificance.

Any future development that could originate out of this rezoning would be at little to no risk for other geological hazards described above. As a consequence, the proposed rezoning would subject any future inhabitants to little or no significant impacts arising out of geological events.

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**2. Hydrology and Water Quality**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Violate any water quality standards or waste discharge requirements?	X				
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)?		X			
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?		X			
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?		X			
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?		X			
f. Otherwise substantially degrade water quality?		X			
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?	X				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	X				
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?	X				
j. Inundation by seiche, tsunami, or mudflow?	X				

The subject site is a level area located at some significant distance from the nearest flood zone and as such is at little to no risk of inundation. The lack of slopes will retard erosion during construction and proper adherence to RWQCB guidelines on site design and construction will ensure that any future development will pose little to no impact to water quality on and off the proposed project area.

**ATTACHMENT A**

**3. Biological Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse impact, directly or through habitat modification, 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 Game or US Fish and Wildlife Service?	X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	X				
c. Have a substantial adverse effect on federally protected wetlands per Section 404 of Clean Water Act, (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X				
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?	X				
e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X				
f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X				

These sites are located in an area of Covelo that has already seen development, and are surrounded by other residential uses. A review of the Natural Diversity Data base indicates that no endangered nor threatened species are likely to be found on the property.

**4. Land Use and Planning**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Physically divide an established community?	X				
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?		X			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X				

Rezoning the subject parcels to include to Multi-family Residential use would be consistent with other uses on nearby parcels. The sites are within walking distance of necessary services.

**ATTACHMENT A**

**5. Agricultural Resources**

*Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract (Agricultural Preserve)?	X				
c. Involve other changes in existing environment which, due to location or nature, could result in conversion of Farmland to non-agricultural use?	X				

This area is mixed use in nature and is surrounded by residential and commercial uses. One parcel of the subject site was granted a General Plan Amendment to Commercial, but rezoning was never completed. Development on these sites would not represent a significant impact to agricultural activities north of this site.

**6. Cultural Resources**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X				
d. Disturb any human remains, including those interred outside of formal cemeteries?	X				

Although these sites are currently undeveloped, surrounding parcels and roads have been developed all around these sites. Consequentially, the risk of harming undisturbed archaeological resources is low. There are no historic nor geological resources of note on any of the parcels and no record of human interment.

**7. Population and Housing**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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)?			X		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	X				



**ATTACHMENT A**

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X				
---	---	--	--	--	--

The proposed rezoning would allow increased population densities within the project area, beyond what is currently allowed under the existing C-2 zoning. With the 4.5 acre size of the rezoned area and limited number of environmental constraints, full build-out at Multi-family densities (20units/acre) could result in 90 new residential units to be constructed. No existing residents would be displaced from the existing area if it were developed, however.

**8. Aesthetics**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Have a substantial adverse effect on a scenic vista?		X			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	X				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			

The subject area itself contains no scenic resources, is surrounded by residential, and multi-family development would represent no significant impact on the visual character of the area.

**9. Recreation**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?			X		
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?	X				

The number of new residential units that could be created out of the rezoning will create an increased demand for recreational opportunities in an area lacking of even basic facilities. Thus the impact (without any mitigation) on recreational facilities is potentially significant. However, proper site design that incorporates on-site playgrounds or recreation facilities would reduce these impacts to less than significant.

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**10. Air Quality**

Would the project result in: (Where available, significance criteria of the Air Quality Management District is used to make determinations.)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			
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)?			X		
d. Expose sensitive receptors to substantial pollutant concentrations?		X			
e. Create objectionable odors affecting a substantial number of people?	X				

The transition of this area to Multi-family Residential use could pose air quality impacts due to the increased use of motor vehicles. The amount of pollutants created would be small and standard air quality mitigation measures could mitigate that amount.

**11. Energy Use**

Would the project result in: (Energy is addressed in the County General Plan and must be addressed in EIRs)	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. A significant increase in energy use for construction, heating or cooling, or operation?			X		
b. A significant increase in transportation-related energy use?			X		

Residential developments always consume at least some energy resources. Proper design (such as specifying energy efficient techniques or even following one or more “Green Building” strategies) will ensure that energy impacts can be sufficiently mitigated to a less than significant level.

The proposed site is not situated near any transportation facility or service. It is however, adjacent to commercial locations and grocery and other shopping services that are within walking distances. As a consequence, any development (single- or multi-family) would represent a less than significant increase in transportation-related energy uses.

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**12. Transportation/Traffic**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X			
e. Result in inadequate emergency access?		X			
f. Result in inadequate parking capacity?		X			
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		X			

The proposed rezoning poses minor impacts to traffic levels and safety. The current road network in this area provides adequate emergency access.

**13. Public Services**

Would the project result in substantial adverse physical impacts associated with the construction or provision of, or need for, new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Fire protection?			X		
b. Police protection?			X		
c. Schools?			X		
d. Parks?			X		
e. Other public facilities?			X		

The location of high-density residential housing units will introduce potential impacts to public services. The two most immediately impacted services would be police protection and recreational availability. Inappropriately designed multi-family structures when combined with poor site management frequently become high crime locations, something that could significantly impact police protection for both the new residents and their neighbors. By following appropriate site layout techniques at the time of design (such as eliminating spots for loitering) and by monitoring that the site management remains attentive to the needs of the development after construction, a number of opportunities for the introduction of crime can be prevented.

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This development would be located in an area with no current recreational opportunities and would likely require on-site mitigation measures or payment of impact fees to reduce the impacts to less than significant.

Other impacts from this project to the issue of public services would be less than significant when appropriately mitigated through fee payment or project design strategies.

**14. Utilities and Service Systems**

Would the project:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			
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?			X		
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?			X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		
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?			X		
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X			

The rezone of this project site has the potential to impact sewer infrastructure in an area already close to its utility service limits. However the Covelo Community Sewer District is in the process of expanding, and the expanded District will likely accommodate multi-family projects on these sites. **These projects would require proof of adequate water supply from a well** since no community water system is available.

The project would pose less than significant impacts to storm water and solid waste removal with appropriate mitigation measures.

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**15. Hazards and Hazardous Materials**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X				
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?	X				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X				
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?	X				
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, would the project result in a safety hazard for people residing or working in the project area.	X				
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?	X				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X			
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?	X				

The proposed rezoning would not introduce new hazardous materials into the environment nor expose future residents to hazardous materials already in existence on-site or off.

All parcels comprising the project site have fire protection from the local fire department and are at low risk of wildfire originating from the urban-wildlands interface.

**16. Noise**

Would the project result in:	No Impact	Less than Significant Impact	Mitigated Less than Significant	Potentially Significant Impact	Cumulative 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?	X				
b. Exposure of persons to or generation of excessive groundborne vibration of groundborne noise levels?	X				

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c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X			
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X				
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?	X				
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?	X				

The proposed rezone is situated in a mixed residential area adjacent to single-family housing as well as multi-family uses. The proposed rezoning will not permit the introduction of new sources of excessive noise to the neighboring residents. Increase in ambient noise could result from the increase in density of residential units, but it would be less than significant because it would be strictly residential in nature.

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**MENDOCINO COUNTY PLANNING COMMISSION**

**MINUTES FOR THE MEETING HELD ON:** **November 15, 2007**

**LOCATION:** Mendocino County Board of Supervisors Chambers  
501 Low Gap Road, Room 1070  
Ukiah, California

**COMMISSIONERS PRESENT:** Little, Calvert, Nelson, Bailey, Moser

**COMMISSIONERS ABSENT:** Commissioner Warner was absent by prior arrangement.  
Commissioner Edwards was also absent.

**PLANNING & BLDG SVC STAFF PRESENT:** Raymond Hall, Director  
Frank Lynch, Chief Planner  
Adrienne Thompson, Commission Services Supervisor

**PLANNING TEAM STAFF PRESENT:** Phil Gorny, Planning Team Manager  
Sally Palacio, Administrative Assistant  
Diana Hershey, Planner II

**OTHER COUNTY DEPARTMENTS PRESENT:** Frank Zotter, Deputy County Counsel  
Tom Peters, Department of Transportation

**1. Roll Call.**

The meeting was called to order at 9:02 a.m. Commissioner Moser arrived at 9:04 am.

**2. Determination of Legal Notice.**

Mr. Lynch advised the Commission that all items have been properly noticed.

**3. Director's Report and Miscellaneous.**

Mr. Hall presented the Director's Report and noted new personnel had been hired. He discussed the Notice and Order to abate that had been issued for properties on School Way and Fish Rock Road, the various appeals being heard by the Coastal Commission, Casino expansion in Willits, and the RWQCB amendment to the Basin Plan that was presented to the Board of Supervisors in July. Also of note were the action agendas for the CPA hearing in Fort Bragg and the MHRB.

**4. Regular Calendar.**

**4a. CASE#: MS 9-2006 (continued from 10-18-07)**

DATE FILED: 2/28/2006

OWNER: RICHARD, MICHIE & NORMA LARNED

APPLICANT: LYNN McNAMARA

AGENT: LYNN McNAMARA

REQUEST: Minor Subdivision of a 33.27-acre parcel (Residual Parcel of MS 4-2002) to create four parcels, three parcels containing 5 acres each and a Remainder Parcel containing 19+/- acres.

LOCATION: Approximately 5 miles northeast of central Ukiah on the west side of the extension of Lakeridge Drive (private), approximately .75 miles south of its intersection with Marina Drive (CR#

226), located at 3750 Lakeridge Drive; APN 168-080-09.  
PROJECT COORDINATOR: DENNIS CHATY

Mr. Lynch reviewed the staff report and noted the history of minor divisions by the property owners and extended family and the potential to consider this application a major subdivision. He noted conditions relating to grading, due to limited building sites and the recommendations from the Department of Transportation. Of note was a letter received from Mr. & Mrs. Rovetti concerned with traffic and the overall road condition.

Commissioner Calvert asked about Transportations recommendation for a chip sealed road and why it was not presented in a condition of the report.

Mr. Lynch stated Tom Peters from Transportation's could answer that question better, but felt the amount of previous subdivisions and potential for future subdivisions warranted an increased road standard, which could be found in condition #8. He also noted the due date for the Fish & Game fee should be changed to November 30, 2007.

**Lynn McNamara**, agent, noted the previous subdivision activity was 22 years ago, and asked the Commission to consider the standard subdivision road requirement for an 18 foot rocked road. She noted the change from rock to chip seal would be a major expense.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Commissioner Nelson felt the request to change the road condition from chip seal to rock was not warranted and would prefer the condition to remain without change.

Chairman Little asked if the section of road proposed for chip seal could be displayed on a map.

**Tom Peters**, Department of Transportation, discussed the existing road from Marina Drive to Lakeridge Road, which is chip sealed or paved, and stated that Transportation was asking the applicant to chip seal the driveway from the end of the paved section to the 3 parcels created by the division.

The Commission noted the road name on tentative map should read Lakeridge Road, not Ridgeview Road and discussed the prior subdivisions and original ownership of the parcels.

Commissioner Moser asked what the normal procedure for a road was.

Mr. Peters stated department policy was that the first minor subdivision provide an 18 foot rocked road. He noted that with any subsequent division, DOT strives to improve the surface on the road, regardless of ownership of the property.

Chairman Little asked if Lakeridge Road had a road association as part of MS 12-95, and if the new parcels would participate in the maintenance agreement.

Ms. McNamara stated there was an existing road association that covered the length of Lakeridge Road, and the newly designed parcels would have their own agreement, but could be amended and added to the older road association.

Upon motion by Commissioner Calvert, seconded by Commissioner Bailey and carried by the following roll call vote, IT IS ORDERED to approve MS 9-2006 subject to the findings on pages PC 4 and the conditions of approval on pages PC 5 through PC 7, modifying the Fish & Game date on condition # 4 to November 30, 2007.

**Environmental Findings:** The Planning Commission finds that the environmental impacts identified for the project can be adequately mitigated through the conditions of approval or features of the project design so that no significant adverse environmental impacts will result from this project, therefore, a Negative Declaration is adopted.



**General Plan Findings:** Pursuant to Section 66473.5 of the California Government Code, the Planning Commission finds the proposed subdivision, together with the provisions for its design and improvement is consistent with the applicable goals and policies of the General Plan.

**Project Findings:** The Planning Commission, making the environmental and General Plan findings above, approves #MS 9-2006, subject to the following conditions of approval as recommended within the staff report, further finding:

Pursuant to California Government Code Section 66445(e) the Planning Commission finds that division and development of the property in the manner set forth on the approved or conditionally approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement.

**STANDARD CONDITIONS OF APPROVAL:**

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

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

**STANDARD CONDITIONS OF APPROVAL:**

- \*\* 1. All grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
- a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
  - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
  - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
  - d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
  - e. Erosion control measures shall include but are not limited to: seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installment of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1<sup>st</sup>.
  - f. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 15<sup>th</sup> of any given calendar year unless wet weather grading protocols are approved by Planning and Building Services or other agencies having jurisdiction.
  - g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
    1. 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 (1,524 mm) in height and steeper than 1 unit vertical in 1.5 units horizontal (66.7% slope).
    2. A fill less than 1 foot (305 mm) in depth and placed on natural terrain

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with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 cc) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3m<sup>3</sup>) on any lot and does not obstruct a drainage.

- \*\* 2. A notation shall be placed 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 above."
- \*\* 3. Prior to the development phase of the project, the subdivider shall contact the Mendocino County Air Quality Management District for a determination as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to naturally occurring asbestos. Written verification from the Air Quality Management District shall be submitted to the Department of Planning and Building Services stating that the project is in compliance with State and Local regulations relating to naturally occurring asbestos. Any rock material used for surfacing, including rock from on-site sources comply with 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 \$1,850.00 shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to ~~October 5, 2007~~ November 30, 2007 (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. There shall be provided an access easements of 50 and 60 feet in width (as per tentative map) from a publicly maintained road to the proposed turnaround, as per tentative map. Documentation of access easement shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.
  - 6. 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.
- \*\* 7. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed.
- \*\* 8. Eighteen (18) foot wide road within the 50 and 60 foot wide access easements, from the end of pavement on Parcel 1 of MS 12-85 to the proposed turnaround on the subject property, including six (6) inch minimum rock base, double chip seal surface, one hundred twenty five (125) foot minimum radius of horizontal curve, grade not to exceed fifteen (15) percent, drainage culverts where necessary. New or replaced culverts shall be a minimum of 12 inches in diameter. The radius of horizontal curve may be reduced to a minimum of seventy (70) feet, however, in all areas where the radius of horizontal curve is less than 25 feet, the roadway shall be widened to twenty (20) feet.
- \*\* 9. A 40-foot radius turnaround be constructed within a 50-foot radius easement (as per tentative map) to the satisfaction of the Mendocino County Department of Transportation.
- \*\*10. The applicant and/or subsequent grantees shall create to the satisfaction of Mendocino County Counsel and the Department of Planning and Building Services an organization or association for

the maintenance of the private roads and appurtenant drainage systems within the subdivision or show evidence of the existence of such an agreement or organization. The organization of association shall include newly created parcels participating in the existing road maintenance agreement established for Minor Subdivision #MS 12-1995 and any other such organization or association that may exist.

- \*\*11. A private Road Naming Petition along with the appropriate fees shall be filed with the Department of Planning and Building Services to name the private roadway serving this division. It shall be the responsibility of the subdivider to provide a street sign for the newly named private roadway. The sign shall conform to the county standards for signs. Site addresses shall be posted for each of the proposed parcels in conformance with Mendocino County Code Section 18.16.
- \*\*12. The subdivider shall comply with those recommendations in the California Department of Forestry letter of December 1, 2005, (**CDF# 568-05**) 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.
- The subdivider shall comply with those recommendations from Redwood Valley/Calpella Fire Department letter February 5, 2007, or other alternatives as acceptable to the Fire Department. Written verification shall be submitted from Fire Department to the Department of Planning and Building Services advising that this condition has been met to the satisfaction of the Fire Department.
- \*\*13. 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.
- \*\*14. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel(s) 1, 2, 3 and the Remainder Parcel completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- \*\*15. 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.
- \*\*16. The applicant shall submit to the Division of Environmental Health an acceptable water quantity evaluation (DEH FORM # 26.05) completed by a qualified individual of a water source located on any parcel of the subdivision demonstrating an adequate water supply in compliance with the Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- \*\*17. The applicant shall submit to the Division of Environmental Health an acceptable standard mineral analysis performed by a certified public health laboratory from a source of water on the subdivision.
- \*\*18. A note shall appear on the Parcel Map that in the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
19. Pursuant to Government Code Section 66492 and 66493, prior to recordation of the Parcel Map the subdivider must: (1) Obtain a Certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) Pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

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

AYES: Little, Calvert, Bailey, Moser, Nelson  
NOES: None  
ABSENT: Warner, Edwards

Chairman Little noted that he would have to recuse himself for item 4e, and offered the applicant the opportunity to continue the item to a later date, since that would leave only 4 Commissioners and require a unanimous vote.

**Amy Wynn**, agent representing Hawthorne Timber Company, discussed the topic with a member of Campbell Timber Company and stated they wished to continue with the public hearing.

**4b. CASE#: MS 15-2007 (continued from 11-1-07)**

**DATE FILED:** 5/25/2007

**OWNER:** ROSS MAYFIELD JR. AND ROSS MAYFIELD III

**APPLICANT:** ROSS MAYFIELD III

**REQUEST:** Minor subdivision of an 18+/- acre parcel to create 4 parcels of 2.5, 2.5, 4.5 and 8.5+/- acres.

**LOCATION:** In Covelo, lying east of Hwy 162 (Covelo Road) just north of its intersection with East Lane (CR# 327C), located at 76205, 76581 Covelo Road and 24040 East Lane; AP# 034-190-31.

**PROJECT COORDINATOR:** MARY LYNN HUNT

Mr. Lynch reviewed the staff report and noted a concrete processing plant was located on the property. He noted any expansion of the plant would require a use permit. The applicant had submitted a conceptual map to illustrate potential buildout and tentative map.

Commissioner Bailey noted condition #2b had a grammatical error and should read "as". She asked if there was a watercourse drainage map relating to condition #11, stated condition #16 was incomplete, and felt condition #17 should identify specifically that Wright Way provides the access for Parcels 1, 3 & 4, and add language to state the site address for Parcels 1, 3, 4 shall be posted.

Mr. Lynch stated that condition # 11 was a standard subdivision requirement.

**Ross Mayfield Jr., and Ross Mayfield III**, discussed drainage on the property and stated that little grading would be done, as the property is flat.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Mr. Lynch noted the date on condition #6 should be changed to November 30, 2007, to modify condition #16 by adding a period after "drainage systems", and that condition #17 was standard language to ensure the addresses are posted.

The Commission clarified access to the 4 parcels as being off of Wright Way.

Upon motion by Commissioner Bailey, seconded by Commissioner Nelson and carried by the following roll call vote, IT IS ORDERED to approve MS 15-2007 per the findings and conditions contained in the staff report, to correct condition #2b "as", to modify the date of condition #6 to November 30, 2007, and to complete condition # 16 with a period after drainage systems.

**Environmental Findings:** The Planning Commission finds that the environmental impacts identified for the project can be adequately mitigated through the conditions of approval, or features of the project

design so that no significant adverse environmental impacts will result from this project. Therefore, a Negative Declaration is adopted.

**General Plan Findings:** Pursuant to Section 66473.5 of the California Government Code, the Planning Commission finds the proposed subdivision, together with the provisions for its design and improvement is consistent with the applicable goals and policies of the General Plan.

**Project Findings:** The Planning Commission, making the environmental and General Plan findings above, approves #MS 15-2007, subject to the following conditions of approval as recommended within the staff report, further finding:

Pursuant to California Government Code Section 66445(e) the Planning Commission finds that division and development of the property in the manner set forth on the approved or conditionally approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement.

#### STANDARD CONDITIONS OF APPROVAL:

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

1. It shall be the responsibility of the applicant to ensure that contractors engaged to perform work on the site are aware of the conditions of this minor subdivision request and that all work performed is in compliance with applicable conditions.
2. The subdivider shall acknowledge in writing that all grading and site preparation, at a minimum, shall be subject to the following standards:
  - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
  - b. The applicant shall endeavor to protect and maintain as much native vegetation on the site as possible, removing only as much as required to conduct the operation.
  - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
  - d. Temporary erosion and sediment control measures shall be in place at the end of each day's work, and shall be maintained until permanent protection is established.
  - e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1<sup>st</sup>.
  - f. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 15<sup>th</sup> of any given calendar year, unless wet weather grading and erosion control protection have been developed and accepted by the Department of Planning and Building Services.
  - g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
3. Prior to the development phase of the project, the subdivider shall contact the Mendocino County Air Quality Management District for a determination as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR section 93105 and 93106 relating to naturally occurring asbestos. Written verification from the Air Quality Management District shall be submitted to the Department of Planning and Building Services stating that the project is in compliance with State and Local regulations relating to naturally occurring asbestos.

4. All roads shall be covered with an impermeable sealant or rocked at a bare minimum. Any rock material used for surfacing, including rock from onsite sources, must comply with Regulations regarding asbestos content.
5. All grading activities shall comply with District Regulation 1 Rule 430 regarding fugitive dust emissions.
6. 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 \$1,850.00 shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to ~~November 16, 2007~~ November 30, 2007 (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 Department of Planning and Building Services will hold the payment 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.**
7. There shall be provided an access easement of fifty (50) feet in width (as per tentative map) from a publicly maintained road to each parcel being created. Documentation of access easement(s) shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.
8. 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.
9. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed.
10. Private roads and public utility easements shall be offered for dedication.
11. All natural drainage and water courses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. If a Parcel Map is filed, such easements shall be shown on the final parcel map. (All parcels 5 acres and less.)
12. Applicant shall construct a minimum Eighteen (18) foot wide road within the access easement including four (4) inch minimum rock base, one hundred twenty-five (125) foot minimum radius of horizontal curve, grade not to exceed fifteen (15) percent, drainage culverts where necessary. New or replaced culverts shall be a minimum of 12 inches in diameter. The radius of horizontal curve may be reduced to a minimum of seventy-five (75) feet, however, in all areas where the radius of horizontal curve is less than 125 feet, the roadway shall be widened to twenty-two (22) feet." Road improvements shall be constructed in accordance with improvement plans prepared by a Civil Engineer and approved by the Mendocino County Department of Transportation. In appropriate situations, when specifically requested and approved in advance by the County Engineer, required improvements may be constructed without formal improvement plans. If so approved, all work must be completed under the direct supervision and control of a California Registered Civil Engineer who, upon completion of the improvements, shall file a report with the Mendocino County Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices. (Second generation minor subdivision with parcel size greater than 2.5 acres and less than 5.0 acres. Easement serves, or has potential to serve, more than four parcels.)
13. A standard private driveway approach shall be constructed to serve each proposed connection to East Lane (CR# 327C) to serve the proposed private road easement, minimum width of twenty (20) feet, area to be improved twenty (20) feet from the edge of the County road, to be surfaced with surfacing comparable to that on the County road.

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- 14. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.
- 15. A standard private road approach shall be constructed at the State Highway in accordance with encroachment permit procedures administered by the California Department of Transportation.
- 16. The applicant shall create to the satisfaction of Mendocino County Counsel and the Department of Planning and Building Services an organization for the maintenance of the private roads and appurtenant drainage systems. ~~within the~~
- 17. It shall be the responsibility of the subdivider to provide a road name street sign. The sign shall conform to the county standards for signs. Site addresses shall be posted for each of the proposed parcels in conformance with the MCC Section. 18.16.
- 18. The subdivider shall comply with conditions required by the Covelo Fire District. Written verification shall be submitted from the fire district to the Department of Planning and Building Services that this condition has been met to their satisfaction.
- 19. The applicant shall either (1) submit to the Division of Environmental Health, a letter from the district(s) or agency(s) stating that sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 & 17.56); or (2) the applicant shall submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered improvement plans for the future installation of services (and main extensions, where required) for each lot and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII.
- 20. The subdivider shall comply with recommendations by the Round Valley County Water District in their letter of July 9, 2007 or other alternative as acceptable to the water district. Written verification shall be submitted from the water district to the Department of Planning and Building Services that this condition has been met to their satisfaction.
- 21. In the event that archaeological resources are encountered during construction on 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.
- 22. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the \_\_\_ Parcel Map, the subdivider must: (1) obtain a certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

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

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

AYES: Little, Calvert, Bailey, Moser, Nelson  
 NOES: None  
 ABSENT: Warner, Edwards

**4c. CASE#: MS 18-2007 (continued from 11-1-07)****DATE FILED:** 6/12/2007**OWNER:** DEE SUTHERLAND**APPLICANT:** JAMES MIGLIORE**REQUEST:** Minor Subdivision of a 1.03 acre parcel (Parcel 4 of MS 10-2003) to create three (3) parcels containing 14,617 square-feet (12,742 square-feet net), 14,692 square-feet (12,459 square-feet net) and 15,755 square-feet (12,973 square-feet net).**LOCATION:** In Redwood Valley on the south side of Daniel Way (private), and approximately 220 feet west of its intersection with East Road (CR# 236), located at 1851 Daniel Way; AP# 161-210-30.**PROJECT COORDINATOR:** DENNIS CHATY

Mr. Lynch reviewed the staff report and noted the letter dated October 27, 2007 submitted by the applicant. He discussed the creation of the small water district developed for the previous minor subdivision and the policies created by Environmental Health and Planning & Building Services related to densities as they related to water and sewer services.

Chairman Little clarified that if the owner had submitted the application the project would have been considered a major subdivision, and asked what would happen if the escrow between Mr. Sutherland and Mr. Migliore should fall through.

Mr. Lynch explained the ownership history and stated that if escrow fell through the County would not accept the current owner as the subdivider for a minor subdivision.

**Jim Migliore**, applicant, noted the primary issue was water and agreed with Mr. Lynch's presentation. He discussed the photo presented to the Commission and exhibits contained in his letter dated October 27, 2007. He discussed the Daniel Way Water System and noted future service laterals had been set to provide water for the parcels he would like to create. He felt the January 2006 policy memo from Environmental Health and Planning & Building Services should not apply to the Daniel Way Water System and quoted a letter from Roland Sanford, County Water Agency regarding the memo and departmental policy. He felt this minor subdivision would further the intent of the SR zoning.

Commissioner Bailey asked how many parcels were connected to the Daniel Way Water System.

Mr. Migliore noted that 5 parcels were connected, but the system was designed to serve 10 parcels with the inclusion of a storage tank.

Chairman Little noted the comments received from Bruce Burton, which stated that a thorough evaluation of the source capacity be done and asked about documentation for water availability.

**Dee Sutherland**, owner of the water system, stated Environmental Health regulated water availability for the State, which required a 3 gallon per minute/ per household minimum over a 24 hour period. He noted his pump had produced 22 gpm over a 24 hour period and with an additional storage tank the system would provide 10 hookups.

Chairman Little noted a trend in the County of minor division on top of minor division and was concerned with the message and accumulated impacts that might occur.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Commissioner Calvert asked Mr. Lynch his opinion of the letter from Mr. Sanford.

Mr. Lynch stated he had discussed the letter with Mr. Hall before the meeting and noted there was a difference of opinion between Mr. Sanford and Mr. Hall's interpretation of the policy.

Commissioner Moser made a motion to approve from the alternate motion and findings on page PC 7-8, to correct date the date on condition #3 to November 30, 2007 and include the exception findings on page PC 6.



Commissioner Bailey noted she was uncomfortable with the motion due to the difference of opinion between two of the authors of the 2006 memo.

Mr. Lynch stated the Commission could find that the individual facts of the project lead them to support approval and still leave the policy open to interpretation for future projects.

