



## MEMORANDUM

**DATE:** JANUARY 21, 2016  
**TO:** PLANNING COMMISSION  
**FROM:** GRAHAM HANNAFORD, PLANNER II  
**SUBJECT:** MINOR SUBDIVISION MS\_2015-0003 (SNYDER)

This memorandum outlines updates to the recommended Conditions of Approval Planning and Building Services has received from the Mendocino County Department of Transportation and Department of Environmental Health after the staff report has been delivered to the Planning Commission. The revised recommended Conditions of Approval are attached to this memo.

### **Department of Transportation**

On January 15, 2016, Planning and Building received a letter from the Department of Transportation (DOT) modifying the conditions they recommended following the November 11, 2015 meeting of the Subdivision Committee, where this project was heard by their representative. Upon further review, DOT has recommended a condition requiring the dedication of a 30-foot wide ingress, egress, and public utility easement, which was not originally recommended. This new recommended condition shall replace condition 12, which has been removed from the updated list of recommended Conditions of Approval. Additionally, condition 15 has been removed, as its content is covered by the expanded condition #12.

There have also been modifications recommended for the Road Improvement Conditions. Condition #16A now requests a half width (10 feet), double chip sealed road to the north line of Parcel 3, in comparison to the original requested width of 22 feet. Condition 16B has been modified, recommending a minimum width of 20 feet as opposed to the 22 feet originally recommended.

DOT is no longer requiring condition 16D, which called for either a 40-foot turnaround or a "Hammerhead-T" turnaround to be installed at the north line of Parcel 3. This requirement comes at the request of the local responsible fire agency, Ukiah Valley Fire in this instance, who has waived this requirement for MS\_2015-0003.

### **Department of Environmental Health**

During the course of this project, the moratorium on new connections to the Millview County Water District's system was ended, opening the possibility for this subdivision to be serviced by the district. There is currently a well on site, and at the Subdivision Committee meeting the applicant was given the choice of using a private well or the public system. Upon further review, the Department of Environmental Health has recommended Condition #10 requiring additional testing if the applicant decides to use the private well.

REVISED - EXHIBIT A

CONDITIONS OF APPROVAL  
MS\_2015-0003 (SNYDER)

Minor Subdivision located 1.6± miles north-east of Ukiah, approximately 1,400 feet east of the intersection of North State Street and Lake Mendocino Drive, laying on the north side of Lake Mendocino Drive, located at 420 Lake Mendocino Drive; APN 169-080-10.

**APPROVED PROJECT DESCRIPTION:** Subdivide a 1.27± acre parcel, APN 169-080-10, creating three (3) parcels of 14,680 square feet, 14,002 square feet, and 17,162 square feet in area.

**CONDITIONS OF APPROVAL:**

Aesthetics

1. The following note shall be placed on the **Parcel Map**:

“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.”

**The Planning and Building Services Department will review and sign-off all building permit applications for new structures and will verify that all future lighting associated with the new structures are downcast or positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.**

Air Quality

2. The following note shall be placed on the **Parcel Map**:

“Prior to the development phase of the project, the subdivider shall contact the Mendocino County Air Quality Management District for a determination as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR Section 93105 and 93106 relating to naturally occurring asbestos. Written verification from the Air Quality Management District shall be submitted to the Department of Planning and Building Services stating that the project is in compliance with State and Local regulations relating to naturally occurring asbestos.”

**Mendocino County Grading Permits for access roads, driveways and interior circulation routes will require sign-off from the Air Quality Management District prior to issuance.**

Biological Resources

3. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,260.25 (or current fee) shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to December 30, 2015 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned

to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**

**The California Department of Fish and Wildlife filing fee is required to be paid prior to the recordation of the Notice of Determination.**

#### Cultural Resources

4. A note shall appear on the **Parcel Map** that in the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

**This note will be placed on the recorded *Parcel Map*.**

#### Geology & Soils

5. The subdivider shall acknowledge in writing to the Department of Planning and Building Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices". The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
  - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
  - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
  - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
  - d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
  - e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1<sup>st</sup>.
  - f. All earth-moving activities shall be conducted between May 15<sup>th</sup> and October 15<sup>th</sup> of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
  - g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
    1. An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
    2. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 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.

**A grading permit will be required for construction of roads, driveway and building pads and BMP will be required through the Division of Building Services.**

6. A notation shall be placed on the Parcel Map Agreement stating that, "Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval".

#### Flood

7. A note shall be appear on the Parcel Map indicating that the parcels are within the "Dam Inundation Zone".

#### Fire

8. Written verification shall be submitted from **Ukiah Valley Fire District** to the Department of Planning and Building Services that the required regulations have been met to the satisfaction of the **District**.

**All of Ukiah Valley Fire District's required regulations must be met prior to recordation of the parcel map.**

#### Hydrology and Water Quality

9. The applicant shall submit to the Division of Environmental Health acceptable water quantity evaluation(s): 1200 Gallon Proof of Water Test Form 26.05 per current requirements.

Inland Areas: (DEH FORM # 26.05) completed by a qualified individual of a water source located on Parcels 1 and 3 of the subdivision demonstrating an adequate water supply in compliance with the Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09)

**The Division of Environmental Health will be the responsible agency for the approval of this condition. This must be met prior to recordation of the parcel map.**

10. In the case the applicant uses a private well to provide water to the newly created parcels, the applicant shall submit to the Division of Environmental Health an acceptable standard mineral analysis performed by a certified public health laboratory from an identified source on the subdivision. Compounds to be tested for, at a minimum are: Calcium, Iron (total), Magnesium, Manganese (total), Potassium, Sodium, Bicarbonate, Carbonate, Corrosivity (pH), Alkalinity (total), Total dissolved solids, Turbidity, Chloride, Fluoride, Nitrate, Sulfate, Calcium hardness, Magnesium hardness and Total hardness.

