



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

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## MEMORANDUM

TO: MENDOCINO COUNTY PLANNING COMMISSION

FROM: GRAHAM HANNAFORD

DATE: SEPTEMBER 17, 2015

SUBJECT: GP\_2015-0002- DISADVANTAGED UNINCORPORATED COMMUNITIES  
ASSESSMENT

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The following Disadvantaged Unincorporated Communities (DUC) assessment is presented for review by the Planning Commission as a general plan amendment. If it is adopted, it will be an addition to the Land Use Element of Mendocino County's General Plan.

Staff previously presented the DUC to the Planning Commission for comment on June 19, 2014, August 21, 2014, and November 20, 2014 as a portion of the presentation of the Housing Element Update. At the direction of the Planning Commission, staff submitted the DUC to the California State Department of Housing and Community Development on January 22, 2015. No further comment has been received from the State.

**Background-** Senate Bill 244 (SB 244) requires that counties include in their Land Use Element an analysis that identifies and evaluates disadvantaged unincorporated communities (DUC) within their jurisdictional boundaries. SB 244 defines a DUC as a place that meets the following criteria:

- A Census Designated Place (CDP) containing 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years;
- Has a median household income that is 80 percent or less than the statewide median household income (*State Household Median Income: \$61,400, 80% equals \$49,120. Communities with a median household income under \$49,120 are considered disadvantaged*).

For each identified community, the General Plan must address the water, waste water, storm water drainage, and structural fire protection needs or deficiencies. An analysis of a benefit assessment district or other financing alternatives that could make the extension or improvement of such services to identified communities financially feasible must also be completed.

Mendocino County currently has six identified DUCs. They include Hopland, Boonville/Philo, Covelo, Laytonville, and Leggett. Mendocino County's DUCs are considered legacy island communities as defined by SB 244. Given their rural nature and lack of public infrastructure these DUCs are not anticipated to significantly increase in population.

### Hopland:

The population of Hopland is estimated at 756 by the 2010 Census. Growth in the previous 10 years was 10 percent or about 1 percent per year. Using the 1 percent growth rate, the population estimate for 2020 is 830. The Hopland Public Utility District (HPUD) provides both water and waste water services. Fire

service is provided by Hopland Fire Protection District and storm water drainage by Mendocino County. The average household median income in Hopland is \$46,101, below the \$49,120 statewide medium household income threshold to be considered a disadvantaged community within Mendocino County.

**Domestic Water-** The HPUD serves 350 water customers but has no water rights. The HPUD contracts with **Russian River Flood Control and Water Conservation Improvement District (RRFCWD)** for up to 400 acre feet (AF) of Lake Mendocino water. The HPUD maintains two storage tanks with a capacity of 800,000 gallons, which is approximately half the summer supply. Current demand is 350 AF per year. The HPUD has sufficient water capacity to accommodate modest growth, according to LAFCO's Municipal Service Review (2013). No deficiencies are identified.

**Waste Water Treatment-** The HPUD has 303 waste water connections. Average daily flow is 45,000 gallons per day (gpd), while total treatment capacity at the HPUD plant is 90,000 gpd. According to LAFCO's Municipal Service Review (2013) HPUD has the capacity to double its waste water connections. No deficiencies are identified.

**Storm Water Drainage-** No formal storm drain system exists in Hopland. Mendocino County Department of Transportation is currently in the process of inventorying and assessing the storm drain infrastructure located in the DUCs. Mendocino County Department of Transportation maintains a system of under road culverts and roadside drainage swales. Given the large amount of permeable surface area, and a lack of flooding, no deficiencies are identified.

**Fire Protection-** The Hopland Fire Protection District is a small, rural fire agency located in Hopland at the south end of the County, along the Russian River. It is considered a volunteer agency supplemented by paid staff. The Hopland Fire Protection District has a paid fire chief, a paid fire captain and a paid fire apparatus engineer that perform the day to day tasks such as maintenance, report writing, business inspections and public relations.

