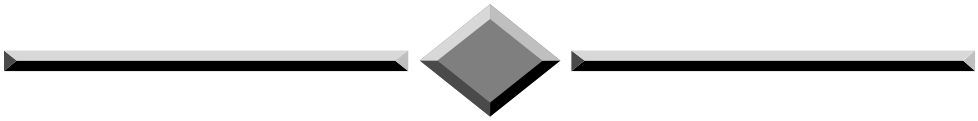
MENDOCINO COUNTY GENERAL PLAN COASTAL ELEMENT

Adopted by Mendocino County Board of Supervisors November 5, 1985
Coastal Commission Certification November 20, 1985

November 9, 2021

MENDOCINO COUNTY GENERAL PLAN

COASTAL ELEMENT



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NOVEMBER 20, 1985

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CONTENTS

USER'S GUIDE i

CHAPTER 1 - BACKGROUND

1.1 The Coastal Act 1
1.2 The Coastal Planning Process 2
1.3 Public Participation 4
1.4 Relationship Between the Coastal Element and the Countywide General Plan 4
1.5 Adoption, Certification and Implementation 5

CHAPTER 2 - THE LAND USE PLAN

2.1 Organization 11
2.2 Description of Land Use Plan Map Designations 14

CHAPTER 3 - THE LAND USE PLAN: RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

3.1 Habitats and Natural Resources 37
3.2 Agriculture 59
3.3 Forestry and Soils Resources 67
3.4 Hazards Management 73
3.5 Visual Resources, Special Communities and Archaeological Resources 78
3.6 Shoreline Access and Trail/Bikeway System 85
3.7 Recreation and Visitor Serving Facilities 100
3.8 Transportation, Utilities and Public Services 108
3.9 Locating and Planning New Development 118
3.10 Harbors and Commercial and Sport Fishing 125
3.11 Industrial Development and Energy Facilities 129

CHAPTER 4 - LAND USE PLAN: DESCRIPTIONS AND POLICIES FOR THIRTEEN PLANNING AREAS

4.1 Humboldt County Line to Rockport Planning Area 139
4.2 Rockport to Little Valley Road Planning Area 145
4.3 Little Valley Road to Fort Bragg Planning Area 155
4.4 Fort Bragg City Limit to Hare Creek Planning Area 160
4.5 Hare Creek to Jug Handle Creek Planning Area 167
4.6 Jug Handle Creek to Russian Gulch Planning Area 171
4.7 Russian Gulch to Van Damme State Park Planning Area 178
4.8 Van Damme State Park to Dark Gulch Planning Area 184
4.9 Dark Gulch to Navarro River Planning Area 188
4.10 Navarro River to Mallo Pass Creek Planning Area 194
4.11 Mallo Pass Creek to Iversen Road Planning Area 199

4.12 Iversen Road to Sonoma County Line Planning Area 209
4.13 Mendocino Town Plan
Introduction.....4.13-1
Definitions 4.13-17
1992 Town Plan Setting, Description, and Background.....4.13-29
Town Plan Policies 4.13-53
Mendocino Town Land Use Classifications.....4.13-83
Town Plan Implementation.....4.13-91
Mendocino Town Plan Appendices
1 – Inventory of Historic Structures 4.13-A1
2 – Mendocino Town Plan Visitor Serving Facilities.....4.13-A11
3 – CDFW Marine Protected Area Regulations for the Big River Estuary (Mendocino Estuary).....4.13-A15
4 – CCC Adopted Categorical Exclusion Order E-96-1 November 14, 1996 and California Coastal Act, Chapter 7, Development Controls Article 1 Section 30610 .....4.13-A21
5 – Public Access Component Detailed Access Way Aerial Maps 4.13-A33
6 – CCC Post-LCP Certification Permit and Appeal Jurisdiction Map 32 (Excerpt) Town of Mendocino Area 4.13-A45
7 – Mendocino Historic Review Board Guidelines 1987 .....4.13-A49
8 – Town of Mendocino Traffic Data, November 23-30, 2015.....4.13-A79
9 – CCC Repair, Maintenance and Utility Hook-up Exclusion Guideline 1978 .....4.13-A90
4.14 Gualala Town Plan
Chapter 1 – Introduction.....4.14-1
Chapter 2 – Issues and Goals.....4.14-5
Chapter 3 – Policies.....4.14-23
Chapter 4 – Land Use Classifications.....4.14-49
Chapter 5 – Definitions.....4.14-61
Chapter 6 – Appendices.....4.14-64
Appendix A – Residential Reserve Guidelines.....4.14-65
Appendix B – Landscape Species Lists.....4.14-68

APPENDICES

1. Mapping Methodology.....A1
2. CAC Questionnaire Results A2
3. Geotechnical Evaluation Requirements.....A3
4. Bibliography A4
5. Community Water Supply & Sewage Disposal System A5
6. County of Mendocino Division of Environmental Health Land Division Requirements (1/1/82).....A6
7. Chapter 22.12 - Native American Archaeological Sites A7
8. California Coastal Commission Statewide Interpretive Guidelines (5/5/81) - Appendix D.....A8
9. Timberland Preserve Zoning Ordinance No. 3335.....A9
10. List of Existing Private Visitor Accommodations in the Coastal Zone of Mendocino County (8/82) A10
11. The Agricultural Preserve Ordinance A11
12. Deleted

13. Summary of Designated Coastal Access Points.....A13

GLOSSARY..... G-1

TABLES

Table 1.4-1 Correspondence Among General Plan Elements and Coastal Act Policies.....6
Table 2.1-1 Citizens Advisory Committees, Map Areas and Planning Areas.....12
Table 3.7-1 Existing State Park Facilities and Potential Development Proposed by Department of Parks and Recreation Survey, 1980 103
Table 3.7-2 Tabulation of Existing and Proposed Visitor Accommodations 105

FIGURES

Figure 1.1-1 - Priority of Coastal Uses Established by Coastal Act 3
Figure 2.1-1 - Land Use Map Index 13

USER'S GUIDE

The Coastal Element of the Mendocino County General Plan, a part of the Local Coastal Program (LCP), consists of four major text sections, appendices, glossary and sets of maps. The maps are too large to be reproduced in this volume.

Chapter 1 reviews the California Coastal Act of 1976 which mandates preparation of the plan, describes the element's relationship to the countywide General Plan, and outlines the planning process and public participation. Procedures for adopting and implementing the plan are described.

Chapter 2 describes the organization of the plan and lists the land use classifications used on the maps.

Chapter 3 reviews resources and development issues and prescribes policies for each subject area that apply throughout the coastal zone.

Chapter 4 describes the Land Use Plan for each of the 13 planning areas and lists the policies applicable to that planning area. Readers interested in one planning area should read all of the policies in Chapter 3, but need examine only the Chapter 4 policies related to the specific geographic area.

Chapter 5 contains pertinent data utilized in the development of this plan.

Chapter 6 is a glossary of terms found throughout this plan.

The term Coastal Element includes the Land Use Plan, as well as additional policies or programs which do not refer to specific sites, such as hazards policies. Goals and Policies contained within other elements of the General Plan such as Noise, Seismic Safety, Housing, Circulation, Recreation, Conservation, Open Space, Scenic Highways and Safety will also apply within the Coastal Zone. The term Local Coastal Program (LCP) describes a three phase program mandated by the Coastal Act-Phase I: Identification of Issues (completed by Mendocino County in 1978); Phase II, Land Use Plan; and Phase III, Implementation Program.

Property that is bisected by the Coastal Zone Boundary will be subject to applicable development standards and policies of the General Plan for proposed development east of the Coastal Zone boundary while that proposed development within the Coastal Zone boundary will be subject to all applicable policies of this plan and subsequent implementing ordinances and programs.

References appear in the text in parentheses in one of two forms. A citation of the form:

(# , Author's name)	refers to the number under which the work is cited in the Bibliography.
(B-D, NE)	refers to a Blayney-Dyett Working Paper fully cited at the beginning of the Bibliography.

BACKGROUND

1. BACKGROUND

1.1 THE COASTAL ACT

Local control over land use and development regulation in the coastal zone was substantially modified with the passage of Proposition 20, the California Coastal Zone Conservation Act. In November 1972 a majority of California voters expressed opposition to perceived deterioration of the coastal environment due to development pressures. Under Proposition 20, the California Coastal Zone Conservation Commission and six Regional Coastal Commissions were created and given the dual mandate to prepare a statewide comprehensive plan for the coast and to regulate development while the plan was being prepared. The California Coastal Plan submitted to the legislature in December 1975 led to the California Coastal Act of 1976 in which the Legislature declared in Section 30001(a) "That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people..."

The Act established a permanent coastal zone management program in California, transferring the responsibility of preparing the coastal plan from the state and regional commissions to the counties and cities along the coast. Locally developed and implemented plans are to be reviewed by the Coastal Commission at least every five years.

The Coastal Act, in Section 30001.5, sets the following goals for all Land Use Plans for the coastal zone:

(a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.

(b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.

(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The heart of the Coastal Act is Chapter 3, Coastal Resources Planning and Management Policies (Section 30200). These policies constitute the standards that local plans must meet in order to be certified by the state as well as criteria for evaluating proposed developments within the coastal zone. Additional general policies provided the framework for the Land Use Plan;

a. Where policies within the Land Use Plan overlap, the policy which on balance is the most protective of coastal resources shall take precedence.

b. Where there are conflicts between the policies set forth in the Land Use Plan and those set forth in any element of the County's General Plan, existing ordinances, or other County regional plans, the policies of this Land Use Plan shall take precedence in the Coastal Zone.

c. Chapter 3 of the Coastal Act (PRC Sections 30210 through 30263) provided the standard for the determination of legal adequacy of this Land Use Plan and shall guide its interpretation.

Excerpts from the Act for each of the 14 policy categories are quoted in Chapter 3 of this plan. The spirit and intent of the Act can be summarized as requiring that:

- the unique natural features of the coast be preserved as much as possible, and

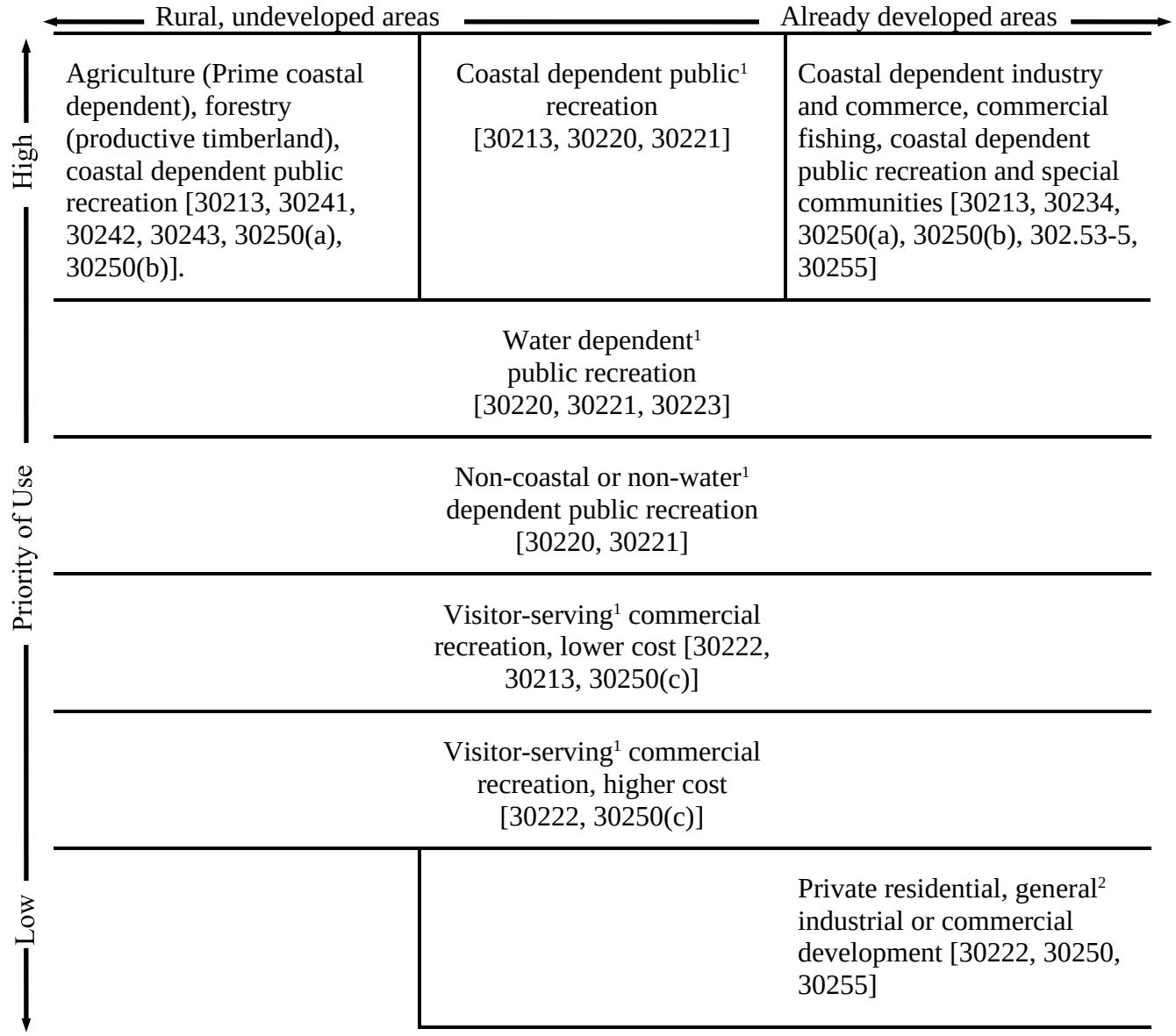
- the coast be as available for the enjoyment of as many people as possible, regardless of their income or place of residence.

The Coastal Act also establishes a framework for resolving conflicts among competing uses for limited coastal lands. Figure 1.1-1 diagrams this hierarchy of land use priorities established by the Coastal Act which must be reflected in the Land Use Plan. As shown, the Act places its highest priority on the preservation and protection of natural resources, including such environmentally sensitive habitats as wetlands and dunes, and prime agricultural and timber lands. Only uses dependent on these resources shall be permitted within such areas and the maximum amount of prime agricultural and timber land shall be kept in production [Sections 30213, 30241, 30242, 30243, and 30250(a) and (b)]. On shoreline sites that are not sensitive environmentally sensitive habitats or prime agricultural or timber lands, development that must be adjacent to the sea takes precedence over other developments [Sections 30213, 30234, 30250(a) and (b), 30253, and 30255]. Third and fourth priority uses are public recreation and visitor-serving facilities [Sections 30213, 30220-23, and 30250(c)] and residential development.

1.2 THE COASTAL PLANNING PROCESS

In 1978 the Mendocino County Planning Department completed Issues Identification and a Draft Work Program for the LCP. The County's General Plan was subsequently found inadequate by the Superior Court and the County found itself under a moratorium prohibiting rezoning or subdivision approval until a new General Plan could be adopted. Primarily because County Planning Department staff time was needed for work on the General Plan, The Board of

FIGURE 1.1-1 PRIORITY OF COASTAL USES ESTABLISHED BY COASTAL ACT
(Numbers refer to sections of the Coastal Act)



1. Recreational uses of the coast that do not require extensive alteration of the natural environment have priority in intertidal and waterfront areas over recreational uses that would result in substantial alteration of the natural environment [30233, 30235, 30255].

2. Concentration of development policies [30250(a)] limit development in rural areas, except public recreation and visitor-serving uses.

Supervisors exercised an option provided by the Coastal Act and requested that the Coastal Commission prepare its LCP. In June 1979 the Coastal Commission selected Blayney-Dyett as consultant for this work. The Hearing Draft was prepared by Blayney-Dyett Consultants and published in August, 1980, and represents the basis for this plan. The Hearing Draft and the Comments prepared by the staff of the California Coastal Commission were the basis of public hearings held by the Mendocino County Planning Commission beginning June 15, 1981.

1.3 PUBLIC PARTICIPATION

The Coastal Act calls for the "widest opportunity for public participation" in coastal planning (Section 30006). Four of the fourteen Citizens' Advisory Committees (CAC's) appointed by the Mendocino County Board of Supervisors for the county-wide General Plan revision program have portions of the coastal zone within their planning areas. These CAC's worked diligently on both the Countywide Plan and the Coastal Element, developing their own position papers, writing specific comments on Countywide draft policy statements and the coastal consultant's working papers, and preparing sketch plans with supporting text. The consultant preparing the Hearing Draft of the Coastal Element participated in regular meetings of each of the coastal CAC's. North Coast Region Coastal Commission staff and the County's coastal planner attended these and many additional CAC meetings.

Sketch plans prepared by the CAC's and those prepared by the consultant were discussed at meetings in May and June, 1980 and plan maps were left at convenient public locations with a request for public comment. Comments written on the consultant's maps, CAC plans and statements, and the many letters and comments received from individuals have been considered and frequently incorporated by the consultant in the draft Coastal Element.

Where CAC positions were consistent with the Coastal Act, in the opinion of the consultant, they were reflected in the draft Land Use Plan. The consultant's judgment as to what is in compliance with the Act is, of course, open to debate by the CAC's, the County Planning Commission, the Board of Supervisors, and the Coastal Commission. Public participation continued to affect the plan as it moved through the approval process. Numerous public hearings were held along the coast by the Mendocino County Planning Commission beginning June 15, 1981.

1.4 RELATIONSHIP BETWEEN THE COASTAL ELEMENT AND THE COUNTYWIDE GENERAL PLAN

The Coastal Element is designed to be adopted as an element of the Mendocino County General Plan. Work on the Coastal Element proceeded, with the cooperation and assistance of the County Planning Department, simultaneously with revision of the County General Plan. The County General Plan includes no land use proposals within the coastal zone and the Coastal Element includes none outside. Few coordination problems surfaced except in the area around Fort Bragg. Here most existing and potential development is outside the coastal zone. Four planning programs affect this area. The Fort Bragg general plan revision, and LCP and the

County general plan revision and LCP. Slightly varying time schedules and some conflicting public meetings have made it difficult for interested citizens to follow each program.

The Coastal Act requires that the Coastal Element be more detailed and specific than the Countywide General Plan and cover issues such as access, visual resources, and urban/rural boundaries that are not mandated by State Planning Law to be included in General Plans. The Countywide General Plan contains elements (noise, safety, and seismic safety) that are not specifically required by the Coastal Act. Thus Countywide policies expressed in the Seismic Safety, Noise and Safety Elements will apply within the coastal zone. The Coastal Element relies on the Countywide Housing Element of the General Plan for the framework for meeting low and moderate income housing. Table 1.4-1 shows the relationship among General Plan Elements, Coastal Act policies, and Coastal Element components.

As long as the area along the coast of Mendocino County remains under the jurisdiction of the Coastal Commission, the first consideration of the Planning Commission in reviewing the LCP is its responsibility to the public interest and general welfare in the County as a whole; and to take into consideration the requirements of State Law as it pertains to the Coastal Act. For the portion of the County outside of the Coastal Zone, the County has developed land use policy giving guidance to development of the Countywide General Plan. Land use decisions within the Coastal Zone will likewise be directed through Coastal Element policies, and where possible, these policies have been made consistent with previously developed General Plan policies, land use classifications and densities.

It is declared to be the intention of the Mendocino County Planning Commission and Board of Supervisors that if any provision of the Mendocino County Local Coastal Plan is held by a court of competent jurisdiction to be unconstitutional, invalid, void or unenforceable, the remaining provisions shall remain in full force and effect.

1.5 ADOPTION, CERTIFICATION, AND IMPLEMENTATION

The Coastal Act requires that each of the 53 cities and 15 counties along the California coast prepare a Local Coastal Program (LCP).

The LCP is defined by Section 30108.6 of the Act as the land use plan, zoning ordinances, and zoning maps which, when taken together, implement the policies of the Coastal Act. Each LCP must pass a three step review.

Mendocino County may submit the Coastal Element to the Coastal Commission either as a program that will take effect automatically upon Coastal Commission approval or as a program that will require formal adoption by the County after Coastal Commission approval (Coastal Commission Administrative Regulations 13518).

TABLE 1.4-1 CORRESPONDENCE AMONG GENERAL PLAN ELEMENTS AND COASTAL ACT POLICIES

General Plan Elements	Coastal Act Policies
Optional Elements	
Mandatory Elements	
1. Land Use	
A. Housing B. Business C. Industry D. Open Space E. Education F. Public buildings and grounds G. Waste disposal facilities H. Population density and building intensity I. Areas subject to flooding	1. Shoreline Access 2. Recreation and Visitor Serving Facilities 6. Commercial Fishing and Recreational Boating 8. Agriculture 9. Hazards 10. Forestry and Soils Resources 11. Locating and Planning New Development 12. Coastal Visual Resources and Special Communities 13. Public Works 14. Industrial and Energy Development
2. Circulation	
A. Major thoroughfares B. Transportation routes C. Terminals D. Other public utilities and facilities	1. Shoreline Access 2. Recreation and Visitor Serving Facilities 6. Commercial Fishing and Recreational Boating 11. Locating and Planning New Development 13. Public Works
3. Housing	
A. Standards and plans for improvement B. Adequate sites C. Needs for all economic segments	1. Shoreline Access 11. Locating and Planning New Development
4. Conservation	
Conservation and Development of: A. Water and its hydraulic force B. Forests C. Soils D. Rivers and other waters E. Harbors F. Fisheries G. Wildlife H. Minerals I. Other natural resources	1. Shoreline Access 4. Water and Marine Resources 5. Dredging, filling and Shoreline Structures 6. Commercial Fishing and Recreational Boating 7. Environmentally Sensitive Habitat Areas 8. Agriculture 9. Hazards 10. Forestry and Soils Resources 12. Coastal Visual Resources and Special Communities

General Plan Elements	Coastal Act Policies
5. Open Space	
A. Natural Resources B. Resources production C. Recreation D. Public Safety	1. Shoreline Access 2. Recreation and Visitor Serving Facilities 5. Dredging, filling and Shoreline Structures 7. Environmentally Sensitive Habitat Areas 8. Agriculture 9. Hazards 10. Forestry and Soils Resources 11. Locating and Planning New Development 12. Coastal Visual Resources and Special Communities
6. Seismic Safety	
Identification and appraisal of susceptibility to: A. Surface ruptures from faulting B. Ground Shaking C. Ground Failures D. Wave Effects E. Slope Stability	1. Shoreline Access 9. Hazards 11. Locating and Planning New Development 14. Industrial and Energy Development
7. Noise	
Contours of present and projected noise levels from: A. Highways and freeways B. Ground rapid transit C. Airport ground facilities D. Considerations in land use	11. Locating and Planning New Development 13. Public Works
8. Scenic Highways	
Development, establishments and protection of scenic highways	1. Shoreline Access 2. Recreation and Visitor Serving Facilities 11. Locating and Planning New Development 12. Coastal Visual Resources and Special Communities 13. Public Works
9. Safety	
Protection from fires and geologic hazards through: A. Evacuation routes B. Peak load water requirements C. Minimum road widths D. Clearance around structures E. Geologic hazard mapping	1. Shoreline Access 4. Water and Marine Resources 6. Commercial Fishing and Recreational Boating 9. Hazards 11. Locating and Planning New Development 13. Public Works 14. Industrial and Energy Development

The Land Use Plan is intended to be adopted as the Coastal Element of the Mendocino County General Plan. It must be considered in at least one public hearing by the County Planning Commission, approved with any changes the Commission believes are desirable, and transmitted to the Board of Supervisors. The Board must hold at least one public hearing before adoption. If it wishes to alter the plan, it first must refer the modifications to the Planning Commission for a report.

The following provisions shall apply to the Commission's decision to certify or refuse certification of a land use plan pursuant to Section 30512.2:

(a) The Commission's review of a land use plan shall be limited to its administrative determination that the land use plan submitted by the local government does, or does not, conform with the requirements of Chapter 3 (commencing with Section 30200). In making this review, the Commission is not authorized by any provision of this division to diminish or abridge the authority of a local government to adopt and establish, by ordinance, the precise content of its land use plan.

(b) The Commission shall require conformance with the policies and requirements of Chapter 3 (commencing with Section 30200) only to the extent necessary to achieve the basic state goals specified in Section 30001.5.

Either concurrently with evaluation of the Land Use Plan or at a later date, the Commission also must review the County's proposed implementing mechanisms for the Land Use Plan to ensure that they conform with and are adequate to carry out the provisions of the Land Use Plan. A majority vote of the Commission is required to disapprove the County's proposed implementing mechanism.

The State Commission shall determine in hearings whether any aspect of the proposed LCP does not comply with the Coastal Act. If no substantial issue of conformity with the Act is found, the Commission shall certify the LCP. If a substantial issue is found, the State Coastal Commission may, by majority vote, decline to certify the plan, either as a whole or in part. Certification of the LCP transfers coastal development review authority to the County after:

- Mendocino County by formal resolution acknowledges the receipt of the Coastal Commission's resolution of certification, accepts any conditions or terms imposed by the Commission, takes formal action to comply with the conditions or terms of certification, and agrees to issue permits in the area covered by the approved LCP;

- the executive director of the Coastal Commission determines in writing that county's action and notification procedures for appealable development are legally adequate;

- the executive director of the Coastal Commission reports this determination to a meeting of the Commission and receives no objections;

- and, notice of certification is filed with the Secretary of the California State Resources Agency.

Following certification of the Local Coastal Plan, certain proposed, new developments, defined in Section 30603(a) of the Coastal Act, may be appealed by any interested party to the State Coastal Commission. These include:

(1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the local government not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Developments approved by the local government not included within paragraph (1) or (2) of this subdivision that are located in a sensitive coastal resource area.

(4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).

(5) Any development which constitutes a major public works project or a major energy facility (Energy Facility is defined in Section 30107 of the Coastal Act. Public Works is defined in Section 30114 of the Act. Major public works and major energy facilities are defined in Section 13012 of the Coastal Commission Regulations [Title 14 CAC, Division 5.5]).

The Coastal Commission retains original jurisdiction on tidelands, submerged lands, and public trust lands [Section 30519(b)].

Provision number 4 above emphasizes the importance of designation of uses by the Land Use Plan. The Coastal Act requires that land use decisions be made at the general plan stage rather than at the zoning stage as has been the practice in many California cities and counties (see Sections 30108.5, 30512, and 30513). The Land Use Plan must be sufficiently detailed so that no major questions are unresolved prior to the zoning phase.

The grounds for appeal for those developments in 30603(a)(1) are limited by Section 30603(b) of the Coastal Act to situations where:

(1) The development fails to provide adequate physical access or public or private commercial use or interferes with such uses.

(2) The development fails to protect public views from any public road or from a recreational area to, and along, the coast.

(3) The development is not compatible with the established physical scale of the area.

(4) The development may significantly alter existing natural landforms.

(5) The development does not comply with shoreline erosion and geologic set back requirements.

Additional grounds for appeal are found in Sections (c) and (d) as follows:

(c) The grounds for an appeal pursuant to paragraph (2), (3), (4), or (5) of subdivision (a) shall be limited to an allegation that the development does not conform to the certified local program.

(d) Any action described in subdivision (a) shall become final after the 10th working day, unless an appeal is filed within that time.

LAND USE PLAN

ORGANIZATION & LAND USE CLASSIFICATIONS

2. THE LAND USE PLAN

2.1 ORGANIZATION

The Coastal Element of the Mendocino County General Plan consists of maps and a text applying only to the portion of Mendocino County within the coastal zone established by the Coastal Act. The 32 sectional plan maps of the Mendocino County coastal zone are reproducible but not reducible to page size. Scales are 1 inch = 600 feet throughout the entire coastal zone and 1 inch = 200 feet for the Town of Mendocino. Resource Maps showing Habitat/Resources and Land Capability/Hazards were prepared in November 1979 and corrected in April 1980 at the same scale as are the plan maps, with the exception of the area north of Rockport, which is scaled at 1 inch = 2000 feet. No resource maps were prepared for the Town of Mendocino.

The Coastal Element includes the land use plan maps, the land use classifications and policies in Chapter 2, the policies and tables in Chapters 3 and 4, the appendices, and the supportive narrative throughout the text. Policies that apply to all or most of the coastal zone follow an analysis of the issues they address, such as Forestry, Access, and Agriculture, in Chapter 3. Policies specific to a planning area follow a description of the Land Use Plan for that area in Chapter 4. The explanatory text of the Coastal Element shall be considered an integral part of the land use plan because it provides material which explains and supports the mapped information and the policies.

The Resource Maps showing Habitat/Resources and Land Capability/Hazards contain the best information available at this time and were used for establishing policies and delineating uses, and shall also be considered as part of the Coastal Element.

The definitions relating to natural resources and to land use classifications which are presented in various sections of the Coastal Element and which are noted on the land use maps shall be considered as part of the land use plan. A glossary of terms is located in the Appendix, as well as other supportive information.

Each section in the resources and development chapter begins with a listing of the applicable sections of the Coastal Act. Coastal Element policies are intended to comply with the Coastal Act.

The Mendocino Town Plan is located in Chapter 4.13. The Gualala Town Plan is located in Chapter 4.14.

The access component of the Coastal Element required by Section 30500(a) of the Coastal Act and by Section 13512 of the Coastal Commission Administrative Regulations, consists of: Table 3.6-1 of the Land Use Plan which lists access points; the policies of Chapter 3 of the Land Use Plan; the policies specific to each access point listed by planning area in Chapter 4; and the accessways shown on the Land Use Plan maps.

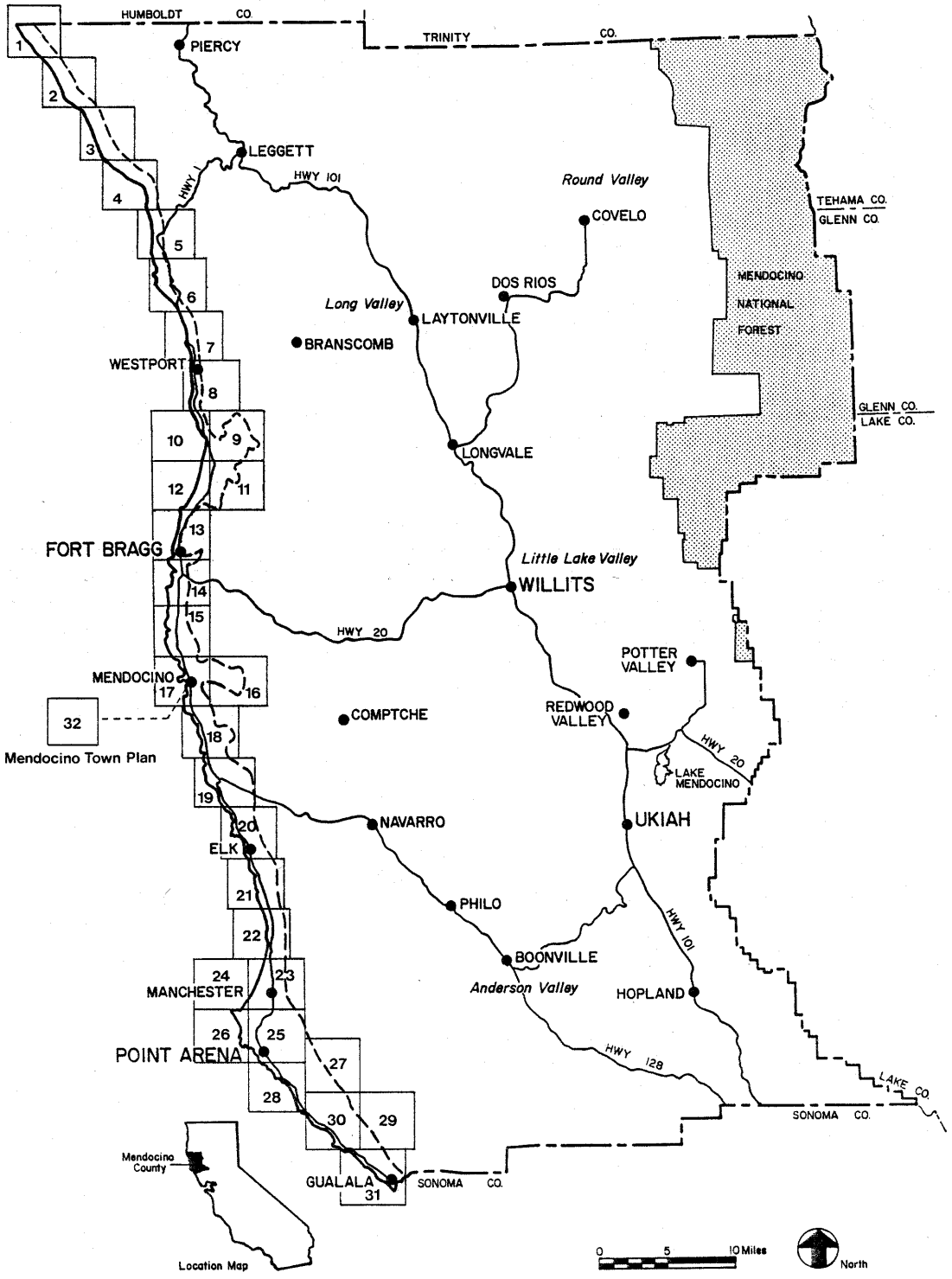
TABLE 2.1-1 CITIZENS ADVISORY COMMITTEES, MAP AREAS AND PLANNING AREAS

CITIZENS ADVISORY COMMITTEE	LAND USE PLAN: DESCRIPTION OF 13 AREAS	PLANNING AREA	COMMUNITIES DESCRIBED	LAND USE MAPS
NORTH COAST	4.1 Humbolt County Line to North of Rockport	Lost Coast		1, 2, 3, 4, 5
	4.2 Rockport to Little Valley Road	Rockport to Little Valley Road	Westport	6, 7, 8, 9, 10, 11, 12
NORTH CENTRAL COAST	4.3 Little Valley Road to Fort Bragg City Limits	North Fort Bragg	Cleone	11, 12, 13
	4.4 Fort Bragg City Limits to Hare Creek	South Fort Bragg Area	Noyo	13, 14
	4.5 Hare Creek to Jug Handle Creek		South Fort Bragg	14
SOUTH CENTRAL COAST	4.6 Jug Handle Creek to Russian Gulch	Jug Handle Creek	Caspar	14, 15
	4.7 Russian Gulch to Van Damme State Park	Big River	Mendocino Town	15, 16, 17
	4.8 Van Damme State Park to Dark Gulch	Little River	Little River	17, 18
	4.9 Dark Gulch to Navarro River	Albion	Albion Village	18, 19
SOUTH COAST	4.10 Navarro River to Mallo Pass Creek	Greenwood/Elk	Elk	19, 20, 21, 22
	4.11 Mallo Pass Creek to Iverson Road	Iverson Road	Irish Beach, Manchester, Point Arena	22, 23, 24, 25, 26, 27, 28
	4.12 Iverson Road to Sonoma County Line	Anchor Bay - Gualala Iverson Road South	Anchor Bay Gualala	27, 28, 29, 30, 31
SOUTH CENTRAL COAST Big River Sub-CAC	4.13 Mendocino Town Plan (1" = 200'+)	Big River	Mendocino Town	32
SOUTH COAST	4.14 Gualala Town Plan	Gualala and vicinity	Gualala	31

All maps at 1" = 600' except as noted.

MENDOCINO COUNTY

Figure 2.1-1 Land Use Map Index



2.2 DESCRIPTION OF LAND USE PLAN MAP DESIGNATIONS

The plan maps show a use for each parcel and also indicate specific environmental constraints that may affect development. Existing and proposed shoreline access points and circulation elements (roads and trails) also are shown. This text section repeats and expands the information provided in the map legend.

GENERAL PROVISIONS

Principal Permitted Uses. In each land use classification, the principal permitted uses and conditional uses are listed. The principal permitted use is that primary use which is allowed in each land use classification. Uses listed as conditional uses are those requiring additional review, such as a conditional use permit or site specific review to assure compliance with plan and zoning ordinance criteria and standards. Permits for the principal permitted use will be subject to appeal to the Coastal Commission only in appealable areas; conditional uses will be subject to appeal anywhere in the coastal zone (30603)(4). The intent statements describe the reasons for which individual land use classifications are applied to specific areas on the land use plan maps and will guide preparation of specific zoning regulations and zoning maps to implement the intent.

The plan designates a minimum parcel size and density for each land use--the same use may have different minimum parcel sizes at different locations on the Land Use Maps. The following section lists the range of minimum parcel sizes for creation of new parcels in each classification. Legal parcels existing on the date of adoption of the plan by the County that are smaller than minimum size will be developable for principal permitted and conditional uses, subject to the same limitations as parcels meeting size standards. Existing uses similarly will be considered to be conforming uses; the zoning regulations will assure their right to continuance and replacement if destroyed, but not to expansion or resumption if abandoned.

The number of classifications have been minimized to make the plan maps more readily understandable. Most classifications are the same as those used by the Countywide General Plan, and intent, uses and parcel sizes are similar to those used in the General Plan.

The zoning regulations will include complete lists of definitions and principal permitted uses and conditional uses. The following seven definitions are included here because they are essential to the land use classifications:

HOME OCCUPATIONS

It is the intent of this section to provide for an accessory use within a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the dwelling for residential purposes and must not change the character thereof or adversely affect the residential or rural nature of its surroundings. When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation without securing a use permit to do so. However, such person shall be subject to all applicable

policies of this element and to all other permits required under county code, such as building permits, business licenses, and coastal development permits, where the use constitutes "development" as defined in the Glossary and Coastal Zoning Code Section 20.308.035(D). A home occupation is a principal permitted use in any land use classification where a dwelling exists. The following represent the minimum standards for home occupations: *(Revised 8-30-2005; Resolution 05-153)*

Specific Standards:

A. No person other than members of the family residing on the premises shall be engaged in such occupation, except that one (1) employee shall be permitted when the property on which the home occupation is located is a minimum of forty thousand (40,000) square feet. *(Revised 8-30-2005; Resolution 05-153)*

B. The home occupation shall be clearly incidental and subordinate to the use of the dwelling unit for residential purposes. The total area for the home occupation shall not exceed six hundred forty (640) square feet. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises. *(Revised 8-30-2005; Resolution 05-153)*

C. The home occupation shall not result in any change in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation other than one (1) nonilluminated sign not exceeding two (2) square feet of area. *(Revised 8-30-2005; Resolution 05-153)*

D. The sale of merchandise not produced on the premises (except mail order businesses) shall be clearly incidental and accessory to the merchandise or service produced by the home occupation, and shall not be advertised in any manner. *(Revised 8-30-2005; Resolution 05-153)*

E. Not more than ten (10) customers or clients shall come to the dwelling unit for service or products during any one day.

F. Home occupations shall not involve the use of heavy commercial vehicles for delivery of materials to or from the premises.

G. No mechanical or electrical equipment shall be employed other than machinery or equipment typical of the type or specifications used in a hobby or a vocation customarily conducted within the confines of a dwelling unit. *(Revised 8-30-2005; Resolution 05-153)*

H. No equipment or process shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference, or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood. *(Revised 8-30-2005; Resolution 05-153)*

COTTAGE INDUSTRIES

It is the intent of this use to provide for limited commercial and industrial uses in conjunction with a dwelling which are more extensive than home occupations, but which, like home occupations, do not alter or disturb the residential or rural nature of the premises or its surroundings. Such limited commercial and industrial uses are known as Cottage Industries.

Cottage Industries are permitted upon issuance of a conditional use permit. A use permit for a Cottage Industry may be granted for an unlimited period of years, unless it is determined that a shorter period is more appropriate to insure conformance with the intent and standards of this section or other applicable requirements. The following uses listed and other uses which have a similar impact or lesser impact may be considered through the conditional use permit process. *(Revised 8-30-2005; Resolution 05-153)*

General Standards:

A. The particular uses conducted by the Cottage Industry, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surrounding.

B. The use shall be environmentally compatible with the project site and region.

C. No additional service demands will be created by the use.

Specific Standards:

Cottage Industries shall conform to the following requirements:

A. Not more than two (2) outside persons may be employed on the premises in addition to the members of the family residing on the premises. *(Revised 8-30-2005; Resolution 05-153)*

B. The Cottage Industry shall be clearly incidental and subordinate to the residential use of a parcel containing a dwelling occupied as a principal residence of the owner or operator of the Cottage Industry. *(Revised 8-30-2005; Resolution 05-153)*

C. Multiple uses are permitted within the Cottage Industry. The total area occupied by all uses within the Cottage Industry, including storage, shall not exceed one thousand (1,000) square feet. *(Revised 8-30-2005; Resolution 05-153)*

D. All aspects of the Cottage Industry shall be located and conducted within a dwelling unit or enclosed accessory building(s), with the exception of outdoor storage of materials, products or vehicles as specifically provided by the use permit. There shall be no other change in the outside appearance of the building or premises, except one (1)

nonilluminated sign not exceeding four (4) square feet. *(Revised 8-30-2005; Resolution 05-153)*

E. The sale of merchandise not produced on the premises (except mail order businesses shall be incidental and accessory to the merchandise or service produced by the Cottage Industry, and shall not be advertised in any manner. *(Revised 8-30-2005; Resolution 05-153)*

F. Not more than ten (10) customers or clients shall come to the dwelling unit for service or products during any one (1) day. *(Revised 8-30-2005; Resolution 05-153)*

G. The use and parking of large vehicles and construction equipment (such as trucks of over one (1) ton rating) or vehicles being repaired shall be relegated by the use permit. Not more than one (1) vehicle for servicing may be parked in public view. *(Revised 8-30-2005; Resolution 05-153)*

H. No equipment or process used in the cottage industry shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in Appendix B at the property line. *(Revised 8-30-2005; Resolution 05-153)*

Examples of Uses Permitted Upon Securing a Minor Use Permit:

A. The following are examples of conditional uses that may be permitted in the Rural Residential, Remote Residential, Suburban Residential, Rural Village and Fishing Village land use classifications:

Administrative and Business Offices
Animal Sales and Services: Household Pets
Automotive and Equipment: Light (Excluding SR)
Building Maintenance Services
Business Equipment Sales and Services
Food and Beverage Preparation: Without Consumption
Horticulture
Mail Order Businesses
Medical Services
Personal Services
Repair Services, Consumer
Custom Manufacturing: Light Industrial

(Revised 8-30-2005; Resolution 05-153)

B. The following are examples of conditional uses that may be permitted in Range Lands, Agriculture, Forest Lands and Timber Production land use classifications: *(Revised 8-30-2005; Resolution 05-153)*

Administrative and Business Offices
Agricultural Sales and Services
Animal Sales and Services: Household Pets
Animal Sales and Services: Veterinary (Small Animals)
Animal Sales and Services: Veterinary (Large Animals)
Automotive and Equipment: Light
Automotive and Equipment: Heavy
Building Maintenance Services
Business Equipment Sales and Services
Food and Beverage Preparation: Without Consumption
Mail Order Businesses
Personal Services
Repair Services: Consumer
Custom Manufacturing: Light Industrial
Packing and Processing (All types)

(Revised 8-30-2005; Resolution 05-153)

NON-CONFORMING USES

Objective:

To allow for the continued utilization of lawfully existing improvements and uses made non-conforming by the adoption of this Coastal Element of the General Plan, where the use is compatible with adjacent land uses and where it is not feasible to replace the activity with a conforming land use. The intent is that as a result of this general plan process, if land use classification or zoning changes occur on parcels of land where improvements are in place and where activities have been or are being carried out as an allowed use in that classification or zoning district, the specific use may be continued and shall be entitled, subject to the requirement of consistency with all applicable Local Coastal Plan provisions other than land use designations, to all the rights, privileges and uses allowed prior to the classification or zoning changes. Right of expansion shall be allowed only through issuance of a conditional use permit. This section is not intended to negate the requirements for use permits when appropriate or specified elsewhere in the County Code.

Policies:

1. Allow the continuation of all existing legal non-conforming uses which do not conform to the type of uses designated on the land use map, but which conform to the following criteria:

    a. If the existing use is contained within a structure built or modified to accommodate the existing use, conformance with the applicable Building Code and/or other ordinances and standards adopted by the County is required.

b. The use is compatible with adjacent land uses, such that its hours of operation, noise levels, aesthetic impacts, and traffic to the site do not now significantly adversely impact adjacent land uses.

2. All existing legal uses conforming with Section 1 above may be continued, buildings may be remodeled, rehabilitated, or reconstructed as long as the exterior dimensions of the building remain the same, and no increase in use results.

3. Existing legal non-conforming uses conforming with Section 1, above, may be expanded or reduced to a use of lesser intensity provided they satisfy the following four criteria:

   a. That it is not reasonably economically or physically feasible to make the use of the property compatible with the applicable general plan land use designation;

   b. That the use is and, after expansion, will be compatible with adjacent land uses and that any increased adverse impacts on access or public facilities and services will be mitigated;

   c. That the site is physically separate from surrounding properties such that continued non-conforming use is appropriate in that location; and

   d. Expansion of the non-conforming use will require a conditional use permit in each case. Such conditional use permit shall be granted only if affirmative findings can be made on the criteria listed above ((a) (b) & (c)), and only if the expansion is found consistent with all other applicable policies of the Coastal Element.

4. Encourage discontinuation or relocation of non-conforming uses which do not conform to the type of uses designated on the General Plan map and which do not conform with the criteria listed above.

5. Permanent uses established by use permit, and made non-conforming by the General Plan, shall be considered legal non-conforming uses. Such uses shall continue as legal non-conforming uses only if they abide by the conditions of the use permit.

6. New legal non-conforming use regulations shall extend abandonment term from six months to one year. Additionally, seasonal use should qualify as keeping a legal non-conforming use active, as long as it is used each year.

7. Destruction of buildings shall not terminate a legal non-conforming use, and the building may be rebuilt to its previous dimensions and arrangement, and utilized to the same extent prior to its destruction, or expanded through the use permit process.

NON-CONFORMING LOTS

Issues:

Legally created lots presently developable under existing zoning regulations, may not meet proposed General Plan minimum parcel sizes. An example of this situation would be a 20 acre parcel presently zoned A-C being recommended for "AG 60 acres" designation. Under the recommendation, the property would become a "legal non-conforming lot", as it would be smaller than the 60 acre minimum proposed. There is concern that the lot will become undevelopable by virtue of the newly established density.

Findings:

1. It is the present policy and operation of the County Planning Department that all "legal non-conforming lots" are allowed to be developed in accord with the zoning regulations on that property regardless of the lot size. If a legally created parcel of 20 acres is zoned "A-C:B 40 acres", use of that parcel is the same as allowed on a 40 acre parcel. Allowable uses are not diminished by virtue of the "legal non- conforming" status.

2. Variances to minimum lot size are not required to develop "legal non-conforming lots". The Mendocino County Zoning Ordinance was recently amended to include the following wording:

   Section 20.73 (E)(3) - "When any lot(s) has been legally created and is subsequently zoned to a minimum parcel size larger than the existing parcel size, said lot(s) shall be found to be legally non-conforming and shall not be subject to requirements for variance to minimum lot size. (Ord. No. 3211, adopted 1978.)"

3. In some rare cases, small legal non-conforming lots, within low density designations, require variance to setback regulations for front, rear and side yards, since larger setbacks are required under the larger minimum lot size regulations. While there has been no problem in obtaining these variances, time delay is involved.

COMBINING DISTRICTS

DEVELOPMENT LIMITATIONS
Map Code: DL

Intent: This special combining district is intended to be used only in conjunction with another land use classification on parcels or portions of parcels that according to available data have serious constraints that may prevent or severely limit development including slope over 30 percent, erosion, or landslide. Many parcels with this designation have suffered severe bluff erosion and currently may have no feasible building site remaining. In each case on-site inspection and tests will be necessary to determine whether a building site exists. Wetlands, riparian vegetation, dunes, plant or animal habitats, pygmy soils, and areas subject to flooding are shown separately on the plan maps and are not designated DL.

Principal Permitted Use: As permitted in the classification combined with the DL designation, provided a building site, capable of safely accommodating the development, without significant adverse effects, as set forth in Chapter 3.4, exists.

Conditional Uses: As allowed in the combining classification, provided a feasible building site exists.

Parcel Size: As required by the classification combined with the DL designation. No new parcels lying entirely within a DL classification shall be created inconsistent with policies of Chapter 3.4.

CLUSTERING
Map Code: CL

Intent: This combining district allows for the grouping of dwellings in suitable areas when requested by the property owner as opposed to even dispersal over a larger area, enhancing and protecting the natural resources of a site while providing a buffer to adjacent resource lands. In the dwelling group all the units are developed on one parcel. This arrangement accommodates those desiring a joint development of land, a family living situation, or to provide housing for employees. Additionally, dwelling group clustering protects the productive portions of major holdings, preserves open space and reduces development costs. This special combining district is intended to be used only in conjunction with lands designated RL, FL, AG, RMR and RR-10.

A density increase of 10% and/or an application fee waiver may be utilized by the County in reviewing applications for clustering. Density increases shall be consistent with other policies of this plan, health and safety regulations and feasibility of adequate public service delivery.

Principal Permitted Use: As permitted in the classification combined with the CL designation.

Conditional Uses: As permitted in the classification combined with the CL designation.

Parcel Size: As permitted in the classification combined with the CL designation.

Maximum Dwelling Density: Dwellings shall not exceed the density allowed by the combined land use classification as designated on the Land Use Map. With the exception of 10% density as discussed above.

PLANNED UNIT DEVELOPMENT
Map Code: PD

Intent: This special combining district is intended to be used only in conjunction with those designated areas on the land use map specifying Planned Unit Development unless requested by the property owner through a Land Use Plan Amendment. Planned Unit Development is intended to be used as a combining Land Use Classification with SR, RR-1 (40,000 sq. ft.), RR-2, RR-5, RR-10, Industrial, Commercial, and in Agriculture where applicable and consistent with

other policies of this plan. The use of Planned Unit Development is intended to require a site plan for new development so that a parcel will be reviewed to ensure maximum preservation of open space, protection of views from public roads, pygmy vegetation areas where the entire parcel is pygmy soil types and resource protection, while allowing residential, commercial and industrial uses on an existing parcel with site area per unit specified and the site plan for the parcel reviewed to ensure maximum preservation of open space and views from public roads. The Planned Unit Development designation is used in combination with other allowable land use listed here where the division of existing parcels into conventional subdivision lots of equal size accommodating the same total number of units would not be a satisfactory solution or the siting of commercial or industrial uses would conflict with other policies of this plan. The Planned Unit Development may provide for individual lot ownership, for joint ownership of an open space parcel, for condominium ownership, or for rental units with no land divisions. Each ownership may be developed separately under the Planned Unit Development combining district.

Principal Permitted Use: Same as the classification with which it is being combined.

Conditional Uses: Same as the classification with which it is being combined.

Parcel Size: Minimum parcel size as specified in Industrial and Commercial land use classification. The maximum density shall not exceed that allowed in the combining classification.

VISITOR ACCOMMODATIONS AND SERVICES (Located outside Commercial, Rural Village, and Fishing Village designations.)

Map Codes: Existing Facilities - *1, *2, *3, *4, *5 Conditional Facilities - *1C, *2C, *3C, *4C, *5C

Intent: The Visitor Accommodations and Services Combining District is intended to recognize visitor accommodations and services developed prior to adoption of the Coastal Plan and to provide for their continuation and expansion within the prescribed density limits. The combining district is also intended to ensure that sufficient sites are reserved for future facilities to meet the Coastal Act's requirement for this priority use.

Existing facilities are designated by an asterisk (*) and number. Sites for future conditional facilities are designated by an asterisk (*) and number followed by a "C" for conditional. The categories of facilities designated on the Land Use Maps have been determined by the existing use or the site characteristics and compatibility with surrounding development.

Categories are:

*1 Inn, or Bed and Breakfast Inn.

*2 Motel, Inn, or Hotel.

*3 Campground and/or RV Campground or Hostel.

*4 Restaurant, boat launching or rental, or visitor-oriented art and handcraft shops as examples.

*5 Resort - Certain selected sites located in the area of the Coastal Zone have been allocated for a dispersed type of Visitor Serving Facility such as: dude ranches, dispersed overnight cabin accommodations, health spas and other similar uses.

Principal Permitted Uses - Existing Facilities: In addition to the uses permitted in the classification with which the Visitor Accommodation and Services designation is combined, the appearance of an *1, *2, *3, *4 or *5 on a parcel allows continuation of the visitor serving facility of the category indicated, and the expansion of the use within the specified density limits. Resource land encroachment shall be minimized. Categories 1, 2, 3 and 5 may have a Category 4 use as an accessory use.

Conditional Uses - Existing Facilities: In addition to the conditional uses permitted in the classification with which the Visitor Accommodation and Services designation is combined, housing for employees may be provided.

Principal Permitted Uses - Conditional Facilities: On sites designated with an *1C, *2C, *3C, *4C or *5C, no development may occur more intense than a single family residence, and only if it is sited in such a location and manner that a visitor-serving facility may still be placed on the site.

Conditional Uses - Conditional Facilities: In addition to the conditional uses permitted in the classification with which the Visitor Accommodation and Services designation is combined, a visitor serving facility of the category indicated may be developed subject to a use permit. Housing for employees may be provided. No conditional use shall be permitted that would preempt use of the site for a visitor serving facility. Categories 1, 2, 3 and 5 may have a Category 4 use as an accessory use. Criteria for approval of a specific development proposal shall include suitability of the specific site, Coastal Plan policies and the number of visitor serving uses existing or approved in the immediate vicinity and in the planning area. New visitor serving facilities in the "Resort" category shall not be allowed on resource lands in Agriculture, Forest Land or Rangeland classifications.

Parcel Sizes: Minimum parcel sizes shall be determined by the classification with which the Visitor Accommodation and Services designation is combined.

Density: Maximum dwelling density shall be determined by the classification with which the Visitor Accommodation and Services designation is combined. The maximum intensity of visitor serving use shall be as follows:

*1 Inn or Bed and Breakfast Inn. Maximum unit size: Inn, 10 units; Bed and Breakfast Inn, 4 units.

*2 Motel, Inn or Hotel. Maximum unit size: 20 units.

*3 Campground and/or RV Campground or Hostel, as determined to be compatible with existing uses, public services, environmental resources, Coastal Zoning Ordinances and Coastal Plan policies.

*4 Restaurant, boat launching or rental, or visitor-oriented shops such as art and handcraft shop, as determined to be compatible with existing uses, public services, environmental resources, Coastal Zoning Ordinances and Coastal Plan policies.

*5 Resort - As determined to be compatible with existing uses, public services, environmental resources, Coastal Zoning Ordinances and Coastal Plan policies

LAND USE CLASSIFICATIONS

AGRICULTURE
Map Code: AG (60 acre minimum parcel size.)

Intent: The Agricultural Lands classification is intended to be applied to lands which are suited for and are appropriately retained for production of crops. The classification should include lands presently under Type I Agricultural Preserve contracts, lands having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which non-compatible uses could jeopardize the agricultural use of agricultural lands. Permitted non-agricultural uses, to the greatest extent possible, should not occur on lands that might otherwise be devoted to crop production. Prime and non-prime lands and existing Agricultural Preserves are included. Reconsolidation of agricultural parcels into larger units shall be encouraged, especially where prime soils exist or where there are larger parcels that would be more likely to support agriculture. Encouragement shall consist of the following: A positive effort by the County of Mendocino to provide information, explaining the advantages of reconsolidation (i.e. increased agricultural potential and possible tax advantages).

Principal Permitted Use: Agricultural uses; including one single family dwelling unit and associated utilities; the processing and sale of agricultural products and home occupations.

Conditional Uses: Cottage industry; recreational uses compatible with agriculture; visitor accommodations as designated on the Land Use Plan; and other uses determined to be related and compatible to agriculture; conservation, processing and development of natural resources; extraction of sand, shale and gravel in conjunction with an approved permit, which shall include a restoration plan; onshore oil and gas development, off-site alternative energy facilities, electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipelines (see Policy 3.11-5); County review and approval required for more than one dwelling unit per legally created parcel, consistent with other sections and policies of the Coastal Element, and consistent with density requirements; public facilities and utilities necessary or appropriate within an agricultural area.

Parcel Size: 60 acres. All agricultural ownerships 100 acres or larger may be eligible for Williamson Act contracts; parcels smaller than 100 acres may be eligible in combination with adjoining parcels so that total area equals at least 100 acres.

Maximum Dwelling Density: One dwelling per sixty acres.

FOREST LANDS - COASTAL
Map Code: FL

Intent: The Forest Lands classification is intended to be applied to lands which are suited for and are appropriately retained for the growing, harvesting and production of timber and timber-related products. The classification includes lands eligible to be zoned Timberland Production (TPZ); intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of timber resource lands.

Principal Permitted Use on Forest Lands Designated Timber Production Zone: Forest production and processing and associated uses including: one single family dwelling and home occupations.

Conditional Permitted Uses on Forest Lands Designated Timber Production Zone: Light agriculture; cottage industry; dwelling groups; campgrounds where designated by an * on the Land Use Maps; major impact services and utilities (i.e. power generating facilities, sewage disposal facilities, sanitary landfills and water treatment plants); farm employee housing, farm labor camps; extraction of sand, shale and gravel. Uses determined to be related to and compatible with forestry; conservation, processing and development of natural resources; recreation and utility installations.

No use permit shall be granted for areas designated FL in TPZ until a specific finding has been made that the proposed use is compatible with the growing and harvesting of timber and timber products.

Principal Permitted Use on Forest Lands Not Designated Timber Production Zone: Forest production and processing and associated uses including: one single family dwelling, home occupations and light agriculture.

Conditional Permitted Uses on Forest Lands Not Designated Timber Production Zone: Cemetery; animal sales and services (i.e. horse stables, kennels); farm employee housing and farm labor camps (for tree farming purposes); cottage industry; dwelling groups; major impact services and utilities (i.e. power generating facilities, sewage disposal facilities, sanitary land fills and water treatment plants); onshore oil and gas development; off-site alternative energy facilities; electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipelines (see Policy 3.11-5); campgrounds where designated by an * on the Land Use Maps; outdoor sports and recreation; extraction of sand, shale and gravel. Uses determined to be related to and compatible with forestry; conservation processing and development of natural resources; recreation and utility installations.

No use permit shall be granted for areas designated FL until a specific finding has been made that the proposed use is compatible with the long term protection of timber resource lands.

Maximum Dwelling Density: One dwelling unit per 160 acres not to exceed four dwelling units in TPZ district.

Minimum Parcel Size: 160 acres

RANGE LANDS
Map Code: RL

Intent: The Range Lands classification is intended to be applied to lands which are suited for and are appropriately retained for the grazing of livestock and which may also contain some timber producing areas. The classification includes land eligible for incorporation into Type II Agricultural Preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands.

Principal Permitted Use: Grazing and forage for livestock, including: raising of crops, wildlife habitat improvement; one single family dwelling per legally created parcel, harvesting of firewood for the residents personal use, home occupations.

Conditional Uses: Residential clustering, (as allowed by CL combining district.) Cottage industry; visitor accommodations where designated by an * on the Land Use Maps; processing of natural resources (i.e. harvesting of hardwood, small electrical generating facilities and cutting and milling of lumber), recreational uses determined to be related to and compatible with ranching, conservation and the development of natural resources; extraction of sand, shale and gravel in conjunction with an approved permit, which shall include a restoration plan on shore oil and gas development, off-site alternative energy facilities, electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipelines (see Policy 3.11-5); and farm worker housing consistent with Policy 3.2-1.

Parcel Size: 160 acres.

Maximum Dwelling Density: One dwelling per 160 acres.

OPEN SPACE - COASTAL
Map Code: OS

Intent: The Open Space classification is intended to be applied to lands not suited for development or to lands most valuable in their undeveloped natural state. Factors limiting the development potential of land would include such constraints as unstable soils, high fire hazard, remote location, poor access, scenic qualities, and susceptibility to flooding. Valuable natural areas could include rare and endangered species and habitat, riparian vegetation zones, or wild and scenic rivers.

Principal Permitted Use: Landscape preservation; associated with park or open space use; light agriculture; passive low impact recreation.

Conditional Uses: Recreation, active high impact; increase in intensity of existing uses; public facilities or utilities necessary or appropriate in open space; structures normally associated with park or open space use;
agricultural uses, forestry, conservation of resource lands.

Minimum Parcel Size: None specified, no division permitted unless it can be demonstrated that the division furthers the intent of the Open Space classification.

Maximum Dwelling Density: No structure permitted except to further the Open Space Intent (Caretaker Residence).

RURAL RESIDENTIAL
Map Code: RR-1, RR-2, RR-5, RR-10

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

Principal Permitted Use: Residential and associated utilities, light agriculture, home occupation. (see Policy 3.2-11)

Conditional Uses: Cottage industry; conservation and development of natural resources; public facilities and utilities determined to be necessary on Rural Residential lands; recreation-education.

Parcel Sizes: RR-1: 40,000 sq. ft.; RR-2: 2 acres; RR-5: 5 acres; RR-10: 10 acres.

Density: One dwelling per legally created parcel, or one dwelling unit per 40,000 sq. ft., 2 acres, 5 acres or 10 acres, as designated on the Land Use Maps.

REMOTE RESIDENTIAL
Map Code: RMR (20 acres, 40 acres)

Intent: The Remote Residential classification is intended to be applied to lands having constraints for commercial agriculture, timber production or grazing, which are well suited for small scale farming and low density agricultural/residential uses by the absence of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource land uses. The classification is also applied to some areas which might not otherwise qualify except for the fact that the land has been divided and substantial development has occurred.

Principal Permitted Use: One dwelling unit per parcel with associated utilities, light agriculture uses and home occupations. (see Policy 3.2-11)

Conditional Uses: Residential clustering, cottage industry, conservation and development of natural resources, recreation-education, public facilities and utilities determined to be necessary on Remote Residential lands.

Minimum Parcel Size: 20 acres or 40 acres as designated on the Land Use Map.

Maximum Dwelling Density: One dwelling per 20 acre parcel in RMR-20 and one dwelling per 40 acre parcel in RMR-40 as designated on the Land Use Map.

SUBURBAN RESIDENTIAL - COASTAL
Map Codes: SR, SR 6,000, SR 12,000, SR 40,000

Intent: The Suburban Residential classification is intended to be applied on lands adjacent to existing developed communities on the urban side of the Urban/Rural boundary, or to lands which are appropriate to accommodate future residential growth. Land within the Suburban Residential classification should have moderate to light constraints for residential development, should be served by the publicly-maintained road network, and should be located within utility service areas or the logical extensions thereof. Portions of lands within the Suburban Residential classification will be appropriate for development of residential subdivisions. Such areas should be developed as major subdivisions, not minor subdivisions.

Principal Permitted Use: One dwelling unit per parcel with associated utilities and home occupations.

Conditional Uses: Semi-public facilities, mobile home parks, mobile home subdivisions, multiple dwelling units, cottage industries, public facilities, public services, public assemblies, utility installations electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipeline (see Policy 3.11-5).

Minimum Parcel Size:

Within water and sewer service areas:

Map Code SR: 4,000 square feet for mobile home subdivisions and manufactured home subdivision - 5 acre minimum site required. 6,000 square feet.

Map Code SR-6,000: 6,000 square feet.

Map Code SR-12,000: 12,000 square feet.

Map Code SR-40,000: 40,000 square feet.

Within water or sewer service areas:

Map Codes SR, SR-6,000 and SR-12,000: 12,000 square feet.

Map Code SR-40,000: 40,000 square feet.

Not in a water or sewer service area:

Map Codes SR, SR-6,000, SR-12,000 and SR-40,000: 40,000 square feet.

Maximum Dwelling Density:

Within water and sewer service areas:

Map Code SR:

1 single family dwelling per 4,000 square feet in mobile home parks, mobile home subdivisions and manufactured home subdivisions.
1 single family dwelling per 6,000 square feet
1 multiple family dwelling unit per 1,500 square feet.

Map Code SR-6,000:

1 single family dwelling per 6,000 square feet.
1 multiple family dwelling unit per 6,000 square feet.

Map Code SR-12,000:

1 single family dwelling per 12,000 square feet.
1 multiple family dwelling unit per 12,000 square feet.

Map Code SR-40,000:

1 single family dwelling per 40,000 square feet.
1 multiple family dwelling unit per 40,000 square feet.

Within water or sewer service areas:

Map Codes SR, SR-6,000, and SR-12,000:

1 single family dwelling per 12,000 square feet.
1 multiple family dwelling unit per 12,000 square feet.

Map Code SR-40,000:

1 single family dwelling per 40,000 square feet.
1 multiple family dwelling unit per 40,000 square feet.

Not in a water or sewer service area:

Map Codes SR, SR-6,000, SR-12,000 and SR-40,000:

1 single family dwelling per 40,000 square feet.
0 multiple family dwelling units.

RURAL VILLAGE - COASTAL
Map Code: RV

Intent: To preserve and maintain the character of the rural atmosphere and visual quality of the following villages: Westport, Cleone, Caspar, Little River, Albion, Elk and Manchester; and to provide a variety of community- oriented neighborhood commercial services; and to provide and allow for mixed residential and commercial activities.

Principal Permitted Use: One dwelling unit per existing parcel and associated utilities and light agriculture.

Conditional Uses: Cottage industry, neighborhood commercial, visitor accommodations, public and semi-public facilities and utilities, increased intensity of existing use, laundromat, electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipeline (see Policy 3.11-5).

Minimum Parcel Size:

Within water and sewer service areas: 6,000 square feet
Within water or sewer service areas: 12,000 square feet
Not in a water or sewer service area: 40,000 square feet

Maximum Dwelling Density:

Within water and sewer service areas

1 single family dwelling per 6,000 square feet

Within water or sewer service areas

1 single family dwelling per 12,000 square feet

Not in a water or sewer service area

1 single family dwelling per 40,000 square feet

FISHING VILLAGE
Map Code: FV

Intent: To ensure that the limited available space on the flats at Noyo and Albion is reserved for industries that must be on or near the water. Non-priority uses will be permitted to expand only if the foreseeable needs of priority uses will be met.

Principal Permitted Uses: Fishing and boating uses, including boat mooring, launching, storage, servicing, supply, construction and repair.

Conditional Uses: Additions to existing bars and restaurants; commercial and industrial uses indirectly related to the fishing industry; public and
semi-public facilities and utilities subject to availability of public water supply and public sewage disposal systems; electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipeline (see Policy 3.11-5), water dependent recreational uses consistent with the Coastal Element policies.

Minimum Parcel Size:

Within water and sewer service areas:6,000 square feet
Within water or sewer service areas:12,000 square feet
Not in a water or sewer service area:40,000 square feet

COMMERCIAL - COASTAL
Map Code: C

Intent: To provide suitable locations within or contiguous to developed areas for commercial development appropriately located in and compatible with unincorporated and rural communities. Housing should be encouraged as a conditional use to encourage retention and construction of affordable housing.

Principal Permitted Use: Retail stores, services, and offices.

Conditional Uses: Commercial tourist attractions and amusements; public and semi-public facilities and utilities; electrical transmission and distribution lines (see Policy 3.11-9); natural gas pipeline (see Policy 3.11-5); visitor accommodations; residential dwellings.

Minimum Parcel Size:

Within water and sewer service areas:6,000 square feet
Within water or sewer service areas:12,000 square feet
Not in a water or sewer service area:40,000 square feet

Maximum Dwelling Density:

Within water and sewer service areas

1 single family dwelling per 6,000 square feet
1 multiple family dwelling unit per 1,500 square feet

Within water or sewer service areas

1 single family dwelling per 12,000 square feet
1 multiple family dwelling unit per 12,000 square feet

Not in a water or sewer service area

1 single family dwelling per 40,000 square feet
0 multiple family dwelling units

INDUSTRIAL
Map Code: I

Intent: To provide suitable locations for necessary industrial and commercial service activities where transportation facilities and utilities exist or can be provided. Such facilities shall be installed and operated in a manner which will minimize adverse effects upon the communities in which the facilities are situated. Buffering from adjoining uses of land shall be achieved by adequate setbacks, fencing, plant screening or other appropriate mitigating devices.

Principal Permitted Use: Light industrial and processing activities including public utilities and facilities of an industrial nature.

Conditional Uses: Heavy industrial uses and those commercial uses with potential nuisance features affecting residential areas or public lands; one housing unit per parcel when accessory to commercial or industrial use; public and semi-public facilities and utilities on shore oil and gas development, off-site alternative energy facilities, electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipelines (see Policy 3.11-5)

Minimum Parcel Sizes:

Within water and sewer service areas:6,000 square feet
Within water or sewer service areas:12,000 square feet
Not in a water or sewer service area:40,000 square feet

PUBLIC & SEMI-PUBLIC FACILITIES
Map Code: PF

Intent: To designate existing major public and community serving uses that should be converted to another use only following approval of a plan amendment. This classification is to be applied to properties which are properly used for or are proposed to be used for public purposes or for specified public utility purposes.

Principal Permitted Uses: None (All require conditional use permit.)

Conditional Uses: Public and semi-public facilities and utilities, i.e. schools, fire stations, churches, cemeteries, sewage treatment plants, refuse disposal site, sanitary land fills, electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipeline (see Policy 3.11-5), community buildings, a nonprofit corporation or entity which is dedicated to public use and to public purpose, and like public uses.

Minimum Parcel Size:

Within water and sewer service areas:6,000 square feet
Within water or sewer service areas:12,000 square feet
Not in a water or sewer service area:40,000 square feet

SHORELINE ACCESS/CIRCULATION

The Land Use Maps indicate several shoreline access or circulation features: existing shoreline access, proposed shoreline and blufftop access, view turnout, proposed road alignment, inland pedestrian and equestrian trails and bicycle lanes.

NATURAL ENVIRONMENT

Ten classifications of natural environmental features are shown on the Land Use Maps by patterns or symbols. These classifications, as listed below, represent existing vegetation or soil conditions, plant and wildlife habitats, and other features that influence land use categories or may, in particular instances, limit the intensity of uses permitted on specific sites.

Prime Agricultural Land shown on the Land Use Maps represents land defined by Gov. Code Sec. 51201(c) as being of a certain productivity or capability. (See the second definition in Section 3.2, Agriculture).

Pygmy and Pygmy-type Vegetation designates lands where soil types result in stunted forest growth (See Section 3.1, Habitats and Natural Resources).

Riparian Vegetation is associated with the banks, edges or terrestrial limits of waterways and surface emergent acquifers.

Wetlands may be permanently or periodically covered by shallow water. They include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Development as specified in policies 3.1-4, 3.1-7 is permitted within wetlands or a designated buffer zone.

Dunes, or sand above mean high tide piled up in hills or ridges by the wind, indicate areas where uses should be limited to foot traffic for scientific, educational and light recreation purposes and to those activities necessary to protect adjoining land and homes from dune encroachment (See Policies 3.1-14 and 3.1-15).

Rare or Endangered Plant Habitats, and Rare or Endangered Wildlife Habitats are designated by approximate location.

Special Treatment Areas are timberlands designated by the California Coastal Commission where stringent timber harvesting regulations are imposed by the California Department of Forestry (CDF) to protect special scenic and natural qualities.

Flooding designates lands subject to inundation by a 100-year flood, as mapped by the Federal Emergency Management Administration (FEMA), and development shall be governed by the FEMA regulations in addition to the Land Use Plan policies. Mendocino County should, by 1985, actively update all natural habitat and flood plain resource maps.

Information shown on the Resources Maps but not on the Land Use Maps includes:

Habitat/Resource Maps.

Marine and Fresh Water Habitats: Kelp

Wooded Habitats: Redwood, Coastal Forest, Woodland (coniferous, hardwood), Hardwood Forest.

Other Upland Habitats: Coastal Prairie Grasslands, Wooded Grasslands, Scrub, Barren.

Special Habitats: Haulout Areas and Rookeries, Spawning Areas, Anadromous Streams and Special Animal Resources, Pygmy Forest.

Designated Highly Scenic Areas: Highly Scenic Areas are shown on the land use maps.

Land Capability/Natural Hazards Maps

Timberland Classification
Seismic Shaking
Landslides
Faultlines

BOUNDARIES

The land use plan includes boundaries of five types of geographic districts where Coastal Act policies, availability of sewer or water service, or land use restrictions already in effect provide the basis for land use classifications, and for selection of appropriate minimum lot sizes.

Urban/Rural Boundary. The land use plan designates geographic areas within which urban-type development may be permitted. Urban-rural boundaries are designed to meet the criteria established by Section 30250(a) of the Coastal Act which provides that, "New residential,

commercial or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the useable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels." "Outside existing developed areas" for implementation of this plan is intended to be that area on the rural side of the urban-rural boundary.

Water District. A geographical area within the jurisdiction of a private or governmental entity providing water for domestic use in conformance with the California Domestic Water Quality and Monitoring Regulations, Title 22, California Administrative Code.

Sewer District. A geographical area within the jurisdiction of a public entity or sewage system corporation operating a community sewage disposal system.

Water Service Area. A geographical area served by a public water system providing water for domestic use in conformance with the California Domestic Water Quality and Monitoring Regulations, Title 22, California Administrative Code.

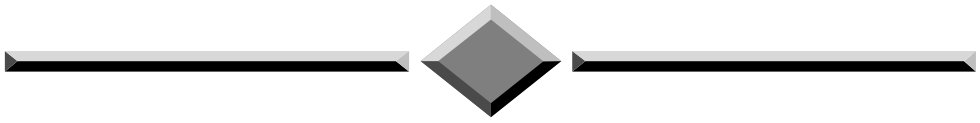
Sewer Service Area. A geographical area served by a community sewage disposal system operated by a public entity or by a sewage system corporation.

Existing Timberland Production Zone. Areas restricted to timber production for a ten-year period, automatically extended each year, and taxed according to timber production value of the land.

Existing Williamson Act. Lands under Williamson Act contracts, which are automatically extended each year, are restricted to agricultural use for a ten-year period and are taxed according to their agricultural value.

LAND USE PLAN

RESOURCES AND DEVELOPMENT ISSUES AND POLICIES



3. THE LAND USE PLAN: RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

3.1 HABITATS AND NATURAL RESOURCES

Coastal Act Requirements

The Coastal Act includes the following policies for protection of land and marine habitats:

> **Section 30230.** Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.
>
> **Section 30231.** The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.
>
> **Section 30233.**
>
> (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
>
> (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
>
> (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas and boat launching ramps.
>
> (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial

portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.

(5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource-dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, (and) nature study...

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Section 30236. Channelizations, dams, or other substantial alterations of rivers and

streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30607.1. Where any dike and fill development is permitted in wetlands in conformity with this division, mitigation measures shall include, at a minimum either acquisition of equivalent areas of equal or greater biological productivity or opening up equivalent areas to tidal actions; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or such replacement site shall be purchased before the dike or fill development may proceed. Such mitigation measures shall not be required for temporary or short-term fill or diking; provided, that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time.

In addition, the Coastal Commission has issued Statewide Interpretive Guidelines for Wetlands and Other Environmentally Sensitive Habitat Areas (February 4, 1981). These guidelines are intended to promote consistent, statewide interpretation of Coastal Act policies. The Land Use Plan uses them in a discretionary manner consistent with local conditions in Mendocino County as the foundation of its policies for natural habitats and marine resources.

Definitions

Anadromous Fish Stream. Fresh water stream used as migration corridor or spawning or nursery habitat by fish, such as salmon and steelhead trout, that live most of their adult lives in saltwater.

Coastal Marine Ecosystem. That area and its environs containing a delicately balanced environmental system which provides a suitable habitat for local indigenous and migrating species, including all life forms in the tidal zones seaward. The Coastal Marine Ecosystem also is recognized to contain and provide valuable food resources, economic opportunities, and aesthetic value to shore-side establishments, residents and the public in general.

Development. Section 30106, Coastal Act. "On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line."

Dunes. Sand formed in hills or ridges by the wind and sometimes stabilized by vegetation. Dunes are distinct ecosystems made up of various community types, ranging from open unvegetated sand hills to stabilized dune forests, that frequently contain rare, endangered, protected, or unusual plant and animal species. This highly specialized habitat can be extremely unstable, sensitive to the continuous interplay of surf, sand, and wind.

Environmentally Sensitive Habitat Areas. Any areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Minor Amendment. Pursuant to Public Resources Code Section 30514(c) and for purposes of this article, a minor amendment to a local coastal program includes, but is not limited to, the following:

(a) changes in wording which make the use as designated in the Zoning Ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the executive director of the Coastal Commission or the Commission to be consistent with the Land Use Plan as certified by the Commission.

(b) for annexed or detached areas, certification of Zoning Ordinances, zoning district maps or other implementing actions where either:

(1) the certified Land Use Plan and zoning designations of the city and county jurisdictions for the geographic area are equivalent; or

(2) the Commission has certified proposed pre-annexation zoning for the annexing jurisdiction.

(c) change in the notification and hearing procedures that is consistent with the requirements of the Coastal Act.

Pygmy Vegetation. A stunted forest, with mature vegetation the majority of which is approximately 2-12 feet in height occurring on soils with conditions which severly limit the growth of vegetation such as Blacklock soils, and characterized by Mendocino cypresses, Fort Bragg Manzanita, Bolander pines, and pygmy Mendocino bishop pines.

Pygmy-type Vegetation. A forest occurring south of the Navarro River, mainly on Gualala series soils, characterized by stunted vegetation on sites with low commercial timber value. Plant species include knobcone pines and manzanita.

Riparian Habitats. A "riparian habitat" is an area of riparian vegetation. This vegetation is an association of plant species which grows adjacent to freshwater watercourses, including perennial and intermittent streams, lakes, and other bodies of fresh water (see Appendix 8).

Special Plant Habitat. The approximate location of rare, or endangered or threatened plant species identified by the California Department of Fish and Game, the U. S. Fish and Wildlife Service or as designated by the California Native Plant Society is found in the Inventory of Rare and Endangered Vascular Plants of California (1984). "Rare" is defined to mean a plant that is of limited distribution; or that occurs in such small numbers that it is seldom reported; or that occurs only in very few highly restricted populations. "Endangered" is defined to mean a plant threatened with extinction and not likely to survive unless some protective measures are taken.

Special Treatment Area. On July 5, 1977 the California Coastal Commission designated Special Treatment Areas (STAs) in coastal forest districts. Such a designation identifies timberlands where stringent Timber Harvest Plan requirements and harvesting rules are applied in order to protect the area's special scenic and natural qualities. (See California Administrative Code, Title 14, Section 921.) Special Treatment Areas were designated in 1977 to assure the protection of natural and scenic resources, while at the same time allowing management and orderly harvesting of timber resources. The following designated Special Treatment Areas are identified in the Mendocino County Local Coastal Plan:

Usal Creek, Rockport Beach, Hardy Creek Knoll, Westport, Ten Mile River, Noyo River, Caspar and Doyle Creeks, Big River, Dark Gulch, Albion River, Navarro River, Navarro to Irish Beach Terrace, Elk Creek, and Gualala River.

Special Treatment Areas (STA) include a designated scenic corridor along both sides of Highway 1 from Ten Mile River to the Sonoma County line. The designated width of this corridor is a minimum of 200 feet running parallel to Highway One or inland to the first line of trees nearest the road. However, in no place does the corridor extend more than 350 feet from the shoulder of the road. (This STA is not shown on the land use plan maps.)

Special Treatment Area buffer zones were also located adjacent to all publicly owned preserves and recreation areas, including national, state, regional, county and municipal parks. These buffer zones include those forested areas within the Coastal zone within 200 feet of all such publicly owned preserves and recreation areas.

In addition, a watercourse and lake protection zone has been established by the Board of Forestry within Special Treatment Areas. The width of this zone varies generally from 50 feet to 200 feet from the edge of the watercourse depending on the steepness of slope and the "Clarification of the Watercourse" (i.e., I, II, III, and IV).

Although coastal development permits are not required for the majority of commercial timber harvesting activities, development that requires and is carried out under such permits shall maximize protection of coastal resources.

Special Wildlife Habitat. The approximate location of animal species considered to be threatened, rare, endangered, or protected by the California Department of Fish and Game, or the U.S. Fish and Wildlife Service are shown on the land use maps. A rare and endangered species is an animal whose existence is threatened by one or more of the following conditions: the mortality rate exceeds the birth rate; the species is not capable of adapting to environmental change; the species habitat is threatened by destruction or serious disturbance; survival is threatened by the introduction of other species through predation, competition, or disease; or environmental pollution threatens the species survival. A protected species is an animal which cannot be taken or possessed under any permit or license, except when authorized by the Department of Fish and Game for scientific research. Threatened species are defined as those species contained on the lists identified as such by the U.S. Fish and Wildlife Service and the California Department of Fish and Game, as is the case with rare species and endangered species.

Wetlands. Lands which may be covered periodically or permanently with shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are extremely fertile and productive environments. Tidal flushing from the ocean and/or nutrient-rich freshwater runoff mix to form a delicate balance responsible for their productivity. They function as nurseries for many aquatic species and serve as feeding and nesting areas for waterfowl, shorebirds and wading birds, as well as a few rare and endangered species.

The edge or upland limit of wetlands is designated by the California Coastal Commission guidelines on wetlands as: (a) the boundary between land with predominantly hydrophytic (adapted to wet conditions) cover and land with predominantly mesophytic (adapted to average conditions) or xerophytic (adapted to dry conditions) cover; (b) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or, in the case of wetlands without vegetation or soils; (c) the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not. Areas with drained hydric soils that are no longer capable of supporting hydrophytes (species adapted to wet conditions) are not considered wetlands.

Natural Habitat and Resource Protection Issues

The Coastal Act mandates the preservation of significant natural resources and habitats. Much of Mendocino's undeveloped coastal zone provides habitat for diverse species of plants and animals, many of which are vulnerable to disturbance or destruction from human activities. Particular threats are posed by unrestricted recreational use, poor forestry practices, and increasing development. Existing County and State procedures and ordinances have frequently been inadequate to ensure the protection of coastal resources. In the past, the most effective public action has been land acquisition, a less practical strategy in an era of fiscal austerity, rising land values, and more vocal opposition to public ownership.

In Mendocino County, environmentally sensitive habitat areas include: anadromous fish streams, sand dunes, rookeries and marine mammal haulout areas, wetlands, riparian areas, pygmy vegetation containing species of rare or endangered plants, and habitats of rare and endangered plants and animals. In addition, several state agencies and private environmental groups and Local Citizens Advisory Committees have identified certain resource areas which require protection. These include:

Resource Areas

State Parks and Reserves[1]

Sinkyone Wilderness State Park
Usal Ranch Project (proposed trails)
Westport-Union Landing State Beach
MacKerricher State Park
Jug Handle State Reserve
Caspar Headlands State Beach
Caspar Headlands State Reserve
Russian Gulch State Park
Mendocino Headlands State Park
Van Damme State Park
Dark Gulch Unit of Van Damme State Park
Greenwood/Elk Project
Manchester State Beach

Underwater Parks and Reserves[2]

Sinkyone Wilderness State Park (proposed)
MacKerricher State Park
Jug Handle State Reserve (proposed)
Point Cabrillo Reserve (proposed)
Russian Gulch State Park
Mendocino Headlands State Park (proposed)
Van Damme State Park
Manchester State Beach (Point Arena Rock)

Areas of Special Biological Significance[3]

King Range National Conservation Area
Pygmy Forest Ecological Staircase
Saunders Reef Kelp Beds

Natural Areas (includes areas designated by the California Natural Areas Coordinating Council and designated on Land Use Maps)

Chamise Mountain Primitive Area
Bear Harbor
Ten Mile River Marsh Wetlands
Ten Mile Beach Dunes
Inglenook Fen
Pygmy Forest Areas*
Pygmy Forest Ecological Staircase
Caspar Headlands
Pine Grove Bog
Russian Gulch State Park
Salmon Creek
Albion River Riparian Corridor (streamside band of vegetation)
Navarro River Riparian Corridor
Caspar Graveyard Area of Sitka Spruce
Grindle Park - Little Lake Road, Mendocino
Mendocino Headlands
Goat Island
Big River Estuary
Russell Redwood Forest
Van Damme State Park
Albion River Estuary
Navarro River Estuary
Manchester State Beach and Vicinity
Haven's Neck
Anchor Bay
Big River Riparian Corridor (variable width along edge of river from Headlands to the Woodlands - 50' to 200' - area between timberland and flow of stream)

* (Habitat value should be determined and scope of area to be preserved, if any that is not already publicly owned.)

Special Treatment Areas (designated by California Division of Forestry)

Usal Creek
Rockport Beach
Hardy Creek Knoll
Westport
Ten Mile River
Highway one corridor from Ten Mile River to Sonoma County Line
Noyo River
Caspar-Doyle Creek
Big River
Dark Gulch
Albion River
Navarro River
Navarro River to Irish Beach Terrace
Elk Creek
Gualala River

Fishing Access Points[4]

South Kibesillah Fishing Access
Noyo River Fishing Access
Navarro River Fishing Access
Albion River
Loran Station
Point Arena Light House
Big River

Areas of Special Biological Importance[5]

Heron Rookeries:	Hathaway Creek, Albion River, and Fort Bragg
Seabird Rookeries:	Iverson Point, Fish Rock, Sea Lion Rocks, Saddle Point, Goat Rock, White Rock, Gunderson Rock, Nose Rock , Goat Island, Cottoneva Rock, Chris Rock, Cape Viscaine Rocks
Osprey Nest Sites:	Various
Coastal Wetlands:	Hunter's Lagoon, Hathaway Creek, Garcia River, Gualala River, Brush Creek, Manchester Beach Lagoon, Elk Creek, Albion River, Navarro

River, Big River, Pudding Creek, Lake Cleone, Sand Lake and Inglenook Fen, Inglenook Creek Marsh, Ten Mile River, Cottaneva Creek, Caspar Creek, Salmon Creek Alder Creek, Noyo River

Significant California Ecosystem[6]

Big River Estuary

Coastal Marine Ecosystem[7]

Mean High Water to State Three-Mile Boundary

Notes:

1. Designated by California Department of Parks and Recreation.

2. Designated by DPR in California State Park System Underwater Parks Master Plan; Point Cabrillo has been designated by the California Department of Fish and Game. Areas are located on the ocean side of area listed. The status as a park or reserve has yet to be determined by DPR.

3. Designated by State Water Quality Control Board.

4. Designated by California Department of Fish and Game, Wildlife Conservation Board and the South Central Citizens Advisory Committee.

5. Designated by California Department of Fish and Game.

6. Nominated for designation by U.S. Fish and Wildlife Service.

7. Designated by Mendocino County Board of Supervisors.

The following paragraphs briefly describe the coastal zone's special natural habitats and their particular problems. Special natural habitats are delineated on the resource maps.

Anadromous Fish Streams. There are many streams in the County's Coastal Zone used by Salmon, and steelhead for spawning. The most important anadromous fish streams, in terms of miles of use, are the Ten Mile, Noyo, Big, Navarro, Garcia and Gualala Rivers. The major floods of 1955 and 1964 caused substantial damage to fish habitat in some streams through sedimentation, debris dams, streambank erosion, and loss of streamside vegetation. Recovery has been slow, though continuing. Timber harvesting, urban development, road construction, and grazing also have had negative impacts on anadromous fish streams. Of particular concern are siltation, vegetation removal and chemical pollution.

Development of salmon ocean ranching has serious implications for the local fishing industry and native fish populations. The artificially raised salmon, through genetic selection, may tend to return to the release facility at a size too small to be legally caught by commercial fishermen. Local commercial salmon fishermen are very concerned that the development of an aquaculture facility for the production of salmon on the North Coast could mean the end of natural wild salmon as well as the small independent fisherman of areas larger than three (3) acres in size.

Riparian areas. The Coastal Act mandates the protection of riparian areas, but present regulations are limited in scope: the Department of Fish and Game monitors stream alteration projects, and the Department of Forestry controls cutting through the Timber Harvest Plan.

Because of the nature of the coastal biotic communities, the use of indicator species to define riparian areas in the coastal zone is undependable. Two kinds of trees in the coastal area, willow (Salix, various species) and alder (Alnus rubra) often appear along stream banks.

Although willow is a reasonably accurate indicator species, willow is not present along all coastal streams.

Alder, frequently present along stream banks, also appears in upland areas often near seeps or springs. Alder, which is one of the fastest growing and hardiest trees along the coast, also often fills in areas which have been disturbed by man's activities. Although alder is a valuable tree due to its nitrogen fixing root nodules and its ability to hold stream banks, in some situations, alder may become a "pest" tree invading roads, trails, agricultural land, and homesites.

Other trees and plants which frequently appear along coastal streams and rivers are wax myrtle, Bishop pine, redwood, Douglas fir, lowland fir, California blackberry, thimbleberry, salmonberry, Himalayaberry (introduced), salal, and others.

Fish depend on riparian plants for shade to keep the water temperature within tolerable limits. Riparian vegetation also stabilizes the banks, reduces the rate of erosion, acts as a "filter" for sediment and debris, provides cover for wildlife, and provides stream nutrients from leaf litter.

Wetlands. The coastal zone contains saltwater marsh, freshwater marsh, and brackish marsh, shown on the Resource Maps. The most significant, in terms of size, variety, and vulnerability to disruption, are at Seaside Creek, Ten Mile River, Big River, Albion River, Navarro River, Elk Creek, Garcia River, and Hunters Lagoon. Wetlands, as a single category, are shown on the Land Use Plan.

The 1975 Coastal Plan called for acquisition of the wetlands at the Ten Mile and Big Rivers, which the California Department of Fish and Game and the U.S. Fish and Wildlife Service classified among the most productive in the state. Both are large and relatively undisturbed, providing essential habitat for wildlife and migratory birds. Proposals to acquire land at Big River have been dropped, but California Department of Fish and Game is still considering acquisition at Ten Mile River.

The rich and productive Garcia River wetland complex includes a close association of salt, brackish, and freshwater marshes; estuaries, sand dunes, sand flats, and riparian vegetation. It is one of the few wintering areas for whistling swans in northern California and, with Hunters Lagoon to the north, provides an important habitat in the Pacific Flyway for several migratory bird species.

Inglenook Fen, in an area of funded acquisition as part of MacKerricher State Park, is a wetland with characteristically waterlogged soils. Fens have distinctively rich organic soil, in contrast to bogs which have highly acid organic soil, and marshes which have an inorganic soil base. The origin of the fen and the rarity of its biotic communities are the subject of a debate that cannot be resolved by the Coastal Element. However, the fen clearly is a wetland subject to protection by the Coastal Act.

Dunes. Dunes adjoin the long beaches at Ten Mile River and Manchester State Beach. Off road vehicle activity during 1960's caused a loss of dune vegetation and a subsequent measurable increase in the rate of dune advancement in several specific locations on the edges of the Ten Mile Dunes. Although the dunes are moving in some locations, vegetation such as willow and eucalyptus on the perimeter of the Ten Mile dunes has been shown to retard dune movement and aid in stabilization. Since human activity on dunes retards establishment of stabilizing plants, site investigations are needed to determine what level of use should be permitted in specific dune areas.

Rookeries and Haulout Areas. Many offshore rocks and onshore rocky areas are important seabird and marine mammal rookeries. Five in particular have been designated as major seabird rookeries because they provide habitat for rare species or have at least 100 nests: Cape Vizcaino, Goat Island, Devil's Basin Rocks, White Rock, and Fish Rock. Sea lions and harbor seals use the offshore rocks as rookeries as well, particularly at Laguna Point, Goat Island, Sea Lion Rock, and Fish Rock. These mammals use the offshore rocks near Caspar Headlands, Buckhorn Cove and Devil's Basin as haulout areas--essential for molting, loafing, evading predators and possibly as pupping grounds. Rookeries and haulout areas are not shown on the Land Use Plan, but appear on the Habitat/Resources Maps prepared in November 1979.

Pygmy and Pygmy-type Vegetation. Two types of pygmy vegetation exist along the Mendocino coast. Both are characterized by stunted trees but have different soil and vegetation types. True pygmy forests are valuable to scientists because they are probably the best example of a living community in balance with its ecosystem. Pygmy forest vegetation covers about 1,050 acres in the coastal zone, including areas in public ownership at Jug Handle State Reserve and Van Damme State Park. Pygmy-type forest accounts for about 1,120 acres, mainly between Pt. Arena and Haven's Neck. Because pygmy vegetation is found in a section of the coast experiencing development pressures and because it yields no revenue from agriculture or timber, its preservation has become an issue. An immediate environmental concern is the ability of pygmy soils to provide satisfactory leaching fields for septic systems.

Rare or Endangered Plant and Wildlife Habitat. There are several species of wildlife within or near the coastal zone officially considered to be rare, endangered, or threatened, and are protected. These include the Lotis Blue Butterfly, California Brown Pelican, southern bald eagle, American peregrine falcon, California yellow-billed cuckoo, osprey and the California Grey Whale. Such species are sensitive to human disturbance and pollution. The osprey is particularly vulnerable to timber harvesting operations, and the Department of Fish and Game has recommended several policies for protection of its habitat (#52, California State Department of Fish and Game). In addition, several plant species found in the coastal zone have been classified as either rare or endangered. These include Leafy reed grass, pityopus and Roderick's

fritillary. Habitats of rare and endangered plants or animals are shown on the Land Use Plan map. These locations are general; species can and do relocate, so Policy 3.1-1 provides for ongoing investigation of possible local habitats.

Throughout all policies pertaining to Habitats and Natural Resources shall run the continuous theme that natural habitat areas constitute significant public resources which shall be protected not only for the wildlife which inhabits those areas but for the enjoyment of present and future populations of the State of California.

Symbols identifying rare or endangered plant species and, rare, endangered, threatened, or protected wildlife species have been placed upon the land use maps. Extensive areas of the coastal zone which are reliably thought to be rich in such habitats, such as the Lost Coast, have only a few symbols indicating these resources. The symbols printed on the land use maps are informational only and do not denote a definitive identification of these resources. Additional information developed or obtained by the County as the result of future field investigations shall be added to the land use maps in future amendments or reviews of the Coastal Element.

This Local Coastal Plan represents the commitment of the County of Mendocino to provide continuing protection and enhancement of its coastal resources. It is recognized that certain resource areas in this jurisdiction will require public attention to ensure their protection and enhancement, such as:

- degraded or less than pristine wetlands of any size;
- lands that have a history of potential or productive agricultural uses;
- sensitive coastal resource areas which are suffering some form of deterioration or development pressures; and
- areas which are appropriate for well-designed visitor-commercial and recreation facilities.

Coastal Element Policies: Habitats and Natural Resources

3.1-1 The various resources designations appearing on the land use maps represent the best information available at this time and therefore create a presumption of accuracy which may be overcome only with additional information that can be shown to be a more accurate representation of the existing situation that the information that has been used to determine these boundaries. Such showing shall be done in the context of a minor amendment to the land use plan.

3.1-2 Development proposals in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource. Where representatives of the County Planning Department, the California Department of Fish and Game, the California Coastal Commission, and the applicant are uncertain about the extent of sensitive habitat on any parcel such disagreements shall be investigated by an on-site inspection by the landowner and/or agents, County Planning Department staff

member, a representative of California Department of Fish and Game, a representative of the California Coastal Commission. The on-site inspection shall be coordinated by the County Planning Department and will take place within 3 weeks, weather and site conditions permitting, of the receipt of a written request from the landowner/agent for clarification of sensitive habitat areas.

If all of the members of this group agree that the boundaries of the resource in question should be adjusted following the site inspection, such development should be approved only if specific findings are made which are based upon substantial evidence that the resource as identified will not be significantly degraded by the proposed development. If such findings cannot be made, the development shall be denied. Criteria used for determining the extent of wetlands and other wet environmentally sensitive habitat areas are found in Appendix 8 and shall be used when determining the extent of wetlands.

3.1-3 All proposed modifications of the Land Use Plan maps shall be based upon appropriate information, including that obtained from the special review process described in policy 3.1-1. Any modification of Land Use Maps will constitute an amendment in accordance with established local coastal plan procedures. Modifications to Land Use Maps should be the result of a multi-agency effort.

3.1-4 As required by the Coastal Act, development within wetland areas shall be limited to:

1. Port facility construction or expansion, Section 30233(a)(1).

2. Energy facility construction or expansion, Section 30233(a)(1).

3. Coastal-dependent industrial facilities such as commercial fishing facilities, construction or expansion, Section 30233(a)(1).

4. Maintenance or restoration of dredged depths or previously dredged depths in: navigational channels, turning basins, vessel berthing and mooring areas, and associated with boat launching ramps.

5. In wetland areas, only entrance channels for new or expanded boating facilities may be constructed, except that in a degraded wetland, other boating facilities may be permitted under special circumstances, Section 30233(a)(3). New or expanded boating facilities may be permitted in estuaries, Section 30233(a)(4).

6. Incidental public services purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

7. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

8. Nature study purposes and salmon restoration projects.

9. Aquaculture, or similar resource dependent activities excluding ocean ranching. (See Glossary)

In any of the above instances, the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes, shall be permitted in accordance with all other applicable provisions of this plan. Such requirements shall include a finding that there is no feasible less environmentally damaging alternative and shall include mitigation measures required to minimize adverse environmental effects, in accordance with Sections 30233 and 30607, and other provisions of the Coastal Act.

3.1-5 Ocean ranching for production of salmon/anadromous fish shall not be allowed.

3.1-6 In the wetland portions of Ten Mile River, Big River, development shall be limited to wetland restoration and nature study and salmon restoration projects.

3.1-7 A buffer area shall be established adjacent to all environmentally sensitive habitat areas. The purpose of this buffer area shall be to provide for a sufficient area to protect the environmentally sensitive habitat from significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and County Planning Staff, that 100 feet is not necessary to protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and shall not be less than 50 feet in width. New land division shall not be allowed which will create new parcels entirely within a buffer area. Developments permitted within a buffer area shall generally be the same as those uses permitted in the adjacent environmentally sensitive habitat area and must comply at a minimum with each of the following standards:

1. It shall be sited and designed to prevent impacts which would significantly degrade such areas;

2. It shall be compatible with the continuance of such habitat areas by maintaining their functional capacity and their ability to be self-sustaining and to maintain natural species diversity; and

3. Structures will be allowed within the buffer area only if there is no other feasible site available on the parcel. Mitigation measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution.

3.1-8 The implementation phase of the LCP shall include performance standards and mitigating measures necessary to reduce adverse impacts on wetlands and wetland buffer areas from

permitted developments. Such standards and mitigating measures shall be consistent with those recommended in the California Coastal Commission's Statewide Interpretive Guidelines for Wetland and Other Wet Environmentally Sensitive Habitat Areas, adopted February 4, 1981.

3.1-9 Channelization, dams, or other substantial alterations of rivers and streams shall be limited to:

1. Necessary water supply projects;

2. Flood control projects where no other method for protecting structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development;

3. Developments where the primary function is the improvement of fish and wildlife habitat which may include salmon restoration projects.

Where any of these uses are permitted the best feasible mitigation measures shall be incorporated into the development.

3.1-10 Areas where riparian vegetation exists, such as riparian corridors, are environmentally sensitive habitat areas and development within such areas shall be limited to only those uses which are dependent on the riparian resources. All such areas shall be protected against any significant disruption of habitat values by requiring mitigation for those uses which are permitted. No structure or development, including dredging, filling, vegetation removal and grading, which could degrade the riparian area or diminish its value as a natural resource shall be permitted in the Riparian Corridor except for:

- Channelizations, dams, or other substantial alterations of rivers and streams as permitted in Policy 3.1-9;

- pipelines, utility lines and road crossings, when no less environmentally damaging alternative route is feasible;

- existing agricultural operations;

- removal of trees for disease control, public safety purposes, or for firewood for the personal use of the property owner at his or her residence. Such activities shall be subject to restrictions to protect the habitat values.

3.1-11 The implementation phase of the LCP shall include performance standards which shall be consistent with California Coastal Commission's Statewide Interpretive Guidelines for Wetlands and other wet Environmentally Sensitive Habitat Areas dated February 4, 1981, and required mitigation measures applicable to allowable development within Riparian Corridors. These standards and measures shall minimize potential development impacts such as increased runoff, sedimentation, biochemical degradation, increased stream

temperatures and loss of shade caused by development. When development activities require removal or disturbance of riparian vegetation, replanting with appropriate native plants shall be required at a minimum ratio of 1:1.

3.1-12 Vehicle traffic, exclusive of that necessary for conducting timber harvest plans and farm implements, in wetlands and riparian areas shall be confined to roads. Multi-use non-motorized trails and access to riparian areas are permitted if no long-term adverse impacts would result from their construction, maintenance and public use. Trails should be made from porous materials.

3.1-13 All diking, dredging, and filling activities shall comply with the provisions of Sections 30233 and 30607.1 of the Coastal Act. Dredging, when consistent with these provisions and where necessary for the maintenance or restoration of the tidal flow and continued viability of the wetland habitat, shall be subject to the following conditions:

- Dredging shall be limited to the smallest area feasible; shall be modified by mitigation measures to lessen environmental disruption; and shall maintain or enhance the functional capacity of the wetland.

- Dredging in breeding and nursery areas and during periods of fish migration and spawning shall incorporate all mitigation measures recommended by the Department of Fish and Game to assure maximum protection of species and habitats.

- Designs for dredging and excavation projects shall incorporate all mitigation measures recommended by the Regional Water Quality Control Board and regulated to prevent unnecessary discharge of refuse, petroleum spills, and dispersal of silt materials.

3.1-14 Dredge spoils shall not be deposited in areas subject to tidal influence unless they are suitable for beach replenishment. In such case, they shall be transported for such purposes to appropriate beaches or into suitable longshore current systems. Dredge spoils shall not be deposited in areas where public access would be significantly adversely affected, or in riparian areas or wetlands.

3.1-15 Dunes shall be preserved and protected as Environmentally sensitive habitats for scientific, educational and passive recreational uses. Vehicle traffic shall be prohibited. Where public access through dunes is permitted, well-defined footpaths or other means of directing use and minimizing adverse impacts shall be developed and used.

New development on dune parcels shall be located in the least environmental damaging location and shall minimize the removal of natural vegetation and alteration of natural landforms. No new parcels shall be created entirely within sand dune habitat. One housing unit shall be authorized on every legal parcel existing on the date of adoption of this plan, provided that adequate access, water, and sewage disposal capacity exists and that the proposed development is consistent with all other applicable policies of this Coastal Element and meets all applicable health standards.

3.1-16 All dune landowners whose property is subject to dune encroachment shall be allowed to take reasonable actions which are deemed necessary to protect existing structures after obtaining a Coastal Development Permit.

Such actions may include removal of sand, construction of fences or walls to impede sand movement, and planting of vegetation for dune stabilization. These projects shall be subject to provisions regarding sand extraction, and shall be processed under conditional use procedures. Appropriate public agencies that either own large portions of the dunes or that can provide soil conservation advice and assistance should be invited to participate in necessary dune stabilization projects.

3.1-17 All applications for sand removal, mining or gravel extraction operations on land or in stream beds within the Coastal Zone shall be subject to a Coastal Development Permit. Detailed extraction and restoration plans shall be submitted as part of all required applications. Responses shall be obtained from appropriate referral agencies, including the State Lands Commission, California Department of Fish & Game, Regional Water Quality Control Board and U.S. Army Corps of Engineers, and this data considered in developing any necessary conditions for approval. All approved operations shall be adequately monitored to ensure protection of wildlife and plant habitats and to prevent any degradation of coastal resources. Time limits of up to five years shall be placed upon all such permits to allow for periodic public and agency review of mining operations. Performance bonds shall be required to ensure proper restoration of the sites.

All mining, gravel extraction and sand removal operations in the coastal zone shall be subject to the following standards:

1. Shall prevent siltation and other sources of pollutants that might enter streams by requiring silt traps or other approved methods for controlling potential pollutants and runoff from each operation;

2. Shall be conducted during times of the year which will have the least adverse impacts on fish and wildlife resources;

3. Shall not be conducted on vegetated bars or dunes;

4. Shall minimize disturbance to stream banks and shall incorporate measures necessary to prevent increased erosion as a result of the project;

5. For all projects larger than the removal of 1,000 cubic yards cumulatively, a reclamation plan of the project site shall be prepared and submitted and shall be approved prior to issuance of the permit and shall be carried out at such time as designated on the permit. For projects involving the removal of less than 1,000 cubic yards, a reclamation plan shall not be required. In both cases, the applicant shall protect coastal resources by mitigating for adverse impacts on the affected coastal resources. If a categorical exclusion has been granted to the County by

the Coastal Commission, the specifics of that exclusion shall apply to those developments.

3.1-18 Public access to sensitive wildlife habitats such as rookeries or haulout areas shall be regulated, to insure that public access will not significantly adversely affect the sensitive resources being protected.

Development within buffer areas recommended by the California Department of Fish and Game to protect rare or endangered wildlife species and their nesting or breeding areas shall meet guidelines and management practices established by the Department of Fish and Game, and must be consistent with other applicable policies of this plan.

3.1-19 The following activities and facilities shall be permitted in estuaries, consistent with applicable policies of this plan:

1. Expansion of existing port or harbor facilities on the Noyo and Albion Rivers.

2. Expansion of coastal dependent industrial facilities, such as commercial fishing facilities on the Noyo and Albion rivers.

3. Existing navigational channels may be maintained to existing depths.

4. Expansion of dredged areas in either length, width or depth shall be contingent upon the finding that the proposed expansion will have only minimal adverse environmental effects and that the expansion is necessary to support a coastal dependent use.

5. Existing dredged areas shall be allowed to be maintained to designed conditions.

6. New or expanded boating facilities shall be limited to entrance channels in wetlands, upon the finding that they are required by a coastal dependent use.

7. Continued maintenance of dredge disposal sites and continued use of Noyo Spoil disposal site should be permitted.

8. New or expanded energy facilities except those related to offshore oil development, petroleum production or processing.

9. New or expanded boating facilities.

10. Incidental public service purpose, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

11. Restoration purposes.

12. Nature study, aquaculture, or similar resource dependent activities except ocean ranching of anadromous fish.

3.1-20 Soil constraints to conventional septic tank and leach field systems such as those on Noyo and Blacklock soils and similar soils shall be recognized and the use of alternative systems shall be encouraged. Water quality control regulations shall be enforced. Mendocino County Department of Environmental Health shall be directed to assess the ability of Noyo/Blacklock soils and soils with similar development constraints to accommodate new development, without adverse impacts, to either the ecosystem or water quality affecting existing residents. Mendocino County Department of Environmental Health shall use the available U.S.D.A. SCS Soils Maps and the Water Quality Control Board documents to assess the cumulative impacts of sewage disposal systems in evaluating these development constraints.

Limit new development on soil types characterized by pygmy vegetation to a low density (defined as 2 to 5 acres) as consistent with County Department of Environmental Health recommendations. Within two years of the certification of the Local Coastal Plan and, at regular intervals thereafter, the Mendocino County Department of Environmental Health shall report any adverse impacts from new development in areas of pygmy vegetation. If adverse impacts have occurred, further limits on new development shall be imposed pending mitigation measures.

Parcels entirely within areas of pygmy vegetation shall be designated Planned Development (PD). Such parcels shall be allowed to develop consistent with all applicable policies of this plan if mitigation measures are adopted and implemented to prevent or avoid impacts such as; erosion, surface/groundwater contamination, extensive vegetation removal and other related concerns. The County shall request that the U.S.D.A. SCS Soils mapping project be completed as soon as possible which will identify parcels that may be removed from the PD requirement. Parcels containing pygmy vegetation shall be allowed to divide only if each new parcel being created has an adequate area available for a residence with a conventional septic system allowing for a 100% back-up area for an alternate leach field.

3.1-21 Pygmy forests are unique ecosystems which may contain species of rare or endangered plants and if they do they are environmentally sensitive habitat areas. Other pygmy forest areas that do not contain species of rare or endangered plants will not be included in the environmentally sensitive habitat areas.

New development on parcels with pygmy vegetation shall be located in the least environmentally damaging locations and shall minimize the removal of native vegetation and alteration of natural landforms. Within two years or sooner after certification of the Local Coastal Plan, Mendocino County shall review and evaluate the Land Use and Habitat Resource Maps to reflect those specific habitat areas of pygmy forest for habitat protection. Because of the quality of habitat, suitability for scientific and educational study, or presence of rare and/or endangered plants, additional protection may or may not be required. Changes to the existing maps must be done through the amendment

procedures. Land owners and adjacent property owners of any such proposed area shall be informed before the designation of any specific area, and implementation of any mitigation measures. After pygmy areas have been reviewed and evaluated, the Land Use and Habitat Resource Maps shall be changed to reflect the new findings. Until this is done, changes to the existing maps must be done through the amendment process.

3.1-22 Mendocino County should support a brush management program to control gorse, scotch broom, pampas grass, and other introduced plant pests with emphasis on those areas where brush is a fire hazard. Fire and/or mechanical means of pest control shall be preferred.

3.1-23 Private property owners protecting endangered plant habitats should receive county recognition and receive some award for their contribution to this environmental effort.

3.1-24 Any development within designated resource areas, if not specifically addressed by other policies, shall be carefully reviewed and established in accord with conditions which could allow some development under mitigating conditions but would assure the continued protection of the resource.

3.1-25 The Mendocino Coast is an area containing many types of marine resources of statewide significance. Marine resources shall be maintained, enhanced and, where feasible, restored; areas and species of special biologic or economic significance shall be given special protection; and the biologic productivity of coastal waters shall be sustained.

3.1-26 In order to protect, enhance, restore, and preserve the quality of the Coastal Marine Ecosystem, it is the policy of Mendocino County to oppose any exploration for or development of mineral resources, including petroleum products, offshore Mendocino County.

Any such development can occur only if, after a careful balancing of social, economic, and environmental effects, findings are made that:

1. Alternative locations are infeasible or more environmentally damaging:

2. Failure to carry out the development would adversely affect the public welfare; and

3. Adverse environmental effects are mitigated at least to the extent that they will not adversely effect the resources of the Coastal Marine Ecosystem or its environment.

Because there are no current plans for development of oil and gas resources on tide and submerge lands offshore Mendocino County, the need to define detailed criteria to guide such activity now does not exist. If there is a future opportunity for offshore mineral exploration or development, detailed policy guidance can be considered through the

Local Coastal Plan Amendment process, including the special amendment process for energy facilities provided at Section 30515 of the Coastal Act.

3.1-27 Clearance of trash and accumulated debris from coastal streams and the improvement of these streams for water supply, recreational use and fishery restoration are projects which are vital to the economic and biologic health of the Mendocino Coast and shall be encouraged whenever possible.

3.1-28 Section 30519(b) of the Coastal Act recognizes in this Coastal Element that the Coastal Commission retains primary permit authority to issue coastal permits for all development proposed on tidelands, submerged lands, or public trust lands, whether filled or unfilled, that are located in the coastal zone.

3.1-29 The California Department of Fish and Game, the California Native Plant Society, and the U.S. Fish and Wildlife Service shall be requested to maintain and augment mapped inventory of all rare, endangered, threatened and protected plant and wildlife habitats on the Mendocino Coast based on up-to-date survey information. Symbols indicating rare or endangered plants and wildlife are placed on the Land Use Maps to generally locate listed species and will be pinpointed as necessary to prevent degradation prior to issuing any development permit. Furthermore, the Department of Fish and Game is requested to work with the county during the planning and permit process to evaluate the significance of mapped sites as they apply to individual development applications.

3.1-30 Vehicle traffic shall be prohibited from all public beach areas except for emergency purposes and maintenance unless specifically designated for vehicular use.

3.1-31 Structures or projects involving a diversion of water from streams appearing as dotted or dashed blue lines on 7.5 minute U.S.G.S. quadrangle maps shall be sited and designed to not impede upstream or downstream movement of native fish or to reduce stream flows to a level which will have a significant adverse affect on the biological productivity of the stream and its associated aquatic organisms.

3.1-32 Land divisions, including lot line adjustments which are located within Environmentally Sensitive Habitat Area boundaries (which are shown on the Land Use Maps, and subject to Policy 3.1-1), will not be permitted if: (1) any parcel being created is entirely within an Environmentally Sensitive Habitat Area; or (2) if any parcel being created does not have an adequate building site which would allow for the development of the building site consistent with Policy 3.1-7.

3.1-33 Vegetation removal that constitutes "development", as defined in the glossary of this plan, shall require a coastal development permit. The granting of such permit shall be done only when the proposed development is consistent with all other sections and policies of this plan.

3.2 AGRICULTURE

Coastal Act Requirements

The Coastal Act establishes agriculture as a priority use:

Section 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of Agriculture land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Section 30242. All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Definitions

Agricultural Land. Prime agricultural land as defined below, land in existing agricultural use, land with agricultural potential, or lands under Williamson Act contracts. Plant crops include food and forage crops and nurseries. Animal raising includes grazing, stock raising activities, and feed lots.

Prime Agricultural Lands. Coastal Act Section 30113 and Section 51201 of the California Government Code define prime agricultural land as:

- All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
- Land which qualifies for rating 80 through 100 in the Storie Index Rating.
- Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
- Land planted with fruit or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

Feasible Agricultural Use. Section 30242 prohibits conversion to nonagricultural uses unless "continued or renewed agricultural use is not feasible" or if it "would preserve prime land or concentrate development." Section 30108 defines feasible as capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social, and technological factors.

