COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
752 S FRANKLIN STREET · FORT BRAGG · CALIFORNIA · 95437

RICHARD ANGLEY, INTERIM 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: NOVEMBER 4, 2026

TO: PLANNING COMMISSION

FROM: LIAM CROWLEY, PLANNER III

SUBJECT: GP_2021-0002 / R_2021-0005 (DYM)

Resolution Revisions: Upon further review, staff have identified several portions of the resolution which can be corrected, clarified, or improved upon. Accordingly, staff have prepared, and recommend that the Planning Commission adopt, a revised resolution which is attached to this memorandum. The main aspects of the revisions are as follows:

1. The original resolution recommends that the Board of Supervisors adopt a Mitigated Negative Declaration for the project. However, the project is in fact exempt from CEQA as explained in the staff report. Nevertheless, staff prepared an informational Initial Study and Mitigated Negative Declaration for the benefit of California Coastal Commission staff in their potential environmental review of the project because the Coastal Commission's certified regulatory program meets criteria for conducting environmental reviews independent of CEQA's documentation requirements. The revised resolution clarifies this and recommends that the Board of Supervisors only consider the Mitigated Negative Declaration rather than adopt it.

2. The findings within the original resolution refer to several sections and policies of the Coastal Act and County Local Coastal Program without explaining their respective requirements or purpose. The revised resolution clarifies their requirements or purpose.

3. The revised resolution further summarizes the consistency analysis and removes nonessential details already covered within the associated staff report.

4. The original resolution lacks concluding statements affirming the project's consistency with respective Coastal Act and County regulations. The revised resolution adds such statements.

5. The revised resolution makes other corrections to spelling, grammar, and citations.

Water Board Comments: Staff received comments from the State Water Resources Control Board on the Mitigated Negative Declaration on October 30, 2026 (see attached). In summary, the comments state that the water system serving the project may be considered a public water system. If the system is considered a public water system, the well owner must submit a technical report and apply for a permit through the Water Board. The comments then provide a list of information requested by the Water Board if the water system is considered a public water system and request that copies of the adopted environmental document be provided to the Water Board.

As shown on the attached decision tree, a public water system includes any system that serves 25 people per day at least 60 days per year. Either the originally proposed 5-unit inn or the theoretical 10-unit inn may end up being served by a public water system as defined by the Water Board. The existing well that would serve the inn also serves a 4-unit inn on the adjacent southerly property. According to the originally submitted use permit application for the 5-unit inn, there would be an estimated 3 employees per shift and 1 shift per day. Therefore, if all units were occupied by 2-3 people at any given time, the system for even a 5-unit inn would likely serve more than 25 people.

Permitting the water system through the Water Board would involve submitting a technical report which outlines the water source, design, and infrastructure associated with the system, and must prove that the system can be reliably operated, maintained, and funded over time. The system would require regular water quality testing for various pollutants.

The Water Board comments would not affect the Mitigated Negative Declaration being considered by the Planning Commission because the Mitigated Negative Declaration is informational since the Local Coastal Program amendment under consideration will be reviewed by the Coastal Commission, whose review process is a certified regulatory program under CEQA. However, should the proposed amendment and rezone be approved, it is expected that review of a future use permit application for the development of an inn would involve further environmental review pursuant to CEQA at the County level, and at that time it would be necessary to address the Water Board's requirements. Additionally, the Water Board requirements are not expected to significantly alter the water system infrastructure proposed within this project and analyzed within the existing Mitigated Negative Declaration, such as the layout of piping and water storage tanks.

Map Clarification: Exhibits A & B of the resolution show the letter "C" next to the proposed "*1C" combining district designation, suggesting that the proposal may rezone the property to Commercial. This is not true. The proposal would retain the base Rural Residential (RR) zone and add the *1C combining district. Revised exhibits with corrected mapping are attached to this memorandum.

Recommended Action: Adopt the revised resolution, including revised exhibits A and B attached hereto, to recommend that the Board of Supervisors authorize submittal of a local coastal program amendment application to the California Coastal Commission for the project.

Attachments:

A. Revised Resolution (Redline Version)
B. Revised Resolution (Clean Version)
C. Revised Exhibits A & B
D. Water Board Comments
E. What is a Public Water System Flyer
F. Public Water System Decision Tree

Resolution Number _____

County of Mendocino
Ukiah, California

NOVEMBER 5, 2026

GP_2021-0002 / R_2021-0005 - DYM

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING AN AMENDMENT OF THE LOCAL COASTAL PROGRAM (LCP), INCLUDING LAND USE MAP NO. 17 (MENDOCINO) AND THE COASTAL ZONING MAP, TO APPLY THE VISITOR ACCOMMODATIONS AND SERVICES (VAS) INN/BED AND BREAKFAST ACCOMMODATION (*1C) COMBINING DISTRICT TO ASSESSOR'S PARCEL NUMBER (APN 121-280-15) CURRENTLY ZONED RURAL RESIDENTIAL (RR5).

WHEREAS, the Applicant, Cally Dym, filed an application with the Mendocino County Department of Planning and Building Services for an amendment of the Local Coastal Program (LCP), including Land Use Map No. 17 (Mendocino) and the coastal zoning map, to apply the Visitor Accommodations and Services (VAS) Inn/Bed and Breakfast Accommodation (*1C) combining district to the subject parcel (APN 121-280-15), located in the Coastal Zone, in the town of Little River, on the west side of State Route 1 (SR 1) 700± feet north of its intersection with Little River Airport Road (CR 404), at 7720 N Highway 1, Little River; APN: 121-280-15 (the "project"); and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.; "CEQA") and the CEQA Guidelines (Title 14 California Code of Regulations section 15000 et seq.), the project is exempt from CEQA pursuant to Public Resources Code Section 21080.9, which states that CEQA shall not apply to activities and approvals by local governments as necessary for the preparation and adoption of a local coastal program. Nevertheless, because the California Coastal Commission's review of the proposed LCP amendment is a certified regulatory program for the purposes of CEQA (CEQA Guidelines section 15251(f)), an Initial Study/Mitigated Negative Declaration was prepared for the project and made available for agency and public review on October 1, 2026 for informational purposes, and to assist the California Coastal Commission in its review of the project;

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on November 5, 2026 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 Project; and

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 Mitigated Negative Declaration and~~ the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based on the evidence in the record before it, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding the Local Coastal Program amendment consisting of General Plan Amendment GP_2021-0002 and Rezone R_2021-0005:

1. The Planning Commission recommends that the Board of Supervisors find the project to be exempt from CEQA pursuant to Public Resources Code Section 21080.9.~~adopt the Negative Declaration prepared for General Plan Amendment GP_2021-0002 and R_2021-0005 and find that, on the basis of the whole record before them, that there is no substantial evidence that the~~

~~project will have a significant effect on the environment and that the negative declaration reflects the Board of Supervisors independent judgment and analysis.~~

2. The Planning Commission recommends that the Board of Supervisors find the Project consistent with applicable policies and goals of the County's General Plan, Local Coastal Program, and Chapter 3 of the Coastal Act as discussed in the staff report prepared for the November 5, 2026 Planning Commission meeting and summarized as follows:

    a. Pursuant to Coastal Act Sections 30210~~, 30212, 30212.5, and 30213~~ through 30214, maximum public access and recreational opportunities along the coast shall be provided, development shall not interfere with access, public facilities such as parking shall be provided, and lower cost visitor serving facilities shall be provided. A~~a~~pplying the *1C overlay to the site would marginally increase access to the coastline because it would ultimately require that coastal access be provided in conjunction with development of visitor accommodations pursuant to Mendocino County Code (MCC) Section 20.436.025. Existing LCP regulations require the provision of public facilities such as parking when developing public access sites and the site has sufficient unconstrained space for public parking. The applicant has agreed to designate sufficient units off site at the Little River Inn as lower cost accommodations in lieu of providing lower cost accommodations on site. As such, the project is consistent with these Coastal Act policies.

    b. Pursuant to Coastal Act Sections 30220 through 30223, coastal land shall be protected for recreational use and visitor-serving commercial recreational facilities have priority over residential, industrial, or general commercial development, but not agriculture or coastal-dependent industry. F~~f~~uture development of an inn would not interfere with the preservation of land suitable for recreation because the subject property was not previously designated as land intended for recreational use. ~~The subject land was placed within the Rural Residential land use classification, which is intended "to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well suited for large scale commercial agriculture." However, Passive Recreation is a principal permitted use within the Rural Residential zoning district. Community Recreation and Active Recreation are conditional uses.~~ Applying the *1C overlay would either have no impact or marginally increase recreational opportunities due to ~~the potential increase in public access via future development of visitor accommodations~~the provision of public access that is required upon development of visitor-serving facilities. The property has low agricultural viability due to its small size and soil composition. As such, the project would not conflict with the prioritization of agricultural uses and is consistent with the protection of land for recreational use. ~~Future public access would allow passive recreation along the access trail and at the bluff edge, such as sightseeing, hiking, or photography. Development of an inn may also indirectly increase recreational opportunities in the area by providing visitor accommodations near existing recreational areas, such as Van Damme State Park.~~

    c. Pursuant to Coastal Act Sections 30230 through 30236, marine resources, coastal waters, and fishing activities must be protected from development. A~~a~~pplying the *1C overlay would not ~~directly~~ impact the protection of ~~marine~~ those resources because it would not change any existing policies or implemented regulations within the LCP that are intended to protect ~~marine~~ those resources. It is feasible to construct a 10-unit inn on the site that would be consistent with existing policies and regulations protecting Environmentally Sensitive Habitat Areas (ESHA), which include marine resources and coastal waters. Development of an inn would not displace existing fishing activities or land suitable for future fishing activities. The project is consistent with these policies.~~However, the *1C overlay may indirectly impact the protection of marine resources by inducing the future development of an inn on the property, which could conflict with existing LCP policies or regulations. Section (G) below discusses a theoretical inn development's consistency with existing LCP policies and regulations.~~

