



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
501 LOW GAP ROAD • ROOM 1440 • UKIAH • CALIFORNIA • 95482

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www.co.mendocino.ca.us/planning

February 18, 2011

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT NEGATIVE
DECLARATION FOR PUBLIC REVIEW

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, March 17, 2011, at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project and the Draft Negative Declaration at the time listed or as soon thereafter as the item may be heard.

CASE#: MS 2-2010

DATE FILED: 3/5/2010

OWNER: ALFANSO GALLEGOS

APPLICANT: ALFANSO GALLEGOS

AGENT: J. R. BARRETT

REQUEST: Minor Subdivision of a 4+/- acre parcel to create two parcels containing 2 acres and 1.96 acres.

LOCATION: In Redwood Valley lying west of Laughlin Way (CR #238), at its intersection with Road N (CR #238A), located at 9280 Laughlin Way; AP# 162-070-13.

PROJECT COORDINATOR: FRED TARR

ENVIRONMENTAL DETERMINATION: The Department of Planning and Building Services has prepared a Draft Negative Declaration for the above project (no significant environmental impacts are anticipated which cannot be adequately mitigated). A copy of the Draft Negative Declaration is available for public review at 501 Low Gap Road, Room 1440, Ukiah, California, and at 790 South Franklin Street, Fort Bragg, California. The staff report and notice are available on the Department of Planning and Building Services website at www.co.mendocino.ca.us/planning.

Your comments regarding the above project and/or the Draft Negative Declaration are invited. Written comments should be submitted to the Department of Planning and Building Services, at 501 Low Gap Road, Room 1440, Ukiah, California, no later than March 16, 2011. Oral comments may be presented to the Planning Commission during the public hearing.

The Planning Commission's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal is the 10th day after the Planning Commission's decision. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 463-4281, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

IGNACIO GONZALEZ, Director of Planning & Building Services

STAFF REPORT FOR MINOR SUBDIVISION

**#MS 2-2010
MARCH 17, 2011
PAGE PC-1**

OWNER: ALFANSO GALLEGOS
9551 NORTH STATE STREET
REDWOOD VALLEY, CA 95470

AGENT: J. R. BARRETT
PO BOX 1448
UKIAH, CA 95482

REQUEST: Minor Subdivision of a 4+/- acre parcel to create two parcels containing 2 Acres and 1.96 acres.

LOCATION: In Redwood Valley lying west of Laughlin Way (CR# 238), at its intersection with Road North (CR # 238A); located at 9280 Laughlin Way; AP# 162-070-13.

TOTAL ACREAGE: 4+/- acres

ZONING: RR 2 (Rural Residential)

GENERAL PLAN: RR 2 (Rural Residential)

SURROUNDING LOT SIZES: North: 5.9 +/- acres
East: 3.55+/- acres
South: 2.21+/- acres & 3.09+/- acres
West: 1.0+/- acres & 9.72+/- acres

EXISTING USES: Residential

SURROUNDING LAND USES: Residential

SUPERVISORIAL DISTRICT: 1

RELATED APPLICATIONS ON SITE:

- ❖ Minor Subdivision #MS 83-86 was approved by the Planning Commission February 19, 1987, for two parcels and a remainder parcel. After exhausting all of the available extensions of time, the application expired.
- ❖ An Administrative Permit #AP 1-94 was granted for the temporary occupancy of a mobile home as a family care unit. This application expired January 14, 1995.
- ❖ Minor Subdivision # MS 9-99 was approved by the Planning Commission on August 5, 1999, and recorded on January 26, 2001, for a three parcels of which the subject property was Parcel 1.
- ❖ Business License #BL 154-07 for repairing and restoring firearms.

RELATED APPLICATIONS IN VICINITY:

- ❖ Minor Subdivision #MS 47-82 created four parcels ranging in size from 1.88± to 2.12± acres north of the Minor Subdivision MS# 9-99.
- ❖ Minor Subdivision #MS 23-88 lying south of the subject property created three parcels of 2.02± to 3.09± acres.

- ❖ General Plan Amendment and Rezoning #GP 4-92/R 1-92 was approved for the property directly east, changing the western 2± acres from RR-5 to RR-2.
- ❖ Minor Subdivision #MS 5-2008 lying north of the subject property created four parcels from 1.84± acres to 1.9 acres. (A special condition of approval was placed on this minor subdivision which restricts the number of residential units to one per lot unless a hydrological study is completed to the satisfaction of DEH and the County Water Agency that demonstrates that less than significant impact on water resources available to surrounding properties or the parcels/residences are served by the Redwood Valley County Water District.)

PROJECT DESCRIPTION: The owner/applicant is proposing a two parcel division creating parcels of 2± acres and 1.96± acres, located on the west side of Laughlin Way north of its intersection with Road N, in Redwood Valley. Currently there is an existing mobile home on Proposed Parcel 2 which is served by an on-site septic system and water which is provided by Redwood Valley County Water District. Proposed Parcel 1 is currently undeveloped but has an existing water well on the property.

There will be one access easement and driveway to accommodate both of the proposed parcels. This driveway will be off of Laughlin Way, located toward the northern boundary line of the parcel.

The subject property slopes gently (2-5%) to the west and the soil type on the property is Pinole gravelly loam. Pinole gravelly loam is conducive to annual grasses and oaks and madrone trees. This soil has a moderate to high water capacity, medium runoff and is suited for the growing of vineyards. This soil type is also suited to home site development.

ENVIRONMENTAL REVIEW: In completing the initial study checklist, the following areas of potential environmental concern are noted:

Earth (Items 1A-G): Minor grading and site preparation may be necessary to develop the proposed building sites and driveway improvements. No significant impacts are anticipated that cannot be resolved and mitigated through the Grading Permit process, which is subject to the provisions contained in Appendix J, of the 2007 California Uniform Building Code. *Condition Numbers 1, 2 and 3* provide general guidelines to address concerns regarding erosion and dust that may occur during site preparation.

Air Quality (Items 2A-C): A "No Comment" was received from the County Air Quality Management District (AQMD). General comments typically received for like projects relate to particulate matter generated from unpaved roads, woodstove installation, onsite combustion engines, and grading activities. According to the County GIS maps, the project area does not lie within a region which may contain Naturally Occurring Asbestos. Substantial air emissions or a deterioration of ambient air quality is not expected to rise to a level of significance as a result of the project. Staff will recommend that standard conditions regarding rocked roads, compliance with AQMD regulations for stationary onsite internal combustion engines and grading activity be required. *Condition Number 3* is recommended to ensure that impacts to air quality are held to a less than significant level.

Water (Items 3B and 3G): The development has the potential to result in one additional dwelling unit, accessory buildings, paved areas and landscaping features, which may have an effect on absorption rates and drainage patterns or the rate and amount of surface runoff. Recommended mitigation measures from the above Earth section Minor Subdivision *Condition Numbers 1 and 2* are also offered as a means of protecting surface and ground water resources from development related activity.

