



**PLANNING COMMISSION STAFF REPORT
MINOR SUBDIVISION - INLAND**

**AUGUST 18, 2016
MS_2015-0004**

SUMMARY

OWNER/APPLICANT: MARTIN T & STASI D CARR
231 ANTONI LANE
UKIAH, CA 95482

AGENT: RON FRANZ
2335 APPOLINARIS DRIVE
UKIAH, CA 95482

REQUEST: Minor subdivision of a 1.0± acre lot into 2, 0.5± acre lots.

APPLICATION DEEMED COMPLETE: December 24, 2015

LOCATION: 4± miles north of Ukiah, lying on the south side of Antoni Lane (CR 227E), 500± feet east of its intersection with East Side Calpella Road (CR 227), located at 231 Antoni Lane; APN 168-201-29.

TOTAL ACREAGE: 1 acre

GENERAL PLAN: SR – Suburban Residential

ZONING: SR – Suburban Residential:12K

SUPERVISORIAL DISTRICT: 1

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: ADELE PHILLIPS

BACKGROUND

PROJECT DESCRIPTION:

The applicant has requested a Minor Subdivision of one (1) Legal Parcel comprising 1.0± acre lot into two (2) parcels of 0.5± acre each. On Parcel 1 there exists a single family residence, while Parcel 2 is currently vacant. Each parcel will be served by Millview County Water District, with on-site septic. Access to Parcel 1 will be provided by Antoni Lane (CR 227E), while access to Parcel 2 is proposed via an existing 60 foot wide access easement over an existing roadway.

RELATED APPLICATIONS:

On-Site:

- BU 92000934 SFR
- BU_2001-0759 swimming pool
- PAC_2015-0014 housing moratorium exemption.

Neighboring Property:

- S 1-77 created Eastside Estates, to the north and east of subject parcel. Approved Jan. 27, 1981. (No archaeological survey was required.)
- R 35-78 changed the zoning of the neighboring south parcel from A-1 (unclassified) to S-A (suburban agriculture); May 8, 1978.
- B 38-80 created the parcel to the north of subject parcel for creation of S 1-77 Eastside Estates.
- GP 25-90 reclassified portions of neighboring south and west parcels from AG to OS and SR. GP 25-90 is included in the Russian River Watershed General Plan Amendment Group (GP 1-92).
- R 42-90 reclassified portions of the neighboring south and west parcels from AG:FP:SS to SR:FP:SS and OS:FP:SS.
- A 8-90 cancelled ag preserve #703.

SITE CHARACTERISTICS:

The north boundary of the subject parcel fronts on public road Antoni Lane (CR 227E), and the west boundary fronts a 60 foot wide access and utility easement. This roadway easement serves neighboring parcels to the west and south, and will provide access to Parcel 2 of the subject subdivision. Parcel 1 is accessed by Antoni Lane. The project site is level, with some small trees screening the western boundary.

There currently exists one single family residence on the property, which would be located on proposed Parcel 1. The existing residence meets required yard setback distances and off-street parking requirements per Mendocino County Code §20.044 and §20.180, respectively. It is anticipated that a single family residence will be built on Parcel 2. Given the area required to be set aside for replacement leach fields, it is unlikely the parcels can support additional second residential units.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	AG40, SR	SR	.5± ac.	RESIDENTIAL
EAST	SR	SR	.3± ac., .7± ac.	RESIDENTIAL
SOUTH	SR, OS	SR, FP, SS	5± ac.	RESIDENTIAL
WEST	OS, SR	OS, SR, FP, SS	10± ac.	RESIDENTIAL

PUBLIC SERVICES:

- Access: Public road (CR 227E) and paved private driveway.
- Fire District: Ukiah Valley Fire District
- Water District: Millview County Water District
- Sewer District: None
- School District: Ukiah Unified School District

AGENCY COMMENTS: On December 24, 2015, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation		Comments	
<ul style="list-style-type: none"> Provide an access easement of 60 feet in width from a publicly maintained road Show all easements of record on the parcel map 			February 16, 2016
Environmental Health-Ukiah		No Response	
Building Services-Ukiah		No Response	
Emergency Services		No Comment	January 10, 2016
Assessor		No Response	
County Addresser		No Response	
Sonoma State University-NWIC		Comments	
<ul style="list-style-type: none"> No record of any previous cultural resource studies Project area has the possibility of containing unrecorded archaeological sites 			March 1, 2016
Archaeological Commission		Comments	
<ul style="list-style-type: none"> Archaeological survey required 			April 13, 2016
<ul style="list-style-type: none"> Survey accepted 			June 8, 2016
Redwood Valley Rancheria		No Response	
Russian River Flood Control/Water Conservation Improvement District		No Response	
MS4 Ukiah Stormwater		No Response	
Sherwood Valley Band of Pomo Indians		No Response	
Dept. of Fish & Wildlife		No Response	
Cloverdale Rancheria		No Response	
Millview County Water District		No Response	
Ukiah Valley Fire District		No Response	

KEY ISSUES

1. General Plan and Zoning Consistency:

The project is consistent with the General Plan designation of Suburban Residential. Both proposed parcels will maintain the 12,000 square foot minimum lot area requirement. The Land Use Section of the General Plan states the following as the intent of the Suburban Residential Land Use Category, Policy DE-13:

The Suburban Residential classification is intended to be applied to transitional lands adjacent to cities or towns, including in portions of Community Planning Areas where only residential activities are considered desirable, which lands are appropriate to accommodate future growth, Lands within the Suburban Residential classification should have moderate to light constraints for residential development, should be served by the publicly-maintained road network, and should be located within public service districts or the logical extensions thereof. Portions of lands within the Suburban Residential classification will be appropriate for development of residential subdivisions. Such areas should be developed as major subdivisions, not minor subdivisions; or retained in parcels of sufficient size to be economically developed as subdivisions at some future time.

The subject property generally complies with the Suburban Residential land use category. Given the size

of the lot, it is not possible to develop the property as a major subdivision.

The subject property is within the Ukiah Valley Area Plan (UVAP). The UVAP advises that future growth should be managed to ensure that essential support infrastructure is in place prior to development.

Policy LU 4.2: Promote balanced development to improve the community's ability to support and fund facilities and services.

LU 4.2a: Infrastructure Availability

Coordinate with the special planning districts and the Local Agency Formation Commission (LAFCO) in the Ukiah Valley to ensure that municipal service reviews are adequate and up-to-date.

Before approving major projects, require new development applications to identify the impacts that the proposed development would have on the provision of public services, and approve those applications that can mitigate impacts or contribute a proportional fair share so that local public services can be maintained at an acceptable level.

Restrict issuance of development entitlements until infrastructure is known to be available.

The subject property is not served by a sewer district, but is served by the Millview Water District and has an existing water meter on each of the proposed parcels. The subject proposal is not a major project. The subdivision will likely result in an increased density of one additional single family residence; however, this potential exists regardless of subdivision as the property owners could build an additional house on the property by right per MCC §20.164. Further residential development--in the form of second residential units--on either parcel is unlikely due to constraints created by leach field requirements.

