

**Garden's Gate**  
**Major Subdivision Tentative Map**  
**Application Accompanying Statement**  
**May 10, 2007**

The following statement is submitted with the Garden's Gate Major Subdivision tentative map in accordance with Section 17-41.C of the Division of Land Regulations.

**(1) Existing use of the property.**

Response: A declining 28-acre vineyard occupies most of the 46.1 project site. It lies on the flat area between South State Street and the hillside on the west side of the site. This area has been in agricultural cultivation for 70 years. The hillside area (about 13-acres) is undeveloped. The site also includes the area along Cleland Mountain Creek (about 2-acres), which runs about 280 feet through the rear yard of the residential lots located in the north west corner of the site, next to Oak Knoll Road.

**(2) Statement as to the proposed use of the property. If the property is proposed to be used for more than one (1) purpose, the area, lots, or lot proposed for each type of use shall be shown on the tentative map.**

Response: The Garden's Gate project would develop the 46.1 acre site with a master plan residential community with 197 single family dwellings and 2 parks. The table below shows that 22.8 acres will be developed with residential uses including 123 detached single family dwellings and 74 townhouse dwellings. The detached single-family dwellings will be built on a wide range of lot sizes and types including the larger Hillside and Vineyard lots and the smaller Garden Court and Cottage lots. Some the detached garages (484 square feet) will share a property line wall with the detached garage on the adjoining property. Townhouse dwellings in 2 and 4 unit structures would be built on the 74 townhouse lots. Each unit would stand on separate lots, separated by a property line wall and are therefore defined as single family dwellings by the County. The townhouse lots will occupy 3.6 acres of the project site and are arranged in groups along the south and east half of the subdivision. While most of the residential structures within Garden's Gate are two-story buildings, eighteen buildings will include three-story elements (not exceeding 35-feet) and eleven will be one-story buildings. The project also includes a neighborhood park, and a larger community park, totaling 2.3-acres. In addition, seven green courts, totaling almost 1 acre, will be developed as semi-private open space areas that residents living on adjoining lots will share and which will be maintained by the homeowner's association. Streets, sidewalks, streetscape improvements and easements would occupy the remaining 13.1 acres.

The application includes a parcel table that lists the use and area of each lot.

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Table 1

| <b>Area by Land Use (Net Lot Area)</b>                                              |             |                  |              |             |
|-------------------------------------------------------------------------------------|-------------|------------------|--------------|-------------|
| <b>Land Use</b>                                                                     | <b>Lots</b> | <b>SF</b>        | <b>AC</b>    | <b>%</b>    |
| <b>Residential</b>                                                                  | <b>197</b>  | <b>743,541</b>   | <b>17.07</b> | <b>37%</b>  |
| Single Family Detached                                                              | 123         | 586,244          | 13.46        | 29%         |
| Hillside Lots                                                                       | 10          | 83,413           | 1.91         |             |
| Vineyard Lots                                                                       | 26          | 200,578          | 4.60         |             |
| Garden Court Lots                                                                   | 72          | 257,112          | 5.90         |             |
| Small Lot                                                                           | 15          | 45,141           | 1.04         |             |
| Townhouse Units                                                                     | 74          | 157,297          | 3.61         | 8%          |
| 2-Unit Lots                                                                         | 54          | 129,021          | 2.96         |             |
| 4-Unit Lots                                                                         | 20          | 28,276           | 0.65         |             |
| <b>Open Space</b>                                                                   | <b>2</b>    | <b>100,831</b>   | <b>2.31</b>  | <b>5%</b>   |
| Neighborhood Park                                                                   | 1           | 37,925           | 0.87         |             |
| Community Park                                                                      | 1           | 62,906           | 1.44         |             |
| <b>Streets, Sidewalks,<br/>Shared Driveways,<br/>Green Courts and<br/>Easements</b> |             | <b>592,395</b>   | <b>13.60</b> | <b>29%</b>  |
| <b>Designated Remainder</b>                                                         | <b>1</b>    | <b>571,764</b>   | <b>13.13</b> | <b>28%</b>  |
| <b>Total</b>                                                                        | <b>200</b>  | <b>2,008,531</b> | <b>46.11</b> | <b>100%</b> |