The Water Agency encourages the use of rain water catchment into rain gardens, rain barrels or cisterns. The owner/applicant is encouraged to use water conservation techniques that are readily available on-line or through contacting the Water Agency and it is highly recommended that gutters be plumbed to a rain barrel or vegetation, rather than running of the site and possibly causing erosion.

Plant and Wildlife (Items 4A-D and 5A-D): A review of the Natural Diversity Data Base and the Biological Resource Maps indicates that the project site is not in or within close proximity to sensitive wildlife habitat.

According to the project engineer, the access driveway to proposed Parcel 2 will be aligned to avoid as many oak trees as possible. The project is subject to the filing fees required by Fish and Game Code Section 711.4 unless a waiver is granted by that agency. See *Condition Number 4*.

Noise (Item 6A): Although an increase in noise levels will most likely result from the grading and housing construction phases of the development, overall, staff does not believe the project would cause significant impacts beyond the minor inconvenience during this period.

Light and Glare (Item 7A): With the increased development on site, outside lighting and glare may impact surrounding residences. *Condition Number 5* will address any concerns with regards to lighting and glare by requiring lighting to be downcast and internally directed.

Land Use (Item 8A): The proposed project is in conformity with Land Use Policy DE-14:

Intent: The RR classification is intended to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area, and residences should be located as to create minimal impact on agricultural viability.

General Uses: Residential uses, agricultural uses, cottage industries, residential clustering, public facilities, public services, conservation and development of natural resources, utility installations.

The subject property is within 300 feet of Agricultural Zoning and Agricultural Uses which requires that the nuisance and consumer disclosure notation appear on the parcel map. See *Condition Number 6*

Housing (Item 11A): The County has recently adopted an Inclusionary Housing Ordinance, wherein the County acknowledges that it must meet the demand to construct housing for all economic levels of society, not only to meet policies of the State of California but also to better serve the County itself. County Code Section 20.238.010 states that the ordinance shall apply at the "subdivision level" for projects entailing residential development of two or more units. A two lot minor subdivision is excluded from affordable housing in lieu fees.

Transportation (Items 12 A-F): The Mendocino County Department of Transportation has reviewed the project request and offers the following comments in part:

The applicant proposes to provide primary access to both Parcel 1 and Parcel 2 from a proposed private road approach onto Laughlin Way (CR 238) at approximately seventy (70) feet south of the north *property line*. Access to Parcel 2 will be provided by a proposed twelve (12) foot wide rocked road within a twenty (20) foot wide access easement.

The Department of Transportation has no objections to the tentative map as revised on 12/6/10.

There exists a 15-foot wide access easement, recorded on page 176 of the Mendocino County Official Records # 488 that provides right of way for all ingress to and egress from additional properties located to the west of the subject property. This access easement runs parallel to the southern property line of the subject property.

Condition Numbers 7 through 12 will mitigate impacts upon traffic circulation and traffic safety from increased residential traffic generated by the project.

The applicant should be aware that, prior to the filing of the parcel map, the roadway improvements must be inspected and approved by the Department of Transportation. Upon completion of the roadway improvements, the applicant shall request inspection. Currently, the fee for minor subdivision roadway inspection is \$200.00 for the first inspection, and \$150.00 for additional inspections (if necessary). County Surveyor checking fees will be required at the time of parcel map submittal.

Public Services (Item 13 A):

General Plan Fire Protection Policy DE-220

“Developments shall be approved only if sufficient fire fighting resources, such as fire stations, equipment, personnel, hydrants, and water supplies, will be available to serve all phases of development.”

The subject property is located in the Redwood Valley-Calpella Fire District (RVCFD). The Redwood Valley-Calpella Fire District (RVCFD) had not commented on this project as of the writing of this staff report. *Condition Number 13* is recommended to provide for review and approval by the Redwood Valley-Calpella Fire District of fire safe measures to minimize fire hazards to and from future residential development of the project site.

Environmental Health/Utilities (Item 15A):

The project site lies within the jurisdiction of the Redwood Valley County Water District. The District is currently under a Mendocino County Superior Court Ordered new-connection moratorium that has been in place since 1989. As was the standard procedure for many years, the District would issue letters stating that they were unable to provide water at this time and that they had no objection to the drilling of wells on subject properties that were being subdivided. However, they have since ceased in issuing these statements. They have made the following comment regarding this project: “If the well on proposed Parcel 1 fails, Redwood Valley County Water District cannot provide water service. Hardship hook-ups are not approved for houses constructed after 1997.”

The existing mobile on proposed Parcel 2 is served by the Redwood Valley County Water District and the subdivider plans to use the existing water well on proposed Parcel 1 to serve a future residence.

The Mendocino County Water Agency offers the following comments regarding the domestic water concern for this proposed project:

The existing well should be tested for Proof of Water, unless it was previously tested within a reasonable period of time. Due to the water moratorium in this area whereby the Water District is unable to supply water should the well fail, the issue of allowing second residential units should be closely examined. If second residential units are allowed, the well must be tested to verify sufficient water for the expanded use. If any existing wells are within 300 hundred feet, staff recommends a Hydrological Study be required to demonstrate no impact to existing wells.

Staff recommends that *Special Condition #1* be included to address the second residential unit issue.

Planning staff urges the subdivider to avoid as many trees as possible when installing the leach field for the sanitary septic system on proposed Parcel 1.

The Division of Environmental Health has reviewed the project with regards to on-site water and sewage disposal systems. *Conditions # 14-20* are recommended to mitigate any potential environmental concerns that may arise from the placement of on-site sewage disposal systems and replacement areas.

Cultural Resources/Archaeological (Item 19 A-D)

An Archaeological Survey and Cultural Resources Assessment Report dated October 8, 2010, prepared by Jay Flaherty was accepted by the Mendocino County Archaeological Commission at their meeting of November 10, 2010. It was determined that “No Cultural, Historical or Archaeological Sites were observed as a result of the survey.” Should any other archaeological discoveries occur during development, compliance with the requirements established by the Mendocino County Archaeological

Resources Discovery Clause, Mendocino County Code 22.12.090 Discoveries, would address any future cultural resource concerns. See *Condition # 21*.

GENERAL PLAN CONSISTENCY REVIEW: The proposed project is consistent with applicable goals and policies of the General Plan.

RECOMMENDED MOTION:

Environmental Findings: The Planning Commission finds that the environmental impacts identified for the project can be adequately mitigated through the conditions of approval and features of the project design so that no significant adverse environmental impacts will result from this project; therefore, a Negative Declaration is adopted.

General Plan Findings: Pursuant to Section 66473.5 of the California Government Code, the Planning Commission finds the proposed subdivision, together with the provisions for its design and improvement is consistent with the applicable goals and policies of the General Plan.

Project Findings: The Planning Commission, making the environmental and General Plan findings above, approves # MS 2-2010 subject to the following conditions of approval as recommended within the staff report, further finding:

Pursuant to California Government Code Section 66445(e) the Planning Commission finds that division and development of the property in the manner set forth on the approved or conditionally approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement.