Williamson Act Land. This legislation, also called the California Land Conservation Act of 1965, was enacted to preserve the maximum amount of prime agricultural land. Agricultural preserves may be established through contracts between owners of agricultural land and a city or county. Under an agricultural preserve designation, property taxes are based on agricultural yield rather than speculative land value; in exchange, owners accept a ten-year restriction on use of their property. This restriction is automatically extended each year unless the owner gives notice of nonrenewal. Type I preserves are prime agricultural lands and intensive cropland uses; Type II are non-prime agricultural lands and grazing and dairy uses. The County has updated their existing agricultural preserve ordinance to allow for a Type III agricultural preserve.

The County's current zoning ordinance specifies that Type II agricultural preserves shall not consist of less than 100 acres, unless the Board of supervisors finds that "smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area..." The Board of Supervisors frequently has permitted small parcels, ranging from 10 to 40 acres, to be designated Type I agricultural preserves, particularly if these small parcels are adjacent to existing Williamson Act land. The Board of Supervisors has not permitted the designation of

small parcels as Type II preserves, since large acreages are thought necessary to maintain an economically viable ranching operation.

Agricultural Uses. Are defined as uses of land to grow and/or produce agricultural commodities for commercial purposes, including: Production or by-products of; poultry, cattle, sheep, goats, rabbits, fish, frogs, horses and other livestock; production of hay, grain, silage, vegetables and nursery products; accessory, structures or other uses pertinent and necessary to the operation of agricultural uses including; barns, fences, stable, corrals, coops and pens.

Agricultural Issues

Coastal terraces and bottom land historically were farmed in small units by families dependent on agriculture for their livelihood. Potatoes, truck crops, hogs, poultry, beef cattle and dairies did well and farm products were sold both locally and outside the area. However, in the past 30 years, government regulations and technological changes in food processing and trucking have encouraged large-scale, centralized agricultural operations, ill-suited to the coast's small areas of prime soils, relatively small land holdings, and family-run enterprises. Since the late 1960's, commercial coastal agriculture has consisted primarily of livestock and dairy farms and flower and plant nurseries.

Several physical and market factors limit agricultural production in the coastal zone, including insufficient soil depths; excessive or irregular drainage; lack of water; a cool climate; predation of livestock; isolation from agricultural support services; limited labor availability; and small parcels.

About 3,500 acres of land in the coastal zone are tilled, irrigated or cropped, mostly for forage. Milk production has been reduced to three dairies, and former dairy operators are raising replacement dairy heifers. There are 40 livestock operators in the coastal zone, raising 1,200 head of beef and 4,300 sheep. However, only one quarter of these farms are operated as the full-time occupation of their owners. Full-time operations are concentrated between Elk and Point Arena, where the largest areas of prime soils are found. Elsewhere, highly productive soils are found only in small patches, rendering full-time farming uneconomical at this time. North of the Navarro River, agricultural activity has been affected by residential development. This trend is not significant in the Point Arena area, but some farmers, uncertain about the continued viability of agriculture in the coastal zone, may have deferred capital investment. The land use policies of the Coastal Element, with its emphasis on the preservation and enhancement of agriculture, should encourage these landowners to maintain their farms in production.

Coastal agriculture includes several nurseries principally raising fuchsias, azaleas, and rhododendrons. Forty acres near Caspar supports daffodils, suggesting a potential for a bulb industry similar to that in Del Norte County. Many farms sell produce locally and many residents are industrious part-time fruit and vegetable farmers.

For raising sheep and cattle, the minimum parcel size required to support an operator varies from year to year, depending upon livestock prices.

Only 10 ranches have "full-time" acreage and are operated as a principal source of income. Minimum parcel sizes for field crops are smaller-about 10 acres of specialty vegetables and general crops is sufficient to realize a return on the cost of production and labor. Marketing is a primary constraint: a few growers could saturate the local market, while a large total acreage (perhaps as many as 1,000 acres of a crop such as brussel sprouts) would be necessary to make marketing outside the County economically feasible.

There are two main barriers to assembling parcels of a size sufficient for profitable, full-time farming. Land division and conversion to non-agricultural uses has progressed in certain sections of the coast to the point that consolidation to raise livestock is no longer practical. In other areas, property owners, anticipating subdivision of their Williamson Act lands, ask high prices of would-be buyers.

However, the outlook for coastal agriculture in Mendocino may not be as bleak as the previous discussion implies. Small-scale or part-time farming could become more practical if current agricultural trends change. Energy costs could increase to the point that local production of food becomes competitive. Indeed, many residents stress that coastal agriculture is not dead but growing in directions other than toward large-scale, one-crop farming.

Offering Williamson Act tax benefits to small agricultural parcels is seen by many residents as a potential means of encouraging local agriculture. Although the Board of Supervisors has accepted parcels as small as 10 acres at a few locations, allowing small parcels that are primarily used for rural residential purposes into an agricultural preserve could invite a legal challenge. The County has received few applications for Williamson Act contracts from coastal property owners since Proposition 13 diminished potential tax benefits. However, if there is a dramatic rise in the assessed value of coastal land when ownership changes, Williamson Act contracts will become increasingly attractive.

Coastal Element Policies: Agriculture

3.2-1 All agricultural land use, as represented within the agriculturally designated boundaries on the land use maps, shall be designated AG 60 or RL 160 for the purpose of determining density. This will support continued coastal agriculture use. One housing unit will be allowed for each existing parcel. Additional dwellings for resident agricultural workers shall be considered as conditional uses, subject to the provisions of this plan. Accessory dwelling units (ADUs) and/or junior accessory dwelling units (JADUs) may also be permitted consistent with standards established in the Implementation Plan (Mendocino County Code, Title 20, Division II). Detached ADUs may only be permitted if located within an existing legally-authorized residential structure and/or clustered with the primary residence.

3.2-2 An owner requesting agricultural preserve status under a Williamson Act contract shall meet the requirements of the County Agricultural Preserve Ordinance. (See Appendix A 11)

3.2-3 If legislation permits any public agency to acquire agricultural land, this plan would urge that such acquisition should be carried out only if the property owner is a willing seller. This policy protects existing agricultural operations by limiting public acquisitions of viable agricultural operations.

3.2-4 Zoning regulations shall not discourage compatible activities that enhance the economic viability of an agricultural operation. These may include cottage industry, sale of farm products, timber harvesting, not subject to the Forest Practices Act and limited visitor accommodations at locations specified in the plan. Visitor accommodations shall be secondary to the agricultural activity. Proposed projects shall be subject to a conditional use permit. Granting of the permit shall require affirmation findings to be made on each of the following standards. The project shall:

- maximize protection of environmentally, sensitive habitats;
- minimize construction of new roads and other facilities;
- maintain views from beaches, public trails, roads and views from public viewing areas, or other recreational areas;
- ensure adequacy of water, sewer and other services;
- ensure preservation of the rural character of the site; and
- maximize preservation of prime agricultural soils;
- ensure existing compatibility by maintaining productivity of on site and adjacent agricultural lands.

No permit shall be issued to convert prime land and/or land under Williamson Act to non-agricultural uses, unless all of the following criteria are met:

1. all agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable; and
2. agricultural use of the soils can not be successfully continued or renewed within a reasonable period of time, taking into account economic, environmental, social, and technological factors (Section 30108 of the Coastal Act); and
3. clearly defined buffer areas are developed between agricultural and non-agricultural uses (see Policies 3.2-9, 3.2-12 and 3.2-13); and
4. the productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing; and
5. public service and facility expansions and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality; and
6. in addition, for parcels adjacent to urban areas, the viability of agricultural uses is severely limited by conflicts with urban uses, and the conversion of land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

3.2-5 All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with

Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

3.2-6 Existing agricultural ponds constructed on dry land and designed to store water for irrigation, fire protection or livestock shall not be classified as wetlands or regulated as such. Future proposals for agricultural ponds which involve the use of streams for their water source and may also involve or affect extensive areas of riparian vegetation shall be subject to conditional use permit review.

3.2-7 Current agricultural use of seasonal wetlands shall be recognized and allowed to continue. In instances where existing agricultural practices have a detrimental effect upon wetland areas, every attempt shall be made by the concerned property owner and responsible public agencies to mitigate the impact. Expansions of existing agricultural operations involving cultivation or construction of drainage systems into wetlands shall not be permitted.

3.2-8 The County should implement an effective dog and coyote control program to reduce predation levels. Stringent regulations applying to public and private development proposals and signs designating special dog control zones shall be used as necessary.

3.2-9 In order to minimize agricultural-residential conflicts, land divisions or site plans in a residential area shall not result in a residential structure being closer than 200 feet from a parcel designated for agricultural use unless there is no other feasible building site on the parcel.

3.2-10 The County should actively seek technical and marketing assistance to aid agricultural landowners wishing to intensify production, including livestock forage, truck crops formerly produced in the area, and potential new crops such as bulbs and agricultural products from small farms used intensively.

3.2-11 Light and local scale agriculture, is defined in the Coastal Element Glossary and shall be recognized as a principal use in the Rural Residential and Remote Residential land use classification in the Coastal Zone.

3.2-12 Limit residential uses and subdivisions adjacent to Type I Ag Preserve land to a low density standard to provide a buffer to minimize the conflicts between agricultural operations and residential land uses. New parcels created adjacent to an Ag Preserve shall be limited to a five (5) acre minimum. For parcels beyond the 5-acre minimum buffer (parcels which would be separated from the Ag Preserve by the buffer), the minimum parcel size would be dictated by the land use classification and applicable policies of the Coastal Element. If parcels adjacent to Type I Ag Preserve are designated Clustering (:CL) or Planned Development (:PD), the density will be dictated by the General Plan Land Use classification provided that the residential development is located not closer than 200 feet from the property line(s) of the protected agricultural resource or at the farthest feasible point from said property line(s). For residential development within 200 feet of the agricultural parcels(s), density shall not exceed one dwelling unit

per 5 acres. (There shall be a minimum of 5 acres of lot area for each dwelling unit located within the 200-foot limit). Approval of any land divisions shall be consistent with Policy 3.9-2 and only when the creation of new parcels at the proposed acreages will not adversely affect the long term productivity of agricultural lands.

3.2-13 Limit residential uses and subdivisions adjacent to Type II Ag Preserve to a low density standard to provide a buffer to minimize the conflicts between agricultural operations and residential land uses. New parcels created adjacent to an Ag Preserve shall be limited to a ten (10) acre minimum. For parcels beyond the 10-acre minimum buffer (parcels which would be separated from the Ag Preserve by the buffer), the minimum parcel size would be dictated by the land use classification and applicable policies of the Coastal Element.

If parcels adjacent to Type II Ag Preserve are designated Clustering (:CL) or Planned Development (:PD), the density will be dictated by the General Plan Land Use classification provided that the residential development is located not closer than 200 feet from the property line(s) of the protected agricultural resource or at the farthest feasible point from said property line(s). For residential development within 200 feet of the agricultural parcel(s), density shall not exceed one dwelling unit per 10 acres. (There shall be a minimum of 10 acres of lot area for each dwelling unit located within the 200-foot limit). Approval of any land divisions shall be consistent with Policy 3.9-2 and only when the creation of new parcels at the proposed acreages will not adversely affect the long term productivity of agricultural lands.

3.2-14 Where the lands west of Highway 1 are designated Rangeland or Agriculture, no vertical or lateral blufftop access shall be required at this time if it is found that the effects of the proposed access could not be mitigated and therefore would adversely affect the agricultural operation. Should the Agricultural use of the land be changed or augmented by use or uses other than Agriculture then offers for vertical and lateral access shall be obtained consistent with Policy 3.6-5.

3.2-15 All land divisions of prime agriculture lands designated AG or RL shall require an approved master plan showing how the proposed division would affect agricultural use on the subject property and the overall operation. The County shall make the following findings during master plan review and before approving land divisions: (1) the division will protect continued agricultural use and contribute to agricultural viability; (2) the division will not conflict with continued agricultural use of the subject property and overall operation; (3) the division is only for purposes allowed in AG or RL designations; (4) the divisions will not contribute to development conflicts with natural resource habitat and visual resource policies. In approving master plans, the County will require conservation easements, covenants against any further land divisions or other similar guarantees to ensure long-term agricultural uses for the affected parcel.

3.2-16 All agricultural lands designated AG or RL shall not be divided nor converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or (3) concentrate development

consistent with Section 30250. Any such permitted division or conversion shall be compatible with continued agricultural use of surrounding parcels.

"Feasible", as used in this policy, includes the necessity for consideration of an economic feasibility evaluation containing both the following elements:

1. An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of proposed local coastal program or an amendment to any local coastal program.

2. An analysis of the operational expenses beyond the control of the owner/operator associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

For purposes of this policy, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal plan.

3.3 FORESTRY AND SOILS RESOURCES

Coastal Act Requirements

The Coastal Act protects timberlands for timber production. The Coastal Act requirements do not overlap or conflict with timber harvesting practices regulated by the California Division of Forestry.

> **Section 30243.** The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.
>
> **Section 30106.** "Development" means ...the removal or harvesting of major vegetation other than for agricultural purposes... and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973.
>
> **Section 30417 of the Coastal Act**. Provided for the Coastal Commission to identify special treatment areas within the coastal zone and to make "recommendations designed to assist the State Board of Forestry in adopting rules and regulations which adequately protect the natural and scenic qualities of such special treatment areas."

Definitions

Coastal Commercial Timberland. Two definitions are used in California law. The Coastal Element employs a third definition suited to administration of the Land Use Plan.

In Government Code Section 51100 on TPZ eligibility, "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or timber and compatible uses, and which is capable of producing an average annual volume of wood fiber of at least 15 cubic feet per acre.

In Public Resources Code 4526 on Board of Forestry management purposes, "Timberland" means land, other than land owned by the federal government, and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.

For the Coastal Element, commercial timberland is defined as coastal (mixed coniferous) or redwood forest on sites rated IV or better. Resources maps delineating timberland for the Coastal Element were prepared from 1951 Soil-Vegetation Maps, California Division of Forestry and May, 1976 NASA U-2 color infrared photography. When new soils maps have been completed, they will replace the 1951 Soil-Vegetation Maps for the purpose of determining

Coastal Commercial Timberland.

Timber Site Designations. The U.S. Forest Service and the California Department of Forestry have developed rankings for timberland areas based on the height that the dominant species reach at 100 years. The sites are classified in terms of their productive capability, i.e., the potential for growth and volume of deliverable timber. The classification system designates sites by Roman numerals in the following manner:

Timber Site Designation	Height at 100 Years (Feet)	Productive Capability
I	200	Extremely High
II	170	Very High
III	140	High
IV	110	Medium
V	80	Low

Coastal Timberland Unit of Commercial Size. See discussion under "Issues."

Conversion means the transforming of timberlands to uses other than timber growing.

Timber Processing and Related Facilities include sawmills, pulp mills, veneer mills, other timber processing plants, log decks, by-product storage sites, and related operating areas required for product processing.

Timberland Production Zone (TPZ). In 1976, the California Legislature passed the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act (AB 1258) to preserve commercial timberland and lessen pressures for conversion by changing the method of timberland taxation. AB 1258 required the County to establish zoning districts within which only timber harvesting, the production of forest products, and compatible uses are permitted and within which taxes levied against the land are based on the timber yield rather than on the value of standing timber. Compatible uses are defined as uses which do not significantly detract from growing and harvesting timber, including but not limited to:

- Management for watershed;
- Management for fish and wildlife habitat or hunting and fishing;
- Roads, landings, log storage areas, or other uses integrally related to the growing, harvesting and processing of forest products;
- Erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities;
- Grazing.

In Mendocino County, the minimum TPZ parcel size specified by the zoning ordinance is 160 acres, but smaller adjoining parcels, a few smaller than 40 acres, were placed in the TPZ when the County Assessor prepared the initial property lists in 1977 and 1978. Since that time, no parcels have been added or removed from the TPZ because zoning changes are not permitted until the new General Plan is adopted.

As rezoning occurs in the County, owners of eligible land can request inclusion in the TPZ. An owner wishing his property removed from the TPZ must obtain rezoning from the Board of Supervisors following a public hearing and then must wait 10 years or, if permission for immediate withdrawal is granted, by the Board of Supervisors and Board of Forestry, pay a tax penalty.

Forestry Issues

Commercial timberland outside state parks covers 26 percent of the coastal zone. The forest products industry is the Mendocino coast's largest single employer, accounting for about 1,550 jobs in 1979. Large industrial forest products companies, including Georgia-Pacific, Lousiana-Pacific, and Masonite, own 3/5 of the private timberland between the Humboldt County line and Elk. Sixty percent of the private acreage is in TPZ and is assumed by the plan to be committed to management as timberland. For the remaining 14,200 timberland acres outside the TPZ, the Coastal Element must include a policy to limit division and conversion to other uses. If owners of timberlands smaller than 160 acres are to be prevented from converting their lands, it is reasonable that they be accorded the same tax benefits as owners of larger properties, now eligible for TPZ status.

Preservation of Commercial Timberland Units. Conversions of timberland are regulated by the State Board of Forestry (BOF). Regardless of zoning, an owner wishing to convert more than three acres of commercial timberland after harvesting but before meeting mandated stocking standards must file an application with the BOF and meet California Environmental Quality Act (CEQA) requirements. In reviewing the conversion application, the BOF considers such factors as the value of the timberland, potential adverse impacts on nearby timber or open space land, environmental constraints, and the feasibility of the proposed and new use. The BOF generally has approved applications for conversion unless strong objections are raised during the environmental review process.

Within the coastal zone, conversion of commercial timberland is subject to further restriction by the BOF. Section 1103.7 of the California Administrative Code, effective July 13, 1980, allows conversion of coastal commercial timberland only if:

- such conversion will not introduce or significantly intensify uses that are incompatible with timber growing on adjacent parcels, (per Cal. Administrative Code Section 1103.7)
- the parcel is not within 500 feet of a TPZ parcel, or
- the parcel proposed for conversion conforms to applicable provisions of this plan and subsequent implementing ordinances.

The Coastal Act calls for protection, but even if there were no limitation on conversion, little existing timberland could be put to another use consistent with the coastal zone's environmental limitations and highway capacity.

Thus conversions of parcels, regardless of size are not to be permitted, however, the new BOF rules allow some conversions when the parcel is consistent with provisions of the Land Use Plan. The BOF could vary its requirements if a private landowner or the County appealed them as inappropriate, or it could amend its rules to make them consistent with the Local Coastal Plan.

The critical issue in regulating conversions is determining what constitutes a timberland unit of commercial size. The definition of a timberland unit of commercial size should operate to preserve more rather than less timberland. If no commercial timberland or agricultural land, including all grazing land, were developed, 15,000 acres of hardwood, scrub, and woodland would remain available for building homes--enough to house triple the current coastal population if one housing unit were built on each acre of open land.

Forty acres of commercial timberland is recommended as a minimum unit of commercial size by the LCP forestry consultant and is the minimum proposed by the Humboldt County LCP. However, the new BOF rules allow conversion only on parcels smaller than 15 acres.

Timberland-Residential Conflicts. Related to the issue of minimum parcel size is the problem of conflicts between forest management activities and adjacent land uses, primarily residential. Problems can include visual effects, noise, dust, traffic, water supply and access. A buffer is needed which shall be located on parcels slated for residential development. Since the Coastal Act established that timber production has priority over residential use in the coastal zone and since permittable population growth will not be large enough to necessitate building homes close to commercial timberlands, it is reasonable that the buffer be located on land adjacent to timberlands rather than on timberland.

The BOF policy of disapproving conversion of timberland parcels within 500 feet of a TPZ works both to create a buffer and to preserve the maximum amount of timberland in production. If parcels that cannot be converted are granted TPZ status, these TPZ eventually could include the entire timber resource area. Owners of the smaller parcels often intend them for residential use and they should not be in the TPZ. However, owners of larger parcels should not be prevented from making the same use of their land as their neighbors on smaller residential parcels. An alternative approach to the BOF's 500-foot development limit would be to establish a 200-foot building setback along the TPZ boundary. This setback would accomplish some of the buffer function of the BOF rule, while allowing owners of timberland parcels some flexibility in use of their land.

Soil Erosion. Protection of forest soils from erosion and elimination of erosion's adverse effects on coastal resource is a shared goal of industrial forest managers and environmentalists, but there is disagreement on the adequacy of the standards designed to prevent erosion. Some environmentalists claim that inadequate standards and enforcement of timber harvest rules are allowing unnecessary erosion, stream degradation, and disruption of wildlife habitat. Industrial

forest managers believe that current practices are sufficient, pointing out that they have a stake in maintaining the productivity of forest lands.

In June, 1980, the BOF completed its report to the State Water Resources Control Board mandated by Section 208 of the Clean Water Act. The BOF found a need for changes in existing forest practice rules, changes in procedures for implementing and enforcing the rules, revised or new legislation, and a significantly expanded research effort. The BOF recommends itself as the agency responsible for administering Section 208 for silvicultural activities (#32, California State Board of Forestry).

Section 30240 of the Coastal Act requires that "environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values,..." while Section 30404 calls on the Coastal Commission to periodically "submit recommendations (to the BOF and other state agencies) designed to encourage it to carry out its functions in a manner consistent with (the Act)." If the recommendations are not implemented, the agency must explain why. If there is evidence that current practices are causing significant disruption of habitat values, agency rules should be amended by the BOF or Mendocino County should enact supplemental regulations to halt disruptive practices.

Coastal Element Policies: Forestry and Soils

3.3-1 Coastal commercial timberlands (Coastal Act Section 30243) shall be defined as coastal (mixed conifers) or redwood forest on sites rated IV or better.

3.3-2 Timberlands of commercial size have been designated FL on the Land Use Plan Maps.

3.3-3 A timberland unit of commercial size shall not be divided into parcels smaller than 160 acres, and shall not be converted to uses other than the growing of timber and those compatible uses as identified in Chapter 2 under the Forest Land Classification.

3.3-4 Parcels in timberland designated Forest Lands (FL) shall be eligible for incorporation into a timber preserve after meeting specific qualifications as defined by Mendocino County Code Sections 20.10.02, 20.10.04 (Ordinance 1780, 1976) and 22.07.010 as amended (Ordinance 3453, 1983) and Rule 1021, Title 18, California Administrative Code.

3.3-5 TPZ lands or parcels entirely occupied by timberlands of commercial size shall have not more than one housing unit per 160 acres, county review and approval required for more than one dwelling per legally created parcel. Accessory dwelling units (ADUs) or junior accessory dwelling units (JADUs) may also be permitted consistent with standards established in the Implementation Plan (Mendocino County Code, Title 20, Division II). Detached ADUs may only be permitted if located within an existing legally-authorized residential structure and/or clustered with the primary residence. Housing units on a timberland parcel, portions of which are not timberland, shall be subject to the density regulations prescribed for the land use shown on the Land Use Maps. Such housing units shall be located, when feasible, on non-Timberland soils.

3.3-7 The County shall support and promote reforestation and rehabilitation of understocked timberlands through:

- technical assistance available from the Mendocino County Resource Conservation District, the U.S. Soil Conservation Service, U.C. Cooperative Extension Service, California Department of Forestry and other interests with appropriate expertise.

- financial assistance available from various sources, including California Department of Forestry, U.S. Agricultural Stabilization and Conservation Service.

3.3-8 In order to minimize forest land-residential conflicts, site plans in a residential area shall not result in a residential structure being closer than 200 feet from a parcel designated for forest lands use, unless there is no other feasible building site on an existing residential parcel.

3.3-9 Limit residential uses and subdivisions adjacent to Commercial Timberlands to a low density standard to provide a buffer to minimize the conflicts between commercial timber management operations and residential land uses. New parcels created adjacent to a Timber Preserve Zone (TPZ) shall be limited to a ten (10) acre minimum. For parcels beyond the 10-acre minimum buffer (parcels which would be separated from the timberland by the buffer), the minimum parcel size would be dictated by the General Plan Land Use classification.

If parcels adjacent to Commercial Timberland are designated Clustering (:CL) or Planned Development (:PD), the density will be dictated by the General Plan Land Use classification provided that the residential development is located not closer than 200 feet from the property line(s) of the protected timberland or at the farthest feasible point from said property line(s). For residential development within 200 feet of the Timberland parcel(s), density shall not exceed one dwelling unit per 10-acres. (There shall be a minimum of 10-acres of lot area for each dwelling unit located within the 200-foot limit). Approval of any land divisions shall be consistent with Policy 3.9-2 and only when the creation of new parcels at the proposed acreages will not adversely affect the long term productivity of the timberlands.

3.4 HAZARDS MANAGEMENT

Coastal Act Requirements

Six major hazards are critical in the coastal zone: Tsunami seismic activity, landsliding, shoreline and bluff erosion, flooding, and fire. The Coastal Act's mandate is to reduce potential risks and to avoid substantial alteration of natural landforms. Coastal Act policies which apply to management of environmental hazards include:

Section 30253. New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff-retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish-kills should be phased out or upgraded where feasible.

Section 30236. Channelizations, dams,or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Definitions

Geologic hazards are defined by the LCP Manual to include the following:

- seismic hazard areas delineated on fault maps as subject to potential surface rupture, on soil maps indicating materials particularly prone to shaking or liquefaction, and in local and regional seismic safety plans;

- tsunami (seismic sea wave) runup areas identified on U.S. Army Corps of Engineers 100-year recurrence maps, by other scientific or historic studies, and other known areas of tsunami risk;

- landslide hazard areas delineated on slope stability maps and in local and regional geologic or safety plans;

- beach areas subject to erosion; and

- other geologic hazards such as expansive soils and subsidence areas.

Flood hazard areas are defined by the California Coastal Commission as those areas subject to inundation by a 100-year flood as mapped by the U.S. Department of Housing and Urban Development.

Fire hazard areas. The LCP Manual recommends identification of fire hazard areas using the California Division of Forestry's Fire Hazard Severity Classification System which considers weather, fuel loading, and steepness of slope the most important criteria for classifying fire hazards into three categories: moderate, high, or extreme hazard. All heavily wooded areas and brush areas with slopes steeper than 61 percent are considered to be high fire hazards.

Hazards Issues

Seismic Activity. The coastal zone is seismically active and vulnerable to earthquake hazards which include surface rupture, ground shaking, liquefaction and differential settlement, and tsunami inundation. The San Andreas fault parallels the coast offshore from the Humboldt County line to Manchester where it heads inland continuing southeasterly from the coastal zone. Further to the east are the Hayward, Rodgers Creek and Maacama faults. Both the San Andreas and Maacama faults are capable of producing strong earthquakes in the coastal zone. Traces of fault ruptures have been noted along the San Andreas fault near Point Arena and Manchester; these areas should be regarded as hazardous and unsuitable for construction. Notable historical events on faults crossing the coastal zone include the 1906 movement measuring, at its epicenter in Marin County, 8.3 on the Richter scale, and several earthquakes on the Maacama fault with a magnitude range of 4.5 - 5.5 during the past 50 years.

The Mendocino coast sustained damage totalling $1.5 million from a tsunami generated by the 1964 Alaskan earthquake. The entire exposed coast of Mendocino County is subject to tsunami impact; particularly vulnerable areas include the area between Ten Mile River and Pudding Creek, Noyo Harbor, Albion and Manchester Beach to Iverson Point, including Point Arena. The only secure means of protection from tsunami inundation is avoidance of construction in susceptible areas.

Landsliding. The main factors contributing to landslides are loose or weakly consolidated rock or soils, steep slopes, and water. Human influences include septic tank systems, excessive irrigation, and poorly constructed or incorrectly graded cuts and fills. The potential for landslides is high in most of the coastal zone; slides most frequently occur along road cuts, steep valleys and stream canyons, and along coastal cliffs. They are particularly common in the San Andreas fault zone along the Garcia and Gualala Rivers.

Erosion. Beach erosion by wind and waves and bluff erosion by waves, surface runoff, and landslides are continuing occurrences. These processes cause coastal retreat, although their impact varies in different areas. Beaches protect dunes and bluffs, so the reduction of beach area increases the erosion rate of the dunes or bluffs. Runoff and human activities also can increase the rate of cliff retreat. Local geology rather than the littoral processes determine the amount of potential erosion. Building setbacks necessary to protect development along the coast should be based on the specific characteristics of the site.

The only existing shoreline structure on the Mendocino coast that alters natural shoreline processes is the breakwater at the mouth of Noyo Harbor. The U.S. Army Corps of Engineers presently is studying the feasibility of building two additional breakwaters at Noyo Cove to protect the cove's entrance and to diminish wave and surge action.

Flooding. Heavy winter rains cause flooding nearly every year in the larger coastal watersheds; more serious flooding could be expected from the 100-year event. Flooding is of greatest concern in developed areas, such as those near the Noyo and Albion Rivers. The flood hazard areas designated on the Land Use Maps fall within the 100-year flood zone boundaries as mapped by the Federal Emergency Management Administration (FEMA). Property owners who believe they are adversely affected by inaccuracies in flood hazard mapping may file a written appeal.

Fire. During the summer, the terrace grasslands dry out, becoming susceptible to fire and potentially jeopardizing forests and residential development.

Coastal Element Policies: Hazards

3.4-1 The County shall review all applications for Coastal Development permits to determine threats from and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, expansive soils and subsidence and shall require appropriate mitigation measures to minimize such threats. In areas of known or potential geologic hazards, such as shoreline and bluff top lots and areas delineated on the hazards maps the County shall require a geologic investigation and report, prior to development, to be prepared by a licensed engineering geologist or registered civil engineer with expertise in soils analysis to determine if mitigation measures could stabilize the site. Where mitigation measures are determined to be necessary, by the geologist, or registered civil engineer the County shall require that the foundation construction and earthwork be supervised and certified by a licensed engineering geologist, or a registered civil engineer with soil analysis expertise to ensure that the mitigation measures are properly incorporated into the development.

3.4-2 The County shall specify the content of the geologic site investigation report required above. The specific requirements will be based upon the land use and building type as well as by the type and intensity of potential hazards. These site investigation requirements are detailed in Appendix 3.

3.4-3 The County shall review development proposals for compliance with the Alquist-Priolo Special Studies Zone Act (as amended May 4, 1975).

3.4-4 The County shall require that water, sewer, electrical, and other transmission and distribution lines which cross fault lines be subject to additional safety standards beyond those required for normal installations, including emergency shutoff where applicable.

3.4-5 The County shall require that residential, commercial and industrial structures be sited a minimum of 50 feet from a potentially, currently, or historically active fault. Greater setbacks may be required if warranted by local geologic conditions.

3.4-6 In tsunami-prone areas as illustrated on resource maps or land use maps the County shall permit only harbor development and related uses and these shall be allowed only if a tsunami warning plan has been developed. The County shall supply an early warning system.

3.4-7 The County shall require that new structures be set back a sufficient distance from the edges of bluffs to ensure their safety from bluff erosion and cliff retreat during their economic life spans (75 years). Setbacks shall be of sufficient distance to eliminate the need for shoreline protective works. Adequate setback distances will be determined from information derived from the required geologic investigation and from the following setback formula:

Setback (meters) = Structure life (years) x Retreat rate (meters/year)

The retreat rate shall be determined from historical observation (e.g., aerial photographs) and/or from a complete geotechnical investigation.

All grading specifications and techniques will follow the recommendations cited in the Uniform Building Code or the engineering geologists report.

3.4-8 Property owners should maintain drought-tolerant vegetation within the required blufftop setback. The County shall permit grading necessary to establish proper drainage or to install landscaping and minor improvements in the blufftop setback.

3.4-9 Any development landward of the blufftop setback shall be constructed so as to ensure that surface and subsurface drainage does not contribute to the erosion of the bluff face or to the instability of the bluff itself.

3.4-10 No development shall be permitted on the bluff face because of the fragility of this environment and the potential for resultant increase in bluff and beach erosion due to poorly-sited development. However, where they would substantially further the public welfare, developments such as staircase accessways to beaches or pipelines to serve coastal-dependent industry may be allowed as conditional uses, following a full environmental, geologic and engineering review and upon the determinations that no

feasible less environmentally damaging alternative is available and that feasible mitigation measures have been provided to minimize all adverse environmental effects.

3.4-11 No development, except flood control projects, to protect existing structures, non-structural agricultural uses, and seasonal uses shall be permitted in the 100-year floodway unless mitigation measures in accordance with FEMA regulations are provided.

3.4-12 Seawalls, breakwaters, revetments, groins, harbor channels and other structures altering natural shoreline processes or retaining walls shall not be permitted unless judged necessary for the protection of existing development or public beaches or coastal dependent uses. Allowed developments shall be processed as conditional uses, following full environmental geologic and engineering review. This review shall include site-specific information pertaining to seasonal storms, tidal surges, tsunami runups, littoral drift, sand accretion and beach and bluff face erosion. In each case, a determination shall be made that no feasible less environmentally damaging alternative is available and that the structure has been designed to eliminate or mitigate adverse impacts upon local shoreline sand supply and to minimize other adverse environmental effects. The design and construction of allowed protective structures shall respect natural landforms, shall provide for lateral beach access, and shall minimize visual impacts through all available means.

3.4-13 All new development shall meet the requirements for fire protection and fire prevention as recommended by responsible fire agencies.

3.5 VISUAL RESOURCES, SPECIAL COMMUNITIES AND ARCHAEOLOGICAL RESOURCES

Coastal Act Requirements

Protection of visual resources is a specific mandate of the Coastal Act:

> **30251.** The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.
>
> **30253(5).** New development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.
>
> **30244.** Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Definitions

Special Communities and Neighborhoods. The LCP Manual (not mandated by Coastal Act) defines these to include the following:

- areas characterized by a particular cultural, historical, or architectural heritage that is distinctive in the coastal zone;
- areas presently recognized as important visitor destination points on the coastline;
- areas with limited automobile traffic that provide opportunities for pedestrian and bicycle access for visitors to the coast;
- areas that add to the visual attractiveness of the coast.

Highly Scenic Areas to include:

- those identified on the Land Use Maps as they are adopted.
- other scenic areas and historical districts as designated by county.

- landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan of 1971 as amended.

Visual Resources, Special Communities, and Archaeological Resources Issues

Mendocino's coast includes beaches, dunes, high bluffs, seastacks, jutting headlands, wetlands, heavily wooded gulches, grassy upland terraces, pygmy forests, serene river estuaries and rocky streams. Several 19th century villages, each with a distinct character, complement the natural landscape. The beauty and accessibility of the Mendocino coast have made it a heavily used tourist and recreational area. The Mendocino coast attracts people to sightsee. Scenic resources are the basis of the coast's tourist and retirement economies as well as a source of continuing pleasure for residents.

However, the coast's visual qualities are vulnerable to degradation through improper location and scale of buildings, blockage of coastal views, alteration of natural landforms and by poor design or placement of roadside signs and utility lines.

In rural areas, outside the coastal villages, the most critical concerns are preservation of coastal views and assuring the compatibility of new development with the natural landscape. The primary views to be considered are those seen from public areas.

Specific policies in this section apply to three types of areas of particular visual importance:

Highly Scenic Areas: Highly scenic areas as described in Section 30251 of the Act.

Special Communities: The Town of Mendocino is the only recognized special community in the Local Coastal Plan.

Special Treatment Areas: Other sites of visual importance include Special Treatment Areas shown on the Land Use Plan. Timber harvesting regulations within STA's are intended to minimize changes in appearance (see definition, Section 3.1). The special Treatment Area running parallel to Highway One from the Ten Mile River to the Sonoma County line is not shown on the land use maps.

Coastal archaeological sites and areas subject to archaeological surveys have been mapped by the California Archaeological Sites Survey, and the data is kept in the Cultural Resources Facility, Sonoma State University. These records, the most complete available, show 79 archaeological sites, distributed mainly along creek and river mouths and near present settlements, particularly between Cleone and Mendocino. The maps also delineate 26 archaeological survey areas ranging from 0.1 to 1,400 acres, only some of which include archaeological sites. To protect sites, the maps are confidential; however, land owners are entitled to know whether sites are located on their property. At present, residential development, public access, and timber harvesting appear to be the principal sources of destruction of archaeological sites.

Coastal Element Policies: Visual Resources; Special Communities and Archaeological Resources

3.5-1 State Highway 1 in rural areas of the Mendocino County coastal zone shall remain a scenic two-lane road.

The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.

3.5-2 The Town of Mendocino is designated as a "special community". Development in the Mendocino Town shall maintain and enhance community character, as defined in the Mendocino Town Plan.

Other communities and service centers along the Mendocino Coast including Westport, Caspar, Little River, Albion, Elk and Manchester shall have special protection to the extent that new development shall remain within the scope and character of existing development by meeting the standards of implementing ordinances.

3.5-3 The visual resource areas listed below are those which have been identified on the land use maps and shall be designated as "highly scenic areas," within which new development shall be subordinate to the character of its setting. Any development permitted in these areas shall provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.

- The entire coastal zone from the Ten Mile River estuary (including its wooded slopes, wetlands, dunes and ocean vistas visible from Highway 1) north to the Hardy Creek Bridge, except Westport Beach Subdivision which is a recognized subdivision containing parcels of approximately 20 acres in size covered by Policy 4.2-1 and is East of Highway 1.

- Portions of the coastal zone within the Highly Scenic Area west of Highway 1 between the Ten Mile River estuary south to the Navarro River as mapped with noted exceptions and inclusions of certain areas east of Highway 1.

- Portions of the coastal zone within the Highly Scenic Area west of Highway 1 between the Navarro River and the north boundary of the City of Point Arena as mapped with noted exceptions and inclusions of certain areas east of Highway 1.

- Portions of the coastal zone within the Highly Scenic Area west of Highway 1 between the south boundary of the City of Point Arena and the Gualala River as mapped with noted exceptions and inclusions of certain areas east of Highway 1.

In addition to other visual policy requirements, new development west of Highway One in designated "highly scenic areas" is limited to one-story (above natural grade) unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures. Variances from this standard may be allowed for planned unit development that provides clustering and other forms of meaningful visual mitigation. New development should be subordinate to natural setting and minimize reflective surfaces. All proposed divisions of land and boundary line adjustments within "highly scenic areas" will be analyzed for consistency of potential future development with visual resource policies and shall not be allowed if development of resulting parcel(s) could not be consistent with visual policies.

3.5-4 Buildings and building groups that must be sited within the highly scenic area shall be sited near the toe of a slope, below rather than on a ridge, or in or near the edge of a wooded area. Except for farm buildings, development in the middle of large open areas shall be avoided if an alternative site exists.

Minimize visual impact of development on hillsides by (1) requiring grading or construction to follow the natural contours; (2) resiting or prohibiting new development that requires grading, cutting and filling that would significantly and permanently alter or destroy the appearance of natural landforms; (3) designing structures to fit hillside sites rather than altering landform to accommodate buildings designed for level sites; (4) concentrate development near existing major vegetation, and (5) promote roof angles and exterior finish which blend with hillside. Minimize visual impacts of development on terraces by (1) avoiding development in large open areas if alternative site exists; (2) minimize the number of structures and cluster them near existing vegetation, natural landforms or artificial berms; (3) provide bluff setbacks for development adjacent to or near public areas along the shoreline; (4) design development to be in scale with rural character of the area. Minimize visual impact of development on ridges by (1) prohibiting development that projects above the ridgeline; (2) if no alternative site is available below the ridgeline, development shall be sited and designed to reduce visual impacts by utilizing existing vegetation, structural orientation, landscaping, and shall be limited to a single story above the natural elevation; (3) prohibiting removal of tree masses which destroy the ridgeline silhouette. Nothing in this policy shall preclude the development of a legally existing parcel.

3.5-5 Providing that trees will not block coastal views from public areas such as roads, parks and trails, tree planting to screen buildings shall be encouraged. In specific areas, identified and adopted on the land use plan maps, 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. New development shall not allow trees to block ocean views.

In circumstances in which concentrations of trees unreasonably obstruct views of the ocean, tree thinning or removal shall be made a condition of permit approval. In the enforcement of this requirement, it shall be recognized that trees often enhance views of the ocean area, commonly serve a valuable purpose in screening structures, and in the control of erosion and the undesirable growth of underbrush.

3.5-6 Development on a parcel located partly within the highly scenic areas delineated on the Land Use Maps shall be located on the portion outside the viewshed if feasible. Highly scenic areas delineation is approximate and shall be subject to review and correction if necessary at the time of a land development proposal or application.

Where representatives of the County Planning Department, the California Coastal Commission, or the applicant are uncertain about the boundaries of the viewshed on any parcel such disagreements shall be investigated by an on-site inspection by the landowner and/or agents, County Planning Department staff member, and a representative of the California Coastal Commission.

The on-site inspection shall be coordinated by the County Planning Department and will take place within 3 weeks, weather and site conditions permitting, of the receipt of a written request from the landowner/agent for clarification of viewshed boundaries.

If all of the members of this group agree that the boundaries of the scenic resource in question should be adjusted following the site inspection, such development should be approved only upon specific findings that the scenic resource as identified will not be significantly degraded by the proposed development. If such findings cannot be made, the development shall be denied.

If it appears that the highly scenic area delineation should be substantially extended or reduced to include or exclude areas adjacent to those presently designated "highly scenic" to protect the scenic resource, this shall be accomplished through the plan amendment process.

3.5-7 Off-site advertising signs, other than small directional signs not exceeding 2 square feet, will not be permitted in designated "highly scenic areas". Direction, access, and business identification signs shall minimize disruption of scenic qualities through appropriate use of materials, scale and location. Caltrans should be requested to develop and install a system of small standardized highway signs which will identify, by easily recognized symbols, a full range of visitor services and accommodations, including restaurants, inns, and campgrounds. Appropriate handcrafted signs should be encouraged.

3.5-8 Power transmission lines shall be located along established corridors. Elsewhere transmission lines shall be located to minimize visual prominence. Where overhead transmission lines cannot be located along established corridors, and are visually intrusive within a "highly scenic area", the lines shall be placed underground west of Highway One and below ridgelines east of Highway One if technically feasible. Certain lines shall, over time, be relocated or placed underground in accord with PUC regulations

(see Big River Planning Area Policy 4.7-3 and Policy 3.11-9). Distribution lines shall be underground in new subdivisions.

3.5-9 The location of all new access roads and driveways in rural areas shall be reviewed prior to any grading work to ensure safe location and minimum visual disturbance. Direct access to Highway 1 shall not be permitted where it is feasible to connect to an existing or proposed public road or to combine access points for two or more parcels.

3.5-10 The County shall review all development permits to ensure that proposed projects will not adversely affect existing archaeological and paleontological resources. Prior to approval of any proposed development within an area of known or probable archaeological or paleontological significance, a limited field survey by a qualified professional shall be required at the applicant's expense to determine the extent of the resource. Results of the field survey shall be transmitted to the State Historical Preservation Officer and Cultural Resource Facility at Sonoma State University for comment. The County shall review all coastal development permits to ensure that proposed projects incorporate reasonable mitigation measures so the development will not adversely affect existing archaeological/paleontological resources. Development in these areas are subject to any additional requirements of the Mendocino County Archaeological Ordinance.

3.5-11 Development of the parcels between Caspar South Subdivision and Indian Shoals Subdivision should be clustered to provide for a maximum amount of permanent open space for the western portion of the headland. Because the parcels are presently in separate ownerships and the possibility may exist for the area to become a receiver site for off-site development, the Coastal Conservancy should be requested to provide assistance in implementing the planned unit development for all parcels. The planned development proposal should consider the inclusion of all parcels at one time. Not withstanding the LUP maps, a visitor-serving facility may be permitted with a Land Use Plan amendment. South of Point Cabrillo Lighthouse Road, development on the parcels should be clustered to the east and provide for the maximum amount of permanent open space along the western portions of the property and the lighthouse.

3.5-12 Development of the fourteen parcels between a portion of that area south of Salmon Creek and the Navarro River should be clustered to provide for a maximum amount of permanent open space for the western portion of the headlands area. The Coastal Conservancy should be requested to provide assistance in implementing a restoration plan for those property owners willing to participate in such a plan. The restoration plan should consider the inclusion of all such parcels in one plan at one time. All development on the parcels should be clustered to the north and provide for the maximum amount of permanent open space along the western and southern portions of the property.

The restoration plan may provide up to densities identified on the LUP maps. However, the plan shall provide incentives for concentrating future development in the northern most section by allowing for increased densities in this location for its current owners and for other owners who voluntarily transfer development to this location.

3.5-13 The LUP maps shall be modified as required in Policy 3.5-5 to include areas where tree removal will restore views to the ocean.

3.5-14 1. Whiskey Shoals be considered for transfer of development credits;

2. Subject to the approval of planned development site plan, the maximum permitted density at a pre-selected receiver site would be equal to seventy one (71) units previously approved for Whiskey Shoals;

3. As a condition of approval for the site-to-site development transfer, the Whiskey Shoals site shall be subject to a permanent restriction on development with uses limited to those allowed by the open space classification;

4. The receiver site selected shall have the voluntary approval of the property owner(s) involved;

5. A reasonable density bonus shall be allowed;

6. Whiskey Shoals shall be designated as "highly scenic";

3.5-15 Installation of satellite receiving dishes shall require a coastal permit. In highly scenic areas, dishes shall be located so as to minimize visual impacts. Security lighting and floodlighting for occasional and/or emergency use shall be permitted in all areas. Minor additions to existing nightlighting for safety purposes shall be exempt from a coastal permit. In any event no lights shall be installed so that they distract motorists and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.

3.6 SHORELINE ACCESS AND TRAIL/BIKEWAY SYSTEM

Coastal Act Requirements

The public's right of access to the shoreline is guaranteed by the California Constitution. The Coastal Act further defines shoreline access policies:

> **Section 30005.5.** Nothing in this division shall be construed to authorize any local government, or to authorize the commission to require any local government, to exercise any power it does not already have under the Constitution and laws of this state or that is not specifically delegated pursuant to Section 30519. (Added by Ch. 744, Stats. 1979.)
>
> **Section 30010.** The Legislature hereby finds and declares that this division is not intended, and shall not be construed as authorizing the regional commission, the commission, port governing body, or local government acting pursuant to this division to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefor. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.
>
> **Section 30210.** In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.
>
> **Section 30211.** Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
>
> **Section 30212.5.** Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.
>
> **Section 30212.**
>
> (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30214.

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs. (Amended by Ch. 919, Stats. 1979.)

Section 30500. (a) Each local government lying, in whole or in part, within the coastal zone shall prepare a local coastal program for that portion of the coastal zone within its jurisdiction. However, any such local government may request, in writing, the commission to prepare a local coastal program, or a portion thereof, for the local government. Each local coastal program prepared pursuant to this chapter shall contain a specific public access component to assure that maximum public access to the coast and public recreation areas is provided.

> **Section 30604 (c).** Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

To implement the latter policy, the Coastal Commission has required permit applicants to record an offer to dedicate an access easement, usually valid for 21 years, on about 60 parcels in Mendocino County. Where the Commission has not required access, the reason has been the unsuitability of the access point rather than the burden that would have been imposed on the development.

The public cannot make use of new access rights until the offer is accepted by a public agency unless the landowner consents to public use. The accepting agency must assume responsibility for improvement, maintenance, and liability of the accessway before its opening. None of the access offers in Mendocino County have been accepted by a public agency.

In some instances, the North Coast Regional Commission has required offers of dedication in order to avoid limiting the options available for the LCP. The State Commission's supplemental guidelines on LCP access requirements (July 25, 1979) require that, if prior offers of dedication are not incorporated in the proposed LCP, specific findings must be made as to why the accessways were considered inappropriate.

California Constitution

> Article X, Section 4: No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people.

The State Coastal Conservancy is the state agency authorized to acquire property needed for accessways and is authorized to... ...provide up to the total cost of the acquisition of interests in lands... (Reference Division 21, Public Resources Code, Chapter 9, Section 31400.2).

Subdivision Map Act

Sections 66478.1 to 66478.14 (summarized):

- No local agency shall approve coastal or oceanfront subdivisions, or subdivisions along navigable streams, public waterways, public lakes or public reservoirs, unless public access is provided by fee or easement from a public highway "to that portion of the bank or stream bordering or lying within the proposed subdivision, " or to "land

below the ordinary highwater mark on any ocean coastline or bay shoreline within or at a reasonable distance from the subdivision."

- Additionally, no local agency shall approve a subdivision that does not provide for dedication of a public easement, designed in extent, width, and character to achieve public use of the waterway, along a portion of the waterfront bordering or within the proposed subdivision.

- Reasonable access is to be determined by the local agency, considering: (1) mode of access; (2) size of subdivision; (3) common uses of bank or stream, or type and appropriate uses of coastline or shoreline; (4) likelihood of trespass and means of avoiding trespass. The subdivision need not be disapproved if access is not provided and the local agency finds that reasonable access is available nearby.

- The subdivider is not required to improve access route(s) that benefit non-residents of the subdivision. Access route(s) may be conveyed or transferred to other agencies.

Prior to 1974, the Subdivision Map Act did not specify that access had to be provided to the coastline or shoreline, but simply referred to access to public waterways, rivers, or streams.

Access Component. The Access Component of the LCP, required by Section 30500(a) of the Act and Section 13512 of the Commission's Administrative Regulations, consists of Table 3.6-1, listing access points, the policies in this chapter, the policies specific to each access point listed by planning area in Chapter 4, and the accessways shown on the Land Use Maps. (see Appendix 13 for Table 3.6-1)

Vertical Access. The location of vertical accessways shall reflect the rights of the public to reach the shoreline in specific areas and the need to protect specific coastal resources. The vertical accessway should usually be sited along the borders of a project site and should extend from the first public road to the shoreline (or bluff edge, if access is required to reach a bluff top viewing area.)

Blufftop Access. Where no beach area exists and a project is proposed along a shorefront bluff top lot, public access for public viewing of the shoreline may be required. Such accessways should run along the edge of the bluff and be of a width adequate to provide safe public access along the bluff edge of the property, as defined in Section 30604(c) of the Coastal Act.

Lateral Access. Lateral access dedications provide for public access and use along the shoreline. A minimum of 25-foot wide accessway along the dry sandy beach for passive recreational use has been established as the necessary width to allow reasonable use by the public of the state-owned tidelands.

Passive recreational uses. Passive recreational uses include those activities normally associated with beach use, such as walking, swimming, jogging, sunbathing, fishing, horseback riding and surfing.

Pass and repass. Where topographic constraints of the site make use of the beach dangerous, where habitat values of the shoreline would be adversely impacted by public use of the shoreline, or where the accessway may encroach closer than 20 feet to a residential structure, the accessway may be limited to the right of the public to pass and repass along the access area. Pass and repass is defined as the right to walk and run along the shoreline.

Access Issues

The 130 miles of coastline is formed by mountainsides, high and low bluffs, pocket beaches, long sandy beaches, stream outlets, and river estuaries. This varied environment makes access need more dependent on the suitability of the access points than on the distribution of population or the total capacity of access points. Conditions are much different than in some sections of Southern California, where a relatively uniform coastline and a relatively uniform demand from a fully developed coastal zone make access points at intervals of 500-feet logical. Yet there are significant mismatches between available public access and need on the Mendocino Coast. As an example, although the town of Gualala is a major visitor-serving center on the Mendocino Coast and serves a resident population of over 2,500 persons, the closest non-fee public access to the coast is more than nine miles north of Gualala at Schooner Gulch State Beach.

Access to the shoreline is a key mandate of the Coastal Act. The term "maximum access" as used by the Act is intended to make the shoreline--a public resource--readily available to the public and to prevent it from becoming the private enclave of those fortunate or wealthy enough to own property on or near the shore. Access is also the issue that involves the most difficult balancing of public and private gains and losses and has been the subject of the sharpest debates.

The Access Component required in every LCP must contain policies concerning provision, maintenance, and management of public shoreline access and must designate existing and proposed accessways for public use. Access must be provided for viewing, active recreation and scientific research at the water's edge of the ocean and tidal rivers. The coast should be available to users of all transportation modes including drivers, bus riders, bicyclists, hikers, equestrians, and the handicapped. The Coastal Act's requirement for "maximum public access implies that all coastal environments capable of tolerating use at a reasonable risk to both humans and habitat be open.

Some points along the shoreline are not suited for recreational use because of potential hazards or the sensitivity of the habitat. For example, many cliffs and bluffs are steep, and unstable. Slides, rockfalls and slippages occur frequently. Habitats such as tidal pools, river wetlands and riparian areas, are vulnerable to disruption by access. Access must not adversely affect agriculture.

Perhaps the most controversial issue is provision of public access across private property. Access to any parcel of land or body of water is dependent on the right and ability to cross adjoining land. Until the last few decades, there were so few places on the Mendocino coast where access was restricted that no problem was recognized. This situation has changed as

development increasingly limits both visual and physical access to ocean frontage for residents and visitors.

Prescriptive rights of access established by a court determination of historic public use of the property have been proven at some locations and probably exist at many others. In California, the court must find that the public has used the land for five years as if it were public land:

- without asking or receiving permission from the owner,
- with the actual or presumed knowledge of the owner,
- without significant objection or bona fide attempts by the fee owner to prevent or halt such use.

The rule that an owner may lose rights in real property if it is used without consent for the prescriptive, 5-year period derives from common law and has been supported in recent case law (Gion vs. City of Santa Cruz, 1970, 2 Cal. 3d29.). It should be noted that if a property owner wishes to terminate public use of his or her land, those claiming a right to use it must initiate legal action to re-acquire access.

Property owners are protected by the California Civil Code, Sections 813, 1008, and 1009, which define the steps needed to prevent a prescriptive easement from being established, including posting signs along the property line or publishing a notice in the newspaper that right to pass is subject to permission and control of the owner. Despite this legal protection, some owners who once were willing to allow informal access to friends or to an occasional visitor have now become concerned about prescriptive rights and are no longer permitting access through their property. Thus, several informal access points along the Mendocino coast have been closed in recent years.

Dedication Offers, pursuant to Section 30212 of the Coastal Act, provide access to the shoreline as a condition of new development projects with specified exceptions. Although none of the accessways offered as a condition of permit approval in Mendocino has been opened to public use, many of the offers recorded are essential elements of the access component of the LCP. However, LCP studies show that some access offers required by the Coastal Commission are unnecessary or illogical in the context of the Land Use Plan proposals for adjoining properties. Some of these offers can be relinquished shortly after certification while others should be abandoned when access points prescribed by the plan are assured. Where existing offers of dedication are not essential to meet public access needs, the Access Component specifies that they be relinquished, listing the findings required by the Coastal Commission.

Trail/Bikeway System

The 1975 Coastal Plan called for a coastal trail system, and the hiking and equestrian trails element of the California Recreational Trails Plan proposes a trail in the Pacific Coast corridor defined as extending from Oregon to Mexico "within the sight and sounds of the Pacific Ocean." No more specific location is proposed and DPR has not funded any trail improvements in Mendocino County outside State Parks. Highway 1 is designated a Bikecentennial Route, but at

the current level of funding it will be 10 years or longer before Caltrans can complete bike lanes even on the 25 percent of the route where the required widening probably would not be detrimental to the environment.

Hikers, bicyclists, and equestrians have different needs. Hikers can use all trails without limitations. Equestrians can share off-road trails with hikers but require more separation from vehicle traffic for safety. Equestrian use of public roads may be undesirable in heavily populated areas, but few such areas exist on the Mendocino coast. Most hikers and equestrians are primarily interested in experiencing the destination. On the other hand, bicyclists, with the exception of those riding balloon-tire bicycles, require pavement. Many bicyclists are not casual sightseers, but travelers who prefer to use the most direct route, which in most cases is an existing road or highway. Their main concern is safety, ensured by having enough space for a bicycle lane along the road to provide a separation between themselves and automobiles.

Mendocino County has adopted an equestrian and hiking plan as an amendment to the Recreation Element of its General Plan (#147 Mendocino County). The trail plan resulted largely from the efforts of the Northern California Trails Council, a group concerned with availability of open space for riding and hiking and safety provisions along public roadways. The trails plan portrays a countywide system of trails connecting communities with each other as well as with recreational areas. However, funds have not yet been available to implement the plan's policies. Existing county trails presently are not heavily used, due to a lack of publicity and public knowledge as well as to a lack of facilities such as staging areas, campgrounds, and safe access points.

A continuous coastal trail through Mendocino County using little or no Highway 1 right of way would be costly and at some locations disruptive to existing development. Equally important, there is no reason to believe it would receive enough use as a continuous trail to justify the cost against alternative uses of the same funds for coastal preservation and enhancement.

During a typical summer day, 50 or more touring bicyclists use any segment of Highway 1. Provision of standard 4-foot bicycle lane along the entire length of the highway would have environmental effects at some locations that must be evaluated milepost by milepost.

The potential use of the entire length of an off-road coastal trail by hikers or equestrians is conjectural because no comparable experience exists in the western United States. The John Muir Trail in the Sierra Nevada is heavily used, but it provides the only access to a region.

The Land Use Maps show the coastal trail along Highway 1 and Usal Road. It includes all trails in the County's previously adopted trails element and adds numerous short trails to shoreline access points and several longer trails in State Parks. Table 3.6-1 lists trails designated. (see Appendix 13 for Table 3.6-1)

The trail designations are based on the following conclusions:

- Short coastal trails on the blufftops and beach (a few hundred yards to 10 miles) should be provided to offer hikers and equestrians opportunities to experience the

shoreline without the sights and sounds of the highway. It is assumed that most users will be on trips of one day or less duration and that they will return to their point of origin.

- A continuous bicycle route other than a bike lane on Highway 1 would not justify the cost of improvement because it would be more difficult and would not attract usage from long distance bicyclists who constitute the majority of users in rural areas. Bicycle use of designated trails on paved roads is assumed, but diversion of funds from Highway 1 bicycle lane improvements to other routes in the coastal zone is not warranted.

Managing and Maintaining Accessways

The Commission and California Coastal Conservancy have issued preliminary standards and recommendations on coastal access, including suggestions for managing and maintaining accessways (#23, California Coastal Commission). The two agencies revised and adopted their standards after public hearings in July and August 1980. The final draft recommends that access dedications first be offered to local governments, unless a particular offer is of overriding statewide importance. Concurrent with these initial offers to local government, private non-profit organizations (such as land trusts or service groups) should also be approached about assuming responsibility for operating and maintaining accessways. Where this occurs, the local government should retain legal control of the accessway, and the local non-profit group would arrange for operation and maintenance. The draft final report recommends that additional funds be sought from the California Coastal Conservancy, state tideland oil and gas revenues, user fees, and voluntary state income tax payments. If a dedication offer is not accepted by the local government or non-profit organization, it should be offered to a state agency selected as follows:

- All dedications of lateral access easements which are adjacent to tidelands and unconnected to vertical accessways, and for which no development is planned, should be offered to the State Lands Commission.

- All dedications and access facilities within five miles of a state park should be offered to the State Department of Parks and Recreation.

- All dedications of vertical access easements which are adjacent to a state highway right-of-way should be offered to the state Department of Transportation.

- All dedicated access easements which pass through or are close to an environmentally sensitive area should be offered to the state Department of Fish and Game, if a site analysis shows that unmanaged use of the easement will damage the natural resources.

- All dedicated access easements to existing or potential fishing areas should be offered to the Wildlife Conservation Board of the California Department of Fish and Game.

- All access easements which are within the boundaries of or close to areas under the jurisdiction of a federal agency should be offered to that agency.

Because the access program is mandated by the State, any costs of access maintenance which revert to the County shall be met by the State.

Access Selection Criteria

Access points shown on the Land Use Plan were selected by the following criteria:

Distribution to areas of current and expected resident and visitor demand. Heavily populated sections of the coast and those with spectacular views, good fishing or abalone diving, or highly varied environmental resources need enough access points to meet and distribute demand for access to prevent overuse.

Quality of site and variety of experience. The most attractive sites for each use on a given segment of the coast are proposed for public access where consistent with other criteria.

Ownership. Sites in public ownership are favored over those in private ownership. Where sufficient sites in public ownership exist, additional private land or easements over private land should not be acquired.

Concerns of nearby residents and property owners. Where alternative locations sufficient to meet the intent of the Coastal Act are available, the preferences of local residents weigh heavily in the choice of access points.

Compatibility of land uses. The potential for developing access points without undue infringement on privacy or disturbance of habitats was assessed. No right to pass and repass and no intensive use is proposed within 50 feet of any existing dwelling. A number of potential access points were eliminated from consideration because of proximity to sensitive wildlife habitats.

Development, management, and safety. Potential availability of parking, cost of constructing safe paths or stairs, ease of surveillance to prevent misuse, and avoidance of visually intrusive parking areas are important considerations in the choice of access points.

Coastal Element Policies: Shoreline Access

3.6-1 The Coastal Conservancy, State Parks & Recreation, and other appropriate agencies shall be requested to initiate, as a result of the Phase III access program, a public relations program for the protection and enhancement of coastal resources, particularly coastal access.

3.6-2 Mendocino County shall adopt an ordinance to ensure that public access be protected against vandalism and improper use.

3.6-3 Mendocino County may request temporary closure of any accessway for due cause, i.e., if the resources cannot be protected, if use is hazardous to the public and during periods of construction, storm damage to the accessway, or after finding continued use is not consistent with safety and/or environmental concerns, permanent closure or closure for more than 12 months shall require an amendment to the Coastal Element.

3.6-4 The County, in concert with State and Local agencies and volunteer organizations, shall develop a program, without obligation to fund same, to clean and maintain the various accessways that are opened to public use. The program may utilize work furlough programs for trustees and jail prisoners or volunteers as appropriate.

3.6-5 Acquisition methods such as bequests, gifts, and outright purchases are preferred by the County when obtaining public access from private landowners. Other suitable voluntary methods such as a non-profit land trust may be helpful and should be explored in the future. If other methods of obtaining access as specified above have not occurred, developers obtaining coastal development permits shall be required prior to the issuance of the coastal development permit to record an offer to dedicate an easement for public access purposes (e.g. vertical, lateral, parking areas, etc.) where it is delineated in the land use plan as a condition of permit approval. The offer shall be in a form and content approved by the Commission and shall be recorded in a manner approved by the Commission before the coastal development permit is issued.

Vertical accessways from the sites of all existing ocean front visitor accommodations and services and from all sites in which visitor accommodations and services are designated as the principal permitted use shall be considered to be designated as such in the Land Use Plan, and appropriate provisions implementing this policy shall be required in conjunction with all new or expanded developments on such sites. (For the purpose of this section, the blufftop area is that area between Highway 1 and the beach or ocean.)

3.6-6 Shoreline access points shall be at frequent rather than infrequent intervals for the convenience of both residents and visitors and to minimize impacts on marine resources at any one point. Wherever appropriate and feasible, public access facilities, including parking areas, shall be distributed throughout the coastal area so as to mitigate against the impacts, social or otherwise, of overcrowding or overuse by the public of any single area. Specific proposals of this plan reflect this goal.

3.6-7 All access easements required by this Land Use Plan to be offered for dedication to public use shall be a minimum of 25 feet wide. However, the passageway within the easement area may be reduced to the minimum necessary to avoid: (1) adverse impacts on habitat values identified in the plan; or (2) encroachment closer than 20 feet from an existing residence; or (3) hazardous topographic conditions. The right of public use may be limited to pass and repass only when an accessway is specifically identified in the plan as having habitat values which would be adversely impacted by public use or adverse

topographic conditions which would make beach use dangerous, or when the accessway would encroach closer than 20 feet to a residential structure. In specified areas identified in Chapter 4 or on the Land Use Plan maps, offers to dedicate public parking areas may be required as a condition of permit approval.

Such offers shall be obtained in a manner consistent with Policy 3.6-5 and shall contain language consistent with the requirements of Policy 3.6-28. In areas where adequate parking is not available, at the time of development the need for additional parking to serve public access to the coast shall be considered in the permit review process.

3.6-8 Easements for lateral shoreline accessways shall extend landward 25 feet from mean high tide or to the toe of the bluff or the first line of terrestrial vegetation if the width of the beach is greater than 25 feet. Lateral blufftop accessway easements shall be at least 25 feet in width. However, the passageway within the easement area may be reduced to the minimum necessary to avoid: (1) adverse impacts on habitat values identified in the plan; or (2) encroachment closer than 20 feet from an existing residence; or (3) hazardous topographic conditions. Bluff retreat (erosion) shall be considered and provided for the life of the development when planning lateral accessways.

3.6-9 Offers to dedicate an easement shall be required for all areas designated on the land use plan maps. Where sufficient sites in public ownership exist, additional private lands or easements over private lands beyond those shown on the land use plan maps shall not be required without a plan amendment or as otherwise required by the County. When considering such an amendment sites for shoreline access in public ownership shall be favored over those in private ownership.

3.6-10 All accessways shall be located and designed to minimize the loss of privacy or other adverse impacts on adjacent residences and other land uses.

3.6-11 Visitor accommodations and services on parcels adjoining the shoreline as identified on the public access maps shall provide public access to the blufftop and/or the shoreline. The access, to be required as a condition of permit approval or other methods as described in policy 3.6-5, shall be available to the public at large as well as to guests. In the event that the use is changed to a use other than visitor accommodations or services, an irrevocable offer to dedicate an easement for public access shall be made available to a public entity for acceptance and management. If the accessway is reopened, it shall remain available to the public free of entrance charge.

3.6-12 Vertical accessways not shown on the Land Use Maps or required by these policies shall not be required as a condition of permit approval unless the plan shall have been amended to change the intensity of use, or to delete an access point shown on the plan and serving a similar need.

3.6-13 The County may seek agencies to accept accessways as prescribed in this section under "Managing and Maintaining Accessways". Dedicated accessways shall not be required to

be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

3.6-14 New and existing public accessways shall be conspicuously posted by the appropriate agency and shall have advance highway signs except those for which specific management provisions have been made and specified in Chapter 4. Additional signs shall designate parking areas and regulations for their use, and shall include regulations for protection of marine life and warning of hazards, including high tides that extend to the bluffs. Access shall not be signed until the responsibility for maintenance and liability is accepted and management established.

All accessways shall be designed and constructed to safety standards adequate for their intended use. Hazardous blufftops shall be marked or, if lateral access use is intended, shall have a cable or other clear barrier marking the trail or limit of safe approach to the bluff edge. The County of Mendocino shall seek to implement this policy where appropriate by requesting CalTrans, or other responsible agencies to maintain and sign such accessways.

3.6-15 The Department of Fish and Game, Department of Parks and Recreation and appropriate county departments and agencies should be requested to monitor public access to sensitive coastal resource areas such as wetlands, dunes, riparian areas, tide pools, rocky intertidal areas, and other wildlife habitats, whether or not these areas are designated as access points on the Land Use Maps. DFG should, in consultation with the operating agency at each access point, prepare regulations governing use which shall be prominently posted. DFG should determine whether use of specific access points should be controlled to avoid degradation and allow resource recovery by limiting the number of users, by requiring supervision of users, or by closing the access point seasonally or periodically. (Policies regulating scientific access at Inglenook Fen and Havens Neck are listed in Chapter 4.)

3.6-16 Access to the beach and to blufftop viewpoints shall be provided for handicapped persons where parking areas can be close enough to beach or viewing level to be reachable by wheelchair ramp. The wheelchair symbol shall be displayed on road signs designating these access points where the means of access is not obvious from the main road.

3.6-17 Caltrans shall be required to improve or construct view turnouts designated on the Land Use Maps as a part of adjoining highway improvement projects when such improvements involve widening or improvements of the highway. (This would exclude rehabilitation type projects).

3.6-18 Along sections of the highway where development intensity will result in pedestrian use, or where this is the siting of the County designated coastal trail, a 15-foot accessway measured from the right-of-way of Highway 1 shall be offered for dedication as a condition of permit approval if the topography is deemed suitable for pathway development. Coastal trail includes trails identified in Table 3.6-1 and portions of Highway 1 and Usal Road that are necessary to connect these trail segments. All such

access offers that have been recorded shall be offered to Caltrans for acceptance. Prevailing acquisition methods for acquiring public right-of-way by Caltrans shall apply to this section.

3.6-19 Along intensively developed sections of Highway 1, (such as between Cleone and Albion or in Gualala) Caltrans shall be requested to build a separate pedestrian, equestrian path parallel to the highway where pedestrian traffic warrants and physical conditions permit.

3.6-20 Paved 4 foot shoulders should be provided by Caltrans along the entire length of Highway 1 wherever construction is feasible without unacceptable environmental effects.

3.6-21 The County of Mendocino coastal trail shall be integrated with the coastal trails in the cities of Fort Bragg and Point Arena, and with Humboldt County to the north and Sonoma County to the south so as to provide a continuously identifiable trail along the Mendocino County coast.

3.6-22 In carrying out the coastal access policies of this Coastal Element, the county or other appropriate designated management agency shall consider and encourage the utilization of innovative access management techniques including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

3.6-23 Public fishing access for such craft as canoes, rowboats or small boats utilizing trolling-type motors shall be maintained, protected and encouraged at Ten Mile River, Noyo River, Big River, Albion River, Navarro River, and Gualala River and efforts to obtain public access shall be continued at Big River.

Where needed, stream improvement projects within the coastal zone, including the removal of snags and debris, shall be encouraged in order to improve fishing and recreational boating access to these coastal streams.

3.6-24 The coastal access program shall be implemented in a manner that ensures coordination among and the most efficient use of limited fiscal resources by federal, state, county agencies, and private organizations responsible for acquisition, development, and maintenance of public coastal accessways.

3.6-25 Public access policies shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- topographic and geologic site characteristics;
- capacity of the site to sustain use and at what level of intensity;
- fragility of natural resource areas and proximity to residential uses;
- need to provide for management of the access;
- balance between the rights of individual property owners and the public's constitutional rights of access.

3.6-26 Prior to the opening, advertising or use of any accessway, the responsible individuals or agency shall prepare a management plan for that accessway, which is acceptable to the County of Mendocino, sufficient to protect the natural resources and maintain the property.

3.6-27 No development shall be approved on a site which will conflict with easements acquired by the public at large by court decree. Where evidence of historic public use indicates the potential for the existence of prescriptive rights, but such rights have not been judicially determined, the County shall apply research methods described in the Attorney General's "Manual on Implied Dedication and Prescriptive Rights". Where such research indicates the potential existence of prescriptive rights, an access easement shall be required as a condition of permit approval. Development may be sited on the area of historic public use only if: (1) no development of the parcel would otherwise be possible, or (2) proposed development could not otherwise be sited in a manner which minimizes risks to life and property, or (3) such siting is necessary for consistency with the policies of this plan concerning visual resources, special communities, and archaeological resources. When development must be sited on the area of historic public use an equivalent easement providing access to the same area shall be provided on the site.

3.6-28 New development on parcels containing the accessways identified on the land use maps shall include an irrevocable offer to dedicate an easement, as required by other policies in this Chapter, for public use. Such offers shall run for a period of 21 years and shall be to grant and convey to the people of the State of California an easement for access over and across the offeror's property.

3.6-29 Any property owner, who has recorded an offer to dedicate an easement to the public as condition of permit approval and the specific locations of the easement is not recommended in the land use plan for public access, may petition the Coastal Commission to amend the permit that required the offer to eliminate the condition. It is the intent of the plan that these easements which are not recommended in the land use plan be extinguished by the Coastal Commission.

3.6-30 The accessways proposed by the Coastal Element are determined to be adequate in number and location to comply with Coastal Act intent at this time. When this plan undergoes future review its adequacy to meet the public need for access, as required by the Coastal Act, will be re-evaluated and modified accordingly.

3.7 RECREATION AND VISITOR-SERVING FACILITIES

Coastal Act Requirements

The Coastal Act gives priority to recreational use and encourages the provision of support facilities, especially those available to the public at a low cost.

Section 30210. ...recreational opportunities shall be provided for the people consistent with public safety needs and the needs to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213 (Part). Lower cost visitor and recreational facilities...shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30250(c). Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction of visitors.

Section 30252(6). The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

Definitions

Bed and Breakfast Accommodations: Any building or portion thereof or group of buildings containing two but no more than four guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit wherein breakfast may be provided for compensation or profit. A use permit shall be required for the establishment of bed and breakfast accommodations.

Hostel: Any building or portion thereof or group of buildings containing five or more guest rooms or suites, or providing sleeping accommodations for five or more transient guests for the purpose of providing low cost public travel accommodations to recreational travelers. The hostel shall provide a kitchen and sanitary facilities for use by the transient guests.

Hotel: Any building or portion thereof containing five or more guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit wherein meals may be provided for compensation or profit.

Inn: Any building or portion thereof or group of buildings containing five or more guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where regular meals may be provided for compensation or profit.

Motel: Any building or portion thereof or group of buildings containing five or more guest rooms or suites where such rooms or suites are directly accessible from an outdoor parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit.

Resort: Certain selected sites located within the Coastal Zone have been allocated for a dispersed type of Visitor Serving Facility such as: dude ranches, dispersed overnight cabin accommodations, health spas and other similar uses. New Visitor Serving Facilities in the "Resort" category shall not be allowed on resource lands in Agriculture, Forest Lands or Rangeland classifications. No use permit shall be granted in Resource Land designations (AG, RL & FL) until a specific finding has been made that the proposed use is compatible with the long term protection of resource lands.

Vacation Home Rental: A single family residential dwelling unit intended for single family occupancy designed to be let or hired as an entire unit for occupancy by transient guests for compensation or profit; not a Visitor Service Facility or Accommodation as defined in this plan.

Visitor Accommodations and Services: In general they are defined as uses orientated to serving the needs of the touring public which may include overnight accommodations, incidental food, drink and other sales and services. (See Chapter 2 for discussion of uses and categories of visitor accommodations.)

Issues: Recreation and Visitor Serving Facilities

The diversity and relatively unspoiled character of the Mendocino coast's natural and man-made environment invite the visitor to spend a day or week there. A basic attraction is sightseeing by driving along Highway 1, admiring the dramatic vistas of sea and shoreline. Tourists are attracted by the coast's natural habitats, the tide pools, estuaries and coves, its "uncrowded" rural character, and the charm of its villages and towns. Popular activities include hiking and walking, picnicking, bicycling, fishing, abalone diving, birdwatching, whale-watching and photography. Leading attractions at specific points include the Town of Mendocino, the Skunk Train ride from Fort Bragg to Willits, fishing activity at Noyo Harbor, and the 12 state parks.

On a peak summer weekend day, when all accommodations are filled, there could be 2,600 visitor parties on the coast, 90 percent of whom will spend the night there. Many coastal motels, inns and hotels are reserved in advance and booked throughout the summer. Campgrounds near Mendocino and Fort Bragg are full during the peak season, while those farther from the heart of tourist activity usually are fully occupied only over long holiday weekends. There is some evidence that the tourist season is being extended into the spring and autumn, as visitors take advantage of uncrowded accommodations and cheaper off-season rates.

It is difficult to project increases in tourist activity because of such unpredictable factors as the availability and price of gasoline. Based on data from the Department of Parks and Recreation as well as traffic trends on Highway 1, tourism is projected to increase 3 percent per year (not compounded) for the next 20 years. By the year 2000, peak day use could increase 60 percent to 4,160 parties. During the year starting May 1, 1979 when gas shortages often were a deterrent to travel, state park attendance increased 1.5-2.0 percent.

The state parks are the largest, best known and most heavily used recreational sites along the coast. State parks account for approximately 20 miles of shoreline, or about 17 percent of the County total. Table 3.7-1 summarizes characteristics of the state parks and lists potential additional development. This Table includes reference to updated information about Westport-Union Landing State Beach Park which may be found on page 138. A current study by the Department of Parks and Recreation (DPR) indicates that the existing parks have the potential for 500 or more additional campsites. It seems unlikely that this many campsites could be built in the near future. A related question is whether private enterprise can meet the need and what assurance private campground owners might be given that new investment will not be undermined by state park competition. DPR has no explicit policy on this point, but does maintain lists of nearby private campgrounds and available facilities; budget requests must justify the need for new campsites in the area. State Park campgrounds are shown as principal permitted or conditional uses on the Land Use Plan Maps. Chapter 4 lists policies for each location.

TABLE 3.7-1 EXISTING STATE PARK FACILITIES AND POTENTIAL DEVELOPMENT
PROPOSED BY DEPARTMENT OF PARKS AND RECREATION SURVEY, 1980

Name	Location	Area	Facilities/Use (visitor days)	Additional Potential Development per DPR
Sinkyone Wilderness State Park	2 miles south of Humboldt/Mendocino County line	3,600 acres	Undeveloped	100-150 campsites (many or all primitive; some hike-in only), picnicking, parking, trails, beach
Usal Ranch Project (proposed)	Immediately south of Sinkyone Wilderness State Park	To be determined; funding currently for acquisition of approximately 160 acres only	Undeveloped	Day use of beaches and trails, camping, and back-packing
Westport-Union Landing State Beach[1]	20 miles north of Fort Bragg	81 acres; 3 miles of ocean frontage, refuse cans	210 parking spaces, chemical toilets. No day use records 1979: 45,000 camping	60 campsites and 100 additional parking spaces; screening of vehicles from highway
MacKerricher State Park	Immediately north of Fort Bragg	1,534 acres, including 454 leased acres; funded acquisition for 800 additional acres; 8 miles ocean frontage	143 campsites, 10 picnic sites, 7 miles trail, boat launching facility, boating and fishing concession, 150 person campfire center, day use parking for 310. 1979: 688,200 day use, 91,500 camping, 6,600 turnaways	50 campsites on present park land; Virgin Creek access; highway sign at Ward Ave., controlled access at Inglenook Fen; shoreline access between Inglenook Fen and Ten Mile River
Jug Handle State Reserve	5 miles south of Fort Bragg	733 acres; 3 miles ocean frontage	20 parking sites, chemical toilet, 3 miles of trails 1979: 38,900 day use	Trail improvements, interpretative facility, increased access, parking area, camping (if reclassification of portion from reserve status possible)
Caspar Headlands State Beach	4 miles north of Mendocino	3 acres; 400 feet ocean frontage	25 parking spaces 1979: 3,000 day use (approx.)	Wheelchair access, sanitary facilities, additional beach acquisition; possible acquisition of nearby campground and of 0.7 acre for additional parking
Caspar Headlands State Reserve	4 miles north of Mendocino	2.7 acres; 2,400 feet ocean frontage	Informal trails 1979: 2,600 day use	Eliminate ownership or expand ownership
Russian Gulch State Park	1 mile north of Mendocino	1,253 acres, +47 leased acres; 2 miles ocean frontage	30 campsites, 14 picnic sites, small beach, 12 miles of trails, 40 person group camp, 125 person recreation hall, 76 parking spaces. 1979: 53,300 day use; 20,200 camping; 4,900 turnaways	Potential for 100 campsites; improved access to south headlands
Mendocino Headlands State Park	Adjoining Town of Mendocino; separate portion south of Big River	10,000 feet ocean frontage	Undeveloped 1979: 220,000 day use (approx.) May 1979-April 1980: 48,000 day use.[2]	Sanitary facilities, interpretive facility, 212 parking spaces. Youth hostel; 5 group camps south of Big River
Van Damme State Park	3 miles south of Mendocino	2,143 acres, +20 leased acres; 1,700 feet ocean frontage	74 campsites, 50 person group camp, 180 day use parking spaces, 10 picnic sites, campfire center, 4.5 miles of trails. 1979: 83,600 day use (approx.), 43,100 camping (approx.)	Access to coast and parking on north parcels; relocate group camp
Greenwood/Elk Project	Adjacent to Elk	47 acres	Undeveloped	20-50 parking spaces, 5 picnic sites
Manchester State Beach	West of Manchester	972 acres; 17,800 feet ocean frontage	47 camp sites, 2 picnic sites 1976-77: 93,000 day use and camping	Information not available.

[1] See updated (1983) information on Page 144.

[2] Discrepancy derives from change of counting method during 1979.

Source: Blayney-Dyett, from data provided by California Department of Parks and Recreation, June 1980.

Other public recreation sites along the coast are the Wildlife Conservation Board fishing or boating access points at Kibesillah, Noyo, and Navarro, and the Caltrans Chadbourne Gulch scenic easement. There are 15 private campgrounds in the coastal zone, 5 of which have shoreline access (Wages Creek, Doyle Creek, Albion Flat, Anchor Bay, Gualala River Redwood Park).

Presently there are approximately 2,206 overnight accommodation units, including motels, inns, state park campgrounds and private campgrounds, in the coastal zone, however, there are many overnight accommodations existing outside but adjacent or close to the coastal zone such as Fort Bragg and Point Arena. If the number of accommodations were to increase at the same rate as visitors (60 percent in 20 years), an additional 1,324 units would be needed, for a total 3,530 units. Table 3.7-2 illustrates existing and projected distribution of overnight accommodations by CAC area and by type of unit based on this proposed plan.

Because the Act designates visitor serving facilities as a "priority use", it logically follows that the plan must retain sufficient sites to meet projected demand. However, meeting the sections of the Act that call for preservation of special communities and for limiting highway improvements result in allocating the increase in visitor accommodations to distribute a higher proportion of trips south of the Navarro River and a smaller share between Russian Gulch and the Navarro River. Increases in visitor accommodations in the latter area must be curtailed, but it remains to be seen how much of the demand can be shifted to the south coast. More quality restaurants, more inns and more shoreline access are proposed to establish the south coast as a visitor destination area-one that is closer to home for most potential patrons.

Both the large number of desirable sites for overnight accommodations and the difficulty of predicting and demand by type (inn, motel, campground) at a particular location make any plan's compliance with the Act's intent uncertain. If too many sites are withheld from other development because they might be needed for visitor accommodations, some owners may never have development opportunities. Several land use classifications for accommodations are shown:

1. Commercial areas Rural Villages and Fishing Villages within which visitor accommodations are a conditional use, (Highway 1 between the Noyo Bridge and Boice Lane, for example), are designated C, RV or FV on the Land Use Maps.

2. Sites on which visitor accommodations are the primary permitted use. At some locations, visitor accommodations should be the priority use as required by the Act, and the Coastal Element must ensure that such outstanding sites are not preempted by other uses. These sites are marked by an * on the plan maps for existing uses and by an *C for proposed new uses.

3. Areas within which visitor accommodations are a conditional use (designated *C on plan). In these areas the appropriateness of overnight accommodations will depend on the design of the project, its impact on adjoining uses and coastal resources, and the number of similar accommodations in operation nearby at the time.

TABLE 3.7-2 TABULATION OF EXISTING AND PROPOSED VISITOR ACCOMMODATIONS ILLUSTRATED ON LAND USE MAPS [1, 9]

FOR ILLUSTRATION PURPOSES ONLY

CAC Area	Motels (Rooms)		Inns (Rooms)		State Park Campgrounds (Spaces)		Private Campgrounds (Spaces)		Resort (Rooms)		Total Visitor Accommodations		
	Existing *2	Add'l[10] *2C	Existing *1	Add' l[10] *1C	Existing *3	Add' l[10] *3C	Existing *3	Add' l[10] *3C	Existing *5	Add'l *5C	Existing *	Add'l *C	Total
North Coast CAC Area	0	20	20	50	--	140	250	160	7	0	277	370	647
North Central[3] CAC Area	159	0	0	0	143	40	464	40	0	0	766	80	846
South Central [4] CAC Area	109	0	52	50	104	80	292	80	104	0	661	210	871
South Coast [5] CAC Area	42	60	56	40	47	0	345	120	12	0	502	220	722
Total	310	80	128	140	294	260	1351	400	123	0	2206	880	3086

1. Private residences used as vacation rentals have not been included.
2. Group camps at State Parks have not been included.
3. Excluding the City of Fort Bragg.
4. Excluding the Town of Mendocino.
5. Excluding the City of Point Arena.
6. All open camping at Sinkyone Wilderness State Park.
7. Approximate number. All open camping at Wage's Creek Beach Campground.
8. Excluding group camp at Jug Handle Farm.
9. Tabulation does not include visitor serving facilities with RV, FV and Commercial land use classifications. See Appendix 10 for listing of privately owned visitor accommodations.
10. Projected from Planning Commission recommendation based on the following assumption of potential units per land use designation on the map.

Motel	20 units
Inn	10 units
Inn, Bed and Breakfast	4 units
Campground	40 units

Visitor accommodations outside commercial areas will have widely varying impacts on adjoining development. An inn may be barely distinguishable from a single family house, while an RV campground generally should be screened or be out of the coastal viewshed. The visitor accommodation areas shown on the Land Use Maps allow the following types of accommodations.

- Inn, Hostel, or bed and breakfast Inn
- Motel or inn, or hotel
- Campground and recreational vehicle park
- Restaurant, boat launching or rental, or visitor-oriented commercial shops
- Resort

To ensure that sufficient sites are reserved to meet the Coastal Act's requirement as a priority use, to meet identified needs, and to ensure that sites are equitably distributed along the Mendocino Coast, the types of visitor serving development suitable to each location are designated on the land use maps based on site characteristics and compatibility with surrounding development.

Coastal Element Policies: Recreation and Visitor Serving Facilities

3.7-1 The land use plan designates the existing visitor serving facilities and reserves appropriate sites for future or potential visitor serving facilities.

3.7-2 Because unrestricted development of visitor facilities would destroy those qualities that attract both residents and tourists, limitations on visitor facilities by type and location shall be as set by Policy 3.7-1 and illustrated by Table 3.7-2 which reflects a tabulation based on land use maps (see footnotes) to avoid highway congestion, degradation of special communities, and disruption of enjoyment of the coast.

3.7-3 Visitor serving facilities and proposed sites where the Coastal Commission has approved the issuance of permits are designated on the land use maps, and are reserved for those visitor accommodations as defined in Chapter 2. Provision has also been made for the following visitor services: boat launching or rental, visitor-oriented and handicraft shops. Precise intensity of visitor accommodations and development standards shall be specified by zoning regulations so the developments will be compatible with the natural setting and surrounding development. Visitor serving facilities which might occur in commercially designated areas have not been specifically designated, except for the Mendocino Town Plan. (See Appendix 10 for listing of privately operated visitor serving facilities.)

3.7-4 Proposed sites or areas for additional visitor serving facilities are designated and reserved by a number indicating a category of VSF described in this section subject to the granting of a conditional use permit (*C). Precise intensity of the proposed visitor accommodations and development standards shall be specified in the Zoning Regulations and regulated so that the use will be compatible with existing uses, public services and environmental resources. Any visitor serving facility not shown on the LUP Maps shall

require an LUP amendment except in Rural Village (RV) and Commercial (C) Land Uses.

No development more intense than a single family residence shall be allowed on such a site, and then only if it is sited in such a location and manner that a visitor serving facility may still be placed on the site.

3.7-4.1 Transference from one location to another of a visitor serving facility designation shown on the Land Use Plan maps shall require a Land Use Plan amendment. If an existing facility is being relocated, operation of the existing facility shall not continue beyond commencement of operations at the new site.

3.7-5 The locations designated and types of use permitted are intended to result in accommodations of all price ranges, including lower cost ones such as campgrounds and hostels. Lower-cost visitor and recreational facilities for persons and families of low and moderate income shall be protected, encouraged and, where feasible, provided. Developments providing public recreational opportunities are preferred.

3.7-6 The Department of Parks and Recreation is requested to complete all funded acquisitions. No unfunded state park acquisitions in the coastal zone are designated by the Land Use Plan, but acquisition necessary to provide shoreline access at locations shown is consistent with the plan and provision of access at such locations will not require a plan amendment.

3.7-7 Within two (2) years of the certification of the Local Coastal Plan the State Department of Parks and Recreation shall develop a comprehensive land use plan and management program to their lands on the Mendocino Coast prior to any additional development or relinquishment of DPR lands. Such plan shall include a tree removal program on all Department of Parks and Recreation lands where so designated on the LUP Maps. Exempted from this requirement for a development plan is any development necessary to ensure the health and safety of the general public. Exempt from the requirement for a comprehensive land use plan and management program is the repair, replacement, or rehabilitation of existing facilities at the 30.5-acre Point Cabrillo Light Station, including the establishment of visitor accommodations and services within existing structures. *(Revised 8-30-2005; Resolution 05-153)*

3.8 TRANSPORTATION, UTILITIES AND PUBLIC SERVICES

Coastal Act Requirements

A central concept of the Coastal Act is that development shall, if possible, occur in areas where public services are available. The major public works policy of the Act applicable to Mendocino County is the limitation on capacity improvements to Highway 1.

> **30254.** New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor serving land uses shall not be precluded by other development.

Definitions

Public Works as defined by Section 30114 of the Act as:

(a) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

(b) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.

(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

(d) All community college facilities.

Special District (Section 30118 of the Act) means any public agency other than a local government formed pursuant to general law or a special act for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area

within which a property tax rate will be levied to pay for a service or improvement benefiting that area.

Transportation, Utilities, and Public Service Issues

The coast's ability to accommodate major new development will depend upon the availability of water and sewage disposal systems and additional capacity on Highway 1 and environmental factors. Other high-cost services--law enforcement, fire protection, and education--though provided most efficiently for a compact pattern of development, more easily spread to include new development. The Land Use Plan does not allocate new development on the basis of available law enforcement, fire protection, or educational services.

Highway 1 Limitations

The Coastal Act's requirement that the highway "in rural areas of the coastal zone remain a scenic two-lane road" (Section 30254) imposes definite, but not easily determined, restraints on development. At present, the highway has only two lanes, except for a short, four-lane segment through Mendocino Town and a continuous left-turn lane between Fort Bragg and Boice Lane north of Jug Handle Creek and partially through the town of Fort Bragg. Highway 1 is the major existing or potential route serving most trips made along the Mendocino coast by residents, visitors, and local commerce and industry.

The Highway 1 Capacity Study (#14 California Coastal Commission) was prepared in 1979 as a tool for coastal planning in Marin, Sonoma, and Mendocino Counties. The study offers some possibilities for increasing capacity and describes alternative minimum levels of service, and along with Caltrans policies, has been used as one basis for reaching certain assumptions. The Highway 1 Capacity Study shall be cited as a reference and placed in the bibliography.

The highway study was evaluated and alternative assumptions were tested. Whether the 5th, the 30th, or 130th hour is used for consideration, the peak hour will occur between 1:00 and 5:00 p.m. on summer Sundays with the exception of the Fort Bragg area which might indicate that the peak hour could be reached on a weekday afternoon in the summer.

The county reviewed the Highway Capacity Study and extrapolated data to mitigate to an acceptable level any adverse cumulative impacts, consistent with Section 30001(d) of the Coastal Act which states, "That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone."

The adoption of those resource policies contained in the County General Plan for LCP Land Use Classifications of Agriculture Land, Forest Land, and Range Lands, the application of 50% buildout, the no new parcels smaller than average size, the proof of water on each new parcel, the requirements for long term septage disposal, specific Coastal Act requirements and LCP Policies

are designed to assess future demands on highway use allocations and will further reduce the adverse cumulative impacts of land use decisions in the LCP consistent with Section 30001(d).

Probably the greatest development limiting planning factor in the land use plan is the availability of water, closely followed by the limit on septic waste systems. These two factors plus highway capacity and other known planning constraints have been considered.

Traffic projection is at best an inexact science because of variable uncontrollable factors. At some point, however, additional development could result in congestion causing the significant, cumulative adverse impacts prohibited by Section 30250 of the Act.

There are a number of variables that could change travel patterns and thus affect available capacity on Highway 1. Some are unpredictable; some will depend on national, state, or local public policy. Such factors include:

Travel demand. Higher gasoline prices or gasoline shortages could reduce travel or divert it to the Mendocino coast from more distant recreation destinations. Recreational travel is assumed to increase at 3 percent, uncompounded, per year during the next 20 years.

Travel Mode. Although tour bus passenger volumes are increasing, the potential for diverting visitor trips from cars to buses is less than in many other recreation areas. The Mendocino coast attracts visitors not because of any one destination point (such as Yosemite), but because people like to drive along the length of the coast, admiring the spectacular scenery.

Household composition and use. If new development on the coast includes a high proportion of second homes, weekend travel will increase. On the other hand, if a high proportion of new residents are retirees, peak hour travel per housing unit will decline.

Amount of Improvement. For maximum highway capacity, the optimum roadbed width would be 36 feet: each side consisting of 12 foot lane with a 6 foot paved shoulder. If Highway 1 were improved to these standards, capacity increases would range from 6 percent near Gibney Lane to 54 percent at most locations south of Van Damme State Park (#14, California Coastal Commission). A bridge at Dark Gulch and massive earth moving around Navarro Head probably would be required. However, developing the highway for maximum capacity would not be consistent with the environmental policies of the Coastal Act. Current Caltrans policy is to build a 32-foot section--12-foot lanes and 4-foot paved shoulders, where feasible. The Land Use Plan designates 12-foot lanes, and 4-foot shoulders except where topography and absence of development close to the road pose few problems. The minimum width of the bikeways (see Policy 3.6-20) must be 4 feet.

Development Between Pudding Creek and Hare Creek. No improvement of Highway 1-Highway 20 intersection is scheduled. Approval of major development proposals near the intersection should be contingent upon an agreement among Caltrans, the City of Fort Bragg, and the County on an intersection design that matches capacity and development intensity.

A detailed study of long-term north-south highway capacity needs in the Fort Bragg area is needed. A design for the Highway 20 intersection should be based on clear policies for the future of the Noyo and Hare Creek bridges and for any other continuous north-south route.

Water Supply

Community water supply and sewage disposal systems are described in Table 3.8-3 (See Appendix A5-1). Community water systems rely mainly on surface water sources, as ground water is not usually available in sufficient supply to serve high density residential development.

A community water system may be needed for the Town of Mendocino to serve further residental and commercial expansion in accord with the Town Plan. The feasibility of continued development in the Town with a well on each lot has not been demonstrated. However, development of surface water (probably requiring treatment) or wells and a public distribution system would be an unwelcome cost for those who now own dependable wells.

Domestic water supplies are mainly groundwater, which is available in sufficient quantity at most, but not all locations for low-density residential development. Lots at Iverson Road have been unbuildable because wells are not productive, and some wells in Mendocino Town, and other coastal areas are unreliable, necessitating hauling water during the late summer and fall of dry years. The California Department of Water Resources, in cooperation with the California Coastal Commission, and the County of Mendocino has initiated a groundwater monitoring program as part of a Coastal-wide groundwater study. This study is continuing, however a report entitled Mendocino County Coastal Groundwater Study, was published in 1982, which establishes areas of Sufficient, Marginal, Critical, and Critical Bedrock Water Resource areas, and recommends Land Use Densities in these areas. As more data is collected, these areas could change; however, this report currently represents the best available data on development constraints due to groundwater.

That the Board of Supervisors, having considered the Highway 1 Capacity Study and the Coastal Groundwater Study and recognize the need for further study into highway capacity and water availability, adopt the land use density as shown on the maps adopted by the Planning Commission as a 20-year goal.

Land divisions and development of existing parcels may proceed in accordance with the adopted maps while the studies are being conducted. This interim development should not exceed acceptable levels as there is no factual basis for anticipating buildout of existing and/or newly created parcels at an increased rate over that of the preceding years which has occurred at a rate of 2-3% per year.

Areas designated on the LCP maps as having a variable density zoning classification, which are proposed for greater density by the development of a surface water supply, shall be required to have adequate engineering, proof of water during the dry season, and operation of the system by a duly licensed Water Treatment Plant Operator of the proper grade. As the County completes

its Coastal Groundwater Study, greater densities may be allowable within the variable density zoning classifications.

Those areas, utilizing groundwater, and proposed for development to a greater density than recommended in the June 1982 Coastal Groundwater Study shall be required to have a hydrological report prepared by a qualified person which addresses the adequacy of the proposed water supply (proof of water), the direct effects on adjacent and surrounding water users, and the cumulative
adverse impacts of the development on the regional water supply.

FINDINGS

Water Availability Groundwater capabilities shown in the Groundwater Study indicate the need to encourage the lower densities (parcels less than five acres in size) within service delivery areas and be provided for by special district or development funding. Application of the Coastal Groundwater Study is addressed by Policy 3.8-9.

Highway Capacity Present Highway 1 use indicates that present and increased density may result in delays and temporary discomfort of travel in the urban areas. However, the text recognizes that traffic projection is an inexact science and, given the current available information, it is difficult to predict when and where these delays would occur.

It should be noted that the Coastal Commission staff has stated that traffic in the City of Fort Bragg reaches its peak on weekdays instead of weekends and, in the staff's opinion, adequate capacity is available to accommodate recreational travelers. (Reference: Coastal Commission Staff Comments, City of Fort Bragg LCP, January 15, 1982).

Finally, in agreement with local residents, the Board of Supervisors believes that the Highway 1 Capacity Study tends to place densities and population in areas that are more valuable in their present state for agriculture and timber resource value and for the protection of other coastal resources.

Further study and monitoring of Highway 1 capacity and use are addressed in Policies 3.8-3 and 3.8-4. The Board recognizes that the 1979 Highway Capacity Study used only one site in Mendocino County, the intersection of Route 1 and Route 128, for an in-depth survey to determine the percentage of visitor traffic, and that such surveys should be conducted on other segments of Highway 1.

The land use maps as adopted by the Board of Supervisors would allow additional new dwelling units in the Fort Bragg Reach and new units in the Point Arena Reach. While this amount of development would increase traffic, the traffic even at full buildout would not increase to that allowed by the Highway 1 Study using the fifth highest hour. (Reference Highway 1 Study, Table VIII-2 of June 1979). Using this table all segments within the reaches could accommodate development in excess of that allowed by the plan maps with the exception of the "hub" within the city limits of Fort Bragg. This "hub" segment experiences congestion as does any urban area

and according to the study any additional development would adversely affect this "hub" segment, however, the Fort Bragg LCP as certified by the California Coastal Commission made findings "that there is adequate highway capacity to accommodate recreational travelers, that no need exists to reserve excess capacity for recreational travelers and that peak local traffic does not occur during or directly compete with peak recreational traffic".

During the life of the plan, the Board will recognize the Urban/Rural boundaries of Fort Bragg to extend west of Pearl Drive from Highway 1 and east of Highway 1 on that line extending on Boice Lane and north to Cleone. The first priority for additional development will be encouraged in this area. The second priority for development will be in those areas where the groundwater study shows that there is sufficient groundwater. Development patterns will be closely monitored and an annual report made to the Board. The Mendocino County Board of Supervisors will ask for review of highway conditions every 5 years, and request that by 1985 a new highway capacity study be conducted by Caltrans. The Board of Supervisors may establish fees to provide for lateral accesses east of Highway 1.

Improvements to Highway 1 and use of alternate routes are addressed in Policies 3.8-2, 3.8-5 and 3.8-6.

SEWAGE DISPOSAL

Public Sewerage Systems

The cities of Fort Bragg and Point Arena, and the towns of Mendocino, Westport, Anchor Bay and Gualala are served by publicly operated sewage collection, treatment, and disposal systems. In 1983 the City of Fort Bragg's sewage system operated at 70% of capacity. It is the only sewage system with capacity to serve significant additional growth in the Fort Bragg area, such as the Todd's Point (already a part of the Fort Bragg Municipal Improvement District) and south of Hare Creek near Simpson Lane. Substantial growth could also be accommodated within the city and in areas north of Pudding Creek that may be annexed.

In 1983 the Mendocino sewage system was operating at about 66% of capacity, and with a projected population increase under the Land Use Plan, increased visitor use, and a potential for higher per capita water use if a community water system is built, indicates that other than minor annexations to the district is not justified.

The Westport sewage system, and the Point Arena sewage system are not sized to accept significant growth from outside existing district (or City) boundaries. The community system serving Anchor Bay as of 1983 is inadequate even for current flows, and repairs currently under consideration will not allow for growth outside existing Anchor Bay Water Works #2 boundaries. The Anchor Bay system is currently operating under a cease and desist order, and a new hookup moratorium imposed by the Regional Water Quality Control Board, will remain in place until the system is brought up to standard.

The Gualala Community Services District (GCSD) sewer treatment system was designed to serve existing development and additional growth within the GCSD Sewer Assessment District boundary (as approved / /). The system was designed to accommodate annual increases of residential growth at a constant rate of 2 percent for a twenty (20) year planning horizon. This was in conformance with population increases projected in Policy 3.9 (Locating and Planning New Development) of between 0.5 and 2.4 percent. Annual increases in commercial development were projected at 3 percent for the twenty (20) year planning period.

Requests for sewer service outside the existing GCSD Sewer Assessment District boundary, but within the approved Gualala Community Services District boundary, shall be subject to environmental review of development-related impacts, and may require an amendment of the county Land Use Plan.

ON-SITE SEWAGE DISPOSAL

Most of the Mendocino County Coast depends upon individual on-site septic tank - soil absorption system (ST-SAS). These systems can function for many years, provided they are properly designed, and installed in an appropriate site that meets all of the requirements of law, and pumped out every 3 - 5 years. There are areas with severe restraints with respect to on-site sewage disposal systems, e.g. the Pygmy Forest areas, and areas of extremely high winter-time water tables; however, the land's suitability for on-site sewage disposal must be evaluated on a parcel by parcel basis. Recent advances in alternative on-site sewage technology can mitigate some, but not all of the constraints found on coastal parcels.

The Coast's on-site sewage disposal systems generally are functioning adequately. However, some areas, such as the area south of Fort Bragg near Simpson Lane, have been identified as areas where additional growth could cause adverse cumulative impacts. These areas are identified in a Water Quality Control Board document entitled "Final Report-Assessment of Cumulative Impacts of Individual Waste Treatment and Disposal Systems", February 1982. Procedures contained therein for assessing cumulative effects will be followed in approving new development in the above-mentioned areas.

SEPTAGE DISPOSAL

A primary problem along the coast is Septage, the material that accumulates in septic tanks and must be periodically pumped out and disposed of. Before 1980, almost all septage was disposed of at coastal sewage treatment plants, with a very small amount being spread onto agricultural land. Since 1980, however, when the City of Fort Bragg began a phase-out of accepting septage and with the other sewage treatment plants unable to accept it, more emphasis has been placed onto land disposal. Several soil amendment projects which utilize septage as a fertilizer and a soil amendment have been approved; the Mendocino Coast is currently served by such facilities. These coastal sites have the capacity to handle septage generated on the coast for the foreseeable future. As privately operated facilities, they do not have the same inherent guarantee of long-

term operation as does a publicly operated facility. The County has been negotiating with the operators to establish a contract to assure long-term future operation of these sites.

The County, recognizing the potential problems with septage disposal, has included a County-wide Septage Study for 1983-84, in their County Solid Waste Master Plan update.

Coastal Element Policies: Transportation Utilities and Public Services

3.8-1 Highway 1 capacity, availability of water and sewage disposal system and other known planning factors shall be considered when considering applications for development permits.

On the rural side of the Urban/Rural Boundary, consideration shall be given to Land Use Classifications, 50% buildout, average parcel size, availability of water and solid and septage disposal adequacy and other Coastal Act requirements and Coastal Element policies.

Highway capacity impacts shall be considered in determining land use classifications and density changes.

3.8-2 Current studies indicate a need for future improvement to certain stretches of Highway 1 and to major intersections. These improvements shall be encouraged so as to accommodate essential industries vital to the economic health of the County and other priority uses under the Coastal Act.

The Department of Transportation shall be requested and urged as a high priority of public interest and Coastal Act purpose to:

1. accelerate highway improvement projects along Highway 1 and those state maintained highway intersections within the Coastal Zone of Mendocino County.

2. develop a long range comprehensive circulation plan for Mendocino County coastal state highways and tributaries consistent with Coastal Act mandates.

If the objectives of the Coastal Act are to be met, these goals must receive high priority at both local and state levels.

3.8-3 Caltrans shall be requested to conduct a study within two years after the certification of this Plan based on a detailed origin and destination survey, trip generation data from different types of housing and accommodations, and new traffic counts. Safety shall be a major consideration in any Highway 1 study.

3.8-4 Caltrans and/or the Coastal Commission shall be requested to monitor Highway 1 usage at two-year intervals. The Coastal Act's requirement that the highway remain a two-lane

scenic road in rural areas creates an obligation to maintain accurate data on highway capacity for planning purposes.

3.8-5 Caltrans shall, in cooperation with the County, set priorities based on safety requirements and existing highway congestion for improving the capacity of impacted segments of Highway 1. Measures to be studied should include minor re-alignments, width and shoulder improvements, passing lanes, view turnouts and parking areas, and intersection improvements.

3.8-6 It shall be a goal of the Transportation Section to achieve, where possible and consistent with other objectives of The Coastal Act and plan policies for Highway 1, a road bed with a vehicle lane width of 16 feet including the shoulder to achieve a 32 foot paved roadway (12-foot vehicle lane and 4-foot paved shoulder). The minimum objective shall be a 14-foot vehicle lane width (10-foot vehicle lane and 4-foot paved shoulder). New widening projects shall be allocated, first to safety and improved capacity needs and secondly to paved shoulders.

3.8-7 Land divisions and subdivisions creating new parcels or building sites or other proposed development, including lot line adjustments, mergers and issuance of conditional certificates of compliance shall be approved only where a community sewage disposal system with available capacity exists and is obligated to provide service or where a satisfactory site for a sewage system exists. Leach field approval shall require satisfactory completion of a site evaluation on the site of each proposed septic system. A leach field shall not be located where the natural grade exceeds 30 percent slope or where there is less than 5 feet of soil below the trench if natural grade exceeds 20 percent slope. This septic system policy is consistent with the Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems adopted by the Regional Water Quality Control Board on April 17, 1979.

3.8-8 Newly constructed public water supply and sewage disposal systems and expansion of existing systems should be designed to serve development consistent with that permitted by the Land Use Plan, provided that a reasonable capacity should be reserved for potential industrial development at locations designated by the plan.

3.8-9 Approval of the creation of any new parcels shall be contingent upon an adequate water supply during dry summer months which will accommodate the proposed parcels, and will not adversely affect the groundwater table of contiguous or surrounding areas. Demonstration of the proof of water supply shall be made in accordance with policies found in the Mendocino Coastal Groundwater Study dated June 1982, as revised from time to time and the Mendocino County Division of Environmental Health's Land Division requirements as revised. (Appendix 6)

Commercial developments and other potential major water users that could adversely affect existing surface or groundwater supplies shall be required to show proof of an adequate water supply, and evidence that the proposed use shall not adversely affect

contiguous or surrounding water sources/supplies. Such required proof shall be demonstrated prior to approval of the proposed use.

3.8-10 In order to be developed to the smaller parcel size, areas indicated on the map as having a variable density zoning classification shall be required to be served by a public water system which utilizes surface waters, and which does not impact upon the ground water resource, or by completion of a hydrological study which supports those greater densities.

3.8-11 Permits for new installations of septic tanks shall not be issued in the absence of a long term arrangement for septage disposal for that specific area.

3.8-12 Caltrans, the Coastal Commission, the City of Fort Bragg, and the County shall be requested to develop, as a high priority, an intersection improvement plan for Highway 1 at Highway 20.

No major development permits on Todd's Point shall be approved until such time as agreement has been reached and highway intersection improvement plans have been approved and funded.

3.8-13 Caltrans shall be requested to provide assistance to the County and Special District as they carry out their responsibility to develop a long term circulation plan including the planning of highway improvements to Hare Creek and Noyo River bridges and those tributary roads now serving the coast, e.g. Branscomb Road, Greenwood Road.

3.9 LOCATING AND PLANNING NEW DEVELOPMENT

Coastal Act Requirements

Virtually every section of the Coastal Act relates directly or indirectly to locating and planning new development. Sections of Article 6 titled "Development" that discuss visual resources, transportation, and public services are cited elsewhere in the Coastal Element text.

Section 30106. "Development" means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Section 30250.

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

Section 30252. The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development

or in other areas that will minimize the use of coastal access roads; (3) providing non-automobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high-intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

Section 30253. New development shall: (1) minimize risks to life and property in areas of high geologic, flood, and fire hazard; (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs; (3) be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development; (4) minimize energy consumption and vehicle miles traveled; (5) where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Issues: Locating and Planning New Development

The Coastal Act's mandates for new development emphasize three ideas:

- Concentrate development
- Avoidance of adverse cumulative impacts on coastal resources
- Maintenance and enhancement of public access to the coast

Unless the requirement of Section 30250(a) of the Act that new development be located "in other areas with adequate public services" is interpreted so rigidly as to require nearly all growth to occur in the Fort Bragg area, this phrase must be defined to allow inclusion of communities that do not have community sewer and water systems. Only Fort Bragg and Point Arena have community sewer and water systems with more than nominal capacity available for growth. Other areas can be said to have "adequate public services" only if availability of water and/or a satisfactory septic system leach field is proven on each parcel.

Areas that can accommodate additional development such as but not limited to Cleone, Noyo, South Fort Bragg, Mendocino Town, and Gualala would be in "close proximity to existing developed areas" and are within the urban/rural boundary designated on the Land Use Plan.

Maintenance of public access and avoidance of adverse cumulative impacts as a result of new development must be addressed.

The Coastal Commission's interpretive guideline for siting new development allows a single family residence to be built on each existing lot "unless the total amount of development permissible in an area under this guideline would be inconsistent with the Coastal Act."

Allowable New Development Versus Potential Market Demand

Assuming no change in employment in the fishing and forest products industries, unconstrained growth over the next 20 years would add between 1,800 and 9,500 residents to the 1980 population estimated at 21,700 by the Mendocino County Planning Department to reside in the four coastal CAC's (B-D, EPD). Gains in tourism and retirement population would be the major contributors.

The average annual increase (not compounded) would range from less than 0.5 percent per year to 2.4 percent. This may be compared with California State Department of Finance projections for the state as a whole of average annual gains of .99 to 1.78 percent to the year 2000. The Department's E-150 series baseline projection, assuming replacement birth rate and 150,000 net in-migration per year, averages 1.42 percent annual increase.

Some coastal residents view the high projection (B-D, EPD) as a self- fulfilling prophecy and believe that 9,500 additional residents would cause adverse cumulative effects on coastal resources. Although annual average growth might be much less than 2.4 percent, there may be 9,500 additional residents even if no new residential subdivisions are approved in unincorporated areas.

Full development is not likely until more than 20 years in the future, but timing will be influenced by the market and by development phasing controls in the Coastal Element implementation program. These controls will be necessary to comply with the provision of 30250(a) which allows land divisions outside existing developed areas only where 50 percent of the usable parcels in the area have been developed and to keep traffic demand within highway capacity.

The limits on new development increase housing costs, but Section 30007.5 of the Coastal Act requires that "conflicts (between one or more policies of the Act) be resolved in a manner which on balance is the most protective of significant coastal resources." Thus, the Land Use Plan growth controls are necessary to maintain traffic service levels on Highway 1, although the result will be less affordable housing than otherwise. The inherent structure of the Coastal Act and specific policies probably would render low and moderate income housing unobtainable unless fully subsidized.

Coastal Element Policies: Locating and Planning New Development

3.9-1 An intent of the Land Use Plan is to apply the requirement of Section 30250(a) of the Act that new development be in or in close proximity to existing areas able to accommodate

it, taking into consideration a variety of incomes, lifestyles, and location preferences. Consideration in allocating residential sites has been given to:

- each community's desired amount and rate of growth.

- providing maximum variety of housing opportunity by including large and small sites, rural and village settings, and shoreline and inland locations.

In addition to the considerations pertaining to the allocation of residential sites listed above, all development proposals shall be regulated to prevent any significant adverse effects, either individually or cumulatively, on coastal resources.

One housing unit shall be authorized on every legal parcel existing on the date of adoption of this plan, provided that adequate access, water, and sewage disposal capacity exists and proposed development is consistent with all applicable policies of this Coastal Element and is in compliance with existing codes and health standards. Accessory dwelling units (ADUs) and/or junior accessory dwelling units (JADUs) may also be permitted consistent with standards established in the Implementation Plan (Mendocino County Code, Title 20, Division II). The number of permitted ADUs within the Coastal Zone outside of the Gualala Town Plan area shall be limited to five hundred (500) units. Within the Gualala Town Plan area, a maximum of one hundred (100) ADUs shall be permitted. Any change to the caps on the maximum number of ADUs shall require a Local Coastal Program amendment. Determination of service capacity shall be made prior to the issuance of a coastal development permit.

3.9-2 The criteria for new land divisions permitted by the land use plan, outside of the urban/rural boundaries, shall be consistent with each of the following standards:

a. The new parcels to be created shall be no smaller than the minimum parcel sizes designated on the Land Use Maps. The parcel sizes designated on the maps are equal to or larger than the existing modal, or most common size in the same land use classification consistent with parcel size requirements of Section 30250(a) of the Act, thereby eliminating the need for determination of allowable parcel size on a case by case basis.

   It is the express intent of this policy that all considerations for compliance with Section 30250(a) of the Act have been met at the time of adoption of the Land Use Maps.

b. No new parcels shall be created unless 50% of the existing usable parcels within the surrounding area have been developed. Usable in this context shall be determined on the basis of parcels that can be physically developed under applicable land use regulations. For purposes of this provision the "surrounding area(s)" are defined below:

1. All of that area within the Coastal Zone from the Humboldt County line to Ten Mile River excluding lands within the Rural Village land use classification.

2. All of that area within the Coastal Zone from the Ten Mile River to the Northern Boundary of City of Fort Bragg excluding lands within the Rural Village land use classification.

3. All of that area within the Coastal Zone from the southern urban/rural boundary of the City of Fort Bragg to the Navarro River excluding lands within the Rural Village and Fishing Village land use classifications and within the town plan boundary of the Town of Mendocino.

4. All of that area within the Coastal Zone from the Navarro River south to Hearn Gulch and Iversen Road excluding Iversen Landing Subdivision, lands within the Rural Village land use classification and lands within the city limits of Point Arena.

5. All of that area within the Coastal Zone from Hearn Gulch and Iversen Road south to the Gualala River, including Iversen Landing Subdivision, and excluding those lands within the Commercial land use classification and the Gualala Town Plan boundary.