11. The applicant shall either (1) submit to the Division of Environmental Health, a letter from the district(s) or agency(s) stating that water and/or sewer services (and main extensions, where required) have been installed to the satisfaction of the district or agency to serve each lot in said subdivision and connected to the system providing the service(s) and has been accepted by the district or agency for maintenance by said district or agency (Mendocino County Code 17.55 & 17.56); or (2) the applicant shall submit a letter to the Division of Environmental Health from the district(s) or agency(s) stating that engineered improvement plans for the future installation of services (and main extensions, where required) for each lot and the connection to the system providing the service are acceptable to the district, including maintenance of the system by the district and the applicant shall submit a letter to Division of Environmental Health from the County Engineer stating that performance bonds or other adequate surety have been secured, to the satisfaction of the county engineer, to cover the cost of the installation of services (and main extensions, where required) for each lot and the connection to the system providing the service per Mendocino County Code Chapter 17 Article VIII.

## Land Use and Planning

12. All existing structures shall meet current setback requirements to newly proposed property lines. A site map shall be submitted to the satisfaction of Planning and Building Services clearly identifying compliance.

## Transportation

13. ~~There shall be provided an access easement of 40 feet in width, to be offered for dedication by Parcel Map, from a publicly maintained road to each parcel being created. Documentation of access easement shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.~~ There shall be provided an irrevocable offer of dedication of an ingress, egress and public utility easement 30 feet in width (as per tentative map) from a publicly maintained road to each parcel being created. Documentation of access easement shall be provided to the Mendocino County Department of Transportation for their review prior to final approval.
14. If a Parcel Map is filed, all easements of record shall be shown on the parcel map. All utility lines shall be shown as easements with widths as shown of record or a minimum of ten (10) feet, whichever is greater.
15. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the Mendocino County Department of Transportation when such improvements have been completed.

~~15. Private roads and public utility easements shall be offered for dedication.~~

## 16. ROAD IMPROVEMENT REQUIREMENTS.

- A. Construct a ~~twenty-two (22) foot wide half width~~, double chip sealed road (Improvement Level D, Page C-6 of Mendocino County Road and Development Standards) from Lake Mendocino Drive (CR 227B) to the north line of Parcel 3, ~~within the 40-foot roadway and public utility easement to be offered for dedication.~~ The surfacing width shall be ~~48~~ 10 feet (double chip seal) and include a new thirteen (13) foot wide, twelve (12) inch minimum rock base section. *Note: Should the applicable fire protection service provider(s) require additional road width, the subdivider shall redesign the road improvements accordingly.*
- B. A standard private road approach shall be constructed at the intersection with Lake Mendocino Drive (CR 227B) to a minimum width of ~~twenty-two (22)~~ twenty feet (20), and improved length of twenty (20) feet from the edge of the county road, paved with 3 inches of hot mix AC over 8 inches of CL 2AB.
- C. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.
- D. ~~A 40-foot radius turnaround shall be constructed within a 50-foot radius easement at terminus of access easement at the north line of Parcel 3 to the satisfaction of the Mendocino County Department of Transportation. If approved in writing by the applicable fire protection service provider(s), in lieu of the turnaround described above, the subdivider shall construct a modified "Hammerhead-T" turnaround (with the leg of the "T" extending 40 feet from the edge of the road, within a forty (40) foot wide by sixty (60) foot long easement, as measured from the centerline of the access easement), at the terminus of the access easement. Turnaround shall be constructed with eight (8) inch minimum class 2 aggregate base, twenty-two (22) feet wide, with twenty (20) foot radius surfacing returns. Note: If approved in writing by the applicable fire protection service provider(s), the requirement for the turnaround will be waived.~~
- E. Road improvements shall be constructed in accordance with improvement plans prepared by a California Registered Civil Engineer and approved by the Mendocino County Department of Transportation. In appropriate situations, when specifically requested and approved in advance by the County Engineer, required improvements may be constructed without formal

improvement plans. If so approved, all work must be completed under the direct supervision and control of a California Registered Civil Engineer who, upon completion of the improvements, shall file a report with the Mendocino County Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices.

**The Mendocino County Department of Transportation is the responsible agency for this condition and the parcel map will not be recorded until this condition has been met.**

17. A Private Road Naming Petition along with the appropriate fees shall be filed with the Department of Planning and Building Services to name the private roadway serving this division. It shall be the responsibility of the subdivider to provide a street sign for the newly named private roadway. The sign shall conform to the county standards for signs. Site addresses shall be posted for each of the proposed parcels in conformance with Mendocino County Code Section 18.16.

Standard Conditions

18. Pursuant to Government Code Section 66492 & 66493, prior to recordation of the ***Parcel Map***, the subdivider must: (1) Obtain a Certificate from the Mendocino County Tax Collector stating that all current taxes and any delinquent taxes have been paid and; (2) Pay a security deposit (or bond) for taxes that are a lien, but not yet due and payable.

**THIS DIVISION OF LAND IS DEEMED COMPLETE WHEN ALL CONDITIONS HAVE BEEN MET, AND THE APPROVED PARCEL MAP IS RECORDED BY THE COUNTY RECORDER.**