



Planning and Building
Services

Case No: MS 2020-06

CalFire No: N/A

Date Filed: 12/3/20

Fee: \$ 7,656-

Receipt No: 38602

Received By: RDF

Office use only

APPLICATION FORM

APPLICANT

Name: Vance Ricks

Phone: 707-891-3414

Mailing

Address: 10580 West Road City: Redwood Valley State/Zip: Ca. 95470 email: vancestr@gmail.com

PROPERTY OWNER

Name: Jack Rafter LLC

Phone: _____

Mailing Address: P.O. Box 620

City:
Windsor

State/Zip:
Ca. 95482

email: _____

AGENT

Name: Jim Ronco

Phone: 707-477-7616

Mailing

Address: 445 N. State St

City: Ukiah

State/Zip: Ca. 95482

email: jim@jimroncoconsulting.com

Parcel Size: 6 +/- ac (Sq. feet/Acres) Address of Property: 4681 N. State St., Ukiah, Ca.

Assessor Parcel Number(s): 167-190-08 & 167-230-03

TYPE OF APPLICATION:

- ☐ Administrative Permit
- ☐ Agricultural Preserve
- ☐ Airport Land Use
- ☐ CDP- Admin
- ☐ CDP- Standard
- ☐ Certificate of Compliance
- ☐ Development Review
- ☐

- ☐ Flood Hazard
- ☐ General Plan Amendment
- ☒ Land Division-Minor
- ☐ Land Division- Major
- ☐ Land Division-Parcel
- ☐ Land Division-
- ☐ Resubdivision Modification
- ☐ of Conditions

- ☐ Rezoning
- ☐ Use Permit-Cottage
- ☐ Use Permit-Minor
- ☐ Use Permit-Major
- ☐ Variance
- ☐ Other

I certify that the information submitted with this application is true and accurate.

W. Vance Ricks

Signature of Applicant/Agent

11/25/20

Date

Jim Ronco

Signature of Owner

11-25-2020

Date

1.

Lot Number	Lot Size	Proposed Land Use	Existing Buildings
Lot Number 1	2.1 +/- ac	residential	none
Lot Number 2			
Lot Number 3			
Lot Number 4			
Remainder Parcel	3.9 +/-	residential	7 residential uses 1 barn 2 sheds

2. ☐ A survey is going to be performed and a parcel map prepared.
☒ A waiver of survey is requested.
3. A. Water supply is from:
☐ Individual wells on each lot
☒ Water company
☐ Spring
- B. Sewage disposal is by use of:
☐ Public system
☒ Private system
4. Is an Exception requested of any of the minor subdivision regulations? ☐ Yes ☒ No
 (If yes an application for Exception must accompany this application.)

DISCLAIMER: I (and each of us for ourselves) as owner(s) of the subject property, do hereby declare under penalty of perjury that the tentative map, exhibits and documents submitted herewith reflect the contiguous properties of which I/we had, or do presently hold any ownership interest in, subsequent to September 20, 1963. I/we authorize the below individual/firm to represent me/us in the matter of the minor subdivision of land application.


 Owner's Signature

11-18-2020

Date

Owner's Signature

Date

I, the undersigned, state that I am the recorded owner of the property being divided or his duly authorized agent and that all data and evidence herewith submitted are in all respects to the best of my knowledge true and accurate.

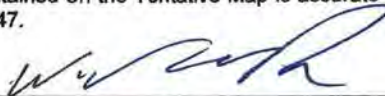

 Applicant and/or Agent's Signature

11/25/20
 Date

VALE RICKS

Print Name of Representative

CERTIFICATION: As the person who prepared the Tentative Map, I hereby certify that, to the best of my knowledge, the information contained on the Tentative Map is accurate and complete in containing information required by Mendocino County Code Section 17.47.


 Signature of Preparer of the Tentative Map

11/25/20
 Date

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

[illegible]

3. If the project is commercial, industrial or institutional, complete the following: n/a

Estimated employees per shift: _____

Estimated shifts per day: _____

Type of loading facilities proposed: _____

4. Will the proposed project be phased? Yes ☒ No ☐ If yes, explain your plans for phasing:

5. Will vegetation be removed on areas other than the building sites and roads? Y ☐ No ☒ Explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives? ☐ Yes ☒ No If yes, explain:

7. How much off-street parking will be provided?

	Number	Size
Number of covered spaces	_____	_____
Number of uncovered spaces	<u>-0-</u>	_____
Number of standard spaces	_____	_____
Number of handicapped spaces	_____	_____
Existing Number of Spaces	<u>-0-</u>	
Proposed Additional Spaces	<u>2</u>	
Total	<u>2</u>	

8. Is any road construction or grading planned? ☐ Yes ☐ No If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

See Sheet A

9. For grading or road construction, complete the following: see Sheet A

A. Amount of cut <u>50</u>	cubic yards
B. Amount of fill _____	cubic yards
C. Maximum height of fill slope _____	feet
D. Maximum height of cut slope _____	feet
E. Amount of import or export <u>less than 50</u>	cubic yards
F. Location of borrow or disposal site _____	