Upon motion by Commissioner Moser, seconded by Commissioner Calvert and carried by the following roll call vote, IT IS ORDERED to approve MS 18-2007 per the findings and conditions on pages PC 6 through PC 8, including the exception findings and to correct the date on condition #3 to November 30, 2007:

**Environmental Findings:** The Planning Commission finds that the environmental impacts identified for the project can be adequately mitigated through the conditions of approval or features of the project design so that no significant adverse environmental impacts will result from this project, therefore, a Negative Declaration is adopted.

**General Plan Findings:** Pursuant to Section 66473.5 of the California Government Code, the Planning Commission finds the proposed subdivision, together with the provisions for its design and improvement is consistent with the applicable goals and policies of the General Plan.

**Exception Findings:** The Planning Commission grants the request for an exception to Mendocino County Code Section 17-52 (C) finding that:

- A. There are special circumstances or conditions affecting the proposed division of land.
- B. The granting of the exception will not be detrimental to the public welfare or injurious to surrounding property.

**Project Findings:** The Planning Commission, making the environmental and General Plan findings above, approves #MS 18-2007, subject to the following conditions of approval as recommended within the staff report, further finding:

Pursuant to California Government Code Section 66445(e) the Planning Commission finds that division and development of the property in the manner set forth on the approved or conditionally approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement.

#### **STANDARD CONDITIONS OF APPROVAL:**

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

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

- \*\*1. The subdivider shall acknowledge in writing to the Department of Planning and Building Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
  - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
  - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.

## ATTACHMENT B

- c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
  - d. Temporary erosion control measures shall be in place at the end of each day's work, and shall be maintained until permanent protection is established.
  - e. Erosion control measures shall include but are not limited to: seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installment of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1<sup>st</sup>.
  - f. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 15<sup>th</sup> of any given calendar year.
  - g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
    1. 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 (1,524 mm) in height and steeper than 1 unit vertical in 1.5 units horizontal (66.7% slope).
    2. 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 cc) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3m<sup>3</sup>) on any lot and does not obstruct a drainage.
- \*\*2. A notation shall be placed 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 above."
- \*\*3. 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 \$1,850.00 shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to ~~October 19, 2007~~ November 30, 2007 (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.**
- \*\*4. There shall be provided an access easement of 50 feet in width (as per tentative map) from a publicly maintained road to each parcel being created. Documentation of access easement shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.
5. 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.
  6. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed.

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- 7. All natural drainage and watercourses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. If a Parcel Map is filed, such easements shall be shown on the final parcel map.
- \*\*8. The applicant and/or subsequent grantees shall create to the satisfaction of Mendocino County Counsel and the Department of Planning Services an organization or association for the maintenance of the private roads and appurtenant drainage systems within the subdivision or show evidence of the existence of such an agreement or organization.
- \*\*9. The subdivider shall comply with those recommendations of the Redwood Valley-Calpella Fire Department letter of August 22, 2007 or other alternatives as acceptable to the Fire Department. Written verification shall be submitted from the Redwood Valley-Calpella Fire Department to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire Department.
- \*\*10. The applicant shall provide the Division of Environmental Health adequate advance written notice (minimum of 15 days) of the date and time any field soil testing procedures for any proposed on-site sewage systems to allow the Division of Environmental Health staff to be present for soil testing.
- \*\*11. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM #42.04) for Parcel 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).
- \*\*12. The applicant shall submit to the Division of Environmental Health, a letter from the Operator of the Daniel Way state small water system stating that water services (and main extensions, where required) have been installed to the satisfaction of the Operator of the system to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the Operator of the system for maintenance by said Daniel Way state small water system.
- \*\*13. A note shall appear on the Parcel Map that in the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
- 14. Pursuant to Government Code Section 66492 and 66493, prior to recordation of the Parcel Map, the subdivider must; (1) Obtain a Certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) Pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

ALL CONDITIONS OF APPROVAL MUST BE MET PRIOR TO EXPIRATION OF TWENTY-FOUR (24) MONTHS FROM DATE OF APPROVAL, UNLESS RENEWED PURSUANT TO THE MENDOCINO COUNTY CODE GENERAL PLAN CONSISTENCY REVIEW: THE PROPOSED PROJECT IS CONSISTENT WITH APPLICABLE GOALS AND POLICIES OF THE GENERAL PLAN.

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

AYES: Little, Calvert, Bailey, Moser, Nelson  
NOES: None  
ABSENT: Warner, Edwards

- 4d. **CASE#:** U 16-2007  
**DATE FILED:** 7/23/2007  
**OWNER:** MICHAEL JACQUET  
**APPLICANT:** EDGE WIRELESS, LLC  
**AGENT:** EAGLE CONSULTING-ALLEN POTTER  
**REQUEST:** Use Permit to authorize the construction and operation of a wireless telecommunication facility to support a wireless provider (Edge Wireless), consisting of a 45-foot tall monopole, three panel antennas, and ground based equipment.  
**LOCATION:** 3.5+/- miles southwest of Potter Valley lying on the west side of Black Bart Trail (private), 0.2+/- miles north of its intersection with Horseshoe Circle (private), located at 9400 Black Bart Trail; AP# 176-060-26.  
**PROJECT COORDINATOR:** DUSTY DULEY

Mr. Lynch stated the applicant has requested a continuance to 12-6-07.

Upon motion by Commissioner Calvert, seconded by Commissioner Moser and carried by a voice vote of (5-0), it is ordered to continue U 16-2007 to the December 6, 2007 Planning Commission meeting.

- 4e. **CASE#:** P 1-2005  
**DATE FILED:** 12/22/2005  
**OWNER:** HAWTHORNE TIMBER COMPANY  
**APPLICANT:** CAMPBELL TIMBERLAND MANAGEMENT  
**AGENT:** ED MCKINLEY/ AMY WYNN  
**REQUEST:** Parcel Division creating five 160+- acre parcels and the re-configuration of three legal parcels recognized by the Certificate of Compliance process.  
**LOCATION:** Approximately 7 miles southwest of Laytonville, lying north and south off of Branscomb Road (CR# 429) and the South Fork Eel River, just east of Admiral William H. Standley State Park, located at 10,000 Branscomb Road, 11,251 Branscomb Road, 11,451 Branscomb Road 11,500 Branscomb Road and 11,651 Branscomb Road; AP# 013-710-52, 013-710-53, 013-710-54, 013-710-56, 013-710-58, 013-710-59x, 014-290-36, 014-420-33, 014-420-65 and 014-420-66.  
**PROJECT COORDINATOR:** MARY LYNN HUNT

Chairman Little recused himself and passed the gavel to Commissioner Nelson.

[Break 10:21-10:34 am]

Mr. Lynch reviewed the staff report and noted the memo dated November 15, 2007 that clarified the project description. He also noted that the maps on pages PC 12-13 illustrated the existing six Certificates of Compliance, Boundary Line Adjustment and Parcel division utilized to accomplish the division. He noted a change to condition #4 to state, "All areas within the subdivision subject to flooding shall be clearly identified on the parcel map. Information on the parcel map shall be based on data developed by the Federal Emergency Management Agency.

**Amy Wynn**, agent, discussed the sequencing of the CC's and parcel division to better orient the Commission to the project.

The Commission discussed the possibility of the CC's being further divided or another BLA occurring to increase parcel size to allow for further division.

Ms. Wynn felt the parcels were not large enough to divide again, but was not sure of the exact size.

Mr. Lynch noted it was departmental policy that a conforming parcel cannot be made nonconforming.

Ms. Wynn stated the focus of the application has not been on further division, but on maintaining the existing property. She noted illegal dumping had been a problem and that Hawthorne Timber hoped to quell the dumping with onsite ownership of the parcels.

**Allen Overfield**, Campbell Timber Management, noted the land surrounding the County road was mostly flat, which made access to the property easy. He felt having onsite owners could better supervise the situation.

Commissioner Bailey asked about installing gates.

Mr. Overfield noted the property would be accessible anywhere around the gates, unless the entire configuration of parcels was fenced. He noted individual property owners might be able to fence each parcel to keep trespassers out.

Commissioner Calvert noted from personal experience that Timberland acquired a substantial amount of debris; in her opinion the dumping was a political statement.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Commissioner Bailey discussed the General Plan Update and the Commissions decision not to promote forest conversion, habitat loss, fragmentation, etc. and stated she was not comfortable participating in forest fragmentation.

Commissioner Calvert stated she did not like forest fragmentation, but felt the applicant had a reasonable expectation to divide their property as long as they complied with the General Plan and zoning codes. She felt the property would end up private estates with tax benefits, but felt she could not legally oppose the application and would reluctantly support the division due its consistency with the current policy.

Commissioner Moser commented that the protection of forestland was part of the General Plan Update, but the project was within the current General Plan and he could support the application.

Commissioner Moser made a motion to approve P 1-2005 per the findings and conditions of approval on pages PC 5 through PC 8 including the Special Conditions, and to change condition #4 per the recommendations of staff.

Chairman Nelson passed the gavel to Commissioner Bailey to second the motion, however the motion failed and the application was denied.

AYES: Calvert, Moser, Nelson  
NOES: Bailey  
ABSENT: Warner, Edwards

Chairman Little recused himself for this item.

[Break 11:03-11:04 am]

- 4f. CASE#:** MS 21-2007  
**DATE FILED:** 6/27/2007  
**OWNER:** MICHAEL B ROMO  
**APPLICANT:** MICHAEL B ROMO  
**AGENT:** PAOLI ENGINEERING  
**REQUEST:** Minor Subdivision of a 2.22+/- acre parcel to create 2 parcels of approximately 1.16+/- acres and 1.06+/- acres.  
**LOCATION:** Approximately 2.7+/- miles east of central Fort Bragg, lying on the north side of Fort Bragg Sherwood Road (CR# 419), 1.3+/- miles east of its intersection with Monsen Way (CR# 420), located at 30050 Sherwood Road; AP# 020-250-35.  
**PROJECT COORDINATOR:** JOHN SPEKA

Mr. Lynch noted that MS 21-2007 had been continued to 1-3-08.

**5. Matters from Staff.**

**6. Approval of Minutes.****6a. Planning Commission Minutes from June 7, 2007.**

Upon motion by Commissioner Moser, second by Commissioner Bailey, and carried by a voice vote of (4-0) with Commissioner Calvert abstaining, the June 7, 2007 Planning Commission minutes are approved.

**6b. Planning Commission Minutes from June 28, 2007.**

Upon motion by Commissioner Calvert, second by Commissioner Moser, and carried by a voice vote of (5-0), the June 28, 2007 Planning Commission minutes are approved.

**6c. Planning Commission Minutes from September 6, 2007.**

Upon motion by Commissioner Calvert, second by Commissioner Moser, and carried by a voice vote of (4-0), with Commissioner Nelson abstaining, the September 6, 2007 Planning Commission minutes are approved.

[CHANGE IN CLERK TO SALLY PALACIO- PLANNING TEAM]

**7. Matters from Planning Team.****7a. CASE #: GP 2-2007/R 2-2007 (continued from 11-1-07)**

**DATE FILED:** February 2, 2007

**OWNER:** Various

**APPLICANT:** County of Mendocino

**REQUEST:** General Plan Amendment and/or Rezoning to allow Multifamily Residential uses (R-3) without a conditional use permit.

**LOCATION I:** South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**LOCATION II:** South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**LOCATION III:** South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.

**LOCATION IV:** In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

**LOCATION V:** In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.

**LOCATION VI:** Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

**LOCATION VII:** Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

**LOCATION VIII:** Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to the General Plan

category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

**LOCATION IX:** In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

**LOCATION X:** In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

**LOCATION XI:** In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

**LOCATION XII:** In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

**LOCATION XIII:** Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

**Diana Hershey** provided an overview and information for each of thirteen (13) locations included in this portion of the Planning Team's proposal to rezone a minimum of 50 acres for Multi-family Residential uses, as per General Plan Housing Element Implementation Item 4.2.

Ms. Hershey provided the Commissioners with recently received agency comments and a listing of local Tribes from the Native American Heritage Commission for SB 18 notification. She requested that a Public Hearing be a part of today's proceeding, and that following the Planning Commission's discussion and the Public Hearing that the Commission approve the Mitigated Negative Declaration, approve the General Plan Amendments as necessary, and provide the Board of Supervisors with a recommendation for each location proposed for rezoning and/or General Plan Amendment.

**Chairman Little** stated that the Commission would discuss each location's Environmental Checklist; following that he would open the Public Hearing.

**LOCATION I:** South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**Ms. Hershey** stated that this site is in a partially developed area, close to single-family homes. She noted that the site is within the Redevelopment Zone and rezoning would bring these parcels into conformity with surrounding uses.

**Chairman Little** asked Commissioners for questions or comments, and there were none.

**LOCATION II:** South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**Ms. Hershey** stated that this location is also partially developed with single-family homes on or adjacent to the location. This site is also within the Redevelopment Zone and rezoning would bring these parcels into conformity with surrounding uses.

**Commissioner Calvert** noted that the Airport Land Use Commission (ALUC), on March 15, 2007, found that rezoning of this site was found to be consistent with the Comprehensive Land Use Plan.

**Ms. Hershey** added that the ALUC also found the rezoning of Location 1 to be consistent during that same meeting.

**LOCATION III:** South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.

**Ms. Hershey** stated that the northernmost area of this location is partially developed; therefore rezoning would not create a substantial change. This site is located within a water and sewer district; therefore, multi-family housing could be constructed in the relatively near future.

**Commissioner Moser** asked if this was the site that the Airport Land Use Commission found to be inconsistent with the Comprehensive Land Use Plan on March 15, 2007.

**Ms. Hershey** responded that it was, and directed the Planning Commission to review a statement in the Comprehensive Land Use Plan that specifically allows multi-family residential in the B2 Zone if the Planning Commission and the Board decide there are more important considerations for the community. She stated that Planning Team Staff considered that the need for housing is reason to override the ALUC decision and requested that the Planning Commission make this recommendation to the Board.

**Commissioner Moser**, having been present at the ALUC March 15<sup>th</sup> meeting, clarified that the Airport Commission's concern was with the possibility of structures in close proximity with the Airport take-off zone; therefore presenting a safety issue.

**Ms. Hershey** noted that noise was not a factor in their decision.

**LOCATION IV:** In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

**Ms. Hershey** stated that this is currently an undeveloped parcel with some viticulture. The owner is interested in rezoning for future use. She noted that water is available on the site; sewer is not.

**Commissioner Nelson** noticed that this parcel was in close proximity to vineyards and asked if this were an appropriate time to discuss the Right-to-farm Ordinance.

**Chairman Little** responded that this would be the appropriate time to discuss the question of adjacency to Ag, but that the inclusion of the Right-to-farm Ordinance would pertain to actual development.

**Frank Zotter** recalled that Right-to-farm Ordinance language specified that it was applicable when sites were adjacent to Forestland, TPZ, Ag or Rangeland. He noted that all parcels adjacent to Location 4 are currently zoned SR. He continued that, on the other hand, today's meeting is the last discretionary stage for this process, and the Planning Commission could impose any conditions they believed appropriate. In response to Chairman Little, Mr. Zotter clarified that a further discretionary stage would present itself if subdivision for development were to be proposed.

**Commissioner Calvert** noted that the General Plan designation of Agricultural Lands was combined with SR zoning for an adjacent land. Ms. Hershey will re-examine that and respond at a later time.

**LOCATION V:** In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.



**Ms. Hershey** stated that multi-family housing currently exists on the smaller parcel. The larger parcel is owned by the Mendocino County Corporation Yard and they are willing to rezone. Water and sewer connections currently exist for the Corporation Yard.

**Commissioner Nelson**, noting that Hopland is under a water moratorium, questioned if the existing water availability would be adequate for intense development.

**Ms. Hershey** responded that one connection, sub-metered, is acceptable for an apartment building. She stated further that this site meets the condition of being within walking distance to a store or services, and that Hopland has a considerable need for affordable housing.

**LOCATION VI:** Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

**Ms. Hershey** stated that this parcel is not in the Coastal Zone, and is directly adjacent to an existing mobile home park. It's current classification of RL160 and zoning designation of RL are inconsistent with the current use. There is no water or sewer availability; however, Planning Team Staff has been directed to locate affordable housing sites in outlying areas, even if ultimate build-out is not possible.

**Commissioner Calvert** questioned how the mobile home park was attaining water and sewer.

**Ms. Hershey** stated that she was uncertain and would look into it. It had been suggested to her that perhaps their water was grandfathered in.

**LOCATION VII:** Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

**Ms. Hershey** directed the Planning Commissioners to a letter from the City of Willits; included in their materials. Reviewing the letter, Ms. Hershey noted that the properties are in a low-lying flood area, historically have had problems with standing water, and that Local Agency Formation Commission regulations would not permit the extension of water and sewer services outside City limits without their approval of an application for annexation. Ms. Hershey relayed that the State Housing and Community Development office informed her that on-site water could be considered if sewer could be annexed.

**Chairman Little** attained confirmation that the Willits Bypass would be east of the site.

**Commissioner Nelson**, noting that adjacent properties were classified as Ag, received confirmation that the parameters of the Right-to-farm Ordinance would apply to development.

**Ms. Hershey** stated further that some adjacent AG40 parcels have been subdivided, and those property owners are willing to consider an R-3 designation rezone. Since receiving the City of Willits' letter, Staff is considering three additional parcels in Willits that will be presented to the Planning Commission at a later time. She clarified that today's package represents a portion of the 50 Acre Rezone project; that a number of acres will be included as part of the Ukiah Valley Area Plan, and that various owners are coming forward in asking that their property classifications and designations be included as a part of this effort.

**LOCATION VIII:** Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to

the General Plan category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

**Ms. Hershey** stated that the letter from the City of Willits also addresses this site, and doubts that City water availability could be extended for multi-family use at this time. In their letter, the City of Willits stated that this location is a transitional area between urban and rural lands.

**Commissioner Nelson** noted that the Right-to-farm Ordinance would apply to development, as this location lies adjacent to Rangeland.

**LOCATION IX:** In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

**Ms. Hershey** stated that this site is being proposed by the Anderson Valley School District for affordable teacher housing. A letter is included in the Commissioner's packets from the Anderson Valley Fire Department stating that they want to be consulted during the site development phase.

Ms. Hershey noted that the original proposed boundary was within the B2 Airport Zone; however the School District has agreed to moving the site eastward; bypassing the Airport Zone.

**Commissioner Nelson** questioned whether the site had sewer and water.

**Ms. Hershey** responded that it does not have sewer, but has been perc tested for 9 bedrooms as per the School District's original proposal. With the new proposal of five acres, the School District will investigate the possibility of higher density. Ms. Hershey stated that they are proposing tapping into the School's water system.

**Commissioner Calvert** suggested that the Staff Report be corrected in regard to the Airport Zone prior to Board submission.

**LOCATION X:** In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

**Ms. Hershey** stated that the Board had given direction that related property owners concur with the rezoning. The property owners of this site, Mr. Moffly and Ms. Wu, reconsidered their decision after the package was prepared, and Ms. Hershey directed that a copy of their letter be presented to the Commissioners.

**Commissioner Nelson** asked whether a zoning of Multiple Use could have been an option.

**Ms. Hershey** responded that this category would not be available until completion of the Ukiah Valley Area Plan.

**LOCATION XI:** In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

**Ms. Hershey** stated that there are six-plus acres to this site on Fisherman Drive, outside of the Laytonville Town Center. Though the packet states that water and sewer would need to be on-site, recently the property owners proposed paying for an extension of Laytonville Water District services, and the District agreed. The site is not located close to a store or services, but Staff feels that the need for housing in Laytonville is an overriding factor.

**Chairman Little** asked that a correction be made on page 3 of the Environmental Checklist noting that the site is in the State, not Local, Response Area (SRA instead of LRA), and that a high fire

severity exists. Under "Resources, Wild and Scenic," on page 4, he concurs that the site is in the Eel River Watershed but noted that it is adjacent by 10 miles.

**LOCATION XII:** In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

**Ms. Hershey** stated that this property belonged to the Long Valley Fire District, and they had expressed interest in having it rezoned. Laytonville Water District is their water provider, and it is undeveloped land close to existing single- and multi-family structures as well as schools. The floodplain, but not Ten Mile Creek itself, passes through a lower corner of the property.

**Chairman Little** noted that on the Environmental Checklist, page 3, the box for SRA, rather than LRA, should be checked.

**Commissioner Moser** asked if sewage were on-site, and also how many units the Water District could support.

**Ms. Hershey** replied yes to the sewage question; but did not know the number of units supportable by the Water District.

**LOCATION XIII:** Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Lovell Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovell Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

**Ms. Hershey** stated that one of the three owners is bringing forward an additional parcel for the next rezoning package. The Covelo Community Sewer District supports these parcels, but on-site water would be necessary. All three parcels are within walking distance of services.

**Commissioner Nelson** asked if on-site water would restrict potential density.

**Ms. Hershey** responded that similar density can be attained, but that perc testing should be done for multi-family use prior to development.

**Chairman Little** noted that the Environmental Checklist should reflect that the parcels are within the Eel River Watershed.

**Chairman Little** opened the Public Hearing in regard to the 13 projects noted above.

**Richard Agenbroad** stated that he opposes multi-dwelling and any commercial ventures on the Fisherman Drive site, **Location 11**. He submitted letters to the Planning Commission from his family and nearby neighbors reflecting opposition to the Location 11 rezoning. He stated that there is very little water on the site, and that everyone in the neighborhood has a water problem. He expressed that putting in a trailer court was highly unrealistic and was concerned that sewage would contaminate existing neighborhood wells. He stated that all neighbors in the vicinity want to keep their neighborhood as single-family use, and that the current site resident has put in a noisy commercial operation that he and his neighbors would prefer to have stopped if at all possible.

**Ron Verdier** stated that he is the Anderson Valley Housing Association Representative. His organization is non-profit, and has struggled to build affordable housing due to zoning, septic, water and affordability of land. He stated that the site would be reserved for teacher housing, as it has been historically difficult for the school to attract qualified teachers due to the lack of housing in the area.

Because septic and water challenges are not at issue for the proposed teacher housing on **Location 9**, he asked that the Planning Commission support reclassifying and rezoning of this site.

**Gerald Cox** is a resident of Anderson Valley, and also spoke in support of reclassifying and rezoning **Location 9**. Mr. Cox serves voluntarily as Development Director for the Anderson Valley Housing Association, which has also been trying to develop farm worker housing in the area, and suggested that reclassification of this site could lead to more farm worker housing development.

**J R Collins** is Superintendent of the Anderson Valley School District. He stated that both the School Administration and School Board support the **Location 9** project.

**Jim Ronco** spoke in support of reclassifying **Location 11**, the Fisherman Drive site in Laytonville. He stated that the extension of water for the mobile home park would be available for neighbors to connect. The creation of a mobile home park would necessitate the development of a community septic system for the entire area. He believes that the site has merit because it is near roadways that provide easy access to the Town core. He stated that a mobile home park is a good fit, because those residents would be owners with an investment, and therefore not as transient as apartment dwellers.

**Chris Stone** spoke in support of the Gobalet site, **Location 3**. He stated that he represents significant property owners of the site and they are dismayed regarding the ALUC's rejection of the site for rezoning and that he did not receive notice of the ALUC's meeting on March 15, 2007. He stated that the site lies within viable water and sewer districts, can support high-density development up to 20 units per acre, is consistent with the Comprehensive Land Use Plan, and that there currently exists R-3 properties within the B2 Zone. He believes that the Planning Team obligation of achieving 50 acres could be hampered by the non-inclusion of the Gobalet site, adding that many of the locations being considered may not become developed due to their water and sewer constraints. He added that the Gobalet site is close to schools and public transportation, and asked that the Planning Commission override the ALUC's previous determination, specifically because the Comprehensive Land Use Plan states that overriding is an option in order to meet a "major community objective."

**Lisa Hillegas** stated that she is Managing Attorney for Legal Services of Northern California, representing the plaintiffs and petitioners in Coplen vs. County of Mendocino. She stated that she supported the Planning Team's progressive efforts in meeting Housing Element Action 4.2. She noted that the County is mandated by the State to rezone 50 acres, and that those 50 acres are to have water and sewer availability and be capable of 20 units per acre densities, and for this, the entire County is responsible.

Ms. Hillegas concurred with Mr. Stone that possibly ten acres in the south Ukiah area would fulfill the obligations of Action 4.2, and she urged the Planning Commission to consider them [**Location 3**] despite the ALUC's concerns.

Ms. Hillegas stated that she visited several properties along with an affordable housing developer prior to today's meeting and had certain suitability issues with some of the proposed sites:

- The Laytonville Fisherman Drive site, **Location 11**, has a seasonal stream on the property that would reduce property available for development by ½ acre. She also stated that the site is fairly distant from services, which is an important consideration.
- She stated that the Environmental Report for the Branscomb Road property, **Location 12**, failed to note that a wrecking yard lies adjacent to the east, and it could pose possible environmental concerns of contamination. Also, the property has a very high water table, which could make septic development difficult.
- Ms. Hillegas stated that her inspection of the East Willits site, **Location 7**, affirmed that it is in a very low-lying area and therefore could have serious flooding issues. She stated that there are one or two creeks intersecting the site, and considering this it is probably not a suitable site to include.

- In regard to the Hopland Yard site, **Location 5**, Ms. Hillegas stated that Hopland is having serious water and sewer problems, and she doubts that HCD would find the site's single-water connection acceptable for a density of 20 units.

Ms. Hillegas expressed her encouragement that the Planning Team, Planning Commission and the Board of Supervisors continue to move forward in rezoning 50 acres that meet HCD's requirements and the obligations of the County Housing Element. She noted that the 50 Acre Rezone Project is one of 47 Actions in the County's Housing Element yet to be accomplished.

**Chairman Little**, addressing Ms. Hillegas as Representative of the Plaintiff, asked that if the Planning Commission were to reduce the acreage recommendations to the Board of Supervisors for approval, could that become a factor in a later lawsuit.

**Ms. Hillegas** responded that their concern is implementation of Action 4.2. She stated that it would be unfortunate if the Planning Commission were to fail to recommend those parcels that meet the obligations of 4.2; however, that is the Planning Commission's prerogative.

**Chairman Little**, in noting Ms. Hillegas' highlighting of the difficulty in locating appropriate property, questioned whether or not Planning Commission recommendations for exclusion of sites due to the issues she had stated could be used against the County.

**Ms. Hillegas** responded that she could make no promises. She stated that it was unfortunate that this process waited a few years, but that she is heartened that word is out and that more people are becoming interested in rezoning their properties. She suggested that the County consider areas in south Ukiah that are appropriate in terms of water and sewer availability and any areas where a moratorium may be lifted within the next five years. She urged the County to focus on sites most advantageous in fulfilling Action 4.2 requirements.

**Commissioner Nelson** commented that he heard "yes" in that answer.

**Commissioner Calvert** asked for any constructive suggestions of actual sites with water and sewer availability that exist outside of south Ukiah.

**Ms. Hillegas** responded that creative thinking is in order in making more land available for the entire County's housing needs. She suggested considering ways to lift moratoriums or gain more access to the Ukiah Water District.

**Cliff Campbell** stated that he lives on Huntsman Way and Fisherman Drive, and owns two lots that are adjacent to the proposed change, **Location 11**. He stated that as the group, neighbors have concerns regarding water, which are reflected in the letters provided earlier; but he also has concerns about sewer, as his well is approximately 75 feet from the proposed site. Because of this, he would feel forced into connecting with the proposed water system extension, which he may not want due to possible contamination. Also, the road he lives on has no other outlet so there are traffic concerns. In conclusion, he opposes the change.