d. Pursuant to Coastal Act Sections 30240 through 30244, ESHA, prime agricultural land, other lands suitable for agricultural use, timberlands, and archaeological or paleontological resources must be protected from development. It is feasible to construct a 10-unit inn on the site that would be consistent with existing policies and regulations protecting ESHA, which include marine resources and coastal waters. Tthe subject property does not contain prime agricultural land or timberlands and surrounding lands are not used for agriculture. According to the California Department of Conservation's Land Evaluation & Site Assessment (LESA) Model, the property does not contain other significant agricultural lands. ~~Farmland Mapping and Monitoring Program (FMMP), the property contains both Grazing Land (G) and Urban & Built-Up Land (D). The property is bordered to the north by commercial uses, to the east by residential and visitor accommodation uses, and to the south by visitor accommodation uses. Applying the *1C overlay to the property would not destabilize established urban and rural boundaries because it is not at the periphery of urban or rural areas. The property was previously used for horse raising. The Department of Water Resources (DWR) Land Use Program 2024 Statewide Crop Map classifies much of the property as Pasture (P). Due to the size of a theoretical 10-unit inn as provided in the site plan, it is unlikely that remaining property could be used as viable pastureland or paddocks. As noted in the Negative Declaration, the California Department of Conservation's Land Evaluation & Site Assessment (LESA) Model was used to determine the significance of agricultural land conversion based on soil resource quality, project size, water availability, surrounding agricultural land, and surrounding protected resource lands. The model determined that the impact of agricultural land conversion would not be significant, primarily due to the small project size and lack of surrounding agricultural land. The property does not contain prime agricultural land and surrounding lands are not used for agriculture. MCC chapter 22.12, the "Archaeological Ordinance", provides that any CDP application be referred to the Northwest Information Center at Sonoma State University for literature review and establishes the process by which the Archaeological Commission reviews projects and surveys to ensure that impacts to resources are avoided or mitigated. Future development of an inn on the property under a Coastal Development Use Permit would be subject to referral and review under the Archaeological Ordinance.~~ An archaeological survey was conducted on the property in 2022, and the survey report was submitted to the Archaeological Commission for review at their meeting on July 12, 2023. The survey found no cultural resources on the site and was unanimously accepted by the Commission. The project is consistent with these sections.

e. Pursuant to Coastal Act Sections 30250 through 30255, new commercial development shall be located in developed areas or areas with adequate public services that will not have significant adverse effects on coastal resources. The scenic and visual qualities of coastal areas must be protected. New development should maintain and enhance public access to the coast and shall minimize risks from hazards, be consistent with air quality regulations, minimize energy consumption and vehicle miles traveled, and protect special communities and neighborhoods. The project is consistent with these policies because: ~~applying the *1C overlay to the site would allow future development of visitor-serving facilities. Although visitor accommodations and services are considered a separate use type category in the Coastal Zoning Code, they may also be considered commercial uses within the meaning of section 30250.~~

i. The site is contiguous with developed areas in that an existing gas station is located to the north, a visitor-serving facility to the south, and residential uses to the east. The property is also near the Little River Inn and the Cottages at Little River Cove. However, the site is not ~~contiguous with developed areas in that it is not~~ within or adjacent to a water district or sanitation district. The nearest water/sanitation district is the Mendocino City Community Services District (MCCSD) approximately two (2) miles north. The development of a visitor-

serving facility at the site would be at a point of attraction for visitors near the outlet of Little River at Van Damme State Park.

ii. Existing LCP policies and regulations, including Coastal Element chapter 3.5 and MCC chapter 20.504, are sufficient to protect the visual resources in the area and the proposed amendment would not change those policies and regulations. It is feasible to develop a 10-unit inn on the site that is consistent with existing LCP policies related to visual resources. ~~The policies within Coastal Element chapter 3.5 and MCC chapter 20.504 contain regulations to protect scenic and visual quality. Pursuant to section 20.504.015, the property is within a Highly Scenic Area. Therefore, any future development is subject to the development criteria in section 20.504.015(C).~~

iii. Applying the *1C overlay to the site may marginally increase transit ridership due to a nearby bus stop. ~~Mendocino Transit Authority (MTA) provides bus service to Little River via "Route 60 – The Coaster". The Little River bus stop is located just north of the Little River Market, which borders the subject property to the north. If an inn is considered a commercial facility, its f~~Future development at the subject property would not require the use of coastal access roads because it would share use of the existing encroachment onto State Route 1 on the "Van Damme" property to the south. Future development of visitor accommodations would require the provision of additional public access to the coast. Sufficient p~~P~~arking space would be available within the development. The site would be accessible from the nearby bus stop. The future development of an inn may marginally increase the use of nearby recreational facilities, such as Van Damme State Park. Applying the *1C overlay to the site would not increase the number of new residents because it would not increase the allowable residential density of the property. The CalEEMod model was used to estimate pollutant emissions, where it was found that construction and operational emissions would be below thresholds established by the Air Quality Management District. As noted in the submitted Transportation Assessment, the project would mostly redistribute existing lodging demand rather than inducing additional vehicle trips.

iv. ~~-~~Compliance with CalGreen building code standards ~~would~~ will help prevent wasteful or inefficient use of energy.

~~i.~~v. ~~-~~MCC section 20.504.020 provides protections for special communities and neighborhoods, which includes the subject property.~~area of Little River from "Schoolhouse Creek on the south to the northern boundary of the Steven's Wood Inn property on the north including all parcels with highway frontage on the east side of Highway 1 and all parcels west of Highway 1."~~ The subject property is ~~within this neighborhood and is~~ therefore subject to the development criteria in section 20.504.020(C) and it is feasible to construct a 10-unit inn on the property that is consistent with those development criteria. The project is consistent with these policies.

~~e.~~f. Pursuant to Mendocino County Code (MCC) Chapter 20.436, approval of visitor accommodation and service facilities (VAS) shall be based on the suitability of the site to accommodate the proposed use, shall minimize encroachment onto resource lands, shall provide public access to the blufftop, and shall be compatible with the character of their surroundings. It is feasible to construct a 10-unit inn on the site because well tests showed that adequate water supply would be available from an existing well, there is sufficient space to construct a septic system to serve the inn, the development would comply with ESHA regulations, and the lack of VAS development in the surrounding planning area since original adoption of the LCP suggests that is it appropriate to locate additional VAS units on the site. ~~there are 188 visitor-serving units within one-half (0.5) mile of the subject property across eight (8) visitor-serving facilities. Most nearby units~~

~~are within either Van Damme State Park (74) or the Little River Inn (54). The property is within the Little River Planning Area, which spans from Van Damme State Park to Dark Gulch. There are 285 visitor-serving units within the Little River Planning Area.~~ The development of an inn on the subject property would not encroach on resource lands because the property is not within the AG, FL, TP, or RL districts~~. Employee housing would not be allowed on the subject property under the *1C overlay. The applicant has not proposed employee housing. The subject property does not contain a single-family residence~~. It is feasible to require that future development of visitor-serving facilities on this site utilize appropriate building materials and the theoretical 10-unit inn can be designed and scaled to be subordinate to surrounding landforms. The project is consistent with this chapter. ~~The applicant submitted proposed exterior materials and colors with their Use Permit application. According to the submittal, exterior materials would include fiber cement siding, which imitates wood, aluminum roofing and doors, and concrete and earth retaining walls. Each of these materials would utilize mostly brown colors and some black color around windows and doors. Tree removal would not be necessary to accommodate either a theoretical 10-unit inn or the proposed 5-unit inn. However, the property is within a Tree Removal Area as shown on LCP maps. Pursuant to MCC section 20.504.015(C)(9), tree thinning or removal shall be made a condition of permit approval for circumstances in which concentrations of trees unreasonably obstruct views to and along the ocean and in scenic coastal areas. There is a group of non-native, potentially invasive eucalyptus trees along the northern property boundary that is proposed for removal both as a mitigation strategy to account for biological impacts as well as to provide views of the coastline. The proposed tree removal would not conflict with this section. It is feasible for the design and scale of a theoretical 10-unit inn development to be subordinate to surrounding landforms. As shown on the submitted plans for a 10-unit inn, the proposed welcome center would be 13.5 feet tall, the housekeeping structure would be 12 feet tall, and each inn unit would be 18 feet tall. As shown in Figure 4 below, the property slopes downward from State Route 1 to the bluff edge, except for a berm near the center of the property. Eight of the ten units could be located downslope of the berm, preventing those units from obstructing coastal views. However, due to ESHA buffers, septic infrastructure, and bluff setbacks, two of the units would have to be placed near the top of the berm.~~

~~f.~~g. Pursuant to MCC Chapters 20.444, development must meet corridor preservation setback and parking requirements. I~~i~~t is feasible to site a 10-unit inn development outside of the corridor preservation setback. ~~MCC section 20.472.010 requires that parking spaces be surfaced with gravel at minimum, that required parking spaces be at least nine (9) by twenty (20) feet, and that handicapped parking spaces be at least fourteen (14) by twenty (20) feet. As shown on the submitted plans, the theoretical 10-unit inn development parking spaces would be surfaced with asphalt and would meet size requirements. Pursuant to MCC section 20.472.020(H), a total of twelve (12) spaces would be required for a 10-unit inn.~~ As shown on the submitted plans, the theoretical 10-unit inn design would ~~have twelve (12) spaces~~provide sufficient parking with proper surfacing. The project is consistent with this chapter.