The Hopland Fire Protection District covers 350 square miles of land, 17 miles of US Highway 101, 9 miles of CA Highway 175 and many more miles of rural and urban roads. Due to the wide variety of topographical attributes of the Hopland area, the Hopland Fire Protection District responds to a wide variety of emergency calls. The types of emergency responses can be anything from traffic collisions to swift water rescue, medical emergencies to wildland fires or high angle cliff rescue to river flooding. According to Fire Chief John Bartlett, Hopland Fire Protection District's only deficiency is lack of volunteer firefighters.

### **Boonville/Philo:**

Both Boonville and Philo are located within the Anderson Valley Community Services District (AVCSD) which provides fire protection, recreation, airport and street lighting services. Currently there is no public domestic water or waste water service available in the communities of Boonville or Philo. The 2010 Census estimates the population of Boonville at 1,035 and Philo 349. Growth in the previous 10 years was 10 percent, or about 1 percent per year. Using the 1 percent growth rate, the population is estimated to be at 1,138 and 383 in 2020 respectively. The average household income in Boonville /Philo is \$45,775, and \$27,340, respectively.

**Domestic Water-** Domestic water for both Boonville and Philo are provided by private wells. Data dating back to 2000, provided by the Department of Water Resources indicates consistent ground water levels between 2 and 15 feet below surface level. This indicates a sufficient amount groundwater in the Boonville / Philo area to serve the projected population growth. No deficiencies are identified.

**Storm Water Drainage-** No formal storm drain system exists in Boonville or Philo. Mendocino County Department of Transportation is currently in the process of inventorying and assessing the storm drain infrastructure for the DUCs. Mendocino County Department of Transportation maintains a system of under road culverts and roadside drainage swales. Given the large amount of permeable surface area, and that the area is not prone to flooding, no deficiencies are identified.

**Fire Protection-** The AVCS D Fire Department provides structural fire protection, emergency medical services, rescue, hazardous material response, and fire protection. Fire prevention is provided in form of code inspection of inspection in State Fire Marshal mandated occupancies; voluntary continuing inspections of public and private property with the goal of improving fire safety and prevention in occupancies where there is no enforcement authority; working with several wildland / urban interface communities to improve survivability of homes and businesses threatened by wildfires; and providing public education on safety through various types of public presentations. According to Joy Andrews, General Manager of the Anderson Valley Community Services District, there are no known deficiencies in structural fire protection.

### **Covelo/Round Valley:**

Two DUCs are identified within Round Valley: the unincorporated community of Covelo and the Round Valley Indian Tribe. The Round Valley Indian Tribe (RVIT) is a federally recognized Indian Community and is located within Round Valley, approximately one mile north of Covelo. The RVIT has an enrollment of approximately 3,700 (BIA, 2005), although not all live in Round Valley. It is estimated that 89 percent of RVIT members are unemployed (Indian Country, 2012). The 2010 Census estimates the population of Covelo to be 1,255. Growth in the previous 10 years was 10 percent, or about 1 percent per year. Using the 1 percent growth rate, the population is estimated to be at 1,380 in 2020. The average household income in Covelo is \$42,746.

Covelo Community Service District (CCSD) was formed on April 5, 1960. The initial collection system and treatment plant were completed in 1961; major upgrades to the treatment plant occurred in 1978-79. CCSD is located within the central portion of the community of Covelo. Much of the developed area of Covelo is within the CCSD Boundary. However there are numerous structures and small parcels around the District's boundaries that are not within the District at this time.

**Domestic Water-** Domestic water service in Covelo is provided by private wells. Traditionally the Round Valley area has been considered a water-rich area due to a high water table. Historical data dating back to 1960, provided by the Department of Water Resources indicates consistent ground water levels between 10 and 20 feet below surface level. This data indicates sufficient groundwater in the Covelo area to accommodate projected growth. No deficiencies are identified.