<p>10. Does the project involve sand removal, mining or gravel extraction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, detailed extraction, reclamation and monitoring plans may be required?</p> <p>11. Will the proposed development convert land currently or previously used for agriculture to another use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many acres will be converted? _____ acres. An agricultural economic feasibility study may be required.</p> <p>12. Will the development provide public or private recreational opportunities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain below: _____ _____ _____</p>	<p>13. Is the proposed development visible from State Highway 1 or other scenic route? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>14. Is the proposed development visible from a park, beach or other recreational area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes? N/A</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Diking : <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Filling: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Dredging: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> </div> <div style="width: 45%;"> <p>Placement of structures in:</p> <p><input type="checkbox"/> open coastal waters</p> <p><input type="checkbox"/> wetlands</p> <p><input type="checkbox"/> estuaries</p> <p><input type="checkbox"/> lakes</p> </div> </div> <p>If so, amount of material to be dredged or filled? _____ cubic yards.</p> <p>Location of dredged material disposal site? _____</p> <p>Has a U.S. Army Corps of Engineers permit been applied for? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>16. Will there be any exterior lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans. _____ _____</p>	
<p>17. Utilities will be supplied to the site as follows:</p> <p>A. Electricity:</p> <p><input checked="" type="checkbox"/> Utility Company (service exists to the parcel)</p> <p><input type="checkbox"/> Utility Company (requires extension of service to site: _____ feet _____ miles)</p> <p><input type="checkbox"/> On Site Generation - Specify: _____</p> <p>B. Gas:</p> <p><input checked="" type="checkbox"/> Utility Company/Tank</p> <p><input type="checkbox"/> On Site Generation - Specify: _____</p> <p><input type="checkbox"/> None</p> <p>C. Telephone: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>18. What will be the method of sewage disposal?</p> <p><input type="checkbox"/> Community sewage system - Specify supplier _____</p> <p><input checked="" type="checkbox"/> Septic Tank</p> <p><input type="checkbox"/> Other - Specify: _____</p>	
<p>19. What will be the domestic water source:</p> <p><input checked="" type="checkbox"/> Community water system - Specify supplier <u>Millview</u></p> <p><input type="checkbox"/> Well</p> <p><input type="checkbox"/> Spring</p> <p><input type="checkbox"/> Other - Specify: _____</p>	

20. Are there any associated projects and/or adjacent properties under your ownership?
☐ Yes ☒ No If yes, explain (e.g., Assessor's Parcel Number, address, etc.):

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, state and federal agencies:
 See sheet A

22. Describe the location of the site in terms of readily identifiable landmarks (e.g., mailboxes, mile posts, street intersections, etc.):
 See Sheet A

23. Are there existing structures on the property? ☒ Yes ☐ No
 If yes, describe below, and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.
 See Sheet A

24. Will any existing structures be demolished or removed? ☐ Yes ☒ No
 If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.

25. Project Height. Maximum height of existing structures 0 feet. Maximum height of proposed structures 16 feet.

26. Gross floor area of existing structures 0 square feet (including covered parking and accessory buildings). Gross floor area of proposed structures _____ square feet (including covered parking and accessory buildings).

27. Lot area (within property lines): 2.1 ☐ square feet ☒ acres.

28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful.
 See Sheet A

29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.
 See Sheet A

30. Indicate the surrounding land uses:

	North	East	South	West
Vacant				X
Residential Agricultural	X		X	
Commercial Industrial		X		
Institutional Timberland				
Other				

Sheet A

Project Description:

Owner intends to create a single 2.1+/- ac undeveloped parcel zoned SR-12K with a remainder parcel comprising 3.9+/- acres located on N. State St. within Millview County Water District and Ukiah Valley Fire Protection District. Parcel 1 will be developed for single family purposes per Sec 20.016 of the county zoning code. The Suburban Residential district is intended to be applied adjacent to existing developed communities on the urban side of the urban/rural boundary, or in areas suited for future residential growth. Lands within this district should be served by public roads and adjacent to or within a public service area. Parcel 1 is bounded on the North by the 60 unit North Valley Mobile Home Park and on the south by the 7 residential units located on the remainder parcel.

Parcel 1 will access through an existing paved private road encroachment onto N. State St. located on the remainder parcel. A 40 foot wide ingress, egress and public utility easement extending over the existing paved road located on the remainder parcel will provide access to Parcel 1. An extension of the existing paved roadway leading to Parcel 1 will be constructed and surfaced to a width of 20 feet and a length of 80+/- . Creation of Parcel 1 may increase the number of trips on to N. State. St. by 8 trips per day leaving no nexus for increasing the width of N. State. St.

Water service will be provided by Millview County Water District. Public utilities are located on the remainder parcel and will be available for Parcel 1. Parcel 1 will use a septic system for waste treatment will include a set back from the existing leach fields on the remainder parcel. Parcel 1 has slopes running from level to greater than 15% running from East to West. No serpentine soils are known to exist on site.

Fire protection for Parcel 1 will be provided by Ukiah Valley Fire Protection District using the existing circular driveway located on the remainder parcel and the fire hydrant located approximately 300 feet from Parcel 1. Minimal hardwood tree removal will occur for road construction. Future residential development may require the removal of a limited number of hardwood trees although the main building site is currently without hardwoods.

The remainder parcel is not part of the creation of Parcel 1 Section 66424.6 of the Subdivision Map Act. Multiple legal non-conforming residential structures, with current building permits, are located on the remainder parcel each served by septic systems. The improvements are delineated on the Tentative Parcel Map.

Unit 1 is a 968 sq. ft. residence

Unit 2 is duplex comprising 1,170 sq ft.

Unit 4 is a 1050 sq. ft. residence

Unit 5 is a 546 sq. ft. residence

Unit 6 is a 546 sq. ft. residence

Unit 8 is a 907 s q. ft. residence

The tentative map also delineates 2 shed, 207 sq. ft. & 1130 sq. ft. and an 807 sq. ft. barn.

8. & 9. Road Construction;

Owner intends to construct an extension of the existing private roadway located on the remainder parcel to Parcel 1. The extension will be 20 feet in width and extend approximately 80 feet from the existing paved road using native materials and less than 50 cubic yards of imported material.

21. Permits

Owner will obtain a grading permit for the creation of the extension of the roadway to Parcel 1. Less than 40,000 sq. ft. of surface will be involved with the road construction therefore no other permits will be necessary.

22. Site location

Site is approximately 1.5 miles south of the urban center known as Calpella located on the east side of N. State. St and is immediately south of North Valley Mobile Home park.

23. Existing Structures

Parcel 1 is unimproved.

Improvements on the remainder parcel which is not a part of the minor subdivision are:

Unit 1 is a 968 sq. ft. residence

Unit 2 is duplex comprising 1,170 sq ft.

