



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

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June 9, 2021

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

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission, at their regular meeting, on Thursday, July 1, 2021, at 9:00 a.m. 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. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: MS_2019-0001

OWNER: GARY N & VIRGINIA A ISLAND TTE

APPLICANT: GARY N ISLAND

AGENT: RON FRANZ

REQUEST: Subdivision of a 325± acre property into (2) two parcels of 160± & 165 ± acres. No new development is proposed, as both parcels maintain existing septic systems, domestic wells, utilities, and access encroachments onto State Highway (SR 253).

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: 7.8 ± miles east of Boonville town center, lying on south side of State Route 253 (CA-253 E), 6.9± miles east of its intersection with State Route 128 (CA-128E). Addressed at 12101 Boonville Rd. & 11501 Boonville Rd., Boonville, (APN: 046-260-84)

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: DIRK LARSON

The staff report, draft negative declaration, and notice will be available 21 days before the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by June 30, 2021, or orally via telecomment in lieu of personal attendance. All public comment will be made immediately available to the Commissioners, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

To submit public comments via telecomment a request form must be received by 7:00 a.m. the morning of the meeting. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

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 234-6650, 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.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

IGNACIO 'NASH' GONZALEZ, Interim Director of Planning and Building Services



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June 9, 2021

Planning - Ukiah
 Department of Transportation
 Environmental Health - Ukiah
 Building Inspection - Ukiah
 Assessor

Air Quality Management
 Resource Lands Protection
 Committee
 Caltrans
 CalFire - Prevention

Dept. of Fish and Wildlife
 Redwood Valley Rancheria
 Cloverdale Rancheria
 Sherwood Valley Band of Pomo
 Indians

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APPLICANT: GARY N ISLAND

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SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: DIRK LARSON

RESPONSE DUE DATE: June 30, 2021. If no response is received by this date, we will assume no recommendation or comments are forthcoming and that you are in agreement with the contents of the Draft Negative Declaration. A copy of the Draft Negative Declaration is attached for your review.

The staff report, draft negative declaration, and notice will be available 21 days before the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

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IGNACIO 'NASH' GONZALEZ, Interim Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT- MINOR SUBDIVISION**

**JULY 1, 2021
MS_2019-0001**

SUMMARY

OWNER/ APPLICANT: GARY & VIRGINIA ISLAND
PO BOX 567
BOONVILLE, CA 95415

AGENT: RON FRANZ
2335 APPOLINARIS DRIVE
UKIAH, CA 95482

REQUEST: Subdivision of a 325± acre property into two (2) parcels of 160±, & 165± acres. No new development is proposed, as both parcels maintain existing septic systems, domestic wells, utilities, and access encroachments onto State Highway (SR 253).

LOCATION: 7.8± miles east of Boonville town center, lying on south side of State Route 253 (CA-253 E), 6.9± miles east of its intersection with State Route 128 (CA-128E), located at 12101 Boonville Rd. & 11501 Boonville Rd., APN: 046-260-84.

TOTAL ACREAGE: 325± acres

GENERAL PLAN: Rangeland -160 acre minimum parcel size (RL160)

ZONING: Rangeland - 160 acre minimum parcel size (RL160)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Approve With Conditions

STAFF PLANNER: DIRK LARSON

BACKGROUND

PROJECT DESCRIPTION: Subdivision of a 325± acre property into two (2) parcels of 160±, & 165 ± acres. No new development is proposed, as both parcels maintain existing septic systems, domestic wells, utilities, and access encroachments onto State Highway (SR 253).

SITE CHARACTERISTICS: The subject property is located 7.8± miles east of Boonville town center and is 365± acres in size. The parcel is located on the south side of State Route 253 (SR 253) and has two existing home sites accessed by paved driveways off of the aforementioned road. There is an existing single family residence and an existing manufactured home located at two different sites, each having their own septic system, domestic well, paved driveways, and utilities. The subject parcel consists of mostly moderate slopes with a few steep areas sloping down to the drainage. The North Fork of Feliz Creek runs along the eastern boundary of the property. The majority of the parcel is a mix of oak studded rangeland with some dense vegetation near the center of the parcel. It is mostly surrounded by agricultural lands with SR 253 running along the Western boundary of the parcel. Proposed Parcel 1 would have the existing manufactured home located on it and proposed Parcel 2 would contain the existing single family residence

RELATED APPLICATIONS:

- Minor Subdivision, MS 50-91 created two (2) parcels of 325± acres and 454± acres;
- Minor Subdivision, MS 60-88, a request to create four (4) parcels was denied by the Planning Commission;
- Boundary Line Adjustments B 99-88 & B 86-89 involved minor adjustments to property boundaries.
- BU_2019-0367, Building Permit replacing previously existing manufactured home unit. Building Permit was finalized on November 15, 2019.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rangeland	Rangeland, 160 acre minimum	435± Acres	Rangeland
EAST	Rangeland	Rangeland, 160 acre minimum	640± Acres, 306± Acres	Rangeland
SOUTH	Rangeland	Rangeland, 160 acre minimum	306± Acres	Rangeland
WEST	Rangeland	Rangeland, 160 acre minimum	40± Acres	Rangeland

PUBLIC SERVICES:

Access: Existing Access off State Route 253
 Fire District: California Department of Forestry and Fire Protection.
 Water District: NONE
 Sewer District: NONE
 School District: NONE

AGENCY COMMENTS: On June 25, 2019, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comments
Environmental Health-FB/Ukiah	Comments
Building Services-Ukiah PBS	No Comment
Assessor	No Comment
Planning Division-Ukiah	No Comment
Air Quality Management District	No Comment
Resource Lands Protection Committee	No Response
CalFire	Comments
CalTrans	No Response
Dept. of Fish & Wildlife	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

CalFire recommended conditions of approval related to the State Fire Safe Regulations, specifically, the Address and Driveway Standards. The parcel is developed with two residential home sites and already meets the standards set forth in the application to obtain final clearance.