In using the criteria for each land division, the area used in each case shall be the area in which the land division falls.

c. In addition to meeting the above criteria, it is understood that land divisions must comply with all other applicable policies of the Land Use Plan and Section 30250(a) of the Coastal Act.

3.9-3 Compliance with the provision of Coastal Act Section 30250(a), prescribes that land divisions outside the urban/rural boundary can be permitted only where 50 percent of the usable parcels in the area have been developed, shall be achieved by ordinance provisions to be prepared as part of Phase III of the LCP, the implementation program.

3.9-4 Following approval of each 500 additional housing units in the coastal zone, or every 5 years, whichever comes first, the Land Use Plan shall be thoroughly reviewed to determine:

- Whether the Highway 1 capacity used by non-resident travel and visitor accommodations is in scale with demand or should be increased or decreased.

- Whether the plan assumptions about the percentage of possible development likely to occur are consistent with experience and whether the allowable buildout limits should be increased or decreased.

- Whether any significant adverse cumulative effects on coastal resources are apparent.

3.9-5 Land on the urban side of an urban/rural boundary shall not be subject to the rural land division criteria of Section 30250(a) of the Coastal Act.

3.9-6 The County may allow clustering in the Agriculture, Rangeland, Forest Land (not in TPZ), Rural Residential-10 and Remote Residential land use designations without divisions of land. (see Policy 3.9-8)

3.9-7 Density transfers within a land use designation on an ownership may be allowed, but density transfers between land use designations on an adjacent parcel under the same ownership shall be allowed only as follows: Once the density rights are used, there shall be no further development or division. To insure there is no further development or divisions, a deed restriction shall be recorded (the contents of which shall be acceptable to the Commission) prior to the issuance of a permit to transfer any density rights.

From	To
Agriculture	Rangeland, Forest Land (not in TPZ), Remote Residential, Rural Residential-10
Rangeland	Forest Land (not in TPZ), Remote Residential, Rural Residential-10
Forest Land	Rangeland, Remote Residential, Rural Residential-10

3.9-8 Subject to the phasing set forth in Policy 3.9-2 above a use permit shall be required for a cluster development and shall be granted only if:

1. At least 75 percent of the project area will remain in open space.

2. The open space area from which density or development was transferred shall be protected from future development or division by means such as contracts with the County, coupled with conservation easements, open space conservation agreements, or other appropriate legal mechanisms. Such contracts, easements, agreements, or other legal mechanisms will contain language, which is acceptable to the Commission and will be recorded in a manner which insures the long-term protection of the resources.

3. The proposed project is compatible with adjacent farm, range or forest uses and will not interfere with accepted management practices on these lands.

4. The proposed clusters will not inhibit resource management of the remaining open space, are near existing access routes and are not in hazard areas.

5. The proposed cluster development will be served adequately by essential public facilities and services such as highways, streets, police and fire protection and schools.

6. Site disturbance will be minimized by clustering, road location along contours and building site selection.

7. Applicable development standards for the zoning ordinance can be met.

8. In order to insure the preservation of the valuable site resource, the proposed clustering shall utilize the minimum amount of prime land.

3.10 HARBORS AND COMMERCIAL AND SPORT FISHING

Coastal Act Requirement

The Act's policies support coastal-dependent development, stressing protection of fishing, boating and necessary support facilities. These policies include:

> **Section 30233(a).** The diking, filling or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) new or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities; (2) maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps; (3) in wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored; (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities; (5) incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines; (6) mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas; (7) restoration purposes; (8) nature study, aquaculture, or similar resource-dependent activities.

> **Section 30233(d).** Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method placement, time of year of placement, and sensitivity of the placement area.

> **Section 30224.** Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support

facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30234. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosions and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland....

Issues: Harbor, Commercial and Sport Fishing

Members of the fishing community have expressed concern about the future of their industry in light of Coastal Act mandates because Sections 30224 and 30234 encourage recreational boating without clearly delineating the status of recreation relative to commercial fishing facilities.

Limited space for expansion at both Noyo and Albion create a need for policies ensuring that commercial fishing potential will not be limited by compelling demands for space. Both Noyo and Albion need improved or expanded ice house facilities, fueling docks, haulout and repair facilities and services for transient boats such as a grocery store, showers, and laundry, as well as space for more boats.

The Fishing Village (FV) land use classification as described in Section 2.2 protects the fishing industry at Noyo and Albion but does not address competitors for space with recreational boating, as do the policies below.

Policies relating to Noyo Harbor are found in Section 4.4, and policies applying to Albion in Section 4.9. Development of harbors at other locations in the unincorporated portion of the coastal zone is not anticipated. There is a potential conflict in competing for harbor space between off-shore oil development and fish and recreation industries of the Mendocino Coast.

Coastal Element Policies: Harbors, Commercial and Sport Fishing

3.10-1 At both the Noyo Harbor and Albion Harbor the commercial fishing industry is the primary use and shall be continued in conformance with Coastal Act, Section 30234.

3.10-2 The County should request the Noyo Harbor District to provide advice on planning and coordinating commercial fishing facilities, recreational boating, public access and coastal-dependent industrial development within the Noyo River harbor area, including Noyo Bay and all of the area designated as Fishing Village on the land use plan. Such advice would be considered in any amendment of the land use plan for this area.

An Albion Harbor District should be formed and encouraged to assume a role similar to that proposed to be performed by the Noyo Harbor District. The Albion Harbor District shall then be requested to advise on the coordination of commercial fishing facilities, recreational boating, public access and coastal-dependent industrial development within the Albion River harbor area, including Albion Cove and all of the area designated as Fishing Village on the land use plan. Such advice would be considered in any amendment.

3.10-3 All applications for approval of development projects within the areas described in policy 3.10-1 shall be referred to the appropriate Harbor or Port District for review. Prior to consideration of any application, including a change in the number or size of boat berths or for channel or breakwater improvements in the unincorporated area, the Board of Supervisors shall request a report from the Harbor or Port District or from interested Harbor District members.

Utilizing this report and other appropriate information, the County, shall analyze the effect of the proposed development on the commercial fishing industry, and where adverse impacts are found shall require mitigation measures such as reservation of a specified number of berths for commercial fishing boats. The Board shall make a finding as to whether approval or disapproval of the proposed project would adversely affect the commercial fishing industry. If adverse effects resulting from approval are found, the project shall not be approved unless appropriate mitigation measures are required. If the Board finds that disapproval of the project would adversely affect the commercial fishing industry, it may request the assistance of the Harbor or Port District in negotiating agreements for mitigation impacts that will allow the project to proceed.

3.10-4 In order to provide for safe and protected anchorages along the Mendocino coast for the maximum number of vessels, especially during seasons of heavy fishing activity, the placement and numbers of permanent moorings shall be regulated.

The Noyo Harbor District may be requested to advise in developing and if appropriate implementing an ordinance for controlling the use of moorings and anchorages in Mendocino County. In the event that a Harbor District or commission is subsequently formed for Albion (or any other area) then this future harbor district may be requested to provide similar advice in its area of concern.

3.10-5 County policies shall support the maintenance and improvement of existing harbor facilities of the region including the design and construction of a breakwater at Noyo Harbor, formulation of a master plan for Albion Harbor, and completion of the Noyo Harbor Master Plan.

3.10-6 The County shall provide assistance in securing available funding for the maintenance and improvement of existing harbor facilities.

3.10-7 The County shall encourage improved emergency support services provided by the U.S. Coast Guard and other emergency response units.

3.11 INDUSTRIAL DEVELOPMENT AND ENERGY FACILITIES

Coastal Act Requirements

The Coastal Act, while emphasizing protection, enhancement and restoration of coastal resources, recognizes that some industrial and energy development may need to be located in the coastal zone.

> **Section 30001.2.** The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such development in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state.
>
> **Section 30232.** Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.
>
> **Section 30250 (b).** Where feasible, new hazardous industrial development shall be located away from existing developed areas.
>
> **Section 30255.** Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.
>
> **Section 30260.** Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.
>
> **Section 30262.** Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:
>
> (a) The development is performed safely and consistent with the geologic conditions of the well site.

(b) New or expanded facilities related to such development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.

(c) Environmentally safe and feasible subsea completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of such structures will result in substantially less environmental risks.

(d) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, determined in consultation with the United States Coast Guard and the Army Corps of Engineers.

(e) Such development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.

(f) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Division of Oil and Gas of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.

Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.

Section 30263.

(a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area... or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.

(b) In addition to meeting all applicable air quality standards, new or expanded refineries or petrochemical facilities shall be permitted in areas designated as air

quality maintenance areas by the State Air Resources Board and in areas where coastal resources would be adversely affected only if the negative impacts of the project upon air quality are offset by reductions in gaseous emissions in the area by the users of the fuel, or, in the case of an expansion of an existing site, total site emission levels, and site levels for each emission type for which national or state ambient air quality standards have been established do not increase.

(c) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from inplant processes where feasible.

Section 30264. Notwithstanding any other provision of this division, except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed in the coastal zone if the proposed coastal site has been determined by the State Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516.

Section 30413(b). The (Coastal) Commission shall, prior to January 1, 1978, and after one or more public hearings, designate those specific locations within the coastal zone where the location of a facility as defined in Section 25110 would prevent the achievement of the objectives of this division; provided, however, that specific locations that are presently uses for such facilities and reasonable expansion thereof shall not be so designated. Each such designation shall include a description of the boundaries of such locations, the objectives of this division which would be so affected, and detailed findings concerning the significant adverse impacts that would result from development of a facility in the designated area. The commission shall consider the conclusions, if any, reached by the State Energy Resources Conservation and Development Commission in its most recently promulgated comprehensive report issued pursuant to Section 25309. The (Coastal) Commission shall transmit a copy of its report prepared pursuant to this subdivision to the State Energy Resources Conservation and Development Commission.

Section 30515. Any person authorized to undertake a public works project or proposing an energy facility development may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area greater than that included within such certified local coastal program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification. If, after review, the local government determines that the amendment requested would be in conformity with the policies of this division, it may amend its certified local coastal program as provided in Section 30514.

If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how such amendment is in conformity with the

policies of this division. The local government shall be provided an opportunity to set forth the reasons for its action. The commission may, after public hearing approve and certify the proposed amendment if it finds after a careful balancing of social, economic, and environmental effects that to do otherwise would adversely affect the public welfare, that a public need of an area greater than that included within the certified local coastal program would be met, that there is no feasible less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of this division.

Issues: Industrial Development and Energy Facilities

Industries along the Mendocino coast are predominantly resource-oriented, performing the initial processing of raw materials. Most are near Fort Bragg, the largest coastal community between San Francisco and Eureka. Many of these industries, while situated along the shoreline, are not strictly coastal dependent but Mendocino County and the Coastal area are dependent on these industries. There is a need in the county and on the coast that these existing industries remain and be allowed to expand as necessary but traditionally have been located on sites which could be used for coastal dependent industries. Georgia Pacific's lumber mill is the major industrial employer in the coastal zone and in conjunction with Louisiana Pacific Lumber Company and other lumber interests account for about 1,550 jobs. Other local industries include the Baxman Gravel Company, fish-processing and boat-building enterprises at Noyo Harbor.

Onshore oil and gas production could start in the coastal zone within the near future. The Manchester Anticline Petroleum Project is seeking permits from the County of Mendocino for the first phase of operations, drilling exploratory wells on a 1,200 acre site south of Manchester and east of Highway 1. If successful and if the project receives production permits from the county and the Coastal commission, the oil field could be brought into full production. The oil could be trucked to refineries in the San Francisco Bay area via Highway 128.

OCS Lease Sales

Outer Continental Shelf (OCS) Lease Sales, as part of a proposed national, five-year program to explore and develop offshore oil and gas resources, includes OCS submerged lands off Mendocino County. Although the Secretary of the Interior in August 1981 withdrew the Mendocino tracts from further consideration in Lease Sale #53, the initial planning stages for Lease Sale #73 are underway which could affect the Mendocino coast. In addition, the Secretary of the Interior has proposed major changes in the "Five Year OCS Oil and Gas Lease Sale Schedule - January 1982 - December 1986," which could increase the number of lease sales in California and speed up the leasing schedule.

Throughout California and in Mendocino County, local governments, the State Government and citizen groups expressed opposition to OCS leasing on the North Coast. The Board of Supervisors initially passed resolutions requesting that the Department of the Interior delay any final decisions on Lease Sale #53 until further environmental studies could be completed and that

it investigate the possibility of establishing all or part of Lease Sale #53 as a petroleum reserve to be used only in a time of national emergency. The Board later appointed the Mendocino County Technical Advisory Task Force on the OCS to correspond with the various State and Federal agencies, review all pertinent documents and advise it on OCS matters. The Task Force has determined that OCS oil and gas development would create permanent adverse environmental impacts. As a result of this determination, the Task Force has recommended that no onshore related oil and gas development be permitted extending to the 3 mile limit which would facilitate OCS development such as pipelines, onshore marine terminals, gas or oil processing plants, the use of highways and airports, and the use of harbors.

The Board of Supervisors more recently has passed resolutions requesting the Department of the Interior to delete the Mendocino coast from any OCS oil and gas development. The Governor of California has made the same request. The California Coastal Commission has recommended that the Mendocino coastal tracts be deleted because oil-related offshore and onshore industrial facilities would not be compatible with policies designed to protect the areas rural and undeveloped character and its natural resources.

Energy Issues

The 1976 amendments of the Coastal Zone Management Act established the Coastal Energy Impact Program (CEIP) to provide financial assistance to coastal states and local governments potentially affected by energy development. In 1979, Mendocino county received a CEIP grant to evaluate potential impacts associated with Lease Sale #53. The studies assessed adverse effects on the tourist industry and commercial and sport fishing and analyzed siting options for energy-related onshore facilities.

The CEIP reports determined that both tourism and fishing would suffer revenue losses after an oil spill. Losses to the tourism industry could range from $1 to $6 million, depending upon the size of the spill, the season in which it occurred, and the effectiveness of cleanup operations. Potential losses to commercial and sport fishermen could range between $1 and $7 million, depending on the season. Federal programs established to mitigate adverse impacts may be inadequate because of insufficient funds, legal complexities and bureaucratic delays.

The CEIP studies also assessed five potential County sites for locating onshore facilities, such as a service base, a gas processing plant, or an oil and gas partial processing facility. None of the sites was completely suitable in terms of meeting the industry's basic requirements for land, water depths, and services; protecting sensitive habitats and avoiding hazardous areas; and conforming with County and local policies for future development. The study concluded that, given the inadequacies of the representative sites, and the proximity of excellent facilities in the San Francisco Bay Area, the oil industry would be more likely to locate its onshore facilities out of the County.

In addition, the Coastal Commission has designated areas in the coastal zone where the California Energy Commission cannot approve new power plants. In 1978, the Commission adopted a report, Staff Recommendations on Designation of Coastal Areas Where Power Plants

Would Be Inconsistent with Coastal Act Policies (#20), updated in 1979), that described and mapped areas where siting a power plant would prevent the achievement of Coastal Act Policies. These designations are site-specific and are intended to protect critical environmental resources, recreational areas, agricultural lands, scenic sites,
and areas with inadequate public services. In general, the report indicated that there is no site suitable for a power plant along the stretch of coast from Ten Mile River to just south of Navarro. Power plants could conceivably be permitted in other areas, primarily east of Highway 1.

Alternative energy sources-such as solar, wind, waves, biomass and cogeneration (including kelp)-potentially could be developed on the Mendocino Coast. Currently, there is cogeneration at the Georgia Pacific plant, and many individuals are becoming more energy self-reliant by solarizing their homes, using wood stoves, and building windmills. In the short term, the shift to alternative energy sources, with the exception of wind power, is more practical as an individual private endeavor than as a large-scale commercial venture. PG&E staff believes that the coast could be a prime site to test wind-generators that would be connected to its power grid.

Coastal Element Policies: Energy Development

3.11-1 The federal government shall be requested to establish all under-water lands within the Outer Continental Shelf area as a petroleum reserve to be used only in a national emergency.

3.11-2 Onshore facilities related to the development of offshore oil and gas, except for onshore pipelines for natural gas, are not authorized in the coastal zone at this time, because no offshore areas are currently leased for oil and gas development. Development of siting, construction, and mitigation criteria should be considered in the context of specific proposals, so that topographical and environmental constraints can be identified and then-current technologies can be incorporated. If there is a future proposal for such development, it can be considered through the Local Coastal Program amendment process, including the special amendment process provided for energy projects by Section 30515 of the Coastal Act. (See Policy 3.1-26)

3.11-3 A full environmental review shall be required as an integral part of the use permit process dealing with oil and gas development. The findings and recommendations of the Outer Continental Shelf Oil Task Force shall be used in making a project determination.

3.11-4 Onshore oil and gas development shall be a conditional use in the Agriculture, Forest Lands, Range Lands, and Industrial land use categories. Such development shall include, but not be limited to, drilling, redrilling, production and abandonment of wells; and construction and installation of sumps, access roads, piping and storage tanks. Such development permits shall be subject to standards set forth in Sections 30260 and 30262 of the Coastal Act.

3.11-5 Pipelines for natural gas shall be permitted as a conditional use in all land use categories, subject to at least the following standards and criteria:

- Prior to issuing a permit to construct, the County shall require that a survey be conducted along the pipeline route to determine which, if any, coastal resources may be impacted by pipeline construction and operation. The costs of this survey shall be borne by the applicant. This survey may be conducted as a part of environmental review if an Environmental Impact Report is required.

- The survey shall be conducted by a consultant selected jointly by the applicant, the County, and the Department of Fish and Game. If the survey determines that the area to be disturbed will not revegetate naturally or sufficiently quickly to avoid other damage, as from erosion, the applicant shall submit a revegetation plan. The plan shall also include provisions for restoration of any habitats which will be disturbed by construction or operation procedures.

- One year after completion of construction, the County shall require that the area crossed by the pipeline be resurveyed to assess the effectiveness of the revegetation and restoration plan. This survey shall continue to monitor progress on an annual basis, until the County feels that monitoring is no longer necessary.

- The County shall require the posting of a performance bond by the applicant to ensure compliance with these provisions.

- The County shall prohibit the use of herbicides during the pipeline construction and shall require that excess soil be delivered to an approved dumping site, after the excavation has been backfilled and compacted.

- The pipeline shall be sited and constructed in such a manner as to inhibit erosion.

- Where feasible, pipelines shall be routed to avoid important coastal resources, including recreation, natural habitat, highly scenic areas, and archaeological areas. Unavoidable routing through such areas of significant coastal resource value shall be done in a manner that minimizes the extent of disturbance and erosion.

- The County shall establish a separate division within the Planning and Building Services Department to monitor applications for off-shore and related applications and increase fees as necessary to cover associated costs.

3.11-6 In sensitive resource areas, the extent of pipeline construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas. All development will be done in the least environmentally damaging alternative and will require mitigation for negative impacts.

3.11-7 Geologic investigations, performed by a qualified engineering geologist or a registered civil engineer with expertise in soil analysis shall be required where a proposed pipeline route crosses potential faulting zones, seismically active areas, or moderately high to high risk landslide areas. This investigation shall evaluate potential risks and recommend mitigation measures such as pipeline route changes and or engineering measures to help ensure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography.

3.11-8 New pipeline corridors shall be consolidated within existing pipeline or electrical transmission corridors unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.

3.11-9 Electrical transmission and distribution lines shall be permitted as a conditional use in all land use categories subject to the following standards and criteria:

- Electrical transmission line rights-of-way shall be routed to minimize impacts on the viewshed, especially in scenic rural areas, and to avoid locations which are on or near sensitive habitat, recreational, or archaeological resources.

- Scarring, grading, or other vegetative removal shall be minimized and revegetated with plants similar to those in the area.

- Where above-ground electrical transmission lines would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other options are less environmentally damaging.

- When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. Electrical transmission lines shall not extend along the road right-of-way for continuous distances and shall avoid the crests of roadways to minimize their visibility on distant views.

- Related utilities should use existing rights-of-way whenever such uses are compatible and feasible.

3.11-10 Each application for onshore oil and gas development shall be processed as two separate conditional use permits. The first conditional use permit application shall be limited to an exploratory phase and shall not include provisions for a production phase. Conditions of approval shall relate to installation, operation and completion of the exploratory drilling and shall include restoration of the site and mitigation measures and condition of approval required by all concerned governmental agencies. All oil and gas developments, whether for exploration or production, shall be designed and sited to prevent or minimize adverse impacts to biological, geological, archaeological, agricultural, visual and recreational resources. Adequate notice of all proposed oil and gas development shall be given to residents of the surrounding area. Any approved oil

and gas development shall be installed in a manner which will not have a detrimental impact upon the surrounding uses of land.

A conditional use permit application for a development plan shall include:

- A review of the Exploratory Phase, including a complete evaluation of the conditions of operation, impact upon the environment and adequacy of the imposed mitigations.

- A phasing plan for the staging of development, indicating the anticipated timetable for project installation, completion and decommissioning.

- Maps and plans indicating ultimate potential development and its relationship to other structures and nearby areas of coastal resource value, such as sensitive habitats, prime agricultural land, archaeological sites, recreational areas, etc.

- A plan for consolidating, to the maximum extent feasible, drilling, production and other accessory facilities, including clustering of wells.

- Plans for eliminating or mitigating adverse impacts resulting both from standard siting, construction and operating procedures and from accidents. These shall include landscaping plans, oil spill contingency plans, fire prevention procedures, procedures for transporting and disposing solid and liquid wastes, etc.

- Plans and procedures for abandoning and restoring the site.

3.11-11 Upon completion or abandonment of an oil/gas project, all above ground oil and gas production and processing facilities shall be removed from the site and the area in which they were located shall be restored by appropriate contouring, reseeding, and planting to conform with surrounding topography and vegetation.

3.11-12 The County shall encourage the development and use of alternative sources of energy, such as wind, solar, wave, and biomass and cogeneration to meet the coast's energy needs. Alternative energy facilities for onsite use shall be permitted as a conditional use in all land use categories. For off-site use, alternative energy facilities shall be considered as a conditional use in the Agriculture, Forest Lands, Industrial Land and Range Land categories.

3.11-13 New industrial development shall be contiguous with, or in close proximity to existing developed areas able to accommodate it or where such areas are not able to accommodate it, in other areas with adequate public service and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources (Section 30250 (a) of the Coastal Act).

Future industrial projects shall be consistent with Sections 30251, 30253, 30231 and 30232 of the Coastal Act.

3.11-14 The County shall pursue and develop a County Energy Conservation Program.

3.11-15 Legally existing development located on industrial designated land shall be allowed to continue and shall be allowed to expand their current uses consistent with Coastal Act policies and to meet economic and social needs of the County of Mendocino and the coastal area.

3.11-16 Any development pursuant to this section shall conform with Policy 3.1-26 and 3.1-27, and other applicable policies of this plan.

LAND USE PLAN

DESCRIPTIONS AND POLICIES FOR THIRTEEN PLANNING AREAS

4. THE LAND USE PLAN: DESCRIPTIONS AND POLICIES FOR THIRTEEN PLANNING AREAS

NORTH COAST CAC AREA

4.1 HUMBOLDT COUNTY LINE TO ROCKPORT PLANNING AREA (Lost Coast)

The northern three quarters (approximately 7.5 miles) of the Lost Coast is in public ownership or is proposed for acquisition by the Department of Parks and Recreation. Private lands in the 1,000-yard-wide coastal zone mainly are in the Timber Preserve Zone or in Agricultural Preserve.

Sinkyone Wilderness State Park; Usal Ranch Project

Except for a part of the Bureau of Land Management's King Range National Conservation Area (Chemise Mountain Primitive Area) extending south from Humboldt County, most of the coastal zone north of Bear Harbor is Sinkyone Wilderness State Park. No management plan has been prepared by DPR, and no developed campsites exist. The Usal Ranch Project, extending from the Sinkyone Wilderness State Park boundary to a mile south of Usal Creek, is not a part of DPR's officially funded acquisition program. If funds are insufficient, acquisition could be limited to a trail easement or other less-than-full-fee interest in portions of the area. The large beach at Usal Creek is within the funded acquisition program. Land south of the Usal Ranch Project is designated for timberland and agricultural use.

Lost Coast residents who have commented on plan proposals for their area strongly favor preservation of wilderness, and most wish to restrict motor vehicle access in Sinkyone State Park within the coastal zone.

Coastal Element Policies: Sinkyone Wilderness State Park and the Proposed Usal Ranch project

4.1-1 A management plan for the Sinkyone Wilderness State Park and for the proposed Usal Ranch project shall maintain a wilderness recreational experience wherever appropriate. A low-impact recreational experience shall be provided in other areas not adaptable for the wilderness recreational experience.

The management plan shall include provisions for improved trails, camp areas and interpretive center, as well as protection and enhancement of anadromous streams, seal haulout areas, wetlands, old growth redwood stands and archaeological resources. The Management Plan and provisions for coastal trail access shall be coordinated with the Humboldt County Local Coast Plan and with the Management Plan adopted by the Bureau of Land Management.

The plan shall include suitable access for elderly and handicapped persons to the interpretive center proposed for Needle Rock House. Hiking and designated equestrian trails shall be situated in a manner which will be least disruptive to the environment. Vehicles shall be restricted to designated roads and parking areas.

4.1-2 In the event that federal lands within this segment of the coastal zone are transferred to state ownership, the local coastal plan indicates on the land use maps that those lands which are presently administered by the Bureau of Land Management as part of the King Range National Conservation Area should be transferred to the California Department of Parks & Recreation. These lands should be included within the boundaries of the Sinkyone Wilderness State Park and should be managed by DPR according to state park wilderness area standards. A hiking trail should be developed, located generally in the area delineated on the Land Use Map. It should extend from the Humboldt County line southward beyond the southern limits of the State Park and along the Usal Road to State Highway 1.

4.1-3 The Board of Supervisors or appropriate entity should continue to negotiate for a trail from Humboldt County line southward to connect with other trails within the Coastal Zone.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Section 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Briceland Road

Location: County Road 435 from Four Corners to (north of) Bear Harbor paralleling the coast through Sinkyone Wilderness State Park.

Characteristics: Approximately six miles of County maintained road, suitable for hikers and equestrians. Potential trails connect to shoreline.

Existing Development: unpaved.

Potential Development: Complete to Bear Harbor.

Whale Gulch

Location: 3 miles south of Humboldt County line; 1 mile southwest of Four Corners.

Ownership: Bureau of Land Management and California State Department of Parks and Recreation - Sinkyone Wilderness State Park.

Characteristics: Access via Briceland Road to trail from Low Gap Creek to sandy beach. Trail adjoins a wetland and riparian area.

Existing Development: Beach used for fishing and diving, primitive camping.

Potential Development: Improved Hike-in camping area.

Policy:

4.1-4 The method of limiting vehicle access to Briceland Road (County Road 435) shall be based upon the management plan to be developed by the Department of Parks and Recreation. Hiking or equestrian trails shall be extended from Usal Road, utilizing existing trails whenever appropriate, as indicated on the Land Use Maps. Vehicles shall be restricted to designated roads and parking areas. Vehicle access shall not be prohibited except as agreed by Mendocino County.

Bear Harbor

Location: 6 miles south of Humboldt County line, 6.2 miles southwest of Four Corners.

Ownership: California State Department of Parks and Recreation - Sinkyone Wilderness State Park.

Characteristics: Access via Briceland Road to beach trail. Secondary trail access from two points on Usal Road along old jeep trails.

Existing Development: Beach used for fishing and diving, primitive camping.

Potential Development: Improved Hike-in camping area.

Policy:

4.1-5 The method of limiting vehicle access to Briceland Road (County Road 435) shall be based upon the management plan to be developed by the Department of Parks and Recreation. Hiking or equestrian trails shall be extended from Usal Road, utilizing existing trails whenever appropriate, as indicated on the Land Use Maps. Vehicles shall be restricted to designated roads and parking areas. Vehicle access shall not be prohibited except as agreed by Mendocino County.

Jackass Creek

Location: Approximately 14 miles north of Usal Road turnoff from Highway 1.

Ownership: Private, in proposed acquisition area for Usal Ranch Project.

Characteristics: Rocky shore and cliffs border a 500-foot sand beach. Seasonal summer lagoon. Trails connect this old mill site along old jeep roads from Usal Road.

Existing Development: Beach used for fishing and day use.

Potential Development: Hike-in camping area.

Policy:

4.1-6 This area should be acquired and managed by the California State Department of Parks and Recreation. At the time of any coastal development permit, if this area is not acquired by the Department of Parks and Recreation an offer to dedicate an easement for public access shall be obtained for that area delineated on the Land Use Maps consistent with policy 3.6-5.

Little Jackass Creek

Location: 13 miles north of the Usal Road turnoff at Highway 1.

Ownership: Private.

Characteristics: Former "dog-hole port" reached via old trails. Rocky shore and cliffs border a 300-foot sand beach. Sensitive marine habitat area. Trails provide views of this rugged coastline.

Existing Development: Beach use, primitive camping.

Potential Development: Improved Hike-in camping area.

Policy:

4.1-7 This area should be acquired and managed by the California Department of Parks and Recreation. At the time of any coastal development permit, if this area is not acquired by the Department of Parks and Recreation, an offer to dedicate an easement for public access shall be obtained for that area delineated on the Land Use Maps consistent with policy 3.6-5.

Usal Creek

Location: 6 miles north of Usal Road turnoff at Highway 1.

Ownership: Private - Georgia Pacific.

Characteristics: A 1/2 mile long beach and 5 acre lagoon are bordered by a large area of level land suitable for car camping. Area is reached by a short trail from Usal Road.

Existing Development: None; currently used for primitive camping.

Potential Development: Car camping, restroom facilities, picnic area.

Policy:

4.1-8 This area should be acquired and managed by the California Department of Parks and Recreation. At the time of any coastal development permit, if this area is not acquired by the Department of Parks and Recreation, an offer to dedicate an easement for public access shall be obtained for that area delineated on the Land Use Maps consistent with policy 3.6-5.

Usal Road

Location: Humboldt County Line to Highway 1, three miles north of Rockport; County Road 431.

Characteristics: Approximately 30 miles of County maintained road, unpaved, suitable for hikers and equestrians. Potential trails connect to shoreline. During the winter months vehicular traffic is difficult and may become dangerous at times.

Existing Development: Designated by County Trails Plan.

Lost Coast Trails

Policy:

4.1-9 Designated portions of the Usal Road and of State Highway One within the coastal zone shall be designated as the main coastal trail for the area of the coast lying north of Rockport. These segments shall be connected using both existing and newly proposed alignments, extending into Humboldt County as indicated on the Land Use Maps. Vehicles shall be restricted to designated roads and parking areas.

Policy:

4.1-10 Coastal trails shall be established for hiking and equestrian use as designated on the Land Use Map connecting shoreline access points along the Briceland Road and Usal Creek, and aligned with other trail segments to the south. Vehicles shall be restricted to designated roads and parking areas.

Policy:

4.1-11 The coastal trails for hiking and equestrian use which connect Usal Road with coastal beaches along the Lost Coast area should utilize existing roads and trails where feasible to minimize disruption to the environment. Parking areas at Usal Road trailheads shall be provided to encourage hike-in recreation. Since most of these parking areas would be outside the coastal zone, this would be a worthwhile project involving close coordination between the Coastal Element and the General Plan Land Use Element.

Visitor Accommodations and Services: No sites have been designated for visitor accommodations and services as a principal permitted use in the Humboldt County Line to Rockport Planning Area. However, the following sites have been designated as a conditional use for visitor serving facilities:

Whale Gulch	DPR proposed campground
Bear Harbor	DPR proposed campground
Jackass Creek	DPR proposed campground
Little Jackass Creek	DPR proposed campground
Usal Creek	Proposed campground

4.2 ROCKPORT TO LITTLE VALLEY ROAD PLANNING AREA (Includes Westport, Inglenook)

This planning area is characterized by two distinct natural settings: the narrow or nearly non-existent coastal shelf north of Ten Mile River and the gentle slopes separated from the ocean by dunes extending from the river to Little Valley Road north of Cleone.

Potential development hinges upon access via Highway 1 and Branscomb Road. Any substantial capacity improvement to Highway 1 would require some cuts and fills and bridges. Most traffic on this segment of the highway also will use the section between Little Valley Road and Fort Bragg, where no additional capacity will be available.

North Coast CAC proposes improvement of Branscomb Road, with a possible future connection to the Central Valley to divert trips between U.S. 101 and the Westport area away from Fort Bragg.

Major development in this area is constrained due to the topography, the agricultural and timber resources and the highly scenic character of much of this segment of the coast. North of the Ten Mile River the coastal zone boundary is 1,000 yards from the shoreline, nearly all of it visible from Highway 1. This stretch is grand in scale, containing spectacular meetings of land and sea as the highway climbs to provide sweeping views of the Lost Coast and drops to narrow gulches near the shore. The most spectacular views have been permanently protected through public acquisition of lands lying between Highway 1 and the ocean. 80% of the land west of Highway 1 in this area is in public ownership. This plan has given further protection to the scenic and rural qualities of this area by ruling out creation of major new subdivisions and by the retention of rangelands and timberlands in large parcels and by designating specific areas between Hardy Creek and the Ten Mile River as highly scenic areas within which new development must be subordinate to the character of its setting consistent with Policy 3.5-3. The plan recognizes the existing subdivisions: Ocean Meadows, Seaside and Westport Beach Subdivision where each existing legally created parcel in each subdivision is allowed one residence as a principal permitted use.

The Coastal Element meets further Coastal Act requirements by directing growth to areas with available services. The plan does not anticipate formation of new districts to provide water or sewage services in this area but does recognize that the formation or expansion of existing districts requires a coastal development permit (30254).

The Coastal Element calls for most new housing units to be in Westport Beach Subdivision and in the town of Westport. Illustrated on the Land Use Maps are other areas where land divisions could occur - mainly between Inglenook and Little Valley Road.

Westport Beach Subdivision

The Westport Beach Subdivision Map (dated 1971) shows that this subdivision lies east of Highway 1 with the exception of one parcel and that 33 of its 80 20-acre residential parcels are

located wholly within the coastal zone. A study prepared by the California Coastal Commission staff in 1978 concluded that 20 parcels are bisected by the zone and that of those twenty only three parcels has the primary building site within the coastal zone, thus at full buildout 37 homes will be constructed on roughly 700 acres (some parcels are larger than 20 acres) within the coastal zone."

Coastal Element Policy: Westport Beach Subdivision

4.2-1 All of the existing parcels of the Westport Beach Subdivision which are located wholly or partly within the coastal zone shall be recognized as legal subdivision lots.

That portion of the subdivision which is located within the coastal zone shall be designated on the land use maps as Remote Residential, with a minimum parcel size of 20 acres (RMR-20), corresponding to the average size of the existing parcels.

One housing unit shall be allowed as a principal use on each existing parcel, except as designated visitor service facility on the Land Use Maps, provided that prior to the issuance of a coastal development permit for any new development, all of the applicable standards and policies of this plan shall be met. Site development review shall be a requirement for new development within the Westport Beach Subdivision applying the standards or policies 3.5-3 and 3.5-4.

Westport

During the 1880's Westport was a lumber shipping point and supply center for mills and lumber camps north of Ten Mile River, potentially rivaling Mendocino in size. Today its cluster of 50 buildings huddled against the elements retains clearly defined town edges almost unknown in California. Westport's spectacular setting and its compact form contribute more to its character than does the architecture of individual buildings. Except for the Switzer-Fee house (c.1884) just south of town, Westport consists of modest homes, most old, a few new or remodeled. Its grocery store, post office, two inns, restaurant and deli provide as many services as resident and tourist populations can support. Many residents work in Fort Bragg.

The Westport County Water District provides service water and sewage collection and disposal to 54 users. Expansion of system capacity is not contemplated by the District or proposed by this plan. Westport does need a community building, a building to house fire equipment, and a playfield. Gradual increases in visitor traffic and new homes in Westport Beach Subdivision to the north will support increased retail sales and service in town.

Coastal Element Policies: Westport

4.2-2 Westport shall be designated a Rural Village, as described in the Land Use classification section. Commercial uses shall be limited to both sides of Highway 1 between the

southern boundary of the treatment plant on the north to the east jog in the highway to the south.

4.2-3 Shoreline access for residents and visitors shall be provided at Pete's Beach in conformance with Policy 4.2-10.

4.2-4 Future development of Westport as a Rural Village shall require that new development be compatible with existing development relative to scope and character.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Section 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase, by an appropriate public agency or private organization as described in Section 3.6.

Cottaneva Creek/Rockport Bay

Location: 0.75 mile west of Highway 1 at Rockport.

Ownership: Private. (LP)

Characteristics: Large flat that was former mill site; beach is used for rock and surf fishing and abalone diving.

Existing Development: Access from Highway 1 along Louisiana Pacific logging road to beach and old mill site. Picnic tables, camping area, lagoon during some months.

Potential Development: RV campground

Policy:

4.2-5 Site is designated for privately developed campground and/or hostel. At those times when the campground is open for business on specific days and hours an entrance fee may be charged to the general public as long as the visitor serving use remains. Public access without an entrance fee shall be provided consistent with policy 3.6-5 if a use other than a visitor serving use is permitted on the site.

Juan Creek

Location: 0.5 miles south of where Highway 1 turns east to Leggett.

Ownership: Private.

Potential Development: Public parking in Caltrans turnouts, pedestrian access to beach by trail east of Highway 1 down to Juan Creek then under the bridge to and along the beach.

Policy:

4.2-6 Offers to dedicate an easement for public access shall be required for the areas shown on the land use plan map consistent with Policy 3.6-5.

Westport - Union Landing State Beach

Location: In two segments, .4 and 2.6 miles long, west of Highway 1, north of Westport.

Ownership: Private (except 60 acres)

Characteristics: The park unit extends along 3.3 miles of shoreline, and consists of sandy beaches, tidepools and reefs, and blufftop area adjacent to and west of Highway 1.

Existing Development: This park unit is virtually undeveloped; facilities have been limited to portable toilets, trash cans and informal parking areas. The combination of limited formal development and the lack of visitor supervision with heavy use has resulted in erosion, sanitation, resource degradation and user safety problems.

Potential Development: (as proposed by Immediate Action Plan prepared by the California Department of Parks and Recreation, dated February, 1983) Restore damaged scenic resources using landscaping techniques. 180 - vehicle parking limit includes 50 day use sites. Day use areas will allow access to De Haven and Howard Creek Beaches, one will be designated for use by elderly and handicapped people. 10 concrete block restrooms, trash collection facilities and a mobile or modular residence/ headquarters building.

Policy:

4.2-7 The California Department of Parks and Recreation shall develop a management plan which provides a combination of daytime and overnight accommodations for this area. Facilities and uses shall be installed and maintained in a manner which will be least disruptive of this fragile coastline environment, which will not be visually obtrusive from Highway 1 and which will provide safe viewing and beach access for elderly and handicapped persons.

Branscomb Road Inland Trail

Location: One mile north of Westport; Highway 1 northeasterly to Laytonville.

Existing Development: East-west partially dirt partially paved road, unsuitable for cyclists; designated on County Trails Plan.

Policy:

4.2-8 Branscomb Road should be placed on a high priority as a major access road from Highway 101 to the coast.

Wages Creek

Location: West of Highway 1, 0.7 miles north of Westport.

Ownership: Private; two ownerships.

Existing Development: 175 unit campground.

Policy:

4.2-9 At those times when the campground is open for business on specific days and hours an entrance fee may be charged to the general public as long as the visitor serving use remains. Public access without an entrance fee shall be provided consistent with policy 3.6-5 if a use other than a visitor serving use is permitted on the site.

Westport - Union Landing State Beach: Pete's Beach

Location: .3 miles north of Westport, west of Highway 1.

Ownership: California Department of Parks and Recreation.

Existing Development: Trail to blufftop and shoreline; large turn out along Highway 1. Major beach for Westport residents.

Potential Development: Day use for residents and visitors. Improved parking area and Highway 1 access sign.

Policy:

4.2-10 Department of Parks and Recreation shall develop and manage this area as an important access point for Westport residents and others if consistent with the overall management plan. After development, coastal access shall be signed along Highway 1.

Caltrans Scenic Easement (Chadbourne Gulch Property)

Location: West of Highway 1 extending 0.5 mile north and .7 mile south of Chadbourne Gulch.

Ownership: Acquired by Caltrans with federal funds. Terms of grant do not permit intensive use, defined to include camping.

Existing Development: Dirt road leads to beach at Chadbourne Gulch providing one of few beach access points for handicapped.

Potential Development: Parking area and trail to beach at Bruhel Point.

Policy:

4.2-11 The California Department of Parks and Recreation or Caltrans should develop a management plan for day use in this area which includes access to the beach at Chadbourne Gulch and to the coastal headlands trails extending southward from this area within the Caltrans property. This plan should provide for an adequate parking area and sanitary facilities to accommodate the day use visitors. Tree removal shall be a part of this management plan to improve the views to the coast while at the same time providing proper landscaping to screen the parking area and sanitary facilities.

Chadbourne Gulch to Newport

Location: Caltrans scenic easement (Chadbourne Gulch property) to Newport.

Ownership: Private.

Potential Development: Blufftop trail on Caltrans easement and along the blufftop of privately owned parcels consistent with 3.2-14, access in agricultural areas.

Policy:

4.2-12 Offers to dedicate an easement for public access shall be obtained for those areas shown on the Land Use Plan Map and as described above. A vertical access at Newport and south laterally along the bluff top shall also be required.

South Kibesillah Gulch Fishing Access

Location: West of Highway 1; .5 miles north of Abalobadiah Creek.

Ownership: Wildlife Conservation Board (WCB), California Department of Fish and Game--6 acres.

Existing Development: Restrooms, picnic tables, and improved trail down the bluff to the beach are maintained by the Mendocino County Department of Parks and Beaches.

Policy:

4.2-13 Existing offers of lateral access dedication on 2 parcels north of South Kibesillah Gulch Fishing Access, one for 25 feet from the property boundary, the other for 25 feet from the mean high tide, by Cronemiller and Garcia, are found inappropriate because there is sufficient public access at the Fishing Access, a continuous blufftop trail is not proposed by the Coastal Element, and no beach exists. These offers shall be relinquished.

Potential Development: An access stairway should be provided.

Seaside Creek

Location: One mile north of Ten Mile River Bridge at the mouth of Seaside Creek and the beach extending south to Ten Mile River.

Ownership: Seaside Beach is listed by Mendocino County Department of Parks and Beaches as a County operated beach owned by Caltrans, but boundaries are uncertain. The beach west of Highway 1 may be privately owned; prescriptive rights may exist.

Existing Development: Sand beach allowing trail connection between Seaside Creek and Ten Mile Beach during summer. County maintains bumper logs and trash receptacle.

Potential Development: Improved parking area; restrooms.

Policy:

4.2-14 The Department of Parks and Recreation shall be requested to clarify beach ownerships at Seaside Creek and should acquire and accept access offers for easements to any private beach area extending from this point south to Ten Mile River. The resultant stretch of beach access should be incorporated with that which is currently owned and managed by the Department of Parks and Recreation. This would coincide with the manner in which the public is now using this stretch of the shoreline. Any future improvements to the Seaside Beach access shall facilitate its use by elderly and handicapped persons.

Seaside Creek to Pudding Creek Trail

Location: Extending along shoreline from Seaside Creek-Ten Mile River south to Pudding Creek.

Ownership: Mostly public (MacKerricher State Park); private at Ten Mile River mouth. The beach parcel adjoining Ocean Meadows subdivision appears to have been retained by the subdivider; however, a walkway 15 feet wide from the top of the bluff has been improved and dedicated to public use. Owners of four lots (Dorn, Perkins, Miller and Aurswald) have recorded offers of dedication of 1/31 interest in the beach parcel and access along the west property line to the toe of the bluff. See above for ownership at Seaside Creek.

Potential Development: Hiking and equestrian trail following beach for 8 miles. Usable from Seaside Creek in summer and from Ten Mile Bridge and Pudding Creek year round. Alternative coastal trail for non-vehicular use.

Policy:

4.2-15 Existing offers of dedication from lot owners in Ocean Meadows shall be accepted after construction of improvements at Seaside Creek and additional

offers shall be required as a condition of permit approval so that public access to the toe of the bluff is assured. The existing public walkway shall remain open to public use, but shall not be indicated on Highway 1 signs.

Because of the sometimes hazardous conditions occasioned by tidal action and stream conditions at the mouth of Ten Mile River, the coastal trail in this area shall be segmented, rather than indicated as a continuous trail system. One segment shall extend from Seaside Creek Beach south to the northern bank of Ten Mile River. Another segment shall extend from the south side of Ten Mile River along the shoreline of MacKerricher State Park to Pudding Creek.

Ten Mile River

Location: Four sites for boating access have been evaluated:

- North bridgehead, Old Highway 1 bridge;
- County Road 428 at north bank;
- Offer of dedication of floating easement along 1 mile of north bank by Wallihan;
- State property on south bank adjoining west side of Highway 1 bridge.

Ownership: Private.

Existing Development: Public access to Ten Mile River currently is available only on weekends holidays and some winter months via Fort Bragg to Georgia-Pacific haul road. No boating access is currently available on the Ten Mile River.

Potential Development: The southwest bank access point can be opened by the Department of Parks and Recreation on public lands.

Policies:

4.2-16 Power boats shall be prohibited on Ten Mile River, except for outboard motors traditionally used for trolling.

4.2-17 Department of Parks and Recreation should develop access, including boating, from the south bank, in conjunction with the present weekend holiday Georgia Pacific haul road access program on public lands. At such time as any coastal development permit is sought for land adjacent to the river, if this boating access has not been established, as a condition of permit approval, an offer to dedicate river access shall be required for the area adjacent to the public lands consistent with Policy 3.6-5. If boating access is subsequently established on the public lands, this offer shall be extinguished.

4.2-18 The existing offer of dedication on the north side of Ten Mile River by Willihan shall be relinquished at the time boat launching access becomes available on the south side of Ten Mile River. If boat launching access does not become available on the south side of Ten Mile River within five years, this policy will be re-evaluated to determine the possibility of other options.

MacKerricher State Park (Northern portion) (Inglenook Grange Trail)

The park is approximately 8 miles long and falls into two planning areas. Funded acquisition could add about 800 acres more or less to the park in the Ten Mile Dunes and Inglenook Fen areas.

Location: South bank of Ten Mile River at Bridge (see discussion above under Ten Mile River Access).

Location: Inglenook Grange.

Ownership: Private and public.

Potential Development: Parking location for limited scientific access to Inglenook Fen.

Policy:

4.2-19 The Department of Parks and Recreation shall be requested to prepare a General Plan for MacKerricher State Park that provides access to Ten Mile River and Inglenook Fen at designated locations and subject to conditions necessary for preservation of the natural environment of the park. Off-road vehicles shall be excluded.

A parking area shall be signed and improved by DPR utilizing the existing widened Caltrans right-of-way located on the west side of Highway 1 several hundred feet south of the Ten Mile River bridge. A trail system shall be developed by DPR, in conjunction with Caltrans and private property owners, to connect this parking area via an existing trail entrance which is located at the southwest corner of the bridge. A fenced trail and a marked, at-grade crossing of the Georgia-Pacific haul road shall connect with the DPR lands on the south bank of Ten Mile River.

Limited access for scientific study of the Inglenook Fen and Sand Hill Lake area shall be provided immediately adjacent to Highway 1 in the vicinity of the Grange Hall upon property to be acquired by the Department of Parks and Recreation.

Policy:

4.2-20 The Land Use Maps indicate that several parcels owned by the Bureau of Land Management are located in the area between Ten Mile River and Sandhill Lake and Inglenook Fen. These lands should be transferred to the California Department of Parks and Recreation. These lands should be incorporated into the existing holding of the adjoining MacKerricher State Park. The area shall be

managed as a natural habitat area in conjunction with passive recreational uses and dunes stabilization program.

Policy:

4.2.21 The Georgia-Pacific Corporation haul road, under a special management agreement with the California Department of Parks and Recreation, presently provides weekend and holiday vehicular access to the long stretch of public beaches which extend from Fort Bragg north to Ten Mile River. This private roadway, which travels through the entire length of the MacKerricher State Park, should be acquired by DPR and incorporated into its management plan for the park, if at any time during the life of the Local Coastal Plan the property owner desires to sell, trade or surrender this property.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Rockport to Little Valley Road Planning Area at the following locations:

Howard Creek Ranch	existing inn
DeHaven Valley Farm	existing inn
Wage's Creek Beach Campground	existing campground
Stone Painting Museum	existing service

In addition, several visitor serving facilities are located in the Rural Village of Westport, but have not been designated on the land use map. These include the Westport Inn, the Lost Coast Restaurant, and the Cobweb Palace.

The following sites have been designated as a conditional use for visitor serving facilities:

Rockport Bay, Cottaneva Creek	proposed campground
Juan Creek	proposed inn
Union Landing	proposed inn and/or restaurant
Westport Union Land State Beach	proposed campground
Wage's Creek, east of Highway 1	proposed campground
Wage's Creek, north	proposed restaurant
Chadbourne Gulch	proposed campground
Smith Ranch, southeast of Ten Mile bridge	proposed motel
Newport, Hemmingway Ranch	proposed inn
Sergeant House	proposed inn

NORTH CENTRAL CAC AREA

LITTLE VALLEY ROAD TO JUG HANDLE CREEK PLANNING AREA

This planning area includes Cleone, Noyo, and South Fort Bragg, as well as the City of Fort Bragg, which has prepared its own LCP.

4.3 LITTLE VALLEY ROAD TO FORT BRAGG PLANNING AREA (Includes Cleone)

South of Little Valley Road, the coastal zone extends nearly a mile east of Highway 1 to include the Inglenook Fen watershed until just north of Cleone where at joins it Highway 1 and follows it south to Fort Bragg, narrowing to as little as 200 yards. Consequently, most of the potentially developable land in the CAC area north of Pudding Creek lies outside the coastal zone.

An issue which will be decided by the choice of development policies on both sides of the coastal zone boundary is whether Cleone will retain a separate identity or eventually merge with Fort Bragg. A north boundary for Cleone is set by an existing Williamson Act contract and by a funded addition to MacKerricher State Park, west of the highway and north of Cleone Acres subdivision. The area in the zone between MacKerricher and Virgin Creek is predominantly in large open parcels, some of which are used for forage. Retaining this area as open agricultural land would maintain a separation between Cleone and Fort Bragg at the cost of missed development opportunities for the owners of this land.

The plan designates the western highway frontage extending half a mile north of Mill Creek Drive through Cleone as a Rural Village. Existing stores and visitor accommodations serve as a neighborhood shopping district and a visitor service center for MacKerricher State Park. Proposed residential density south of Cleone is generally one housing unit per two acres, with one housing unit per one acre in developed areas.

South of Virgin Creek, visitor accommodations and services would be the priority use for the 50 to 500-foot deep parcels between the highway and the Georgia-Pacific haul road. Presently, Baxman Gravel Company, a ready-mix concrete and plant mix asphalt supplier and Eastman Trucking Company, a log trucking firm, occupy sites west of Highway 1. Although neither industry is a coastal-dependent use as defined by the Coastal Act, both industries depend on use of the Georgia-Pacific haul road.

The present condition of Highway 1 is a major constraint to development in this area. Highway 1 just north of Pudding Creek currently is operating at maximum capacity, or Service Level E (described in Section 3.8), during peak hours. The Land Use Plan recommends widening the 10-foot lanes to 12 feet, with additional 4-foot bike lanes.

Proposed widening of this Highway 1 segment to four lanes is opposed by area residents because of the effects on existing housing. At present, this segment has a high vehicle accident rate and is extremely unsafe for non-motorized traffic. Turn lanes at heavily-used intersections, Odom Lane, MacKerricher State Park, Mill Creek Drive, etc..., would improve safety conditions.

Coastal Element Policies: Existing Industrial Development

4.3-1 Caltrans shall be directed to prepare a plan for widening the present alignment of Highway 1 from the north city limits of Fort Bragg to the north limits of Cleone rural village. Lane width shall be 12 feet, shoulder width 4 feet. This plan shall include provisions for pedestrian, bicycle and equestrian paths in Cleone rural village and at the entrance to MacKerricher State park and provisions for landscaping and replacement of trees. Road widenings shall minimize encroachments on existing residences.

4.3-2 The existing heavy industry north of Fort Bragg shall be recognized by this plan, and not required to relocate; this heavy industry is essential to the economy of the area; the present heavy industry location is environmentally and economically sound, and there exists no other suitable location in the Coastal Zone for this industry.

Designated Access Points, Trails, and Recreation Area

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

MacKerricher State Park (Southern portion) (Northern portions of the park are discussed in Chapter 4.2 MacKerricher Park) (Inglenook Grange Trail)

Location: Ward Avenue, west of Highway 1 at the center of the Rural Village of Cleone.

Existing Development: County Road 425B leading to small parking area adjoining pedestrian-equestrian underpass to park.

Policy:

4.3-3 The northerly portion of Ward Avenue which extends from Highway 1 at Cleone to the beach access tunnel and parking area shall be indicated on the Land Use Maps as an existing Shoreline access route. The Department of Parks and Recreation should include this parking and tunnel access area within their park management plan and the parking area and beach access should be maintained as part of the MacKerricher State Beach. The park management plan should specifically address parking and signing of this access point and make specific recommendations which will mitigate for the adverse impacts of increased visitor use within Cleone Acres Subdivision.

Location: Mill Creek Drive, west of Highway 1, separates boundary of MacKerricher State Park with southern boundary of Cleone Rural Village.

Existing Development: County Road 425 extending into MacKerricher State Park.

Policy:

4.3-4 Mill Creek Drive shall remain open for free vehicle, equestrian, and pedestrian day use access to the MacKerricher Beach parking lot. DPR shall be encouraged to seek alternative methods of controlling access to the campgrounds.

Location: Main Park Entrance.

Existing Development: Kiosk at only park entrance point marked on Highway 1; 143 campsites.

Potential Development: California State Department of Parks and Recreation (DPR) proposes 50 additional campsites within existing park.

Location: Vicinity of Virgin Creek, west of Highway 1,500 feet north of Virgin Creek.

Ownership: Undeveloped DPR parcel 250 feet wide extending from haul road to highway.

Policy:

4.3-5 An undercrossing of the Georgia-Pacific haul road to provide access to the beach portion of MacKerricher State Park from the DPR Virgin Creek property should be developed to provide for safe beach access at this location. The management plan for this area will provide for limited parking and wheelchair access.

Location: Haul road access point 0.5 mile north of Pudding Creek.

Existing Development: 200-foot paved road connecting Highway 1 with Georgia-Pacific haul road. Locked gate, but open on week-ends, holidays, and during some winter months when logging operations are shut down due to bad weather. Currently provides the only vehicular access to most of MacKerricher State Park beach frontage.

Potential Development: Highway directional sign including use regulations.

Location: Pudding Creek.

Ownership: DPR and Caltrans.

Existing Development: Unimproved, unsigned parking area used for beach access and warm water swimming in Pudding Creek. Access to equestrian- pedestrian trail adjoining the haul road extends to Ten Mile River.

Policy:

4.3-6 The California Department of Parks and Recreation along with Caltrans should develop a day use parking area at Pudding Creek. This area should be signed and placed on a high priority list so this area could be improved as soon as possible.

Policy:

4.3-7 The California Department of Parks and Recreation should prepare a management plan for MacKerricher State Park. This management plan should provide for improved public access to the park at the end of Ward Avenue, Mill Creek Drive, Virgin Creek, Pudding Creek and the existing roadway access to the GP Haul Road and recognition of the State dedicated hiking and equestrian trail from Pudding Creek to Ten Mile River.

Policy:

4.3-8 Portions of the stretch of Highway 1 between Cleone and Fort Bragg constitute the narrowest band of coastal zone on the Mendocino Coast. Highway 1 is a scenic highway. This highway segment is the northern gateway to the City of Fort Bragg. Within this highway corridor, coordination between the Local Coastal Program and the General Plans of the County of Mendocino and the City of Fort Bragg shall be encouraged as being vital to the overall success of land use planning in this scenic coastal area.

Policy:

4.3-9 Highway 1 is the coastal zone boundary throughout the north central CAC area extending from Fort Bragg north to Cleone. The highway bisects Cleone, which is classified as a Rural Village on the Coastal Element Land Use Maps. General Plan land use classifications on the east side of the highway should be matched closely with the Coastal Element classifications on the west side of the highway in order to achieve a cohesive community for Cleone.

Policy:

4.3-10 The northern extent of the urban-rural boundary in the Fort Bragg portion of the North Central CAC area shall be the northern and eastern limits of the Cleone Acres subdivision in the vicinity of Ward Avenue at Cleone. The Southern extent of the urban-rural boundary shall begin where the coastal zone boundary crosses the southern section line of Section 19 Township 18 North, Range 17 West; thence west along southern section line of Section 19 to Boice Lane; thence west along Boice Lane to Highway 1; thence south parallel to Highway 1 on the west side to the intersection of Pearl Drive; thence west to Pacific Ocean Drive; thence north 200 feet on Pacific Ocean Drive; thence westerly to the ocean north of the mouth of Mitchell Creek.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Little Valley Road to Fort Bragg Planning Area at the following location:

MacKerricher State Park	existing campgrounds

In addition, one site has been designated for a conditional use at Green Acres Campground (existing). Several visitor serving facilities are located in the Rural Village of Cleone, but are not designated on the land use map. These include the Cleone Lodge, a restaurant and a campground. A second campground is located in Cleone, but outside of the coastal zone. A commercial strip has been designated north of Pudding Creek which accommodates three motels: Hi-Seas, Oceanview, and the Beachcomber.

4.4 FORT BRAGG CITY LIMIT TO HARE CREEK PLANNING AREA (Includes Noyo)

The Noyo community is identified with the harbor and the fishing and boat-building industries on the flat. Portions of the community are within the boundaries of the City of Fort Bragg and additional annexation would be logical. Hare Creek appears a likely southern limit for planning purposes, but it does not represent a well recognized community boundary. Although the coastal zone extends inland 1.5 miles east of Highway 1 along Highway 20, much existing and potential development within the CAC area lies outside the zone.

Noyo Harbor

Some 300 boats are moored in the Noyo Harbor District, including 15 to 30 sportfishing or recreational craft. The waiting list for berths has remained constant at about 150 for several years; but since the wait varies from two to five years, depending on ship size, this is not a reliable measure of demand for space. The District proposed to start construction in 1981 on 75 new berths, a 100-ton straddle carrier, administrative offices, and public restrooms. However, the expansion project has been postponed indefinitely because of lack of funding. Dolphin Cove Marina, half a mile upstream, has empty berths, but the channel is too shallow for larger boats. The LCP cannot resolve engineering questions such as the desirability of additional dredging inside the breakwater or building a new breakwater in Noyo Bay; however, both issues will be studied during the next four years by the U.S. Corps of Engineers. Construction of new breakwater would require an amendment to the Coastal Element.

Future space needs and employment in the fishing industry are difficult to predict. Seasonal catches, market conditions, and national policies that encourage importation of processed fish affect the size and economic health of the industry. The current construction of half a dozen or more boats in the 60-foot range at Noyo demonstrates the availability of capital for more intensive use of the fishery, although these boats may be used elsewhere.

It is unlikely that another all-year harbor will be built between Bodega Bay and Eureka; therefore, Noyo's potential expansion should not be curtailed either by development that does not require a location close to the water or by overly rigid environmental controls. Noyo is shown as a Fishing Village on the Land Use Maps, with fishing and boating as the primary uses. Expansion of existing restaurants and trailer parks on the flat will not be permitted unless it can be shown that the space need not be reserved for coastal dependent industry. Sites at the bluff level overlooking the harbor, mainly in Fort Bragg, should be developed for view restaurants and visitor accommodations.

Coastal Element Polices: Noyo Harbor

4.4-1 In order to provide for Noyo Harbor's potential port expansion, development on the flat lands within the harbor area shall be limited to uses which are directly related to the coastal-dependent industries of fishing and boat-building. Recreational boating facilities shall be designed and located so as not to interfere with the needs of the commercial fishing industry.

The number of restaurant facilities and housing accommodations on the flats shall be limited to the existing square footage unless it can be clearly shown that a particular parcel or building is not needed by coastal dependent industry. Appropriate sites at the bluff level overlooking the harbor may be utilized for restaurants and other visitor accommodations.

4.4-2 The selection and use of dredge spoils disposal sites on flatlands along upstream portions of the Noyo River within the coastal zone shall be coordinated with all concerned public agencies, including the Harbor District and the City of Fort Bragg.

Harbor expansion that involves development of wetlands areas shall be carried out in accordance with applicable provisions of the coastal act, including Section 30233, and this plan. Such developments shall be permitted only where there are no feasible less environmentally damaging alternative sites, and where feasible mitigation measures have been provided to minimize adverse environmental effects. This plan shall support harbor related construction in accordance with the Noyo Harbor District Plan and policies of this Coastal Element.

County policies shall support the maintenance and improvement of existing harbor facilities of the region including the design and construction of a breakwater at Noyo Harbor, formulation of a master plan for Albion Harbor, and completion of the Noyo Harbor Master Plan.

4.4-3 The County shall develop an evacuation route for the Noyo Harbor area, in addition to North Harbor drive, by re-opening the road west of Agostino's (AP# 18-120-19) for emergency use only. The County shall coordinate evacuation procedures with the U.S. Coast Guard and all concerned law enforcement agencies.

See also Policies 3.10-1 and 3.10-2.

Todd's Point; Highway 20 Intersection

Todd's Point is located west of Highway 1 between Noyo Bay and Hare Creek. The Todd Subdivision occupies approximately one-half of the peninsula with a commercial strip along the highway. The area is served by individual water supply and by one access road (Ocean View Drive).

The intersection of Highways 1 and 20 is located between the Noyo River and Hare Creek bridges, a distance of .4 miles. The major intersection and the two narrow bridges create a bottleneck for north-south through traffic.

Ingress and egress to Highway 1 from Ocean View Drive is hazardous and further complicated by a lack of traffic control improvements.

In June of 1980, the College of the Redwoods expressed renewed interest in locating an educational center on Todd's Point just north of Hare Creek. The location of such a facility would require that the City of Fort Bragg connect the area to its water and sewer systems. Current City policy requires an area to be annexed before City water would be available. Todd's Point residents have expressed opposition to both annexation and the location of an educational center in the area.

On December 3, 1981, the Coastal Commission granted approval for a permit to College of the Redwoods contingent upon meeting five conditions. These conditions (paraphrased) required C.R.: 1) to participate in an intersection improvement district for Highway 1 and 20; 2) to redesign the parking area to provide fifteen public parking spaces at the trailhead; 3) to provide an improved accessway across C.R. property to Hare Creek Beach trail; 4) building elevations and schematics are to be approved by the Executive Director; and 5) C.R. must submit verification from the City of Fort Bragg that public sewer and water will be provided to the complex.

Since the Commission's action on this permit, the City of Fort Bragg has annexed this area, so sewer and water should be available now. However, other conditions of the permit have not been met and therefore, the permit has not been issued to date.

Coastal Element Policy: Todd's Point; Highway 20 Intersection

4.4-4 Any major new development of Todds Point shall be contingent upon annexation and provisions for sewer and water facilities by the City of Fort Bragg, and highway intersection improvement sufficient to handle increased traffic related to major new development of Todds Point.

At such time as annexation occurs, the Coastal Element should reflect the pre-zoning identified in the Fort Bragg Local Coastal Plan.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Noyo Bay

Location: Soldier Point to Noyo Bridge.

Ownership: Private; Georgia-Pacific; public.

Existing Development: Steep bluffs except for a 600-foot beach bordering the dredge spoils storage area immediately north of harbor entrance. A small portion of the blufftop

is occupied by Native Americans; the remainder adjoins the Georgia-Pacific log storage area and airstrip. Shoreline access is available only at the beach area, labeled Ocean Front Park and Spoils Area in the Fort Bragg Local Coastal Plan. An unpaved parking area at the base of the breakwater is heavily used for beach access.

Potential Development: Day use shoreline park at beach area. Public use of the bluffs to the north of the beach would require extensive fencing to avoid interference with Georgia-Pacific operations. This site is less scenic than the bluffs on south side of the harbor entrance.

Policy:

4.4-5 Public access shall be maintained at the Noyo Bay Beach and the area improved and maintained under the jurisdiction of the Noyo Harbor District. Should the Industrial use of the land be changed or augmented by use or uses other than Industrial then vertical and lateral access shall be obtained consistent with Policy 3.6-5.

Noyo Harbor

Location and Ownership: Three existing boat launching ramps (one private ramp on north side and two public ramps on south side, including Wildlife Conservation Board ramp.)

Policies:

4.4-6 Existing boat launching ramps and dry docks (haul out for large boats) shall be maintained in Noyo Harbor.

4.4-7 Those offers of dedication of 15-foot vertical and lateral accessway along 45 feet of harbor frontage (Schnaubelt Fisheries) and an offer of dedication of a 5-foot vertical access on property adjoining Schnaubelt (Carine) shall be relinquished. There are sufficient access and view points within the harbor to meet the requirements of the Coastal Act.

4.4-8 The Harbor District shall be requested to provide public viewing access to the water's edge at several locations along the south shore as a condition of approval of harbor expansion.

North Harbor Drive

Location: Immediately north of Noyo River Bridge, east of Highway 1 transversing east then south to Noyo Fishing Village. Pass through village (northward) then west under bridge to harbor entrance and shoreline. Northern portion is in the City Limits of Fort Bragg.

Existing Development: Existing accessway on County Road 415A. West of bridge is large, unimproved parking area within view of harbor entrance and shoreline. Major tourist route into Fishing Village and attractions.

Potential Development: Improve parking area for viewing at harbor entrance and shoreline access.

Noyo River

Location: North bank, three miles upstream from mouth.

Ownership: Private.

Characteristics: Offer of dedication of a 25-foot lateral floating easement; no vertical accessway.

Policy:

4.4-9 The offer of floating easement shall be released because a trail system to connect to the easement is not feasible and a vertical accessway does not exist.

South Harbor Drive

Location: East of Highway 1, transversing north from Highway 20 into Noyo Fishing Village (south bank).

Existing Development: Existing accessway on County Road 415. Large improved parking area at terminus.

Todd's Point

Location: Lots north of west end of Ocean View Drive, Todd Subdivision.

Ownership: Private; prescriptive rights may exist.

Existing Development: Chicken Point traditionally is used by fishermen as a viewpoint to assess weather conditions before going to sea. Others enjoy watching boats enter and leave Noyo Harbor. The heavily used viewpoint is denuded of vegetation and is subject to littering.

Status: The parcel along the north bluff of Todd's Point may be subject to prescriptive rights and is unsuited for development. (See Noyo Bay above for legal status.) The Land Use Plan shows a trail on this site, where fine views would be possible. The trail would link Todd's Point (specifically Chicken Point) with South Harbor Drive passing under Noyo Bridge. This parcel, together with two adjoining parcels to the south at Chicken Point, is shown as "park" on the Fort Bragg adopted General Plan.

Potential Development: Acquisition, development for viewing only, and surveillance are essential to protect the privacy and quality of environment for Todd Subdivision residents.

Policies:

4.4-10 An accessway shall be acquired along the northern bluff top at Todd's Point, linking Chicken Point with south Harbor Drive by an existing trail which passes under the Noyo Bridge. A parking area, suitably screened from adjacent residential parcels, shall be developed in the vicinity of Chicken Point. Soil and vegetation restoration work shall be incorporated as part of any public acquisition of this highly scenic area. Day use only shall be permitted.

4.4-11 All existing offers of blufftop access in Todd Subdivision (Myers, Spath, Ritchie) shall be relinquished. The blufftop offers are inappropriate because they lack vertical access connections, and because no blufftop trail around the headland is planned, and because they infringe upon privacy.

Ocean View Drive

Location: West of Highway 1, just south of Noyo Harbor Bridge extending .5 mile to blufftop.

Existing Development: Existing accessway into Todd Subdivision transversing on County Road 439 to blufftop and outstanding views to ocean and Noyo Bay.

Potential Development: See discussion on Todd's Point (above).

Hare Creek

Within the Fort Bragg to Hare Creek Planning Area, Ocean View Drive, North Harbor Drive and South Harbor Drive are shown on the Land Use Maps as existing shoreline access.

Location: West of Highway 1 Bridge, south of Highway 20.

Ownership: Private.

Existing Development: Sandy beach currently reached by path adjoining Bellow-Seacrest Subdivision on south side. Prescriptive rights may exist. Recorded offers of dedication of lateral access along the south side of Hare Creek by Patterson, Trombetta and Emerson.

Potential Development: Access near Hare Creek Bridge from the north side in conjunction with development of the adjoining parcel to the north.

Policy:

4.4.12 Public access to Hare Creek beach shall be an important feature of the local coastal plan in this area which is subject to rapidly increasing urbanization. A proposed shoreline access trail to Hare Creek beach is indicated on the land use map.

As part of its planned development, the College of the Redwoods shall be required to provide for an internal pedestrian pathway and a public parking area conveniently situated on its property.

Access beyond the college property to Hare Creek beach shall be required as a condition of approval for any future development involving those properties which adjoin the west side of Highway 1 south of Ocean View Drive (County Road 439), and these properties adjoining the north side of Hare Creek and Hare Creek beach. As an alternative to this proposal, the purchase and management by a responsible public agency of a shoreline access trail extending from the north side of Hare Creek in the vicinity of Bay View Avenue (County Road 439A) to Hare Creek beach is recommended by this plan.

Visitor Accommodations and Services: No visitor accommodation or service has been designated as a principal permitted use on the land use map in the Fort Bragg City Limit to Hare Creek Planning Area. However, an abundance of visitor accommodations and services are available in the Fishing Village at Noyo. These include Anchor Lodge, Salmon Inn, Noyo River Inn, the Wharf and several other restaurants. In addition, a small commercial area has been designated north of Noyo Bay and additional visitor accommodations are expected to be constructed on Highway 1 commercial frontage, south of Noyo Bridge.

4.5 HARE CREEK TO JUG HANDLE CREEK PLANNING AREA (South Fort Bragg)

South of Hare Creek, the Coastal Zone boundary is located approximately one and one-half miles east of Highway 1 thus including residential neighborhoods as far as two miles away from the coast.

A commercial zone on both sides of Highway 1 between Hare Creek and Boice Lane contains a building supply store, two equipment rental businesses, neighborhood grocery stores, a dairy, two motels, several campgrounds, and other highway-oriented and neighborhood commercial businesses.

Residential areas on either side of the commercial area along tributary roads such as Simpson Lane and Boice Lane are largely built out with one acre per single family dwelling parcel size predominating. Away from the tributary roads, parcel size may be five acres or larger. Although some of the larger parcels are used for agriculture, mainly grazing, the Rural Residential land use classification would encourage these uses to continue. Few parcels of 20 acres or larger exist between Hare Creek and Jug Handle Creek in the Coastal Zone.

Between Hare Creek and Boice Lane, Highway 1 has a median turn lane and bike lanes are planned in the future. The intersections of Highway 1 with Simpson Lane and Boice Lane are the sites of numerous vehicle accidents. Caltrans is considering installing a signal at the Simpson Lane intersection. Because Simpson Lane is heavily used by pedestrians, bicyclists, and equestrians, the North Central Coast CAC and the Northern California Trails Council have recommended that the 2.5 miles of Simpson Lane between Highway 1 and Mitchell Creek Drive be included in the County Trails Plan and have a high priority for road shoulder improvement.

A high water table and moderately intensive commercial development have caused septic system failures along Highway 1. Visitor facilities, including two heavily-used trailer parks, have contributed to these problems. Although the commercial zone needs sewer service, area residents strongly oppose annexation to the City of Fort Bragg which has designated Suburban Residential densities for the area. Residents of the area value the rural atmosphere and oppose high density development. Additional development would depend on provision of water and sewage disposal on each property or on the extension of Fort Bragg systems.

Designated Access Points and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Mendocino Gardens

Location: Garden entrance is located west of Highway 1 north of Digger Creek. The Garden extends to the shoreline via developed network of paths.

Ownership: Private and public. Of 47 acres, 12 acres were purchased in 1982 with State Coastal Conservancy funds and now managed by the Mendocino Coast Recreation and Park District.

Existing Development: Botanical garden developed with paths, concert area and blufftop and beach access. Restaurant at gate entrance.

Policy:

4.5-1 The Mendocino Coast Botanical Gardens shall be recognized in this Coastal Element as an important visitor service and public access facility. The Open Space and Planned Development designations shown on the Land Use Map for this property provide for viable land uses which will sustain public use of the gardens, the access trail and ocean view areas.

The entire property shall be evaluated by the County at the time of any proposed development, to assure that public access is maintained and improved.

Policy:

4.5-2 The offers to dedicate easements to the public for access shall be accepted and additional offers of dedication for public access easements shall be obtained for those areas shown on the land use plan map consistent with Policy 3.6-5 in order to complete this trail system. Vertical access from Pacific Ocean Drive to blufftop access shall be limited to non-motorized use.

Policy:

4.5-3 The Rapatz offer of access dedication, 25 feet wide along 210 feet of blufftop between Hare Creek and Digger Creek, shall be relinquished because there is no connecting vertical access nor plans for a coastal trail in this area.

Mitchell Creek

Location: West of Highway 1, south of Mitchell Creek, adjoining Pine Beach Inn to the south.

Ownership: Private

Existing Development: Paved trail from motel leads to 250-foot protected cove with sand beach. Offers of 25-foot accessway from mean high tide along the bottom of the bluff have been obtained from two adjoining lot owners, Day and Booth.

Policy:

4.5-4 An offer to dedicate public access to Mitchell Creek Beach for pedestrian use shall be required as a condition of permit approval for those areas delineated on the land use plan map. The California Department of Parks and Recreation should develop a public parking area on State property and develop a trail from the parking area to the beach.

Policy:

4.5-5 The offers to dedicate beach access by Booth and Day shall be accepted for these properties adjoining Mitchell Creek Beach. Access offers shall be required as a condition of permit approval from the other property owners surrounding Mitchell Creek Beach for the portion of the properties below the toe of the bluff, including all of the beach portions of the properties.

Jug Handle Area Trail

Location: Jug Handle State Reserve and adjoining properties; Old Highway 1 at Pine Beach Inn to then west across DPR parcel, then south to Jug Handle Creek.

Ownership: Primarily California State Department of Parks and Recreation (DPR). DPR owns a conservation easement on a large parcel south of Jefferson Way (Seitz) and a right of first refusal to purchase. DPR also owns three parcels in Jefferson Subdivision constituting a 3/14 interest in the subdivision and therefore a 3/14 interest in the recreational parcel in common, allowing public use of the shoreline parcel held in common by lot owners. In addition, DPR owns the adjoining land south of Jefferson Subdivision which has a deeded right of its owners to use this same recreational parcel.

Characteristics: Trail shown on Land Use Plan provides access to bluff top and shoreline from Old Highway 1 at north edge of Reserve and at the interpretive center south of Jug Handle Creek and at a point just north of the Seitz property driveway. The State Park parcels may be connected by a beach trail below the bluff westerly of the Jefferson Subdivision.

Policy:

4.5-6 Existing offers of dedication of access on a common, fractionally owned parcel from lot owners in Jefferson Subdivision shall be accepted.

Jug Handle State Reserve North Access

Location: West of Highway 1, between Mitchell Creek and Bromley Creek.

Ownership: DPR, Jug Handle State Reserve; 40 acres reached by 80-foot wide access from old Highway 1.

Characteristics: Unimproved trail to headlands and beach. Part of Jug Handle Area Trail.

Potential Development: Day use with parking near entrance.

Policy:

4.5-7 The Department of Parks and Recreation should prepare a management plan for the Jug Handle State Reserve. As indicated on the Land Use Maps, a hiking trail should be developed through State Department of Parks and Recreation property. Identified entrances, with adequate off-street parking and limited day-use facilities, strategic locations to provide access to the trail system.

Areas of Jug Handle State Reserve east of Highway 1 in the Gibney Lane area should be considered for park status so that low impact, walk-in campsites may be developed.

An equestrian trail east of Highway 1 parallel to the highway and a trail connecting Highway 1 with Jackson State Forest should be designated.

The Department of Parks and Recreation should be required to institute a brush management program to remove Gorse and Scotch Broom in conjunction with County efforts (as directed by Policy 3.1-20) which have become a fire hazard and a threat to adjacent private lands.

Jug Handle Creek

Location: Jug Handle Creek.

Ownership: DPR, Jug Handle State Reserve.

Existing Development: Residence and interpretive center; trail to beach and Ecological Staircase. Part of Jug Handle Area Trail.

Potential Development: DPR proposes to relocate parking south of residence. The State Department of Parks and Recreation will provide, in their management plan, for a safe access and egress to the beach at the mouth of Jughandle Creek.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Hare Creek to Jug Handle Creek Planning Area at the following locations:

Pomo Campground	existing campground
Woodside Trailer Park	existing campground
Pine Beach Inn	existing motel and restaurant

In addition, many visitor accommodations and services are available along the commercial strip of Highway 1, but have not been designated on the land use map. These include the Mendocino Botanical Gardens, the Coast Motel, the Shoreline Motel and Hidden Pines Campground.

SOUTH CENTRAL CAC AREA
(Jug Handle Creek to Navarro River)

4.6 JUG HANDLE CREEK TO RUSSIAN GULCH PLANNING AREA (Includes Caspar)

Caspar is a former lumber town, situated on a coastal terrace that at one time was planted in some vegetable crops. The land slopes gently to sharp bluffs, interrupted only at the creek mouths. The planning area's vegetation includes the southernmost Sitka Spruce forest, windbreak planting, mixed fir and redwood forest, pygmy forest, scrub, Scotch Broom and gorse. After operating from 1861 until 1955, the lumber mill is now gone, its former location marked only by the mill pond weir, a few remaining workers' cottages, and buildings in the village. However, the Caspar Lumber Company still owns 300 acres on both sides of Caspar Creek, the future use of which will be the single most important determinant of community character.

Highway 1 is a two-lane expressway through Caspar and offers views of grazing lands fronting the old town and occasional distant views of the ocean. Old Highway 1, renamed Point Cabrillo Drive between Caspar Creek and Russian Gulch, provides one of the coast's rare alternatives to Highway 1 for intra-community travel. A gap in Point Cabrillo Drive at Caspar Creek, where all vehicular traffic must use the expressway, limits the sense of community and the potential for commercial development in Caspar.

Jug Handle Creek forms a distinct separator between the Caspar area and South Fort Bragg. If Caspar is to retain its distinct identity, low density development may be appropriate.

The intent of the plan is to comply with Coastal Act policies channeling development to already developed areas, preserving the quality of the landscape, and retaining agricultural land. At the same time the plan recognizes that an established pattern of development exists at the northern and southern boundaries of the planning area west of Cabrillo Drive. Where land in view corridors is designated for development, planned unit development is called for. The existing open character can be preserved by clustering homes at densities consistent with view sheds. Careful siting will retain views for residents as well as for visitors and expressway drivers.

Caspar Village

The unique rural character of the old town of Caspar shall be maintained. While most of the planning area is designated for low densities, the village offers an opportunity for construction of relatively high density, lower cost housing if water and sewage disposal can be provided. Design restrictions should be enacted to preserve the character of the town.

Coastal Element Policies: Caspar Village

4.6-1 The old town of Caspar shall be designated a Rural Village, as described in the Land Use Classification system.

4.6-2 Existing historical structures in the community shall be protected under the historic guidelines if so designated. Remodelling of existing buildings or new construction shall not degrade the character of the historical community. Building materials, colors, and architectural forms should be compatible with existing structures.

4.6-3 The County and concerned individuals shall assess the benefits of designating Caspar Village on the National Registry as a Historic District.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Caspar Road Alternative Coastal Trail

Location: Old Highway 1 through Caspar to Doyle Creek.

Characteristics: Trail follows existing road (County Road 569), then unimproved trail along headlands to beach.

Policy:

4.6-4 Blufftop trail on headlands shall be acquired consistent with Policy 3.6-5.

Caspar Point

Location: From Caspar via Pacifica Drive through Vanneman property.

Ownership: Private (Vanneman).

Existing Development: Traditional access to Caspar Cove. Offer of dedication of vertical and lateral blufftop access.

Policy:

4.6-5 The offer of dedication, an easement for vertical and lateral access (Vanneman/Tree) shall be accepted. No parking is to be provided on the parcel, and the accessway is not to be indicated by a sign.

Fern Creek Road - Caspar Orchard Road Inland Trail

Location: East of Caspar: From Highway 1 east along County Road 410, then southeasterly along County Road 411A into Jackson State Forest.

Existing Development: pedestrian, bicycle, and equestrian use; designated by County Trails Plan.

Caspar-Little Lake Road (Road 409) Inland Trail

Location: South of Caspar: From Highway 1 southeasterly to its intersection with Little Lake Road (County Road 408).

Existing Development: Pedestrian, bicycle, and equestrian use; connects with alternative coastal trail along Point Cabrillo Drive (Old Highway 1) to west; and also connects to Little Lake-Sherwood Inland Trail; designated by County Trails Plan.

Caspar Headlands State Beach

Location; Both sides of the mouth of Doyle Creek.

Ownership: DPR, 3 acres.

Existing Development: State ownership includes only the southwest corner of the beach at Caspar Anchorage. Existing houses on the beach are on a leasehold from the Caspar Lumber Company. Offers of dedication for lateral blufftop access south of DPR land have been recorded by Crowther and Foster.

Potential Development: State acquisition of the entire beach and adjoining Caspar and Doyle Creek wetlands; possible acquisition of private campground east of the Point Cabrillo Drive proposed by DPR.

Policy:

4.6-6 The Department of Parks and Recreation shall be requested to prepare acquisition and management plans for all of the beach lands fronting upon Caspar Anchorage and for those Caspar Creek wetlands which are located west of Highway 1. A coastal trail loop, as indicated on the Land Use Maps connecting the village of Caspar with Point Cabrillo Drive, should be incorporated in any park management plan. If the forest land ownership at Caspar Beach ever changes, State Department of Parks and Recreation should develop a hiking and equestrian trail from Caspar Beach to Jackson State Forest.

Caspar Headlands State Reserve

Location: South side of Caspar Anchorage.

Ownership: California Department of Parks and Recreation owns four parcels within the Caspar Headlands Estates Subdivision.

Characteristics: Trail shown on the Land Use Plan provides public access from Cabrillo Drive to the cul-de-sac that provides access to the parcels in the Caspar Headlands Reserve area.

Existing Development: According to an order of the court, use is for educational purposes, however, current uses are viewing and fishing. A paved cul-de-sac, now closed to traffic, serves headlands and subdivision lots which have earth berms to separate them from state-owned parcels. Recorded offers of dedication for blufftop, lateral access exist immediately south and 0.5 miles south of DPR property. (Hall and Howell)

Potential Development: State ownership should be expanded, consolidated, or eliminated. If the reserve is retained, parking should be provided and the landscape restored.

Policies:

4.6-7 It shall be recognized that acquisition of the entire Caspar Headlands estate is not feasible and that an agreement for private and public use of the area is the best solution.

4.6-8 The offers of blufftop dedication in Caspar South subdivision and Cabrillo subdivision (Foster, Crowther, Hall, and Howell) shall be relinquished because no blufftop trail is proposed and access is available nearby.

Point Cabrillo Alternative Coastal Trail

Location: Point Cabrillo Drive (Old Highway 1 now County Road 564) from Caspar Creek to Russian Gulch.

Existing Development: Connects to Caspar-Little Lake Road and Cross - California Ecological Trail Corridor. Alternative to Highway 1 for cyclists.

Potential Development: Post sign on Highway 1 for cyclists.

Point Cabrillo Light House

Location: One mile west of Point Cabrillo Drive at Pine Grove.

Ownership: U.S. Coast Guard, 32 acres; remainder private.
Existing Development: Light station is not open to public except by written permission from District Commander in San Francisco.

Potential Development: Light house station would be an access point for picnicking, ocean viewing and historic site tours during daylight hours.

Policies:

4.6-9 When the Coast Guard abandons the lighthouse property, the California Department of Parks & Recreation or other agency or organization should acquire the property and prepare a management plan for the lighthouse that will provide for the development of a trail to the lighthouse as shown on the Land Use Plan Map. Until then, the U.S. Coast Guard shall be requested to open the light station property to limited public access at no fee. Use shall be restricted to picnicking, ocean viewing, and historic site tours during daylight hours. Because this shoreline is included within the boundaries of the Point Cabrillo Underwater Reserve administered by the Department of Fish and Game, no offshore diving or rockfishing shall be allowed.

4.6-10 The use of this 300 acres should remain public. Any proposed closure or other restriction on use of the site for public access and recreation, including those arising from the sale or transfer of the property, may require an LCP amendment and would constitute development requiring a coastal development permit. A State of California Marine Preserve is located along the western shore of the Point Cabrillo Light Station and Nature Preserve prohibiting any recreational or commercial fishing, diving, or swimming in these areas. *(Revised 8-30-2005; Resolution 05-153)*

4.6-11 Offers of dedication for public access shall be obtained along the designated pedestrian day use trail on the land use plan map consistent with Policy 3.6-5. Existing offers of dedication located on the southern trail section on the White property shall be accepted.

Cross-California Ecological Inland Trail Corridor

Location: From Russian Gulch State Park through the Park to Colusa and the North Lake Tahoe corridor.

Existing Development: Hiking and equestrian trail through Russian Gulch State Park; designated by DPR Hiking and Equestrian Trails Plan.

Russian Gulch Headlands Area

Several property owners have been required to make access offers of dedication as a condition of permit approval. Offers by Bower, Kibbee, Ferrero and Barham have been recorded; agreements with Powers, Hansen, Davies and Bergin have not yet been signed and recorded. The Land Use Plan recommends that all offers of dedication be relinquished. The area between Indian Shoals Subdivision and Russian Gulch State Park will not be needed for a blufftop trail; the bluffs themselves are fragile and a trail could not be completed using dedication offers because key parcels have been developed without dedication offers.

Policy:

4.6-12 All offers of dedication which have been recorded for public access required as a condition of permit approval within the Russian Gulch Headlands area shall be relinquished finding that there is sufficient access at Caspar Cove and Russian

Gulch and that access has been requested at Point Cabrillo. The area between Point Cabrillo and Russian Gulch is already parcelled out into several subdivisions and partially developed. Public testimony has established the fragility of the area.

Russian Gulch Blufftop

Ownership: DPR

Existing Development: Well developed and heavily used park. Facilities are listed in Table 3.7-1.

Potential Development: Addition of up to 100 campsites east of Highway at north edge of park. Improved access to south headlands, including new parking area.

Policies:

4.6-13 The Department of Parks and Recreation shall be requested to prepare a general plan for Russian Gulch State Park that provides access to the south headlands, subject to conditions necessary for preservation of the park's natural environment.

4.6-14 DPR should schedule the addition of campsites at Russian Gulch State Park so that not more that 50 are built within 5 years following adoption of the Coastal Element. If subsequent evaluation shows that private campgrounds of comparable quality between Fort Bragg and Russian Gulch are not meeting the demand for campsites, 50 additional units may be built.

The Department of Parks and Recreation should schedule the development of additional campsites in conjunction with a park management plan. The number of campsites shall be dependent upon sewage capacity which is allotted to the Russian Gulch State Park by the Mendocino City Community Services District.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Jug Handle Creek to Russian Gulch Planning Area at the following locations:

Jug Handle Farm	existing hostel and campground
Caspar Beach Trailer Park	existing campground
Pt. Cabrillo Cottages and Campground	existing accommodations (motel-type)
Russian Gulch State Park	existing campground

Four sites have been designated for conditional uses. They are located at Russian Gulch State Park, south of Jug Handle Farm, the Point Cabrillo Cottages and Campground and the Point Cabrillo Lighthouse property owned by the Department of Parks and Recreation. In addition, several visitor services are located in the Rural Village of Caspar, but have not been designated

on the land use map. *(Revised 5-10-2005; Resolution 05-065; Revised 8-30-2005, Resolution 05-153)*

4.7 RUSSIAN GULCH TO VAN DAMME STATE PARK PLANNING AREA (Big River Planning Area)

The Big River area includes the Town of Mendocino, defined for Coastal Element planning purposes as the area within the Mendocino City Community Services District, with the exception of the Sea Rock and Agate Cove properties (Assessor's Parcel Numbers 119-030-03, 119-030-04, 119-030-10 and 119-030-13). The Town Plan for Mendocino is described in Section 4.13.

The entire Big River Planning Area west of Highway 1 has been designated as a "highly scenic" area, requiring that all development outside Mendocino Town be subordinate to the natural environment. Fortunately, few conflicts exist, and large parcels, low densities, and wooded terrain will make it possible to subordinate new development to its setting without unduly restrictive design policies.

In support of the Town Plan policy to limit construction of additional overnight accommodations, several new conditional visitor serving sites have been designated in the Big River area. One is a proposed group campsite on Department of Parks and Recreation (DPR) property. The other two are potential inn sites east of Highway 1 and south of Comptche-Ukiah Road. A limited number of visitor serving units within the vicinity of Mendocino would alleviate some of the pressures on the Town of Mendocino.

The U.S. Fish and Wildlife Service recently considered acquiring portions of the Big River watershed to protect the wetlands, but this plan has now been abandoned. The agency is relying on timber harvest rules, the Special Treatment Area designation that applies to much of the area within the coastal zone, and Coastal Act policies to preserve the wetlands.

Coastal Element Policies: Big River Planning Area

4.7-1 New development west of Highway 1 shall be subordinate to the view shed or scenic character of the area. New development east of Highway 1 where designated as a highly scenic area shall be subordinate to its setting.

4.7-2 Dedication of scenic easements on undeveloped portions of parcels along Highway 1 or on Brewery Gulch Road should be required.

4.7-3 Pacific Gas and Electric Company shall be requested to consider preparing a plan for relocating power transmission lines that now intrude on views of Mendocino Town at certain locations south of Big River.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by

acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Russian Gulch State Park

(See description and policies in Section 4.6)

Mendocino Town Alternative Coastal Trail

Location: From Highway 1 on Lansing Street to Heeser Drive County Road 407FF), to Main Street, Big River-Mendocino Headlands State Park. (See Town Plan map)

Characteristics: Bluff and shoreline access and viewing areas. Public restrooms are located north of Heeser Drive.

Jack Peters Creek

Location: Intersection of Highway 1 and Lansing Street (County Road 500), north of the Town of Mendocino.

Ownership: Private (Bernhard). Offer of access dedication for the narrow northern section (150 feet long) of the property.

Characteristics: The area provides a scenic overlook and shoreline access at Jack Peters Creek.

Potential Development: Improve and enlarge view turnout.

Policy:
4.7-4 Offer of access dedication shall be accepted.

Little Lake Road Inland Trail

Location: From Highway 1 at Mendocino, County Road 408 transverses northeasterly to intersection of Caspar-Little Lake Road (Road 409) to State Highway 20.

Characteristics: Pedestrian, bicycle, and equestrian use; designated on County Trails Plan.

Big River River Access and Access to Big River Beach

Location: North shore of Big River, in Highway 1 right-of-way, east of Highway 1.
Characteristics: Unpaved parking area with access to river.

Policy:

4.7-5 The parking area shall be improved and the access point developed for boat launching be maintained. Power boats on Big River shall be prohibited, except for outboard motors traditionally used for trolling. Access to the beach and river is not considered safe access to Mendocino Bay and the ocean.

Policy:

4.7-6 The existing private logging road in this forest protection area extends along the north side of Big River could serve as an excellent trail for hiking, bicycling, fishing and equestrian access along Big River. Due to the steepness of grade of the north bank of the river as well as potential fire danger and increased noise impacts, vehicular access and parking should be limited to the first six miles. In addition, this area is to be closed to dogs in order to protect wildlife. River accessways in this area shall be consistent with Coastal Act, Section 30212(a)(2). If this private road becomes available to the public it should be acquired by the California Department of Parks and Recreation and shall be managed to provide river access.

Mendocino Headlands State Park

Location: Mendocino. Park lands in this unit are divided into three separate areas: (1) west end of Mendocino Town peninsula and entire shoreline; (2) funded acquisition, east of Highway 1, north bank of Big River; and (3) east of Highway 1, south of Comptche-Ukiah Road.

Ownership: DPR; portion is private, but acquisition is funded.

Existing Development: Trail access through existing park areas on headlands north of river include blufftop and shoreline access to Mendocino Bay. Public restrooms available north of Heeser Drive.

Potential Development: DPR proposes 5 group camps accessible from Comptche Road in southern portion of park.

Policy:

4.7-7 California State Department of Parks and Recreation shall be requested to review and revise its General Development Plan for Mendocino Headlands State Park with the participation of the community. Group campsites in the southern portion of the Mendocino Headlands State Park shall be a conditional use. A hostel may be submitted for up to half of the group camp capacity in this area, if the park management plan so provides.

4.7-8 The California Department of Parks & Recreation should complete the funded acquisition of the riverside property and prepare a management plan that provides for the improvement of the existing parking area and development of the access point. The use of power boats on Big River shall be prohibited except for outboard motors traditionally used for trolling (less than 10 horsepower).

North Brewery Gulch Road (McMillen Access)

Location: South of Big River mouth, west of Comptche-Ukiah Road intersection with Highway 1.

Ownership: McMillen has recorded an offer of dedication for shoreline access over the portion of his property west of Brewery Gulch Road.

Existing Development: Wide bluff area with access to rocky intertidal area.

Policy:

4.7-9 Offer of access dedication by McMillen shall be accepted.

4.7-10 Brewery Gulch Road south of Big River on the west side of Highway One shall be preserved as an existing bluff top access affording spectacular views of Mendocino Bay and the town of Mendocino. These views shall be protected and enhanced by possible future relocations of power lines as indicated in Policy 4.7-3.

Comptche-Ukiah Road Inland Trail

Location: From Highway 1 south of Big River, southeasterly to Orr Springs and Low Gap Roads.

Characteristics: Pedestrian, bicycle, equestrian use, designated by County Trails Plan.

Mendocino Bay Alternative Coastal Trail

Location: Old Highway 1 (Brewery Gulch Road) south of Big River, west of Highway 1.

Characteristics: Turnouts with spectacular views of Mendocino.

Van Damme State Park Trail

Location: West of Highway 1, north entrance is located just south of Mendocino Bay transversing along the bluffs to just north of Little River.

Ownership: DPR, 153 acres; private agricultural parcel between two DPR parcels.

Existing Development: Coastal terrace grassland with some trees and 2,800 feet of shoreline; undeveloped.

Potential Development: Parking area, trail, shoreline access.

Policy:

4.7-11 The California State Department of Parks and Recreation shall be requested to prepare a general plan for Van Damme State Park including parking, day use facilities, and shoreline access on the two northern parcels.

4.7-12 An easement across the intervening private property shall be obtained consistent with Policy 3.6-5 to provide a continuous loop hiking trail, as indicated on the Land Use Plan. This loop trail shall connect with Brewery Gulch Road trail to the north consistent with Policy 3.2-14. There shall be no bluff top trail until the ag land use changes.

Little River Blowhole Vista Point

Location: West of Highway 1, north of Little River Cemetary on existing private drive.

Ownership: Private

Potential Development: Vertical access trail to the blufftop

Policy:

4.7-13 An offer to dedicate an easement to the public for access shall be obtained for those areas shown on the Land Use Map consistent with Policy 3.6-5.

(See Little River Area Section 4.8, for policies for the remainder of Van Damme State Park).

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Russian Gulch to Van Damme State Park Planning Area at the following locations:

Ames Lodge	existing inn
Blackberry Inn	existing motel
Sea Rock Motel	existing motel
Catch-a-canoe	existing service
Big River Lodge	existing motel
Mendocino Campground	existing campground
Van Damme Beach State Park	existing campground
Glendeven Inn	existing inn
Rachel's Inn	existing inn
Mendocino Farmhouse	existing inn

The following sites have been designated as a conditional use for visitor serving facilities:

South of Mendocino Campground	proposed inn or hostel
Mendocino Headlands State Park	proposed campground
East of south entry to Brewery Gulch Road	proposed inn or hostel
Zimmer property, next to Glendeven Inn	proposed inn

Mendocino Town contains numerous inns and other visitor serving facilities. The Mendocino Town Plan is located in Chapter 4.13.

4.8 VAN DAMME STATE PARK TO DARK GULCH PLANNING AREA (Little River Planning Area)

The Little River Planning Area includes most of the larger inns on the Mendocino coast, both because this stretch of coast is exceptionally attractive and because it contains large houses built by prosperous settlers. The inns, totaling approximately 250 rooms, have been successful in remaining subordinate to the natural setting. They are patronized by visitors with few comparable choices for accommodations north of San Francisco.

Substantial expansion of the inns and hostels in this location would indicate that improvements to Highway 1 are necessary or desirable. Improvements of the sharp, badly banked curve at Dark Gulch would significantly improve safety conditions of Highway 1 in this area. There is a need in this area as well as other areas up and down the coast for Caltrans to acquire sufficient right of way through dedication or purchase of 30 foot half-width from the center of the road for the purpose of sufficient area for highway improvements and maintenance.

The Land Use Plan prescribes improvement of Highway 1 to 12-foot vehicle lanes and 4-foot shoulder - little more than what exists today. Several permit applicants have recorded offers to dedicate a 25-foot easement along the west side of the highway for a pedestrian and bicycle path in lieu of providing shoreline access.

Little River

The group of buildings situated east of the highway and north of the Little River crossing is essential to the character of Little River. This grouping is designated Rural Residential.

Designated Access Rights, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Van Damme State Park

(See Big River, Section 4.7, for discussion of separated parcels north of Little River)

Location: Along Little River.

Ownership: Department of Parks and Recreation (DPR).

Existing Development: 74 campsites and a 50-person group camp; shoreline access to large sandy beach; handicapped access, improved parking area on shoreline, west of Highway 1 for approximately 50 vehicles.

Potential Development: DPR proposes relocation of the group camp to a site near Comptche Road.

Policy:

4.8-1 The Department of Parks and Recreation shall be requested to prepare a general plan with full participation of the community. The plan shall protect residents of Gordon Lane and Comptche Road from potential adverse effects resulting from relocation of the group camp.

Little River-Airport Road Inland Trail

Location: From Highway 1 at Little River, County Road 404 transverses northeasterly to Comptche-Ukiah Road.

Existing Development: Pedestrian, bicycle, and equestrian use, designated by County Trails Plan.

Highway 1 Bicycle Easement

Location: North of Schoolhouse Gulch; Stillwell Point.

Ownership: Private

Potential Development: Bicycle or pedestrian/equestrian path.

Policy:

4.8-2 Previously adopted policies relating to improvement throughout the Highway 1 area providing for 12-foot road strips and 4-foot shoulders, where possible, should be pursued in this particular area. Accept offers of Tramaine, Glassman, and Garote and obtain additional offers of dedication along Highway 1, consistent with Policy 3.6-5.

Buckhorn Cove

Location: North side of Buckhorn Cove; south of Little River, west of Highway 1.

Ownership: Private.

Characteristics: Highly attractive rocky cove with sandy beach.

Potential Development: Entrance would be 500 feet north of cove to permit a safe turn; parking could adjoin highway and be screened from view.

Policy:

4.8-3 An offer to dedicate an easement for public access and a public parking area shall be obtained for those areas shown on the land use plan map consistent with Policy 3.6-5.

Heritage House

Location: Smith Creek, just north of Dark Gulch, west of Highway 1.

Ownership: Private.

Existing Development: Beach on inn property. Deed restriction as condition of permit to ensure continued no-fee public access.

Policy:

4.8-4 The existing visitor serving facility consists of many separate cabin units located on several different contiguous parcels under one ownership. In order to allow for the continuation and expansion of the visitor accommodations an asterisk 5 designation shall apply to the ownership as a single facility and the future use of this designated site shall be limited to visitor serving accommodations and support services.

Dark Gulch to Albion Trail

Location: 0.25 mile south of Dark Gulch to the north edge of Albion Village.

Ownership: Private; an offer of dedication of a 6 foot vertical access and a 25 foot lateral access along 400 feet of bluff top was obtained (Roberts).

Potential Development: Trail around Albion Head offering spectacular views of the coast as well as views of the Albion River Bridge, Albion Village, and Albion Harbor.

Policy:

4.8-5 The offer of dedication (vertical and lateral) from Roberts shall be accepted and in addition offers of dedication for public access for those areas delineated on the land use plan map shall be obtained consistent with Policy 3.6-5.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Van Damme State Park to Dark Gulch Planning Area at the following locations:

Little River Inn	existing inn and restaurant
Fools Rush Inn	existing motel-type accommodation
The Ledford House	existing restaurant
The Victorian Farmhouse	existing bed and breakfast inn
School House Creek Inn	existing inn
Sea Foam Lodge	existing motel

Andiron Lodge	existing motel
Heritage House	existing inn and restaurant

4.9 DARK GULCH TO NAVARRO RIVER PLANNING AREA (Albion Planning Area)

The Albion CAC area covers 35 square miles, much of it in timberland, though the view from Highway 1 consists of vistas of grassy hills on the headlands, coastal terraces and meadows. The coastal zone extends three miles up the Albion River which is estuarine and navigable by canoe, and four miles along the Navarro River. In addition to Albion Village and Albion Flats, which date from the lumber boom of the 1850's there are communities on Albion Ridge, Middle Ridge, Navarro Ridge and in the Pacific Reefs Subdivision.

Minor highway improvements, such as adding 2 to 4-foot bike lanes, are desirable where the terrain allows. A hazardous turn immediately to the North of the Albion Bridge is the site of numerous Highway 1 accidents. Spot improvement of this turn should be given high priority by Caltrans.

The need for preservation of visual resources also affects future development, for much of the planning area both west and east of Highway 1 has been designated as "highly scenic" where development must be subordinate to its setting. Navarro Head, no more scenic than many other headlands, is especially important because it is many visitors' introduction to the Mendocino coast. To travelers emerging from the dense redwood forest of Highway 128, the fog, wind, winding road and grassy hillsides above the high bluffs and surf convey the vastly lonely coast that makes the drive worthwhile.

The view has not been substantially degraded, although some would argue that the two or three house on the bluff below the road are a significant intrusion. Trees to screen buildings on the point should be planted near the buildings so that some trees near the road can be removed to open views. The main concern is to maintain this visual gateway to the coast.

On the west side of the highway, four parcels between Navarro Ridge Road and the developed parcel at the southern tip of the headland also are of particular concern. One housing unit can be built near the bluff on each of these parcels if by siting at a low point, by earth sculpture, or by trees planted near the building, the house can be subordinate to the setting. The term subordinate applied to this location should mean that the cumulative effect of one house on each of the four parcels will result in no significant change in the appearance of the coastal terrace as seen from the highway.

Albion Village

Approaching from the north, motorists see one of the coast's most striking townscapes: a wood-trestle bridge in the foreground of a small village that clings to the edge of the hill. This village is composed of two segments-the cluster of dwellings off Albion Ridge Road and the group of buildings on Albion-Airport Road north of the bridgehead.

Coastal Element Policies: Albion

4.9-1 The Albion community north of the bridge shall be designated Rural Village.

The Albion community at the south end of the bridge shall be designated Rural Village. Retail establishments shall be limited in type and size; new stores shall be located only in the areas designated commercial.

4.9-2 In order to maintain the special community character, building permits shall require that building materials, color and architectural forms of new structures exposed to public view be similar to those existing buildings. Existing buildings shall not be remodeled in a manner that would detract from their historic character.

Albion Harbor - North and South

Albion harbor-north and south is the harbor for about 100 full-time commercial boats. The shallow harbor entrance limits boat size and requires entry and exit at high tide. Two small fish wholesalers operate on the flat. Full time boats concentrate on sea urchins and bottom fish in winter and salmon in summer. Facilities are minimal, and currently there is no assured public access to the water, even for a fee. Dredging, paved access, and slips with electricity and water are needed, but commercial fishers are concerned that improvements could result in commercial boats being forced out by pleasure boats.

Albion Flats and Harbor

The Albion Flats and Harbor area is the port for the Albion Fishing community. The land is privately owned. The public has had traditional access to the beach, ocean, river and up river by road to the estuary, but access is presently a problem and is often blocked.

The existing use consists of boat launching, fishing, diving, docks, residential trailers, a small store and gas pump, sanitary facilities and showers, fee parking, a boat barn and a few small dwellings formerly housing a restaurant, now a canoe rental and seasonal camping. There are year round boats (approximately 100), that fish out of Albion, with a sizeable increase in the summer. The only access from Highway 1 to the north side, to the flats, is a steep narrow road. There is a limited access further upriver on the south side to the Mendocino Biological Field Station road through Albion Village. There is currently access via privately owned road "D" to the south side of Albion River which is not maintained. The Planning Commission would recommend that this potential access be maintained.

The Coastal Commission, U.S. Fish and Wildlife, California Fish and Game in their report "Albion River Development-Impacts and Recommendations" states that "...The Albion River estuarine area-land and water-has reached its carrying capacity insofar as intensive development will adversely affect the ecological aspects which should be given first priority of management." The physical constraints on development are also addressed in Mendocino County Planning Department's report on proposed use permit U 84-77 of September 2, 1977, by planner Charles Hudson. These constraints still exist.

Coastal Element Policies: Albion Flat

4.9-3 Any development in the Albion Flats fishing village shall currently be limited to uses directly related to the fishing, boating, boat building and diving occupations and the support systems required to maintain them. An Albion Harbor District or Commission should be established by the County to coordinate all land and water uses within the area designated Fishing Village and Albion Cove on the Land Use Plan, including the flats, the river and the ocean beach. See also Policy 4.9-6 and Policy 3.10-1.

4.9-4 Due to their negative impacts, off-road vehicles shall be prohibited from the Albion Beach.

4.9-5 Only one narrow access road exists now on the north side which could be blocked by accident. The old Highway 1 access on the south side should be reopened as the emergency evacuation road.

The County shall encourage the provision of adequate public transit and adequate streets and roads to regional harbors.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Albion-Little River Inland Trail

Location: County Road 403 transverses northeasterly from Highway 1 at Albion to Little River - Airport Road (County Road 404).

Existing Development: Pedestrian, bicycle, and equestrian use; designated by County Trails Plan.

Albion Harbor Area

Location: North shore of Albion River at terminus of County Road 403A (Albion River North Side Road).

Ownership: Private.

Existing Development: River access, large unimproved parking area, gas pumps (2) to the south.

Potential Development: Restrooms to the west, improved parking would provide for more space during busy summer season.

Location: North shore of Albion river under Highway 1 bridge at beach.

Ownership: Private.

Existing Development: Walking access through campground to beach, unimproved parking area at beach.

Location: North shore of Albion River, east of terminus of County Road 403A, south of "The Pond".

Ownership: Private.

Existing Development: Boat launching, boat parking, river access.

Location: North shore of Albion River, Schooner's Landing area.

Ownership: Private.

Existing Development: Residential trailers, seasonal camping, boat parking, several access points along private road on north shore of river.

Location: Mendocino Biological Field Station, south shore of Albion River.

Ownership: Private

Existing Development: Pedestrian, fishing and boat launching access.

Policies:

4.9-6 Assurance of access to beach and river and estuary shall be obtained by agreement, by proof of prescriptive rights, consistent with policy 3.6-5, or by purchase. A boat launch ramp should be considered for development, allowing free boat lauching by portage.

4.9-7 No cost access and parking area should be acquired to both the north and south side of the Albion River in accordance with Policy 3.6-5.

Albion South Bluff Trail

Location: West of Highway One at Albion, off Old Highway One (County Road 401 or Spring Grove Road).

Ownership: Private

Existing Development: Undeveloped coastal headlands.

Potential Development: Upland trail extending north and west from Spring Grove Road to the western most point of the headland, approximately one-third mile.

Policy:

4.9-8 Offers to dedicate access easement for public pedestrian access along the bluff from Spring Grove Road west to the blufftop then north to terminate at the most westerly point of the Albion Headland shall be required as a condition to permits.

Salmon Creek

Location: Old Highway 1 behind Gregory's Restaurant (County Road 401, also known as Spring Grove Road).

Ownership: Private; offers of dedication for lateral, blufftop access 0.5 miles south of the creek have been recorded by Shaffron-Pfeffer and Chesson-Hollowed as a condition of permit approval.

Existing Development: Northern two-thirds of road is paved, excellent blufftop views. Southern part is unimproved, narrow, one-lane road leading to sandy beach.

Policies:

4.9-9 Offers to dedicate an access easement for vertical and lateral pedestrian access along Spring Grove Road south to Salmon Creek Beach shall be required as a condition of permit approval.

4.9-10 Access offers by Shaffron-Pfeffer and Chesson-Hollowed on the south side of Salmon Creek shall be relinquished because existing development would prevent completion of a blufftop trail using dedication offers and because adequate access will exist nearby at Salmon Creek.

Navarro Ridge Road Inland Trail

Location: From Highway 1 north of Navarro River, County Road 518 transverses southeasterly to Highway 128.

Existing Development: Pedestrian, bicycle, and equestrian use; designated by County Trails Plan.

Navarro Headland

Location: West of Highway One south of intersection with Navarro Ridge Road along blufftop.

Ownership: Private.

Potential Development: Blufftop trail along the Navarro Headlands west of Navarro Ridge Road.

Policy:

4.9-11 Offers to dedicate an easement for public access shall be obtained for those areas shown on the Land Use Plan Map consistent with Policy 3.6-5.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Dark Gulch to Navarro River Planning Area at the following locations:

Albion River Inn	existing motel and restaurant
Gregory's	existing restaurant
Navarro Ridge Inn[1]	existing inn
Good Shepherd School	existing campground
Navarro Head, east of[2]	
Highway 1 (AP# 126-010-02)	proposed inn

The following sites have been designated as a conditional use for visitor serving facilities on the land use map:

North of Albion Cove, west of Highway 1	proposed inn or hostel
West of Whitesboro Cove, west of Highway 1	proposed inn or hostel

In addition to those sites designated on the land use map, the Fishing Village of Albion contains a Recreational Vehicle campground.

[1] Now known as Fensalden Inn, this site was reclassified from an *1 to an *2C in 1990, limited to twelve units maximum. Development of the site with more than twelve visitor units will require an amendment to the Coastal Element.

[2] This property is proposed for an *1 if the proposed Coastal Commission permit #80-P-78, as amended, is implemented. If the applicant applies for a substantive change, other than relief sought from the open space easement requirement, to the permit, the permitted use will change to a proposed VSF which requires a conditional use permit.

SOUTH COAST CAC AREA

4.10 NAVARRO RIVER TO MALLO PASS CREEK PLANNING AREA (Includes Greenwood/Elk)

This planning area covers 12 miles of a narrow coastal shelf and high bluffs interrupted only by deep gulches at Elk and Greenwood Creeks. The Coastal Element designates most of the planning area west of Highway 1 as a "highly scenic area" within which development "shall be subordinate to the character of its setting" as required by Section 30251 of the Coastal Act. Only two exceptions exist west of Highway 1: the Rural Village of Elk and a small residential area know as Little Geyserville. The town of Elk is a "unique community," so distinctive as to make this portion of the coast worth a journey to many visitors.

In the northernmost mile of the planning area, immediately south of the Navarro River, the Cameron Road neighborhood and Little Geyserville go almost unnoticed by the highway traveler. The remaining 11 miles of coast consist of grazing land on the coastal shelf and timberland in the gulches and upper slopes. The most northerly remaining dairy ranch in the coastal zone is near the south end of the planning area.

Outside Elk, the Coastal Element calls for almost no additional land division because of the absence of urban services and the difficulty of accommodating new development subordinate to the landscape.

Traffic on this segment of Highway 1 is lighter than at any other location south of Westport. The plan calls for widening narrow sections to provide 12-foot vehicle lanes and 4-foot shoulder for bicycles. At some locations, construction of this 32-foot road section may so disrupt the environment that it should not be built.

Elk

Clearly a "unique community" within the intent of the Coastal Act, Elk (Greenwood) is the coast's only linear historic town. Since lumbering operations stopped the vestiges of the lumber town gradually have disappeared. A few elegant houses, trees along the road, vacant highway frontage, the post office, small stores, and the garage with stamped metal "brick" siding combine to establish Elk's man-made character. It is difficult to imagine any change that would improve Elk; however, a few additional housing units could be built both east and west of the highway that would not be visible from the road. Large inns or motels would be inconsistent with the town's character.

Coastal Element Policy: Elk

4.10-1 Elk shall be designated a Rural Village, with residential, commercial, and cottage industry uses limited mainly by sewage disposal standards. Additional overnight accommodation units shall be limited to 20 and commercial floor area limitations shall be set to keep visitor serving uses in scale with community size.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Navarro River

Location: South bank, between bridge and river mouth along County Road 517 and 517A (Navarro Bluff Road).

Ownership: Wildlife Conservation Board; portion is private property over which prescriptive rights of access have been proven (Dietz vs. King).

Existing Development: Parking and day use facilities, sand beach; major water access point for divers and fishers. Operation is by Mendocino County Department of Parks and Beaches.

Potential Development: Rehabilitation of former resort, which is shown on plan as conditional use; resolution of access road problem. A proposed trail from the south bank utilizing the old state highway to the beach.

Policies:

4.10-2 The County and the Wildlife Conservation Board shall endeavor to reach an agreement with the private property owners that will allow maintenance of an access road to the Navarro river and the ocean beach.

4.10-3 Implementation of a proposed trail by Mendocino County Parks and Beaches from the south bank utilizing the old highway to the Navarro River beach.