Unit 4 is a 1050 sq. ft. residence

Unit 5 is a 546 sq. ft. residence

Unit 6 is a 546 sq. ft. residence

Unit 8 is a 907 sq. ft. residence

2 sheds, 207 sq. ft. & 1130 sq. ft. and an 807 sq. ft. barn.

No demolition of improvements on the remainder parcel is contemplated.

28. Site as it exists

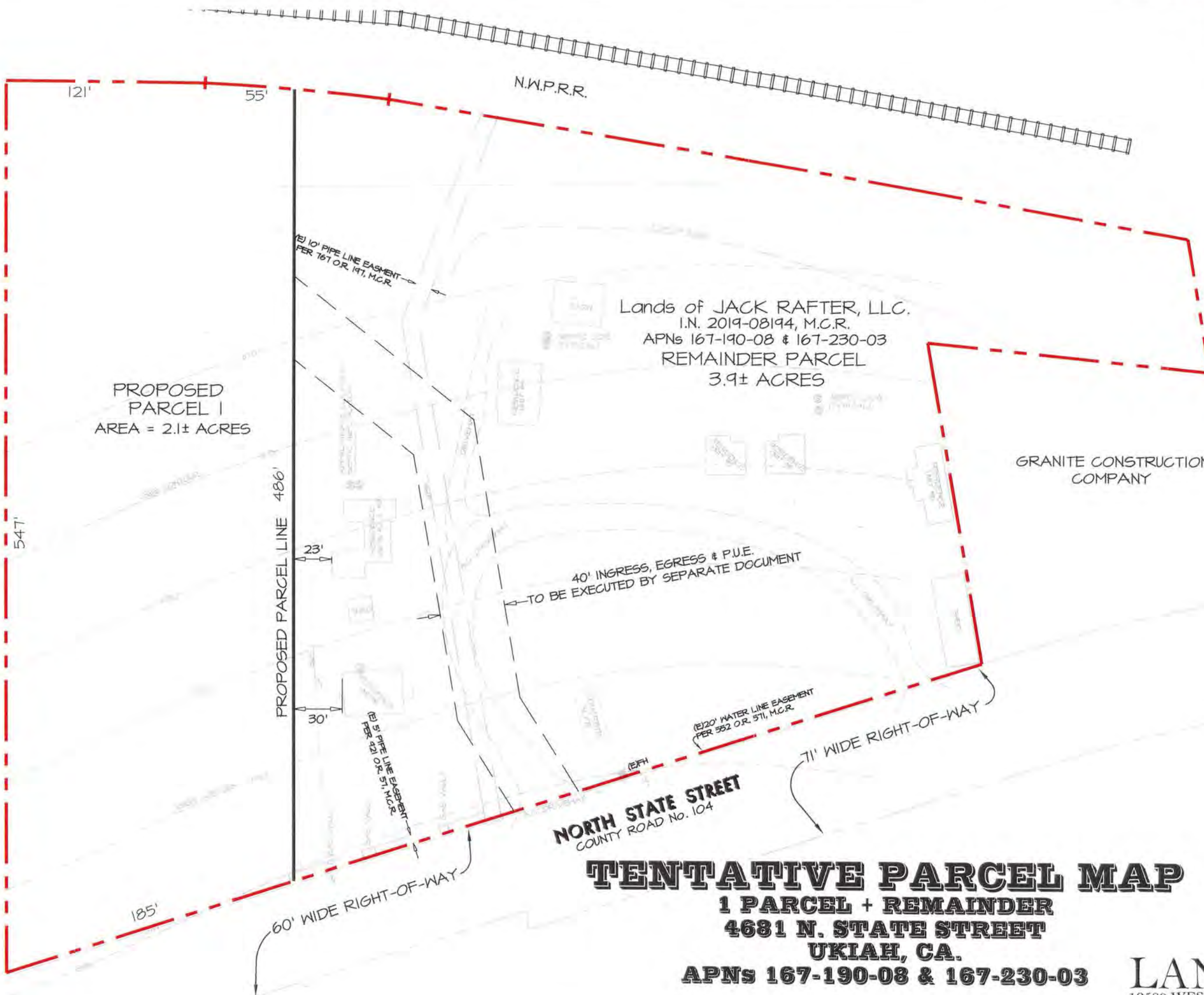
Proposed Parcel 1 is unimproved. Site is bounded on the North by the 60 unit North Valley Mobile Home park and on the south by the 7 residential units located on the remainder parcel. The site is bordered by the old railroad tracks on the east (tracks are at the bottom of a steep incline of the eastern edge of proposed Parcel 1) and N. State St. and U. S. Highway 101 on the west. The site is vegetated with mixed native and non-native grasses and scattered hardwood trees. No rare or endangered species of flora or fauna are known to exist on site. Fauna visiting the site consists of native species of rodents, birds, scavenging mammals, deer and domestic animals. Site is in an area of higher density rural residential and mixed uses with 3 mobile home parks to the North and a residential mobile home subdivision to the southwest (north of First Avenue) as well as industrial uses occurring along N. State. St. to the south. Parcel 1 will provide in fill as it is one of the last remaining vacant parcels along N. State St. between the Forks and the mobile home parks. No historical or cultural uses are known to have occurred on site. Site will be minimally visible from N. State. St. due to tree cover along N. State. St. No serpentine soils, wetlands or special interest soils are known to exist on site.