~~g.~~h. Pursuant to MCC Chapter 20.492, development must meet applicable grading, erosion, runoff, and sedimentation standards. A geotechnical investigation was conducted in 2020 for a single-family residence at the site. The investigation was updated in 2025 to analyze the theoretical 10-unit inn development ~~(see attachment M~~. The 2025 update determined that the 2020 recommendations for grading, foundations, retaining walls, and site drainage remain valid and suitable for the inn design. This indicates that a 10-unit inn design is feasible from a geotechnical perspective. Specific standards regarding grading, erosion, sedimentation, and runoff would be applied to the associated Use Permit. The project is consistent with this chapter.

h.i. Pursuant to MCC Chapters 20.488 and 20.496, development must protect ESHA. Generally, development must be located at least 100 feet from any identified ESHA, though this buffer may be reduced to 50 feet if an applicant can demonstrate that 100 feet is not necessary and upon agreement from Planning & Building Services and the California Department of Fish & Wildlife. the The applicant submitted a Biological Scoping, Wetland Delineation, and Botanical Survey Report completed in November 2022. Surveys were conducted in 2016, 2017, 2018, 2021, and 2022. The biologist also visited the site during the spring and summer of 2024 and found no significant changes to the vegetation or site conditions. Two special status plants were observed that constitute ESHA. The various plant communities observed on the property were not considered ESHA. However, an area of riparian vegetation adjacent to a stream just north of the property was considered ESHA, along with two (2) wetlands at the southeastern and northeastern corner of the property. No special-status wildlife was observed during surveys, but suitable habitat for special status wildlife was present.Several ESHA were observed on the property and a A Reduced Buffer Analysis was completed. in accordance with Mendocino County Code (MCC) Section 20.496.020(A)(1). Several elements of the initial 5-unit inn design would have been located within one hundred (100) or fifty (50) feet of ESHA. However, during the development of a theoretical 10-unit inn design, the applicant revised their plans to locate all developmentAll development associated with a theoretical 10-unit inn can be feasibly located outside of the minimum 50-foot ESHA buffers as shown on the site plan. The Reduced Buffer Analysis concluded that the reduced 50-foot ESHA buffers will be sufficient to protect the identified resources. For example, a new asphalt driveway was originally proposed to be located within the 50-foot ESHA buffer due to a conflict with the existing septic system on the adjacent Van Damme property. The adjacent Van Damme property is part of the Little River Inn. The applicant is a co-owner of the Van Damme property. The septic system on the adjacent property is nearing the end of its useful life. As such, the ownership partners of the adjacent property are amenable to replacing the septic system in a new location that would allow the driveway to be reconfigured outside of ESHA buffers. The site plan was subsequently amended to show a driveway configuration that avoids 50-foot ESHA buffers. Therefore, it is feasible to develop a 10-unit inn on the property that would remain consistent with 50-foot minimum ESHA buffer requirements. Maintaining adequate buffers would ensure that habitat is not significantly degraded as required by section 20.488.010and the project is consistent with this chapter.

i.j. Pursuant to MCC section chapter 20.500.015 and Coastal Element Policiesy 3.4-1 through 3.4-7, a geotechnical investigation is required for development in areas of potential geologic hazards, structures must be set back a sufficient distance from the edges of bluffs to ensure safety, and consideration must be given to fault, tsunami, landslide, fire, and flood hazards. the The property is within a potentially geologically hazardous area because it is a blufftop lot. Accordingly, a Geotechnical Investigation was performed to determine the appropriate setback for new development from the bluff edge. (see attachments Y & M). Pursuant to MCC section 20.500.020(B) and Coastal Element Policy 3.4-7 The investigation recommended a bluff setback of thirty-six (36) feet. The investigation also discovered a small landslide southwest of the development area along the bluff. The investigation recommended that all structures be located at least fifty (50) feet from the landslide. The site plan shows that a theoretical 10-unit inn design could site all structures outside of the bluff and landslide setbacks. MCC section 20.500.020(A)(1) and Coastal Element Policy 3.4-5 require that structures be sited at least fifty (50) feet from faults. Coastal Element Policies 3.4-3 and 3.4-4 also require compliance with the Alquist-Priolo Act and prohibit infrastructure from crossing fault lines. However, tThe geotechnical investigation noted that no evidence of recent faulting was observed or shown in the vicinity on published geologic maps. Pursuant to MCC section 20.500.020(C) and Coastal Element Policy 3.4-6, only harbor development and related uses are allowed in mapped tsunami inundation areas. According to the geotechnical investigation, "since the bluffs are approximately 40 to 45 feet in vertical height, impact or

~~inundation from a severe storm surge or tsunami event is considered a low (but nonetheless real) risk for the site." In addition,~~the risk of tsunami hazard is low, and the location of development is not within a Tsunami Hazard Area as mapped by the California Geological Survey. The 10-unit inn design does not include any structures that would alter natural shoreline processes, such as bluff armoring structures. The property is within a High Fire Hazard Severity Zone as mapped by CAL FIRE. As such, it is not within an area of extremely high risk, such as the "Very High" severity zone. CAL FIRE did not respond with any comment on the proposed LCP amendment. ~~Pursuant to MCC section 20.500.030(B)(1), t~~The property is not within a flood hazard area as mapped by the Federal Emergency Management Agency (FEMA). The project is consistent with Chapter 20.500 and the policies of Section 3.4.

~~j.~~k. Pursuant to MCC Chapter 20.504, the property is within a highly scenic area, and the potential development of an inn would be subject to development criteria to protect the visual qualities of the area. Based on the submitted plans, which include photo simulations of the theoretical inn, the proposed public access trail to the blufftop, and the proposed removal of invasive eucalyptus trees on the property, it is feasible to develop a 10-unit inn on the property that meets the development criteria of this chapter and improves coastal views from public areas through the site.~~Public coastal views in the vicinity are primarily from State Route 1, Van Damme State Park, and the Little River Blowhole Trail. Views of the coast through the subject property are primarily through State Route 1. Most of the site cannot be seen from Van Damme State Park due to elevation change between the two properties. Dense vegetation blocks views through the site from the Blowhole Trail. Eight (8) of the ten (10) inn unit structures could be located downslope of a berm near the center of the property, which would prevent them from blocking coastal views, but two (2) of the units, the welcome center, and the housekeeping structures would be located either at the top of the berm or upslope in areas that would block coastal views. The applicant provided photo simulations of the proposed structures. The photo simulations also show before-and-after views based on the proposed removal of eucalyptus trees along the northern property boundary, which would provide new coastal views from the highway.~~ The property is within a mapped "Tree Removal Area" as described by Coastal Element Policy 3.5-5, which requires that "trees currently blocking views to and along the coast shall be required to be removed or thinned as a condition of new development in those specific areas." Additionally, the required public access trail would provide new coastal views. These factors would mitigate the potential loss of views due to the development of a 10-unit inn. ~~It is feasible to require that all structures within a 10-unit inn development be limited to eighteen (18) feet in height above natural grade, as shown on the submitted plans. Applying the *1C overlay to the site would not prevent future development from being required to minimize reflective surfaces and select building materials that blend with surroundings.~~ Development of a 10-unit inn would require some structures to be located at the top of a berm near the center of the property. Those structures would be located within a group of Bishop pine trees. Eight (8) of the ten (10) inn units could be located near the toe of the berm. Two (2) of the units would have to be located at the top of the berm. The welcome center and housekeeping structures would be located further upslope of the bluff edge. Although two (2) of the units would be located at the top of a slope, they would be located within a group of Bishop pine trees, which would provide some visual screening. ~~Most of the structures would be within a relatively open area, although the group of Bishop pine trees would provide some screening. However, alternative sites would not be available due to bluff setbacks, ESHA buffers, and a lack of other wooded areas outside of those areas. The theoretical 10-unit inn design would not minimize the number of structures. Seven (7) structures would be developed, including five (5) inn unit structures, the welcome center, and the housekeeping structure. It appears that several of the inn units could be consolidated into a single structure, but the visual resource benefit of consolidation would appear to be minimal due to the eighteen (18) foot height limit and other development constraints, such as blufftop setbacks and ESHA buffers. A single,~~

~~larger structure housing all ten (10) theoretical units may reduce the possibility of locating units downslope of the berm. All structures except for the housekeeping unit could be clustered together near the group of Bishop pine trees and natural berm. The single-story inn units appear to be of similar or reduced scale to nearby visitor-serving facilities at the Cottages at Little River Cove and Little River Inn. The property is within a mapped Tree Removal Area. The applicant has proposed the removal of eucalyptus trees along the northern border of the property. Although trees often enhance views of the ocean area, eucalyptus trees (Eucalyptus globule) are not native to the area and are an invasive species recognized by the California Invasive Plan Council. Therefore, the removal of these trees would both improve public views of the coast and improve the ecological health of the habitat.~~ Utility lines for a theoretical 10-unit inn are shown on the site plan. The applicant has clarified that the utility lines would be placed underground. As shown on the site plan, a 10-unit inn design would utilize the existing highway encroachment on the adjacent Van Damme property. The new driveway areas would be downslope of the highway at ground level and therefore would cause minimal visual disturbance. The property does not contain any historic structures, and the development of a 10-unit inn would not conflict with or modify any off-site historic structures.

l. Pursuant to MCC Chapter 20.516, development must be provided with sufficient septage and water supply. A theoretical 10-unit inn would be supplied with water from an existing well which also serves an adjacent property and water storage tanks. Well tests showed that sufficient water supply is available to serve a 10-unit inn on the subject property in addition to the existing 4 units on the adjacent property. A site evaluation was also submitted which shows that it is feasible to design and install a sufficient septic system for a 10-unit inn which meets the other requirements of the LCP, such as ESHA buffers. ~~the applicant originally submitted a Site Evaluation Report for a 5-unit inn development. Following the determination that a theoretical 10-unit inn design must be evaluated, the applicant submitted a supplemental letter from the soil scientist describing the site's capacity to accommodate a septic system for a 10-unit inn. The supplemental letter concluded that a design could be prepared that accommodates the increase in units from 5 to 10, which would include the following changes to the original 5-unit design: (1) The primary leachfield would become a pressurized system, allowing for additional gravel to be placed in each leachline (creating more surface area). (2) The total leachline in the primary field would increase, from 300 feet to 475 feet. This would include the original primary leachline locations as well as several of the previously identified replacement leachlines. (3) The replacement leachfield location and configuration would change. The replacement area would extend east to include the area around Soil Profiles P1, P2 and P3. The replacement area design would become more complex (based on the soil conditions within those profiles) and would consist of several At-Grade leach beds. Secondary effluent treatment (i.e. aerobic treatment) would also be incorporated into the replacement area design. An existing well on the subject property currently supplies water to the five (5) visitor-serving units on the Van Damme property to the south. The applicant originally submitted a Proof of Water test conducted in October 2018 which analyzed a proposed six (6) bedroom residence. The test report notes that a total of 850 gallons per day (gpd) of water is provided to the visitor-serving uses on the Van Damme property from the well on the subject property. The test report determined that a minimum of 2,960 gpd must be demonstrated to accommodate the originally proposed six (6) bedroom residence plus the existing visitor-serving units on the Van Damme property plus outdoor water use. The well pumped at a flow rate of 2.2 gallons per minute (gpm) during the test, or 3,168 gpd. The applicant submitted a supplemental letter in 2024 addressing the additional water well production needs of a 10-unit inn design. The supplemental letter estimated that the new water demand of the site would be 1,200 gpd for ten (10) visitor-serving units, 50 gpd for patio wastewater, and 100 gpd for outdoor use for a total of 1,350 gpd. The supplemental letter estimated the existing water demand of the Van Damme property to be 700 gpd, for a total demand of 2,050 gpd for both properties. The letter states that according to Division of Environmental Health~~