2. Division of Land Regulations:

The project was reviewed by the County Subdivision Committee on May 12, 2016, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in MCC §17-48.5. No conflicts with the County Division of Land Regulations were identified.

3. Environmental Protection:

An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). Staff did not identify any significant impacts to the environment which would result from the project that could not be mitigated.

RECOMMENDATION

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

DATE

ADELE PHILLIPS

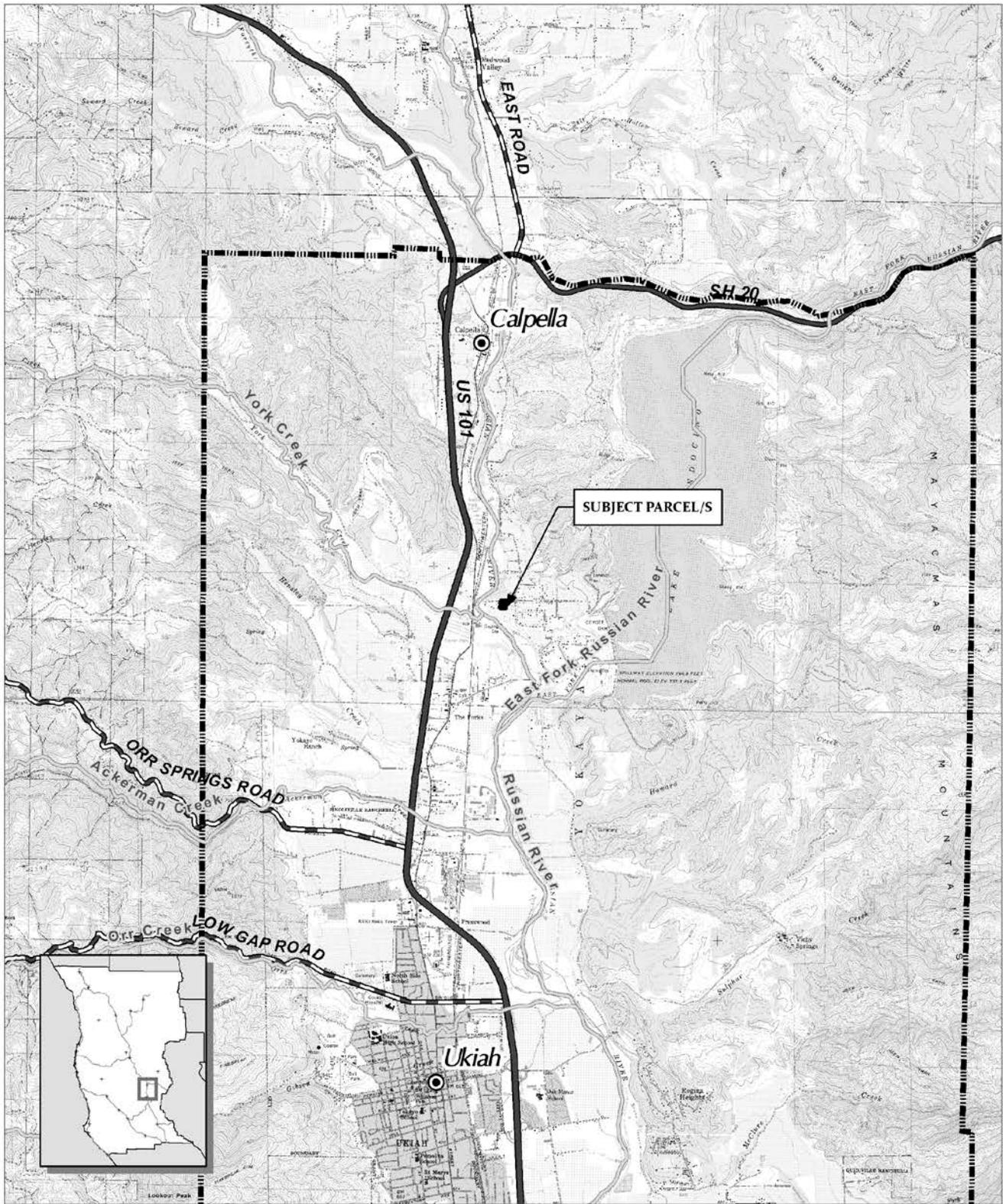
Appeal Period: 10 Days
Appeal Fee: \$910.00

ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Tentative Map
- D. Adjacent Owner Map
- E. Zoning Map
- F. General Plan and UVAP Classifications Map
- G. Fire Hazards Map
- H. Water District
- I. MS4 Stormwater
- J. Earthquake Fault Zones
- K. Military Flight Zone

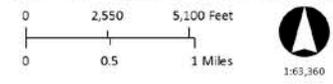
INITIAL STUDY/DRAFT NEGATIVE DECLARATION

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A)



CASE: MS 2015-0004
 OWNER: CARR, Martin & Stasi
 APN: 168-201-29
 APLCT: Martin Carr
 ADDRESS: 231 Antoni Ln., UK