Environmental Health comments include testing of the existing well(s) for quantity and mineral content. Parcel 2 has been identified as having an adequate septic system (ST 6101) in place while the septic

system (ST 6214) for Parcel 1 would need to be confirmed as being located within the proposed boundaries of said parcel. If the system for Parcel 1, serving the existing manufactured home, was determined to be located outside the proposed boundaries, a new system would be required. Based on the tentative map identifying the location of the septic system and leach field for Parcel 1 located within the proposed boundaries, the need for a new system appears to not be required.

A cultural resources reconnaissance was performed by Archaeological Services, Inc. in September 1993 on the subject property. In that report, performed by Mr. Jay Flaherty, no archaeological sites were discovered and the survey was accepted by the County Archaeological Commission at their February 4, 1994 hearing. This current proposed project went before the Archaeological Commission on October 9, 2019. Although no survey was required at hearing, the Commission set the following condition on the project;

“Prior to any future ground disturbance, the applicant shall submit the 1994 Arch Survey by Jay Flaherty to the commission for review.”

KEY ISSUES

1. General Plan and Zoning Consistency: The project is consistent with the General Plan/Zoning designation of Rangeland. Both of the proposed parcels will maintain at least 160 acres minimum lot areas. The Land Use Section of the General Plan/Zoning states the following as the intent of the Rangeland Land Use Category:

The RL classification is intended to create and preserve areas for (A) the grazing of livestock, (B) the production and harvest of natural resources, and (C) the protection of such natural resources as watershed lands from fire, pollution, erosion, and other detrimental effects. Processing of products produced on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the RL District would be applied to lands for incorporation into Type H Agricultural Preserves, other lands generally in range use, and inter-mixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands.

The applicant is requesting the approval of a subdivision of the subject property into two parcels. The request is to create two parcels of 160± and 165± acres, each encompassing an existing developed residential use. The subject parcel is in the last year of a 10-year Non-Renewal of the Williamson Act contract due to a lack of an agricultural use on the property. The Williamson Act affords a property owner a restricted land value for tax assessment purposes on the property in exchange for maintaining a recognized agricultural use on the property. The surrounding area is predominately rangeland with some adjacent ownership currently under Williamson Act contracts. The proposed subdivision does not adversely affect the ability to utilize the property for agricultural purposes in the future while maintaining the open space aspect of the area. The proposed project is consistent with the Rangeland (RL:160) zoning district classification based on the existing uses and lot sizes proposed with the subdivision.

2. Environmental Protection: An initial study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA). There are no significant impacts to the environment identified resulting from the project, a Negative Declaration was prepared. It was noted that future development could have some impacts; however, these were considered to be less than significant impacts.

3. Division of Lands Regulations: The project was reviewed by the County Subdivision Committee on January 9, 2019, at which time the Subdivision Committee recommended conditional approval of the proposed minor subdivision to the Planning Commission per the required finding found in Mendocino County Code §17-48.5. The requested Waiver of Parcel Map is consistent with section 17-49 and with the requirements of subsection B. No conflicts with the County Division of Land Regulations were identified.

RECOMMENDATION

By resolution, adopt a Negative Declaration and grant Minor Subdivision MS_2019-0001, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

DATE

DIRK LARSON
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1616.00

ATTACHMENTS:

- A. Location Map
- B. Topographic Map
- C. Aerial Map
- D. Tentative Map
- E. Zoning Map
- F. General Plan Map
- G. Adjacent Parcels Map
- H. Farmland Classes Map
- I. Fire Hazards Map
- J. Slope Map
- K. Soils Map
- L. Wetlands Map
- M. Williamson Act Map

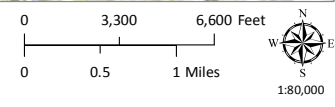
RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A)

Initial Study available online at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>



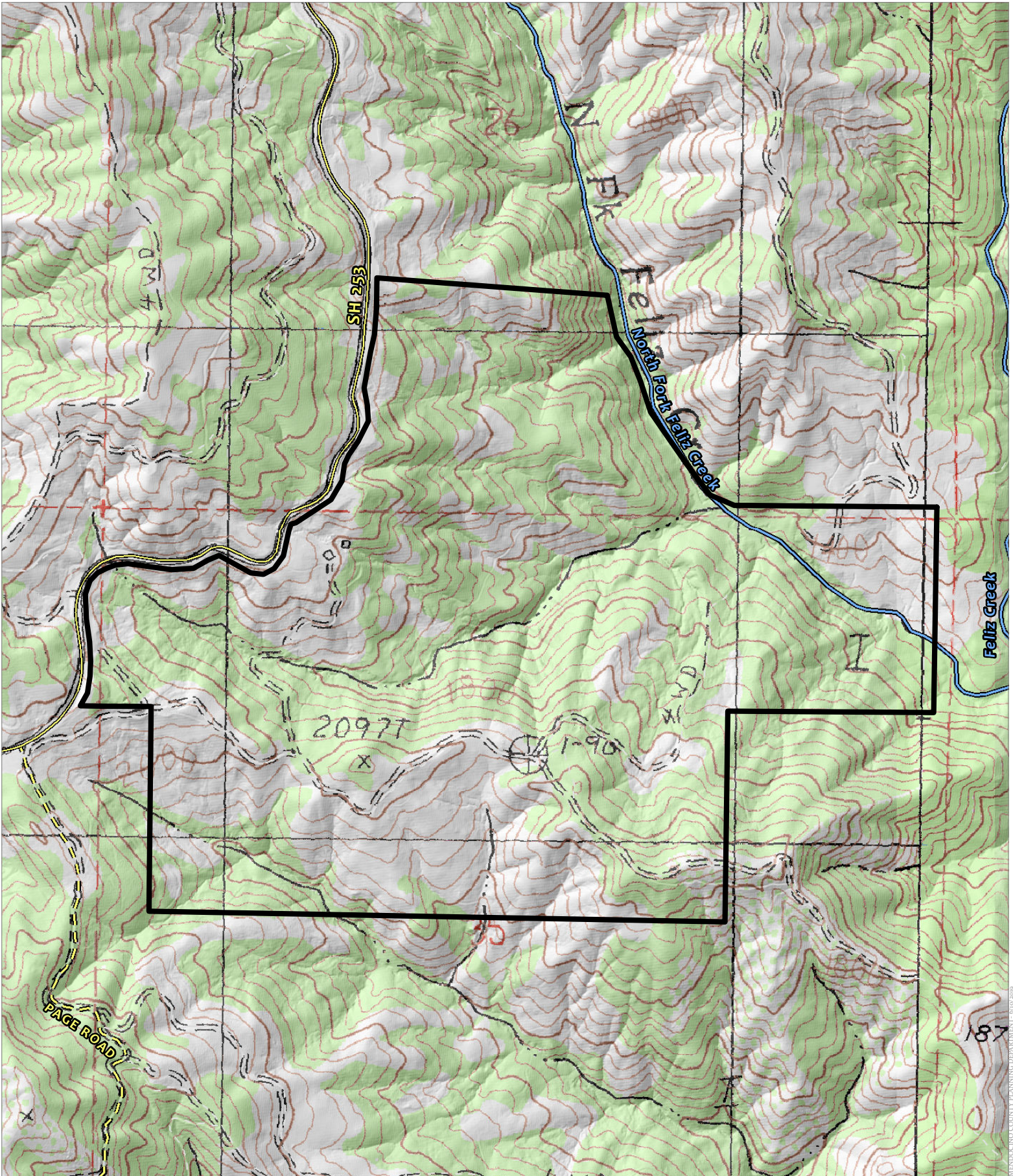
CASE: MS 2019-0001
 OWNER: ISLAND, Gary & Virginia
 APN: 046-260-84
 APLCT: Gary Island
 AGENT: Ron Franz
 ADDRESS: 12101 Boonville Road, Boonville

