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**PLANNING COMMISSION- STAFF REPORT  
REZONE AND USE PERMIT**

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**DECEMBER 1, 2016  
R\_2015-0001 & U\_2015-0008**

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**SUMMARY**

**OWNER:** FAZIAN CORPORATION  
390 E GOBBI ST  
UKIAH, CA 95482

**AGENT:** L.S. MITCHELL ARCHITECT, INC  
135 W GOBBI ST, SUITE 203  
UKIAH, CA 95482

**REQUEST:** Rezoning from Limited Industrial (I-1) to General Commercial (C-2), and Minor Use Permit to demolish the existing "Jensen's Truck Stop" structures and re-establish "Automotive and Equipment—Gasoline Sales" (commercial fueling station) for large transport and passenger vehicles. The request also includes construction of two (2) new commercial office/retail buildings totaling 13,852± square feet and replacement of underground fuel tanks and distribution piping.

**DATE DEEMED COMPLETE:** April 16, 2016

**LOCATION:** In Ukiah, just north of the Ukiah City limits, lying northwest of the intersection of Kuki Road (CR 250A) and Lovers Lane (CR 222) immediately west of its intersection with North State Street (CR 104). Located at 1460 Lovers Lane and 190 KUKI Lane, Ukiah; APNs 170-120-09 and 170-120-12.

**TOTAL ACREAGE:** 4.77± acres

**GENERAL PLAN:** Mixed Use: General (MU-2)

**ZONING:** Limited Industrial (I1:6K)

**SUPERVISORIAL DISTRICT:** 1

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**RECOMMENDATION:** Approve with conditions

**STAFF PLANNER:** ROBERT DOSTALEK

**BACKGROUND**

**PROJECT DESCRIPTION:** The applicant proposes a rezone from Limited Industrial (I-1) to General Commercial (C-2) ("Rezone") of the entire 4.77 acre legal parcel and a Minor Use Permit to demolish the existing "Jensen's Truck Stop" and re-establish "Automotive and Equipment-Gasoline—Sales" (commercial fueling station) for large transport and passenger vehicles ("Project"), the construction of two (2) new commercial office/retail buildings, totaling 13,852± square feet, and the replacement of underground fuel tanks and distribution piping located in the southeast corner of the site, approximately 1.75 acres.

The existing Jensen's Truck Stop fuel station would remain in operation while the new buildings are being constructed. Upon completion, the old building(s) and related canopies would be removed. Following building removal, the new tanks, distribution piping, dispenser islands and concrete paving and curbs would be constructed. Lastly, installation of new landscaping, irrigation and signage would occur.

The structures associated with the minor use permit component of this project would be located in the southeastern portion of the overall property proposed for rezoning (first phase). This area occupies approximately 1.75± acres. The larger 3.02± acre remaining area of the rezoned property would be available for future redevelopment. No conceptual plans for the remaining portion of the property have been submitted. Future development projects and/or uses would be reviewed to ensure regulatory consistency.

**APPLICANT'S STATEMENT:** The entire site is currently developed with highway oriented services, including vehicle fueling and repair, food service, and storage. What is not developed with buildings is paved a/c or concrete paving. The plan is to build a new commercial facility behind the existing truck stop and remove the existing building and fueling islands.

**RELATED APPLICATIONS:** B 23-2009 created the current configuration of the parcel.

**NEIGHBORING PROPERTY:** The properties directly surrounding the project site to the north and east are industrial and commercial in nature. Property to the north consists of abandoned auto dismantler's site and US Highway 101 overpass. The east is North State Street and beyond is the Yokayo Bowl and the Crossroads Shopping Center. The properties to the south and west are mixed uses, including commercial, industrial and residential. KUKI Road is to the south and beyond is a fuel station, restaurant and motel. To the west is Millview Lane and beyond is a fleet parking area, an auto electric repair shop and steel fabrication and mill supply. Further to the west and northwest are the Vineyard View and Alexander Estates Neighborhoods.

**SITE CHARACTERISTICS:** The property consists of two (2) Assessor Parcel Numbers comprising one legal parcel and lies just north of the Ukiah city limits. More specifically, the site lies northwest of the intersection of KUKI Lane (CR250A) and Lovers Lane (CR222), immediately west of North State Street (CR104).

The entire site is currently developed with highway oriented services, including vehicle fuel and repair, food service and storage (see attached aerial site map with identifying building labels). There are tenant spaces for light industrial type uses along KUKI Road and on the corner of Millview Lane and Feed Lot Lane in the northwest corner of the property. There is a large vehicle car wash in the middle of the property.

The applicant is proposing to demolish the existing 5,000± square foot truck stop along with four (4) retail spaces approximately 6,000 square feet in size, six (6) diesel dispensers with twelve (12) fueling positions and two (2) gas dispensers with four (4) fueling positions. The proposed project would continue to provide a fuel station and down parking for larger transport vehicles. It would also provide a fueling stop for passenger vehicles. New construction comprises a travel plaza building approximately 7,404± square feet in size, three (3) diesel dispensers with five (5) fueling stations, eight (8) gas dispensers with sixteen (16) fueling positions and a multi-tenant building (approximately 3,800 square feet of retail space downstairs and 2,800 square feet of office space upstairs).

The underground fuel storage tank removal schedule would occur independently from the construction and demolition associated with this project. This effort will be coordinated through the Division of Environmental Health.

**SURROUNDING LAND USE AND ZONING:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	Mixed Use General - MU2	R-3	0.62+- to 3+- ac	Commercial, Vacant
<b>EAST</b>	North State St, Commercial - C	C2, I2	1+- to 8.39+- ac	Commercial
<b>SOUTH</b>	Commercial - C	C2	0.5+- to 2.73+- ac	Commercial
<b>WEST</b>	Mixed Use General - MU2	I1	1+- to 1.83+- ac	Industrial

**PUBLIC SERVICES:**

Access: NORTH LOVERS LANE (CR 222)  
 Fire District: UKIAH VALLEY FIRE AUTHORITY  
 Water District: MILLVIEW  
 Sewer District: UKIAH VALLEY SANITATION DISTRICT  
 School District: UKIAH UNIFIED

**AGENCY COMMENTS:** On April 7, 2016, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

<b>REFERRAL AGENCIES</b>	<b>RELATED PERMIT</b>	<b>COMMENT</b>	<b>DATE(S)</b>
<b>Department of Transportation</b>	Encroachment Permit	Comments	05/15/2015 04/07/2016 08/24/2016
<b>Environmental Health-FB/Ukiah</b>		Comments	06/19/2015
<b>Building Services-Ukiah PBS</b>		No Response	
<b>Emergency Services</b>		No Response	
<b>County Assessor</b>		No Response	
<b>Air Quality Management District</b>		Comments	04/27/2015
District permits/notifications required: asbestos notification for demolition – gasoline permit for new/change in dispensing equipment.			
<b>Caltrans</b>		No Response	
<b>Department of Fish and Wildlife</b>		No Response	
<b>Regional Water Quality Control</b>		No Response	
<b>Army Corp. of Engineers</b>		No Response	
<b>California Highway Patrol</b>		No Response	
<b>City of Ukiah</b>		No Response	
<b>Ukiah Valley Sanitation District</b>		No Response	
<b>Millview Water District</b>		No Response	
<b>Ukiah Valley Fire District</b>		Comments	04/28/2015 & 8/31/16
Recommendations for road upgrades, fuel storage and vehicular circulation.			

**KEY ISSUES**

**1. GENERAL PLAN AND ZONING CONSISTENCY**

The Rezone and Project are subject to the policies of the Ukiah Valley Area Plan, and Title 20 Division I of the Mendocino County Code, the *Mendocino County Inland Zoning Code*.

The proposed C-2 rezone would be consistent with the UVAP land use classification of Mixed Use General (MU-2) classification (General Plan Table 3-1, General Plan and Zoning Consistency). The UVAP MU-2 land use classification allows a variety of residential, commercial, civic, light industrial and mixed use developments. Prohibited uses include heavy industrial. The gas station component of the Project (Building A) constitutes a commercial retail use and Building B would combine commercial retail and office uses.

The Project would replace an existing commercial structure with two new commercial structures containing a mixture of uses. The proposed new development would occur in the southeastern portion of the property in an area comprising approximately 1.75± acres (see attached site map). The 3.02± acre remaining portion of the property would be available for redevelopment at a future time. The property is a relatively level site and no tree removal would occur to accommodate the project. However, some grading would be necessary for the building foundation preparations and replacement of the existing fuel islands, dispensers, canopy, tanks, underground fuel tanks and distribution piping.

On page 3-7 of the UVAP, mixed use development is identified as a key issue and the following is stated:

*“Mixed Use Development: Generally, mixed use and compact development patterns allows greater efficiency and economy in providing public services, conserves agriculture and resource lands, and preserves the rural character desired by many of the County’s residents, and can provide more affordable housing. It also encourages more walking and biking, benefiting community health. Both the General plan and this document [UVAP] include Mixed Use as a land Use option.”*

The intent for the Mixed Use General (MU-2) land use designation is as follows:

*“The Mixed Use General classification is intended to allow two to three story mixed use development with commercial uses encouraged at street level. Uses may be mixed vertically or horizontally (stacked or linearly) on the site. Mixed-use developments should combine at least two of the permitted uses and a single use development is discouraged and may be prohibited by implementing zoning.”*

Within the MU-2 classification, the non-residential F.A.R. is 0.3 minimum and 1.0 maximum. For discretionary commercial mixed-use projects, design review is required for landscaping, architecture, parking locations and lighting.

The Rezone and Project would conform to the above UVAP provisions regarding MU-2 classification. The project may be considered infill, which makes use of an existing developed site, thereby keeping development compact and reducing the demand to develop additional lands for similar uses. The Project contains two or more of the permitted uses by incorporating a commercial retail fueling station, general retail and commercial offices into one development. Although, considering existing and proposed uses, the F.A.R would be less than 0.3, the site is large (4.77 acres) and the proposed project does not preclude intensifying the use and future development of the remainder of the site. Architectural drawings have been submitted which demonstrate the proposed building would be a visual improvement to the current site character. The project is conditioned to require design review for landscaping, lighting, signage and parking (See Section 2.2 Community Design Guidelines).

## **2. REZONE FROM LIMITED INDUSTRIAL (I-L) TO GENERAL COMMERCIAL (C-2)**

The proposed rezone from Limited Industrial (I-L) to General Commercial (C-2). The rezoning would be a prerequisite to granting the associated use permit (discussed in subsequent key issues in this report). Given the site’s General Plan designation, adjacent zoning and proximity to the freeway interchange community gateway, the proposed rezoning would be beneficial for the property and project as discussed below.

The property has a UVAP land use classification of MU-2 (Mixed Use—General). An objective of the MU-2 classification is to provide a blend of commercial and residential uses on the same or adjacent parcels. Currently, the zoning designation of I-1 is inconsistent with the direction of the General Plan. As indexed in

Table 3-1 of the General Plan (page 3-64), C-2 (General Commercial) is an appropriate implementing zoning designation for Mixed Use General Plan Land Use Categories. It is also a logical option as contiguous zoning districts to the east across North State Street (Yokayo Bowl) and south across KUKI Road (Valero fueling station and Discovery Inn) are C-2. Additionally, providing a residential element, the vacant parcel to the north is classified MU-2 and zoned R-3 (Multiple-Family Residential). R-3 is also an appropriate implementing zoning per Table 3-1 of the General Plan. Therefore, the resulting blend of prospective commercial and residential zoning within a contiguous “block” area would be consistent with the intent of the underlying Mixed Use classification.

The property is prominently visible to vehicles, bicyclists and pedestrians entering the community through the State Street/Highway 101 interchange “gateway” area. Therefore, the rezoning of the property from industrial to commercial also provides an opportunity to redevelop and modernize the aesthetics of the parcel consistent with UVAP Policy CD2.1, which states:

*“Enhance the visual appearance of the City-County transition areas, the Valley’s gateways, State Street, and U.S. Highway 101 within the Valley.”*

Furthermore, the project would be consistent with the C-2 zoning classification. Mendocino County Code Section 20.092.005 states the intent of the C-2 zone as follows:

*“This district is intended to create and enhance commercial areas where complete retail sales and services are available and desirable for public convenience. Typically this district would be applied in the central core of community areas where central area commercial facilities were desired, or at major roadway intersections. Uses in this district are also intended to facilitate live/work convenience through multiple story construction and shared parking arrangements for a range of residential and commercial uses.”*

The project’s close proximity to the City of Ukiah and Highway 101 is part of the core community area and an area where commercial facilities are desired near a major roadway intersection. The proposed project would create and enhance a commercial area where retail sales and services are available and desirable for public convenience. The project includes multiple story, mixed uses of commercial, retail and office space. The project would conform to the C-2 minimum requirements for yard setbacks and height. The fueling station is classified as “Automotive and Equipment – Gasoline Sales” and is subject to a Minor Use Permit per MCC §20.092.015 of C-2 General Commercial District.

<b>Table 1 Development and Land Use Standards of Division I of Title 20 of the Mendocino County Code</b>		
<b>Code Section</b>	<b>Standard</b>	<b>Proposed</b>
20.092.010 Permitted Land use*	Administrative and business offices; Eating and drinking establishments;	Administrative and business offices; Eating and drinking establishments;
20.092.015 Uses Subject to a Minor Use Permit	Automotive and equipment-gasoline sales	Automotive and equipment-gasoline sales
20.092.025 Minimum Lot Area	None	4.77+ acres
20.092.035 Minimum Front Yard	10 feet	More than 10 feet
20.092.040 Minimum Side and Rear Yards	None required, except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side yard of five (5) feet and a minimum rear yard of twenty (20) feet.	No setback is proposed on KUKI Lane, setbacks of greater than 100 feet are proposed on Lovers Lane and Feed Lot Lane and Millview Road.
20.092.045 Building Height Limit	Approximately 50'	Approximately 45'7"
20.180.020 Minimum Vehicle Parking	Auto service stations: three (3) parking spaces for each service bay plus one (1) parking space for every employee working on the largest shift; Retail stores,	Parking would be provided in accordance with these provisions. There are 3 employees expected to work at peak shift in the retail portion of the project.

Table 1 Development and Land Use Standards of Division I of Title 20 of the Mendocino County Code		
Code Section	Standard	Proposed
	offices, commercial banks, savings and loans, food stores, drug stores and other similar uses not specifically mentioned in this section: one (1) parking space for each three hundred (300) square feet of gross floor area.	Based on square footage 46 parking spaces are required. These parking spaces will be required as a condition of approval. There is ample room on the site to accommodate parking.

\*See complete list of permitted commercial uses in section 20.092.010(C) for of the Mendocino County Code.

### 3. TRANSPORTATION/CIRCULATION

The property has frontage along Lovers Lane, KUKI Road and Millview Road which are maintained and regulated under the jurisdiction of the Mendocino County Department of Transportation (DOT). It also has frontage on Feed Lot Lane which is a private road.

A traffic impact study analyzing the intersection of North State Street with KUKI Road and KUKI Road with North Lovers Lane was conducted by Transpedia Consulting Engineers (*Jensen’s Travel Plaza Project Traffic Impact Analysis Final Report*, dated June 6, 2016). This report was reviewed by Mendocino County Department of Transportation (DOT) for completeness, accuracy, and anticipated impact.

The report describes the existing roads as the following:

*North State Street is a north-south major arterial with a 35 miles per hour (mph) posted speed limit. North State Street connects various localities within Mendocino County and the City of Ukiah. KUKI Road is a two-lane collector roadway with a 35 mph posted speed limit. KUKI Road connects North State Street to multiple commercial/retail uses. The intersection with KUKI Road/North State Street is signalized. Lovers Lane is a two-lane local street with a 25 mph posted speed limit. Lovers Lane connects residential neighbors north of the City of Ukiah to connector roadways. The intersection of Lovers Lane/North State Street is unsignalized and located fifty (50) feet west of North State Street.*

The finding in the *Jensen’s Travel Plaza Project Traffic Impact Analysis Final Report* demonstrates that none of the surrounding intersections will experience a significant or unacceptable reduction in Level of Service (LOS) as a result of the project.

Most traffic will arrive at the site via North State Street to Lovers Lane/KUKI Lane. The Ukiah Valley Fire Authority (UVFA) expressed concerns regarding the large vehicle circulation pattern as depicted on Site Circulation Plan C2.0. The UVFA referral response states:

*“There will still be a problem with large trucks exiting Lovers Ln onto KUKI Rd. from Lovers Ln. All it will take is one truck stuck at the left turn lane and it will back up traffic onto Lovers Lane and KUKI Rd. A possible suggestion would be to exit all vehicles to the back of the truck stop onto KUKI Rd. or another exit, thus freeing up the exchange at the State St./KUKI Rd. exchange.”*

Therefore, large vehicle access to the proposed project would be provided as an enter only encroachment from Lovers Lane and an exit only encroachment onto KUKI Lane — thereby reversing the directional arrows illustrated on Site Circulation Plan C2.0. This circulation pattern has been deemed acceptable by the Fire Captain of the Ukiah Valley Fire Authority. **Condition 12** requires submission of a revised/final site circulation plan to illustrate the reversed traffic pattern.

**Conditions 28 through 33** are recommended by DOT and the Ukiah Valley Fire Authority. They include incorporation of the findings and recommendations contained in the Traffic Study in addition to site improvement requirements. With the inclusion of the recommended conditions of approval, the project is found consistent with Mendocino County policies for transportation and circulation.

#### 4. COMMUNITY DESIGN

Adopted on July 22, 2014, (Resolution #14-102) the *Mendocino County Community Design Guidelines* (Guidelines) are specific design goals and objectives which apply to discretionary commercial projects within the Mixed Use Zoning Districts located within the UVAP area. The Mixed Use Compatibility Standards contained in MCC Section 20.085.055 implement these Design Guidelines. The Guidelines and Standards include site planning criteria for a variety of project considerations such as parking, compatibility with surrounding development, lighting, fencing and landscaping, building materials and signs.

Page 2 of the Design Guidelines states the applicability as follows:

*"The following are specific design goals and objectives which apply to discretionary commercial projects within the mixed use zoning districts located within the UVAP Area. Applicants are encouraged to follow these guidelines for all other projects."*

*The Planning Director, Zoning Administrator, Planning Commission, or Board of Supervisors shall have the authority to apply or modify the following Design Guidelines depending upon the size, scale, intensity, and location of the development project."*

Additionally, as discussed in Key Issue #2 above, the project site is in a visually prominent location — positioned within both a community gateway and City-County transition area. Therefore, it is imperative the proposed and future development be sensitive to structural and site design consistent with UVAP Policy CD2.1.

To ensure the intent of the UVAP MU-2 Land Use Classification's community design directives are fulfilled, **Conditions 9-13** are recommended to require adherence to the Community Design Guidelines and the Mixed Use Compatibility Standards contained in Attachment V. Borrowing from MCC Section 20.085.055, Attachment V serves to strengthen the Project's consistency with the MU-2 Land Use Classification. These conditions would apply to all proposed and future development and uses on the property.