~~guidelines, minimum water production requirements for the creation of a parcel and for second residential units are typically 1.6 times the assigned daily use. Therefore, the total required well production for both properties was determined to be 3,280 gpd. Given the previously determined flow rate of 3,168 gpd, an additional 112 gpd would be necessary to accommodate a 10-unit inn. The letter notes that the properties currently have 12,500 gallons of water storage, with an additional 5,000 gallons of storage proposed for a total of 17,500 gallons. Given the substantial water storage capacity, the letter asserts that the properties have the capacity to serve a 10-unit inn in addition to existing uses.~~

~~k.~~m. Coastal Element Policy 3.8-1 requires that highway capacity impacts be considered when determining land use classifications and density changes. ~~When commenting on the Use Permit application in 2023, Caltrans noted that they do not support a new access to the subject parcel due to sight distance requirements being difficult to meet along the subject parcel's frontage. This is consistent with the applicant's intent to share driveway access with the adjacent parcel to the south. Caltrans noted that the proposed shared driveway meets their standards for a commercial road approach. The access was most recently repaved in 2016. Caltrans requested that the applicant obtain an encroachment permit to formally recognize the shared ownership and future maintenance responsibility of the existing access but did not request any additional information as noted in the 2022 letter. According to the Mendocino Council of Government (MCOG) 2010 Travel Demand Forecasting Model, a hotel/motel/resort is expected to generate 8.17 trips per room. This value was sourced from the ITE Trip Generation Manual. Therefore, the increased density would be expected to create about 82 trips per day. According to the Office of Planning & Research's 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA, "absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact." Therefore,~~Based on travel demand forecasting models and trip generation rates, the project would generate a less-than-significant number of new trips per day ~~within a CEQA context~~. The applicant submitted a Transportation Assessment dated October 3, 2025. The assessment concluded that the project is expected to result in a net reduction in vehicle miles traveled at the regional level. ~~noted that new lodging land uses typically *"result in a redistribution of lodging demand, similar to other retail/goods and services land uses; if this is the case, then the trips to and from the proposed project are not new vehicle trips – rather, they are trips that would have been made regardless of the project and thus the project would have no effect on [Vehicle Miles Traveled]."* To confirm this presumption, the assessment reviewed Smith Travel Research occupancy data and Replica database trip length data. Based on those sources, the assessment concluded that *"the proposed project would not generate net new regional trips, and the trips coming to/from the project site would tend to be the same length or shorter than they otherwise would be. Therefore, the project's effect on VMT is expected to be a net reduction in VMT at the regional level, and the project's VMT impact is less than significant."*~~ In addition, due to the speed limit, collision history, and level of service history in the area, the project is not expected to result in highway capacity impacts. The project is consistent with these regulations. ~~Vehicles travelling northbound on State Route 1 must cross oncoming traffic to access the project site's shared driveway. The speed limit in this area is thirty-five (35) miles per hour. The nearest intersection is Little River Airport Road (CR 404). According to the 2008 State Route 1 Corridor Study Update, Little River Airport Road operated at Level of Service A. Between 2002-2006, one (1) collision occurred at this intersection for a rate of 0.07 collisions per million vehicles entering the intersection, which was below the statewide average of 0.22. Along the segment of State Route 1 between Little River Airport Road and Van Damme State Park, two (2) collisions occurred between 2002-2006 for a rate of 0.3 collisions per million vehicle miles, which was below the statewide average of 1.2. The Corridor Study Update recommended that a southbound left turn lane be installed at~~

~~the Little River Airport Road intersection. According to the 2024 State Route 1 Existing Conditions Traffic Highway Capacity Analysis, the Little River Airport Road intersection operated at level of service B. The nearest studied roadway segment from Albion-Little River Road to Little River Airport Road operated at level of service A. Bicycles are expected to use the existing shoulders along State Route 1. Without the need for improvements to State Route 1, cyclists could continue to use the existing shoulders as before. The most likely source of pedestrian activity to and from the site would be other nearby visitor accommodation uses, such as the Little River Inn, or public areas like Van Damme State Park. Currently, there are little to no sidewalks and no crosswalks in the area. There is a pedestrian warning sign just across the street from the subject property. Given the low number of new trips expected to be generated by the development of a 10-unit inn and the lack of comment from Caltrans, it is expected that turning movements could be made safely and that future highway improvements could be made without adversely impacting traffic and circulation.~~

~~I~~n. ~~In accordance with~~Pursuant to Coastal Element ~~Table 3.7-2~~Chapter 3.7, the LCP designates and reserves appropriate sites for future visitor serving facilities and establishes limitations on facilities by type and location, including a desire to curtail increases in visitor accommodations in the South Central coastal area and redirect development to the South Coast area. Based on the slow rate of VAS development since adoption of these policies, potential additional demand for VAS facilities in the years beyond the timeframe contemplated by the policies, increased visitor spending in Mendocino County since adoption of the LCP, and occupancy rates, demand or development of VAS facilities has not shifted to the South Coast and it is appropriate to designate additional units in the South Central area and on the subject property. ~~the subject parcel is in the South Central CAC Area, which extends from Jug Handle Creek to the Navarro River. Excluding private residences used as vacation rentals and excluding the Town of Mendocino, the South Central CAC Area had fifty-two (52) existing *1 designated inn rooms in 1985 and was projected to demand an additional fifty (50) *1C rooms by 2005. Coastal Element Appendix 10 lists the existing private visitor accommodations in the Coastal Zone as of 1982. This table was revised in 2005. The list of properties within the South Central CAC area begins with Jug Handle Farm and ends with the Navarro Ridge Inn. According to this table, there were a total of eighty-two (82) units with the *1 LCP designation in 2005. This indicates that thirty (30) additional units were built between 1982 and 2005. When taken together, the total number of existing *1 and *2 VAS units in Table 3.7-2 and Appendix 10 was one hundred sixty-one (161). Table 3.7-2 projected an increase of fifty (50) *1 and *2 units (30%). 2026 calculations revealed an actual increase of sixty (60) units (37%). Therefore, the 20-year demand projection from 1991 (LCP adoption) to 2011 has been met. However, additional demand may have been generated between 2011 and 2026. According to the Mendocino County Tourism Commission's annual report for fiscal year 2022-2023 (attachment W), total visitor spending for people that stayed in hotels, motels, and vacation rentals throughout the County totaled 249.5 million dollars in 2022, a 25% increase from 2013. Visitors spent 156.9 million dollars on all types of accommodations, an 84% increase from 2013. Travel industry earnings for accommodation and food service alone were 187.5 million, a 68% increase from 2013. The average inflation rate in the United States between 2013 and 2023 was 2.62%. According to the submitted Traffic Assessment, for eleven (11) properties between Albion and Fort Bragg between 2018 and 2024, the highest observed occupancy rate over any month was 66.9%. Excluding 2020 because of COVID-19, the average occupancy rate was about 60%. A maximum density of two hundred eighty (280) *1, *1C, *2, and *2C units can be developed within the South Central CAC. As of 2026, two hundred eleven (211) units have been established for a "build-out" of about 75%. Between 2005 and 2026, twenty-nine (29) *1, *1C, *2, and *2C units were built. Applying the *1C overlay to the site would increase the maximum density of units in the South Central CAC by about 3.6%. The properties designated with a *1C overlay in the South Central CAC include the Agate Cove Inn, Brewery Gulch Inn & Spa, and two other~~

~~unnamed properties that have not developed any VAS units. One of the properties remains vacant, while the other has developed residential uses. The Agate Cove Inn was originally a residence, was converted to an inn around 1980, and was expanded by two (2) units in 2002. The Brewery Gulch Inn & Spa was built in 2001. Both the Agate Cove Inn and Brewery Gulch Inn & Spa have ten (10) units, the maximum allowable density. Given the increased tourism spending in Mendocino County, it is appropriate to apply the *1C overlay to the site for an applicant with current plans to develop additional VAS units. there are four *1C properties in the South Central CAC. Of the maximum 40 units allowed by those designations, 12 have been built since 1991. There are four *2C properties in the South Central CAC. Of the maximum 80 units allowed by those designations, 12 have been built since 1991. There are five *1C properties in the South Coast CAC. Of the maximum 50 units allowed by those designations, 9 have been built since 1991. There are six *2C properties in the South Coast CAC. Of the maximum 120 units allowed by those designations, zero (0) have been built since 1991. Of the *1, *2, and RV properties in the South Coast CAC that were included in Appendix 10, there has been a net increase of 29 units. This suggests that although the County has increased the potential supply of units on the South Coast, demand or development has not shifted or units have been developed on other properties.~~

3. The Planning Commission recommends that the Board of Supervisors authorize submittal of a Local Coastal Program Amendment application to the California Coastal Commission including ~~approve~~ General Plan Amendment GP_2021-0002 and R_2021-0005, ~~making the amendment~~ to amend the Mendocino County General Plan Coastal Element Land Use Map and ~~rezoning~~ rezone APN 121-280-15, as shown in Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and~~.~~

~~3.~~4. Pursuant to California Public Resources Code (PRC) Section 30510(a), the Planning Commission recommends that the Board of Supervisors certifies that the proposed amendment of the local coastal program is intended to be carried out in a manner fully in conformity with Division 20 of the PRC (California Coastal Act).

~~BE IT FURTHER RESOLVED that the mitigation measures identified in the mitigated negative declaration would not be applicable to the proposed General Plan Amendment and Rezoning because they are legislative actions would not involve any physical development. Instead, the measures would be implemented as conditions of a future Use Permit application for the development of an inn on the site.~~

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 Planning Commission 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.

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

ATTEST: ADRIENNE THOMPSON
Administrative Services Manager

By:_____

BY: IGNACIO GONZALEZ
Interim Chief Planner

CLIFF PAULIN, Chair
Mendocino County Planning Commission

EXHIBIT A: GENERAL PLAN EXHIBIT

EXHIBIT B: REZONE EXHIBIT

Resolution Number _____

County of Mendocino
Ukiah, California

NOVEMBER 5, 2026

GP_2021-0002 / R_2021-0005 - DYM

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING AN AMENDMENT OF THE LOCAL COASTAL PROGRAM (LCP), INCLUDING LAND USE MAP NO. 17 (MENDOCINO) AND THE COASTAL ZONING MAP, TO APPLY THE VISITOR ACCOMMODATIONS AND SERVICES (VAS) INN/BED AND BREAKFAST ACCOMMODATION (*1C) COMBINING DISTRICT TO ASSESSOR'S PARCEL NUMBER (APN 121-280-15) CURRENTLY ZONED RURAL RESIDENTIAL (RR5).