- Major Towns & Places
- Highways
- Major Rivers
- Major Roads
- UVAP Boundary



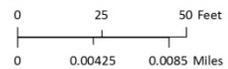
LOCATION MAP

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

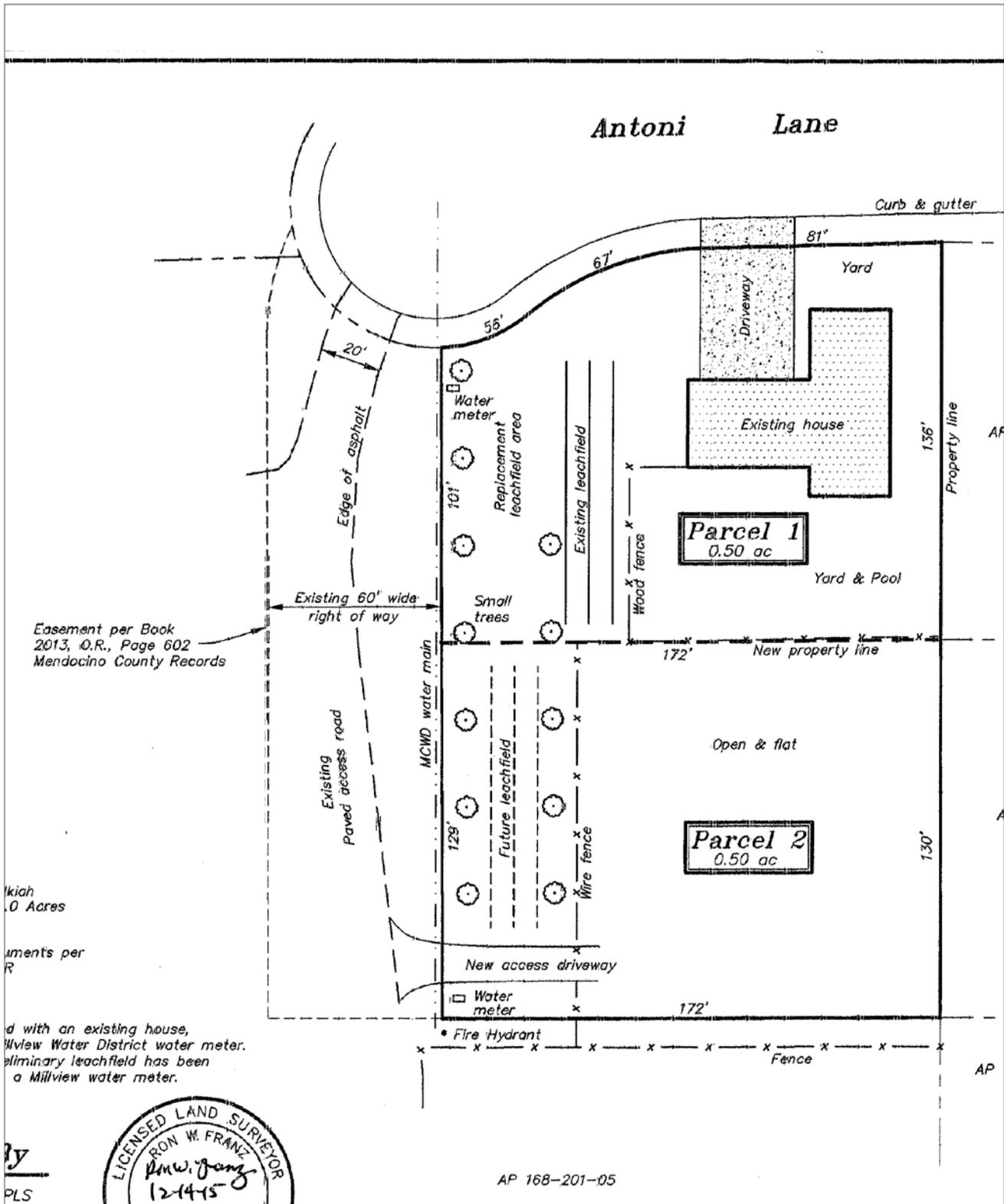


CASE: **MS 2015-0004**
OWNER: **CARR, Martin & Stasi**
APN: **168-201-29**
APLCT: **Martin Carr**
ADDRESS: **231 Antoni Ln., UK**

Public Roads



GOOGLE EARTH IMAGERY
IMAGERY DATE: 8-17-2013



10 Acres

ements per R

d with an existing house,
Millview Water District water meter.
A preliminary leachfield has been
a Millview water meter.

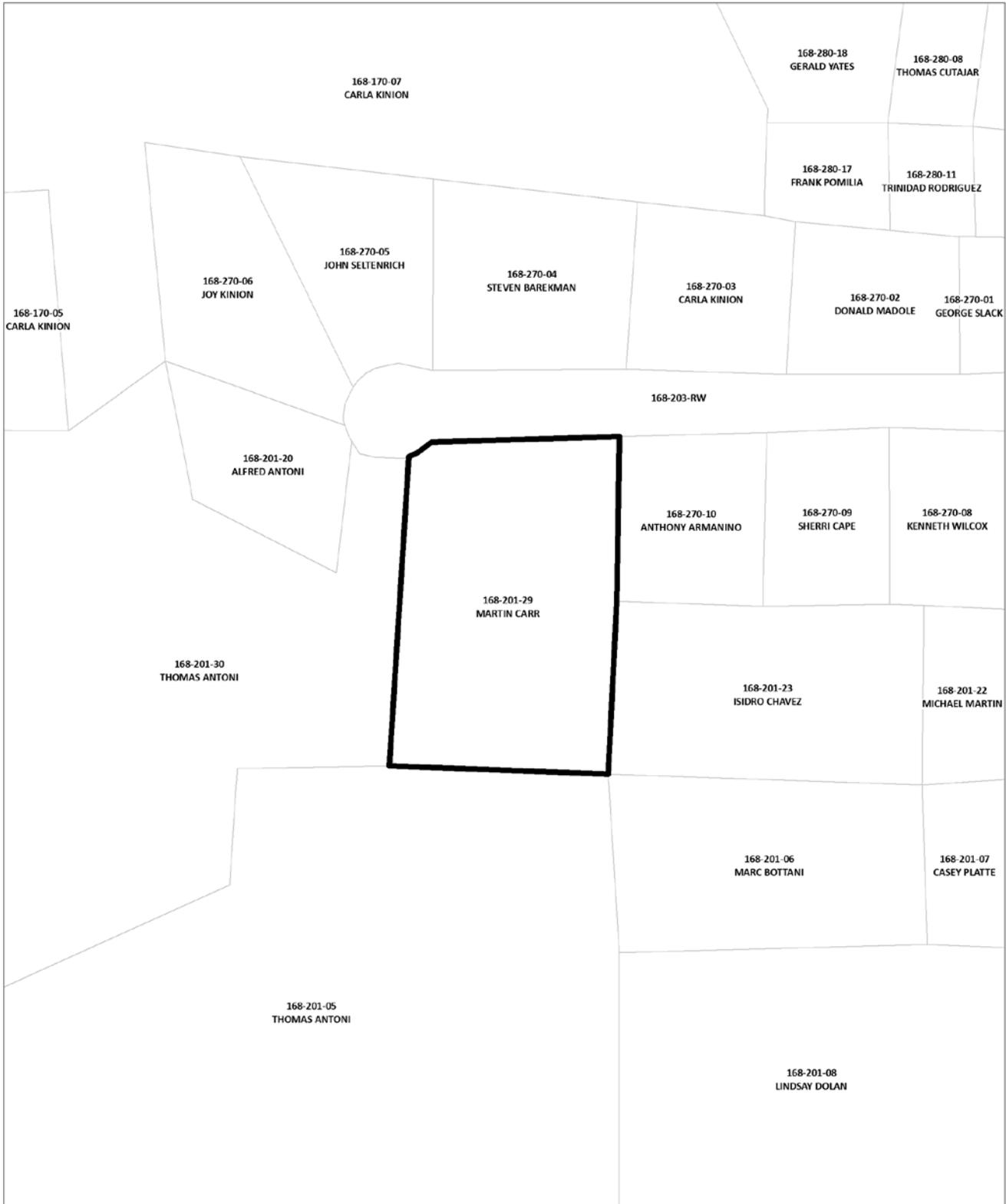
PLS

CASE: MS 2015-0004
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APN: 168-201-29
APLCT: Martin Carr
ADDRESS: 231 Antoni Ln., UK

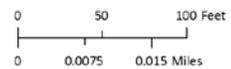
NO SCALE

TENTATIVE MAP

Map produced by the Mendocino County Planning & Building Services, June, 2016
All spatial data is approximate. Map provided without warranty of any kind.



