



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

JULIA KROG, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

MEMORANDUM

DATE: JULY 6, 2023
TO: PLANNING COMMISSION
FROM: LIAM CROWLEY, PLANNING STAFF
SUBJECT: MS_2022-0004 (ERICKSON BROTHERS PROPERTIES)

On June 15, 2023, staff received comments from the Ukiah Valley Fire Authority (attached). The comments outline general fire safety requirements for future development of the proposed lots. Though no physical development is proposed as part of this Minor Subdivision, staff recommends that the following condition of approval be added and adopted as part of the resolution:

"The subdivider shall comply with those recommendations of the Ukiah Valley Fire District (received by Planning & Building Services on 6/15/23) or other alternatives as acceptable to the Fire District. Written Verification shall be submitted from Ukiah Valley Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Ukiah Valley Fire District."

This condition would memorialize the comments from Ukiah Valley Fire Authority (UVFA) and ensure that UVFA requirements are addressed at the subdivision level, if applicable.

Staff also received a response of 'no comment' from Millview County Water District on June 27, 2023.

ATTACHMENTS:

- A. UVFA COMMENTS
- B. REDLINE RESOLUTION

JUN 15 2023

Mendocino County



UKIAH VALLEY FIRE AUTHORITY

300 Seminary Ln

UKIAH, CA 95482-6709

Phone: (707)462-7921 ♦ Inspections: (707) 463-6739 ♦ Email: Mkeizer@cityofukiah.com

- 1- The project shall comply with the currently adopted California Building Code, California Fire Code, and other codes, standards, regulations and requirements as enforced by the Ukiah Valley Fire Authority (UVFA). Approval of these plans shall not permit the violation of any code or law.
- 2- Alterations to the building that impact the Fire Alarm and/or Fire Suppression Systems shall require a deferred submittal with a minimum of two sets of plans and with specifications provided to the UVFA for review and approval prior to initiating work that would impact those systems. Only a qualified C-16 contractor working on a fire suppression system or C-10 licensed contractor working on a fire detection system can complete necessary work on those systems.
- 3- **Address markers.** All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. Addresses shall be posted at the beginning of construction and shall be maintained thereafter. The address shall be visible and legible from the road on which the address is located. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction. Addressing must meet UVFA adopted standards/
- 4- All weather fire access roads shall be approved by the UVFA and be in place before any combustible materials are placed on the site. Access roads shall be maintained clear of any obstructions during and after construction. Where the Fire Code Official determines that it is necessary to ensure adequate fire access, the Fire Code Official may designate existing roadways as fire access roadways as provided by vehicle code section 22500.1 (public) or 22658 (A) (Private). Roadway design features (speed bumps, humps, speed control dips Etc.....) that may interfere with emergency apparatus responses shall not be installed on the fire access roadway unless they meet design criteria approved by the Fire Code Official.
- 5- The building Fire Sprinkler System shall be maintained operational at all times during alteration. When the renovation requires modification of a portion of a fire protection system, the remainder of the system shall be kept in service. CFC Section 3304.5, & NFPA 241 Section 10.8.
- 6- Sprinkler system to comply with NFPA 13 (2016 edition). Fire alarm system to comply with NFPA 72 (2016 edition). As amended by UVFA.
- 7- A 2A10BC (minimum) Fire Extinguisher shall be located at or near exits and shall be placed so that the travel distance to a fire extinguisher shall not to exceed 75 feet. Verify with Fire Inspector at time of rough inspection to assist with placement of extinguisher(s).
- 8- Knox boxes/key cabinets shall be provided for all pool enclosures, gates in the path of firefighter travel to structures, secured parking levels, doors giving access to alarm panels and/or annunciators, and any other structures or areas where immediate access is required or is unduly difficult.

- 9- Exit signs, emergency lighting, address posting, fire lane, marking, fire extinguishers and Knox Box location to be field verified by Fire Inspector.
- 10- Buildings under construction or demolition shall conform to cfc chapter 33. No smoking or cooking is allowed in structures where combustible materials are exposed or within 25' of combustible materials storage areas. Cutting, welding, or other hot work shall be in conformance with cfc chapter 35.
- 11- A final inspection by the Fire Prevention Bureau is required.
- 12- Approved plans, approval letter and permit must be on site at the time of inspection.
- 13- This plan review or approval encompasses the building plans only. Fire sprinkler system(s), alarm system(s), underground fire lines or any other fire protection system or required fire department permit(s), requires a separate plan submittal and are not encompassed in this plan review or approval.

Upon completion of work and prior to occupancy, **contact** the Ukiah Valley Fire Authority at **(707) 463-6739 Ext. 1 to schedule a final inspection.** 48 HOURS NOTICE IS REQUIRED FOR ALL INSPECTIONS.