The applicant has not solidified a comprehensive future vision of the remaining 3.02± acre portion of the project site. Therefore, the proposed improvements would only occupy 1.75± acres of the property. The building materials and preliminary signage details included with the current development application would meet the intent of the Design Guidelines and Compatibility Standards. However, as noted above, final landscape, lighting, signage and parking plans would be required as project conditions of approval. Future development and use establishment on the parcel would be reviewed for condition compliance on a case-by-case basis. Therefore, as conditioned, the proposed project would be in conformance with the UVAP Community Design directives and Guidelines.

#### 5. USE PERMIT FINDINGS

Contingent on the granting of the rezone and based on the key issue discussions above, the following use permit findings can be made:

- 5.1** *That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan.*

The project would re-establish an existing commercial use of "Automotive and Equipment-gasoline sales" and add an additional mixed use commercial building. Office and retail are permitted uses in the MU-2 (Mixed Use: General) UVAP land use classification. The current and future development projects on the property are conditioned to require adherence to the Community Design Guidelines in addition to

the Mixed Use Compatibility Standards contained in Attachment V (See Key Issues Section 1 above for additional information). Therefore, the project would be in conformance with the General Plan.

- 5.2** *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.*

The project site is located in an urbanized area improved with pre-existing utility extensions, access roads and drainage. As discussed in Key Issue 3 above, DOT has reviewed the project and recommends conditions to ensure appropriate site improvements are installed. Mendocino County Department of Environmental Health, Ukiah Valley Fire Authority, and the Air Quality Management District have reviewed the project and provided conditions, which have been incorporated into the Conditions of Approval. The site is located in an urban setting with adequate public services.

- 5.3** *That the proposed use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.*

The project site is located just outside the City of Ukiah city limits within a pre-existing area containing light industrial and commercial uses. The proposed redevelopment would improve the visual and functional character of the site and is not anticipated to be injurious to the community or nearby properties. As conditioned, it is not anticipated that the project would create a public nuisance and therefore this finding can be made.

- 5.4** *That such use preserves the integrity of the zoning district.*

By re-zoning the property to C-2 (General Commercial) and issuing a minor use permit, the proposed use, as conditioned, would be in conformance with the zoning district and would not undermine the integrity of the zone.

## 6. CEQA

Staff has completed an Initial Study for the project. As a result, a Mitigated Negative Declaration was prepared. As discussed in the Initial Study and Key Issues section of the staff report, measures have been identified and incorporated as conditions to mitigate potentially significant impacts to Hazards and Transportation to a less than significant level. Therefore, staff recommends a Mitigated Negative Declaration be adopted for the project.

### RECOMMENDATION

By resolution, recommend that the Board of Supervisors adopt a Mitigated Negative Declaration, grant the Rezone, and approve the Use Permit for the Project, as proposed by the applicant, based on the facts and evidence contained in the record and subject to conditions of approval.

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DATE

Signature on file

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ROBERT DOSTALEK

Appeal Period: 10 Days  
Appeal Fee: \$910.00

**ATTACHMENTS:**

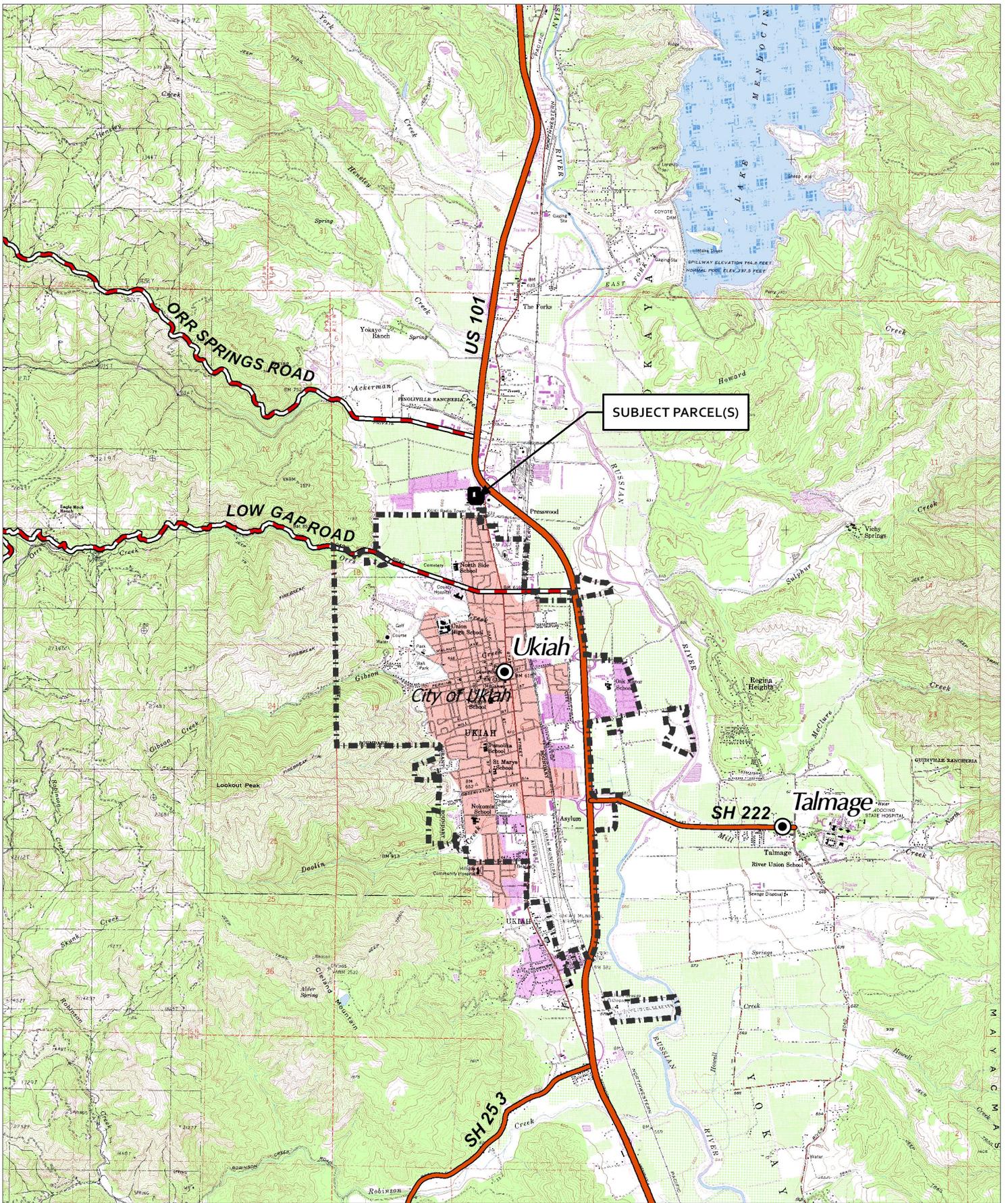
- A. Location Map
- B. Aerial Map
- C. Annotated Existing Site Aerial
- D. Proposed Development Area
- E. Existing Site Plan
- F. Proposed Site Plan
- G. Floor Plan: Building A
- H. 1<sup>st</sup> Floor Plan: Building B
- I. 2<sup>nd</sup> Floor Plan: Building B
- J. Elevations: Building A
- K. Elevations: Building B
- L. Circulation Plan: Sheet C2.0
- M. Freestanding Sign Rendering
- N. Adjacent Owner Map
- O. Zoning Map
- P. Ukiah Valley Area Plan
- Q. General Plan Map
- R. Fire Hazard Zone and Responsibility Areas Map
- S. Water Districts
- T. Estimated Inundation Zones
- U. MS4 Permitting Zones
- V. Mixed Use Compatibility Standards

**NEGATIVE DECLARATION and Initial Study available online at:**

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

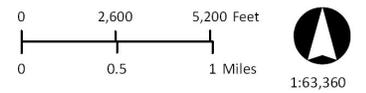
**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A)**





**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**

-  Incorporated City Limits
-  Major Roads
-  Major Towns & Places
-  Highways



**LOCATION MAP**

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



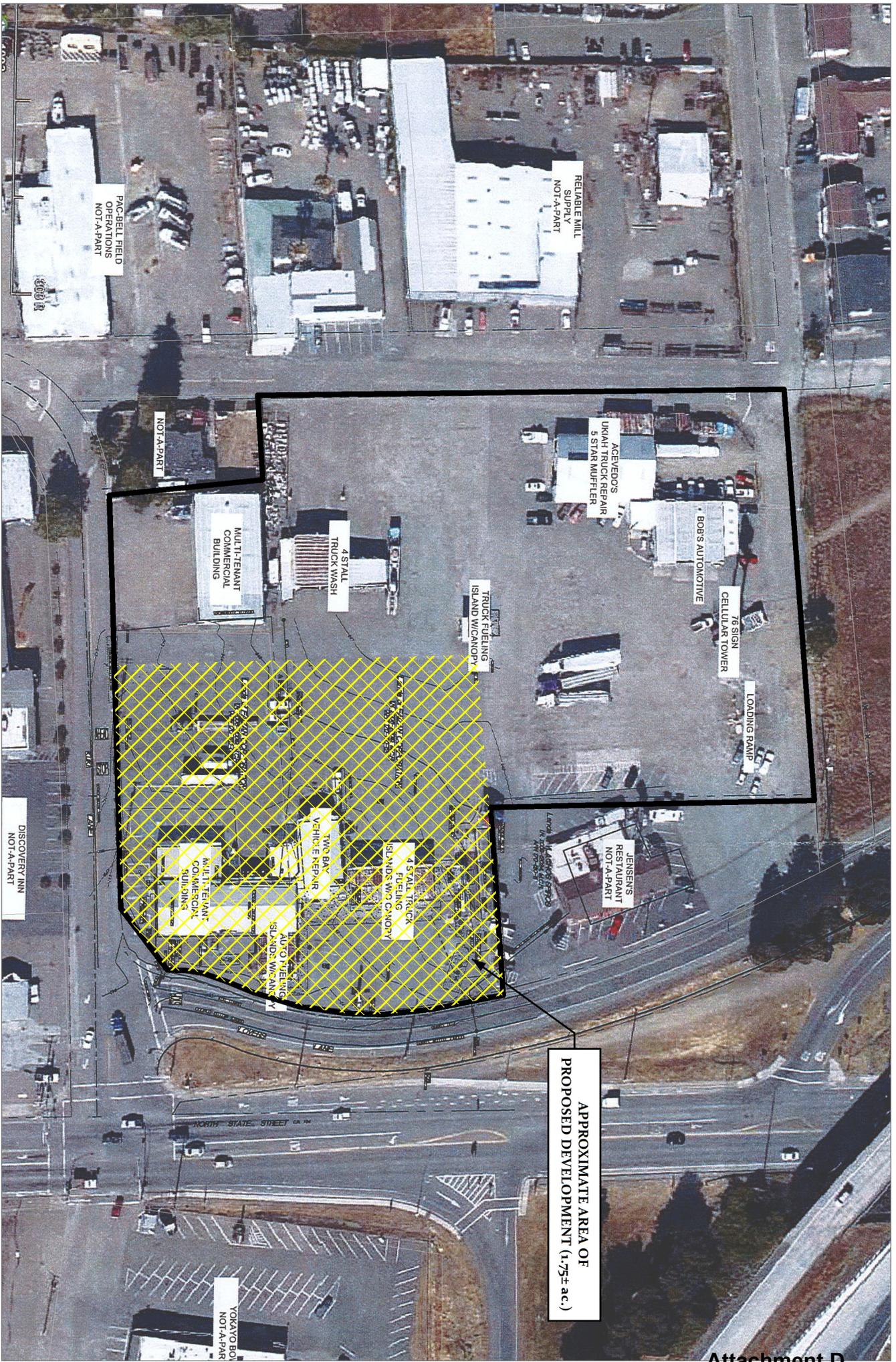
**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**

— Public Roads  
 - - Private Roads

0 37.5 75 Feet  
 0 0.005 0.01 Miles  
  
 1:900  
**GOOGLE EARTH IMAGERY**  
 IMAGERY DATE: 8-17-2013

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





APPROXIMATE AREA OF  
PROPOSED DEVELOPMENT (1.75± ac.)

CASE: CP & R 2015-0001 / U 2015-0008

OWNER: Faizan Corp.

APN: 70-120-09, 12

AP/CT: Faizan Corp.

AGENT:

ADDRESS: 190 KUKI Ln, UK

NO SCALE

DEVELOPMENT AREA

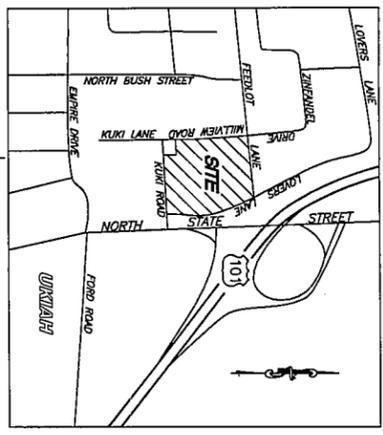
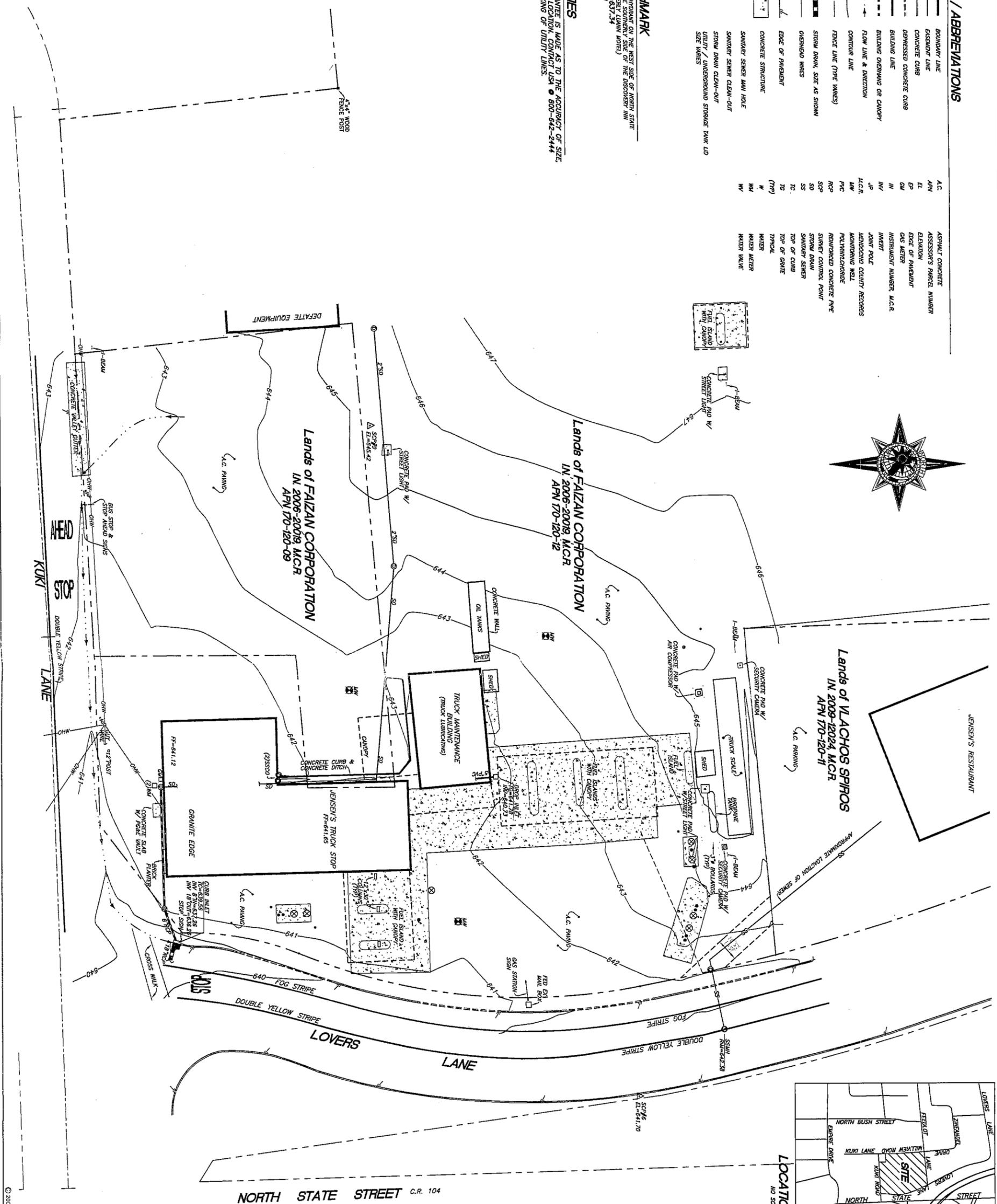
Map produced by the Mendocino County Planning & Building Services, November, 2016  
All spatial data is approximate. Map provided without warranty of any kind.