STANDARD CONDITIONS OF APPROVAL:

For a Minor Subdivision which has been approved according to the Mendocino County Code, the following "Conditions of Approval" shall be completed prior to filing a Parcel Map.

ALL CONDITIONS OF APPROVAL MUST BE MET PRIOR TO EXPIRATION OF TWENTY-FOUR (24) MONTHS FROM DATE OF APPROVAL, UNLESS RENEWED PURSUANT TO THE MENDOCINO COUNTY CODE.

- 1.** The subdivider shall acknowledge in writing to the Department of Planning and Buildings Services that all grading activities and site preparation, at a minimum, shall adhere to the following "Best Management Practices." The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards:
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - 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 are as subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
- f. All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless wet weather grading protocols are approved by the Department of Planning and Building Services or other agencies having jurisdiction.
- 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 m³) on any one lot and does not obstruct a drainage.
- 2.** A notation shall be placed on the Parcel Map stating that "Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified above."
- 3.** A note shall appear on the **Parcel Map** **Unilateral Agreement** **Final Map or** **Additional Information Sheet** that the access road, driveway and interior circulation routes be maintained in such a manner as to insure minimum dust generation subject to Air Quality Management District Regulation 1 Rule 430. All grading must comply with Air Quality Management District Regulations Rule 430. Any rock material, including natural rock from the property, used for surfacing must comply with Air quality Management District regulations regarding asbestos content.
- 4.** This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,094.00 (or the current fee in effect at the time of approval) shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to April 1, 2011, (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the approved entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**
- 5.** All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. The number of exterior lighting fixtures shall be kept the minimum required for safety.

- 6.** A notation shall appear on the **Parcel Map** **Unilateral Agreement** **Final Map** that property adjacent to **Agricultural Zoned Property** **Timberland Production Zone** may be subject to inconvenience or discomfort arising from **agricultural** **timber** practices which occasionally generate dust, noise, smoke, and odors.
- 7.** There shall be provided an access easement of 20 feet in width (as per tentative map) from a publicly maintained road to each parcel being created. Documentation of access easement(s) shall be provided to the Mendocino County Department of Transportation for their review prior to final approval
- 8.** 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.
- 9.** 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.
- 10.** Twelve (12) foot wide road within the access easement, serving Parcel 2, including four (4) inch minimum rock base, one hundred twenty-five (125) foot minimum radius of horizontal curve, grade not to exceed fifteen (15) percent, drainage culverts where necessary. New or replaced culverts shall be a minimum of 12 inches in diameter.
- 11.** A standard private driveway approach shall be constructed to serve Parcel 1 and Parcel 2, minimum width of ten (10) feet, area to be improved fifteen (15) feet from the edge of the County road, to be surfaced with surfacing comparable to that on the County road.
- 12.** Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.
- 13.** The subdivider shall comply with any recommendations of the **Redwood Valley-Calpella Fire District** or other alternatives as acceptable to the **Fire District**. Written verification shall be submitted from the Fire District to the Department of Planning and Building Services that their conditions have been met to the satisfaction of the **Fire District**.
- 14.** The applicant shall provide the Division of Environmental Health adequate advance written notice (minimum of 15 days) of the date and time any field soil testing procedures for any proposed on-site sewage systems to allow the Division of Environmental Health staff to be present for soil testing.
- 15.** The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for Parcel 1 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- 16.** The applicant shall submit to the Division of Environmental Health an acceptable site evaluation report (DEH FORM # 42.04) for a replacement system for the existing structure(s) located on Parcel 2 completed by a qualified individual demonstrating compliance with the North Coast Regional Water Quality Control Board's Basin Plan Policy for On-site Waste Treatment and Disposal and Mendocino County Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- 17.** The applicant shall submit to the Division of Environmental Health an acceptable site development plan at a scale of not more than 1 inch = 50 feet showing all adjacent parcels on

one sheet completed by a qualified individual showing the location and dimensions of the initial sewage disposal system(s), 100% replacement area(s), acceptable setback distances to water wells and other pertinent setback distances which may impact project site development.

- 18.** The applicant shall submit to the Division of Environmental Health an acceptable water quantity evaluation (DEH FORM # 26.05) completed by a qualified individual of the existing well located on Parcel 1 of the subdivision demonstrating an adequate water supply in compliance with the Division of Environmental Health's Land Division Requirements (DEH FORM # 26.09).
- 19.** The applicant shall submit to the Division of Environmental Health an acceptable standard mineral analysis performed by a certified public health laboratory from the existing water well on Parcel 1.
- 20.** 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.
- 21.** In the event that archaeological resources are encountered during construction on 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.
22. Pursuant to Government Code Section 66493 & 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 due and payable.

SPECIAL CONDITIONS OF APPROVAL:

- 1.** A note shall be placed on the **Parcel Map** and a deed restriction shall be placed on future deeds for the individual parcels created, that states, "No second residential units shall be developed on the individual parcels created by this division unless a hydrological study is completed to the satisfaction of the Division of Environmental Health and the County Water Agency that demonstrates that less than significant impact on water resources available to surrounding properties or the parcels/residences are served by the Redwood Valley County Water District."