Matt Keizer
Fire Code Official
Ukiah Valley Fire Authority
mkeizer@cityofukiah.com

Mendocino County

JUN 15 2023

Planning & Building Services

Nothing in this review is intended to authorize or approve any aspects of the design or installation which do not strictly comply with all applicable codes and standards. Ukiah Valley Fire Authority is not responsible for inadvertent errors or omissions pertaining to his review and/or subsequent field inspection(s) i.e., additional comments may be added during subsequent drawing review or field inspection. Please call if there are any questions.

Resolution Number _____

County of Mendocino
Ukiah, California

JULY 6, 2023

MS_2022-0004 – ERICKSON BROTHERS PROPERTIES LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND GRANTING A MINOR SUBDIVISION.

WHEREAS, the applicant, ROBERT NEESE filed an application for a minor subdivision with the Mendocino County Department of Planning and Building Services to subdivide an existing 10± acre parcel into four (4) parcels and one (1) remainder parcel; Parcel 1 would be 0.74± acres, Parcel 2 would be 0.75± acres, Parcel 3 would be 4.39± acres, Parcel 4 would be 1.09± acres, and the Remainder Parcel would be 3.15± acres; located in Ukiah, on the east side of North State Street (CR 104) 0.5± miles north of its intersection with Brush Street (CR 217), at 1211 North State Street, Ukiah; APN 001-360-39; General Plan Commercial (C); Zoning General Commercial (C-2); Supervisorial District 1; (the “Project”); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on June 5, 2023, in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on July 6, 2023, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project.

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record before it, makes the following findings;

- 1. General Plan Consistency:** The site is within the General Plan Commercial (C) land use classification. The proposed subdivision is within the jurisdictional boundary of the Millview County Water District and Ukiah Valley Sanitation District. It is intended that each resulting lot be provided with water and sewage via connection to these District networks. Parcel 1 would be accessed via North State Street. Parcel 2 is provided access from North State Street via an existing easement. The proposed configuration of Parcel 2 also includes access via Ford Road. Parcel 3 & 4 would be accessed via Ford Road. The Remainder parcel would be accessed from a fifty (50) foot wide easement connected to Ford Road. The site is within the jurisdictional boundary of the Ukiah Valley Fire Protection District and is within the Local Responsibility Area. No development is proposed. The proposed Parcels 1 and 4 are developed with existing commercial buildings. Parcel 2 is developed with an existing single-family residence and accessory structures. The Commercial land use classification establishes a minimum lot size of 6,000 square feet for residential use and no minimum lot size for commercial uses because the lot is within both a water and sewer district. As proposed, each resulting lot would be greater than 6,000 square feet. Therefore, the proposed subdivision request is consistent with the Commercial General Plan land use classification as well as other provisions of the General Plan.

2. **Zoning Consistency:** The site is within the General Commercial (C-2) zoning district. No development is proposed as part of the subdivision request. Existing and future land uses would be required to meet the standards of the C-2 district. Based on the tentative map provided, the existing structures would meet the minimum setback requirements. MCC Section 20.092.025 establishes a minimum lot size of 6,000 square feet for residential uses and 4,000 square feet for mobile home and manufactured home subdivisions. No minimum lot size is established for commercial uses. As no development is proposed, the proposed subdivision should meet the most restrictive minimum lot size of 6,000 square feet. Each proposed lot is at least 30,000 square feet in size. Therefore, the proposed subdivision is consistent with the C-2 zoning district.

3. **Ukiah Valley Area Plan:** The proposal is consistent with applicable policies of the UVAP as follows:

Policy LU 1.2a: Use land use planning and decision-making to promote compact development forms, mixed uses, infill, reuse, and sustainable technologies. Such strategies are intended to promote resource management and conservation, service and infrastructure efficiencies, and avoid the degradation or waste of social, economic and environmental resources. The parcel is within an urban area surrounded by other uses and future development of the resulting lots can be considered infill development.

Policy LU 1.4: Continue to allow growth in High Intensity Development Corridors. The parcel is along the North State Street corridor and subdivision would allow future growth, including commercial uses.

Policy WM 2.2a: Development proposals shall provide adequate proof of water to the Department of Planning and Building Services and the Division of Environmental Health that adequate water supplies are available to support the new use/development based on the adopted standards. Conditions of approval require that proof of water be provided for the resulting lots, such as a “will-serve letter” from the applicable water district.

4. **Ukiah Municipal Airport Land Use Compatibility Plan:** The site is located within the general Airport Influence Area but is not located within a Compatibility Zone. As such, the project is not subject to review by the Airport Land Use Commission (ALUC). The project was referred to the ALUC on December 13, 2022. ALUC commented that the site is not located in an airport zone.