29. Surrounding properties.

Site is bounded on the North by the 60 unit North Valley Mobile Home park and on the south by the 7 residential units located on the remainder parcel. The site is bordered by the old railroad tracks on the east (tracks are at the bottom of a steep incline of the eastern edge of proposed Parcel 1) and N. State St. and U. S. Highway 101 on the west. No known cultural, historical or scenic areas of note exist on the surrounding properties. Residential uses on the surrounding properties bring with that use non-native species of plants and animals. Fauna visiting the surrounding parcels consists of native species of

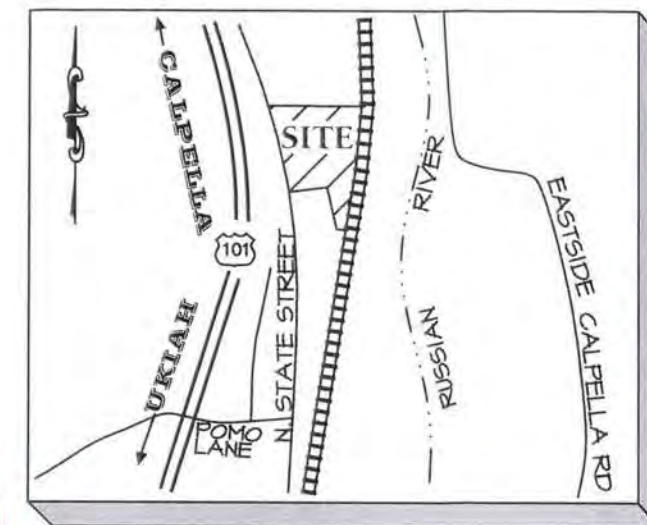
rodents, birds, scavenging mammals, deer and domestic or aboriginal animals. No agricultural uses occur on the adjacent parcels. Scattered hardwood trees and some grassy areas exist on the parcel to the south and along the tracks.

NORTH VALLEY MOBILE HOME PARK

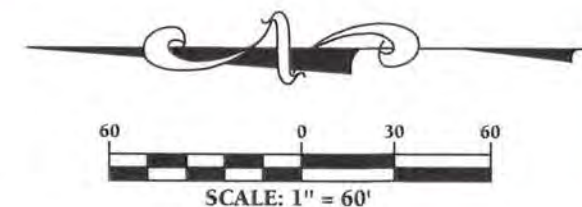


Lands of JACK RAFTER, LLC.
I.N. 2019-08194, M.C.R.
APNs 167-190-08 & 167-230-03
REMAINDER PARCEL
3.9± ACRES

GRANITE CONSTRUCTION
COMPANY



LOCATION MAP
NO SCALE



NORTH STATE STREET
COUNTY ROAD No. 104

TENTATIVE PARCEL MAP

1 PARCEL + REMAINDER
4681 N. STATE STREET
UKIAH, CA.

APNs 167-190-08 & 167-230-03



25 NOVEMBER, 2020

VANCE
LAND SURVEYING
10580 WEST ROAD REDWOOD VALLEY, CA. (707) 891-3414

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

January 14, 2021

File No.: 20-1291

Mark Cliser, Planner
County of Mendocino
Department of Planning & Building Services
860 North Bush Street
Ukiah, CA 95482

re: MS-2020-0006 / APNs 167-190-08 and 167-230-03 at 4681 North State Street, Ukiah / Vance Ricks

Dear Mark Cliser,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.

Project Description: Minor Subdivision of one legal 6 acre parcel, comprised of APNs: 167-190-08 and 167-230-03, creating two separate legal parcels of 2.1± acres and 3.9± acres.

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (*see recommendation below*).

Archaeological and Native American Resources Recommendations:

XX Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Mendocino County have been found near oak woodland, as well as near a variety of plant and animal resources. Sites are also found near watercourses, particularly where there is access to salmon fishing spots. The proposed project area is located at the hill to valley interface approximately one hundred meters west of the Russian River and approximately one half mile north of its confluence with York Creek. The project area contains several trees, and low grasses. Given the similarity of one or more of these environmental factors and the ethnographic and archaeological sensitivity of the area, there is a moderate potential for unrecorded Native American resources in the proposed project area.

We therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

XX We recommend you contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916)373-3710.

Built Environment Recommendations:

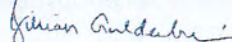
XX The 1958 USGS Ukiah 15' quad depicts three buildings in the proposed project area. If present, these unrecorded buildings or structures meet the Office of Historic Preservation's (OHP) minimum age standard that buildings, structures, and objects 45 years or older may be of historical value, and therefore, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Alameda County conduct a formal CEQA evaluation.