**LEGEND / ABBREVIATIONS**

	BOUNDARY LINE	A.C.	ASPHALT CONCRETE
	EASEMENT LINE	APN	ASSESSOR'S PARCEL NUMBER
	CONCRETE CURB	EL	ELEVATION
	DEPRESSED CONCRETE CURB	EP	EDGE OF PAVEMENT
	BUILDING LINE	GM	GAS METER
	BUILDING OVERHANG OR CANOPY	IN	INSTRUMENT NUMBER, M.C.R.
	FLOW LINE & DIRECTION	INVT	INVERT
	CONTOUR LINE	J.P.	JOINT ROLE
	FENCE LINE (TYPE VARIES)	A.C.R.	ADJACENT COUNTY RECORDS
	STORM DRAIN, SIZE AS SHOWN	AW	ADJACENT WATER
	OVERHEAD WIRES	P.C.	PROPOSED
	EDGE OF PAVEMENT	R.P.	REINFORCED CONCRETE PIPE
	CONCRETE STRUCTURE	SD	STORM DRAIN
	SWIMWAY SEWER MAN HOLE	SS	SAWNEY SEWER
	SWIMWAY SEWER CLEAN-OUT	TO	TOP OF CURB
	STORM DRAIN CLEAN-OUT	TO	TOP OF GROUND
	UTILITY / UNDERGROUND STORAGE TANK LID	(TYP)	TYPICAL
	WATER METER	W	WATER
	WATER VALVE	WV	WATER VALVE

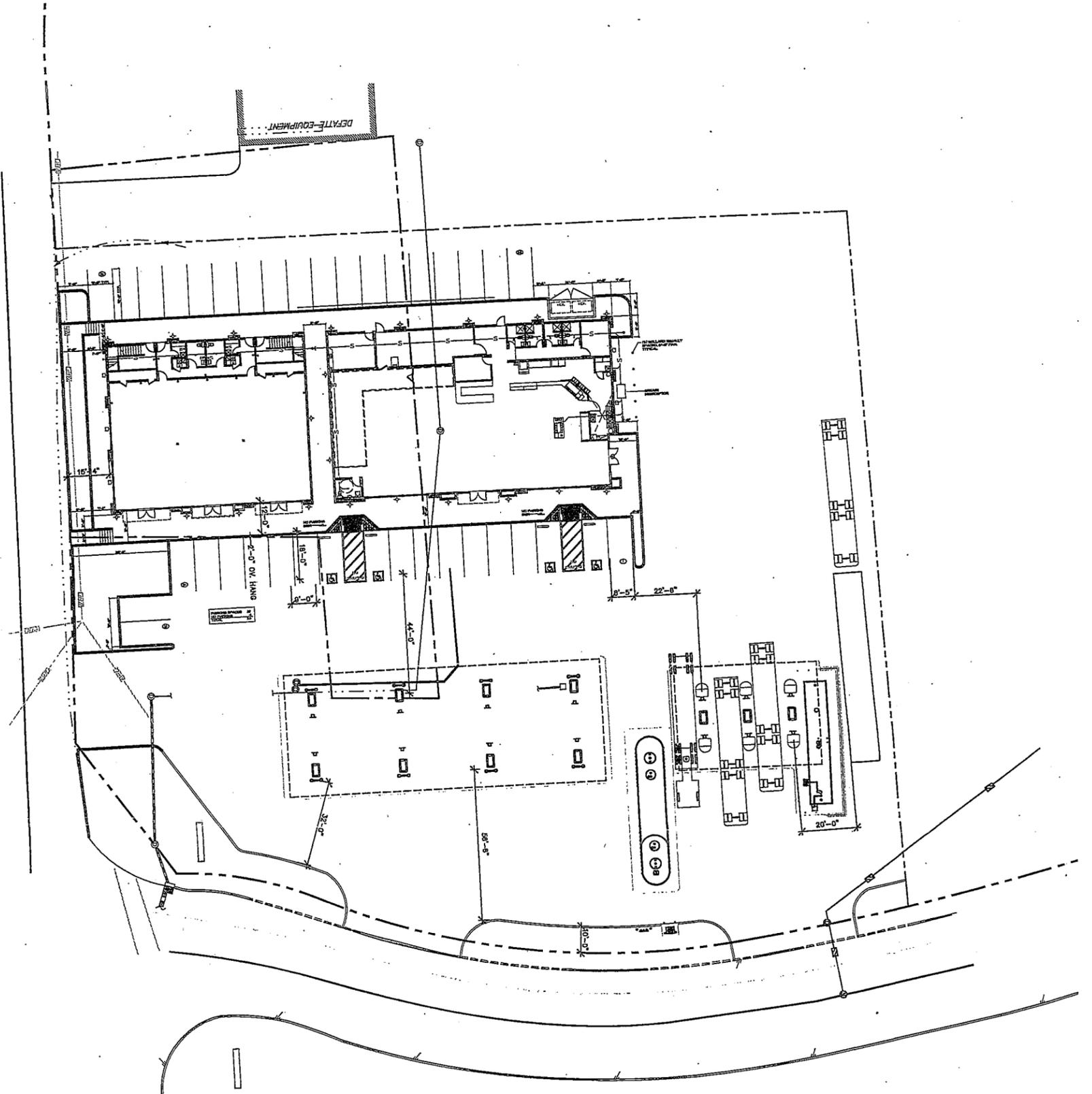
**BENCHMARK**  
 TOP OF FIRE HYDRANT ON THE WEST SIDE OF NORTH STATE STREET AT THE SOUTHWEST CORNER OF THE DISCOVERY INN HOTEL (FORMERLY LUNN HOTEL)  
 CITY PLAN NO. 257134

**UTILITIES**  
 NO GUARANTEE IS MADE AS TO THE ACCURACY OF SIZE, TYPE, OR LOCATION, CONNECTION, OR DEPTH FOR MARKING OF UTILITY LINES.



SCALE: 1"=20' DRAWN BY: VR CHECKED BY: BAI FILE NO.: 2009-01 SHEET NO. 1 OF 1	PROJECT DESCRIPTION: 190 KUKI LANE UKIAH, CA. 95482 APN 170-120-09 & 10	PREPARED FOR: HAJI ALAM 390 E. GOBBI STREET UKIAH, CA. 95482 (707) 462-2969	INITIAL DRAWING DATE: 23 APRIL, 2009
	SHEET DESCRIPTION: TOPOGRAPHIC MAP	No. DATE DESCRIPTION BY APPROVED 1 4/4/09 UPDATE BOUNDARY PER R/S KD	GRAPHIC SCALE (IN FEET) 1 inch = 20 feet

© 2008 DOBLET/THOMAS & ASSOCIATES, INC.



NOT FOR CONSTRUCTION  
 1/8/2015

**L.S. Mitchell Architect, Inc.**  
 Building Architect & Land Planner  
 135 WEST GOBBI STREET, SUITE 203  
 UKIAH, CALIFORNIA 95482  
 (707) 462 8778



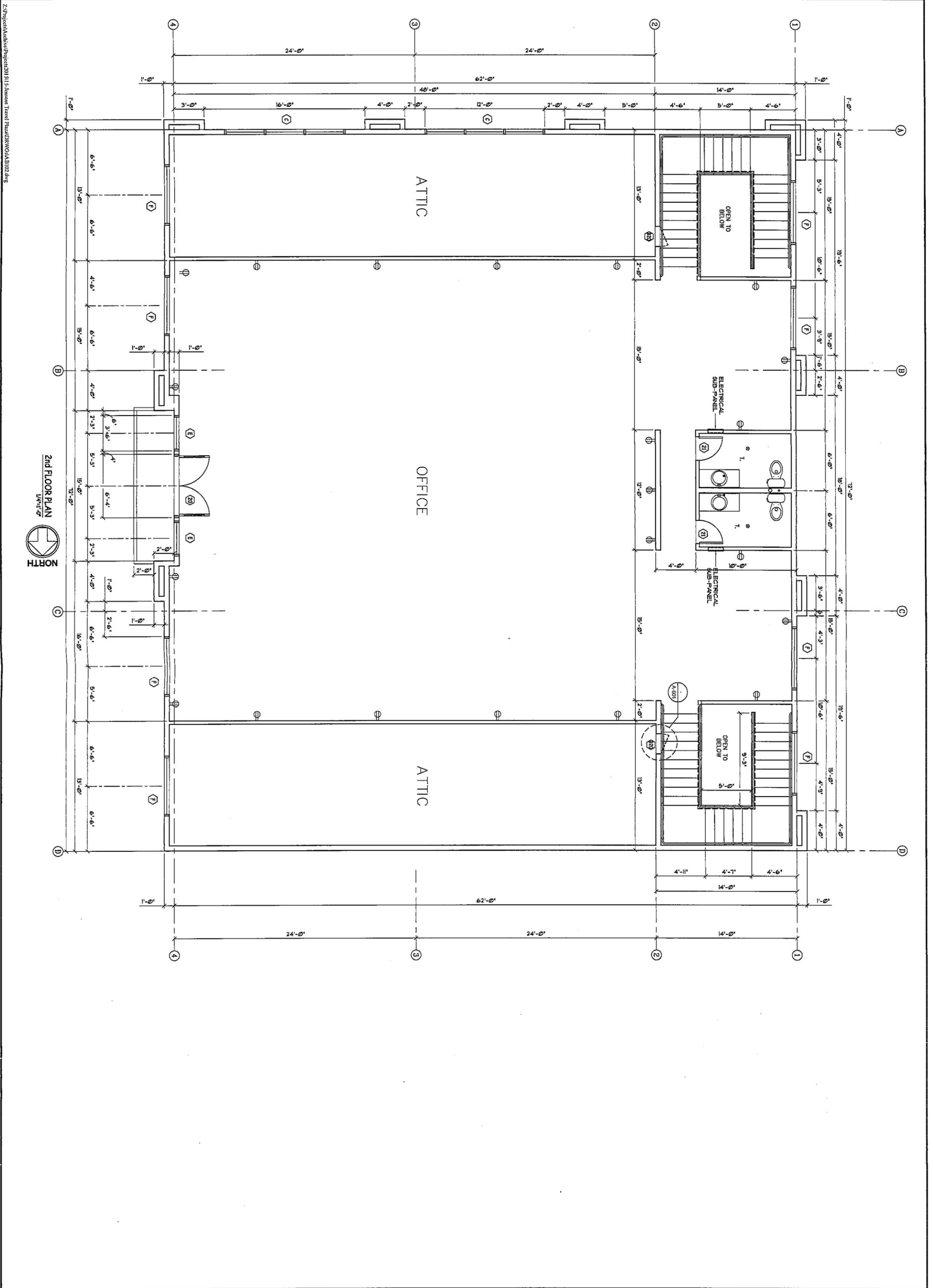
**SITE PLAN**  
**JENSENS TRUCK STOP**  
 SITE: 1460 LOVERS LANE  
 UKIAH, CA 95482  
 APN: APN

REVISION #

DATE: 1/14/15  
 SCALE: 1"=20'  
 DRAWN: [unintelligible]  
 PROJECT: Jensens Travel Plaza  
 SHEET: C1  
 1 OF 3 SHEETS

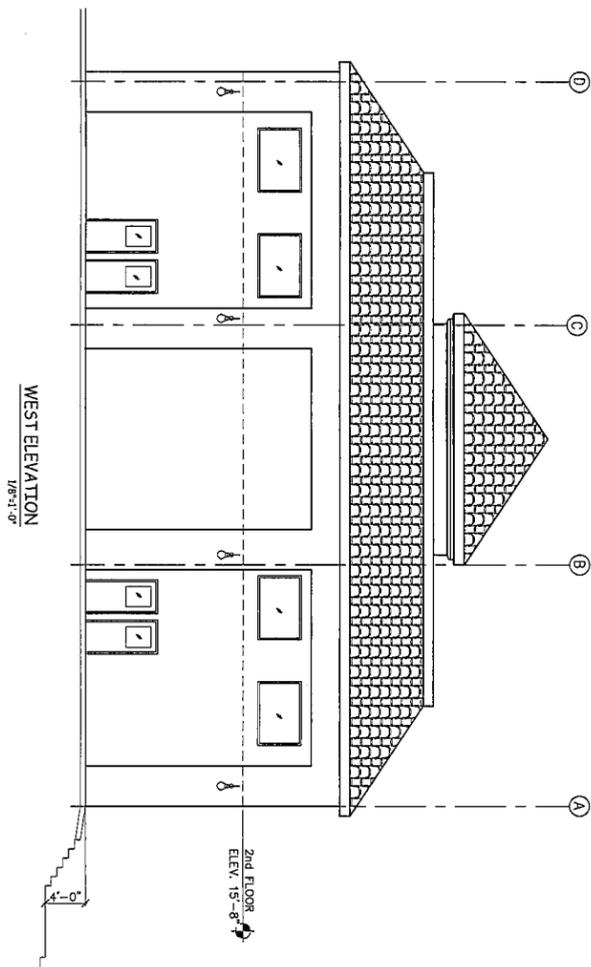
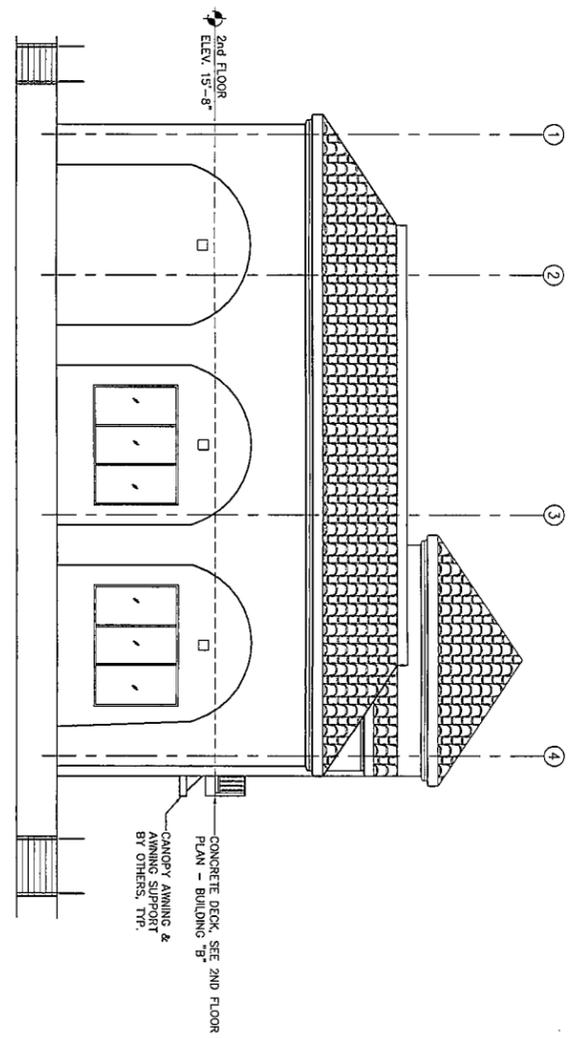
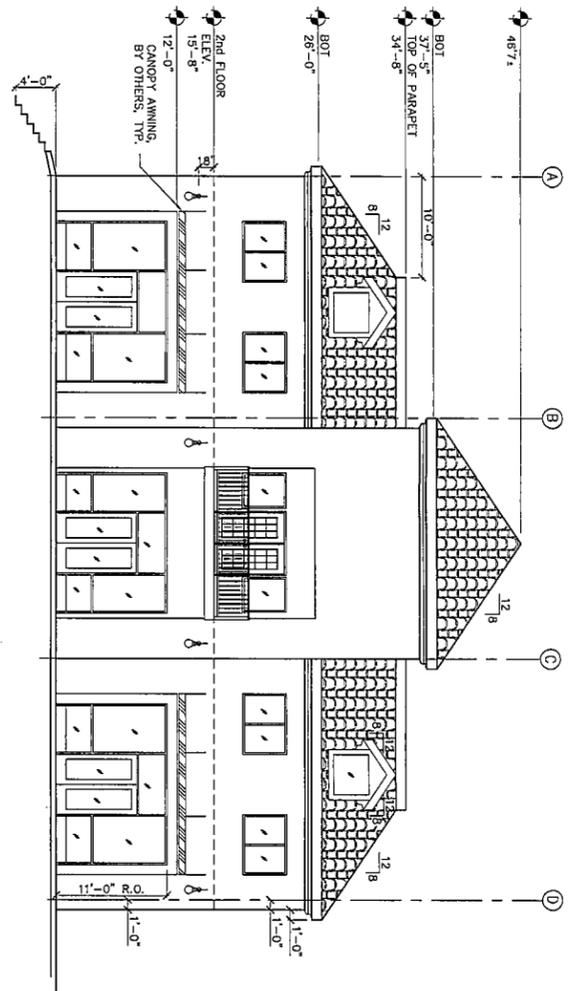






<p><b>AB102</b> OF SHEETS 1460 Lovers Lane Ukiah, CA 95482 (707) 462-8778</p>	<p><b>L.S. Mitchell Architect, Inc.</b> Building Architect &amp; Land Planner 135 WEST GOBBI STREET, SUITE 203 UKIAH, CALIFORNIA 95482 (707) 462-8778</p>	<p><b>2nd FLOOR PLAN</b> JENSENS TRAVEL PLAZA - BUILDING "B" SITE: 1460 LOVERS LANE UKIAH, CA 95482 APN: APN: 170-190-9</p>	<p>OWNER: MAHMOOD (HAJI) ALAM 390 EAST GOBBI STREET UKIAH, CA 95482-5511</p>
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Z:\projects\archive\projects2015\15-jensens Travel Plaza\DRWGS\AB201.dwg

<p><b>AB201</b></p> <p>SHEET</p> <p>1460 LOVERS LANE</p> <p>DRG</p> <p>AS NOTED</p> <p>12/30/2014</p> <p>L.S. MITCHELL ARCHITECT, INC.</p> <p>135 WEST GOBBI STREET, SUITE 203</p> <p>UKIAH, CALIFORNIA 95482</p> <p>(707) 462 8778</p>	<p><b>BUILDING ELEVATIONS</b></p> <p><b>JENSENS TRAVEL PLAZA - BUILDING "B"</b></p> <p>SITE: 1460 LOVERS LANE</p> <p>UKIAH, CA 95482</p> <p>APN: 170-190-9</p>	<p><b>OWNER:</b></p> <p>MAHMOOD (HAJI) ALAM</p> <p>390 EAST GOBBI STREET</p> <p>UKIAH, CA 95482-5511</p>	REVISION	#



**REVISION HISTORY:**

REV	DATE	REQUESTED BY	UPDATED BY
A	11/06/13	J.G.	J.M.S.