Highway 1 Bicycle Easement

Location: North of Cavanaugh Grade, west of Highway 1 between highway markers 37.30 and 36.85.

Ownership: Offer of dedication for 25 foot wide easement along Highway 1 by Frankel.

Policy:

4.10-4 Accept offer of highway easement to connect with future offers for use of non-motorized traffic. (Frankel)

Cavanaugh Gulch

Location: 2.2 miles north of Elk, just north of the old cemetery, west of Highway 1.

Ownership: Private.

Characteristics: 200-foot sand beach reachable from moderately sloping bluff. Most suitable shoreline access point in six mile stretch between Navarro River and Elk.

Potential Development: Off-road access parking to be developed for up to five automobiles. Non-vehicular access to beach down moderately sloping gully way to beach.

Policy:

4.10-5 Vertical access to the beach shall be obtained consistent with Policy 3.6-5 and developed leading from the existing Caltrans turnout south of Cavanaugh Gulch at milepost 36.85. This turnout should be improved to accommodate up to five cars.

Cuffey's Point

Location: 1 mile north of Elk.

Ownership: Private.

Characteristics: Superb view of coast across Greenwood Cove and seastacks to south. Suitable for viewpoint, not shoreline access.

Potential Development: Turnout and parking area; picnic tables.

Policy:

4.10-6 Caltrans should acquire an area west of Highway 1 of sufficient area to construct a parking area and vista point overlooking Cuffey's Cove. An offer to dedicate a parking area and vista point at this location shall be obtained consistent with Policy 3.6-5 if Caltrans is not successful in acquiring this area prior to application for a coastal development permit. If the land use on this large area changes in the future, an offer to dedicate an easement for public access shall be required for the area delineated on the Land Use Map, consistent with Policy 3.6-5.

Greenwood/Elk State Park (tentative name for reference only)

Location: West of Highway 1 extending from center of Elk to south side of Greenwood Creek beach.

Ownership: California State Department of Parks and Recreation (DPR), 47 acres.

Existing Development: Plateau at town center with road leading to former mill site at creek; undeveloped.

Potential Development: DPR Lists potential for five picnic sites at north end of park and parking for 20-50 vehicles.

Policies:

4.10-7 The California State Department of Parks and Recreation shall be requested in accordance with LCP Policy 3.7-7 to prepare a general plan for day use only providing parking and picnic areas screened from Highway 1 north of Greenwood Creek. The Greenwood/Elk community shall participate in preparation of the park plan. The park plan shall be integrated with existing Rural Village land uses to prevent deterioration of coastal resources including the scenic highway, the historic town and the coastal bluffs and beaches.

4.10-8 An offer of dedication of a 10-foot trail, from the highway one mile south of Greenwood Creek to the ocean, obtained as a condition of permit approval (Matson), is found inappropriate and shall be relinquished, because the high bluff is hazardous and because alternative access will be available nearby at Greenwood/Elk State Park.

Elk Creek

Location: Two miles south of Elk.

Ownership: Private.

Characteristics: 40 acres west of highway loop includes 500 foot sandy beach and 3 acre lagoon. Lagoon and riparian habitats can tolerate only limited use.

Potential Development: Day use.

Policy:

4.10-9 The California State Department of Parks and Recreation shall be requested to acquire and develop for day use only.

Visitor Accommodations and Services: No sites have been designated as a principal permitted use for visitor serving facilities on the land use maps in the Navarro River to Mallo Pass Creek Planning Area; however, a variety of visitor accommodations and services are available in the Rural Village of Elk. These include the Sandpiper Inn, Harbor House Inn, Greenwood Lodge, Elk Cove Inn and others.

The following sites have been designated as a conditional use for visitor serving facilities on the land use map:

Navarro by the Sea	abandoned inn
South of Navarro River, east of Highway 1	proposed motel
Southeast of Navarro River bridge	proposed restaurant

One mile south of Elk, east of Highway 1	abandoned restaurant, proposed motel

4.11 MALLO PASS CREEK TO IVERSEN ROAD PLANNING AREA (Irish Beach/Manchester/Point Arena)

South of Mallo Pass Creek, the coastal shelf broadens, landforms become softer, and Highway 1 moves inland, sometimes out of sight of the ocean. The San Andreas fault zone intersects the shoreline near Alder Creek, runs east of Manchester, continuing parallel to and outside the coastal zone, which widens to about four miles between Manchester and Iversen Road.

A majority of the coast's full time, large-acreage ranches and prime agricultural soils are found in this planning area. The primary crop, silage, is used to feed cows at the two grade A dairies. Cattle and sheep graze on large ranches both inside and outside the coastal zone.

The upper limit of residential development in this planning area is partially determined by the capacity of Highway 1. Current peak hour traffic operates at a lower service level, on narrower sections of the highway where lanes are 9 feet wide. In most locations the roadbed could be widened, and the Coastal Element calls for construction of 12 foot lanes with 4 foot bike lanes where feasible. Improvement plans should include protected left turn lanes and passing lanes where possible.

It is difficult to predict how additional trips by both residents and visitors, would be distributed among the existing roads. From Irish Beach, the Bay Area may be reached in nearly the same driving time on Highway 128 or via Jenner and Highway 116. Weekday and weekend surveys show about 57 percent of Irish Beach traffic uses Highway 1 south, but some of these trips are for shopping in Manchester. Although Highway 128, Philo-Greenwood Road, and Mountain View Road can carry some traffic to and from this section of the coast, many drivers, particularly second home users returning to the Bay Area, will travel though Gualala and Jenner during the peak hours.

The Sonoma County LCP indicates that Highway 1 will be at capacity at Jenner, even without increased traffic due to development of existing lots at Gualala. Further, this stretch offers less opportunity to locate development out of the Highway 1 viewshed than is possible south of Iversen Road, where the potential for conflicts with agriculture also are less. The only sewer and water systems in the planning area that are capable of accommodating growth are in the City of Point Arena; and the City has no plans to extend service beyond its limits.

Irish Beach

Since 1965 the developers of Irish Beach Subdivision, just south of Mallo Pass Creek, have recorded 341 lots, typically about 15,000 square feet. Parcels allowing construction of another 58 units have been approved by the Coastal Commission in 1980. Other approvals by the County would allow the addition of 692 units, raising the possible total to 1,091. About 100 homes have been completed.

Irish Beach County Water District serves the subdivision and a septic system maintenance district recently has been formed. The Coastal Element places limitations on future development for Irish Beach.

Even when fully developed, Irish Beach is unlikely to support more than second homes and vacation rentals. The market in Manchester, Point Arena or the supermarket in Gualala will attract residents' major shopping trips. Irish Beach does need sites for a rental office, a community meeting room, and storage for fire equipment. A view restaurant and inn or motel, could become viable projects as population grows. A site west of the highway adjoining the subdivision on the north would be ideal for visitor serving uses. The community center could be there or on a more centrally located open space parcel east of the highway. Development of commercial space should not be required as a permit condition at this time.

Minor modifications to the subdivision map and street system are needed to reduce the number of lots that have vehicular access only from Highway 1 and to connect all lots east of Highway 1 without requiring use of the highway.

The existing Caltrans viewpoint at Mallo Pass Creek provides a model for development elsewhere. The South Coast CAC has indicated that physical access to the nearby cove should not be permitted, as it would disturb the resident sea lions.

Manchester

The flat or gently rolling land and its distance from whitewater views and second home communities give Manchester the potential to develop moderately priced housing and cottage or light industry. As yet, no community sewage treatment or water systems exist, but growth could bring improved services. The area south of Elk to the northern boundaries of Point Arena has a historical use of agriculture land and has a history of being a producing dairy country. There are presently three existing dairies which are processing as much milk as 59 others which previously existed within this planning area.

Point Arena

(See City of Point Arena LCP)

South of Point Arena, Highway 1 traverses largely undeveloped coastline. Informal turnouts exist where the highway is close to the bluff, and views of the coastline and Saunders Reef are exceptional. The Coastal Element designates the area west of Highway 1 between Point Arena and Iversen Road as a "highly scenic area" within which development shall be subordinate to the character of its setting (Coastal Act, Section 30251). The sole exception is the Whiskey Shoals Subdivision as approved by the Coastal Commission on March 21, 1979.

Coastal Element Policy: Point Arena By-Pass

4.11-1 A "Proposed Point Arena By-Pass for Highway 1, utilizing a portion of Windy Hollow Road, shall be considered a part of this plan as a conceptual proposal. Future planning shall be coordinated with the City of Point Arena and the California Department of Transportation.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Irish Beach-Manchester Alternative Coastal Trail

Location: Irish Beach to Stoneboro Road; Manchester State Beach

Characteristics: Trail along sandy beach with non-vehicular access at Irish Beach, Alder Creek Beach Road, Kinney Road and Stoneboro Road.

Policy:

4.11-2 Lateral access adjoining mean high tide shall be obtained where the trail crosses private lands consistent with Policy 3.6-5.

Irish Beach

Location: Adjoining south boundary of Irish Beach Subdivision immediately north of Irish Gulch.

Ownership: Private; property owners' association and developer.

Existing Development: Road leads to sandy beach.

Potential Development: Parking area and trail to beach.

Policy:

4.11-3 Access shall be provided in accord with offer to dedicate right of pedestrian access over road to the beach and the developer's agreement to improve and dedicate a 10-car parking lot as required by Appeal No. 51-78. Caltrans shall be requested to provide a parking area within their easement east of Highway 1 at Irish Creek. Unless access and parking have been secured in accordance with this policy, an offer to dedicate pedestrian access to the beach, consistent with Policy 3.6-5, shall be required as a condition of development at Irish Beach. Parking shall be obtained either as provided in Policy 3.6-5, through acquisition, or through agreement with Caltrans.

Irish Gulch

Location: Second parcel south of Irish Gulch.

Ownership: Private

Existing Development: House (possibly abandoned).

Potential Development: Parking area and trail to beach.

Policy:

4.11-4 An offer to dedicate an easement for pedestrian access to the beach shall be obtained as provided in Policy 3.6-5, through acquisition, or through agreement with Caltrans.

Alder Creek Beach Road

Location: Manchester State Beach on County Road 515.

Ownership: California State Department of Parks and Recreation (DPR).

Existing Development: Manchester State Beach access.

Potential Development: Sign on highway, parking area improvements; rehabilitation of abandoned state owned houses as park interpretive center or for lease to non-profit organization or concessionaire for use compatible with park.

Policy:

4.11-5 The existing public access to Alder Creek Beach extending from Highway 1 via Alder Creek Beach Road (County Road 515) shall be properly identified by signing at Highway 1. The dilapidated state owned houses on the bluff top south of Alder Creek shall be restored for use as a park interpretive center or other public use, or leased to a non-profit organization or concessionaire for a use which will be compatible with the park environment in which they are situated.

Kinney Road

Location: One mile north of Manchester on County Road 512.

Ownership: DPR

Existing Development: Manchester State Beach access; 46 campsites; 75 space KOA campground adjoining on private land.

Stoneboro Road

Location: .7 mile south of Manchester on County Road 570.

Ownership: DPR

Existing Development: Manchester State Beach access; DPR holdings include all but 9 parcels in Hunter's Lagoon subdivision that is in process of acquisition to protect the lagoon and wetlands.

Potential Development: Sign on highway; southern end of trail connecting with Irish Gulch and Alder Creek access.

Policy:

4.11-6 The California State Department of Parks and Recreation shall be requested to prepare a general plan for Manchester State Beach incorporating development of access at Alder Creek, Kinney Lane, and Stoneboro Road and making use of the abandoned houses near Alder Creek. This plan shall include an effective dog control program to prevent livestock predation on adjoining ranches.

Manchester Beach/Garcia River Mouth

Location: West of Highway One, south of Stoneboro Road.

Ownership: Private

Existing Development: Dune and sandy beach south of Manchester State Beach, west of grazing lands.

Potential Development: Trail extension south of existing State Beach Park to Garcia River mouth on and along the beach for fishing, and passive recreation.

Policy:

4.11-7 Offers to dedicate easements for lateral shoreline accessway shall be obtained along this beach south to the Garcia River mouth as a condition of permit approval.

Garcia River

Location: End of Minor Hole Road (County Road 509A), one mile north of the City of Point Arena.

Ownership: Private; public use in accord with posted regulations is acceptable to owner; prescriptive rights may exist.

Existing Development: Fishing access.

Potential Development: Improved parking area; sign on highway.

Policy:

4.11-8 There should be no access through agriculture lands in this area, finding that over use of the encroachment will be detrimental to the agriculture resource. On the

existing road, to its terminus, signs shall indicate that unleashed dogs, hunting and camping are prohibited.

4.11-9 A trail segment for hiking shall be acquired consistent with provisions of Policy 3.6-5 and developed connecting the western end to Lighthouse Road (County Road 509) and the Point Arena Light Station, through the former U.S. Coast Guard Loran Station, and into Point Arena Cove (by connection to a trail segment within the City of Point Arena consistent with Policy 3.2-14). (There shall be no bluff top trail until the ag land use changes.)

Point Arena Light Station

Location: End of Lighthouse Road (County Road 509), 3/4 mile north of the City of Point Arena.

Ownership: U.S. Coast Guard

Characteristics: The lighthouse, rebuilt after the 1906 earthquake, is an important landmark in a spectacular setting. Lighthouse Road, along eroding bluffs, offers exceptional views of the coast. Current U.S. Coast Guard policy is to allow tours with written permission from District Commander in San Francisco.

Potential Development: Trail designation and turnouts along Lighthouse Road with fencing or guard rail to protect bluff edge; lighthouse tours.

Policies:

4.11-10 The U.S. Department of Transportation (Coast Guard) shall be requested to allow no-fee daytime access to the historic Point Arena Light Station. Use shall be limited to ocean viewing and fishing. In the event that this federal installation is abandoned by the Coast Guard, the Department of Parks and Recreation or other non-profit organization such as the Point Arena Lighthouse Keepers shall be requested to acquire the property and to operate it as a museum or historical site in conjunction with continued no-fee general public usage.

4.11-11 A public agency shall be requested to construct and maintain view turnouts along Lighthouse Road.

Mendocino-Lake Community College Field Station

Location: West of junction of Lighthouse Road and Highway 1, one mile northwest of the City of Point Arena.

Ownership: Mendocino-Lake Community College District.

Potential Development: College District proposes to establish a field station and science labs for the Field Study of marine biology, geology, coastal agriculture, energy and

meteorology. The residential units will be reserved for instructors and students on a reservation basis.

Policy

4.11-12 The former U.S. Coast Guard Point Arena Loran Station was acquired by the Mendocino-Lake Community College to be used as a field station. It shall be operated in a manner which will provide educational, scientific, natural resource management and recreational use of the property. No fee public access limited to passive recreation uses such as daytime picnicking, fishing, hiking, and ocean viewing shall be allowed. Vehicle access shall be allowed on the existing roadway from Highway One. A hiking trail shall be developed that connects to the proposed coastal trail running from the town of Point Arena to the Point Arena Lighthouse and then to the Garcia River. Both public access and trail easements shall be obtained consistent with Policy 3.6-5. (There shall be no bluff top trail until the ag land use changes.)

P.G. & E. Road

Location: An existing road along the northern boundary of the City of Point Arena, providing vertical access between Highway One and a lateral blufftop trail proposed in Policy 4.11-12.

Ownership: Private.

Policy:

4.11-13 Offers to dedicate an easement for public access shall be required as a permit condition to provide a vertical pedestrian easement from Highway One to a planned blufftop trail. There shall be no access trail until the agriculture land use changes per Policy 3.2-14.

Point Arena to Whiskey Shoals Trail

Location: Along the coast from the City of Point Arena's southern boundary to Whiskey Shoals subdivision.

Ownership: Private. An as yet unrecorded offer of dedication of lateral, shoreline access 1.5 miles north of Whiskey Shoals was required as a condition of permit approval (Hendricks).

Potential Development: Trail along bluff and shoreline.

Policy:

4.11-14 Offers to dedicate easements for a lateral bluff accessway shall be acquired on those areas delineated on the Land Use Map consistent with Policy 3.6-5.

Mote Creek

Location: Wiskey Shoals Subdivision, two miles south of Point Arena

Ownership: California Coastal Conservancy

Existing Development: Dirt road to beach

Potential Development: Day use picnicking, hiking, and ocean viewing

Policy

4.11-15 The California Coastal Conservancy should develop this access point including a parking area, so that it can be used by the public. Offers to dedicate easements for an accessway and lateral bluff trail shall be acquired for public use consistent with Policy 3.6-5.

H Bar H Reversion to Acreage

Policy

4.11-16 The County will, upon receiving satisfactory proof from the Coastal Commission of a fully executed settlement agreement between H-Bar-H and the Commission that these parcels be reverted to acreage, initiate proceedings for reversion to acreage pursuant to Section 66499.12 of the Subdivision Map Act provided that the County can make the required findings in Section 66499.16

Ross Creek

Location: 2.5 miles south of Point Arena; adjoins Whiskey Shoals subdivision.

Ownership: Private.

Potential Development: Beach access.

Policy:

4.11-17 Offer of dedication for public easements shall be obtained providing vertical and lateral access to beach and blufftop trails consistent with policy 3.6-5, connecting to the acquisition at Schooner Gulch/Bowling Ball Beach.

Schooner Gulch/Bowling Ball Beach

Location: 3.3 miles south of Point Arena.

Ownership: Private. Auguste has recorded an offer of dedication for lateral, blufftop access just north of Bowling Ball Beach.

Characteristics: Path from highway turnout leads to sandy beach at Schooner Gulch. Bowling Ball Beach to north is named for 3-foot diameter rocks that have eroded from sandstone bluff and are lined up in shallow crevices below like rows of bowling balls.

Potential Development: In 1974, DPR prepared acquisition plan for about 80 acres, but no action has been taken. DPR development for day use would provide the only pocket beach state park south of Greenwood Creek. The area is suited to heavy use that would be attracted by the "bowling balls".

Policies:

4.11-18 The California State Department of Parks and Recreation shall be requested to place the Schooner Gulch/Bowling Ball Beach site on their high priority acquisition list. The portion of the proposed purchase located east of Highway One should avoid displacing existing residents and should provide an adequate parking area with access off Schooner Gulch Road and linked to the area west of Highway One via the existing undercrossing.

4.11-19 The offers of dedication for the 10 foot lateral blufftop and one 25 foot vertical access (existing roadway) on the parcel opposite Bowling Ball Beach (Auguste) shall be accepted for a blufftop trail and shall be opened for public use when maintenance and liability for the trail are assumed by an appropriate entity. Offers of dedication for public access shall be obtained on adjacent parcels where the proposed trails are shown on the Land Use Plan Map consistent with Policy 3.6-5. If the Elliot permit is issued, the offers to dedicate easements for public access should be accepted by an appropriate entity.

Hearn Gulch

Location: Milepost 10.08, immediately north of Iversen Subdivision.

Ownership: Private; prescriptive rights may exist.

Characteristics: Small cove and sand beach.

Potential Development: Parking area and trail from north side; could serve recreational development adjoining Hearn Gulch east of highway as proposed by landowner.

Policy:

4.11-20 Accessway dedication shall be obtained consistent with policy 3.6-5; purchase parking area.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Mallo Pass Creek to Iversen Road Planning Area at the following locations:

KOA, Manchester Beach	existing campground

Manchester State Beach	existing campground
Point Arena Campground	existing campground

The following sites have been designated as a conditional use for visitor serving facilities on the land use map:

North of Irish Beach subdivision, west of Highway 1	proposed motel
North of Irish Beach subdivision, east of Highway 1	proposed inn
South of Irish Beach subdivision, west of Highway 1	proposed motel
South of Point Arena, east of Highway 1	proposed motel
Iversen Road	proposed campground

In addition, a variety of visitor serving facilities are located in the City of Point Arena, which is located in the central part of this Planning Area.

4.12 IVERSEN ROAD TO SONOMA COUNTY LINE PLANNING AREA (Anchor Bay-Gualala)

The "banana belt" section of the Mendocino Coast is distinguished by dense forests of small coniferous and broadleaf trees, extending to the cliffs at many points. Although much of the wooded shoreline is developed, the forest dominates the scene, often blocking ocean views and hiding all evidence of development except for an occasional gate or mailbox. The coastal zone boundary, following the ridge along Ten Mile Cutoff Road, is 1.4 to 3 miles inland.

Potential highway capacity is one constraint on development in the planning area. The potential for improving the highway varies significantly within the planning area. The sharp turn at Fish Rock Gulch and the nearby 9-foot lanes cannot be improved much and thus will continue to limit improvements. At other points, the roadbed can be widened to permit 12-foot lanes with a 4-foot shoulder on each side; south of Anchor Bay the full 32-foot section including 12-foot vehicle lanes and 4 foot bicycle lanes, can be built. With additional improvements such as protected left turn lanes, the volume of traffic currently passing through Gualala could be more than doubled.

The primary difficulty in assessing highway capacity is determining how much traffic will be generated by development north of the planning area and how many locally generated trips will use Highway 1 in Sonoma County. Projected growth in accord with the Sonoma County LCP could absorb available highway capacity at Jenner. Some local trips, particularly those originating on Pacific Woods Road and Old Stage Road (Brushy Opening Road) will use only very short segments of Highway 1. Some residents will use Old Stage Road and Fish Rock Road to reach Highway 101 during weekend peak hours if Highway 1 is severely congested. A high proportion of permanent residents amongst visitors will reduce travel on the highway during the summer weekend peaks when detours can be made by those familiar with local roads. In summary, the number of variable factors does not permit a precise determination of how highway capacity will affect development in Gualala. Trends must be monitored and a more detailed study prepared before any amendment to the Coastal Element is approved that increases allowable development and traffic on Highway 1.

Waste disposal, as well as highway capacity, limits development in the area; it is questionable whether individual septic systems will work for many additional small lot subdivisions. The North Gualala Water Company offers service from the County line to Anchor Bay, 3.5 miles north. An existing community sewage system serves the Anchor Bay subdivision, and was rebuilt without provision for expansion. The Regional Water Quality Control Board has determined that several existing lots in Anchor Bay lack potential leach fields.

No standards can be set for minimum parcel size to ensure satisfactory performance from septic systems--such a determination must be made on a lot by lot basis--but larger lots are more likely to meet water quality standards or to qualify for waivers. Inadequate septic systems created a health hazard in Gualala (documented in 1987), and the GCSD received a Clean Water Act facilities planning grant to correct the problem. The resulting system provides wastewater treatment services within a designated service area.

The initial design capacity of the GCSD system was based upon residential population growth at two percent (2%) annually for 20 years, and on increased commercial development within the Gualala area. The service area for this system is limited to a recognized district boundary (see Map #31 Coastal Element-Land Use Plan). Within the District boundary, development may proceed at higher densities specified in this plan only when water and/or sewer service is provided by an approved community system.

In addition to sewage disposal constraints and highway capacity, the availability of water may limit future development in the Gualala planning area. Domestic water in the planning area is provided by private wells and by the North Gualala Water Company, a privately-owned utility. The "Mendocino County Coastal Groundwater Study" prepared in 1982 identified areas of sufficient, marginal and critical water resources on the coast. Coastal Groundwater Development Guidelines were adopted in 1989 which establish requirements for investigation for groundwater development depending upon proposed project type, location and lot size. The requirements for proof of water and hydrological studies are intended to ensure that development is consistent with the limitations of the local water supply. According to these guidelines, a hydrological study would be required prior to any increase in the North Gualala Water Company's water diversions.

Anchor Bay

The cluster of subdivisions at Anchor Bay occupies high bluffs on either side of Fish Rock Creek. However, Anchor Bay's compact commercial area turns its back on the Pacific and does not take advantage of the views. Overnight accommodations or a restaurant with a view deck should be built on the blufftop. Anchor Bay's proximity to Gualala, 3.5 miles south, limits the need and opportunity for additional businesses.

Gualala

The town of Gualala is a service center for the south coast of Mendocino County and for The Sea Ranch and northern Sonoma County. While serving a resident population, the scenic beauty and recreational opportunities of the Gualala area attract many thousands of visitors each year.

Gualala is a town which lacks a visual community identity. The commercial district stretches along a two-mile section of Highway 1. There is no distinctive architectural style, town center or historic context. However, Gualala is blessed by its outstanding natural setting at the mouth of the Gualala River. Magnificent views of the river and coastline are available from many locations and the forested hillsides frame the inland edges of the town.

Through a grassroots community planning process, the Gualala Town Plan was formulated to guide future development within the Town Plan area in ways that might enhance the character of the town of Gualala. The Gualala Town Plan is included as Chapter 4.14 of the Coastal Element.

Coastal Element Policies: Anchor Bay - Gualala

4.12-1 New residential and visitor accommodation development within the Anchor Bay-Gualala Planning Area shall be dependent upon approval by the County Health Department for septic waste disposal systems installed in accordance with Regional Water Quality Control Board Basin Standards. Installation of individual septic disposal systems shall be carefully monitored by the County Health Department and the Regional Water Quality Control Board to determine the cumulative impact upon coastal resources of all development within the Anchor Bay-Gualala area.

Proposed developments within the service area of the Gualala Community Services District shall be connected to that publicly-owned system, upon approval by the GCSD Board of Directors, and the County of Mendocino shall not approve development applications until such connection has been authorized by the GCSD.

4.12-2 The urban-rural boundary of the community of Gualala is indicated by boundary lines delineated on Land Use Map 31. The Town Plan area includes all lands within the Gualala Community Services District (GCSD) and the small lot residential subdivisions adjoining the GCSD service area. The Town Plan area was selected to identify where new development could be served by community water and/or sewer systems and where such development would minimize traffic impacts on Highway 1. A primary goal of the Gualala Town Plan is to concentrate new development within the Town Plan area.

4.12-3 Dedication of a sixty foot half width shall be required as a condition of any development of parcels fronting on Highway 1 within the Gualala CSD unless otherwise approved by Caltrans.

4.12-4 The County shall initiate an amendment of Section 15.12.040 (B) of the County Code to prohibit parking on Highway 1 between Old State Highway and Ocean Drive.

4.12-5 All future development projects within the Gualala CSD shall include sufficient off-street parking area to accommodate parking demand anticipated to be generated by the proposed use.

4.12-6 A traffic impact analysis shall be required of all future development projects within the Gualala CSD which will generate twenty or more peak hour trips. The Institute of Traffic Engineers Trip Generation Report shall be used to determine trip generation potential of proposed projects.

4.12-7 The County shall request that Caltrans assist in the development of a program for the funding of highway improvements in Gualala to accommodate development allowed by the Coastal Plan and made possible by the wastewater facility. Until such a program is implemented, any development project which will generate twenty or more peak hour trips shall be required to implement any mitigation measures recommended as part of the required traffic impact analysis.

Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Section 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Island Cove

Location: South of Iversen Road.

Ownership: Private; Island Cove Estates Subdivision, recorded in 1961, includes a beach parcel "reserved for use of lot owners." The Coastal Commission, as a condition of permit approval, required one owner (Tweedie) to dedicate access rights.

Existing Development: A 700-foot sand beach and sheltered cove, reached by trail from parking area.

Policy:

4.12-8 Public access shall be obtained to and along this beach as shown on the Land Use Plan Map along with a public parking area consistent with 3.6-5.

Haven's Neck

Location: West of Highway 1, approximately one mile northwest of Anchor Bay.

Ownership: Private.

Characteristics: Virtually unaltered natural habitat for a number of plant and animal species including some plants of particular botanical interest; wind sculptured rock formations.

Potential Development: Public acquisition was proposed by 1967 County General Plan and 1975 Coastal Plan. Scientists and conservationists familiar with Haven's Neck have recommended limited use as a natural reserve, such as Point Lobos State Reserve south of Carmel, or no public access.

Policy:

4.12-9 An offer to dedicate public access for scientific and educational purposes only, and an open space easement to an appropriate public agency for that area of Haven's Neck westerly of the narrow constriction leading to the peninsula, shall be required as a condition of permit approval.

Fish Rock Road Inland Trail

Location: From Highway 1 north of Anchor Bay, County Road 122 transverses northeasterly to Highway 128.

Existing Development: Pedestrian and equestrian use; designated by County Trails Plan.

Fish Rock Observation Point and Trail

Location: Approximately 1/4 mile north of the intersection of Highway 1 and Fish Rock Road.

Existing Development: Vacant parcel.

Policy:

4.12-10 An offer to dedicate an easement for public parking and access to the point for that area delineated on the Land Use Map shall be obtained consistent with Policies 3.6-5 and 3.6-7 and no signing will be done until adequate parking is created.

Anchor Bay Shoreline

Location: Fish Rock Creek, immediately north of Anchor Bay.

Ownership: Private.

Existing Development: Campground providing fee access to beach.

Policy:

4.12-11 A guarantee of continued fee access to the public as well as guests shall be acquired consistent with policy 3.6-5 together with a provision for obtaining a non-fee accessway if the visitor serving facility should be changed to another use.

Getchell Gulch Access

Location: 0.5 mile south of Anchor Bay.

Ownership: Private

Characteristics: Wooded headlands and small beach.

Potential Development: Blufftop trail and beach access trail.

Policy:

4.12-12 Offers of dedication for vertical beach access and blufftop lateral access shall be obtained consistent with Policy 3.6-5.

Serenisea

Location: .5 mile south of Anchor Bay.

Ownership: Private; inn.

Existing Development: Trail leads to south side of the beach at Getchell Gulch.

Policy:

4.12-13 Continued fee access to the shoreline shall be assured by deed restriction consistent with policy 3.6-5, together with a provision for obtaining a non-fee accessway if the visitor serving facility should be changed to another use.

St. Orres Creek

Location: 1.1 miles south of Anchor Bay.

Ownership: Private.

Characteristics: 200 foot cove.

Policy:

4.12-14 Offers to dedicate easements for a vertical and lateral access to the cove shall be acquired for that area delineated on the Land Use Map consistent with policy 3.6-5. Caltrans should provide for a safe parking area at this location and shall be required to do so in conjunction with any highway improvement project in this area.

Cooks Beach

Location: 1.3 miles south of Anchor Bay.

Ownership: Private.

Characteristics: A 500-foot sandy beach on south side of Glennen Gulch. Connects to Bourns Landing bluff top.

Policy:

4.12-15 Offers to dedicate easements for vertical and lateral shoreline access shall be acquired for that area delineated on the Land Use Map consistent with policy 3.6-5.

Bourns Landing

Location: 1.5 miles south of Anchor Bay.

Ownership: Private.

Potential Development: Trail along open bluff with long views of coast and shoreline access at small beach; connects to Cooks Beach.

Policy:

4.12-16 Offers to dedicate easements for a blufftop trail and shoreline access shall be acquired for that area delineated on the land use plan map consistent with policy 3.6-5.

Marine View Subdivision

Location: 1.3 miles north of Gualala.

Ownership: Private; offer of dedication for 25-foot lateral access by Fager and Witt.

Policy:

4.12-17 Offers by Fager and Witt shall be relinquished because no blufftop trail is proposed and accessway would not be reachable by an existing or proposed vertical access.

Gualala-Anchor Bay Trail

Location: Between Gualala and Anchor Bay, primarily along Highway 1 and Old Coast Highway (CR #513) rights-of-way, connecting the pedestrian walkways shown on the Highway 1 Streetscape Map of the Gualala Town Plan to coastal access points identified in the Coastal Element and traversing the Old Milano Hotel property along the northwest property line.

Ownership: Public rights-of way; Private

Potential Development: A trail linking Gualala and Anchor Bay commercial districts

Policy:

4.12-18 Easements along public rights-of-way and offers to dedicate easements for public access shall be obtained consistent with Coastal Element Policy 3.6-5 to establish a trail linking Gualala and Anchor Bay.

Gualala Bluff Trail

Location: Central Gualala to Gualala River Bridge.

Ownership: In September 1994, the Redwood Coast Land Conservancy acquired the 25-foot-wide, public access easements along the bluff of the Gualala River which were required by the California Coastal Commission as conditions of development approvals.

A five-foot-wide, vertical access easement from Highway 1 to the blufftop was also acquired. The Land Conservancy intends to develop and manage the Gualala Bluff Trail on these easements.

Policy:

4.12-19 Offers to dedicate easements for public access shall be obtained, in consultation with the Redwood Coast Land Conservancy, to provide for the completion of the Gualala Bluff Trail. Offers to dedicate easements for public access shall be obtained consistent with Coastal Element Policy 3.6-5 and Policy 4.12-14.

Gualala River Bridge

Location: North bank of Gualala River; just west of Highway 1.

Ownership: Private.

Potential Development: Development of Gualala Bluff Trail; fish and wildlife habitat management; limited parking for public fishing; and access for such craft as canoes, rowboats or small boats utilizing trolling-type motors.

Policy:

4.12-20 This parcel should be acquired for protection of natural resources and public access purposes by the County, State Parks, Caltrans, a non-profit land trust, or some other public or private agency, or managed for protection of natural resources and public access by its owners. If and when such acquisition occurs, the parcel shall be classified as Open Space in the Land Use Plan. Prior to development of any public access facilities on the site, a management plan shall be prepared in accordance with Coastal Element Policy 3.6-26 to ensure the long-term protection of natural resources and maintenance of the property. Development of the Gualala Bluff Trail on this parcel may involve use of the Highway 1 right-of-way or acquisition of an easement along the bluff of the Lower Mill site east of Highway 1 to ensure the protection of environmentally sensitive habitat areas along the Gualala River estuary/lagoon.

Gualala River Trail

Location: On the north side of the Gualala River, from Highway 1 to the east boundary of the Gualala Arts Center property.

Ownership: Private

Potential Development: A pedestrian trail providing public access to the Gualala River for fishing, hiking, swimming, etc.

Policy:

4.12-21 Offers to dedicate easements for lateral access on the north side of the Gualala River shall be acquired consistent with Policy Coastal Element 3.6-5.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Iversen Road to Sonoma County Line Planning Area at the following locations:

The Sea Urchin	existing service
Mar Vista Motel	existing motel
Whale Watch	existing inn
Serenisea Motel	existing motel
Re-Newell Center	existing motel
St. Orres	existing inn and restaurant
Old Milano Hotel	existing inn
Gualala River Redwood Park	existing campground

In addition, the following sites have been designated as a conditional use for visitor serving facilities on the land use map:

Getchell Gulch	proposed inn or hostel
East of Serenisea access	proposed inn or hostel
Cooks Beach, south	proposed motel
Bourns Landing	proposed motel
Gualala Point, west of bridge	proposed campground
Gualala Point, east of bridge	proposed campground

A variety of visitor serving facilities are located in the commercial areas of Anchor Bay and Gualala, which are not designated on the land use map.

SECTION 1. INTRODUCTION

1.1 Mendocino: A Special Coastal Community: The unincorporated Town of Mendocino, on the Pacific Ocean in the County of Mendocino some 150 road miles north of San Francisco, is a unique historical residential community. Mendocino is designated as a special community, which, because of its unique characteristics, is a popular coastal visitor destination point for recreational uses.

As the County Board of Supervisors found and declared when it enacted the Historical Preservation District for the Town of Mendocino in 1973, the Town and its immediate environs represent

> *"a unique and outstanding example of early California architecture and town development associated with the redwood lumber industry along the Mendocino Coast in the last half of the 19th century. The Town of Mendocino exhibits those qualities typical of a small Northern California coastal lumber town from that era by combining a balance of residential and commercial development with the forces of nature and the natural environment.... Much of the unique character of this community rests with the style of architecture which dominates the town, ... which is representative of early northern California architecture. This character is reflected by the Town's distinctive mixture of weathered wooden commercial and residential structures sited to allow some unobstructed views of the ocean, bay and river from public streets, by the balance of the size and scale of its buildings, by its foot paths and back streets, by the presence of native vegetation, and by the architectural mix of its structures which contributes to the historical quality of the community (Mendocino Town Zoning Code Chapter 20.760, certified by the California Coastal Commission in 1996)."*

The Mendocino Town Plan cover page illustrates the frequently photographed view of the Town from the south, near old Highway 1. Figure 4.13-1 illustrates current (2013) oblique aerial views of the Town and expansive Mendocino Headlands State Park, which extends along 98% of the Town's rugged bluff and beach shoreline.

The Historical Preservation District Ordinance designates the area of Mendocino that is located on the Mendocino Headlands peninsula, west of Highway 1, as Historical Zone A. Within Historical Zone A, the Mendocino and Headlands Historic District, located generally south of Little Lake Street, is listed on the National Register of Historic Places (Number 71000165) and on the California Register of Historical Resources. The seaward sloping area landward (east) of Highway 1, which can be seen from Historical Zone A, constitutes Historical Zone B. Figure 4.13-2 depicts the location of the two Historical Zones.

The California Department of Parks and Recreation ("State Parks") "California Coastline Preservation and Recreation Plan" (1971) identified Mendocino as a State priority for protection of its natural, scenic, and historic coastal landscape through a combination of public acquisition, comprehensive planning, primary reliance on local government administration with full public participation, and State coastal agency oversight. Successful conservation, preservation, and restoration since before enactment of the 1972 California Coastal Zone Conservation Act ("Proposition 20") have both protected numerous landmark buildings, historic buildings, and other historic structures in the Town, and resulted in the initial public acquisition (1972-1976) of the highly scenic, public recreational, and wildlife habitat open space of Mendocino Headlands State Park.

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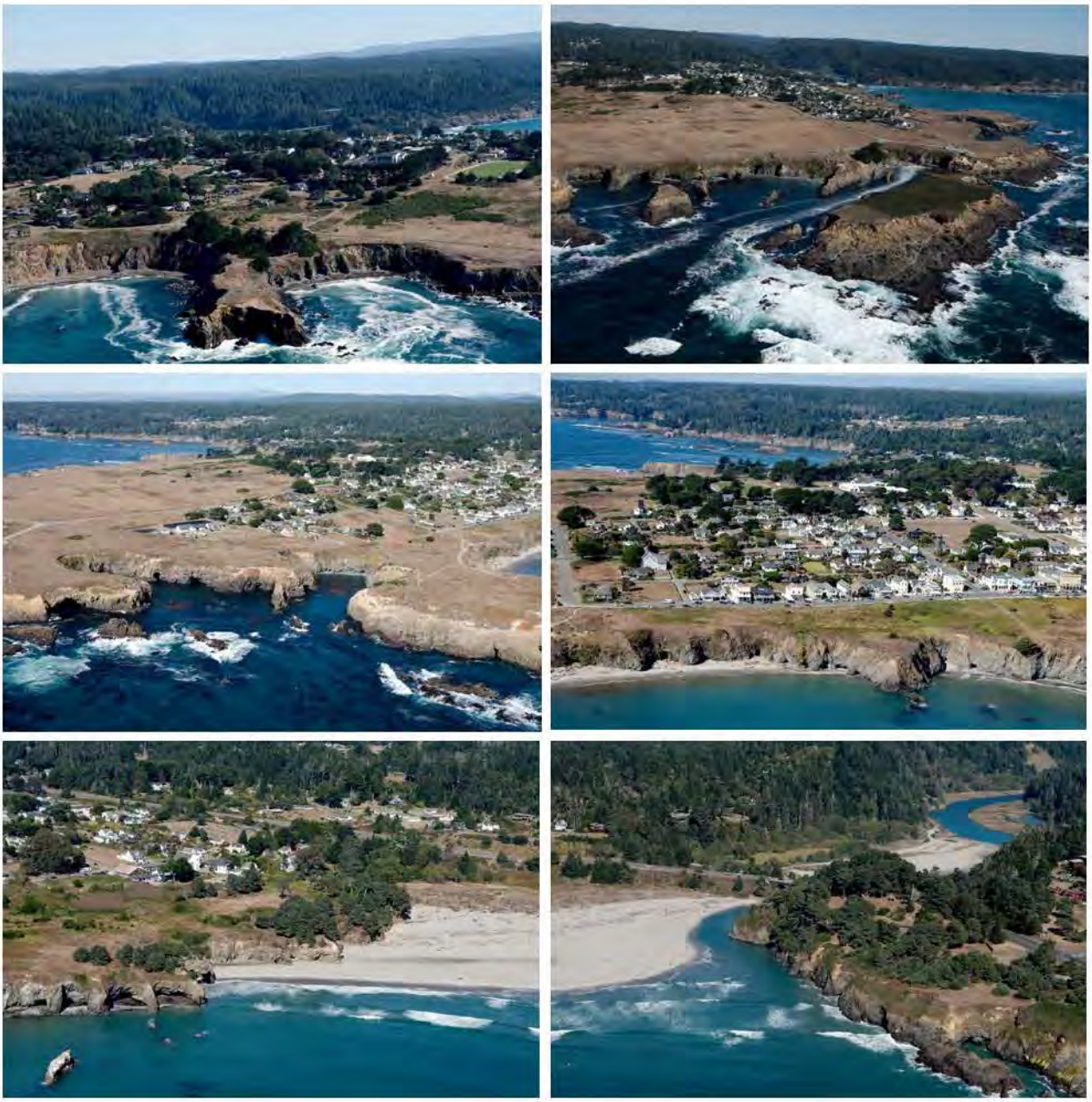

Figure 4.13-1. Town of Mendocino Aerial Photographs 2013

Town of Mendocino, 2013. Upper left: The Town and Mendocino Headlands State Park seen from offshore Russian Gulch State Park, looking south. Upper right: Islets and rocks offshore Mendocino Headlands State Park, Town and Mendocino Bay beyond. Middle left: Mendocino Headlands State Park and the Town, looking northeast. Middle right: Portuguese Beach and the Town, looking north. Lower left and Lower right: Mendocino Estuary Beaches, Highway 1, lower Big River, looking across Mendocino Bay to the northeast. Copyright (C) 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.Californiacoastline.org

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The California State Park and Recreation Commission adopted the "Resource Management Plan and General Development Plan" for Mendocino Headlands State Park in 1976. The California Department of Fish and Game transferred its holdings, including Goat Island offshore of the Mendocino County shoreline and beach, coastal bluff/sea cliff, and bluff top areas between the shoreline and the landward edge of Heeser Drive, to State Parks in 2000. An inclusive public-private partnership led by the Mendocino Land Trust and the California State Coastal Conservancy resulted in 2002 in an 8-mile easterly expansion of the State Park along tidal Big River to its headwaters. As a unique protected and public recreational area that extends through seven uplifted marine terraces between the Pacific Ocean and the outer Coastal Ranges, and adjoins other State Park units and Jackson State Forest, Mendocino Headlands State Park now encompass some 7,719 acres. Together with the adjoining State holdings, it substantially – but not yet fully - implements the vision of the California Coastline Plan (1971) for a "Mendocino Coast State Park" and of the California Coastal Zone Conservation Commissions (1975, 1976) for an expansive continuous shoreline band and Big River watershed in public ownership.

The entire Town of Mendocino and most of Mendocino Headlands State Park are located within the California coastal zone. Within the Town boundaries, the kinds, intensities, and locations of the use of land and water are governed by the State goals, policies, and procedures of the California Coastal Act of 1976, as amended (Division 20, Public Resources Code), in addition to the California Constitution, United States Constitution, and other applicable local, State, and federal laws. Among the other conservation and development laws that apply to the Town are the California Planning and Zoning Laws (Title 7, Division 1, Government Code), the statutes that govern the California Department of Parks and Recreation (Public Resources Code Section 5001 et seq.), the State Coastal Conservancy Act, as amended (Division 21, Public Resources Code), the Americans with Disabilities Act, as amended ("ADA", 42 U.S.C. 12101 et seq.), and the adopted Mendocino County General Plan and Mendocino Town Zoning Code as specifically referenced in the certified Mendocino Town Local Coastal Program. The Coastal Commission Local Coastal Program ("LCP") Implementation Regulations (Title 14, California Code of Regulations, Section 13500 et seq.), the California Environmental Quality Act, as amended ("CEQA", Division 13, Public Resources Code), and the CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 et seq.) respectively provide additional requirements for LCP preparation, amendment, and implementation, and for development project environmental review. Pursuant to CEQA, the Coastal Commission certification review of a LCP or LCP Amendment constitutes the functional equivalent of environmental review; County adoption of the LCP or LCP Amendments is exempt from CEQA.

For the purposes of reviewing and processing coastal development permits, the Town of Mendocino certified LCP serves as the standard of review for all proposed development within the Town of Mendocino.

The Coastal Commission initially certified the Coastal Element of the County's General Plan in 1985, to establish land use designations and policy direction within the entire coastal zone of the County. At the County Board of Supervisors' request, the Coastal Commission in 1990 adopted geographic boundaries for the Town of Mendocino and thereby segmented it from the other parts of the County in the coastal zone. The Mendocino Town Local Coastal Program segment is bounded on the north by the northerly property line of the Hills Ranch Planned Unit Development, on the south by the shoreline of lower Big River and Mendocino Bay, and on the west by the shoreline of the Pacific Ocean. The eastern boundary of the Town in parts follows Gurley Lane (north of Little Lake Road, where it includes those lots fronting on the west side of Gurley Lane),

extends along the seaward side of the Mendocino Elementary School property, and then trends directly south to the Big River shoreline. The Town boundary aligns with the Mendocino City Community Services District (MCCSD) terrestrial boundary configuration that existed on June 13, 1990, when the Coastal Commission approved the geographic segmentation of the Town of Mendocino, as adopted by the County for local coastal program purposes. Although MCCSD boundaries originally coincided with the Town boundaries at the time of geographic segmentation in 1990, the MCCSD boundary no longer coincides with the Town segment boundary.

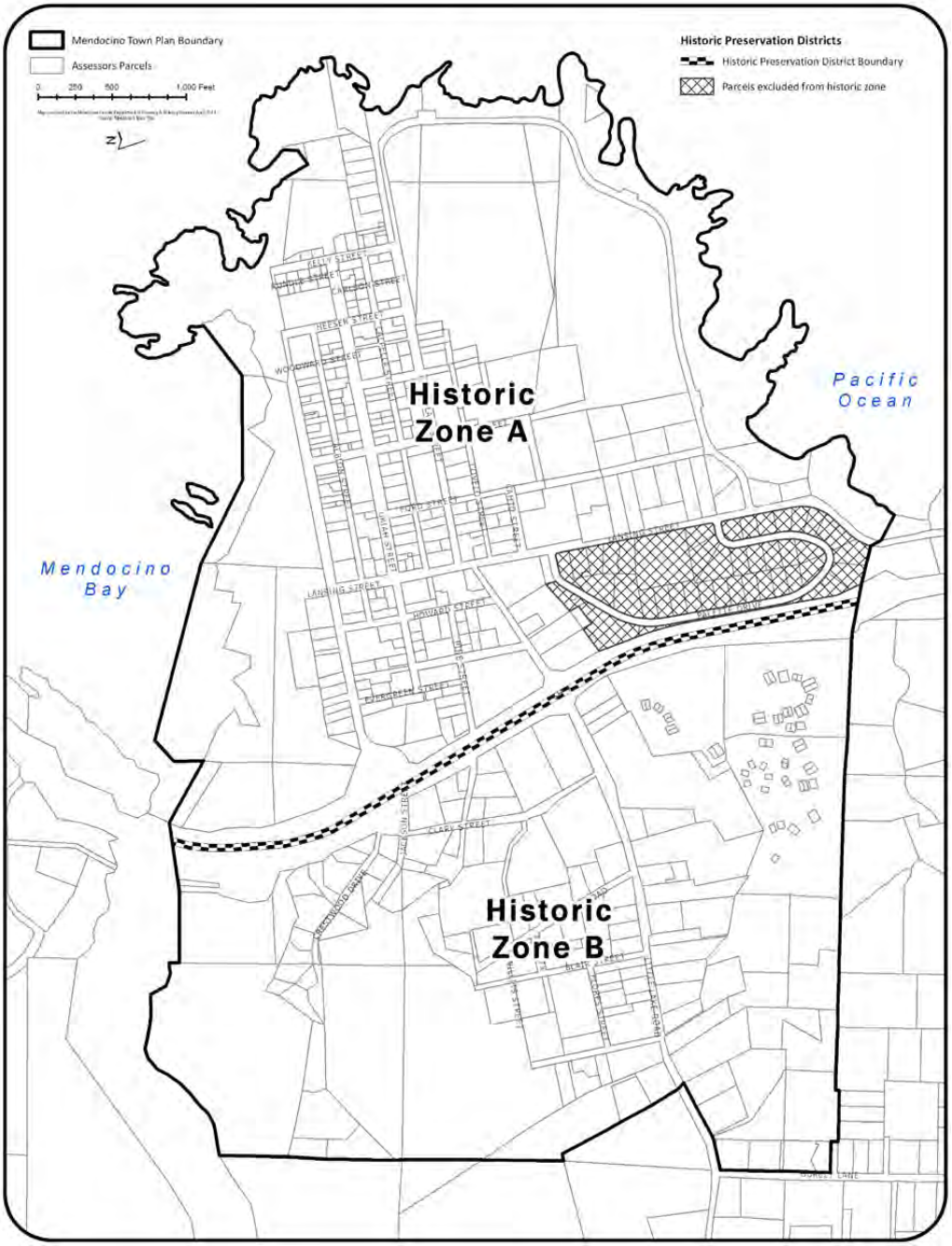
Subsequent approval/certification by the Coastal Commission of the Mendocino Town Plan (1992) and certification of the Mendocino Town Zoning Code (1996) resulted in a local coastal program that recognized an existing balance of residential, commercial, visitor serving and open space uses that have served to protect, maintain, and restore the natural and historically developed communities of the Town, while providing extensive public access and recreational opportunities consistent with coastal resource conservation and the rights of property owners.

1.2 Purpose of the Town Plan: The June 8, 2017 certified Mendocino Town Plan has been prompted by public interest in maintaining a balance of residential, commercial, visitor serving, and open space uses, while addressing evolving coastal resource conditions, public health and safety objectives, diverse legal requirements, improved opportunities for public participation, and increased efficiency and effectiveness in Town governance. In that context, the Mendocino Town Plan recognizes and protects the special historical character of the Town and provides for its continuing preservation, including through clarified policies, actions, and implementation measures that specifically implement the requirements of the Coastal Act at the local level.

1.3 Coastal Act Goals and Standards for Local Coastal Programs: In enacting the Coastal Act, the legislature found and declared that to "achieve maximum responsiveness to local conditions, accountability, and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement (Public Resources Code Section 30004(a))." The legislature further found and declared that to "ensure conformity with the provisions of (the Coastal Act), and to provide maximum state involvement in federal activities allowable under federal law or regulations or the United States Constitution which affect California's coastal resources, to protect regional, state, and national interests in assuring the maintenance of the long-term productivity and economic vitality of coastal resources necessary for the well-being of the people of the State, and to avoid long-term costs to the public and a diminished quality of life resulting from the misuse of coastal resources, to coordinate and integrate the activities of the many agencies whose activities impact the coastal zone, and to supplement their activities in matters not properly within the jurisdiction of any existing agency, it is necessary to provide for continued state coastal planning and management through a state coastal commission (Public Resources Code Section 30004(b))."

The Coastal Act mandates that each local government shall prepare a Local Coastal Program ("LCP") for that portion of the coastal zone within its jurisdiction. The County has endeavored to: (a) prepare an LCP for the Town that conforms with, and is adequate to carry out, the requirements of the Coastal Act at the local level; (b) process the Mendocino Town LCP through certification by the Coastal Commission; (c) implement the certified LCP through delegated specific development permit controls, with public notifications, public hearings, and findings of fact and law to support administrative decisions; and (d) prepare and process, as applicable, LCP amendments to address current conditions and changed requirements since certification of the original LCP, and thereby keep the Mendocino Town LCP current.

Figure 4.13-2. Historic Zones A and B



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The Coastal Act and the Coastal Commission LCP Regulations require the Mendocino Town LCP to include five components: (1) the Mendocino Town Plan, (2) the Mendocino Town Land Use Map, (3) the Mendocino Town Zoning Code, (4) the Mendocino Town Zoning Map, and (5) a specific Public Access Component ((Public Resources Code Sections 30108.6 and 30500(a); Title 14, California Code of Regulations Section 13519(b)). The Mendocino Town Plan must conform with the requirements of Chapter 3 and be sufficiently detailed to implement the Coastal Act, including its specific conservation, development, public access, and procedural standards, within the Town boundaries, to the extent necessary to meet the basic goals of the State for the coastal zone (Public Resources Code Section 30512.2(b)). These State goals are to: (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; (b) Assure orderly, balanced utilization and conservation of coastal zone resources, taking into account the social and economic needs of the people of the state; (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners; (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast; and, (e) Encourage State and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone (Public Resources Code Section 30001.5).

The Coastal Commission LCP Regulations require a LCP amendment to include "All policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act. Written documents should be readily reproducible. An amendment to a land use plan … shall include, where applicable, a readily identifiable public access component as set forth in Title 14, California Code of Regulations Section 13512 (Title 14, California Code of Regulations Section 13552(b))."

To those ends, the Mendocino Town Plan in Section 4 provides a clear and comprehensive set of mandatory policies and actions that regulate proposed development (a) pursuant to the public access, recreation, aquatic (including relative sea level), land resources, and all other development policies in Coastal Act Chapter 3, and (b) for the protection and sustainability of the Town's special historical character, coastal natural resources, public access and recreation (including, but not limited to, at Mendocino Headlands State Park and connecting lateral and vertical ways), and its residential, commercial, visitor serving, and open space uses.

The Mendocino Town Plan Public Access Component in Section 4 and Appendix 5 provides for braided California Coastal Trail segments and other public access ways in and through the Town, with related upland support facilities. Pedestrian access to and through Mendocino Headlands State Park shall remain without cost to the recreational public. Future replacement or reconstruction of the Highway 1 Big River Bridge and abutments that connect the Town to the south are required to include safe pedestrian and bicycle ways, as well as see-through railings. A recommended (advisory action) of the Mendocino Town Plan calls for cooperative public-private acquisition of the three residentially developed parcels along the shoreline, for completion of the publicly owned, conserved, and recreational open space band between the first continuous public road/street and the sea.

The Mendocino Town Plan further provides a simplified procedure for authorization of specified overnight lodging accommodations on existing Visitor Serving Facility sites within the certified

numeric cap on such uses. Second dwelling units on lots with existing single family dwelling units shall be permitted within the Town's residential land use districts. In both cases, an applicant must demonstrate adequate water and wastewater services for both the new and already existing development on the lot, meet parking requirements, and conform to the other applicable conservation and development standards of the Mendocino Town LCP.

The Mendocino Town Plan reduces the total number of allowed vacation home rentals/single unit rentals through attrition and, to maintain the character of the historical Town, prohibits new vacation home rentals in residential land use districts. Acquisition by the State of the relatively large, flat, and contiguous former lumber company parcels along the shoreline to establish Mendocino Headlands State Park effectively precludes future industrial development within the Town boundaries. The Mendocino Town Plan also optimizes the combined artist/staff residence program and affordable short term lodging opportunities at the Mendocino Art Center, and provides for collaborative funding opportunities by which State Parks may provide affordable hostel, cabin, or campground facilities in Mendocino Headlands State Park.

The Mendocino Town Plan additionally recommends actions by the Board of Supervisors to consider allocation of a portion of the locally generated transient occupancy tax, and for expansion of innovative local voluntary programs, both to generate additional revenues for operation and maintenance of Mendocino Headlands State Park.

1.4 Planning Process: Section 3 describes the extensive public participation that resulted in (a) the listing of the Town on the National Register of Historic Places, (b) County Board of Supervisors adoption of the Historical Preservation District Ordinance for the Town (1973), (c) acquisition by the State of California, including with federal Land and Water Conservation Act funding, of Mendocino Headlands State Park to preclude residential subdivision development of the former lumber mill, lumber port, and agricultural lands that front the Town on its south and west (1974 and after), and (d) negotiation by members of Citizens Advisory Committees, preparation, and certification of the initial County Land Use Plan (1985), geographic segmentation of the Town (1990), certification of the Mendocino Town LCP (1992, 1996), and Coastal Commission adoption of Categorical Exclusion Order E-96-1 (1996) for specified development in identified subareas of the Town.

Continuing public concern over maintenance of the Town character resulted in the formation of another Citizens' Advisory Committee (CAC) in 1999, to identify specific policy recommendations on issues relating to (1) the number of vacation home rentals and single unit rentals; (2) incentives for second residential units; (3) cottage industries and home occupations; (4) parking and circulation; and (5) formation of a Municipal Advisory Council. In 2000, the CAC submitted its recommendations on each of the issues to the Board of Supervisors, which elected not to implement them. Following additional discussion in the Town about various community issues and the need to update the Mendocino Town Plan, a programmed amendment process was initiated by the County in 2011. The current process has reviewed the recommendations of the 2000 CAC report and included many of its recommendations in the community meeting discussions and within this update of the Mendocino Town Plan.

Since 2011, the County has held six public workshops regarding the Mendocino Town LCP amendment (2011, 2012, and 2015), two meetings with innkeepers (2011 and 2012), a public meeting (2012), fourteen public hearings (February 28, 2013, May 16, 2013, July 11, 2013, August

29, 2013, October 22, 2013, February 25, 2014, April 8, 2014, June 17, 2014, September 23, 2014, December 9, 2014, July 21, 2015, August 18, 2015, October 20, 2015, and December 8, 2015), and numerous personal meetings with interested persons and public agency representatives to obtain public comments, encourage discussion, and identify Coastal Act-consistent Mendocino Town Plan policies and actions.

Not surprisingly many of the issues identified through the current community input process reflect past or continuing concerns. Others - including designations of recent (2002) substantial additions to Mendocino Headlands State Park along Big River and of land held or acquired by local public agencies for essential community services, implementation of State requirements for second dwelling units in residential land use districts that can accommodate them, storm water management, and effective public noticing of Mendocino Historical Preservation District decision-making - reflect newer concerns. The issues identified through this process are listed below in Section 1.5, Current Community Issues.

1.5 Current Community Issues: The Mendocino Town Plan amendment commenced with a series of community meetings, during which the participants identified Town character elements and the community issues that should be addressed. Subsequent public hearings before the Planning Commission and Board of Supervisors on iterative drafts of the Mendocino Town Plan in 2012-2015, the public workshop in the Town on September 30, 2015, and written comments from the public and public agencies identified both continuing and some new issues regarding Coastal Act implementation, historic preservation, and public facility strategic planning. Some of the current community-identified issues, which are listed below, overlap the issues discussed in the 1992 Mendocino Town Plan.

- Preservation of the Town's special community character
- Parking, public access, and traffic
- Economic revitalization
- Public facility strategic planning
- Community amenity & community space
- Sustainability
- Local control and Coastal Act standards
- Sensitive Coastal Resource Area
- Vacation Home Rentals and Single Unit Rentals
- Public noticing of County/MHRB meetings and proceedings
- Visitor-serving facility authorizations
- Comprehensive storm water management
- Groundwater resources management

The Mendocino Town Plan policies and actions set forth in Section 4 address these issues, and implement the Board of Supervisors' direction in 1987 that the *Mendocino Historic Review Board Design Guidelines* be transmitted to the Coastal Commission for certification review as part of the LCP.

1.6 Organization of the Town Plan: The Coastal Act mandates that each local government shall prepare a Local Coastal Program ("LCP") for that portion of the coastal zone within its jurisdiction, and to keep it current in relation to changing coastal resources conditions. (Public Resources Code Sections 30500(a), 30503, 30510, 30004(a), 30108.5, 30200(a), 30512, 30519(a), 30340.5 et seq., and 30210-30265.5). As required by Public Resources Code Sections 30108.5, 30512(c), and 30512.2(b), the Mendocino Town Plan contains a high level of specificity to set forth the allowed kinds, locations, and intensities of land use within the Town of Mendocino that conform to, and carry out,

the Coastal Act conservation and development standards in Public Resources Code Sections 30210-30265.5, to the extent necessary to meet the State goals for the coastal zone in Public Resources Code 30001.5 in the Town.

The Mendocino Town Plan therefore (a) identifies planning issues specific to the Town, (b) describes the various land use and coastal resource components within the Mendocino Town Plan area, (c) establishes required policies and actions that address the planning issues and protect significant coastal resources, and (d) provides for implementation of these policies and actions through the conformed Mendocino Town Zoning Code and Mendocino Town Zoning Map.

Section 2 contains the definitions of the principal terms used in the Mendocino Town Plan.

Section 3 describes the Town setting, the process by which the Mendocino Town Plan has evolved through substantial public participation and public agency coordination, current conditions and trends in the Town, and the issues that have informed the June 8, 2017 certified Mendocino Town Plan.

Section 4 provides the required (mandatory) Mendocino Town Plan policies and actions that apply to all proposed development within the Town boundaries as shown on the Mendocino Town Land Use Map (Figure 4.13-3), as well as advisory goals and measures. Both policies and actions (a) directly govern the issuance of coastal development permits through the setting of development limitations, requirements, or prohibitions; and (b) provide the basis for reviewing the consistency of a land use plan or zoning amendment with the Coastal Act. In contrast, advisory goals or measures do not govern the issuance of coastal development permits or provide the basis for reviewing a land use plan or zoning amendment for Coastal Act consistency. Advisory goals or measures state County-adopted positions on various issues, encourage particular actions by other entities, make pledges of support for certain outcomes of endeavors, or commit the County to pursuing future measures or practices. The policies, actions, and goals are organized in ten subsections: 4.1, General Provisions; 4.2, Town Growth Management Policies; 4.3, Design Guideline Policies; 4.4, Circulation and Parking; 4.5, Affordable Housing (for Government Code purposes only); 4.6, Sustainability; 4.7, Public Facilities; 4.8, Public Access and Recreation; 4.9, Conservation; and 4.10, Mendocino Town Plan Administration.

Section 4, also, contains the Coastal Development Permit Categorical Exclusion E-96-1 Map (Figure 4.13-8), which illustrates the areas within the Town where specified development, as defined in the Categorical Exclusion Order and shown in the map legend, are categorically excluded from the coastal development permit requirement of the Coastal Act, subject to certain terms and conditions, including requirements that the development conform with all LCP policies. This map should be read together with the highly specific provisions of Categorical Exclusion E-96-1, which is reproduced in Appendix 4.

Section 4 further contains the Public Access Component Map (Figure 4.13-6) which generally identifies the numerous existing public access ways in the Town and within Mendocino Headlands State Park. The Specific Public Access Component Aerial Maps 5.1-5.5 in Appendix 5 present the individual public access ways in greater detail.

Section 5 presents the Mendocino Town land use classifications: Open Space (OS); Rural Residential (RR); Suburban Residential (SR-20000); Residential Planned Unit Development (RR-2-PD); Town

Residential (R+); Multiple Family Residential (RM); Mixed Use (MU); Commercial (C); and Public Facilities (PF). The former Forest Lands (FL) land use classification is no longer applicable as a result of the State of California's acquisition of the 33-acre addition to Mendocino Headlands State Park east of Highway 1 and north of Big River, and is therefore deleted in the Mendocino Town Plan.

Section 6 provides the framework for the Mendocino Town implementation program. The conformed Mendocino Town Zoning Code (Title 20, Division III, Mendocino County Code) and its companion Mendocino Town Zoning Map, with their respective dates of Coastal Commission certification, carry out the provisions of the Mendocino Town Plan.

Appendices 1-9 encompass, respectively, the Inventory of Historic Structures; the Mendocino Town Plan Visitor Serving Facilities; the California Department of Fish and Wildlife "Big River Estuary Marine Protection Area Limitations on Fishing"; the Coastal Commission Categorical Exclusion Order No. E-96-1 and Coastal Act Coastal Development Permit Exemption Provisions; Public Access Component Aerial Maps 5.1-5.5; the Mendocino Town area portion of the "Post-LCP Certification Permit and Appeal Jurisdiction; County of Mendocino" Map number 32 adopted by the Coastal Commission on May 14, 1992; the *Mendocino Historic Review Board Design Guidelines*, 1987; Town of Mendocino Traffic Data November 23-30, 2015: and the California Coastal Commission Repair, Maintenance and Utility Hook-up Exclusion Guideline (1978).

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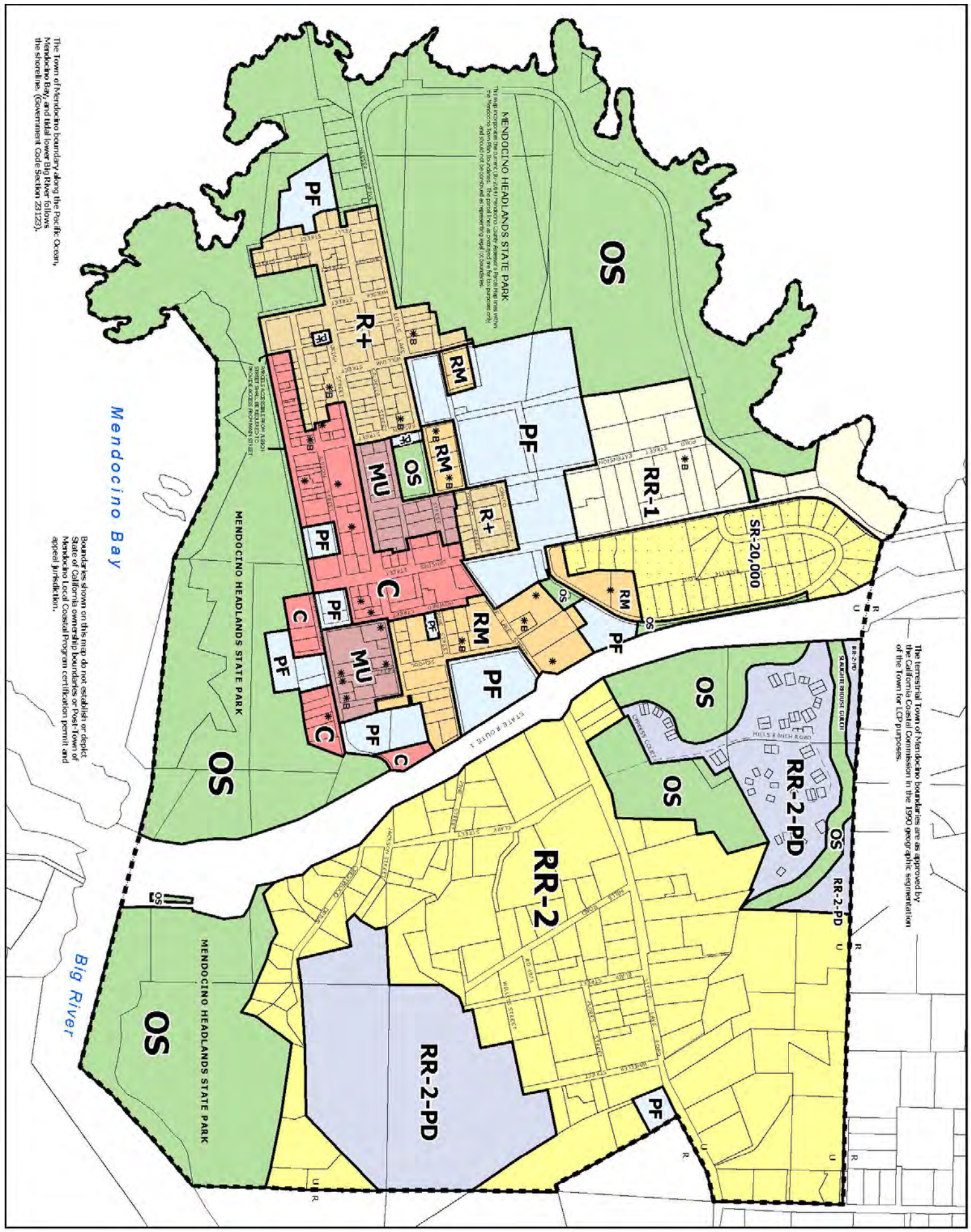

Figure 4.13-3. Mendoino Town Land Use Map

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SECTION 2. DEFINITIONS

These definitions govern the interpretation and implementation of the Mendocino Town Plan.

1. Aggrieved Person: Any person who, in person or through a representative, appeared at a public hearing held by the County in connection with the decision or action appealed; or who, by other appropriate means prior to a hearing, informed the County of the nature of his or her concerns or who for good cause was unable to do either. "Aggrieved Person" includes the applicant for a coastal development permit and, in the case of an approval of a local coastal program, the local government involved.

2. Amendment, Local Coastal Program: Any change, modification, deletion, or addition, including but not limited to any wording, text, table, illustration, figure, appendix, and/or documents incorporated by reference, of the certified Mendocino Town Plan, Mendocino Town Land Use Map, Mendocino Town Zoning Code, or Mendocino Town Zoning Map, including any alteration in the boundaries of a zoning district, when adopted by the Board of Supervisors in the manner prescribed by law; provided that no amendment to the Mendocino Town Local Coastal Program shall become effective until it has been certified by the Coastal Commission.

3. Amendment, Coastal Development Permit: Any change to a coastal development permit approved or issued by a County Approving Authority, that alters the approved development, or any approved condition of development approval; provided that no amendment to an approved coastal development permit or any other permit shall become effective until it has been approved by the Approving Authority.

4. Applicant: A person, partnership, organization, corporation, or federal, state or local government agency who is applying to (**a**) the Planning and Building Services Department of the County of Mendocino for a coastal development permit, other land use approval, administrative permit, or building permit. (**b**) the Mendocino Historical Review Board for review and approval of activities or work pursuant to the Mendocino Historical Preservation District Ordinance.

5. Approving Authority: The Planning and Building Services Department, Coastal Permit Administrator/Zoning Administrator, Mendocino Historical Review Board, Mendocino County Planning Commission, or Mendocino County Board of Supervisors authorized by the Mendocino Town Local Coastal Program to make decisions affecting the administration or enforcement of the Mendocino Town Local Coastal Program, as certified by the Coastal Commission.

6. Beach, inland extent: The inland extent of the beach shall be determined as follows: (**a**) a distinct linear feature on the landward side, including, but not limited to, a seawall, road, or coastal bluff; (**b**) the inland edge of the further inland beach berm as determined from historical surveys, aerial photographs, and other records or geological evidence; or (**c**) where there is no beach berm, the further point separating the dynamic portion of the beach from the inland area as distinguished by vegetation, debris or other geological or historical evidence.

7. Bed and Breakfast Accommodations: Any building or portion thereof, or group of buildings (**a**) containing at least two (2) but no more than four (4) lodging units (guest rooms or suites), each used, designed, or intended to be used, let, or hired out, for occupancy by transient guests for

compensation or profit, and (**b**) in which breakfast, snacks, other light meals, or beverages may be provided to such guests for separate compensation or as part of a room or suite package.

8. Best Management Practices (BMPs): Stormwater management practices, including structural devices and systems, siting criteria, operational practices, and procedural practices to prevent or reduce nonpoint source pollution and/or adverse changes in stormwater runoff flows resulting from development.

9. Building: A roofed structure, which is (**a**) constructed in a permanent position on the ground, and (**b**) designed and intended to be used for the shelter or enclosure of persons, animals, or personal property. This definition does not include any type of recreational vehicle, boat, or tent.

10. Building, Height of: The vertical dimension of the roofline, parapet, or uppermost edge or plane of a building or structure, as measured from the natural grade at any point from within the building footprint.

11. Categorical Exclusion Order Number E-96-1: The exclusion approved by the Coastal Commission, within specified areas of the Town of Mendocino, from the coastal development permit requirement of specified categories of (**a**) construction, improvement, or removal and replacement of a single-family residence, (**b**) test water wells, (**c**) replacement or supplemental water wells, (**d**) production water wells associated with a single family residence that is excluded from the coastal development permit requirement, (**e**) repair, replacement, expansion, or installation of septic systems (private wastewater disposal systems), and (**f**) boundary line or lot line adjustments more than two-hundred (200) feet from the outer edge of an environmentally sensitive habitat area or the outer edge of an area of pygmy vegetation, and subject to terms and conditions, including but not limited to ensuring that the development under this exclusion shall conform with all LCP policies. Figure 4.13-6 reproduces the Coastal Commission-adopted Categorical Exclusion Order Number E-96-1 Areas Map; Appendix 4 contains Categorical Exclusion Order Number E-96-1, as adopted by the Coastal Commission in the "Addendum to Proposed Categorical Exclusion Order No. E-96-1 for County of Mendocino, Town Segment", November 12, 1996 (adopted November 14, 1996).

12. Coastal Act: The California Coastal Act of 1976*,* as amended (Public Resources Code Division 20, Section 30000 et seq.).

13. Coastal Bluff: (**a**) (1) Those bluffs, the toe of which is now or was historically (generally within the last 200 years) subject to marine erosion; and (2) those bluffs, the toe of which is not now or was not historically subject to marine erosion, but the toe of which lies within an area otherwise identified in Public Resources Code Section 30603(a)(1) or (a)(2). (**b**)(1) Bluff line or bluff edge shall be defined as the upper termination of a bluff, cliff, or sea cliff. (2) In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. (3) In a case where there is a step-like feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge. (**c**) The termini of the bluff line, or edge along the seaward face of the bluff, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line

along the inland facing portion of the bluff. (**d**) Five hundred feet shall be the minimum length of bluff line or bluff edge to be used in making these determinations.

14. Coastal Commission: The California Coastal Commission, established by Public Resources Code Division 20.

15. Coastal Conservancy: The State Coastal Conservancy, established by Public Resources Code Division 21.

16. Coastal-dependent Development: Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

17. Coastal-related Development: Any development or use that is dependent on a coastal-dependent development or use.

18. Coastal Development Permit: A permit for any development within the coastal zone that is required pursuant to Section 30000 et seq. of the Public Resources Code.

19. Coastal Permit Administrator/Zoning Administrator: The Planning and Building Services Director or designee who is authorized to administer the coastal development permit process and to render decisions on applications for variances, minor use permits, and administrative permits as provided in the Mendocino Town Zoning Code.

20. Community Garden(s): An area of land managed and operated by one or more persons to sustainably grow and harvest food and/or non-food crops, including, but not limited to, flowers, for personal or group use or consumption. Community gardens may be divided into separate plots for cultivation by one or more individuals, or may be farmed collectively by members of a group.

21. Conditional Use: A use that may be allowed on a conditional and discretionary basis, subject to securing a conditional use permit pursuant to the applicable procedures and requirements of Mendocino Town Zoning Code Chapter 20.720, and for which a coastal development permit may be appealed by an aggrieved person to the Coastal Commission pursuant to Public Resources Code Section 30603(a)(4).

22. Cumulative Effect (Cumulative Impact): The combined consequences of (**a**) the incremental effects of an individual action, development, or project in connection with the effects of past actions, developments, or projects; (**b**) the effects of other current actions, developments, or projects; and (**c**) the effects of reasonably foreseeable probable future actions, developments, or projects.

23. Density: The number of dwelling units per acre or square foot, calculated as the total number of dwelling units divided by the total lot area.

24. Design Storm: The runoff produced by the 85th percentile 24-hour storm event at the Town (0.88 inches) for volume-based BMPs, or two times the 85th percentile 1-hour storm event (0.20 inches) for flow-based BMPs.

25. Development: (**a**) On land, in, or under water, the placement or erection of any solid material or structure; (**b**) discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; (**c**) grading, removing, dredging, mining, or extraction of any materials; (**d**) change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; (**e**) change in the intensity of use of water, or of access thereto; (**f**) construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and (**g**) the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with California Public Resources Code Section 4511).

26. Director: The Director of the County of Mendocino Planning and Building Services Department, or his/her designee.

27. Dwelling Unit: A single unit containing complete, independent living facilities for a person, persons, or a family, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and having only one (1) kitchen.

28. Energy Facility: Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

29. Environmentally Sensitive Habitat Area: Any area in which plant or animal life, or their habitats, are either rare or especially valuable because of their special nature or role in an ecosystem, and which could be easily disturbed or degraded by human activities and developments.

30. Estuary: A coastal water body, usually semi-enclosed by land, having open, partially obstructed, or intermittent exchange with the open ocean, and in which ocean water is at least occasionally diluted by freshwater from the land. The salinity level of an estuary may be periodically increased to above that of the open ocean due to evaporation.

31. Feasible: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

32. First Public Road Paralleling the Sea: (**a**) The "first public road paralleling the sea" means that road nearest to the sea, as defined in Public Resources Code Section 30115, which: (1) is lawfully open to uninterrupted public use and is suitable for such use; (2) is publicly maintained; (3) is an improved, all-weather road open to motor vehicle traffic in at least one direction; (4) is not subject to any restrictions on use by the public except when closed due to an emergency or when closed temporarily for military purposes; and (5) does in fact connect with other public roads providing a continuous access system, and generally parallels and follows the shoreline of the sea so as to include all portions of the sea where the physical features such as bays, lagoons, estuaries, and wetlands cause the waters of the sea to extend landward of the generally continuous coastline. (**b**) When based on a road designated pursuant to this section, the precise boundary of the permit and appeal jurisdiction shall be located along the inland right-of-way of such road. (**c**) The "Post-LCP Certification Permit and Appeal Jurisdiction; County of Mendocino" map number 32 adopted by

the Coastal Commission on May 14, 1992, and reproduced in Appendix 6, depicts the location of the first public road paralleling the sea in the Town of Mendocino.

33. Formula Lodging: A motel, hotel, inn, or other visitor-serving lodging facility, that along with ten (10) or more other establishments, regardless of location or ownership, maintains two or more of the following standardized features: business name, décor, color scheme, facade, architecture, uniforms, advertising, or other similar standardized features.

34. Formula Restaurant: A restaurant devoted to the preparation and offering of food and beverages for sale to the public, that along with ten (10) or more other establishments regardless of location or ownership, maintains two or more of the following standardized features: business name, menus, ingredients, decor, color scheme, facade, architecture, uniforms, advertising, or other similar standardized features.

35. Formula Retail: Formula Retail shall mean a retail sales or rental activity or retail sales or rental establishment, that along with ten (10) or more other establishments, regardless of location or ownership, maintains two or more of the following standardized features: business name, decor, color scheme, facade, architecture, uniforms, advertising, or other similar standardized features.

36. Grading: Any excavation, filling, or combination thereof, involving movement or transfer of more than twenty-five (25) cubic yards of earthen material within, from, or to a lot.

37. Hostel: Any building or portion thereof, or group of buildings, containing five or more dormitory rooms or private rooms, or providing accommodations for five or more transient guests, for the purpose of providing lower cost public travel accommodations to recreational travelers. The hostel shall provide a kitchen, common room, and sanitary facilities for use by the transient guests.

38. Hotel: Any building or portion thereof, or group of buildings, containing five or more lodging units (guest rooms or suites), each of which is used, designed, or intended to be used, let or hired out, for occupancy by transient guests for compensation or profit. A hotel may offer meals or beverages for separate compensation or as part of a room or suite package.

39. Hydromodification: Adverse changes in waterbodies associated with modification of the hydrologic balance (i.e., precipitation, surface runoff, infiltration, surface-water storage, groundwater storage, evaporation, and transpiration) resulting from development.

40. Impervious Surface: A structure, surface covering, or pavement that prevents absorption and infiltration of rainfall or stormwater runoff. Impervious surfaces include, but are not limited to, roofed structures, walkways, patios, driveways, parking lots, paved storage areas, impervious concrete and asphalt surfaces, and any other continuous watertight pavement or covering. Pavements that are designed and maintained to be permeable, including pavers with pervious openings or joints, underlain with pervious soil and/or pervious storage material (such as a gravel layer) to absorb and retain rainfall or runoff, do not constitute impervious surfaces.

41. Inn: Any building or portion thereof, or group of buildings, containing five or more lodging units (guest rooms or suites), each of which is used, designed, or intended to be used, let or hired out, for occupancy by transient guests for compensation or profit. An inn may offer meals or beverages for separate compensation or as part of a room or suite package.

42. Lateral Access: A public access way, alley, path, trail, street, road, easement, or other right-of-way which provides public access and use along, or generally parallel to the shoreline.

43. Light Agriculture: (**a**) Land devoted to the hatching, raising, butchering or marketing on a small scale of chickens, turkeys or other fowl or poultry and eggs, rabbits, fish, frogs, mink, chinchilla or other small farm animals or animals similar in nature, provided that not more than ten (10) mature animals per forty thousand (40,000) square feet, combined total, of all species, may be kept, fed or maintained. The permissible number of animals per acre shall be computed on the basis of the nearest equivalent ratio (i.e., five (5) animals on twenty thousand (20,000) square feet). For smaller parcels (under 20,000 square feet located in R+, MU, and C districts, up to four hens (no roosters) may be kept. Coops or pens shall be located only on the rear one-third of the lot and shall be located no closer than five (5) feet from the side or rear property line. (**b**) The grazing of cattle, horses, sheep, goats, hogs or other farm stock or animals, including the supplementary feeding thereof, provided not more than one (1) such animal per forty thousand (40,000) square feet shall be kept or maintained. The total number of all species shall not exceed four (4). In no event shall there be any limit to the permissible number of sheep or goats which may be grazed per acre when such grazing operations conducted on fields for the purpose of cleaning up unharvested crops and, further where such grazing operation is not conducted for more than four (4) weeks in any six (6) month period. (**c**) For parcels of forty thousand (40,000) square feet or larger, keeping of small and large animals shall be cumulative (i.e. eighty thousand (80,000) square feet: two (2) large animals or twenty (20) small animals). (**d**) Apiaries, provided that no more than two (2) working hives may be kept on parcels of forty thousand (40,000) square feet or less. (**e**) Sale of agricultural products, raised, or produced on the premises. (**f**) 4-H, FFA or similar projects shall be permitted in all zoning districts, except that no roosters shall be allowed.

44. Local Coastal Program: Pursuant to Public Resources Code Section 30108.6, the Town of Mendocino Land Use Plan, Town of Mendocino Zoning Code, Town of Mendocino Zoning District Map, and any other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, the Coastal Act within the boundaries of the Town of Mendocino as depicted on the Mendocino Town Land Use Map (Figure 4.13-3) and Mendocino Town Zoning Map (Mendocino Town Zoning Code Figure 1).

45. Lot: (**a**) A single parcel of contiguous real property shown as a delineated parcel of land with a number or other designation on a map of subdivision created pursuant to the Subdivision Map Act and recorded in the Mendocino County Recorder's Office. (**b**) A parcel of real property that qualifies for a Certificate of Compliance pursuant to Government Code Section 66499.35. (**c**) "Lot" shall also mean "parcel," but does not include road or street easements or rights-of-way.

46. Lot Coverage: The percentage of gross lot area covered by all buildings and structures on a lot, including decks, porches and covered walkways, but excluding uncovered required parking areas, landscaping, patios, terracing, and rainwater, groundwater, or potable water storage tanks.

47. Low Impact Development (LID): A sustainable approach to stormwater management that benefits water supply and contributes to water quality protection. LID emphasizes preventive site design strategies, integrated with small-scale, distributed stormwater management practices to minimize post-development changes in the site's stormwater runoff flow regime (i.e., rates, volumes,

timing, and duration), through infiltration, evapotranspiration, harvesting for later on-site use, detention, or retention of stormwater close to the source.

48. Major Energy Facility: An energy facility as defined in PRC §30107 that costs more than one hundred thousand dollars ($100,000.00), with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index since 1982 the effective date of Coastal Commission adoption of this definition at Title 14, California Code of Regulations Section 13012(a), except for those major energy facilities governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611, or 30624.

49. Major Public Works Facility: A public works facility as defined in PRC §30114 that (**a**) costs more than one hundred thousand dollars ($100,000.00), with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index since 1982, the effective date of Coastal Commission adoption of this definition at Title 14, California Code of Regulations Section 13012(a), except for those major public works facilities governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611, or 30624, and (**b**) pursuant to Title 14, California Code of Regulations Section 13012(b) means a publicly financed recreational facility that serves, affects, or otherwise impacts regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

50. Major Use Permit: A use permit under the original jurisdiction of the Planning Commission.

51. Major Vegetation Harvesting or Removal: means one or more of the following: (**a**) The cutting, chemical eradication, excavation, girdling, or other direct or indirect removal of more than fifteen (15) trees or ten (10) percent of the total number of trees on a lot, whichever is less, with a tree circumference of thirty-eight (38) inches or more measured at four and one-half feet (54 inches) vertically above the ground; or (**b**) the cutting, chemical eradication, excavation, girdling, or other direct or indirect removal of trees within a total contiguous ground area of six thousand (6,000) square feet, or within a noncontiguous area or areas not exceeding a total of six thousand (6,000) square feet, measured as the total of the area(s) located directly beneath the tree canopy; or (**c**) any of the following conditions exist or are proposed:

(1) the vegetation removal involves the use of mechanized equipment with a weight greater than five (5) tons;

(2) the vegetation removal is proposed on a slope of fifteen (15) percent or greater and removal of the vegetation may result in soil erosion or other instability;

(3) the vegetation removal is located within or adjacent to an environmentally sensitive habitat area, stream, wetland, coastal bluff, or beach;

(4) the vegetation removal that may result in significant exposure of adjacent trees or other major vegetation to wind damage;

(5) the vegetation removal may result in significant degradation of the public view shed from a public road, street, park, or open space area; or,

(6) the removal of one (1) or more trees which measure twenty-four (24) inches or more in diameter at four and one half feet (54 inches) above natural grade that are visually or historically significant, exemplary of their species, or ecologically significant.

(**d**) The following are excluded from this definition and do not constitute removal of major vegetation or harvesting in the Town of Mendocino:

(1) removal of trees and other vegetation that have been reviewed and approved in conjunction with an associated development which has been granted a coastal development permit;

(2) removal or harvesting of vegetation for agricultural purposes in areas presently used for agriculture;
(3) harvesting of lawful agricultural products from lots on which light agriculture or community gardens are allowed by the Mendocino Town Local Coastal Program, or
(4) timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Public Resources Code Section 4511), as amended.

52. Mean High Tide Line: The statistical mean of all the high tides over the cyclical period of 18.6 years that shall be determined by reference to the records and elevations of tidal benchmarks established by the National Ocean Service. In areas where observations covering a period of 18.6 years are not available, a determination may be made based on observations covering a shorter period, provided they are corrected to a mean value by comparison with observations made at some suitably located control tide station.

53. Mendocino Town Local Coastal Program: See "Local Coastal Program", Section 2.44.

54. Mendocino Town Plan**:** Chapter 4.13 of the Coastal Element of the County of Mendocino General Plan.

55. Mendocino Town Zoning Code: Division III of Title 20 of the Mendocino County Code, which contains the ordinances authorized by Government Code Section 65850 and required by the Coastal Act as part of the Mendocino Town Local Coastal Program to conform with, and be adequate to carry out, the provisions of the certified Mendocino Town Plan.

56. Minor Use Permit: A use permit under the original jurisdiction of the Coastal Permit Administrator/Zoning Administrator.

57. Motel: Any building or portion thereof or group of buildings containing five or more lodging units (guest rooms or suites) where such rooms or suites are directly accessible from an outdoor parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit.

58. Natural Grade: The surface of the ground prior to grading for development.

59. Nonconforming Lot: A lot which has been lawfully created but does not meet the standards required of a lot or building site, as set forth in the certified Mendocino Town Plan and Mendocino Town Zoning Code.

60. Nonconforming Structure: A building, structure or facility, or portion thereof, which was lawfully erected or altered or maintained, but which no longer conforms to the specific regulations, as set forth in the certified Mendocino Town Plan and Mendocino Town Zoning Code, that are applicable to the land use classification and zoning district in which it is located.

61. Nonconforming Use: The use of a building, structure, or site, or portion thereof, which was lawfully established and maintained, but which no longer conforms to the specific regulations, as set forth in the certified Mendocino Town Plan and Mendocino Town Zoning Code, that are applicable to the land use classification and zoning district in which it is located.

62. Paleontological Site: A site containing fossil remains of life from geological periods generally predating the Holocene Epoch.

63. Permitted Use: A land use allowed by the Mendocino Town Plan subject to compliance with the applicable provisions of the Town LCP, and subject to obtaining any other permit required by the Code. County actions on coastal development permits allowing such uses are appealable to the Coastal Commission.

64. Person: Any individual, partnership, joint venture, association, social club, fraternal organization, estate, trust, receiver, syndicate, limited liability company or other business association or corporation, including any utility, and any, federal, state, local government, or special district or an agency thereof; or any other group or combination acting as a unit.

65. Principal Permitted Use: The primary land use allowed in the Mendocino Town Plan for each land use classification and in the Mendocino Town Zoning Code for each zoning district, and comprising development which is functionally related to one another so as to be viewed as one use type. Development designated as the principal permitted use in a particular zoning district is not appealable to the Coastal Commission pursuant to Section 30603(a)(4) of the Coastal Act, but may be appealable pursuant to other provisions of Section 30603(a). Development designated as the principal permitted use is subject to compliance with all applicable provisions of the certified LCP and subject to obtaining any other permit required by the County Code.

66. Public Works: (**a**) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities. (**b**) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, mass transit facilities and stations, bridges, trolley wires, and other related facilities. (**c**) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district. (**d**) All community college facilities.

67. Residential Use: Occupancy of a structure by the owner(s) as his/her/their principal place of residence; or, by tenant(s) as his/her/their principal place of residence for an extended term of thirty (30) days or longer.

68. Sea: The Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

69. Second Dwelling Unit: A detached or attached dwelling unit that provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel or parcels as the primary dwelling unit is situated. Second dwelling units are not intended for transient habitation and shall not be sold separately from the primary housing unit on the parcel, but may be rented for long term occupancy by family members or tenants.

70. Semi-Public Facilities: Buildings, structures, or other facilities which are privately owned, including by not-for-profit organizations, but which may be used to accommodate public gatherings,

including, but not limited to, art centers, lodges, granges, non-public schools, social clubs, theaters, and fraternal and religious organizations.

71. Significant Effect (Impact) on the Environment: A substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by an activity, development, or project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

72. Single Unit Rental: An attached or detached room or structure which is operated, in conjunction with a residential use or commercial use, as a short term rental for transient occupancy, for a fee charged, and subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax) of the Mendocino County Code.

73. Shoreline: Mean High Tide Line of the Pacific Ocean. (See, Mean High Tide Line, the Sea)

74. Special Community: The Town of Mendocino, which, because of its unique characteristics, is a popular visitor destination point for recreational uses.

75. Special District: Any public agency, other than the County of Mendocino, formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area.

76. Standardized Feature: A feature that is substantially the same as other features, but need not be identical to them.

77. State Coastal Conservancy: The California Coastal Conservancy, established by Division 21, Public Resources Code, as amended.

78. State Parks: The California Department of Parks and Recreation, established pursuant to Public Resources Code Section 5001 et seq.

79. Stream: Any water course in the Town of Mendocino, that is mapped by the United States Geological Survey as a blue-line stream on the most recent Mendocino, California 7.5-minute topographical quadrangle.

80. Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, including, but not limited to, any building, road, street, highway, bridge, culvert, fence, other enclosure or exclosure, pipe, flume, conduit, siphon, aqueduct, telephone line, electrical power transmission and distribution line, antenna, and satellite dish.

81. Structure Height: See "Building height", Section 2.10.

82. Student-Instructor Housing Facility: A portion of an educational facility providing long-term or intermittent housing for people affiliated with a school or art center, including students, instructors, artists-in-residence, staff, and scholar art program members. Transient occupancy of such units by the general public may occur. However, housing use by school or art center affiliates are given priority. Provision of tenancy shorter than thirty (30) days shall be subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax) of the Mendocino County Code.

83. Suite: A group of two (2) adjoining rooms with a single exterior door in a visitor serving facility, and without any shared interior doors. Each suite shall be: (**a**) limited to no more than one (1) kitchen; (**b**) rented as one (1) unit, and (**c**) charged as one unit subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax) of the Mendocino County Code.

84. Town of Mendocino Boundaries: Those boundaries adopted by the County and approved by the Coastal Commission for the geographic segmentation of the Town of Mendocino, for local coastal program purposes, on June 13, 1990, and which consist of (**a**) the boundary of the County of Mendocino along the shoreline of the Pacific Ocean, and (**b**) the terrestrial boundary of the Mendocino City Community Services District as it existed on June 13, 1990. The Mendocino Town Land Use Map (Figure 4.13-3) illustrates these boundaries.

85. Use Permit: A permit which may be granted by the appropriate Mendocino County authority to provide for the accommodation of land uses with special site constraints or design requirements, operation characteristics, or potentially significant adverse effects on surroundings, and which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

86. Vacation Home Rental: A dwelling unit that is the only use on the property. and which may be rented short term for transient occupancy (29 days or fewer), for a fee charged, and subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax) of the Mendocino County Code.

87. Vertical Access: A public access way, path, trail, street, road, easement, or other right-of-way which provides a public access connection between the first public road or street, trail, or public use area to (**a**) publically owned tidelands, (**b**) the shoreline, (**c**) the bluff top for public viewing, or (d) to a lateral public access way.

88. Visitor Serving Facility: Any hotel, inn, or bed and breakfast accommodations designated on the Mendocino Town Land Use Map and Mendocino Town Zoning Map with an asterisk (*) or asterisk-B (*B).

89. Wetland(s): Lands within the coastal zone which may be covered periodically or permanently with shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. (**a**) Wetlands shall be further defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils, or to support the growth of hydrophytes, and shall also include those wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other

substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. (**b**) The upland limit of a wetland shall be defined as:

(1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(2) the boundary between soil that is predominantly hydric and soil that is predominantly non-hydric; or

(3) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

(**c**) The term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

(1) the pond or reservoir was in-fact constructed by a farmer or rancher for agricultural purposes; and,

(2) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir.

Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.

90. Work. Activities set forth in the *Historical Preservation District for Town of Mendocino* (Mendocino Town Zoning Code Sections 20.760.030, 20.760.035, and 20.760.045) that require prior approval of the Mendocino Historical Review Board, except as specifically provided in Mendocino Town Zoning Code Sections 20.760.040.

SECTION 3. 1992 TOWN PLAN SETTING, DESCRIPTION, AND BACKGROUND

3.1. Introduction. Some of the issues that framed the State legislature's enactment of the Coastal Act (1976) - and adoption and certification of the Mendocino Town Plan (1992) - continue to exercise the Town's body politic in the middle of the second decade of the 21st Century, while other issues of sustainability, basic services, equal and effective governance, and equitable land uses have also arisen to inform preparation of the Mendocino Town Plan. Sections 3.2 through 3.4 continue much of the narrative contained in the 1992 Mendocino Town Plan, amended with technical corrections, relevant new information, and for reference to post-1992 conditions, trends, and legal requirements. Section 3.5 discusses current public access and recreational opportunities and issues in the Town and Mendocino Headlands State Park. Section 3.6 addresses issues related to Mendocino Town Plan administrative implementation.

3.2. Background. Prior to Russian, Spanish, and American colonization of coastal Pomo territory during the first half of the 19th Century, inland Northern Pomo triblets (small communities or groups) seasonally traveled to the Big River Estuary and the area of the present Town of Mendocino for fishing and other littoral resource exploitation activities (Mendocino Land Trust, "Big River Preliminary Plan, Resource Assessment and Recommendations", 2005, and citations therein). Permanent settlements by the Mitom triblet at Buldam, near the mouth of Big River and inland about three-quarters of a mile from it, occurred in 1851 with the advent of American colonization of Mitom territory (at present Willits). Other indigenous people from the interior and along the coast also continued to gather littoral flora and fauna in the Big River Estuary and at Mendocino. The regulations promulgated by the California Department of Fish and Wildlife for the Big River Estuary State Marine Conservation Area, as defined (Title 14, California Code of Regulations section 632(a)(25), reproduced in Appendix 3), specifically recognize traditional shore fishing rights within this area by seventeen federally recognized tribes: Big Valley Band of Pomo Indians of the Big Valley Rancheria, Cahto Indian Tribe of the Laytonville Rancheria, Coyote Valley Band of Pomo Indians, Elem Indian Colony of Pomo Indians of the Sulphur Bank, Rancheria Guidiville Rancheria, Habematolel Pomo of Upper Lake, Hopland Band of Pomo Indians of the Hopland Rancheria, Lower Lake Rancheria, Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, Middletown Rancheria of Pomo Indians, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley Rancheria of Pomo Indians, Robinson Rancheria of Pomo Indians, Round Valley Indian Tribes of the Round Valley Reservation, Scotts Valley Band of Pomo Indians, and Sherwood Valley Rancheria of Pomo Indians.

Mendocino, founded in 1851, was the first large Euro-American lumber town (as "Meigsville", and subsequently "Mendocino City" and "Big River Landing") on California's north coast. The New England roots of some of its original residents, the economy of the lumber industry, isolation, and more recently a population attracted by the Town's ambience, account for its character. This "mystical village" is among the most photographed and visited coastal destinations in California north of San Francisco and, as such, is more threatened by overuse than any other coastal community in the region, and perhaps the State. The Town of Mendocino is a "special community" which, because of its unique characteristics, is a popular visitor destination point for recreational uses, pursuant to Section 30253(e) of the Coastal Act.

Approximately 25% of the Mendocino Town Plan area has been preserved as part of Mendocino Headlands State Park. The State Park was initially established in the mid-1970's on the headlands

west of Highway 1, and now consists of some 210 acres that border the Town on the south, west, and northwest. The State Park offers day hiking, walking, whale and bird watching, and spectacular scenic views of the coast, ocean, Big River Estuary, coniferous forests, and the Town.

The State's willingness to acquire the headlands was dependent on the County assuming responsibility to establish Mendocino as a "Historic District."

The Historical Preservation District for the Town of Mendocino, first incorporated by ordinance in the Mendocino County Code in 1973, established the Mendocino Historical Review Board (MHRB) that must approve activities and other work, including demolition, construction, remodeling, excavation, and painting within Historical Zone A, comprising the 19th century town west of Highway 1. The Board has less specific powers of approval in Historical Zone B, the area east of Highway 1 visible from Historical Zone A. The portion of Historical Zone A south of Little Lake Street is listed in the National Register of Historic Places as the "Mendocino and Headlands Historic District," allowing building owners to qualify for federal grants and tax incentives for preservation and restoration. Within Historical Zone A, the Mendocino and Headlands Historic District is also listed on the California Register of Historic Resources.

Responding to the need for a plan, and because Mendocino County's 1985 1" = 600' scale Coastal Element Land Use Map is inadequate for lot-scale issues in Town, the original Mendocino County LCP Work Program included a Mendocino Area Plan with "especially detailed land use designations and development provisions." The plan map, at 1" = 200' scale, and implementing regulations that followed assumed continuation of Mendocino's unincorporated status, but would have been equally applicable if subsequently proposed incorporation had been approved.

3.3. Planning Process. Historical Mendocino, although laid out on a Jeffersonian grid (depicted on the 19th and early 20th Century maps of the Town in Figure 4.13-4), was developed well before the advent of 20th Century municipal planning and sanitation. Mendocino Town Plan Section 1 summarizes the extensive public consideration given to the Mendocino Town Plan between 2011-2017; however, Mendocino residents first began working on a town plan in 1973, because the terms of the federal grant that funded the Town sewage treatment system required one.

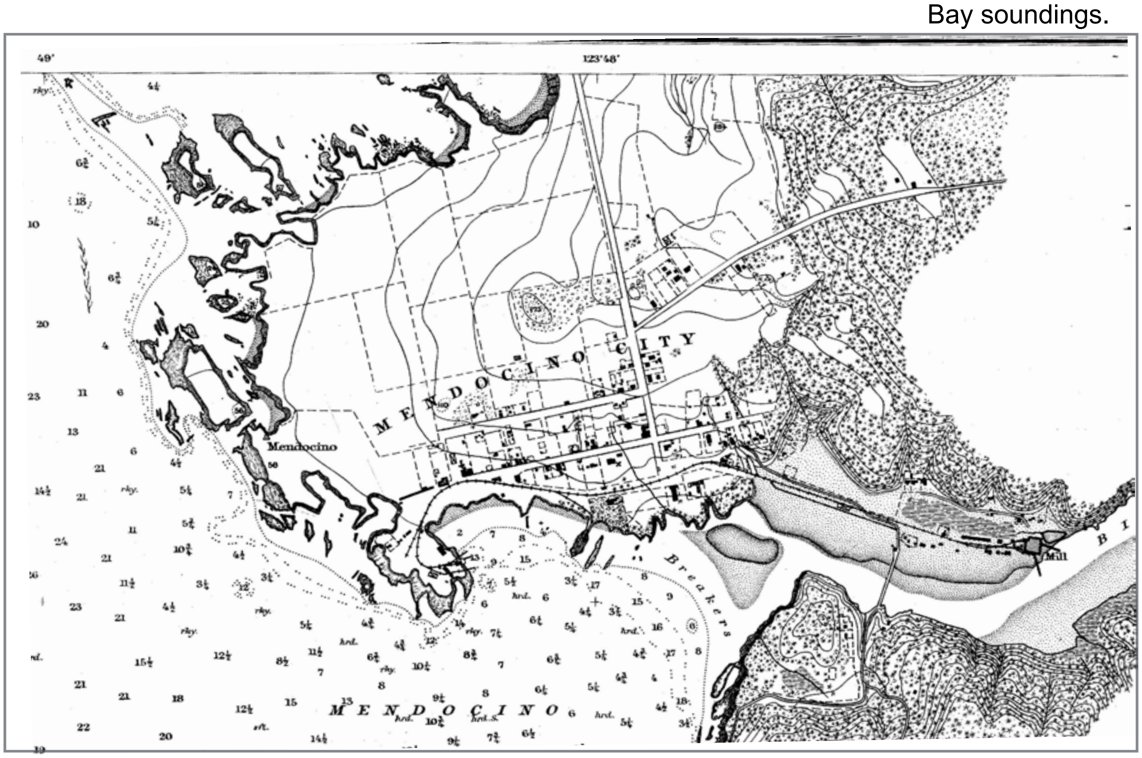
Rarely has a community invested as many hours in a plan as have the residents of Mendocino, initially over the almost twenty year period preceding Coastal Commission certification of the 1992 Mendocino Town Plan, and more recently in post-certification workshops, meetings, and hearings before the Planning Commission and Board of Supervisors leading up to the June 8, 2017 certification of the Mendocino Town Plan. Differences of opinion that emerged on most points were addressed by the Mendocino members of the South Central Citizen Advisory Committee, convening as the Big River CAC, and holding many meetings working toward resolving them. Before the plan was drawn, two questionnaires were circulated to as many Town residents as could be reached in an effort to determine community values.

Responses to the Mendocino Land Trust questionnaire (1989) from 288 residents and property owners in the Historic District and the 193 responses to the Big River #1 and #2 questionnaire indicated strong support for maintaining the Town's residential character and for setting a ceiling on the population growth rate.

Figure 4.13-4. Mendocino Historical Maps and Charts

At Left: US Coast and Geodetic Survey Register 2979, 1909. Mendocino lumber mill on Big River Flat, railroad to maritime lumber chutes, Town grid and buildings, coast road on causeway over Big River, tree line, drainages, Headlands areas under cultivation.

Below: US Coast Survey Chart 5179, 1879. Mendocino City and Mendocino Bay, with topographic contours, coast road, lumber mill on Big River Flat with log pond, railroad to wharves in south-jutting small peninsula, Town grid and buildings, tree line and cluster of trees at present high school, beaches, bluffs, Mendocino Bay soundings.



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3.3.1. Issues
a. Specificity of Plan

Because Mendocino's character results from diversity, it remains difficult to establish a single "right" set of development standards for each (lot) parcel. Differences in uses, use mix, height, building materials, finish, yards, and landscaping are not easily correlated with a classification of buildings that support or detract from the Town's character. Traditional zoning, setting precise yards, heights, and use regulations for each lot, is unlikely to conserve the Town because the very principle that similarly situated properties should have the same development potential could be destructive in Mendocino.

The Board of Supervisors-adopted and Coastal Commission-certified Mendocino Town Plan (1992) was followed by an adopted and certified Mendocino Town Zoning Code (1996). Any development subject to coastal development permit review and approval must meet the standards of the Mendocino Town Plan and Mendocino Town Zoning Code.

b. Growth

There continues to be general agreement that growth in the Town must be limited, but disagreement as to how tight limits should be. Historically, the Mendocino area (Big River Township) reached a reported population of 3,100 in 1880 (*Mendocino Historic Review Board Design Guidelines,* 1987), which declined with the closure of the lumber mill (1931, 1938) and stabilized at 894 in the 2010 US Census (http://censusviewer.com/city/CA/Mendocino/2010). Although additional residential development could help retain the sense of a residential community in the face of a feared rising tide of visitors, additional residents can themselves erode town character. If Mendocino is "Carmelized," it will be by commercial development -- not just by shops selling trinkets to tourists, but by the larger number of stores that must sell to residents to survive.

While response to the Mendocino Land Trust survey (1989) called for "encouraging more resident oriented businesses," many of the "residents" who shop in Mendocino live between Caspar and Albion. This area contained about 4,200 people in 1990 and may potentially grow to 6,400 under the development intensities designated by the certified County Coastal Element. An attempt to meet this population's commercial needs within the Town would be detrimental to Town character. The designated commercial area would have to be large enough to allow choice of sites for businesses that cannot pay rents competitive with visitor-serving enterprises. Commercial floor area would double, even assuming no shift toward more visitor-serving establishments. The alternative is to limit commercial expansion in Mendocino with the knowledge that this may (absent 21st Century e-commerce) entail less choice for residents, higher prices, and more travel to Fort Bragg and Santa Rosa. Mendocino's status as an art and entertainment center need not be affected. Stores are not suffering from overcrowding at this point.

One approach to growth management would be to determine an acceptable annual number and ultimate number of housing units in the Town, or an amount of commercial floor space and to enforce such limits. The reverse would be to define acceptable physical change and establish regulations that prevent undesirable effects, leaving the rate, sequence, and location (consistent with the plan) to market determination. While the latter system is easier to administer, it risks too much on ability to foresee the effects of growth accurately. During 2013-2014, the Mendocino City Community Services District reported 422 residences, 9 guest cottages, and 4 other sleeping units. The average residential growth between 2000-2015 at Mendocino has been approximately 1.7

units/year (Mendocino County PBS, 2015). Increased community stewardship, as practiced by commercial enterprises and not-for-profit organizations that manage and support the preservation of historic buildings, including in the Town's Commercial and Mixed Use Districts, demonstrates a successful third approach to balanced and Coastal Act-consistent local growth management.

Increases in visitor traffic unrelated to local population increases will affect Mendocino. The amount and type of commercial development that attracts visitors can be regulated, but the popularity of Mendocino as a destination will increase if its unique qualities are maintained. Some contend that a very effective step toward preserving Mendocino as a "real" town, rather than as a resort, would be to limit expansion of overnight visitor accommodations, with the resulting reduction in total visitor days spent in the Town more than offsetting the increase in additional automobile travel per visitor. If the entire Town were converted to inns, only a small percentage of visitors could be housed. Those who must stay elsewhere will spend less time in Mendocino and may have to park some distance from their destination. Fewer restaurants and boutiques may be supported if the average stay is shortened. Although the ability to regulate the impact of heavy use is less than in Yosemite Valley, the principle is the same: the number of accommodations and attractions must be limited.

The certified 1992 Mendocino Town Plan and the June 8, 2017 certified Mendocino Town Plan seek to achieve compromise, based on the maintenance of the Town's overall natural and historic environmental quality between "no-growth" and "free-market" partisans. This compromise preserves the necessary residential basis for the Town to continue as a living place rather than an historical museum, and the priority assigned by the Coastal Act to the use of suitable private property for visitor-serving commercial recreational facilities designed to enhance public use for coastal recreation (Public Resources Code Section 30222).

The Mendocino Town Plan accomplishes this objective by (1) identifying the current limit (cap) on all types of overnight lodging accommodations in the Town (267 units[1]), (2) reducing the number of vacation home rentals in the Town through attrition as requisite business licenses for them are not renewed, (3) providing an additional procedure by which any unallocated visitor-serving facility units (e.g., due to closure of any existing hotel, inn, or bed-and-breakfast accommodation) may be annually reallocated, subject to meeting all coastal resource protection, density, intensity, and other Mendocino Town LCP standards, and (4) utilizing the Coastal Act LCP amendment process to address any proposed new Visitor Serving Facility on sites not presently designated for hotel, inn, or bed-and-breakfast use in the Town.

[1] The 1992 Mendocino Town Plan's visitor accommodation limit was 280 unit equivalents, comprised of 234 Visitor Serving Facilities units, 23 Single Unit Rental, and 23 Vacation Home Rental private visitor accommodations. While loss of the thirteen Mendocino Art Center Student-Instructor Housing Facility apartments has resulted in a "paper" reduction in visitor accommodations from 280 to 267 unit equivalents, the transfer of 16 unit equivalents from Single Unit Rental and Vacation Home Rental to Visitor Serving Facilities results in availability of 237 committed visitor accommodation units in the *Mendocino Visitor Serving Facilities Combining District* (* and *B), plus 20 Single Unit Rentals and 10 Vacation Home Rental units. Most of the visitor serving facility units within the limit are already allocated to facilities designated in the 1992 Town Plan. The remainder shall be allocated as set forth in Section 20.684.030(H).

In that context, it may be noted that the 2013-2014 Mendocino City Community Services District (MCCSD) inventory of service connections for residential units (422) compared to all overnight visitor accommodations budgeted within the Town (267) suggests that Mendocino has two visitor accommodations for every three residential dwellings, a ratio of visitor accommodation units to residences that is virtually unparalleled elsewhere in the California coastal zone. In addition, the Mendocino Town LCP provides for public access, parking, storm water management, and open space-habitat restoration and enhancement projects that will benefit protected coastal resources, Mendocino Headlands State Park, as well as historic buildings and structures throughout the Town and particularly along Main Street.

It is widely held that restrictions on new development will contribute to making developed property more valuable and may limit opportunities for profit by owners of undeveloped land. As in most highly desirable California communities, the balancing of equity between those who live there now and those who may or may not have an opportunity to live there in the future is a difficult question. The issue is further complicated by the state and national interest in Mendocino's unique character. Development in the Town is limited by constraints such as site-specific availability of ground water, parking capacity, historic preservation, and the Coastal Act mandate to ensure that new development shall protect special communities, such as the Town of Mendocino, that "because of their unique characteristics, are popular destination points for recreational uses."

The Town of Mendocino land use plan includes goals and policies intended to reasonably preserve the long-term housing inventory in the Town of Mendocino, and to maintain the property rights of owners of residential property within the Historical District.

c. Design Character

(1) **Amount of Development:** Some residents believe that virtually all vacant land in the Historical District should remain unbuilt, while others hold that well-designed new buildings at some locations will not harm, and will perhaps improve, the Town. Mendocino Headlands State Park provides for protected expansive existing open space on three sides of the Town. The Mendocino Town Plan recognizes that private covenants among willing parties may cause privately owned lots, in whole or part, to remain without structural development. In addition, Figure 4.13-5 provides examples of site planning standards that may be utilized on a case-by-case basis to both preserve open areas on lots in Mendocino, without reducing the allowable floor area of otherwise permissible development.

(2) **Historic Preservation:** The County of Mendocino recognized, through adoption of the Mendocino Historical Preservation District for the Town of Mendocino, the importance of preserving the style of architecture which dominates the Town. Examples of early Northern California architecture and the character of the community resulting from development connected with the early redwood lumber industry along the Mendocino Coast in the last half of the 19th Century is evident throughout the community. (Appendix 1 reproduces the "Inventory of Historic Structures," prepared by Mendocino Historical Research, Inc. in 1979, as it appeared in the 1992 Mendocino Town Plan.) Additionally, the preservation of the architecture and the community character is essential in maintaining the Town as a special community within the meaning of the Coastal Act, and contributes to the economy of the Town, the County, and the State.

(3) **Design of New Buildings:** Some find new development that closely follows the architectural style of the pre-1900 buildings most acceptable. Others want new buildings to be readily

distinguishable as such, but less prominent than historic buildings. Pursuant to Public Resources Code Section 30251 and the designation of the Town in the California Coastline Preservation and Recreation Plan (1971), new development in the Town shall be subordinate to the character of its setting. Pursuant to Board of Supervisors direction, the Mendocino Town Plan incorporates the *Mendocino Historic Review Board Design Guidelines* (1987) into the Mendocino Town LCP. New building and structure heights in Town are generally limited to twenty-eight (28) feet above natural grade.

Effective vegetation screening, design of structures that are architecturally compatible with Town character, and clustering of new development with existing structures is required in any future development of the 1.8-acre parcel located at 10705 Palette Drive and identified as Assessor's Parcel (APN) 119-140-31.

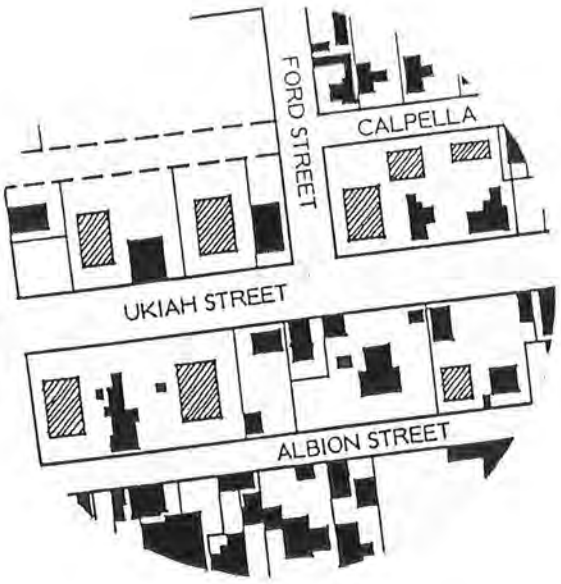
(4) **Intensity of Development**: There is no one intensity of development that is typical in the Town. Some blocks have high building coverage; others are largely open. Two-story buildings are interspersed with one-story buildings, but most commercial buildings are two stories. Water towers and outbuildings, often crowded in back yards, contrast with a vacant lot adjoining or across the street. Most houses are modest cottages on lots 40 to 50 feet wide, but there are about a dozen mansions, many of which have historical value and have been preserved, on larger lots with wide yards.