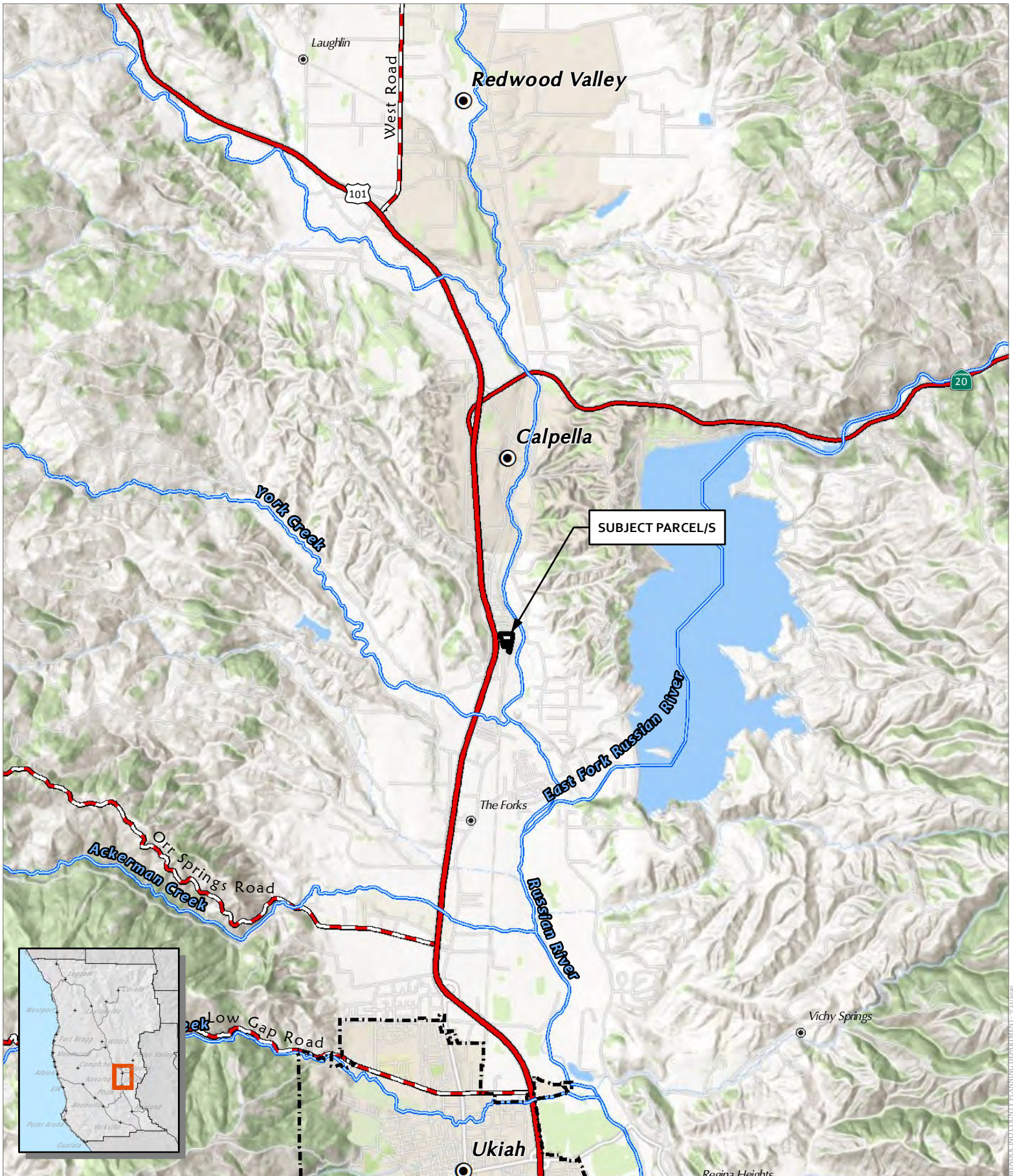
Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

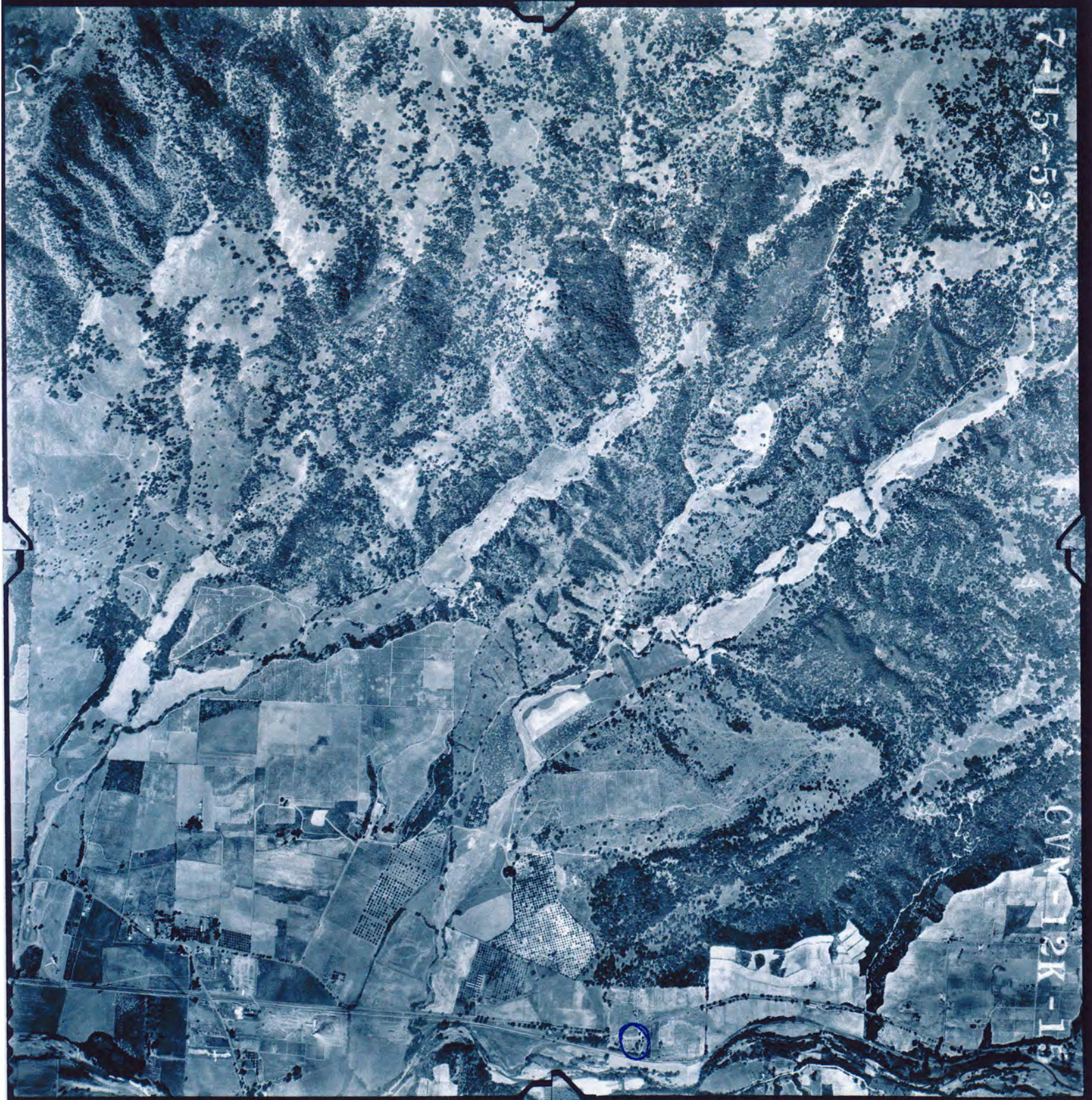

Jillian Guldenbrein
Researcher





CASE: MS 2020-0006
 OWNER: Jack Rafter, LLC
 APN: 167-190-08, 167-230-03
 APLCT: W. Vance Ricks
 AGENT: W. Vance Ricks
 ADDRESS: 4681 N. State Street, Ukiah