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

DATE _____ FRED TARR
PLANNER II

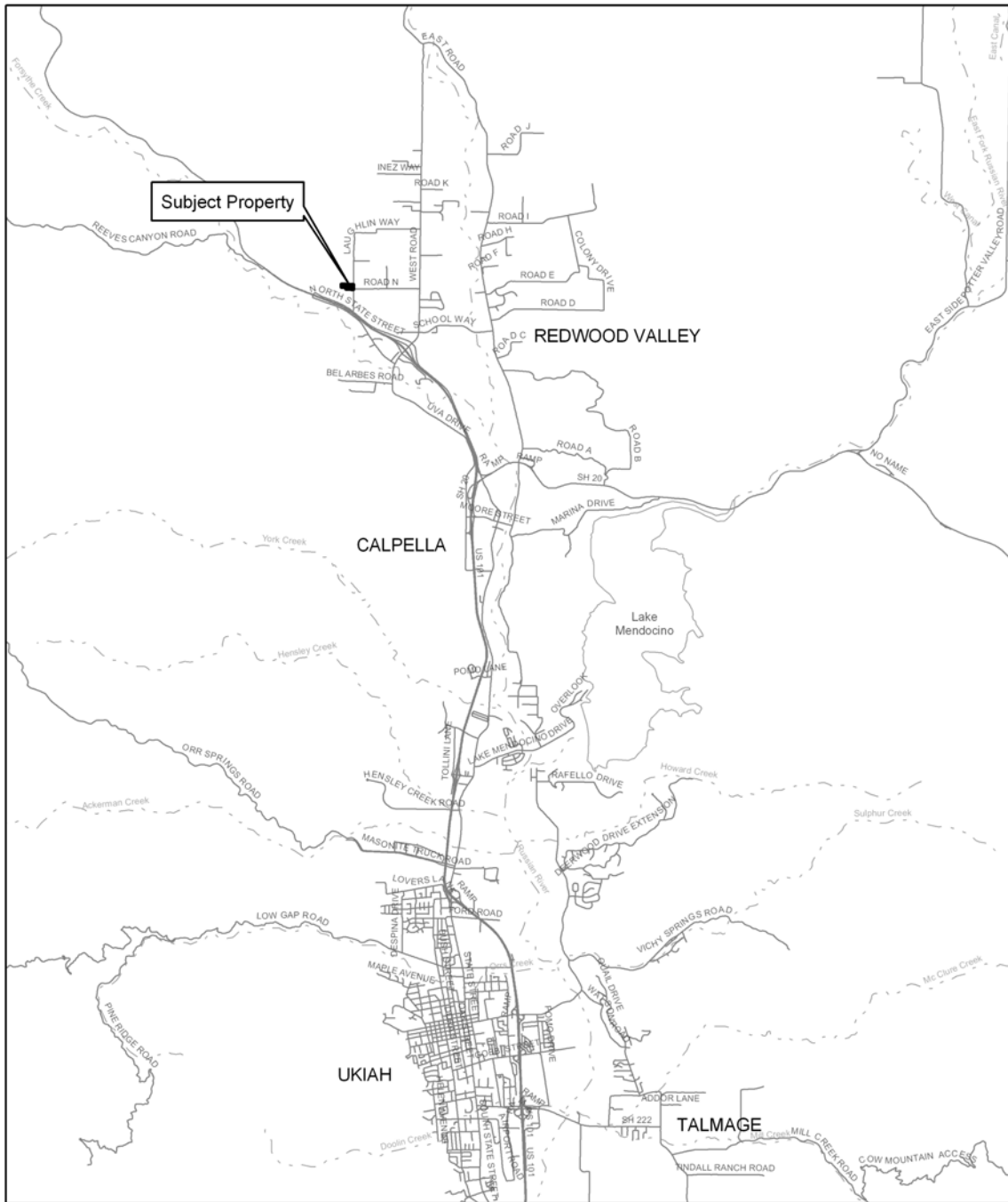
FT:lm
2/7/2011

Negative Declaration
Appeal Fee - \$910.00
Appeal Period - 10 days

** Indicates conditions relating to Environmental Considerations - deletion of these conditions may affect the issuance of a Negative Declaration.

REFERRAL AGENCIES	REFERRAL NOT RETURNED	REFERRAL RECEIVED "NO COMMENT"	COMMENTS RECEIVED
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MENDOT			X
Environmental Health			X
Building Inspection			X
AQMD			X
County Water Agency			X
Sonoma State Univ.			X
Arch. Commission			X
Cal Fire			X
Dept of Fish and Game	X		
County Addresser			X
Redwood Valley Co Water			X
Redwd Valley-Calpella Fire	X		

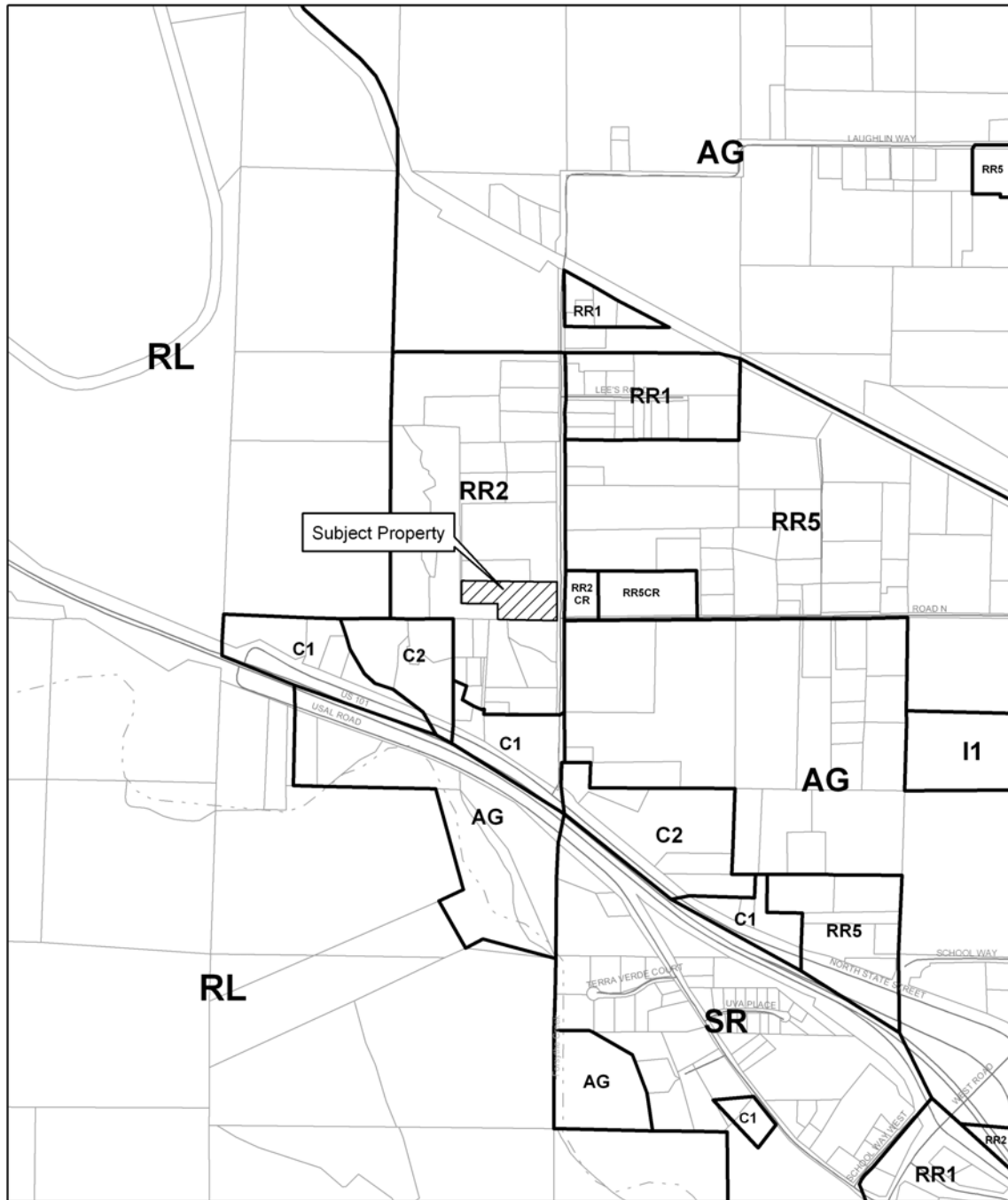


OWNER: GALLEGOS, Alfonso
AGENT: BARRETT, Jim
CASE: MS 2-2010
APNs: 162-070-13

LOCATION MAP

Parcel lines are approximate. Parcel lines on this map are NOT SURVEY LINES, they are for viewing purposes only and should not be used to determine legal boundary lines. Parcel line can be over 200 feet off. (Parcel lines are as of December 2008)