**Commissioner Bailey** asked if he could state the approximate number of persons currently using the road.

**Mr. Campbell** responded that it would be hard to say; the use is seasonal as more people reside there during summer months, but that it has become busier over time. He stated that the road extends uphill to Fox Rock Road where an additional number of people reside.

**Chairman Little**, seeing no one come forward, closed the Public Hearing.

**Phil Gorny**, responding to Commissioner Nelson, clarified that approximately 51 total acres were being considered today, less approximately two acres due to the Location 10 property owner's removal of his site for consideration. He reiterated that his Staff is pursuing additional parcels. Responding to Chairman Little, Mr. Gorny stated that if additional factors, concerns, or more

information is presented between now and the Board of Supervisors' meeting, Staff would provide that to the Board.

**Chairman Little** questioned that if the Planning Commission were to recommend exclusion of a site due to specific concerns, could that site be re-introduced to the project if those concerns were resolved.

**Mr. Gorny** responded affirmatively, and noted that the Board of Supervisors could also direct that path for any location.

**Chairman Little** suggested that each Commissioner express his/her concerns regarding any one location, and based on the expression of those concerns, that Commissioner could make motion to adopt the package as presented or with modifications.

**Chairman Little** requested that Planning Commissioners who serve on the ALUC address the issues involving their recommendation of **Location 3**, the Gobalet site.

**Commissioner Moser** recalled that the take-off pattern at the end of the runway was the ALUC's specific concern, because this is a more common cause of crash. He continued that in using the technical analysis of the site being in the B2 Zone, the ALUC voted against approval.

**Commissioner Calvert** stated that her proxy, Jim Nickless, participated in the ALUC meeting of March 15<sup>th</sup>. She had noticed that the Gobalet site was removed due to a safety issue and expressed concern that lower income housing be assured a safe environment. She stated that she values the expertise of the pilots on the ALUC and would not support overriding their decision.

**Commissioner Moser** stated that he did not want to override safety concerns, yet did not want to stop the Gobalet site due to its advantages of water, sewer, and proximity to the City center. He suggested that the noted safety concerns be studied further; asking the Board of Supervisors to look at those concerns more deeply than could be addressed at the one meeting on March 15<sup>th</sup>.

**Commissioner Nelson** stated that he would like to see the Gobalet site receive more consideration as well and would prefer to have a more thorough understanding of the safety issue involved.

**Chris Stone** stated that all airports have specific ways in which a pilot may approach and depart, and that a westerly runway pattern at the Ukiah Municipal Airport was infeasible due to mountains. He stated that he did not understand by the ALUC considered this site a safety hazard because if that were so, the Comprehensive Land Use Plan would have the area designated as either A or B1. He stated that the site is not within the flight take off or landing zone, and reiterated that the B2 Zone is accepting of multi-family site use.

**Commissioner Calvert** stated that she had concerns with the Laytonville site, **Location 11**, based on neighbors' issues regarding water and traffic and Ms. Hillegas' mention of the seasonal stream and distance from services.

**Chairman Little** proposed a straw vote to decide which locations would be recommended to the Board of Supervisors for inclusion into the Mitigated Negative Declaration. He asked, for each location, if any Commissioner had concerns. Where concerns were present, those locations would not be recommended for inclusion at this point, but would be further discussed and voted upon separately.

Location 1: No concerns were expressed.

Location 2: No concerns were expressed.

**Location 3:** Commissioner Moser asked to recommend further study of the Airport safety issue. Commissioner Calvert expressed that if the ALUC reversed their opinion she would not object to inclusion.

ATTACHMENT B

Location 4: Commissioner Nelson expressed concern regarding the availability of water. Commissioner Moser noted that the Hopland Public Utility District is actively addressing water issues.

Location 5: Commissioner's Nelson and Moser expressed that the same concerns apply for this location as do for Location 4.

Location 6: Commissioner Moser stated opposition, citing lack of information regarding water and sewer availability. Commissioner Nelson proposed an assumption that the site could be developed but not to maximum potential due to on-site water and sewer, and Ms. Hershey responded that this was correct.

Phil Gorny added that the County's charge is to implement Action 4.2 as stated on the first page of the Staff Report. The Action states that a high priority be given to land with sewer and water, it does not preclude sites which do not. He stated that south Ukiah is the only area with adequate sewer and water, and Staff will not recommend that all affordable housing be located in that area. Adjacency to communities is also a factor, and Location 6 meets that criterion. Mr. Gorny concurred that although well water and on-site septic are not optimal, HCD personnel have indicated that it is a potentially viable situation. Planning Team Staff's goal is to meet the overall density requirement of Action 4.2.

Location 7: Commissioner Moser, citing the letter from the City of Willits, stated that all Willits sites are impractical because water and annexation issues will likely not be resolved in five years.

Location 8: Commissioner Moser expressed the same concerns as stated for Location 7.

Location 9: No concerns were expressed.

Location 10: Property owners previously removed this site from consideration.

Location 11: Concerns were expressed previously.

Location 12: No concerns were expressed.

Location 13: No concerns were expressed.

Upon motion by Commissioner Calvert, seconded by Commissioner Moser and carried by the following roll call vote, IT IS ORDERED: To recommend to the Board of Supervisors inclusion of Locations 1, 2, 9, 12 and 13 in the Mitigated Negative Declaration.

AYES: Little, Calvert, Bailey, Moser, and Nelson  
NOES: None  
ABSENT: Edwards and Warner

**Chairman Little** suggested that further discussion, motions and a roll call vote be made for the locations which Commissioners had expressed concerns.

Motion made by Commissioner Nelson to recommend to the Board of Supervisors inclusion of Location 3 in the Mitigated Negative Declaration failed for lack of second.

Upon motion by Commissioner Moser, seconded by Commissioner Calvert and carried by the following voice vote, IT IS ORDERED: To recommend to the Board of Supervisors that Location 3 be remanded to the Airport Land Use Commission for further consideration with those considerations to be given to the Board of Supervisors with all interested parties notified.

AYES: Little, Calvert, Bailey, Moser, and Nelson

NOES: None  
ABSENT: Edwards and Warner

**Commissioner Nelson** stated that upon listening to Phil Gorny's argument, his objections to the recommendation to the Board of Supervisors for inclusion of Locations 4 and 5 in the Mitigated Negative Declaration are hereby withdrawn.

Upon motion by Commissioner Moser, seconded by Commissioner Calvert and carried by the following voice vote, IT IS ORDERED: To recommend to the Board of Supervisors inclusion of Locations 4 and 5 in the Mitigated Negative Declaration.

AYES: Little, Calvert, Bailey, Moser, and Nelson  
NOES: None  
ABSENT: Edwards and Warner

**Commissioner Moser** stated withdrawal of his previous objection to the recommendation for inclusion of Location 6 in the Mitigated Negative Declaration to the Board of Supervisors.

Upon motion by Commissioner Calvert, seconded by Commissioner Bailey and carried by the following voice vote, IT IS ORDERED: To recommend to the Board of Supervisors inclusion of Location 6 in the Mitigated Negative Declaration.

AYES: Little, Calvert, Bailey, Moser, and Nelson  
NOES: None  
ABSENT: Edwards and Warner

**Commissioner Moser** stated that he is still opposed to recommending Location 7 for inclusion, stating that he preferred to not include sites that will not move forward.

**Commissioner Calvert** agreed with Commissioner Moser, and questioned ownership of the Water and Sewer Districts in Willits.

**Mr. Gorny** responded that these services are owned by the City of Willits. He clarified that as Staff had been advised for other locations that a single water connection could suffice for an apartment, this was not the case with the City of Willits. Upon a request advise from Commissioner Calvert, Mr. Gorny responded that water availability could change, and he referenced that conservation measures alone have created sufficient water availability in other areas. He further advised that Location 7 be rezoned and to remain hopeful about the development of water.

**Chairman Little** noted that the Willits Bypass right-of-way was in close proximity of the site. He stated that because the Planning Commission recommends inclusion of a location does not mean that it will be developed.

**Commissioner Moser** expressed concern regarding the issue of flooding.

Upon motion by Commissioner Nelson, seconded by Commissioner Bailey and carried by the following voice vote, IT IS ORDERED: To recommend to the Board of Supervisors inclusion of Location 7 in the Mitigated Negative Declaration.

AYES: Little, Calvert, Bailey, and Nelson  
NOES: Moser  
ABSENT: Edwards and Warner

Motion made by Commissioner Calvert to recommend to the Board of Supervisors inclusion of Location 8 failed for lack of second.

**Commissioner Nelson** stated concerns of leapfrog development and development of land that has agricultural potential.



Motion was made by Commissioner Nelson and seconded by Commissioner Bailey to recommend to the Board of Supervisors exclusion of Location 8 in the Mitigated Negative Declaration.

AYES: Bailey, Moser and Nelson  
NOES: Little and Calvert  
ABSENT: Edwards and Warner

Motion failed for lack of majority. No recommendation will be made to the Board of Supervisors regarding the inclusion or exclusion of Location 8 in the Mitigated Negative Declaration.

**Commissioner Bailey** stated that she would make a motion regarding Location 11 based on the previously heard concerns.

**Commissioner Moser** stated that he had a concern about Location 11's remoteness.

Upon motion by Commissioner Bailey, seconded by Commissioner Moser and carried by the following voice vote, IT IS ORDERED: To recommend to the Board of Supervisors exclusion of Location 11 in the Mitigated Negative Declaration.

AYES: Little, Calvert, Bailey, and Moser  
NOES: Nelson  
ABSENT: Edwards and Warner

**Chairman Little** asked whether any additional language should be made to the above recommendations. None was received.

**Mr. Gorny** stated that certain locations required a General Plan Amendment, and listed Staff recommendations for new classifications as follows:

Location 5: Suburban Residential  
Location 6: Suburban Residential  
Location 7: Suburban Residential  
Location 9: Rural Community  
Location 12: Suburban Residential  
Location 13: Suburban Residential

Upon motion by Commissioner Calvert, seconded by Commissioner Nelson and carried by the following voice vote, IT IS ORDERED: To recommend to the Board of Supervisors approval of the General Plan Amendment reclassifications as recommended by Mr. Gorny.

AYES: Little, Calvert, Bailey, Moser and Nelson  
NOES: None  
ABSENT: Edwards and Warner

## 8. Matters from Commission.

### 8a. Discussion of the General Plan Update

#### 1. Review revised Introduction

This item was continued to the December 6, 2007 Planning Commission Meeting.

## 9. Matters from Public.

No new public input was heard at this time due to lack of quorum.

## 10. Adjournment.

Chairman Little, lacking a quorum, declared the meeting adjourned at 1:27 p.m.



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**MENDOCINO COUNTY BOARD OF SUPERVISORS  
SUMMARY/ACTION MINUTES – DECEMBER 11, 2007**

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**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF MENDOCINO • STATE OF CALIFORNIA**

The Mendocino County Board of Supervisors met in regular session on Tuesday, December 11, 2007, at 9:05 a.m.

Roll call was conducted with the following members present: Michael M. Delbar, Jim R. Wattenburger, John Pinches, Kendall Smith, and J. David Colfax (reporting directly to Closed Session at 9:15 a.m.) Chair Smith presiding.

Also Present: Ms. Kristi Furman, Clerk of the Board; Ms. Adrienne Moore, Deputy Clerk of the Board; Mr. Tom Mitchell, Chief Executive Officer; and Ms. Jeanine B. Nadel, County Counsel.

*CHANGE IN CLERK: KRISTI FURMAN*

*ADJOURNED TO CLOSED SESSION: 9:05 – 9:32 A.M.*

**AGENDA ITEM NO. 2A – PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – PROPERTY/PHYSICAL ADDRESS: LOW GAP ROAD (1.8 ACRES AND 6.4 ACRES); PARTIES: CITY OF UKIAH AND COUNTY OF MENDOCINO; AGENCY NEGOTIATOR: KRISTIN McMENOMEY; UNDER NEGOTIATION: TERMS OF LAND EXCHANGE/ACQUISITION**

**AGENDA ITEM NO. 2B – PURSUANT TO GOVERNMENT CODE SECTION 54956.9 – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: ANKA BEHAVIORAL HEALTH, INC. V. MENDOCINO COUNTY; MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCU-KCVG-07-99634**

**AGENDA ITEM NO. 2C – PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR – AGENCY NEGOTIATORS: ALISON GLASSEY AND LINDA CLOUSER; EMPLOYEE ORGANIZATION(S): ALL**

**AGENDA ITEM NO. 2D – PURSUANT TO GOVERNMENT CODE SECTION 54956.9 – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: RICHARD JOHNSON V. JEANINE NADEL; MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCU-KCVPT0750493**

*RECESS: 9:32 – 9:37 A.M.*

*CHANGE IN CLERK: ADRIENNE MOORE*

*RECONVENED IN OPEN SESSION: 9:37 A.M.*

**Board Action:** Chair Smith reported that no action was taken in Closed Session.

**AGENDA ITEM NO. 3 – OPEN SESSION AND PLEDGE OF ALLEGIANCE**  
**Presenter/s:** The Pledge of Allegiance was led by Mr. Lee Howard.

**AGENDA ITEM NO. 4 – APPROVAL OF MINUTES**  
**Presenter/s:** Chair Smith.

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**Board Member Directive:** BY ORDER OF THE CHAIR the minutes of the December 4, 2007, meeting, and the December 10, 2007, workshop are hereby continued.

#### **AGENDA ITEM NO. 5 – CONSENT CALENDARS – REGULAR & WATER AGENCY**

**Presenter/s:** The Clerk confirmed that proper notice has been established for all applicable items on today's agenda. Regular Consent Calendar item 5(8) removed for separate consideration.

**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Colfax, and carried unanimously; IT IS ORDERED that regular Consent Calendar items 5a(1-7 and 9-20) and the Water Agency Consent Calendar item 5b(1) are approved as follows:

- (1) Acceptance of the Findings and Recommendations of the Criminal Justice Committee Regarding the Committee's Review of the Cannabis Emergency Services Fee Proposal, Thereby Clearing This Item from Committee – Criminal Justice Committee -- Approved;
- (2) Certification of November 6, 2007, Consolidated Districts Election – Assessor/Clerk-Recorder -- Approved;
- (3) Adoption of Resolution Authorizing an Increase in the Recording Fee of \$1.00 per Document, for the Implementation of Social Security Number Truncation Program – Assessor/Clerk-Recorder -- Adopted and the Chair is authorized to sign same --

#### RESOLUTION NO. 07-253

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING AN ADDITIONAL ONE DOLLAR (\$1.00) FEE FOR RECORDING THE FIRST PAGE OF EVERY INSTRUMENT, PAPER OR NOTICE REQUIRED OR PERMITTED BY LAW TO BE RECORDED FOR IMPLEMENTATION AND ONGOING OPERATION OF A SOCIAL SECURITY TRUNCATION PROGRAM

- (4) Approval to Authorize the Auditor-Controller to Transfer Funds from Budget Unit 1020 to Budget Unit 1810, in the Amount of \$75,000, for the Senior Administrative Analyst Position – Executive Office -- Approved and the Chair is authorized to sign same;
- (5) Adoption of Revised County Travel Policy – County Policy No. 18 – Executive Office -- Approved;
- (6) Acceptance of the Findings and Recommendations of the General Government Committee Regarding the Committee's Discussion of Legislative Matters Thereby Clearing This Item from Committee – General Government Committee -- Approved;
- (7) BOS 07-254 Approval of Memorandum of Understanding with the City of Ukiah to Provide Public, Education, and Government Television Access to the Ukiah Valley Area – General Services Agency -- Approved and the Chair is authorized to sign same;
- (9) Adoption of Resolution to Apply Five-Year Time Period for Tax-Defaulted Nonresidential Commercial Property to be Offered at Tax Sale – Treasurer/Tax Collector -- Adopted and the Chair is authorized to sign same --

#### RESOLUTION NO. 07-254

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE CONTINUATION OF THE FIVE-YEAR TIME PERIOD FOR TAX-DEFAULTED NONRESIDENTIAL COMMERCIAL PROPERTY

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- (10) Approval of the Children's Medical Services Annual Plan – Fiscal Year 2007/2008 Child Health and Disability Prevention (CHDP) Program/California Children's Services (CCS) – Health and Human Services Agency -- Approved and the Chair is authorized to sign same;
- (11) BOS 07-255A Approval of Amendment to Agreement No. 02-222A2, with Netsmart New York, Inc. (Previously Known as Creative Socio-Medics Corp.), to License a Clinician Work Station Component of the Avatar Information System ("Avatar"), and for Contractor to Provide Maintenance and Support Services with Regard to Avatar – Health and Human Services Agency/Mental Health Branch -- Approved and the Chair is authorized to sign same;
- (12) BOS 07-256A Approval of Amendment to Agreement No. 06-299, for Fiscal Years 2006-2009, with St. Helena Hospital (St. Helena, CA), for Inpatient Psychiatric Hospitalization – Health and Human Services Agency/Mental Health Branch -- Approved and the Chair is authorized to sign same;
- (13) BOS 07-257A Approval of Amendment to Agreement No. 06-300, for Fiscal Years 2006-2009, with St. Helena Hospital Center for Behavioral Health (Vallejo, CA), to Provide Inpatient Psychiatric Hospitalization – Health and Human Services Agency/Mental Health Branch -- Approved and the Chair is authorized to sign same;
- (14) BOS 07-258A Approval of Amendment to Agreement No. 07-101, with Mendocino County AIDS Volunteer Network, to Provide HIV Prevention Outreach Risk Reduction Services – Health and Human Services Agency/Public Health Branch -- Approved and the Chair is authorized to sign same;
- (15) Adoption of Resolution Approving Parcel Map for Minor Subdivision No. MS 5-2005 (Anderson) and Accepting on Behalf of the Public, Item "A" of the Owner's Statement and as Designated on the Within Map for the Purposes Specified Thereon, Excepting Therefrom and Specifically Rejecting, for Maintenance, the Roadway Within the Easement, Item "A" of the Owner's Statement Until Such Time as Such Maintenance is Accepted by Resolution of the Board of Supervisors, Located Approximately One (1) Mile North of Fort Bragg, 245 ± Feet East of State Highway One (1), Lying on Both Sides of a Private 60 Foot Wide Roadway and Public Utility Easement (Fort Bragg Area) – Surveyor's Office -- Adopted and the Chair is authorized to sign same --

#### RESOLUTION NO. 07-255

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING PARCEL MAP FOR MINOR SUBDIVISION NO. MS 5-2005 (ANDERSON) AND ACCEPTING ON BEHALF OF THE PUBLIC, ITEM "A" OF THE OWNER'S STATEMENT AND AS DESIGNATED ON THE WITHIN MAP FOR THE PURPOSES SPECIFIED THEREON, EXCEPTING THEREFROM AND SPECIFICALLY REJECTING, FOR MAINTENANCE, THE ROADWAY WITHIN THE EASEMENT, ITEM "A" OF THE OWNER'S STATEMENT UNTIL SUCH TIME AS SUCH MAINTENANCE IS ACCEPTED BY RESOLUTION OF THE BOARD OF SUPERVISORS, LOCATED APPROXIMATELY ONE (1) MILE NORTH OF FORT BRAGG, 245± FEET EAST OF STATE HIGHWAY ONE (1), LYING ON BOTH SIDES OF A PRIVATE 60 FOOT WIDE ROADWAY AND PUBLIC UTILITY EASEMENT (FORT BRAGG AREA)

- (16) Approval of Notice of Completion, Department of Transportation Contract No. 070018, 2006 Storm Damage Repairs on Pratt Ranch Road, CR 116A, at Mile Post 0.25 (Hopland Area) – Transportation -- Approved and the Chair is authorized to sign same;

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- (17) Approval of Notice of Completion, Department of Transportation Contract No. 070020, 2006 Storm Damage Repairs on Pine Ridge Road, CR 220, at Mile Post 2.45, Mile Post 2.75, Mile Post 3.00 and Mile Post 3.05 (Ukiah Area) – Transportation -- Approved and the Chair is authorized to sign same;
- (18) Adoption of Resolution Authorizing Director of Transportation to Submit Applications for Project Funding from the California Office of Emergency Services (OES) for Federal Emergency Management Agency (FEMA) Sponsored Grant Programs for Disaster Mitigation – Transportation -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 07-256

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING DIRECTOR OF TRANSPORTATION TO SUBMIT APPLICATIONS FOR PROJECT FUNDING FROM THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (OES) FOR FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SPONSORED GRANT PROGRAMS FOR DISASTER MITIGATION

- (19) Approval of Coastal Development Permit(s) – Planning and Building Services – Approved --  
CDP No. 38-2007 – Helen Duffy and Betty Wong (Owners), Doug Kinsbaugh (Applicant)  
LOCATION: In the Coastal Zone, 4± miles North of Elk, on the West Side of Cameron Road (CR 516), Approximately 3 Miles Southeast of Its Intersection with Highway 1 at 3870 Cameron Road (APN 127-030-01)  
REQUEST: Construct a 1,880± Square Foot Single-Family Residence with a Maximum Height Of 27± Feet Above Average Natural Grade; Convert the Existing Cabin to a Guest Cottage after Temporary Occupancy During Construction; Associated Development Includes Connect to Existing Electric, Gas, Water, and Telephone Utilities; New Septic Improvements Proposed; and Removal of Approximately 30 Trees  
  
The Board of Supervisors hereby authorizes the issuance of Coastal Development Permit No. 38-2007
- (20) Approval of Leave of Absence for Senior Community Development Commissioner, Ms. Kathy French-Baber, as Requested by the Mendocino County Community Development Commission – Clerk of the Board -- Approved.

**AGENDA ITEM NO. 5B – MENDOCINO COUNTY WATER AGENCY CONSENT CALENDAR**

- (1) BOS 07-259 Approval of Cost Sharing Agreement for Operation of “Navarro River near Navarro” and “Noyo River near Fort Bragg” United States Geological Survey (USGS) Stream Flow Gauging Stations in Water Year 2008 -- Approved and the Chair is authorized to sign same.

C1:T2/T1-84

**PUBLIC EXPRESSION**

**Presenter/s:** Mr. John Graff, representing the Employers Council of Mendocino County, expressed appreciation for the services provided by the General Services Agency (GSA) this past year, also referencing a previously transmitted letter. Mr. Lee Howard, representing North Coast Builders’ Exchange, also expressed support for GSA, as well as expressing concern with the low number of business licenses issued to contractors doing business with the County. Mr. Marshall Sayegh complimented Mr. Robert Scaglione, of the Air Quality Management District, regarding his work concerning gravel mining in Gualala; also commenting on the issue as reported in the media about the impact the Gualala fireworks show had on local birds.

Ms. Jeanine B. Nadel, County Counsel, and Supervisor Wattenburger both responded to public expression.

C1:T2.M10/T1-345

**AGENDA ITEM NO. 9A – INFORMATIONAL PRESENTATION BY FOREST SUPERVISOR, MR. TOM CONTRERAS, REGARDING ACTIVITIES AND PROJECTS ASSOCIATED WITH THE MENDOCINO NATIONAL FOREST**

**Presenter/s:** Chair Smith introduced the matter, inviting Mr. Tom Contreras, Forest Supervisor, Mendocino National Forest, to commence the informational presentation regarding activities and projects of interest to Mendocino County.

Mr. Contreras addressed the Board, introducing Ms. Phebe Brown, Public Affairs Officer, and Mr. Lee Johnson, newly appointed Upper Lake/Covelo District Ranger. Mr. Contreras also distributed informational packets, noting the 100<sup>th</sup> anniversary of the Mendocino National Forest, proceeding to present a PowerPoint overview of the Integrated Vegetation Management Program, including background information about the Northwest Forest Plan, the “Mendocino 2025” vision, the Healthy Forest Initiative, Health Forest Restoration Act, timber harvesting, the “Strategically Placed Land Area Treatment System” (SPLATS), and other items of interest to Mendocino County constituents.

Discussion ensued relative to the lack of fire prevention in several large wilderness areas, location of SPLATS, grazing, the expanded Wilderness Bill, aerial fire delivery, U.S. Wildfire Leadership Council efforts to create an emergency fund for fire suppression activities, salvage timber, the co-op air patrol for aerial survey, trash, septic pumping, illegal marijuana growing, and related matters.

Mr. Contreras responded to Board comments, also describing how the Mendocino National Forest is working very aggressively with law enforcement to address issues related to illegal marijuana cultivation.

Discussion ensued with Board members seeking status of a \$500,000 funding commitment for the *More Kids in the Woods* project in 2008; and the Secure Rural Schools and Community Self-Determination Act Extension, with Supervisor Wattenburger also commenting on the use of HR 2389, Title II and Title III project funding.

**Public Comment:** Mr. Bill Smith.

Supervisor Delbar commented about the critical need for aerial patrol, encouraging reconsideration of this program, to which Mr. Contreras clarified that the program does not meet the criteria under procurement law.

**Board Action:** No action taken. Board members expressed appreciation to Mr. Contreras and his team for the informational presentation.

C1:T3.M8/T1-1753

**AGENDA ITEM NO. 6F – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RECOMMENDED PREMIUM INCREASE FOR THE EMPLOYEE HEALTH PLAN FOR CALENDAR YEAR 2008 AND CORRECTION OF COUNTY/EMPLOYEE FUNDING RATIO**

**Presenter/s:** Ms. Linda Clouser, Human Resources Director, introduced the topic reporting that in 2007, a Health Plan Review Committee (HPRC) was formed for the purpose of evaluating the efficiency and stability of the County’s Self-Insured Health Plan, and comprised of a designated member from each bargaining unit, Mercer consulting staff, the Human Resources Director, Benefits staff, Executive Office staff, and the County Auditor. The HPRC looked at alternatives

to the current self-insured funding of the County Health Plan. It was determined through this Committee that the Mendocino County Self-Insured Health Plan is performing above standard and is still the most economical option for providing health insurance to County employees. No cost-effective alternatives were identified. Ms. Clouser also reported that the County has an excellent wellness program, noting the need to promote the program as a means of keeping healthcare costs down.

Discussion ensued with Board members commenting on costs associated with contracted vs. non-contracted medical facilities, out of pocket costs to the employee, increases in the costs of medical care, and related matters.

After noting cost increases with medical services and the contract, stabilization reserves, the lack of a premium increase in 2006 as well as a delayed increase in 2007, and funding ratios, Ms. Clouser recommended the Board approve a 17.59% premium increase for the 2008 Plan year to support the solvency and stability of the Plan and correct the funding ratio to County 75%/Employee 25%, noting that all bargaining units have weighed in and agree to the recommendation.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the Funding/Premium increase of 17.59% to be applied to the Employee Health Plan for Calendar Year 2008, and directs that the funding ratio of County 75%/Employee 25% be applied to overall premiums effective the first full pay period after January 1, 2008.

C1:T3.M27/T1-2592

**AGENDA ITEM NO. 5A – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**

**(8) BOS 07-260A Approval of Amendment to Agreement No. 06-123, with the California Department of Forestry and Fire Protection (CDF) for Fire and Emergency Dispatch Services – General Services Agency -- Approved and the Chair is authorized to sign --**

**Presenter/s:** Supervisor Delbar expressed concern with the increase in the contract amount, inviting Ms. McMenomey to address the Board.

Ms. Kristin McMenomey, General Services Agency Director, reported that various options were explored, including the release of a Request for Proposal, as well as looking at the Sheriff's Office to provide dispatch services. However, she noted that contracting with CDF was the best option at this point in time, also commenting on an "out" clause in the contract and the possibility of consolidating dispatch services in the future, assuring the Board that other alternatives will continue to be explored.

Supervisor Wattenburger suggested that dispatch services be included in the upcoming review of fire services throughout the County.