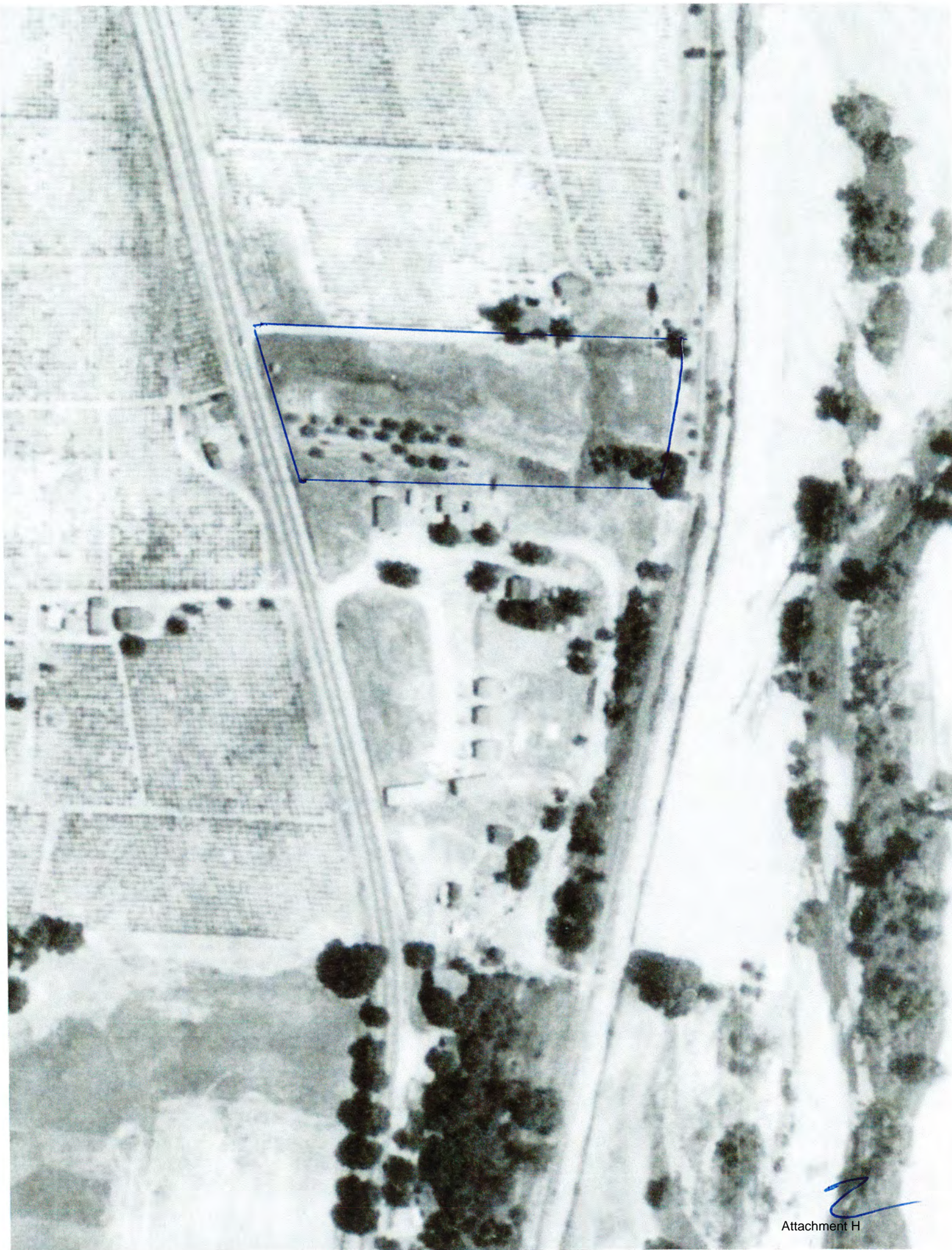
The aerial photos of the site are to show the on the ground structures and lack thereof (none on the subject parcel) circa 1952 along with the orchard on the subject property, the proximity of the railroad tracks (circa 1910 to date) and river to the site. The first aerial shows the distance from York Creek to the site (greater than 1200 yards) The 1912 state highway map is included to show the structure on the residual parcel (no longer there) and the use of the property as a pasture indicating that there is a little chance that the site was occupied by indigenous peoples. Once we review the topographic map we will see that there is a bluff running along the easterly property line separating the parcel from the railroad tracks and the river to the east of that.