WHEREAS, the Applicant, Cally Dym, filed an application with the Mendocino County Department of Planning and Building Services for an amendment of the Local Coastal Program (LCP), including Land Use Map No. 17 (Mendocino) and the coastal zoning map, to apply the Visitor Accommodations and Services (VAS) Inn/Bed and Breakfast Accommodation (*1C) combining district to the subject parcel (APN 121-280-15), located in the Coastal Zone, in the town of Little River, on the west side of State Route 1 (SR 1) 700± feet north of its intersection with Little River Airport Road (CR 404), at 7720 N Highway 1, Little River; APN: 121-280-15 (the "project"); and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.; "CEQA") and the CEQA Guidelines (Title 14 California Code of Regulations section 15000 et seq.), the project is exempt from CEQA pursuant to Public Resources Code Section 21080.9, which states that CEQA shall not apply to activities and approvals by local governments as necessary for the preparation and adoption of a local coastal program. Nevertheless, because the California Coastal Commission's review of the proposed LCP amendment is a certified regulatory program for the purposes of CEQA (CEQA Guidelines section 15251(f)), an Initial Study/Mitigated Negative Declaration was prepared for the project and made available for agency and public review on October 1, 2026 for informational purposes, and to assist the California Coastal Commission in its review of the project;

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on November 5, 2026 at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

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 Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based on the evidence in the record before it, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding the Local Coastal Program amendment consisting of General Plan Amendment GP_2021-0002 and Rezone R_2021-0005:

1. The Planning Commission recommends that the Board of Supervisors find the project to be exempt from CEQA pursuant to Public Resources Code Section 21080.9.

2. The Planning Commission recommends that the Board of Supervisors find the Project consistent with applicable policies and goals of the County's General Plan, Local Coastal Program, and

Chapter 3 of the Coastal Act as discussed in the staff report prepared for the November 5, 2026 Planning Commission meeting and summarized as follows:

a. Pursuant to Coastal Act Sections 30210 through 30214, maximum public access and recreational opportunities along the coast shall be provided, development shall not interfere with access, public facilities such as parking shall be provided, and lower cost visitor serving facilities shall be provided. Applying the *1C overlay to the site would marginally increase access to the coastline because it would ultimately require that coastal access be provided in conjunction with development of visitor accommodations pursuant to Mendocino County Code (MCC) Section 20.436.025. Existing LCP regulations require the provision of public facilities such as parking when developing public access sites and the site has sufficient unconstrained space for public parking. The applicant has agreed to designate sufficient units off site at the Little River Inn as lower cost accommodations in lieu of providing lower cost accommodations on site. As such, the project is consistent with these Coastal Act policies.

b. Pursuant to Coastal Act Sections 30220 through 30223, coastal land shall be protected for recreational use and visitor-serving commercial recreational facilities have priority over residential, industrial, or general commercial development, but not agriculture or coastal-dependent industry. Future development of an inn would not interfere with the preservation of land suitable for recreation because the subject property was not previously designated as land intended for recreational use. Applying the *1C overlay would either have no impact or marginally increase recreational opportunities due to the provision of public access that is required upon development of visitor-serving facilities. The property has low agricultural viability due to its small size and soil composition. As such, the project would not conflict with the prioritization of agricultural uses and is consistent with the protection of land for recreational use.

c. Pursuant to Coastal Act Sections 30230 through 30236, marine resources, coastal waters, and fishing activities must be protected from development. Applying the *1C overlay would not impact the protection of those resources because it would not change any existing policies or implemented regulations within the LCP that are intended to protect those resources. It is feasible to construct a 10-unit inn on the site that would be consistent with existing policies and regulations protecting Environmentally Sensitive Habitat Areas (ESHA), which include marine resources and coastal waters. Development of an inn would not displace existing fishing activities or land suitable for future fishing activities. The project is consistent with these policies.

d. Pursuant to Coastal Act Sections 30240 through 30244, ESHA, prime agricultural land, other lands suitable for agricultural use, timberlands, and archaeological or paleontological resources must be protected from development. It is feasible to construct a 10-unit inn on the site that would be consistent with existing policies and regulations protecting ESHA, which include marine resources and coastal waters. The subject property does not contain prime agricultural land or timberlands and surrounding lands are not used for agriculture. According to the California Department of Conservation's Land Evaluation & Site Assessment (LESA) Model, the property does not contain other significant agricultural lands. An archaeological survey was conducted on the property in 2022, and the survey report was submitted to the Archaeological Commission for review at their meeting on July 12, 2023. The survey found no cultural resources on the site and was unanimously accepted by the Commission. The project is consistent with these sections.

e. Pursuant to Coastal Act Sections 30250 through 30255, new commercial development shall be located in developed areas or areas with adequate public services that will not have significant adverse effects on coastal resources. The scenic and visual qualities of coastal areas must be protected. New development should maintain and enhance public access to the coast and shall minimize risks from hazards, be consistent with air quality

regulations, minimize energy consumption and vehicle miles traveled, and protect special communities and neighborhoods. The project is consistent with these policies because:

i. The site is contiguous with developed areas in that an existing gas station is located to the north, a visitor-serving facility to the south, and residential uses to the east. The property is also near the Little River Inn and the Cottages at Little River Cove. However, the site is not within or adjacent to a water district or sanitation district. The nearest water/sanitation district is the Mendocino City Community Services District (MCCSD) approximately two (2) miles north. The development of a visitor-serving facility at the site would be at a point of attraction for visitors near the outlet of Little River at Van Damme State Park.

ii. Existing LCP policies and regulations, including Coastal Element chapter 3.5 and MCC chapter 20.504, are sufficient to protect the visual resources in the area and the proposed amendment would not change those policies and regulations. It is feasible to develop a 10-unit inn on the site that is consistent with existing LCP policies related to visual resources.

iii. Applying the *1C overlay to the site may marginally increase transit ridership due to a nearby bus stop. Future development at the subject property would not require the use of coastal access roads because it would share use of the existing encroachment onto State Route 1 on the “Van Damme” property to the south. Future development of visitor accommodations would require the provision of additional public access to the coast. Sufficient parking space would be available within the development. The site would be accessible from the nearby bus stop. The future development of an inn may marginally increase the use of nearby recreational facilities, such as Van Damme State Park. Applying the *1C overlay to the site would not increase the number of new residents because it would not increase the allowable residential density of the property. The CalEEMod model was used to estimate pollutant emissions, where it was found that construction and operational emissions would be below thresholds established by the Air Quality Management District. As noted in the submitted Transportation Assessment, the project would mostly redistribute existing lodging demand rather than inducing additional vehicle trips.

iv. Compliance with CalGreen building code standards will help prevent wasteful or inefficient use of energy.

v. MCC section 20.504.020 provides protections for special communities and neighborhoods, which includes the subject property. The subject property is therefore subject to the development criteria in section 20.504.020(C) and it is feasible to construct a 10-unit inn on the property that is consistent with those development criteria. The project is consistent with these policies.

f. Pursuant to Mendocino County Code (MCC) Chapter 20.436, approval of visitor accommodation and service facilities (VAS) shall be based on the suitability of the site to accommodate the proposed use, shall minimize encroachment onto resource lands, shall provide public access to the blufftop, and shall be compatible with the character of their surroundings. It is feasible to construct a 10-unit inn on the site because well tests showed that adequate water supply would be available from an existing well, there is sufficient space to construct a septic system to serve the inn, the development would comply with ESHA regulations, and the lack of VAS development in the surrounding planning area since original adoption of the LCP suggests that is it appropriate to locate additional VAS units on the site. The development of an inn on the subject property would not encroach on resource lands because the property is not within the AG, FL, TP, or RL districts. It is feasible to require that future development of visitor-serving facilities on this site utilize appropriate building materials and the theoretical 10-unit inn can be designed

and scaled to be subordinate to surrounding landforms. The project is consistent with this chapter.

g. Pursuant to MCC Chapters 20.444, development must meet corridor preservation setback and parking requirements. It is feasible to site a 10-unit inn development outside of the corridor preservation setback. As shown on the submitted plans, the theoretical 10-unit inn design would provide sufficient parking with proper surfacing. The project is consistent with this chapter.

h. Pursuant to MCC Chapter 20.492, development must meet applicable grading, erosion, runoff, and sedimentation standards. A geotechnical investigation was conducted in 2020 for a single-family residence at the site. The investigation was updated in 2025 to analyze the theoretical 10-unit inn development. The 2025 update determined that the 2020 recommendations for grading, foundations, retaining walls, and site drainage remain valid and suitable for the inn design. This indicates that a 10-unit inn design is feasible from a geotechnical perspective. Specific standards regarding grading, erosion, sedimentation, and runoff would be applied to the associated Use Permit. The project is consistent with this chapter.

i. Pursuant to MCC Chapters 20.488 and 20.496, development must protect ESHA. Generally, development must be located at least 100 feet from any identified ESHA, though this buffer may be reduced to 50 feet if an applicant can demonstrate that 100 feet is not necessary and upon agreement from Planning & Building Services and the California Department of Fish & Wildlife. The applicant submitted a Biological Scoping, Wetland Delineation, and Botanical Survey Report completed in November 2022. Several ESHA were observed on the property and a Reduced Buffer Analysis was completed. All development associated with a theoretical 10-unit inn can be feasibly located outside of the minimum 50-foot ESHA buffers as shown on the site plan. The Reduced Buffer Analysis concluded that the reduced 50-foot ESHA buffers will be sufficient to protect the identified resources. Maintaining adequate buffers would ensure that habitat is not significantly degraded and the project is consistent with this chapter.