- Major Towns & Places
- Major Roads
- Major Rivers
- Highways



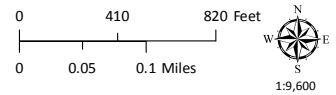
LOCATION MAP

MENDOCINO COUNTY PLANNING DEPARTMENT - 6/10/2019



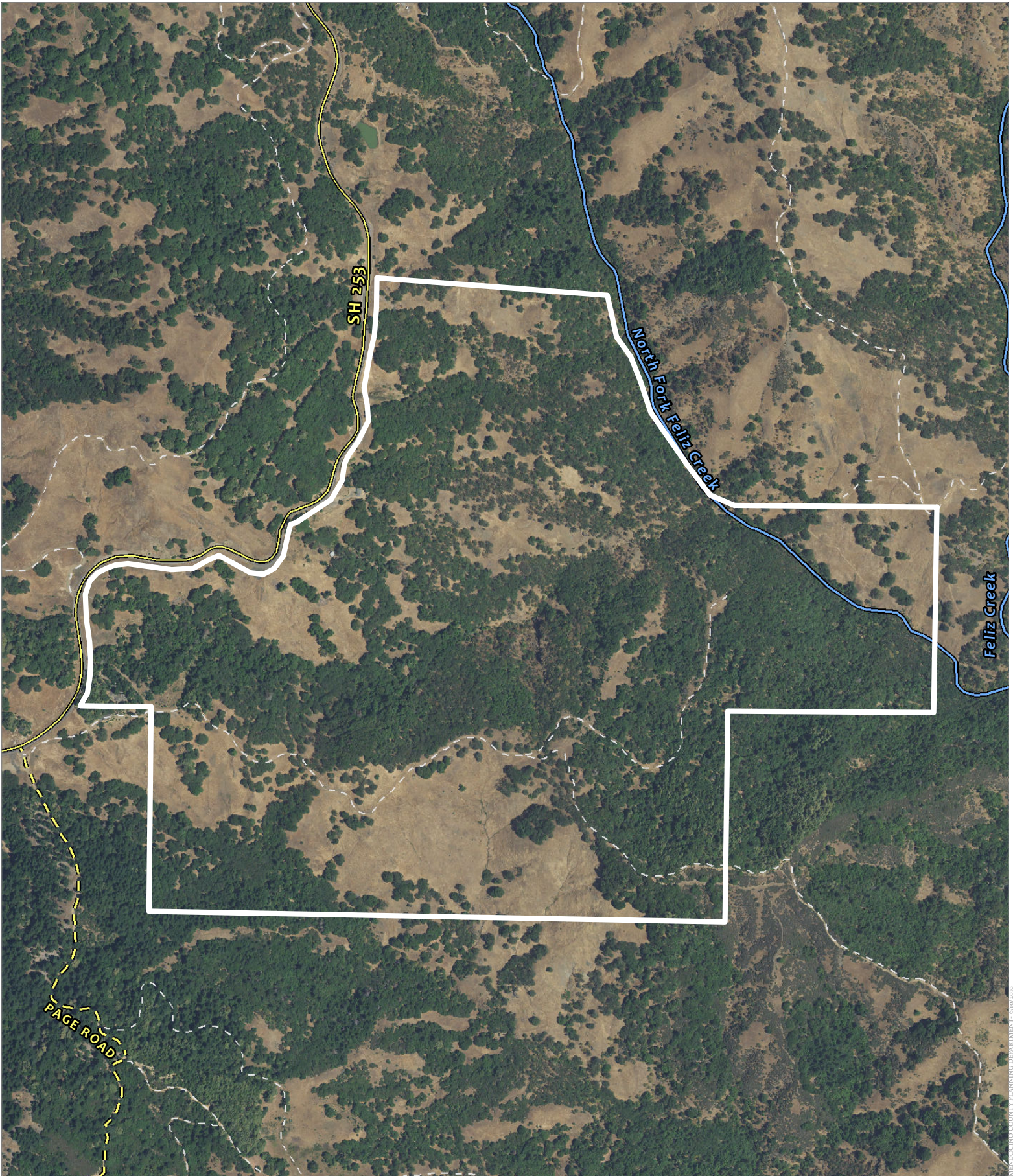
CASE: MS 2019-0001
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- Named Rivers
- Driveways/Unnamed Roads
- Public Roads
- Private Roads







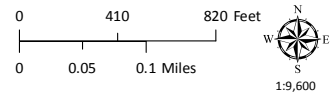
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