**Board Action:** Foregoing introduced by Supervisor Delbar, seconded by Supervisor Wattenburger, and carried unanimously.

C1:T3.M27/T1-2797

**AGENDA ITEM NO. 12 – APPOINTMENTS TO BOARDS AND COMMISSIONS**

**(bb) Retirement Board**

*CHAIR SMITH PASSED THE GAVEL IN ORDER TO MAKE THE FOLLOWING MOTION.*

*VICE-CHAIR WATTENBURGER PRESIDING.*

**Board Action:** Upon motion by Supervisor Smith, seconded by Supervisor Pinches, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Donald Coursey, M.D., to the Retirement Board as the 4<sup>th</sup> Member representative.

*CHAIR SMITH PRESIDING.*

- (a) **Policy Council on Children and Youth/PCCY Child Abuse Prevention Commission**  
**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Meredith Lintott to the Policy Council on Children and Youth/PCCY Child Abuse Prevention Commission as the Prosecuting Attorney of the County representative.

- (d) **Mental Health Board**  
**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Vonna Kindred Myers to the Mental Health Board as the Consumer – 2<sup>nd</sup> District representative.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Lorelie Manix to the Mental Health Board as the Consumer-Family – 1<sup>st</sup> District representative.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Lois Jane Berry to the Mental Health Board as the Consumer-Family – 2<sup>nd</sup> District representative.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints William Love, Ph.D. to the Mental Health Board as a Public Interest – 2<sup>nd</sup> District representative.

- (e) **Workforce Investment Board**  
**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Pamela Patterson to the Workforce Investment Board as a Business representative.

**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Donald Ballek to the Workforce Investment Board as a Business representative.

**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors reappoints Judith Kvinland to the Workforce Investment Board as a Mandatory representative.



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**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Donald Ballek to the Workforce Investment Board as a Mandatory representative.

**Discussion on Motion:** Supervisor Wattenburger, noting that Mr. Ballek is being recommended to fill two seats, clarified that this is common practice with this particular Board.

C1:T3.M34/T1-2911

**AGENDA ITEM NO. 6B – CHIEF EXECUTIVE OFFICER REPORT**

**Presenter/s:** Mr. Tom Mitchell, Chief Executive Officer, provided a brief oral report, also referencing notification received from the Regional Water Quality Control Board of their intent to conduct a public hearing in January (date to be determined) regarding the former Masonite site. He also commented on the annual Business Improvement District (BID) review, which both he and Mr. Paul Cayler, Deputy Chief Executive Officer, will continue to monitor.

**Board Action:** No action taken.

**AGENDA ITEM NO. 7B – DEPARTMENT OF TRANSPORTATION – DIRECTOR'S REPORT**

**Presenter/s:** Mr. Howard Dashiell, Transportation Director, previously transmitted a written report to the Board.

**Board Action:** No action taken.

**AGENDA ITEM NO. 7E – PLANNING AND BUILDING SERVICES – DIRECTOR'S REPORT**

**Presenter/s:** Mr. Ray Hall, Planning and Building Services Director, previously transmitted a written report to the Board.

**Board Action:** No action taken.

C1:T3.M36/T1-3013

**AGENDA ITEM NO. 8B – DISCUSSION AND POSSIBLE ACTION REGARDING BOARD AD-HOC COMMITTEE YEAR-END STATUS REPORTS**

**Presenter/s:** Chair Smith introduced the topic, seeking the status on each of the listed ad-hoc committees from fellow Board members.

Supervisor Wattenburger noted that negotiations between the Coyote Valley Band of Pomo Indians and the County of Mendocino has concluded.

**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors disbands the ad-hoc committee regarding negotiations between the Coyote Valley Band of Pomo Indians and the County of Mendocino to develop a Memorandum of Understanding for an expanded and enhanced gaming facility per the Indian Gaming Regulatory Act and the Tribal-State Compact with the State of California.

**Board Directive:** BY ORDER OF THE CHAIR staff is hereby directed to update the Ad-Hoc Committee topical index as follows:

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<b>Date</b>	<b>Topic</b>	<b>Members</b>	<b>Status</b>
10/21/03	Review agreement with Sonoma County for Emergency Medical Services administration (associated with Calstar Trauma Transport Helipad Restrictions)	Delbar/Colfax	Active
9/27/05	Add-on referral approved by the Board – see 9/27/05 Board minutes		
12/12/06	Re-Refer/Reconstitute: The "Tri-County Region" Cooperation		
2/7/06	Creation of an Ad-Hoc Committee of the Board regarding Retiree Health Benefits	Smith/Colfax	Active
12/12/06	Formation of an Ad-Hoc Committee to complete the Diversity Policy matter	Smith/Wattenburger	Active
3/27/07	<del>Reviewing and directing negotiations between the Coyote Valley Band of Pomo Indians and the County of Mendocino to develop a Memorandum of Understanding for an expanded and enhanced gaming facility per the Indian Gaming Regulatory Act and the Tribal State Compact with the State of California</del>	<del>Delbar/Wattenburger</del>	<del>Disband</del>
7/24/07	Appointment of Two Board Members to Serve on a Coordinating Committee to Review Caspar Transfer Station Operating Expenses	Colfax/Smith	Active
8/7/07	Select Two Supervisors to Serve on an Ad-Hoc Committee with Representative from the Office of the County Auditor-Controller, County Counsel, and the Executive Office to Negotiate a Revenue Sharing Agreement by and Between the County of Mendocino and City of Ukiah	Delbar/Wattenburger	Active
8/7/07	Formation/Reactivation of Board Ad-Hoc Committee: Mendocino County Board of Supervisors and the Mendocino County Retirement System	Colfax/Smith	Active
11/20/07	Formation of a Board Ad-Hoc Committee Regarding Wave Energy	Colfax/Smith	Active
12/4/07	Establishment of an Ad-Hoc Committee of Gasoline Dispensing Facility (GDF) Representatives and Air Quality Management District Staff to Review the Current GDF Fee Structure	TBD (Delbar sponsored)	Active

**AGENDA ITEM NO. 10 – COUNTY COUNSEL REPORTS**

**Presenter/s:** No report presented.

**Board Action:** No action taken.

**AGENDA ITEM NO. 8A – COMMITTEE REPORTS/SUPERVISORS REPORTS**

**Presenter/s:** Supervisor Pinches reflected on the past year, expressing appreciation to his fellow Board members for their collective efforts on many diverse issues that have come before the Board.

**Board Action:** No action taken.

C2:T1/T1-3331

**AGENDA ITEM NO. 6C – PRESENTATION FROM MENDOCINO COUNTY’S WASHINGTON, D.C. LEGISLATIVE ADVOCATE, MR. PAUL SCHLESINGER OF ALCALDE AND FAY, REGARDING AN UPDATE ON MENDOCINO COUNTY’S FEDERAL LEGISLATIVE PLATFORM AND APPROPRIATION REQUESTS**

**Presenter/s:** Mr. Paul Cayler, Deputy Chief Executive Officer, introduced the matter, commenting on the County’s priority list of 2008 appropriations relative to the Coyote Dam Feasibility Study, the Noyo Harbor Emergency Maintenance, and the Public Safety Microwave System. He noted that the Executive Office will present the finalized list of the General Government Committee’s recommended priorities to the Board on January 15, 2008, also suggesting that the Board give some thought about Federal legislative priorities, as well as sending a delegation to Washington D.C., in February to lobby for our requests. Further, he reminded the Board of the need to consider extending the professional services agreement between the County and Alcalde and Fay upon the expiration of the current contract in January. At the conclusion of his comments, Mr. Cayler invited the County’s Federal Legislative Lobbyist, Mr. Paul Schlesinger, of Alcalde and Fay, to address the Board.

Mr. Schlesinger commented on continued delays with the approval of the Federal appropriations package, also noting the probability of the elimination of earmarks. He further commented on the challenge with developing next year’s platform when this year’s appropriations have not been determined. Mr. Schlesinger described that the best approach is to look for funding where it exists, recommending spreading priorities out across more bills to maximize successful appropriations. He reported that next year, development will commence on the multi-year Highway Transit Reauthorization Bill, which will allow the County to seek substantially increased funding for a specific highway project; and the Water Resources Development Act, which may present an opportunity to authorize a new Army Corps of Engineers project.

Discussion ensued relative to the Coyote Valley Dam project, continued funding of the Secure Rural Schools and Self-Determination Act, funding for the Noyo Harbor Dredge Management Plan and emergency dredging, the status of the wastewater/agriculture water project, and related matters.

In response to Board comments, Mr. Schlesinger and Mr. Cayler described various appropriations criteria and amounts, the role of the Army Corps of Engineers in various projects, also referencing the County’s draft priority list, and clarifying the process for submitting a project for funding consideration. Mr. Cayler also proposed the dates of February 6-8, 2008, for a County legislative delegate to travel to Washington, D.C.

**Board Action:** No action taken. Board members expressed appreciation for Mr. Schlesinger’s report.

C2:T1.M32/T2-890

**AGENDA ITEM NO. 7A – DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF THE MENDOCINO COUNTY PUBLIC HEALTH ADVISORY BOARD’S (MCPHAB) RECOMMENDATIONS FOR ROUND SIX TOBACCO SETTLEMENT FUNDED GRANTS – HEALTH AND HUMAN SERVICES AGENCY/PUBLIC HEALTH BRANCH**

**Presenter/s:** Ms. Carmel Angelo, Director, Health and Human Services Agency, provided a brief history of the matter, noting that the Board annually approves funding of community health-related projects, using tobacco settlement revenues. She reported that the Mendocino County Public Health Advisory Board (MCPHAB) is recommending eleven projects for funding in 2008, totaling \$93,896 of the \$94,000 of funds available for 2008. Referencing the written staff report, Ms. Angelo noted that the recommended grant applicants represent all five districts and address at least one of the four priority areas of the Public Health Strategic Plan: Access to Care, Aging, Alcohol and Other Drugs, and Healthy Lifestyles.

**Public Comment:** Mr. Edmund TePas, representing Friends of the Round Valley Public Library.

**Board Action:** Upon motion by Supervisor Delbar, seconded by Supervisor Pinches, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the Mendocino County Public Health Advisory Board's recommendations and authorizes the Public Health Branch Director and/or the Health and Human Services Agency Director to sign subsequent contracts.

**Discussion on Motion:** Supervisor Delbar expressed appreciation for everyone involved in the selection process, noting the high caliber of recommended projects.

*RECESS: 11:42 – 11:50 A.M.*

C2:T3/T2-1325

**AGENDA ITEM NO. 7B – DEPARTMENT OF TRANSPORTATION – DIRECTOR'S REPORT – CONTINUED**

**Presenter/s:** Mr. Howard Dashiell, Transportation Director, introduced Mr. Steve Ford, Department of Transportation, commending him for his award from the National Roadway Safety Foundation and the Federal Highway Administration for the County Road Safety Program he developed in the County.

**Public Comment:** Mr. Ford expressed appreciation for the Board's recognition, also providing background information about the Road System Traffic Safety Review Program, noting the 42% reduction in accidents on the subject roads in the County.

**Board Action:** No action taken. Board members expressed appreciation for Mr. Ford's exemplary efforts, also complimenting the collective efforts of the Transportation staff.

C2:T3.M6/T2-1537

**AGENDA ITEM NO. 7D – PRESENTATION OF THE MENDOCINO COUNTY TRAFFIC SAFETY COALITION – MISSION AND OPERATIONS OVERVIEW – DEPARTMENT OF TRANSPORTATION**

**Presenter/s:** Mr. Howard Dashiell, Director, Department of Transportation, invited Captain Ray Madrigal, California Highway Patrol, to address the Board. Captain Madrigal introduced members of the Mendocino County Traffic Safety Coalition: Mr. Ralph Martinelli, Caltrans District 1; Ms. Cathy Francis and Mr. Sam Barnett, Emergency Medical Services (EMS); Mr. Howard Dashiell, Mr. Bob Parker, and Mr. Steve Ford, Department of Transportation; Mr. Phil Dow, Mendocino Council of Governments; and Captain Chris Dewey, Ukiah Police Department.

Captain Madrigal provided historical information about the formation of the Traffic Safety Coalition, noting that it now includes representatives of many entities that are involved with traffic safety concerns and programs throughout Mendocino County including Caltrans, California Highway Patrol, California Department of Forestry (now CalFire), California Department of Parks and Recreation, Coastal Valleys EMS Agency, Fort Bragg Police Department, Mendocino Council of Governments, Mendocino County Department of Public Health, Mendocino County Department of Transportation, Mendocino County Sheriff's Office, Ukiah Police Department, and Willits Police Department.

Captain Madrigal and Mr. Sam Barnett provided a PowerPoint presentation of an overview of the Coalition's mission and operations, including proposed focus programs for Calendar Year 2008. They further reported that the coalition has been active in identifying and performing operations/programs that support improved traffic safety throughout the County, and within the incorporated cities and the unincorporated areas. In closing, Captain Madrigal noted that many of the operations are conducted as joint task evolutions, performed by representatives of all the law enforcement agencies within the Coalition.

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Supervisor Wattenburger inquired about the “Every 15 Minutes” program, which is a Driving Under the Influence (DUI) Awareness Program geared to the adolescent sector, requesting Captain Madrigal provide a program schedule to the Board.

**Board Action:** No action taken. Board members expressed appreciation for the informational presentation.

C2:T3.M24/T2-2299

**AGENDA ITEM NO. 7C – DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE THE READING OF AN ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE – SPEED ZONES; REPEALING PARAGRAPHS 15.04.030(C)3, 15.04.030(D)11 AND 15.04.030(F)2 AND ESTABLISHING REVISED PRIMA FACIE SPEED LIMITS ON NORTH STATE STREET, CR104 (UKIAH AREA) – DEPARTMENT OF TRANSPORTATION**

**Presenter/s:** Mr. Howard Dashiell, Director, Department of Transportation, reported that this proposed ordinance would amend Chapter 15.04.030 of the Mendocino County Code by establishing revised speed zones in conformance with the California Vehicle Code on North State Street, CR104, and north of the City of Ukiah within Mendocino County jurisdiction.

**Board Action:** Upon motion by Supervisor Delbar, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors introduces and waives the reading of an Ordinance amending Section 15.04.030 of the Mendocino County Code – Speed Zones; repealing Paragraphs 15.04.030(c)3, 15.04.030(d)11 and 15.04.030(f)2 and establishing revised prima facie speed limits on North State Street, CR104.

*LUNCH RECESS: 12:16 – 1:35 P.M.*

*CHANGE IN CLERK: KRISTI FURMAN*

T2-2400

**AGENDA ITEM NO. 6D – PLANNING TEAM REPORT/UPDATE  
(CONTINUED FROM DECEMBER 4, 2007)**

**Presenter/s:** Ms. Alison Glassey, Assistant Chief Executive Officer, provided an update relative to projects underway with the Mendocino County Planning Team, noting that the timelines for each of the major projects have been modified from initial plans due to extended public comment periods. Highlights of the presentation reflected project milestones in March 2008 for the UVAP, General Plan Update, and Route No. 1 Corridor Study; Summer 2008 for the Mendocino County Housing Element and the Mendocino Town Plan update, with the Local Coastal Plan Update to commence following completion of the Mendocino Town Plan Update. Also “on the horizon” for August 2008 is involvement with the Mendocino Council of Governments regarding regional housing needs allocation.

**Board Action:** No action taken.

C4:T1/T2-3040

**AGENDA ITEM NO. 6E – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ACTION REGARDING THE FOLLOWING PROJECT: 50 ACRE REZONE PROJECT, ENVIRONMENTAL DETERMINATION, GENERAL PLAN AMENDMENTS, POTENTIAL OVERRIDE OF AIRPORT LAND USE COMMISSION DETERMINATION, INTRODUCTION AND WAIVE THE READING OF AN ORDINANCE TO REZONE CERTAIN PARCELS TO MULTIPLE FAMILY RESIDENTIAL (R-3), WITH CONDITIONS, AND ADOPT FINDINGS OF FACT RELATED THERETO, IN ORDER TO COMPLY WITH HOUSING ELEMENT ACTION ITEM 4.2 – PLANNING TEAM**

**Presenter/s:** Mr. Phil Gorny, Planning Team; Mr. Frank Zotter, Jr., Chief Deputy County Counsel; and Ms. Jeanine B. Nadel, County Counsel.

## ATTACHMENT C

### ■ BOARD OF SUPERVISORS – SUMMARY/ACTION MINUTES – DECEMBER 11, 2007 PAGE 265

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Proper Notice was established by the Clerk of the Board and the PUBLIC HEARING WAS OPENED.

Mr. Gorny addressed the Board providing background information associated with the history of the 50-acre rezone project which relates to the Housing Element of the Mendocino County General Plan including an overview of the process to date, Planning Commission review and recommendations, and associated matters.

He referenced a comprehensive written staff report containing staff's recommendations regarding the various actions before the Board, including a resolution, ordinance, environmental determination, and findings of fact to support the recommended actions. He proceeded to review staff's recommendations to move forward with the mitigated negative declaration and associated actions, then described the selected locations proposed for rezoning (Locations I through XIII – with X being withdrawn), explaining the rationale for selection of each, and the status of each (located in Ukiah, Boonville, Cleone, Willits, Hopland, Laytonville, and Covelo).

C3:T1.M15/T3-190

**Public Comment:** Ms. Lisa Hillegas, representing Legal Services of Northern California; Mr. Andy Gustavson, representing Ukiah Land, Site No. 3; Mr. Chris Stone; Mr. Jim Ronco, representing the property identified as Site No. 11; Mr. Dan O'Bergin, developer representing land contained within Site No. 3; Mr. Kirk VanPatten; Mr. Gerald Cox; Ms. Sheila Leighton; Mr. Nat Corey-Moran; Mr. James (J.R.) Collins, Superintendent Anderson Valley Unified School District; Mr. Rich Agenbroad; and Mr. Don Lipmanson, former Mendocino County Planning Commissioner.

Following public comment on the matter, Board members commented on the need to address affordable housing, also commenting on mobile home parks, and the availability of water to serve the various locations, recommending the Board move forward with all of the sites recommended by staff, also commenting on the remaining issues to be addressed throughout the process.

Following Board comment on the matter, Mr. Gorny responded to inquiries regarding the subject properties, the review by the Airport Land Use Commission, the determination of "remoteness", and related matters.

THE PUBLIC HEARING WAS CLOSED.

**Board Action:** Moved by Supervisor Pinches, seconded by Supervisor Colfax, to accept all locations on the list with the exception of Site No. 10 as previously withdrawn.  
(Following further discussion, the motion was subsequently withdrawn.)

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the proposed Mitigated Negative Declaration and findings that a duly noticed public hearing was conducted and potential environmental impacts are reduced to levels of insignificance by the appropriate conditions attached to the rezonings.

**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Colfax, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the following Resolution and its Exhibit A, amending the various General Plan land use designations to "SR" Suburban Residential and Rural Community, and the Chair is authorized to sign same --

## ATTACHMENT C

■ BOARD OF SUPERVISORS – SUMMARY/ACTION MINUTES – DECEMBER 11, 2007 PAGE 266

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### RESOLUTION NO. 07-257

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING AMENDMENTS TO THE GENERAL PLAN LAND USE DESIGNATIONS FOR CERTAIN PARCELS OF LAND IN ORDER TO ACHIEVE CONSISTENCY BETWEEN THE GENERAL PLAN AND ZONING DESIGNATIONS RELATED TO IMPLEMENTATION OF MENDOCINO COUNTY GENERAL PLAN HOUSING ELEMENT ACTION ITEM 4.2

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors overrides the determination of the Airport Land Use Commission, finding that, with respect to Location III (Gobalet Lane, South State Street, Ukiah sites), the Board overrules the findings for the Airport Land Use Commission that these sites are incompatible with the B-2 Airport Zone, finding instead, pursuant to Public Utilities Code Section 21676.5, subdivision (b), that the proposed rezoning is consistent with the goals and purposes of Public Utilities Code Section 21670, and further, facts to support the findings of consistency are contained within the body of report.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors waives the reading and adopts an ordinance to rezone certain parcels to Multiple Family Residential (R-3), with conditions, and based on findings including that a duly noticed hearing was conducted by the Planning Commission on November 15, 2007; that the Board has conducted a duly noticed public hearing on December 11, 2007; that the rezonings are consistent with the County General Plan, its land use designations, and its goals and policies; and that a Mitigated Negative Declaration has been approved and adopted for this project with a finding that the conditions attached to the rezonings are sufficient to reduce any potential adverse environmental impacts to levels of insignificance, and authorizes Chair to sign same --

### ORDINANCE NO. 4195

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE COUNTY OF MENDOCINO

RECESS: 3:00 – 3:20 P.M.

C4:T1/T3-2140

#### AGENDA ITEM NO. 8C – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION APPROVING REVISIONS TO THE BOARD OF SUPERVISORS EXPENDITURE AND REIMBURSEMENT POLICY

**Presenter/s:** Ms. Alison Glassey, Assistant Chief Executive Officer, introduced the matter reporting that since the Board's last review and adoption of the travel policy in June 2007, a few modifications are being proposed for Board consideration. The recommended areas of change include elimination of the commute mileage, an adjustment to the mileage formula and stipend, and an amendment to the telecommunications section.

Board members commented on the changes, expressing support for the simplified claiming mechanism as contained within the amended policy. Supervisor Smith also recommended that County Counsel review the statute allowing for the Road Commissioner reimbursement, suggesting the potential elimination of this outdated stipend.

**Board Member Directive:** BY ORDER OF THE CHAIR County Counsel is hereby directed to review the Board allocation/reimbursement as Road Commissioners.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor Colfax, and carried (3/2, Supervisors Delbar and Wattenburger dissenting); IT IS ORDERED that the Board of Supervisors adopts the resolution approving the proposed revisions to the Board Expenditure and Reimbursement Policy, rescinding Resolution No. 07-103 and the Board's previous Expenditure and Reimbursement Policy, authorizing the Chair to sign same, to be effective January 1, 2008, and that all necessary implementing actions are taken by the Executive Office, County Counsel and the Auditor-Controller --

RESOLUTION NO. 07-258

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE BOARD OF SUPERVISORS EXPENDITURE AND REIMBURSEMENT POLICY, RESCINDING RESOLUTION NO. 07-103, AND THE BOARD'S PREVIOUS EXPENDITURE AND REIMBURSEMENT POLICY

**Discussion on Motion:** Supervisor Delbar commented on the item noting the late receipt of the information, recommending the matter be continued to January to allow adequate review. Supervisor Wattenburger also commented on the item, describing his viewpoint that the current policy is working, further describing his personal reimbursement practices, concurring with the recommendation to continue the matter.

C4:T1.M17/T3-2880

**PUBLIC EXPRESSION**

**Presenter/s:** Mr. Richard Johnson addressed the Board regarding Measure G and the annual reporting requirement of the Sheriff and the District Attorney.

Mr. Jimmy Rickel addressed the Board regarding the Sensible Medical Marijuana Initiative to be placed on the June 2008, ballot.

Mr. John McCowen addressed the Board recommending the Board consider a policy to place staff reports and agenda materials online as a convenience to the public.

Mr. Marshall Sayegh addressed the Board distributing a publication entitled Shattered Dreams: One Hundred Stories of Government Abuse.

C4:T1.M27/T3-3450

**AGENDA ITEM NO. 8D – DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE THE READING OF THE MARIJUANA CULTIVATION ORDINANCE ADDING CHAPTER 9.31 TO TITLE 9 OF THE MENDOCINO COUNTY CODE, IN ACCORDANCE WITH SB 420 AND HEALTH AND SAFETY CODE SECTION 11362.77, THEREBY CLEARING THIS ITEM FROM THE 2007 CRIMINAL JUSTICE COMMITTEE – CRIMINAL JUSTICE COMMITTEE**

**Presenter/s:** Supervisor Wattenburger, speaking as the Chair of the Criminal Justice Committee; Ms. Jeanine B. Nadel, County Counsel; and Mr. Douglas Losak, Deputy County Counsel.

Supervisor Wattenburger, speaking as the Chair of the Criminal Justice Committee, provided background information associated with the referral to the Criminal Justice Committee to review development of marijuana policy development options, describing the monthly committee meetings at which various proposals and draft ordinances were considered. He requested County Counsel provide an update regarding recent modifications to the proposed ordinance before the Board at this time.



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Ms. Jeanine B. Nadel, County Counsel, referenced the previous Board discussion regarding marijuana cultivation at its November 6, 2007, meeting, providing clarification on the modifications to the draft ordinance since that time, including:

- Zip ties (discretionary)
- Legal ownership notice and posting requirements
- Limit on the distance to youth oriented facilities (increase to 1,000 feet)

Supervisor Pinches distributed a revised proposal for *Marijuana Policy Guidelines in the Unincorporated Areas of Mendocino County*, reciting the proposal including the recent updates.

C4:T2/T4-210

**Public Comment:** Ms. Beth Bosk; Mr. Chris Fusio; Mr. Mike Sweeney; Mr. Tom Davenport; Mr. Dennis Smart; Rev. Misty Champlin; Mr. Michael Schneider; Mr. Steve Smith; Ms. Catherine Smith; Ms. Pebbles Trippet; Ms. Terry Ryder McSweeney; Ms. Colleen Schenk; Mr. Larry Jenson; Ms. Deborah Pruitt; Mr. John McCowen; Ms. Lillian Hoika; Mr. Dane Wilkins; Mr. Ralph Paulin; Mr. Ross Liberty; Ms. Ember Koski; Ms. Sarah Shrader; Mr. Don Lipmanson; Mr. Andy Smith; and Ms. Estelle Clifton.

T5:T1:M19/T4-2430

Following considerable public comment on the matter, which reflected a diversity of community viewpoints with regard to allowable amounts of medical marijuana, Board members commented on the proposed ordinance, the zip tie program, support for medical marijuana patients' needs, State limits, and the out-of-control for-profit marijuana operations within Mendocino County.

Supervisor Wattenburger implored his colleagues to support the proposed ordinance before the Board, noting that it is a step in the right direction, and is subject to change in the future as conditions warrant.

Supervisor Delbar spoke to the ordinance expressing his support that zip ties be *required* rather than *voluntary*. He also referenced the need for *original* documents at the site (the physician's recommendation and the card) referencing the counterfeiting of the documentation.

Counsel Nadel suggested a six-month review of the ordinance could be implemented to assess the status of the zip tie section and other matters associated with the ordinance.

Supervisor Pinches reiterated his proposal to attempt to establish controls linked to property/parcel as contained within the proposed guidelines referenced earlier in session.

Supervisor Smith commented on the discussion describing the complexity of the issue, seeking Sheriff Allman's comments on the issue, to which he described the need for direction to enable law enforcement to perform enforcement functions, also offering to return to the Board with regular reports if so desired by the Board. Sheriff Allman also described that the Sheriff's Office has insufficient resources to monitor every 25-plant garden within the County, noting that they are looking for voluntary compliance.

**Board Action:** Upon motion by Supervisor Wattenburger, seconded by Supervisor Colfax, and carried (3/2, with Supervisors Delbar and Pinches dissenting); IT IS ORDERED that the Board of Supervisors introduces and waives the reading of the Marijuana Cultivation Ordinance adding Chapter 9.31 to Title 9 of the Mendocino County Code, in Accordance with SB 420 and Health and Safety Code Section 11362.77, as amended to require a copy instead of an original card to be posted, and the addition of a 12 month review of the ordinance, and thereby clears this Item from the 2007 Criminal Justice Committee.