7-15-52

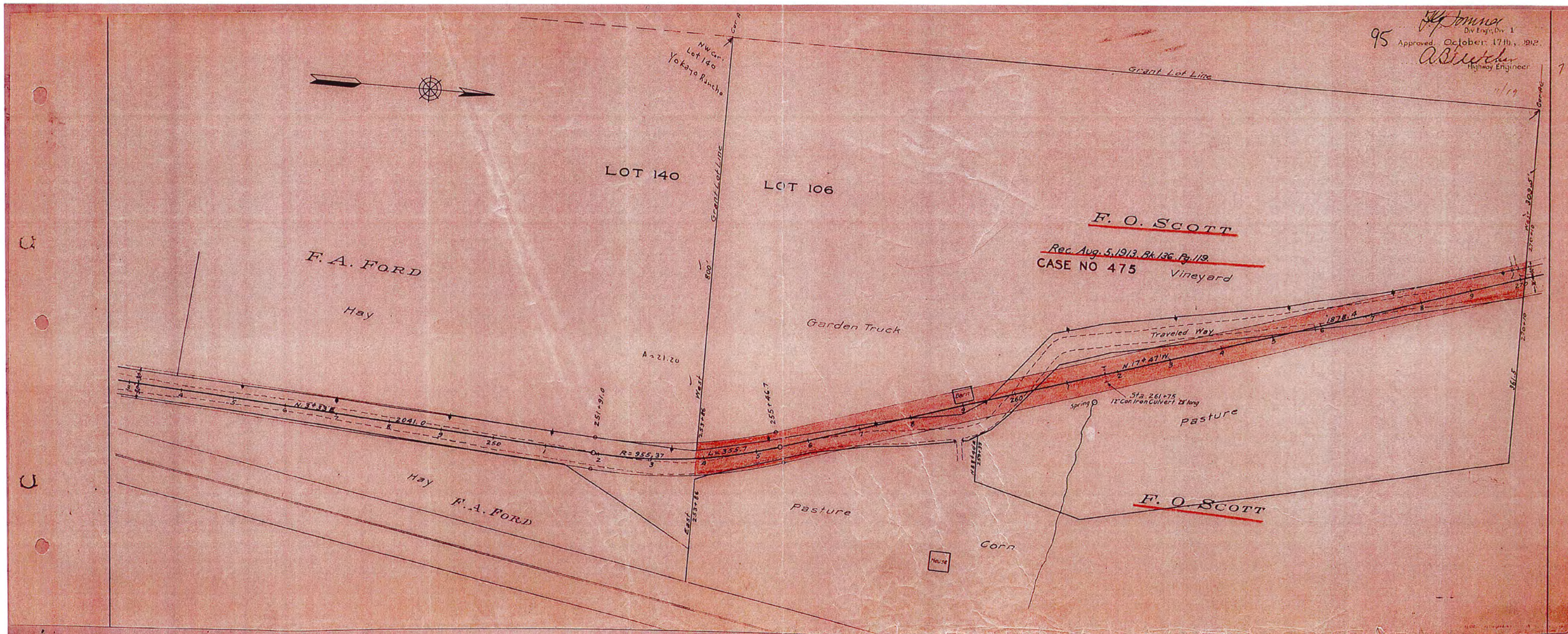
CVM-12K-15

SUBJECT
PRAIRIES











COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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

IGNACIO 'NASH' GONZALEZ, INTERIM DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

ARCHAEOLOGICAL COMMISSION ACTION SHEET

CASE NUMBER: MS_2020-0006

HEARING DATE: APRIL 10, 2021

OWNER: JACK RAFTER LLC

PROJECT COORDINATOR: MARK CLISER

ATTENDANCE: Jim Ronco, Vance Ricks,

☒ **ARCHAEOLOGICAL SURVEY REQUIRED**

Until a survey has been prepared, submitted to, and found to be complete by the Archaeological Commission, the time limits specified by State law relative to the processing of application are suspended. Surveys must be submitted two weeks prior to next available meeting date (2nd Wednesdays of each month) to be placed on the agenda for consideration.

3-0-1

☐ **NO SURVEY REQUIRED**

(APPLICANT ADVISED OF THE DISCOVERY CLAUSE, MCC 22.12.090)

☐ **SURVEY ACCEPTED**

Survey Prepared by: _____ **Date:** _____

Findings:

☐ **No Cultural, Historical or Archaeological Sites Observed (MCC 22.12.090 -Discovery Clause shall be adhered to)**

☐ **Site(s) Identified-Recommendations of the Report shall be strictly adhered to**

☐ **ADDITIONAL COMMENTS/RECOMMENDATIONS/CONDITIONS OF THE COMMISSION**

Mendocino County Code Section 22.12.090 Discoveries. (Portion of)

(A) Any person who in the preparation for or in the process of excavating or otherwise disturbing earth, discovers any archaeological site shall take all of the following actions:

- (1) Cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery;
- (2) Make notification of the discovery to the Director of Planning and Building Services...

See Over....

ARCH 225

Sec. 22.12.100 Discoveries of Human Remains. (Portion of)

- (A) The provisions of this section shall apply in addition to the provisions of Section 22.12.090 of this Chapter whenever any human remains are discovered.
- (B) Any person who, while excavating or otherwise disturbing earth, discovers any bones or other human remains, whether or not as part of an archaeological site, shall immediately cease and desist from all further excavation and disturbance and shall immediately telephone or otherwise notify the Sheriff-Coroner of Mendocino County. If an archaeological site is involved, the Sheriff-Coroner shall thereupon notify a designated representative of the Commission and if the remains are considered to be those of a Native American Indian, the Sheriff-Coroner shall also make notification as required by Section 7050.5 of the California Health and Safety Code...

NOTE: The above-referenced code sections represent only a portion of the Archaeological Resources Chapter of the Mendocino County Code Section 22.12. Other sections address such matters as granting permission to authorized officials to enter onto lands containing discoveries, site disturbance restrictions, site protection methods, etc. Please contact the Department of Planning and Building Services for further information or go online at www.co.mendocino.ca.us/planning

Copies of Archaeological Surveys are not kept by the Planning and Building Department. Property owners should request a copy of the survey report from their Archeologist for their personal use and future development plans. Copies of the report are filed with the North West Information Center at Sonoma State University to be logged into their inventory of sensitive areas.

The Project Coordinator will be notified of the results of this review process. Questions with regards to your project and further hearings should be directed to the Coordinator.

If an archaeological survey is required, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org> If you wish to have a list sent to you please call (707) 234-6650.

Archaeological Commission Action Sheet
Updated 12-5-15 (AT)



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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

BRENT SCHULTZ, DIRECTOR
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FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

ARCHAEOLOGICAL COMMISSION ACTION SHEET

CASE NUMBER: MS_2020-0006

HEARING DATE: MARCH 10, 2021

OWNER: JACK RAFTER LLC

PROJECT COORDINATOR: MARK CLISER

ATTENDANCE: Jim Ronco, Vance Ricks

☐ ARCHAEOLOGICAL SURVEY REQUIRED

Until a survey has been prepared, submitted to, and found to be complete by the Archaeological Commission, the time limits specified by State law relative to the processing of application are suspended. Surveys must be submitted two weeks prior to next available meeting date (2nd Wednesdays of each month) to be placed on the agenda for consideration.