HENDEKING COUNTY PLANNING DEPARTMENT 4/10/2019



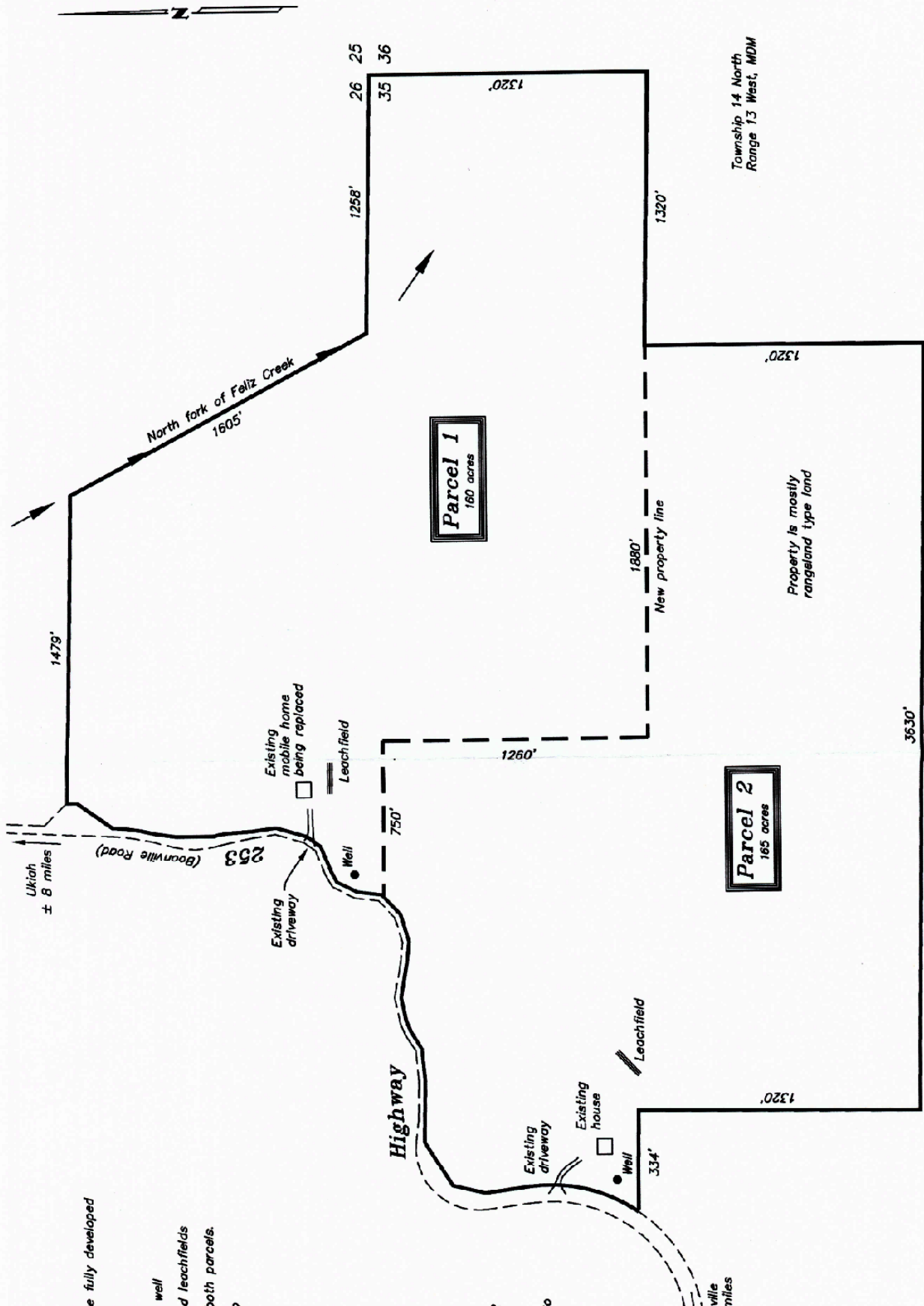
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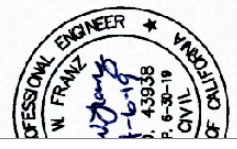


AERIAL IMAGERY

REPRODUCED FROM THE MISSOURI DEPARTMENT OF REVENUE



Tentative Map
 for minor subdivision at
 12101 Highway 253, Boonville
 April 6, 2019 -- Scale: 1"=500'



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NO SCALE

TENTATIVE MAP


MENDOCINO COUNTY PLANNING DEPARTMENT - 6/10/2019

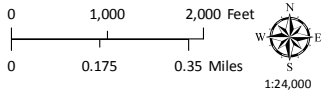
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 Zoning Districts