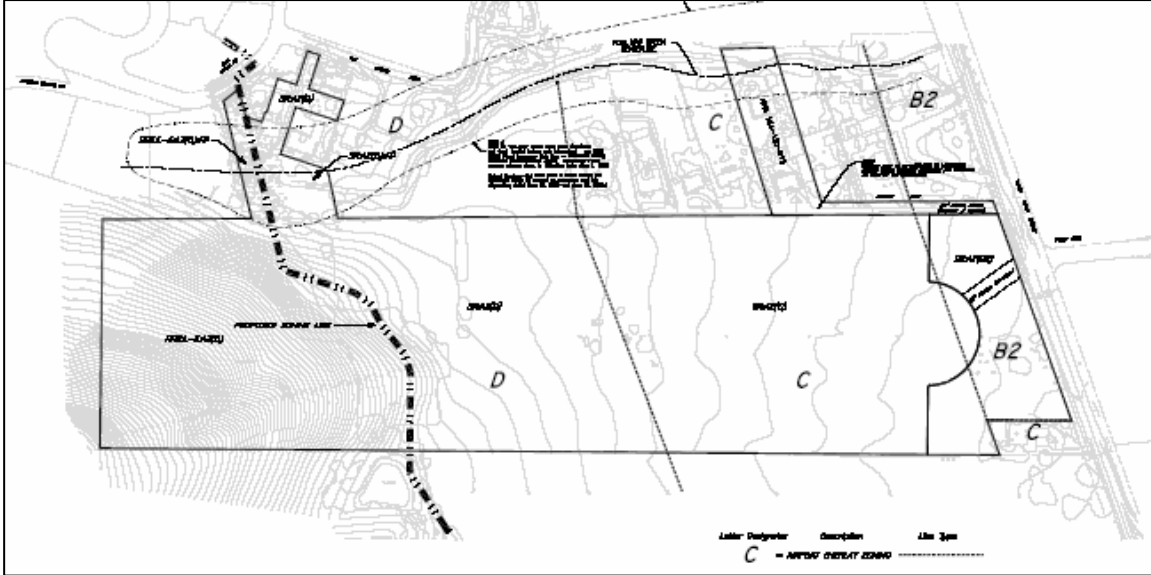
**(3) Existing zoning of the parcel to be divided.**

The zoning for each parcel is shown by Figure 1 and is listed by Table 2. The S-R (Suburban Residential) zoning district includes 32.19 acre and covers most of the site including the flat vineyard area and an undeveloped pocket next to Oak Knoll Road, north of the creek. The SR zoning extends to the north and south, and includes the adjoining agricultural and residential lots. The 13.7 acre hillside on the west side of the project site is within the RR5:L-5 (Rural Residential, 5-acre Limited Lot Size) zoning district. The RR-5:L-5 zoning extends further west over the hillside.

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**Figure 1**

**Zoning Map**



**Table 2**

| <b>Zoning District Area and Use</b> |                    |              |                          |                                      |
|-------------------------------------|--------------------|--------------|--------------------------|--------------------------------------|
| <b>Zoning</b>                       | <b>Area</b>        |              | <b>Use</b>               |                                      |
|                                     | <b>Square Feet</b> | <b>Acres</b> | <b>Existing</b>          | <b>Proposed</b>                      |
| SR:AZ(B2)                           | 27,578             | 0.63         | Vineyard                 | Main and Secondary Entry, Park.      |
| SR:AZ(C)                            | 733,894            | 16.85        | Vineyard                 | Residential and Park                 |
| SR:AZ(D)                            | 599,709            | 13.77        | Vineyard and Residential | Residential                          |
| SR:AZ(D):FP                         | 49,156             | 1.13         | Residential and Drainage | Residential and Drainage             |
| <b>SR Total</b>                     | <b>1,410,337</b>   | <b>32.38</b> |                          |                                      |
| RR5:L-5:AZ(D)                       | 580,556            | 13.33        | Vacant Hillside          | Residential and Designated Remainder |
| RR5:L-5:AZ(D):FP                    | 17,638             | 0.40         | Residential              | Secondary Entry                      |
| <b>RR5:L-5 Total</b>                | <b>598,194</b>     | <b>13.73</b> |                          |                                      |
| <b>Project Total</b>                | <b>2,008,531</b>   | <b>46.11</b> |                          |                                      |