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APLCT: Martin Carr
ADDRESS: 231 Antoni Ln., UK

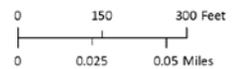


ADJACENT PARCELS



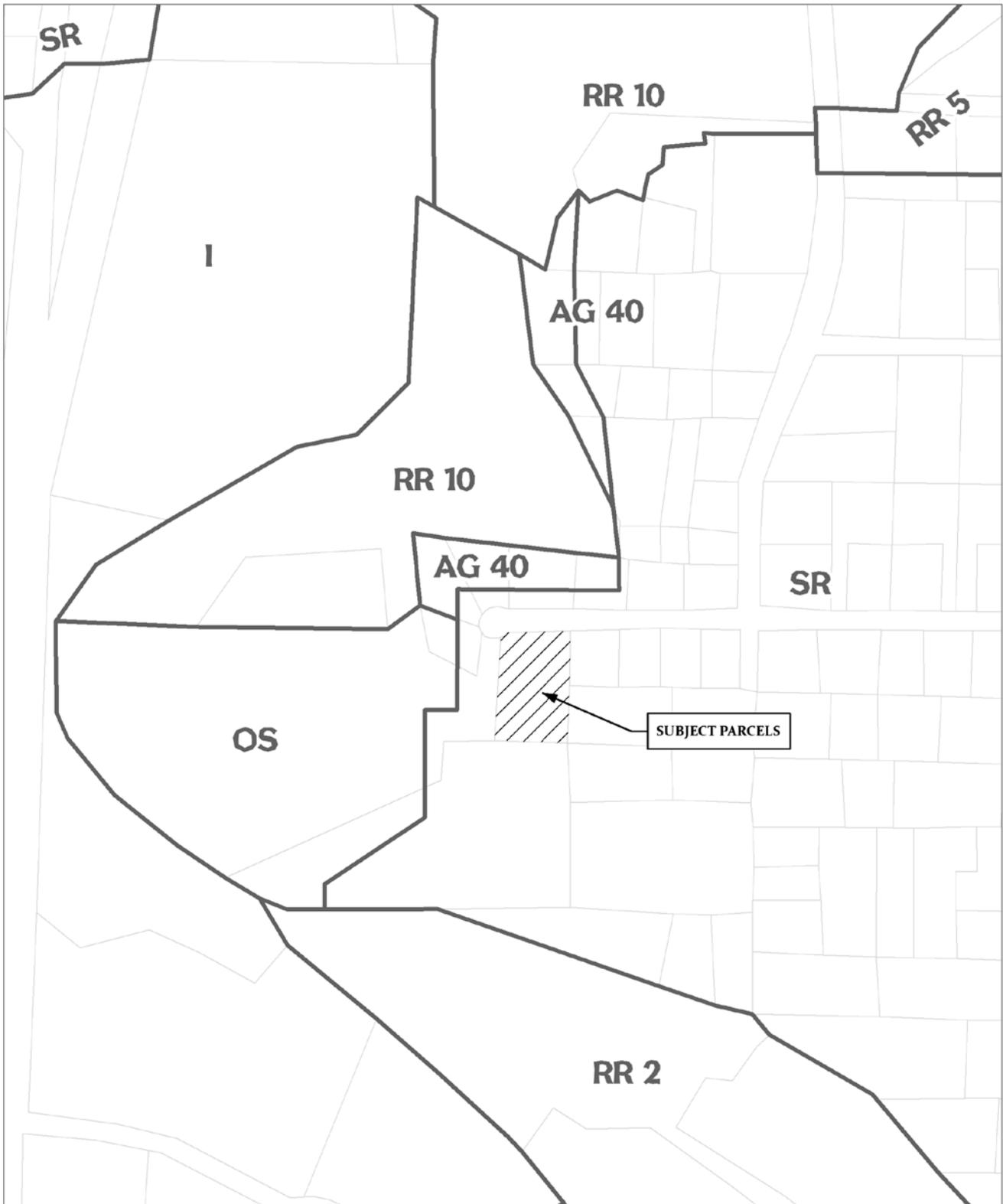
CASE: MS 2015-0004
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APLCT: Martin Carr
ADDRESS: 231 Antoni Ln., UK