ZONING DISPLAY MAP

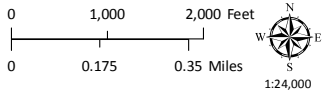
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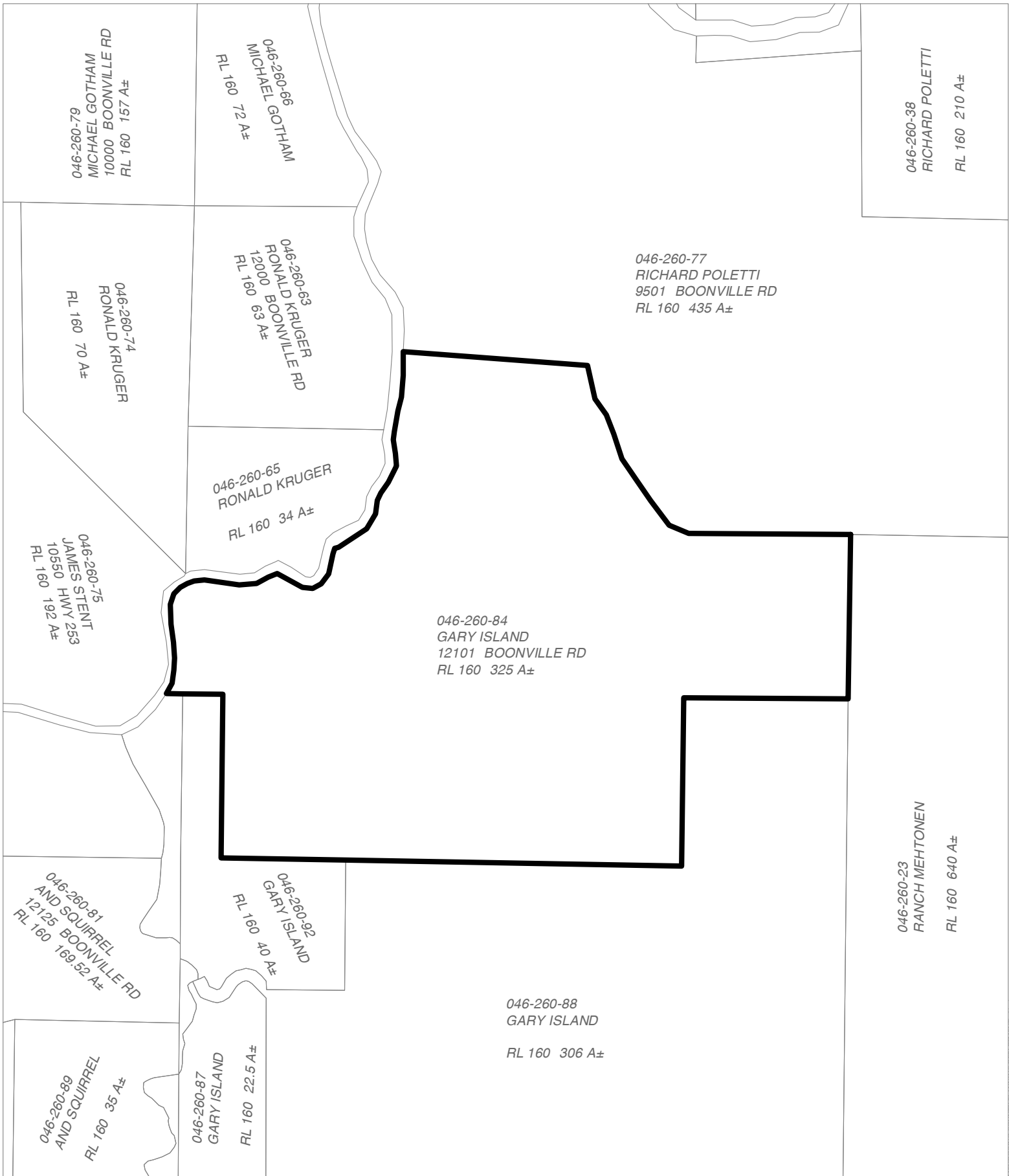
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 General Plan Classes

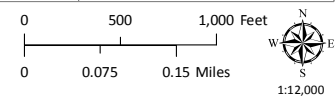


GENERAL PLAN CLASSIFICATIONS

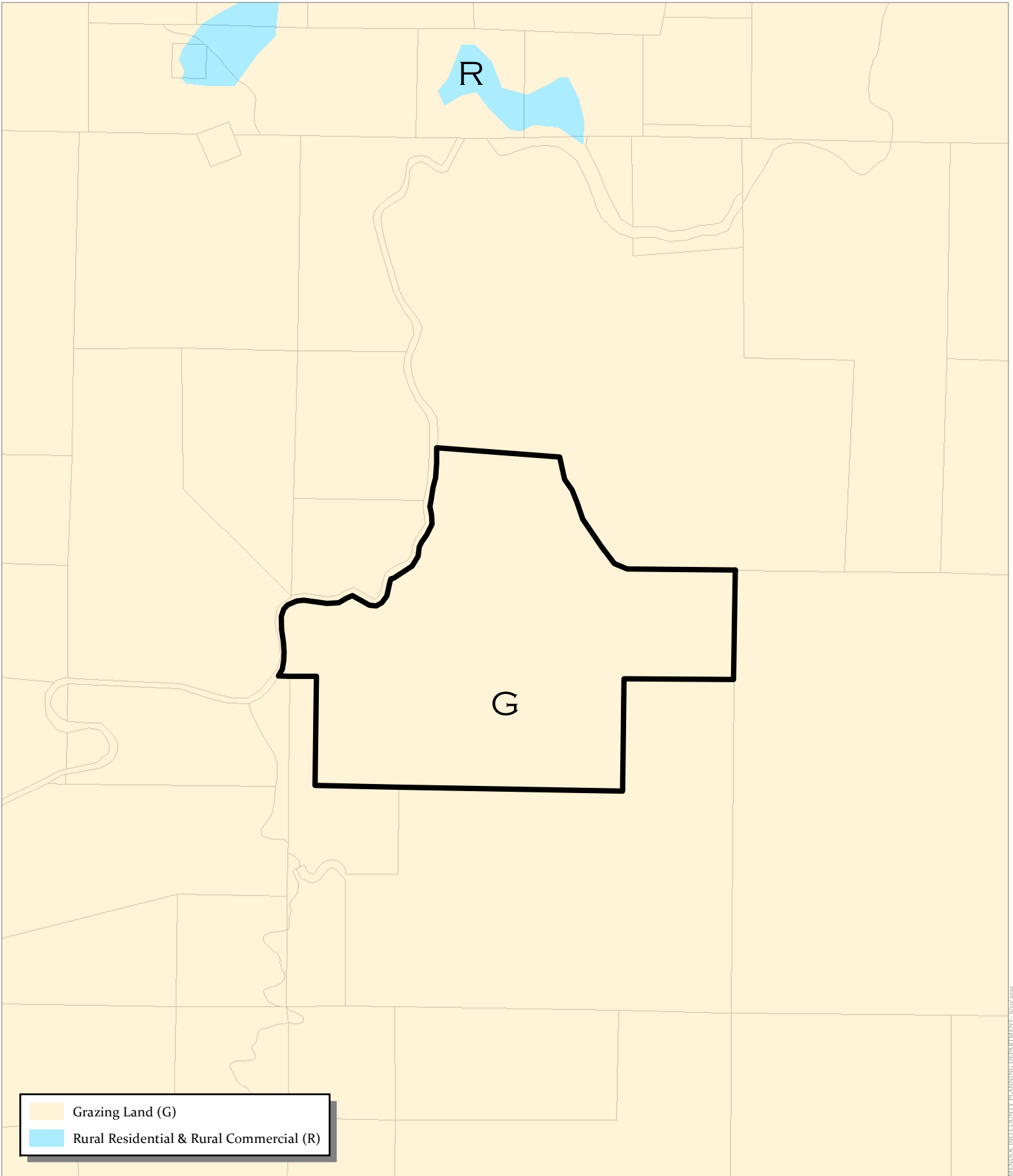
MENDOCINO COUNTY PLANNING DEPARTMENT 01/10/2019