j. Pursuant to MCC chapter 20.500 and Coastal Element Policies 3.4-1 through 3.4-7, a geotechnical investigation is required for development in areas of potential geologic hazards, structures must be set back a sufficient distance from the edges of bluffs to ensure safety, and consideration must be given to fault, tsunami, landslide, fire, and flood hazards. The property is within a potentially geologically hazardous area because it is a blufftop lot. Accordingly, a Geotechnical Investigation was performed to determine the appropriate setback for new development from the bluff edge. The investigation recommended a bluff setback of thirty-six (36) feet. The investigation also discovered a small landslide southwest of the development area along the bluff. The investigation recommended that all structures be located at least fifty (50) feet from the landslide. The site plan shows that a theoretical 10-unit inn design could site all structures outside of the bluff and landslide setbacks. The geotechnical investigation noted that no evidence of recent faulting was observed or shown in the vicinity on published geologic maps. According to the geotechnical investigation, the risk of tsunami hazard is low, and the location of development is not within a Tsunami Hazard Area as mapped by the California Geological Survey. The 10-unit inn design does not include any structures that would alter natural shoreline processes, such as bluff armoring structures. The property is within a High Fire Hazard Severity Zone as mapped by CAL FIRE. As such, it is not within an area of extremely high risk, such as the “Very High” severity zone. CAL FIRE did not respond with any comment on the proposed LCP amendment. The property is not within a flood hazard area as mapped by the Federal Emergency Management Agency (FEMA). The project is consistent with Chapter 20.500 and the policies of Section 3.4.

k. Pursuant to MCC Chapter 20.504, the property is within a highly scenic area, and the potential development of an inn would be subject to development criteria to protect the

visual qualities of the area. Based on the submitted plans, which include photo simulations of the theoretical inn, the proposed public access trail to the blufftop, and the proposed removal of invasive eucalyptus trees on the property, it is feasible to develop a 10-unit inn on the property that meets the development criteria of this chapter and improves coastal views from public areas through the site. The property is within a mapped "Tree Removal Area" as described by Coastal Element Policy 3.5-5, which requires that "trees currently blocking views to and along the coast shall be required to be removed or thinned as a condition of new development in those specific areas." Additionally, the required public access trail would provide new coastal views. These factors would mitigate the potential loss of views due to the development of a 10-unit inn. Development of a 10-unit inn would require some structures to be located at the top of a berm near the center of the property. Those structures would be located within a group of Bishop pine trees. Eight (8) of the ten (10) inn units could be located near the toe of the berm. Two (2) of the units would have to be located at the top of the berm. The welcome center and housekeeping structures would be located further upslope of the bluff edge. Although two (2) of the units would be located at the top of a slope, they would be located within a group of Bishop pine trees, which would provide some visual screening. Utility lines for a theoretical 10-unit inn are shown on the site plan. The applicant has clarified that the utility lines would be placed underground. As shown on the site plan, a 10-unit inn design would utilize the existing highway encroachment on the adjacent Van Damme property. The new driveway areas would be downslope of the highway at ground level and therefore would cause minimal visual disturbance. The property does not contain any historic structures, and the development of a 10-unit inn would not conflict with or modify any off-site historic structures.

l. Pursuant to MCC Chapter 20.516, development must be provided with sufficient septage and water supply. A theoretical 10-unit inn would be supplied with water from an existing well which also serves an adjacent property and water storage tanks. Well tests showed that sufficient water supply is available to serve a 10-unit inn on the subject property in addition to the existing 4 units on the adjacent property. A site evaluation was also submitted which shows that it is feasible to design and install a sufficient septic system for a 10-unit inn which meets the other requirements of the LCP, such as ESHA buffers.

m. Coastal Element Policy 3.8-1 requires that highway capacity impacts be considered when determining land use classifications and density changes. Based on travel demand forecasting models and trip generation rates, the project would generate a less-than-significant number of new trips per day. The applicant submitted a Transportation Assessment dated October 3, 2025. The assessment concluded that the project is expected to result in a net reduction in vehicle miles traveled at the regional level. In addition, due to the speed limit, collision history, and level of service history in the area, the project is not expected to result in highway capacity impacts. The project is consistent with these regulations.

n. Pursuant to Coastal Element Chapter 3.7, the LCP designates and reserves appropriate sites for future visitor serving facilities and establishes limitations on facilities by type and location, including a desire to curtail increases in visitor accommodations in the South Central coastal area and redirect development to the South Coast area. Based on the slow rate of VAS development since adoption of these policies, potential additional demand for VAS facilities in the years beyond the timeframe contemplated by the policies, increased visitor spending in Mendocino County since adoption of the LCP, and occupancy rates, demand or development of VAS facilities has not shifted to the South Coast and it is appropriate to designate additional units in the South Central area and on the subject property.

3. The Planning Commission recommends that the Board of Supervisors authorize submittal of a Local Coastal Program Amendment application to the California Coastal Commission including

General Plan Amendment GP_2021-0002 and R_2021-0005, to amend the Mendocino County General Plan Coastal Element Land Use Map and rezone APN 121-280-15, as shown in Exhibits "A" and "B" attached hereto and incorporated herein by this reference; and

4. Pursuant to California Public Resources Code (PRC) Section 30510(a), the Planning Commission recommends that the Board of Supervisors certifies that the proposed amendment of the local coastal program is intended to be carried out in a manner fully in conformity with Division 20 of the PRC (California Coastal Act).

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 Planning Commission 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.

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

ATTEST: ADRIENNE THOMPSON
Administrative Services Manager

By:_____

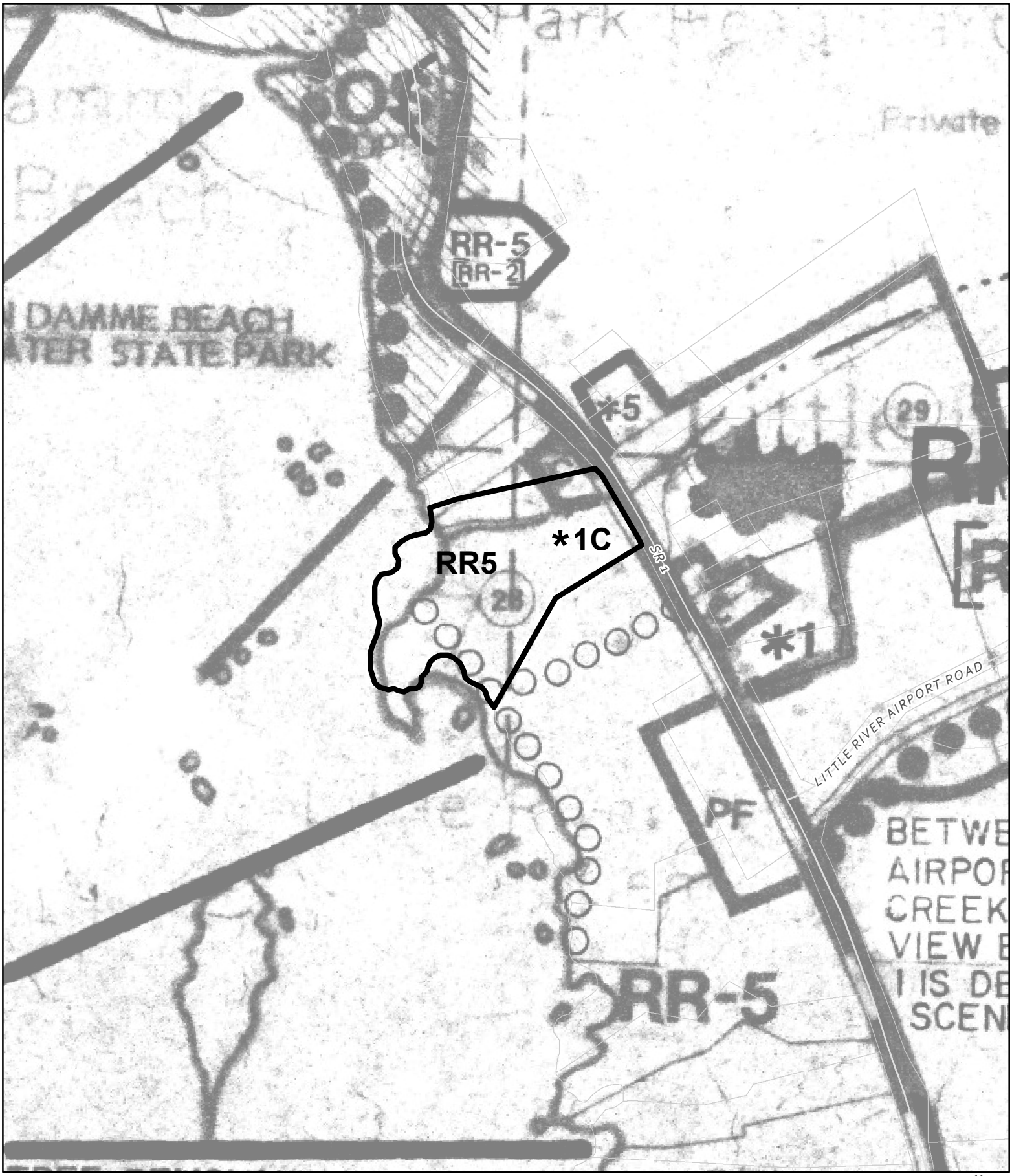
BY: IGNACIO GONZALEZ
Interim Chief Planner

CLIFF PAULIN, Chair
Mendocino County Planning Commission

_____ _____

EXHIBIT A: GENERAL PLAN EXHIBIT

EXHIBIT B: REZONE EXHIBIT



CASE: GP 2021-0002 / R 2021-0005
OWNER: Cally Dym
APN: 121-280-15
APLCT: Cally Dym
AGENT: Amy Wynn, Wynn Coastal Planning & Biology
ADDRESS: 7720 N Highwayi 1, Little River