 Zoning Master



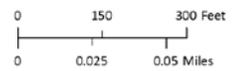
ZONING DISPLAY MAP

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

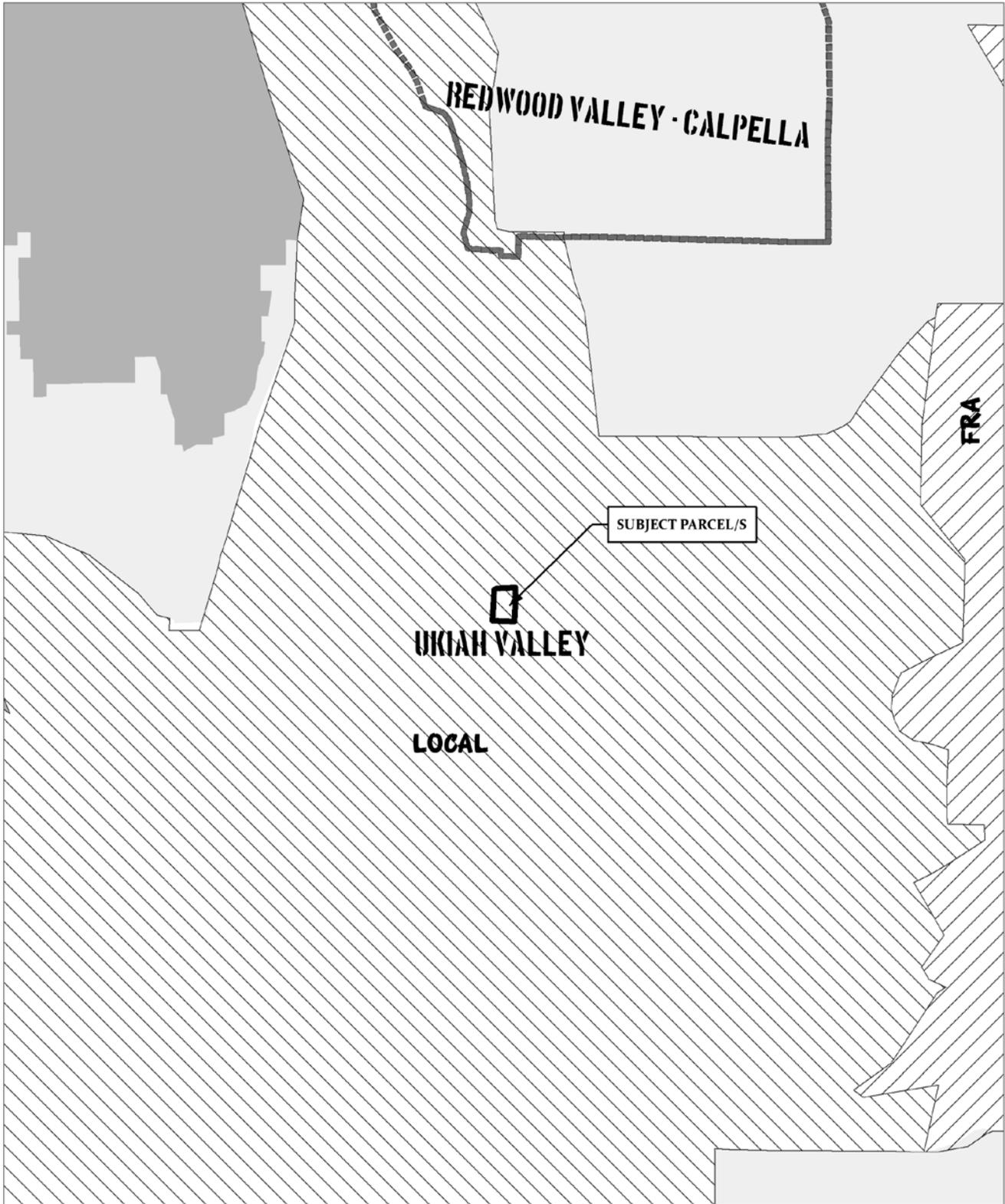


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 Assessors Parcels



GENERAL PLAN CLASSIFICATIONS



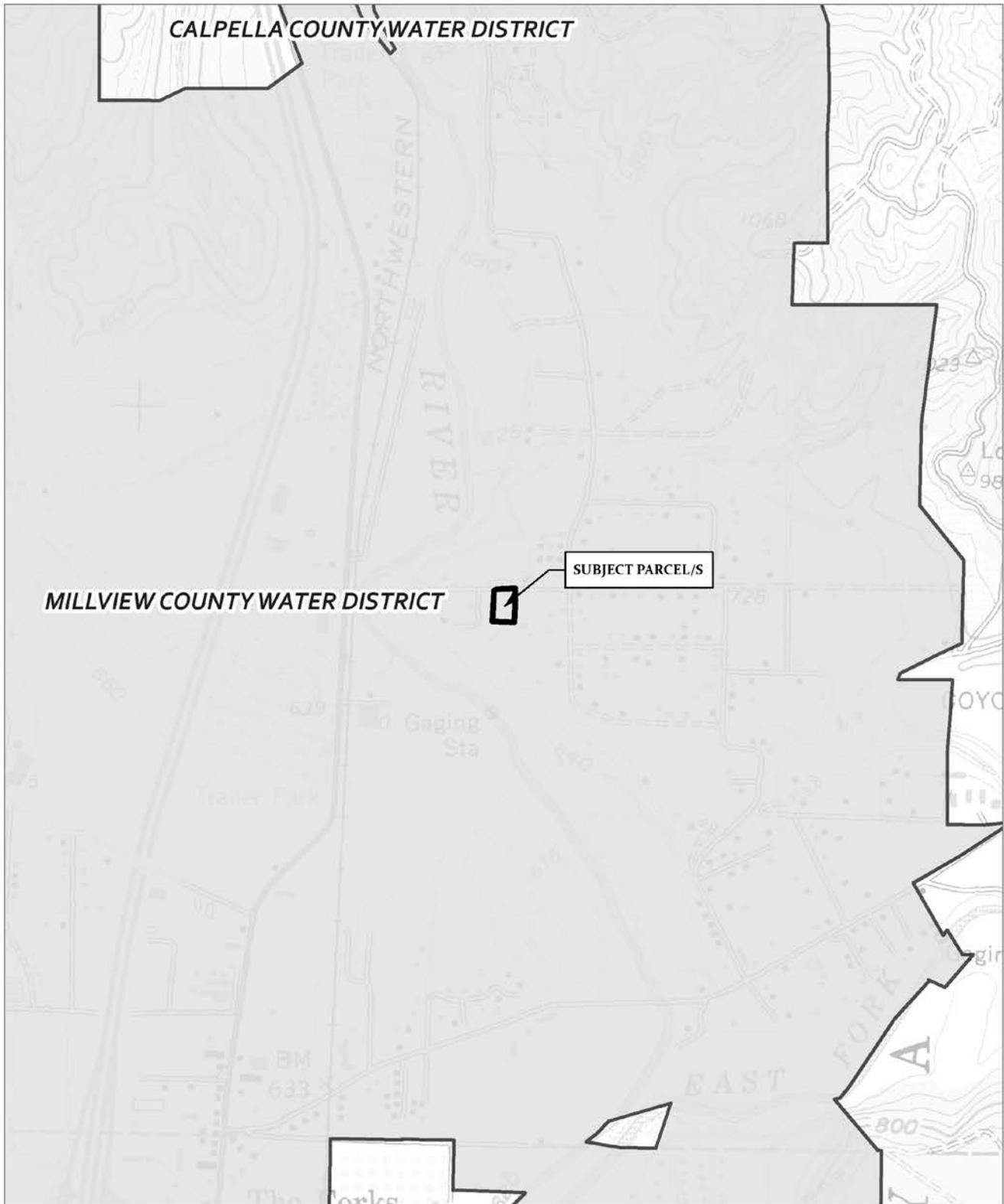
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 County Fire Districts
 High Fire Hazard
 Moderate Fire Hazard

0 500 1,000 Feet
0 0.075 0.15 Miles

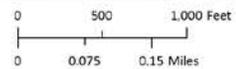


FIRE RESPONSIBILITY AREAS



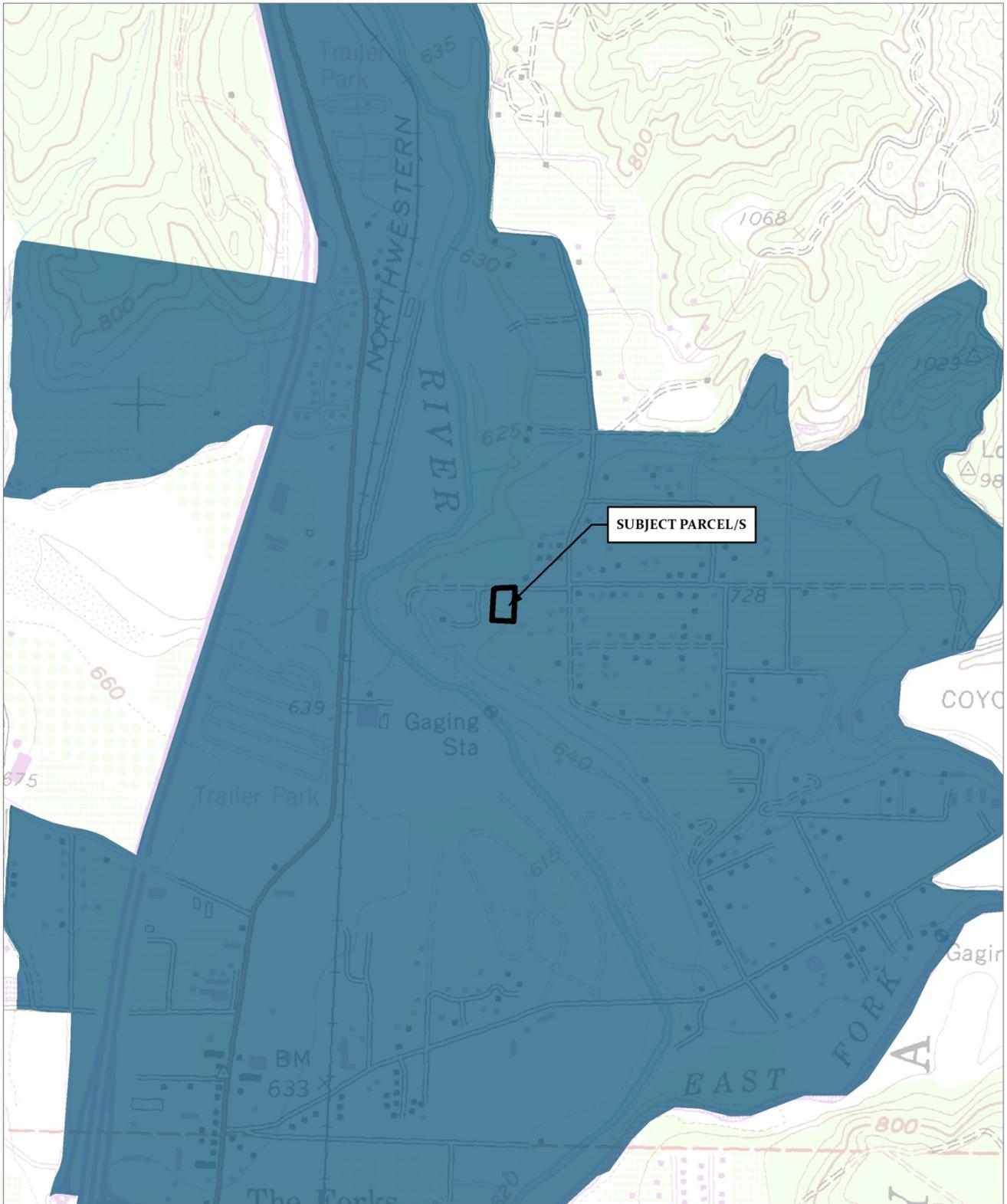
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 County Water Districts