(5) **Views of the Town**: Public acquisition of the headlands along the south side of the Town effectively conserves the view of the Historical District (Zone A) from Highway 1. Though each large tree and water tower is visually important, the main visual concern of the Mendocino Town Plan is the character of the District as seen from within the Town and the view of the Town as seen from the southerly approaches to the Town along the new and old Highway 1 alignments. The asphalt expanse of the highway in the Town is the only significant element of aesthetic discord seen from outside the Town.

The less noticeable new development east of Highway 1 can be, the sharper the definition of the old Town. The certified Mendocino Town Local Coastal Program (1996) removed commercial zoning along the east frontage of Highway 1, which, if unchanged, would have drawn development seeking attention, thereby increasing the number of trips crossing the highway.

(6) **Views From the Town:** The Highway 1 Big River Bridge and south-bound approach provide scenic public views of Mendocino Bay, the Pacific Ocean, Big River Estuary, and the coastal coniferous forests for travelers along the highway. A Highway 1 vista point on the west side of Highway 1, north of the Big River Bridge, provides additional scenic public views. West of Highway 1, Mendocino's gridiron street pattern and sloping site provide marine views from most streets and from many buildings over vacant lots or low buildings. The certified Mendocino Town Local Coastal Program and Coastal Act mandate that new development shall be sited and designed to protect views from public rights of way but do not mandate the use of private property to preserve private views. Some private views could be preserved by regulating the location of a new building on a lot in a view corridor, but in most instances, shifting the new building would block another existing or potential view. Limiting the height of new buildings to one story would preserve some views, but would adversely affect both Town character and equity. Limiting maximum height would help to preserve Town character.

Full development with 25% lot coverage and new 2 story buildings (shown cross hatched) near the center of each lot.



Full development with same lot coverage as above but new 2 story buildings (shown cross hatched) located to preserve open space character.

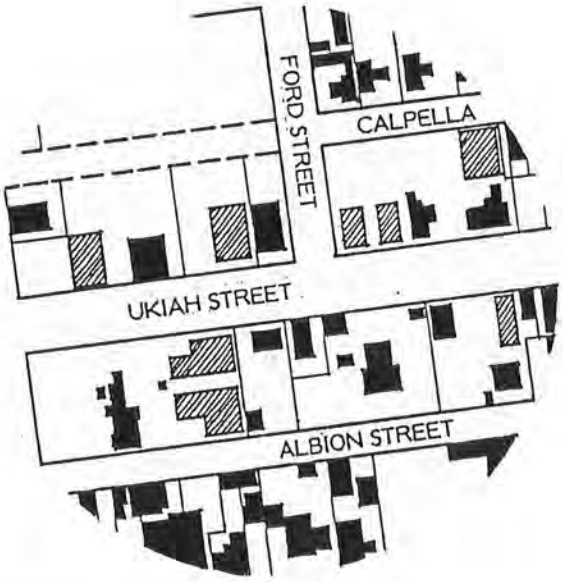


Figure 4.13-5. Mendocino Town Plan example of use of special site planning standards to preserve open space character without reducing allowable floor area.

11-5-85

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d. Water Supply; Sewage Disposal

Although the 1979 Mendocino Land Trust survey found that 56% of survey respondents favored a community water system for the Town, and 65% of the voters (141/217) at the November, 1985 election favored the Mendocino City Community Services District's (MCCSD) obtaining the authority to provide potable water to the Town, in 2015 the residents, businesses, not-for-profit organizations, and public agencies in Town continue to rely on individual private water wells for the production of water. Mutual water companies, also reliant on water wells, produce water for three residential subdivisions, two of which are east and one of which is west of Highway 1.

The Mendocino aquifer consists of the four relatively thin (to 45 feet thick) uplifted late Pleistocene marine terraces (100,000-400,000 year old beach deposits) that can locally approach saturation and overlie the pervasively fractured Tertiary Franciscan Complex Coastal Belt in the area of the Town. Most newer wells (with 40-200 feet depths) produce from the fractured rock zones, but lack of uniform hydrogeologic structure in the aquifer and variations in annual rainfall (that averages 40.29 inches since record keeping began in 1901) result in locally and seasonally differentiated groundwater levels within the Town (California Department of Water Resources, "Town of Mendocino Groundwater Study," 1985; MCCSD, "Groundwater Management Plan and Programs," 1990, 2012). As a result of the discontinuous, highly fractured bedrock and shallow terrace deposits that retain groundwater, wells that produce water within the range of 15 to 20 gallons per minute (gpm) may be located less than 200 feet from wells that can only produce water at 2 or 3 gpm (MCCSD 2012), or within a few feet of a lot that is incapable of producing an adequate year-round on-site water supply. The (modeled) hydrologic budget summary average for the aquifer (Water Years 1998-2013) identifies 1,169 acre-feet per year (AF/Y) of inflow from rain infiltration[2] and groundwater,[3] with a total outflow average of 1,180 AF/Y through natural seepage, evapotranspiration, and pumping wells[4] (Maley, April 24, 2014). Outflows from the aquifer also include an estimated 728 AF/Y through natural seepage (at the coastal bluffs, sea cliffs, and likely the riverine bluffs of the Town), including on the lower bluff/cliff faces (e.g., in areas of pronounced caving in Mendocino Headlands State Park) and through springs and weeps in fracture zones that daylight on the mid- and upper-bluff/cliff faces. In 2008, Mendocino City Community Services District (MCCSD) obtained a Safe Yield Analysis (Maley, January 17, 2008) that provided an estimated Safe Yield of 242 AF/Y (Kelley, December 13, 2014). Of the total 16-year model-based budgeted outflow, groundwater pumping during the 16 years through 2013 has averaged 218 AF/Y, and since 2005 has not exceeded 200 AF/Y. (Kelley, December 13, 2014). However, in the 2008 memo Maley also noted that the safe yield analysis has limited utility as a groundwater management tool for the Town because the Mendocino Headlands do not contain or store groundwater. Instead, Maley recommends utilizing a more dynamic groundwater management system as represented by the Water Shortage Contingency Plan (Questa 2006) rather than the safe yield concept.

[2] Measured from rainfall data collected on a daily basis by Mendocino City Community Services District.

[3] Measured groundwater elevations from 24 wells located throughout the District by MCCSD are used to evaluate model calibration.

[4] Annual pumping data is estimated by MCCSD. The total water demand is estimated based on flows at the wastewater treatment plant. The pumping is distributed to individual parcels based on the land use.

There are over 400 privately owned water wells within the Town. The highest density of water wells in Town occurs in the southern area of the Mendocino headlands, where a considerable part of the Town's commercial uses are located. Some water production systems, including some older, shallow (20-25 feet depth), and/or deteriorated/poorly maintained wells, that serve residential or commercial users have been reported to have failed or been discontinued for other reasons during previous (e.g., 1975-1977, 1988-1989, 1994, 2000-2001, and 2007-2009) droughts and the more recent (2011-2016) drought. Water importation (by truck from sources in Fort Bragg and Elk) has to-date constituted the episodic/seasonal source of supplemental water for such users, at an estimated 11 AF/Y (DWR 1985, in MCCSD, 2012). Water trucks, generally capable of transporting 3,000 gallons, have been reported in Town on the order of three days per week during the Autumn, 2015. Coastal Act Section 30250(a) and the Mendocino Town Plan additionally require that new development shall be located within or near existing developed areas able to accommodate it or in other areas with adequate public services and where it will not have significant adverse effects, whether individually or cumulatively, on coastal resources. The Mendocino Town Plan provides, moreover, for a suite of feasible beneficial water reuse, conservation, adaptive management, and enforcement measures intended to assist water users with maintaining a sustainable on-site ground water budget that does not rely on importation of water in bulk by truck except during a catastrophic interruption in water supply.

Although no public water works facility currently exists to supply water to the Town of Mendocino the Mendocino City Community Services District (MCCSD) does have groundwater management authority over the Mendocino Headlands aquifer to prevent depletion of the Town's limited groundwater resources, and limits groundwater extraction from privately-owned and operated wells on individual lots through its groundwater withdrawal program. Additionally, MCCSD implements a suite of water management protocols that include (1) groundwater monitoring, (2) mandatory groundwater extraction regulation (including through required hydrological studies for the purpose of proving that the amount of water extracted from the test well will support the proposed development without adversely affecting hydrologically contiguous wells) and monitoring in proposed new development, and (3) reclaimed water beneficial reuse program that reduces the use of groundwater for irrigation. The Mendocino Town Plan provides for collaborative public, not-for-profit organization, and private measures that feasibly expand on MCCSD's constructive groundwater water management, including through required utilization of drought-tolerant species in horticultural landscaping, stormwater retention (where feasible) for on-site non-potable uses, infiltration of intercepted suitable stormwater runoff for aquifer recharge, and phased expansion of reclaimed water usage for irrigation and non-potable uses through dual plumbing systems.

MCCSD has provided publicly owned wastewater collection and tertiary treatment services in the Town since 1975 at its wastewater treatment plant on the Mendocino Headlands, at 10500 Kelley Street. The facility has a design flow (average dry weather treatment capacity) of 300,000 gallons per day (gpd) and a peak daily wet weather treatment capacity of 1.0 million gallons per day (mgd) (North Coast Regional Water Quality Control Board Order No. R-1-2015-0039, NPDES No. CA0022870, WDID No. 1B831290MEN). The remaining unutilized capacity of the treatment plant is 80,200 gpd (MCCSD, 2015), an amount adequate to serve both the visitor-serving and residential uses allowed by the Mendocino Town LCP during its 10-year planning horizon. The MCCSD treatment facility has two approved discharge locations: by subsurface pipe to a discharge point in relatively deep State/United States waters nearly 1,000 feet offshore the Mendocino Headlands, and to the MCCSD recycled water system, which presently provides athletic field irrigation at Mendocino High School.

e. Affordable Housing

Affordable housing is scarce within the Mendocino Town Plan area. To address this important issue, the Mendocino Town Plan provides (for Government Code purposes) for (1) streamlined permitting of second dwelling units, not to exceed 900 square feet, on specified size lots in the Town residential districts that can accommodate them; (2) new housing units as part of new mixed-use development; and (3) utilization of State or federal government low-moderate cost housing program funding to maintain existing and provide for additional affordable housing in the Town.

3.4 Mendocino Town Description

3.4.1 Residential

The Mendocino Town Plan and Mendocino Town Land Use Map (Figure 4.13-3) include six residential land use classifications in the Town: Multi-Family Residential (RM), Town Residential (R+), Suburban Residential (SR), Rural Residential (1-acre minimum, RR-1), Rural Residential (2-acre minimum, RR-2), and Rural residential Planned Development (RR2-PD). The designated residential land use areas contain approximately 319.81 acres. Residential use is also permitted in the Mixed-Use District (MU) and the Commercial (C) land use classifications.

The certified Mendocino Town Plan reduced the pre-1992 potential development of the former R-3 zoning. With a few exceptions as mapped, nearly all of the area west of Kasten Street north of Albion Street is designated for residential development consistent with the R+ Land Use Classification. Potential development to R+ standards would allow one unit on existing parcels smaller than 9,000 square feet with an allowance for an additional unit subordinate to the main residence on parcels greater than 9,000 square feet. The RM and MU land use classifications are the predominant residential land use classifications in the remaining portion of Historical Zone A between Kasten Street and Highway 1. Larger parcels will be allowed to develop multiple family units consistent with size and style of the larger existing houses that originally were single family homes. The use of the MU land use classification provides an area of transition between residential and commercial uses by requiring a mix of both light commercial and moderately priced residential units. The RR-2 zone east of Highway 1 would also allow second family residential homes on parcels 40,000 square feet or larger.

North of Saint Anthony's Church along the west side of Lansing Street, the Mendocino Town Plan designates one unit per acre. In the Palette Drive area on the east side of Lansing Street, a pattern of 20,000 square foot lots is established with the exception of the larger United States Postal Service parcel (APN 119-070-13), which is vacant, and the Hill House properties (APNs 119-140-05 and 119-070-11) which are designated RM. East of Highway 1, the Mendocino Town Plan recognizes the Hills Ranch Planned Unit Development, approved with 54 units on 40.6 acres and designates the remaining residential areas east of Highway 1 as two-acre minimum sites. Two large parcels totaling approximately 41 acres in the southeast corner of Town, north of Mendocino Headlands State Park, are shown as planned unit development to ensure the preservation of the wooded hillside viewed from the south side of Big River, by north bound traffic on Highway 1, and to assure that development in these areas will be sited and designed to (1) avoid potentially significant impacts on the State Park and Big River Estuary, and (2) be compatible with the continuance of those habitat and recreation areas.

3.4.2 Commercial

The Mendocino Town Plan and Mendocino Town Land Use Map (Figure 4.13-3), include three areas with Commercial (C) land use classifications in the Town, which contain approximately 23 acres. Specified commercial uses are also permitted in the Mixed Use and Multi-Family Residential land use classifications.

The Mendocino Town Plan prescribes commercial uses for the majority of the lots that front on the north side of Main Street, along Albion Street from Howard to west of Kasten Street, on the south side of Ukiah Street, and north from Main Street along both sides of Lansing Street between Main Street and near Little Lake Street. To maintain the scale of the Town and to avoid supermarket type merchandising, the land use classifications limit the size of a single store to 8,000 square feet, which is the approximate floor area of the existing Harvest Market at Mendosa's.

3.4.3 Mixed Use

The Mendocino Town Plan and Mendocino Town Land Use Map (Figure 4.13-3) include two geographic areas with the Mixed Use (MU) land use classification in the Town, which contain approximately 11 acres.

One Mixed Use designated area is located between Kasten/Ford Streets and west of Lansing Street, from Ukiah Street on the south to mid-block between Little Lake and Covelo Streets on the north. The second Mixed Use designated area is bounded by Main, Howard, and Ukiah Streets on the south, west, and north, and extends to east of Evergreen Street. Arts and crafts studios and professional offices dot the area. The intent of the plan is to continue this mix, while maintaining an environment that will encourage new residential investment. To do this, the Mixed Use classification limits non-residential floor area to 50 percent of building area and to 25 percent of lot area. Commercial uses are limited to those that do not attract much traffic, do not regularly operate at night, and do not handle large volumes of goods or bulky goods. The ideal use would be an artist or artisan living on the premises and selling from a shop or gallery, but there also will be space for a TV repair shop, a children's clothing store, and other low impact shops. Some will meet local needs; some will be primarily dependent on visitors. Residential uses are also permitted in the Mixed Use land use classifications.

3.4.4 Public Facilities

The Mendocino Town Plan and Mendocino Town Land Use Map (Figure 4.13-3) include nine geographic areas with the Public Facility (PF) land use classification in the Town, which contain approximately 44 acres.

The PF Land Use Designations in the Town consist of the Mendocino High School campus; the Mendocino Art Center; St. Anthony's Church and cemetery; the MCCSD wastewater treatment plant; the MCCSD parcel between Palette Drive and Highway 1; the Mendocino Community Center; Hillcrest Cemetery; and four other public facility sites.

The Mendocino Town Plan includes these existing public and semi-public facilities and assumes that all will remain. The Mendocino Town Plan also reclassifies property located west of Highway 1 that is now controlled by MCCSD. Reuse of the "Public Facilities" classified Middle School site (44800

Pine Street) carries more potential for changing the character of Historical Zone A than does the use of any other parcel. Another public use would be desirable. In 2015 and 2016, the Middle School site was being leased to a non-profit entity as a community facility.

3.4.5 Open Space

The Mendocino Town Plan and Mendocino Town Land Use Map (Figure 4.13-3) include geographic areas with Open Space (OS) land use classifications in the Town, which contain approximately 254 acres.

Acquisition of Mendocino Headlands State Park in the mid-1970's and in 2002 preserved the Town's setting both along the headlands on the south, west, and northwest sides of the Town, as well as along the north side of lower Big River, east of the Highway 1 Big River Bridge. Grindle Park on Little Lake Road, the only locally controlled public open space, was deeded to the Town by the heirs of an early resident and is now in the hands of the Mendocino Fire Protection District. Heider Field, a parcel of approximately one acre in the center of Town has been acquired by State Parks to remain as community open space. Other designated Open Space land use areas in Town consist of most of the block that is bounded by Calpella and Little Lake Streets, west Ford Street, the south-facing slope of the Hills Ranch Subdivision adjacent to and east of Highway 1, the Slaughterhouse Gulch easement area east of Highway 1 and along the north side of the Hills Ranch Subdivision, an area south of Palette Drive and east of Lansing Street, and the strip of land in the Point of View Subdivision between Palette Drive and the Highway 1 right-of-way, among others.

Mendocino's present charm is in part also dependent on the many vacant or partially unused parcels within the Town. The plan calls for three approaches to preservation of some of this open space:

a. Dedication of Open Space Easements.

As a condition of permit approval, the Hill House Inn offered and the Coastal Conservancy accepted dedication of a 2.4-acre open space easement between Palette Drive and Highway 1, which has now been acquired through condemnation by the MCCSD for public health and safety purposes. On the east side of Highway 1, the developers of the Hills Ranch planned unit development dedicated a 17-acre open space easement that was required for the protection of visual resources and environmentally sensitive habitat areas within a meadow and along Slaughterhouse Gulch. Similar offers to dedicate open space easements may be made in conjunction with development on other large lots within the Mendocino Town Plan area.

b. Site Planning.

Special site planning standards in the Mendocino Town Zoning Code, which implement the site planning methodology provided in Figure 4.13-5, will allow property owners reasonable flexibility in the use of their land while retaining the open space character. The process of mediating between the interests of the Town as a whole and the developer may not always result in preservation of the most important open space on each parcel, but it will go far to preserve the Town's essential character.

c. Acquisition.

The Mendocino Town Plan recommends the cooperative acquisition, from willing private sellers, of the three developed parcels in private ownership along the west side of Lansing Street, north of Heeser Drive, for addition to Mendocino Headlands State Park, and of the triangular private parcel in the intersection of Lansing and Main Streets. The residents' desire that the former Middle School (44800 Pine Street) be acquired by a private nonprofit or public agency for community use has been accomplished.

3.4.6 Affordable Housing

The development of affordable housing is regulated and encouraged by the County Housing Element and several provisions of the Mendocino Town Plan:

- Permitting a second dwelling unit on designated lots in predominantly single family areas that can accommodate them consistent with the requirements of the Mendocino Town LCP.
- Requiring allowance for dwelling units in the Mixed Use (MU) areas land use classification.
- Allowing dwelling units to be intermixed with commercial uses potentially preserving the moderate income shopkeeper residence in the Commercial (C) and Mixed Use (MU) land use classifications.
- Limiting the conversion of dwelling units to non-residential uses.

3.4.7 Visitor Serving Facilities

Visitor Serving Facilities, as defined in Mendocino Town Plan Section 2.88, in the Town have historically consisted of hotels, inns, and bed and breakfast accommodations and currently provide guest rooms or suites ("units"), with a range of seasonal rates. The limit (cap) for such units in the Mendocino Town Plan is 237, as itemized in Appendix 2, Mendocino Town Plan Visitor Serving Facilities. No motels or hostels presently operate in the Town. Other visitor accommodations include Single Unit Rentals and Vacation Home Rentals, which are scattered throughout the Town. Research of the lodging facility market that includes the Town has identified a substantial number of moderately priced inns, motels, and other visitor-serving accommodations within a 15-mile radius of the Town. The Mendocino Headlands State Park General Plan, adopted by the California State Park and Recreation Commission in 1976, provides for location of a hostel and campground in the State Park near the south bank of Big River, adjacent to, but outside, the Town boundaries. As a result of budget and staffing reductions, alternative consideration is being given to the utilization of cabins, instead of a hostel, in expanded Mendocino Headlands State Park adjacent to the Town to provide lower cost overnight stay facilities in addition to those that currently exist at nearby Russian Gulch, Van Damme, and Mendocino Woodlands State Parks (State Parks, 2015).

3.4.8 Circulation and Parking

The Mendocino Town Land Use Map (Figure 4.13-3) depicts (a) State Highway 1, which connects the Town with Mendocino Headlands State Park to the south of Big River, other areas of Mendocino County, coastal and inland California, and the United States, (b) the three major County roads (streets) that connect Highway 1 with the Town at Main Street, traffic signal-controlled Little Lake Street/Road, and Lansing Street, (c) Heeser Drive and the Big River Road in Mendocino Headlands State Park, and (d) the grid street pattern, locally with alleys, within the Town.

The Mendocino Town Public Access Map (Figure 4.13-6) depicts the highway, road/street/alley, and extensive path and trail circulation network, and associated street and off-street parking, within the Town in vertical aerial view. Recently acquired traffic data indicates that unsignalized Main Street functions as the Town's primary vehicular ingress/egress, followed by signalized Little Lake Street (which connects the west and east areas of the Town), and by Lansing Street (old Highway 1), which intersects with Highway 1 north of the Town (Mendocino County, 2015). Appendix 8 contains traffic data collected in November 2015; the Mendocino Town LCP-Coastal Act Consistency Analysis contains additional analysis of it and related information.

The Mendocino Town Plan and Mendocino Town Zoning Code include a suite of measures to address currently and previously identified circulation and parking issues in the Town, including through the cooperative multi-stakeholder Main Street restoration and enhancement project, walkway maintenance, operation, and enhancement provisions, sustainable peak parking opportunities along other public streets and in existing underutilized public facilities, and a simplified in-lieu parking program where spatial limitations, preservation of Town character, or other coastal resource constraints make on-site/off-street parking infeasible.

Previously, a traffic circulation and parking plan was done for the County of Mendocino by consultants RKH, Parsons Associates and William Zion, dated March 8, 1988. The County Board of Supervisors accepted the plan but did not fund implementation. The seven member Mendocino Citizens Advisory Committee appointed by the County Board of Supervisors to review the Mendocino Town Plan (Summer, 1989) proposed a new Phase I implementation plan to meet most immediate needs in the Town. The Citizens Advisory Committee also proposed regulations for requiring off-street parking and in lieu fees where such off-street parking is not physically feasible. Such fees were intended to be placed in an encumbered account to be used solely in the Town of Mendocino for street and parking improvements. As applicable, the recommendations of the parking consultants and the Mendocino Citizens Advisory Committee are reflected in the Mendocino Town Local Coastal Program.

3.4.9 Design Guidelines

The Mendocino Town Plan includes both Design Policies and the *Mendocino Historic Review Board Design Guidelines* (Appendix 7).

Guidelines are included in the policy section leading to the appropriate implementation ordinances to protect and preserve the architecture and character of the Town of Mendocino. Policies are intended to respond to two broad design concerns -- building siting, and architectural style and scale in relationship to surrounding buildings. Similarly situated parcels should be entitled to the same lot coverage or ratio of floor area to site area and the Mendocino Historical Review Board (MHRB) or successor agency shall continue to review applications for development on a site specific basis. This means that some buildings may be required to be sited close to the street or to a side property line and applicants who wish to build the maximum floor area may be required to design a taller and narrower structure thereby continuing the open residential character of the neighborhood.

Mendocino looks as it does because it was built without zoning regulations and because some lots never were developed and many buildings have been moved or demolished. The character that results from small open spaces, large yards and vacant lots can be preserved by controlling the siting of buildings.

The architectural style of new buildings is a second concern. Some prefer that they be clearly distinguishable from historic buildings; others do not.

Trees and landscaping, including the planting and removal of vegetation, must also be reviewed in the application process.

Special site planning standards are included in the Mendocino Town Plan policies and zoning code regulations to protect views to the sea and views of historic landmark buildings recommended as landmarks by Mendocino Historical Research, Inc., and designated on a Table in Appendix 1.

3.5 Public Access

In furtherance of the requirement in Public Resources Code section 30500(a) that each LCP contain a specific public access component, the Coastal Commission LCP Regulations require that it "shall set forth in detail the kinds and intensity of uses, the reservation of public service capacities for recreation purposes where required pursuant to Public Resources Code Section 30254, and, if applicable, specific geographic areas proposed for direct physical access to coastal waters as required by Public Resources Code Sections 30210-30224 and 30604(c). The public access component shall include an implementation schedule (Title 14, California Code of Regulations, section 13512)."

Mendocino Headlands State Park, which extends along the entire Town shoreline (but for the northerly-most three parcels within the Town boundaries and where the elevated Big River Bridge in the Caltrans right of way bifurcates the State Park holdings along lower Big River), provides extensive opportunities for passive upland (bluff top) recreation, active beach and bluff top recreation, environmental and coastal historical education, and coastal resource conservation within its Open Space land use designation (Mendocino Town Land Use Map, Figure 4.13-3). The Mendocino Headlands State Park General Plan[5] sets forth in detail the kinds and intensities of uses within the State Park inside the Town boundaries; Section 4 of the Mendocino Town Plan includes additional specific policies and actions for the sustainable use, maintenance, enhancement, and replacement, as necessary, of these public access and recreational uses. The Mendocino Town Public Access Map (Figure 4.13-6) systematically depicts the public access ways (paths, streets, trails, etc.) within the State Park and that connect it with the Town and Highway 1. The detailed Public Access Maps in Appendix 5 identify the individual locations of public access and recreational use areas, including paths, trails, and upland support facilities within, respectively, the Big River beaches and southeasterly uplands (Appendix 5.1), the southerly beaches and headlands (Appendix 5.2), the southwesterly headlands and beaches (Appendix 5.3), the westerly headlands and beaches (Appendix 5.4), and the northwesterly headlands and beaches (Appendices 5.5).

Existing physical access to coastal waters exists at the Big River Beaches, via paths and trails on the southerly headlands, and on Big River Road; the Mendocino Town Plan supports their enhancement and continued operation and maintenance. In addition, physical access exists via generally unimproved paths and trails to most of the sandy pocket beaches within the State Park; tides and superelevated water conditions during and after storms control site-specific accessibility. The Mendocino Town Plan also supports their enhancement and continued operation and maintenance, consistent with coastal bluff natural resource conservation, and monitoring of caving along the toe

[5] Adopted by the California State Park and Recreation Commission in 1976

of coastal bluff segments and associated adaptive access management to assure user safety. State Parks does not currently have a schedule for implementing, or updating, the Mendocino Headlands State Park General Plan; the Mendocino Town LCP encourages both.

The Mendocino Town Plan provides for the location of a braided California Coastal Trail through and along the State Park, Lansing Street, Main Street, Big River Road, and the Highway 1 right-of-way and across Big River Bridge, and incorporates the State Coastal Conservancy's California Coastal Trail emblem (reproduced in Figure 4.13-7) for consistent use for public access way finding in the Town.

The Mendocino Town Plan sets forth standards, actions, and objectives for enhancement and maintenance of the walkways and paths within the Town that provide public access to the State Park and within the Town, including through the Main Street enhancement project, and recommends Board of Supervisors consideration of including prioritized project components in the County's Five-Year Capital Improvement Program.

The Mendocino City Community Services District (MCCSD) currently provides wastewater collection and treatment service to buildings within the State Park. Adequate MCCSD wastewater system capacity remains to serve additional proposed lavatories within the State Park, and the Mendocino Town Plan requires the MCCSD to reserve such capacity for that purpose during its planning horizon.

3.6 Town Plan Administration

Broad understanding and support for implementation of the certified Mendocino Town LCP are vital to its functionality, including, but not limited to, the development regulatory framework established by the certified Mendocino Town Plan, Mendocino Town Land Use Map, Mendocino Town Zoning Code, Mendocino Town Zoning Map, highly specific Coastal Commission Categorical Exclusion Order E-96-1, work and activities subject to the jurisdiction of the Mendocino Historical Review Board, and other applicable laws, regulations, administrative decisions, and court decisions.

The Mendocino Town Plan therefore provides for web-casting of meetings of the County Planning Commission and Mendocino Historical Review Board and of local public hearings by the Coastal Permit Administrator whenever possible. In addition, persons advertising the availability of Vacation Home Rentals or Single Unit Rentals shall, as a condition of their business license, display a facsimile of this license in all advertising of such rentals.

The Mendocino Town Plan therefore sets forth clear and unambiguous requirements that any person, as defined in Section 2.64, who proposes any development, as defined in Section 2.25, shall obtain a coastal development permit from the County before commencing such development. In addition, the Mendocino Town Plan requires that any development excluded or exempted from the coastal permit requirement, but that requires a building permit, shall only be excluded pursuant to a certificate of development permit exclusion or exemption from the County. Failure by a person who performs development in the Town to comply is subject to Mendocino County Code Chapter 20.736 Enforcement, Legal Procedure, and Penalties.

In response to public comments, the Mendocino Town Plan also expands the requirements for public notice regarding applications for coastal development permits, exclusions, exemptions, and applications to the Mendocino Historical Review Board.

Figure 4.13.6. Vertical Aerial Photograph of the extensive continuous coastal access and protected blufftop/shoreline open space in the Town of Mendocino, California., with Town of Mendocino Local Coastal Program Specific Public Access Components. The braided segments of the continuous California Coastal Trail in the Town of Mendocino are located in (south to north) the Highway 1 right-of-way, Mendocino Headlands State Park south of Main Street and west and north of Heeser Drive, and in Lansing Street to where it intersects with Highway 1 north of Town. Main Street, Little Lake Street, Ukiah Street, and Big River Road east of Highway 1 provide local vertical public access connectors to the shoreline, blufftop, and beaches. Paths and trails within Mendocino Headland State Parks provide vertical and lateral public access segments. Regional Highway 1 extends from the Big River Bridge (lower right) north to the intersections with Main Street, Little Lake Street, and northern Lansing Street. Mendocino Headlands State Park extends along the south, west, and north sides of the Town; Heeser Drive winds through the State Park. Active Holocene coastal bluff/ shoreline erosion and tectonic uplift characterize the Mendocino marine terraces; sediment transport associated with extensive logging in the Big River watershed has formed the distinctive white beaches along the north shore of the Estuary and in several semi-sheltered coastal bluff pockets. The Mendocino High School campus is near the center of the photograph. Photo source: California Department of Boating and Waterways Image CDBW-BBK-C 166-13 6-13-93. Used with permission, Copyright © 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.Californiacoastline.org.

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Figure 4.13-7. California Coastal Trail Emblem

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SECTION 4. TOWN PLAN POLICIES

4.1 Generally. This Section sets forth the required (mandatory) conservation and development policies and actions of the Mendocino Town Plan to conform to, and implement, (a) the California Coastal Act of 1976, as amended (the "Coastal Act", Division 20, Public Resources Code), (b) the State Planning and Zoning Laws (Title 7, Division 1, Government Code), and (c) other local, State, and federal laws as referenced herein.

The "Mendocino Town Plan" as referenced herein means the portions of the Town of Mendocino Local Coastal Program ("LCP") consisting of the Mendocino Town Land Use Plan ("Mendocino Town Plan") and Mendocino Town Land Use Map ("Mendocino Town Land Use Map", Fig. 4.13-3), as adopted by the Mendocino County Board of Supervisors and certified by the Coastal Commission on the most recent date shown on the cover page of the Mendocino Town Plan.

4.1.1. In the Mendocino Town Plan, the word "shall" indicates a required (mandatory) policy or action; the words "may" and "should" indicate an advisory (directory) discretionary action or goal.

4.1.2. All development, as defined in Mendocino Town Plan Section 2.25, within the Mendocino Town boundaries shown on Figure 4.13-3, shall comply with the requirements of the Mendocino Town Plan Policies, Mendocino Town Land Use Map, Mendocino Town Zoning Code, and Mendocino Town Zoning Map.

4.1.3. In addition, development located between the first continuous public road and the sea shall, pursuant to Public Resources Code Section 30604(c), also comply with the Coastal Act public access and recreation policies in Public Resources Code Sections 30210-30224.

This Section consists of policies, actions, and goals that are organized in the following sub-sections:
4.2 Town Growth Management
4.3 Town Design Guidelines
4.4 Town Circulation and Parking
4.5 Town Housing (Government Code)
4.6 Town Sustainability
4.7 Town Public Facilities
4.8 Town Public Access and Recreation
4.9 Town Conservation
4.10 Town Plan Administration

4.2 GM – Town Growth Management Policies

GM-1 The Town of Mendocino is a special community under the meaning of Public Resources Code Section 30253(e). New development shall protect this special community which, because of its unique characteristics, is a popular visitor destination point for recreational uses and a recognized coastal resource of local, regional, State, and national significance.

GM-2 Mendocino is a historical residential coastal community, with limited commercial services that are important to the daily life of the Mendocino Coast.

(a) The controlling goal of the Mendocino Town Plan is the preservation of the Town's character, which is a composite of historical value, natural setting, picturesque community ambience, open space, and a distinctive blend of cultural, educational and commercial facilities.
(b) The Town character shall be preserved, while allowing for orderly growth, through careful delineation of land uses, provision of community services, and review and phasing of development.
(c) Balance shall be maintained among residential units, visitor accommodations, commercial uses, and open space to retain, as much as possible, the present physical and social attributes of the Town. (**1**) Balance shall be achieved among residential, commercial, and visitor serving uses by (A) regulating additional commercial uses through development limitations provided in the Mixed Use and Commercial land use classifications; (B) limiting the number of visitor accommodations to avoid over-commercialization of the Town; (C) encouraging a variety of types and price ranges for visitor accommodations; and (D) encouraging modestly-sized second dwelling units on residential lots that can support them, consistent with the requirements of the Mendocino Town Local Coastal Program, to supplement existing housing stock. (**2**) Public open space, as shown on the Mendocino Town Land Use Map, shall be protected, and new structures shall be sited to retain significant public views of the sea as part of all new permitted development. (**3**) Implementation of the Mendocino Town Plan shall retain, as much as possible, the historically diverse physical and social attributes of the Town.
(d) The reduction in the cap on Vacation Home Rental (VHR) units from 23 to 10, and Single Unit Rental (SUR) uses from 23 to 20, maintains the established ratio of approximately thirteen (13) long term dwelling units to one Vacation Home Rental (VHR) or Single Unit Rental (SUR), while allowing the reallocation of those reduced units to the Visitor Serving Facilities listed in Appendix 2 and maintaining the existing ratio between permanent residential dwelling units and visitor accommodations of almost 2:1.
(e) Within the land use classifications where they are permitted, Single Unit Rentals and Vacation Home Rentals shall be flexible as to location and such changes of location shall not require an amendment to the Mendocino Town Plan.

Action GM-2.1 Designated historical structures within the Town shall be protected, preserved, and utilized consistent with the *Historical Preservation District for Town of Mendocino* (Town Zoning Code Chapter 20.760), the *Mendocino Historic Review Board Design Guidelines*, the conservation and development standards of the certified Mendocino Town Local Coastal Program, and other applicable state and federal laws.

Action GM-2.2 To preserve Town character, commercial development shall be authorized as set forth in the Mendocino Town Plan, including as mapped and shown on the Mendocino Town Land Use Map.

GM-3 To maintain the Town's historic scale and character, no new or expanded visitor accommodations (overnight lodging units) operated as one business entity shall exceed 25 overnight units (guest rooms or suites).
(a) The total number of authorized visitor serving facility lodging units in the Town shall not exceed 237 and shall be limited to sites listed in Appendix 2 and marked on the Mendocino Town Land Use Map by an asterisk (*) or asterisk-B (*B). Any increase above that total number of units or any proposed new location for a visitor serving facility shall require an amendment to the certified Mendocino Town Plan before the County may accept an application for development of any additional visitor serving facility lodging units above that fixed number. Visitor serving

lodging units may be developed at sites designated on the Mendocino Town Land Use Map and Zoning Map by an asterisk (*) or asterisk – B (*B) and only in the amounts allocated pursuant to the Visitor Serving Facility Lodging Unit Allocation Implementation Procedure in Mendocino Town Plan Section 6.7 and Mendocino Town Zoning Code Section 20.684.030(H).

(b) (1) The total number of Vacation Home Rentals (VHR) shall not exceed ten (10) establishments in the Town. (2) No new Vacation Home Rental establishments shall be permitted in any residential land use designation or zoning district. (3) Any existing permitted or legal-nonconforming Vacation Home Rental establishments located in a residential land use classification or zoning district, or in any land use classification or district in excess of the limit of ten (10) establishments, shall be phased out as business licenses are abandoned or expire.

(c) The total number of Single Unit Rentals (SUR) shall not exceed twenty (20) units in the Town.`

GM-4 All visitor serving facilities shall be designed in scale, architecture, and materials to maintain the existing character of the Town, consistent with its characterization as a special community under Coastal Act Section 30253(e).

GM-5 The Mendocino Town Local Coastal Program shall undergo local periodic review at least every ten (10) years following the date of certification of the Town LCP, to determine the effect of its implementation on Town character and conformity with the Coastal Act. The Mendocino Town LCP shall be amended, if necessary, to preserve Town character, consistent with Policy GM-2, and to maintain conformity with the Coastal Act.

GM-6 (a) Development within the Town boundaries as shown on the Mendocino Town Land Use Map (Figure 4.13-3) shall comply with the certified Mendocino Town Plan Policies, Mendocino Town Land Use Map, Mendocino Town Zoning Code, and Mendocino Zoning Map. (b) Work and activity, as defined in Mendocino Town Plan Section 2.90, shall harmonize with the Mendocino Historical Preservation District Ordinance and, as applicable, the *Mendocino Historic Review Board Design Guidelines*.

GM-7 All work or activity, as set forth in the Historical Preservation District for Town of Mendocino (Mendocino Town Zoning Code Sections 20.760.030, 20.760.035, and 20.760.045), that is located in Historical Zone A or Historical Zone B as shown on Figure 4.13-2, shall require Mendocino Historical Review Board review and approval to ensure that such work or activity is designed in scale, architecture, and materials to preserve the Town character, consistent with its special community designation, except as exempted pursuant to Section 20.760.040.

GM-8 New development in the Town shall (a) be served either by adequate public services consistent with Public Resources Code Section 30254, or by private services determined to be adequate by the Mendocino City Community Services District and the Mendocino County Department of Environmental Health with regard to potable water and wastewater, as applicable, and b) not have a significant direct or cumulative adverse effect on coastal resources, public coastal access, or coastal recreational use.

GM-9 Consistent with Public Resources Code Section 30253, new development in the Town shall meet all of the following requirements, while assuring protection of the Town's unique characteristics as a special community:

(a) Minimize risk to life and property in areas of high geologic, flood, or fire hazard;

(b) Assure stability and structural integrity;

(c) Neither create nor contribute significantly to erosion, geologic instability, or destruction of the development site or surrounding area;
(d) Not require the construction of protective devices that would substantially alter natural landforms or movement of sand along coastal bluffs, sea cliffs, and beaches;
(e) Be consistent with the requirements of the Mendocino County Air Quality Management District or the State Air Resources Board as to each particular development;
(f) Minimize energy consumption and vehicle miles traveled, including, but not limited to, by inclusion of pedestrian and bicycle ways in any arterial street, road, highway, bridge, or causeway;

GM-10 Consistent with Public Resources Code Section 30254, public works facilities shall be designed and limited to accommodate needs generated by development or uses that are permitted consistent with the Coastal Act and the certified Mendocino Town Plan. Public works facilities capacity may include a reasonable margin of safety for fire protection for the Town and to accommodate potential variations as a result of climate change or other natural or quasi-natural factors during the economic life of the public works facility.

GM-11 Where existing or planned public works facilities can accommodate only a limited amount of new development consistent with Public Resources Code Section 30254, services to coastal dependent land uses, essential public services, basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor serving land uses shall not be precluded by other development.

GM-12 The certified Mendocino Town Land Use Map (Figure 4.13-3) designates sites where hotel and inn visitor serving facility lodging units are allowable with an asterisk (*) and each site where bed and breakfast visitor serving lodging units are allowable with an asterisk-B (*B). The certified Mendocino Town Zoning Map shall contain conformed designations.

GM-13 (a) Additions to or expansion of legally existing Visitor Serving Facility (VSF) lodging units on a site that is designated for such use on the Town Land Use Map and Town Zoning Map may be permitted, provided that (1) any addition of VSF lodging units does not exceed the total limit (cap) for hotel, inn, and bed and breakfast VSF lodging units listed in Appendix 2; (2) any addition of VSF lodging units does not exceed the allocated number of units for the designated site pursuant to Appendix 2 and the Visitor Serving Facility Lodging Unit Allocation Implementation Procedure in Mendocino Town Plan Section 6.7 and Mendocino Town Zoning Code Section 20.684.030(H), and (3) such addition or expansion is in conformity with the certified Mendocino Town Plan and certified Mendocino Town Zoning Code. (b) Any visitor serving lodging unit that is operating without a valid coastal development permit where one is necessary must submit an application for a coastal development permit deemed complete by the Department of Planning and Building Services by December 31, 2018 and obtain a coastal development permit by June 30, 2019. If either a complete application is not submitted by December 31, 2018 or a coastal development permit is not obtained by June 30, 2019, any existing allocation for the visitor serving lodging unit shall be forfeited and shall become available for reallocation to another visitor serving facility pursuant to the Visitor Serving Facility Lodging Unit Allocation Implementation Procedure in Mendocino Town Plan Section 6.7 and Mendocino Town Zoning Code Section 20.684.030(H).

GM-14 Visitor Serving Facilities are designated for such use on the certified Mendocino Town Land Use Map with an asterisk or asterisk-B. All new visitor serving facility development that is proposed to be located on one or more parcels not specifically designated for such use on the certified

Mendocino Town Land Use Map with an asterisk or asterisk-B, shall only be allowed in the Commercial and Mixed Use District pursuant to an amendment to the certified Mendocino Town Local Coastal Program.

Action GM-14.1 (a) Vacation Home Rentals and Single Unit Rentals are not Visitor Serving Facilities. Approval of any new Vacation Home Rentals and Single Unit Rentals shall be pursuant to GM-3(b) and (c), and Mendocino Town Zoning Code Chapter 20.748.

(b) Single Unit Rental Licenses are not transferable to another location, person, or entity, except that Single Unit Rental license rights shall attach to ownership of the property on which the licensed unit is located, subject to all other Mendocino Town Plan policies and applicable license requirements. A new owner of property on which a licensed unit is located shall be eligible to continue to license and operate the unit without cessation of use or relegation to a waiting list, if, upon sale or transfer of the property on which the licensed unit is located, the new owner shall provide proof of ownership and compliance with other requirements of Chapter 6.04.080(a), to the satisfaction of the Department of Planning and Building Services, and the Treasurer-Tax Collector pursuant to Chapters 5.20 and 6.04 of the County Municipal Code. Single Unit Rental rights shall cease to attach to the unit at such point as the licensing is allowed to expire or is revoked.

(c) Vacation Home Rental licenses shall not be transferable to another location, person, or entity, except that the property owner may transfer the license to a spouse/domestic partner, child, parent, or, for estate planning purposes, to a trust in which the property owner serves as a trustee, which shall not be deemed a change in ownership for purposes of Section 6.04.070(g) of the County Municipal Code.

(d) Operation of Single Unit Rentals and Vacation Home Rentals is subject to the licensing requirements of Chapter 6.04 (Business License tax) of the Mendocino County Code. Prior to the issuance of any new license for a Single Unit Rental or Vacation Home Rental, the applicant must first apply to the Department of Planning and Building Services for certification that the operation is authorized by any required coastal development permit and is in conformity with all planning and building standards, including, but not limited to, the location and number of such authorizations allowed pursuant to the Mendocino Town LCP. The owner of a licensed Single Unit Rental or Vacation Home Rental is liable for regular payment of Transient Occupancy Tax pursuant to Chapter 5.20 (Uniform Transient Occupancy Tax) of the Mendocino County Code. The required business license must be renewed annually, pursuant to Mendocino County Code Chapter 6.04.

(e) The Department of Planning and Building Services shall maintain a status log of all licensed Single Unit Rentals and Vacation Home Rentals in the Town. If there are more applicants for Single Unit Rental and Vacation Home Rental licenses than the number allowed pursuant to the Town LCP, the Department of Planning and Building Services shall also maintain a waiting list from which future vacancies shall be filled. The Department of Planning and Building Services shall receive notification if a licensee fails to remit payment of Transient Occupancy Tax or fails to renew said license. At such point as the license expires without renewal, or is revoked for failure to pay the required tax, or in the case of a Vacation Home Rental, a change in the ownership of the licensed property to other than a party described in GM 14.1(c) occurs, application for that license shall become available to the waiting list in the order received.

GM-15 (a) The Mendocino Town Plan reduces the 23 Single Unit Rentals and 23 Vacation Home Rentals allowed by the 1992 Mendocino Town Plan to 20 Single Unit Rentals and 10 Vacation Home Rentals, and reallocates the reduced 16 units to existing Visitor Serving Facilities that are

listed in Mendocino Town Plan Appendix 2 and mapped as asterisks (*) or as asterisk-B (*B) on the Mendocino Town Land Use Map and Mendocino Town Zoning Map.

(b) The Mendocino Town Plan (1) reclassifies the existing thirteen (13) Art Center Student/Instructor Housing units as a housing use where priority is given for housing students, instructors, artist-in-residence, staff, and scholar art program members, although transient occupancy of the units by the general public may occur, and (2) reallocates the six additional visitor serving facility lodging units allocated to the Art Center in 1992, but not constructed, to existing visitor serving lodging units listed in Appendix 2 and mapped as asterisk (*) or as asterisk-B (*B) on the Mendocino Town Land Use Map and Mendocino Town Zoning Map.

(c) Appendix 2 identifies the 1992 allocation of 215 visitor serving facility lodging units allowed at sites designated for visitor serving facility lodging units by an asterisk (*) or asterisk-B (*B). The remaining 22 of the total of 237 visitor serving facility lodging units that may be allowed in the Town pursuant to Policy GM-3 shall be made available by the Planning and Building Services Department for application, permitting, and use, by other existing Visitor Serving Facilities on sites designated with an asterisk (*) or asterisk-B (*B) and that can accommodate them consistent with the conservation and development standards of the Mendocino Town LCP, the Visitor Serving Facility Lodging Unit Allocation Implementation Procedure in Mendocino Town Plan Section 6.7 and certified Mendocino Town Zoning Code Section 20.684.030(H). As any allocated visitor serving lodging unit becomes abandoned, fails to timely obtain any necessary coastal development permit or other necessary approvals, or when any such permits or approval for an allocated unit has expired or been revoked, the Planning and Building Services Department shall reallocate the unit pursuant to Mendocino Town Plan Section 6.7 and Mendocino Town Zoning Code Section 20.684.030(H).

GM-16 Existing legal non-conforming uses and existing legal non-conforming lots which contribute to the Town's unique community character shall be allowed to continue, provided that (a) the Mendocino Town Zoning Code regulations for maintenance, alteration, and continuance of legal non-conforming uses, structures, and lots shall apply.

GM-17 The scale and combination of commercial development shall (a) be consistent with the Town's historical architectural character, (b) complement existing uses, and (c) be supported by adequate public services or by adequate on-site private utilities where no public services are provided.

GM-18 The following types of business establishments or activities, as defined in Mendocino Town Plan Sections 2.33, 2.34, and 2.35, are prohibited within the Town of Mendocino:

(a) Formula Lodging.

(b) Formula Restaurants.

(c) Formula Retail, except for vehicle (fueling) stations, which are allowed, provided they are otherwise compatible with the Town's design character and the conservation and development standards of the certified Town LCP.

GM-19 Any Formula Restaurant, Retail, or Lodging establishment, as defined, that is substantially identical to fewer than ten (10) establishments, regardless of ownership or location, shall modify its design, if necessary, to fit within the scale, design, and character of the Town.

GM-20 All drive-through facilities associated with commercial uses, where motorists can obtain services while their vehicles continue to operate, are prohibited in any zoning district, with the exception of vehicle fueling stations.

GM-21 (a) All structures in the Town shall be limited to a maximum height of 28 feet above natural grade, provided that steeples, water towers, flagpoles, other appurtenances, the Highway 1 Big River Bridge, and the "Father Time and the Maiden" sculpture on the Mendocino Savings Bank Building (former Masons Hall) on Lansing Street may exceed that height, and except as further specified in (c) below. (b) All utilities shall be located underground or, in the case of telecommunications antennas, be co-located within existing structures and (c) new development within Open Space Land Use Districts and Open Space Zoning Districts seaward of the first continuous public road shall be limited to a height of 18 feet to protect public scenic views.

GM-22 Lower-cost overnight visitor accommodations shall be protected, encouraged, and where feasible provided through, including, but not limited to, intergovernmental agency cooperation to sustainably implement nearby campground, cabin, and hostel facilities as proposed in the 1976 Mendocino Headlands State Park General Plan, consistent with the certified Mendocino Town LCP.

Action GM-22.1 The County of Mendocino should, in cooperation with the State Coastal Conservancy, the California Department of Parks and Recreation, the California Department of Transportation, the Regional and State Water Resources Control Boards, adjoining private property owners, and other interested persons, strive to restore, enhance, and protect the combined historic community character, public access functionality, and storm water management functions of the Main Street corridor and adjacent Mendocino Headlands State Park. These efforts can serve to further the conservation and development standards of the Mendocino Town Local Coastal Program, provide for beneficial reuse of intercepted stormwater, sustainable recreational opportunities, protect the public safety, and safeguard natural, historical, and community resource areas against overuse.

Action GM-22.2 The County of Mendocino supports the long-planned update of the 1976 Mendocino Headlands State Park General Plan to (a) conserve and, where feasible, restore and enhance the spectacular natural resources, passive day use, and specified active use of the Town's ocean, bay, and river shoreline, headlands, and beaches, (b) provide for a sustainable coastal trail system within the State Park that connects it to the California Coastal Trail to the north and south, consistent with public safety, coastal resource protection, and the protection of cultural sites, (c) cooperatively locate nearby hostel and campground facilities as proposed in the 1976 Mendocino Headlands State Park General Plan.

Action GM-22.3 The County shall give high priority consideration to cooperative public-private initiatives to implement coordinated funding support for operation, restoration, enhancement, and maintenance of Mendocino Headlands State Park, including, but not limited to, sustainable public, designated Mendocino Headlands State Park Pass, and expanded voluntary Mendocino Town guest funding techniques.

Action GM-22.4 No coastal development permit shall be required for the following, provided that work, as defined in Section 2.90, within Historical Zone A or Historical Zone B shall require review and approval by the Mendocino Historical Review Board pursuant to Mendocino Town Zoning Code Chapter 20.760:

(a) Repair and maintenance activities which do not result in an addition to or enlargement or expansion of the object of such activities, except as otherwise specified in Title 14, California Administrative Code Section 13252 and any amendments thereafter adopted;
(b) Activities of public utilities as specified in the Repair, Maintenance and Utility Hookup Exclusion adopted by the Coastal Commission on September 5, 1978;
(c) Improvements to single family residences except as otherwise specified in Title 14, California Administrative Code Section 13252 and any amendments thereafter;
(d) Improvements to any structure other than single family residence or a public works facility, except as otherwise specified in Title 14, California Administrative Code Section 13253 and any amendments thereafter.
(e) The replacement of any structure, other than a public works facility, destroyed by a disaster. The replacement structure shall conform with Section 20.716.020, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk, of the destroyed structure by more than ten percent (10%) and shall be sited in the same location on the affected property as the destroyed structure.
(f) Those specified developments categorically excluded from development by Categorical Exclusion Order Number E-96-1, subject to the terms and conditions of the Categorical Exclusion Order, including but not limited to ensuring that the development under this exclusion shall conform with all Town LCP policies.

Action GM-22.5 At such time as when the California Department of Parks and Recreation submits a new or an update to the 1976 Mendocino Headlands State Park General Plan, or any other public facilities plan, to the Coastal Commission pursuant to Public Resources Code Section 30605, the County requests that the Department of Parks and Recreation and the Coastal Commission engage in full consultation with the County, at the earliest practicable time, to assure that the public works plan or other public facilities plan is in conformity with the certified Mendocino Town Local Coastal Program. (Note: Action GM-22.5 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action GM-22.6 (a) Pedestrian access to and through Mendocino Headlands State Park, including, but not limited to bluff top paths and trails, and the beach shall be without cost to the recreational public. (b) Vehicular access along (1) Heeser Drive between Lansing Street and Little Lake Street, and (2) Big River Road within the Mendocino Town boundaries shall remain without cost to the recreational public.

GM-23 Mendocino County shall cooperatively promote heritage tourism by highlighting the Town of Mendocino's cultural resources through support for programs emphasizing the recognition and/or use of cultural resources for the enjoyment, education, and recreational use of residents and visitors to the Town.

GM-24 (a) Coastal-dependent developments shall have priority over other development on or near the shoreline. (b) Except as provided in Policy CNS-3, coastal-dependent development shall not be sited in a wetland. (c) Coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

GM-25 (a) All existing legal uses shall be deemed consistent with the certified Mendocino Town Plan. (b) A nonconforming use that is discontinued for a period of one (1) year, or is changed or replaced by a conforming use, shall be deemed abandoned and shall not be resumed, and subsequent

use of the site shall be in conformance with all provisions of this plan. (c) A nonconforming use may be continued and structures used therefor may be maintained, provided that: (1) Structural alterations shall be limited to the interior of a building, with no change in the exterior dimensions of a building or portions thereof used for a nonconforming use, except as provided in Mendocino Town Zoning Code Section 20.716. (2) Structural alterations shall be made only in compliance with applicable adopted Building Code requirements and, where applicable within Historical Zones A and B, with the requirements of the Mendocino Historical Review Board. (3) No expansion of a nonconforming use shall be permitted.

GM-26 All legally created nonconforming lots shall be deemed potential building sites, subject to the same controls as lots 12,000 square feet or larger.

GM-27 All persons operating Visitor Serving Facilities, Vacation Home Rentals, Single Unit Rentals, or Student-Instructor housing facilities occasionally used by the general public as overnight accommodations, as herein defined, are subject to the provisions of Chapter 5.20 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Chapter) of the Mendocino County Code.

GM-28 Residential dwelling units in the Town shall not be converted to any nonresidential use except in the Commercial "C" zone, as provided pursuant to Section 6.7, or as provided in Mendocino Town Zoning Code Section 20.660.075(E).

GM-29 Consistent with Coastal Act Chapter 3, Article 7, any pipeline transportation of hydrocarbons shall be (a) consistent with all conservation, development, public access, and recreation standards of the Mendocino Town Local Coastal Program, and (b) shall require an application for a coastal development conditional use permit.

GM-30 Approval of any division of land within the Town, as shown on the Mendocino Town Land Use Map, shall require (a) demonstration prior to coastal development permit approval that an adequate water supply exists to serve existing and newly created lots, such demonstration made in accordance with the provisions of Mendocino Town Zoning Code Chapter 20.744; (b) proof that the Mendocino City Community Services District (1) has issued a groundwater extraction permit, or will issue a groundwater extraction permit as a condition precedent to issuance of the coastal development permit for the land division, for each newly created lot, and (2) has, or will as a condition precedent to issuance of the coastal development permit for the land division, provide wastewater service for each newly created lot; (c) demonstration, by a qualified professional, that the division of land, including any hydromodification and any future construction and use of structures on each newly created lot, will not have any significant adverse effects, either individually or cumulatively, on coastal resources or coastal public access; and (d) demonstration that the division of land, including any hydromodification and any future construction and use of structures on each newly created lot is in conformity with all standards of the certified Mendocino Town Local Coastal Program.

4.3 Mendocino Town Design Guideline Policies

DG-1 All new development shall be designed to be compatible with the historical design character of the Town.

Action DG-1.1 The *Historical Preservation District for Town of Mendocino* Ordinance, as amended, is a part of the implementing ordinances of the Mendocino Town Local Coastal Program (Mendocino Town Zoning Code Chapter 20.760), that govern within Historical Zones A and B, as shown in Figure 4.13-2.

Action DG-1.2 The Mendocino Historical Review Board shall continue to exercise its duties as specified by the Historical Preservation District Ordinance, within Historical Zones A and B, as shown in Figure 4.13-2.

Action DG-1.3 The *Mendocino Historic Review Board Design Guidelines* (1987) set criteria to ensure preservation, protection, enhancement, rehabilitation, reconstruction, restoration, and perpetuation of existing structures of historical significance in a manner consistent with the character of the Town. Such criteria include, but are not limited to, architectural design, size, height, dormers, windows, structures, appurtenances, proportion and placement of improvements on the parcel, and landscaping, including planting or removal of vegetation, must be reviewed in the application process. The *Mendocino Historic Review Board Design Guidelines* shall be consistent with the *Historical Preservation District For Town of Mendocino* Ordinance (1973, as amended) and the Mendocino Town Local Coastal Program.

Action DG-1.4 New buildings, and rehabilitation, redevelopment, and renovation of existing structures in the Mendocino and Headlands Historical Preservation District and throughout the Town shall (a) be consistent with the historical community character of the Town, and (b) not degrade the setting of buildings of landmark stature (as described in Mendocino Town Plan Appendix 1: Inventory of Historic Structures).

DG-2 Permitted development shall not have a significant adverse effect on, and be sited and designed to protect public views to and along the ocean and scenic coastal areas, including but not limited to views Highway 1 or from the public streets and public open space areas of the Town.

Action DG-2.1 Permitted development shall be sited using clustering of structures, compatible vegetative screening, and, as applicable, exceptions to yard setbacks where feasible to maintain the character of the Town setting and to protect public scenic views.

Action DG-2.2 New development applications shall include evidence demonstrating how the proposed development will ensure the protection of public views to and along the sea, of landmark structures, as described in the Inventory of Historic Structures (Appendix 1), and of scenic coastal areas as seen from public vantage points including the public streets and open space areas of the Town and from along Highway 1.

Action DG-2.3 New development shall (a) protect the unique characteristics of the Town, which make it a popular visitor destination point for cultural and recreational uses, and (b) conform to any specifically designated public scenic and public view requirements as adopted herein or on the Mendocino Town Land Use Map. Provisions of open space and location of structures to retain public views shall be considered as part of all new development proposals that may adversely affect such public views.

DG-3 In addition to any design review related to protection of the historical character of the Town, all development and redevelopment shall conform to (a) the requirement of Section 30251 of the Coastal Act that (1) the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and (2) permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas, and (b) any specifically designated scenic and view areas as adopted by the Board of Supervisors and certified by the Coastal Commission on the Mendocino Town Land Use Map. Provisions of open space and siting of structures to retain public views shall be considered as part of all new development proposals that adversely effect public views.

DG-4 Predominantly native and drought-tolerant landscaping shall be required as part of any permitted development in designated residential, commercial, public facility, and open space areas, to reflect the relatively unstructured landscape character of the Town.

Action DG-4.1 The Mendocino Historical Review Board shall incorporate landscape guidelines in the *Mendocino Historic Review Board Design Guidelines* that address native and drought-tolerant plant materials, hardscape design, and horticultural irrigation that utilizes, to the extent feasible, collected stormwater runoff or reclaimed water.

DG-5 Exterior lighting in permitted new development shall be required to (a) be compatible with the historical character of the Town, and (b) avoid light intrusion on adjoining properties, Mendocino Headlands State Park, and natural areas.

Action DG-5.1 The *Mendocino Historic Review Board Design Guidelines* shall incorporate exterior lighting guidelines that address the location, shielding, materials, and light source in all permitted new development.

Action DG-5.2 Lighting design guidelines should encourage warmer incandescent-like lighting as more consistent with historical design rather than bright white halogen, fluorescent, or high-intensity discharge lighting.

Action DG-5.3 The County should coordinate with the International Dark Sky Association to certify the Town as a "Dark Sky Community". (Note: Action DG-5.3 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

4.4. Circulation and Parking

CP-1 The County shall provide for traffic, bicycle, and pedestrian safety within the Town, consistent with historic preservation. (Note: CP-1 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CP-1.1 The County shall analyze the need for, and install where warranted and consistent with the Capital Improvement Program, additional traffic control measures, including but not limited to signage, speed controls, marked cross-walks, and new sidewalks or paths to enhance the

walking environment of the Town. (Note: Action CP-1.1 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CP-1.2 (a) Permitted development shall provide off-street parking consistent with requirements of the applicable zoning district, or demonstrate compliance with an alternative provision of parking that meets the applicable standards over the economic life of the development.
(b) Permitted development may meet the parking requirements through project design, recorded off-site parking agreements with third parties, or participation in an in-lieu fee parking program.
(c) Where no off-street parking is feasible in otherwise permitted development, the development applicant shall pay an in-lieu fee to the County, or to an entity acceptable to the County, provided that such fees shall be used solely in the Town of Mendocino for street and public parking improvements within existing public street rights-of-way or on other publicly owned land.
(d) On-site parking ingress and egress shall not have a significant adverse impact on the historical character of the Town, including, but not limited to, through elimination of on-street parking spaces.

Action CP-1.3 Off-street parking shall be designed to minimize its visibility from public areas, either by locating parking behind buildings or by providing adequate landscape screening. Where such measures are infeasible, or would conflict with public view protection requirements of the Mendocino Town Plan, other feasible screening shall be required.

Action CP-1.4 Bicycle parking shall be incorporated in (a) any Main Street restoration and enhancement project, (b) any Mendocino Headlands State Park facilities planning and the 1976 Mendocino Headlands State Park General Plan, and (c) all new commercial development with 1,000 square feet or more of floor area.

Action CP-1.5 All new parking areas shall minimize impermeable surfacing and soil compaction, and shall use permeable ADA-compliant paving material wherever feasible.

CP-2 The County, in recognition that existing unstructured parking is part of the Town's historical character, shall, in cooperation with other agencies, increase parking availability and efficiency, while at the same time enhancing pedestrian and traffic safety. (Note: CP-2 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CP-2.1 (a) Where street width is sufficient (as on parts of Ukiah, Little Lake, or Main Streets), the County, or its designee, shall establish diagonal parking, as part of its 5-Year Capital Improvement Plan, to increase available on-street parking. (b) The County may use in-lieu parking fees to help fund establishment, operation, and maintenance of such diagonal parking on public rights-of-way in the Town. (Note: Action CP-2.1 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CP-2.2 The County shall identify and secure available funding to maintain existing parking areas and street rights-of-way in the Town. Maintenance shall include, but not be limited to, new pavement or repavement with semi-pervious pavers that comply with the requirements of the Americans with Disabilities Act, as amended, delineation of parking spaces, provision of wheel stops to protect existing walking paths, and associated sustainable storm water management. (Note:

Action CP-2.2 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CP-2.3 The County shall coordinate with (1) the Mendocino Unified School District to accommodate, as feasible, overflow parking demand on School District property, and (2) the California Department of Parks and Recreation to accommodate, as feasible, overflow parking on Mendocino Headlands State Park adjacent to Main Street, Heeser Street, and Heeser Drive west of its intersection with Heeser Street; provided that such additional parking shall utilize semi-pervious pavers or similar materials that comply with the requirements of the Americans with Disabilities Act, as amended. (Note: Action CP-2.3 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CP-2.4 (a) The existing (as of 2015) supply of on-street parking spaces on each block in the Town shall be maintained by limiting, as feasible, the number and width of access points to private off-street parking and by discouraging exclusive use of on-street parking spaces by adjoining private property owners. (b) As part of the implementation of the Public Access Component in the Main Street, Ukiah Street, and Little Lake Street rights-of-way, the County shall consider placing restrictions on parking by commercial trucks with a weight in excess of two (2) tons, beyond the reasonable time required for loading and unloading in the performance of a service to or on the block in which the vehicle is engaged. (Note: Action CP-2.4 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

4.5. Affordable Housing (Government Code Section 65852.2)

AH-1 The County shall retain and create housing units in the Town that are, or may be, available for persons and families of low-moderate income, including, but not limited to, by (**a**) utilizing available state or federal grant funds; (**b**) prohibiting conversion of residential housing to non-residential use except (1) as provided in the Commercial Land Use Classifications and Zoning Districts, and (2) as provided in Section 6.7; (**c**) allowing second residential dwelling units, not to exceed 900 square feet, on lots in Residential Land Use Classifications and Residential Zoning Districts consistent with the Mendocino Town Local Coastal Program; and (**d**) encouraging the provision of affordable housing in new development in the Mixed Use and Commercial Land Use Designations and Zoning Districts.

Action AH-1.1 Consistent with Growth Management Action GM-29, the residential stock of the Town shall be maintained by prohibiting residential units from being converted to non-residential use except (a) as provided in the Commercial Land Use Classification and Zoning District, and (b) as provided in Section 6.7.

Action AH-1.2 A deed restriction shall be recorded on lots with approved second residential dwelling units to ensure their continued use for non-transient residential habitation.

AH-2 Second residential dwelling units shall be encouraged within the Town Residential Land Use Districts as a means to provide additional affordable long-term housing opportunities within the Town.

Action AH-2.1 The Mendocino Town Zoning Code shall provide opportunities for second residential units on lots in all single-family and multifamily residential districts, provided that each second unit shall be consistent with the Mendocino Town Local Coastal Plan and, where development is proposed between the First Public Road and the sea, the public access and recreation policies of Chapter 3 of the Coastal Act.

AH-3 Second residential units shall be sited and designed to integrate them with the historical character of the Town, minimize potential negative neighborhood impacts, and conform to the standards of the certified Mendocino Town Plan.

Action AH-3.1 The following second residential unit development standards apply and shall be demonstrated prior to approval of a coastal development permit:

(a) The lot contains an existing single family dwelling unit.
(b) The second residential dwelling unit does not exceed 900 square feet.
(c) An adequate on-site water supply exists to serve the second dwelling unit.
(d) Mendocino City Community Services District (1) has issued a groundwater extraction permit to serve the second dwelling unit, and (2) has, or will provide wastewater service to serve the second dwelling unit.
(e) The second dwelling unit shall conform to height, setback, lot coverage, architectural review, site plan review, and other Mendocino Town Local Coastal Program requirements applicable to the zoning district in which the second dwelling unit is located, except that a setback of no more than five feet from the side and rear lot lines shall be required for a second residential unit constructed above a garage.
(f) Second dwelling units are intended for long term occupancy, by family members or tenants, and are not intended for sale separately from the primary housing unit on the lot.
(g) Second dwelling units shall not be permitted in Planned Unit Development Combining Districts.

4.6. Sustainability Policies

Water Conservation/Stormwater Management

S-1 Development shall protect and, where feasible, restore the quality of coastal waters consistent with Coastal Act policies, in particular Sections 30230 and 30231. Coastal waters include the ocean, rivers, streams, wetlands, estuaries, lakes, and groundwater.

> § 30230. *Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

> § 30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Action S-1.1 A post-development stormwater management plan shall be submitted to the County by applicants for all development or redevelopment projects that (a) have the potential for adverse impacts to coastal waters from nonpoint source pollution and/or changes in runoff flows resulting from the development and (b) require a coastal development permit. The plan shall describe the stormwater management strategies for site design, pollutant source control, and other measures the development will implement to protect coastal waters after the development is completed. The level of detail provided to address the plan's requirements shall be commensurate with the type and scale of the project, and the potential for adverse water quality or hydrologic impacts to coastal waters. If the development entails activities or changes in land use other than construction, including subdivision or re-division of land, the scope of the plan may be reduced accordingly.

Action S-1.2 A construction-phase pollution prevention/erosion control plan shall be submitted by development or redevelopment project applicants to the County for all development that (a) proposes construction that has the potential for adverse impacts to coastal waters from nonpoint source pollution and/or changes in runoff flows during construction, and (b) requires a coastal development Permit. The plan shall describe the temporary BMPs the development will implement to minimize erosion and sedimentation during construction, and to minimize pollution of runoff and coastal waters by construction chemicals and materials. The level of detail provided to address the plan's requirements shall be commensurate with the type and scale of the development, and the potential for adverse water quality impacts to coastal waters. For the purposes of Section 4.6, Sustainability Policies, construction includes clearing, grading, or other activities that involve ground disturbance; building, reconstructing, or demolishing a structure; and creation or replacement of impervious surfaces.

S- 2 The water supply in the Town of Mendocino shall be managed and augmented in a sustainable manner to (a) support the special community, (b) optimize available water supplies for all human and natural system uses through concerted groundwater replenishment, and (c) strictly avoid the waste of potable water in uses that do not require it, by utilization of reclaimed water or retained stormwater runoff, where feasible.

Action S-2.1 All development applications shall submit proof (a) of an adequate water supply throughout the year, including the dry season; and (b) that well production of groundwater will not (1) deplete the ground water table of contiguous or surrounding uses and (2) have a significant direct or cumulative adverse effect on coastal resources.

Action S-2.2 All new and existing development shall, in addition, (a) comply with all applicable adopted Mendocino City Community Services District water conservation regulations and standards, and (b) incorporate all water conservation measures required by the State of California.

Action S- 2.3 All new and existing development shall also comply with all applicable regulations and standards of the County Environmental Health Department for potable water production by wells.

Action S- 2.4 Gray water systems shall be designed, installed, operated, and maintained in full compliance with all applicable health and safety regulations of the County Department of Environmental Health, and all other applicable standards.

Action S- 2.5 Permitted horticultural landscaping shall be drought-tolerant, and when irrigation is required, shall minimize the use of potable water, as feasible, and use, to the maximum extent

feasible, (a) efficient watering techniques (such as drip irrigation), (b) retained stormwater, and (c) reclaimed water that is available from the Mendocino City Community Services District.

Action S-2.6 The County Board of Supervisors should consider an amendment to the County Building Code that requires, as additional water conservation measures, (a) installation of flash hot water heaters to serve all hot water faucets and outlets in (1) new development, and (2) at the point of sale of any structure that contains one or more hot water faucets or outlets, and (b) utilization of dual plumbing in new commercial and residential development that utilizes reclaimed water for non-potable purposes. (Note: Action S-2.6 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action S-2.7 The Mendocino City Community Services District should (a) continue its extensive groundwater monitoring program of the aquifer that underlies the Town, (b) investigate the feasibility of a State-funded pilot project to retrofit existing commercial development, and residential development where owners elect to participate, with dual plumbing that utilizes reclaimed water for non-potable purposes, (c) investigate the feasibility of additional groundwater recharge of the Town aquifer with reclaimed water through dry wells, (d) provide access to reclaimed water at a convenient location in Town for public and private non-potable water uses, and (e) annually report to the Board of Supervisors about the implementation status of this Action. (Note: Action S-2.7 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

S-3 (a) Permitted development shall, to the maximum extent appropriate and feasible, maintain or enhance on-site infiltration of stormwater, to reduce runoff, remove pollutants, and recharge groundwater. (b) Retention and use of intercepted, retained, and filtered or otherwise treated stormwater, including to recharge the aquifer, shall be implemented (1) on the site of the development or (2) in combination with other parcel owners, non-profit organizations, or public agencies, if an on-site location is infeasible or if an approved stormwater management system that serves more than one lot is available.

S-4 Permitted development shall minimize water quality impacts during construction by minimizing erosion and non-stormwater runoff, minimizing the discharge of sediment and other pollutants resulting from construction activities, and minimizing land disturbance and soil compaction.

S-5 Permitted development shall address runoff management early in site design planning and alternatives analysis, integrating existing site characteristics that affect runoff (such as topography, drainage patterns, vegetation, soil conditions, natural hydrologic features, and infiltration conditions) in the design of strategies that minimize post-development changes in the runoff flow regime, control pollutant sources, and, where necessary, remove pollutants.

Action S- 5.1 Permitted development shall (a) be sited and designed to preserve or enhance native and non-invasive vegetation to achieve water quality benefits such as transpiration, interception of rainfall, pollutant uptake, shading of waterways to maintain water temperature, and erosion control, (b) utilize drought-tolerant native vegetation in all landscaping, and (c) effectively remove any invasive non-native vegetation from the lot.

Action S-5.2 Permitted development shall be sited and designed to avoid disturbance of, and where feasible restore, natural drainage features and associated vegetation, such as stream corridors, drainage swales, topographical depressions, groundwater recharge areas, floodplains, and wetlands.

S- 6 Permitted development shall be sited and designed to minimize post-development changes in the stormwater runoff flow regime (i.e., volume, flow rate, timing, and duration) discharged from the site.

Action S-6.1 Permitted development shall implement either (a) site design measures to reduce stormwater runoff from the lot and increase groundwater recharge in comparison to pre-development stormwater runoff conditions, to the extent feasible or (b) participate in a stormwater runoff control program that serves more than one lot.

S-7 A Low Impact Development (LID) approach to stormwater management shall be used in all new development and redevelopment, where appropriate and feasible.

Action S-7.1 Landscape-based stormwater management and water conservation techniques, including, but not limited to, rain gardens, bio-retention basins, dry wells, or vegetative swales, shall be utilized, where appropriate and feasible, to infiltrate runoff and facilitate aquifer recharge.

S-8 Impervious surfaces shall be minimized in new development and redevelopment, to the extent feasible, including, but not limited to, through (a) minimizing the installation of new impervious surfaces, especially impervious areas directly connected to the storm drain system, and (b) where feasible, increasing the area of pervious or semi-pervious surfaces in redevelopment.

Action S-8.1 Installations of new pavement shall, where appropriate and feasible, use a permeable pavement system (e.g., interlocking concrete pavers, porous asphalt, permeable concrete, or reinforced grass or gravel) or natural pervious materials, consistent with requirements of the Americans with Disabilities Act, as amended. Permeable pavements shall be designed so that runoff infiltrates into a subsurface recharge bed and the underlying soil, if feasible, to reduce runoff, filter out pollutants, and enhance groundwater recharge.

S-9 Rain water harvesting for later on-site non-potable use, as provided in Mendocino Town Zoning Code Chapter 20.717, shall be required in permitted development with more than five hundred (500) square feet of total impervious surface, for both stormwater management and water conservation.

Action S-9.1 New water storage tanks shall be: (a) located behind or within existing buildings, wherever feasible, or underground, (b) clad in unpainted wooden materials, and (c) exempt from Mendocino Historical Review Board review pursuant to the *Historical Preservation District for Town of Mendocino*. A coastal development permit shall be obtained for any development not exempt pursuant to Section 30610 of the Coastal Act.

Action S- 9.2 Water storage tanks shall not count against lot coverage; provided that where lot coverage on a lot exceeds 50%, new above-ground water storage tanks in the Mendocino Historic Preservation District shall require Mendocino Historical Review Board review and approval in addition to any required coastal development permit.

S-10 Permitted development shall be sited, designed, and managed to minimize the transport of pollutants in runoff from the development into coastal waters.

Action S-10.1 Permitted development shall use Source Control BMPs, which can be structural features or operational actions, to minimize the transport of pollutants in runoff from the development.

S-11 In areas in or adjacent to an Environmentally Sensitive Habitat Area (ESHA), permitted development shall be sited and designed to protect the ESHA from any significant disruption of habitat values resulting from the discharge of stormwater or dry weather runoff flows.

S-12 Permitted development shall avoid construction of new stormwater outfalls, and direct stormwater to existing facilities with appropriate treatment, where feasible. Where new stormwater outfalls cannot be avoided, outfalls shall be sited and designed to minimize adverse impacts to coastal resources from outfall discharges.

S-13 Permitted development shall implement appropriate protocols to manage BMPs (including installation and removal, ongoing operation, inspection, maintenance, and staff training), to protect coastal water resources for the life of the development.

S-14 Developments of Water Quality Concern are certain categories of development, identified in the zoning code, that have a greater potential for adverse impacts to water quality and hydrology due to the extent of impervious surface area, type of land use, and/or proximity to coastal waters. Applicants for a Coastal Development Permit for a Development of Water Quality Concern shall be required to comply with the following additional requirements:

(a) Conduct a polluted runoff and hydrologic site characterization by a qualified licensed professional, early in the development planning and design stage, and document the expected effectiveness of the proposed BMPs.
(b) Size Low Impact Development (LID), Runoff Control, and Treatment Control BMPs to infiltrate, retain, or treat, at a minimum, the runoff produced by the 85th percentile 24-hour storm event for volume-based BMPs, or two times the 85th percentile 1-hour storm event for flow-based BMPs.
(c) Use an LID approach that gives priority to preventive site design strategies to minimize post-development changes in the site's stormwater flow regime, supplemented by structural BMPs to retain on site (by means of infiltration, evapotranspiration, or harvesting for later on-site use), at a minimum, the runoff produced by the 85th percentile 24-hour design storm, to the extent appropriate and feasible.
(d) Conduct an alternatives analysis to demonstrate that there are no appropriate and feasible alternative project designs that would substantially improve runoff retention, if a proposed development will not retain on-site the runoff produced by the 85th percentile 24-hour design storm using an LID approach.
(e) Use a Treatment Control BMP (or suite of BMPs) to remove pollutants of concern from any portion of the runoff produced by the 85th percentile 24-hour design storm that will not be retained on site, or if additional pollutant removal is necessary to protect coastal waters.
(f) If a proposed development will add a net total of more than 15,000 square feet of impervious surface area, and any portion of the runoff produced by the 85th percentile 24-hour design storm will not be retained on site, use a structural Runoff Control BMP to minimize adverse post-development changes in the runoff flow regime.

Renewable Energy/Green House Gas Emission Reduction

S-7 To reduce energy consumption and greenhouse gas emissions, the County of Mendocino should promote the use of building materials in new development in the Town that consist of 50% locally produced and/or recycled building materials, require that new development and redevelopment in the Town meet all applicable State of California energy conservation standards, and collaborate with stakeholders in the Town to install, operate, and maintain electric automobile charging stations.

Action S-7.1 The County should consider amending the Building Code to require that new development, redevelopment, and restoration (a) as feasible, utilize local building products and/or recycled building materials, and (b) meet or exceed all applicable State of California energy conservation standards.

Action S-7.2 The Mendocino Historical Review Board should (a) collaborate with other California historical districts, the California Energy Commission, designers and manufacturers of building integrated photovoltaic solar systems, and development applicants to identify and implement a suite of feasible, aesthetically and structurally compatible, alternative energy systems in historic buildings and structures.

Action S-7.3 The County shall partner with vendors to create, maintain, post on the Planning and Building Services Department website, and otherwise distribute a list of local vendors that produce or offer for sale recycled building materials.

4.7. Public Facilities

PF-1 Significant public open spaces provided in the Town by Mendocino Headlands State Park, Heider Field, Memorial Triangle, Friendship Park and Little League Field, and the area within Grindle Park not required for critical Mendocino Fire Protection District/Mendocino Volunteer Fire Department facilities, and significant public views and public vistas shall be preserved as part of the Town's unique character.

Action PF-1.1 Construction of any structure upon that portion of Assessor's Parcel Number 119-250-24, conveyed by State Parks to the Mendocino Presbyterian Church, shall be compatible with the character and use of Mendocino Headlands State Park in consultation with the State Historic Preservation Officer. Any improvements made, including landscape screening, shall not obscure visibility of any portion of the Church sanctuary from State Highway 1 or Brewery Gulch Drive. Any improvements made shall also be in conformance with all local ordinances pertaining to the Historic District.

Action PF-1.2 Public pedestrian access via the end of Church Street, shall be provided at all times to the Mendocino Headlands State Park and the mouth of Big River on that part of Assessor's Parcel Number 119-250- 24, conveyed by State Parks and Recreation to the Mendocino Presbyterian Church and designated PF by Mendocino Coastal Plan Amendment 2-87. An alternative access way will be identified at the time of development and should that development include a parking area, vehicular access and parking by the public shall be granted upon the property, except during regular church services and after dusk.

Action PF-1.3 New public facilities and all other development on the Mendocino City Community Services District parcel between Palette Drive and Highway 1, and on the Grindle Park parcel for which the Mendocino Fire District is the trustee, shall avoid or mitigate all potentially significant effects on coastal resources to below a level of significance, including, as applicable, through (a) on-site screening with a native vegetation buffer in relation to Highway 1 and any adjacent County road; (b) avoidance or full mitigation of any unavoidable potentially significant effect from development on the environment, including, but not limited to, coastal resources; (c) utilization of exterior finishes in any structure that conform to and protect the historical Town character.

Action PF-1.4 The Mendocino Town Land Use Map (Figure 4.13-3) shall designate (a) Mendocino Headlands State Park and other publicly owned open space, exclusive of the area referenced in Action PF-1.3, in the Town as within the Open Space Land Use Classification, and (b) public streets, roads, and alleys in the Town as within their respective adjacent Land Use Classification.

PF-2 The County encourages and supports arts education offerings in the Town and its schools, including through the performance or display of art, and the presence of artists, from many diverse cultures. (Note: PF-2 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

PF-3 The State of California has acquired the former lumber company parcel within the Town that fronts on Big River, east of the Highway 1 bridge, as an addition to Mendocino Headlands State Park for open space, public recreation, and resource conservation.

Action PF-3.1 The Mendocino Town Local Coastal Program redesignates and rezones, for Coastal Act purposes, the parcels identified as Mendocino County Assessor's Parcel Numbers 119-280-10, 119-280-11, 119-290-04, and 119-440-11, owned by the State of California, from the Forest Lands land use and zoning classification to the Open Space land use and zoning classification.

PF-4 The Mendocino City Community Services District, which provides critical community-wide public service benefits, has acquired the parcel at 10705 Palette Drive, identified as Assessor's Parcel Number 119-140-31 by eminent domain for future development and use with ancillary facilities that support the Community Services District's public agency mission, and thereby extinguished a prior easement recorded against the property.

Action PF-4.1 In recognition of the public agency acquisition and extinguished easement, Mendocino Town Local Coastal Program designates and zones, for Coastal Act purposes, the 1.8 acre parcel identified as Mendocino County Assessor's Parcel Number 119-140-31, owned by the Mendocino City Community Services District, from the Open Space land use district and zoning district classification to the Public Facility land use district and zoning district classification; provided that (a) new development shall be sited and designed to minimize the number of structures and shall cluster all new development with existing structures rather than siting development within open areas, and (b) regionally native vegetation landscaping shall substantially screen any future development from the public view of travelers on Highway 1.

PF-5 The Mendocino Fire Protection District, which provides critical community-wide public service benefits in the Town of Mendocino, holds the parcel at 44700 Little Lake Road in trust. That parcel contains the Mendocino Fire Protection District/Mendocino Volunteer Fire Department's

headquarters-fire station, Grindle Park, and the potential future site of a water tank that is part of the Department's functional planning for fire safety services to minimize risk to life and property in areas with high structural and wildland fire danger in and adjacent to the special historical community that is the Town of Mendocino.

Action PF-5.1 Future development of the parcel at 44700 Little Lake Road, identified as Mendocino County Assessor's Parcel Number 119-090-07 by the Fire District/Department shall (a) be consistent with the conservation and development and all other policies and standards of the Mendocino Town Local Coastal Program; (b) be limited to a water tank and associated facilities; (c) utilize the minimum area in Grindle Park necessary to install such a water tank and associated facilities; and (d) ensure development associated with any services extensions, including but not limited to equipment and infrastructure to support a water storage tank for fire-fighting services, shall be undertaken in a manner (such as by selection of service extension alignment and/or horizontal directional drilling) that avoids encroachment into environmentally sensitive habitat areas and prevents impacts which would significantly degrade land adjacent to environmentally sensitive habitat areas.

PF-6 The County's street addressing system should be standardized to facilitate emergency service response. (Note: Action PF-6 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action PF-6.1 (a) Street address numbers shall be clearly displayed on the street side or sides of each commercial, residential, or other building in Town, consistent with applicable design guidelines to protect community character. (b) Where a building or other structure may be accessed by a street or alley other than the main address for the building or other structure, the street address number shall be clearly displayed on each side of the building or structure that fronts on such other street or alley. The street address number on each building or structure shall (1) have a minimum size of six (6) by six (6) inches, and (2) consist of an internally or externally illuminated sign with a minimum luminance of 5 foot-candles. In all cases, addresses shall be readily identifiable from the nearest fire apparatus access road servicing the building.

PF-7 The County supports the cooperative redevelopment of the historical "Carriage House" (located at 45035 Main St., on Assessor's Parcel Number 119-240-01) in Mendocino Headlands State Park for use by the County Sheriff as the Sheriff's Substation in the Town of Mendocino, to benefit public safety for this special community, its residents, property owners, historic structures, coastal resources, and visitors. (Note: Action PF-7 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action PF-7.1 The Mendocino Historical Review Board shall (1) review the exterior of the proposed redevelopment of the Carriage House for conformity with the *Historical Preservation District for Town of Mendocino* Ordinance to substantially maintain the historical appearance of the structure, and (2) recommend feasible mitigation for screening of any public safety equipment that the facility requires to function.

PF-8 The County, another public agency, or a qualified non-profit organization should acquire, in fee or less than fee interest, the privately owned memorial triangle at the intersection of Main and Lansing Streets (Assessor's Parcel Number 119-250-07). (Note: Action PF-8 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

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PF-9 Permitted and existing public stormwater drainage facilities in the Town shall be designed, constructed, and maintained to (a) be consistent with Section 4.6, (b) avoid discharge of water to ground where it may result in landform instability; and (c) be screened or otherwise covered to avoid unsafe conditions.

4.8. Public Access and Recreation

Section 4.8, the Public Access Chapter of the Mendocino Town Zoning Code, the Mendocino Town Public Access Map (Figure 4.13-6), the detailed Public Access Maps (Appendix 5), and the parts of the Mendocino Town Land Use Map that depict Highway 1, public roads, streets, and alleys, Mendocino Headlands State Park, passive and active local parks, and recreation facilities constitutes the specific Public Access Component of the Mendocino Town Local Coastal Program.

PAR-1 Maximum public access to and along the coast and public recreational opportunities shall be provided, consistent with public safety, private and public rights, and the protection of natural resource areas in the Town from overuse.

Action PAR-1.1 The Mendocino Town Public Access Map (Figure 4.13-6) and detailed Public Access Maps (Appendix 5) depict, within the Town, the extensive network of vehicular and pedestrian public access ways that contribute substantially to the Town's special community character. The maps are illustrative and do not necessarily include all areas that provide public access to the coast. The maps shall be interpreted consistent with the text of the policies of the Mendocino Town Plan and the standards of the Public Access Chapter of the Mendocino Town Zoning Code. Featured public access ways include: (1) State Highway 1, including the northerly part of the Big River highway bridge, which serve as the major transportation link of the Town with population centers in the San Francisco Bay Area, the Central Valley, and California further to the south and east; (2) the Lansing Street, Little Lake Street, Ukiah Street, and Main Street primary vehicular, bicycle, and pedestrian access ways from Highway 1 into the historic Town and to Mendocino Headlands State Park; (3) Heeser Drive, which extends through the State Park between Lansing Street and Little Lake Street; (4) east-west and north-south streets that provide pedestrian and vehicular access to the State Park, other open space areas, Visitor Serving Facilities, and the historical buildings and structures in the Town; (5) paths, trails, and upland public access/recreational support facilities (Ford House Visitor Center, older improved and unimproved parking, lavatories), (6) the Big River beaches east and west of the Highway 1 Bridge, and (7) the sandy pocket beaches that occur between it and the north end of Mendocino, where the blue line "Slaughterhouse Gulch" stream discharges to Agate Beach.

(a) The Mendocino Town Plan proposes coordinated completion of the continuous California Coastal Trail (CCT) at Mendocino through braided pedestrian and bicycle segments that extend on the seaward side of Big River Bridge and Highway 1, along the south side of Main Street and the Mendocino Bay headlands, follow the Pacific Ocean side of Heeser Drive to upper Lansing Street, past Agate Beach, and to the intersection with Highway to the north. A second segment, from Main Street east to the Big River Beaches and beneath the Highway 1 Bridge, connects with the old logging road in the expansion area of Mendocino Headlands State Park, then heads inland along the north bank of Big River. A third segment may consist of a through bicycle path along the Highway 1 right-of-way.
(b) Low stature or in-ground way markers, signage, and environmental educational information should be provided and maintained, including through electronic messaging, consistent with the

history of Mendocino Headlands State Park, the historical character of the Town, and coastal resource protection.

(c) The County and State Parks should cooperatively monitor the stability of the segment of northeasterly Heeser Drive and ensure continuous public access inside and adjacent to Mendocino Headlands State Park, where landform destabilization has occurred adjacent to the upper coastal bluff. Provide for the eventual inland relocation of the road and the trail as necessary.

(d) The County shall encourage State Parks to evaluate the condition of coastal trails, paths, and upland support facilities where they are located above or near areas of active shoreline erosion, including, but not limited to, caving and landsliding, and relocate such trail or path segments landward to stable areas.

(e) Relocated coastal trails, paths, and upland support facilities shall be consistent with the coastal resource protection standards of the Mendocino Town Local Coastal Program.

(f) Pedestrian day use of Mendocino Headlands State Park shall remain free to the public.

Action PAR 1.2 Continuous lateral public recreational access for pedestrians, bicyclists, and motorists shall be maintained (1) within and/or adjacent to Mendocino Headlands State Park, (2) from Mendocino Headlands State Park to the north, east, and south of the Town along Lansing Street (former Highway 1), Heeser Drive, and Big River Road; (3) the designated east-west coastal access routes in Town along Main Street, Little Lake Street, and Ukiah Street, (4) on the Highway 1 bridge over Big River, and (4) over the Slaughterhouse Gulch drainage. Continuous lateral public recreational access shall also be maintained from Highway 1 along Big River Road, the Big River Flat east of Highway 1, and the Big River Estuary Beach west of Highway 1 to Main Street.

(a) The County, in coordination with the California Department of Parks and Recreation, shall encourage the California Department of Transportation (District 1) to identify and improve a safe pedestrian crossing or undercrossing of Highway 1 between the areas of Mendocino Headlands State Park east and west of Highway 1. Completion of a coastal resource-protective pedestrian and bicycle trail between the beach at Big River Flats, east of Highway 1, and Main Street near the Mendocino Headlands State Park Ford House Museum and Visitor Center is a priority to complete inland links to the Coastal Trail.

(b) The County, in coordination with the California Department of Parks and Recreation, shall encourage the California Department of Transportation (District 1) to identify, improve, and maintain a safe pedestrian and bicycle crossing of the Highway 1 bridge over Big River.

(c) Any upgrade, retrofit, repair, or replacement of the Highway 1 bridge over Big River shall, to the maximum extent feasible, maintain two-way traffic on it. (Note: Action PAR-1.2(c) does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

(d) Any replacement of the Highway 1 bridge shall comply with the conservation, development, historic preservation, public access, and all other policies and standards of the Mendocino Town Local Coastal Program.

Action PAR 1.3 Way-finding signage to and along public access ways shall (a) harmonize with the historic character of the Town, (b) be located to avoid visual clutter, and (c) where located on the seaward side of Highway 1, Lansing Street, Heeler Drive, or Main Street, avoid intrusion to the maximum extent feasible into public views to and along the sea.

PAR-2 Public access and public recreational support facilities, including, but not limited to roads, trails, paths, parking, lavatories, and other use areas within designated public Open Space areas, shall be:

(a) Located to mitigate against potentially significant impacts from overcrowding or overuse by the public of any single area;
(b) Attractively designed, constructed, and maintained to be accessible by all the people, including, but not limited to, persons with disabilities, and conform, to the maximum feasible extent, to Mendocino Town Zoning Code Chapter 20.760 and to the *Mendocino Historic Review Board Design Guidelines*; and,
(c) Implemented to (1) provide a continuous walking and hiking trail or path in proximity to the coastal bluff edge, consistent with public safety and coastal resource protection, (2) include alternative trail or path segments, where feasible, to facilitate a variety of non-motorized public access opportunities, (3) establish or restore vertical (seaward) linkages from lateral coastal trails or paths to trailheads, vista points, and parking areas in Mendocino Headlands State Park and to the shoreline at Agate Beach, (4) avoid the interruption of ocean views and scenic coastal vistas from the first continuous public road or street by locating new parking or other upland recreational support facilities on the inland side of such road or street, where feasible, and (5) provide for cultural, environmental, and historic educational and interpretive information through minimized structures and other facilities that harmonize with the historic character and open space preservation of the Mendocino Headlands.
(d) All trail or path segments that comply with the Americans with Disabilities Act, as amended, should be clearly indicated.
(e) Way finding markers for the California Coastal Trail in the Town should utilize the adopted Coastal Conservancy trail emblem (Figure 4.13-7); provided that the emblem may (1) be part of a sign or structure, (2) be embedded in a sidewalk, path, trail, or in pavement, and (3) shall be displayed consistent with the requirements of the Mendocino Town Local Coastal Program and *Mendocino Historic Review Board Design Guidelines*.

PAR-3 The Big River beach and pocket beaches on Mendocino Bay and along the Pacific Ocean shoreline of the Town, all of which are owned by the State of California and are suited for water-oriented recreation, shall be protected for such uses, including, but not limited, for, their continued sustainable public accessibility, water quality, and beach sand supply.

Action PAR-3.1 The County, in cooperation with the California Department of Parks and Recreation, the State Coastal Conservancy, and other partners, should at the earliest feasible time acquire, from willing sellers, the shoreline lots in private ownership that are located west of Lansing Street and north of Heeser Drive, for inclusion in Mendocino Headlands State Park. (Note: Action PAR-3.1 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

PAR-4 Consistent with Coastal Act Section 30221, the certified Mendocino Town Local Coastal Program reserves upland areas in the Town, inland of Mendocino Headland State Park, that support coastal recreation. These upland areas include, but are not limited to, the Highway 1 right-of-way and County road and street rights-of-way that connect the State Park with other areas of the coastal zone, the County, State, and United States.

Any abandonment, closure, or conversion of any public right-of-way in the Town shall require approval by the County of a coastal development permit, and as applicable, an application to the County for an amendment of the certified Mendocino Town Local Coastal Program.

PAR-5 Consistent with Coastal Act Section 30224, the County shall encourage the California Department of Parks and Recreation to provide a public small boat launching facility and upland support facilities, including, but not limited to, sustainable parking and lavatories, at Big River Flats within the Town, east of the Highway 1 Bridge.

PAR-6 As required by Coastal Act Section 30211, development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

PAR-7 As required by Coastal Action Section 30212.5, wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

PAR-8 As required by Coastal Action Section 30213, lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The Commission shall not: (a) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (b) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

4.9. Conservation

CNS-1 Consistent with Coastal Act Section 30231, (a) design and implementation of the stormwater management system required by Section 4.6 shall, to the maximum feasible extent, restore and maintain the natural (pre-development) hydrology of the Town, and (b) existing, restored, rehabilitated, and new development shall, to the maximum feasible extent, utilize retained stormwater or reclaimed water from the Mendocino City Community Services District for all non-potable water uses.

CNS-2 The Board of Supervisors requests the California Office of Spill Prevention and Response and the United States Coast Guard to demonstrate, within the first year following Coastal Commission certification of the Mendocino Town Local Coastal Program and thereafter at five (5) year intervals that effective protection exists against the spillage of crude oil, gas, petroleum product and, or hazardous substance volumes that are transported through the Town or offshore. (Note: CNS-2 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

CNS-3 The diking, filling, dredging, or excavation of any wetland, stream, or estuary in the Town shall be permitted in accordance with all other applicable provisions of this plan, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(a) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
(b) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(c) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
(d) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
(e) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
(f) Restoration purposes.
(g) Nature study, aquaculture, or similar resource dependent activities.

CNS-4 Consistent with Coastal Act Section 30234.5, the Mendocino Town Local Coastal Program recognizes the economic, commercial, and recreational importance of sustainable fishing activities along, as well as offshore, the Town shoreline and supports their protection.

Action CNS-4.1 The Board of Supervisors requests the California Department of Fish and Wildlife, Coastal Commission, and the Office for Coastal Management in the National Oceanographic and Atmospheric Administration to determine the status, pursuant to Public Resources Code Section 30234.5 (a part of the federally approved California Coastal Management Program), of the limitations on fishing in the Big River Estuary immediately adjacent to the Town shoreline provided by the Big River Estuary is a designated Marine Protected Area with State Marine Conservation Area (SMCA) status that is limited to certain geographic boundaries and authorized activities as specified in Title 14, California Code of Regulations Section 632(b)(25). To avoid take of all living marine resources within the Big River Estuary SMCA, California Department of Fish and Wildlife should be contacted regarding any questions pertaining to current regulations. (Note: Action CNS-4.1 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CNS-4.2 The California Department of Fish and Wildlife and the California Department of Parks and Recreation should, (a) in consultation with and subject to approval by the Mendocino Historical Review Board, and (b) pursuant to approval of a coastal development permit, erect and maintain low stature signage along or near the shoreline of the Pacific Ocean, Mendocino Bay, and Big River to clearly advise the diverse public of the Marine Protection Area limitations on fishing in these areas pursuant to Title 14, California Code of Regulations Section 632(b)(25). Mendocino Town Plan Appendix 3 contains a copy of these regulations, as of the date of adoption of the Town LCP by the Board of Supervisors, for public informational purposes only. (Note: Action CNS-4.2 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

CNS-5 Consistent with Coastal Act Section 30235, development that alters natural processes along the Town shoreline shall be permitted only when (a) required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and (b) when such development is designed, constructed, and implemented, including, but not limited to, through monitoring and reporting to the County during the economic life of the development, to eliminate or mitigate any significant adverse impacts on local shoreline sand supply to below a level of significance.

CNS-6 Consistent with Coastal Act Section 30231 and Town Plan Policy S-1, and Coastal Act Section 30236, (a) the biological productivity and the quality of coastal waters, streams, wetlands, and estuaries shall be maintained and, where feasible, restored, and (b) substantial alteration of any stream within the Town shall incorporate the best mitigation measures feasible, and be limited to (1)

necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

CNS-7 (a) Environmentally sensitive habitat areas, as defined in Mendocino Town Plan Section 2.29, shall be protected against any significant disruption of habitat values. (b) Only uses dependent on environmentally sensitive habitat area resources, and for which there is no less environmentally damaging location, shall be allowed within those areas. (c) Development in areas adjacent to (1) an environmentally sensitive habitat area, (2) Mendocino Headlands State Park, or (3) other public parks and public recreation areas in the Town shall be sited and designed to avoid any significant adverse impacts that would significantly degrade those areas, and shall be compatible with the continuance of such habitat and recreation areas.

CNS-8 The long-term productivity of soils in the Town shall be protected.

Action CNS-8.1 In recognition that opportunities for locally grown food constitute an important community amenity, the Mendocino Town Local Coastal Program shall allow sustainable light agricultural uses, as defined in Section 2.43, and community gardens, as defined in Section 2.20, that are consistent with the protection of public health and safety, and of coastal resources.

Action CNS-8.2 (a) Community gardens are a permitted use in any land use and zoning classification of the Town, provided they shall be operated in a manner that prevents negative impacts including, but not limited to, excessive noise, odors, trash, or pests. (b) Sustainable light agriculture is a permitted use in the Rural Residential Land Use Classifications and Zoning Districts.

Action CNS 8-3 As part of Mendocino Headlands State Park natural resource and upland support facility restoration, relict lumber yard concrete decking in the State Park shall be removed and the terrain shall be restored to its predevelopment condition.

CNS-9 Where development may have a direct, indirect, or cumulative impact on archaeological or paleontological resources, including, but not limited to, as identified by the County or the State Historic Preservation Officer, mitigation measures, consistent with all applicable California and federal laws and regulations, shall be required as a condition of County approval of any application for development or for work that is subject to Mendocino Historical Review Board review. The project applicant shall be responsible for retaining a registered professional archaeologist to provide any required archaeological investigation monitoring.

CNS-10 New development in the Town shall be sited and designed to (a) protect significant public views (1) to and along the ocean from the coastal bluff top, Mendocino Headlands State Park, and from the first road or street that parallels the sea, and (2) of scenic coastal areas; (b) minimize the alteration of natural land forms; (c) be visually compatible with the character of the Town; and (d) where feasible, restore and enhance visual quality in visually degraded areas of the Town.

Action CNS-10.1 The *Mendocino Historic Review Board Design Guidelines* shall be amended to incorporate the protection of designated open space features, existing significant public views, and

existing public vistas identified during the Mendocino Historical Review Board design review process.

Action CNS-10.2 To further implement the Open Space land use designations on the Mendocino Town Land Use Map (Figure 4.13-3), an illustrative "Open Space" exhibit, consistent with the provisions of the certified Mendocino Town Local Coastal Program and subject to review and approval by the Board of Supervisors and certification by the Coastal Commission, should be included in the *Mendocino Historic Review Board Design Guidelines* to identify significant public open spaces, public views, and public vistas in the Town. (Note: Action CNS-10.2 does not directly govern the issuance of Mendocino Town Coastal Development Permits.)

Action CNS-10.3 Consistent with the requirements for mitigation of potentially significant impacts from development on public health and safety, the environment, and coastal resources, implementation of the Mendocino Town Plan through the development regulatory procedures set forth in it and the Mendocino Town Zoning Code may require reasonable conditions on the approval of new development or redevelopment in the Town to avoid, or mitigate potentially significant adverse effects of the development on (a) public open space, (b) public views from Highway 1 or other public spaces in the Town to and along the sea, (c) on lateral or vertical public access to and along the coast, and (d) on any other protected coastal resources. The Coastal Element for the County jurisdiction in the coastal zone adjacent to the Town identifies other nearby terrestrial public view origination locations from which the public observes the Town.

Action CNS-10.4 The exterior of public facility buildings adjacent to the Highway 1 right-of-way shall be (a) located to avoid any obstruction of public views from Highway 1 to and along the sea, (b) sited and designed to minimize the number of structures (c) clustered with existing structures rather than siting development within open areas, (d) constructed to harmonize with the Town architectural and/or historical character, and (e) if existing screening vegetation does not already occur, be substantially screened for the life of such buildings with regionally native vegetation planted and maintained on any such public facility parcel.

CNS-11 Art, music, and other temporary events in the Town constitute part of its special community character, and therefore shall be conducted consistent with the temporary use regulations of Mendocino Town Zoning Code Chapter 20.708.

CNS-12 Visitor Serving Facilities and temporary events in all Town land use and zoning districts shall follow the exterior noise limit standards set forth in the County's General Plan Development Element, Table 3-J, Exterior Noise Level Standards (Levels not to be Exceeded More Than 30 Minutes in an Hour) and Table 3-L, Maximum Acceptable Interior Noise Levels Created by Exterior Noise Sources.

CNS-13 The installation of solar energy systems in the Town shall be consistent with the Mendocino Town LCP, the *Mendocino Historic Review Board Design Guidelines*, and applicable State law. Photovoltaic systems that are integrated into and harmonious with building design and construction, or generally not visible from public streets or designated open space, shall be preferred.

4.10. Mendocino Town Plan Administration

TPA-1 (a) Any person, as defined in Section 2.64, who proposes to undertake any development, as defined in Mendocino Town Plan Section 2.25, shall obtain a coastal development permit from the County, or an amendment to an existing coastal development permit from the approving authority. (b) Where a development is specifically excluded or exempted from this requirement, such person shall obtain a certificate of coastal development permit exclusion or exemption from the County. (c) The provisions of Mendocino Town Zoning Code Chapter 20.736, Enforcement shall apply in the Town.

TPA-2 Verified notice shall be provided of every application for, public hearing on, and potential County action regarding (**a**) a coastal development permit, and (**b**) a coastal development permit exclusion or exemption by (1) posting at the site in a conspicuous location, (2) first class mail, electronic mail, or personal delivery to all property owners and residents within 300 feet of the perimeter of the Assessor's parcel on which the development is located, excluding any public right-of-way, (3) first class mail, electronic mail, or personal delivery to any person who has in writing has requested notice, (4) first class mail to the Coastal Commission, and (5) posting on the Planning and Building Department web site for pending projects.

TPA-3 Consistent with Public Resources Code Section 30006, the requirements for verified notice for any application to, public hearing by, or potential action by the Mendocino Historical Review Board pursuant to the *Historical Preservation District for Town of Mendocino* Ordinance shall be (**a**) conspicuously posted on (1) the lot for which the application is made, (2) on at least two other public places in Town, (3) on the Planning and Building Services Department web site; (**b**) mailed, by first class mail or email, to all property owners within 100 feet of the boundary of the lot, excluding any road, street, or alley; (**c**) mailed by first class mail to the Coastal Commission; and (**d**) mailed to any person who has requested notice in writing to the Mendocino Historical Review Board or Planning and Building Services Department, provided that delivery of such notices may be made by other means that reasonably assure that the required noticing is achieved.

TPA-4 The certified Mendocino Town Zoning Code incorporates and carries out the implementation regulations for the certified Mendocino Town Local Coastal Program provided at Title 14, California Code of Regulation Section 13500 et seq.

TPA-5 Pursuant to Public Resources Code Section 30603(a), County actions on applications for coastal development permits are appealable to the Coastal Commission for only the following types of developments:

(a) Developments approved by the County between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
(b) Developments approved by the County not included within paragraph (a) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
(c) Any development approved by the County that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500) of the Coastal Act.
(d) Any development which constitutes a major public works project or a major energy facility.

TPA-6 Consistent with Public Resources Code Section 30514(a), the certified Mendocino Town Local Coastal Program, including the Mendocino Town Plan, Mendocino Town Land Use Map, Mendocino Town Zoning Code, and Mendocino Town Zoning Map, may be amended by the Board of Supervisors, but no such amendment shall take effect until it has been certified by the Coastal Commission pursuant to the Coastal Act.

TPA-7 Consistent with the objective in Coastal Act Section 30006 that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation: (a) any required public hearing by the Coastal Permit Administrator on an application for a coastal development permit pursuant to the Mendocino Town Local Coastal Program should be held in the Town, whenever possible, and (b) the County should provide that all meetings of the County Planning Commission and the Mendocino Historical Review Board that involve implementation of the Mendocino Town Local Coastal program may be viewed online (be web-cast).

SECTION 5. MENDOCINO TOWN LAND USE CLASSIFICATIONS

Land use classifications include several categories applicable only within the Town of Mendocino, as well as some that are common to the entire Mendocino County Coastal Element. In addition to minimum parcel sizes, some Mendocino Town land use classifications specify both lot coverage (the proportion of the lot covered by buildings and other structures, as defined in Mendocino Town Plan Section 2.80) and floor area ratio (total floor area in relation to lot area). The Town's land use classifications are shown in their respective land use districts in Figure 4.13-3: Town of Mendocino Land Use Map.

The Town of Mendocino Land Use Classifications consist of the following:

- Open Space (Land Use Map Code: OS)
- Rural Residential (Land Use Map Code: RR-1, and RR-2)
- Suburban Residential (Land Use Map Code: SR20,000)
- Residential Planned Unit Development (Land Use Map Code: RR-2-PD)
- Town Residential (Land Use Map Code: R+)
- Multiple Family Residential (Land Use Map Code: RM)
- Mixed Use (Land Use Map Code: MU)
- Public Facility (Land Use Map Code: PF)
- Commercial (Land Use Map Code: C)

Each land use classification lists the principal permitted use, permitted uses, and, as applicable conditional uses.

Uses listed as the principal permitted use and permitted uses within any land use classification may require coastal development permit approval and/or review by the Mendocino Historical Review Board. Coastal development permits for development involving the principal permitted use may also be appealable to the Coastal Commission, depending on, among other things, their location in relation to a wetland, stream, coastal bluff, or if they are located between the first road and the sea, and as further provided in Public Resources Code Section 30603(a) and discussed in Section 1 of the Mendocino Town Plan. Coastal development permits for permitted uses are appealable to the Coastal Commission wherever they are located.

Uses listed as conditional uses may also require coastal development permit approval, and/or review by the Mendocino Historical Review Board, depending on their location. Conditional uses require additional review, such as a conditional use permit or site specific review to assure compliance with specific Town Plan policies or actions and Mendocino Town Zoning Code criteria, and are appealable to the Coastal Commission wherever they are located

The intent statements of the Mendocino Town Plan Land Use Classifications (a) describe the way use classifications are applied on the Mendocino Town Land Use Map and (b) guide specific Mendocino Town zoning regulations and the Mendocino Town Zoning Map. Legal nonconforming lots that are smaller than the permitted minimum size will be developable for principal permitted uses and conditional uses, subject to the same limitations as lots that meet minimum size standards.

Existing legal uses on legal lots that are smaller than the stated permitted minimum size, where all required state and local permits have been approved for such uses, will also be considered to be legal nonconforming uses. The Mendocino Town zoning regulations will assure the right of such uses to continue consistent with Mendocino Town Plan policies, as well as their right to replacement if destroyed by disaster.

5.1. Open Space - Map Code: OS

Intent: This land use classification is intended to be applied to (a) lands held in public ownership for recreational use, (b) lands most valuable in their undeveloped natural state, such as those lands which contain rare and endangered species and habitat, riparian vegetation zones, sites of historic or archaeological significance, or public scenic areas, (c) lands which, because of their value, have been dedicated under Government Code Sections 51050 or 51080 as privately owned open space to a public or nonprofit organization that qualifies under Internal Revenue Code Section 501(c)(3), or (d) easements that have been dedicated by owner(s) of private property to a public agency or non-profit organization, or been reserved by deed restriction, for open space.

Principal Permitted Use: (a) Land to remain predominantly in its natural or restored condition with the minimum amount of development necessary to support restoration and preservation; and (b) leisure activities that do not constitutes "development" as defined in Section 20.608.023(E) and do not require permits pursuant to the Mendocino Town Zoning Code.

Permitted Uses: Community gardens.

Conditional Uses: Active recreation; increases in intensity of existing uses; landscape conservation, restoration, and preservation (1,000 square feet or larger); permanent new restrooms and other public facilities required to serve the public health and welfare; underground utilities; memorial monuments; and agricultural uses.

Height Limitation: Permitted new structures, except for chimneys, flagpoles, and similar appurtenances, and water towers or tanks, shall be limited to a maximum height of 18 feet above natural grade.

Development Limitations: (**a**) All conditional uses in the Open Space Land Use Classification shall be subject to public hearing and full environmental review by the approving agency pursuant to the California Environmental Quality Act, as amended (Division 13, Public Resources Code), and shall be specifically found, on substantial evidence in the record as a whole, to be consistent with (1) the certified Mendocino Town Plan, (2) the certified Mendocino Town Zoning Code, (3) where the development is located between the first continuous public road and the sea, the public access and recreation standards of the California Coastal Act of 1976, as amended (Public Resources Code Sections 30210-30224), (4) the adopted Mendocino Headlands State Park Preservation and Recreation Plan with respect to all development in Mendocino Headlands State Park, and (5) the zoning constraints of contiguous and/or adjacent parcels (for instance, by agricultural uses pursuant to the certified Mendocino County Coastal Element). (**b**) Parking facilities and walkways shall, to the maximum extent feasible, be constructed with pervious or semi-pervious surfaces that meet applicable standards of the Americans with Disabilities Act, as amended. (**c**) Existing drain pipes that contribute to erosion of the coastal bluffs or sea cliffs shall be phased out as part of Mendocino

Headlands State Park storm water management. (**d**) Blufftop trails and paths shall be located to maintain public safety and protect coastal resources, while continuing to provide for public enjoyment of the spectacular coastal environment. (**e**) Principal permitted and permitted uses in the Open Space land use classification that are located within Historical Zone A and Historical Zone B shall also be subject to review and approval by the Mendocino Historical Review Board. (**f**) Whenever feasible, any new structure in any Open Space land use classification shall be (1) located outside the public view towards the sea from, and landward of, the first continuous public road or street that parallels the sea, and (2) subordinate to its setting.

5.2. Rural Residential – Map Code: RR-1, RR-2

Intent: The Rural Residential classification is intended to be a low density residential growth area.

Principal Permitted Use: Single family dwelling unit and associated utilities and appurtenances.

Permitted Uses: Accessory second residential dwelling unit not to exceed 900 square feet, and associated utilities and appurtenances; light agriculture; home occupation; community gardens; and in the RR-1 Land Use Classification only: Visitor Serving Facilities shown with an asterisk (*) or an asterisk-B (*B) on the Mendocino Town Land Use Map.

Conditional Uses: Cottage Industries; public utilities, where determined to be necessary on Rural Residential lands; Single Unit Rentals.

Parcel Sizes: RR-1: 40,000 sq. ft.; RR-2: 2 acres.

Density: One primary dwelling per legally created lot and one second residential dwelling unit on parcels larger than 40,000 square feet.

Height Limitation: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, and water towers shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: Two off-street parking spaces for the first residential unit, one and one-half off-street parking spaces required for each additional residential unit, and one off-street parking space for each visitor-serving facility lodging unit.

5.3. Suburban Residential – Map Code: SR - 20,000 square feet

Intent: This classification is intended to recognize the existing Point of View Estates Subdivision and the contiguous five lots that front on Lansing Street, north of Palette Drive.

Principal Permitted Use: One primary dwelling unit and associated utilities and appurtenances.

Permitted Uses: One primary dwelling unit per lot; accessory second residential dwelling unit not to exceed 900 square feet, with associated utilities and appurtenances; home occupations; community gardens.

Conditional Uses: Cottage Industries; underground utility installations; Single Unit Rentals (except as may be prohibited by recorded Point of View Estates Subdivision Covenants, Conditions & Restrictions); the Point of View Estates Mutual Water Company water well and facilities; electrical transmission and distribution lines; natural gas pipeline.

Minimum Parcel Size: 20,000 square feet.

Density: One primary dwelling unit and one second residential dwelling unit per 20,000 square feet.

Height Limitation: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: Two off-street parking spaces required for the primary residential unit and one and one-half off-street parking spaces are required for a second residential dwelling unit.

5.4. Residential Planned Unit Development - Map Code: RR-2:PD

Intent: Residential Planned Unit Development shall be a conditional use in the RR-2 (Rural Residential: 2 acres) Land Use Classification to allow residential development of more than one primary dwelling unit on an existing parcel with a specified site area per unit and review of the site plan for the parcel to ensure maximum preservation of open space and to reduce costs of development.