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ZONING DISPLAY MAP

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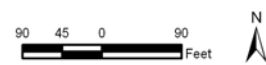


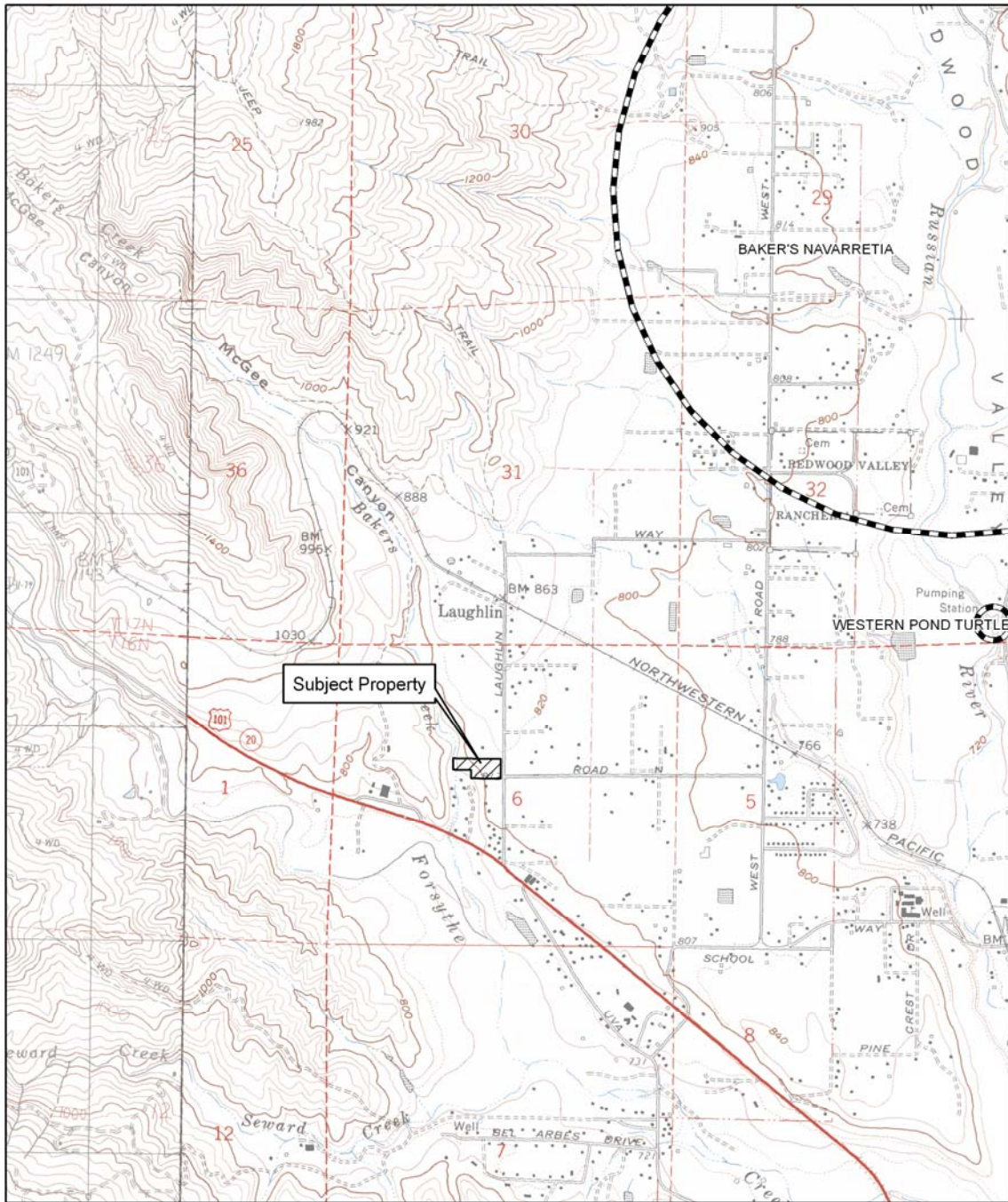


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ORTHOPHOTO - June 2009

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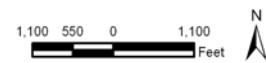