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The entire project site is located within the Airport Zone (AZ) overlay district. This district includes three sub areas or designations that restrict land use development under runway approach zones that aircraft use when they land or take-off from Ukiah Municipal Airport. These sub areas include: the Runway Projection Zone (AZ:B2); the Common Air Traffic Zone (AZ:C); and the Operation Zone (AZ:D). Slightly more than half an acre (0.6 acres) on the very eastern part of the project site, including a small part of the community park, the eastern half of Gobalet Road, and the main entry road from South State Street, lies within the (AZ:B2) zone. The project does not propose any residential use in this area since residential density within this zone is restricted. The (AZ:C) zone includes the 16.9 acres located at the front of the project site. Residential development in this area cannot exceed 15 dwelling units per acre (net) and at least 15 percent of the area must remain as open space or park. The project would develop this area with 110 dwellings at a net density of 14 dwelling units per acre. The two parks (2.3 acres) and the streetscape and green courts (almost 8 acres, combined) would bring the open space/park use in this area to nearly 50 percent. Finally, the remaining 28.6 acres of the western part of the site is located in the (AZ:D) overlay zone. Residential development in this area is not restricted.

A portion of the northwest corner of the project site (lots 20, 21, 196, and 197) is within the FP (Floodplain Zone) overlay district. The boundary of this district is based on the Federal Emergency Management Agency Flood Insurance Map and represents the generalized location of the 100-year flood elevation of Cleland Mountain Creek (also known as Oak Court Creek). The hydrologic study prepared for this project (Sandine Associates, Hydrologic Study - Oak Court Creek, June 20, 2006) shows that the creek channel, which runs 280 feet along the southern boundary of lot 197, fully contains the runoff from a 100-year rainstorm and that the adjoining lots within the project area are not subject to flooding.

The tentatively adopted Ukiah Valley Area Plan (UVAP) does not propose to change the existing zoning over the project site.

**(4) The range of lot sizes to be developed.**

Response: Table 3 lists the range of lot sizes for each type of residential lot. The area of each lot is listed in the Parcel Table submitted with the application. The listed lot sizes are net lot area and do not include easements, shared driveways, or garden courts.

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**Table 3**

| <b>Residential Lot Size Range</b>   |             |                                   |         |         |
|-------------------------------------|-------------|-----------------------------------|---------|---------|
| <b>Residential/Lot Type</b>         | <b>Lots</b> | <b>Net Lot Area (square feet)</b> |         |         |
|                                     |             | Minimum                           | Maximum | Average |
| Single Family (Detached Dwellings)  | 123         |                                   |         |         |
| Hillside Lot                        | 10          | 6,786                             | 10,067  | 8,341   |
| Vineyard Lot                        | 26          | 4,967                             | 20,104  | 7,715   |
| Garden Court Lot                    | 72          | 2,754                             | 4,931   | 3,571   |
| Cottage Lot                         | 15          | 2,549                             | 5,201   | 3,009   |
| Townhouse Lots (Attached Dwellings) | 74          |                                   |         |         |
| 2-Unit Townhouse Lot                | 54          | 1,560                             | 3,049   | 2,389   |
| 4-Unit Townhouse Lot                | 20          | 775                               | 1,836   | 1,414   |
| <b>Total Lots</b>                   | <b>197</b>  |                                   |         |         |

**(5) Statement as to the source of domestic water to serve the proposed development.**

Response: The project is located within the Willow County Water District. The source of the District's water is from its Russian River water license, from existing groundwater wells and water under contract from the Russian River Flood Control District. The District issued a will-serve letter for the project on dated June 7, 2005, that stated that it has adequate water supply to serve the project.

**(6) Statement as to the system or method proposed to handle sewage disposal.**

Response: The project is located within the Ukiah Valley Sanitation District. The existing sewer line in Plant Road will be extended to serve the site. The District issued a will serve letter to provide up to 210 connections to the project. The will-serve letter is attached.

**(7) Detailed statement of improvements that are proposed to be made or installed and the time at which such improvements will be completed. Statement shall include, but not necessarily be limited to the following:**

- Phased Tentative Map

The proposed tentative map shows that Garden's Gate will be constructed in eight phases. With the exception the first phase, which will be built first to establish two entries to the project site and to install key infrastructure improvements, the other phases will be developed as lots are sold and may be modified and/or combined.

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○ Street improvements

Response: The project proposes a residential street network that ties into South State Street, a major arterial, and Oak Knoll Road and Oak Court, residential collector streets, and to residential streets when the adjoining lot to the south (also within the SR zoning district) is developed in the future. The street improvements are designed to create a vibrant streetscape setting for pedestrians while providing safe and efficient traffic circulation and on-street parking throughout the subdivision. To accomplish this goal, all of the interior streets include 6-8 foot wide landscape strips and 5-foot wide sidewalks. All of the streets will be dedicated to the County prior to recordation of the final map. The project also includes alleys (i.e., shared driveways) that will provide vehicle access to covered parking on the Garden Court and Townhouse lots.