## ATTACHMENT C

### ■ BOARD OF SUPERVISORS – SUMMARY/ACTION MINUTES – DECEMBER 11, 2007 PAGE 269

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**Discussion on Motion:** Supervisor Pinches reiterated his recommendation for 25 plants per parcel per husband/wife, calling for an amendment to the proposed ordinance, which was not incorporated into the motion.

Supervisor Wattenburger also reflected on a recent state-wide meeting, at which he had the opportunity to address many fellow northern California counties, suggesting a regional/collaborate approach to seeking legislative assistance.

Supervisor Delbar expressed reservations with the proposed ordinance, seeking Counsel's view of the cleanest and simplest method to determine the voters sentiment of Measure G (to validate or invalidate Measure G), to which counsel responded that a Board initiative would be the cleanest/simplest way to determine: *What do the voters of Mendocino County truly feel?*

**Board Member Directive:** Supervisor Delbar suggested the Board may wish to consider directing Counsel to return to the Board with a proposed Ballot Initiative regarding this matter.

**AGENDA ITEM NO. 8E – DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE THE READING OF THE MARIJUANA DISPENSARY ORDINANCE ADDING CHAPTER 9.30 TO TITLE 9 OF THE MENDOCINO COUNTY CODE, IN ACCORDANCE WITH SB 420 AND HEALTH AND SAFETY CODE SECTION 11362.77, THEREBY CLEARING THIS ITEM FROM THE 2007 CRIMINAL JUSTICE COMMITTEE – CRIMINAL JUSTICE COMMITTEE**

**Presenter/s:** Supervisor Wattenburger recommended the matter be continued to a future meeting due to the lateness of the hour.

**Board Member Directive:** GENERAL CONSENSUS OF THE BOARD to continue the matter to a future date.

**Board Action:** No action taken.

**AGENDA ITEM NO. 8F – DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE THE READING OF THE MARIJUANA DISPENSARY ORDINANCE ADDING CHAPTER 9.30 TO TITLE 9 OF THE MENDOCINO COUNTY CODE, IN ACCORDANCE WITH SB 420 AND HEALTH AND SAFETY CODE SECTION 11362.77, TO BAN DISPENSARIES IN MENDOCINO COUNTY THEREBY CLEARING THIS ITEM FROM THE 2007 CRIMINAL JUSTICE COMMITTEE – CRIMINAL JUSTICE COMMITTEE**

**Presenter/s:** Supervisor Wattenburger recommended the matter be continued to a future meeting due to the lateness of the hour.

**Board Member Directive:** GENERAL CONSENSUS OF THE BOARD to continue the matter to a future date.

**Board Action:** No action taken.

*SUPERVISOR COLFAX EXCUSED FOR THE BALANCE OF THE MEETING.*

C5:T1 /T5-1300

**AGENDA ITEM NO. 8A – COMMITTEE REPORTS/SUPERVISORS REPORTS – CONTINUED**

**Presenter/s:** Supervisor Smith provided a brief report regarding the status of the Jackson Demonstration State Forest Advisory Committee and related timeframes.

Supervisor Wattenburger, reflecting on the earlier marijuana discussion, shared his interest in County Counsel drafting language regarding Measure G, to enable the Board to consider placement on the June ballot, acknowledging the March ballot timeline/deadline.

■ BOARD OF SUPERVISORS – SUMMARY/ACTION MINUTES – DECEMBER 11, 2007 PAGE 270

**Board Member Directive:** GENERAL CONSENSUS OF THE BOARD to direct County Counsel to return to the Board with proposed language regarding a ballot initiative relative to Measure G for consideration of placement on the June ballot.

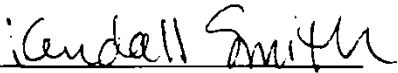
**Board Action:** No action taken.

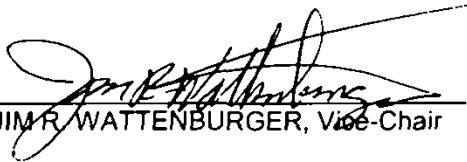
**AGENDA ITEM NO. 13 – COMMUNICATIONS RECEIVED AND FILED**

- (a) State Water Resources Control Board Notice of Applications to Appropriate Water by Permit Applicant: Josh and Tammy Salans; Application: A31461; Date of Notice: November 27, 2007; Stream System: East Fork Russian River. Public Comment/Protest Deadline: January 7, 2008 at 4:30 p.m. For Additional Information, Please Contact Jennifer Dick-McFadden at (916) 322-8568 or by email at [jdick-mcfadden@waterboards.ca.gov](mailto:jdick-mcfadden@waterboards.ca.gov)
- (b) Pacific Gas and Electric Company Potter Valley Hydroelectric Project, No. 77-110; Docket(s): P-77-000; Letter Discussing the November 19, 2007 Letter that Addressed Various Maintenance Activities at the Potter Valley Project Under P-77; View at [http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20071204-0018](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20071204-0018)

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:05 P.M.

(CD/Tape End C6 T1 M8/T1-5-1630)

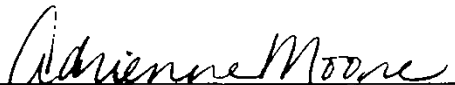
  
KENDALL SMITH, Chair

  
JIM R. WATTENBURGER, Vice-Chair

Attest: KRISTI FURMAN  
Clerk of the Board

Attest: ADRIENNE MOORE  
Deputy Clerk of the Board

  
\_\_\_\_\_

  
\_\_\_\_\_

**NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS**

- Summary/action minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors' summary/action minutes are also posted on the County of Mendocino website at: [www.co.mendocino.ca.us/bos](http://www.co.mendocino.ca.us/bos)
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Clerk of the Board at (707) 463-4221.
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: [www.co.mendocino.ca.us/bos](http://www.co.mendocino.ca.us/bos)

*Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors*

**ATTACHMENT D**

**ORDINANCE NO. 4195**

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE COUNTY OF MENDOCINO**

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Pursuant to Division I of Title 20, Chapter 20.212 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by the following Assessor's Parcel Numbers which are reclassified from the current zoning to the proposed zoning as follows:

<b>APN#</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>	<b>APN#</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
003-430-21	R-1	R-3	184-110-19	SR	R-3
003-430-51	R-1	R-3	184-110-20	SR	R-3
003-430-53	R-1	R-3	184-110-21	SR	R-3
014-020-08	RR-5	R-3	048-230-27	SR	R-3:CR
014-020-09	RR-5	R-3	048-230-10	PS	R-3
014-020-24	RR-5	R-3	048-230-28	C	R-3
014-090-38	RR-1	R-3:CR	069-310-44	RL	R-3:CR
033-240-01	SR	R-3	007-031-08	Ag	R-3
033-270-06	C-2	R-3	007-031-09	Ag	R-3
033-190-50	SR	R-3	007-031-10	Ag	R-3
180-190-11	R-1	R-3	007-031-11	Ag	R-3
180-190-12	R-1	R-3	007-031-12	Ag	R-3
184-120-09	SR	R-3	007-220-05	RL	R-3:CR
184-120-10	SR	R-3	007-220-07	RL	R-3
184-120-11	R-1	R-3	029-450-22	PF	R-3

Rezoning of the four (4) parcels is dependent on compliance with certain conditions (as documented in Attachment A).

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 11<sup>th</sup> day of December 2007, by the following vote:

AYES: Supervisors Delbar, Wattenburger, Pinches, Colfax, and Smith  
 NOES: None  
 ABSENT: None

ATTACHMENT D

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

Kendall Smith  
Chairman of said Board of Supervisors

ATTEST: KRISTI FURMAN  
Clerk of said Board

By Kristi Furman

CASE#: R 2-2007  
OWNER: ( As stated in Exhibit A)

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

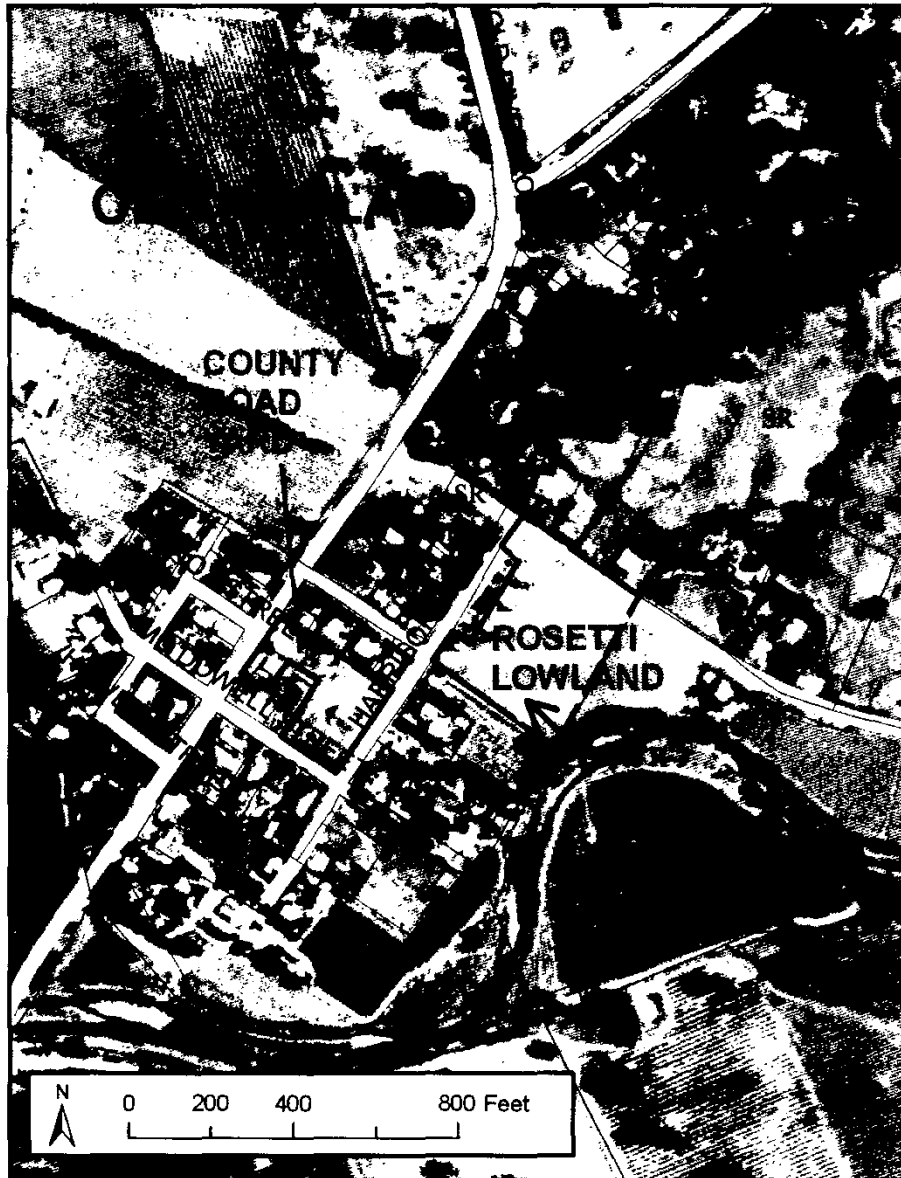
KRISTI FURMAN  
Clerk of the Board

By: Kristi Furman

# Attachment A

Exhibit A

**Mendocino Corp. Yard /  
Rosetti Lowland Multifamily Sites**



**ATTACHMENT D**

**EXHIBIT B**

Legal Description

**Real property situated in the County of Mendocino, State of California,  
described as follows:**

Parcel known as A.P. No. 048-230-27

**BEGINNING** at the Southwest corner of Harrison Avenue and First Street, and running thence in a Northerly direction 383 feet, a little more or less, along the Southerly line of Harrison Avenue to Lakeport Road (Hwy. 175); thence along a Westerly line of the Lakeport Road (Hwy. 175) in a Southeasterly direction 360 feet to the Southeasterly side of Grant Avenue; thence along the Southeasterly line of Grant Avenue in a Southwesterly direction 383 feet to the Southwesterly line of First Street in a Northwesterly direction 360 feet to the point of beginning.

The above described property is bounded on the Northwest by Harrison Avenue, on the Northeast by Lakeport Road (Hwy. 175), on the Southeast by the lands of the party of the 2nd part hereto, and on the Southwest by the Southwesterly line of First Street, in accordance with the map or plat of the Town of Hopland, recorded in the office of the County Recorder of Mendocino County and to which said map reference is hereby made.

**EXCEPTING** therefrom all that part thereof lying to the West of a line described as follows: **COMMENCING** at the intersection of the Southerly line of the road leading from Hopland to Lake County and the Easterly line of Harrison Avenue, and running thence Southerly along the Easterly line of Harrison Avenue 58 ½ feet; thence Easterly at right angles 66 feet; thence Southerly and parallel with the Easterly line of Harrison Avenue 242 ¾ feet; thence at right angles Westerly 34½ feet more or less, to the existing fence; thence Southerly along said fence 140 ½ feet, more or less, to the Southerly boundary of said parcel 17.

A.P.# 048-230-27



**ATTACHMENT D**

**EXHIBIT C**

**Contract**

**RECORDING REQUESTED BY:**

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

**AND WHEN RECORDED MAIL TO:**

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

**CONTRACT FOR COMPLIANCE WITH REZONING CONDITIONS**  
(Section 27281.5 of the Government Code)

IN CONSIDERATION OF the adoption of the Board of Supervisors of an ordinance amending Title 20 of the Mendocino County Code so as to add Ordinance Number \_\_\_\_\_ and thereby rezone Assessor's Parcel Number 048-230-27 as follows:

Assessor's Parcel Number 048-230-27 which are reclassified from Suburban Residential to Multi-family (R3): Contract (R-3:CR) as shown on attached Exhibit A, described in attached Exhibit B, and contracted per Exhibit C entitled "Contract for Compliance with Rezoning Conditions."

Ronald Rosetti, Michele Rosetti, Ronald C. Rosetti, Michelle Rosetti, Robert T. Rosetti, Richard and Donna Eversole, and Donna Eversole hereby warrant they are the owners of the foregoing property, and Agree and Promise to comply with the following conditions pursuant to Section 27281.5 of the California Government Code:

**CONDITIONS**

The rezoning of the subject property is subject to the following conditions:

1. All future development will be kept at least 75 feet back from the edge of Dooley Creek to protect water quality.
2. An Archaeological Monitor is required during the excavation stage because a Level 1 Archaeological Survey revealed a scattering of artifacts. If artifacts are discovered during the monitoring/construction phase, Mendocino County Code Sec.22.12.090 "Discoveries" shall be applied.

**ATTACHMENT D**

IT IS AGREED that the forgoing agreement and promise shall constitute a deed restriction and shall run with the land and constitute an equitable servitude and restrictive covenant.

In the event of non-compliance with the aforesaid conditions, consent is hereby given that the aforesaid property may be rezoned in compliance with Government Code Sections 65853, et seq., and shall be subject to other action authorized by the Mendocino County Code.

IT IS FURTHER AGREED that this contract shall be binding upon the successors and assigns of the owners of land known as Assessor Parcel Number 048-230-27, more particularly shown in attached Exhibit A and described in attached Exhibit B, and shall be effective only after it is signed by the owners and verified by the County of Mendocino.

_____ Ronald Rosetti	_____ Date
_____ Michele Rosetti	_____ Date
_____ Ronald C. Rosetti	_____ Date
_____ Michelle Rosetti	_____ Date
_____ Richard Eversole	_____ Date
_____ Donna Eversole	_____ Date
_____ Donna Eversole	_____ Date

**ATTACHMENT D**

ACKNOWLEDGEMENT

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_\_ day of \_\_\_\_\_ 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald Rosetti, Michele Rosetti, Ronald C. Rosetti, Michelle Rosetti, Robert T. Rosetti, Richard and Donna Eversole, and Donna Eversole personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

\_\_\_\_\_

VERIFICATION

KENDALL SMITH, being first duly sworn, deposes and says:

That he/she is the Chairperson of the Board of Supervisors of the County of Mendocino;

That he/she has read the foregoing Contract for Compliance, knows the contents thereof, and the same is true of his/her own knowledge.

\_\_\_\_\_  
Chairperson, Mendocino County  
Board of Supervisors

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_\_ day of \_\_\_\_\_, 2007, be me, the undersigned, a Notary Public in and for said State, personally appeared KENDALL SMITH, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on

**ATTACHMENT D**

the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

Witness my hand and official seal.

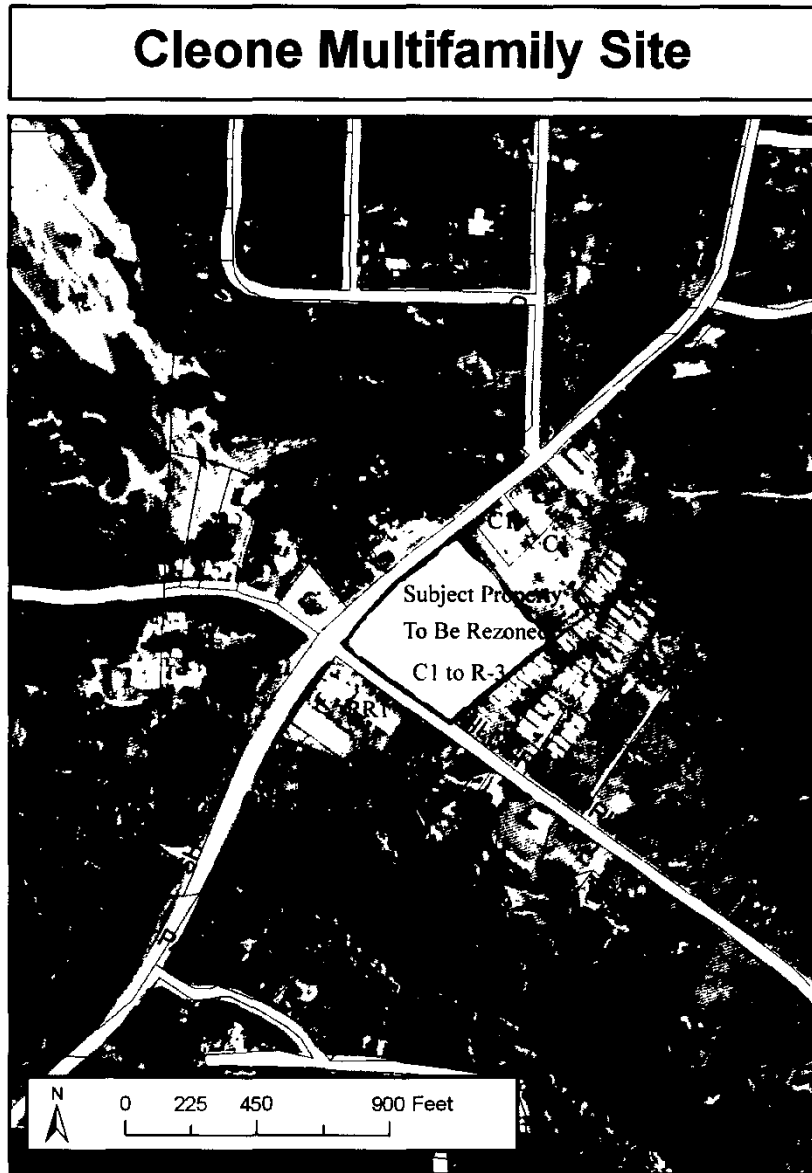
\_\_\_\_\_

APPROVED AS TO FORM:

JEANINE B NADEL, County Counsel

By: \_\_\_\_\_

Exhibit A



## ATTACHMENT D

### Exhibit B

#### Legal Description

The land referred to herein is situated in the State of California, County of Mendocino, being a portion of Section 20, Township 19 North, Range 17 West Mount Diablo Base and Meridian and described as follows:

Beginning at the most Westerly corner of Lot 1 as numbered and designated upon the map of Hyman subdivision filed for record December 11, 1950 in Map Case 1, Drawer 9, Page 2, Mendocino County Records; thence from said point of beginning North 50°06'40" East, along the Northwesterly boundary line of said Lot 1, a distance of 432.57 feet; thence North 38°45'00" West, 491.20 feet to a point on the Southeasterly side line of California State Hwy. One as described in that Grant Deed from Garner F. Vickers and Natasha Vickers, husband and wife to the State of California recorded December 26, 1991 in Book 1956 Official Records, Page 77, Mendocino County Records; thence along said Southeasterly side line South 51°10'39" West (record=South 52°28'49" West per Grant Deed) 77.00 feet; thence along a curve to the left having a radius of 2210.00 feet, a central angle of 10°52'54", an arc length of 419.72 feet; thence South 28°07'30" West (record= South 29°25'40" West), 50.01 feet; thence South 37°18'27" East (record= South 36°00'17" East), 82.26 feet to a point on the Northerly side line of Mill Creek Drive (County Road #425); thence along said Northerly side line of said County Road South 55°48'40" East, 374.02 feet to the point of beginning. Containing 5.47 acres.

**ATTACHMENT D**

**EXHIBIT C**

RECORDING REQUESTED BY:

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

AND WHEN RECORDED MAIL TO:

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

CONTRACT FOR COMPLIANCE WITH REZONING CONDITIONS  
(Section 27281.5 of the Government Code)

IN CONSIDERATION OF the adoption of the Board of Supervisors of an ordinance amending Title 20 of the Mendocino County Code so as to add Ordinance Number \_\_\_\_\_ and thereby rezone Assessor's Parcel Number 069-310-44 as follows:

Assessor's Parcel Number 069-310-44 which are reclassified from RL to Multi-family Residential: Contract (R-3:CR) as shown on attached Exhibit A, described in attached Exhibit B and contracted per Exhibit C entitled "Contract for Compliance with Rezoning Conditions."

Natasha Vickers hereby warrants she is the owner of the foregoing property, and Agrees and Promises to comply with the following conditions pursuant to Section 27281.5 of the California Government Code:

CONDITIONS

The rezoning of the subject property is subject to the following conditions:

1. A botanical/biological survey and report shall be prepared which shall describe the existence of any plant populations of *Carex salilifolia* or animal populations of *Charadrius alexandrinus nivosus*. Site design will avoid said populations and protect their habitats.

**ATTACHMENT D**

IT IS AGREED that the forgoing agreement and promise shall constitute a deed restriction and shall run with the land and constitute an equitable servitude and restrictive covenant.

In the event of non-compliance with the aforesaid conditions, consent is hereby given that the aforesaid property may be rezoned in compliance with Government Code Sections 65853, et seq., and shall be subject to other action authorized by the Mendocino County Code.

IT IS FURTHER AGREED that this contract shall be binding upon the successors and assigns of the owners of land known as Assessor Parcel Number 069-310-44, more particularly shown in attached Exhibit A and described in attached Exhibit B, and shall be effective only after it is signed by the owners and verified by the County of Mendocino.

\_\_\_\_\_  
Natasha Vickers

\_\_\_\_\_  
Date

ACKNOWLEDGEMENT

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_\_ day of \_\_\_\_\_ 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Natasha Vickers personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

\_\_\_\_\_



ATTACHMENT D

VERIFICATION

KENDALL SMITH, being first duly sworn, deposes and says:

That he/she is the Chairperson of the Board of Supervisors of the County of Mendocino;

That he/she has read the foregoing Contract for Compliance, knows the contents thereof, and the same is true of his/her own knowledge.

\_\_\_\_\_  
Chairperson, Mendocino County  
Board of Supervisors

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_ day of \_\_\_\_\_, 2007, be me, the undersigned, a Notary Public in and for said State, personally appeared KENDALL SMITH, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

Witness my hand and official seal.

\_\_\_\_\_

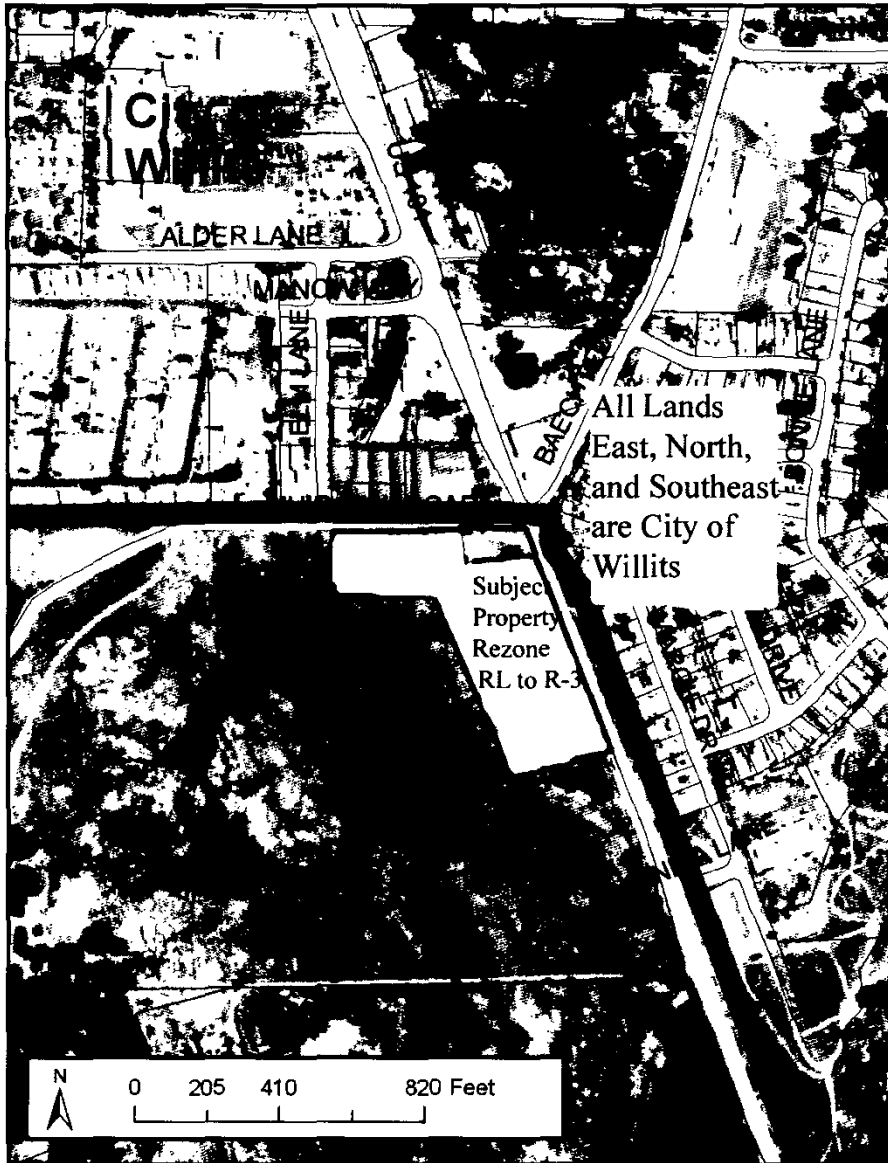
APPROVED AS TO FORM:

JEANINE B NADEL, County Counsel

By: \_\_\_\_\_

Exhibit A

# South Willits Multifamily Site



**ATTACHMENT D**

**EXHIBIT A**

That portion of Section 30, T.18N., R.13W. M.D.M. more particularly described as follows:

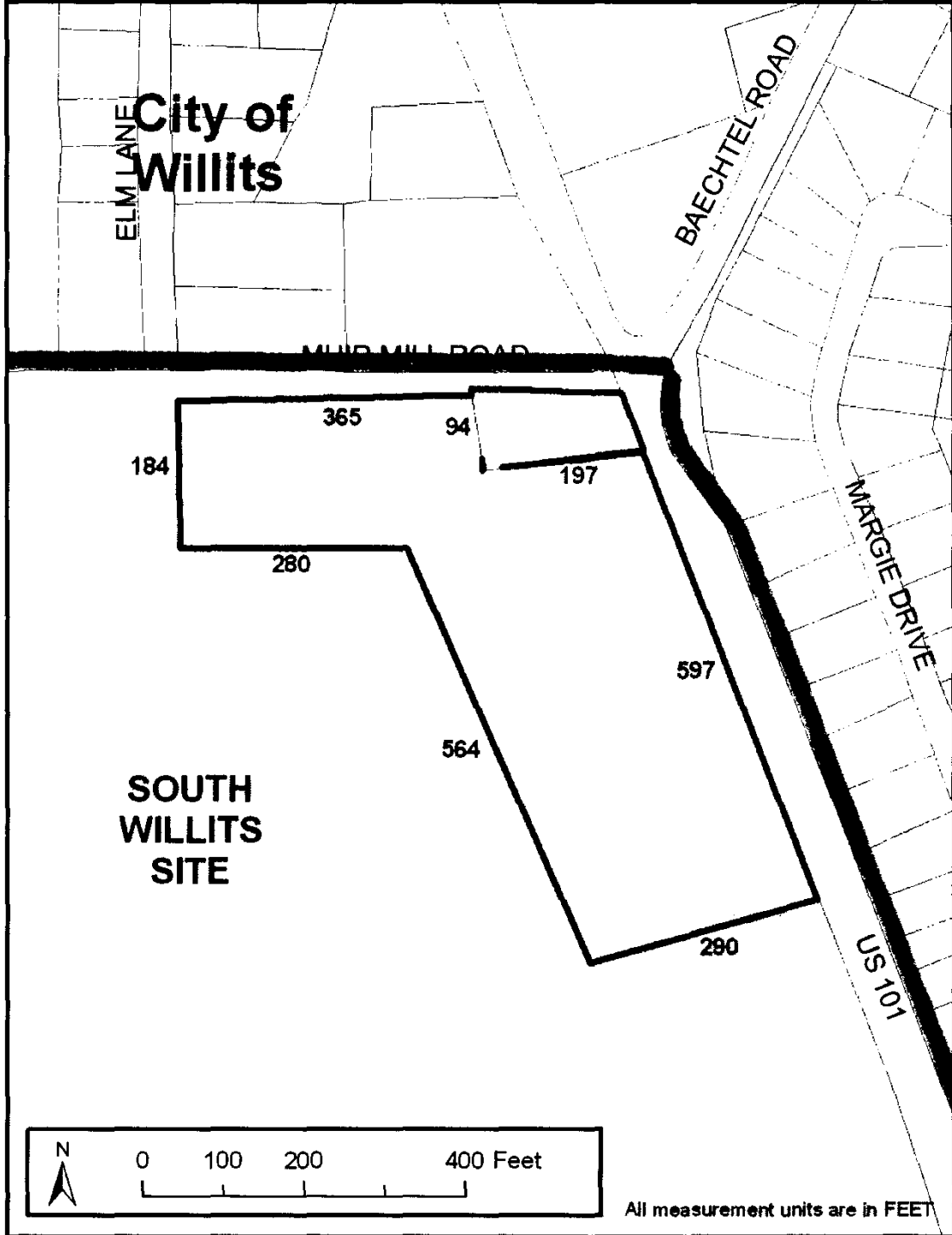
BEGINNING at a point on the southerly right of way line of Muir Mill Road C.R. 301 C; thence southerly, perpendicular to said southerly right of way line 184 feet; thence easterly and parallel with said southerly right of way line, 280 feet more or less to a line which lies 290 feet westerly of and parallel with the westerly right of way line of US Highway 101; thence southerly along said parallel line 564 feet; thence easterly along a line perpendicular to the westerly right of way line of said US Highway 101, 290 feet more or less to said westerly right of way; thence along said westerly right of way line northwesterly, 725 feet more or less to the intersection of said westerly right of way line and the southerly right of way line of Muir Mill Road; thence westerly along said southerly right of way line, 465 feet more or less to the point of beginning

**SAVING AND EXCEPTING:**

That portion conveyed to the District Advisory Board Northern California District Church of the Nazarene in the deed recorded February 2, 1977 in book 1074, Official Records, Page 57, Mendocino County Records

The above described parcel is not the result of a field survey and is not intended to create a parcel for conveyance.