**Waste-water Treatment-**The overall waste water collection system serves a geographic area of about 185 acres, including approximately 35 acres that lie outside of the existing district boundary. The collection system service area contains approximately 200 residential users, 51 commercial users, 9 institutional users, 2 public uses, and 2 other uses that do not fit a standard user category. The sewer system includes approximately 3,900 linear feet of 8-inch diameter and 14,575 linear feet of 6-inch diameter asbestos-cement pipe (transit pipe). There are approximately 45 manholes and 10 mainline cleanouts in this portion of the overall system.

The District recently received two grants to assist in financing major upgrades to the waste water system. In 2008, a USDA grant was awarded to repair the main collection system, and in 2011 an American Reinvestment and Recovery Act Grant was awarded to install new pond liners. These two upgrades have resulted in additional capacity to accommodate up to 70 new single-family homes. No deficiencies are identified.

**Storm Water Drainage-** No formal storm drain system exists in Covelo / Round Valley. Mendocino County Department of Transportation is currently in the process of inventorying and assessing the storm drain infrastructure located in the DUCs. Mendocino County Department of Transportation maintains a system of under road culverts and roadside drainage swales. Given the large amount of permeable surface area, and that the area is not prone to flooding, no deficiencies are identified.

**Fire Protection-** Covelo is served with fire protection from three agencies: the Covelo Fire Protection District, the U.S. Forest Service (fire season only) and Cal-Fire. All three share a mutual aid agreement

providing a high level of service. A total of three fire stations are located with the DUC. Additionally, three ambulances are staffed 24 hours a day. According to Assistant Chief Linda Marshal, response time is 5 minutes. Lack of volunteer firefighters was cited as the main deficiency.

### **Laytonville:**

The 2010 Census estimates the population of Laytonville to be 1,227. Growth in the previous 10 years was 10 percent, or about 1 percent per year. Using the 1 percent growth rate, the population is estimated to be at 1,349 in 2020. The Laytonville County Water District provides domestic water service and waste water treatment is provided by private septic systems. Storm drain infrastructure is provided by Mendocino County, and fire service by the Laytonville Volunteer Fire Department. The average household income in Laytonville is \$43,173.

**Domestic Water-** Water services are provided by Laytonville County Water District. They currently have 400 connections with capacity for several additional connections according to Jim Shields Director. Historical data dating back to 1960, provided by the Department of Water Resources indicates consistent ground water levels between 5 and 25 feet below surface level. This data verifies sufficient groundwater in the Laytonville area to serve the projected population growth. No deficiencies are identified.

**Waste Water Treatment:** Laytonville waste water treatment is provided by private septic systems. The Department of Environmental Health issues permits for the installation of septic systems.

**Storm Water Drainage-** No formal storm drain system exists in Laytonville. Mendocino County Department of Transportation is currently in the process of inventorying and assessing (expected completion in late 2014) the storm drain infrastructure located in the DUCs. Mendocino County Department of Transportation maintains a system of under road culverts and roadside drainage swales. Given the large amount of permeable surface area, and that the area is not prone to flooding, no deficiencies are identified.

**Fire Protection-** The Laytonville Volunteer Fire Department operates two stations, Station 510 in Laytonville and Station 511 in Branscomb, Calif. The department owns five engines, two ambulances, two utility vehicles and one urban search and rescue trailer, along with rescue gear, swiftwater equipment and other rescue and response gear. In addition, the State of California provides one Office of Emergency Services (OES) engine to the department with the understanding that it will be available for response anywhere in the state. The Laytonville Volunteer Fire Department was chosen to receive this engine and uses it to respond to state-wide emergencies as well as local incidents. According to Jim Little, Fire Chief, there are no identified deficiencies.

### **Leggett:**

The 2010 Census estimates the population of Leggett to be 122. Growth in the previous 10 years was 10 percent, or about 1 percent per year. Using the 1 percent growth rate, the population is estimated to be at 124 in 2020. The average household income in Leggett is \$31,729. Water and Sewer Service are provided well and septic. Fire protection is provided by Leggett Valley Fire Protection District, and storm water by Mendocino County.