The project will extend Plant Road west across South State Street as a residential collector street. It will be the main road into and through the subdivision. The first part of the road, between South State Street and the Community Park, is the main entry road to the project and lies within a 62-foot wide right-of-way. This segment will include two 14-foot lanes, separated by a median strip, to accommodate future development on the adjoining vacant parcel (APN 184-110-020) which lies outside of the subdivision and is not part of the project. Once the street enters the subdivision, Plant Road continues as an undivided, two-way street, except where it circles the two parks and splits into two one-way streets. The street width varies between 32 and 40 feet.

Plant Road is intersected by five interior streets that provide access to the lots on the north and south sides of the subdivision. These two-way streets will also provide connections to future development to the south. The one-way streets will be 26-foot wide and lie within a 52-foot right-of-way. These interior streets are designed to slow or calm traffic and to promote walking and pedestrian safety by devoting as much of the right-of-way as possible to landscape strips and sidewalks.



The alleys that cross through the blocks are shared driveways that will provide vehicle access to the Garden Court and Townhouse lots. All of the alleys are 20-foot wide (curb-to-curb) and lie within a 30-foot wide reciprocal access easement. They will also be designated as fire lanes where parking will be prohibited to ensure emergency vehicle access throughout the project.

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This prohibition will also help maintain garage access. Fees collected from the Gardens Gate Homeowner Association will maintain the alleys. The CC&Rs will be structured to allow Gardens Gate Homeowner Association to uniformly maintain these alleys and to enforce parking restrictions. Vehicle access to the Garden Court lots will be provided by alleys, which are lined by two-car garages located in the rear yard . The Garden Court house entries are located on the opposite side and provide direct access to a street or a common green. The townhouse lots cluster around short alleys that provide vehicle and pedestrian access. They will become semi-private courtyards defined by the adjoining townhouse units.



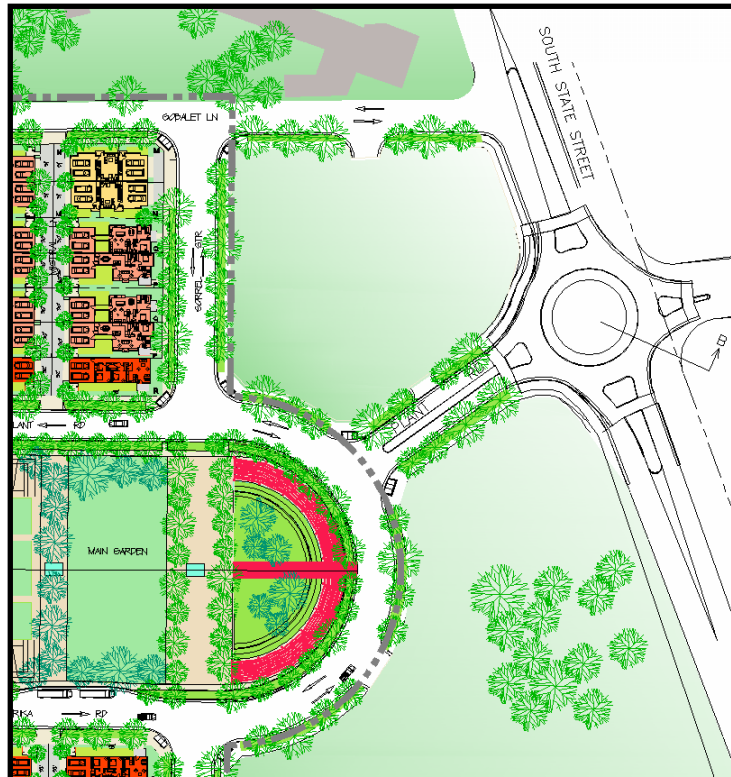
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○ Off-Site Street Improvements

In addition to the commercial street extension of Plant Road, the project will construct a roundabout at the intersection of South State Street and Plant Road, and pay for a new sidewalk on the east side of Oak Knoll Road to Court Road to join the proposed sidewalk along the eastside of Dora Street.