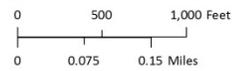
WATER DISTRICTS

Map produced by the Mendocino County Planning & Building Services, December, 2015
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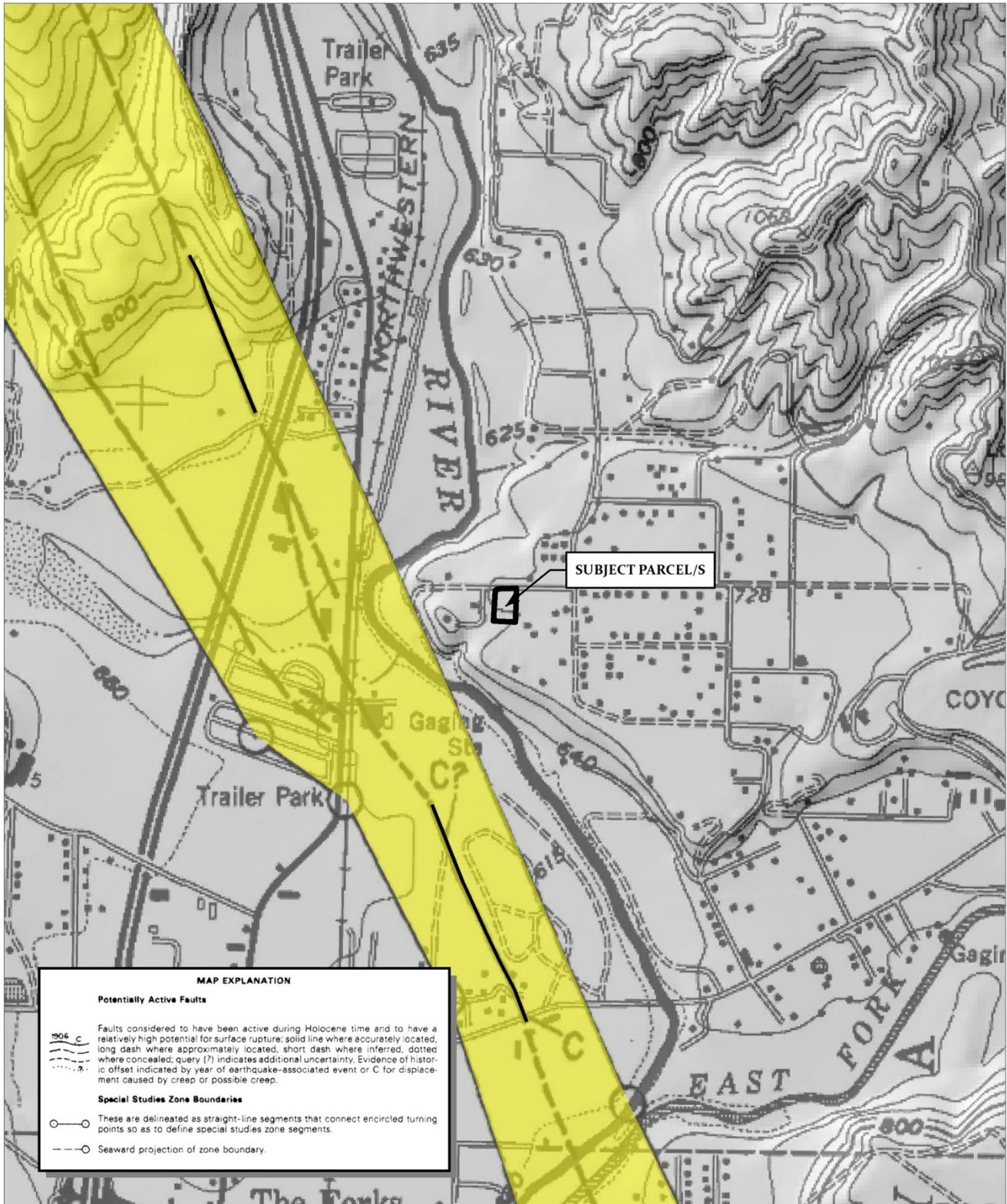
CASE: MS 2015-0004
OWNER: CARR, Martin & Stasi
APN: 168-201-29
APLCT: Martin Carr
ADDRESS: 231 Antoni Ln., UK