*1C = Visitor Accommodations and Services Combining District

Public Roads

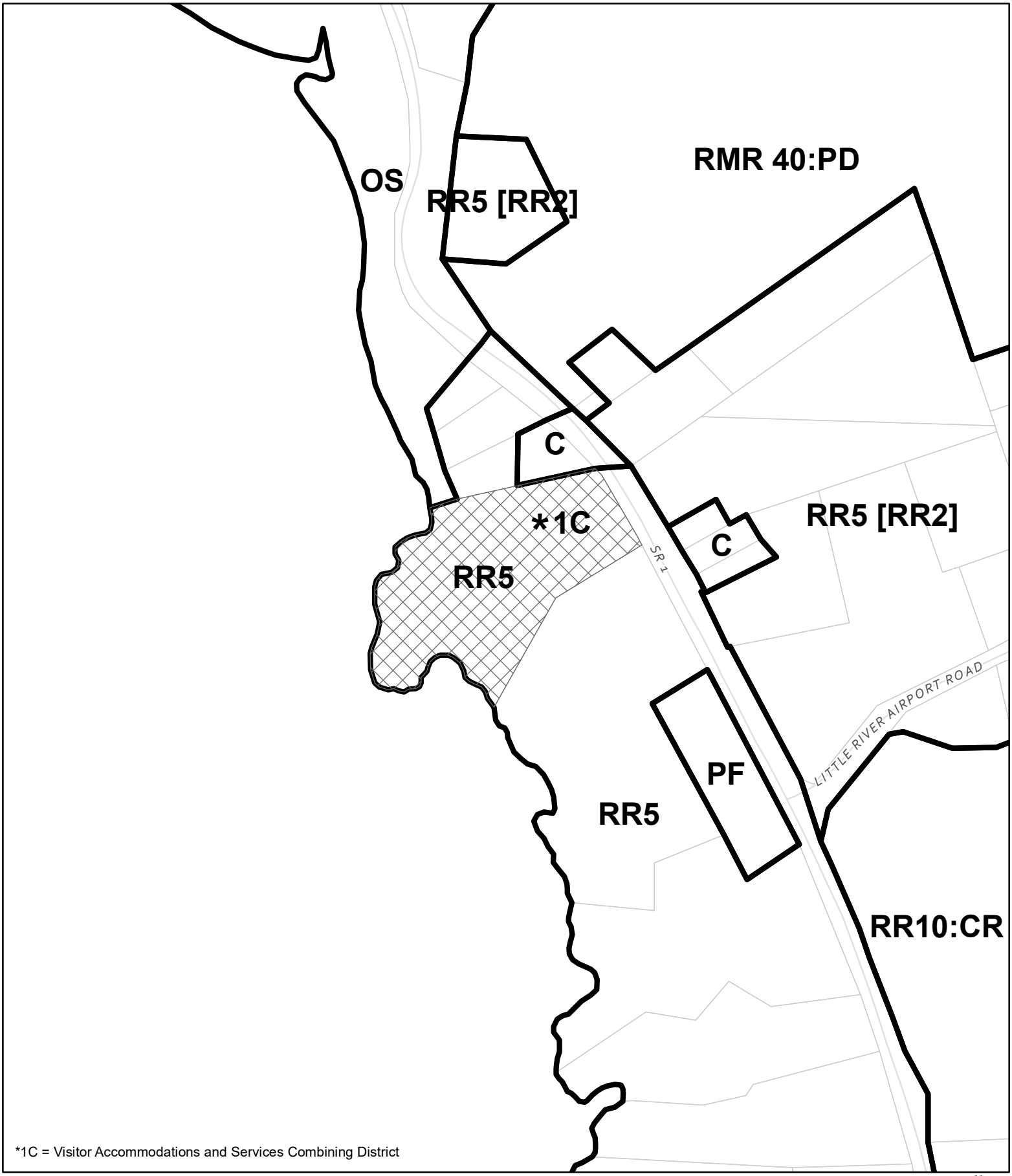
Assessors Parcels

0 180 360 Feet
0 0.03 0.06 Miles

1:4,000

LCP LAND USE MAP 17: MENDOCINO

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



*1C = Visitor Accommodations and Services Combining District

CASE: GP 2021-0002 / R 2021-0005
OWNER: Cally Dym
APN: 121-280-15
APLCT: Cally Dym
AGENT: Amy Wynn, Wynn Coastal Planning & Biology
ADDRESS: 7720 N Highwayi 1, Little River

Zoning Districts
Public Roads
Assessors Parcels

0 180 360 Feet
0 0.03 0.06 Miles
1:4,000

N W E S

ZONING DISPLAY MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

State Water Resources Control Board

October 30, 2026

Liam Crowley
Mendocino County
860 N. Bush Street
Ukiah, CA, 95482

COMMENT LETTER ON THE MENDOCINO COUNTY (LEAD AGENCY), INITIAL STUDY / MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL DOCUMENT) FOR THE GP_2021-0002 / R_2021-0005 (PROJECT); STATE CLEARINGHOUSE #2026090845

Dear Mr. Liam Crowley:

Thank you for the opportunity to review the Environmental Document for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for regulating public water systems and issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW Mendocino District.

A public water system, as defined in the California Health and Safety Code (Health & Saf. Code) § 116275 subd. (h), is “a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.” If a new public water system will be formed by the Project, an application must be submitted, and a permit must be obtained from the DDW Mendocino District before water can be provided for human consumption. “Human consumption” means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes.” Health & Saf. Code § 116275 subd. (e).

Note, Health & Saf. Code § 116527 subd. (b) requires that any person submitting a permit application for a proposed new public water system must first submit a technical report to the Mendocino District at least six months before initiating construction of any drinking system water-related improvements. The technical report must include an examination of the possibility of connecting to or being annexed by an existing adjacent community water system. Please see the attached What is a Public Water System flyer.

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act, has the following comments on the Environmental Document:

- The Project proposes that a private well owner will provide water from an existing well to serve five planned accommodations on one property and four to five accommodations on the adjacent property (PDF pages 5 and 32, and per discussions with Cally Dym, 10/14/26). Rezoning of the property through this Project will also allow for an additional five unplanned accommodations that may be constructed, resulting in up to 14-15 accommodations total that may be served by the existing well in the reasonably foreseeable future (PDF page 5). This may meet the definition of a public water system. If this is the case and no nearby municipal water systems agree to serve the Project, the private well owner must submit a technical report to the DDW Mendocino District (Health and Saf. Code § 116527 subd. [b]) and apply for a domestic water supply permit.
- If a new public water system will be created by the Project, please:
    - Provide a description of the new and existing water system components. Consider water storage, treatment, and fire flow in addition to the existing well. Also, discuss the staff required to operate the system.
    - If an existing well would be used, consider whether the water meets domestic water quality regulations (Cal. Code Regs., tit. 22, chapter 15) and if the well meets the Waterworks Standards (Cal. Code Regs., tit. 22, chapter 16).
    - Drinking water service lines and domestic supply wells shall be separated from sources of potential contamination (Cal. Code Regs., tit. 22, §§ 64572, 64560), such as wastewater systems. The Project proposes installing a large septic system to serve the Project (PDF page 43). Please discuss how the domestic well and piping will be protected from contamination and indicate if the regulations can be met or if a waiver or alternative to Waterworks Standards (Cal. Code Regs., tit. 22, § 64551.100) will be needed. If an alternative is needed, the water system will need to apply to the DDW Mendocino District Office.
    - Please consider providing a map of the Project's environmentally sensitive habitat and buffer areas in relation to the site plan to identify where the wetlands may be located and to support the claim that a 50-foot buffer can be maintained (PDF pages 19 and 20).
    - Please provide a link or attachment of the biological survey assessments that apply to project impacts regarding Waters of the United States and Waters of the State. Documents incorporated by reference must be made publicly available (Cal. Code Regs. § 15150 [b]).

Once the Environmental Document is adopted, please forward the following items in support of new water system's permit application to the State Water Board, DDW Mendocino District Office at ddwsantarosa@waterboards.ca.gov

- The Environmental Document, Mitigation Monitoring and Reporting Plan (MMRP), comment letters received, and the lead agency responses as appropriate.

- The Resolution or Board Minutes adopting the Environmental Document, the MMRP, and approving the Project; and
- The Notice of Determination filed at the County Clerk's Office and the State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, for questions regarding this comment letter.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

State Clearinghouse

Zachary Rounds
District Engineer
Mendocino District

What is a Public Water System?

A public water system is defined as a system that provides water for human consumption[1] to 15 or more connections or regularly serves 25 or more people daily for at least 60 days out of the year.

What types of Public Water Systems are there?

Many people think of public water systems as large city or regional water suppliers, but they also include small housing communities, businesses and even schools and restaurants that provide water. A public water system is not necessarily a public entity, and most public water systems are privately owned. There are three legal distinctions between the types of public water systems: community, non-transient non-community, and transient. The type of water system is based on how often people consume the water. Drinking water regulations impose the most stringent monitoring requirements on community and non-transient non- community water systems because the people they serve obtain all or much of their water from that system each day.

	**Community Water Systems** are city, county, regulated utilities, regional water systems and even small water companies and districts where people live.
	**Non-community non-transient water systems** are places like schools and businesses that provide their own water. The same people have a regular opportunity to consume the water, but they do not reside there.
	**Transient water systems** include entities like rural gas stations, restaurants and State and National parks that provide their own potable water source. Most people that consume the water neither reside nor regularly spend time there.

What does it take to be a public water system?

Being a public water system means providing affordable, safe drinking water to your customers 24 hours a day, 7 days a week, 365 day a year. This includes the associated legal, fiscal, and operational responsibilities, and future planning. Public water systems typically are run more efficiently when costs can be spread out over a large group of people to obtain good economies of scale. Small public water systems without a very high level of managerial, technical and financial capacity tend to be unsustainable.

Public water systems are required to have domestic water supply permits. The first step of the process to obtain a permit for a new public water system is to complete a preliminary technical report. The report involves contacting other existing public water systems to see if the service area of the proposed system could, instead, be served by an existing system. It also evaluates the long-term costs of creating a new public water system. **The preliminary technical report must be submitted at least 6-months prior to any water related construction.** A copy of the preliminary technical report template and the subsequent permit application materials can be obtained by contacting the State Water Resources Control Board, Division of Drinking Water's District Office. A map with District Offices can be found at the following website:

http://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/DDWdistrictofficesmap.pdf

[1] Human consumption means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including but not limited to, preparing food and washing dishes per Section §116275(e) of the Health and Safety Code.

What are the requirements to create and maintain a public water system?

A new water system applicant should consider all requirements for a public water system that are listed below and on the following page. **Typically, a public water system will incur costs associated with most or all of the required elements.** Other requirements may also be applicable, depending on whether the system is a public or private entity, such as requirements imposed by other programs with the State Water Board, such as Division of Water Rights, and other regulatory agencies, such as Local Area Formation Commissions, Public Utilities Commission, city and county governments. The section from the California Code of Regulations (CCR) Title 22, discussing the specific requirements or the section of the California Health and Safety Code (CHSC) is identified in parentheses. If the requirement comes from another regulatory section, the location is noted. Note that this is a partial list of regulatory requirements.