**Domestic Water:** Domestic water for Leggett is provided by private wells. No well monitoring occurs in the Leggett area. Therefore it is difficult to determine the availability of groundwater in the Leggett area.

**Waste Water Treatment:** Waste water treatment in Leggett is provided by individual septic systems. The Department of Environmental Health issues permits for the installation of septic systems.

**Storm Water Drainage:** No formal storm drain system exists in Leggett. Mendocino County Department of Transportation is currently in the process of inventorying and accessing the storm drain infrastructure located in the DUCs. Mendocino County Department of Transportation maintains a system of under road culverts and roadside drainage swales. Given the large amount of permeable surface area and that the

area is not prone to flooding, no deficiencies are identified.

**Fire Protection-** Fire protection is provided by the Leggett Valley Fire Protection District. The district operates one fire house with a volunteer staff of 11. CalFire Mendocino Unit also is located in Leggett; the two agencies participate in a mutual aid agreement. According to Fire Chief Ely Reighter, there are no known deficiencies.

### **Financing Alternatives:**

The identified DUCs, are considered legacy island communities, and therefore are not eligible for annexation into any incorporated jurisdiction. In order to improve services to the identified DUCs, numbers of financial mechanisms are likely required. The districts are independent with their own funding sources through property tax billings.

**Developer-Funded Extensions-** Due to their rural locations it is unlikely that large-scale developments will occur within the Mendocino County DUCs. This lack of development hinders the privately financed extension of utilities and services, including water, waste water and storm drainage. The County can require that developer's pay their fair share for the improvement of these services in instances of discretionary use permits, however given the lack of large-scale developments within the DUC's it is unlikely these extensions will occur in the near future.

**Community Facilities Districts and Assessment Districts-** Existing development within the identified DUCs will unlikely benefit indirectly from developer funded extensions; provision of utilities and services to existing development will require other sources of funding. The most likely funding source for the extension of water, waste water and storm drainage facilities for existing development is either by the creation of either community facilities district(s) or by establishing assessment district(s) financing. Both these financing tools will require a vote of the affected property owners, and will therefore be up to the property owners. Given the low population and little growth in the DUC's it is unlikely to make financial sense to pursue assessment-district funding for large-scale infrastructure improvements.

**Improvements Funded through the General Fund-** The County has a limited ability to fund capital improvements, including water, waste water and storm drainage improvements through its General Fund. At this time, General Fund contributions to improvements in the identified DUCs are unlikely, given economic conditions. However, in the future, it could be possible that the County could contribute to improvements through its Capital Improvement Program.

**Grants and Loans-** A number of state and federal agencies periodically offer low interest loans and/or grants to fund public service improvements. The County could, in cooperation with water providers, the other service districts, apply for funding under these programs.

**Recommended Additions to General Plan Goals and Policies:** The following Goals and Policies are recommended to be added to the County General Plan under the "Infrastructure" portion (DE- 7) of the Development Element. Policies DE-117 through DE-125 should be expanded to include the additional policies noted below.

**Goal-** The County in conjunction with Mendocino County LAFCO shall periodically review level of services and identify deficiencies in the Disadvantaged Communities within the County.

**Policy-** The County should consider incentives to encourage county employees to volunteer at local fire districts.

**Policy-** The County should identify disadvantaged communities with the greatest infrastructure deficiencies and prioritize improvements.

**Environmental Determination-** This General Plan Amendment is categorically exempt from CEQA per section 15306 of the CEQA Guidelines (Class 6, basic information gathering).

**Recommended Action-** Recommend that the Board of Supervisors adopt General Plan Amendment GP\_2015-0002, incorporating the Disadvantaged Unincorporated Communities study into Chapter 3-Development Element of the Mendocino County General Plan.