INITIAL DRAWING RELEASE

**DO NOT MANUFACTURE FOR RENDERING PURPOSES ONLY**

**PARTS LIST:**

ITEM	DESCRIPTION
A	
B	
C	
D	
E	
F	
G	
H	
MATERIAL LIST	
1	
2	
3	
4	
5	

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**GENERAL NOTES**

1. TOLERANCE (UNLESS NOTED)  
• GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"  
• CABINET +/- 1/8" • VINYL OVERLAP + 1/8" + 1/16"  
• ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYPAINT MARK SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT EQN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

**RENDERING**

VOLTAGE:      CIRCUIT:      CURRENT:      DESIGN LOAD:

DRAWN BY:      CHECKED BY:  
J.M. SANCHEZ

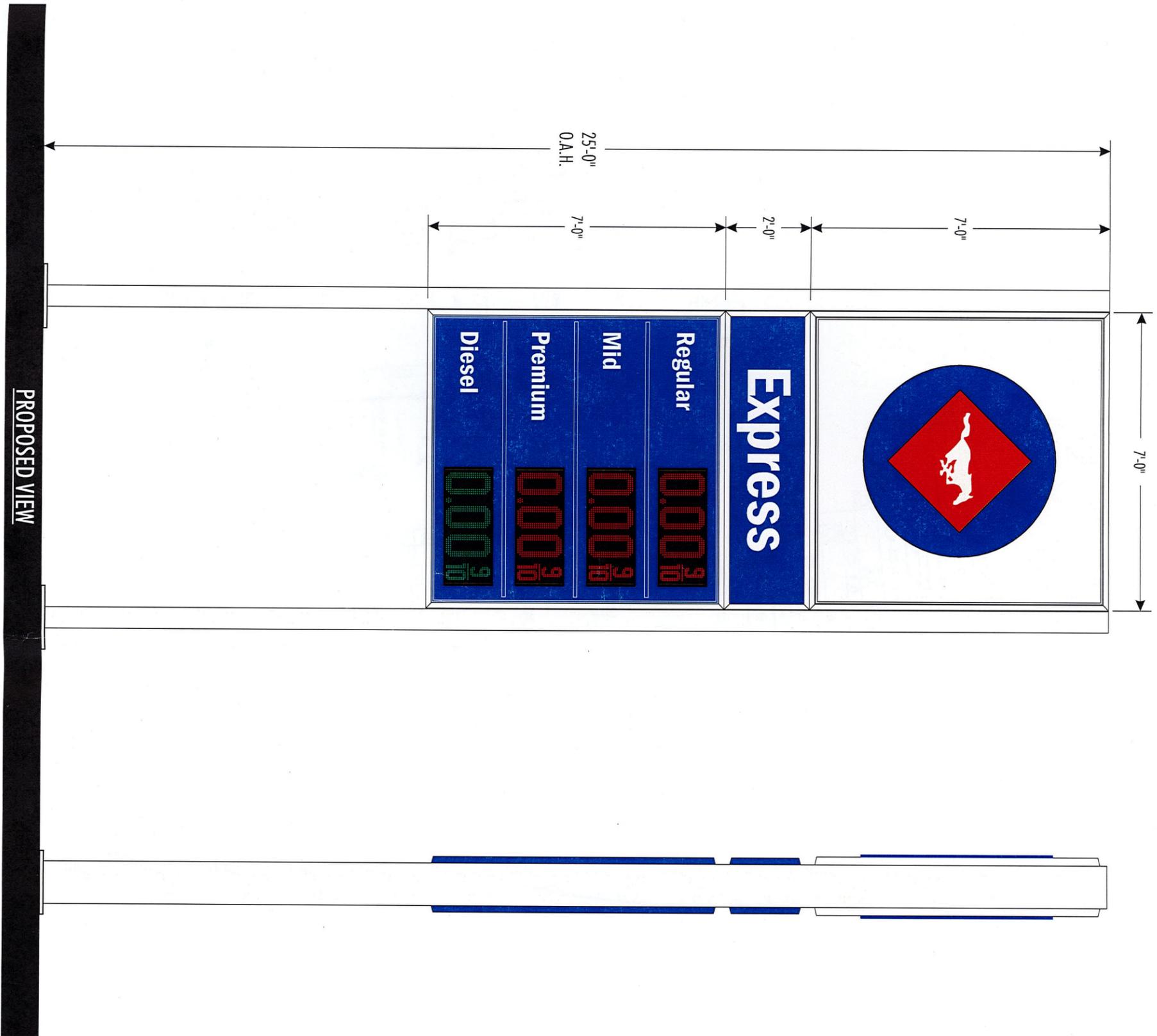
CLIENT:      OTHER

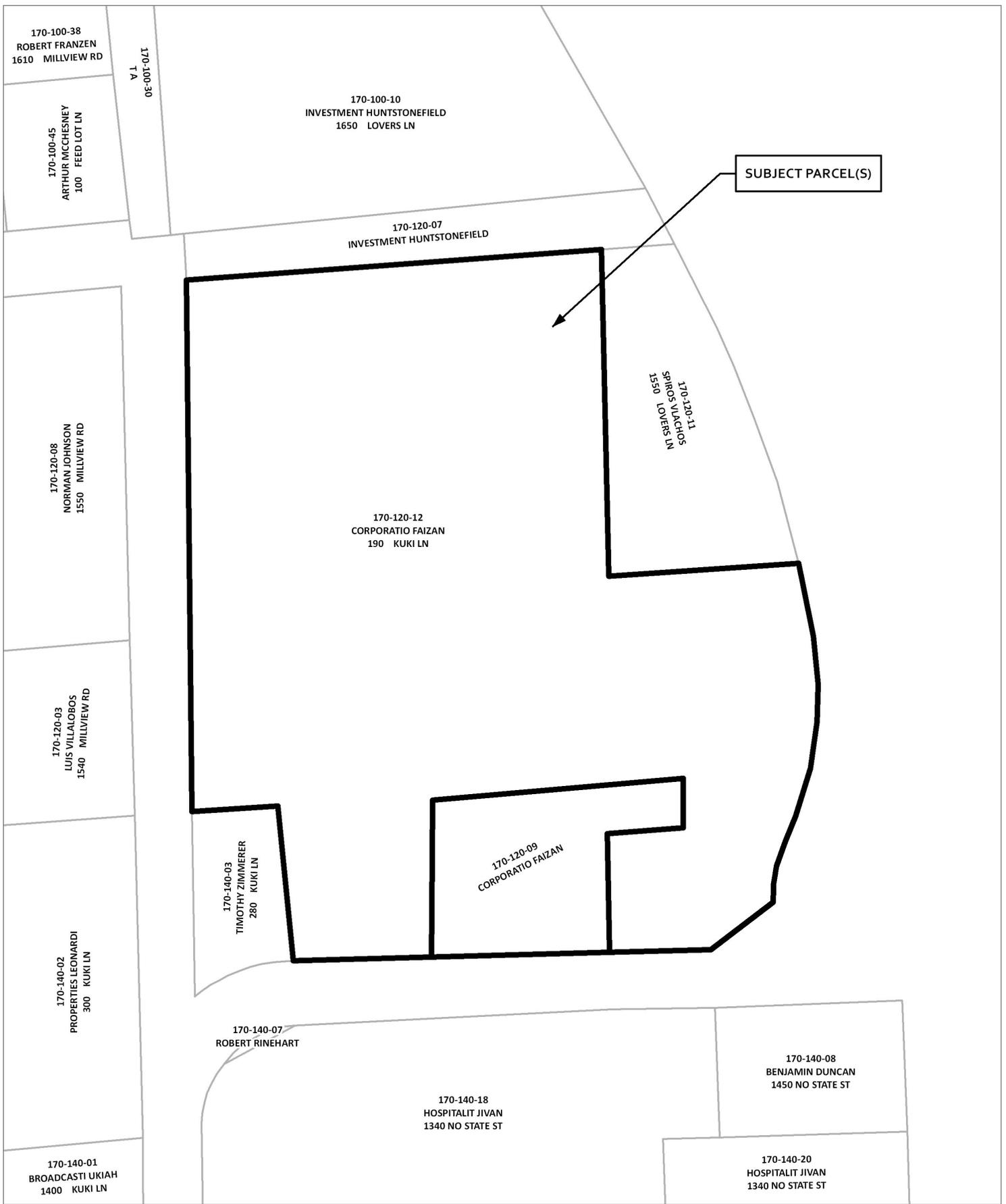
LOCATION:      FAZAN CORP

QUOTE:      199143      DATE:      10/31/2013

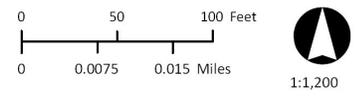
DRAWING/PART #      REV      SHEET #  
MSG277      A      1 OF 1

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**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**



ADJACENT PARCELS

Attachment N

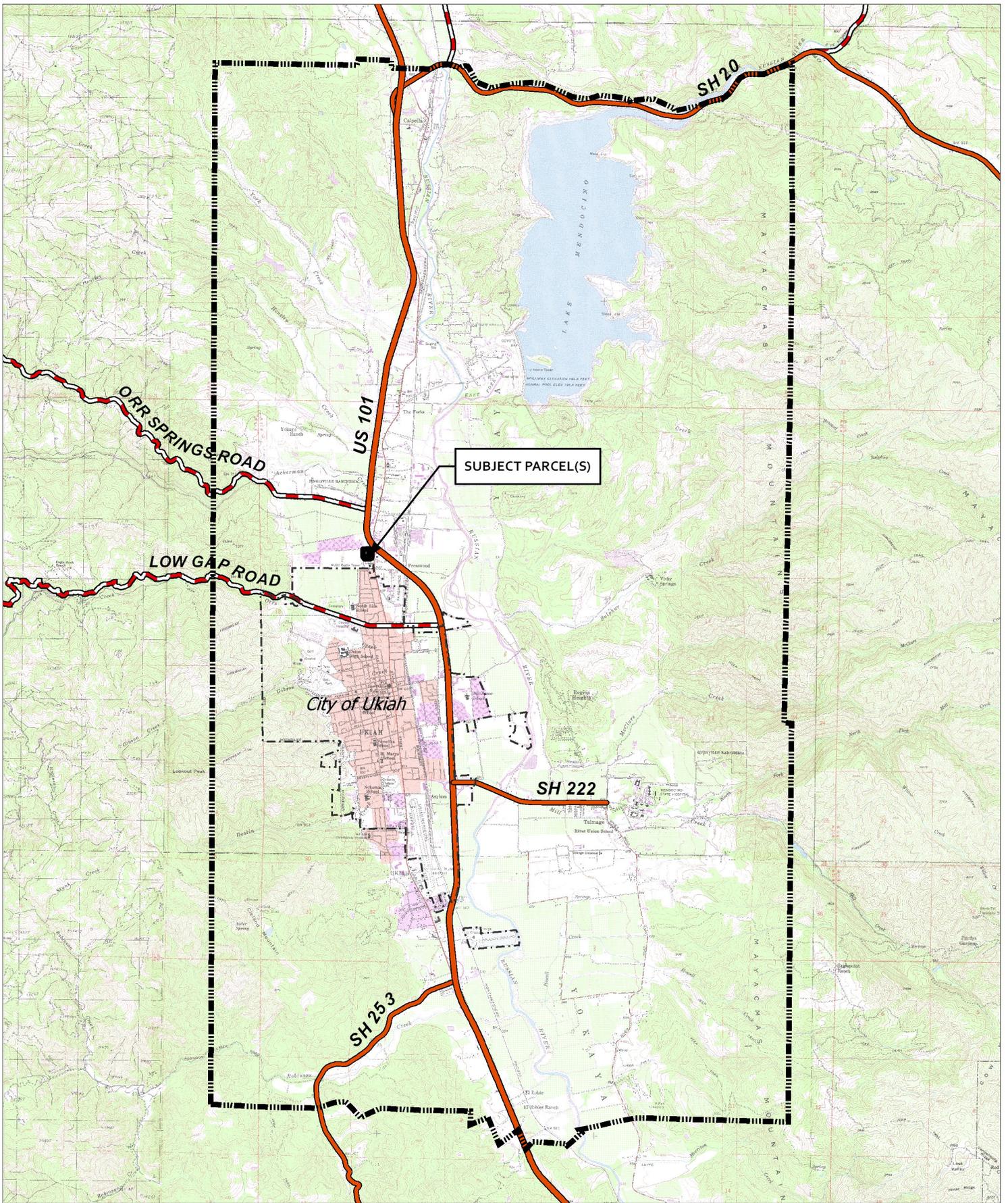


CASE: GP & R 2015-0001 / U 2015-0008  
 OWNER: Faizan Corp.  
 APN: 170-120-09, 12  
 APLCT: Faizan Corp.  
 ADDRESS: 190 KUKI Ln., UK

 Incorporated City Limits  
 Zoning Master

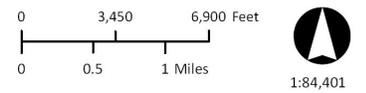


ZONING DISPLAY MAP



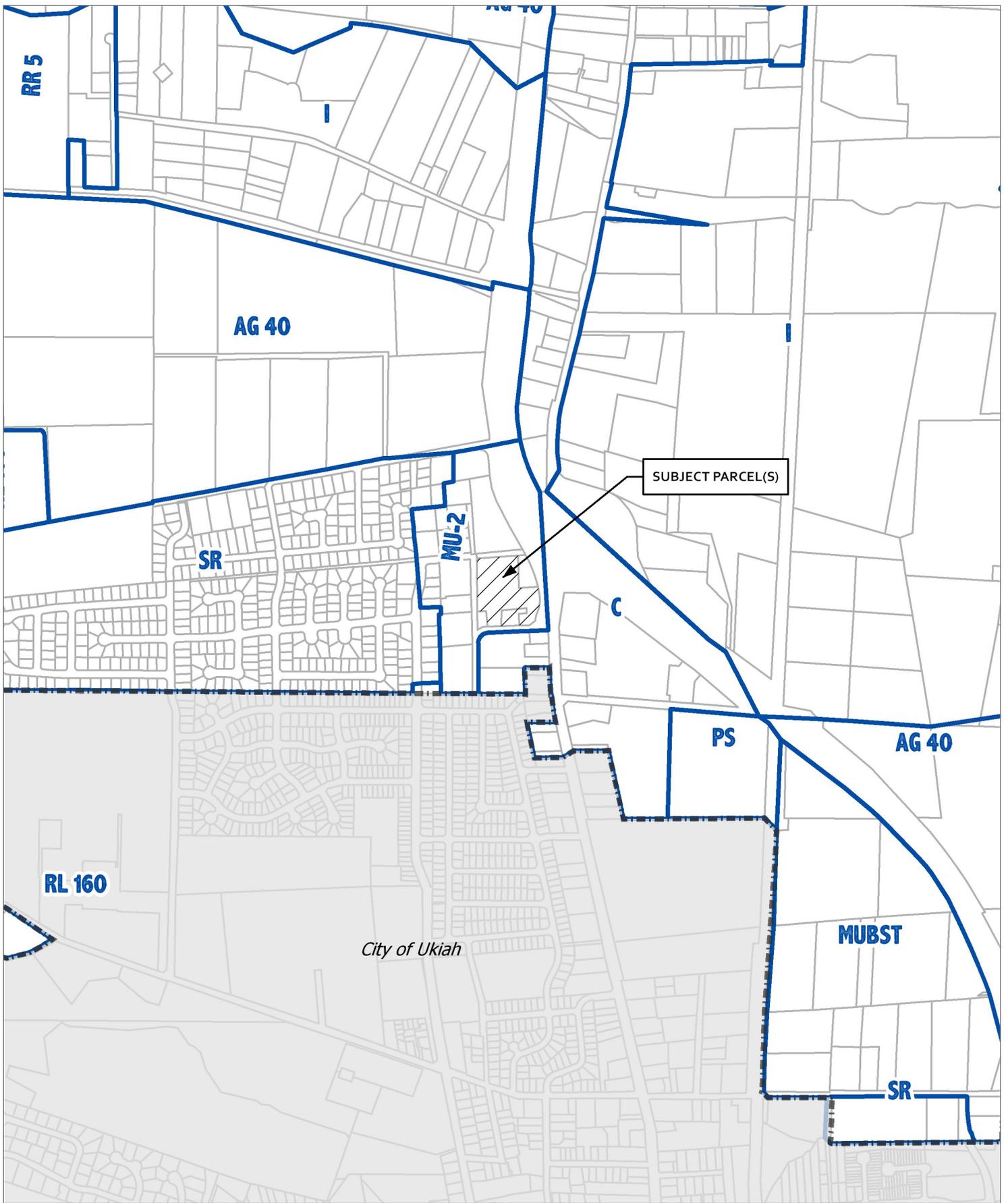
**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**

- Incorporated City Limits
- UVAP\_Boundary
- Highways
- Major Roads



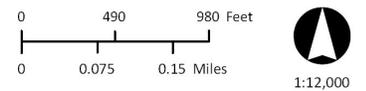
UKIAH VALLEY AREA PLAN

Attachment P



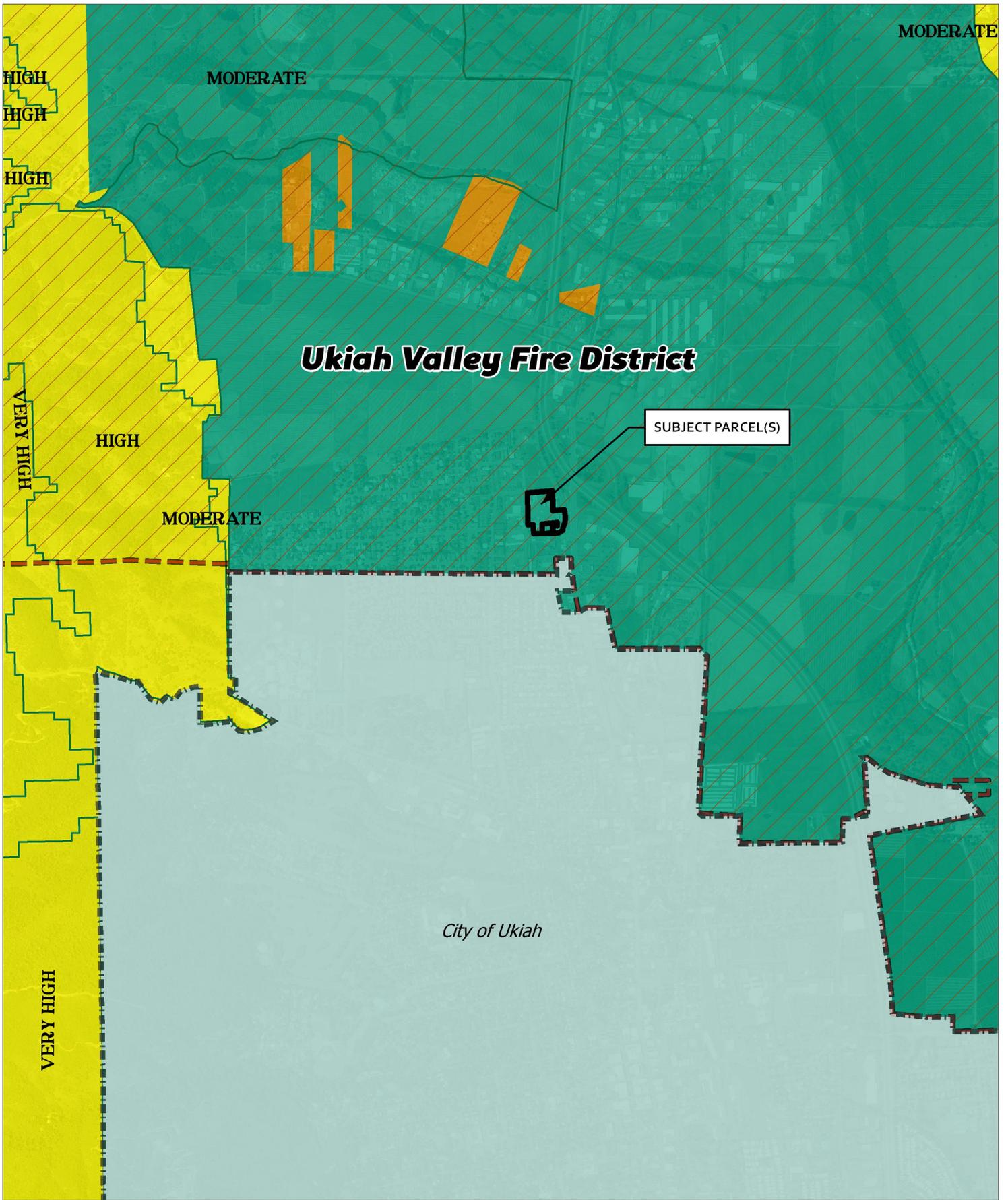
CASE: GP & R 2015-0001 / U 2015-0008  
 OWNER: Faizan Corp.  
 APN: 170-120-09, 12  
 APLCT: Faizan Corp.  
 ADDRESS: 190 KUKI Ln., UK