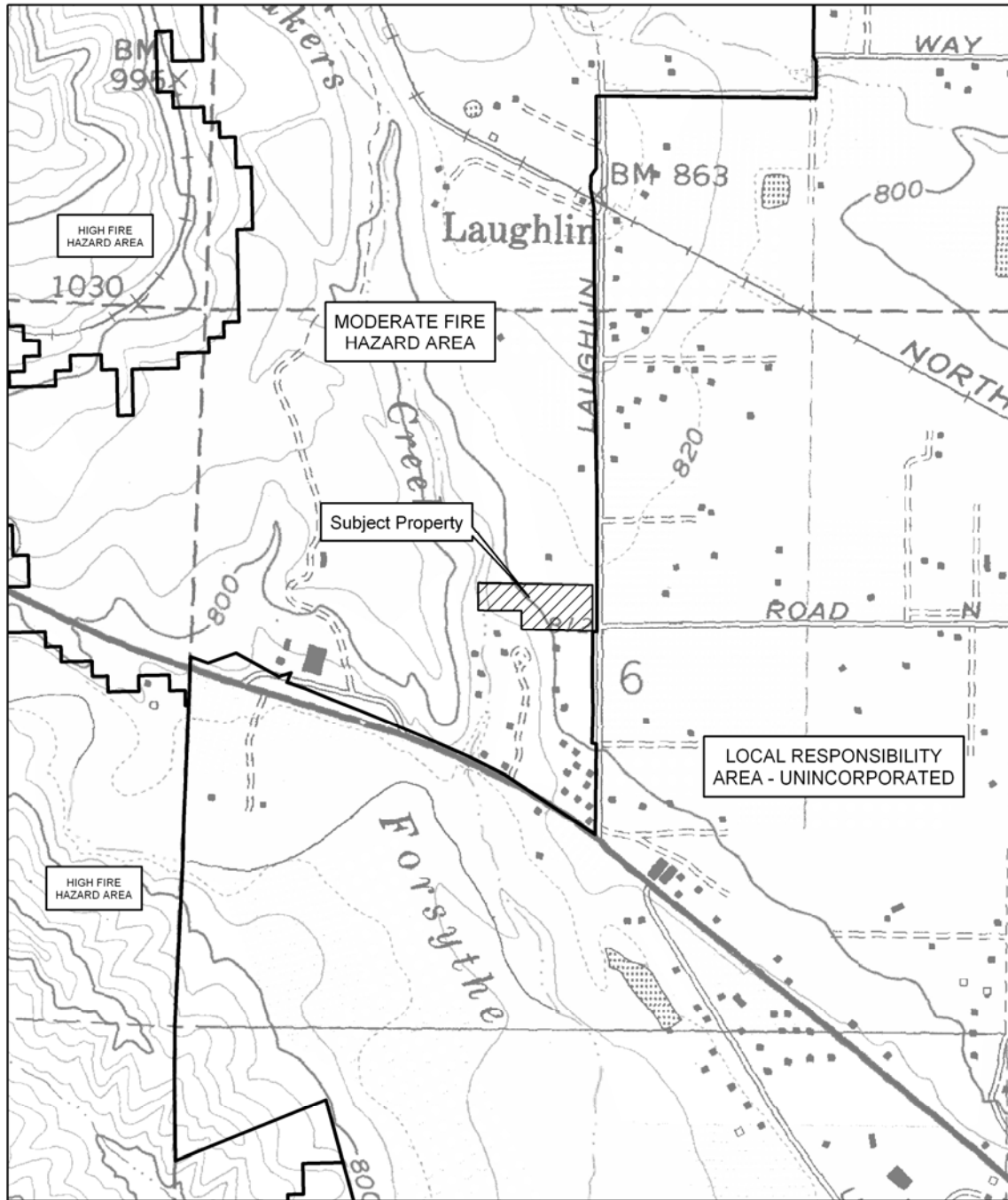


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CALIFORNIA NATURAL DIVERSITY
DATABASE RAREFIND (Jan 2010)

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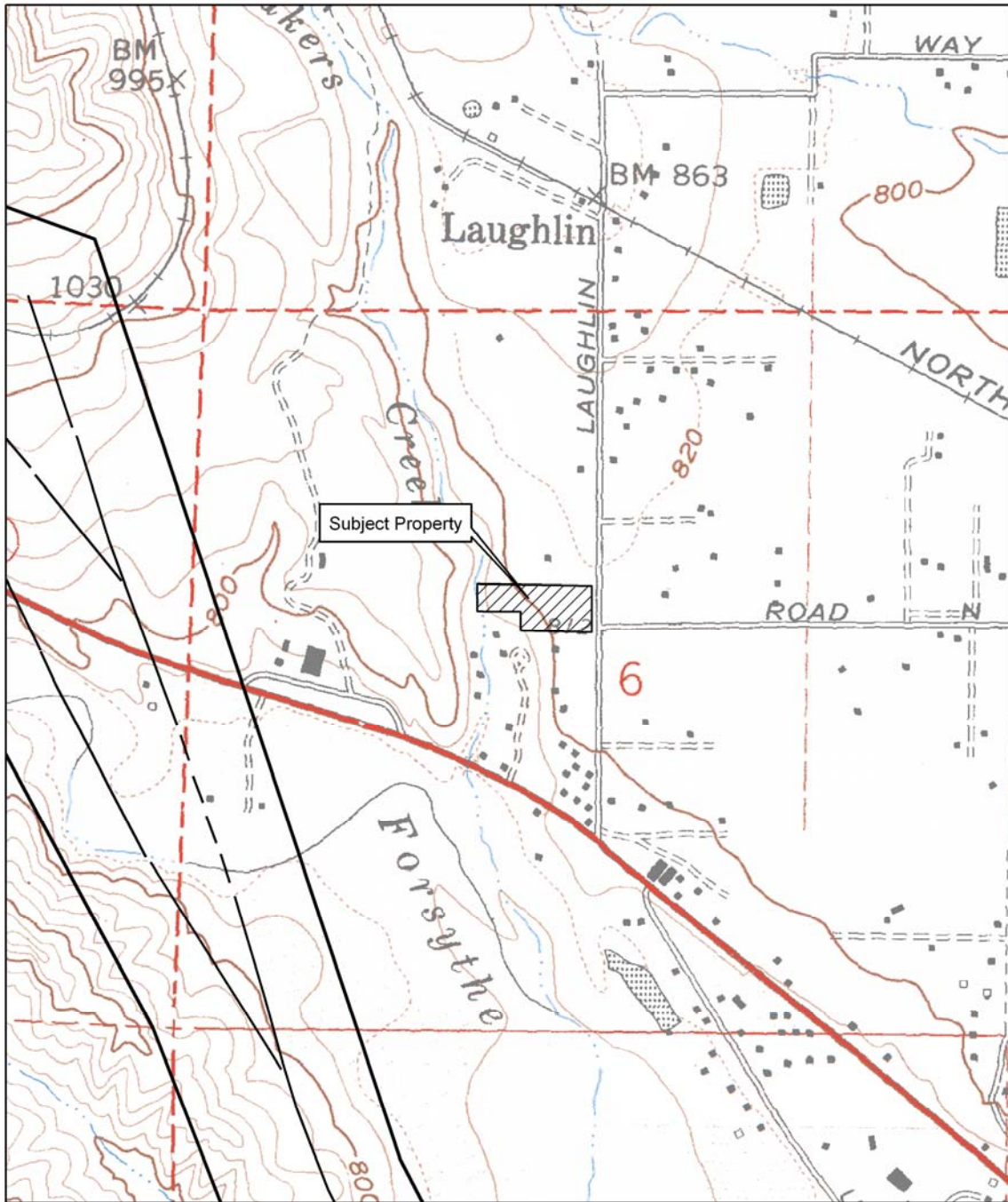


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FIRE HAZARD SEVERITY ZONES
REDWOOD VALLEY CALPELLA RURAL FIRE PROTECTION DISTRICT