**Figure 2**  
**Main Entry Road and Roundabout**

The proposed 84-foot diameter roundabout is a key design feature of the project that identifies the location of Garden's Gate Subdivision and will contribute to making the southern gateway to the City of Ukiah (see Figure 2). The preliminary landscape plan shows that the interior of the roundabout will be landscaped with native plants, including an oak tree, and that it will include a monument sign signifying the gateway. Pedestrian crossings would be striped outside the roundabout travel lanes and raise median strips along each approach road would serve as refuge islands for crossing pedestrians.



The project will construct the roundabout with the subdivision improvements to mitigate the project's potential short-term and future cumulative traffic impacts. The submitted traffic study (W-Trans, November 9, 2005) determined that the roundabout would not only mitigate the project's short-term traffic impact; it will also virtually eliminate the future impact of cumulative development in Ukiah Valley upon the South State Street. The only mitigation that may be needed is a new left turn lane or a roundabout at the South State Street/US 101 northbound off-ramp intersection. The study concludes that the future cumulative impact at this intersection may not be significant and that the proposed Plant Road roundabout will fully mitigate the project's near-term impact. Given the project will provide more mitigation than its share of the future cumulative impact along South State Street, the applicant proposes that future projects in the area provide mitigation for any significant future cumulative impacts. If the County agrees, future projects will not have to reimburse the applicant for their fair-share of Plant Road roundabout mitigation. In this way, the Plant Road roundabout will allow the project to mitigate virtually all of the anticipated future cumulative traffic impacts on South State Street at this time and create a public feature that will enhance the visual character of the southern

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gateway into Ukiah Valley.

The project will also pay for the construction of a sidewalk on the east side of Oak Knoll Road to Court Road, a distance of approximately 3/10<sup>ths</sup> of a mile. The County will include this sidewalk segment in its project to close the existing sidewalk gap to the north along Dora Avenue to Grace Hudson Elementary School and the community recreation facility. Once it and the subdivision are constructed, there will be a continuous sidewalk from the Redwood Health Club on South State Street, through Garden's Gate and the residential to the north, to the school and community center on Dora Avenue and Downtown Ukiah, beyond.

o Drainage and Flood Control Measures

Response: The proposed subdivision will construct storm drain improvements consisting of landscape swales, drain inlets, underground detention structures and a detention basin. The storm drain system will be completed prior to acceptance of the subdivision improvements by Mendocino County. Fees collected by the Gardens Gate Homeowner's Association will maintain the drainage system.

Because the existing 18-inch storm drain culvert at South State Street cannot accommodate additional stormwater runoff from subdivision (approximately 155,000 cubic feet during a 100-year storm), the proposed storm drain system is designed to minimize surface water runoff and retain additional storm water detention on-site. The submitted conceptual drainage analysis and plan (Green Valley Consulting Engineers, Garden's Gate Conceptual Storm Water Detention Sizing, February 9, 2006) describes how landscape areas, including streetscape landscape strips, parks, and subterranean detention structures, will allow runoff to percolate into the soil and thus minimize surface water runoff. The proposed one-way streets and shared driveways, serving moderately high residential density houses on small lots, will reduce the amount of paved area and runoff normally associated with low-density residential subdivisions based on 6,000 square foot lots and standard street widths. In addition, the underground detention structures placed under the alleys will have porous bottoms to allow collected runoff to infiltrate into the ground. As a result, the project will not increase the existing peak flow nor will it impair water quality at the culvert during a 100-year storm event.

The drainage analysis and plan prepared for the project also evaluated the runoff and flooding potential along Cleland Mountain Creek. The area along side this creek is designated FP (Flood Plain) combining district where new development must located and/or constructed to avoid flood hazards. The hydrologic flow analysis (HECII) included with the drainage analysis shows that the existing creek channel accommodates runoff from a 100-year rainstorm event and that no flooding outside the existing banks would occur on the adjoining land. The building envelopes on the adjoining lots are situated 20-feet from the top of the existing bank. A drainage easement will be established over is area to prevent development within and along the creek. The proposed bridge is designed and located to span 50-feet across the creek and the bridge abutments will be built outside and above the creek's ordinary high water line, which is 646.5 feet during a 100-year rainstorm event.

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○ Water Supply and Distribution System

Response: The project is located within the Willow County Water District. The proposed subdivision will construct water mains and appurtenances to district standards and requirements. As part of this project, a new water main will be placed between the existing 8-inch line in South State Street and a 12-inch line in Oak Knoll Road. The new water line will provide a more reliable looped water system for the surrounding area as well as the project site. The project will also contribute funds to the Willow County Water District for its project to replace and expand an existing water storage tank located on Fir Crest Drive.