 Incorporated City Limits  
 General Plan Master



GENERAL PLAN CLASSIFICATIONS

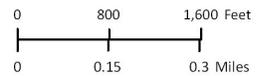
Attachment Q



**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**

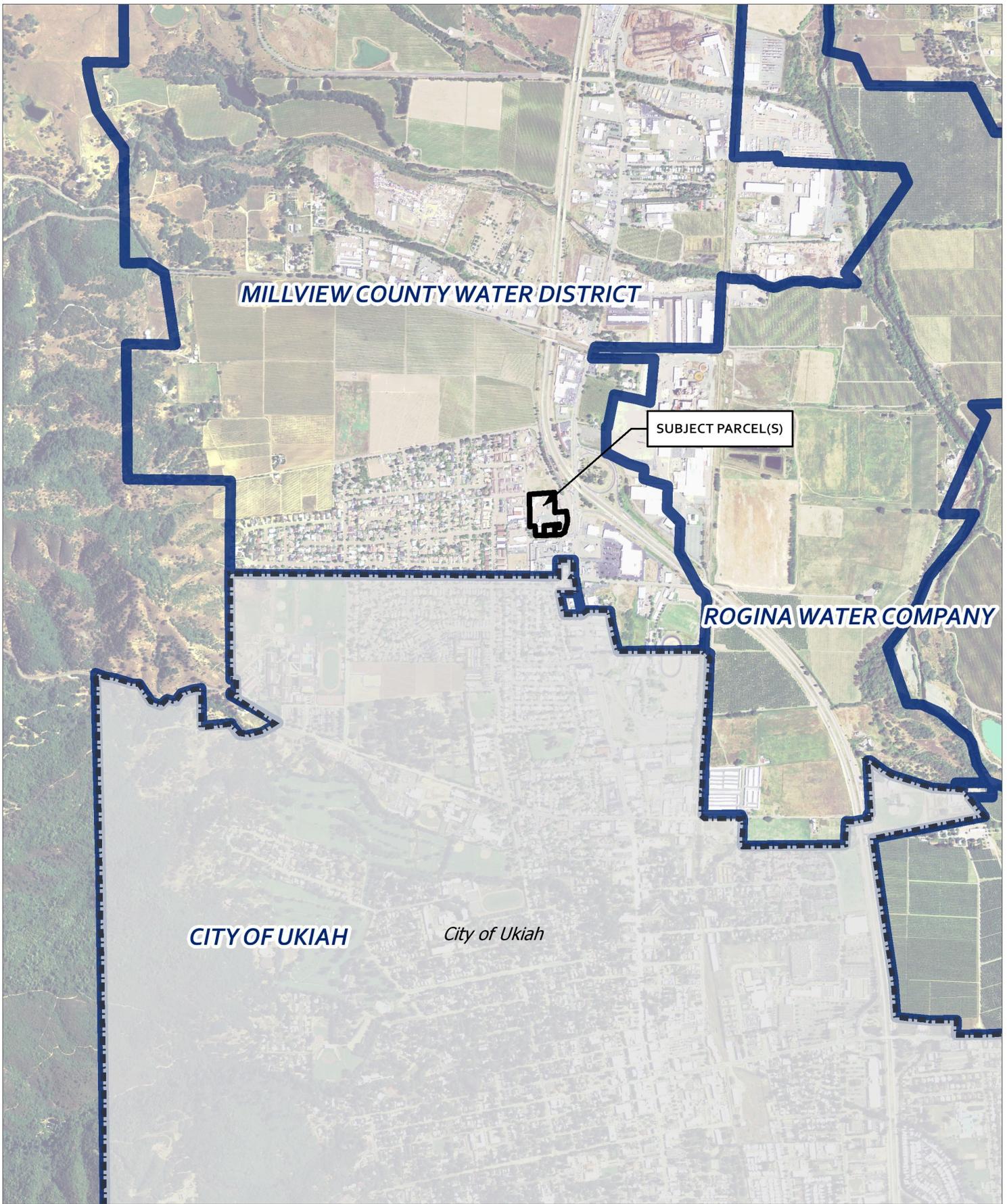
-  Incorporated City Limits
-  County Fire Districts
-  Local Responsibility Areas

-  Federal Responsibility Areas
-  State Responsibility Areas

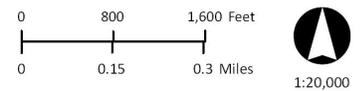
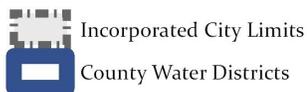


**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**

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



**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**

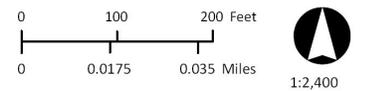


**WATER DISTRICTS**



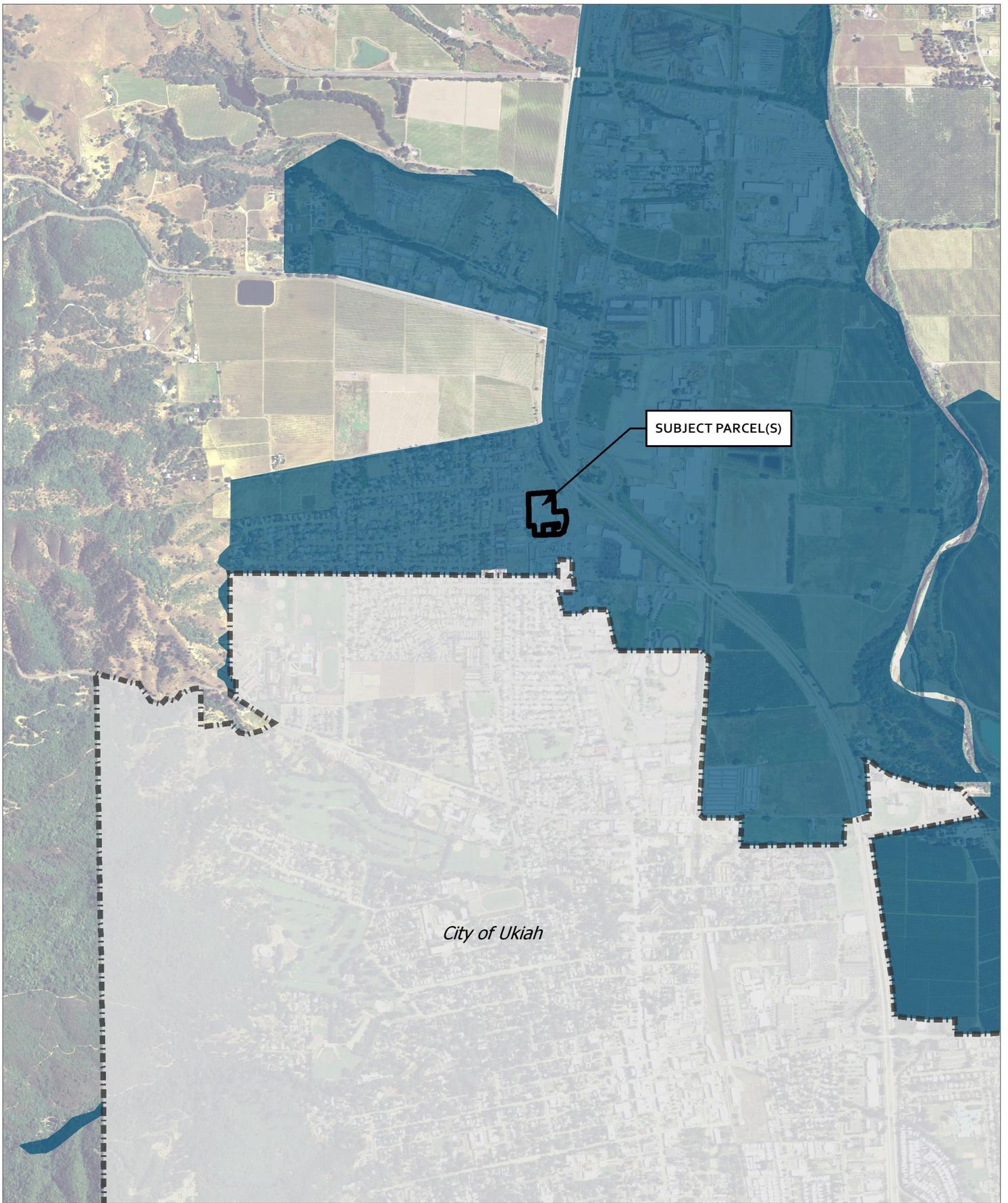
**CASE:** GP & R 2015-0001 / U 2015-0008  
**OWNER:** Faizan Corp.  
**APN:** 170-120-09, 12  
**APLCT:** Faizan Corp.  
**ADDRESS:** 190 KUKI Ln., UK

Estimated Inundation Zones



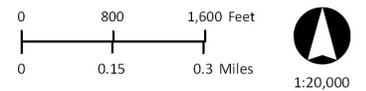
ESTIMATED INUNDATION ZONES

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



**CASE: GP & R 2015-0001 / U 2015-0008**  
**OWNER: Faizan Corp.**  
**APN: 170-120-09, 12**  
**APLCT: Faizan Corp.**  
**ADDRESS: 190 KUKI Ln., UK**

-  Incorporated City Limits
-  Ukiah Stormwater Areas (Final Merge)



MS4 PERMITTING ZONES

Attachment U

## **1.0 MIXED USE COMPATIBILITY STANDARDS**

All permitted mixed use projects shall be consistent with the Mixed Use Compatibility Standards and shall incorporate design principles and examples contained in the Community Design Guidelines (Adopted July 22, 2014: Resolution #14-102) to the extent feasible. Any mixed use project not determined exempt shall be subject to a new use permit or use permit modification as described in Section 2.0 of this Attachment (Development Review).

- A. Land Use: Structures and site improvements associated with mixed use projects shall be developed and operated according to the following land use standards.
1. Site Improvements: Building siting and orientation, and landscape improvements shall integrate pedestrian circulation. Site and landscape improvements shall incorporate outdoor pedestrian use areas such as courtyards and plazas (which could include amenities such as trellises, raised planters, and landscaped berms) and other structures that create semi-protected outdoor spaces. Pedestrian use areas shall be visible from street corridors and pedestrian access routes.
  2. Separation: Separation between use types, whether the uses are located on the same parcel or not, shall apply in addition to minimum side and rear yards specified in Chapter 20.092 (General Commercial).
    - i. Residential uses shall be separated from non-residential uses as follows:
      - No less than three hundred (300) feet from any industrial use on the same site or from an industrial zoning district.
      - No less than eleven (11) feet from any commercial or civic use on the same site, except that a residential use may be located in the same or abutting structure containing a commercial and/or civic use.
    - ii. Where residential and non-residential separation is required, landscape areas shall be provided in the separation area (including property lines setbacks) to prevent noise, lighting, and privacy intrusion. Pedestrian activity areas and circulation improvements are allowed; trash enclosures are prohibited.
    - iii. No portion of a wall or fence should be used for advertising or display. No barbed wire or concertina wire may be used as fencing material.
  3. Utilities:
    - i. All utilities including but not limited to electrical power, telecommunications, and cable television shall be placed underground to the extent practicable, taking into account economic and environmental factors.
    - ii. If utilities, communications towers, and devices must be above ground they shall be designed and located to minimize visual impact and clutter, using techniques such as screening and shared use of facilities.
    - iii. When available, connection to public water and sewer services is required for development.
  4. Land Use Limitations:
    - i. All outdoor industrial use operations, excluding delivery docks, shall be enclosed within a building.
    - ii. Commercial loading areas, trash enclosures, utility meters, and mechanical and electrical equipment shall be located as far as possible from residential uses and shall be screened from view from any adjoining residential use or residentially zoned parcel.
    - iii. All new uses shall comply with General Plan Noise Policy (Development Element, Chapter 3, DE-93 to DE-110).
- B. Parking: Notwithstanding the applicable provisions of Chapter 20.180 Off-Street Parking, the following additional off-street parking and circulation requirements shall apply.
1. On-site circulation and parking shall be provided and continuously maintained according to an approved parking plan illustrating the location, number and configuration of parking spaces for vehicles and bicycles, vehicle and pedestrian circulation improvements, truck loading areas and travel path, and emergency vehicle access, public transit stops, and public areas.
  2. The number and configuration of parking and circulation shall be consistent with parking standards (Chapter 20.180 Off-Street Parking) except that a reduction in the number of off-street parking spaces, consistent with Section 20.180.010.E and 20.180.101.F of the County Code, may be granted when the project includes shared parking facilities, affordable housing, and transit improvements.

3. Shared driveway access between neighboring uses and parcels shall be encouraged. Wherever possible, driveway access shall be provided at the property boundary to permit future negotiations of shared access agreements when adjoining parcels are developed. Where shared access is provided, a ten (10) percent reduction in the required parking spaces for all commercial uses shall be permitted for each participating parcel.
  4. Instead of locating a single parking lot on the street frontage, separate parking areas shall be established throughout the mixed use project, away from the street frontage and, to the extent possible, not located between building groups. When feasible, parking within or under buildings is encouraged.
  5. All new development shall be required to provide sidewalks along any street frontage and shall provide on-site pedestrian walkways that directly link all parking areas with building entrances, off-site transportation facilities, established sidewalks, and adjacent public rights-of-way. The walkway shall be a minimum of five (5) feet in width and shall be constructed of concrete, pavers, or similar sidewalk material that is firm, stable, and slip-resistant. Walkways may be located within the landscaping/walkway corridors of the public rights-of-way. The specific location of pedestrian walkways shall be determined by each property owner. However, narrow linear strips of landscaping between walkways and streets shall be discouraged. Required walkways shall connect to existing walkways on adjacent properties, and where such adjacent walkways have not been developed, the required walkways shall be located in areas where the future continuation of the walkway across adjoining properties is feasible.
- C. Landscape: Utilizing climate adapted plants supported by low volume irrigation systems, landscape improvements shall be provided and continuously maintained throughout and along the perimeter of the mixed use development site, subject to State of California Water Conservation in Landscape Act of 1990 and the following standards.
1. No less than ten (10) percent of the gross parking and circulation area shall be dedicated to and continuously maintained as landscape areas.
  2. Parking lot shade trees, selected from the Mixed Use Design Guideline Master Tree List, shall be provided and continuously maintained at a minimum rate of one (1) tree per five (5) parking spaces.
  3. Drainage swales and similar stormwater retention features shall be integrated with the design and location of landscape improvements.
  4. Planting areas, no less than ten (10) feet wide, shall separate parking lots from property lines and buildings.
  5. A landscape improvement bond or another form of surety acceptable to the Planning Director shall be offered prior to the issuance of a building permit to commence construction of the project and will be released three (3) years after the completion of the landscape installation upon demonstrating the landscaping is established and maintained according to the approved landscape improvement plan.
- D. Lighting: The location, intensity, and shielding of all exterior lighting for buildings, businesses, landscaping, streets and parking lots, and recreational and public areas shall be downward shielded and employ approved "Dark Sky Friendly Fixtures" ([www.darksky.org](http://www.darksky.org)) that are operated on a limited night schedule so as to avoid or prevent the illumination of adjoining uses or areas or the night sky.

## **2.0 DEVELOPMENT REVIEW AND EXEMPTIONS:**

All future structural development, changes of use and/or establishment of new use(s) on any portion of the 4.77 acre site shall be subject to a new use permit or use permit modification unless the development is:

1. A façade improvement,
2. A one (1) time addition/expansion of an existing structure(s) not to exceed five hundred (500) square feet for the site, and,
3. Minor amendments to previously approved plans, or a change in use of existing structure(s) that do not require additional parking, and will not generate substantial amounts of additional traffic, noise, or other potential nuisances.

### **3.0 SUBMITTAL REQUIREMENTS**

The following submittal requirements govern the submittal, review, and action on the Mixed Use Development Plan, when it is required.

- A. General: A Mixed Use Development Plan shall be submitted for any mixed use project subject to a new use permit or use permit modification as specified by Section 2.0 of this Attachment.
- B. Mixed Use Development Plan Requirement: In addition to the information and plans otherwise required for a new use permit or use permit modification, a Mixed Use Development Plan is required and shall include, but is not limited to, the following information:
  - 1. A detailed site plan at a scale that is sufficient to fully illustrate proposed uses and site improvements as well as a Preliminary Development Plan, as defined in this Chapter.
  - 2. Building elevation drawings of all proposed structures showing exterior wall color and material, and exterior lighting of proposed and existing development on all sides of the structure. The Community Design Guidelines shall be applied to all mixed use projects subject to Mixed Use Development Review.
  - 3. A building floor plan of the proposed structure delineating each building or portion thereof by use type.
  - 4. A landscaping plan detailing all new and existing landscaping to be incorporated into the design of the project including pedestrian walkway improvements, location of existing and proposed vegetation, including removed vegetation and trees, public amenities, landscape lighting, fencing, and irrigation improvements. The landscape plan must include a planting and lighting schedule noting the size, number, and type of plant materials and light fixtures.
  - 5. A parking and circulation plan showing the location of and access to parking spaces, loading zones, delivery docks, transit improvements, bicycle parking, parking lot landscape areas (detailed by the landscape plan), and lighting. The parking and circulation plan shall include a schedule showing the number and size of required off-street parking based the County's parking requirements.

### **4.0 Supplemental Findings**

The Zoning Administrator and/or Planning Commission shall make the following supplemental findings when acting to approve any new use permit or use permit modification on any portion of the 4.77 acre project site. The findings shall not be vague and conclusory. The findings shall be sufficiently detailed to inform a reviewing court of the basis of the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record. Failure to make findings that support the following determinations shall result in a denial of the Mixed Use Development Plan application.

The proposed mixed use project, including those exempted from the Mixed Use Compatibility Standards, will substantially fulfill the intent and purpose of the Community Design Guidelines, by accomplishing the following.

- A. Land Use: The project will —
  - 1. Preserve the character of the neighborhood; will protect the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public
  - 2. Include appropriate use of materials, textures, and colors, which will remain aesthetically appealing and appropriately maintained; and will locate and orient windows, doorways, and outdoor use areas to minimize the potential impacts from heat, glare, noise, or other disturbances caused by on-site or off-site sources.
  - 3. Locate structure(s) on the parcel which are compatible with the location and orientation of other structures in the immediate neighborhood that conform to applicable setback requirements.
  - 4. Be compatible with other uses on the property.
- B. Parking: The project will —
  - 1. Provide adequate ingress, egress, parking for vehicles and bicycles, and internal circulation for vehicles, bicycles, pedestrians, and delivery vehicles designed to promote safety and convenience.
  - 2. Not create potential hazards to vehicular, pedestrian, or bicycle traffic, or cause a distraction for motorists.
  - 3. Provide shade for parking spaces to the extent practical.