Permitted Uses: Light agriculture; open space; home occupations; community gardens.

Conditional Uses: Primary dwelling units, subject to the density applicable to the site, with units sited for maximum open space preservation; public and semi-public facilities; Single Unit Rentals; underground utilities; Cottage Industries.

Parcel Size: No specified minimum.

Height Limitation: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: Two off-street parking spaces shall be required for each residential unit; one parking space per employee and parking spaces equivalent to 10% of the capacity shall be required in public and semi-public facilities.

5.5. Town Residential - Map Code: R+

Intent: To (a) maintain the existing predominantly single family residential character of this historical land use classification, and (b) allow a second residential dwelling unit, not to exceed 900 square feet, on parcels of 9,000 square feet or more, and in keeping with an existing pattern of development.

Principal Permitted Uses: Primary single family dwelling unit and appurtenances.

Permitted Uses: Second residential dwelling unit, limited in size to 900 square feet; community gardens; home occupations; light agriculture.

Conditional Uses: Public and semi-public uses; Cottage Industries; Single Unit Rentals.

Development Requirements: Minimum new lot size of 12,000 square feet. One dwelling unit allowed per existing parcel under 9,000 square feet and two units on parcels of 9,000 square feet or larger. Lot coverage not to exceed 25 percent of the parcel area.

Height Limitation: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: Two off-street parking spaces for the first residential unit, and one and one-half off-street parking spaces required for each additional residential unit or second residential dwelling unit.

5.6. Multi-Family Residential - Map Code: RM

Intent: To provide areas for multifamily residential development with the density and the number of units per parcel limited to maintain the present scale of the Town.

Principal Permitted Use: Residential: Single family, two family, multifamily, and boarding house.

Permitted Uses: Multiple long term dwelling units; home occupations; light agriculture; community gardens; Visitor Serving Facilities shown with an asterisk (*) or an asterisk-B (*B) on the Mendocino Town Land Use Map; second residential dwelling units, limited in size to 900 square feet.

Conditional Uses: Public and semi-public uses; Cottage Industries; Single Unit Rentals.

Development Requirements: Minimum new lot size of 12,000 square feet. One primary dwelling unit and one second residential dwelling unit allowed on any new or existing parcel. Multiple family units allowed subject to minimum site area and limitations as follows: (a) Lots 12,000 square feet in size or less: 6,000 sq. ft. for first unit; and 3,000 sq. ft. for each additional unit. (b) Lots greater than 12,000 square feet in size: 6,000 sq. ft. for first unit; 3,000 sq. ft. each for units two through five; and 6,000 sq. ft. for each additional unit. Total lot coverage not to exceed 25 percent of the parcel area.

Height Limitation: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: One and one-half off-street parking spaces required for each residential unit.

5.7. Mixed Use - Map Code: MU

Intent: To provide a transition between commercial development on Lansing Street and Main Street and residential areas; to provide space for offices and retail uses that do not generate heavy automobile traffic or generally operate between the hours of 6:00 p.m. and 7:00 a.m.; and to encourage preservation and construction of moderately priced residential dwelling units.

Principal Permitted Use: Residential: Single family, two family and multifamily dwelling units.

Permitted Uses: (a) Accessory second residential dwelling unit not to exceed 900 square feet, and appurtenances; home occupations; (b) Commercial: Limited to a maximum of 1,000 square feet of floor area per lot; Administrative and business offices, medical and personal services, specialty retail shops, ambulance services, fire and police services; (c) Visitor-Serving Facilities shown with an asterisk (*) or an asterisk-B (*B) on the Mendocino Town Land Use Map; (d) Community Gardens.

Conditional Uses: (a) Minor Use Permit (over 1,000 square feet of floor area per parcel, with environmental review and public hearing by the Coastal Zoning Administrator): (1) Offices, Personal Services, Specialty Shops; (2) Clinic services; (3) Libraries; (4) Cultural exhibits; (5) Lodge, fraternal and civic assembly; (6) Religious assembly; (7) Minor impact services and utilities; (8) Cottage Industries. (b) Major Use Permit (Public hearing by County Planning Commission): (1) Food and beverage retail sales; (2) Small schools; (3) Day care facilities; (4) Major impact services and utilities; (5) Financial institutions; (6) Single Unit Rentals; (7) Vacation Home Rentals.

Development Requirements: Minimum new parcel size of 12,000 square feet. Lot coverage not to exceed 25 percent of parcel area. Main or only building limited to 15 percent of parcel area. Maximum floor area not to exceed 0.5 square foot for each square foot of parcel area. In no case shall floor area under one continuous roof exceed 8,000 square feet. Fifty percent or more of new structural development floor area shall be built for and utilized as residential dwelling units. Multifamily dwelling units are allowed subject to limitations as follows: (a) Parcels 12,000 square feet in size or less: 6,000 sq. ft. for 1st unit; and 3,000 sq. ft. for each additional unit. (b) Parcels greater than 12,000 square feet in size: 6,000 sq. ft. for first unit; 3,000 sq. ft. each for units two through five; and 6,000 sq. ft. for each additional unit.

Height Limitation: New structures, except for chimneys, flagpoles and similar appurtenances, steeples and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: (a) Commercial Uses: One off-street parking space per 400 square feet of floor area or per visitor-serving facility lodging unit. (b) Residential: One and one-half off-street parking spaces per dwelling unit, including a second residential dwelling unit.

5.8. Commercial - Map Code: C

Intent: To provide an area within the Town suitable for commercial development that is compatible with existing commercial uses and the scale of the Town.

Principal Permitted Use: Commercial Uses: Administrative and business offices; specialty shops; personal services; retail stores (all of which shall be under 1,000 square feet of floor area per lot.

Permitted Uses: (a) Residential: Single-family, two-family and multifamily dwelling units, subject to density requirements; (b) Civic Use Types: Clinic services; libraries; cultural facilities; lodge, fraternal and civic assembly; religious assembly; minor impact utilities; community gardens; and (c) Visitor-Serving Facilities shown on a site with an asterisk (*) or an asterisk-B (*B) on the Mendocino Town Land Use Map.

Conditional Uses: (1) retail stores; (2) food and beverage preparation without on-site consumption; (3) consumer repair services (excluding automotive repair); (4) small schools and day care centers; (5) small business equipment sales and services; (6) Single Unit Rentals; (7) Vacation Home Rentals; (8) building maintenance services; (9) financial institutions; (10) construction sales and services; (11) service stations, automotive repair services; (12) eating and drinking establishments; (13) commercial recreation (indoor sports, entertainment and recreation); (14) education facilities; (15) major impact services and utilities; (16) agricultural sales and services; (17) communication services; (18) custom manufacturing; and (19) animal sales and services (small animals and household pets).

Development Requirements: Minimum new lot size of 12,000 square feet. For all development, lot coverage may not exceed 25 percent of the lot area. Maximum floor area not to exceed one-half square foot of floor area for each square foot of lot area. In no case shall floor area under one roof exceed 8,000 square feet.

Density Requirements: One dwelling unit allowed on any new or existing lot. Multiple family units allowed subject to minimum site area and limitations as follows: (a) Lots 12,000 square feet or less in size: 6,000 sq. ft. for first unit; and 3,000 sq. ft. for each additional unit. (b) Lots greater than 12,000 square feet in size: 6,000 sq. ft. for first unit; 3,000 sq. ft. each for units two through five; and 6,000 sq. ft. for each additional unit.

Limitations: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, the iconic "Father Time-and-the-Maiden" redwood sculpture on the Masons Hall (Mendocino Savings Bank) building, and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: One off-street parking space shall be required for each 400 square feet of floor area devoted to commercial and civic uses; one and one-half off-street parking spaces shall be required for each family dwelling unit; and one off-street parking spaces shall be required for each visitor-serving facility lodging unit, Vacation Home Rental and each Single Unit Rental.

5.9. Public Facilities - Map Code: PF

Intent: To designate existing and planned future major public and community serving uses that shall only be allowed to be converted to another use following certification by the Coastal Commission of an amendment to the certified Mendocino Town Plan. This classification applies to lots which are used for, or are proposed to be used for, public agency or non-profit entity purposes, or for specified public utility purposes.

Principal Permitted Use: Native vegetation landscaping.

Permitted Uses: Temporary events; community gardens.

Conditional Uses: Public and semi-public facilities, including, but not limited to, schools, fire stations, churches, cemeteries, parks, public water systems, sewage collection and treatment facilities, educational art centers, community services district facilities, underground electrical transmission and distribution lines, natural gas pipelines.

Development Requirements: (a) Minimum new lot size of 12,000 square feet. (b) For all development other than the State Highway, lot coverage may not exceed 25 percent of the lot area. (c) Maximum floor area shall not exceed one square foot of floor area for each square foot of lot area. In no case shall the floor area of a structure under one roof exceed 8,000 square feet. (d) Reconstruction, replacement, or new construction of the Highway 1 Big River Bridge, including any bridge access components, in the Town shall (1) maintain the general alignment and elevation of the existing bridge, (2) include safe pedestrian and bicycle ways that connect the Town to the south, (3) protect scenic public views to and along the sea, the Mendocino Estuary, and the Town, and (4) maintain maximum feasible utilization of the existing bridge during its reconstruction or replacement.

Height Limitations: New structures, except for chimneys, flagpoles and similar appurtenances, steeples, and water towers, shall be limited to a maximum height of 28 feet above natural grade.

Parking Requirements: One (1) off-street parking space for each employee, plus additional off-street parking spaces for the following uses:
(a) Schools: One (1) space for each five (5) students;
(b) Public and Religious Assembly: One (1) space for each five (5) seats;
(c) All others: One (1) space for each four hundred (400) square feet of gross floor area.

5.10. Development Limitations - Map Code: DL

Intent: This special combining district is intended to be used only in conjunction with another land use classification on lots or portions of lots that according to available data have substantial constraints that may prevent or severely limit development, including slopes over 30 percent, erosion, or landsliding. In each case, on-site inspection and tests will be necessary to determine whether a feasible building site exists.

Principal Permitted Use: As permitted in the underlying base classification combined with the DL designation, provided a building site exists that is capable of safely accommodating the development without significant adverse effects on the environment.

Conditional Uses: As allowed in the combining classification, provided a feasible building site exists without significant adverse effects on the environment.

Parcel Size: As required by the classification combined with the DL designation. No new parcels lying entirely within a DL classification shall be created inconsistent with the policies of Section 4 of the certified Mendocino Town Plan.

SECTION 6. TOWN PLAN IMPLEMENTATION

The following sub-sections summarize Mendocino Town Plan implementation provisions. The Mendocino Historical Preservation District (a registered national landmark), Mendocino Headlands State Park, and California State Highway 1 (including the Big River Bridge within the Town boundaries) constitute uses of more than local importance within the Town of Mendocino, as that term is defined in Title 14, California Code of Regulations, Section 13513. The Coastal Commission has not advised the County of Mendocino of any other uses of greater than local significance that the Mendocino Town LCP should consider.

6.1 Capital Improvement Program: Capital improvement projects recommended in the Mendocino Town Plan to be performed by the County of Mendocino shall be implemented as they are approved by the County Board of Supervisors, at its sole discretion, and as funding may become available.

6.2 Zoning: The Mendocino Town Zoning Code ("MTZC", Division III – Title 20) is the principal Mendocino Town Plan implementation tool. The MTZC sets out definitions of use types, lists the zoning districts that implement the land use designations within the Mendocino Town Plan, establishes development regulations for each of the zoning districts, incorporates the County's pre-Coastal Act historical preservation ordinance (MTZC Chapter 20.760) that establishes the Mendocino Historical Review Board, along with its duties and responsibilities, and prescribes administrative procedures for public notice, public hearing, review, local appeals, and action by the County on applications for development, or as applicable, the Mendocino Historical Review Board on applications for work within Historical Districts A and B, in the Town. The zoning code also includes the administrative procedures provided in Public Resources Code Section 30603 for an appeal by an ("aggrieved person") or any two Coastal Commissioners from an action of the County to the Coastal Commission.

6.3 Mendocino Historical Review Board: The Mendocino Historical Review Board serves as an additional core Mendocino Town Plan implementation entity. The Mendocino Historical Review Board's function is to review applications for "work" pursuant to Mendocino Town Zoning Code Sections 20.760.030 and 20.760.035. The Mendocino Historical Review Board consists of five members who shall be residents of the Historical Districts, and who are intended to represent a cross section of the community.

6.4 Historic Review Board Design Guidelines: The *Mendocino Historic Review Board Design Guidelines* (reproduced in Appendix 7) serve to implement Mendocino Town Zoning Code Chapter 20.760, and also to provide guidance to development applicants on the desired character within the Historical District. The design guidelines set out a range of design choices that will encourage development throughout the Town that is compatible with the Town's existing and desired character, and will discourage the introduction of incompatible elements of design or building style. Amendments to the design guidelines, which are an incorporated part of the Mendocino Town Local Coastal Program, shall require an amendment to the certified Mendocino Town Local Coastal Program .

6.5 Coastal Development Permit Exclusions and Exemptions: Public Resources Code Section 30610, as amended, and Title 14, California Code of Regulations Sections 13250, 13252, and 13253 provide for both statutory exemptions and categorical exclusions from the general requirement that

development, as defined, that is undertaken in the coastal zone after January 1, 1977, requires a coastal development permit.

Generally, on September 5, 1978, the Coastal Commission issued an exclusion guideline for "Repair, Maintenance, and Utility Hook-Up Exclusions from (Coastal Development) Permit Requirements" pursuant to Public Resources Code Section 30610(d) and (f) that identifies categories (types) of development activities related to repair, maintenance, and utility connections that do not require a coastal development permit, unless otherwise specified. Appendix 9 reproduces this exclusion guideline. Other coastal development permit requirements have been set forth by the Coastal Commission at Title 14, California Code of Regulations Section 13250 (improvements to existing single-family residences), Sections 13200-13208 (vested development rights), and Sections 13240-13249 (categorical exclusions).

Specifically with regard to the Town, on November 14, 1996, the Coastal Commission issued Categorical Exclusion Order Number E-96-1, pursuant to Public Resources Code Section 30610(e), to exempt certain categories of development within specified geographic areas of the Town from the requirements of coastal development permits. The granting of the Categorical Exclusion Order is based on the finding that "there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along the coast." The map in Figure 4.13-8 illustrates the geographic extent of the area in which specified development is categorically excluded from the coastal development permit requirement exclusion. Appendix 4 of the Town Plan contains the Coastal Act and Categorical Exclusion Order provisions.

Requests for any exemption or categorical exclusion from the coastal development permit requirement must be made in writing by any person who undertakes any development, as defined, to the Director of Planning and Building Services, or his/her designee, prior to the commencement of any work that constitutes development, as defined in Section 2.25. The Director's determination that a development is exempt or categorically excluded from the coastal development permit requirement must be made in writing, and a copy of it must be transmitted on the day of its issuance to the California Coastal Commission, North Coast District. Although both Coastal Act exemptions and categorical exclusions from the coastal development permit requirement apply for specified development within specified areas of the Town of Mendocino, as set forth in MTZC Chapter 20.720, exempt and categorically excluded development and other work to be carried out in Historical Zones A and B remain subject to Mendocino Historical Review Board regulation and any other necessary local approvals such as, but not limited to, issuance of a building permit and groundwater extraction permit.

6.6 Code Enforcement: The Department of Planning and Building Services for the County of Mendocino shall enforce the provisions of Chapter 4.13, and any mandatory policies and mandatory actions provided therein, consistent with the certified Mendocino Town Local Coastal Program and the Mendocino Town Zoning Code Chapter 20.736 *Enforcement*. Consistent enforcement of the certified Mendocino Town LCP shall achieve its continued effective implementation in a manner that conforms to the Coastal Act.

6.7 Visitor Serving Facility Lodging Unit Allocation: (a) Following certification of the Mendocino Town Local Coastal Program by the Coastal Commission, unallocated Visitor-Serving Facility ("VSF") lodging units in the Town below the numerical VSF cap of 237 lodging units shall be allocated by the procedure set forth in Mendocino Town Zoning Code Section 20.684.030(H).

Seven (7) VSF lodging units shall be reserved for the Nicholson House Inn, located at 44861 Ukiah Street consistent with the provisions of Zoning Ordinance Section 20.684.030. VSF lodging units to be allocated shall include (1) any unallocated VSF lodging units, and (2) any previously allocated VSF lodging unit that becomes abandoned, fails to timely obtain any required coastal development permit or other necessary approvals, or when any such permit or approval for the unit expires or is revoked. (b) The Planning and Building Services Department shall establish, and provide general public notice of, a procedure pursuant to which it shall, from time to time, inform the public of (1) the availability of any other unallocated VSF lodging units within the numerical VSF cap of 237 lodging units, (2) accept and process applications for their allocation pursuant to the certified Mendocino Town Local Coastal Program, and (3) identify conditions of permit approval, including, but not limited to, commencement of operations of approved VSF lodging units.

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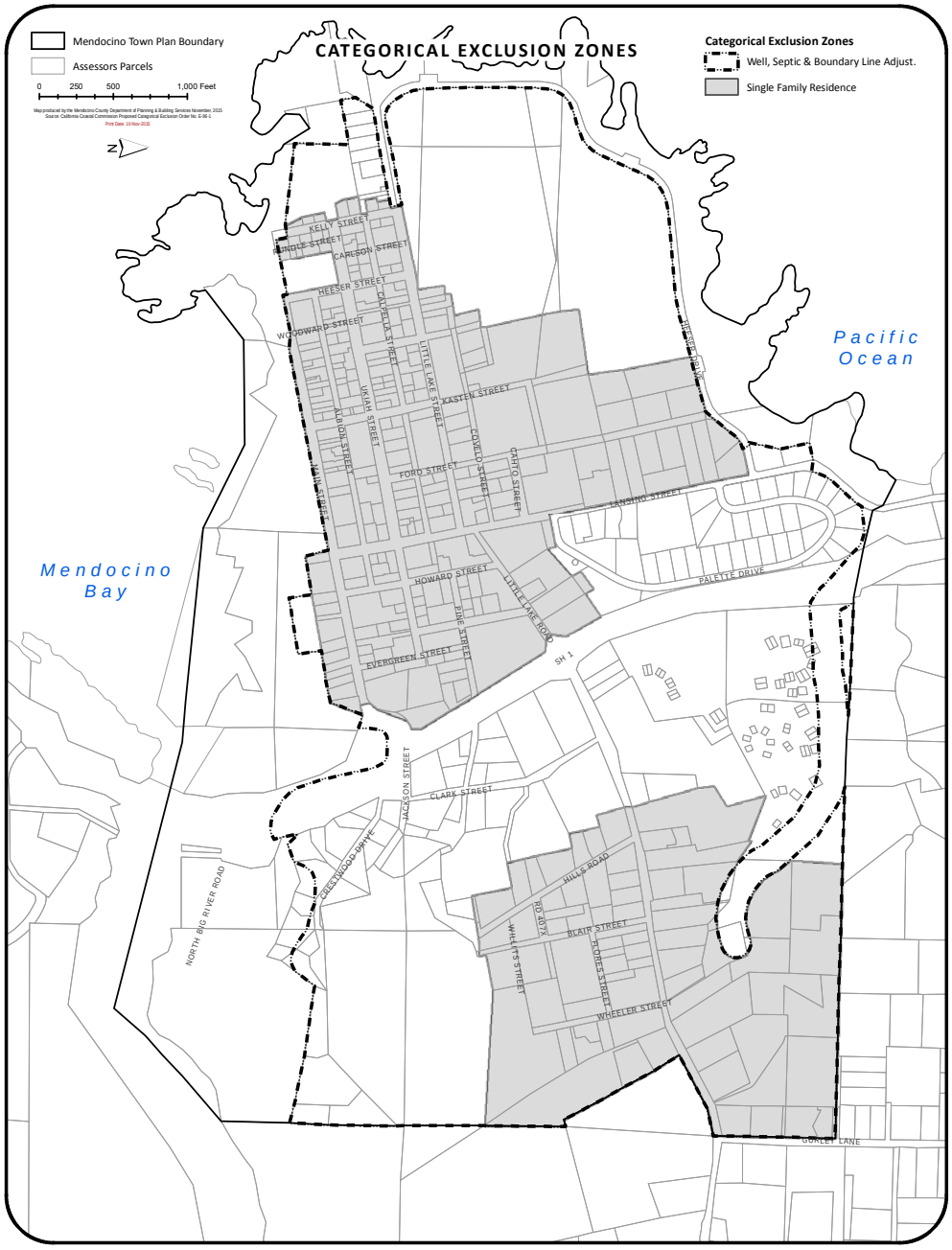

Figure 4.13-8. Categorical Exclusion E-96-1 Zones Within the Town of Mendocino.

This map illustrates the Categorical Exclusion Order E-96-1 Map approved by the California Coastal Commission for specified development that is excluded in mapped geographic areas from the coastal development permit requirement of the California Coastal Act of 1976, as amended (Division 20, Public Resources Code), dated January 14, 1997. A copy of the conformed original Categorical Exclusion Order E-96-1 Map is on file with the County of Mendocino Department of Planning and Building, Fort Bragg Office, 120 West Fir Street, Fort Bragg, California 95437, where it may be consulted during regular business hours.

MENDOCINO TOWN PLAN APPENDIX

INVENTORY OF HISTORIC STRUCTURES

The attached inventory of buildings and sites, historic and non-historic, in the Mendocino Historic Preservation District, Zone A is in preliminary form.

It represents research into the history of Mendocino over the past ten years and is still incomplete. However, in the interests of planning for the future it is believed that the County and MHRB or successor organizations may find the survey helpful in establishing guidelines for planning Mendocino's future. There are few communities that could include all buildings in a survey.

When working on the inventory it was noticeable that there are quite a number of sites not included here. Whether they are important only to historians, or of interest to planners is a question not answered thus far.

Another fact noticed is the discrepancy in house numbers where the old numbering system is still used and people did not change over to the County's numbering system.

At one time is was considered sufficient to use two categories for the Inventory: Historic and Non-Historic, but as research continued it became apparent this simplistic approach would not suffice. The Categories now number four with Categories II and IV having two parts. Category IIa has been established as sort of a holding category until further research is made regarding the historical significance of the building. Several questions need to be asked: Is the building historically important, does it deserve Landmark status or will it fall into
Category III or Category IVa.

CATEGORIES

I. Landmark: Construction dated, history substantiated, only minor alterations in character with original architecture.

II. Historically Important:

   a. Construction date known or closely estimated, research in progress, architecture modified.

   b. There were a number of semi-bungalows built at about the same time, not Maine architecture but historic by age and design in Mendocino.

III. Architecture ostensibly altered but basic structure is still discernible.

IV. Non-Historic:

   a. Reproductions or buildings constructed to resemble historic buildings.

b. Buildings erected between 1930 and 1979, and not copies of historic buildings.

Map numbers refer to the locations of the buildings. Numbers without the letter E locate buildings west of Lansing Street, by far the largest section of Zone A, and numbers followed by E locate buildings east of Lansing Street.

Source: Research provided by Mendocino Historical Research, Inc., 7-24-79.

MENDOCINO HISTORICAL RESEARCH, INC.
INVENTORY OF HISTORIC BUILDINGS
ZONE A - HISTORIC PRESERVATION DISTRICT
WEST OF LANSING STREET

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
119-240-01	I	1	Ford House	1854	Main Street	State Park Interpretive Center
119-210-08	I	2	Carlson Hotel Site and Water Tower	1857	10401 Main Street	Dwelling where Heeser's Store was and vacant land where hotel was
119-210-13		3	N/H		Main Street	Store building-rental
119-210-13	III	4	Neto's Hotel		450 Main Street	Offices and apartment upstairs
119-210-10	S	5	Site of Gus' Saloon	1870's	Main Street	Open Lot
119-237-01	IVb	6	N/H		480 Main Street	Medical building & dwelling upstairs
119-237-02	I	7	Lemos' Saloon	1870's	Main Street	Store and offices
119-237-03	IVa	8	Ramus Boarding House	c1875	45160 Main Street	Rebuilt into shops and offices
119-237-13	IVa	9	Tank Alley Site	1978	Main Street	Store
119-237-04	I	10	Ramus Saloon	c1875	Main Street	Vacant and deteriorated
119-237-05	I	11	Bank of Commerce	1905	522 Main Street	Stores
119-237-06	III	12	Barn-Store	c1875	530 Main Street	Stores
119-237-07	I	13	Eugene Brown House	1878	Main Street	Dwelling
119-237-12	IVb	14	N/H		Main Street	Art Gallery, Bay Window
119-237-11	III	15	Eagle Saloon		Main Street	Dwelling-Duplex
119-237-10	I	16	Bank of Commerce	1908	45100 Main Street	Bank of America
119-238-01	I	17	Jarvis-Nichols Bldg	c1871	45080 Main Street	Stores and offices
119-238-14	IIa	18	Drug Store - Toggery		Main Street	Arcade-Shops
119-238-15	IVa	19	N/H		Main & Albion Streets	Ice Cream Parlor and Le Voyage
119-238-05 119-238-04	I	20	Mendocino Hotel	1878	Main Street	Hotel
119-238-06	I	21	Dr. Milliken's Office	1880's	Main Street	Dwelling
119-238-06	I	22	H	1880's	45070 Main Street	Saloon
119-238-08	IIa	23	H		690 Main Street	Ragtime Clothing Store
119-238-09	S/IIb	24	Site of Alhambra Hotel		710 Main Street	Dwelling and dentist's office
119-238-10	IVb	25	N/H		45040 Main Street	Deli and restaurant, dwelling on Albion Street
119-238-10	I	25a	Kelley Rental	1870's	Main Street	Media building on Kelley Pond
119-238-10	I	25b	H		Main Street	Kelley Pond
119-238-17	I	26	Kelley House	1861	Main Street	Historical library and Museum
119-238-16	I	27	Kelley Water Tower	1920's	Main Street	On property of Kelley Store

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
						building
119-238-16	IVa	27a	N/H	1979	45000 Main Street	Reproduction of Kelley Store
119-236-05	S	28	Site of Boyd and Switzer Livery		Lansing Street	Demolished 1923 for present building
119-236-05	I	28a	Shell Garage	1923	Lansing Street	Service station and rentals
119-236-12	S	?	Site of Kelley Barn	1800's	Albion Street	Demolished in 1978 - Barn
119-236-12	IVa	?	Reconstructed using material and design of barn	1978	Albion Street	Apartments rented by MacCallum House
119-236-10	I	29	MacCallum House	1882/1908	45020 Albion Street	Inn - 1908 rear half was added
119-238-07	IVb	30	N/H		Albion Street	Dwelling
119-236-01	I	31	Heeser House	1852	620 Albion Street	Expected to be Hotel Annex
119-237-09	I	32	Bank House	1908	390 Kasten Street	Coffee House and gifts
119-235-12	IVb	33	N/H		Kasten Street	Wildlife Gallery
119-235-15	IIa	34	?		Albion Street	Dwelling-rental
119-235-05	IV	35	N/H	1935	540 Albion Street	Dwelling
119-235-02	I	36	Joss House	c1867	Albion Street	Joss House
119-235-02	IVa	36a	N/H	1940's|	45160 Albion Street	Dwelling - (Hee)
119-235-14	IVa	37	N/H		500 Albion Street	Dwelling - Rental
119-217-07	IVa	38	N/H		470 Albion Street	Dwelling - Studio
119-217-06	IIa	39	H		460 Albion Street	Dwelling
119-217-02	IVb	40	N/H		45301 Albion Street	Dwelling
119-217-01		41	N/H		Albion Street	Open Lot
119-217-03	I	42	Crown Hall	1901	Ukiah Street	Rental for large functions
119-217-04	I	43	Marcellino House		45281 Ukiah Street	Dwelling and Jewelry Studio
119-217-05	I	44	Pimentel House	c1866	45271 Ukiah Street	Dwelling
119-235-13	I	45	Golgert House	c1890	Ukiah Street	Dwelling - Rental
119-235-13	IVb	46	N/H	c1960's	| 511 Ukiah Street	Dwelling
119-235-04	IVb	47	N/H	c1960's	Ukiah Street	Dwelling
119-235-07	I	48	Lisbon-Paoli Hotel	1881	Ukiah Street	Shop and partially vacant
119-235-09	I	49	Dougherty House	1870's	571 Ukiah Street	Dwelling and shop on rear
119-235-10	I	50	Odd Fellows Hall	1878	Ukiah Street	Art gallery
119-236-02	III	51	Seavey House	c1900	45061 Ukiah Street	Dwelling
119-236-03	III	52	A Kelley Rental House	1860/1870's	620 Ukiah Street	Store
119-236-11	I	53	Red Baptist Church	1894	45015 Ukiah Street	Food Store

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
119-236-12	IIa	54	Apple Shed	1860's	Albion Street	Office for MacCallum Inn
119-236-11	I	55	Shultz House	1880's	Ukiah Street	Store
119-236-07	IIa	56	Kellieowen Hall	1887	10470 Ukiah Street	Stores
119-234-07	I	57	Masonic Hall	1866-72	Lansing Street	Masonic Lodge and Bank downstairs
119-234-01	I	58	Warren-Hegenmeyer House	c1864	45010 Ukiah Street	Store, Women's Clothing
119-234-01	IIa	59	Rego House		Ukiah Street	Dwelling and Wood Studio
119-233-06	IVb	60	N/H		Ford Street	Post Office
119-233-05		61	N/H		Ukiah Street	Open Lot (Thompson Estate)
119-233-08 119-233-09	I	62	Beacon Building	1872	45064 Ukiah Street	Antique Store, Gallery and Newspaper Office
119-233-02		63			Ukiah Street	Open Lot (Quattrocchi)
119-232-10	I	64	Frank Brown House	1868	Ukiah Street	Dwelling
119-232-08	IIa	65	Madeira House		45116 Ukiah Street	Dwelling
119-232-07	IIa	66	Well's Shoe Shop	c1875	45124 Ukiah Street	Dwelling
119-232-06	I	67	Gregory House	1875	Ukiah Street	Dwelling - Rental
119-232-02	IIa	68		1800's	510 Ukiah Street	Dwelling - Rental
119-232-01	IIa	69	Vieira House	c1902	45140 Ukiah Street	Dwelling - Rental
119-215-03	I	70	Denslow-Hayden House	c1875	Ukiah Street	Dwelling
119-215-02	IIa	71	Lazarus House		Ukiah Street	Dwelling
119-215-01	III	72	Bettencourt House	c1887	45320 Ukiah Street	Dwelling
119-215-01	I	72a	Bettencourt Water Tower	1905	45320 Ukiah Street	Water Tower and Outbuilding
119-214-11	IVb	73	N/H		Ukiah Street	Dwelling
119-214-10	I	74	Joseph Lawrence Dias		Ukiah Street	Dwelling
119-214-08	I	75	Antonio D. Freitas House		45350 Ukiah Street	Dwelling
119-214-21		76			45370 Ukiah Street	Rental Dwelling
119-214-12	IIa	77	Costa House		Kelly Street	Dwelling - Rental
119-216-06	I	78	Valador House	1881	Ukiah Street	Dwelling
119-216-07	III	79	Quaill (Coelho) House		Rundle Street	Dwelling with rental
119-216-08 119-216-09	III	80			Rundle Street	Dwelling
119-216-10	III	81			Rundle Street	Dwelling
119-216-05		82				Open Lot
119-216-04		83				Open Lot
119-216-03	III	84			Kelly Street	Dwelling
119-216-02	III	85	Casmero Silvia House	c1890	10451 Kelly Street	Dwelling and Chiropractic Office
119-216-01	IIa	86			311 Ukiah Street	Dwelling
119-211-10	I	87	Annie Silveria Barn		Kelly Street	Barn, Outbuildings

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
119-211-09	I	88	Annie Silveria House		Kelly Street	Dwelling
119-211-08	IIa	89	Belle Silveria House		10520 Kelly Street	Dwelling
119-211-07	IVb	90	N/H		Kelly Street	Dwelling
119-214-15 119-214-20	IIa	91			Carlson Street	Dwelling
119-214-06	III	92			Calpella Street	Dwelling
119-214-07	III	93			Heeser Street	Dwelling
119-232-03	IIa	94	Noia House		Calpella Street	Dwelling
119-232-04	IIa	95	Marshall House		Calpella Street	Dwelling
119-232-05	IIa	96	Thomas House	c1880	45125 Calpella Street	Dwelling
119-232-09	IIa	97	Gomes House		10550 Kasten Street	Dwelling
119-233-01	IVb	98	Remnants of 2nd Odd Fellows Hall		551 Kasten Street	Apartments and Offices
119-234-05	IVa	99	N/H	1878	10540 Lansing Street	Bakery and Offices
119-160-31	IIa	100	H		Lansing Street	Mendosa's Warehouse
119-160-31	IVb	101	N/H		620 Lansing Street	Village Spirits
119-160-31		102			Lansing Street	Open Lot - Thompson Lumber
119-160-30	IVb	103	N/H		45010 Calpella Street	Dwelling
119-160-29	IIa	103a	H		45201 Little Lake St.	Real Estate Office
119-160-28	I	104	Fraga House and W. T.		45040 Calpella Street	Dwelling
119-160-27	I	105	Madera House and Barn		Calpella Street	Dwelling
119-160-26	I	106	Beggs House	1881	Ford Street	Dwelling
119-231-09	I	107	Denslow-Maxwell House	c1880	Kasten Street	Dwelling – Rentals
119-231-07	I	108	Vincent House		Calpella Street	Dwelling
119-231-06	I	109	Silvia House		570 Calpella Street	Duplex - Rentals
119-231-04	I	110	Valadao House		45130 Calpella Street	Dwelling
119-231-03	I	111	Jerome House	1868	45150 Calpella Street	Dwelling
119-213-07	III	112	Pereira House		Williams Street	Dwelling
119-213-06	III	113	John Q. Brown House		460 Calpella Street	Dwelling
119-213-03	I	114	Antonio Lemos House		45300 Calpella Street	Dwelling
119-213-02	I	115	King House	c1900	420 Calpella Street	Dwelling
119-212-06	IIb	116	?		Heeser Street	Dwelling
119-212-04	IIa	117	H		45350 Calpella Street	Dwelling

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
119-212-03	I	118	Salvador House	1881	Calpella Street	Dwelling – Rental
119-212-02	IVb	119	N/H		Calpella Street	Dwelling
119-211-05	IIa	120	Silva House	1912	Kelly Street	Dwelling
119-211-04	IIa	121	Silva House	1912	Kelly Street	Dwelling
119-212-01	IVb	122	N/H		Kelly Street	Dwelling
119-212-01	IVb	122a	N/H		Kelly Street	Dwelling
119-212-05	IVb	123	N/H		Heeser Street	Dwelling
119-213-01	IVb	124	N/H		Heeser Street	Dwelling
119-213-08	IIa	125	Borgna House	c1880's	43267 Little Lake St.	Dwelling
119-231-01	III	126			Little Lake Street	Dwelling
119-231-02	III	127	Joe Linhares House	c1880	45141 Little Lake St.	Dwelling and Studio
119-231-05	IIa	128	Bever House	c1880	45121 Little Lake St.	Dwelling
119-231-08	IIa	129			Kasten Street	Dwelling – Rental
119-160-11	IVb	130	N/H		Little Lake Street	Baptist Church
119-160-12	I	131	Heeser's Field		Little Lake Street	Open Land
119-160-25	I	132	Heeser-McKenzie House		Little Lake Street	Apartments
119-160-31	I	133	Pete Anderson House	c1895	Lansing Street	Dwelling
119-160-23	IVb	134	N/H		45050 Little Lake St.	Cheese Shop
119-160-23	IVa	135	N/H		45080 Little Lake St.	Office Building
					Little Lake Street	Open Lot
119-160-20	IVb	137	N/H		45090 Little Lake St.	Dwelling
119-160-10	I	138	Elisha Blair House	1888	698 Little Lake Street	Dwelling
119-160-09	I	139	Albert Brown House	1880	640 Little Lake Street	Dwelling
119-160-08	I	140	Maxwell-Jarvis House	1878	45160 Little Lake St.	Apartments
119-160-07	I	141	C.O. Packard House	1878	45150 Little Lake St.	Dwelling
119-160-32	S	142	Site of Morgan-Preston House		45200 Little Lake St.	Art Center
119-160-32	IVb	142a	N/H			Art Center
119-180-07	III	143	Gordon House	1911	45300 Little Lake St.	Dwelling
119-180-06	IIa	144	Daniels House		406 Little Lake Street	Dwelling
119-180-05	I	145	Morgan-Mullen House	c1887	Little Lake Street	Room Rentals
119-180-03	IIb	146	Howard Brown House	1911	10650 Williams Street	Dwelling

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
119-160-38	IVb	147	N/H		Covelo Street	Apartments
119-160-06	S	148	Site of Mendocino First High School	1894	10700 Ford Street	High School
119-160-06	IVb	148a	N/H	1945	10700 Ford Street	High School
119-160-19	IVb	149			Covelo Street	Dwelling
119-160-22	S	150	Jailhouse Lot		Covelo Street	Open Lot
119-160-24	IIa	151	Tyrell House		10630 Lansing Street	Dwelling
119-160-18	IIa	152			Covelo Street	Dwelling
119-160-17	I	153	Jens Hansen House	c1880	45060 Covelo Street	Dwelling
119-160-16	III	154	Peirsol Hospital	c1880's	45080 Covelo Street	Dwelling - Rental
119-160-14	III	155	Goldsam House	c1870's	45090 Covelo Street	Dwelling
119-160-13	I	156	Carroll House	1878	Covelo Street	Dwelling - Rental
119-160-15	I	157	Staudacker House		Cahto Street	Vacant
119-140-27	IIa	158	Heeser's Barn		Cahto Street	Vacant
119-140-26	S	159	Site of First Saint Anthony's Church	1905	Lansing Street	Catholic Church
119-140-08	S	160	Catholic Cemetery and Veteran's Cemetery		Lansing Street	Cemetery

MENDOCINO HISTORICAL RESEARCH, INC.
INVENTORY OF HISTORIC BUILDINGS
ZONE A - HISTORIC PRESERVATION DISTRICT EAST OF LANSING STREET

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
119-250-25	S	E 1	Site of Occidental Hotel	Burned 1941	Main Street	Open Lot
119-250-26	IVb	E 2	N/H		44901 Main Street	Schlafer's Garage
119-250-27 119-250-28	I	E 3	Presbyterian Church	1867	44831 Main Street	Presbyterian Church
119-250-29	I	E 4	Cavanaugh House	c1860	991 Main Street	Dwelling and Black Bear Press
50' Street		E 5	Open Lot		Main Street	Open Lot
119-250-30	I	E 6	Len Barnard House	c1880	Main Street	Dwelling and School
119-250-31	IIa	E 7	Perry-Lyons House		Main Street	Dwelling and Inn
119-250-32	IIa	E 8	Henry R. Ferrill House		Main Street	Dwelling
119-250-33	IIa	E 9	Fraser House	1911	1061 Main Street	Real Estate Office
119-250-22 119-150-26	S	E10	Evergreen Cemetery		Main Street	Cemetery
119-150-33	IVb	E	N/H		Main Street	Carlson Art Gallery
119-250-21	I	E11	Justin Packard House	1800's	44780 Main Street	Dwelling
119-250-19	IIb	E12	Berry-Barton House		998 Main Street	Restaurant
119-250-18	IIa	E13	H	1860's	Main Street	Dwelling – Rental
119-250-15	IIa	E14	Peterson-Knacke House		44840 Main Street	Coast Health Services
119-250-37	I	E15	McCornack House	1882	Main Street	Mendocino Village Inn
119-250-11	I	E16	Lansing House	c1853	44900 Main Street	Dwelling, Duplex
119-250-07 119-250-08		E17	Open Lot		Main Street	Open Lot
119-250-04	I	E18	Switzer House		Albion Street	Sea Gull Inn (part of)
119-250-03	I	E19	Lemos Barber Shop		449 Lansing Street	Real Estate Office and Sea Gull Inn
119-250-02	IIa	E20	Site of Blacksmith		Lansing Street	Fire Department
119-250-01		E20a	Site of Gospel Hall		Lansing Street	Sea Gull Inn Restaurant
119-250-01	I	E21	Jacob Stauer House		Ukiah Street	Dwelling - David Jones
119-250-06	III	E22	Switzer-Strauss House	Moved 1893	Albion Street	Headlands Inn
119-250-11 (See E16)	IIa	E23	Wm. V. Ferrill House		Howard Street	Dwelling
119-250-09	I	E24	McCornack Hospital	c1880	Howard Street	Dwelling
119-250-10	III	E25	?		941 Ukiah Street	Dwelling and Law Offices
119-250-12	III	E26	Daniels' House		Ukiah Street	Apartments
119-250-38	IVb	E27	N/H		Ukiah Street	"The Well"
119-250-14	IIa	E28	J.D. Johnson Rental		44835 Ukiah Street	Beaujolais Restaurant
119-250-16	IIa	E29	J.D. Johnson's Barn		Ukiah Street	Store
119-250-20 119-150-25	IIa	E30	H		571 Evergreen Street	Dwelling
119-150-24	I	E31	J.D. Johnson Rental		Evergreen	Dwelling

Assessor's Parcel Number	Category	Map Number	Historic Name	Date Built	Address	Present Use
					Street	
119-150-34 119-150-35	IVb	E32	N/H		Ukiah Street	Trailers and Garage
119-150-18 119-150-19	I	E33	Bowman House	1879	Ukiah Street	Dwelling
119-150-08	I	E34	Walsh-Doolittle House		Ukiah Street	Dwelling
119-150-07	IIa	E35	J.D. Johnson-2 Rentals	c1880	Ukiah Street	Dwellings
119-150-07	I	E36	Stauer Building	1898	Lansing Street	Apartments and Offices
119-150-07	I	E37	Old Bakery Building		531 Lansing Street	Real Estate Office
119-150-07	IVb	E38	N/H		Lansing Street	Justice Court
119-150-06	III	E39	Priest's House	1866	601 Lansing Street	Office Building
119-150-04	I	E40	Mendosa's Store	1909	Lansing Street	Mendosa's Store
119-150-05	IIa	E41	Paddleford House		Howard Street	Dwelling
119-150-17	IVb	E42	N/H		Howard Street	Dwelling
119-150-16	IVb	E43	N/H		Howard Street	Pacific Telephone Substation
119-150-21	I	E44	Flanagan-Escola House	1889 |	School Street	Dwelling
119-150-22	I	E45	Packard-Johnson House		991 Pine Street	Dwelling
119-150-23	I	E46	Packard-Gibbs House	1891	44681 Pine Street	Dwelling
119-150-27	IIb	E47	H		Pine Street	Dwelling
119-140-19	S	E48	Site of Mendocino Grammar School	1885	School Street	School
119-150-38	IIa	E49	Jasperson House		650 School Street	Dwelling
119-150-11	I	E50	Henry Gorden House	c1890	School Street	Dwelling
119-150-15	IIa	E51	H		Pine Street	Dwelling - Rental
119-150-14	IIa	E52	H		Pine Street	Dwelling
119-150-13	IIa	E53	H		Pine Street	Dwelling
119-150-12	IIa	E54	H		Pine Street	Dwelling
119-150-01	I	E55	Williams House		10575 Lansing Street	Dwelling - Rental
119-150-36 119-150-37		E56	Open Lot		Little Lake Street	Open Lot
119-140-08	S	E57	Site of Saint Vincent Catholic Church	1864	Little Lake Street	Hillcrest Cemetery
119-140-09		E58	Open Lot		Little Lake Street	Open Lot
119-140-10	IVb	E59	N/H		Little Lake Street	Dwelling
119-140-24	I	E60	Spencer Hills House	1855	44900 Little Lake St.	Dwelling
119-140-13	I	E61	Joshua Grindle House	1879-85	44800 Little Lake St.	Joshua Grindle Inn

Appendix 2.

Mendocino Town Plan Visitor Serving Facilities

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Appendix 2. Mendocino Town Plan Visitor Serving Facilities.

The original 1992 allocation of 234 visitor serving facility lodging units is corrected to remove 13 residential units previously counted as VSF. The 2017 allocation of 237 visitor serving facility lodging units includes 16 guest units to be reallocated by reducing the number of Single Unit Rental/Vacation Home Rental units from 46 to 30, added to the original, corrected 221 visitor serving facility lodging unit allocation.

Visitor Serving Facility (VSF) Name	Address	1992 Allowed Units
Hill House Hotel	10701 Palette Dr	44
Heeser House	45080 Albion St	25
MacCallum House	45065 Albion St	21
Mendocino Hotel	45080 Albion St	26
Joshua Grindle Inn	44800 Little Lake St	10
MacCallum House Suites	10691 Palette Dr	5
Dougherty House	45110 Ukiah St	8
Sea Gull Inn	44960 Albion St	9
Headlands Inn	10453 Howard St	6
Whitegate Inn / Blue Door Inn	10481 Howard St	5
Sears House / Sweetwater Inn	44840 Main St	8
1021 Main Street / Allegria Inn	44781 Main St	5
Village / Didgeradoo Inn	44860 Main St	13
Nicholson House	44861 Ukiah St	-0-
* Hotels and Inns Total		185
Lockey Seaside Cottage	10940 Lansing St	3
Schrode / Mendocino Views	44920 Little Lake St	2
Cameron/ Mattos	10521 School St	2
McNamara / Packard House	45170 Little Lake St	4
Wickersham / Blair House	45110 Little Lake St	4
Friedman Village Cottages	45320 Little Lake St	3
Parsons / Langters Inn	45101 Little Lake St	2
Reeves	45141 Ukiah St	2
Blue Heron Inn	390 Kasten St	4
McElroy's Inn / Raku House	44820 Main St	4
*B Bed & Breakfast Subtotal:		30
	Total Initially Allocated	215
	Additional Available for Allocation	22
	Total Allocation of Units	237

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APPENDIX 3.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE MARINE PROTECTED AREA REGULATIONS FOR THE BIG RIVER ESTUARY (MENDOCINO ESTUARY)

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BIG RIVER ESTUARY MARINE PROTECTED AREA LIMITATIONS ON FISHING (14 CCR SEC.632(B)(1)(25))

Title 14, California Code of Regulations, Section 632. Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures. California Department of Fish and Wildlife. https://www.wildlife.ca.gov/Conservation/Marine/MPAs/Network/Title-14-Section-632**.** Accessed September 14, 2017.

(a) General Rules and Regulations:

The areas specified in this section have been declared by the commission to be marine protected areas, marine managed areas, or special closures. Public use of marine protected areas, marine managed areas, or special closures shall be compatible with the primary purposes of such areas. MPAs, MMAs, and special closures are subject to the following general rules and regulations in addition to existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b), areas and special regulations for use. Nothing in this section expressly or implicitly precludes, restricts or requires modification of current or future uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents.

(1) Protection of Resources in MPAs and MMAs, as defined in Public Resources Code Section 36710:

(A) State Marine Reserves: In a state marine reserve, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a scientific collecting permit issued by the department pursuant to Section 650 or specific authorization from the commission for research, restoration, or monitoring purposes.

(B) State Marine Parks: In a state marine park, it is unlawful to injure, damage, take, or possess any living or nonliving marine resource for commercial purposes. Any human use that would compromise protection of the species of interest, natural community or habitat, or geological, cultural, or recreational features, may be restricted by the commission as specified in subsection 632(b), areas and special regulations for use. The department may issue scientific collecting permits pursuant to Section 650. The commission may authorize research, monitoring, and educational activities and certain recreational harvest in a manner consistent with protecting resource values.

(C) State Marine Conservation Areas: In a state marine conservation area, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes except as specified in subsection 632(b), areas and special regulations for use. The department may issue scientific collecting permits pursuant to Section 650. The commission may authorize research, education, and recreational activities, and certain commercial and recreational harvest of marine resources, provided that these uses do not compromise protection of the species of interest, natural community, habitat, or geological features.

(D) State Marine Recreational Management Areas: In a state marine recreational management area, it is unlawful to perform any activity that would compromise the recreational values for which the area may be designated. Recreational opportunities may be protected, enhanced, or restricted, while preserving basic resource values of the area. No other use is restricted unless specified in subsection 632(b), areas and special regulations for use.

(2) Finfish. Finfish, for the purpose of this section, are defined as any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.

(3) Pelagic Finfish. Pelagic finfish, for the purpose of this section, are a subset of finfish defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasi*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tunas (family Scombridae) including Pacific bonito (*Sarda chiliensis*), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

(4) Access. Access into marine protected areas or marine managed areas for non-consumptive uses including but not limited to swimming, surfing, diving, boating, hiking and walking is allowed unless otherwise specified in subsection 632(b), areas and special regulations for use.

(5) Introduction of Species. Unless authorized by the commission or as a result of authorized fishing activities, the release of any fish or wildlife species, including domestic or domesticated species, or the introduction of any plant species, is prohibited. The department may reintroduce endemic species to marine protected areas or marine managed areas for management purposes.

(6) Feeding of Fish and Wildlife. The feeding of fish and wildlife is prohibited except permitted scientific collection pursuant to Section 650 or as a result of authorized fishing within state marine conservation areas, state marine parks, and state marine recreational management areas, or unless feeding of fish is specifically authorized in subsection 632(b) for purposes of marine life viewing.

(7) Anchoring. Vessels shall be allowed to anchor in any marine protected area or marine managed area with catch onboard unless otherwise specified in subsection 632(b), areas and special regulations for use. Fishing gear shall not be deployed in the water while anchored in a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall not be deployed in the water while anchored in a state marine recreational management area, state marine park or state marine conservation area. Anchoring regulations shall be consistent with federal law and allowances made for anchoring required by emergency or severe weather.

(8) Transit or Drifting.

(A) Vessels shall be allowed to transit through MPAs and Marine Managed Areas (MMAs) with catch onboard. Fishing gear shall not be deployed in the water while transiting through a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall not be deployed in the water while transiting through a state marine recreational management area, state marine park or state marine conservation area.

(B) Spearfishermen with or without catch shall be allowed to transit through MPAs and MMAs. While transiting MPAs and MMAs that prohibit spearfishing or while in possession of species not identified as allowed for take in the MPA or MMA being transited, spearfishing gear shall be in an unloaded condition, not carried in hand, and the diver shall remain at the surface.

(9) Water Quality Monitoring. Sampling of water, sediment and marine life, for water quality monitoring or pollution research, or as required in a Monitoring and Reporting Program of a National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements issued by the State or Regional Water Boards pursuant to the United States Clean Water Act and the California Water Code, is allowed within state marine reserves, state marine conservation areas, state marine parks, and state marine recreational management areas pursuant to a valid scientific collecting permit issued by the department.

(10) Public Safety. Public safety activities, including installation, maintenance and/or seasonal placement and removal of safety-related artificial structures, including but not limited to lifeguard towers, are allowed

within any MPA classification pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

(11) Tribal Take. For purposes of this regulation, “federally recognized tribe” means any tribe on the *List of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, published annually in the Federal Register. Any member of a federally recognized tribe authorized to take living marine resources from an area with area-specific take restrictions in subsection 632(b), when engaging in take within an authorized area shall possess on his person, in his immediate possession, or where otherwise specifically required by law to be kept, any valid license, report card, tag, stamp, validation, permit, or any other entitlement that is required in the Fish and Game Code, or required by other state, federal, or local entities, in order to take living marine resources. Members shall possess a valid photo identification card issued by a federally recognized tribe that contains expiration date, tribal name, tribal member number, name, signature, date of birth, height, color of eyes, color of hair, weight, and sex; and display any of the items listed above upon demand to any peace officer. Members taking living marine resources under this provision are subject to current seasonal, bag, possession, gear and size limits in existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b). No member, while taking living marine resources pursuant to this section, may be assisted by any person who does not possess a valid tribal identification card and is not properly licensed to take living marine resources. Nothing in the regulation is intended to conflict with, or supersede, any state or federal law regarding the take of protected, threatened or endangered species.

(12) Shore Fishing. Take from shore, or shore fishing, for purposes of this section, means take of living marine resources from shore, including beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore. Unless specifically authorized in subsection 632(b), no vessel, watercraft (motorized or non-motorized), or floating device may be used to assist in the take, transport or possession of species taken while shore fishing, except that a float tube or similar flotation device may be used when taking abalone only.

(b) Areas and Special Regulations for Use.

Pursuant to the commission’s authority in Fish and Game Code Section 2860 to regulate commercial and recreational fishing and any other taking of marine species in MPAs, Fish and Game Code Sections 10500(f), 10500(g), 10502.5, 10502.6, 10502.7, 10502.8, 10655, 10655.5, 10656, 10657, 10657.5, 10658, 10660, 10661, 10664, 10666, 10667, 10711, 10801, 10900, 10901, 10902, 10903, 10904, 10905, 10906, 10907, 10908, 10909, 10910, 10911, 10912, 10913, and 10932 are superseded as they apply to designations in Subsection 632(b). All geographic coordinates listed use the North American Datum 1983 (NAD83) reference datum:

...

(25) Big River Estuary State Marine Conservation Area.

(A) This area consists of waters below the mean high tide line within the Big River Estuary, eastward of a line connecting the following two points:

39° 18.134’ N. lat. 123° 47.517’ W. long.; and

39° 18.070’ N. lat. 123° 47.543’ W. long.

and westward of a line connecting the following two points:

39° 18.222’ N. lat. 123° 46.242’ W. long.; and

39° 18.150’ N. lat. 123° 46.240’ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply, with the following specified exceptions:

1. The recreational take of surfperch (family Embiotocidae) by hook and line from shore only; and Dungeness crab by hoop net or hand is allowed.

2. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations found in subsection 632(b)(25) of these regulations and shall comply with all other existing regulations and statutes:

Big Valley Band of Pomo Indians of the Big Valley Rancheria,
Cahto Indian Tribe of the Laytonville Rancheria,
Coyote Valley Band of Pomo Indians,
Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria,
Guidiville Rancheria,
Habematolel Pomo of Upper Lake,
Hopland Band of Pomo Indians of the Hopland Rancheria,
Lower Lake Rancheria,
Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria,
Middletown Rancheria of Pomo Indians,
Pinoleville Pomo Nation,
Potter Valley Tribe,
Redwood Valley Rancheria of Pomo Indians,
Robinson Rancheria of Pomo Indians,
Round Valley Indian Tribes of the Round Valley Reservation,
Scotts Valley Band of Pomo Indians, and
Sherwood Valley Rancheria of Pomo Indians.

3. Take pursuant to activities authorized in subsection 632(b)(25)(D) is allowed.

(C) Waterfowl may be taken in accordance with the general waterfowl regulations (Sections 502, 550, 551, and 552).

(D) Operation and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

Appendix 4.

California Coastal Commission Adopted Categorical Exclusion Order E-96-1 November 14, 1996

and

California Coastal Act, Chapter 7, Development Controls Article 1 Section 30610

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STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260

Th 6a

November 12, 1996

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
Steven Scholl, Deputy Director
Jo Ginsberg, North Coast District Manager

SUBJECT: Addendum to Proposed **Categorical Exclusion Order No. E-96-1 for County of Mendocino, Town Segment**
(For Commission consideration at the meeting of November 14, 1996 in San Diego)

Following discussion with the Mendocino County Planning Director, Commission staff is making some minor revisions to the recommended conditions of Mendocino County Town Categorical Exclusion Order No. E-96-1. The changes primarily affect proposed Condition No. 1, which requires the County to submit revised categorical exclusion order maps for review and approval prior to the order becoming effective. The changes allow the County to display certain limitations on the areas where the exclusion order applies as map notes rather than as mapped boundaries. The changes will speed revision of the map and implementation of the order while still providing sufficient clarity for those interpreting the revised map to understand the limitations of the categorical exclusion order. In addition, to be clearer about the contents of the proposed order, staff has integrated the categories of development proposed by the County to be covered by the exclusion order with the recommended conditions, as revised, into one final document that comprises the proposed Categorical Exclusion Order. The proposed order is attached.

If the Commission adopts the proposed categorical exclusion order, the County will need to make the necessary map revisions and adopt a resolution accepting the order. Once the County adopts such a resolution, the Executive Director will determine whether the resolution and revised map are legally adequate and report his determination to the Commission for its consideration at a subsequent meeting. By that time, Commission staff will also prepare revised findings for the Commission to review and approve to reflect the changes to the order. Once the Commission concurs with the Executive Director's determination of adequacy, and the requisite notice has been filed with the Secretary of Resources, the categorical exclusion order will become effective.

COUNTY OF MENDOCINO
TOWN OF MENDOCINO
CATEGORICAL EXCLUSION ORDER NO. E-96-1

A. CATEGORY OF EXCLUDED DEVELOPMENT.

The Commission by a two-thirds vote of its appointed members hereby adopts an order, pursuant to Public Resources Code Section 30610(e) and 30610.5(b), which excludes the following categories of development in the designated areas of the coastal zone of the Town of Mendocino (Mendocino County) from the permit requirements of the California Coastal Act of 1976. However, no development located on tidelands or submerged lands, beaches, lots immediately adjacent to the inland extent of any beach, or the mean high tide line of the sea where there is no beach and all land and water subject or potentially subject to the public trust is excluded by this order. The Commission hereby orders that the following developments within the excludable areas shall not require a coastal development permit:

SINGLE-FAMILY RESIDENCES

A. The construction of a single-family residence will be excluded from coastal development permit requirements in Historic Zone A where:

   1. a single-family residence is a principal permitted use; and

   2. the Mendocino City Community Services District has granted a groundwater extraction permit or an exemption to groundwater extraction permit requirements for the residence; and

   3. the single-family residence will be the only residence to be located on a legally created parcel; and

   4. the Mendocino Historical Review Board has approved the residence; and

   5. the residence will not be located within 100 feet of an environmentally sensitive habitat area.

B. Improvements to a single-family residence, in locations not otherwise exempted from requiring a coastal development permit under Section 13250 of the California Code of Regulations, will be excluded from coastal development permit requirements in Historic Zone A where:

   1. a single-family residence is a principal permitted use; and

   2. the Mendocino City Community Services District has granted a groundwater extraction permit or an exemption to groundwater extraction permit requirements for the improvements; and

3. the improvements would be made to a legal, conforming single-family residence; and

4. the Mendocino Historical Review Board has approved the improvements, or the improvements are exempt from Review Board approval; and

5. the improvements will not be located within 100 feet of an environmentally sensitive area.

C. The construction of a single-family residence will be excluded from coastal development permit requirements in mapped exclusion areas of Historic Zone B where:

1. a single-family residence is a principal permitted use; and

2. the Mendocino City Community Services District has granted a groundwater extraction permit or an exemption to groundwater extraction permit requirements for the residence; and

3. the single-family residence will be the only residence to be located on a legally created parcel; and

4. the residence will not be located within 100 feet of an environmentally sensitive habitat area; and

5. the improvements will not be located on an area that contains pygmy vegetation.

D. Where a parcel contains only one single-family residence, a coastal development permit shall not be required for the removal of the existing residence and replacement with a new residence where:

1. a single-family residence is a principal permitted use; and

2. the parcel is in Historic Zone A, or in a mapped single-family residence exclusion area; and

3. the Mendocino City Community Services District has granted a groundwater extraction permit or an exemption to groundwater extraction permit requirements for the replacement residence; and

4. the Mendocino Historical Review Board has approved the removal of the existing residence and the replacement residence, or the removal and replacement of the residence is exempt from Review Board approval; and

5. the replacement residence will not be located within 100 feet of an environmentally sensitive habitat area; and

6. the replacement residence will not be located on an area that contains pygmy vegetation.

WATER WELLS

When the Mendocino City Community Services District has granted a groundwater extraction permit or an exemption to groundwater extraction permit requirements, water wells shall be excluded in three cases:

a. where there are no permanent facilities for production (e.g., test wells); or

b. replacement or supplemental wells to serve an existing legal use on the property; or

c. production wells in association with single-family residences exempt under this exclusion order.

The well shall not be located within 100 feet of an environmentally sensitive habitat area.

SEPTIC SYSTEMS

The repair or replacement of existing septic systems will be excluded from coastal development permit requirements where:

a. there is an existing, legal use on the parcel; and

b. the replacement or repair will not increase septic capacity; and

c. the replacement or repair will not be located on a parcel that contains pygmy vegetation in the area of replacement or repair; and

d. the replacement or repair will not be located within 100 feet of an environmentally sensitive habitat area.

The expansion of an existing septic system is excluded from coastal development requirements where:

a. the expansion is associated with the addition to an existing single-family residence that is statutorily exempt from coastal development permit requirements, and the expansion meets all of the criteria cited above for replacement and repair except (b).

The installation of a septic system will be excluded from coastal development permit requirements where:

a. the installation is associated with the construction of a single-family residence subject to this categorical exclusion; and

b. the septic system will not be located within 100 feet of an environmentally sensitive habitat area.

BOUNDARY LINE ADJUSTMENTS

The adjustment of a lot line or boundary line as defined in Section 66412(d) of the California Government Code (Subdivision Map Act) will be excluded from coastal development permit requirements, provided that ~~the resulting parcels each have an adequate site outside any environmentally sensitive habitat area and 100-foot buffer for the eventual development of the parcels including appurtenant roads, parking, wells, septic systems, etc.~~ no portion of the adjusted boundary line or lot line is within 200 feet of the outward extent of an Environmentally Sensitive Habitat Area (ESHA), as defined above and in the County's LCP and the Town Zoning Code, or within 200 feet of the outward extent of an area of pygmy vegetation.

B. SPECIAL CONDITIONS.

LIMITATIONS OF EXCLUSION.

Pursuant to Section 30610.5, tide and submerged land, beaches, and lots immediately adjacent to the inland extent of any beach or of the mean high tide line and all lands and waters subject to the public trust shall not be excluded. Also, this exclusion shall not apply to any areas of deferred certification or to uncertified segments where the County does not have coastal permit-issuing responsibility.

1. Revised Categorical Exclusion Maps.

This Categorical Exclusion Order shall not become effective until Mendocino County has submitted, for the review and approval of the Executive Director, revised Categorical Exclusion Order maps that contain a note stating that (a) the categorical exclusion for single-family residences applies to those areas so designated on the map (the shaded Historic Zones A and B); (b) the categorical exclusion for wells, septic systems, and boundary line adjustments applies throughout the Town of Mendocino; (c) all of the categorical exclusions are subject to the critera and limitations described in the categorical exclusion order as conditioned by the Commission; and (d) none of the categorical exclusions apply in the following areas:

a. those areas that are statutorily prohibited from being exempted; i.e., tidelands, submerged lands, public trust lands/waters, beaches and lots immediately adjacent to the inland extent of any beach or mean high tide line where there is no beach;

b. those areas within 100 feet of the upland limit of any stream, wetland, marsh, or estuary, regardless of whether such coastal waters are mapped or unmapped; and

c. any areas that contain both pygmy vegetation and pygmy soils and therefore are within the Pygmy Forest Segment of the Mendocino County LCP.

2. Definition of ESHA.

The term Environmentally Sensitive Habitat Area (ESHA), as it is used in criteria governing the proposed exclusion, shall be defined consistent with the definition in Section 3.1 of the County's LUP and Section 20.308.040(F) of the County's Zoning Code, and with Section 20.608.024(C) of the Town Zoning Code, as follows:

> Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities or developments. In Mendocino County, environmentally sensitive habitat areas include, but are not limited to: anadromous fish streams, sand dunes, rookeries and marine mammal haul-out areas, wetlands, riparian areas, areas of pygmy vegetation that contain species of rare or endangered plants, and habitats or rare and endangered plants and animals.

3. Streams and Wetlands.

This order shall not apply to any development within 100 feet of the upland limit of any stream, wetland, marsh, or estuary, regardless of whether such coastal waters are mapped or unmapped.

4. Determination by the Executive Director.

This order granting a categorical exclusion for these categories of development in the Town of Mendocino shall not become effective until the Executive Director of the Commission has certified, in writing, that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the Coastal Commission regulations.

5. Exclusion Limited to Coastal Permits.

This exclusion shall apply to the permit requirements of the Coastal Act of 1976, pursuant to Public Resources Code 30610(e) and 30610.5(b), and shall not be construed to exempt any person from the permit requirements of any other federal, state, or local government agency.

6. Records.

Mendocino County shall maintain a record of any other permits which may be required for categorically exempt development which shall be made available to the Commission or any other interested person upon request.

7. Notice.

Within five working days of local approval of a development covered by this exclusion, the Coastal Commission area office and any person who has requested such notice shall receive notification of development exempted under this order on a form containing the following information:

a. the developer's name;
b. street address and parcel number of the subject property;
c. description of the development;
d. date of application for other permits; and
e. all terms and conditions of approval imposed by the local government in granting other permits.

8. Conformity with the LCP.

Development under this exclusion shall conform with the Mendocino County LCP in effect on the date of this exclusion as adopted by the Commission or to the terms and conditions of this exclusion where such terms and conditions specify more restrictive development criteria.

9. Amendment of LCP.

In the event an amendment of the Mendocino County LCP is certified by the Coastal Commission pursuant to Section 30514 of the Coastal Act, development under this order shall comply with the amended LCP except where the terms and conditions of this order specify a more restrictive criteria. However, such amendment shall not authorize the exclusion of any category of development not excluded herein, nor shall such amendment alter the geographic areas of the exclusion.

RECISSION AND REVOCATION.

Pursuant to Title 14 of the California Code of Regulations Section 13243(e), the Commission hereby declares that the order granting this exclusion amendment may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership, after public hearing, that the terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this order may be revoked at any time that the terms and conditions are violated.

9118p

PUBLIC RESOURCES CODE - PRC. DIVISION 20. CALIFORNIA COASTAL ACT. CHAPTER 7. DEVELOPMENT CONTROLS. ARTICLE 1. SECTION 30610.

30610. Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:

(a) Improvements to existing single-family residences; provided, however, that the commission shall specify, by regulation, those classes of development which involve a risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter.

(b) Improvements to any structure other than a single-family residence or a public works facility; provided, however, that the commission shall specify, by regulation, those types of improvements which (1) involve a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use contrary to any policy of this division. Any improvement so specified by the commission shall require a coastal development permit.

(c) Maintenance dredging of existing navigation channels or moving dredged material from those channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers.

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter.

(e) Any category of development, or any category of development within a specifically defined geographic area, that the commission, after public hearing, and by two-thirds vote of its appointed members, has described or identified and with respect to which the commission has found that there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast and, where the exclusion precedes certification of the applicable local coastal program, that the exclusion will not impair the ability of local government to prepare a local coastal program.

(f) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this division; provided, however, that the commission may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

(g) (1) The replacement of any structure, other than a public works facility, destroyed by a disaster. The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure.

(2) As used in this subdivision:

(A) “Disaster” means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner.

(B) “Bulk” means total interior cubic volume as measured from the exterior surface of the structure.

(C) “Structure” includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

(h) Any activity anywhere in the coastal zone that involves the conversion of any existing multiple-unit residential structure to a time-share project, estate, or use, as defined in Section 11212 of the Business and Professions Code. If any improvement to an existing structure is otherwise exempt from the permit requirements of this division, no coastal development permit shall be required for that improvement on the basis that it is to be made in connection with any conversion exempt pursuant to this subdivision. The division of a multiple-unit residential structure into condominiums, as defined in Section 783 of the Civil Code, shall not be considered a time-share project, estate, or use for purposes of this subdivision.

(i) (1) Any proposed development which the executive director finds to be a temporary event which does not have any significant adverse impact upon coastal resources within the meaning of guidelines adopted pursuant to this subdivision by the commission. The commission shall, after public hearing, adopt guidelines to implement this subdivision to assist local governments and persons planning temporary events in complying with this division by specifying the standards which the executive director shall use in determining whether a temporary event is excluded from permit requirements pursuant to this subdivision. The guidelines adopted pursuant to this subdivision shall be exempt from the review of the Office of Administrative Law and from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(2) Exclusion or waiver from the coastal development permit requirements of this division pursuant to this subdivision does not diminish, waive, or otherwise prevent the commission from asserting and exercising its coastal development permit jurisdiction over any temporary event at any time if the commission determines that the exercise of its jurisdiction is necessary to implement the coastal resource protection policies of Chapter 3 (commencing with Section 30200).

(Amended by Stats. 2004, Ch. 697, Sec. 18. Effective January 1, 2005.)

Source:
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=20.&title=&part=&chapter=7.&article=1. Accessed September 14, 2017.

Appendix 5.

Public Access Component
Detailed Access Way Aerial Maps

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Appendix 5. Public Access Component Detailed Access Way Aerial Map 5.1

Appendix 5.1. Vertical Aerial Photograph of coastal access in the Town of Mendocino, California: Mendocino Estuary Beaches west and east of the California Highway 1 Big River Bridge (constructed in 1961). Main Street extends west from Highway 1 in the upper left; Big River Road provides access from Highway 1 to the Big River Flat beach (site of the lumber mill between 1854 and the 1930's) in the lower right, to trails in the protected Big River watershed (part of expanded Mendocino Headlands State Park), and contiguous adjacent State Parks and Jackson Demonstration State Forest. Lateral public access is available along Big River Beach beneath the Highway 1 bridge; the updated Mendocino Town Plan (2015) proposes a continuous lateral upland trail in Mendocino Headlands State Park to connect Big River Beach with the State Park to the west and safe pedestrian and bikeways on Big River Bridge for enhanced access along the California Coastal Trail. Photo source: California Department of Boating and Waterways Image CDBW-BBK-C 166-13 6-13-93. Used with permission. Copyright © 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.Californiacoastline.org

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Appendix 5. Public Access Component Detailed Access Way Aerial Map 5.2

Appendix 5.2. Vertical Aerial Photograph of coastal access in the Town of Mendocino, California: Parking along westerly Main Street, blufftop and beach access paths in Mendocino Headlands State Beach, Ford House Visitor Center, westerly Big River beach at lower right Lansing Street extends north along the right side of the photograph; Kasten and Heeser Streets parallel Lansing Street to the west. North of east-west Main Street are narrow Albion Street, Ukiah Street, and Little Lake Street near the top of the photograph.. California Department of Boating and Waterways Image CDBW-BBK-C 166-13 6-13-93. Used with permission. Copyright (C) 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.Californiacoastline.org

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Appendix 5. Public Access Component Detailed Access Way Aerial Map 5.3

Appendix 5.3. Vertical Aerial Photograph of coastal access in the Town of Mendocino, California: Blufftop paths, parking, and beaches in southwesterly Mendocino Headlands State Park at west Heeser Drive (upper left-center) and west Main Street at Heeser Street (lower center). State Parks owns the rectangular parcel west of the intersection of Main and Heeser Streets, where recommended recreational upland support facilities should be located to serve the southwesterly area of the State Park. Additional public parking is recommended along westerly Main Street, lower Heeser Street, and easterly Heeser Drive, west of its intersection with Heeser Street. The peninsula at lower middle was the site of the 1850's-1930's Mendocino railroad, lumber yard, and wharves/chutes maritime shipping facility. California Department of Boating and Waterways Image CDBW-BBK-C 166-13 6-13-93. Used with permission. Copyright (C) 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.Californiacoastline.org

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Appendix 5. Public Access Component Detailed Access Way Aerial Map 5.4

Appendix 5.4. Vertical Aerial Photograph of coastal access in the Town of Mendocino, California: Paths, pocket beaches, parking areas, grass lands, and offshore islets in westerly and northwesterly Mendocino Headlands State Park. California Department of Boating and Water-ways Image CDBW-BBK-C 166-13 6-13-93. Used with permission. Copyright (C) 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.Californiacoastline.org

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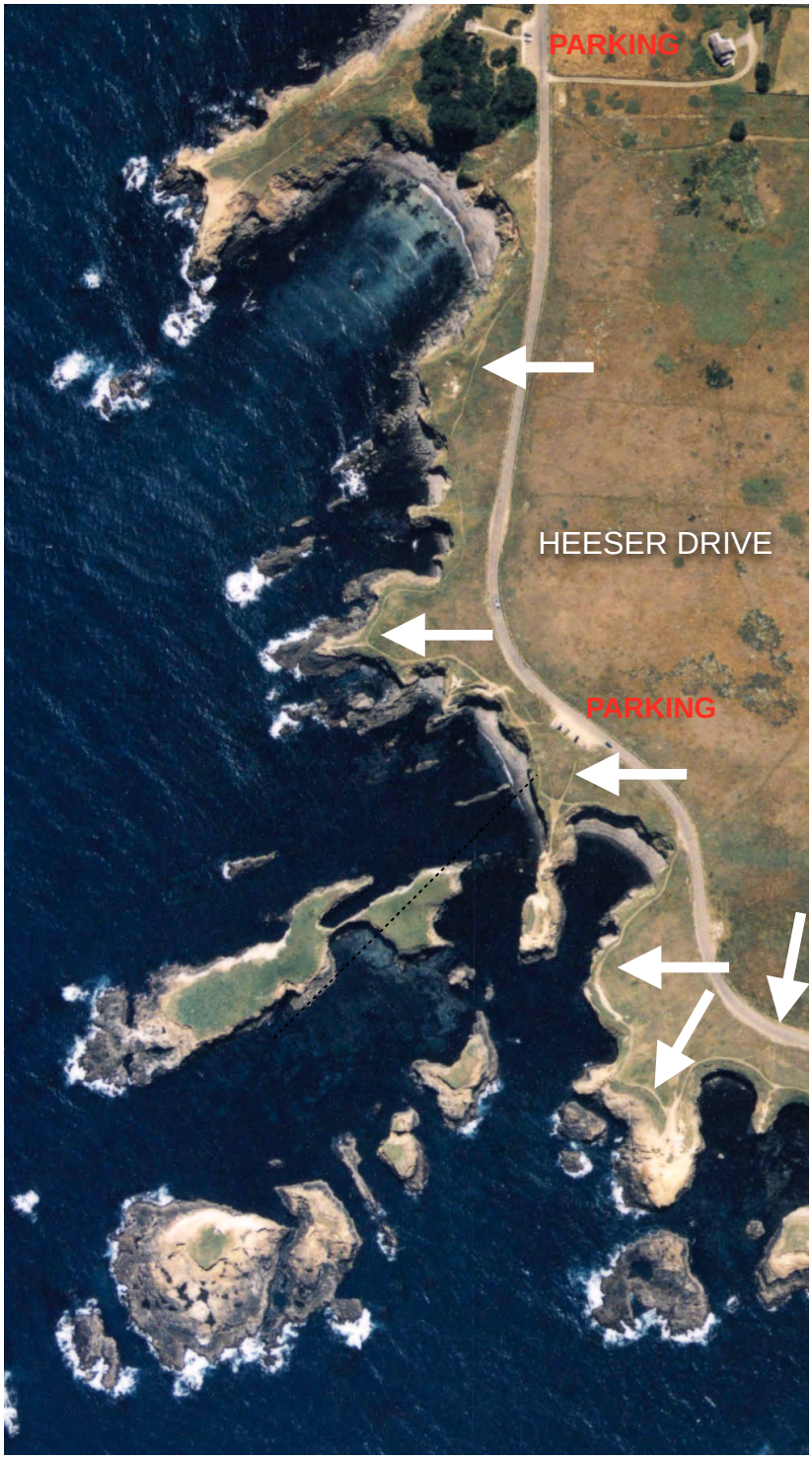
Appendix 5. Public Access Component Detailed Access Way Aerial Map 5.5



Appendix 5.5. Vertical Aerial Photograph of coastal access in the Town of Mendocino, California: Heeser Drive, paths, parking, rocky northwest-facing beach (center right), and lavatory (center right) in northerly Mendocino Headlands State Park, with offshore islets. California Department of Boating and Waterways Image CDBW-BBK- C 166-13 6-13-93. Used with permission. Copyright (C) 2002-2015 Kenneth & Gabrielle Adelman, California Coastal Record Project, www.Californiacoastline.org

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Appendix 6.

California Coastal Commission Post-LCP Certification Permit and Appeal Jurisdiction Map 32 (Excerpt) Town of Mendocino Area

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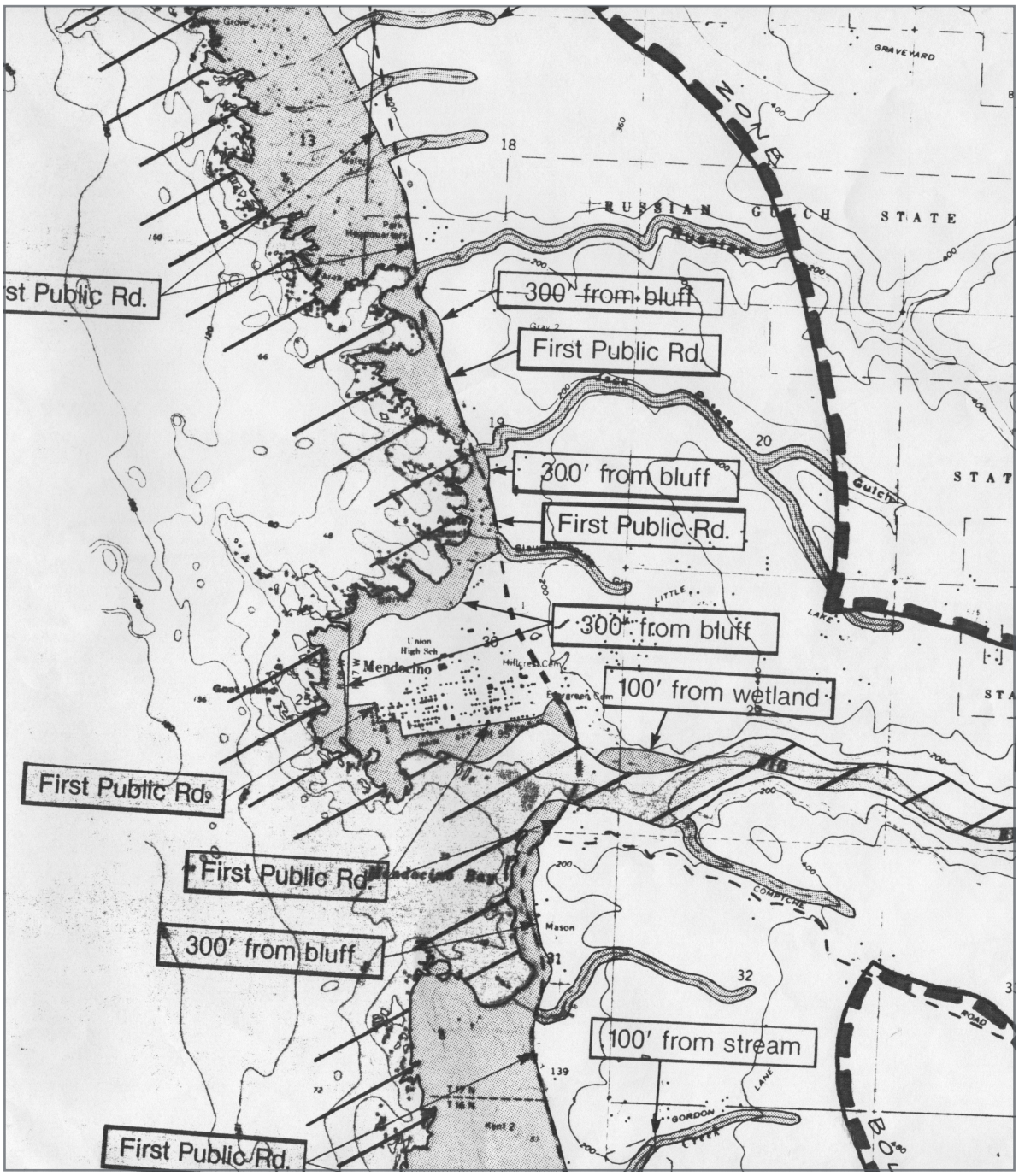
Appendix 6. California Coastal Commission Post-LCP Certification Permit and Appeal Jurisdiction Map 32 (Excerpt) Town of Mendocino Area



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Appendix 7.

Mendocino Historic Review Board Design Guidelines 1987

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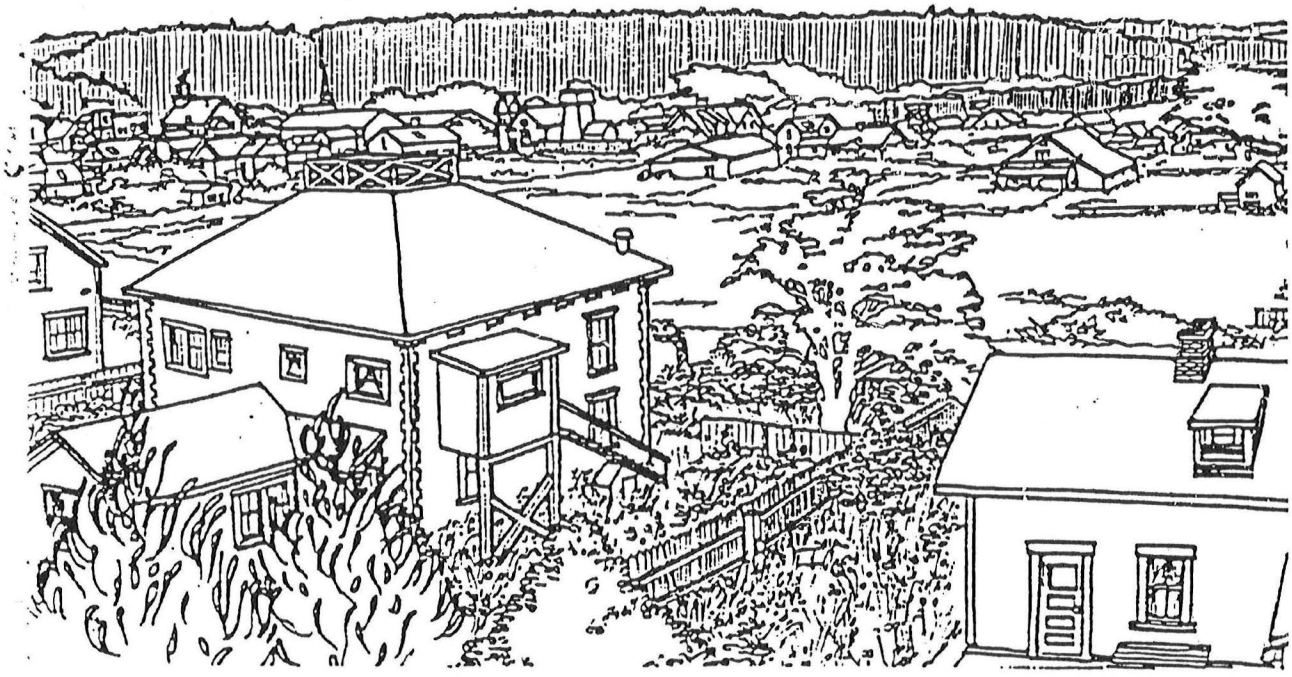
MENDOCINO HISTORIC REVIEW BOARD DESIGN GUIDELINES 1987



MENDOCINO HISTORICAL REVIEW BOARD

DESIGN GUIDELINES

TABLE OF CONTENTS

I. Statement of Intent

II. Brief History of Mendocino

III. Historic Preservation District Boundaries

IV. Historic Architectural Styles

V. General Guidelines

VI. Site Development Guidelines

VII. Structural Guidelines

VIII. Non-Structural Guidelines

IX. Mendocino Historical Review Board Procedures and Required Information

X. California Environmental Quality Act (CEQA) Considerations and Flow Chart

XI. Glossary

XII. Appendix - Mendocino Historical Preservation Ordinance No. 1057A, adopted 1973, as amended.

I. STATEMENT OF INTENT

The Mendocino Historical Review Board (MHRB) of the Town of Mendocino (appointed by the County Board of Supervisors to implement Historical Preservation Ordinance #1057A as amended) has adopted the following Design Review Guidelines in order to ensure that development, as defined, within the Town of Mendocino will be compatible with, preserve, and enhance the unique historic character and cultural resources of the community which have been recognized in Mendocino's designation as a National Historic Landmark District.

These Guidelines are based upon historic design characteristics commonly observed in Mendocino and will serve as a basis against which plans for new construction and for rehabilitation or renovation of existing structures can be judged for harmony, compatibility and appropriateness.

Supportive of this intent is Sec. 30253(5) of the California Coastal Act (1976) which cites: "New development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."

The intent of the Design Guidelines is to provide a range of design choices which will encourage development that is compatible with the existing or desired character of the area and which will discourage the introduction of incompatible elements of design or building style. Present day designs and materials are encouraged when used in a manner which is compatible with the sense of the past that is being preserved.

It is not the intent of these guidelines to return the Town to a bygone era. Nor is the intent to create an artificial atmosphere or to invite mimicry that will only caricature the past. The intent is to preserve and protect the special character and the identity of Mendocino.

Mendocino Town Plan

Design Review Standards which are not addressed in these guidelines but which are set forth in the Mendocino Town Plan, adopted by the Mendocino County Board of Supervisors, shall be the guideline criteria for determination by the Mendocino Historical Review Board within the Historic District as defined in Ordinance 1057A as amended.

II. BRIEF HISTORY OF MENDOCINO

Native inhabitants - Pomo Indians

1850 - William Kasten, reportedly a lone survivor of a ship wreck, builds shelter.

1851 - Kasten files notice of pre-emption for area that was to become Mendocino.

- Ship with valuable cargo of oriental silk is lost off Cabrillo Point.

- Salvage party comes by ship and discovers virgin forest of redwoods.

1852 - Word of redwoods reaches San Francisco.

- Company of men arrive by ship and overland with equipment to build first lumber mill on headlands.

1854 - Mill is moved from hostile headlands to flats of Big River.

1860 - Population, 150 (about 300 Indians still live one mile east of mill area and as many as 3,000 from south of Noyo River to north of Ten Mile and a few miles inland).

1863 - Mill is destroyed by fire but rebuilt.

1865 - Population, 700

1869 - Plat of town is surveyed and recorded.

1870 - Fire destroys 25 buildings, all west of Kasten (started in hotel).

- To date, 30 ships lost to circumstances of operating in remote, hostile coast area.

1880 - Population, 3,100

- Most of the large homes already built.

1930's Mill operations cease after 7 billion feet of redwood processed since 1853.

1959 - Art Center is founded.

1970 - Vote to incorporate - failed.

1972 - Proposition 20, the California Coastal Zone Conservation Act, is passed by voters.

- Portion of Mendocino Headlands is acquired by Department of Parks and Recreation.

1973 - Mendocino becomes a Historic Preservation District of the National Register.

- Mendocino Historic Review Board is formed.

1976 - California Coastal Act legislation mandates coastal plan for California to come from counties and cities with the "widest opportunity for public participation" possible.

- Mendocino is designated as "special community" within the Coastal Commission planning and zoning.

1980 - Citizens Advisory Committee completes the Mendocino Town Plan as mandated by the Coastal Commission after three years of citizen input and corroboration with County and independent planners.

- Advisory vote on Incorporation - failed

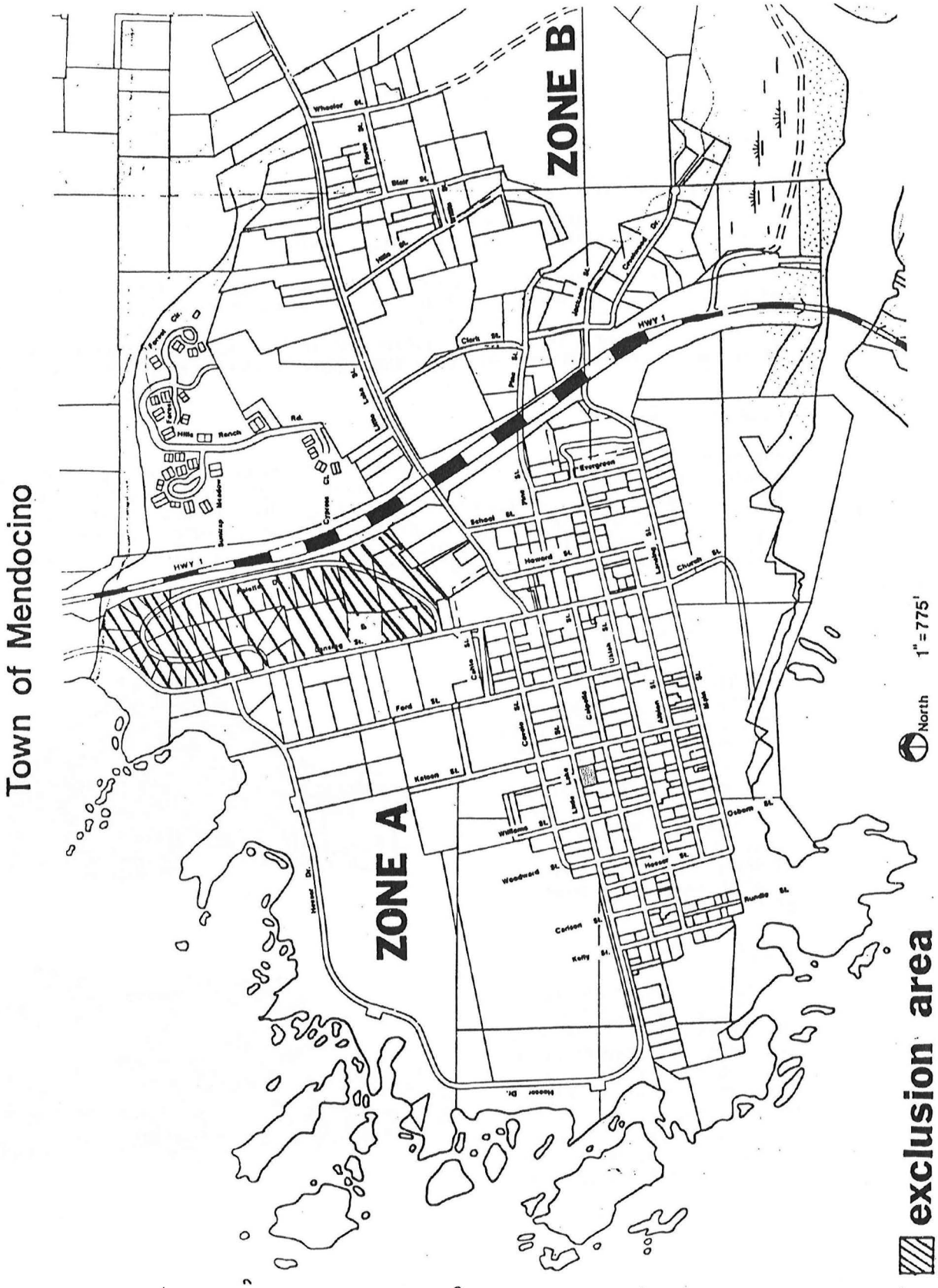
1982 - Vote to incorporate - failed

1983 - County Board of Supervisors adopted Mendocino Town Plan

1985 - California Coastal Commission certified Mendocino Town Plan

III. HISTORIC PRESERVATION DISTRICT BOUNDARIES

The Historic Preservation District is that area as shown on the following map:


Town of Mendocino
ZONE A
ZONE B
HWY 1
Ford St.
Kelloon St.
Lansing St.
Church St.
Evergreen
School St.
Howard St.
Clark St.
Williams St.
Woodward St.
Carlson St.
Kelly St.
Osborn St.
Rundle St.
Hesser St.
Hesser Dr.
Howard Dr.
Main St.
Lake St.
Little Lake St.
Albion St.
Calpella St.
Cypress St.
Cypress Ct.
Hills Ranch Rd.
Forest Ct.
Whalen St.
Blair St.
Hills St.
Pine St.
Jacksons Dr.
Crestwood Dr.
North
1" = 775'
exclusion area

IV. EXAMPLES OF HISTORIC ARCHITECTURAL STYLES

Residential Area:

Mendocino homes accurately reflect the diversity of architecture in the latter half of the 19th Century. New construction within the Historic District should reflect the scale, continuity, and texture of the historic structures without duplicating these exact styles.

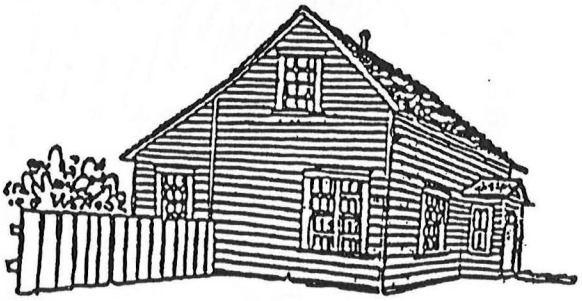
All the houses are not described here. There are, however, a few simple guidelines which can be used when looking at Mendocino structures. The architecture of the town has been called "victorian" but the term indicates a period rather than a style. The "Victorian" era saw many styles or combined styles which are described herein as they apply to the Mendocino Preservation District.

Commercial Area:

The existing historic structures in Mendocino's commercial area represent all combinations existent in the residential area. Like many business districts in other lumber towns, it was partially destroyed by fire but a variety of historic styles has survived to the present to serve as guidelines for neighborhood compatibility and community ambience through site development, scale and building design for the future.

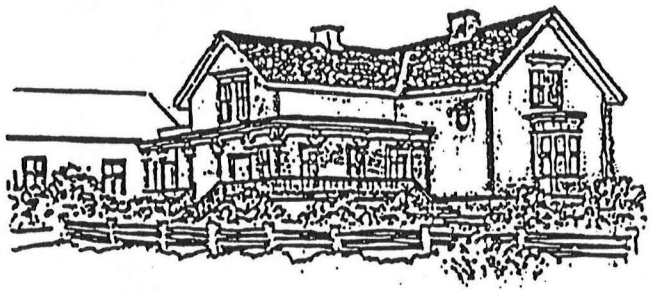
New England "Salt Box"

Mendocino's lumber camp period was characterized by the construction of simple wooden structures which were more or less temporary. These houses can still be recognized by their steep, central gable roofs and horizontal covering of clapboard. A salt box variation to these homes consisted of adding another slanted roof to the lower end of the existing roof.

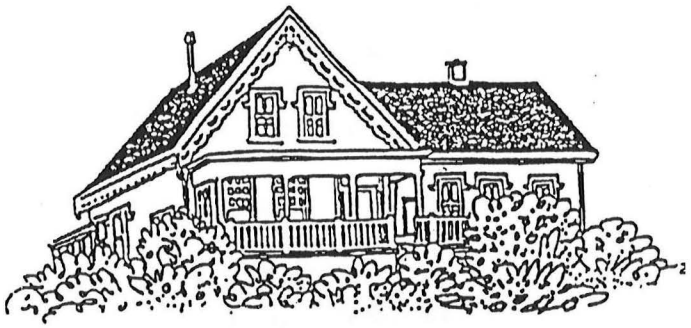


Gothic Revival

As the town prospered, the erection of more permanent structures began. These structures are characterized by steep gable roofs, bay windows, wide horizontal clapboard siding and cut out trim known as carpenter's lace. These larger houses were sometimes embellished with large



porches supported by wooden posts and brackets which were shaped like scrolls or volutes. The placement of other pierced curvalinear ornament under the eaves of roofs created a gingerbread look on some homes.

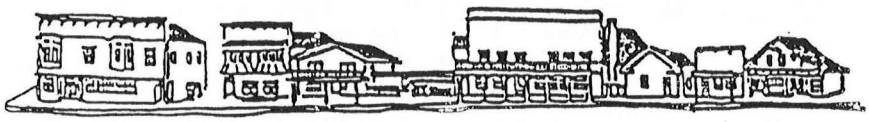


Italianate

The Italian box style of architecture is also to be seen in Mendocino. These rectangular homes are characterized by hipped roofs and ornamental brackets under the eaves. However, the presence of multiple bay windows illustrates a combination of styles rather than an authentic design.

Vernacular

Commercial structures, as with residential, began with rough cut lumber. However, as the town grew, these original rough buildings were either demolished or covered over by clapboard and/or decoratively shingled false fronts for which western architecture is so noted. These buildings were termed vernacular which indicates that local custom and materials took precedence over any particular architectural style. They were simple structures with large show windows on the bottom floor for the shops, and long narrow windows upstairs for living quarters or offices. Some embellishments were added in the way of paint trim, brackets, cornices, dentils, etc. (See illustrated Glossary).



V. GENERAL GUIDELINES

Improvements regulated by Ordinance (see Section F-20-115 of the Mendocino County Code for further clarification):

Zone A

Demolition or removal of structures; all new construction, remodeling or alteration of exteriors; outdoor advertising signs, or construction of any outdoor display of materials for sale, indoor lighting designed to be seen from outside the structure, outdoor lighting; excavation or deposit of material on land in such a manner as to materially alter the existing contour or condition of the land, including leveling, grading piling or paving; painting of exteriors; and public utility poles.

Zone B

Construction of any structure, or portion thereof, requiring a building permit; commercial signs or commercial lighted device; or construction of utility poles; capable of being seen by a person standing on any point in Zone A.

Note: Those improvements which are not capable of being seen by any person standing on any point in Historic Zone A require a letter of clearance from the Mendocino Historical Review Board prior to obtaining building permits.

Historic Structures

Historic structures may utilize the State Historic Building Code as an alternative to the Uniform Building Code. Historic structure is defined as any structure deemed of importance to this history, architecture, or culture of an area by an appropriate local or state government jurisdiction. (Health and Safety Code Section 18955) This alternative code may aid owners in cost effectiveness of repairs, alterations or additions while maintaining the historic quality of the structure.

VI. SITE DEVELOPMENT GUIDELINES

The Historic District has a rectangular block pattern with narrow edges of property lots facing the street. The key design element is the diversity of structures. The major or primary facade of new buildings should be oriented toward the street and should be aligned parallel to the neighboring structures.

Property Line Setbacks: Setbacks as required by County Code (Ord. 359, Section 39.01, adopted 1956) do not necessarily contribute to historic preservation and applicants may find it necessary to apply for variances in order to meet MHRB approvals. (It is anticipated that the town zoning ordinance to implement the town plan will greatly reduce the necessity of obtaining a variance.)

1. Residential: Setbacks and placement of structures on site should conform to those on the block front.

2. Commercial: Buildings should form a continuous facade along the property line adjacent to the major street.

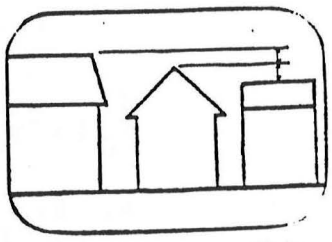
3. The orientation, setback, alignment, spacing and placement of a building on site will be considered with special consideration given to the retention of natural topography and vegetation. All structural landscape elements and fences will be considered.

VII. STRUCTURAL GUIDELINES

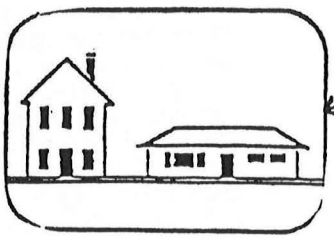
BUILDING DESIGN

Forms, materials, textures and colors shall be in general accord with the appearance of structures built in Mendocino prior to 1900. To this end, they shall be in general accord with the designs as exemplified, but not limited to, those depicted in the photographs contained in "Exhibit B", a book of photographs which is incorporated herein by reference and is available for public inspection through the Clerk of the Mendocino Historical Review Board. This section shall not be interpreted as requiring construction to be with the forms, materials, textures, colors or design as used in Mendocino prior to 1900, but only that the proposed work be compatible with and not in disharmony with the architectural standards herein expressed (Sec. 20-119a).

1. Scale and Proportion: The height, width and general proportions of a building shall conform with other buildings in the surrounding neighborhood. Ratio of wall surface to openings, and the ratio of width and height of windows and doors shall also be consistent with the surrounding neighborhood. Secondary buildings shall not overwhelm the primary structure on the lot.



2. Vertical Emphasis: The structures of the Historic District are definitely vertical in appearance. This appearance is created by the general proportions of door and window openings. Buildings should be of a vertical appearance.

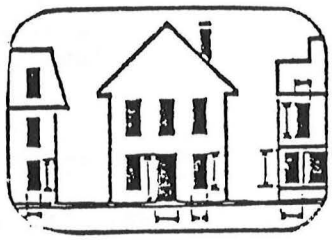


3. Exterior Building Materials:

The Historical Review Board favors the use of natural materials. These include Lap siding, V-rustic, T & G, ship-lap siding, Ansac, wood shingles and vertical Board and Batten.

Imitation or synthetic materials, such as aluminum or vinyl siding, imitation stone, imitation brick and "Rustic", used brick, plastic, laminated beams and laminated wood panels, concrete block, stucco, asbestos or asphalt shingles or panels, and plywood panels shall be deemed inappropriate. Painting of new structures is encouraged.

4. Windows and Doors: The proportions and relationships between windows and doors, and of each to the structure as a whole, shall be compatible with the architectural style and character of landmark structures, and with surrounding structures within the Historic District. Metal or plastic frames are not acceptable. Shutters should be inconspicuous as possible. Raw alluminum combination storm windows or doors and plastic contemporary coverings are not acceptable. Windows and doors may have accent ornamentation when it is integral to the building design.

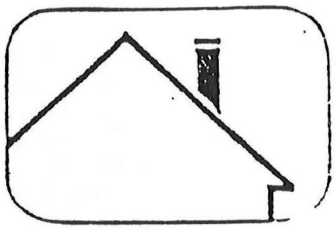


a. Residential: Windows are typically tall, double hung, wood frame windows. Dormers, oriel bay, bow and small accent windows are common. Wood panel and wood carved doors are appropriate. Single pane picture windows, horizontal awning windows, sliding windows and windows with horizontally oriented panes are not appropriate. Metal doors and sliding glass doors are unacceptable.

b. Commercial: Display windows are appropriate on the ground floor. Upper story windows should be vertical. Doorways may be recessed.

5. Foundation Walls: In general, the maximum exposure should be ten (10) inches. Exposed foundation walls above ten (10) inches should be of stone face or wood and should be inconspicuous as possible.

6. Roof Form: The design line created by the shape of the roof shall constitute the roof form. The design of the roof shall be compatible with the architectural style and character of the subject structure and shall not detract from landmark structures and surrounding structures in the district. Designs deemed inappropriate include, but are not limited to: low gable, shed, vaulted, domed, free form, A-frame and geometric shape. Shed roofs may be used for small additions. All roofs shall have appropriate over-hangs.

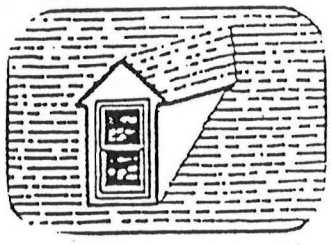


a. Residential: Hip, mansard and high pitched gable roofs are acceptable for main structures with lesser pitch common for porches or additions. Gable end roofs should face the street.

b. Commercial: Roofs may be hipped, mansard or gable. False front in combination with hipped or gable roofs are acceptable where appropriate.

c. Roof Materials: Any roofing material must be compatible with surrounding buildings. Wood materials are encouraged. Asphalt shingles are allowed but are not encouraged. Roll roofing, built up, tar and gravel, plastic or other glass fiber roofing materials are not appropriate. On flat roofs which are not visible from public areas, roof materials may be of any type which conforms to the building and fire codes of the town.

7. Architectural Features: Balconies, decks, covered porches, decorative shingles, bracketed eaves, columns, balustrades, towers, turrets, skylights and arches are among the details to be considered. All features and details should be in proportion with the building. The use of historic details on contemporary structures would only be included where they are appropriate to the building design. Use of metal, fiberglass or plastic awnings is not acceptable.



On historic structures, architectural features should be preserved and restored whenever possible. New construction should use architectural embellishments only where integral to the building design.

RECONSTRUCTIONS:

Reconstruction in the Historic District is encouraged and will be considered if sufficient historical data and expertise can be demonstrated to insure the integrity of the building.

FENCES AND WALLS:

Fences should be made of wood, iron, stone or plant materials. Solid wood fences are discouraged except where they are necessary for screening parking and storage. Retaining walls should be of wood, dry stone and stone masonry. Logs and railroad ties may be used on a limited scale provided that the horizontal method of construction is utilized.

Chain link or metal fences, concrete block, plastic, fiberglass or plywood fences are not acceptable. Concrete or smooth concrete block are not acceptable.

SIDEWALKS AND DRIVEWAYS:

Where walkways and driveways are necessary, brick, flagstone, board, grass and gravel are appropriate. Asphalt and concrete are generally not acceptable. Major coverage of front yard setbacks is not acceptable.

OTHER STRUCTURES:

No mobile home, trailer, or camper homes, shall be constructed, maintained or installed in any portion of the Historical District without prior approval by the Review Board (see Section F-20-117 of the Mendocino County Code for further clarification).

VIII. NON-STRUCTURAL GUIDELINES

SIGNS AND LIGHTING:

1. Lighting: Outdoor lighting as defined in Sec. 20-126 is regulated by these Guidelines. If sign lighting is required, it shall be indirect, low key, and restricted to business hours only, and shall not create a glare or reflection onto adjacent properties or public streets. Neon lighted signs are prohibited. Indoor lighted signs visible to the public from outside the building are subject to the approval of the Mendocino Historical Review Board.

2. Signs:

(a) Signs should be made of wood.

(b) Only one sign will be allowed per business when one sign will suffice.

(c) Use of a "directory" type sign is recommended for buildings containing more than one business and using a common entrance.

(d) Size, design, and location of sign shall be in harmony with the building and surrounding buildings.

(e) Signs shall not block public views or lines of sight. Signs flush to building are preferable; signs perpendicular to building are permitted under special circumstances.

(f) Signs advertising businesses outside of the Historic District or advertising local businesses not located on the same property are prohibited.

DEMOLITION

Demolition of any structure within the Historic Preservation District shall require approval of the Mendocino Historical Review Board prior to demolition. Structures include housing, garages, commercial buildings, outbuildings, water towers, fencing, signs, etc.

UTILITY SERVICES

1. All utility installations on new construction should be placed underground.

2. Any utility installation remaining above ground, such as pad mounted transformers, should be integrated into the architecture or landscaping of the project and be compatible with the structure and surrounding neighborhood.

3. Installations should be effectively screened from public view wherever possible.

SERVICE AREAS

1. All trash/waste pickup areas shall be effectively screened from public view with vegetation landscaping, fencing, etc., and shall adhere to public health and safety codes.

2. All trash/waste pickup areas shall be easily accessible to commercial carriers and as far removed from occupied or heavily traffic areas as possible.

EXTERIOR PAINTING

Repainting or routine maintenance in the same basic shade or color is permitted without prior approval. Painting of the exterior of new construction, or repainting existing structures that involves a change in color scheme requires Review Board approval.

DUTY TO MAINTAIN

All buildings and structures of historic significance, (as described in the Inventory of Historic Buildings, Appendix 14, "Historic Structures" of the Mendocino County Local Coastal Plan dated August 17, 1983, as amended) in the Mendocino Historic Preservation District should be preserved against decay, deterioration, and structural defects.

It should be the responsibility of the owner or other person(s) having legal possession and control of such buildings and structures to ensure there is reasonable care, maintenance and upkeep appropriate for the preservation, protection, enhancement, re-habilitation, reconstruction, and perpetuation consistent with the intent of Mendocino Historical Preservation District for the Town of Mendocino, (MCC Art. XLII, as amended).

DEMOLITION BY NEGLECT

Failure of a property owner to reasonably maintain any structure against deterioration may not be construed as sufficient grounds for a demolition permit and new construction. The primary purpose of the historic district is preservation of historic structures.

PARKING, ACCESS AND EGRESS

Objective: to retain the quality and historic aspect of the town of Mendocino while addressing the needs of modern day transportation.

1. Residential Parking: Unobstructed spaces or areas within the boundaries of a parcel intended for use by occupants of the structure shall not be located in any front or side yard facing street. Residential parking areas shall be effectively screened with material appropriate to the Historic District.

2. Commercial Parking: Any unobstructed space or area within the boundaries of a parcel intended to accommodate visitors, customers, clientele, etc. utilizing adjacent services.

a. Development of off-street parking lots (areas in which four (4) or more vehicles are parked) are deemed inconsistent with historic preservation and shall be unacceptable.

b. Location and number of driveways from public streets shall be designed to reduce visual impact of vehicles while providing for the safety of the public.

c. Surfacing shall be limited to gravel or turfstone. ACP overlay, chip seal and paving is unacceptable. (turfstone: a permeable surface for walkways, patios, parking areas, etc., consisting of a layer of interlocking concrete blocks containing holes which are filled with sand or soil and seeded with grass or other ground cover.)

SOLAR ENERGY AND WIND DEVICES

Where solar energy is to be used as a primary or supplementary source of heat or other energy, solar collection devices should be located on the rear or other non-public sides of a building, or on roof surfaces which are not visible from adjacent streets or other public areas in town. Solar collection devices which are not attached to the building should be located only in the side or rear yards.

OTHER MECHANICAL EQUIPMENT

To minimize the impact of mechanical equipment on the appearance of the building and the community, window air conditioning units or condenser elements should not be located on the facades. Antennas shall be located where they are not visible on the primary facade. Mechanical equipment on the ground shall be housed in a structure which is in harmony with the surroundings. Mechanical equipment attached to the side of a building, shall be properly screened. Mechanical equipment attached to a roof is not appropriate and strongly discouraged.

IX. REVIEW BOARD PROCEDURES AND REQUIRED INFORMATION

All persons desiring to construct, demolish, move or in any way alter the exterior of a building or property, must obtain formal approval from the Mendocino Historical Review Board. Routine maintenance activities such as repainting with same color, re-roofing with same materials and color, or reconstruction of existing deteriorate building elements do not need approval. Wood fences under six feet do not need approval, but all other fences, structural landscape elements and signs do need approval. In no event will a person be excused for not having obtained approval before beginning construction. Approvals representing a final paint color, architectural details, fencing, etc., shall be completed as applied for prior to the Building Department's approval. The approval is valid for one year and evidence of such approval must be presented to the Mendocino County Building Department when applying for permits.

Public hearings are held the first Monday of each month.

Applications must be submitted no later than twelve (12) days, (Wednesday Noon to the Department of Planning & Building Services, 153 W. Spruce Street, Fort Bragg) before each public hearing.

"Structural" and "Signs and Lighting" application forms contain detailed requirements for submission.

Appeals: Decisions of the Mendocino Historical Review Board may be appealed to the County Board of Supervisors in writing within ten (10) days of a decision. An appeal fee is required.

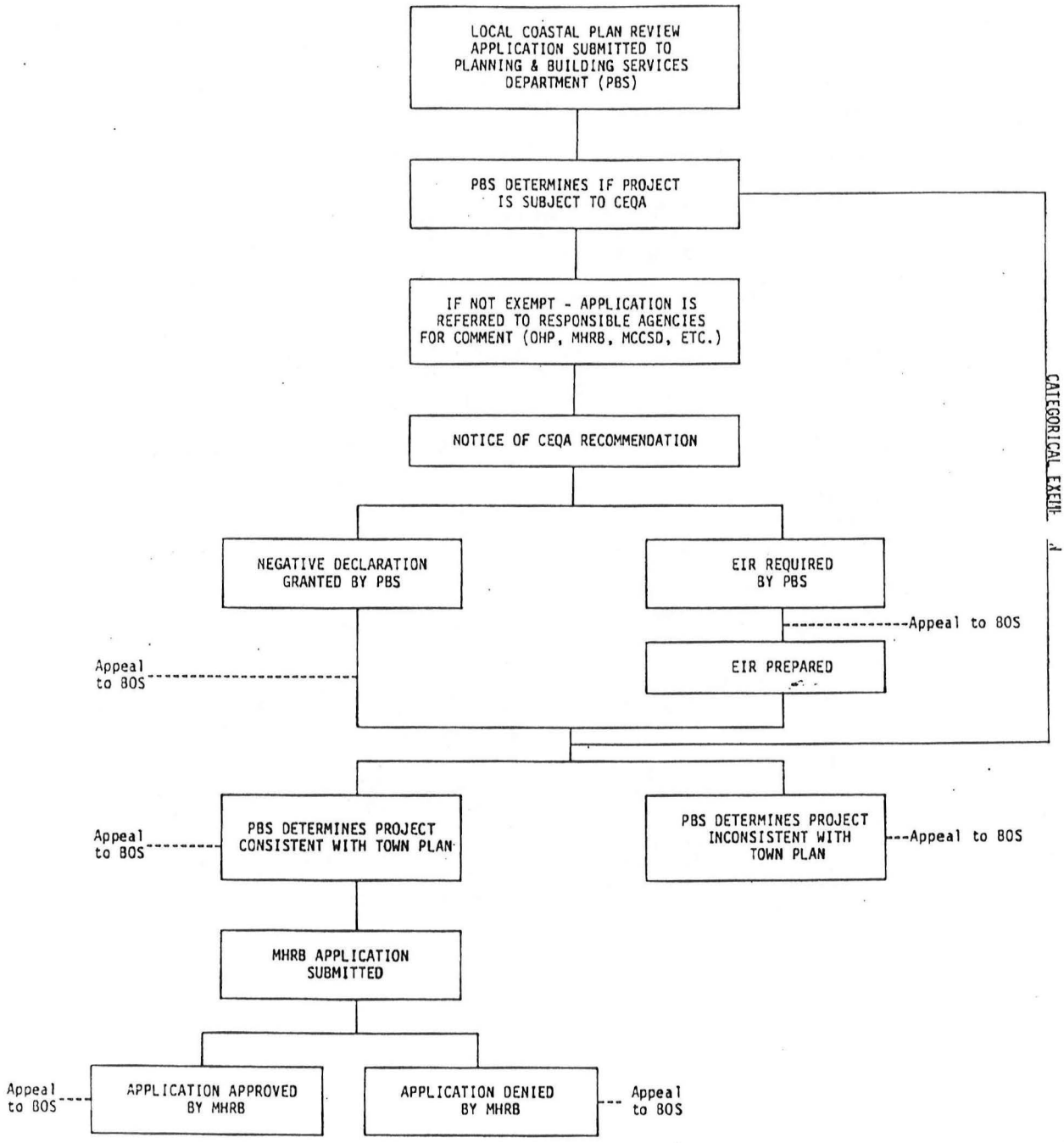
Findings: (Sec. 20-123) The Mendocino Historical Review Board may not approve, or conditionally approve, any application for proposed work unless it affirmatively finds:

(a) That the exterior appearance and design of the proposed work is in harmony with the exterior appearance and design of existing structures within the District and the existing subject structure;

(b) That the appearance of the proposed work will not detract from the appearance of other property within the District;

(c) And, if the proposed work consists of alteration or demolition of an existing structure, that such work will not necessarily damage or destroy a structure of historical, architectural or cultural significance.