5. **Division of Land Regulations:** The project, as proposed, would not be consistent with MCC Section 17-52(F) of the Division of Land Regulations, which details the maximum depth to width ratio for subdivisions. The proposed width of Parcel 4 would exceed the maximum average depth by thirteen (13) feet. The Planning Commission approves a greater width-depth ratio as the lot would be used for commercial purposes consistent with MCC Section 17-52(F). Pursuant to Division of Land Regulations Section 17-52(L), the Planning Commission approves the proposed “flag lot” for Parcel 2 due to the special condition and topographic considerations as detailed in the staff report and further finding that the access strip meets the minimum depth and width requirements for a flag lot. The project was reviewed by the Mendocino County Subdivision Committee on April 13, 2023. The Committee recommended conditional approval of the proposed subdivision to the Planning Commission pursuant to findings required by MCC Section 17-48.5.

6. **Environmental Protection:** An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act (CEQA) and no significant environmental impacts were identified. Therefore, a Negative Declaration was prepared. It was noted that future development could have some impacts, however these were considered less than significant impacts.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Negative Declaration. The Planning Commission certifies that the Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Minor Subdivision, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES FEENAN
 Commission Services Supervisor

By: _____

BY: JULIA KROG
 Director

DIANA WIEDEMANN, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL

MS_2022-0004 – ERICKSON BROTHERS PROPERTIES LLC

JULY 6, 2023

APPROVED PROJECT DESCRIPTION: Minor Subdivision of an existing 10± acre parcel into four (4) parcels and one (1) remainder parcel. Parcel 1 would be 0.74± acres, Parcel 2 would be 0.75± acres, Parcel 3 would be 4.39± acres, Parcel 4 would be 1.09± acres, and the Remainder Parcel would be 3.15± acres.

CONDITIONS OF APPROVAL:

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

Aesthetics

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

“All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.”

Air Quality

2. The following note shall appear on the Parcel Map:

“Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval.”

Biological Resources

3. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,814.00 or current fee shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within five (5) days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to ensure timely compliance with this condition.**

Cultural Resources

4. The following note shall appear on the Parcel Map:

“In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.”

Geology and Soils

5. The subdivider shall **acknowledge in writing** to the Department of Planning and Building Services that all grading activities and site preparation, at a minimum, shall adhere to the following “Best Management Practices”. The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site inspection standards.
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - c. All concentrated water flows shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - d. Temporary erosion and sediment control measures shall be established and maintained until permanent protection is established.
 - e. Erosion control measures shall include, but are not limited to, seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 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:
 - i. 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).
 - ii. 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 on any one lot and does not obstruct a drainage.

Fire

6. The subdivider shall comply with those recommendations of the Ukiah Valley Fire District (received by Planning & Building Services on 6/15/23) or other alternatives as acceptable to the Fire District. Written Verification shall be submitted from Ukiah Valley Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Ukiah Valley Fire District.

Hydrology and Water Quality

- 7 6. The applicant shall either:
 - i. 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 extension, 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

- ii. 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 the 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.

The Division of Environmental Health shall submit written clearance to the Department of Planning & Building Services upon completion of this condition.

Transportation

- 8.7. 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.
- 9.8. All natural drainage and water courses shall be considered as easements. Minimum width shall be twenty (20) feet, or to the high water level plus five (5) feet horizontal distance, whichever is greater. If a Parcel Map is filed, such easements shall be shown on the final parcel map.
- 10.9. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

Special Conditions

- 11.10. A Conditional Certificate of Compliance shall be recorded for the Remainder Parcel concurrently with the recording of the Parcel Map. The Conditional Certificate of Compliance shall require that the following conditions must be met prior to future development of the Remainder Parcel:
 - a. All future external lighting, whether installed for security, safety, or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.
 - b. Future development of building site(s), access roads or driveways may be subject to the grading requirements and drainage control measures identified in the Conditions of Approval.
 - c. In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
 - d. The applicant shall either:
 - i. 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 extension, where required) have been installed to the satisfaction of the district or agency to serve the remainder parcel 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;
 - ii. 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 the remainder parcel 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 the 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.

The Division of Environmental Health shall submit written clearance to the Department of Planning & Building Services upon completion of this condition.

e. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

12 41. Building/Development setbacks indicating Front/Rear/Side yards to all property boundaries (existing and proposed) and roadway/easements shall be designated on the Parcel Map per Mendocino County Code Section 17-52(I)).

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

14 43. The following note shall appear on the Parcel Map:

“Future development of building sites will be subject to the requirements of MCC Chapter 16.30 regarding stormwater pollution prevention, and may require an engineered Preliminary Stormwater Control Plan prior to issuance of a building permit.”

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