# South Willits Multifamily Dimensions



**ATTACHMENT D**

**EXHIBIT B**

Legal Description

**To be provided by owner.**

**ATTACHMENT D**

**EXHIBIT C**

RECORDING REQUESTED BY:

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

AND WHEN RECORDED MAIL TO:

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

CONTRACT FOR COMPLIANCE WITH REZONING CONDITIONS  
(Section 27281.5 of the Government Code)

IN CONSIDERATION OF the adoption of the Board of Supervisors of an ordinance amending Title 20 of the Mendocino County Code so as to add Ordinance Number \_\_\_\_\_ and thereby rezone Assessor's Parcel Number 007-220-05 as follows:

A portion of Assessor's Parcel Number 007-220-05 which is reclassified from Range Land to Multi-family Residential (R-3): Contract (R-3:CR) as shown on attached Exhibit A, described in attached Exhibit B and contracted per Exhibit C entitled "Contract for Compliance with Rezoning Conditions."

Joan Vonweien hereby warrants the Vonweien Trust is the owner of the foregoing property, and Agrees and Promises to comply with the following conditions pursuant to Section 27281.5 of the California Government Code:

CONDITIONS

The rezoning of the subject property is subject to the following conditions:

1. A botanical survey and subsequent report shall be prepared which shall survey and delineate the presence/absence of Baker's Meadowfoam on the rezoned portion of the site. Any development of Multi-family housing will need to avoid and protect any populations of said plant discovered by the survey.
2. Applicant shall offer for dedication that portion of the rezoned portion of APN 007-220-05 lying within a 35 foot half-width along the south side of Muir Mill Road to provide for the ultimate improvement of the County road. This width shall be measured from the existing road centerline.

**ATTACHMENT D**

IT IS AGREED that the forgoing agreement and promise shall constitute a deed restriction and shall run with the land and constitute an equitable servitude and restrictive covenant.

In the event of non-compliance with the aforesaid conditions, consent is hereby given that the aforesaid property may be rezoned in compliance with Government Code Sections 65853, et seq., and shall be subject to other action authorized by the Mendocino County Code.

IT IS FURTHER AGREED that this contract shall be binding upon the successors and assigns of the owners of land known as Assessor Parcel Number 048-400-24, more particularly shown in attached Exhibit A and described in attached Exhibit B, and shall be effective only after it is signed by the owners and verified by the County of Mendocino.

\_\_\_\_\_  
Joan Vonweien

\_\_\_\_\_  
Date

ACKNOWLEDGEMENT

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_\_ day of \_\_\_\_\_ 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Joan Vonweien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

\_\_\_\_\_

ATTACHMENT D

VERIFICATION

KENDALL SMITH, being first duly sworn, deposes and says:

That he/she is the Chairperson of the Board of Supervisors of the County of Mendocino;

That he/she has read the foregoing Contract for Compliance, knows the contents thereof, and the same is true of his/her own knowledge.

\_\_\_\_\_  
Chairperson, Mendocino County  
Board of Supervisors

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_ day of \_\_\_\_\_, 2007, be me, the undersigned, a Notary Public in and for said State, personally appeared KENDALL SMITH, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

Witness my hand and official seal.

\_\_\_\_\_

APPROVED AS TO FORM:

JEANINE B NADEL, County Counsel

By: \_\_\_\_\_



Exhibit A

**Long Valley Fire Multifamily Site**



## ATTACHMENT D

### EXHIBIT B

#### Legal Description

The land referred to herein is situated in the State of California, County of Mendocino, and is described as follows:

Commencing at the Northwest corner of the Southwest quarter of Section 12, Township 21 North, Range 15 West, Mount Diablo Base and Meridian; thence Easterly along the North line of said Southwest quarter 1942 feet more or less to the Northwest corner of that parcel of land described in a deed filed December 10, 1900 in Book 78 of Deeds, Page 415, Mendocino County Records and the point of beginning of this description; thence along the West line of said deed Southerly 290 feet more or less, to the Northwest corner of that parcel of land described in the deed filed December 7, 1970 in Book 833 of Official Records, Page 246, Mendocino County Records; thence along the West line of said deed and its extension thereof Southerly 346 feet more or less to the flowline of a creek; thence along the flowline of said creek Westerly 461 feet more or less, to the intersection of the flowline of said creek and the Southerly extension of the East line of that parcel of land described in a deed filed September 25, 1947 in Book 225 of Official Records at page 217, Mendocino County Records; thence along the extension and East line of said deed Northerly 335 feet more or less to the Southeast corner of that parcel of land described in a deed filed September 25, 1947 in Book 225 of Official Records at page 199, Mendocino County Records; thence along the East line of said deed and its extension thereof Northerly 291 feet more or less, to the North line of said Southwest quarter; thence along said North line Easterly to the point of beginning and the end of this description.

Excepting therefrom a 70" wide strip of land measured at a right angle to and lying Westerly of and coterminous with the most Westerly line of the above described parcel.

**ATTACHMENT D**

**EXHIBIT C**

Contract

RECORDING REQUESTED BY:

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

AND WHEN RECORDED MAIL TO:

County of Mendocino  
Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, Ca 95482

**CONTRACT FOR COMPLIANCE WITH REZONING CONDITIONS**  
(Section 27281.5 of the Government Code)

IN CONSIDERATION OF the adoption of the Board of Supervisors of an ordinance amending Title 20 of the Mendocino County Code so as to add Ordinance Number \_\_\_\_\_ and thereby rezone Assessor's Parcel Number 014-090-38 as follows:

Assessor's Parcel Number 014-090-38 which are reclassified from Rural Residential (RR1) to Multi-family Residential (R-3): Contract (R-3 2-2007:CR) as shown on attached Exhibit A, described in attached Exhibit B and contracted per Exhibit C entitled "Contract for Compliance with Rezoning Conditions."

Phil Gravier as Board Chairman for the Long Valley Fire Protection District hereby warrants the Fire Protection District is the owner of the foregoing property, and Agrees and Promises to comply with the following conditions pursuant to Section 27281.5 of the California Government Code:

CONDITIONS

The rezoning of the subject property is subject to the following conditions:

1. All future development is to avoid the floodplain of Ten Mile Creek which passes through the southwest corner of the site. Wetland plants are to be avoided and protected through placing buildings away from affected areas.

**ATTACHMENT D**

IT IS AGREED that the forgoing agreement and promise shall constitute a deed restriction and shall run with the land and constitute an equitable servitude and restrictive covenant.

In the event of non-compliance with the aforesaid conditions, consent is hereby given that the aforesaid property may be rezoned in compliance with Government Code Sections 65853, et seq., and shall be subject to other action authorized by the Mendocino County Code.

IT IS FURTHER AGREED that this contract shall be binding upon the successors and assigns of the owners of land known as Assessor Parcel Number 014-090-38, more particularly shown in attached Exhibit A and described in attached Exhibit B, and shall be effective only after it is signed by the owner and verified by the County of Mendocino.

\_\_\_\_\_  
Phil Gravier, Chairman

\_\_\_\_\_  
Date

ACKNOWLEDGEMENT

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_\_ day of \_\_\_\_\_ 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Phil Gravier personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

\_\_\_\_\_

ATTACHMENT D

VERIFICATION

KENDALL SMITH, being first duly sworn, deposes and says:

That he/she is the Chairperson of the Board of Supervisors of the County of Mendocino;

That he/she has read the foregoing Contract for Compliance, knows the contents thereof, and the same is true of his/her own knowledge.

\_\_\_\_\_  
Chairperson, Mendocino County  
Board of Supervisors

STATE OF CALIFORNIA  
County of Mendocino

On the \_\_\_\_ day of \_\_\_\_\_, 2007, be me, the undersigned, a Notary Public in and for said State, personally appeared KENDALL SMITH, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed the instrument.

Witness my hand and official seal.

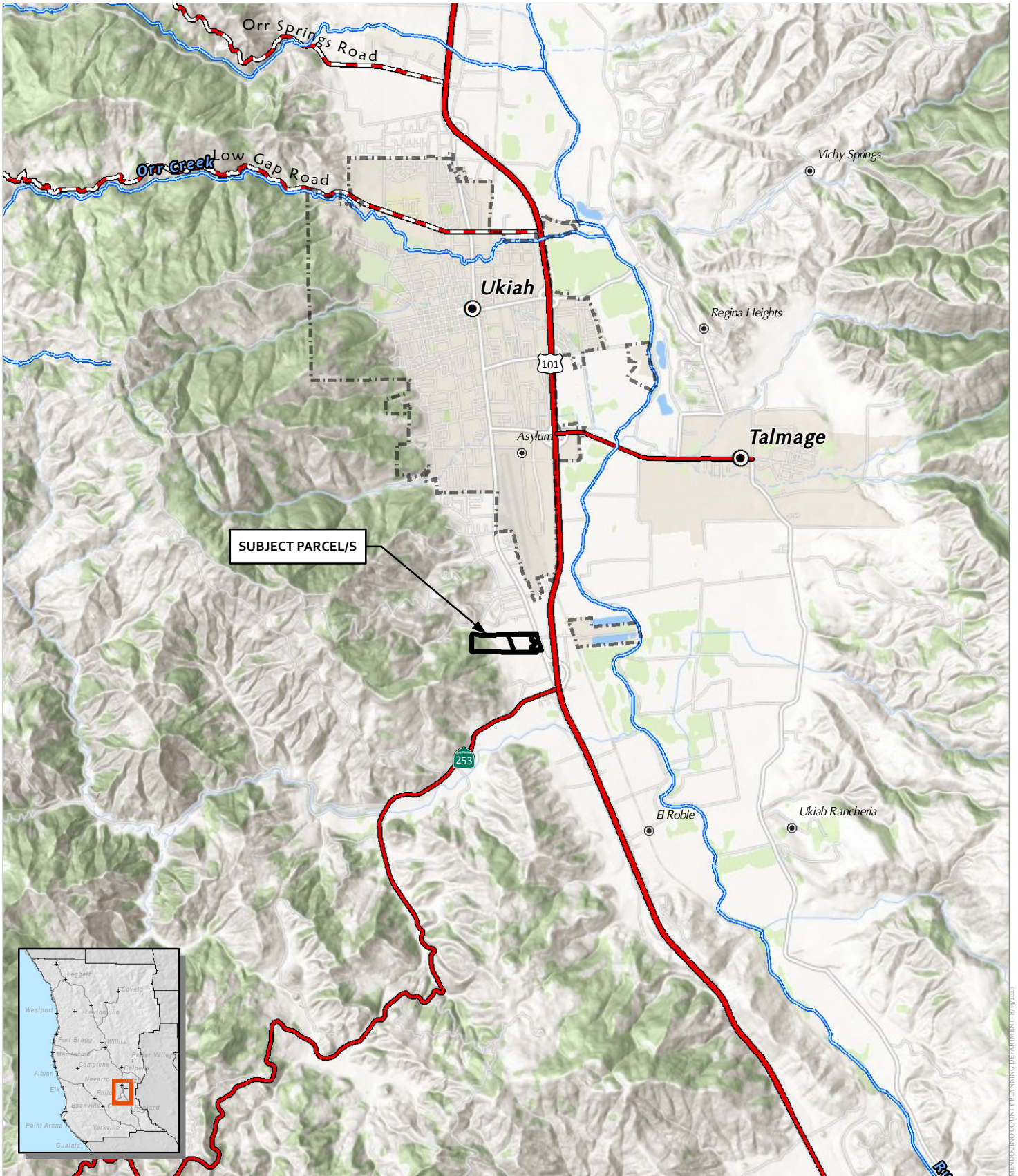
\_\_\_\_\_

APPROVED AS TO FORM:

JEANINE B NADEL, County Counsel

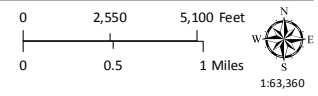
By: \_\_\_\_\_

ATTACHMENT E



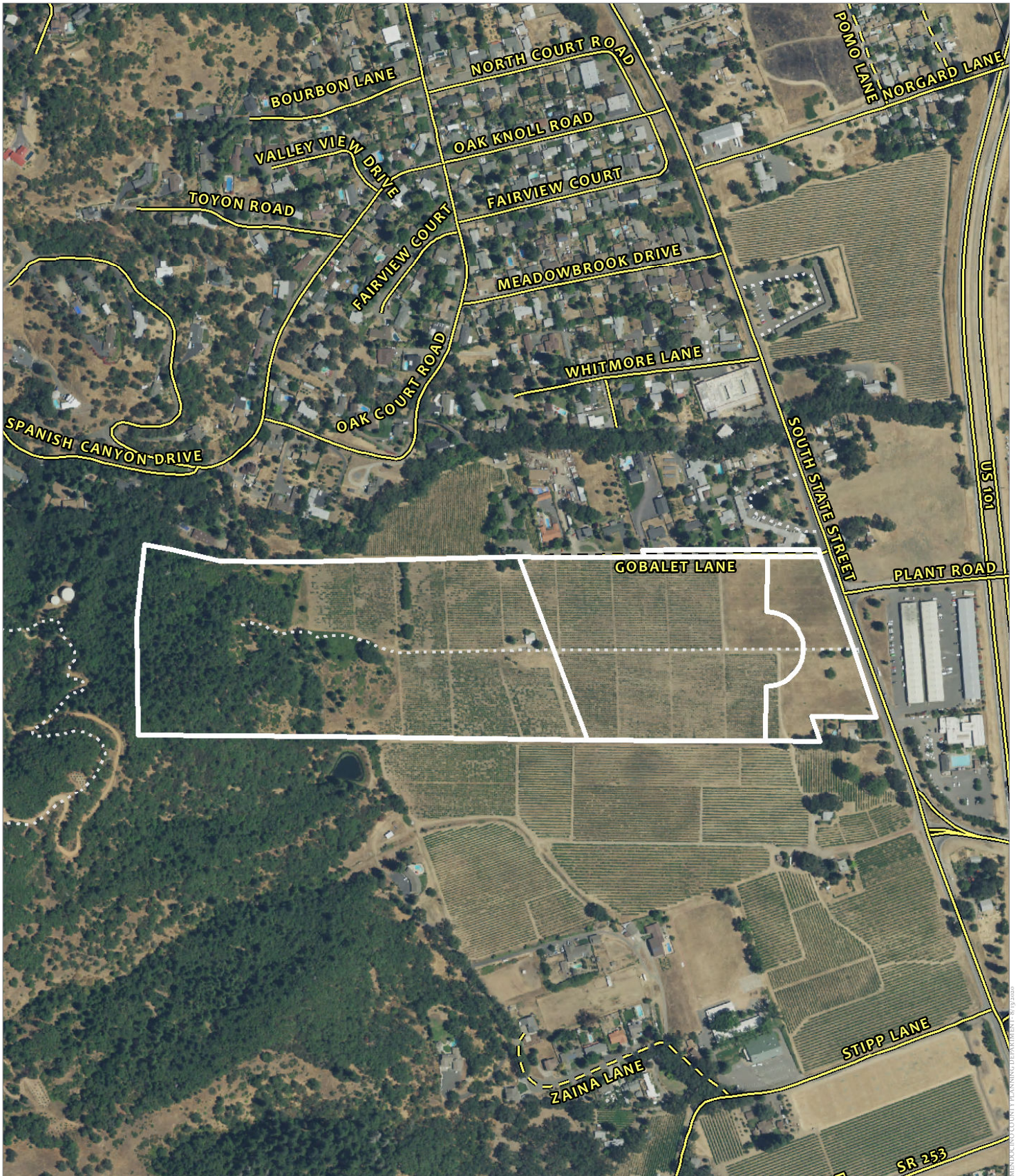
CASE: R 2-2007  
 OWNER: Rancho Yokayo LP  
 APN: 184-110-28, 29, 184-120-01, 21  
 APLCT: County of Mendocino  
 ADDRESS: 3000 S. State Street, Ukiah

- Major Towns & Places
- ▭ City Limits
- ▬ Major Rivers
- ▬ Highways
- ▬ Major Roads



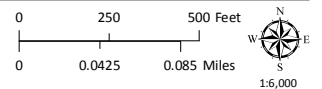
LOCATION MAP

ATTACHMENT E



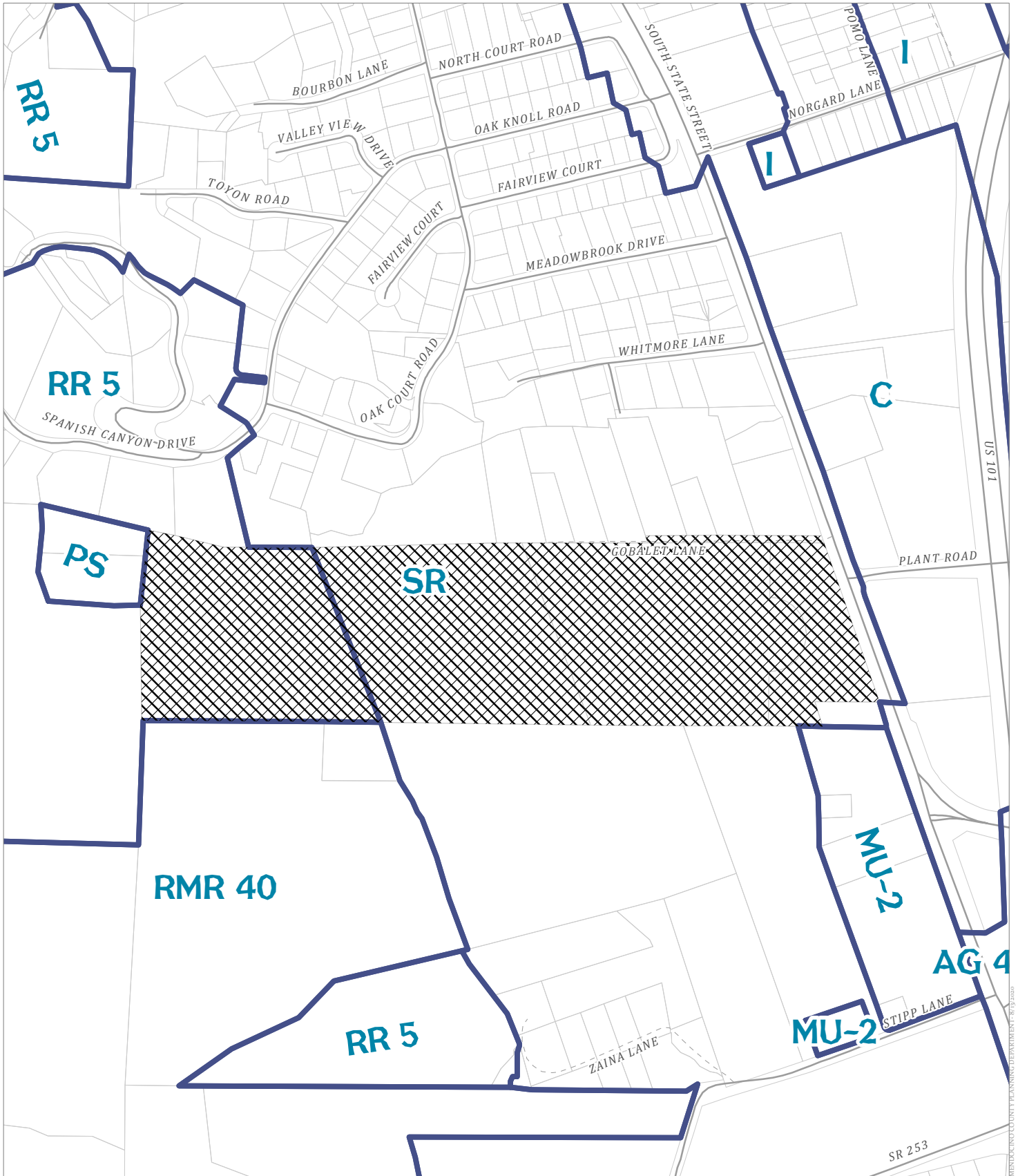
CASE: R 2-2007  
 OWNER: Rancho Yokayo LP  
 APN: 184-110-28, 29, 184-120-01, 21  
 APLCT: County of Mendocino  
 ADDRESS: 3000 S. State Street, Ukiah

- Public Roads
- Private Roads
- Driveways/Unnamed Roads
- Railroads



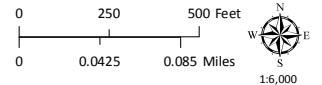
AERIAL IMAGERY

ATTACHMENT E



CASE: R 2-2007  
 OWNER: Rancho Yokayo LP  
 APN: 184-110-28, 29, 184-120-01, 21  
 APLCT: County of Mendocino  
 ADDRESS: 3000 S. State Street, Ukiah

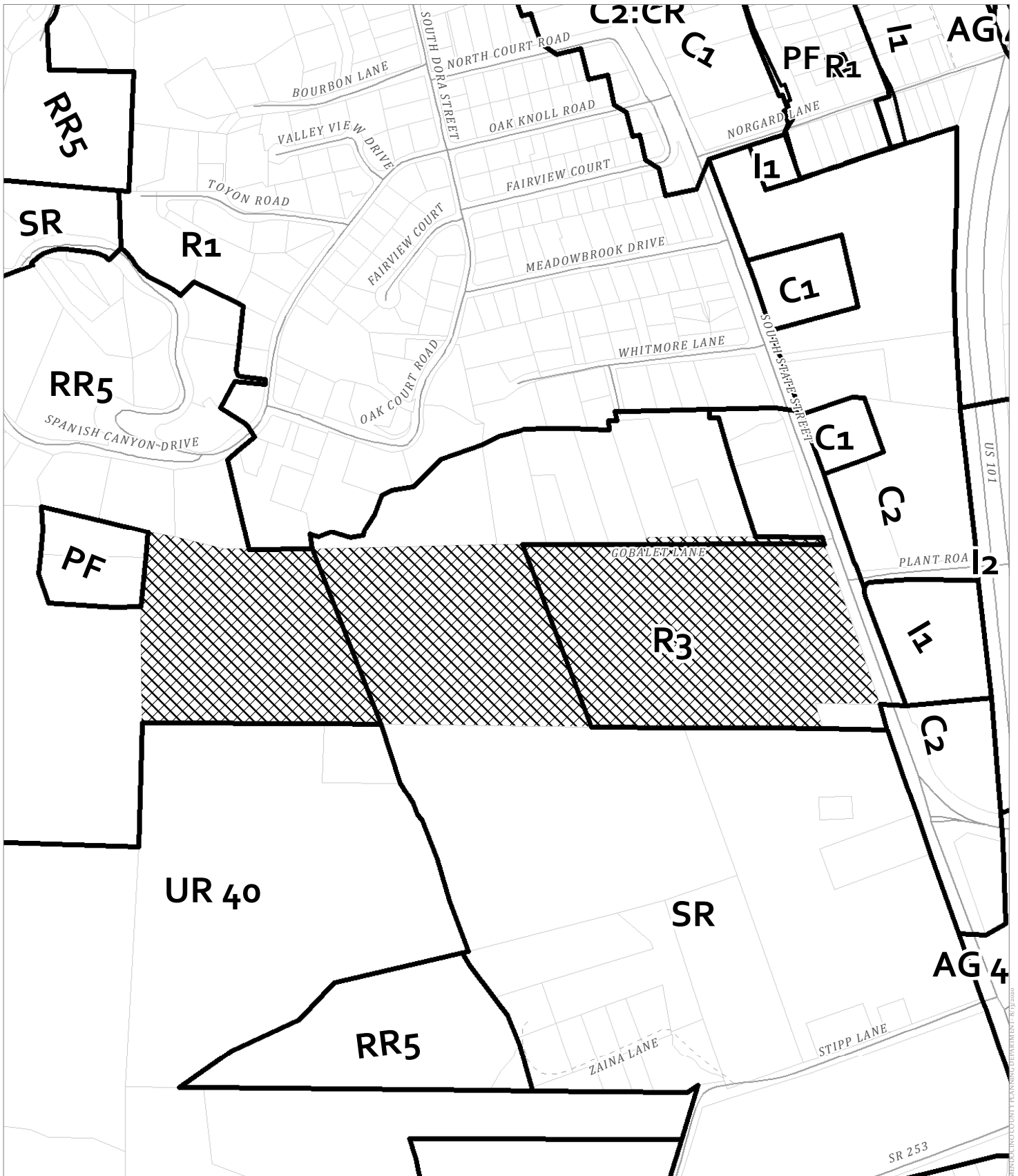
-  General Plan Classes
-  Public Roads
-  Assessor's Parcels






GENERAL PLAN CLASSIFICATIONS

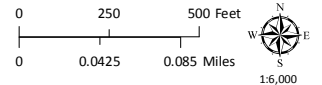


ATTACHMENT E



CASE: R 2-2007  
 OWNER: Rancho Yokayo LP  
 APN: 184-110-28, 29, 184-120-01, 21  
 APLCT: County of Mendocino  
 ADDRESS: 3000 S. State Street, Ukiah

-  Zoning Districts
-  Public Roads
-  Assessors Parcels



ZONING DISPLAY MAP



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

IGNACIO GONZALEZ, AICP, INTERIM DIRECTOR  
 JULIA KROG, ASSISTANT DIRECTOR  
 PHONE: 707-234-6650  
 FAX: 707-463-5709  
 FB PHONE: 707-964-5379  
 FB FAX: 707-961-2427  
[pbs@mendocinocounty.org](mailto:pbs@mendocinocounty.org)  
[www.mendocinocounty.org/pbs](http://www.mendocinocounty.org/pbs)

## MEMORANDUM

**DATE:** March 3, 2022

**TO:** Planning Commission

**FROM:** Julia Krog, Assistant Director

**SUBJECT:** **Corrections to Rezone R 2-2007 Related to Multiple-Family Residential (R3) Zoning of Location III – Previously known as Assessor Parcel Numbers (APNs) 184-110-19 and 184-110-20, now known as APNs 184-110-28 and 184-110-29**

### BACKGROUND:

On June 26, 2007 the Mendocino County Board of Supervisors (“Board”) acted to initiate a rezoning process that would result in an increase of land zoned for multi-family residential use. The Board directive was the first step in implementing Action Item 4.2 of the 2004 Housing Element of the General Plan. Action Item 4.2 of the 2004 Housing Element read as follows:

***Action 4.2:** Increase Multi-Family Zoned Sites for Lower Income Housing: To facilitate development of lower income housing the County will by July 1, 2007 rezone at least 50 acres to R-3 (or comparable density zoning for multi-family housing without a conditional use permit) in urban or community areas throughout the County, with a high priority given to land within water and/or sewer service districts or within or adjacent to towns. The total of 50 acres may be accomplished by a cumulative total of County and/or privately initiated rezoning applications.*

The Planning Team (who functioned independently of Planning and Building Services) processed a Rezone, R 2-2007, to rezone 13 locations within the County to the Multiple-Family Residential (R-3) zoning district. Eight (8) of the 13 locations required a General Plan Amendment, GP 2-2007, to ensure consistency between the R-3 zoning and the General Plan designation for these locations. The following 13 locations were part of the Rezone and General Plan Amendment (Location III is in **bold**):

LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**LOCATION III:** **South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.**

LOCATION IV: In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

LOCATION V: In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.

LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres

## ATTACHMENT F

lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

LOCATION VIII: Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to the General Plan category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

LOCATION IX: In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

LOCATION X: In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XI: In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

LOCATION XII: In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XIII: Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

GP 2-2007/R 2-2007 was reviewed by the Mendocino County Planning Commission on November 15, 2007, where they provided a report and recommendation to the Board as follows:

*To recommend to the Board of Supervisors inclusion of Locations 1, 2, 9, 12 and 13 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors that Location 3 be remanded to the Airport Land Use Commission for further consideration with those considerations to be given to the Board of Supervisors with all interested parties notified.*

*To recommend to the Board of Supervisors inclusion of Locations 4 and 5 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors inclusion of Location 6 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors inclusion of Location 7 in the Mitigated Negative Declaration.*

*No recommendation will be made to the Board of Supervisors regarding the inclusion or exclusion of Location 8 in the Mitigated Negative Declaration.*

## ATTACHMENT F

*To recommend to the Board of Supervisors exclusion of Location 11 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors approval of the General Plan Amendment reclassifications as recommended by Mr. Gorny.*

Please see Attachment A for the November 15, 2007 Planning Commission staff report, note that documents unrelated to Location III have been removed, and see Attachment B for the adopted Planning Commission minutes with this item highlighted. As is noted in the November 15, 2007 adopted Planning Commission minutes, Location III was reviewed at the March 15, 2007 Airport Land Use Commission (ALUC) meeting where concerns had been expressed regarding the possibility of structures in close proximity with the Airport take-off zone; therefore, possibly presenting a safety issue. The Planning Team recommended that the Planning Commission recommend an override of the ALUC action considering the need for housing as a reason to support the override. Please see the Planning Commission Addendum Report regarding this inside Attachment A. The Planning Team then asked the Board of Supervisors to support an override of the ALUC action, which was granted as noted below.

On December 11, 2007, the Board held a noticed public hearing related to GP 2-2007/R 2-2007, where the Board adopted Resolution No. 07-257 and Ordinance No. 4195, with the following specific actions related to Location III as noted in the Minutes (Attachment C):

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors overrides the determination of the Airport Land Use Commission, finding that, with respect to Location III (Gobalet Lane, South State Street, Ukiah sites), the Board overrules the findings for the Airport Land Use Commission that these sites are incompatible with the B-2 Airport Zone, finding instead, pursuant to Public Utilities Code Section 21676.5, subdivision (b), that the proposed rezoning is consistent with the goals and purposes of Public Utilities Code Section 21670, and further, facts to support the findings of consistency are contained within the body of report.*

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors waives the reading and adopts an ordinance to rezone certain parcels to Multiple Family Residential (R-3), with conditions, and based on findings including that a duly noticed hearing was conducted by the Planning Commission on November 15, 2007; that the Board has conducted a duly noticed public hearing on December 11, 2007; that the rezonings are consistent with the County General Plan, its land use designations, and its goals and policies; and that a Mitigated Negative Declaration has been approved and adopted for this project with a finding that the conditions attached to the rezonings are sufficient to reduce any potential adverse environmental impacts to levels of insignificance, and authorizes Chair to sign same.*

### **LOCATION III ERROR:**

At the time of adoption of Ordinance No. 4195 (Attachment D), an error was made with regards to Location III and the amount of area that was rezoned on APN 184-110-19 and APN 184-110-20. In the instance of APN 184-110-19 only 2.8± acres of the 18± acre parcel were meant to be rezoned to R-3. The Planning Team also incorrectly identified that the entirety of APN 184-110-20 would be rezoned to R-3 when all mapping associated with the project demonstrates only a portion would be rezoned. In addition, APNs 184-110-19 and 184-110-20 were historical APNs and should not have been utilized as part of the Ordinance.

As is evidenced in the various hearing documents for GP 2-2007/R 2-2007, only 2.8± acres of APN 184-110-19 were meant to be rezoned from Suburban Residential (SR) to R-3. Instead of only a portion of APN 184-110-19 being rezoned, Ordinance No. 4195 rezoned the entirety of APN 184-110-19 for a total of 18± acres. The error related to the rezoning of APN 184-110-20 is that the ordinance rezoned a larger area than was intended. The mapping and staff reports associated with the project clearly identify that only a portion (2.8± acres) of the parcel should have been rezoned to R-3. In addition, an outdated, historic APN was utilized in the Ordinance. This error rezoned an additional 15± acres of APN 184-110-19 to R-3.

Please see Figure 1 below, which is an excerpt of the graphic depiction of Location III from the Planning Commission staff report (Attachment A) with annotations added by Planning and Building Services Staff to describe the error. The red outlined area in Figure 1 below shows the portions of both APNs 184-110-19 and 184-110-20 that should have been rezoned to R-3.

ATTACHMENT F

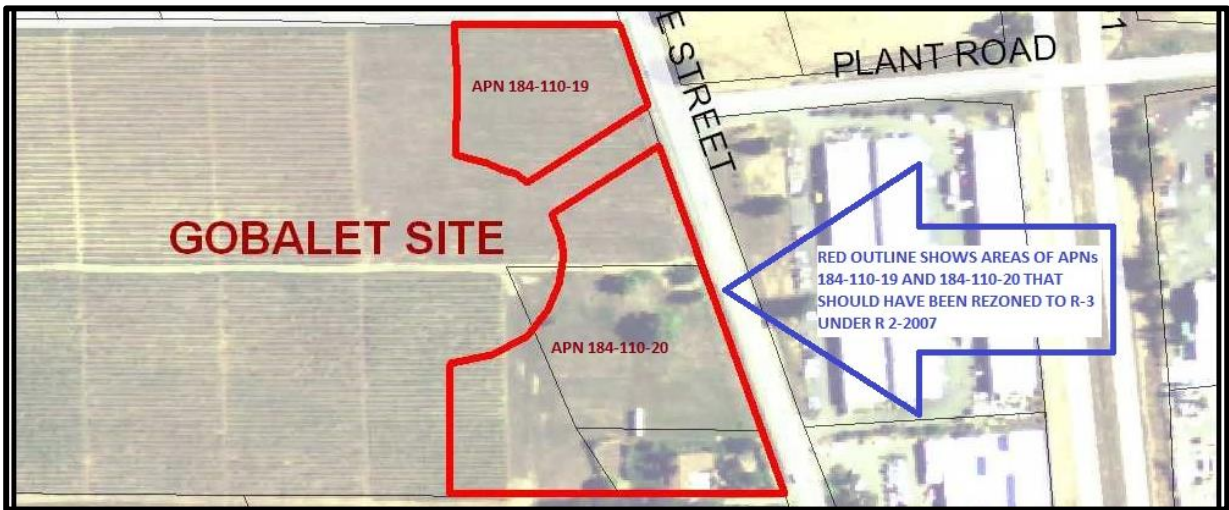


Figure 1. Excerpt of Attachment A showing area intended to be rezoned, with annotations by PBS staff.

Applied for concurrently with the processing of the General Plan Amendment and Rezone, Boundary Line Adjustment, B 36-2006, adjusted parcel boundaries, in part, of APNs 184-110-19 and 184-110-20 to align the parcel boundaries with the portion of APNs 184-110-19 and 184-110-20 that were meant to be rezoned to R-3. However, B 36-2006 was finalized on April 9, 2007, eight months prior to the adoption of Ordinance No. 4195. B 36-2006, established new APNs for the revised parcel configuration – APNs 184-110-28 and 184-110-29. The current APN 184-110-28 aligns with the portion of APNs 184-110-19 and 184-110-20 that were meant to be rezoned to R-3 as part of GP 2-2007/R 2-2007. APN 184-110-29 should be zoned SR, not R-3. Please see Figure 2 below, which is the new Assessor Parcel Map resulting from B 36-2006 with the pertinent area denoted by the red box. Please see Figure 3 below, which is an enlarged view to the pertinent area denoted by the red box in Figure 2.

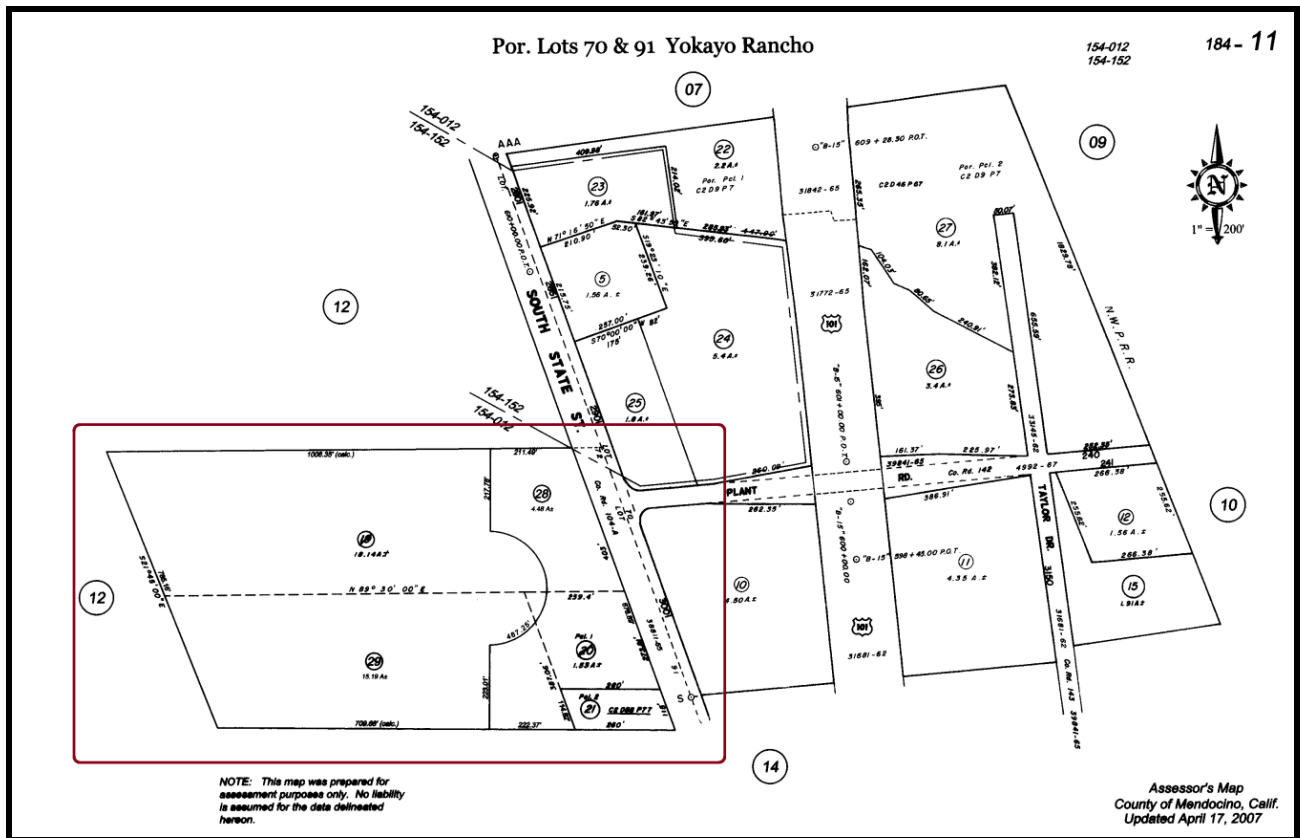


Figure 2. Assessor Parcel Map, Book 184, Page 11, with pertinent area denoted by red box.

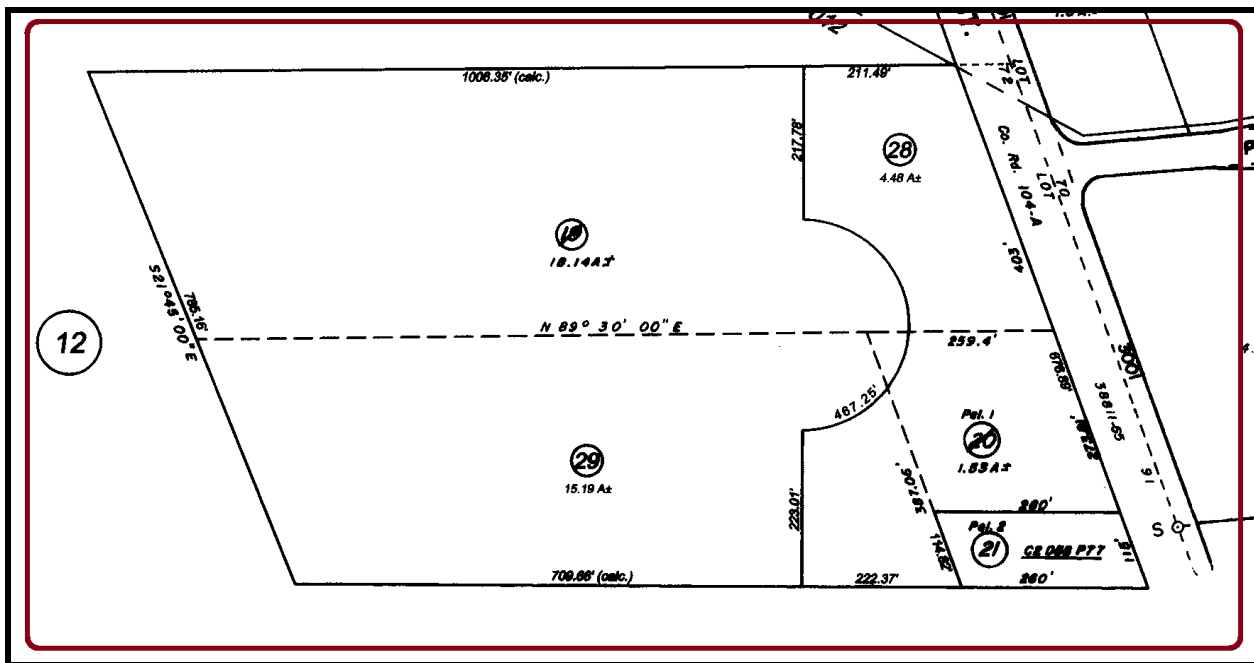


Figure 3. Enlarged view of pertinent area from Assessor Parcel Map, Book 184, Page 11

To restate simply, Ordinance No. 4195 should have rezoned APN 184-110-28 instead of APNs 184-110-19 and 184-110-20 as these parcels, in their previous configuration prior to B 36-2006, no longer existed and were historical APNs. The result was the incorrect rezoning of 15± additional acres to R-3 (APN 184-110-29).

Due to the obvious error in the documents, Staff has prepared an Ordinance for consideration of the Planning Commission and ultimately the Board correcting the error in zoning as it relates to APN 184-110-29. The appropriate zoning for this parcel is SR, which aligns with the current General Plan designation of said parcel of SR.

**ENVIRONMENTAL DETERMINATION:**

An Addendum to the existing Mitigated Negative Declaration has been completed in compliance with CEQA and CEQA guidelines. The Addendum includes analysis and findings that establish the basis for determining that none of the conditions described in Section 15162 of the CEQA Guidelines, calling for the preparation of a subsequent negative declaration or environmental impact report have occurred.

**ATTACHMENTS:**

- A. November 15, 2007 Planning Commission Staff Report (documents unrelated to Location III have been removed) Including Mitigated Negative Declaration
- B. November 15, 2007 Planning Commission Minutes
- C. December 11, 2007 Board of Supervisors Minutes
- D. Ordinance No. 4195 with errors highlighted
- E. Draft Ordinance for Correction of Zoning
- F. Location, Aerial, Zoning and General Plan Maps

**RESOLUTION FOR RECOMMENDATION TO BOS ON ADOPTION OF ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION AND APPROVAL**

## ATTACHMENT G

Resolution Number PC\_2022-0004

County of Mendocino  
Ukiah, California

MARCH 3, 2022

R 2-2007 VARIOUS

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING ADOPTION OF AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS TO CORRECT A ZONING ERROR ON APN 184-110-29 BY REZONING FROM MULTI-FAMILY RESIDENTIAL TO SUBURBAN RESIDENTIAL.

WHEREAS, the County of Mendocino initiated a rezoning in 2007 to rezone 50 acres of land within Mendocino County to Multi-Family Residential (R-3). The affected parcels are described in Exhibit "A" to this Resolution, which is attached hereto and incorporated herein by this reference; Location III was meant to only result in the rezoning of 2.8 acres of land to R-3; however, due to an error in the adopting ordinance, an additional 15 acres was improperly rezoned from Suburban Residential (SR) to R-3; correction of the error will rezone the same 15 acres back to SR; where the error occurred is located 62± miles south of the City of Ukiah, lying on the west side of South State Street (CR# 104A), immediately south of its intersection with Gobalet Lane (Private) addressed at 3000 South State Street; APNs 184-110-28, 184-110-29, 184-120-21 & 184-120-01. Specifically APN 184-110-29 was improperly rezoned to R-3 and is proposed to be corrected to SR; Supervisorial District 5; (the "Project"); and

WHEREAS, on December 11, 2007, the Board of Supervisors adopted Resolution No. 07-257 and Ordinance No. 4195 amending the General Plan designation and zoning designations for several sites within the County, as described in Exhibit A; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.; CEQA) and the CEQA Guidelines (Title 14 California Code of Regulations section 15000 et seq.) an Initial Study was prepared, which determined that the Project will not have a significant effect on the environment with the implementation of mitigation measures, which supported the adoption of a Mitigated Negative Declaration (MND); and

WHEREAS, the Mendocino County Board of Supervisors adopted a Mitigated Negative Declaration (MND) on December 11, 2007, following a public review period as required by CEQA and the CEQA Guidelines; and

WHEREAS, Section 15164 of the CEQA Guidelines provides that an addendum to a previously adopted MND may be prepared if only minor technical changes or additions to the project are necessary and if none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent environmental impact report or mitigated negative declaration have occurred; and

WHEREAS, County staff has prepared an Addendum to the previously adopted Mitigated Negative Declaration related to the proposed Project, which is attached to this resolution as Exhibit "B" and incorporated herein by this reference ("Addendum"), and which determines that none of the conditions described in CEQA Guidelines Section 15162 will occur as a result of the Project; and

ATTACHMENT G

Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the addendum and proposed Project. All interested persons were given an opportunity to hear and be heard regarding the Addendum and proposed Project; and

WHEREAS, pursuant to Government Code Section 65850 et seq., the Planning Commission is to provide its report and recommendation to the Board of Supervisors on ordinances related to land use regulation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the evidence in the record, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding the proposed Project and Addendum related thereto:

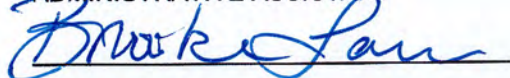
1. The Planning Commission recommends that the Board of Supervisors adopt the Addendum to the previously adopted Mitigated Negative Declaration as described in Exhibit "B" to this Resolution.
2. The Planning Commission recommends that the Board of Supervisors approve correction of the zoning for a portion of Location III, specifically APN 184-110-29, of R 2-2007 from R-3 to SR.

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

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

ATTEST:

BY: BROOKE LARSEN  
ADMINISTRATIVE ASSISTANT



BY: JULIA KROG  
Director



Diana Wiedemann, Vice Chair  
Mendocino County Planning Commission

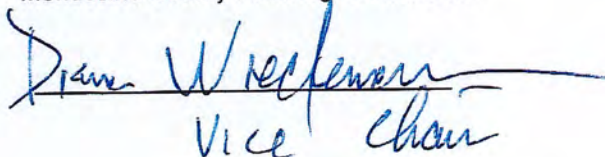
  
Vice Chair

EXHIBIT A: LOCATION DESCRIPTIONS

EXHIBIT B: ADDENDUM TO MND



## ATTACHMENT G

### EXHIBIT A

LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION III: South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.

LOCATION IV: In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

LOCATION V: In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.

LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

LOCATION VIII: Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to the General Plan category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

LOCATION IX: In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

LOCATION X: In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XI: In Laytonville, approximately 5.0± acres lying on the west side of

## ATTACHMENT G

Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

LOCATION XII: In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XIII: Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

**ATTACHMENT G**

EXHIBIT B

**March 3, 2022**

**Addendum to the previously adopted Mitigated Negative Declaration for Rezoning and General  
Plan Amendment R 2-2007/GP 2-2007 (Board of Supervisors Resolution No. 07-257)**

Rezone Application R 2-2007

Assessor Parcel Numbers: 184-110-29

Prepared By: Julia Krog, Assistant Director

## ATTACHMENT G

This Addendum has been prepared in accordance with Section 15164 Article II, Title 14 of the California Code of Regulations (CCR) as required by the California Environmental Quality Act (CEQA) and serves as an Addendum to the previously adopted Mitigated Negative Declaration for Rezoning and General Plan Amendment R 2-2007/GP 2-2007. The County of Mendocino was the lead agency for the environmental review.

### BACKGROUND

On June 26, 2007 the Mendocino County Board of Supervisors ("Board") acted to initiate a rezoning process that would result in an increase of land zoned for multi-family residential use. The Board directive was the first step in implementing Action Item 4.2 of the 2004 Housing Element of the General Plan. Action Item 4.2 of the 2004 Housing Element read as follows:

***Action 4.2:*** *Increase Multi-Family Zoned Sites for Lower Income Housing: To facilitate development of lower income housing the County will by July 1, 2007 rezone at least 50 acres to R-3 (or comparable density zoning for multi-family housing without a conditional use permit) in urban or community areas throughout the County, with a high priority given to land within water and/or sewer service districts or within or adjacent to towns. The total of 50 acres may be accomplished by a cumulative total of County and/or privately initiated rezoning applications.*

The Planning Team (who functioned independently of Planning and Building Services) processed a Rezone, R 2-2007, to rezone 13 locations within the County to the Multiple-Family Residential (R-3) zoning district. Eight (8) of the 13 locations required a General Plan Amendment, GP 2-2007, to ensure consistency between the R-3 zoning and the General Plan designation for these locations. The following 13 locations were part of the Rezone and General Plan Amendment (Location III is in **bold**):

LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**LOCATION III: South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.**

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LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

## ATTACHMENT G

LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

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GP 2-2007/R 2-2007 was reviewed by the Mendocino County Planning Commission on November 15, 2007, where they provided a report and recommendation to the Board as follows:

*To recommend to the Board of Supervisors inclusion of Locations 1, 2, 9, 12 and 13 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors that Location 3 be remanded to the Airport Land Use Commission for further consideration with those considerations to be given to the Board of Supervisors with all interested parties notified.*

*To recommend to the Board of Supervisors inclusion of Locations 4 and 5 in the Mitigated Negative Declaration.*

## ATTACHMENT G

*To recommend to the Board of Supervisors inclusion of Location 6 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors inclusion of Location 7 in the Mitigated Negative Declaration.*

*No recommendation will be made to the Board of Supervisors regarding the inclusion or exclusion of Location 8 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors exclusion of Location 11 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors approval of the General Plan Amendment reclassifications as recommended by Mr. Gorny.*

On December 11, 2007, the Board held a noticed public hearing related to GP 2-2007/R 2-2007, where the Board adopted Resolution No. 07-257, including adoption of a Mitigated Negative Declaration, and Ordinance No. 4195, with the following specific actions related to Location III as noted in the Minutes:

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors overrides the determination of the Airport Land Use Commission, finding that, with respect to Location III (Gobalet Lane, South State Street, Ukiah sites), the Board overrules the findings for the Airport Land Use Commission that these sites are incompatible with the B-2 Airport Zone, finding instead, pursuant to Public Utilities Code Section 21676.5, subdivision (b), that the proposed rezoning is consistent with the goals and purposes of Public Utilities Code Section 21670, and further, facts to support the findings of consistency are contained within the body of report.*

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors waives the reading and adopts an ordinance to rezone certain parcels to Multiple Family Residential (R-3), with conditions, and based on findings including that a duly noticed hearing was conducted by the Planning Commission on November 15, 2007; that the Board has conducted a duly noticed public hearing on December 11, 2007; that the rezonings are consistent with the County General Plan, its land use designations, and its goals and policies; and that a Mitigated Negative Declaration has been approved and adopted for this project with a finding that the conditions attached to the rezonings are sufficient to reduce any potential adverse environmental impacts to levels of insignificance, and authorizes Chair to sign same.*

### PURPOSE

As provided in Section 15164 of the California Environmental Quality Act (CEQA), the lead agency shall determine whether an Addendum is the appropriate document to analyze proposed modifications to a project. At the time of adoption of Ordinance No. 4195, an error was made with regards to Location III and the amount of area that was rezoned on APN 184-110-19. The Planning Team also incorrectly identified that the entirety of APN 184-110-20 would be rezoned to R-3 when all mapping associated with the project demonstrates only a portion would be rezoned. In addition, APNs 184-110-19 and 184-110-20 were historical APNs and should not have been utilized as part of the Ordinance. The purpose of this Addendum is to support the correction of the error made by the Planning Team in 2007. It is important to note that the General Plan designation of Location III was not changed as part of the original Rezoning and General Plan Amendment request.