PROJECT REVIEW
TOWN OF MENDOCINO*



* This specific procedure is not applicable if the Town Plan describes the proposed project as a "Conditional Use."

XI. GLOSSARY

BALUSTER: A small column supporting a handrail. A series of such is called a balustrade.

BARGEBOARD: Projecting boards placed against the incline of the gable or a building and hiding the ends of the horizontal roof timbers. Often carved or decorated.

BAY WINDOW: A projecting bay with windows that form an extension to the floor space of the internal rooms. On the outside the bay should, properly, extend right down to ground level - as opposed to an Oriel window, which emerges from the building somewhere above ground level; the two terms, however, are frequently confused.

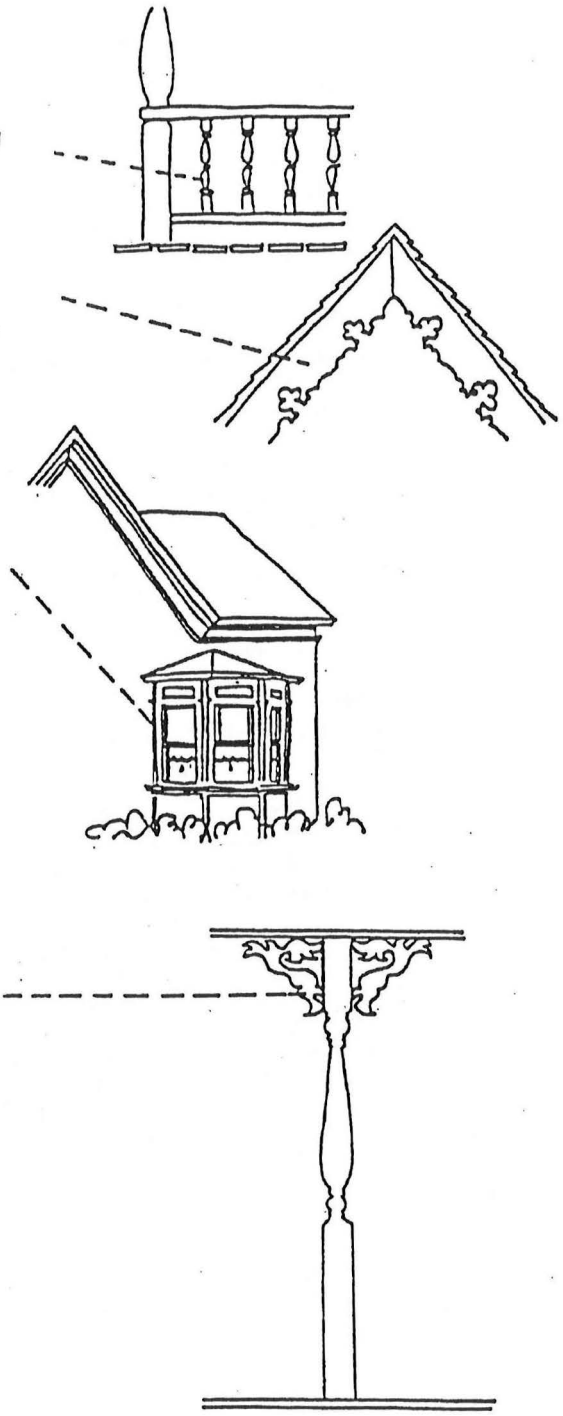
BEAM: A large horizontal structural member, usually of wood or metal, that spans between columns or supporting walls.

BOW WINDOW: A curved bay window taking the form of a segment of a circle in plan.

BRACKET: A small supportive member used to carry a projected weight; made of either stone, wood, etc. Frequently takes the form of scrolls or volutes.

CAPITAL: The head of a column.

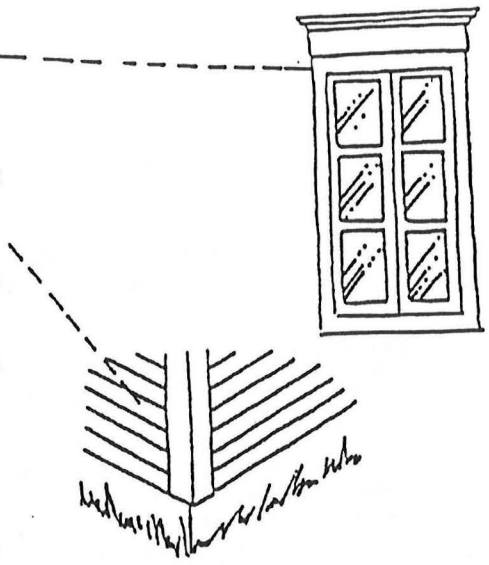
CASEMENT: 1) The hinged part of a window attached to the upright side of the window-frame. 2) The wide concave molding in door and window jambs.



CASEMENT WINDOW: A metal or a wooden window with the sash hung vertically and opening outwards or inwards.

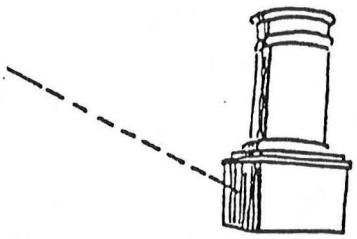
CLAPBOARDS: Narrow, horizontal, overlapping wooden boards that form the outer skin of the walls of many wood frame houses.

CLASSICAL: A term used to describe the architecture of ancient Greece and Rome and, also, more loosely, the later styles based on it. (See also Orders). These later styles would include all the work of the Renaissance period in Europe and its later offshoots such as Georgian, Federal, Greek Revival, Renaissance Revival, Italianate, French Second Empire, and so forth.



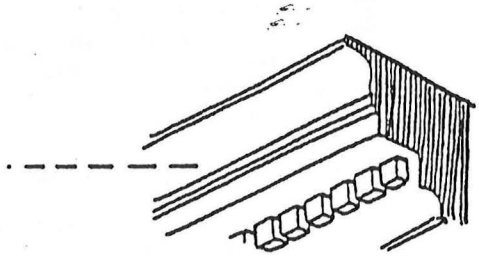
COLONETTE: A small, usually stocky, column.

COLUMN: A vertical shaft or pillar that supports, or appears to support, a load.

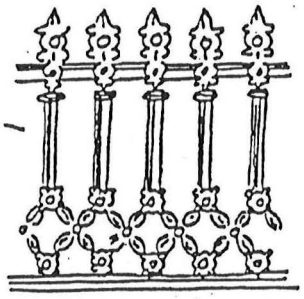


CORNER BOARD: One of the narrow vertical boards at the corner of a traditional wood frame building, into which the clapboards butt.

CORNICE: The horizontal member along the top of a building (typically molded ornamentally and projecting) which visually finishes it or crowns it. Any continuous molded and projecting cap to a window or door. Also, internally, a molded transition between wall and ceiling.

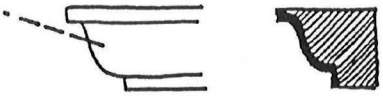


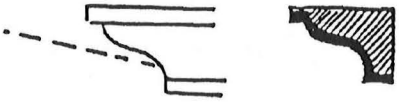
CRESTING: An ornamental finish along the top of a screen, wall or roof, usually decorated and sometimes perforated. It is normally made of cast iron, wrought iron, or scroll cut wood.



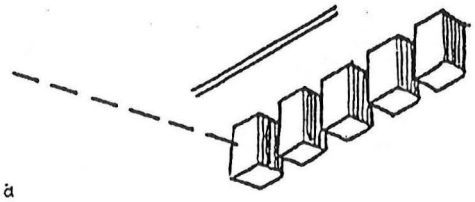
CYMA RECTA: A double-curved molding, concave above and convex below. Also called an ogee molding. The ends of the curves are tangent to the side of the molding.

CYMA REVERSA: A double-curved molding, convex above and concave below. Also called a reverse ogee molding. The ends of the curves are perpendicular to the line of the molding at the top and the bottom.

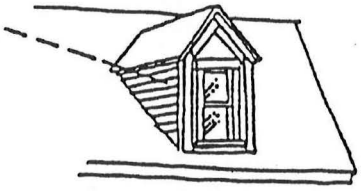




DENTIL: One of a series of small rectangular blocks, similar in effect to teeth, which are often found in the lower part of a cornice.



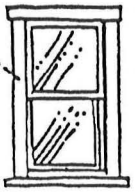
DORMER WINDOW: A window placed vertically in a sloping roof with a roof of its own. The name derives from the fact that it usually served as sleeping quarters.



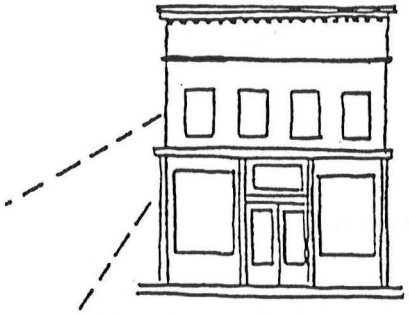
DOUBLE HUNG WINDOW: A window with an upper and lower sash which move vertically, up or down, by-passing each other.

DRIPSTONE: A projecting molding over the top of windows and doorways to shed rain.

EAVE: The underpart of a sloping roof projecting beyond the outer surface of the supporting wall.

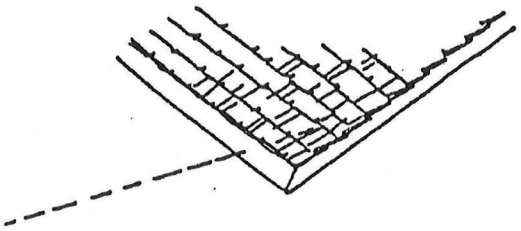


ELEVATION: A mechanically accurate, "head-on" drawing of a face of a building or object, without any allowance for the effect of the laws of perspective. Any measurement on an elevation will be in a fixed proportion, or scale, to the corresponding measurement on the real building.



FACADE: The face or external membrane of a building. The elevation of a building.

FALSE FRONT: A number of frontier commercial buildings have front facades which extended one or two stories above the actual roof line. These facades which often held windows, and which were often topped by a projecting cornice were known as false-fronts. Their purpose was to disguise the one-story structure behind and to remind the residents of cities they had left behind "back east."



FASCIA: A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or "eaves," sides of a pitched roof. The rain gutter is often mounted on it.

FENESTRATION: The arrangement of windows in a building.

FRAME CONSTRUCTION: A building made primarily of vertical wood members (studs) covered with an outer skin of siding. (The most common means of construction on the town's historic buildings).

FRIEZE: A dividing line or band.

GABLE: The portion, above eaves level, of an end wall of a building with a pitched or gambrel roof.

GABLE APRON: Usually a triangular piece filling the upper portion of the gable as an extension of the bargeboard.

GABLE ROOF: A roof having a gable at one end or both ends.

GAMBREL ROOF: A roof which has two pitches on each side.

GINGERBREAD: Pierced curvelinear ornament, executed with the jigsaw or scroll saw, under the eaves of roofs. So-called after the sugar frosting on gingerbread houses.

HIP ROOF: A roof which slopes upward from all four sides of a building.

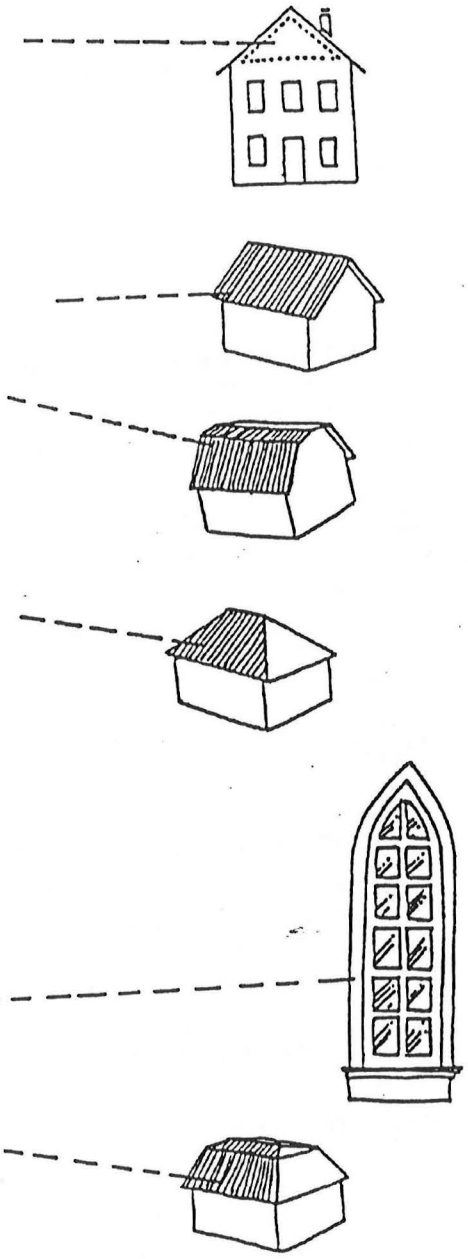
JAMB: The vertical sides of an opening - usually for a door or window.

JOIST: One of the small horizontal wood beams that support the floors or ceilings of a house and spanning between supporting walls or larger wood beams.

LANCET WINDOW: A slender, sharply pointed, gothic arched window much used in the early thirteenth century.

MANSARD ROOF: A roof having a double slope on all four sides, the lower slope being much steeper.

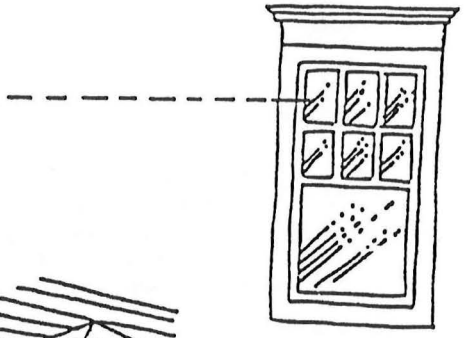
MASONRY: Exterior wall material, such as brick or stone, which is laid up in small units.



MOLDING: A decorative band or strip of material with a constant profile or section designed to cast interesting shadows. It is generally used in cornices and as trim around window and door openings.

MULLION: A major vertical divider in a window or between windows.

MUNTIN: A vertical or horizontal member which subdivides the window into different numbers of lights. The window shown at the right is called a six-over-one (6/1) because the upper sash is divided into six lights by the muntins.



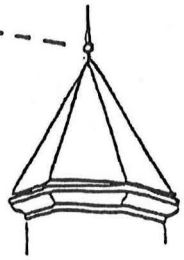
ORIEL WINDOW: a bay window which begins on the second story of a building.

OVOLO MOLDING: A wide convex molding, sometimes called a quarter round.

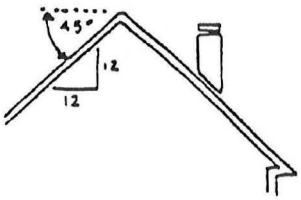
PANE: A subdivision of glass within a window.

PEDIMENT: A low-pitched gable above a portico, formed by running the top member of the entablature along the sides of the gable; also a feature above doors and windows. It may be straight-sided or curved segmentally.

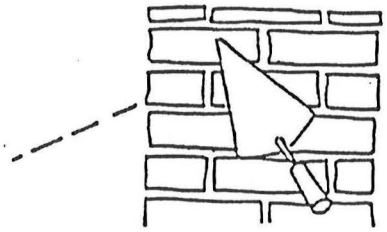
PINNACLE: An upright, usually pointed, termination used for decorative purposes.



PITCH: The degree of slope of a roof.



PLAN: A drawing representing a downward view of an object or, more commonly, a horizontal section of it. In the case of a floor of a house, it will show the disposition of the walls, partitions, rooms, doors, windows.



POINTING: The outer, and visible, finish of the mortar between the bricks or stones of a masonry wall.

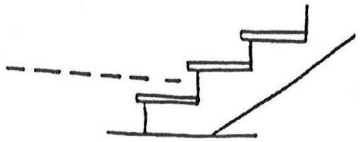
PRESERVATION: Stabilizing and maintaining a structure in its existing form by preventing further change or deterioration.

PROPORTION: The comparative relationship between the parts or dimensions of a building with respect to relative size.

RAFTER: One of the sloping joists in a pitched roof.

REMODELING: To physically change the appearance and/or function of a building from its original design.

RESTORATION: Putting back as nearly as possible into the form the building held at a particular date in time. Its accomplishment often requires the removal of work which is not "of the period." The value of a restoration is measured by its authenticity.

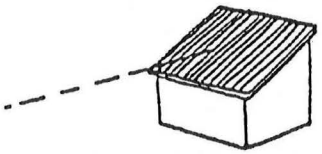


RISER: The vertical surface in a staircase between the treads.

SASH: The moving frame of an opening window which functions within the fixed frame.

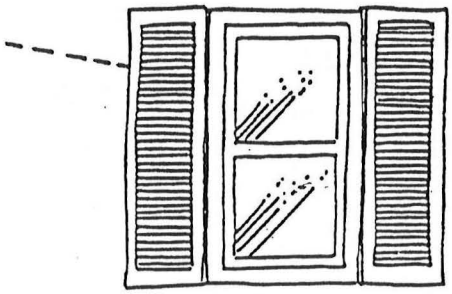
SCALE: The general feeling of mass and size of the building as related to that of other buildings, elements and the human being. When applied to a drawing or a model of a building, it has a different, technical, meaning denoting the size of the drawing or model in relation to full-size building: i.e., scale: 1/4" = 1'0" means that one-quarter of an inch on the drawing represents one foot of the actual building.

SECTION: A drawing representing a building, or part of a building, as it would appear if cut through on a certain plane; in architectural drawings this plane is usually vertical, the horizontal sections being referred to as plans.



SHED ROOF: A roof having only one sloping plane.

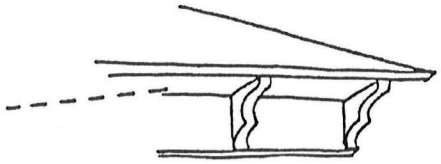
SHUTTERS: Small wooden "doors" on the outside of windows, originally used for security purposes and now retained or installed mainly for decorative effect.



SIDING: The narrow horizontal or vertical wood boards that form the outer face of the walls in a traditional wood frame house. Horizontal wood siding is also referred to as clapboards. The term "siding" is also more loosely used to describe any material that can be applied to the outside of a building as a finish.

SILL: The lowest horizontal member in a frame or opening for a window or door. Also, the lowest horizontal member in a framed wall or partition.

SOFFIT: The underside of an architectural element. More commonly considered as the underside of an eave.



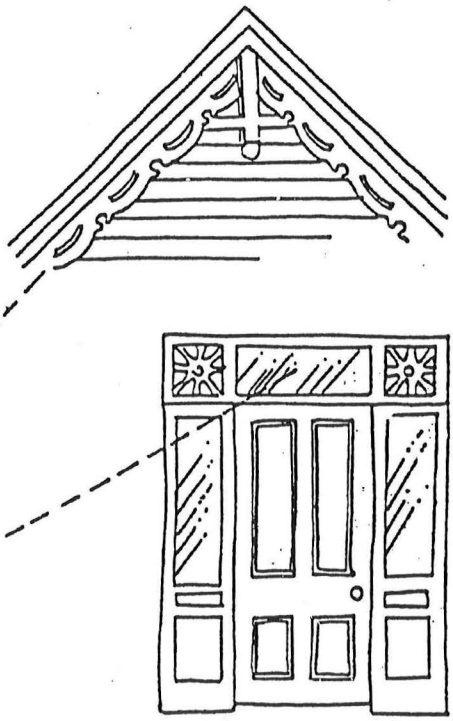
STRUCTURAL WALL: Any wall that helps to support part of the load from floors, roofs, and so forth. Structural walls either go down to footings, or foundations in the ground, or rest on a substantial beam.

STUD: One of the upright members that extend from floor to ceiling in a wood frame wall or partition.

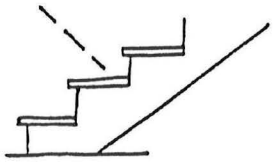
SURROUND: The molded trim around a door or window opening.

TRACERY: An ornamental patternwork cut through wood or stone panels. Also referred to as carpenter's lace.

TRANSOM: A horizontal crossbar in a window, over a door, or between a door and a window above it. Sometimes used to refer to the window above the door.



TREAD: The horizontal surface of a step. (See Riser).



TURFSTONE: A permeable surface for walkways, patios, parking areas, etc., consisting of a layer of inter-locking concrete blocks containing holes which can be filled with san or soil and seeded with grass or other ground cover.

The following criteria is informational only.

GENERAL PRINCIPLES FOR REHABILITATION, RESTORATION OR RENOVATION OF EXISTING HISTORIC STRUCTURES

The following basic principles have been adapted from the standards for rehabilitation which have been adopted by the U. S. Secretary of the Interior to determine if a project qualifies as a "certified rehabilitation" pursuant to the provisions of the 1976 Tax Reform Act concerning rehabilitation of historic structures.

Every reasonable effort should be made to provide a compatible use for a property which requires minimum alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

The distinguishing original qualities or character of a building, structure, or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

All buildings, structures, and sites should be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.

Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance should be recognized and respected.

Distinctive stylistic features or examples of skilled craftsmanship which characterizes a building, structure, or site should be treated with sensitivity.

Deteriorated architectural features should be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in proportion, composition, design, material, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historical, physical or pictorial evidence rather than conjectural designs or the availability of different architectural elements from other buildings or structures.

The surface cleaning of structures should be undertaken with the gentlest possible means. Sandblasting and other cleaning methods that will damage the historic building materials should not be undertaken.

Contemporary design for alterations and additions to existing properties should not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood and environment.

Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were removed in the future, the essential form and integrity of the structure would be unimpaired.

Where the original design cannot be determined or where financial considerations preclude full-scale restoration of a building, a more up-to-date treatment with simple lines and details compatible with the building and the adjacent buildings may be acceptable. Where more contemporary design is being used, design details and/or accessories which imitate the historic era should not be used, as they tend to detract from the historic character of the other buildings in the district.

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Appendix 8.

Town of Mendocino Traffic Data
November 23-30, 2015

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Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

Main Street, CR 407E at Highway 1

Site Code: 00000003
Station ID:

Latitude: 0' 0.0000 South

Start	23-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	West Boun	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou
12:00 AM	*	*	1	1	2	4	3	13	1	11	7	12	4	13	3	9
01:00	*	*	0	4	1	5	1	7	2	9	10	4	1	8	2	6
02:00	*	*	2	3	0	0	1	3	0	1	0	6	1	3	1	3
03:00	*	*	0	3	0	3	0	0	0	1	0	1	1	3	0	2
04:00	*	*	0	3	1	1	4	3	1	0	2	3	6	1	2	2
05:00	*	*	5	1	3	1	2	3	1	1	1	3	3	2	2	2
06:00	*	*	5	16	9	11	8	3	9	10	5	9	3	4	6	9
07:00	*	*	15	18	15	18	12	19	15	9	24	11	23	15	17	15
08:00	*	*	74	34	73	37	40	29	65	40	37	41	43	33	55	36
09:00	*	*	111	109	102	80	47	48	92	73	91	52	102	49	91	68
10:00	*	*	155	110	130	106	107	87	163	120	134	120	**148**	115	140	110
11:00	*	*	**192**	**141**	**148**	**117**	**110**	**101**	**182**	**138**	**160**	**127**	117	**157**	**152**	**130**
12:00 PM	**177**	145	**173**	154	**177**	140	**121**	108	192	197	181	175	**132**	**162**	**165**	154
01:00	142	147	158	148	145	122	109	109	**210**	206	**226**	207	115	106	158	149
02:00	138	137	133	158	157	**195**	107	**116**	189	207	165	207	103	152	142	**167**
03:00	124	143	125	154	157	165	111	87	177	221	153	**230**	124	137	139	162
04:00	129	**183**	113	**165**	141	165	83	83	154	**232**	136	195	100	145	122	167
05:00	103	164	106	158	123	174	43	72	115	212	105	192	72	122	95	156
06:00	71	103	57	90	72	110	35	40	84	136	65	115	62	57	64	93
07:00	31	68	39	60	51	81	37	46	43	83	50	95	30	54	40	70
08:00	27	52	27	48	44	52	21	33	43	46	36	55	21	30	31	45
09:00	11	23	17	38	22	38	23	30	29	48	26	33	8	34	19	35
10:00	5	15	9	17	17	18	22	22	21	32	5	32	5	15	12	22
11:00	1	12	2	5	9	12	12	9	9	19	3	19	1	7	5	12
Lane	959	1192	1519	1638	1599	1655	1059	1071	1797	2052	1622	1944	1225	1424	1463	1624
Day	2151		3157		3254		2130		3849		3566		2649		3087	
AM Peak	-	-	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	10:00	11:00	11:00	11:00
Vol.	-	-	192	141	148	117	110	101	182	138	160	127	148	157	152	130
PM Peak	12:00	16:00	12:00	16:00	12:00	14:00	12:00	14:00	13:00	16:00	13:00	15:00	12:00	12:00	12:00	14:00
Vol.	177	183	173	165	177	195	121	116	210	232	226	230	132	162	165	167

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482
Main Street, CR 407E at Highway 1

Site Code: 00000003
Station ID:

Latitude: 0' 0.0000 South

Start	30-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	West Boun	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou
12:00 AM	2	3	*	*	*	*	*	*	*	*	*	*	*	*	2	3
01:00	0	3	*	*	*	*	*	*	*	*	*	*	*	*	0	3
02:00	1	2	*	*	*	*	*	*	*	*	*	*	*	*	1	2
03:00	0	3	*	*	*	*	*	*	*	*	*	*	*	*	0	3
04:00	1	4	*	*	*	*	*	*	*	*	*	*	*	*	1	4
05:00	10	8	*	*	*	*	*	*	*	*	*	*	*	*	10	8
06:00	8	15	*	*	*	*	*	*	*	*	*	*	*	*	8	15
07:00	14	18	*	*	*	*	*	*	*	*	*	*	*	*	14	18
08:00	**97**	53	*	*	*	*	*	*	*	*	*	*	*	*	**97**	53
09:00	94	**98**	*	*	*	*	*	*	*	*	*	*	*	*	94	**98**
10:00	42	37	*	*	*	*	*	*	*	*	*	*	*	*	42	37
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
12:00 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lane	269	244	0	0	0	0	0	0	0	0	0	0	0	0	269	244
Day	513		0		0		0		0		0		0		513	
AM Peak	08:00	09:00	-	-	-	-	-	-	-	-	-	-	-	-	08:00	09:00
Vol.	97	98	-	-	-	-	-	-	-	-	-	-	-	-	97	98
PM Peak	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vol.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Comb. Total	2664		3157		3254		2130		3849		3566		2649		3600	
ADT	ADT 3,101		AADT 3,101													

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

West Leg of Little Lake Street, CR 407A, at Highway 1

Site Code: 00000001
Station ID:

Latitude: 0' 0.0000 South

Start	23-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	West Boun	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou
12:00 AM	*	*	0	1	0	0	3	13	3	7	5	13	6	12	3	8
01:00	*	*	1	3	0	4	1	5	0	7	2	8	3	8	1	6
02:00	*	*	0	0	1	0	2	3	1	4	3	9	1	5	1	4
03:00	*	*	0	4	1	2	0	2	1	1	1	1	3	0	1	2
04:00	*	*	4	0	4	1	1	2	3	0	2	0	1	1	2	1
05:00	*	*	10	4	5	3	3	0	8	6	7	1	5	2	6	3
06:00	*	*	29	8	16	6	8	6	13	5	9	3	10	4	14	5
07:00	*	*	27	22	33	22	21	13	32	13	30	14	18	20	27	17
08:00	*	*	63	50	64	76	32	35	52	39	41	32	36	31	48	44
09:00	*	*	92	110	88	104	51	65	75	91	76	64	61	73	74	84
10:00	*	*	105	146	110	152	75	107	94	102	106	119	**93**	101	97	121
11:00	*	*	**108**	**158**	**125**	**190**	**77**	**121**	**119**	**153**	**111**	**135**	87	**138**	**104**	**149**
12:00 PM	121	190	**129**	224	118	201	77	142	146	196	106	189	**87**	**188**	112	190
01:00	125	212	124	204	106	192	**79**	**145**	141	205	**137**	216	81	144	**113**	188
02:00	123	190	113	196	**140**	**249**	69	107	**150**	223	103	**232**	81	156	111	193
03:00	**127**	225	107	220	122	213	51	117	123	**243**	119	211	72	174	103	200
04:00	98	**259**	103	**231**	117	247	50	95	91	243	123	201	68	159	93	**205**
05:00	92	208	92	221	114	209	32	88	93	237	100	225	62	172	84	194
06:00	70	159	84	169	75	156	25	32	86	168	59	155	42	99	63	134
07:00	36	63	40	95	52	119	41	46	49	103	54	114	48	58	46	85
08:00	26	57	27	71	45	70	26	25	36	70	50	68	22	54	33	59
09:00	26	74	10	62	30	76	18	22	31	54	28	76	14	46	22	59
10:00	5	29	8	41	8	30	13	26	19	76	19	68	6	22	11	42
11:00	4	9	4	20	9	31	6	16	10	40	2	32	3	9	5	22
Lane	853	1675	1280	2260	1383	2353	761	1233	1376	2286	1293	2186	910	1676	1174	2015
Day	2528		3540		3736		1994		3662		3479		2586		3189	
AM Peak	-	-	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	10:00	11:00	11:00	11:00
Vol.	-	-	108	158	125	190	77	121	119	153	111	135	93	138	104	149
PM Peak	15:00	16:00	12:00	16:00	14:00	14:00	13:00	13:00	14:00	15:00	13:00	14:00	12:00	12:00	13:00	16:00
Vol.	127	259	129	231	140	249	79	145	150	243	137	232	87	188	113	205

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

West Leg of Little Lake Street, CR 407A, at Highway 1

Site Code: 00000001
Station ID:

Latitude: 0' 0.0000 South

Start	30-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	West Boun	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou
12:00 AM	1	6	*	*	*	*	*	*	*	*	*	*	*	*	1	6
01:00	0	2	*	*	*	*	*	*	*	*	*	*	*	*	0	2
02:00	1	0	*	*	*	*	*	*	*	*	*	*	*	*	1	0
03:00	0	3	*	*	*	*	*	*	*	*	*	*	*	*	0	3
04:00	2	4	*	*	*	*	*	*	*	*	*	*	*	*	2	4
05:00	8	4	*	*	*	*	*	*	*	*	*	*	*	*	8	4
06:00	12	14	*	*	*	*	*	*	*	*	*	*	*	*	12	14
07:00	25	22	*	*	*	*	*	*	*	*	*	*	*	*	25	22
08:00	**116**	115	*	*	*	*	*	*	*	*	*	*	*	*	**116**	115
09:00	96	**119**	*	*	*	*	*	*	*	*	*	*	*	*	96	**119**
10:00	66	85	*	*	*	*	*	*	*	*	*	*	*	*	66	85
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
12:00 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lane	327	374	0	0	0	0	0	0	0	0	0	0	0	0	327	374
Day	701		0		0		0		0		0		0		701	
AM Peak	08:00	09:00	-	-	-	-	-	-	-	-	-	-	-	-	08:00	09:00
Vol.	116	119	-	-	-	-	-	-	-	-	-	-	-	-	116	119
PM Peak	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vol.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Comb. Total	3229		3540		3736		1994		3662		3479		2586		3890	
ADT	ADT 3,166		AADT 3,166													

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

East Leg of Little Lake Street, CR 407A, at Highway 1

Site Code: 00000002
Station ID:

Latitude: 0' 0.0000 South

Start	23-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	West Boun	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou
12:00 AM	*	*	0	0	2	1	8	0	5	3	7	3	4	3	4	2
01:00	*	*	2	1	2	3	0	2	2	0	5	1	7	3	3	2
02:00	*	*	0	0	1	0	2	0	3	1	8	1	6	4	3	1
03:00	*	*	1	0	1	0	1	1	1	2	1	0	2	0	1	0
04:00	*	*	2	1	0	2	1	0	0	0	4	4	0	1	1	1
05:00	*	*	1	3	3	3	1	1	1	4	0	2	1	5	1	3
06:00	*	*	5	6	0	7	0	1	4	9	1	2	1	3	2	5
07:00	*	*	12	20	11	15	5	5	7	10	7	10	7	8	8	11
08:00	*	*	33	41	44	43	14	17	18	18	21	22	12	18	24	26
09:00	*	*	55	52	52	48	34	30	41	30	29	28	40	27	42	36
10:00	*	*	81	57	**93**	58	55	36	**63**	48	54	**61**	30	**52**	63	52
11:00	**96**	**80**	**88**	**58**	82	**73**	**59**	**39**	59	**67**	**69**	50	**63**	52	**74**	**60**
12:00 PM	93	**67**	91	**64**	89	49	83	38	82	38	70	45	71	33	83	48
01:00	98	59	105	46	91	52	71	33	95	**78**	94	**62**	63	**42**	88	**53**
02:00	102	59	88	54	107	**67**	**88**	**50**	100	48	91	50	75	33	93	52
03:00	84	58	83	48	114	61	61	35	105	66	79	52	**81**	42	87	52
04:00	117	45	104	44	114	38	65	19	82	57	86	42	78	38	92	40
05:00	**134**	51	**113**	34	**118**	51	63	21	**118**	42	**104**	38	64	27	**102**	38
06:00	90	33	84	27	67	30	40	19	89	31	66	30	69	26	72	28
07:00	40	18	46	20	64	21	34	29	47	18	41	17	31	19	43	20
08:00	43	15	45	19	33	16	38	25	34	19	37	11	35	9	38	16
09:00	39	11	33	32	47	11	36	21	33	13	31	11	21	11	34	16
10:00	14	4	14	2	25	5	21	5	31	9	24	9	12	1	20	5
11:00	3	0	8	0	13	6	11	4	12	7	12	5	3	1	9	3
Lane	953	500	1094	629	1173	660	791	431	1032	618	941	556	776	458	987	570
Day	1453		1723		1833		1222		1650		1497		1234		1557	
AM Peak	11:00	11:00	11:00	11:00	10:00	11:00	11:00	11:00	10:00	11:00	11:00	10:00	11:00	10:00	11:00	11:00
Vol.	96	80	88	58	93	73	59	39	63	67	69	61	63	52	74	60
PM Peak	17:00	12:00	17:00	12:00	17:00	14:00	14:00	14:00	17:00	13:00	17:00	13:00	15:00	13:00	17:00	13:00
Vol.	134	67	113	64	118	67	88	50	118	78	104	62	81	42	102	53

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

East Leg of Little Lake Street, CR 407A, at Highway 1

Site Code: 00000002
Station ID:

Latitude: 0' 0.0000 South

Start	30-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	West Boun	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou	West Bo	East Bou
12:00 AM	2	0	*	*	*	*	*	*	*	*	*	*	*	*	2	0
01:00	1	0	*	*	*	*	*	*	*	*	*	*	*	*	1	0
02:00	0	0	*	*	*	*	*	*	*	*	*	*	*	*	0	0
03:00	1	0	*	*	*	*	*	*	*	*	*	*	*	*	1	0
04:00	1	0	*	*	*	*	*	*	*	*	*	*	*	*	1	0
05:00	4	6	*	*	*	*	*	*	*	*	*	*	*	*	4	6
06:00	9	15	*	*	*	*	*	*	*	*	*	*	*	*	9	15
07:00	21	16	*	*	*	*	*	*	*	*	*	*	*	*	21	16
08:00	**172**	**96**	*	*	*	*	*	*	*	*	*	*	*	*	**172**	**96**
09:00	70	59	*	*	*	*	*	*	*	*	*	*	*	*	70	59
10:00	38	33	*	*	*	*	*	*	*	*	*	*	*	*	38	33
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
12:00 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lane	319	225	0	0	0	0	0	0	0	0	0	0	0	0	319	225
Day	544		0		0		0		0		0		0		544	
AM Peak	08:00	08:00	-	-	-	-	-	-	-	-	-	-	-	-	08:00	08:00
Vol.	172	96	-	-	-	-	-	-	-	-	-	-	-	-	172	96
PM Peak	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vol.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Comb. Total	1997		1723		1833		1222		1650		1497		1234		2101	
ADT	ADT 1,526		AADT 1,526													

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

Lansing Street, CR 500, at Highway 1

Site Code: 00000001
Station ID:

Latitude: 0' 0.0000 South

Start	23-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	North Bou	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo
12:00 AM	*	*	3	0	2	1	2	0	1	4	4	2	5	2	3	2
01:00	*	*	0	0	0	0	2	1	1	0	1	1	2	2	1	1
02:00	*	*	0	0	0	0	0	0	0	1	5	1	1	1	1	0
03:00	*	*	0	0	0	0	0	1	0	0	0	0	0	0	0	0
04:00	*	*	0	0	1	0	1	0	0	0	0	0	2	0	1	0
05:00	*	*	0	0	0	1	0	0	2	1	1	2	0	0	0	1
06:00	*	*	6	14	5	2	0	1	2	3	4	6	1	5	3	5
07:00	*	*	5	11	4	6	8	8	2	9	3	6	6	9	5	8
08:00	*	*	18	26	12	18	16	17	15	15	24	20	13	14	16	18
09:00	*	*	23	39	23	32	18	19	24	24	29	32	25	38	24	31
10:00	*	*	45	43	30	47	31	26	37	68	51	69	42	**65**	39	53
11:00	**55**	**35**	**46**	**44**	**52**	**56**	**52**	**38**	**63**	**84**	**59**	**86**	**79**	49	**58**	**56**
12:00 PM	50	**57**	51	**56**	43	60	50	**45**	81	81	73	78	49	**51**	57	**61**
01:00	53	47	**55**	49	59	59	**64**	31	107	**89**	82	**85**	46	38	67	57
02:00	**57**	56	51	56	44	50	51	38	86	86	93	69	52	46	62	57
03:00	54	53	45	47	60	**61**	53	27	**116**	83	**107**	60	**57**	37	**70**	53
04:00	50	38	55	34	**66**	52	39	27	100	56	87	55	57	34	65	42
05:00	54	36	38	30	49	27	36	12	94	42	78	42	38	19	55	30
06:00	28	20	13	15	24	14	14	7	41	13	42	16	16	20	25	15
07:00	17	7	11	9	18	10	12	11	19	22	16	14	13	9	15	12
08:00	6	3	13	4	11	4	14	5	14	13	7	12	6	3	10	6
09:00	10	3	3	0	12	7	11	6	8	5	14	7	6	2	9	4
10:00	7	4	6	1	1	3	13	3	9	2	18	4	6	2	9	3
11:00	3	4	3	0	2	2	2	3	13	2	19	4	1	2	6	2
Lane	444	363	490	478	518	512	489	326	835	703	817	671	523	448	601	517
Day	807		968		1030		815		1538		1488		971		1118	
AM Peak	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	11:00	10:00	11:00	11:00
Vol.	55	35	46	44	52	56	52	38	63	84	59	86	79	65	58	56
PM Peak	14:00	12:00	13:00	12:00	16:00	15:00	13:00	12:00	15:00	13:00	15:00	13:00	15:00	12:00	15:00	12:00
Vol.	57	57	55	56	66	61	64	45	116	89	107	85	57	51	70	61

Mendocino County Department of Transportation

340 Lake Mendocino Drive
Ukiah, California 95482

Lansing Street, CR 500, at Highway 1

Site Code: 00000001
Station ID:

Latitude: 0' 0.0000 South

Start	30-Nov-15		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	North Bou	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo	North Bo	South Bo
12:00 AM	0	2	*	*	*	*	*	*	*	*	*	*	*	*	0	2
01:00	1	0	*	*	*	*	*	*	*	*	*	*	*	*	1	0
02:00	0	0	*	*	*	*	*	*	*	*	*	*	*	*	0	0
03:00	0	0	*	*	*	*	*	*	*	*	*	*	*	*	0	0
04:00	1	0	*	*	*	*	*	*	*	*	*	*	*	*	1	0
05:00	0	0	*	*	*	*	*	*	*	*	*	*	*	*	0	0
06:00	3	1	*	*	*	*	*	*	*	*	*	*	*	*	3	1
07:00	5	14	*	*	*	*	*	*	*	*	*	*	*	*	5	14
08:00	10	36	*	*	*	*	*	*	*	*	*	*	*	*	10	36
09:00	**19**	**38**	*	*	*	*	*	*	*	*	*	*	*	*	**19**	**38**
10:00	3	8	*	*	*	*	*	*	*	*	*	*	*	*	3	8
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
12:00 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lane	42	99	0	0	0	0	0	0	0	0	0	0	0	0	42	99
Day	141		0		0		0		0		0		0		141	
AM Peak	09:00	09:00	-	-	-	-	-	-	-	-	-	-	-	-	09:00	09:00
Vol.	19	38	-	-	-	-	-	-	-	-	-	-	-	-	19	38
PM Peak	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vol.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Comb. Total	948		968		1030		815		1538		1488		971		1259	
ADT	ADT 1,135		AADT 1,135													

Appendix 9.

California Coastal Commission Repair, Maintenance and Utility Hook-up Exclusion Guideline 1978

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REPAIR, MAINTENANCE AND UTILITY HOOK-UP EXCLUSIONS FROM PERMIT REQUIREMENTS

(Adopted by the California Coastal Commission on September 5, 1978)

NOTE: This guideline applies only to exclusions established in subsections (c) and (e) of Section 30610. For other exceptions to the permit requirements, see Section 13250 of the Commission Regulations (additions to existing single-family houses), Sections 13200 through 13210 (vested rights), Sections 13211-13213 (permits granted under the 1972 Coastal Act), Sections 13215-13235 (urban land), Sections 13240-13249 (categories of development), Sections 13136-13144 (emergency permits) and Sections 13145-13154.5 (administrative permits).

I. General Provisions.

Section 30610 of the Coastal Act states in part:

> ...no coastal development permit shall be required for...(c) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities; provided, however, that if the Commission determines that certain extraordinary methods of repair and maintenance that involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained under this chapter. (e) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this division; provided, that the Commission may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

This guideline is intended to detail the types of development activities the Commission considers repair, maintenance or utility hook-ups related to the on-going work of various types of public and private agencies. Such lists obviously cannot be exhaustive and the exclusions also apply to activities comparable to those listed. Where a proposed activity is not included in this guideline, the Regional Commission Executive Director, after consultation with the State Commission Esecutive Director, if necessary, will determine whether a permit is required.

The standards for these exclusions are stated in Section 30610 of the Coastal Act: they do not relate to the environmental impact of the proposed activity. The repair and maintenance exclusion is intended to allow continuation of existing developments and activities which began before the effective date of the Coastal Act. The utility hook-up exclusion exempts utilities from obtaining permits for work to serve developments because Commission review of such work is included in the review of the development itself.

II. Description of Activities Excluded.

The following construction activities comparable to those listed do not require a coastal development permit except as specified below:

A. Roads. No permit is required for repair and maintenance of existing public roads including landscaping, signalization, lighting, signing, resurfacing,

installation or expansion of retaining walls, safety barriers and railings and other comparable development within the existing right-of-way as specified below. Maintenance activities are generally those necessary to preserve the highway facility as it was constructed, including: construction of temporary detours, removal of slides and slip cuts, restoration and repair of drainage appurtenances, slope protection devices, installation of minor drainage facilities for preservation of the roadway or adjacent properties, restoration, repair and modifying for public safety bridges and other highway structures, restoring pavement and base tc original condition by replacement, resurfacing, or pavement grooving. A permit is required for excavation or disposal of fill outside of the roadway prism. The following maintenance and alteration programs of the State Department of Transportation, or their equivalent conducted by local road departments, which do not result in an addition to or enlargement or expansion of the existing public road facility itself, do not require a permit except as noted: (1) Flexible Roadbed Program; (2) Rigid Roadbed Program; (3) Roadside Maintenance Program; (4) Roadway Litter and Debris Program; (5) Vegetation Control Program; (6) Pavement Delineation Program; (7) Sign Program; (8) Electrical Program; (9) Traffic Safety Devices Program; (10) Public Service Facility Program except that a permit is required for construction of new facilities; (11) Landscape Program; (12) Bridge and Pump Maintenance Program; (13) Tubes, Tunnel and Ferry Maintenance Program; (14) Bridge Painting Program; (15) Miscellaneous safety projects, provided there is not expansion in the roadway or number of traffic lanes; (16) Major damage maintenance, repair and restoration; (17) Comparable Minor Alterations.

(NOTE: See Appendix I for more detailed description of activities included in these programs.)

B. Public Utilities.

1. Natural Gas, Chilled Water and Steam Facilities.

a. Service Connections. Install, test and place in service the necessary piping and related components to provide natural gas, chilled water and/or steam service to development either exempted or approved under the Coastal Act, including:

(1) Extend underground gas, chilled water and/or steam mains, except in marshes, streams or rivers, from terminus of existing main piping to proper location in front of customer's property. Break and remove pavement as necessary, open trench or bore, for installation of main piping, install mains and appurtenances, pressure test for leakage, backfill open cuts, purge air from piping and introduce gas, chilled water and/or steam into newly installed piping. Restore pavement as necessary. Provide for cathodic protection as necessary.

(2) Extend underground gas, chilled water and/or steam service piping from the main locations, except in marshes, streams or rivers, to the meter location on the customer's property. Construction activities are similar to those in Item (1) above.

(3) Construct and install the meter set assembly, generally above ground, on the customer's property, including installation of associated valves, pressure regulator, meter and necessary piping to connect the gas, chilled water

and/or steam service to the customer's piping system.

(4) When necessary, install gas, chilled water and/or steam pressure regulation equipment and related components, to control pressure where the source of the supply is at a higher pressure than the pressure in the district distribution main system. Construction includes necessary excavation, installation of piping, valves, regulators, below ground vaults and related components.

(5) Install necessary cathodic protection facilities for main and service extensions to new and existing customers.

b. Distribution and Transmission Facilities.

(1) Operate, inspect and maintain distribution and transmission mains, services, meter set assemblies and district regulator stations. Conduct leakage surveys, repair leaks, handle emergency or hazardous incidents, maintain supply pressure, inspect and adjust pressure regulators, operate valves, locate and mark facilities to help prevent damage to them and to provide for public safety.

(2) Install, replace, alter, relocate or remove piping and cathodic protection facilities as necessary due to corrosion, interference with other underground or surface construction, franchise requirements, mechanical damage, reinforcement to existing distribution systems to provide for increased usage (provided such usage is to provide service to development either exempted or approved under the Coastal Act). Isolation of piping segments or systems to provide emergency control and the restoration of service to a customer.

c. Production and Storage Facilities. Perform necessary maintenance, replacement, repair, relocation, abandonment and removal work to gas storage facilities, chilled water and/or steam plant facilities, mechanical equipment including prime movers and pumping equipment, chilled water and/or steam production facilities, gas and oil processing facilities, pollution control facilities, cooling towers, electric equipment, controls, gas injection and withdrawal wells, and other miscellaneous plant and pipeline structures. Installation of any required new safety devices and pollution control facilities within existing structures or equipment or where land coverage, height, or bulk of existing structures will not be increased.

d. Miscellaneous. Perform necessary maintenance, repair, replacement, relocation, abandonment and removal work to pipeline roads, rights-of-way, fences and gates, sprinkler systems, landscaping, odorizing stations, telemetry equipment, lighting facilities, mechanical and electrical equipment, cathodic protection facilities and environmental control equipment.

e. Grading and Clearing. Maintenance activities shall not extend to the construction of any new roads to the site of the work. A permit is required for grading an undisturbed area of greater than 500 sq. ft., removal of trees exceeding 12 inches dbh or clearing more than 500 sq. ft. of brush or other vegetation unless the Executive Director of the Regional Commission determines the activity does not involve the removal of major vegetation.

2. Electric Utilities.

a. Generation Stations, Substations, Fuel Handling, Transportation

and Storage Facilities and Equivalent Facilities. A coastal permit is not required for repairs, maintenance, and minor alterations which do not increase the capacity of the facility or work required to supply increased demand of existing customer's facilities in order to maintain the existing standard of service. A coastal permit is not required for installation of any required new safety devices and pollution control facilities within existing structures of equipment or where land coverage, height or bulk of existing structures will not be increased.

b. Transmission and Distribution and Communication Facilities. A coastal permit is not required to maintain, replace, or modify existing overhead facilities, including the addition of equipment and wires to existing poles or other structures, right-of-way maintenance, and minor pole and equipment relocations. A coastal permit is not required to install, test and place in service power line extension facilities and supply points specifically required to provide service to development permitted or exempted under the Coastal Act, or work required to supply increased demand of existing customers' facilities in order to maintain the existing standard of service.

A coastal permit is not required to install, test, place in service, maintain, replace, modify or relocate underground facilities or to convert existing overhead facilities to underground facilities provided that work is limited to public road or railroad rights-of-way or public utility easements (P.U.E.).

c. Services. Electrical service and metering facilities may be installed and placed in service to any development permitted or exempted under the Coastal Act. A coastal permit is not required to mantain, replace, or relocate service or metering facilities for developments permitted or exempted under the Coastal Act.

d. Grading, Clearing and Removal of Vegetation. Excluded activities shall not extend to the construction of any new road to the site of the work. In cases involving removal of trees exceeding 12 inches dbh, grading of any undisturbed area of greater than 500 sq. ft. or clearing of more than 500 sq. ft. of brush or other vegetation, the utility shall consult with the Executive Director of the Regional Commission to determine whether the project involves removal of major vegetation such that a permit is required. A coastal permit is not required for removal of minor vegetation for maintenance purposes (tree trimming, etc.) for safety clearances.

e. Definitions.

(1) Line Extension. All facilities for permanent service excluding transformers, services and meters, required to extend electric service from the utility's existing permanent facilities to one or more supply points.

(2) Service. A single set of conductors and related facilities required to deliver electric energy from a supply point to the customer's facilities.

(3) Supply Point. Any transformer, pole, manhole, pull box or other such facilities at which the utility connects one or more sets of service conductors to the utility's permanent electric facilities.

3. Telephone. No permit or conditions are required for the activities of a telephone company that come within the following areas:

a. Repair and maintenance of existing damaged or faulty poles, wires, cables, terminals, load cases, guys and conduits, including the necessary related facilities, to restore service or prevent service outages.

b. Placement of existing telephone facilities underground, provided such undergrounding shall be limited to public road or railroad rights-of-way or public utility easements (P.U.E.) and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition.

c. Placement of additional aerial facilities on existing poles.

d. Removal of existing poles and facilities thereon, where new, replacing facilities have been placed underground.

e. Performance of work in connection with or placement of facilities to expand service to existing customers or to serve new customers, including placement of underground service connections or aerial service connections from existing poles with any necessary clearance poles.

f. Removal of minor vegetation for maintenance purposes (tree trimming, etc.).

g. Maintenance activities shall not extend to the construction of any new roads to the site of the work. A permit is required for grading an undisturbed area of greater than 500 sq. ft., removal of trees exceeding 12 inches dbh or clearing more than 500 sq. ft. of brush or other vegetation unless the Executive Director of the Regional Commission determines the activity does not involve the removal of major vegetation.

4. Others, including Water, Sewer, Flood Control, City and County Public Works, Cable T.V. No permit is required for repair or maintenance of existing facilities that do not alter the service capacity, installation of new or increased service to development permitted or exempted under the Coastal Act, placement of additional facilities on existing poles, or placement of existing facilities underground, provided such undergrounding shall be limited to public road or railroad rights-of-way or public utility easements (P.U.E.) and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition. A permit is required for installation of service to vacant parcels or installation of capacity beyond that needed to serve developments permitted or exempted under the Coastal Act.

Maintenance activities shall not extend to the construction of any new roads to the site of the work. A permit is required for grading an undisturbed area of greater than 500 sq. ft., removal of trees exceeding 12 inches dbh or clearing more than 500 sq. ft. of brush or other vegetation unless the Executive Director of the Regional Commission determines the activity does not involve the removal of major vegetation. No permit is required for removal of minor vegetation (e.g., tree trimming) where it interferes with service pipes or lines.

C. Parks. No permit is required for routine maintenance of existing public parks including repair or modification of existing public facilities where the level or type of public use or the size of structures will not be altered.

D. Industrial Facilities. No permit is required for routine repair, maintenance and minor alterations to existing facilities, necessary for on-going production that do not expand the area or operation of the existing plant. No permit is required for minor modifications of existing structures required by governmental safety and environmental regulations, where necessary to maintain existing production capacity, where located within existing structures, and where height or bulk of existing structures will not be altered.

E. Other Structures. For routine repair and maintenance of existing structures or facilities not specifically enumerated above, no permit is required provided that the level or type of use or size of the structure is not altered. (NOTE: See Section 13250 of the Commission Regulations for exclusions or additions to existing single-family houses.)

F. Dredging and Beach Alteration. (NOTE: Maintenance dredging of navigation channels is exempted by Section 30610 (b). Other dredging and sand movement projects, where part of an established program may be exempt from the permit requirements of the Coastal Act by reason of vested rights, where such rights have been reviewed and acknowledged by the Regional Commission. Contact the Regional Commission office for information and application forms.)

APPENDIX I

Detailed description of activities included in road maintenance programs for which no coastal development permit is required.

1. Flexible Roadbed Program. This program covers the restoration and repair of both surface and base within the previously paved portion of the roadway. This includes previously paved asphalt concrete shoulders two feet or greater in width where the shoulder is designated by traffic marking, pavement delineation or traffic use. Paved shoulders less than two feet in width will be considered as included in the traveled way lanes.

2. Roadbed, Rigid. The Rigid Roadbed Program covers the restoration and repair of both surface and base within that paved portion of the roadway used for the movement of vehicles. This includes asphaltic concrete or oiled shoulders two feet or greater in width. Paved shoulders less than two feet in width will be considered as included in the traveled way lanes. This program does not include roadbed widening projects.

3. Roadside Maintenance Program. This program includes the repair, replacement, and cleaning of ditches, culverts, underdrains, horizontal drains and miscellaneous headwalls and debris racks. Also included are fence repairs, roadside section restoration (e.g., drift removal, bench cleaning, slide removal, and fill slope replacement). In addition, repairs or replacement of retaining walls, installation of slope protection devices, minor drainage facilities, sidewalks and curbs, bins, cattle guards and other such structures where there is no increase in size (or adding to what exists) is included in this program. This program shall not include seawalls or other shoreline protective works, activities subject to review under Section 1601 of the Fish and Game Code, or excavation or disposal of fill outside of the roadway prism.

4. Roadway Litter and Debris Program. This program includes all work concerning roadbed and roadside cleanup operations to insure that the highway presents a neat, clean and attractive appearance.

5. Vegetation Control Program. Vegetation control refers to the maintenance treatment of all vegetative material growing native within the highway rights-of-way. Included is cutting and trimming by hand and mechanical means.

6. Pavement Delineation Program. The pavement delineation program involves all work necessary to place and maintain distinctive roadway markings on the traveled way. This includes layout, removal of old stripe, painting of new or existing stripe including striping for bike lanes, installation and/or removal of raised pavement markers including cleaning of such markers and the use of thermoplastic, tape or raised bars for pavement markings. Changing of striping for more lanes is not included in this program.

7. Sign Program. The sign program includes all work performed on existing signs for the purpose of warning, regulating or guiding traffic including bicycle traffic using bike lanes. The work consists of manufacture, assembly and installation of new signs to replace existing signs and the repair, cleaning and painting of signs.

8. Electrical Program. This program includes all work performed on in-place highway electrical facilities used to control traffic with signal systems, provide safety and sign lighting, illuminate maintenance building and grounds, generate standby power, operate bridges, pumps and automatic watering systems. Certain navigational lighting installed on bridges and bridge fenders or piling are included in this program.

9. Traffic Safety Devices Program. Work performed under this program includes replacement of guide posts, markers, skid resistant grooves, and also replacement, cleaning and/or painting of guard rails. The repair of median barrier cable chain link fence and portland cement concrete walls; the repair and maintenance of energy dissipators such as water type bumpers, sand traps or other devices installed for the purpose of absorbing vehicle energy are included in this program.

10. Public Service Facility Program. Public Service Facilities consist of roadside rests, vista points, map stops, historical monuments, roadside fountain areas and vehicle inspection stops. Work to be performed under this program consists of a wide variety of custodial maintenance in connection with existing restrooms, fountains and picnic areas.

11. Landscape Program. This program refers to the treatment maintenance and replacement of all vegetative material planted within the State Highway right-of-way. Work includes watering, fertilizing, plant replacement, weed control by hand and mechanical means and tree trimming.

12. Bridge and Pump Maintenance Program. The Bridge and Pump Maintenance Program includes work performed on all structures which provide for passage of highway traffic over, through or under obstacles and/or qualify for bridge numbers as assigned by the Division of Structures.

13. Tubes, Tunnel and Ferry Maintenance Program. The Tubes, Tunnel and Ferry Maintenance Program includes maintenance and repair of tunnels, tubes, ferries and docks or slips. Tunnel or tube maintenance includes washing, cleaning, tile repair and the maintenance of electro-mechanical equipment. Tunnel structural repairs will be performed under this program when covered by approved Division of Structures reports of work needed.

14. Bridge Painting Program. This program involves bridge maintenance painting performed in conformance with the requirements of air pollution control and water quality control agencies having jurisdiction.

15. Miscellaneous Safety Projects. Elimination of hazards within the operating areas or the operating right-of-way or projects modifying existing features such as curbs, dikes, headwalls, slopes, ditches, drop inlets, signals and lighting, etc., within the right-of-way to improve roadside safety.

16. Major Damage Maintenance, Repair and Restoration. Provides temporary road openings and related maintenance and returns highway facilities to serviceable states as rapidly as possible following major damage from storms; earthquakes; tidal waves; ship, train or vehicle collisions; gasoline truck fires; aircraft crashes, --- and all other kinds of physical violence. (NOTE: These items may be developments rather than repair or maintenance activities, but would be subject to the emergency permit provisions of the Coastal Act. Inquiries should be directed to the Regional Commission staff if at all possible, prior to commencement of construction.)

17. Miscellaneous Alterations.

a. Installation, modification or removal of regulatory, warning or informational signs, according to the standards of the State Department of Transportation Uniform Sign Chart.

b. Traffic channelization - improvements to local service and safety by delineation of traffic routes through the use of curbs, dikes, striping, etc., including turn pockets, where construction is performed by State Department of Transportation Maintenance Department or equivalent activities by local road departments.

c. Maintenance of existing bicycle facilities.

d. Modification of traffic control systems and devices including addition of new elements such as signs, signals, controllers, and lighting.

e. Devices such as glare screen, median barrier, fencing, guard rail safety barriers, energy attenuators, guide posts, markers, safety cable, ladders, lighting, hoists, paving grooving.

f. Alteration or widening of existing grade separation structure where the primary function and utility remains unaltered.

g. Minor operational improvements such as median and side ditch drainage facilities, where not subject to review under Section 1601 of the Fish and Game Code or involving excavation or disposal of fill outside of the roadway prism.

h. Modification, upgrading, alteration, relocation, or removal of railroad grade crossings, railroad grade crossing protection, and the construction of bus and truck stop lanes at railroad grade crossings.

CHAPTER 1 - INTRODUCTION

1.1 GUALALA TOWN PLAN

Gualala is a small coastal community situated in the southwest corner of Mendocino County at the mouth of the Gualala River. The town of Gualala is a service center for the south coast of Mendocino County and for The Sea Ranch and northern Sonoma County. While serving a regional population of about 2,500 persons, the scenic beauty and recreational opportunities of the Gualala area attract many thousands of visitors each year.[1]

Gualala is located within the unincorporated area of Mendocino County. Land use decisions are governed by the Mendocino County Local Coastal Program (LCP) and the Mendocino County General Plan, as interpreted by the County Planning Commission and Board of Supervisors.

The Gualala Town Plan amends the Coastal Element of the Mendocino County General Plan, as adopted and certified in November 1985 and revised in March 1991. The regulatory ordinances for implementation of the Gualala Town Plan shall be adopted as amendments to the Mendocino County Coastal Zoning Code (Title 20, Division II of the Mendocino County Code). The Gualala Town Plan provides planning goals and policies establishing a scenario for growth within the Gualala Town Plan area over a 30-year planning horizon.

The Gualala Town Plan and associated implementing zoning ordinance shall be applicable to the geographic area known as the Gualala Town Plan Area as described in Section 1.2 of the Plan. No land, building, structure, or premises shall be developed or reconstructed in a manner that is inconsistent with the Gualala Town Plan or the associated zoning ordinance.

1.2 PLANNING AREA

As shown on Figure 1.1, the Gualala Town Plan area includes the commercial district of Gualala and adjoining residential areas. It is roughly bounded by the Gualala River on the south, the Pacific Ocean on the west, Old Stage Road on the east, and the Marine View and Pacific View subdivisions, Pacific Woods Road and the Ocean Ridge subdivision on the north.

The Town Plan area includes most of the lands within the Gualala Community Services District service area and sewer assessment area, as well as the Ocean Ridge subdivision and the intervening residential and resource lands. All of the lands within the Town Plan area are within the North Gualala Water Company's service area, although some parcels are served by private domestic wells.

[1] Based on information provided by the Mendocino County Tax Collector and The Sea Ranch Association, it is estimated that approximately 65,700 visitors came to the Gualala-Anchor Bay area in 1994 and 93,100 visitors came to The Sea Ranch in 1994 (not including second home residents and campers). The regional population estimate includes residents from Stewarts Point in Sonoma County to Iversen Road in Mendocino County.

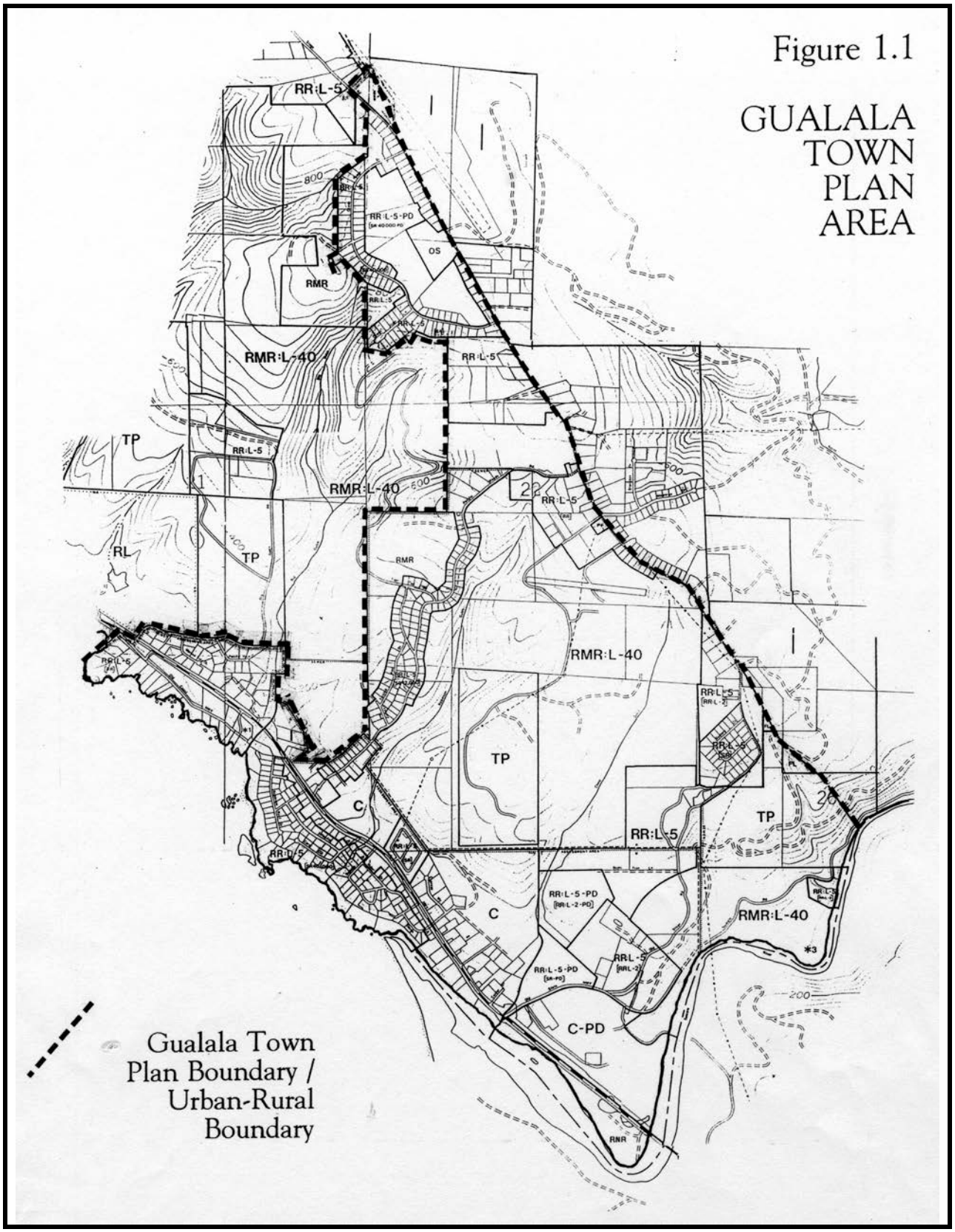
Figure 1.1
GUALALA TOWN PLAN AREA
RR:L-5
RR:L-5-PD
OS
RMR
RMR:L-40
TP
RL
C
C-PD
RNR
Gualala Town Plan Boundary / Urban-Rural Boundary

1.3 PLANNING PROCESS

The Mendocino County Coastal Element, adopted in 1985, provides general goals and policies governing development throughout the entire coastal zone, and specific policies for establishment of an urban-rural boundary in Gualala and for public access to the coast in the Gualala area.

In the late 1980's, after a decade of rapid growth and development in Gualala[2], an ad hoc group called the Gualala Area Coalition formed to evaluate the planning issues facing Gualala and to open up the avenues of communication between Gualala and the County government in Ukiah. In response to the Coalition's activities, the Mendocino County Board of Supervisors established a local planning council for the Gualala area in 1990. The Gualala Municipal Advisory Council (GMAC) was created with a two-fold mandate:

- To advise the Board of Supervisors on current development applications; and
- To initiate long-range planning efforts to update the Coastal Element of the Mendocino County General Plan as it pertains to the Gualala area.

The Gualala Town Plan emerged from four years of community discussions at GMAC meetings and community workshops. The Town Plan was prepared with the input of more than three hundred local residents and visitors. The Plan Committee, an informal group of about thirty area residents, land owners, developers, and business people, met regularly to develop the basic concepts presented in the Town Plan. The GMAC reviewed the Town Plan, facilitated public discussions of its content, and at public meetings over the course of more than three years, adopted the various policies and recommended implementing ordinances. The GMAC's Gualala Town Plan was submitted to the County Board of Supervisors in May 1995. After an initial review by County staff and public agencies, a revised draft Gualala Town Plan was prepared by the Gualala Town Plan Advisory Committee which included representatives of GMAC, the Board of Supervisors, Planning Commission and Planning Department staff. Final adoption of the Gualala Town Plan follows public hearings by the Mendocino County Planning Commission, Board of Supervisors, and California Coastal Commission.

1.4 HOW TO USE THIS PLAN

Following this introductory chapter, Chapter 2 provides an overview of the planning issues and goals for the Gualala Town Plan area. Chapter 3 establishes policies for future development in the Town Plan area. Chapter 4 defines the land use classifications for the Gualala Town Plan. Chapter 5 provides definitions, and Chapter 6 contains the appendices.

The Gualala Town Plan amends the Mendocino County Coastal Element, providing specific goals and policies governing development in the Gualala Town Plan area. It should be noted that

[2] According to the U.S. Census of Population and Housing, the population of the Gualala area (from Iversen Rd. to the Gualala River) was about 1,275 persons in 1980 and grew to about 1,750 persons in 1990, representing a 37% increase in population. During this same period, the overall growth rate for unincorporated Mendocino County was about 20%, which is considerably less than that experienced in the Gualala area.

both goals and policies are intended to be the standard of review utilized by the permit issuing authority; including the Coastal Commission in its review of an appeal of a project approved by the County within the Town Plan area. The Town Plan is consistent with the established goals and policies of the Coastal Element which pertain to environment and resources, access and recreation, and development. Several minor text amendments in the Coastal Element provide references to the Gualala Town Plan. Amendments to the Land Use Plan maps incorporate the revised land use designations for the Gualala Town Plan. Where there is a conflict among policies within the Town Plan, or between policies in the Town Plan and the rest of the certified Local Coastal Program, the more restrictive policy shall apply.

The Gualala Town Plan is implemented by the Mendocino County Coastal Zoning Code (Title 20, Division II). Amendments to the Zoning Code incorporate the four newly-created zoning districts for the Gualala commercial area and the second residential units ordinance. Other provisions of the Coastal Zoning Code, including but not limited to Use Type definitions, Residential zoning district regulations, off-street parking regulations, signage regulations, environmentally sensitive habitat area regulations, etc., will continue to apply to development in the Gualala Town Plan area.

CHAPTER 2 - ISSUES AND GOALS

The Gualala Town Plan evolved out of four years of discussions, meetings, and workshops attended by local residents, property owners, business persons and developers. Results of a survey questionnaire and summaries of three community workshops helped direct the Town Plan. Many community concerns regarding future development were identified during the planning process. Although unanimity was not always achieved as to how to resolve the challenges posed by new development, there was general consensus in the definition of the key planning issues facing Gualala. The issues and goals which help define a vision for Gualala's future are discussed in this chapter.

2.1 COMMUNITY IDENTITY[3]

The town of Gualala does not have a town center, distinctive architectural style or historic context that provides a visual community identity. The Gualala Hotel and the Kidd House are two of the few structures which give testimony to Gualala's past. There are no visible remnants of the saw mills or other hints of the logging industry that formed the town's economic base for so much of its history. Most buildings in town were constructed in the 1960's and 1970's and fall within the architectural genre loosely known as the north coast style which is characterized by one- or two-story, wood frame structures with mildly sloping roofs and varying degrees of overhang. Windows and door openings are simple, and exterior facades are generally constructed of weathered or painted wood.

Gualala is a service center and, as such, has developed with primary consideration given to automobiles. The commercial district of Gualala stretches along a two-mile section of Highway 1. Buildings are scattered along the highway strip, and people frequently drive from one destination in town to the next. With few exceptions, there are no sidewalks along the highway and only one crosswalk. Despite this, pedestrians routinely wind their way through parking lots and along the edge of the highway, attempting to navigate the town on foot.

The conjunction of several elements of natural beauty provides the setting for the town of Gualala. Gualala is located on the north bank of the Gualala River at its junction with the sea. On the south side of the river, in Sonoma County, the headlands and beach at Gualala Point are protected as a public park. Scenic vistas of the river, ocean, beach and headlands are available from many locations in town. On its inland edges, the town is framed by a backdrop of forested hillsides.

Gualala, as the southern “gateway to the Mendocino Coast,” has great potential to achieve a more distinctive, attractive and memorable town character. This potential derives, in part, from the present lack of large-scale developments, franchises, traffic lights, and other urban fixtures which would diminish the small-town, rural feel of Gualala. Existing development is relatively small-

[3] Portions of this discussion were excerpted or paraphrased from "Which Way Gualala?" by Jo Ann Rouse, a publication sponsored by the North Coast Institute (1987).

scale and dispersed, with plenty of vacant land for infill projects and the development of other public amenities. The large, undeveloped area immediately east of town could serve as a future downtown expansion area, averting continued strip development along Highway 1. Many coastal views are presently blocked by buildings. Some redevelopment is likely to occur on the west side of Highway 1 in the future, since several of the existing buildings do not take advantage of their spectacular settings. Future redevelopment should provide greater access to views of the river and coastline. Additionally, a public access easement has been acquired along the bluff of the Gualala River, west of the commercial district. Development of a public coastal trail within the easement will offer access to spectacular views of the river, Gualala Point beach and the Pacific Ocean.

Goal G2.1-1: To preserve and enhance the rural, coastal character of the town of Gualala, to better integrate future development with the natural surroundings, to protect and restore coastal views, and to improve public access to the coast.

2.2 COMMERCIAL AND RESIDENTIAL BUILDOUT IN GUALALA TOWN PLAN AREA

The Gualala Village Mixed Use, Gualala Highway Mixed Use, and Gualala Planned Development districts replace the "Commercial" zoning designation assigned by the Coastal Element (as revised, March 1991) and provide more restrictive development standards. Table 2.1 presents a comparison between the regulations which affect the scale of new development in the Coastal Element (March '91), and in the Gualala Town Plan.

TABLE 2.1
COMPARISON OF COMMERCIAL ZONING REGULATIONS

	Commercial District (LCP, March '91)	Gualala Village Mixed Use District	Gualala Highway Mixed Use District	Gualala Planned Development District
Maximum Building Height	35'	28' (E of Hwy) 18' (W of Hwy)	28'	28'
Maximum Lot Coverage	50%	25% (E of Hwy) 20% (W of Hwy)	20%	to be determined[2]
Max. Floor-Area Ratio (FAR)	none[1]	35% (E of Hwy) 30% (W of Hwy)	30%	to be determined[2]

[1] Since three-story structures and a 50% lot coverage are permitted, the FAR is effectively 150%. It should be noted that in 1994, the average FAR in Gualala was 15%.

[2] In the Gualala Planned Development district, lot coverage and FARs are established as part of a Precise Development Plan.

As shown on Table 2.1, the Gualala Village Mixed Use, Gualala Highway Mixed Use, and Planned Development zoning districts of the Gualala Town Plan are considerably more restrictive than the Commercial district of the Coastal Element and Zoning Code (March '91).

Table 2.2 presents summary information comparing commercial development in 1993, buildout under the Coastal Element (March '91), and buildout under the Gualala Town Plan. As shown, estimated commercial buildout under the Gualala Town Plan is about 1.8 million square feet less than (or 28% of) the estimated buildout that could occur under the Coastal Element (March '91).

TABLE 2.2
COMMERCIAL BUILDOUT COMPARISON
FOR GUALALA TOWN PLAN AREA

Existing Commercial Development (1993)	185,000 square feet
Commercial Buildout under Coastal Element (March '91)[1]	2,846,210 square feet
Commercial Buildout under Gualala Town Plan[2]	1,015,383 square feet
Reduction in Commercial Buildout Potential under Gualala Town Plan	**-1,830,827 square feet**

1 Assumes 62 acres of Commercial property, plus 104 acres of Commercial property in large parcels, of which .20 is dedicated to roads and utilities, leaving 83.2 acres for development. A total of 145.2 acres at .60 FAR (i.e., 2 stories in height and 30% lot coverage)=3,794,947 sf. Although the Commercial zone allows 50% lot coverage, generally 30% is the maximum that can be achieved while meeting County off-street parking requirements. Commercial buildout is assumed to be 75% of full buildout=2,846,210 sf

2 Assumes 62 acres of GVMU, GHMU and 83.2/2 acres of GPD (since 50% residential development is req'd)=103.6 acres at .30 FAR=1,353,845 sf(75%)= 1,015,383 sf

While the Gualala Town Plan significantly reduces commercial buildout potential, it increases potential residential buildout in Gualala by about 428 dwelling units. This increase results from three factors: (1) residential uses are allowed as principal uses in the Mixed Use districts; (2) at least 50% of the acreage of Gualala Planned Development district parcels is required to be developed with residential uses; and (3) second residential units are permitted in the Town Plan area.

The potential for future residential development in the Gualala Town Plan area is summarized in Table 2.3. Buildout projections for the outlying area (north of the Town Plan area to Iversen Road) are also shown, in order to provide a broader context in which to view future growth. Table 2.3 does not include development projections for the Residential Reserve area since the Town Plan does not actually change the land use classifications and zoning on the subject properties.

Table 2.4 presents the bottomline– comparisons of compounded annual growth rates and projected populations associated with buildout under the Coastal Element (March '91), and the Gualala Town Plan.

TABLE 2.3
RESIDENTIAL BUILDOUT PROJECTIONS FOR GUALALA TOWN PLAN AREA

	Buildout Under Coastal Element (March '91)	Buildout Under Gualala Town Plan [1]	Buildout of Iversen Rd. to north boundary of Gualala Town Plan area (per Coastal Element, March '91)
(a) Existing Dev'ped Parcels	390	390	577
(b) Existing Undev'ped Parcels	183	183	475
(c) Total Existing Parcels *(c)=a+b*	573	573	1,052
(d) Potential New Parcels	389 [2]	244	221
(e) Residential Devpmt. on Mixed Use and Planned Development parcels	—	400	—
(f) Second Residential Units	—	100	—
100% Buildout (new residences/total residences) *(b+d+e+f)/(c+d+e+f)*	572/962	927/1,317	696/1,273
75/50% Buildout [3] (new residences/total residences) *a+(.75b)+(.5d)+e+f*	331/721	759/1,149	467/1,044

[1] The Gualala Town Plan residential buildout projections do not include potential future development on parcels within the "Residential Reserve" area. Although the Plan designates the "Residential Reserve" as an appropriate location for future residential growth, substantial environmental analysis, followed by LCP amendments and rezoning, would be necessary prior to development at densities greater than the 40-acre and 160-acre minimum parcel sizes permitted by the present RMR-40 and FL zoning.

[2] This number includes 120 new parcels which could potentially be created in the North Gualala Subdivision, since the SR zoning allows 6,000 sf lots in areas with community water and sewer systems. It also includes 53 new parcels which could be created when sewer facilities are extended to serve the Gualala Heights Subdivision. A substantial number of these parcels (114) have existing homes which may preclude further subdivision.

[3] Full buildout represents development of residences on all existing parcels and on all parcels which could be created by land divisions, in accordance with designated minimum lot sizes. Since the 100% buildout scenario is unlikely to ever occur, the Planning Division selected a partial buildout scenario to represent the maximum theoretical buildout scenario. This scenario assumes that 75% of existing undeveloped parcels would be built upon and 50% of the new parcels which could be created by potential land divisions would be created and built upon. For the Gualala Town Plan buildout scenario, it is assumed that 400 residential units on Mixed Use and Planned Development parcels would occur. It is also assumed that 100 second residential units would be constructed.

TABLE 2.4
POPULATION PROJECTIONS AND ANNUAL GROWTH RATES

	Population Estimates [1]	Compounded Annual Population Growth
Historic Annual Growth Rates for Unincorporated Mendocino County(1980-1990)		1.8%
Historic Annual Growth Rate for area from Sonoma County line to Iversen Road (1970-1990)		3.4%
Estimated 1994 Population of Gualala Town Plan area	652	
Estimated 1994 Population of Area north of Gualala Town Plan boundary to Iversen Road	964	
TOTAL Estimated 1994 Population Sonoma County line to Iversen Road	1,616	
Gualala Town Plan area *(a)* Buildout under Coastal Element (March '91) 75/50% Scenario (20-year buildout)	1,205	3.1%
Area north of Gualala Town Plan boundary to Iversen Road *(b)* Buildout under Coastal Element (March '91) 75/50% Scenario (20-year buildout)	1,744	3.0%
Sonoma Co. line to Iversen Road*(c)=a+b* Buildout under Coastal Element (March '91) 75/50% Scenario (20-year buildout)	2,949	3.1%
Gualala Town Plan area*(d)* Buildout under Gualala Town Plan75/50% Scenario (30-year buildout)	1,920	3.7%
Sonoma Co. line to Iversen Road Buildout under Gualala Town Plan (75/50% Scenario) *(e)=d+b* (30-year buildout)	3,664	2.8%

[1] Population estimates are based on the existing and projected number of housing units and assume that 77% of total housing units are occupied and 2.17 persons reside in each occupied housing unit. (The occupancy and persons per household statistics are from 1990 U.S. Census data for the Gualala area.)

2.3 RESIDENTIAL DEVELOPMENT

A primary goal of the Gualala Town Plan is to concentrate future residential growth within the Town Plan area, thereby relieving development pressures on resource lands in the outlying areas. This is also intended to decrease automobile traffic and relieve traffic congestion by allowing for alternative modes of transportation. By providing for more residential development and less commercial development, the Town Plan strives to achieve a closer balance between residential

and commercial growth. Four significant policy changes affect future residential growth in the Gualala Town Plan area:

1. The Gualala Town Plan assigns a "Mixed Use" zoning designation to most of the commercial properties in Gualala. The Mixed Use designation allows residential uses as a principal use, alleviating the requirement for a use permit.

2. The Gualala Town Plan assigns a "Planned Development" zoning designation to the two largest commercial properties in town (40-acre parcel east of Church Street, 58-acre Lower Mill site south of Old State Highway). The Planned Development district requires that at least half of the total acreage be devoted to residential uses.

3. The Gualala Town Plan allows for development of second residential units on parcels within the Town Plan area. The second units are intended to help provide more affordable housing in the Town Plan area.

4. The Gualala Town Plan also provides for the long-range planning of future residential development areas. A 480-acre area east of town is designated "Residential Reserve," identifying it as a suitable location for future residential development.[4]

Goal G2.2-1: To guide development and preservation efforts in the Gualala Town Plan area over the next twenty years by reviewing and adjusting land use designations and providing criteria for judging future development proposals.

Goal G2.2-2: To provide for the development of affordable housing in the Gualala Town Plan area by:

- adopting inclusionary zoning measures,
- allowing residential development as a principal use in the commercial districts,
- requiring residential development on Gualala Planned Development district parcels, and
- allowing for second residential units within the Gualala Town Plan area.

Goal G2.2-3: Three guiding principles are established to determine appropriate locations for future residential development:

1. Concentrate new development within the Gualala Town Plan area, where it can be served by community water and sewer systems and will minimize traffic impacts on Highway 1.

[4] The Residential Reserve area is presently zoned Remote Rural-40 acre minimum (RMR-40) and Forest Land (FL). In acknowledgment of the need for substantial environmental analysis prior to increasing residential densities in the Residential Reserve area, the Gualala Town Plan leaves the existing zoning in place. Future Local Coastal Plan (LCP) amendments and rezoning would be necessary for residential development at greater densities than permitted by the RMR-40 and FL zoning within the Residential Reserve area.

2. Preserve and protect land used for crop and timber production, and environmental resources, including wetlands, steep gulches, stream corridors and coastal views.

3. Retain the character of existing residential neighborhoods.

2.4 COMMERCIAL DEVELOPMENT

As shown in Table 2.2, under the Coastal Element (March '91), more than 2.8 million square feet of commercial space could be developed in Gualala. Under the Gualala Town Plan, maximum commercial buildout is reduced to approximately one million square feet. This represents a 64% reduction in the buildout potential of commercial properties.

Existing development represents only a small percentage of potential commercial development. It is imperative that future development be planned and coordinated so that the existing commercial district remains viable, pedestrian and automobile circulation works, and the town retains, or develops, a visually-integrated appearance.

Goal G2.4-1: To provide for a level of commercial development that corresponds to potential residential development opportunities, public service availability, and road capacity.

About 60 percent of vacant commercial property in Gualala is contained in two large parcels: a 40± acre site east of Church Street and the 58± acre Lower Mill site east of Highway 1 and south of Old State Highway (Figure 2.1). Clearly, development of these properties will greatly influence the future character of the town of Gualala.

Goal G2.4-2: To establish a process for the planned development of the two large commercial parcels (Lower Mill site and east of Church Street) which will allow for creative site planning and design, and will provide substantial opportunities for public participation in the planning process.

A widely distributed survey questionnaire helped reveal community concerns about the aesthetic appeal of Gualala's commercial district. On a scale of 1 to 5, with 5 representing "very much needed" the need for the following elements was assessed:

Building height limits	4.6
Design guidelines	4.3
Tree removal limits	4.2
Landscaping	3.6
Sign guidelines	3.5
Street tree planting	3.0

At three community workshops held to help establish goals for the Gualala Town Plan, discussion repeatedly focused on the need for development to fit in with the coastal setting and the desire for protection (and restoration) of coastal views in town.

Goal G2.4-3 To provide guidelines for new development and public improvements which inspire creativity and enhance the character of Gualala's commercial district by encouraging development that is in harmony with the natural, coastal setting of the town.

Goal G2.4-4 To encourage the preservation and enhancement of coastal and river views and the provision of public access to these views.

2.5 PUBLIC SERVICES AND ROAD CAPACITY

While it is instructive to look at the total amount of existing and potential residential and commercial development in the Town Plan area, it is also important to understand the various factors that constrain future growth. Development in Gualala is constrained, in part, by the capacity of the infrastructure which serves it. In particular, the capacity of Highway 1, the availability of water, and the capacity of the community sewer system limit both the amount and location of development in the Town Plan area.

Highway 1 Capacity

In the California Coastal Act of 1976, the California legislature mandated that Highway 1 "in rural areas of the coastal zone remain a scenic two-lane roadway" (PRC Section 30254). While this mandate serves as an overall constraint to future growth on the Mendocino coast, highway improvements within urbanized areas, such as Gualala, can increase the local capacity of the roadway to accommodate growth. The Gualala Traffic Study (TJKM, February 1995) evaluates existing and projected traffic conditions on Highway 1 in the Gualala area.

The Traffic Study found that under existing conditions, all intersections and road segments on Highway 1 in the Gualala commercial district were operating at “acceptable” levels of service (LOS) in 1994.[5] The heaviest congestion and delays were experienced at the Sundstrom Mall entry/Highway 1 intersection, which operated at LOS D.

The Traffic Study found that projected increases in traffic volumes on Highway 1 resulting from buildout of commercial and residential lands under the Gualala Town Plan (under the 75/50% Scenario) would degrade operations on Highway 1 from Old State Highway to Pacific Woods Road and at five intersections in the commercial district to a level of service F, which is unacceptable. However, the Traffic Study found that increased traffic volumes can be

[5]Level of service (LOS) is used to rank traffic operations based on traffic volumes and roadway capacity, using a series of letter designations ranging from A to F. Generally, LOS A represents free flow conditions and LOS F represents forced flow or breakdown conditions. According to Caltrans’ *Route Concept Report*, a level of service D is acceptable on rural road segments.

accommodated if improvements are made to increase the capacity of the Highway 1 corridor within Gualala's commercial district. Recommended improvements necessary to accommodate increased traffic volumes from projected buildout under the Gualala Town Plan, while ensuring Highway 1 operates at a level of service D or better, include:

- Two-way left-turn lane on Highway One from Old State Highway to Bakertown.
- Development of parallel roadway east of Highway One (along Church Street alignment), with a bridge over China Gulch.
- Installation of traffic signals on Highway 1 at Old State Highway, Sundstrom Mall and Ocean Drive.
- Left-turn channelization on Highway 1 at Old State Highway, Center Street, Sundstrom Mall, Ocean Drive and Pacific Woods Road.
- Northbound right-turn channelization on Highway 1 at Old State Highway.

At a public meeting to discuss the findings of the Gualala Traffic Study and at subsequent Gualala Municipal Advisory Council meetings, the general consensus was that traffic signals are undesirable, but may eventually be necessary to address public safety concerns. The other recommended improvements are considered acceptable, and alternative approaches to reducing congestion should be encouraged (such as mixed use developments, pedestrian and bicycle facilities, transportation demand management techniques, public transportation).

Goal G2.5-1 To create safe and pleasant pedestrian circulation within the commercial district and to reduce vehicular congestion and improve safety conditions along the Highway 1 corridor.

Water Supply

The entire Gualala Town Plan area is designated a Critical Water Resource zone by the Mendocino County Coastal Ground Water Study (State Department of Water Resources, 1982). Water service in the Gualala Town Plan area is provided in most locations by the North Gualala Water Company (NGWC), a privately-owned, public utility. The service area of the NGWC presently includes approximately 12,000 acres of land extending from the Gualala River north to the Haven's Neck subdivision and Fish Rock Road. The NGWC's primary water source is a production well (well #4) located on the North Fork Gualala River near Elk Prairie.[6] Secondary water sources include two surface water sources at Robinson Gulch and Big Gulch.

The State Department of Health Services (DHS), Division of Drinking Water prepared a recent evaluation of the maximum possible source production from the NGWC's water sources. Assuming a 250 gallons per minute (gpm) production capacity for well #4, 50 gpm at Big Gulch,

[6]In 1992, 53% to 87% of the NGWC's water came from well #4 (Charles Rich, SWRCB, Nov. 18, 1993).

and 28 gpm at Robinson Gulch, DHS estimated the combined pumping capacity of the three existing water sources during low flow periods at 328 gpm. This is sufficient water to supply approximately 1,700 connections (equivalent meters), or about 783 additional connections beyond the year 1995 service connections.[7]

Standard acceptable engineering practice dictates that a municipal water supply shall be capable of: (1) meeting maximum day demand plus fire flow requirements, or peak hour demand–whichever is larger; and (2) meeting demands without the availability of the largest single water supply source. It is also accepted practice to increase the source incrementally to meet projected demand. A safety factor is maintained by only allowing development to reach a point which consumes 80% of the peak day demand available, before increasing the source.[8] When the NGWC reaches 80% of capacity (1,360 connections based on a 328 gpm pumping capacity), a new source should be developed.

Table 2.5 presents information about current water consumption in the NGWC service area and projected future water demands within the Gualala Town Plan area and within the entire NGWC service area. The water demand projections presented in Table 2.5 exceed the supply projections by 543 connections.

If assessments of the current water supply, combined with future water development projects that may be successfully completed, do not demonstrate a sufficient amount of available water, then several possible actions may be necessary to achieve a balance between water supply and demands, including:

- Developing new water supply sources,
- Developing increased storage capacity for water supply during low flow periods,
- Increasing water conservation efforts,
- Restricting the amount of new development.

The North Gualala Water Company is urged to proceed with the institution of a water conservation plan. Additionally, voluntary water conservation measures are encouraged for all water users within the planning area.

The topic of water resources is considered in both the County's General Plan and Coastal Element. Numerous goals and policies are included within these documents with the intention of emphasizing the importance of the protection of the County's water resources. Coastal Element Policies 3.8-8 and 3.8-9 pertain to public water supplies, as well as "proof of water" requirements associated with development proposals. The General Plan Water Resources Chapter contains findings, goals, and policies that address water conservation, in-stream water flows, reduction of water pollution, protection of fisheries and wildlife, and prioritization of water users.

[7]Engineering Report for NGWC, Sept. 1993, Office of Drinking Water, State Department of Health Services.

[8]Based on information contained in an analysis of Water Supply Requirements for the North Gualala Water Company prepared by Rau & Associates, Inc., dated February 22, 1996.

TABLE 2.5 WATER CONSUMPTION & PROJECTED WATER DEMANDS FOR GUALALA TOWN PLAN AREA		
1995 connections in North Gualala Water Co. (NGWC) service area [1] *(a)*	917	
DHS-estimate of maximum number of connections which could be served by NGWC system [2] *(b)*	1,700	
	Gualala Town Plan	**Coastal Element (March '91)**
Estimated future residential connections within Gualala Town Plan area (75/50% buildout scenario) *(c)*	759	331
Estimated future commercial connections within Gualala Town Plan area [3] *(d)*	277	887
Total projected new connections within Gualala Town Plan area *(c + d) = (e)*	1,036	1,218
Estimated future connections within NGWC service area outside of Gualala Town Plan area [4] *(f)*	290	290
Total projected future connections in NGWC service area *(e + f) = (g)*	1,326	1,508
Deficit in connections at buildout of Gualala Town Plan, based on DHS-estimated NGWC source capacity *(b - a - g)*	–543	-725

1 Rau & Associates, analysis of Water Supply Requirements for North Gualala Water Company, February 22, 1996.

2 The "Engineering Report for NGWC," Sept. 1993, Office of Drinking Water, State Department of Health Services, estimates the production capacity of the NGWC system and estimates the number of connections which could be served based on historic water demand figures. Assuming low flow production of 250 gpm from Well #4, 28 gpm from Robinson Gulch, 50 gpm from Big Gulch, the maximum output would be 0.47 million gallons per day. Assuming a maximum daily demand of 277/gal/connection, approximately 1,697 connections could be served.

3 Assuming 1,015,383 sf of commercial development at buildout under the Gualala Town Plan and 185,000 sf of existing commercial development, and given an average of one connection per 3,000 sf, approximately 277 additional connections are necessary to serve future commercial development. As shown in Table 2.2, the Coastal Element (March '91) would allow an estimated 2,846,210 sf of commercial development, therefore (2,846,210 sf -185,000 sf/3,000 sf/connection) 887 additional connections would be necessary.

4 Estimate of future demands for service within NGWC service area but outside of the Gualala Town Plan Area was provided by Rau & Associates in analysis of Water Supply Requirements for North Gualala Water Company dated February 22, 1996 and is based on a 3 percent annual growth rate.

Sewer Service/Septic Availability

The Gualala Community Services District (GCSD) wastewater treatment system was completed in 1993. The GCSD area encompasses approximately 1,430 acres, 550± acres of which are included within the initial Sewer Assessment District boundary. The Gualala Town Plan area includes most of the GCSD area.

Construction of the community wastewater treatment system removed one of the primary constraints to commercial development in Gualala. The initial design capacity of the system of 625 Equivalent Single-Family Dwellings (ESDs) assumed a two percent annual residential growth rate and a three percent annual commercial growth rate for a 20-year planning horizon.

As of October 1997, approximately 460 ESDs were allocated, and the unused capacity represented approximately 165 remaining ESDs.

New development within the GCSD assessment/service area cannot proceed unless connection to the wastewater treatment system has been authorized by the GCSD. The remaining ESDs may not be sufficient to accommodate the demands for sewer connections for the 30-year planning horizon of the Gualala Town Plan. As shown on Table 2.3, buildout of residential uses under the Coastal Element, March '91 (assuming the 75/50% scenario) would demand an additional 331 ESDs. Under the Gualala Town Plan (75/50% scenario), buildout of residential uses would require 759 ESDs. Under both of these scenarios (neither of which account for increased demands from commercial uses), the remaining capacity of the GCSD treatment plant would be exceeded.

When 500 ESDs are in use, the GCSD is required to initiate plans for wastewater treatment plant expansion. The treatment plant design was selected, in part, to make future increases in treatment capacity possible. A Local Coastal Plan amendment and further environmental review will be necessary prior to approval of any expansion of the GCSD facilities.

Minimum parcel sizes in the coastal zone have been assigned with consideration of septic requirements and development on parcels outside of the GCSD assessment/service area requires approval of a septic system by the Mendocino County Department of Environmental Health.

Development Constraints/Thresholds

Development constraint thresholds are included in the Town Plan for the purpose of linking existing and potential development with infrastructure capacity. As the planning time horizon of this Plan is approximately 30 years, the timing of mitigation is an integral component of the comprehensive planning process. For example, it is anticipated that, given a projected growth rate of 3.7 percent in the Town Plan planning area, 80 percent of the remaining water connections available from the North Gualala Water Company would be utilized by the year 2007. If assessments of the current water supply, combined with future water development projects that may be successfully completed, do not demonstrate a sufficient amount of available water, then additional actions would be necessary to achieve a balance between water supply and demand. Actions could include, but are not limited to, development of new water sources, development of increased storage capacity for water supply during low flow periods, increased water conservation efforts, and restriction of the amount of new development which increases water usage. Similar analysis and contingency plans are included within the Town Plan relative to the topics of sewage disposal and traffic.

Based upon a projected annual population growth rate within the GTP area of 3.7%, development thresholds (80% of point at which development would exceed infrastructure capacity) associated with water supply, sewer capacity, and traffic are estimated as follows:

TABLE 2.6
DEVELOPMENT CONSTRAINTS/THRESHOLDS

CONSTRAINT		EXISTING	CAPACITY[3]	THRESHOLD	YEAR[5]
Water Connections		917 (Year 1996)	1700	80% (1360 connections)	2007
Sewer Capacity ESD's[1,4]		460 (Year 1997)	625	80% (500 connections)	1999
State Route 1 Capacity LOS[2] Road Segment	Gualala River Bridge to Old State Hwy	LOS C 543	2170 (Two Direction)	E	>2020
	Old State Hwy to Center Street	LOS A 274	700 (One Direction)	D	2018
	Center Street to Moonrise	LOS A 346	700 (One Direction)	D	2013
	Moonrise to Ocean Drive	LOS A 346	700 (One Direction)	D	2013
	Ocean Drive to Pacific Woods Road	LOS D 607	1534 (Two Direction)	E	>2020

1. ESD = Equivalent single-family dwelling
2. LOS = Level of Service, Gualala Traffic Study, 1994 Volume Figures are worst case peak hour turning movements and flows.
3. As determined in 1997.
4. As of October 10, 1997, there were 280 residential hookups, 180 commercial hookups, approximately 200,000 total commercial square footage developed and estimated 1 commercial ESD per 1100 square foot of space.
5. Subsequent to the completion of the Gualala Traffic Study (February 1995), the Gualala Transportation Financing Study (1997) was prepared, which focuses upon an analysis of financing requirements associated with the projected roadway improvements. When reviewing the financing study, GMAC based its funding recommendations upon Alternative 2, which in the opinion of GMAC, best reflects a realistic ratio of commercial to residential buildout.

New development shall be permitted only if the infrastructure and resources to support it are available, or made available as part of the developer's project plan.

Goal G2.5-2 To ensure that public services and utilities can be provided for new development and that traffic generated by new development will not result in unacceptable levels of service on Highway 1.

Goal G2.5-3 To ensure that water extractions comply with provisions of the Water Resources Chapter of the County General Plan.

2.6 RECREATION, COASTAL ACCESS AND TRAILS

Since the recreational demands generated by residents and visitors in the Gualala Town Plan area are met, in large part, by facilities located outside of the Town Plan area, the discussion of recreation, coastal access and trails includes areas outside of the Gualala Town Plan boundaries.

At present, Gualala has few community recreation facilities. Recreational facilities serving Gualala residents and visitors include Bower Park, a community park operated by Mendocino County, the baseball diamond on Old Stage Road, which is owned by the Arena Union Elementary School District, and Gualala Point Regional Park in Sonoma County. Access to the

Gualala River for swimming, fishing and boating is obtained in several locations, by permission of the property owners or by trespass. Local residents and visitors presently use many such "informal" resources for recreation. As development intensifies, these resources may be eliminated, while at the same time, increased demands are placed on existing recreational sites.

The two special event facilities in Gualala are the Gualala Community Center and the Gualala Arts Center, both operated by private, non-profit boards. The community survey questionnaire for the Gualala Town Plan indicated strong interests in development of additional community/recreation facilities, including a teen center, senior center, town park, swimming pool, athletic center and library.

As Gualala continues to grow, it is essential that additional community and recreation facilities be provided to serve residents and visitors.

The coastline of the Gualala area is widely varied, with rocky coves, sandy beaches, seastacks, islands, and promontories. The Coastal Element identifies ten locations for public coastal access along the twelve miles of coast extending from Iversen Road to the Gualala River (Figure 2.1). Despite the number of coastal access points designated in the Coastal Element, coastal access is limited relative to the number of residents and visitors in Gualala and neighboring areas. The Anchor Bay Beach shoreline access is presently accessible to the general public upon payment of a day-use fee. Coastal access can be obtained at Serenisea with permission of the owners. Prescriptive rights for shoreline access exist in two locations in the Gualala commercial district (behind the Surf Motel and immediately south of the Breakers Inn). Informal coastal access (i.e., across private property) is obtained at several other locations, including Getchell Cove, St. Orres Beach, Cooks Beach, and at the Gualala River bridge. Coastal access is also available at Gualala Point Regional Park in Sonoma County (day-use fee).

At present, there is no public access to the blufftop in the commercial district of Gualala. Although limited views of the coast are available between the buildings and across vacant parcels, the blufftop and riverbank are only accessible with the permission of private property owners. The Coastal Element addresses this problem by designating a blufftop trail, located along the bluff's edge on the western portion of the commercial properties from Seacliff Center and extending south to the Gualala River bridge (LCP Policy 4.12-13). A 25-foot wide public access easement along the top of the bluff has been obtained for much of the designated Gualala Bluff Trail.[9] Additionally, a deed restriction has been made to ensure the continued protection of a prescriptive access easement providing vertical access to the river at the Surf Motel site. Prescriptive access has been acknowledged by the property owners and the California Coastal Commission for vertical access to the river at the Breakers Inn.

[9]A non-profit land trust, the Redwood Coast Land Conservancy, was established with a primary goal of constructing, operating and maintaining the Gualala Bluff Trail. The California Coastal Commission approved acceptance of the public access easements by the Land Conservancy.

At present in Gualala, no pedestrian access facilities connect neighborhoods, commercial areas, recreation facilities and areas of scenic beauty. A major goal of the Gualala Town Plan is to create a more pedestrian-oriented community by providing pedestrian walkways and trails. Such walkways and trails would provide increased recreational opportunities for residents and visitors, while decreasing reliance on automobile transit and relieving traffic congestion.

Goal G2.6-1 To ensure that as future development occurs within the Gualala Town Plan area, additional recreation and coastal access facilities are developed.

Goal G2.6-2 To encourage development of a broad range of recreational and cultural opportunities and community facilities for residents and visitors.

Goal G2.6-3 To encourage development of diverse opportunities for recreation and enjoyment of the natural environment by residents and visitors to the area by providing public parks, recreation facilities, and public access to beaches, the Gualala River, and areas of special natural beauty.

Goal G2.6-4 To encourage development of a network of pedestrian trails, bike paths and/or equestrian trails which link existing and future neighborhoods, commercial areas, and visitor accommodations to recreational facilities and areas of natural beauty.

Goal G2.6-5 To encourage development of the Gualala Bluff Trail within the public access easements on the bluff of the Gualala River.

Goal G2.6-6 To encourage development of a coastal trail which connects the Gualala and Anchor Bay commercial districts, linking the pedestrian walkways of the Gualala Highway 1 Streetscape Plan with coastal access points and trails designated on the land use plan map.

2.7 PROTECTION OF ENVIRONMENTAL RESOURCES

The Gualala area is rich in natural resources including pure air. In the past, the timbered hillsides formed the backbone of the area's economy. Now, the scenic qualities and recreational opportunities of the area attract both residents and visitors to Gualala. A primary goal of the Mendocino County Coastal Element and the Gualala Town Plan is to concentrate development within urbanized areas, in an effort to protect resource lands in the outlying areas. At the same time, it is necessary to recognize and protect sensitive environmental resources within designated development areas.

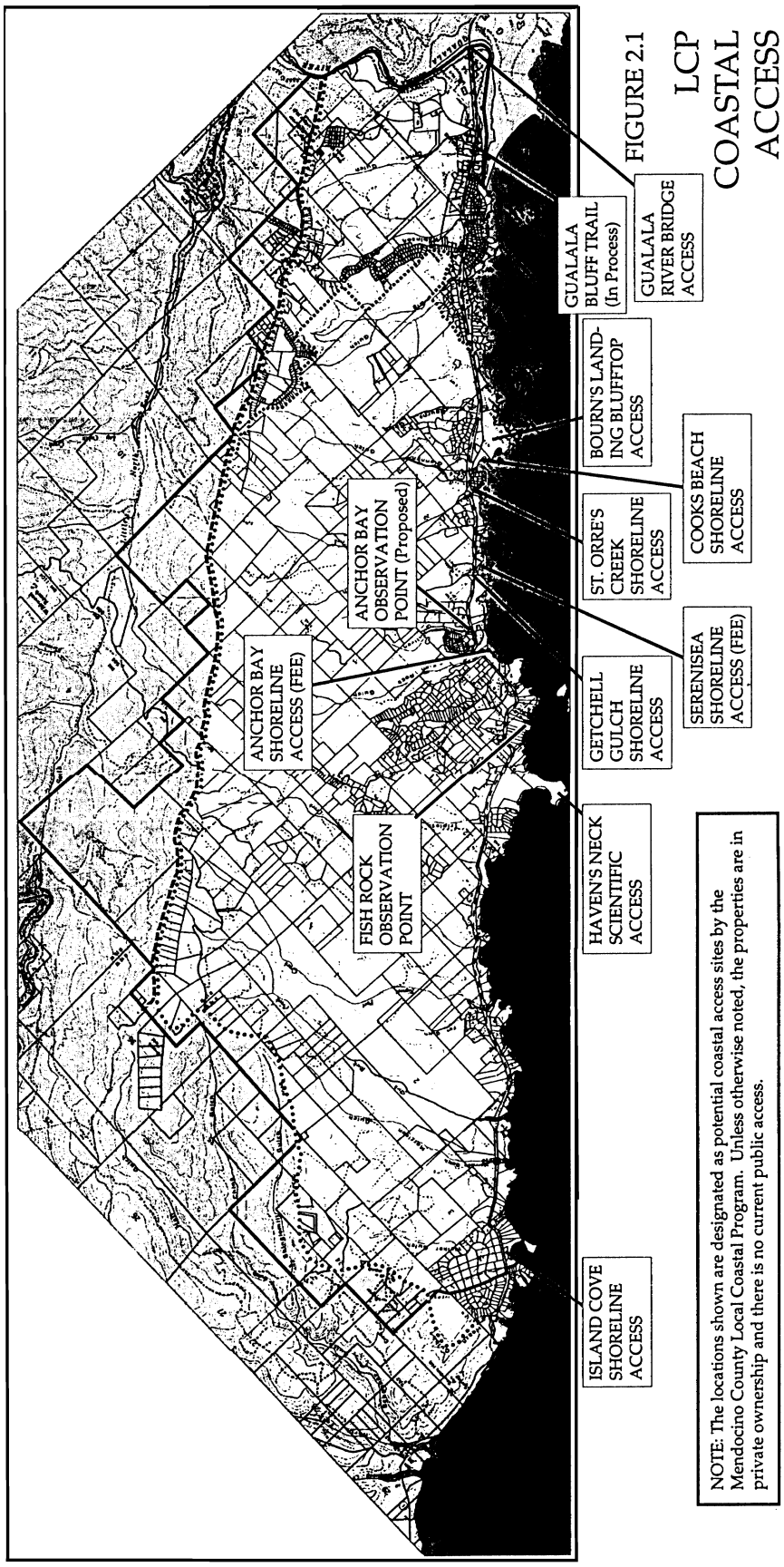

FIGURE 2.1
LCP COASTAL ACCESS LOCATIONS

The Gualala River estuary/lagoon is one of the primary environmental resources in the Gualala Town Plan area.[10] It is a fragile ecosystem which provides habitat for numerous species, including the anadromous steelhead trout. The river offers numerous recreational opportunities and is a key element in scenic vistas from Highway 1 and other properties in Gualala. The Coastal Element's environmentally sensitive habitat area (ESHA) policies apply to the Gualala River which includes the following ESHAs: anadromous fish stream, wetlands, riparian areas, habitats of rare and endangered plants and animals. Protection of the river is offered through policies enforced by various state regulatory agencies, including its designation as a Special Treatment Area, which requires timber harvesting practices that protect the natural and scenic resources of the area. In addition to the river, sensitive resources in the Gualala Town Plan area include tide pools, the coastline, three major gulches (China, Robinson and Big Gulch), and riparian habitat associated with stream courses and wetlands.

Goal G2.7-1 To protect land used for timber and crop production outside of the Residential Reserve area and environmental resources, including the Gualala River estuary/lagoon, stream corridors, riparian areas, and wetlands from incompatible development.

The town of Gualala is located on the mouth of the Gualala River and offers magnificent views of the headlands, sandy beach and rocky reef of Gualala Point, the estuary/lagoon and wetlands of the Gualala River, and a broad expanse of the Pacific Ocean. Much of the viewshed is located in Sonoma County and is protected as a county park. Development on the west side of Highway 1 obscures views of the river and ocean for travellers on Highway 1 through much of the commercial district. There are several hills and plateaus in town which provide coastal views of exceptional quality, particularly on the eastern hillslopes. In turn, development on the hillsides has the potential to be highly visible from many locations.

Goal G2.7-2: To restore, enhance and protect coastal views in the Gualala commercial district.

Goal G2.7-3 To ensure that water extractions do not adversely affect fisheries habitat.

[10]According to Bill Cox, Fisheries Biologist at the California Department of Fish and Game, the mouth of the Gualala River is an estuary. At times, a sand bar forms, creating a lagoon. The following passage is excerpted from the "Sea Ranch Gas & Water Company Supplemental Water Supply Application 26146," prepared by Dept. of Water Resources Northern District for State Water Resources Control Board (Sept 1988):

The Gualala River terminates at the ocean in what is defined as a drowned valley estuary because of its relatively deep inlet from the ocean. That the Gualala terminates in an estuary, however, applies only during the high flow periods when the river mouth is open to the ocean. During the remainder of the year, the mouth becomes a coastal lagoon, sealed off from the ocean by a barrier sandbar.

2.8 SCHOOLS

The substantial additional residential development proposed within the Town Plan area could result in a significant increase in the population of school-age children. The existing elementary school and high school serving the Gualala area are in Point Arena. School officials indicate that as of 1997 the elementary school is approaching maximum capacity. The Gualala area already has the largest population of school-aged children attending these schools. Most children take the bus to and from school - a significant expense to the school district. Construction of a local school could enable many children to walk to school. The school district presently owns a 10 acre site adjoining, but outside of, the Town Plan area. It is possible that another site within the Town Plan area may be acquired at a future date.

Goal G2.8-1 To provide for development of needed educational facilities for the anticipated growth in the student population.

CHAPTER 3 - POLICIES

3.1 DEVELOPMENT LOCATION

G3.1-1 The urban-rural boundary for the town of Gualala shall be coincident with the boundary lines delineated on Land Use Map 31.

G3.1-2 New development in the Gualala area shall be concentrated within the urban side of the urban-rural boundaries, where it can be served by community water and sewer systems and will minimize additional traffic impacts on Highway 1.

G3.1-3 New development shall be located in areas where it will not conflict with the goal of preserving and protecting land used for timber and crop production outside of the Residential Reserve area, and environmental resources, including wetlands, steep gulches, stream corridors and coastal views.

G3.1-4 New development shall be located in areas where it will not adversely affect the character of existing residential neighborhoods.

3.2 RESIDENTIAL DEVELOPMENT

G3.2-1 Residential uses are encouraged and shall be a principal use in the Gualala Village Mixed Use, Gualala Highway Mixed Use, and Gualala Planned Development districts to reduce the need for automobile travel by providing a population base in town and to provide opportunities for higher density housing types.

G3.2-2 An inclusionary zoning ordinance should be adopted by the Board of Supervisors which requires development of affordable housing units, or in-lieu contributions for development of affordable housing units, for major residential development projects and major subdivisions in the Town Plan area. These affordable housing units shall be developed within the Gualala Town Plan area.

G3.2-3 Notwithstanding other provisions of the Local Coastal Program that limit the number of residences to one per parcel, Second Residential Units shall be permitted on all legal parcels within the Gualala Town Plan area, with the exception of parcels located west of Highway 1, in accordance with standards established in the Coastal Zoning Code (Division II). Second Residential Units shall not be allowed on parcels located west of Highway 1 to protect against the possible conversion of such units to vacation home rentals which may adversely affect the character of existing residential neighborhoods.

G3.2-4 A 480± acre area immediately east of the Gualala commercial district is designated "Residential Reserve" and is identified as a suitable area for future residential expansion if and when the need for additional residential units, and the ability to

provide services to support them, are demonstrated (Figure 3.2). The land is currently classified RMR, FL and RR. Land Use Plan amendments and rezoning would be necessary to enable development at higher densities. Guidelines for the Residential Reserve are included in Appendix A.

G3.2-5 The Gualala Town Plan emphasizes the pedestrian aspect of the community. A future school site should be constructed in a location that will permit a maximum number of students to walk to school. The School District should install appropriate pedestrian facilities adjacent to the school. The County and the School District shall cooperate in the development of a pathway network to enable children to safely walk to and from school. The County and the School District should develop an arrangement permitting use of the school grounds by the public during non-school hours.

G3.2-6 Should the residential growth rate for the Gualala Town Plan planning area exceed 20 percent of the total growth anticipated by the plan in any 5-year increment of the plan's existence, a review/update of the plan should be initiated.

3.3 MIXED USE AND PLANNED DEVELOPMENT

Gualala Village Mixed Use District

G3.3-1 New development in the Gualala Village Mixed Use district shall be designed to create a compact, integrated and walkable shopping district. To achieve this, development of commercial uses with pedestrian amenities shall be encouraged on infill sites within the Gualala Village Mixed Use district (Figure 3.2).

G3.3-2 New development within the Gualala Village Mixed Use district shall be sited and designed to protect and enhance coastal views.

G3.3-3 The siting and design of new development on the west side of Highway 1 in the Gualala Village Mixed Use district shall not preclude completion of the Gualala Bluff Trail along the entire bluff as generally shown on the Local Coastal Program Coastal Access Figure in Chapter 2 of the Gualala Town Plan.

Gualala Highway Mixed Use District

G3.3-4 Restrictions on commercial development on parcels in the Gualala Highway Mixed Use district (Figure 3.2) are intended to limit traffic generation and to ensure that new development is designed and landscaped to minimize the aesthetic impacts of strip development.