 Ukiah Stormwater Areas



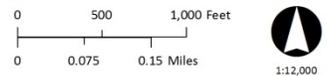
MS4 STORMWATER PERMITTING AREAS

Map produced by the Mendocino County Planning & Building Services, December, 2015
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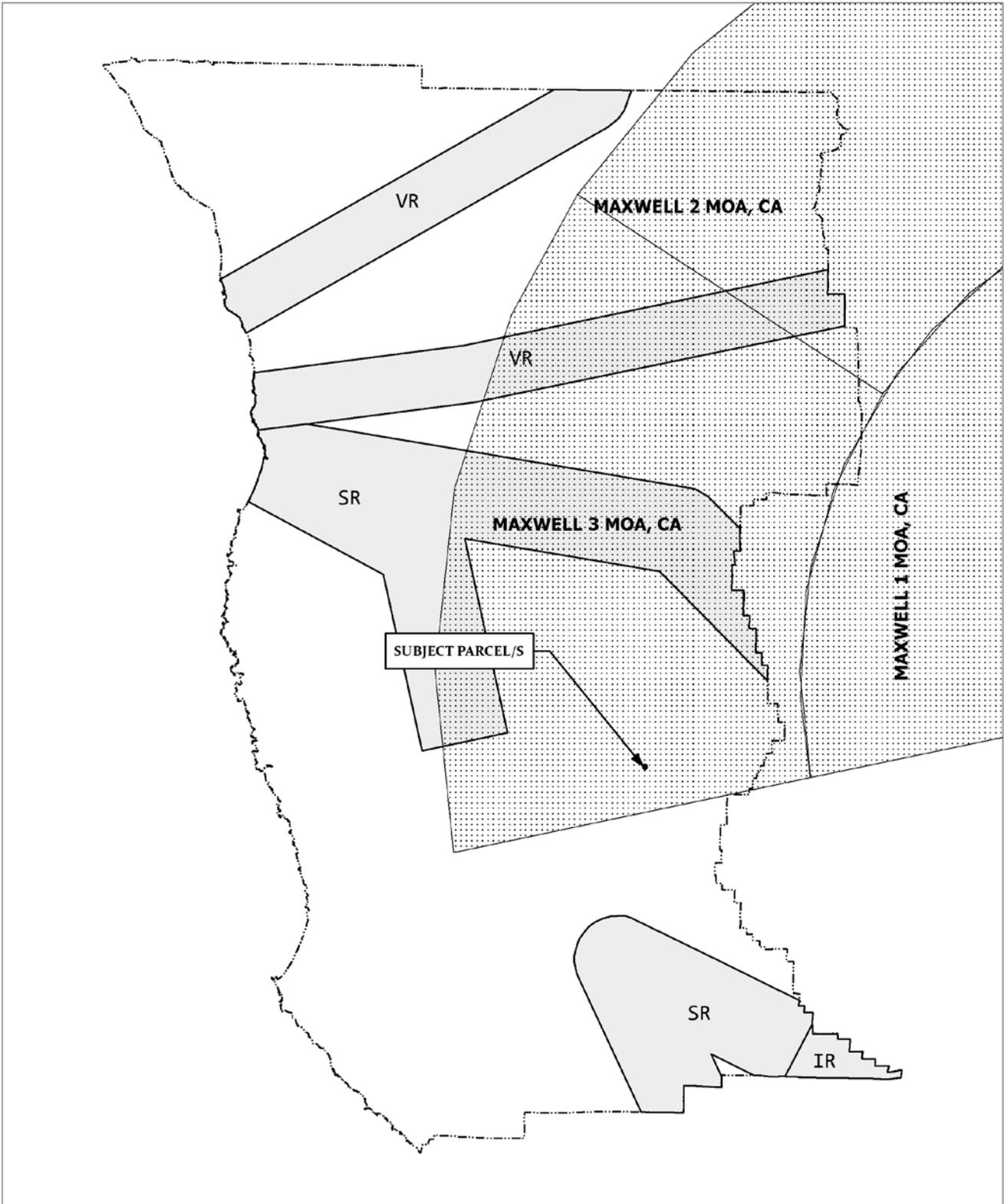


CASE: MS 2015-0004
 OWNER: CARR, Martin & Stasi
 APN: 168-201-29
 APLCT: Martin Carr
 ADDRESS: 231 Antoni Ln., UK

 Maacama Fault Zone

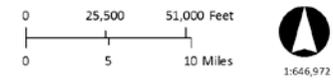


EARTHQUAKE FAULT ZONES



CASE: MS 2015-0004
OWNER: CARR, Martin & Stasi
APN: 168-201-29
APLCT: Martin Carr
ADDRESS: 231 Antoni Ln., UK

 Airspace Zones
 USN Flight Corridors



MILITARY AIRSPACE & FLIGHT CORRIDORS

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

Section I Description Of Project.

DATE: 8/18/2016
CASE#: MS_2015-0004
DATE FILED: 12/16/2015
OWNER/APPLICANT: CARR MARTIN T & STASI D
AGENT: RON FRANZ
PROJECT COORDINATOR: ADELE PHILLIPS
REQUEST: Minor subdivision of a 1.0± ac. lot into 2, 0.5± ac. lots.
ENVIRONMENTAL DETERMINATION: NEGATIVE DECLARATION
LOCATION: 4± miles north of Ukiah, lying on the south side of Antoni Lane (CR 227E), 500± feet east of its intersection with East Side Calpella Road (CR 227), located at 231 Antoni Lane; APN 168-201-29.

Section II Environmental Checklist.

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

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

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

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

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

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

a, b, c) No Impact

No new development will take place on the subject site that will have impacts on the scenic vistas. The site is already developed with a single family dwelling, and surrounding sites are also developed with single family dwellings.

d) Less Than Significant Impact

Condition Number 1 is recommended to mitigate any new source of light that might affect nighttime views in the area.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b, c, d, e) No Impact

No farmland or timberland conversion will take place. The subject property is surrounded by SR zoning district, the vast majority of which has been maximally developed.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) No Impact

The project will not conflict with or obstruct implementation of any air quality plan.

b, c, d) Less Than Significant Impact

The AQMD is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM10 attainment plan was finalized in 2005 that provides regulations for construction and grading activities and unpaved roads. The proposed project has the potential to increase PM10 in the immediate vicinity of the site if a new driveway is constructed. Local impacts to the area during construction would be less than significant using standard dust control measures. **Condition Number 6** will ensure that the project will achieve compliance with AQMD standards.

e) No Impact

Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The Project exists within a residential area, and the next nearest sensitive receptor area is the Lake Mendocino Campground 0.75± mile to the east. No objectionable odors will result from this project.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b, c, d, e, f) Less Than Significant Impact or No Impact

Staff reviewed the Natural Diversity Data Base and found no rare or endangered wildlife species on the subject property. As of the writing of this report, staff has received no specific comments from the Department of Fish and Wildlife. The project is subject to the filing fees required by Fish and Game Code Section 711.4 unless a waiver is granted by that agency. See **Condition Number 4**.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b, c, d) No Impact

At the April 13, 2016, Archaeological Commission meeting, it was determined that a survey would be required. A survey was conducted by archaeologist Thad Van Bueren (report date May 3, 2016), and reviewed by the Archaeological Commission on June 8, 2016. No cultural, historical, or archaeological sites were observed. **Condition Number 5** is a standard requirement which will help to avoid any possible adverse change to cultural resources by requiring a new archaeological survey prior to issuance of any future building or grading permits. No impacts are anticipated.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b, c, d, e) No Impact

The project site is flat, and is not in an earthquake fault zone. No new development is being proposed that would result in any impacts to geology and soils, or to any existing structures. Displacement of soil within the project area resulting from future earth movement is expected to be minimal. Significant erosion from site and the related placement of additional structures is unlikely. Potential development impacts will be kept to a minimum with the uniform application of standard construction site erosion control requirements set in **Condition Number 6**, and those regulations found in MCC Chapter 16.30 Stormwater Runoff Pollution Prevention Procedure.

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b) Less Than Significant Impact or No Impact

The framework for regulating GHG emissions in California is described under Assembly Bill (AB) 32. In 2006, the California Global Warming Solutions Act (AB 32) definitively established the state’s climate change policy and set GHG reduction targets (health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. The MCAQMD does not have rules, regulations, or thresholds of significance for non-stationary or construction-related GHG emissions.