- C. Landscape: The project will —
1. Include provisions to ensure maintenance of all approved landscaping.
  2. Include landscaping as an integral part of the project design and enhance the appearance of the development.
  3. Ensure protection of existing and desirable mature trees when feasible.
  4. Utilize irrigation systems which provide for the efficient use of water.
- D. Lighting: The project will —
1. Provide adequate lighting to all pedestrian and building access areas to provide safety, security and enhance aesthetic quality.
  2. Provide lighting that is appropriate in scale, intensity, and height
  3. Provide lighting that is energy efficient and shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site.
- E. Conditions of Approval. Conditions of project approval may be imposed on a Mixed Use Development Plan.
1. In approving a Mixed Use Development Plan, the Zoning Administrator or Planning Commission may include such conditions as are deemed reasonable and necessary to maintain or assure (1) compliance with the standards/criteria listed in this Attachment, Mixed Use Compatibility Standards, and (2) the mitigation of any "significant adverse environmental impacts" of the development as may be required by the California Environment Quality Act. Nothing in this Section shall be construed to limit the discretion of the authority of the Zoning Administrator or Planning Commission to require conditions.
  2. The Zoning Administrator or Planning Commission may condition a Mixed Use Development Plan to prohibit occupancy of a project building until an inspection has been made which finds that the project building, landscaping and other required improvements have been completed, and the project complies with all conditions specifically required to be completed prior to occupancy. If a Mixed Use Development Plan is so conditioned, the Planning Director shall notify the County Building Official of such conditions. If a building permit is issued for a building or structure which is subject to a Mixed Use Development Plan so conditioned, the Building Official shall not approve a final inspection of such building or structure until the conditions have been satisfied. The Planning Commission or the Zoning Administrator may also require conditions be completed prior to the issuance of building permits.

## **5.0 DEFINITIONS**

**"Community Design Guidelines"** means a set of standards regarding the aesthetics of development, including building appearance and character, colors, landscaping, location of parking, siting of structures on building sites, and other issues that are used to evaluate the suitability and appropriateness of individual projects in terms of overall visual appearance, capacity to unify streetscapes, expression of valued community themes, establishment of a "sense of place," and enhancement of community cohesiveness.

**"Floor area ratio"** means the ratio of total building floor area to total site area, is a commonly used measure of commercial and industrial development intensity. It is typically expressed as a decimal, i.e. 0.50.

**"Live-work use"** means a type of residential use that physically integrates the resident's commercial or manufacturing workspace within the same building or site.

**"Mixed Use"** means the development of any permitted residential use in conjunction with at least one (1) commercial or civic use type within the same building, either vertically (i.e., different uses located on separate floors) or horizontally (i.e., different uses located side-by-side on the same floor), or in multiple buildings, located on one (1) or more parcels, that are developed with shared site improvements such as pedestrian walkways, landscaping, public spaces (e.g., courtyards and plazas), and vehicle parking and circulation.

**"Preliminary Development Plan"** means a land use diagram that shows the proposed mixed use project will not prevent orderly future development of any undeveloped portion of the project parcel(s). This plan includes the general location and type of possible future uses, circulation, and utilities outside of the project area and shows the project's relationship with the remainder of the site as well as existing development on adjoining lots and streets.



## INITIAL STUDY/DRAFT MITIGATED NEGATIVE DECLARATION

### Section I Description Of Project.

**DATE:** December 1, 2016

**CASE#:** R\_2015-0001 and U\_2015-0008

**DATE FILED:** 3/20/2015

**OWNER:** FAZIAN CORPORATTION

**APPLICANT:** FAZIAN CORPORATTION

**AGENT:** L.S. MITCHELL ARCHITECT, INC.

**PROJECT COORDINATOR:** ROBERT DOSTALEK

**REQUEST:** Rezoning from Limited Industrial (I-1) to General Commercial (C-2) and a Minor Use Permit for the expansion and establishment of a new commercial fueling station for large transport and passenger vehicles. Also proposed is the construction of an approximately 13,852 square feet (sf) commercial office/retail building and the replacement of underground fuel tanks and distribution piping. Demolition of the existing facility, known as Jensen's Truck Stop, will occur after the construction of the new facility is complete.

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**LOCATION:** In Ukiah, just north of the Ukiah City limits, lying northwest of the intersection of Kuki Road (CR 250A) and Lovers Lane (CR 222) immediately west of its intersection with North State Street (CR 104). Located at 1460 Lovers Lane, Ukiah; APN 170-120-09 and -12.

### Section 2 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.*

**PROJECT DESCRIPTION:** The applicant proposes a rezone from Limited Industrial (I-1) to General Commercial (C-2) ("Rezone") of the entire 4.77 acre legal parcel and a Minor Use Permit to demolish the existing "Jensen's Truck Stop" and re-establish "Automotive and Equipment-Gasoline—Sales" (commercial fueling station) for large transport and passenger vehicles ("Project"), the construction of two (2) new commercial office/retail buildings, totaling 13,852± square feet, and the replacement of underground fuel tanks and distribution piping located in the southeast corner of the site, approximately 1.75 acres.

The existing Jensen's Truck Stop fuel station would remain in operation while the new buildings are being constructed. Upon completion, the old building(s) and related canopies would be removed. Following building removal, the new tanks, distribution piping, dispenser islands and concrete paving and curbs would be constructed. Lastly, installation of new landscaping, irrigation and signage would occur.

The structures associated with the minor use permit component of this project would be located in the southeastern portion of the overall property proposed for rezoning (first phase). This area occupies approximately 1.75± acres. The larger 3.02± acre remaining area of the rezoned property would be available for future redevelopment. No conceptual plans for the remaining portion of the property have been submitted. Future development projects and/or uses would be reviewed to ensure regulatory consistency.

**BACKGROUND:** The subject property is located just north of the Ukiah City limits. The project is accessed from KUKI Lane via North State Street. Other uses in the vicinity of the subject property are commercial, retail, residential, and industrial. Specifically, nearby uses include an abandoned auto dismantler, a bowling alley, a shopping center, a fueling station, a restaurant, a motel, an auto electric repair shop, a steel fabrication and mill supply shop, and the Vineyard and Alexander Estates residential neighborhoods. There is a vacant lot directly north of the project site.

The property is currently developed with a variety of highway oriented services for large transport vehicles including vehicle fueling and repair, car wash food service and storage. There is also light industrial tenant space. The entire site is paved.

### **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 page

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

Mendocino County is a scenic and visually diverse county, and is considered predominantly rural with respect to existing development. The project falls within the Ukiah Valley Area Plan and the following are the applicable visual resource policies:

**Policy CD2.1:** Enhance the visual appearance of the City-County Transition areas, the Valley's gateways, State Street and US Highway 101.

**Policy CD-2.1(b):** Gateway Enhancement — Use the redevelopment powers or property incentives to encourage property owners to rebuild, restore, or enhance the appearance of the gateways.

Additionally Mendocino County Community Design Guidelines for discretionary Mixed Use Projects would apply to the project and future development (Resolution #14-102). The following general principles are included under the Design Guidelines:

- Design projects to fit a site's natural features
- Provide parking areas consistent with zoning requirements, which are aesthetically screened and which de-emphasize the visual prominence of the parking area.
- Include landscaping throughout parking lots with more than 12 parking spaces, and include street trees.
- Provide pedestrian oriented facilities by incorporating walkways.
- Develop site layout to be compatible with surrounding development.
- Use architectural styles, building colors and building materials that are visually appealing and compatible with the surrounding neighborhood.
- Incorporate subdued lighting that meets Dark Sky standards and is appropriately located, shielded and harmonious with the building design.
- Promote energy conservation.
- Provide signage consistent with the zoning code and appropriately scaled to be compatible with the development on the site.
- Incorporate fencing and walls as necessary that are compatible with other project materials and maintain required sight distances.
- Limit outdoor storage and service areas to the rear of the site and screen appropriately.

The property is centrally located within the North State Street limited industrial area and the entire site is currently developed with a variety of uses, including: highway oriented services, vehicle fuel and repair, food service and storage, car wash, light industrial uses and commercial uses.

With the exception of a vacant property to the north, the properties in this area are fully developed and generally denuded of natural vegetation or landscaping. There are no creeks or streams in the vicinity. The proposed development would contain a variety of tenant spaces, including commercial, retail and office uses.

Although a comprehensive development plan for the entire property has not yet been prepared, the project would be conditioned to ensure future development adheres to the Community Design Guidelines and Mixed Use Compatibility Standards. This condition would apply to both discretionary and ministerial actions (e.g., Use Permits, Building Permits).

**a, b) No Impact**

The project is not located near a scenic vista. The project will not damage scenic resources such as trees, rock outcroppings or historic buildings within a scenic highway, as none of these features are present at the site nor is the site along a scenic highway.

**c), d) Less than Significant Impact**

The redevelopment of the existing service station would enhance the visual character of the area. The existing buildings are box like and exhibit little architectural character, which is discouraged by the Design Guidelines. The new approximately 13,852 square feet (sf) commercial office/retail building and fueling canopies would modernize the site. After completion of the new structures, the old buildings and accessory structures on the site would be demolished. Varied building materials will be used and the building design reduces the massing of large walls, building and rooflines. This would be accomplished through the inclusion of parapets, windows and balconies. Fueling canopies and project signage have the potential to create light and glare and improperly designed parking areas could be inconsistent with the policies to enhance the visual character of the City-County transition areas. In order to ensure that the site will not be visually degraded, will not create a substantial source of light or glare the project is conditioned to be consistent with the Design Guidelines.

**Conditions of Approval 9 through 12** require the applicant to submit final landscape, lighting, signage and parking/circulation plans. Said plans would require conformity with all County regulations including Community Design Guidelines for Discretionary Commercial Mixed Use Projects and consistency with the Mixed Use Compatibility Standards per MCC §20.085.055. **Condition 13** ensures future development and use of the property conforms with all County regulations, including Community Design Guidelines for Discretionary Commercial Mixed Use Projects, and is consistent with the Mixed Use Compatibility Standards per MCC §20.085.055.

**Conclusion:** There would be a less than significant impact to aesthetics with application of the Community Design Guidelines (**Less Than Significant Impact**).

<b>II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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"/>

The proposed project is within the Ukiah Valley Area Plan (UVAP) planning area. The UVAP describes development surrounding the City of Ukiah and is generally marked by a higher intensity of development than other lands within Mendocino County. This development pattern contributes to the rural “small town” character of the Ukiah Valley. Preserving this character is essential to the community vision for the future and is reflected in the goals and policies of the UVAP. Setting the appropriate limits and guidelines for future development within the UVAP planning area was intended to better protect the resources that make this area unique.

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

The property is entirely covered with impervious surfaces and various structural improvements and does not contain any important farmland or other designated farmland types. No prime farmland exists on the site, it is not in an agricultural zone, or within a Williamson Act Contract. The site is not defined as timber or forestland and will not result in the loss or conversion of forestland. Therefore, no impact would occur as a result of constructing the proposed project.

<b>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:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

The project is located within a part of the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The Mendocino County Air Quality Management District (AQMD) is responsible for enforcing the State and Federal Clean Air Acts as well as local air quality protection regulations. Mendocino County General Plan Policies pertaining to air quality include:

- Policy RM-35:** The County shall work to maintain ‘attainment status’ for state and federal air quality standards which are currently met, and toward attainment for currently exceeded standards.
- Policy RM-36:** Maintain Federal Clean Air Act, Class 1 air quality standards in Federal Wilderness Areas and work to reduce out-of-county transport of significant pollution that will impact other Class 1 areas.
- Policy RM-37:** Public and private development shall not exceed Mendocino County Air Quality Management District (MCAQMD) emissions standards.
- Policy RM-38:** The County shall work to reduce or mitigate particulate matter emissions resulting from development, including emissions from wood-burning devices.
- Policy RM-41:** Reduce dust generation from unpaved roads.
- Policy RM-43:** Reduce the effects of earth-moving, grading, clearing and construction activities on air quality.

**a, b, c) Less Than Significant Impact**

The project will not conflict with or obstruct implementation of any air quality plan. The construction phase of the project will produce the following anticipated emissions:

- Combustion emission associated with operation of off-road equipment
- Combustion emissions associated with operation of on-road motor vehicles
- Fugitive dust from earth-moving activities
- Off-gassing from asphalt paving and architectural coatings

Anticipated emissions during the project operation include:

- Reactive Organic Gasses (ROG) emissions associated with fuel dispensing
- Combustion emissions associated with operation of on-road motor vehicles
- Emissions from “area sources”, including architectural coating off-gassing.

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 air quality regulations which apply to construction and grading activities and unpaved roads. During construction of the project, the proposed project has the potential to increase PM10 in the immediate vicinity of the site due to site grading and truck traffic. Local impacts to the area during construction would be mitigated using standard fugitive dust control measures. **Conditions 14-17** apply which require Mendocino County Air Quality Management District Asbestos Notification for the demolition of buildings and a Gasoline Permit for the new and changed dispensing equipment.

**d) Less Than Significant Impact**

Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. Of these possible sensitive receptors, residential units are the closest to the project site, approximately 600 feet away. The highest period of pollutant emissions in the form of PM-10 would occur during construction from construction equipment, and thereafter the site would emit minimal air quality pollutants during its normal operation. Exhaust from gas dispensing operations and construction would not have a significant impact on neighbors due to standard emission control measures.

**e) Less Than Significant Impact**

The proposed project would not create significant objectionable odors during its normal operation or during construction, and is not in a location that would affect substantial numbers of people. Therefore, there would be no objectionable odors as a result of the project.

**Conclusion:** The proposed project would result in a less than significant impact to air quality. **(Less Than Significant Impact)**

<b><u>IV. BIOLOGICAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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"/>

Mendocino County is largely rural and forested and has a wide range of climates, topography, soils, and watershed conditions, all of which produce very diverse plant and animal communities. The Mendocino County General Plan includes policies related to biological resources. Following are summaries of several applicable policies:

- Policy RM-5:** Promote and encourage land use activities that maintain or improve channel elevation and banks for rivers and streams in the county.
- Policy RM-7:** Promote the incorporation of efficient indoor plumbing fixtures in new development and redevelopment. Where appropriate, promote drought tolerant landscaping and the implementation of other water conservation best management practices.
- Policy RM-19:** Promote the incorporation of project design features that will improve water quality by minimizing impervious surface areas, maximizing on-site retention of storm water runoff, and preserving existing vegetation to the extent possible. Examples include:
  - Using Low Impact Development (LID) techniques.

- Updating the County's Building Codes to address "green" building and LID techniques that can reduce pollution of runoff water, and promoting these techniques

**Policy RM-20:** Require integration of storm water best management practices, potentially including those that mimic natural hydrology, into all aspects of development and community design, including streets and parking lots, homes and buildings, parks, and public landscaping

**Policy RM-81:** Vegetation management and landscaping for public and private development should emphasize protection and continuity of natural habitats and hydrology.

**Policy RM-82:** Promote the conservation and use of native species or drought-tolerant, fire resistive and noninvasive vegetation.

**Policy DE-84:** Incorporate green building principles and materials into site designs and facility planning, construction and operations.

**Policy RM-89:** Conserve and enhance watercourses to protect habitat, fisheries, soils, and water quality.

**Policy RM-90:** Conserve and enhance streamside (riparian) vegetation through development design and standards.

**Policy RM-92:** Whenever possible, use riparian vegetation in conjunction with natural or appropriate structural materials to achieve a natural appearance.

**Policy RM-94:** Support in-stream flows adequate to maintain and protect fisheries and beneficial uses.

With the exception of the vacant property to the north, the subject site the surrounding properties are urbanized and developed nearly completely with impervious surfaces. The subject property is currently completely paved. The lack of natural habitat limits the potential for sensitive biological resources to be present on the site.

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

There are no identified wetlands, creeks or streams near the site. It is unlikely that local wildlife is utilizing the site as a nursery or migratory stopover given its proximity to North State Street, US 101, and multiple types of urbanization.

The proposed project would not conflict with local ordinances or policies protecting biological resources. The project will occur on a graded and developed property, which is completely paved and lacking in vegetation.

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans for the site of the proposed project.

**Conclusion:** No impact to biological resources would occur. **(No Impacts)**

<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"/>

Mendocino County General Plan Chapter 3 Development Element includes policies related to cultural resources, including:

**Policy DE-114:** Fully evaluate and protect historical, archaeological and cultural resources through the development process, including resources of national, state or local significance.

Both **Policy DE-115** and **Mendocino County Code Chapter 22.12 Archaeological Resources** include provisions for archaeological sensitivity review, field evaluations, impact mitigations, archaeological discovery, and human remain discovery protocols (MCC §22.12.050 – 22.12.100).

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

There are no known historical resources on site or in the vicinity that would be impacted by the proposed project. The project is not located in a geologic formation that commonly contains paleontological resources, nor does the site contain unique geologic features. The site is within a highly developed property and there are no visible unique geologic features on site. There are no formal cemeteries in the vicinity of the project site. It is very unlikely that human remains will be encountered at the site during construction. However, if remains are encountered, California Health and Safety Code 7050.5 require that the County Coroner be contacted immediately. If the county Coroner determines the remains to be Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resource Code 5097.98. **This is Condition Number 1.**

**Conclusion:** The proposed project would not result in any impacts to cultural resources. **(No Impact).**

<b>VI. GEOLOGY AND SOILS.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

The Mendocino County General Plan Chapter 3 Development Element, discusses the area’s seismic hazards. Mendocino County is located just south of the Cascadia Subduction Zone and will likely be subjected to a strong earthquake in the foreseeable future. A number of faults are located throughout the county, including the San Andreas Fault in the southwest corner of the county, the Maacama Fault in the inland valley from Sonoma County to Laytonville, the Round Valley Fault in the northeastern part of the county, and the Etsel Ridge Fault in the eastern portion of the county (Mendocino County General Plan, 2009). Any structure built in Mendocino County will likely be subjected to seismic activity during its expected lifespan.

According to the *Design- Level Geotechnical Investigation* (March 2014 Lion Enviro-Geotech) the nearest fault to the project site is the Maacama Fault zone located approximately 1 mile northeast of the project site. This fault is capable of producing a 7.1 magnitude earthquake.

**a) Less Than Significant Impact**

The project site is located in a seismically active region of California and strong ground shaking would be expected during the lifetime of the proposed project. There are no known active faults traversing the project site and the site is not located in the Alquist-Priolo Earthquake Fault Zone. Potential for surface rupture from displacement or fault movement directly beneath the proposed project is considered low. Depending upon the intensity and magnitude of a seismic event, new buildings may experience shaking due to the site’s proximity to the active Maacama Fault. The project site is not located within a liquefaction hazard zone. The project site is located in a relatively flat area and would not be exposed to substantial slope instability, erosion, or landslide-related hazards.

There are no escarpments, bluffs, cliffs, or other formations in the area that would be subject to failure in the event of an earthquake. The site is flat and there is no potential for slope instability or landslides. The site and project itself would not destabilize the soil in a way that would subject surrounding land uses to increase risk from landslide.

The nature of the proposed use and the proposed development do not inherently subject the users to a greater seismic risk than they would otherwise be exposed to.

**b, c, e) No Impact**

The subject property is relatively flat and currently entirely paved. Grading will occur for tank replacement and for building foundations. These activities will not result in erosion or a loss of topsoil. The findings in the *Design-Level Geotechnical Investigation* did not indicate that the project site was on a geologic unit that was unstable or subject to liquefaction, lateral spreading, subsidence or collapse. The subject property and surrounding properties are serviced by the Ukiah Valley Sanitation District and by the Millview County Water District. No onsite water or sewage disposal systems are proposed.