## ATTACHMENT G

### DECISION ANALYSIS

Correction of the zoning on Location III of R 2-2007 constitutes a "project" subject to CEQA, which precipitates the requirement for further environmental review under the California Environmental Quality Act. Section 15162 of CEQA explains that when a Negative Declaration (ND) has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous negative declaration;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
  - d. Mitigation measures or alternative which are considerably different from those analyzed in the previous negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No additional mitigation is required and it should be made clear that no mitigation measures adopted under the original Mitigated Negative Declaration applied to Location III (the subject of the correction). Correction of the zoning itself does not affect the effectiveness of the mitigation measures outlined in the adopted Mitigated Negative Declaration, as there will be no additional environmental impacts associated with correction of the zoning.

As provided in more detail below, the correction of the error in zoning designation does not meet the criteria for preparing a subsequent negative declaration. An Addendum is appropriate, as none of the conditions constituting preparation of a subsequent negative declaration have occurred.

### FINDINGS

1. For the proposed correction of the zoning for Location III of R 2-2007, no substantial changes that would require major revisions to the previously adopted Mitigated Negative Declaration (MND) have been identified. No new significant environmental effects increase in the severity of those previously identified in the adopted MND.

## ATTACHMENT G

Correction of the error in the adoption documents for R 2-2007 would merely align the zoning of the property at Location III with what was intended by the original action and what was studied in the environmental review conducted under the adopted MND; and

2. For the correction of the zoning for Location III of R 2-2007, no substantial changes occurred with respect to the circumstances under which the project is undertaken that requires major revisions of the previous negative declaration, due to the involvement of new significant environmental effects, or a substantial increase in the severity of previously identified significant effects.

The circumstances under which the project is undertaken, remain the same, and based on the discussion above, no new significant environmental effects resulting from the proposed project are anticipated. Correction of the error in the adoption documents for R 2-2007 would merely align the zoning of the property at Location III with what was intended by the original action and what was studied in the environmental review conducted under the adopted MND; and

3. For the correction of the zoning for Location III of R 2-2007, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

There has been no new information of substantial importance that was not known, and could not have been known at the time the previous MND was prepared and adopted in 2007 by the Mendocino County Board of Supervisors. The baseline conditions describing the overall impacts of rezoning only 2.8 acres of Location III have not changed; and

4. The correction of the zoning for Location III of R 2-2007 does not constitute a change in the level of significance previously discussed in the adopted MND. As such, it is concluded that the correction of the zoning for Location III will not have one or more significant effects not discussed in the previous MND. There are no mitigation measures previously found not to be feasible that would in fact be feasible, and substantially reduce one or more significant effects of the project.

The proposed correction in zoning does not require changes to any mitigation measures, as no mitigation measures were adopted for Location III in the original MND. No new potential impacts have been identified requiring new mitigation measures to be developed; and

5. Finally, there are no mitigation measures, or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

The correction of the zoning for Location III of R 2-2007 does not involve changes to, or analysis of, any mitigation measures previously identified or adopted.

### CONCLUSION

Based on the above discussion, it is concluded that an Addendum to the previously adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA, for the proposed correction of the zoning for Location III of R 2-2007 because, there are no new significant environmental effects that would require new mitigation. The proposed project is consistent with Section 15164 Title 14 of the California Code of Regulations (CCR) as required by the California Environmental Quality Act (CEQA). Therefore, no additional analysis is required.



RESOLUTION NO. 22-

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR A REZONING OF APN 184-110-29 FROM MULTI-FAMILY RESIDENTIAL (R-3) TO SUBURBAN RESIDENTIAL (SR) TO CORRECT A ZONING ERROR OF REZONING (R-2007)**

WHEREAS, the County of Mendocino initiated a rezoning in 2007 to rezone 50 acres of land within Mendocino County to Multi-Family Residential (R-3). The affected parcels are described in Exhibit "A" to this Resolution, which is attached hereto and incorporated herein by this reference; Location III was meant to only result in the rezoning of 2.8 acres of land to R-3; however, due to an error in the adopting ordinance, an additional 15 acres was improperly rezoned from Suburban Residential (SR) to R-3; correction of the error will rezone the same 15 acres back to SR; where the error occurred is located 62± miles south of the City of Ukiah, lying on the west side of South State Street (CR# 104A), immediately south of its intersection with Gobalet Lane (Private) addressed at 3000 South State Street; APNs 184-110-28, 184-110-29, 184-120-21 & 184-120-01. Specifically APN 184-110-29 was improperly rezoned to R-3 and is proposed to be corrected to SR; Supervisorial District 5; (the "Project"); and

WHEREAS, on December 11, 2007, the Board of Supervisors adopted Resolution No. 07-257 and Ordinance No. 4195 amending the General Plan designation and zoning designations for several sites within the County, as described in Exhibit A; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.; CEQA) and the CEQA Guidelines (Title 14 California Code of Regulations section 15000 et seq.) an Initial Study was prepared, which determined that the Project will not have a significant effect on the environment with the implementation of mitigation measures, which supported the adoption of a Mitigated Negative Declaration (MND); and

WHEREAS, the Mendocino County Board of Supervisors adopted a Mitigated Negative Declaration (MND) on December 11, 2007, following a public review period as required by CEQA and the CEQA Guidelines; and

WHEREAS, Section 15164 of the CEQA Guidelines provides that an addendum to a previously adopted MND may be prepared if only minor technical changes or additions to the project are necessary and if none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent environmental impact report or mitigated negative declaration have occurred; and

WHEREAS, County staff has prepared an Addendum to the previously adopted Mitigated Negative Declaration related to the proposed Project, which is attached to this resolution as Exhibit "B" and incorporated herein by this reference ("Addendum"), and which determines that none of the conditions described in CEQA Guidelines Section 15162 will occur as a result of the Project; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on March 3, 2022, to solicit public comments on the proposed Project, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the addendum and proposed Project. All interested

## ATTACHMENT H

persons were given an opportunity to hear and be heard regarding the Addendum and proposed Project; and

WHEREAS, the Planning Commission, at their March 3, 2022 meeting, recommended the Board of Supervisors adopt the Addendum to the Mitigated Negative Declaration and grant the rezoning request; and

WHEREAS, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on April 5, 2022, to solicit public comments on the proposed Addendum and the proposed Project, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally and in writing regarding the Addendum and the proposed Project. All interested persons were given an opportunity to hear and be heard regarding the Addendum and the proposed Project.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors, based on the whole record before it, hereby makes the following findings:

1. The recitals set forth in the above resolution are true and correct and incorporated herein by this reference.
2. The Addendum to the previously adopted MND has been completed in compliance with CEQA and the CEQA Guidelines.
3. The Addendum to the previously adopted MND was presented to the Board of Supervisors, which independently reviewed and considered the addendum and the Board of Supervisors has exercised its independent judgment in making the findings and determinations set forth herein.
4. That, based on the evidence submitted and as demonstrated by the analysis and findings included in the Addendum, none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent negative declaration or environmental impact report have occurred.

BE IT FURTHER RESOLVED that the Mendocino County Board of Supervisors hereby approves and adopts the Addendum to the previously adopted Mitigated Negative Declaration for Rezoning R 2-2007 and directs the Mendocino County Department of Planning and Building Services to attach the Addendum to the MND.

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board of Supervisors as the custodian of the documents and other materials, which constitutes the record of proceedings upon which the Board of Supervisors' decision herein is based. These documents may be found at the office of the Office of the Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, Ukiah, CA 95482.

The foregoing Resolution introduced by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and carried this 5th day of April, 2022, by the following vote:

AYES:  
NOES:  
ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

**ATTACHMENT H**

ATTEST: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
Deputy

*APPROVED AS TO FORM:*  
CHRISTIAN M. CURTIS  
County Counsel

\_\_\_\_\_

\_\_\_\_\_  
TED WILLIAMS, Chair  
Mendocino County Board of Supervisors

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

BY: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
Deputy

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### EXHIBIT A

LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION III: South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.

LOCATION IV: In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

LOCATION V: In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.

LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

LOCATION VIII: Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to the General Plan category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

LOCATION IX: In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

LOCATION X: In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XI: In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan

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Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

LOCATION XII: In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XIII: Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

**ATTACHMENT H**

**EXHIBIT B**

**March 3, 2022**

**Addendum to the previously adopted Mitigated Negative Declaration for Rezoning and General  
Plan Amendment R 2-2007/GP 2-2007 (Board of Supervisors Resolution No. 07-257)**

Rezone Application R 2-2007

Assessor Parcel Numbers: 184-110-29

Prepared By: Julia Krog, Assistant Director

## ATTACHMENT H

This Addendum has been prepared in accordance with Section 15164 Article II, Title 14 of the California Code of Regulations (CCR) as required by the California Environmental Quality Act (CEQA) and serves as an Addendum to the previously adopted Mitigated Negative Declaration for Rezoning and General Plan Amendment R 2-2007/GP 2-2007. The County of Mendocino was the lead agency for the environmental review.

### **BACKGROUND**

On June 26, 2007 the Mendocino County Board of Supervisors ("Board") acted to initiate a rezoning process that would result in an increase of land zoned for multi-family residential use. The Board directive was the first step in implementing Action Item 4.2 of the 2004 Housing Element of the General Plan. Action Item 4.2 of the 2004 Housing Element read as follows:

***Action 4.2:*** *Increase Multi-Family Zoned Sites for Lower Income Housing: To facilitate development of lower income housing the County will by July 1, 2007 rezone at least 50 acres to R-3 (or comparable density zoning for multi-family housing without a conditional use permit) in urban or community areas throughout the County, with a high priority given to land within water and/or sewer service districts or within or adjacent to towns. The total of 50 acres may be accomplished by a cumulative total of County and/or privately initiated rezoning applications.*

The Planning Team (who functioned independently of Planning and Building Services) processed a Rezone, R 2-2007, to rezone 13 locations within the County to the Multiple-Family Residential (R-3) zoning district. Eight (8) of the 13 locations required a General Plan Amendment, GP 2-2007, to ensure consistency between the R-3 zoning and the General Plan designation for these locations. The following 13 locations were part of the Rezone and General Plan Amendment (Location III is in **bold**):

LOCATION I: South of Ukiah City limits, approximately 1± acre comprised of three parcels, lying on the north side of Jefferson Lane, beginning approximately 220± feet west of South State Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

LOCATION II: South of Ukiah City limits, approximately 1± acre comprised of two parcels, lying on the south side of Fircrest Drive, beginning eastward from its intersection with South Dora Street. The parcels are currently zoned R-1 and will be rezoned to R-3.

**LOCATION III: South of Ukiah City limits, 5 parcels and a portion of one lying on the west side of South State Street, North and South of Gobalet Lane, APN: 184-120-10, 184-120-11, 184-120-09, 184-110-20, 184-110-21 and approximately 2.8± acres of APN 184-110-19. The parcels are currently zoned SR and will be rezoned R-3.**

LOCATION IV: In Old Hopland, approximately 3.14± acres lying on the southeast side of the intersection of Highway 175 and Harrison Street, also known as 1101 Highway 175. The parcels are currently zoned SR and will be rezoned to R-3.

LOCATION V: In Old Hopland, approximately 1.37± acres comprised of two parcels, lying between Highway 175 and Harrison Street, east of McDowell Street, also known as 821 Highway 175 and 850 Harrison Street. The parcels will require a General Plan Amendment from PS and C to SR. They are currently zoned PF and C1 and will be rezoned R-3.

LOCATION VI: Approximately 3.2± miles north of Fort Bragg City Limits, approximately 5.5± acres lying on the northeast side of the intersection of Highway 1 and Mill Creek Drive, also known as 24301 North Highway 1, Fort Bragg, CA 95437. The parcel is non-conforming to the General Plan category RL160 needs to be amended to SR. It is currently zoned RL and will be rezoned R-3.

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LOCATION VII: Just east of Willits City limits, approximately 5.0± acres lying on the north side of East Valley Street, including sites also known as 630 East Valley Street, 620 East Valley Street, 610 East Valley Street, 600 East Valley Street and 540 East Valley Street, Willits, CA 95490. The parcel is non-conforming to the General Plan category Ag 40 needs to be amended to SR. The parcels are currently zoned Ag and will be rezoned R-3.

LOCATION VIII: Just south of Willits City limits, approximately 6.1± acres lying on the southwest side of the intersection of Muir Mill Road and Highway 101, also known as 221 Muir Mill Road and 20690 North Highway 101, Willits, CA 95490. The parcel is non-conforming to the General Plan category RL 160 needs to be amended to SR. The parcels are currently zoned RL and will be rezoned R-3.

LOCATION IX: In the community of Boonville, approximately 5.0± acres lying in the northeast portion of Anderson Valley School District property, along the south side of Estate Drive. The parcel currently has General Plan category PF needs to be amended to RC. The parcels are currently zoned PF and will be rezoned R-3.

LOCATION X: In the community of Philo, approximately 1.5± acres lying on the west side of Highway 128, 500± feet south of its intersection with Rays Road. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XI: In Laytonville, approximately 5.0± acres lying on the west side of Fisherman Drive, also known as 46340 Fisherman Drive, 46300 Fisherman Drive and 46280 Fisherman Drive, Laytonville, CA. The parcels need a General Plan Amendment from RR-5 to be amended to SR. The parcels are currently zoned RR and will be rezoned R-3.

LOCATION XII: In Laytonville, approximately 5.0± acres lying on the south side of Branscomb Road, approximately 900+ feet west of the intersection of Branscomb Road and Willis Avenue, also known as 301 Branscomb Road, Laytonville. This parcel needs a General Plan Amendment from RC to SR. The parcel is currently zoned C2 and will be rezoned R-3.

LOCATION XIII: Within the Town of Covelo, approximately 2.4± acres, including approximately 1.0± acre lying southeast of the intersection of Howard Street and Greely Street, also known as 23801 Howard Street; and approximately 0.38 acre lying southeast of the intersection of Greely Street and Hwy 162, also known as 76325 Covelo Road; and approximately 1.0 acre lying on the north side of Howard Street, approximately 144± feet west of Lovelle Street, also known as 23740 Howard Street. APN 033-270-06, at 76325 Covelo Road needs a General Plan Amendment from C to SR, and the parcel is currently zoned C2 and will be rezoned R-3. APN 033-240-01, at 23801 Howard Street and APN 033-190-50, at 23740 Howard Street are both currently zoned SR and will be rezoned R-3.

GP 2-2007/R 2-2007 was reviewed by the Mendocino County Planning Commission on November 15, 2007, where they provided a report and recommendation to the Board as follows:

*To recommend to the Board of Supervisors inclusion of Locations 1, 2, 9, 12 and 13 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors that Location 3 be remanded to the Airport Land Use Commission for further consideration with those considerations to be given to the Board of Supervisors with all interested parties notified.*

*To recommend to the Board of Supervisors inclusion of Locations 4 and 5 in the Mitigated Negative Declaration.*



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*To recommend to the Board of Supervisors inclusion of Location 6 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors inclusion of Location 7 in the Mitigated Negative Declaration.*

*No recommendation will be made to the Board of Supervisors regarding the inclusion or exclusion of Location 8 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors exclusion of Location 11 in the Mitigated Negative Declaration.*

*To recommend to the Board of Supervisors approval of the General Plan Amendment reclassifications as recommended by Mr. Gorny.*

On December 11, 2007, the Board held a noticed public hearing related to GP 2-2007/R 2-2007, where the Board adopted Resolution No. 07-257, including adoption of a Mitigated Negative Declaration, and Ordinance No. 4195, with the following specific actions related to Location III as noted in the Minutes:

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors overrides the determination of the Airport Land Use Commission, finding that, with respect to Location III (Gobalet Lane, South State Street, Ukiah sites), the Board overrules the findings for the Airport Land Use Commission that these sites are incompatible with the B-2 Airport Zone, finding instead, pursuant to Public Utilities Code Section 21676.5, subdivision (b), that the proposed rezoning is consistent with the goals and purposes of Public Utilities Code Section 21670, and further, facts to support the findings of consistency are contained within the body of report.*

*Upon motion by Supervisor Pinches, seconded by Supervisor Wattenburger, and carried unanimously; IT IS ORDERED that the Board of Supervisors waives the reading and adopts an ordinance to rezone certain parcels to Multiple Family Residential (R-3), with conditions, and based on findings including that a duly noticed hearing was conducted by the Planning Commission on November 15, 2007; that the Board has conducted a duly noticed public hearing on December 11, 2007; that the rezonings are consistent with the County General Plan, its land use designations, and its goals and policies; and that a Mitigated Negative Declaration has been approved and adopted for this project with a finding that the conditions attached to the rezonings are sufficient to reduce any potential adverse environmental impacts to levels of insignificance, and authorizes Chair to sign same.*

### **PURPOSE**

As provided in Section 15164 of the California Environmental Quality Act (CEQA), the lead agency shall determine whether an Addendum is the appropriate document to analyze proposed modifications to a project. At the time of adoption of Ordinance No. 4195, an error was made with regards to Location III and the amount of area that was rezoned on APN 184-110-19. The Planning Team also incorrectly identified that the entirety of APN 184-110-20 would be rezoned to R-3 when all mapping associated with the project demonstrates only a portion would be rezoned. In addition, APNs 184-110-19 and 184-110-20 were historical APNs and should not have been utilized as part of the Ordinance. The purpose of this Addendum is to support the correction of the error made by the Planning Team in 2007. It is important to note that the General Plan designation of Location III was not changed as part of the original Rezoning and General Plan Amendment request.

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### DECISION ANALYSIS

Correction of the zoning on Location III of R 2-2007 constitutes a “project” subject to CEQA, which precipitates the requirement for further environmental review under the California Environmental Quality Act. Section 15162 of CEQA explains that when a Negative Declaration (ND) has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous negative declaration;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
  - d. Mitigation measures or alternative which are considerably different from those analyzed in the previous negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No additional mitigation is required and it should be made clear that no mitigation measures adopted under the original Mitigated Negative Declaration applied to Location III (the subject of the correction). Correction of the zoning itself does not affect the effectiveness of the mitigation measures outlined in the adopted Mitigated Negative Declaration, as there will be no additional environmental impacts associated with correction of the zoning.

As provided in more detail below, the correction of the error in zoning designation does not meet the criteria for preparing a subsequent negative declaration. An Addendum is appropriate, as none of the conditions constituting preparation of a subsequent negative declaration have occurred.

### FINDINGS

1. For the proposed correction of the zoning for Location III of R 2-2007, no substantial changes that would require major revisions to the previously adopted Mitigated Negative Declaration (MND) have been identified. No new significant environmental effects increase in the severity of those previously identified in the adopted MND.

## ATTACHMENT H

Correction of the error in the adoption documents for R 2-2007 would merely align the zoning of the property at Location III with what was intended by the original action and what was studied in the environmental review conducted under the adopted MND; and

2. For the correction of the zoning for Location III of R 2-2007, no substantial changes occurred with respect to the circumstances under which the project is undertaken that requires major revisions of the previous negative declaration, due to the involvement of new significant environmental effects, or a substantial increase in the severity of previously identified significant effects.

The circumstances under which the project is undertaken, remain the same, and based on the discussion above, no new significant environmental effects resulting from the proposed project are anticipated. Correction of the error in the adoption documents for R 2-2007 would merely align the zoning of the property at Location III with what was intended by the original action and what was studied in the environmental review conducted under the adopted MND; and

3. For the correction of the zoning for Location III of R 2-2007, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

There has been no new information of substantial importance that was not known, and could not have been known at the time the previous MND was prepared and adopted in 2007 by the Mendocino County Board of Supervisors. The baseline conditions describing the overall impacts of rezoning only 2.8 acres of Location III have not changed; and

4. The correction of the zoning for Location III of R 2-2007 does not constitute a change in the level of significance previously discussed in the adopted MND. As such, it is concluded that the correction of the zoning for Location III will not have one or more significant effects not discussed in the previous MND. There are no mitigation measures previously found not to be feasible that would in fact be feasible, and substantially reduce one or more significant effects of the project.

The proposed correction in zoning does not require changes to any mitigation measures, as no mitigation measures were adopted for Location III in the original MND. No new potential impacts have been identified requiring new mitigation measures to be developed; and

5. Finally, there are no mitigation measures, or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

The correction of the zoning for Location III of R 2-2007 does not involve changes to, or analysis of, any mitigation measures previously identified or adopted.

### **CONCLUSION**

Based on the above discussion, it is concluded that an Addendum to the previously adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA, for the proposed correction of the zoning for Location III of R 2-2007 because, there are no new significant environmental effects that would require new mitigation. The proposed project is consistent with Section 15164 Title 14 of the California Code of Regulations (CCR) as required by the California Environmental Quality Act (CEQA). Therefore, no additional analysis is required.

ATTACHMENT I

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY BY REZONING APN 184-110-29 FROM MULTI-FAMILY RESIDENTIAL (R-3) TO SUBURBAN RESIDENTIAL (SR) TO CORRECT A ZONING ERROR OR REZONING (R 2-2007)**

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Section 1. Findings. Based on the information provided in the memorandum accompanying this ordinance and evidence in the record, the Board of Supervisors makes the following findings:

- (a) The Project is located within a Suburban Residential (SR) General Plan Land Use Designation. This rezoning corrects an error made in Ordinance No. 4195, which improperly rezoned APN 184-110-29 to the Multi-Family Residential (R-3) zoning designation. The rezoning of said property to the Suburban Residential (SR) zoning designation is a zoning designation consistent with the SR General Plan Land Use Designation per Mendocino County Code Section 20.220.005.
- (b) The Project meets the stated intent and minimum lot size requirements of the Suburban Residential (SR) zoning district, as stated in Mendocino County Code Chapter 20.044.

Section 2. Rezone. Pursuant to Division I of Title 20, Chapter 20.212 of the Mendocino County Code, the zoning of the real property described by Assessor’s Parcel Number 184-110-29 within Mendocino County is hereby reclassified from Multi-Family Residential (R-3) to Suburban Residential (SR) as shown on attached Exhibit A.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this \_\_\_ day of \_\_\_, 2022, by the following vote:

AYES:  
NOES:  
ABSENT:

WHEREUPON, the Chair declared said Ordinance adopted and SO ORDERED.

ATTEST: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
TED WILLIAMS, Chair  
Mendocino County Board of Supervisors

\_\_\_\_\_  
Deputy

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

APPROVED AS TO FORM:  
CHRISTIAN M CURTIS, County Counsel

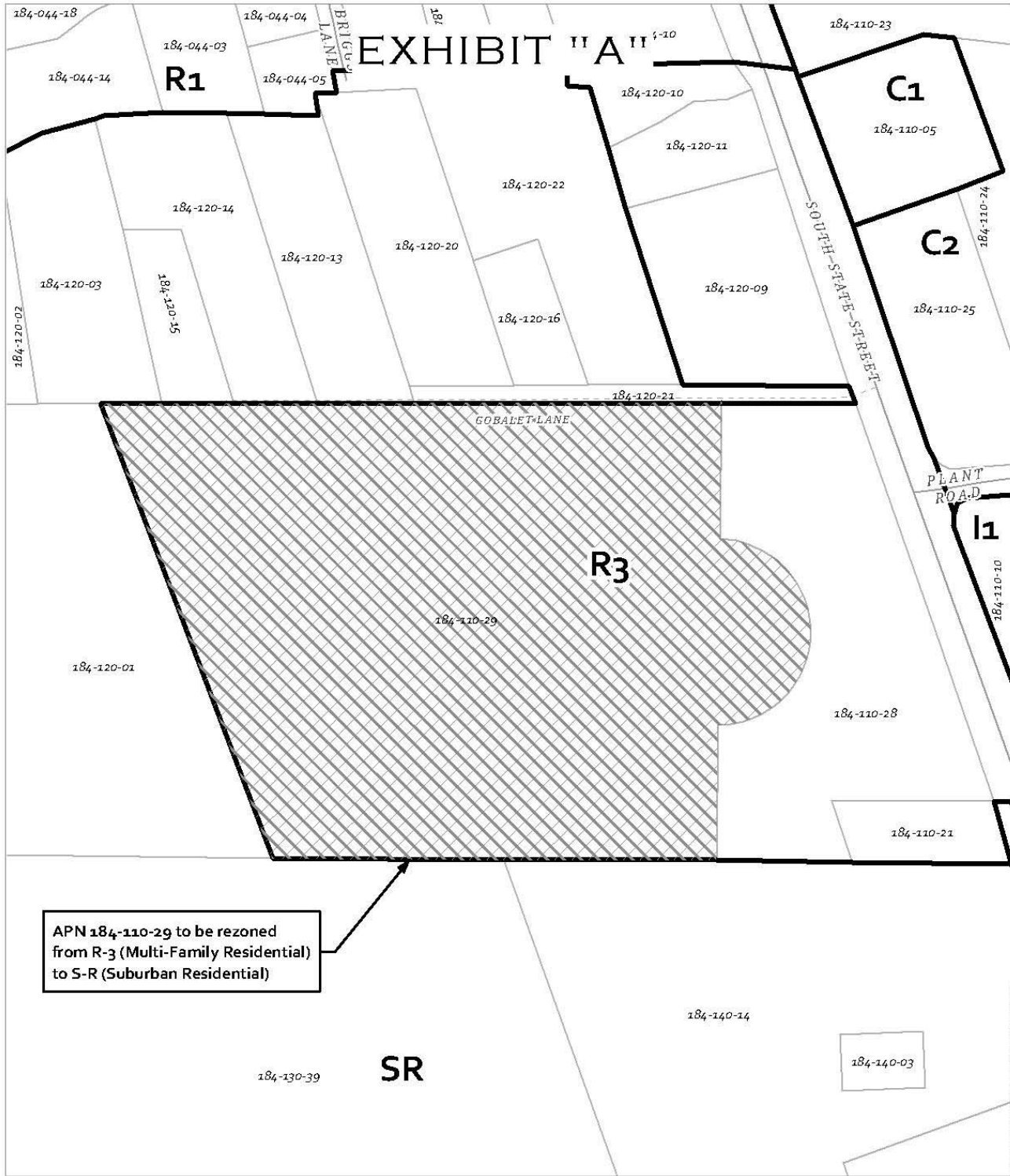
BY: DARCIE ANTLE  
Clerk of the Board

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Deputy




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Deputy

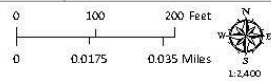
CASE#: Rezone #R 2-2007  
OWNER: RANCHO YOKAYO LP.

ATTACHMENT I



CASE: R 2007-0002 (Correction)  
 OWNER: Rancho Yokayo, LP  
 APN: 184-110-29  
 APLCT: County of Mendocino  
 AGENT:  
 ADDRESS: 3000 S. State Street, Ukiah

-  Zoning Districts
-  Public Roads
-  REZONE FROM: R-3 (Multi-Family Residential)  
TO: S-R (Suburban Residential)



REZONE EXHIBIT