Construction activities associated with the construction of a future residence and driveway could generate GHGs from the engine emissions. These activities are limited in scope and duration and would not contribute significantly to greenhouse gas emissions. Given the relatively small size of the project scale, the proposed project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional or state level.

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

a, b, c, d, e, f, g, h) No Impact

No hazardous sites are located near the project site, nor is the site within an airport land use planning area. Additionally, the project is not located in a wildland fire area, and has year-round structural fire coverage provided by the Ukiah Valley Fire District. Impacts are not anticipated and no mitigation is required.

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

a - i) Less Than Significant Impact or No Impact

The subject property is within the Millview County Water District. No new wells will be established, and the property will not be covered with extensive impermeable surfacing. The site is level and an insignificant amount of grading will be required to establish a driveway to Parcel 2. The project will not substantially deplete groundwater

supplies or interfere substantially with groundwater recharge. The site is not within a flood hazard zone, nor is it in an area at risk of inundation by seiche, tsunami, or mudflow.

The Division of Environmental Health has reviewed the proposed minor subdivision with regards to water quality and quantity. **Conditions Number 8, 9, 10, and 11** are standard requirements that will help to ensure acceptable water to be available to the proposed parcels, and effluent properly treated.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b, c) No Impact

The subject parcel is zoned Suburban Residential, with 12,000 sq. ft. minimum lot area. All parcels will meet the minimum parcel size requirement. The subject parcel is within the Ukiah Valley Area Plan. Land use conflicts are not anticipated, and the subdivision will not divide a community. No future roads or trail networks are planned near the site, and no habitat conservation plans are present. The subdivision No mitigation is required.

<u>XI. MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b) No Impact

There are no known mineral resources on site. No mitigation is required.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a – f) No Impact

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

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

a, b, c) No Impact

The project would not have any substantial impacts to housing in the area. No mitigation is required.

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

a) Less than Significant Impact or No Impact

The project must meet fire safety standards of the Ukiah Valley Fire District. **Condition Number 7** is recommended to ensure standards are met to the satisfaction of the District. No additional mitigation is required.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b) No Impact

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

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

a, c, f) Less than Significant Impact

Potential traffic impacts from the project are not expected to be significant. Comments received from the Department of Transportation recommend Conditions Number 13 and 14 to mitigate any impacts that may occur. No further mitigation is required.

b, d, e) No Impact

- b) Effect existing parking facilities, or demand for new parking? **No Impact***
- d) Alter present patterns of circulation or movement of people and/or goods? **No Impact***
- e) Result in inadequate emergency access? **No Impact***

<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a – g) Less Than Significant or No Impact

The project would not result in any significant impacts to utility or services systems. Millview Water District will continue to provide water service to the existing residential dwelling unit, and there exists a second water service meter on the proposed second parcel. The subject parcel lies outside the nearest sanitation district--Ukiah Valley Sanitation District--which extends only as far as the west side of the Russian River, 800± feet west of the subject property. The County Division of Environmental Health recommends **Condition Number 11** to ensure compliance with water and sewer regulations of the County and/or State.

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

a, b, c) Less Than Significant Impact

The project will not result in any significant impacts (either project specific or cumulative) that can't be mitigated to a less than significant level.

DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

DATE

ADELE PHILLIPS

Resolution Number _____

County of Mendocino
Ukiah, California
August 18, 2016

MS_2015-0004 - MARTIN & STASI CARR

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

WHEREAS, the applicant, Martin and Stasi Carr, filed an application for a Minor Subdivision with the Mendocino County Department of Planning and Building Services to subdivide a 1.0± acre lot into 2, 0.5± acre lots, 4± miles north of Ukiah, lying on the south side of Antoni Lane (CR 227E), 500± feet east of its intersection with East Side Calpella Road (CR 227). 231 Antoni Lane; APN 168-201-29; General Plan SR; Zoning SR:12K; Supervisorial District; (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on July 20, 2016, in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on August 18, 2016, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

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

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

1. **General Plan Findings:** The subject property is classified Suburban Residential (SR) under the General Plan, and the Project is consistent with the General Plan per Policy DE-13.
2. **Ukiah Valley Area Plan (UVAP) Findings:** The subject property is classified Suburban Residential under the UVAP, and the Project is consistent with the UVAP per Policy LU 4.2.
3. **Zoning Findings:** The subject property is zoned Suburban Residential (SR:12K). The project is consistent with County Zoning per Mendocino County Code §20.044.
4. **Division of Land Regulations:** The Planning Commission finds the Project to be consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations.

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

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

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

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

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

ATTEST: ADRIENNE M. THOMPSON
Secretary to the Planning Commission

By: _____

BY: STEVEN D. DUNNICLIFF
Director

MOLLY WARNER, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM MS_2015-0004 – CARR AUGUST 18, 2016

Minor subdivision of a 1.0± acre lot into 2, 0.5± acre lots. 4± miles north of Ukiah, lying on the south side of Antoni Lane (CR 227E), 500± feet east of its intersection with East Side Calpella Road (CR 227).
231 Antoni Lane; APN 168-201-29

APPROVED PROJECT DESCRIPTION: Minor subdivision of a 1.0± acre lot into 2, 0.5± acre lots.

CONDITIONS OF APPROVAL:

1. All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.
2. A notation shall appear on the Parcel Map stating that future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval
3. A note shall appear on the Parcel Map stating that the access road, driveway and interior circulation routes be maintained in such a manner as to insure minimum dust generation subject to Air Quality Management District Regulation 1 Rule 430. All grading must comply with Air Quality Management District Regulations Rule 430. Any rock material, including natural rock from the property, used for surfacing must comply with Air quality Management District regulations regarding asbestos content.
4. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$ 2,260.25 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**
5. Those "Recommendations" outlined in the Archaeological Report dated May 3, 2016, prepared by Thad Van Bueren, Registered Professional Archaeologist shall be complied with. In the event that additional archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
6. The subdivider shall **acknowledge in writing** to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards:

- a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - b. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - c. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
 - d. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
 - e. All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
 - f. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
 - i. An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
 - ii. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage.
7. The subdivider shall comply with those recommendations of the Ukiah Valley Fire District or other alternatives as acceptable to the Fire District. Written verification shall be submitted from Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.
 8. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for parcel 2 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
 9. The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for a replacement system for the existing structure(s) located on parcel 2 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
 10. 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.
 11. The applicant shall either (1) submit to the Division of Environmental Health, a letter from the district(s) or agency(s) stating that water and/or sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 &

17.56); or (2) the applicant shall submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered improvement plans for the future installation of services (and main extensions, where required) for each lot and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII.

12. All existing structures shall meet current setback requirements to newly proposed property lines. A site map shall be submitted to the satisfaction of Planning and Building Services clearly identifying compliance.
13. There shall be provided an access easement of 60 feet in width (as per tentative map) from Antoni Lane (CR 227 E) for access to Parcel 2. Documentation of access easement(s) shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.
14. 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.
15. 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.