**d) Less Than Significant Impact**

According to the findings in the *Design-Level Geotechnical Investigation*, there are near surface clayey and silty soils. These soils can expand and contract when subject to changes in moisture content. As a result the recommendation is for a minimum of 2 feet of structural or engineered fill beneath the lowest foundation base which will provide uniform support for planned structural loads. By incorporating the recommendations the *Design-Level Geotechnical Investigation* there will be a less than significant risk to life or property resulting from expansive soil. **Condition of Approval 20** applies and requires recommendations in the *Design-Level Geotechnical Investigation* to be implemented.

**Conclusion:** The project would have a less than significant impact on geology and soils. **(Less Than Significant Impact)**

<b><u>VII. GREENHOUSE GAS EMISSIONS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input type="checkbox"/>

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.

Because Mendocino County is primarily rural, the amount of greenhouse gases (GHG) generated by human activities, primarily the burning of fossil fuels for vehicles, heating, and other uses, is small compared to other, more urban counties (Mendocino General Plan, 2009).

**a, b) Less Than Significant Impact**

Construction activities associated with the establishment of the proposed building and service station facilities, or any other new use allowed in a General Commercial (C-2) zoning district, could generate GHGs from the engine emissions. The emissions associated with these sources would be limited in scope and duration and would not contribute significantly to greenhouse gas emissions. The refueling of vehicles once the retail service station is in operation could also generate GHGs from the engine emissions. The provision of fuel does not inherently increase the demand for fuel or consumption thereof. 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. There are no adopted local plans for reducing the emission of greenhouse gasses. The Mendocino County AQMD does have Regulation 3: Airborne Toxic Control Measures, which includes measures for reducing the emissions of greenhouse gasses. The project will be subject to all rules of Regulation 3 and the applicant/owner will be required to acquire permits from AQMD prior to installation of gasoline tanks and associated dispensing hardware.

**Conclusion:** A less than significant impact to greenhouse gas emission would occur. . (Less Than Significant Impact)

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Mendocino County has adopted numerous plans related to hazard management and mitigation including, but not limited to: Community Wildfire Protection Plan, Multi-Hazard Mitigation Plan, Hazardous Waste Management Plan, and Operational Area Emergency Plan. The site is located partially within a flood hazard inundation area

**a, b) Less Than Significant Impact**

The operation of a retail service station requires the routine use, transportation, and handling of hazardous materials. Both diesel and gasoline would be stored on site. These materials would be contained according to applicable regulations. Environmental Health issues permits for fueling stations for above and below ground fuel storage tanks, and materials handling. These permits require spill prevention, containment, and cleanup contingencies to be included in the project design. With these contingencies incorporated into the project plan, there would not be 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, because the fuel stored would be contained as required by applicable laws.

**c), d), e) and f), h) No Impact**

There are no existing or proposed schools within one-quarter mile of the proposed project. There are no hazardous materials sites or other cleanups on site listed in the EnviroStor database maintained by the California Department of Toxic Substance Control (California Department of Toxic Substance Control, 2016). The project is outside the Ukiah Municipal Airport land use area. The project is not within the vicinity of a private airstrip. The proposed project is neither in nor adjacent to wildland areas.

**g) Less than Significant Impact with Mitigation Incorporated**

The Ukiah Valley Fire Authority (UVFA) expressed concerns about the increased traffic on KUKI Lane and Lovers Lane intersection interfering with the ability to respond to areas west of the project site. The UVFA also expressed concerns regarding ingress, egress and queuing on Lovers Lane and its impacts to Fire Response times. To mitigate this potential significant impact for fire vehicle traffic delay, access to the proposed project would be provided as an entry only encroachment from Lovers Lane and exit only encroachments onto KUKI Lane. This arrangement was deemed acceptable by the Ukiah Valley Fire District and MDoT (\*\* **Special Condition 12**).

**Conclusion:** A less than significant impact to hazards and hazardous conditions would occur (**Less Than Significant Impact**)

<b>IX. HYDROLOGY AND WATER QUALITY. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>IX. HYDROLOGY AND WATER QUALITY.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Mendocino County General Plan Chapter 4 Resource Management Element includes policies related to protection of environmentally sensitive habitat areas and maintaining water quality by minimizing adverse effects of waste water dischargers, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams. Additionally the site is within an area subject to MS4 permitting related to stormwater. The subject property is approximately 4.77 acres primarily developed with asphalt-concrete paving and commercial and light industrial uses. These uses are dedicated to automobile and truck services including gas and diesel sales, truck maintenance, vehicle washing and some small retail businesses including a convenience store and a barber shop. The property has been dedicated to a vehicle service use and touring public use since the 1950s.

The property slopes at 2% and drains in a southeasterly direction toward Lovers Lane. There are two (2) storm drains along Lovers Lane.

**Mendocino County Stormwater Runoff Pollution Prevention Procedure**

The County of Mendocino currently holds a National Pollution Discharge Elimination System (NPDES) Phase II Small MS4 General permit (NPDES MS4 stormwater permit). The County was required to develop a Storm Water Management Program (SWMP) and implement Best Management Practices (BMPs) to control polluted runoff in the unincorporated urbanized areas surrounding Ukiah. The subject property is within the County's MS4 General permit area and any fuel service facilities, within the MS4 permit area, that create or replace over 5,000 square feet or more of impervious surfaces are required to design and install Low Impact Development (LID) controls to treat post-construction stormwater runoff from the site.

**a), e), f) Less Than Significant Impact**

The proposed project would construct new structures on site, but would decrease the overall percentage of impervious surfaces due to the installation of additional landscaped areas. The project would replace more than 5,000 square feet of impervious surface area and, therefore, would be required to control post-construction stormwater through source control and treatment control Best Management Practices (BMPs). Under existing conditions, the nearby storm drainage system has sufficient capacity to convey runoff from the site, Runoff from the project site would be less than existing conditions, and would not exceed the capacity of the local drainage system, or contribute significantly to downstream flooding.

Construction activities would result in temporary increase in stormwater pollutants during ground disturbing activities, but the level of pollutants would not be significant. Nevertheless, the project will implement the following RWQCB standard

construction best management practices (BMPs) to further reduce stormwater pollutants during construction. **Standard Permit Conditions:**

- Restrict grading to the dry season or meet County requirements for grading during the rainy season,
- Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction. Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed.
- Cover soil, equipment, and supplies that could contribute non-visible pollution prior to rainfall events or perform monitoring of runoff. Cover stockpiles with secure plastic sheeting or tarp.
- Implement regular maintenance activities such as sweeping driveways between the construction area and public streets. Clean sediments from streets, driveways, and paved areas on-site using dry sweeping methods. Designate a concrete truck washdown area.
- Dispose of all wastes properly and keep site clear of trash and litter, clean up leaks, drips, and other spills immediately so that they do not contact stormwater.
- Place fiber rolls or silt fences around the perimeter of the site. Protect existing storm and sewer inlets in the project area from sedimentation with filter fabric and sand or gravel bags.

**b), c), d) and k) Less Than Significant Impact**

The proposed project would not increase the amount of impervious surfaces on the site, nor would it substantially increase water use. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or lowering of the local groundwater table level. The project would not substantially alter the existing drainage pattern of the site. The rate of discharge would be similar to existing conditions and would not result in erosion, siltation or flooding on or off site.

**g), h), i) and j) No Impact**

The proposed project would not place structures in a 100-year flood plain however approximately one quarter of the subject property is within a dam failure inundation hazard zone. Coyote Valley Dam was constructed almost sixty years ago in 1958. The dam provides flood control, water conservation hydroelectric power, and recreation and the threat of inundation of the subject property and of thousands of other properties along the in the Ukiah Valley and south exist but is considered less than significant.

The project site is not subject to inundation by seiche, tsunami, or mudflow.

**Conclusion:** The proposed would have a less than significant impact on hydrology and water quality. **(Less Than Significant Impact).**

<b><u>X. LAND USE AND PLANNING.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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"/>

The 4.77-acre project site currently has a General Plan Designation of Mixed-Use General (MU-2) and is zoned Limited Industrial (I-1). The project includes a rezone to General Commercial (C-2). According to the County's General Plan and the Ukiah Valley Area Plan, the Mixed-Use General land use designation supports two and three story mixed-use development with commercial uses encouraged at street level. Uses may be mixed vertically or horizontally (stacked or linearly) on the site. The subject property has been utilized as a truck/automobile fueling station and most of the other

uses on the property are vehicle related including a truck wash, a truck repair garage and a convenience store. The project site is located with convenient access to Highway 101.

**a, b, c) No Impact**

The proposed redevelopment of approximately 1.75± acres and future redevelopment of the remaining portion of the 4.77-acre project site would not result in any physical improvements or barriers that would divide an established community. Neither would the current or future projects conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is not located within any habitat conservation or natural community conservation plan areas.

**Conclusion:** The project would have no impact to land use. **(No Impact).**

<b><u>XI. MINERAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 variety of minerals resources are known to exist in the County. The most predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. Three sources of aggregate materials are present in Mendocino County: quarries, in-stream gravel, and terrace gravel deposits (General Plan 2009).

**a, b) No Impact**

There are no known mineral resources on the site that would be of value to the region or the residents of the state. The property does not include a mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

**Conclusion:** The project would have no impact to known mineral resources. **(No Impact)**

<b><u>XII. NOISE</u></b> <b>Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
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The County has identified noise standard within the County General Plan to ensure noise compatibility between land uses. The project is subject to the noise standards found in the County General Plan including:

- The Exterior Noise Level Standards (Table 3-J) General Plan Policy DE-100
- The Noise Compatibility Guidelines (Table 3-K) General Plan Policy DE-101
- Maximum Acceptable Interior Noise Levels (Table 3-L) General Plan Policy DE-103

Major noise sources in Mendocino County consist of highway and local traffic, railroad operations, airports, commercial and industrial uses, and recreation and community facilities. Highways with traffic that generate significant noise include U.S. Highway 101 and the State Routes (1, 20, 128, 162, 175, and 253).

**a, b, c, d) Less Than Significant Impact**

Occasional noise or vibrations may be caused by the presence of semi-truck trailers to refuel the underground storage tanks or as customers to the retail service station. These visits can reasonably be assumed to be short in duration and relatively infrequent. The only other anticipated noise to be generated by the project will result from construction activity and vehicles. After construction, the project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Residential areas near the project are well-screened from the project site by trees. Additionally, they are of an elevation and change in topography such that the transmittal of groundborne vibration and noise levels is unlikely. The ambient noise generated by the project is anticipated to be less than that generated by the traffic of neighboring State Highway 101.

The project will not result in any permanent increase in ambient noise levels in the project vicinity. There are no activities associated with the project that would generate excessive groundborne vibration or groundborne noise levels. The project will not result in any permanent increase in ambient noise levels in the project vicinity.

**e, f) No Impact**

There are no public use airports located within 2 miles of the project site. Neither are there any private airstrips within the vicinity of the project site.

**Conclusion:** The proposed project would result in a less than significant noise impact. **(Less Than Significant Impact)**

<b>XIII. POPULATION AND HOUSING.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 proposed project would occupy pre-existing commercial development, and will not displace any housing, or people. The project will not induce population growth, and create a demand for new housing, nor will existing residences be displaced or removed as a result of the project.

**Conclusion:** The proposed project would have a no impact on population and housing. **(No Impact)**

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

Fire protection to the site is provided by the Ukiah Valley Authority, which currently has a joint powers agreement to share a fire chief as well as coordinating the two fire stations between the Ukiah Valley Fire District and the City of Ukiah Fire Department. The Ukiah Valley Fire District has a total of seven (7) career firefighters and nineteen (19) volunteer fire fighters. The closest station to the project site is the Ukiah Valley Fire District Station located approximately 0.25 miles to the north at 141 Lovers Lane, Ukiah.

**General Plan**

The 2009 Mendocino County General Plan includes the following public services policies applicable to the proposed project:

**Policy DE-215:** Development shall be located, designed and managed to reduce fire risk to life, property and natural resources, and incorporate adequate fire protection consistent with the General Plan and adopted regulations.

**Policy DE-216:** Development shall facilitate and integrate the ability for fire protection agencies to access and maintain fuel and firebreaks, water supplies, and emergency access routes.

**Policy DE-218:** The County supports effective and economically viable fire protection and emergency response provided by fire protection agencies.

**Policy DE-219:** Encourage fire protection districts to determine and report capabilities to adequately serve existing and potential development.

**Action Item DE-220.3:** Work with fire protection providers (i.e., CalFire U.S. Forest Service, local fire protection districts, and cities) to ensure development is compatible with fire protection capabilities.

**a.1) Fire Protection: Less than Significant with Mitigation Incorporated**

The demand for fire services may be influenced by the implementation of the project. The proposed project would result in a zoning change from Limited Industrial (I-1) to General Commercial (C-2) and a Minor Use Permit for the expansion and re-establishment of a new commercial fueling station for large transport and passenger vehicles. The rezoning and the expansion of the fueling station may create additional commercial activity on the property.

As discussed in the “Hazards and Hazardous Materials” section above, the Ukiah Valley Fire Authority expressed concerns about the increased traffic on KUKI Lane and Lovers Lane intersection interfering with the ability to respond to areas west of the project site. To resolve this concern, access to the proposed project would be provided as an entry only encroachment from Lovers Lane and exit only encroachments onto KUKI Lane. This arrangement was deemed acceptable by the Ukiah Valley Fire District and DOT. Therefore, **Special Condition 12** applies which requires the Ukiah Valley Fire Authority and the DOT to approve a final circulation plan.

**a.2 through a.3) Less Than Significant Impact**

The *Traffic Impact Analysis for Jensen’s Travel Plaza Project* prepared by Transpedia Consulting Engineers, dated June 6, 2016, shows that study intersections are expected to continue to operate at acceptable Level of Service (LOS) during weekday pm and weekend peak hours. Turn lane storages are expected to be capable of handling queues at 95% confidence level, therefore, the project is expected to have a less than significant impact on the study intersections operation.

Otherwise, the project would not increase population or demand for schools and parks or police and medical services. The project is not anticipated to have direct impacts on other public facilities.

**Conclusion:** With mitigation incorporated, the proposed project would have a less than significant impact on public services.. **(Less Than Significant Impact with Mitigation Incorporated)**

<u><b>XV. RECREATION.</b></u>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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"/>

The City of Ukiah and Mendocino County provide parklands, open space, and community facilities for public recreation and community services. Park and recreation facilities vary in size, use, and type of service and provide for regional and neighborhood uses. The nearest park to the project site is Vinewood Park which is a neighborhood park roughly 0.5miles to the south and Low Gap Park which is a regional park roughly 1.75 miles to the southwest.

**a, b) No Impact**

The project will not increase the use of recreational facilities. Nor will it generate demand for new or expanded recreational facilities.

**Conclusion:** The proposed project would have no impact on recreational facilities. **(No Impact)**

<u><b>XVI. TRANSPORTATION/TRAFFIC.</b></u> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>XVI. TRANSPORTATION/TRAFFIC.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The site has direct access off of the three public roads and the one private road (Lovers Lane, KUKI Road and Millview Road are public and Feed Lot Lane is private). Local access to the site will primarily be from Lovers Lane via North State Street. Regional access is provided by California State Highway 101. There are no sidewalks adjacent to the site at this time and pedestrian access is minimal.

A *Traffic Impact Analysis for Jensen’s Travel Plaza Project* prepared by Transpedia Consulting Engineers, dated June 6, 2016 has been submitted with the project.

Ukiah Valley Area Plan Policy CT3.2c Approval Conditions include:

- Only approve projects if they can provide adequate mitigation to maintain defined level of service standards. Where new discretionary development proposes to rely on existing roads, the following approval conditions should be utilized.
- The project should be served by roads appropriate for intended use consistent with the Federal Highway Administration Functional Classification System.
- Development affecting roads (excluding local roads) with level of service E or F should not be approved unless mechanisms or offsets to prevent further degradation are secured or in place.
- Rights-of-way must be adequate to serve the project and accommodate multiple transportation modes consistent with General Plan policies and applicable plans and standards adopted by the County.
- The road system must be adequate to serve the project consistent with the General plan policies and applicable plans and standards adopted by the County.
- Projects impacting State or City transportation systems or right-of-way should be consistent with adopted Caltrans or City transportation planning documents as applicable.

**a), b), c) No Impact**

The proposed project includes a rezone from Limited Industrial (L-1) to General Commercial (C-2) and a minor use permit for the demolition and re-establishment of a commercial fueling station for large transport and passenger vehicles. The fueling station demolition will include the removal and replacement of abandoned fuel tanks. Also proposed is the construction of approximately 14,000 sq. ft. of commercial offices and retail space.

The *Traffic Impact Analysis for Jensen’s Travel Plaza Project* includes an analysis of existing, existing plus project and cumulative traffic conditions. Under all scenarios all affected intersections continue to operate at an acceptable level of service. The project does not conflict with county ordinance or policy related to effective circulation or congestion management. There would be no impact to air traffic as a result of the project.

The rezoning of the property will allow for future development that may include a motel, low impact custom manufacturing, car rental, a restaurant or other uses permitted within the General Commercial Zone.

The Mendocino County Department of Transportation (DOT) recommends incorporation of the findings and recommendations of the *Traffic Impact Analysis for Jensen’s Travel Plaza Project* into the conditions of approval.

The applicant will be required to submit a circulation plan for automobile and truck traffic with properly located driveways for the approval of DOT. The proposed project will result in the need for additional parking for the proposed commercial buildings. Chapter 10.180 (Off-street parking) will be used to require the correct number of off-street parking for all land uses being proposed.

**d), e) Less than Significant Impact with Mitigation Incorporated**

The Ukiah Valley Fire Authority expressed a concern regarding ingress, egress and queuing on Lovers Lane and its impacts to Fire Response times. To address a potentially significant impact to emergency access, **Special Condition 12** applies which requires the Ukiah Valley Fire Authority and the DOT to approve a final site circulation plan. With **Special Condition 12** incorporated, the final circulation plan would be evaluated to ensure that there are adequate turning movements to prevent accident conditions and that the project does not result in inadequate emergency response.

**f) Less than Significant Impact**

The project includes conditions recommended by Mendocino DOT per their letters dated May 15, 2015; April 7, 2016 and August 24, 2016 (Conditions 28-32). By incorporating these conditions, the project would not conflict with adopted policies or programs related to road standards and bicycle and pedestrian facilities.

**Conclusion:** The proposed project would have a less than significant impact to transportation and traffic with incorporation of mitigation. **(Less Than Significant Impact with Mitigation Incorporated)**

<b><u>XVII. UTILITIES AND SERVICE SYSTEMS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Millview County Water District owns and maintains the water lines that serve the project site. The project site is already served by the Water District and will continue to be served by Millview Water District.

Wastewater from this area of Mendocino County is treated by the Ukiah Valley Sanitation District (UVSD). The District contracts via a Participation Agreement to the City of Ukiah for use of the City owned Waste Water Treatment Plant (WWTP) and for maintenance of its collection system. The project would continue to be served by the UVSD.