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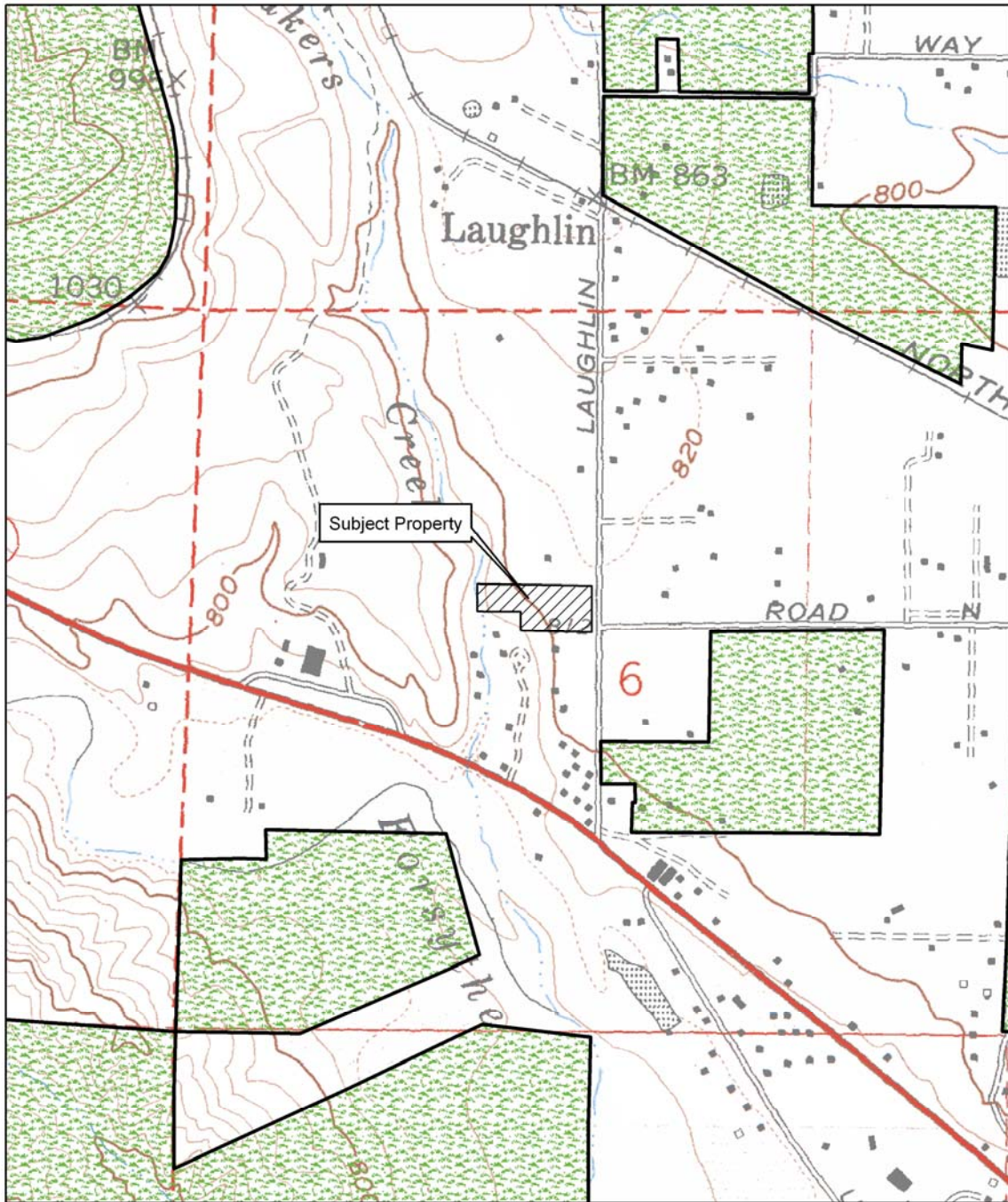


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 EARTHQUAKE FAULT ZONE
MACAMA FAULT ZONE

Parcel lines are approximate. Parcel lines on this map are NOT SURVEY LINES, they are for viewing purposes only and should not be used to determine legal boundary lines. Parcel line can be over 200 feet off. (Parcel lines are as of December 2008)



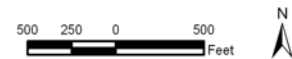


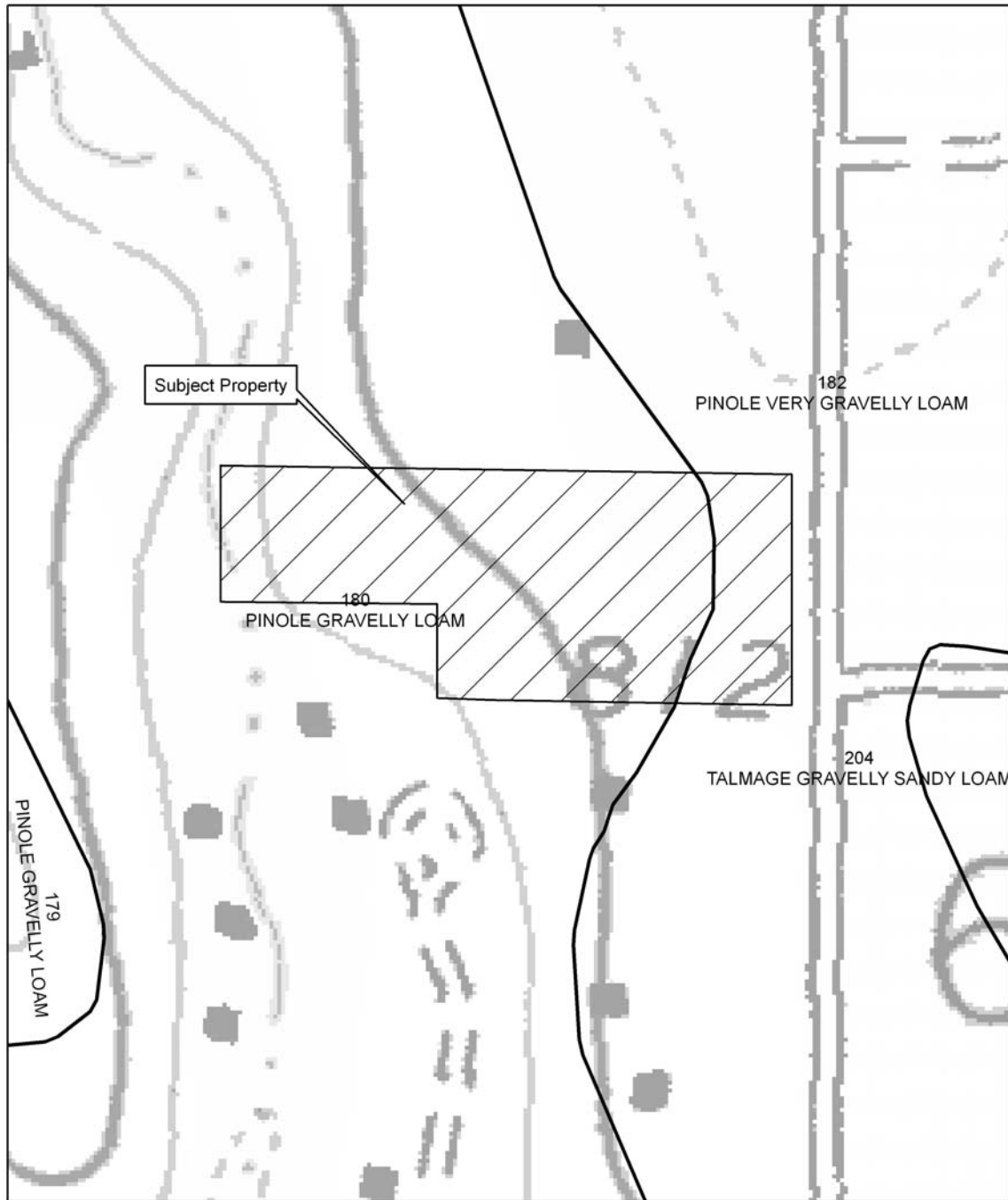
OWNER: GALLEGOS, Alfonso
AGENT: BARRETT, Jim
CASE: MS 2-2010
APNs: 162-070-13

LANDS WITHIN WILLIAMSON ACT

 Williamson Act - Prime and Non Prime Land

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OWNER: GALLEGOS, Alfonso
AGENT: BARRETT, Jim
CASE: MS 2-2010
APNs: 162-070-13

SOIL TYPES

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**COUNTY OF MENDOCINO
ENVIRONMENTAL REVIEW GUIDELINES
DRAFT NEGATIVE DECLARATION**

I. DESCRIPTION OF PROJECT.

DATE: February 7, 2011

CASE#: MS 2-2010

DATE FILED: 3/5/2010

OWNER: ALFANSO GALLEGOS

APPLICANT: ALFANSO GALLEGOS

AGENT: J. R. BARRETT

REQUEST: Minor Subdivision of a 4+/- acre parcel to create two parcels containing 2 acres and 1.96 acres.