- Permitting engineering and technical reports (§64552), including pump tests (§64554), at least two water supply well sources for communities (§64554c and §64561), a 50-foot radius source protection zone around all new wells (§64560), a minimum of a 50-foot annular seal on new wells (§64560), a well flow meter (§64561) and initial monitoring
- Construction, including elevated storage or backup electricity for pumps to maintain 40 pounds per square inch (psi) minimum pressure at all times (§64602), proper construction of distribution systems (§64570- 64580), adequate storage capacity (§64554 and 64585) and fire capacity (contact local fire official)
- As-built maps (§64604)
- Annual water-treatment chemicals (§64590) and equipment for distribution monitoring of any added chemical treatment (dependent on the type of needed treatment)
- Ongoing raw water chemical monitoring sampling and analysis (§64431-64445.2)
- Ongoing raw water bacteriological monitoring sampling and analysis (§64430)
- Ongoing treated water bacteriological monitoring sampling and analysis (§64421-64430)
- Maintenance of bacteriological plans (§64422) and emergency notification plans for water quality emergencies (§64463-64466)
- Ongoing lead and copper monitoring including sampling and analysis and maintenance of a lead and copper plan (§64670-64690.80)
- Ongoing disinfection byproducts monitoring and maintenance of an associated plan (64530-64537.6)
- Maintaining a customer water quality complaint program (§64470)
- Main flushing (§64575), valve and meter maintenance (§64600), and maintaining system maps (§64604)
- Cross connection program and annual back-flow device testing (from Title 17, §7583-7605)
- Licensed water treatment operator and distribution staff (§64413.1-64413.7)
- Written procedures for system maintenance, for example pipeline break procedures, etc. (64580, 64582, & 64583)
- Source capacity planning studies and permit amendments for any additional growth (§64558 and §64556)
- Annual Consumer Confidence Report preparation and distribution (§64480-64483)

Requirements continue on next page...

...Requirements to create and maintain a public water system, continued

- Annual Electronic Report submittal to State Water Resource Control Board-Division of Drinking Water (CHSC §116530)
- Records of the estimated life of all pumps, treatment, storage, and distribution system and an annual capital improvement plan to fund infrastructure replacement (CHSC §116540)
- Metering and billing staff (CHSC §116540)
- Emergency reserves for drought, regulatory changes, public notice of bacteriological or chemical failures, etc. (CHSC §116540)
- Maintaining of business licenses, annual drinking water permit fees (CHSC §116565) and payment of any State enforcement fees for actions resulting from water system noncompliance (CHSC §116577)
- Appropriate working area for staff, chemicals, and records (§64470, §64423.1)
- Insurance and liability for staff, with duties including climbing tanks, handling hazardous chemicals, etc
- Management staff that is knowledgeable about drinking water. Staff coordinate the above and maintain financial controls (per Corporation Code and Government Code requirements and CHSC §116540)
- If the source is surface water, there may be additional requirements:
    - A water treatment plant meeting all Surface Water Treatment Rule requirements (§64650-64666),
    - Continuous operator supervision of the water treatment plant when in service (§64660)
    - Chemical monitoring equipment, at minimum turbidity and chlorine (§64655-64656.5, §64659)
    - Operations Plan (§64661) and Alarms (§64659)
    - Monthly monitoring reports to the Division of Drinking Water(§64662-64664.2)
    - Additional raw water sampling requirements (§64654.8)



Is there any flexibility on these requirements?

All public water systems are subject to the same health based standards and laws whether they are a big city, a small community, or a rural restaurant. However, there are some minor adjustments that are made to monitoring frequencies based on population and water system type. Each public water system is expected to continuously supply high quality water meeting all the applicable requirements.

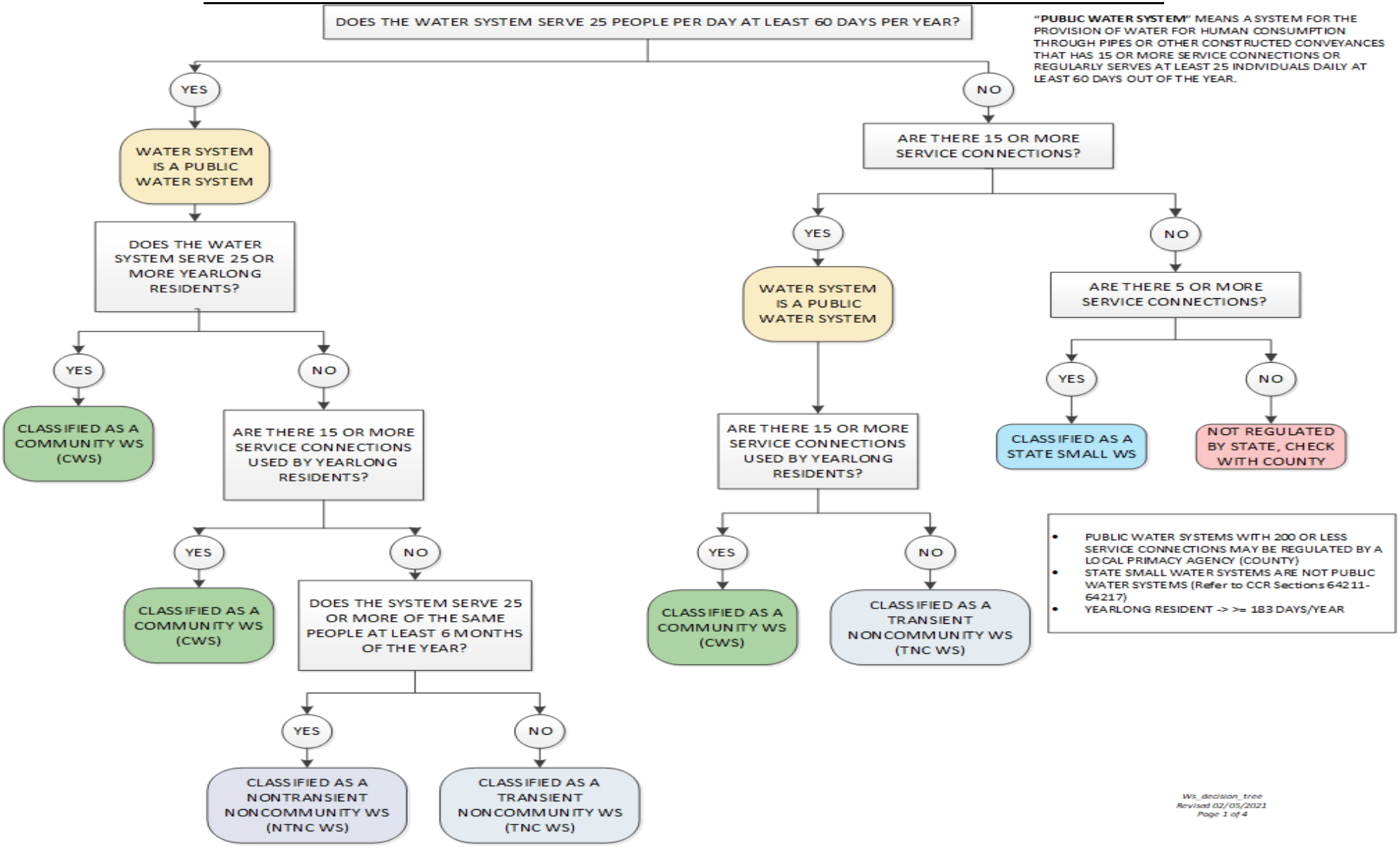
How do I find an existing public water system to serve my project area?

California Water System Area Boundaries:
https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=272351aa7db14435989647a86e6d3ad8 This website provides a map of the boundaries of public water systems. It is currently under development and does not include all public water systems, but is searchable by address or county and includes other useful map layers.

Drinking Water Watch: https://sdwis.waterboards.ca.gov/PDWW/
All active and inactive public water systems in California are provided on this website as well as a contact phone number or address for the public water system. The listing can be filtered by county, but no map is provided.

Contact the Division of Drinking Water District Office Serving Your Area and Ask: If you are unable to find a public water system nearby, contact the District Engineer for additional support. A webpage link of Division District offices and contacts is provided on the first page of this document.

DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS



DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS

“PUBLIC WATER SYSTEM” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

Does the water system serve 25 people per day at least 60 day per year? There are two possible answers, “yes” and “no.”

If “yes,” then the water system does serve at least 25 individuals at least 60 days per year and is a public water system.
Does the water system serve 25 or more yearlong residents? There are two possible answers, “yes” and “no.”
If “yes,” then the water system is classified as a community water system (CWS).
The classification of the water system is complete.

If “no,” the water system does not serve 25 or more yearlong residents and we need to know the number of service connections.
Are there 15 or more service connections used by yearlong residents? A yearlong resident is a person who resides at a service connection for 183 days, or more, per year. There are two possible answers, “yes” and “no.”
If “yes,” then the water system is classified as a community water system (CWS).
The classification of the water system is complete.

If “no,” then the water system does not have 15 or more service connections and we need to know how many people are served part of the year.
Does the water system serve 25 or more of the same people at least 6 months of the year? There are two possible answers, “yes” and “no.”
If “yes,” then the water system is classified as a nontransient noncommunity water system (NTNCWS)
The classification of the water system is complete.

If “no,” then the water system is classified as a transient noncommunity water system (TNCWS)
The classification of the water system is complete.

If “no,” then the water system does not serve at least 25 individuals at least 60 days per year and we need to know more information about service connections.

Are there 15 or more service connections? There are two possible answers, “yes” and “no.”

If “yes,” we need to decide if the water system is a public water system.

Are there 15 or more service connections used by yearlong residents? A yearlong resident is someone there 183 days, or more, per year. There are two possible answers, “yes” and “no.”

If “yes,” the water system is classified as a community water system (CWS)

The classification of the water system is complete.

If “no,” the water system does not have 15 or more service connections used by yearlong residents, the water system is classified as a transient noncommunity water system (TNCWS).

The classification of the water system is complete.

If “no,” we need to know about the number of service connections.

Are there 5 or more service connections? There are two possible answers, “yes” and “no.”

If “yes,” the water system is classified as a state small water system. State small water systems are not public water systems (refer to the CCR Sections 64211 – 64217).

The classification of the water system is complete.

If “no,” the water system does not have 5 or more service connections, the water system is not regulated by the State, check with the County.

The classification of the water system is complete.

California Health and Safety Code §116275

(e) “Human consumption” means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes.

(h) “Public water system” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

  (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.

  (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.

  (3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

(i) “Community water system” means a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system.

(j) “Noncommunity water system” means a public water system that is not a community water system.

(k) “Nontransient noncommunity water system” means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

(n) “State small water system” means a system for the provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year.

(o) “Transient noncommunity water system” means a noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year.

(s) “Service connection” means the point of connection between the customer’s piping or constructed conveyance, and the water system’s meter, service pipe, or constructed conveyance.

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=116275