The storm drainage system in and around the project site is maintained by the Mendocino County Water Agency and the City of Ukiah Public Works Department. The project is already served by an existing storm drainage system that is maintained by both agencies and the storm drainage system will continue to be maintained by both agencies. The project is subject to Mendocino County Ordinance No. 4313 *STORM WATER RUNOFF POLLUTION PREVENTION PROCEDURE* (Mendocino County Code Chapter 16.30 et seq.) requires that, "any person performing construction and grading work anywhere in the County shall implement appropriate Best Management Practices to prevent the discharge of construction waste, debris or contaminants from construction materials, tools and equipment from entering the storm drainage system." This ordinance was developed and adopted by Mendocino County to comply with requirements of the County's Phase II Municipal Separate Storm Sewer System (MS4) General Permit administered by the State Water Resources Control Board (SWRCB).

**a, b, d, e), f), g) No Impact**

Retail service stations do require some water during their day-to-day operations. Water service is provided to the subject property via the Millview County Water District and no impact to the District's service capacity is anticipated. Wastewater services are provided by Ukiah Valley Sanitation District. No impact to the sanitation district is anticipated. Adequate solid waste facilities are available to the site and adequate trash and recycling receptacles will be provided as part of the project.

**c) Less than Significant Impact** The project will be required to comply with the County's Phase II Municipal Separate Storm Sewer System (MS4) General Permit administered by the State Water Resources Control Board (SWRCB). **Condition 7** applies. Between MS4 compliance and the increased landscaping that will be installed at the site (**Condition 8**), reducing the overall impervious surfaces, the storm water situation at the site should be improved.

**Conclusion:** The project will have a less than significant impact on utilities and service systems. **Less Than Significant Impact**

<u><b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b></u>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Certain mandatory findings of significance must be made to comply with CEQA Guidelines §15065. The proposed project has been analyzed, and it has been determined that it would not:

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;
- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.

**a) Less Than Significant**

Based on the findings in this Initial Study, the proposed project would have a less than significant impact related to the potential to degrade the quality of the environment, substantially reduce habitat values, or otherwise impact listed species. See Biological Resources Section for a specific discussion of biological resources supporting this finding. The proposed project would not eliminate important examples of California history or prehistory. See Cultural Resources Section for a specific discussion of historic resources supporting this finding.

**b) Less Than Significant**

No cumulative impacts have been identified as a result of the proposed project. The project's individual impacts would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, historic resources, traffic impacts, or air quality degradation. Any impacts are able to be reduced to the level of insignificance through existing regulations with which the project will be required to comply.

**c) Less Than Significant with Mitigation Incorporated**

Based on the findings and recommended mitigation measures in this Initial Study, the proposed retail service center would not have environmental effects that would cause substantial adverse effects on human beings either directly or indirectly. Further, the proposed project is consistent with the General Plan and zoning requirements and development standards which reduce potential impacts to less than significant.

**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.

Signature on file

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ROBERT DOSTALEK PROJECT PLANNER



County of Mendocino  
Ukiah, California  
December 1, 2016

R\_2015-0001 and U\_2015-0008 FAZIAN CORPORATION

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, RECOMMENDING TO THE BOARD OF SUPERVISORS, ADOPT A MITIGATED NEGATIVE DECLARATION AND GRANT A REZONE FROM I-1 (LIMITED INDUSTRIAL) TO C-2 (GENERAL COMMERCIAL) AND A MINOR USE PERMIT FOR AUTOMOTIVE AND EQUIPMENT-GASOLINE SALES.

WHEREAS, the applicant, Faizan Corporation, filed an application for a property rezoning from Limited Industrial (I-1) to General Commercial (C-2) ("Rezone") and Minor Use Permit to demolish the existing "Jensen's Truck Stop" structures and re-establish "Automotive and Equipment—Gasoline Sales" (commercial fueling station) for large transport and passenger vehicles ("Project"). The request also includes construction of two (2) new commercial office/retail buildings totaling 13,852± square feet and replacement of underground fuel tanks and distribution piping. The site is located in the Ukiah area, just north of the Ukiah City limits, lying northwest of the intersection of Kuki Road (CR 250A) and Lovers Lane (CR 222) immediately west of its intersection with North State Street (CR 104) at 1460 Lovers Lane and 190 KUKI LN (APN 170-120-09 and 170-120-12), General Plan MU-2; Zoning I1:6K/NONE, Supervisorial District 1; (the "Project"); and

WHEREAS, the submitted application for the Rezone and Project was deemed complete on April 16, 2016;

WHEREAS, a Mitigated Negative Declaration was prepared for the Rezone and Project and noticed and made available for agency and public review on November 9, 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, December 1, 2016, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigation Negative Declaration and the Rezone and Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Rezone and the Project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends the Board of Supervisors make the following findings based on the evidence in the record;

#### REZONE FINDINGS

- 1. General Plan and Zoning Consistency:** The Rezone is consistent with its Ukiah Valley Area Plan classification of Mixed Use - General (MU-2) and with applicable goals and policies of the General Plan as subject to the Conditions of Approval found in Exhibit A of the resolution. The rezone from I-1 (Limited Industrial) to C-2 (General Commercial) is appropriate given the site's General Plan designation, adjacent zoning and proximity to the freeway interchange.

#### PROJECT USE PERMIT FINDINGS

- 1. General Plan and Zoning Consistency:** "Automotive and Equipment—Gasoline Sales" is a commercial retail use type that is consistent with the Ukiah Valley Area Plan Mixed Use - General (MU-2) land use classification and with applicable goals and policies of the General Plan as subject to the Conditions of Approval found in Exhibit A of the resolution.

- 2. Minor Use Permit Findings (Automotive and Equipment – Gasoline Sales):**

- 2.1 That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan.**

The Project would re-establish an existing "Automotive and Equipment—Gasoline Sales" use and add an additional mixed use commercial retail and office building. Office and retail are permitted uses in the MU-2 (Mixed Use: General) UVAP land use classification. The Project has been conditioned to require adherence to Community Design Guidelines. Therefore, the Project would be in conformance with the General Plan.

**2.2 That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The project site is located in an urbanized area improved with pre-existing utility extensions, access roads and drainage. DOT has reviewed the Project and recommends conditional approval based on their comments. Mendocino County Department of Environmental Health, Ukiah Valley Fire Authority, and the Air Quality Management District have reviewed the Project and provided conditions, which have been incorporated into the Conditions of Approval. The site is located in an urban setting with adequate public services.

**2.3 That the proposed use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.**

The project site is located just outside the City of Ukiah city limits within a pre-existing area containing light industrial and commercial uses. The proposed redevelopment would improve the visual and functional character of the site and is not anticipated to be injurious to the community or nearby properties. As conditioned, it is not anticipated that the project would create a public nuisance and therefore this finding can be made.

**2.4 That such use preserves the integrity of the zoning district.**

By re-zoning the property to General Commercial and issuing a minor use permit, the proposed Project, as conditioned, would be in conformance with the zoning district and would not undermine the integrity of the zone.

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

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends the Board of Supervisors approve the requested (1) Rezone and (2) Minor Use Permit as described in the staff report and attachments 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.

*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 R\_2015-0001 & U\_2015-0008 December 1, 2016

Rezoning from Limited Industrial (I-1) to General Commercial (C-2) and a Use Permit for the expansion and establishment of a commercial fueling station for large transport and passenger vehicles. Also proposed is the construction of a 13,852 square feet Commercial offices/retail building and the replacement of underground fuel tanks and distribution piping. Demolition of the existing facility, known as Jensen's Truck Stop will occur after the construction of the new facility is complete.

**APPROVED PROJECT DESCRIPTION:** The applicant proposes a rezone from Limited Industrial (I-1) to General Commercial (C-2) ("Rezone") of the entire 4.77 acre legal parcel and a Minor Use Permit to demolish the existing "Jensen's Truck Stop" and re-establish "Automotive and Equipment-Gasoline—Sales" (commercial fueling station) for large transport and passenger vehicles ("Project"), the construction of two (2) new commercial office/retail buildings, totaling 13,852± square feet, and the replacement of underground fuel tanks and distribution piping located in the southeast corner of the site, approximately 1.75 acres.

The existing Jensen's Truck Stop fuel station would remain in operation while the new buildings are being constructed. Upon completion, the old building(s) and related canopies would be removed. Following building removal, the new tanks, distribution piping, dispenser islands and concrete paving and curbs would be constructed. Lastly, installation of new landscaping, irrigation and signage would occur.

The structures associated with the minor use permit component of this project would be located in the southeastern portion of the overall property proposed for rezoning (first phase). This area occupies approximately 1.75± acres. The larger 3.02± acre remaining area of the rezoned property would be available for future redevelopment. No conceptual plans for the remaining portion of the property have been submitted. Future development projects and/or uses would be reviewed to ensure regulatory consistency.

#### **CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by "\*\*\*"):**

**\*\*All of the below conditions are predicated on the successful rezoning of the property as approved by the Board of Supervisors.**

#### **Standard Conditions of Approval**

1. This permit shall become effective after all applicable appeal periods have been expired or appeal processes exhausted. Failure of the permittee to make use of this permit within two (2) years or failure to comply with payment of any fees within specified time periods shall result in the automatic expiration of this permit.
2. In the event that the use of the facility should cease operation for a period exceeding one (1) year or more, the use shall be deemed invalid and a new use permit will be required for the operation as approved by U\_2015-0009.
3. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code unless modified by conditions of the use permit.
4. The application along with supplemental exhibits and related material shall be considered elements of this entitlement and that compliance therewith be mandatory, unless a modification has been approved by the Planning Commission.
5. This permit shall be subject to revocation or modification by the Planning Commission upon a finding of any one (1) or more of the following grounds, and any such revocation shall proceed as specified in Title 20 of the Mendocino County Code:
  - a. That such permit was obtained or extended by fraud.
  - b. That one or more of the conditions upon which such permit was granted have been violated.

- c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.
- 6. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
- 7. This permit is subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit. The requirements set forth in the below noted letters shall be adhered to. Said letters are on file with the Department of Planning and Building Services:
  - a. County of Mendocino Department of Transportation (DOT): May 15, 2015; April 7, 2016 and August 24, 2016
  - b. Ukiah Valley Fire Authority: April 28, 2015
  - c. Mendocino County Air Quality Management District (AQMD): April 27, 2015
  - d. Mendocino County Environmental Health (EH): June 19, 2015
- 8. 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 permit and that all work performed is in compliance with applicable conditions.

**Aesthetics**

- 9. Landscaping — **Timing:** Prior to issuance of Building Permits, the applicant shall submit a final landscape plan subject to review and approval by the Director of Planning and Building Services. **Plan Requirements:** Said plan shall demonstrate conformity with all County regulations including the Community Design Guidelines for Discretionary Commercial Mixed Use Projects and the Mixed Use Compatibility Standards contained in Attachment V. The landscape plan shall provide a visual buffer of the project from Lovers Lane and KUKI Lane. All landscaping shall comply with current state mandated “Water Efficient Landscape” requirements as managed by the State Department of Water Resources. All required landscaping shall be irrigated, staked, maintained and replaced, as necessary, to ensure they are established and maintained in perpetuity. **Installation Verification:** Prior to obtaining a final building inspection, the improvements described in the approved final landscape plan shall be completed and inspected by the Planning Division.
- 10. Signage — **Timing:** Prior to issuance of Building Permits, the applicant shall submit final signage plan subject to review and approval by the Director of Planning and Building Services. **Plan Requirements:** Said plan shall demonstrate conformity with all County regulations including Community Design Guidelines for Discretionary Commercial Mixed Use Projects and the Mixed Use Compatibility Standards contained in Attachment V. The proposed final signage plan shall include a complete, itemized inventory of existing signage on the property to include scaled and dimensioned architectural drawings of each sign face.
- 11. Lighting — **Timing:** Prior to issuance of Building Permits, the applicant shall submit a final lighting plan subject to review and approval by the Director of Planning and Building Services. **Plan Requirements:** Said plan shall demonstrate conformity with all County regulations including Community Design Guidelines for Discretionary Commercial Mixed Use Projects and the Mixed Use Compatibility Standards contained in Attachment V. At minimum, 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.
- \*\*12. Parking/Circulation — **Timing:** Prior to issuance of Building Permits, the applicant shall submit a final parking/circulation plan subject to review and approval by the Director of Planning and Building Services, Department of Transportation and the Ukiah Valley Fire Authority. **Plan Requirements:** Said plan shall demonstrate conformity with all County regulations, including Community Design Guidelines for Discretionary Commercial Mixed Use Projects and the Mixed Use Compatibility Standards contained in Attachment V. The plan shall illustrate large vehicle ingress only from Lovers Lane and egress only onto KUKI Road.
- 13. Future Development and Use — Unless exempted under Section 2.0 of Attachment V, all future structural development, changes of use and/or establishment of new use(s) on any portion of the 4.77 acre project site shall demonstrate conformity with all County regulations including the Community Design Guidelines for Discretionary Commercial Mixed Use Projects (Adopted July 22, 2014: Resolution #14-102) and the Mixed Use Compatibility Standards contained in Attachment V.

## **Air Quality**

14. The project is subject to all rules of Regulation 3 (Airborne Toxic Control Measures) of the Mendocino County AQMD. Prior to issuance of building permit, applicant shall acquire permits from AQMD prior to installation of gasoline tanks and hardware.
15. The access road, driveway, parking areas, and interior circulation routes shall be maintained in such a manner as to ensure minimum dust generation subject to AQMD Regulation 1 Rule 430 (Fugitive Dust Emissions). All grading must comply with AQMD Regulations Rule 430. Any rock material, including natural rock from the property, used for surfacing must comply with AQMD regulations regarding asbestos content.
16. Any demolition or renovation of structures may require asbestos clearance and notification to the AQMD. Prior to issuance of demolition building permits by PBS, the applicant shall submit a copy of the National Emissions Standards for Hazardous Air Pollutants [NESHAP] clearance from the AQMD to PBS.
17. Prior to issuance of building permit, the owner/applicant shall contact the Mendocino County AQMD 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 AQMD shall be submitted to PBS stating that the project is in compliance with State and Local regulations relating to naturally occurring asbestos.

## **Biological Resources**

18. No material shall be placed into or where it may pass into any stream or watercourse in quantities which would be deleterious to fish, wildlife or other beneficial uses.

## **Cultural Resources**

19. 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 MCC Chapter 22.12.090 "Discoveries" relating to archaeological discoveries have been satisfied.

## **Geology and Soils**

20. The applicant shall adhere to the recommendations contained in the *Design- Level Geotechnical Investigation* dated March 2014 prepared for the project by Lion Enviro-Geotech.
21. The owner/applicant shall acknowledge in writing to PBS that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to PBS 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 project shall utilize Low Impact Design techniques to reduce the amount of surface water runoff, and to filter runoff before it enters the drainage swale.
  - c. 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.
  - d. 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.
  - e. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
  - f. 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>.
  - g. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 1<sup>st</sup> of any given calendar year unless wet weather grading protocols are approved by PBS or other agencies having jurisdiction.
  - h. 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 m<sup>3</sup>) on any one lot and does not obstruct a drainage.
22. Construction and earthwork shall be supervised and certified by a licensed engineering geologist, or a registered civil engineer with soil analysis expertise to ensure that the mitigation measures are properly incorporated into the development.
  23. Prior to issuance of building permit, the applicant shall have a drainage plan prepared that is consistent with the National Pollutant Discharge Elimination System (NPDES) program, including post-construction standards that demonstrate how the drainage features will be maintained for the life of the project. Said plan will be submitted to both the Mendocino County Water Agency and PBS for approval.

### **Hazards and Hazardous Materials**

24. Prior to issuance of building permit, the owner/applicant shall receive any applicable permits from EH for the installation of underground fuel storage tanks.
25. Prior to issuance of building permits, a Hazardous Materials Management Plan (HMMP) approved by EH shall be submitted to PBS. An HMMP is required if any hazardous material/waste onsite exceeds 55 gallons (liquid), 500 lbs (solids), or 200 cubic feet (gases) in quantity. This plan shall be maintained and complied with for the duration of the project.
26. Owner/Applicant shall comply with all requirements of the Fire Code and letter from the Ukiah Valley Fire Authority dated April 28, 2015. Prior to Final of building permit, written verification from Ukiah Valley Fire Authority shall be submitted by the owner/applicant to PBS confirming that conditions have been met to the satisfaction of the Fire District.

### **Transportation/Circulation**

27. The project shall incorporate the findings and recommendations of the Traffic Impact Analysis dated June 6, 2016 by TCE for the Jensen's Travel Plaza project, which includes incorporating the Site Circulation Plan C2.0, restricting truck ingress to KUKI Road and egress to the northern driveway on Lover's Lane, and prohibiting truck northbound access to Lover's Lane. Prior to issuance of a building permit, a final ingress/egress and site circulation plan will be submitted for review and approval to the satisfaction of the Ukiah Valley Fire Authority and MDOT.
28. Require future planters, curb/gutter sidewalk and commercial road approaches onto the County Roads adjoining KUKI Lane (CR 250A), Lovers Lane (CR 222) and No-Name-Mill View Lane (CR 106), designated to Mendocino Road and Development Standards (current at time of development) based on future specific site improvements and location of any connection to the County Roads.
29. The Applicant shall obtain an encroachment permit from MCDOT which contains a detailed street to site access designs and improvements with professionally surveyed grades for drainage and curb/gutter, sidewalk planters which combines the data on the "Topographic Map" and the "Site Plan – C1." The improvement plan shall be prepared by a Registered Civil Engineer with in the Right-of-Way (R/W) and transition twenty (20) feet from the edge of the County R/W onto the parcel for driveways, sidewalks, utilities and drainage.
30. MCDOT requires a detailed street-to-site access design for the improvements apparently shown on the "Site Plan – C1" in conjunction with the new building to be constructed mostly on APN 170-120-09 adjacent to KUKI Lane (CR 222). The plan appears to show planters, curb/gutter sidewalks and two driveway connections to KUKI Lane. These improvements shall be designed in accordance with the County of Mendocino Road and Development Standards (dated 8-14-2008). The commercial driveway approaches shall be 18 feet wide minimum up to 30 feet wide as needed.
31. The applicant shall perform the following improvements adjacent to the project along the west side of Lovers Lane (CR 222): add a new curb/gutter where damaged with the addition of planters shown, bicycle lane and construct sidewalks and commercial driveway approaches to ADA specifications and the above-mentioned Development standards.

32. The road commonly known as Feedlot Lane that runs directly to the north of the project address, but still owned by the same entity, be updated and repaved to provide an alternate response route for equipment.

#### **UTILITIES AND SERVICE SYSTEMS**

33. Prior to issuance of Building/Grading Permits, the applicant shall demonstrate compliance with the County's Municipal Separate Storm Sewer System (MS4) regulatory requirements.
34. Prior to issuance of building permit, owner/applicant shall submit a Construction Waste Management Plan.
35. Prior to Final of building permit, owner/applicant shall contract with a commercial solid waste disposal service to provide disposal services.

#### **BUSINESS LICENSE**

36. Prior to Final of building permit and the commencement of operations, the applicant shall submit a copy of their Mendocino County Business License to PBS. This license shall be kept active and if in the event that the license is inactive for a period of one (1) year or longer, the use permit and business will automatically expire.