○ Sewage Disposal Systems

Response: Project is located within the Ukiah Valley Sanitation District (UVSD). The District operates under contract with the City of Ukiah, which owns the system. The proposed subdivision will construct sewer mains and appurtenant structures in accordance to District standards and requirements.

In addition, the landscaping within the parks, streetscape, green courts will be irrigated with advanced treated wastewater when it is available from UVSD. In addition, treated wastewater will be used to periodically flush the storm drain system where it would enter underground cisterns and landscape swales and percolate into the soil.

○ Public Utilities

Response: In addition to the sewer and water districts noted above, the applicant has received will serve letters from Pacific Gas and Electric (energy utility) and SBC (phone service).

○ Fire Prevention and Protection Measures.

Response: The project site is located within the Ukiah Valley Fire District. The nearest fire station is on South State Street, approximately 1.5 miles north of the proposed subdivision. The water mains within the subdivision will include fire hydrants for fire protection. The width of the roads and alleys will provide adequate emergency vehicle access to and through the project site. In addition to the main entrance on South State Street, secondary access road on Oak Knoll Drive and another on Gobalet Lane will improve emergency vehicle access to the entire area.

**(8) A statement from the Subdivider that the Subdivision improvements, including but not limited to streets, drainage facilities, and utilities to be made or installed can be constructed in accordance with applicable standards without encroaching upon lots or parcels not specifically designated for that purpose.**

Response: All of the subdivision streets will be improved and dedicated to the County as public streets including the main entry road on South State Street, which will run within an easement

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over the adjoining parcel on the eastside of the project site (APN 184-110-020). All drainage facilities and other public utilities will lie within public utility easements. These easements are shown on the submitted tentative map.

**(9) Statement regarding provisions to be made for park and recreation services, commercial services, schools and other public facilities.**

Response: The residents within Gardens Gate will have access to two parks, totaling 2.3 acres. The residents adjoining the Garden Court areas, which total almost 1 acre, will have use of a semi private open space area to gather and socialize. There is also approximately 3.7 acres of streetscape (sidewalks and landscape strip) that will enhance the experience of people walking within the subdivision. The Garden's Gate Homeowners Association will collect fees from the homeowners to maintain these improvements.

**Table 4**

| Tax Generation                                                               |        |              |              |
|------------------------------------------------------------------------------|--------|--------------|--------------|
| TRA 154-012, 154-095                                                         | Rate   |              | Gardens Gate |
| Property Tax                                                                 | 0.0100 |              | \$857,750    |
| School Bond                                                                  | 0.0011 |              | 94,353       |
| Annual Total                                                                 |        |              | 952,103      |
| <i>Cumulative Short Term</i>                                                 | 5      | Years        | 4,606,004    |
| <i>Cumulative Long Term</i>                                                  | 20     | Years        | 19,042,050   |
| Property Tax Allocation (Based on FY 2005/06 appropriation)                  |        |              |              |
|                                                                              |        | County       | Gardens Gate |
| Total Property Taxes                                                         |        | \$25,900,000 | \$857,750    |
| Schools                                                                      | 0.6300 | 16,317,000   | 540,383      |
| Special Districts                                                            | 0.0500 | 1,295,000    | 42,888       |
| Cities                                                                       | 0.0200 | 518,000      | 17,155       |
| County (Discretionary)                                                       | 0.3000 | 7,770,000    | 257,325      |
| Discretionary Property Tax Appropriation (Based on FY 2005/06 appropriation) |        |              |              |
|                                                                              |        | County       | Gardens Gate |
| Health & Human Services                                                      | 0.110  | \$854,700    | \$28,306     |
| Public Protection                                                            | 0.530  | 4,118,100    | 136,382      |
| General Government                                                           | 0.260  | 2,020,200    | 66,905       |
| Roads and Bridges                                                            | 0.060  | 466,200      | 15,440       |
| Other                                                                        | 0.010  | 77,700       | 2,573        |
| Education and Recreation                                                     | 0.030  | 233,100      | 7,720        |
| Fiscal Impact                                                                |        |              |              |
| Service                                                                      | FTE    | \$/FTE       | \$           |
| Public Protection                                                            |        |              | \$119,000    |
| <i>Police</i>                                                                | 1.00   | \$79,000     | \$79,000     |
| <i>Fire</i>                                                                  | 0.50   | \$80,000     | \$40,000     |
| Cost/Benefit                                                                 |        |              | \$17,382     |