LOCATION: In Redwood Valley lying west of Laughlin Way (CR #238), at its intersection with Road N (CR #238A), located at 9280 Laughlin Way; AP# 162-070-13.

PROJECT COORDINATOR: FRED TARR

II. DETERMINATION.

In accordance with Mendocino County's procedures for compliance with the California Environmental Quality Act (CEQA), the County has conducted an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, it has been determined that:

Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures required for the project will reduce potentially significant effects to a less than significant level, therefore, it is recommended that a NEGATIVE DECLARATION be adopted.

The attached Initial Study and staff report incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project.

**MENDOCINO COUNTY
ENVIRONMENTAL REVIEW GUIDELINES
INITIAL STUDY**

Section I Description Of Project.
<p>DATE: February 7, 2011</p> <p>CASE#: MS 2-2010 DATE FILED: 3/5/2010 OWNER: ALFANSO GALLEGOS APPLICANT: ALFANSO GALLEGOS AGENT: J. R. BARRETT REQUEST: Minor Subdivision of a 4+/- acre parcel to create two parcels containing 2 acres and 1.96 acres. LOCATION: In Redwood Valley lying west of Laughlin Way (CR #238), at its intersection with Road N (CR #238A), located at 9280 Laughlin Way; AP# 162-070-13. PROJECT COORDINATOR: FRED TARR</p>
Section II Environmental Checklist.
<p>“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).</p> <p>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.</p>

Will the project result in the following environmental effects:	No	Yes			
		Not Significant	Significant Unless It is Mitigated	Significant -No Apparent Mitigation	Cumulative
1. EARTH:					
A. Unstable earth conditions or changes in geologic substructures?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Disruptions, displacements, compaction, or overcovering of the soil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Change in topography or ground surface relief features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Destruction, covering, or modification of any unique geologic or physical features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Any increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Changes in deposition or erosion of beach sands, or changes in siltation, deposition, or erosion that may modify a river channel, stream, inlet, or bay?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Exposure of people or property to geologic hazards such as earthquakes, ground failure, or other hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Will the project result in the following environmental effects:	No	Yes			
		Not Significant	Significant Unless It is Mitigated	Significant -No Apparent Mitigation	Cumulative
2. AIR:					
A. Substantial air emissions or deterioration of ambient air quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Creation of objectionable odors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. WATER:					
A. Changes in currents, or the course of water movements, in either fresh or marine waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Alterations to the course of flow of flood waters?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Change in the amount of surface water in any water body?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Discharge into surface waters, or any alteration of surface water quality, such as temperature, dissolved oxygen or turbidity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Alteration of the direction or rate of flow of ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Change in the quantity of ground water, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Exposure of people or property to water related hazards such as flooding or tsunamis?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. PLANT LIFE:					
A. Change in the diversity of species, or number of any species of plants including trees, shrubs, grass, crops, and aquatic plants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Introduction of a new plant species into an area, or creation of a barrier to the normal replenishment of existing species.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Reduction in acreage of any agricultural crop?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. ANIMAL LIFE:					
A. Change in the diversity of species, or number of any species of animals including birds, land animals, reptiles, fish, shellfish, insects, and benthic organisms?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Reduction in the number of any unique, rare, or endangered species of animals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Will the project result in the following environmental effects:	No	Yes			
		Not Significant	Significant Unless It is Mitigated	Significant -No Apparent Mitigation	Cumulative
C. Introduction of new species of animals into an area, or in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Deterioration of fish or wildlife habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. NOISE:					
A. Increases in existing noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Exposure of people to severe noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. LIGHT AND GLARE:					
A. Production of new light or glare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. LAND USE:					
A. Substantial alteration of the present or planned land use of the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. NATURAL RESOURCES:					
A. Increased rate of use of any natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. POPULATION:					
A. Alterations to the location, distribution, density, or growth rate of human populations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. HOUSING:					
A. Will the proposal affect existing housing or create a demand for new housing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. TRANSPORTATION/ CIRCULATION:					
A. Generation of substantial additional vehicular movement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Effects on existing parking facilities, or demand for new parking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Substantial impact upon existing transportation systems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Alterations to present patterns of circulation or movement of people and/or goods?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Alterations to waterborne, rail, or air traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. PUBLIC SERVICES:					
A. Will the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Parks and other recreational facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the project result in the following environmental effects:	No	Yes			
		Not Significant	Significant Unless It is Mitigated	Significant -No Apparent Mitigation	Cumulative
Maintenance of public facilities, and roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other governmental services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. ENERGY:					
A. Use of substantial amounts of fuel or energy?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Substantial increase in demand upon existing sources of energy, or require development of new energy sources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. UTILITIES:					
A. Will the project result in a need for new systems or substantial alterations to the following:					
Potable water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Energy or information transmission lines?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. HUMAN HEALTH:					
A. Creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Exposure of people to any existing health hazards?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Risk of explosion or release of hazardous substances (i.e. pesticides, chemicals, oil, radiation) in the event of an accident or unusual conditions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Possible interference with emergency response plan or evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. AESTHETICS:					
A. Obstruction of any scenic vista or view open to the public, or create an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. RECREATION:					
A. Impact upon the quality or quantity of existing recreational opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. CULTURAL RESOURCES:					
A. Alteration or destruction of a prehistoric or historic archaeological site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Adverse physical or aesthetic effects to a prehistoric or historic building or structure?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Cause a physical change that would affect the unique ethnic cultural values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section III Responses to Environmental Checklist.
For a discussion of each of the environmental effects listed in the Environmental Checklist along with related goals and policies of the General Plan, see the Environmental Review section of the attached staff report.

Section IV Mandatory Findings of Significance.
<p>A. As discussed in the preceding sections, the project does does not have the potential to significantly degrade the quality of the environment, including effects on animals or plants, or to eliminate historic or prehistoric sites.</p> <p>B. As discussed in the preceding sections, both short-term and long-term environmental effects associated with the project will be less than significant <u>significant</u>.</p> <p>C. When impacts associated with the project are considered alone or in combination with other impacts, the project-related impacts are insignificant <u>significant</u>.</p> <p>D. The above discussions do not identify <u>any</u> substantial adverse impacts to people as a result of the project.</p>

Section V Determination.
<p>On the basis of this initial evaluation, it has been determined that:</p> <p><input type="checkbox"/> The proposed project will not have a significant effect on the environment, and it is recommended that a NEGATIVE DECLARATION be adopted.</p> <p><input checked="" type="checkbox"/> Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures required for the project will reduce potentially significant effects to a less than significant level, therefore, it is recommended that a NEGATIVE DECLARATION be adopted.</p> <p><input type="checkbox"/> The proposed project may have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</p>

DATE

FRED TARR, PLANNER II