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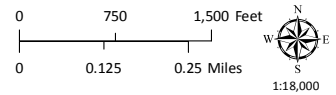


ADJACENT PARCELS



- Grazing Land (G)
- Rural Residential & Rural Commercial (R)

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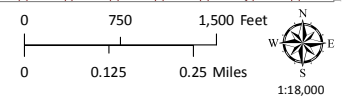
MENDOCINO COUNTY PLANNING DEPARTMENT - 6/10/2019

UKIAH VALLEY FIRE PROTECTION DISTRICT

ANDERSON VALLEY COMMUNITY SERVICES DISTRICT

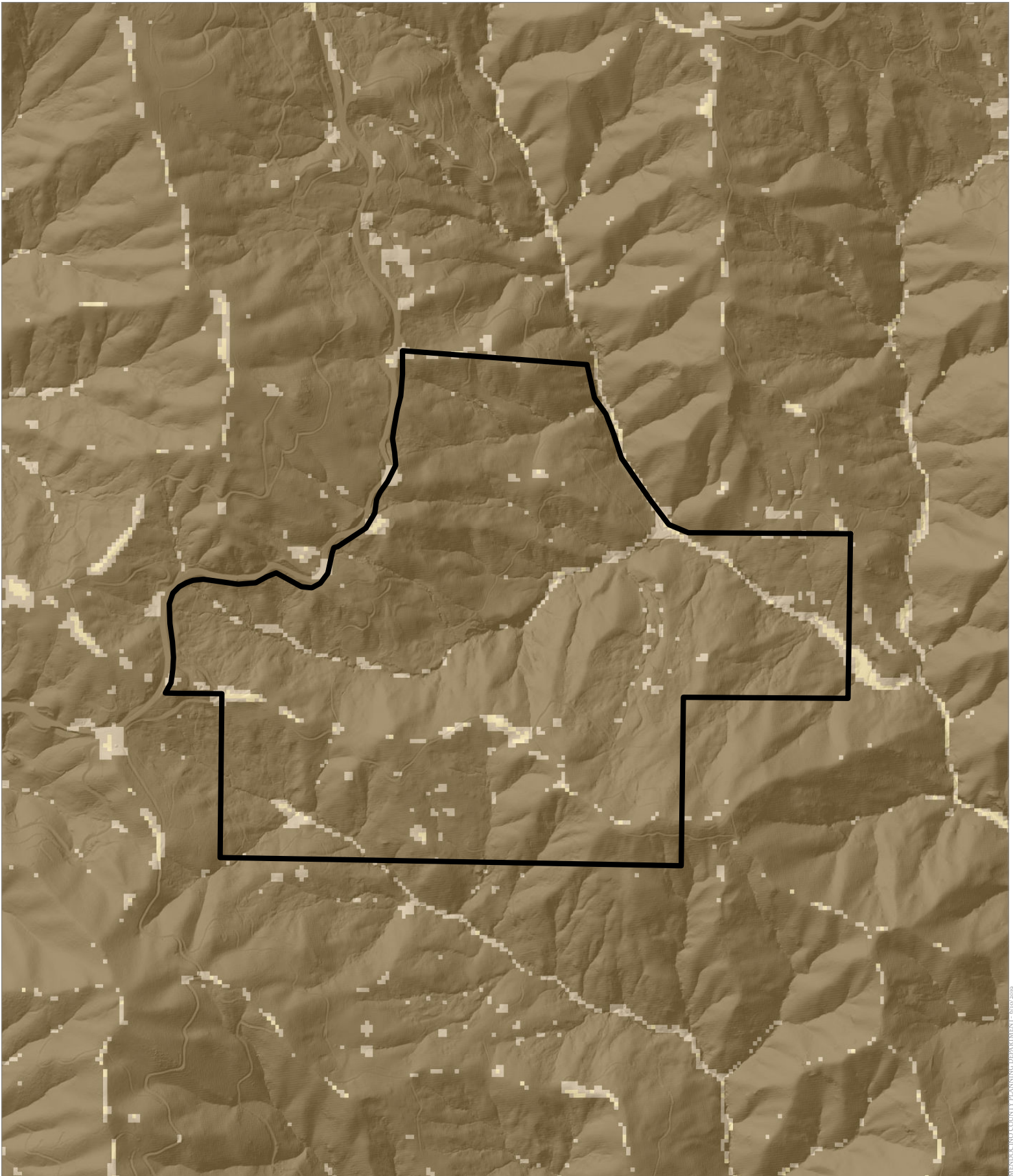
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-  Very High Fire Hazard
-  High Fire Hazard
-  County Fire Districts

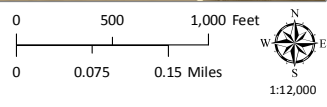
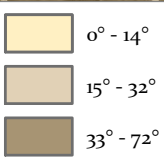