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With regard to provision of public facilities, the property taxes generated by the Garden's Gate project will off-set or pay for the cost of additional demand for school facilities and public protection services. Table 4 summarizes the fiscal impact of the project on these services.

o Public Protection

Table 4 shows how property taxes generated by Garden's Gate will substantially pay for its additional demand for fire and police protection services. The County Board of Supervisors allocated 30 percent of the County's 2005/2006 property tax appropriation (\$25.9 million) to various public services and programs. More than half of that amount (53%) funded fund public protection services (i.e., fire and police protection). Assuming the Board allocates the same percentage in the future, \$119,000 of the \$857,750 in property tax generated by the project would be allocated to fire and police protection. If 1/3<sup>rd</sup> of this amount, or approximately \$40,000, is allocated to fire protection services, Gardens Gate would substantially pay for the needed ½ FTE firefighter position. Moreover, if the remaining \$79,000 were allocated to the sheriff's department, the project would likewise pay for another sheriff's deputy.

o Schools Facilities

The project site is located within the Ukiah Unified School District (UUSD). Between 84 and 140 school aged children will live in the subdivision. This range is based on rates of school-aged children per household used in the UVAP EIR (0.43 to 0.7 K-12 students per single-family dwelling). The schools have adequate classroom capacity to accommodate students from the project due to declining enrollment within the district in recent years. The school impact fees, property taxes, school bond assessments and school attendance fees generated by the project will pay for its increased demand for school services. The district will collect about \$900,000 in school impact fees (\$2.25 per square foot new construction) as the 197 dwellings, totaling 400,000 square feet, are constructed. Conceivably, these payments could exceed \$200,000 a year during the first three years if the lots are developed at a maximum rate of 70 dwelling units per year as allowed by the project's will serve agreement with the Willow County Water District and the Ukiah Valley Sanitation District. The school district may use these funds to pay for school expansion projects, if additional classrooms are necessary. The Garden's Gate project will generate nearly \$858,000 per year in property tax of which, based on the County's 2005/2006 property tax allocation, over \$540,000 of which would be appropriated for the County schools, including schools within the UUSD. Each year the school district will receive approximately \$94,000 in school bond assessments from the project. Finally, the UUSD will collect "average daily attendance" funds from the State at a rate of \$25 per day per student living within Gardens Gate and attending school. Assuming an average daily attendance rate of 95 percent and 190 school days per year, school-aged children living in Gardens Gate will generate somewhere between \$350,000 to \$600,000 in these state funds each year.

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**(10) Statement regarding any tree planting or beautification measures to be made.**

Response: The submitted landscape plan is a conceptual design of the streetscape and open space improvements within Garden's Gate. It illustrates a number of functional as well as aesthetic features that will be refined at the time the improvement plans are prepared for the approved subdivision tentative map. The overall concept is to create an environment that offers residents a variety of garden settings with water features integrated into the subdivision's storm drain network.

The open space areas within the subdivision include the streetscape along the public streets, two parks, seven green courts, shared by adjoining residents and private residential yards including a major portion of the woodland area outside building envelopes located on the two large hillside lots. The proposed planting scheme is based on plants that are adapted to dry season irrigation and that can withstand periodic inundation. These plants are best adapted to frequent watering and are thus best able to recycle treated wastewater from the Ukiah Valley Sanitation District. The hillside park would remain as an open space area and preserve the existing natural backdrop to the project and to the adjoining residential area.

All power and telephone lines will be placed underground.

**(11) List of and a statement providing justification and reason for any variances requested to provisions of this Chapter or Chapter 20 of the Mendocino County Code.**

Response: As provided by the State Density Bonus Law (Government Code 95915(e)) the lots located within the SR zoning area qualifies for waivers or reductions from requirements of the Land Division Regulation (Chapter 17) and the Zoning Code (Chapter 20). Were this not the case, the proposed subdivision would have required approval of the following exceptions or variances.

Division of Land Regulations

Double lot frontage, Section 17-52 (J)  
Flag lot access strip, Section 17-52 (L)  
Access easement width, Section 17-53(B)

Inland Zoning Ordinance – Suburban Residential Zoning District

Minimum Lot Size, Section 20.044.025  
Minimum Front and Rear Yards, Section 20.044.035  
Minimum Side Yards, Section 20.044.040

However, the justification of the other "exceptions and variances" for the lots within the density bonus area are presented below to show that the project will not create any adverse impact upon health and safety or the physical environment, as required by the State law. Furthermore, these

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exceptions are required by the project to include the affordable housing concessions and incentives allowed by the State's Density Bonus Law and they will allow the project to substantially advance the goals of the General Plan Housing Element.