☐ NO SURVEY REQUIRED
(APPLICANT ADVISED OF THE DISCOVERY CLAUSE, MCC 22.12.090)

☐ SURVEY ACCEPTED

Survey Prepared by: _____ Date: _____

Findings:

☐ No Cultural, Historical or Archaeological Sites Observed (MCC 22.12.090 -Discovery Clause shall be adhered to)

☐ Site(s) Identified-Recommendations of the Report shall be strictly adhered to

☒ ADDITIONAL COMMENTS/RECOMMENDATIONS/CONDITIONS OF THE COMMISSION

Continued by request of project agent.

Mendocino County Code Section 22.12.090 Discoveries. (Portion of)

(A) Any person who in the preparation for or in the process of excavating or otherwise disturbing earth, discovers any archaeological site shall take all of the following actions:

- (1) Cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery;
- (2) Make notification of the discovery to the Director of Planning and Building Services...

See Over....

Sec. 22.12.100 Discoveries of Human Remains. (Portion of)

- (A) The provisions of this section shall apply in addition to the provisions of Section 22.12.090 of this Chapter whenever any human remains are discovered.
- (B) Any person who, while excavating or otherwise disturbing earth, discovers any bones or other human remains, whether or not as part of an archaeological site, shall immediately cease and desist from all further excavation and disturbance and shall immediately telephone or otherwise notify the Sheriff-Coroner of Mendocino County. If an archaeological site is involved, the Sheriff-Coroner shall thereupon notify a designated representative of the Commission and if the remains are considered to be those of a Native American Indian, the Sheriff-Coroner shall also make notification as required by Section 7050.5 of the California Health and Safety Code...

NOTE: The above-referenced code sections represent only a portion of the Archaeological Resources Chapter of the Mendocino County Code Section 22.12. Other sections address such matters as granting permission to authorized officials to enter onto lands containing discoveries, site disturbance restrictions, site protection methods, etc. Please contact the Department of Planning and Building Services for further information or go online at www.co.mendocino.ca.us/planning

Copies of Archaeological Surveys are not kept by the Planning and Building Department. Property owners should request a copy of the survey report from their Archeologist for their personal use and future development plans. Copies of the report are filed with the North West Information Center at Sonoma State University to be logged into their inventory of sensitive areas.

The Project Coordinator will be notified of the results of this review process. Questions with regards to your project and further hearings should be directed to the Coordinator.

If an archaeological survey is required, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org> If you wish to have a list sent to you please call (707) 234-6650.

Archaeological Commission Action Sheet
Updated 12-5-15 (AT)



**Verify with Planning and Building Services or with the Clerk of the Board of Supervisors*

Attachment N

Jim Ronco Consulting

445 N. State St.
Ukiah, Ca. 95482
707-477-7616

April 22, 2021

To:

Mendocino County Clerk of the Board of Supervisors

Mendocino County Board of Supervisor Members

501 Low Gap Road room 1010

Ukiah, Ca. 95482

RE: Archaeological Commission actions on March 10 and April 14, 2021 regarding

MS_2020-0006; Jack Rafter LLC, owner, Vance Ricks, applicant, Jim Ronco, agent

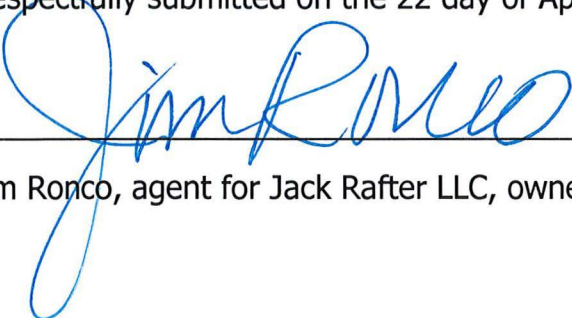
On behalf of the owner, the undersigned as agent, does hereby appeal the actions of the Archaeological Commission regarding MS_2020-0006 taken on March 10, 2021 and April 14, 2021 which resulted in the action "Archaeological Survey Required" on April 14, 2021 for the reasons listed below and further request that actions of the commission be overturned removing the requirement for an archaeological survey.

1. The actions of the commission were made without any reference to any factual evidence.
2. Owner's evidence supplied to the Mendocino County Planning Department for consideration by the Commission in a timely manner, was not accepted into evidence by the commission because the commission members denied receiving the evidence from the Planning Department at the March 10 hearing.
3. The commission attempted to make a motion to require the "survey" despite the request by the applicant and agent that the matter be continued until the next hearing to allow for a retransmittal by U. S. mail of the evidence due to the fact that some commission members do not have access to the internet and e-mail. The applicant and agent requested that the evidence previously supplied to the Commission members be considered prior to their making a decision. Commission members opined that a survey would be required because "Pomo

Lane is nearby and that should tell you something" and "the commission was interested in knowing who was there 15,000 years ago" before Planning staff granted the continuance at the March 10 hearing.

4. The Planning staff was provided, in a timely manner, additional evidence prior the April 14, 2021 hearing but was advised that the hearing would have be continued for yet another one month for delivery by U.S. mail of the evidence to the members.
5. The commission attempted on April 14, to make a motion for survey requirement without discussion of or acknowledgement of the evidence provided by Owner after verbal testimony was made regarding the evidence provided.
6. The owner was denied the opportunity to provide verbal testimony at the April 14, hearing. Requests for his testimony to be allowed being denied because a motion and second had been made and it was stated "it was too late".
7. The commission made no verbal mention of any matters supporting the motion to compel a survey nor was there any discussion or comments made except for the motion and 2nd for the survey requirement at the April 14, 2021 meeting.

Respectfully submitted on the 22 day of April 2021 by



Jim Ronco, agent for Jack Rafter LLC, owner