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

VENTURA COUNTY PLANNING DEPARTMENT 7/02/2019

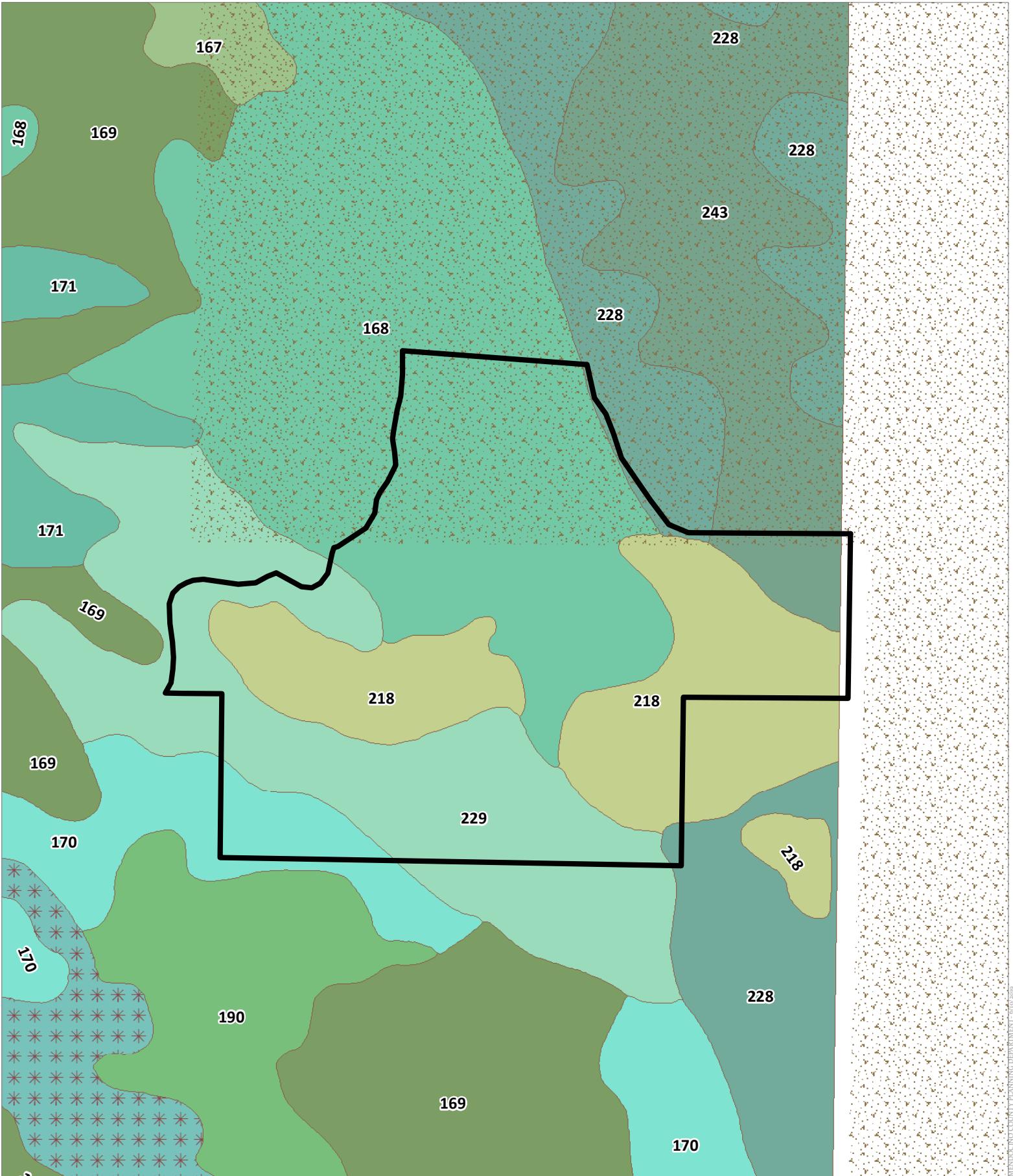


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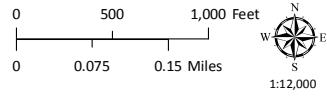
ESTIMATED SLOPE

RENDERED BY TECHNICAL DEPARTMENT 4/10/2019



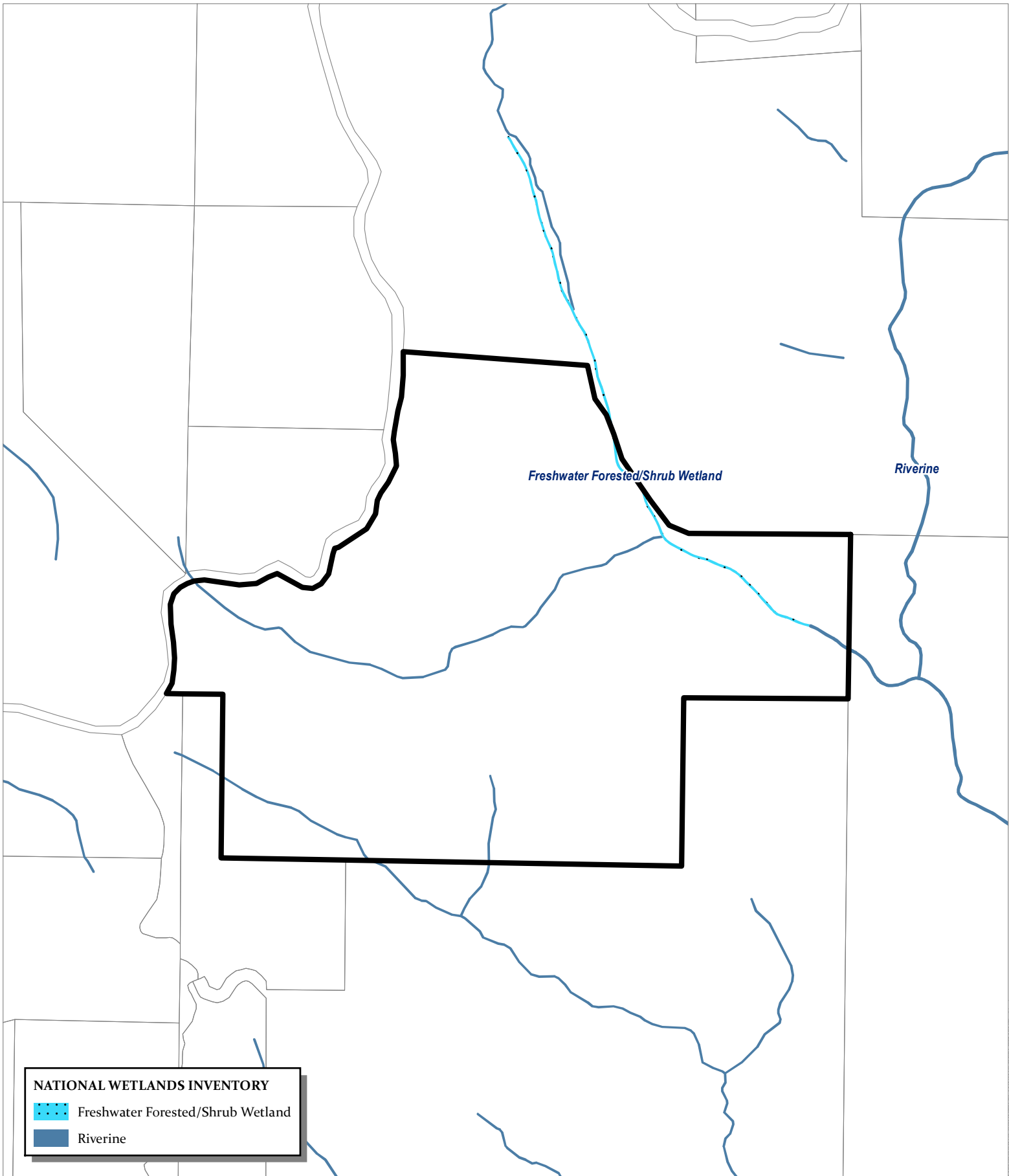
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-  Naturally Occurring Asbestos
-  Ultramafic Rock
-  Western Rock Inclusions
-  Western Study Soil Types