Double lot frontage

*Lots having double frontage shall not be permitted, except as otherwise provided herein, except when necessitated by topography or other physical condition. In all cases access on one side shall be restricted by proper dedication or legal instrument. (Land Division Ordinance, Section 17-52 (J)).*

Response: All of the Hillside lots comply with this standard. Three Vineyard lots do not because they lie between Salvia Road and Gobalet Lane (a private access road). Eighty-one Garden Court and Townhouse lots are also double frontage lots because they are positioned between a public street and alley (private shared driveway). The alleys are considered "streets" as defined by Section 17-31 of the Division of Land Ordinance because they provide primary vehicle access to the abutting lots. The other Garden Court and Townhouse lots that lie between an alley and the Garden Courts are not considered double frontage lots because the Garden Courts lie within easements that are for pedestrian access only.

The double frontage lots are necessary to establish the proposed configuration of smaller lots, grouped around shared driveways, which can be developed with affordable market-rate ownership dwelling units.

Flag lot access strip

*Flag lots or parcels whose access to the abutting street is provided by a strip or segment which is a part of said lot or parcel may be approved by the Planning Commission when necessitated by topography or other special condition, provided however, that the main portion of the lot meets the provisions of this Chapter as to length, depth, area and design. In no case shall the access strip be less than twenty (20) feet in width nor greater than three hundred (300) feet in depth and improvements shall be constructed therein to provide an all weather driveway. (Land Division Ordinance, Section 17-52 (L)).*

Response: In all cases, the shared-driveways or alleys serving the Garden Court and Townhouse lots and the shared driveways between Vineyard lots and the Hillside lots are at least 20-feet wide. While the Vineyard lots generally comply with the subdivision and zoning ordinance lot standards, the Townhouse lots do not. The proposed access strips or segments to these lots are necessary to achieve the allowable residential density called for by the General Plan and the zoning ordinance and in order to provide the proposed variety of affordable dwelling unit types. This waiver or exception is required help reduce impervious surface area within the subdivision by allowing the construction of the proposed 2- and 4-unit townhouse structures on separate fee lots and by allowing shared driveways serving most of the detached single family dwelling lots.

**Garden's Gate**  
**Major Subdivision Tentative Map**  
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Access easement width

Section 17-53 (B) of the Land Division Ordinance states that the width of any street right-of-way, base, and pavement must be constructed as required by the "Mendocino County Subdivision and Street Classification Chart." These requirements also apply to private roads (including alleys) since they are included in the County's definition of streets (Section 17.31). Table 5 lists the required and proposed street sections.

**Table 5**

| <b>Mendocino County</b>                                      |                             |                        |               |                        |               |                            |               |                                                        |
|--------------------------------------------------------------|-----------------------------|------------------------|---------------|------------------------|---------------|----------------------------|---------------|--------------------------------------------------------|
| <b>Urban Subdivision and Street Improvement Requirements</b> |                             |                        |               |                        |               |                            |               |                                                        |
| <b>Proposed Street</b>                                       | <b>Street Type</b>          | <b>Row of Way (ft)</b> |               | <b>Base Width (ft)</b> |               | <b>Pavement Width (ft)</b> |               | <b>Other</b>                                           |
|                                                              |                             | <b>Req'd</b>           | <b>Prop'd</b> | <b>Req'd</b>           | <b>Prop'd</b> | <b>Req'd</b>               | <b>Prop'd</b> |                                                        |
| <i>2-Way Street</i>                                          | <i>Collector</i>            | 70                     | 58-62         | 40                     | 36-40         | 40                         | 36-40         | <i>Pavement Concrete, Concrete curb, and sidewalk.</i> |
| <i>1-Way Street</i>                                          | <i>Local</i>                | 60                     | 52            | 36                     | 26            | 36                         | 26            |                                                        |
| <i>Driveway Access Easements</i>                             | <i>Local (Private Road)</i> | 60                     | 30            | 36                     | 20            | 36                         | 20            |                                                        |

Response: The proposed subdivision includes a request that the County grant a waiver to the above street improvement requirements. The waiver is needed to create a landscaped swales and wide sidewalks within the streetscape that will encourage residents to walk and bicycle to local destinations as well as encourage motorist to drive slowly. The proposed road width provides adequate access for emergency vehicles as well as provides ample on-street parking.