SOIL CLASSIFICATIONS

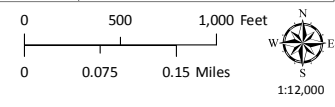
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/16/2019



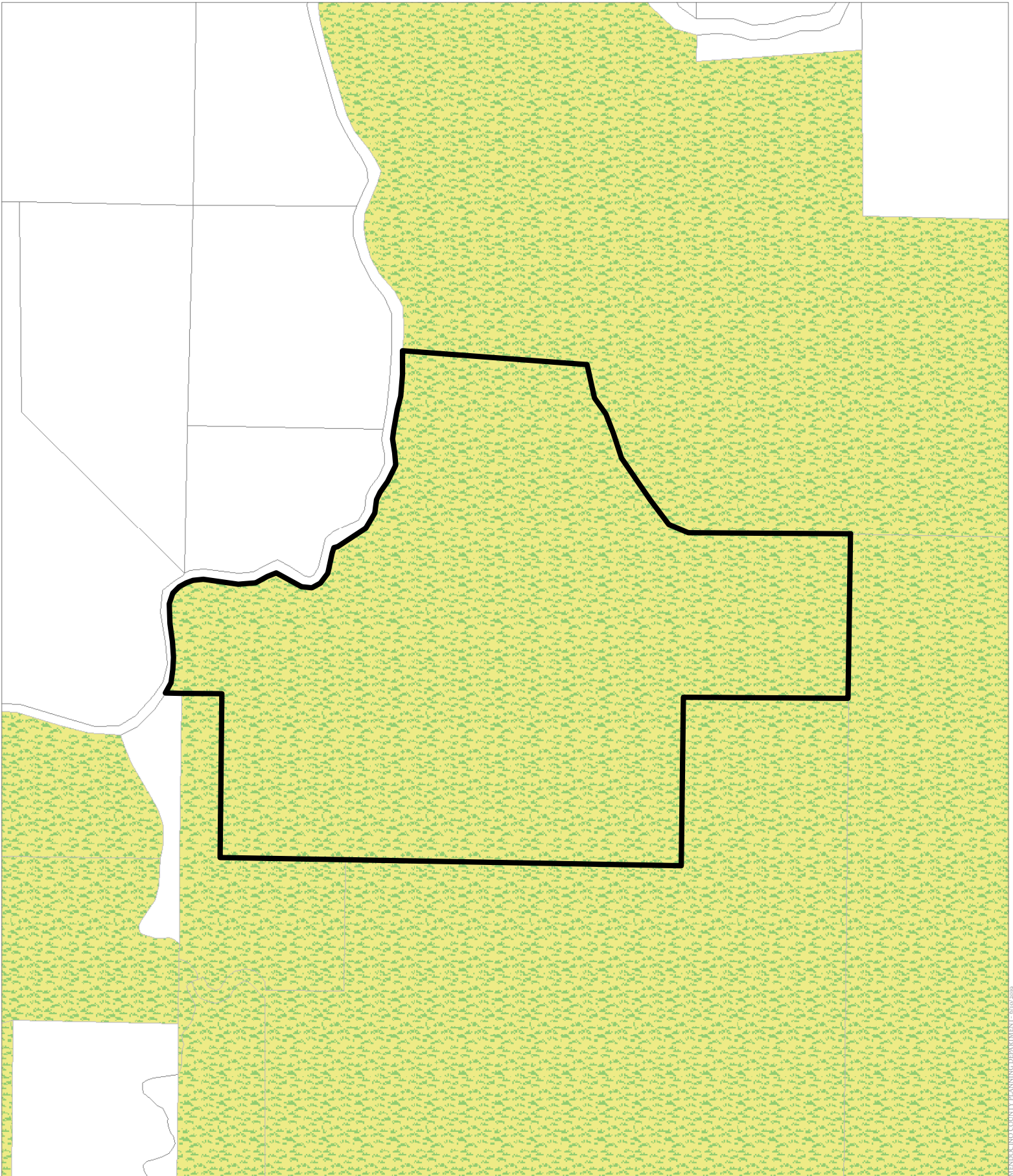
NATIONAL WETLANDS INVENTORY

- Freshwater Forested/Shrub Wetland
- Riverine



CASE: MS 2019-0001
 OWNER: ISLAND, Gary & Virginia
 APN: 046-260-84
 APLCT: Gary Island
 AGENT: Ron Franz
 ADDRESS: 12101 Boonville Road, Boonville



MENDOCINO COUNTY PLANNING DEPARTMENT - 6/10/2019



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-  Williamson Act 2018
-  Non-Prime Ag 2018