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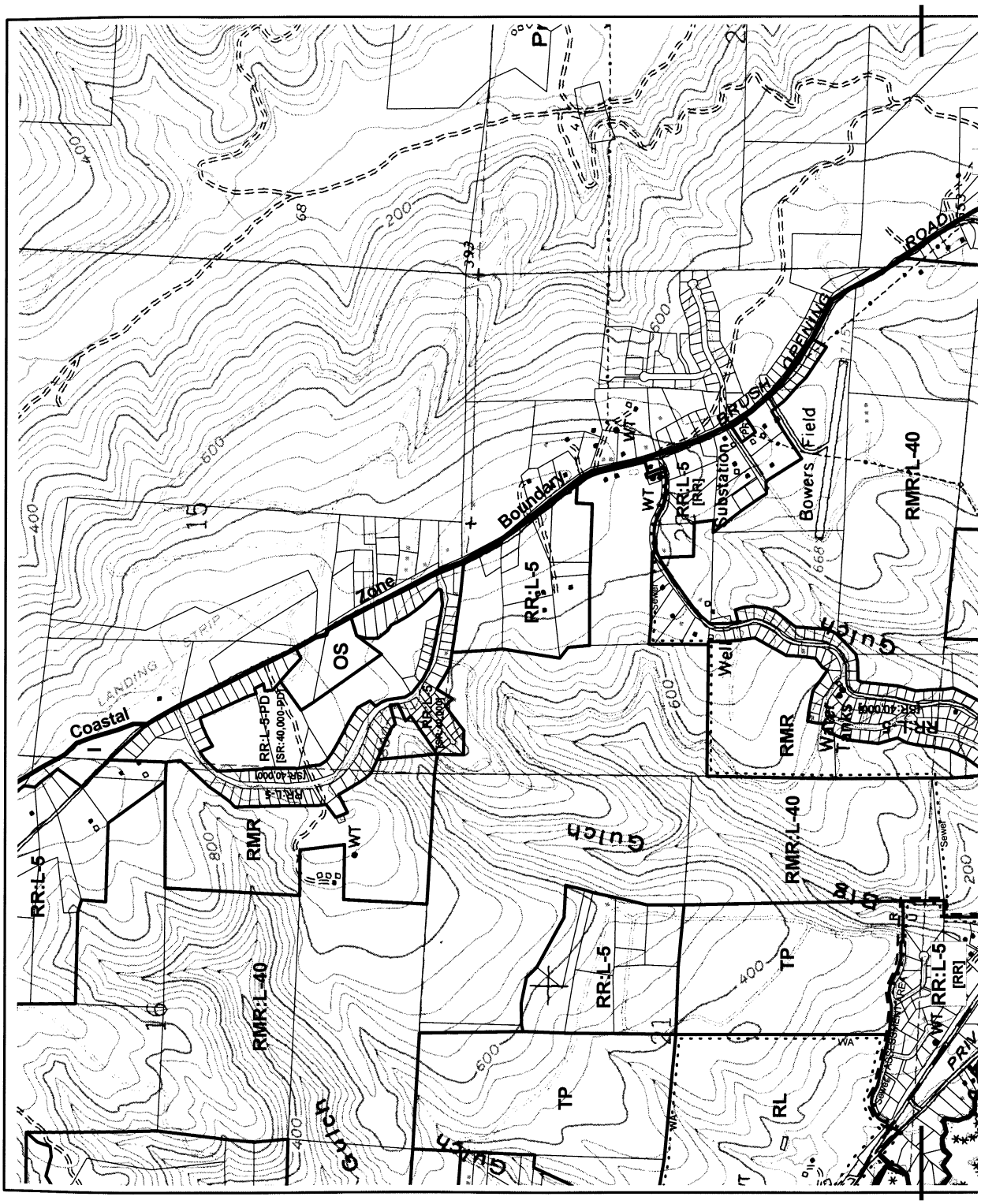
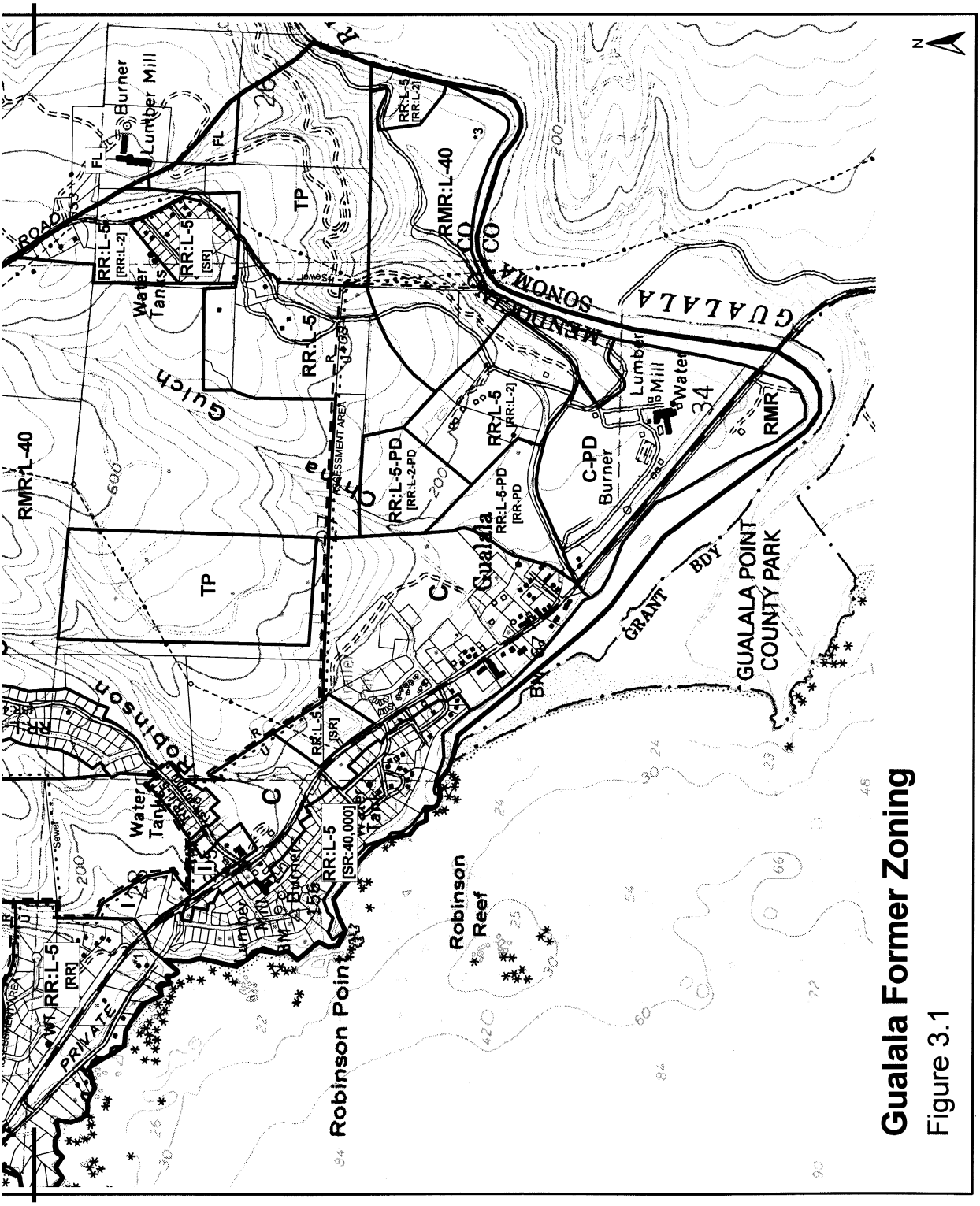
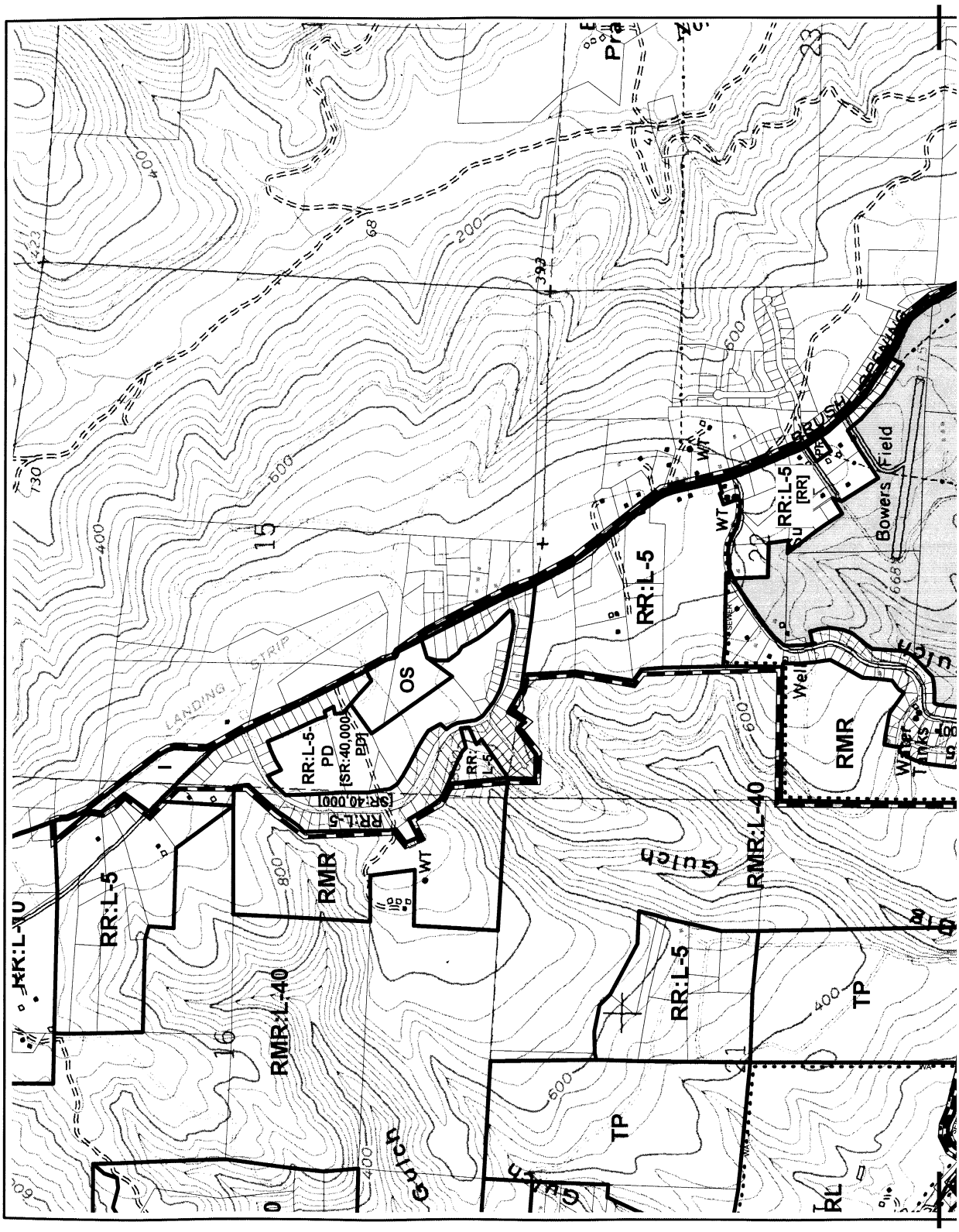
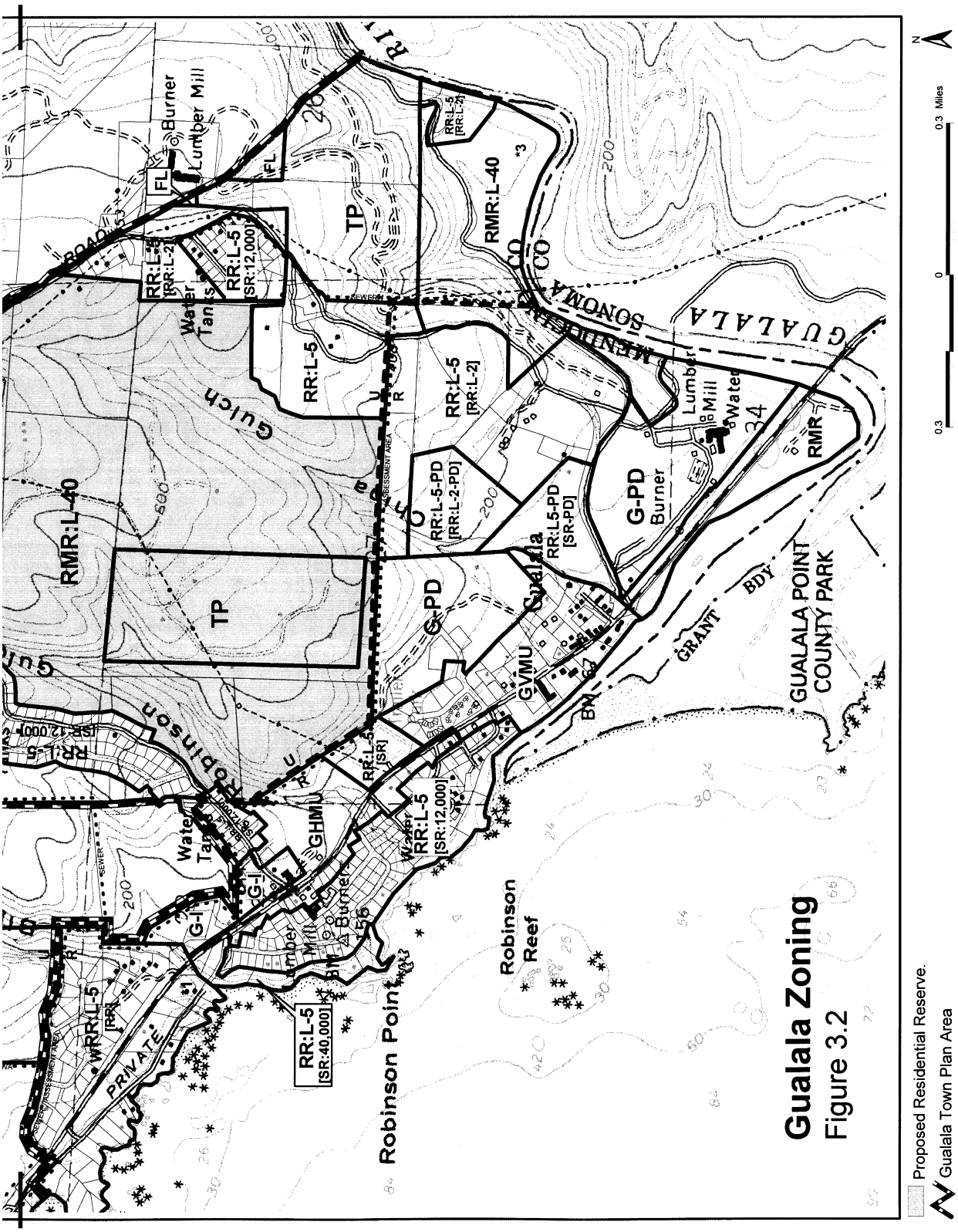

Coastal Zone Boundary
OS
RR:L-5
RR:L-5-PD [SR:40,000-PD]
RMR
RMR:L-40
TP
RL
WT
Substation
Bowers Field
BRUSH
ROAD
Gulch
LANDING STRIP
Well
Water Tank
Sewer
15
16
21
22


Gualala Former Zoning
Figure 3.1
RR:L-5 [RR]
RR:L-5 [RR:L-2]
RR:L-5 [SR]
RR:L-5 [SR:40,000]
RR:L-5-PD [RR:L-2-PD]
RR:L-5-PD [RR:PD]
RR:L-5 [RR:L-2]
RMR:L-40
TP
C-PD
C
I
CO
FL
Robinson Point
Robinson Reef
GUALALA POINT COUNTY PARK
GRANT BDY
SONOMA MENDOCINO CO
GUALALA
Gualala
Robinson
Gulch
Burner Lumber Mill
Water Tanks
Sewer
PRIVATE
ROAD
ASSESSMENT AREA
N


RR:L-5
RR:L-5-PD [SR:40,000]
OS
RMR
RMR:L-40
TP
Bowers Field
Gualala
LANDING STRIP
WT
15
16
22
23


Gualala Zoning
Figure 3.2
Proposed Residential Reserve.
Gualala Town Plan Area
0.3 Miles
0
0.3
N
RMR:L-40
TP
RR:L-5
[RR:L-2]
RR:L-5
[SR:12,000]
RR:L-5
[SR:40,000]
RR:L-5-PD
[RR:L-2-PD]
RR:L-5-PD
[SR-PD]
G-PD
Burner
GVMU
GHMU
G-I
FL
RMR
Water Tanks
Lumber Mill
Gualala
Robinson Point
Robinson Reef
GUALALA POINT COUNTY PARK
GRANT
BDY
SONOMA
MENDOCINO CO
GUALALA
ROAD 523
PRIVATE
Gulch
Robinson
SEWER
WATER
BM
34
56
57

Gualala Planned Development District

G3.3-5 Comprehensive planning shall be required on properties with a Gualala Planned Development designation. A two-stage planning process requiring a general development plan and a Precise Development Plan shall be established to provide general and specific criteria regulating future development within the Gualala Planned Development districts (Figure 3.2). The Planned Development process allows for community review and participation, while streamlining the County's permit-processing requirements.

G3.3-6 The area along Church Street, east of Highway 1, is designated Gualala Planned Development and shall be reserved for expansion of commercial and residential uses in Gualala. This area provides an opportunity for development of a concentration of commercial and residential uses and an alternate street network which should decrease Highway 1 congestion and encourage more pedestrian activity in town.

G3.3-7 The Lower Mill site, located east of Highway 1 and south of Old State Highway, is designated Gualala Planned Development, and shall be reserved for a mixture of residential and commercial uses, including the development of a concentration of visitor-serving facilities. The relatively flat topography of the Lower Mill site establishes it as one of the few sites in town which would permit development of relatively high density residential uses.

3.4 DESIGN GUIDELINES FOR MIXED USE AND PLANNED DEVELOPMENT DISTRICTS

The purpose of these Design Guidelines is to assist property owners, developers and designers in creating projects within the Gualala Village Mixed Use, Gualala Highway Mixed Use and Gualala Planned Development districts that are consistent with the vision for the community of Gualala established by the goals and policies of the Gualala Town Plan. These guidelines are further intended for use by the Gualala Municipal Advisory Council, County planning staff, Coastal Permit Administrator, Planning Commission, and Board of Supervisors as criteria for evaluating the merits of new projects on a consistent basis. The guidelines are intended to result in functional and attractive site and building designs. The guidelines are organized under the following subheadings:

Site Planning, Architectural Form, Vehicle Access & Parking, Pedestrian Access, On-Site Landscaping, Street Landscaping, Exterior Lighting, Signage

Site Planning

G3.4-1 Natural features, such as hillsides, gulches and mature vegetation, shall be considered important design determinants in siting development. New development shall minimize site disturbance to natural landforms.

G3.4-2 The siting and design of buildings shall protect river, ocean and hillside views.

G3.4-3 The protection and restoration of public coastal views is paramount. Buildings shall provide for maximum preservation of coastal views from Highway 1 (for example, by orienting buildings on an axis perpendicular to the highway). Buildings should be sited and designed to maintain access to ocean views from neighboring buildings and parcels.

G3.4-4 Development within the Gualala Village Mixed Use Zoning District between Highway 1 and the Gualala River shall be sited to provide view corridor(s) to the coast for pedestrians and motorists on Highway 1. At a minimum, one unobstructed view corridor shall be provided across each parcel. View corridor(s) should be placed at the property boundary(s) and adjoin other protected view corridors.

G3.4-5 Where two-story structures are proposed on the west side of Highway 1, buildings should be stepped to provide a visual transition to view corridors.

G3.4-6 Siting, design and landscaping elements shall be selected to enhance the pedestrian environment. Site and landscape designs shall incorporate outdoor pedestrian use areas such as courtyards and plazas (which could include amenities such as trellises, raised planters, landscaped berms, and creative and inviting, semi-protected outdoor spaces). These should be visible from street corridors and pedestrian access routes. These requirements are applicable to commercial, industrial and multifamily residential projects.

G3.4-7 Where nonresidential uses are adjacent to residential uses, special attention shall be given to the design of effective buffering, including appropriate setbacks, landscaping, berms, and fences to prevent noise, lighting and privacy intrusion.

G3.4-8 Subject to the constraints in the other Site Planning guidelines herein, structures should be oriented to take maximum advantage of site solar access.

Architectural Form

G3.4-9 New development shall consider relationships between buildings, open space and building setbacks. The scale and massing of new development shall be appropriate to the context of the community. In new development, clusters of small buildings shall be encouraged as an alternative to large buildings.

G3.4-10 Building materials shall be selected to harmonize with the natural setting of Gualala.

G3.4-11 Roofing materials shall be of non-reflective materials. Roof penetrations for vents and ducts shall be grouped and painted to match the roofing materials or

architecturally screened from view. All rooftop mechanical equipment shall be screened from view.

G3.4-12 Service and loading areas shall incorporate appropriate techniques for visual and noise buffering from adjacent uses. Areas which generate objectionable noise and odors shall be located where they will not disturb occupants within, or adjacent to, the development.

Vehicle Access & Parking

G3.4-13 Street access points should be consolidated to minimize multiple curb cuts. Shared access between adjoining properties minimizes disruption of traffic flow, reduces potential points of conflict between through and turning traffic, and facilitates the control and separation of vehicles and pedestrian movement.

G3.4-14 Entrances and exits shall be located at a safe distance from street intersections and shall not create dangerous situations for pedestrians and motorists.

G3.4-15 Parking shall be permitted within established view corridors, provided that required parking lot landscaping and lighting shall not diminish the coastal views. Parking lot design and orientation of parking aisles should provide for unobstructed view corridors.

G3.4-16 Off-street parking shall be screened, either by locating it behind buildings or by providing landscaping which separates the parking from the street frontage. A minimum of ten percent of the area within or around parking areas shall be landscaped.

G3.4-17 Long, straight uninterrupted rows of parking shall be avoided. Parking areas should incorporate internally looped circulation systems, so that drivers will not be dependent on public streets when making multiple passes through a parking area.

G3.4-18 All parking area lighting shall be positioned to minimize glare and illumination beyond the development. The amount of lighting provided after business hours shall be restricted to the minimum needed for safety and security purposes.

G3.4-19 Bicycle racks shall be provided as appropriate for the nature and intensity of use.

Pedestrian Access

G3.4-20 All new development in the Gualala Village Mixed Use, Gualala Highway Mixed Use and Gualala Planned Development districts shall be required to provide pedestrian walkways along the street frontages in accordance with the guidelines established in the “Circulation, Parking and Pedestrian Access” chapter of the Gualala Town Plan.

G3.4-21 To encourage pedestrian usage, safe and convenient pedestrian access shall be provided from building entries to parking areas and the street. An attractive environment for pedestrian use should be provided. This should incorporate street furniture, creative outdoor spaces, landscaping, etc.

On-site Landscaping

G3.4-22 Landscaping provides many site-specific and community benefits including visual screening, definition of spaces, highlighting architectural features and entryways, shading and wind protection, buffering between properties and wildlife habitats. Developments shall provide for as much landscaped area as feasible. Landscaping should be provided around the perimeter of buildings, in parking lots, along street frontages, and as buffers between neighboring uses.

G3.4-23 A landscape plan for on-site and street landscaping shall be required for development proposals in the Gualala Village Mixed Use, Gualala Highway Mixed Use, and Gualala Planned Development districts. Each landscape plan shall identify areas where existing vegetation will be retained and areas proposed for landscaping. For landscaped areas, the types and sizes of proposed trees, shrubs, groundcover and other plantings shall be identified. The landscape plan shall include an on-going maintenance program. These requirements are applicable to commercial, industrial and multifamily residential projects.

G3.4-24 Mature trees are an essential element of the Gualala landscape and can take years to reestablish once removed from a site. Existing groves of trees should be retained and integrated with site development plans, with consideration given to public safety. Trees to be saved shall be noted on site plans and appropriate measures shall be identified to protect the trees during construction activities.

G3.4-25 Landscape design should incorporate natural looking clusters of compatible plants. Landscape plant selection should have the goal of achieving year-round beauty with consideration given to form, color, texture, and ultimate plant size. Plant species that are native to the Gualala area and well adapted non-native plants requiring minimum maintenance and little or no irrigation are encouraged. A list of plants, trees, shrubs and groundcovers meeting these criteria, as well as a list of invasive species inappropriate for local landscape plans, are included in Appendix B.

Street Landscaping

G3.4-26 Landscaping along Highway 1 and local roadways shall provide an aesthetic complement to the pedestrian walkways and partial screening of parking areas and/or buildings.

G3.4-27 Rather than developing a linear tree planting program, cluster landscapes, which form dense "landscape pockets" with tall, canopy trees, smaller understory trees and ground

level shrubs and herbaceous plants, are recommended. Cluster landscapes have the following benefits:

- they can be integrated with existing landscaping and native vegetation;
- they can help maintain a more "natural" appearance in the town;
- they can be located in areas where public coastal views will not be blocked;
- the variety of species in cluster landscapes can help create a microclimate conducive to each plants' survival.

G3.4-28 Existing groves of trees should be retained and integrated with street landscaping plans, with consideration given to public safety.

G3.4-29 Landscaping along roadways shall be selected and sited to avoid blocking sight lines at intersections and curb cuts. Along utility rights-of-way, plantings shall not disrupt service or access to overhead or underground equipment.

G3.4-30 Highway 1 medians and embankments should be landscaped with ground level shrubs and herbaceous plants. Plant materials with seasonal foliage and flower changes are encouraged. Plant materials shall be selected, in part, based on low maintenance and irrigation requirements. Landscaping within the Highway 1 right-of-way requires an encroachment permit from Caltrans.

Exterior Lighting

G3.4-31 An exterior lighting plan shall be required for development proposals in the Gualala Highway Mixed Use, Gualala Village Mixed Use and Gualala Planned Development Districts. The lighting plan shall indicate the location of proposed exterior lighting fixtures and provide either architectural drawings or manufacturer's specifications for all proposed exterior lighting fixtures.

G3.4-32 Lighting shall be designed to minimize the effects of cumulative night-time illumination on the night sky. Lighting of building facades, pathways and parking areas shall be restricted to that which is necessary for public safety and security.

G3.4-33 All exterior lighting shall be downcast and shielded to prevent, where feasible, the light source from being directly visible from off-site areas.

G3.4-34 Lighting standards shall not exceed 20 feet in height.

G3.4-35 Lighting fixtures shall be non-glare and use non-reflective materials where feasible.

Signage

G3.4-36 A signage plan shall be required for development proposals in the Gualala Village Mixed Use, Gualala Highway Mixed Use, and Gualala Planned Development districts.

G3.4-37 Signs shall be compatible with the building's style in terms of location, scale, color and lettering. All signs shall, where feasible, be made of wood.

G3.4-38 Internally illuminated signs and advertising (including neon, LEDs, etc.) shall not be permitted where visible from public walkways and streets.

G3.4-39 Freestanding signs relating to an assemblage of businesses (e.g., retail/office plazas) shall be grouped and visually coordinated to reduce confusion.

G3.4-40 All signage shall comply with the requirements established in the "Sign Regulations" chapter of the Mendocino County Coastal Zoning Code.

Design Review

G3.4-41 New development shall conform with the above design guidelines, Policies G3.4-1 through G3.4-40. In addition, within the Gualala Planned Development districts, new development shall conform with the criteria established in Chapter 4 of this plan, which provides for the protection of sensitive coastal resources within the GPD district, including views from public areas such as Highway 1 and the Gualala Point Regional Park, and sensitive resources associated with the Gualala River. New development requiring a coastal development permit within the Gualala Village Mixed Use, Gualala Highway Mixed Use, and Gualala Planned Development districts shall be referred to the Gualala Municipal Advisory Council or some similar advisory council for comment prior to action by the Coastal Program Administrator or the Planning Commission. The advisory council shall forward its findings and recommendations to the Coastal Program Administrator or Planning Commission for its consideration.

3.5 INDUSTRIAL DEVELOPMENT

G3.5-1 Suitable locations for industrial activities shall be provided where transportation facilities and utilities exist or can be provided, and where conflicts with adjacent uses can be minimized. Properties designated for Industrial use within the Gualala Town Plan area shall be included in the Gualala Industrial District.

3.6 CIRCULATION, PARKING AND PEDESTRIAN ACCESS

Circulation

G3.6-1 Public and private improvements to the Highway 1 corridor shall be required to help make Highway 1 a scenic element of the Gualala townscape, to decrease traffic congestion and reduce potential safety hazards, and to encourage more pedestrian activity in the town of Gualala. Figure 3.3 provides a map illustrating the streetscape concept for Highway 1 in the Gualala Village Mixed Use and Gualala Highway Mixed Use districts. The "Design Guidelines for Mixed Use and Planned Development" chapter provides guidelines for the development of road improvements.

G3.6-2 To help mark the southern entry or gateway into Gualala, a planted median shall be provided in the taper south of Old State Highway. The gateway on the north end of town shall be comprised of ornamental landscaping on the Highway 1 embankments between the Old Milano Hotel and Pacific Woods Road.

G3.6-3 Caltrans' corridor preservation setback in the Gualala Village Mixed Use and Gualala Highway Mixed Use districts shall be a minimum 40 foot half-width, as measured from the centerline, unless otherwise approved by Caltrans. Consideration of a reduced half-width would be dependent upon a review of constraints associated with topography, drainages and existing development. Required building setbacks, parking areas, and landscaping shall be designed to accommodate the final Highway 1 right-of-way, as shown on the Highway 1 Streetscape Map (Figure 3.3). Street landscaping and pedestrian walkways shall be provided within the corridor preservation setback. Parking areas, buildings, and associated landscaping shall be located outside of the corridor preservation setback. No building setbacks from the Highway 1 corridor, other than those mandated by Caltrans' corridor preservation setbacks, are required. All development within the Highway 1 right-of-way requires an encroachment permit from Caltrans.

G3.6-4 The Highway 1 streetscape cross-section in the Gualala Village Mixed Use and Gualala Highway Mixed Use Districts shall include the following elements within a minimum 80' right-of-way, as shown on Figure 3-4:

12'	landscaping (minimum) on each side
5'	sidewalk (continuous on west side of Highway 1, extending from Old State Highway to Gualala Mobile Court on east side of Highway 1)
5'	bike lane/shoulder on each side
12'	travel lane in each direction
12'	continuous left-turn lane from Bakertown to Old State Highway, southbound left turn pocket at Pacific Woods Road)

Exceptions to the strict application of these standards may be granted by the County, with the prior approval of the Caltrans District Director, where existing development, site topography or physical constraints mandate a greater or lesser right-of-way width.

G3.6-5 To discourage development of commercial uses which generate high traffic volumes and would result in high peak hour turning movements, no "drive thru" commercial facilities shall be permitted in the Gualala Highway Mixed Use District.

G3.6-6 Curb cuts along Highway 1 and local roads shall be minimized. Numerous curb cuts slow traffic flow and create conflicts between through traffic and turning vehicles. Site accessways shall be designed for safety and convenient turning. Shared driveway access between neighboring parcels shall be encouraged and driveway access to Highway 1 shall be limited to one driveway per parcel except in instances where more than one access point is necessary for safe ingress and egress and/or efficient on-site circulation.

G3.6-7 School bus and public transit stops shall be provided in appropriate locations along Highway 1. Bus stops shall be provided within the corridor preservation setback, in lieu of a portion of the required landscaping. The school districts shall be encouraged to identify preferred sites for school bus stops within the Gualala Town Plan area.

G3.6-8 A local road network shall be developed in the Gualala Village Mixed Use, Gualala Highway Mixed Use and Gualala Planned Development districts east of Highway 1 to provide alternatives to travel on Highway 1. A network comprised of the elements shown in Fig. 3.5 has been demonstrated to effectively mitigate traffic congestion resulting from anticipated development permitted by this Plan; however, other road network configurations demonstrated to be equally or more effective in mitigating the traffic impacts of new development may be proposed by developers and adopted in lieu of road extensions listed below:

- Church Street extension (south)–connects to Center Street.
- Center Street extension–connects to Church Street and Moonrise extension.
- Moonrise extension–connects Ocean Drive, Moonrise, and Center Street to Old Stage Road on the ridge.
- China Gulch Bridge–connects Center Street to Old State Highway.

Specific alignment and design of road extensions shall be selected to minimize their environmental impacts.

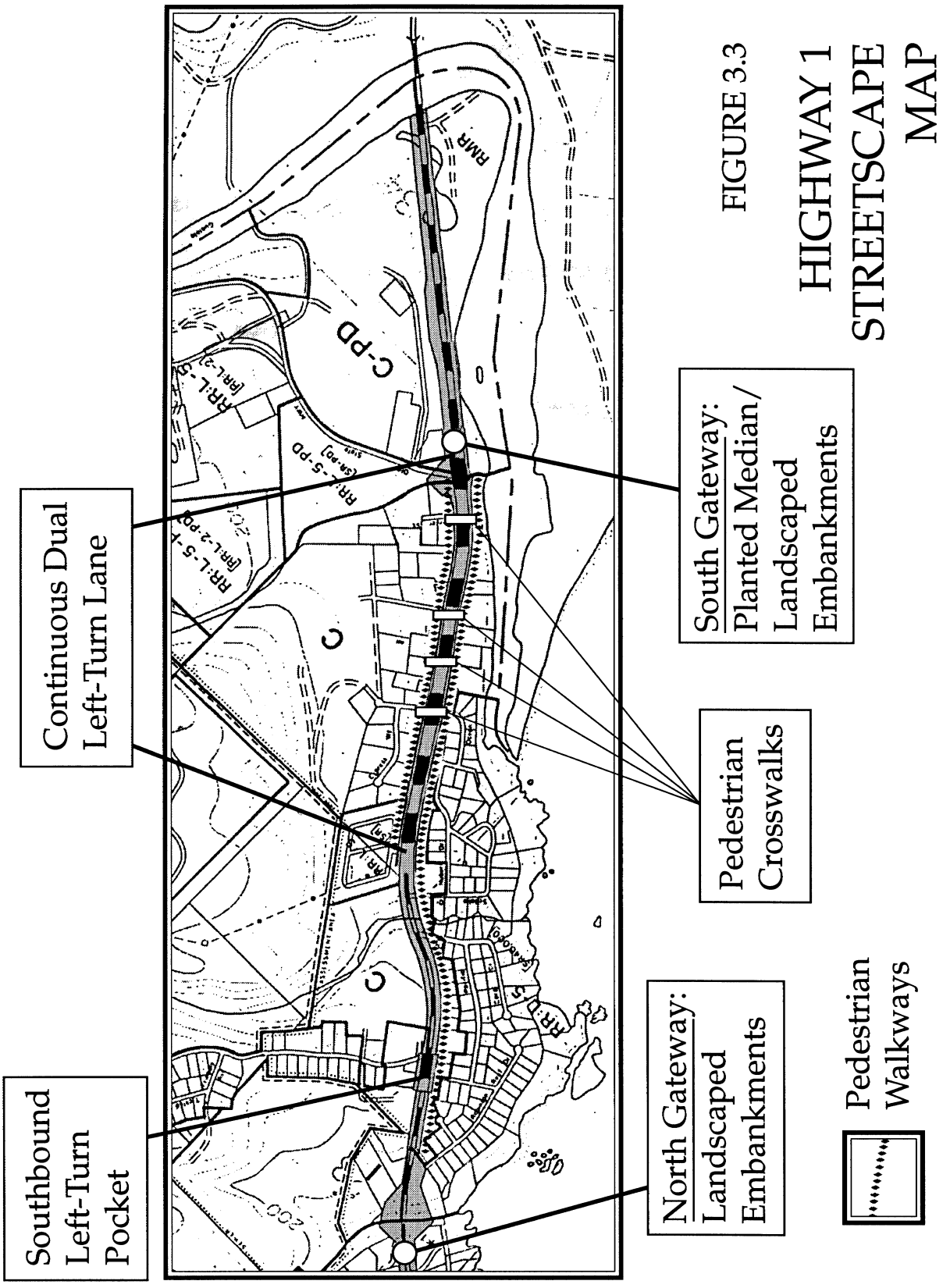


FIGURE 3.3

HIGHWAY 1 STREETSCAPE MAP

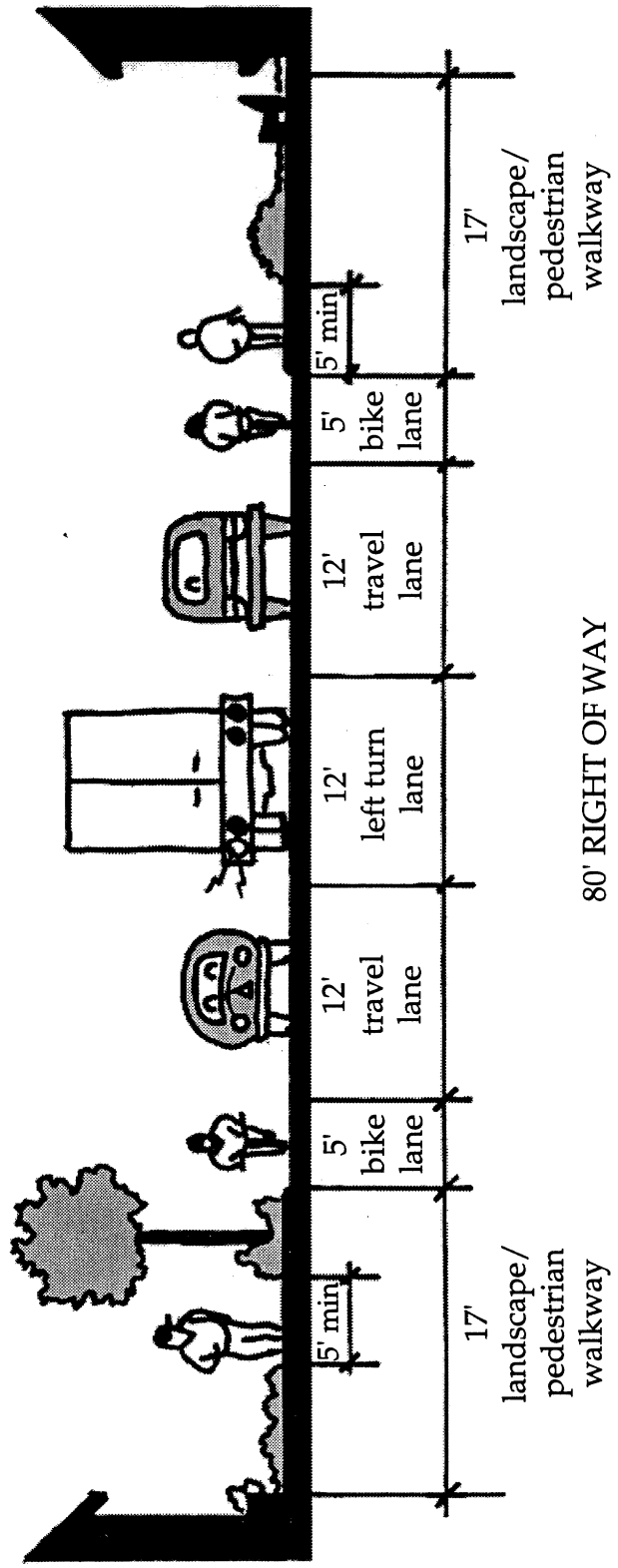
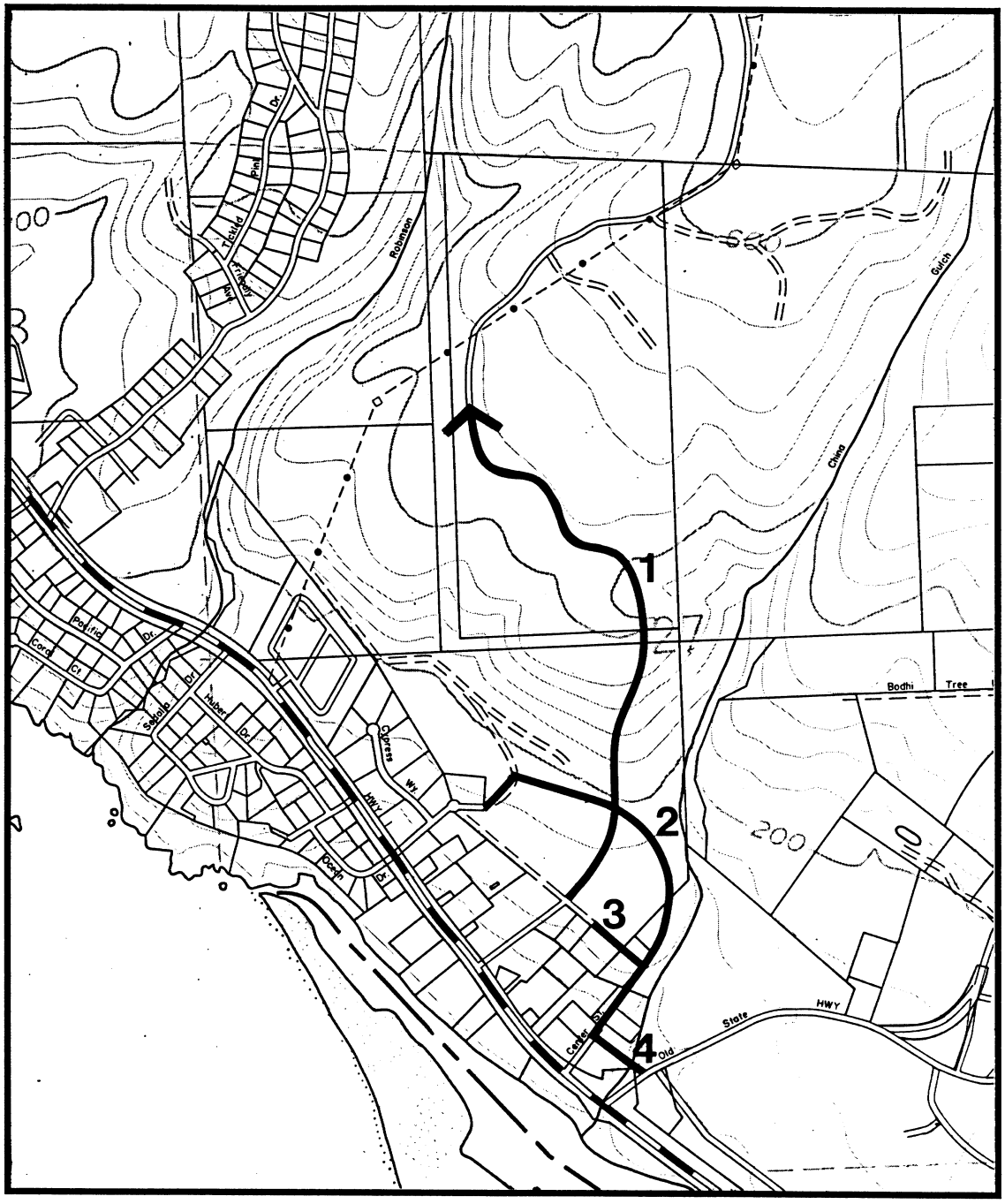


FIGURE 3.4

HIGHWAY 1
STREETSCAPE
CROSS-SECTION



1 Moonrise St. Extension
2 Center St. Extension
3 Church St. Extension
4 China Gulch Bridge

LOCAL ROAD EXTENSIONS
FIGURE 3.5

Note: The road extensions shown have been tested during preparation of the Gualala Traffic Study, December 1994, and effectively mitigate traffic impacts of permitted development in the Town Plan area. Other road network configurations demonstrated to be equally or more effective in mitigating traffic impacts of new development may be proposed by developers and adopted in lieu of road extensions shown.

Note: Approximate locations are shown for proposed roadway extensions.

North 0 200 400 Ft.

G3.6-9 A streetscape concept for local roads is shown on Figure 3.6. Where appropriate, local roads in the Gualala Village Mixed Use, Gualala Highway Mixed Use and Gualala Planned Development districts shall include the following elements within a minimum 60-foot right-of-way:

12' travel lane in each direction,
8' parking lanes on each side
10' strip on each side containing landscaping and 5-foot wide pedestrian walkway

On some local streets, parking lanes may not be appropriate due to topographic and environmental constraints and/or the presence of structures within the required right-of-way. A 40-foot right-of-way may be acceptable on Center Street, the Moonrise extension, and the Church Street extension (north of Ocean Drive, connecting to Pacific Woods Road). Where feasible, the following elements shall be included within the 40-foot right-of-way of local roads:

12’ travel lane in each direction
8’ strip on each side containing landscaping and a 5-foot wide pedestrian walkway

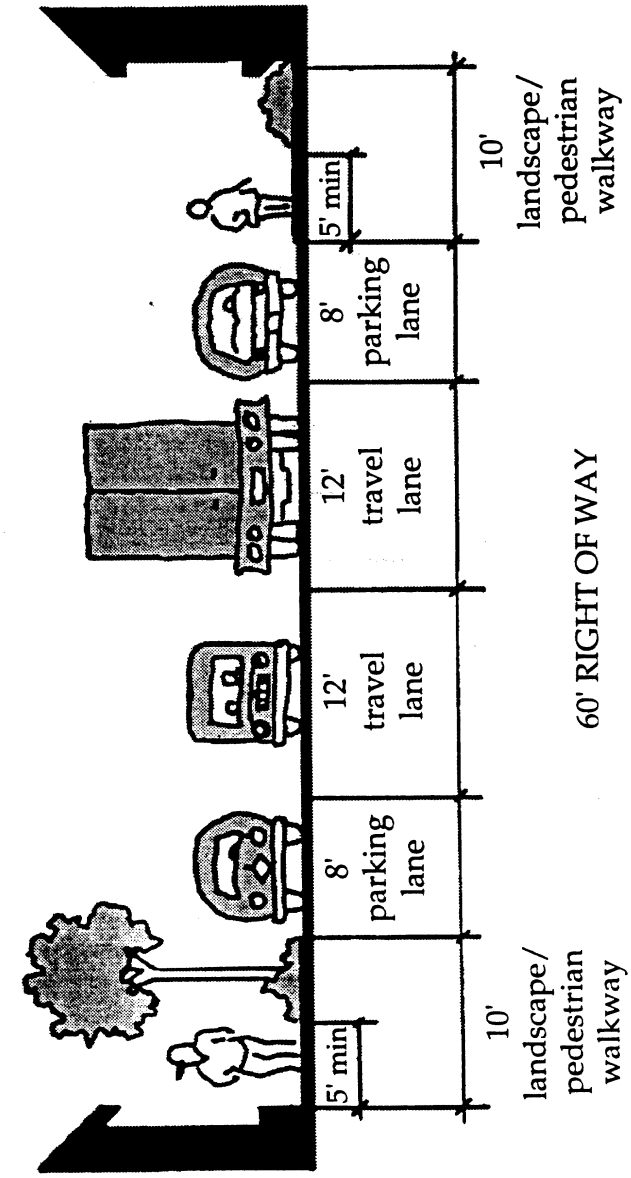
An alternative way of creating narrower streets is to restrict traffic to one direction. As the road network is expanded in the future, consideration shall be given to the possibility of incorporating one-way streets into the local road network.

G3.6-10 Prior to the implementation of any physical roadway improvements, Caltrans and the County shall consider implementation of possible trip-reducing measures. The development of pedestrian walkways and bike paths in the Gualala commercial district, provision of mixed-use development, and provision of local public transit have been identified as the most effective techniques for reducing the number of vehicle trips.

G3.6-11 Level of Service E shall be maintained on all Highway 1 road segments and intersections in the commercial district. New development shall not be approved if Level of Service E will not be maintained on all Highway 1 road segments and intersections in the commercial district. The five-year review of the Gualala Town Plan should include a review and analysis of current highway levels of service and new projections of levels of service to determine if there will be any deterioration below Level D for any Highway 1 road segments or intersections within the commercial district of the Town Plan area. If Level of Service D is not being maintained, steps should be initiated to ensure that levels of service are improved in the affected areas. The five-year review of the Gualala Town Plan should also consider the development of a cost-sharing plan for traffic mitigation measures. Traffic mitigation measures and traffic control measures, including traffic signals, should be considered as methods of improving level of service at the intersections of

FIGURE 3.6

LOCAL ROADS STREETSCAPE CROSS-SECTION



State Route 1 and Sundstrom Mall, Ocean Drive, and Pacific Woods Road consistent with the findings of the Gualala Traffic Study - February, 1995.

Parking

G3.6-12 No on-street parking shall be permitted on Highway 1. County staff shall coordinate with Caltrans to develop appropriate signage.

G3.6-13 Off-street parking shall be provided in accordance with the standards established in the “Off-Street Parking” chapter of the Coastal Zoning Code. The "Design Guidelines " chapter of the Gualala Town Plan provides additional policies for vehicle access and parking design.

Pedestrian Access

G3.6-14 A continuous pedestrian walkway shall be provided on the east side of Highway 1, from Old State Highway to the Gualala Mobile Court and on the west side of Highway 1 from Old State Highway to Robinson Reef Road. Additional pedestrian walkways may be necessary to serve future development on the east side of Highway 1 between Gualala Mobile Court and Pacific Woods Road.

Pedestrian walkways may be located anywhere within the designated landscaping/sidewalk area, but shall connect with existing walkways on adjoining parcels or provide for a reasonable connection to future pathways on adjoining parcels. Policies in the "Design Guidelines" chapter of the Gualala Town Plan provide guidance for the development of pedestrian walkways.

G3.6-15 Pedestrian walkways and landscaping shall be provided along local roads within the Gualala Village Mixed Use, Gualala Highway Mixed Use and Gualala Planned development districts as illustrated on the Local Roads Streetscape Cross-section (Figure 3.6). Where feasible, walkways and landscaping shall be located in the public road right-of-way. An encroachment permit from the Mendocino County Department of Public Works is required for all improvements within County road rights-of-way.

All pedestrian walkways shall be a minimum of five (5) feet in width and shall be constructed of concrete. Exceptions to the strict application of these standards may be granted by the approving authority if it is found that strict adherence is not feasible or would have significant adverse impacts on natural resources, aesthetics, or other environmental factors.

G3.6-16 Landscaping shall be provided along all pedestrian walkways to create attractive and usable pedestrian corridors. Landscaping shall be established and maintained in accordance with the "Design Guidelines" of the Gualala Town Plan.

G3.6-17 Pedestrian crosswalks shall be provided at the following locations on Highway 1:

Sundstrom Center entry	Ocean Drive
Seacliff	Center Street

G3.6-18 Pedestrian crosswalks shall be constructed of flush pavers. Pavers used at crosswalk areas must: (a) be flush with the adjacent paving; (b) be skid-resistant; (c) be contained within a cast concrete perimeter to prevent loosening; and (d) have small, tight joints to accommodate wheelchairs and strollers.

G3.6-19 All crosswalks and pedestrian walkways shall be accessible to disabled persons and meet the requirements of the Americans with Disabilities Act.

3.7 RECREATION FACILITIES, COASTAL ACCESS & TRAILS

Recreation Facilities

G3.7-1 Within two years of Plan certification, the County should initiate preparation of a feasibility study for the acquisition and development of public parks and recreation facilities in the Gualala Town Plan area.

Coastal Access and Trails

G3.7-2 The Gualala Bluff Trail shall be developed within the 25-foot wide public access easements located along the bluff edge west of Highway 1. Offers to dedicate easements for public access shall be obtained to provide for the completion of the Gualala Bluff Trail consistent with Coastal Element policies and in consultation with the Redwood Coast Land Conservancy or other managing agency for the Gualala Bluff Trail.

G3.7-3 The parcel located on the north bank of the Gualala River, immediately north of the Gualala River Bridge and west of Highway 1, should be acquired for protection of natural resources and public access purposes by the County, State Parks, Caltrans, a non-profit land trust, or some other public agency or private association, or managed for protection of natural resources and public access purposes by its owners. Potential development on the site includes development of the Gualala Bluff Trail; fish and wildlife habitat management; limited parking for public fishing; and access for launching small craft such as canoes, kayaks, rowboats or small boats utilizing trolling-type motors.

If and when such acquisition occurs, the parcel shall be classified as Open Space in the Land Use Plan. Prior to development of any public access facilities on the site, a management plan shall be prepared, in accordance with Coastal Element public access policies, to ensure the long-term protection of natural resources and

maintenance of the property. Development of the Gualala Bluff Trail on this parcel may involve use of the Highway 1 right-of-way or acquisition of an easement along the bluff of the Lower Mill site east of Highway 1 to ensure the protection of environmentally sensitive habitat areas along the Gualala River estuary.

G3.7-4 A pedestrian and bicycle trail which links Gualala and Anchor Bay and connects to coastal access trails shown on the Land Use Plan maps shall be developed within Highway 1 and Old Coast Highway (CR #513) rights-of-way and easements acquired for public access.

G3.7-5 A pedestrian trail providing public access for fishing, hiking, and swimming shall be developed on the north side of the Gualala River from Highway 1 to the easternmost boundary of the Gualala Arts Center property. Offers to dedicate easements for lateral access shall be acquired consistent with Coastal Element access policies and Section 66478.1 et.seq. of the California Government Code. If feasible, this trail shall connect to the Gualala Bluff Trail.

G3.7-6 Based on an inventory of existing and potential trail alignments, a network of trails shall be designated which connects commercial areas, neighborhoods, visitor accommodations, areas of scenic beauty, and recreational facilities. Priority for trail alignments shall be along public and private road rights-of-way and trails that are currently in use. Access easements shall be acquired from property owners on a voluntary basis (i.e., gifts, open space and conservation easements) as conditions associated with development (i.e., deed restrictions, offers to dedicate), or by direct property acquisition. Trails shall be developed and maintained by the County, State Parks, Caltrans, a non-profit land trust, or some other public agency or private association.

G3.7-7 GMAC shall review, evaluate, and prioritize the Offers to Dedicate (OTDs) and Deed Restrictions which the Coastal Commission has obtained through the coastal permit process within the GTP planning area.

Visitor-Serving Facilities

G3.7-8 Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

G3.7-9 The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

3.8 PROTECTION OF ENVIRONMENTAL RESOURCES

G3.8-1 The County shall encourage and support the protection of fisheries habitat through coordination with responsible State and/or Federal permitting agencies regulating water supplies to facilitate compliance with permits which are intended to ensure the viability of the North Fork of the Gualala River. The County shall encourage a joint effort with Sonoma County as well as State and Federal agencies to develop a comprehensive fishery restoration plan for the Gualala River.

G3.8-2 Any wood-burning appliance to be installed as a primary heat source in residential or commercial development shall be an EPA certified unit. The County shall encourage the use of low pollution heating devices instead of wood-burning heat sources.

G3.8-3 New development shall be permitted only if the infrastructure and resources to support it are available, or are made available as part of the developer's project plan.

G3.8-4 New development shall:

(1) Minimize risk to live and property in areas of high geologic, flood, or fire hazard;

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

G3.8-5 The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

3.9 PUBLIC IMPROVEMENTS FINANCING

G3.9-1 Ordinances requiring dedications or "in lieu" development fees should be adopted by the Board of Supervisors to assist in the acquisition and development of open space, public facilities, walkways and trails identified in the Gualala Town Plan. Development fees shall be structured to levy an assessment which is directly related to the proportional benefit received.

G3.9-2 Streetscape improvements on Highway 1 identified in the Gualala Town Plan should be financed by a combination of developer impact fees or a new transient occupancy tax for these specific services proposed which should be placed before the voters in the GMAC area. These fees/taxes should be assessed on all properties within the GMAC area of jurisdiction, and the County shall make every effort to have a corresponding assessment/tax adopted by Sonoma County for all parcels on the Sea Ranch. Streetscape improvements off of Highway 1 shall be paid for by developers whose development benefits from said improvements.

G3.9-3 Special districts may be established to help fund the public improvements identified in the Gualala Town Plan. Assessment districts must be structured to levy an assessment on each property which is directly related to the proportional benefit received.

G3.9-4 Gifts of parkland, public access easements, conservation easements and open space easements are encouraged and shall be accepted by appropriate managing agencies, when consistent with Coastal Element and managing agency policies.

3.10 WATER AND SEWER SERVICES

G3.10-1 When the North Gualala Water Company reaches 80 percent of service capacity, as defined in the Development/Constraints Table found in Section 2.5 of this Plan (or any amendments in this capacity due to new facilities), the County shall not approve coastal development permits for developments that require water hookups unless one or more of the action(s) listed below have already been taken to expand water service capacity without violating the Endangered Species Act or any other state or federal law:

- Development of new water supply source (NGWC).
- Development of increased storage capacity for water supply during low flow periods (NGWC).
- Increase water conservation efforts (water users).
- Restrict the amount of new development which increases water usage (County).

G3.10-2 Either a hook-up to the North Gualala Water Company or an adequate on-site water system, as approved by the Division of Environmental Health, shall be available to serve any new development.

G3.10-3 Either a hook-up to the Gualala Community Services District or an adequate on-site sewage disposal system, as approved by the Division of Environmental Health, shall be available to serve any new development.

G3.10-4 At such time as a utility company, such as the North Gualala Water Company, or the Gualala Community Services District, proposes to expand its capacity, the County shall require as a condition of the coastal development permit that a certain percentage of the new capacity be reserved for visitor-serving uses. The percentage of the new capacity to be reserved for visitor-serving uses shall be commensurate with the percentage of existing visitor-serving uses as compared to non visitor-serving uses. This percentage should be calculated at the time the service expansion is proposed.

The capacity of any new infrastructure development shall not exceed the buildout potential of the Town Plan.

G3.10-5 A review and possible update of the Plan shall be initiated five years after adoption of said Plan. The review should include an analysis of development constraints/thresholds for water connections and sewer capacity ESDs.

CHAPTER 4 - LAND USE CLASSIFICATIONS

Four new land use classification categories are established in the Gualala Town Plan: Gualala Village Mixed Use; Gualala Highway Mixed Use; Gualala Planned Development and Gualala Industrial. These replace the Commercial and Industrial designations assigned by the Mendocino County Coastal Element (adopted November 1985, revised March 1991) to parcels within the Gualala Town Plan area. The existing land use classifications of the Coastal Element apply to parcels within the Gualala Town Plan area which are designated Suburban Residential, Rural Residential, Remote Residential, Forest Land, and Open Space. While the Gualala Town Plan creates new commercial and industrial use classifications, these classifications reference the Coastal Use Types, as defined by the Coastal Zoning Code.

GUALALA VILLAGE MIXED USE

Map Code: GVMU

Intent: To provide for commercial development and residential development which are compatible with existing commercial uses; to create a compact, integrated, and walkable shopping district; to direct new development east of Highway 1; to provide public access along the bluff; and to protect and enhance coastal and river views.

Principal Uses: The following uses are subject to obtaining a Coastal Development Permit and necessary building permits and approvals.

Residential: Single family dwellings, two-family dwellings, multi-family dwellings, boarding houses

Civic Uses: Ambulance Services, Clinic Services, Cultural Exhibits, Library Services, Day Care Facilities, Small Schools, Fire and Police Protection Services, Group Care, Lodge, Fraternal and Civic Assembly, Religious Assembly

Commercial Uses: Administrative and Business Offices, Agricultural Sales and Services: Household Pets, Agricultural Sales and Services: Veterinary (Small animals); Automotive and Equipment: Parking; Building Maintenance Services; Business Equipment Sales and Services; Communications Services; Eating and Drinking Establishments; Financial Services; Food and Beverage Preparation: Without consumption; Food and Beverage Retail Sales; Funeral and Interment Services; Laundry Services; Medical Services; Neighborhood Commercial Services; Personal Services; Repair Services: Consumer; Retail Sales: General; Wholesaling, Storage, Distribution: Light

Open Space Uses: Passive Recreation

Visitor Accommodations and Services Uses: Bed and Breakfast Accommodations; Visitor-Oriented Eating and Drinking Establishments; Visitor-Oriented Retail Sales

Conditional Uses: The following uses are subject to obtaining a Coastal Development Use Permit and necessary building permits and approvals.

Residential Uses: Mobile Home Parks

Civic Uses: Administrative Services: Government; Alternative Energy Facilities: Onsite; Community Recreation; Educational Facilities; Major Impact Services and Utilities; Minor Impact Utilities

Commercial Uses: Automotive and Equipment: Cleaning; Automotive and Equipment: Gasoline Sales; Automotive and Equipment: Repairs, Light; Automotive and Equipment: Sales/Rentals; Automotive and Equipment: Recreational Vehicles and Boats; Commercial Recreation: Indoor Sports and Recreation; Commercial Recreation: Indoor Entertainment; Commercial Recreation: Outdoor Sports and Recreation; Commercial Recreation: Water-Dependent Recreation; Construction Sales and Services; Recycling Centers; Research Services; Wholesaling, Storage, Distribution: Mini-warehouses;

Open Space Uses: Active Recreation

Visitor Accommodations and Services Uses: Hostel; Hotel; Inn; Motel

Development Requirements: Minimum lot area of six thousand (6,000) square feet.

Density Requirements: Maximum residential density of (A) Single family dwelling units per parcel, or portion thereof, shall be limited to a density of ten (10) units per acre; (B) Multiple family and two-family dwelling units per parcel, or portion thereof, shall be limited to a density of thirty (30) units per acre. Density of visitor accommodation units shall not exceed twenty (20) units per acre, not to exceed thirty (30) units.

Site Development Standards: East of Highway 1

Maximum Building Height: Structures shall be limited to twenty-eight (28) feet in height. Lesser heights may be required where it is found that building heights would have adverse impacts to community character, open space or public views.

Exceptions to the strict application of maximum building heights on the east side of Highway 1 may be allowed for church steeples, flag poles, water towers, utility poles, and other towers and architectural features not for human habitation, where such exceptions are consistent with the intent of the zoning district and a variance is obtained.

Maximum Lot Coverage: The maximum lot coverage for all uses shall be twenty-five (25) percent.

Maximum Floor-Area Ratio: A maximum floor-area ratio of thirty-five (35) percent shall be permitted for all uses.

Site Development Standards: West of Highway 1

Maximum Building Height: Structures shall be limited to eighteen (18) feet in height. Exceptions to the strict application of the eighteen-foot height limit, to a maximum permitted height of twenty-eight (28) feet, may be granted in instances where "significant view corridors" are maintained and subject to the lot coverage and floor area ratio criteria established below.

Minimum View Corridor: All development shall be required to maintain, as a minimum, one view corridor of constant width equal to 30% of the average length of the front and rear parcel boundaries. A "significant view corridor" shall be equivalent to 50% or more of the average length of the front and rear parcel boundaries. An exception may be granted to this standard only if an alternative development configuration will provide a superior public view.

Maximum Lot Coverage: The maximum lot coverage for all uses shall be twenty (20) percent. If significant view corridors are maintained, the maximum lot coverage may be increased to twenty-five (25) percent during the Coastal Development Permit or Coastal Development Use Permit process.

Maximum Floor-Area Ratio: A maximum floor-area ratio of twenty (20) percent shall be permitted for all eighteen (18) foot high structures. Where significant view corridors are maintained, and an exception to the eighteen-foot height limit has been granted, a maximum floor-area ratio of thirty (30) percent shall be permitted.

Minimum Usable Activity Space Requirements for Residential Uses: At a minimum, ten (10) percent of the total lot area in each residential development shall consist of usable activity space. Areas within the required building setbacks may contribute to this requirement.

Off-Street Parking Requirements for Residential Uses: For studio and one-bedroom dwelling units: minimum of one and a half (1.5) on-site parking spaces per unit; For two- or more bedroom dwelling units: minimum of two (2) on-site parking spaces per unit.

Off-Street Parking Requirements for Non-Residential Uses: Off-street parking for non-residential uses shall be provided in accordance with the standards established in "Off-street Parking" chapter of the Coastal Zoning Code. Shared parking arrangements shall be permitted in accordance with the standards established in the Coastal Zoning Code and subject to obtaining a variance.

Vehicle Access Requirements: Shared driveway access between neighboring uses and parcels shall be encouraged. Wherever possible, driveway access shall be provided at the property boundary to permit future negotiations of shared access agreements when adjoining parcels are

developed. Where shared access is provided, a ten percent (10%) reduction in the required parking spaces for all commercial uses shall be permitted for each participating parcel. Driveway access to Highway 1 shall be limited to one driveway per parcel except in instances where more than one access/egress point can be clearly justified.

Pedestrian Access Requirements: All new development shall be required, where feasible, to provide a pedestrian walkway along Highway 1 and local street frontages. Pedestrian walkways shall be a minimum of five (5) feet in width and shall be constructed of concrete. Walkways may be located within the landscaping/walkway corridors of the public rights-of-way, as indicated on the Highway 1 and Local Roads Streetscape Map. The specific location of pedestrian walkways shall be determined by each property owner. However, narrow linear strips of landscaping between walkways and streets shall be discouraged. Required walkways shall connect to existing walkways on adjacent properties' and where such adjacent walkways have not been developed, the required walkways shall be located in areas where the future continuation of the walkway across adjoining properties is feasible.

Landscaping Requirements: A landscape plan shall be required for all new development proposals in the Gualala Village Mixed Use District in accordance with the On-Site Landscaping policies in the "Design Guidelines" chapter of the Gualala Town Plan.

GUALALA HIGHWAY MIXED USE

Map Code: GHMU

Intent: The intent of this district is to provide for commercial and residential development on parcels adjacent to Highway 1 that is attractively sited, designed, and landscaped. Development in this district is intended to limit traffic generation and to lessen the potential for vehicular congestion on Highway 1.

Principal Uses: The following uses are subject to obtaining a Coastal Development Permit and necessary building permits and approvals.

> Residential Uses**:** Single family dwellings; Two-family dwellings; Multiple family dwellings; Boarding houses
>
> Civic Uses: Ambulance Services; Clinic Services; Cultural Exhibits/Library Services; Day Care Facilities/Small Schools; Fire and Police Protection Services; Group Care
>
> Commercial Uses: Administrative and Business Offices; Agricultural Sales and Services: Household Pets; Agricultural Sales and Services: Veterinary (Small animals); Automotive and Equipment: Parking; Building Maintenance Services; Business Equipment Sales and Services; Communications Services; Eating and Drinking Establishments; Food and Beverage Preparation: Without consumption; Food and Beverage Retail Sales; Funeral and Interment Services; Laundry Services; Medical Services; Neighborhood Commercial Services; Personal Services; Repair Services:

Consumer; Retail Sales: General; Wholesaling, Storage, Distribution: Mini-warehouses; Wholesaling, Storage, Distribution: Light

Open Space Uses: Passive Recreation

Visitor Accommodations and Services Uses: Bed and Breakfast Accommodations; Visitor-Oriented Eating and Drinking Establishments; Visitor-Oriented Retail Sales

Conditional Uses: The following uses are subject to obtaining a Coastal Development Use Permit and necessary building permits and approvals.

Residential Uses: Mobile Home Parks

Civic Uses: Administrative Services: Government; Alternative Energy Facilities: Onsite; Community Recreation; Educational Facilities; Major Impact Services and Utilities; Minor Impact Utilities

Commercial Uses: Automotive and Equipment: Cleaning; Automotive and Equipment: Fleet Storage; Automotive and Equipment: Gasoline Sales; Automotive and Equipment: Repairs, Light; Automotive and Equipment: Repairs, Heavy; Automotive and Equipment: Sales/Rentals; Automotive and Equipment: Recreational Vehicles and Boats; Commercial Recreation: Indoor Sports and Recreation; Commercial Recreation: Indoor Entertainment; Commercial Recreation: Outdoor Sports and Recreation; Commercial Recreation: Water-Dependent Recreation; Construction Sales and Services; Recycling Centers; Research Services

Open Space Uses: Active Recreation

Visitor Accommodations and Services Uses: Hostel; Hotel; Inn; Motel

Minimum Lot Area: Six thousand (6,000) square feet

Density Requirements: Single family dwelling units per parcel, or portion thereof, shall be limited to a density of ten (10) units per acre. Multiple and two-family dwelling units per parcel, or portion thereof, shall be limited to a density of twenty-five (25) units per acre. Density of visitor accommodation units shall not exceed fifteen (15) units per acre, not to exceed twenty (20) units.

Site Development Standards: East and West of Highway 1

Maximum Building Height: Structures shall be limited to twenty-eight (28) feet in height. Lesser heights may be required where it is found that building heights would have adverse impacts to community character, open space or public views.

Exceptions to the strict application of maximum building heights on the east side of Highway 1 may be allowed for church steeples, flag poles, water towers, utility poles, and other towers and architectural features not for human habitation, where such exceptions are consistent with the intent of the Zoning District and a variance is obtained.

Maximum Lot Coverage: The maximum lot coverage for all uses shall be twenty (20) percent.

Maximum Floor-Area Ratio: A maximum floor-area ratio of thirty (30) percent shall be permitted for commercial uses. For mixed uses where more than half of the total floor area is dedicated to residential uses, no floor-area ratio shall apply. No floor-area ratio shall apply to residential uses.

Minimum Usable Activity Space Requirements for Residential Uses: At a minimum, ten (10) percent of the total lot area in each residential development shall consist of usable activity space. Areas within the required building setbacks may contribute to this requirement.

Off-Street Parking Requirements for Residential Uses: For studio and one-bedroom dwelling units: minimum of one and a half (1.5) on-site parking spaces per unit; For two or more bedroom dwelling units: minimum of two (2) on-site parking spaces per unit.

Off-Street Parking Requirements for Non-Residential Uses: Off-street parking for non-residential uses shall be provided in accordance with the standards established in the "Off-street Parking" chapter of the Coastal Zoning Code. Shared parking arrangements shall be permitted in accordance with the standards established in the Coastal Zoning Code and subject to obtaining a variance.

Prohibition of "Drive Through" Facilities: To discourage development of commercial uses which generate high traffic volumes and would result in high peak hour turning movements, no "drive through" commercial facilities, except for car washes, shall be permitted in the GHMU District.

Vehicle Access Requirements: Shared driveway access between neighboring uses and parcels shall be encouraged. Wherever possible, driveway access shall be provided at the property boundary, to permit future negotiations of shared access agreements when adjoining parcels are developed. Where shared access is provided, a ten percent (10%) reduction in the required parking spaces for all commercial uses shall be permitted for each participating parcel. Driveway access to Highway One shall be limited to one driveway per parcel except in instances where more than one access/egress point can be clearly justified.

Pedestrian Access Requirements: All new development shall be required, where feasible, to provide an on-site pedestrian walkway along the Highway 1 frontage and local street frontages. The walkway shall be a minimum of five (5) feet in width and shall be constructed of concrete. Walkways may be located within the landscaping/walkway corridors of the public rights-of-way, as indicated on the Highway 1 Streetscape Map. The specific location of pedestrian walkways

shall be determined by each property owner. However, narrow linear strips of landscaping between walkways and streets shall be discouraged. Required walkways shall connect to existing walkways on adjacent properties and, where such adjacent walkways have not been developed, the required walkways shall be located in areas where the future continuation of the walkway across adjoining properties is feasible.

Landscaping Requirements: A landscaping plan shall be required for all new development proposals in the GHMU District in accordance with the On-Site Landscaping policies in the "Design Guidelines" chapter of the Gualala Town Plan.

GUALALA PLANNED DEVELOPMENT

Map Code: GPD

A series of community workshops were held in Gualala to develop a vision of the role of the two GPD properties in the context of community-wide development. Although these plans are not binding on GPD property owners, they provide an indication of the types of development which are likely to engender community support on these two important pieces of commercial property. The conceptual plans prepared at the workshops included the following elements:

GPD District on hillside east of Church Street:

This area was identified as the prime location for expansion of the commercial district in Gualala. Referred to as the Town Center in the conceptual plans, the location of this parcel provides an opportunity for creation of an alternate street network (as opposed to the highway strip) and development of a concentration of commercial uses which may encourage more pedestrian activity in town.

Generally, the portion of this property fronting Church Street was viewed as appropriate for local-serving commercial uses and public and civic facilities (such as churches, firehouse, medical center, post office and possibly a future town hall). A key element included in the conceptual plan developed at the workshops was a Village Green located to the northeast of the current Moonrise/Church Street intersection. Ideally, the Village Green will be acquired as a public open space/recreational facility. The upper hillslopes of this property were identified as potential residential areas, with the possible inclusion of senior housing facilities near the existing medical center.

The Town Plan includes a local road plan which establishes approximate locations for future road expansions and connections, and standards for local roads in the commercial district. Development on this parcel would require expansion of the local road network, including Ocean Drive, Moonrise, Center Street, and possibly a connector to Old Stage Road on the ridge.

GPD District on the Lower Mill site, east of Highway 1 and south of Old State Highway:

This property was identified as an appropriate location for a mixture of residential and commercial uses, including the development of a concentration of visitor-serving facilities. The flat topography of the Lower Mill site establishes it as one of the few sites in town which would permit development of relatively high density residential uses.

Consideration will be given to the effect of development on views from Highway 1 and Gualala Point Regional Park, protection of sensitive resources associated with the Gualala River, the need for pedestrian and vehicular connections to the core commercial district of Gualala, and recreational opportunities associated with the Gualala River.

Intent: To require comprehensive planning for development of the two large (40+ acre) commercial properties in the Town Plan area; to allow for substantial community review and comment on development proposals for GPD properties; to establish a flexible and streamlined permitting process for the phased development of multiple uses on these properties; to encourage imaginative development plans which provide for a mixture of residential, commercial, and community recreation/open space uses which is integrated with surrounding development; to ensure the provision of adequate infrastructure to serve future development on the GPD District parcels, and to coordinate the expanded circulation network necessary to serve such development.

Development Permitting Process: A two-stage planning process, requiring a Master Development Plan and a Precise Development Plan is established for the GPD Districts. The development plans will provide general and specific criteria regulating future development within the GPD Districts.

The Precise Development Plans for the GPD Districts can be considered a type of use permit which governs the establishment of multiple uses on these large sites. The processing of applications for Master Development Plans and Precise Development Plans shall proceed in accordance with the procedures established for Coastal Development Use Permits. Conditions may be incorporated into the approved plans, similar to the conditions attached to a use permit. The Precise Development Plan process incorporates the Coastal Development Permit approval process. Any person holding an approved master or Precise Development Plan may apply for an amendment, including modification of the terms of the plan, and waiver or alteration of the conditions imposed on the plan.

The Master/Precise Development Plan process represents a streamlining of the County's permit-processing requirements, since once a Precise Development Plan has been approved, no further discretionary approvals are necessary. In other words, property owners/developers will not be required to obtain individual Coastal Development Permits, use permits, variances, etc. for each proposed portion or phase of the development.

Master Development Plan Requirements: The Master Development Plan shall provide a plan for development of GPD District properties and shall incorporate all contiguous land under one

ownership within the GPD District. At a minimum, the Master Development Plan shall include the following elements:

- Location, types and densities of all proposed land uses, including maximum number of residential units, commercial square footage and visitor-serving units
- General alignments for roadways and utilities
- Provisions for public access, open space and recreation facilities
- Determination of availability of water supply, sewer capacity and road capacity to serve development
- Provisions for protection of environmental resources
- Development phasing plan
- Environmental documentation

Precise Development Plan Requirements: After, or concurrent with, approval of a Master Development Plan, a Precise Development Plan is required for the specific phase(s) of development under consideration. The Precise Development Plan shall provide more detailed specifications for phases of development for which permits are sought and shall be consistent with an approved Master Development Plan and Coastal Element policies. No permits shall be issued except in accordance with an approved Precise Development Plan. A Precise Development Plan shall expire and become null and void at the time specified in such permit, or if no time is specified, at the expiration of two years after granting except where construction and/or use of the property in reliance on such permit has been initiated prior to its expiration. Individual Coastal Development Permits shall not be required for development in accordance with an approved Precise Development Plan.

At a minimum, the Precise Development Plan shall include the following elements:

- Lot coverage standards for residential uses
- Lot coverage and floor-area standards for commercial uses
- Lot size requirements
- Minimum front, rear and side yard standards
- Design standards for new development
- Parking standards for new development
- Pedestrian access facilities
- Lighting, signage and landscaping standards
- Additional environmental documentation (if required)
- Coastal Element consistency determination

Principal Uses: All residential, civic and commercial use types other than those listed below as Prohibited Uses shall be considered principal uses in the GPD District upon approval of a Precise Development Plan. Conditions restricting permitted uses may be imposed in the Precise Development Plan. Once a Precise Development Plan has been approved, any change in use type or expansion of use shall require an amendment to the Precise Development Plan.

Prohibited Uses:

Civic use types: Alternative Energy Facilities-Offsite; Cemetery Services

Commercial use types: Animal Sales & Services: Auctioning, Horse Stables, Kennels, Veterinary (large animals); Automotive & Equipment: Storage, Non-operating vehicles

Requirements for Development: At a minimum, fifty percent (50%) of the total lot area within a GPD District must be dedicated to residential uses and the infrastructure and open space necessary to support such uses. In addition, at a minimum, 10 percent of the total lot area within a GPD District must be reserved for visitor-serving facilities. Visitor-serving facilities include, but are not limited to, bed and breakfast accommodations, hotels, motels, inns, and restaurants.

Maximum Visitor Accommodations and Services Density: The maximum size and density of visitor accommodation facilities in the GPD Districts shall be established in the approved Master Development Plan. In no instance may the density of visitor accommodation facilities exceed 20 units per acre. The established densities shall be consistent with the scale and character of the town of Gualala and in conformance with the intent of the GPD District.

Maximum Building Height in GPD Districts: Structures shall be limited to twenty-eight (28) feet in height. Lesser heights may be required where it is found that building heights would have adverse impacts to community character, open space or public views. Height limits for various components of the planned development shall be prescribed in an approved Precise Development Plan. Exceptions to the strict application of maximum building heights may be allowed for church steeples, flag poles, water towers, and other towers and architectural features not for human habitation, where such exceptions are consistent with the intent of the GPD District and a variance is obtained.

Minimum Usable Activity Space Requirements for Residential Uses: Usable activity space shall be provided for all residential uses in accordance with the approved Master Development Plan. At a minimum, ten (10%) percent of the total lot area shall consist of usable activity space in each residential development. Flexibility in the provision of on-site usable activity space shall be granted to encourage developers of the GPD parcels to provide community open space/recreational facilities.

Protection of Sensitive Coastal Resources: The Precise Development Plan must provide for protection of sensitive coastal resources, including views from public areas such as Highway 1 and the Gualala Point Regional Park, and sensitive resources associated with the Gualala River, using such means as establishing vegetative buffers between Highway 1 and developed areas, avoiding siting of structures on slopes adjacent to Highway 1, and avoiding siting development within sensitive habitat areas or the buffer areas established for their protection.

GUALALA INDUSTRIAL
Map Code: GI

Intent: To provide suitable locations for necessary industrial and commercial service activities where transportation facilities and utilities exist or can be provided.

Principal Uses: The following uses are subject to obtaining a Coastal Development Permit and necessary building permits and approvals.

Civic Uses: Ambulance Services; Fire and Police Protection Services

Commercial Uses: Agricultural Sales and Services; Automotive and Equipment: Parking; Building Maintenance Services; Communications Services; Research Services; Wholesaling, Storage and Distribution: Mini-Warehouses; Wholesaling, Storage and Distribution: Light

Industrial Uses: Coastal-Related Industrial; Coastal-Dependent Industrial; Custom Manufacturing: Light Industrial

Open Space Uses: Passive Recreation

Conditional Uses: The following uses are subject to obtaining a Coastal Development Use Permit and necessary building permits and approvals.

Residential Uses: Employee Caretaker Housing

Civic Uses: Administrative Services: Government; Alternative Energy Facilities: Onsite; Alternative Energy Facilities: Offsite; Community Recreation; Major Impact Facilities; Major Impact Services and Utilities; Minor Impact Utilities

Commercial Uses: Animal Sales and Services: Auctioning; Automotive and Equipment: Cleaning; Automotive and Equipment: Fleet Storage; Automotive and Equipment: Gasoline Sales; Automotive and Equipment: Repairs, Light; Automotive and Equipment: Repairs, Heavy; Automotive and Equipment: Sales/Rentals; Automotive and Equipment: Storage, Nonoperating Vehicles; Automotive and Equipment: Storage, Recreational Vehicles and Boats; Construction Sales and Services; Recycling Centers

Industrial Uses: General Industrial; Heavy Industrial

Agricultural Uses: Animal Waste Processing; Forest Production and Processing: General; Forest Production and Processing: Commercial Woodlots; Packing and Processing: Limited; Packing and Processing: General; Packing and Processing: Fisheries By-Products

Extractive Uses: Mining and Processing

Minimum Lot Area: Within water and sewer service areas: six thousand (6,000) square feet. Within water or sewer service areas: twelve thousand (12,000) square feet. Not in water or sewer service area: forty thousand (40,000) square feet.

Building Height Limit for GI Districts: Fifty (50) feet

CHAPTER 5 - DEFINITIONS

For the purposes of implementing the Gualala Town Plan, the following definitions shall apply:

Access: The permission, ability and means for the public to enter and pass to and from property.

Access, Blufftop: A public accessway which runs along the bluff edge of a property.

Access, Coastal: Public rights-of-way to and along the sea.

Access, Lateral: Public accessway for public access and use along the shoreline.

Access, Vertical: Public accessway which extends from the first public road to the shoreline, a bluff edge for public viewing, or to a lateral accessway.

Affordable housing units: Any housing unit or combination of units developed through action of a private, public or nonprofit party, or a combination thereof, which results in the production of housing unit(s) that are capable of being purchased or rented by household(s) with very low, lower or moderate income (as defined by the State Department of Housing and Community Development) based on payment of not more than 30 percent of the gross monthly income, including rent or mortgage, taxes and insurance, when the unit's affordability is protected for an established amount of time.

Building: Any structure having a roof, which is constructed in a permanent position upon the ground and is designed and intended to be used for the shelter or enclosure of persons, animals or property. This definition does not include any type of recreational vehicle, boat, or tent.

Building Height: The vertical distance from the average ground level of the building to the highest point of the roof ridge or parapet wall.

Conditional Use: A use which may be allowed on a conditional and discretionary basis, subject to securing a conditional use permit and also subject to applicable provisions of the Gualala Town Plan, and which is a development that is appealable to the Coastal Commission.

Coastal Development Permit: A permit which may be granted by the appropriate Mendocino County authority, or the Coastal Commission on appeal, for any development within the coastal zone which is not exempt or categorically excluded from the Coastal Development Permit requirement. Special conditions may be imposed in the permitting process to ensure compliance with the policies of the Coastal Element.

Density: The number of dwelling units per acre or square feet, calculated as the total number of dwelling units divided by the total lot area within the boundaries of the lot.

Development Fees: Fees levied on new development to cover the cost of infrastructure or facilities necessitated by that development. The purpose of the fee must relate directly to the need created by the development and its amount must be proportional to the cost of the service or improvement.

Feasible: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Floor-Area Ratio: The ratio (usually expressed as a percentage) of the total floor area within all buildings and structures on a lot to the total area of the lot.

Frontage: That portion of a property line which abuts a legally accessible street right-of-way.

Inclusionary zoning: Zoning measures that mandate the construction of affordable housing or payment of in-lieu fees in accordance with a prescribed formula.

Land Use Plan: The relevant portion of a local government's general plan or local coastal element which provides policies indicating the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions.

Lot Coverage: Percentage of gross lot area covered by all buildings and structures on a lot, including decks, and porches, whether covered or uncovered, and all other projections except eaves.

Parking area: An open area, other than a street or alley, that contains one (1) or more parking space.

Principal Permitted Use (PPU): The use type for each land use classification as designated by the Gualala Town Plan and implementing ordinances that is considered the primary use type for purposes of appeals to the Coastal Commission.

Residential use: A residential dwelling unit occupied by the owner(s) as his/her principal place of residence; or, occupied by long term tenant(s) as his/her principal place of residence.

Second Residential Unit: Either a detached or attached dwelling unit which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel or parcels as the primary unit is situated.

Sensitive Coastal Resource Areas: Those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

(a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.
(b) Areas possessing significant recreational value.
(c) Highly scenic areas.
(d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
(e) Special communities or neighborhoods which are significant visitor destination areas.
(f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
(g) Areas where divisions of land could substantially impair or restrict coastal access.

Setback: A required, specified distance between a building or structure and a lot line or lines, measured perpendicular to the lot line in a horizontal plane extending across the complete length of said lot line or lines.

Urban/rural boundary: Defines the areas to which the Coastal Act's rural land division policy would apply as defined by Section 30250(a) of the Coastal Act and the Coastal Element of the Mendocino County General Plan.

Usable Activity Space: Area within a development which is set aside for out-of-doors recreational use by the residents and their visitors.

Use Permit: A permit which may be granted by the appropriate Mendocino County authority to provide for the accommodation of land uses with special site or design requirements, operation characteristics, or potential diverse effects on surroundings, which are not permitted by right, but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

Variance: A departure from the specific requirements, excluding uses, of the Zoning Code which may be granted by the appropriate Mendocino County authority when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the requirements of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the authorized adjustment shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

View corridors: A substantial and unobstructed view of the coastline or ocean from publicly accessible vantage point(s).

Vacation home rental: A single family residential dwelling unit intended for single family occupancy designed to be let or hired as an entire unit for occupancy by transient guests for compensation or profit; not a Visitor Accommodation and Services facility, as defined in Division II of the Mendocino County Code.

CHAPTER 6 - APPENDICES

A. Residential Reserve Guidelines
B. Landscape Species Lists

APPENDIX A - RESIDENTIAL RESERVE GUIDELINES

Intent of Residential Reserve designation

To identify an area for future residential expansion adjacent to the town of Gualala. The designation of the Residential Reserve is intended to concentrate future residential development within the Gualala Town Plan area where it could be served by community sewer and water systems and would include a public road connecting the commercial district to the ridge.

Recommended future LCP land use/zoning designation

If and when the General Plan amendments and rezoning for the Residential Reserve area occur, the Planned Development (PD) combining district designation shall be assigned to the parcels to ensure further opportunities for community review and comment in the planning process. The Planned Development designation requires comprehensive planning and permits clustering of development, while protecting the steep hillsides, gulches and other resources of the Residential Reserve area. The ultimate development density of the Residential Reserve shall be established during the Planned Development review process.

Development review process

At a minimum, the following elements shall be addressed in the Planned Development master plan:

- Environmental studies
- Environmental resource protection
- Water availability, sewer and roadway capacity, public service availability
- Designation of development areas
- Designation of open space areas
- Access and circulation plan
- Residential densities/parcel sizes/housing types
- Provision of inclusionary units
- Infrastructure and utilities plan
- Provision of public recreation facilities and trails
- Development standards (roads, grading, vegetation preservation and removal, drainage, etc.)
- Phasing plan
- Coastal Element consistency determination.

Types of housing

A mix of lot and house sizes, including small lots, attached units and multiple family housing, should be provided to create a range of housing opportunities for full-time residents.

Requirements for development of affordable housing units (inclusionary zoning)

A minimum of 10-15% of the total number of units developed in the Residential Reserve area shall be affordable to very low- and low-income households. Alternatively, in-kind contributions of land within the Gualala Town Plan area for affordable housing development may be made in accordance with standards established by the Mendocino County Board of Supervisors.

Clustering of development

Clustering of development within the Residential Reserve area shall be required, with a minimum of 50% of the Residential Reserve area remaining in open space. The 480-acre area is currently zoned with 40-acre (RMR) and 160-acre (FL) minimum lot sizes to protect timber and other natural resources on the site. Clustering development will help to preserve the natural resources, while accommodating relatively high residential development densities.

Protection of environmental resources

The gulches, streams and other environmental resources shall be protected with open space easements, setbacks and clustered development. Hillside development standards which address grading, erosion-control, and vegetation removal and protection shall be included in the Planned Development master plan. Consideration shall be given to the effect of development on views from town and Gualala Point Regional Park.

Access and circulation objectives

A road network shall be created to provide access through the Residential Reserve area, from Old Stage Road to the commercial district. A network of paths shall be included to encourage pedestrian and bicycle access to town and the school/park site and to provide public recreational opportunities in appropriate locations.

Infrastructure considerations

Development of the Residential Reserve area shall be predicated on the availability of community water and wastewater treatment systems, and sufficient reserve capacity on local roads and Highway 1. Consideration shall be given to the capabilities of emergency medical, fire protection and police service providers, solid waste disposal capacity, and schools.

School/park site

A school/park site has been proposed in the Residential Reserve area and is an appropriate element of the Residential Reserve concept.

Parks and Recreation

Adequate public recreational facilities, including trails, public parks and recreational facilities shall be required.

Development fee requirement

Ordinances requiring dedications or "in lieu" development fees may be adopted by the Board of Supervisors for the acquisition and development of open space, public facilities, pedestrian access facilities and streetscape improvements identified in the Gualala Town Plan. Development in the Residential Reserve area shall be required to participate once a fee schedule is adopted by ordinance of the Board of Supervisors.

APPENDIX B - LANDSCAPING SPECIES LIST

The following lists identify species which are recommended for use in landscaping plans in the Gualala Town Plan area. The plants on the lists are mostly drought-tolerant, adapted to wind, and proven performers on the coast. Species marked with an asterisk (*) are native plants. Undoubtedly, there are plants which meet these criteria which have been inadvertantly omitted from this list and therefore, landscaping plans are not restricted to the listed species.[11]

Windbreaks

Calocedrus decurrens*	Incense cedar
Chamaecyparis lawsoniana*	False cypress
Cupressocyparis leylandii	Cypress
Eucalyptus cinerea	Eucalyptus
Eucalyptus ficifolia	Red-flowering Gum
Melaleuca quinquenervia	Melaleuca
Pinus contorta v. contorta*	Shore Pine
Pinus muricata*	Bishop Pine
Pinus sylvestris	Scotch Pine
Pittosporum sp.	Pittosporum

Trees/Large Shrubs

Abies grandis*	Grand fir
Acer macrophyllum*	Big Leaf Maple
Alnus oregona*	Red Alder
Arbutus menziesii*	Madrone
Arbutus unedo	Strawberry Tree
Callistemon sp.	Bottlebrush
Ceanothus 'Dark Star'*	Wild Lilac
Ceanothus Pigeon Point*	Wild Lilac
Ceanothus 'Ray Hartman'*	Wild Lilac
Cedrus atlantica	Atlas Cedar
Cedrus libani	Cedar of Lebanon
Cercis occidentalis*	Redbud
Castanopsis chrysophylla*	Giant Chinquapin
Cornus sp.	Dogwood
Cotoneaster lacteus	Cotoneaster
Crataegus sp.	Hawthorne
Dodonea viscosa	Hop Bush
Drimys landceolata	Winter's Bark
Eriobotrya deflexa	Bronze Loquat
Eucalyptus ficifolia	Red Flowering Gum
Eucalyptus nicholii	Nichol's Willow Leafed Peppermint
Garrya elliptica*	Coast Silk Tassel
Heteromeles arbutifolia*	Toyon, California Holly

[11]The species lists were compiled with the advice of several local landscape designers including Bob Guffanti, manager of The Growing Concern; Patricia Swengel of Seagal Enterprises; Darren Gabriel of Gualala Redwoods; and The Sea Ranch Association. In addition, the lists were reviewed and revised by MarySue Ittner of the Dorothy King Young Chapter of the California Native Plant Society.

Trees/Large Shrubs (cont'd)

Laurus nobilis	Sweet Bay
Leptospermum laevigatum	Australian Tea Tree
Leptospermum scoparium	New Zealand Tea Tree
Lithocarpus densiflorus*	Tanbark Oak
Liriodendron tulipifera	Tulip Tree
Luma apiculata	Luma
Lyanothamnus floribunda*	Catalina Ironwood
Mahonia sp.*	Mahonia
Malus sp.	Crabapple
Melaleuca sp.	Melaleuca
Myoporum laetum	Myoporum
Myrica californica*	Pacific Wax Myrtle
Photinia fraseri	Photina
Picea sitchensis	Sitka Spruce
Pinus contorta*	Shore Pine
Pinus muricata*	Bishop Pine
Pinus sylvestris	Scotch Pine
Pittosporum sp.	Pittosporum
Prunus sp.	Prunus
Pseudotsuga menziesii*	Douglas Fir
Pyracantha sp.	Firethorn
Pyrus sp.	Ornamental Pear
Quercus sp.	Oak
Rhododendron sp.	Rhododendron, Azalea
Rhus ovata*	Sugar Bush
Sambucus sp.	Elderberry
Schinus molle	California Pepper Tree
Schinus terebinthifolia	Brazilian Pepper
Sequoia sempervirens*	Coast Redwood
Taxus brevifolia*	Western Yew
Torreya californica*	California Nutmeg
Tsuga heterophylla*	Western Hemlock
Umbellaria californica*	California Bay
Xylosma congesta	Xylosma

Medium Shrubs

Abelia grandiflora	White Forsythia
Acacia verticillata	Acacia
Arctostaphylos sp.*	Manzanita
Baccharis pilularis v. consanguinea*	Coyote Brush
Boronia megastigma	Boronia
Brugmansia sanguineum	Datura
Brugmansia suaveolens	Datura
Carpenteria californica*	Bush Anemone
Ceanothus sp.*	Ceanothus
Cestrum elegans	Red Cestrum
Chamaelaucium uncinatum	Geraldton Waxflower
Chrysanthemum fruticosa	Chrysanthemum
Cistus sp.	Rockrose
Coleonema pulchrum	Breath of Heaven
Coprosma sp.	Coprosma

Medium Shrubs (cont'd)

Corokia cotoneaster	Corokia
Corylus cornuta californica*	California Hazel
Cotoneaster sp.	Cotoneaster
Echium fastuosum	Pride of Madiera
Elaeagnus pungens	Silver Berry
Erica canaliculata	Heath
Erica veitchii	Heath
Escallonia rubra	Escallonia
Euryops pectinatus	Euryops
Garrya elipptica*	Silk Tassel Bush
Grevillea sp.	Grevillea
Hakea sp.	Hakea
Halimium sp.	Sunrose
Hebe sp.	Hebe
Hydrangea macrophylla	Hydrangea
Impatiens oliveri	Poor Man's Rhododendron
Juniperus sp.	Juniper
Lavandula sp.	Lavender
Lavatera sp.	Tree Mallow
Leucodendron sp.	Leucodendron
Leucospermum sp.	Pincushion
Lonicera involucrata*	Twinberry
Lupinus arboreus*	Yellow Bush Lupine
Mimulus aurantiacus*	Sticky Monkey Flower
Myrica californica*	Wax Myrtle
Rhamnus californica*	Coffee Berry
Rhododendron occidentale*	Western azalea
Ribes sanguineum*	Red Flowering Currant
Romneya coulteri*	Matilija Poppy
Rosa californica*	California Wild Rose
Rosa nutkana*	Sweet Briar
Rosa rugosa	Sea Tomato
Rosmarinus officinalis	Rosemary
Salvia sp.	Sage
Thymus sp.	Thyme
Vaccinum ovatum*	Huckleberry
Westringia rosmarinifolia	Westringia

Vines/Vinelike Shrubs

Acer circinatum*	Vine Maple
Hedera helix	English Ivy
Jasminum polyanthum	Jasmine
Lonicera japonica	Honeysuckles
Plumbago capensis	Cape Plumbago
Polygonum aubertii	Silver Lace Vine
Solanum jasminoides	Potato Vine
Sollya heterophylla	Australian Bluebell Creeper

Small Flowering Shrubs, Perennials, Groundcovers

Achillea sp.	Yarrow
Adiantum pedatum*	Five-finger Fern
Arctostaphylos sp.*	Manzanita
Arctotis acaulis	African Daisy
Armeria maritima*	Thrift
Artemesia pycnocephala*	Sandhill Sage
Baccharis pilularis*	Coyote Brush
Brodiaea laxa*	Ithuriel's Spear
Calluna sp.	Scotch Heather
Ceanothus gloriosis*	Point Reyes Ceanothus
Ceanothus griseus*	Carmel Creeper
Convolvulus cneorum	Bush Morning Glory
Convolvulus mauritanica	Ground Morning Glory
Correa sp.	Australia Fuschia
Delosperma	Iceplant
Dryopteris sp.	Wood Fern
Dudleya farinosa*	Live Forever
Erigeron glaucus*	Beach Aster
Erigeron karwinskiana	Mexican Daisy
Eriogonum sp.*	Wild Buckwheat
Erodium sp.	Cranesbill
Erysimum linifolium	Wallflower
Felicia amelloides	Blue Marguerite
Fragaria chiloensis*	Sand Strawberry
Fuchsia sp.	Fuschia
Gaultheria shallon*	Salal
Gazania sp.	Gazania
Geranium sp.	Cranesbill
Grindelia stricta*	Gum Plant
Helichrysum sp.	Strawflower
Iris douglasiana*	Wild Iris
Juniperus conferta	Shore Juniper
Lamprantus	Iceplant
Lantana sp.	Lantana
Lavandula sp.	Lavender
Limonium perezii	Statice
Lupinus arboreus*	Yellow Bush Lupine
Lotus sp.*	Trefoil
Mimulus aurantiacus*	Sticky Monkey Flower
Monardella villosa*	Coyote Mint
Origanum sp.	Marjoram
Osteospermum fruticosa	African Daisy
Penstemon sp.	Beard Tongue
Polystichum munitum*	Sword Fern
Ribes viburnifolium*	Evergreen Currant
Santolina sp.	Santolina
Salvia sp.	SageSatureja douglasii* Yerba Buena
Scaevola aemula	Mauve Clusters
Sedum	Stonecrop
Sollya heterophylla	Australian Bluebell Creeper
Thymus sp.	Thyme

Small Flowering Shrubs, Perennials, Groundcovers (cont'd)

Tulbaghia violacea	Society Garlic
Verbena rigida	Verbena
Verbena tenuisecta	Verbena

INVASIVE SPECIES: NOT RECOMMENDED FOR USE IN LANDSCAPING PLANS

Ammophila arenaria	European Beach Grass
Acacia dealbata	Green Wattle
Carpobrotus chilensis	Iceplant
Carpobrotus edulis	Iceplant
Centaurea solstitialis	Yellow Star-thistle
Cirsium vulgare	Bull Thistle
Conium maculatum	Poison Hemlock
Cortaderia jubata	Pampas Grass
Cortaderia selloana	Pampas Grass
Cytisus scoparious	Scotch Broom
Eucalyptus globulus	Eucalyptus (Blue Gum)
Erechtites glomerata	New Zealand Fireweed
Foeniculum vulgare	Fennel
Genista monspessulana	French Broom
Mesembryanthemum	Iceplant
Pinus radiata	Monterey Pine
Ranunculus repens	Creeping Buttercup
Raphanus sativus	Wild Radish
Rubus discolor	Himalayan Blackberry
Senecio jacobaea	Tansy Ragwort
Senecio mikanioides	German Ivy
Silybum marianum	Milk Thistle
Spartium junceum	Spanish Broom
Ulex europaea	Gorse
Vinca major	Periwinkle
Watsonia bulbillifera	Watsonia

APPENDIX

APPENDIX 1. MAPPING METHODOLOGY

Base Maps

The base maps for the area contained in U24-U27, on maps 1-5, are USGS topographic quad sheets which were supplied by the California Coastal Commission (CCC). Photographically enlarged USGS quad sheets reproduced on mylar sheets from Mendocino County Planning Department were used as base maps for maps 6-31 covering U28-U40. All base maps include streams, the Coastal Zone Boundary, roads, and topographic lines.

Property Line overlays

Property lines were drawn from Mendocino County Assessor's parcel maps, and updated by Blayney-Dyett using information supplied by the Coastal Commission Staff. Distortion of the County's sepia bases necessitated interpolation of the lines; justification was to the nearest section line. Thus, the property lines should be used only as a general location guide. Legal descriptions and Assessor's maps must be consulted for greater accuracy.

Reproduction Method

Where necessary, mapped information was enlarged with American Optical Opaque 1000 projector tracing paper overlays. Boundaries were justified by section, aligning township and range lines and then transferred to mylar sheets. The property line overlay, topography/base, and Habitat/Resources sheets, Land Capability/Natural Hazards sheets or Land Use Plan sheet were then printed together as a sepia print in a vacuum print process.

MAP SET 1 – HABITATS/RESOURCES

Marine and Fresh Water Habitats

Reefs: Shown as on USGS quad sheets, 1"=2,000'.

Kelp: Mapped from CCC Marine Resources maps, 1"=2,000', based on U2 flights in January and February 1977. Historic beds are shown as mapped by the California Department of Fish and Game in its unpublished Atlas of Marine Resources.

Rocky Intertidal Areas: Shown as on USGS quad sheets, 1"=2,000'.

Wetlands, Mudflats: Department of Fish and Game Wetlands Survey, Mendocino Coastline, 1979; scales vary.

Vegetation working maps were stereo delineated on 1976 USGS ortho-photo quads from May 1976 NASA U-2 color infrared (CIR) photos; scale 1:33,000. Data for the area north of Westport is derived from the COAP study (33, California Department of Water Resources) with riparian inserts. Vegetation areas of 40 acres or more were mapped, with the exception of riparian and wetland areas, all of which larger than 10 acres are shown. Categories of vegetation are listed below and described in the Blayney-Dyett Natural Environment paper (B-D, NE).

Wooded Habitats
Redwood
Coastal forest
Woodland (coniferous; hardwood)
Hardwood Forest
Riparian
Cutover

Other Upland Habitats

Coastal Prairie Grassland
Wooded Grasslands
Scrub
Barren
Pygmy Forest
Pygmy-type Forest
Agriculture-AF and Pasture AP
Urban

Special Habitats

Marine Mammal Haulout Areas and Seabird and Marine Rookeries: Humboldt State University Marine Resources Lab, 1"=2,000', 1979, supplemented with CCC Marine Resources maps, 1978.

Spawning Areas, Anadromous Streams and Special Animal Resources: California Department of Fish and Game correspondence, 1979, and California Natural Areas Coordinating Council, 1"=2,000', 1974.

Designated Resource Protection Areas

Natural Areas and Areas of Special Biological Significance: California Natural Areas Coordinating Council, 1977, 1"=2,000'.

State Parks and Preserves: USGS base maps updated with information from California Parks and Recreation maps; 1979 reduced copies of 1"=2,000' topographic maps.

Special Treatment Areas: California Division of Forestry, 1979; reduced copies of USGS 1"=2,000' topographic maps.

Viewsheds: October 1979, boundaries delineated on USGS 1"=2,000' bases, as seen from Highway 1 and public areas, checked against draft copy of view corridors by North Coast Regional Coastal Commission, 1979.

MAP SET 2 – LAND CAPABILITY/NATURAL HAZARDS

Agricultural Land

Prime: Kneeland loan and Mendocino loam (122, U.S. Department of Agriculture) and sites producing at levels specified in PART II: LAND CAPABILITIES.

Non-prime: Those lands not classified as prime which show as coastal prairie grassland or agriculture on the Vegetation working maps.

Timberland

High Productive Capability Class I-III/Moderate Productive Capability Class IV: Classes for both categories were mapped as outlined in 1959 Vegetation Soils Maps by the California Division of Forestry (currently California Department of Forestry); scale 1:31,680.

Hazards

Sage and Sage maps, prepared for the Coastal Commission, have been supplemented with more recent and detailed information where available. Seismic shaking, landslides, fault lines and tsunami run-up areas were mapped as described below:

- From the Town of Mendocino south, information and scales excellent for seismic shaking, liquefaction and individual landslides, therefore these areas are accurately mapped.
- From the Town of Mendocino north, data very sparse and source maps at scales making transfer very approximate.
- Faults accurately mapped.
- Potentially high groundwater areas are approximate due to scale of original sources.
- From Gualala River to Schooner Gulch, all individual landslides are noted as shaking Zone 3 in CDMGOFR 76-3 S.F.
- Regional data presented (from Mendocino and Fort Bragg SSE) on seismic shaking and landslide hazard where detailed CDMG data unavailable.
- All landslide hazard areas (Zone D) exclude potential liquefaction and high groundwater areas.
- Tsunami run-up areas are approximate due to lack of topographic contours in many areas. All beach areas (sand 25' and less) could be inundated by tsunami run-up although not shown on map.

SOURCE MAPS FOR GEOLOGIC HAZARDS

MAP	DATE	AREA/INFORMATION	SCALE

Williams & Bedrossian – CDMG OFR 76-3	1976	Schooner Gulch to Gualala River/Geology & Hazards	1:24,000
Williams & Bedrossian – CDHG OFR 76-4	1976	Russian Gulch to Buckhorn Cove/Geology & Hazards	1:24,000
Gardner – Sequence of Podzolic soils along the coast of Northern California	1968	Dehaven Creek to Cuffy Cove (Greenwood Creek)/Terrace Deposits	1:126,720
Calif. DWR Geology, Hydrology and Water Quality of Alluviated Areas	1956	Entire coastal zone/Geology (Bedrock, Terraces, Alluvium)	1:63,360
Jahns & Hamilton PG&E Mendocino Power Plant-PSAR, Geology of Point Arena & Vicinity	1971	Point Arena/Geology	1:24,000
Boyle Master Thesis	1967	Point Arena/Geology	1:24,000
Sage & Sage Seismic Related Hazards in the Coastal Zone	1970	Entire Coast/Geology & Hazards	1:24,000

Flooding

USGS, 1"=2,000', 1974 100-year flood delineation for Fort Bragg Area and Gualala River; Special Flood Hazard Area maps, HUD, 1978 for all other areas.

Cliff Erosion

Assessment and Atlas of Shoreline Erosion Along the California Coast (21, Department of Navigation and Ocean Development), 1977. Reduced USGS topographic base maps.

APPENDIX 2. CAC QUESTIONNAIRE RESULTS

In the fall of 1979, four citizens groups mailed or delivered questionnaire forms to residents in their planning areas, hoping to obtain information on community characteristics and preferences to guide the Citizens Advisory Committees' (CACs) work on the County's General Plan and Local Coastal Program. The South Central CAC tabulated the results of its survey for the CAC as a whole and for each of four smaller areas, Caspar, Big River, Little River, and Albion. The Greenwood-Elk CAC and the Gualala-Anchor Bay CAC, subcommittees of the South Coast CAC, each distributed their own survey form. At the same time, the Mendocino Community Land Trust circulated a questionnaire among households within the Mendocino Community Services District, gathering opinions on planning policy for the Mendocino Historic District.

The survey results are remarkably consistent, revealing a strong preference among local residents for policies emphasizing conservation and preservation of the rural character of the Mendocino Coast. Of the 25 percent of South Central CAC residents who responded to the questionnaire, 96 percent indicated that "natural beauty, rural peace & quiet" was a quality of local life "most treasured" by areas residents, followed by "small town atmosphere." Similarly, 80 percent of surveyed residents of the Gualala-Anchor Bay area agreed that the "natural environmental setting" was among the most important factors behind their decisions to locate in the area, followed by "quietness of neighborhood" and "country atmosphere."

Natural beauty and an uncrowded, rural setting were most commonly cited by residents of the Greenwood-Elk area as considerations in their decision to settle nearby.

The Land Trust Questionnaire results confirm the strength of this feeling, showing that over 80 percent of those surveyed desired planning for the Historical District to emphasize the residential community rather than tourist services, and that 70 percent felt that maintaining the residential character of the town was one of the most important needs in the District.

The limited-growth attitude of Mendocino Coast residents appears and reappears in the questionnaire results. The most cited problems in South Central communities are overdevelopment, the cost of housing, traffic and noise. Gualala-Anchor Bay residents demonstrated a preference for no improvements over augmentation of such basic amenities as improved transportation, roads, utilities, education and police protection, as did one-half those responding to the Greenwood-Elk survey. Eighty-four percent of the inhabitants of Mendocino Town surveyed indicated that streets should not be widened or improved in any way that would diminish the town's rural character. One improvement approved by town residents in the questionnaire, construction of a community water system, failed a few years ago to gain voters' support as an authorized function of the Mendocino City Community Services District.

APPENDIX 3. GEOTECHNICAL EVALUATION REQUIREMENTS

The Hazards Maps incorporated in the Land Use Plan show geotechnical hazards in the coastal zone. The extent of additional geotechnical study needed before approval of a project depends on both the site and the type of project. Potential projects are ranked according to suitability for accepting risk, with those requiring the greatest caution listed first.

Land Use and Building Types

Type 1: Public, High Occupancy and Critical Use, including:

Hospitals
Fire and Police Stations
Community Facilities
Schools
Auditoriums, Theaters
Penal Institutions
High-rise Hotels, Office and Apartment Buildings (over 3 stories)
Major Utility Facilities

Type 2: Low Occupancy, including:

Low-rise Commercial and Office Buildings (1-3 stories)
Restaurants (except in high-rise category)
Residential (over 8 attached units and less than 3 stories)

Type 3: Residential (less than 8 attached units) and

Manufacturing and Storage/Warehouses (except where highly toxic substances are involved which should be evaluated on an individual basis with mandatory geotechnical review)

Type 4: Open Space, Agriculture, Golf Courses, etc.

Potential Hazards

Fault Rupture. Presently available geologic maps defining active or potentially active fault traces within the San Andreas fault zone have been used to determine special studies zones called for by California Public Resources Code, Sections 30000-30900. Before proceeding with any Type 1 development, published geologic information should be reviewed, the site should be mapped geologically, and aerial photographs of the site and vicinity should be examined for lineaments. Where these methods indicate the possibility of faulting, a thorough investigation is required to determine if the area contains a potential for fault rupture.

Seismic-Related Ground Failure. Suggested site investigation requirements for seismic-related ground failure potential of the four land use/building types listed above are described in the following table:

Land Use/Building Types	Seismic Related Ground Failure Zones (From Hazard Maps)		
	High (Zone 3)	Moderate (Zone 2)	Low (Zone 1)
Type 1	D	C	B
Type 2	C	C	A
Type 3	B	B	A
Type 4	---	---	---

A. Current building code requirements must be met, as well as other existing state and local ordinances and regulations. A preliminary geotechnical investigation should be made to determine whether or not the hazards zone indicated by the maps is reflected by site conditions.

B. In addition to A, geotechnical investigation and structural analysis sufficient to determine structural stability of the site for the proposed use is necessary. It may be necessary to extend the investigation beyond site boundaries in order to evaluate the shaking hazard. All critical use structure sites require detailed subsurface investigation.

C. In addition to A and B, surface and/or subsurface investigation and analyses sufficient to evaluate the site's potential for liquefaction and related ground failure shall be required.

D. In addition to A, B and C, detailed dynamic ground response analyses must be undertaken.

Dangerous or unspecified land uses should be evaluated and assigned categories of investigation on an individual basis.

Tsunami. Land Use Types 1, 2, and 3 should be disallowed in tsunami-prone areas. Development of harbors and Type 4 uses should be permitted, provided a tsunami warning plan is established.

Landsliding. Because of the high potential for landsliding in almost all of the coastal zone, all development plans should undergo a preliminary evaluation of landsliding potential. The effect of the development on the landslide potential must be taken into account, because slides can result from excavation, drainage changes, and deforestation. If landslide conditions exist and cannot be avoided, positive stabilization measures should be taken to mitigate the hazard.

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160. National Model Cities Community Development Directors Association, A Guide to Preparing Environmental Assessments for Community Development, Washington, D.C., 1975.

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166. North Coast Regional Commission, Mendocino Work Program Memorandum, July 3, 1978.

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169. O'Day, M. and J.C. Kramer, The Coastal Belt of the Northern California Coast Ranges, Geologic Society of Sacramento, 1972.

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171. Pacific Gas and Electric Company, Mendocino Power Plant Units 1 and 2: Amendment No. 3, 1972.

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APPENDIX 5. COMMUNITY WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS

District	Current Service	Unused Capacity	Total Capacity	Adequacy/Comments by District
Westport County Water District	Water: 54 connections Sewage: 54 connections	41 connections 41 connections	95 connections 95 connections	System designed to serve all lots in district; no expansion planned.
Fort Bragg Municipal Improvement District	Water: 1.94 MG/D 5,500 pop. Sewage: .68 MG/D 5,500 pop.	 7,500 pop. 1.5 MG/D 11,800 pop.	 13,000 pop. 2.2 MG/D 17,300 pop.	Need additional water storage capacity. Will not accept septage from outside district.
Caspar South Water District	Water: 42 connections Sewage: 32 connections to community septic system; 10 individual systems	53 connections Undetermined	95 connections buildout 85 connections buildout	Existing on-site community septic disposal system is inadequate; alternatives are being investigated using a Clean Water Program facilities planning grant.
Surfwood Mutual Water Corporation	Water: 55 connections	26 connections	81 connections	Need additional improvements to current system before service expansion can be accommodated.
Mendocino City Community Services District	Sewage: 350 connections 100,000 G/D	100 connections 200,000 G/D	1,050 connections 3,000,000 G/D	Annexation of small area to north is in process; no plant capacity expansion planned.
Albion Mutual Water Company	Water: 25 connections	5-6 connections	30% connections	Upgrade completed.
Pacific Reefs California Water Dist.	Water: 10 connections	16 planned	26 connections	District is uncertain whether supply will meet need at buildout.
Elk County Water District	60-70 connections	Undetermined source capacity		Source may be able to handle more use; pipes to storage are at capacity.
Irish Beach Calif. Water District	Water: 104 connections OSWMD: 104	316 connections	420 connections	Water supply not adequate for buildout until source and treatment facilities are upgraded.
Point Arena Water Works (Private)	Water: Approx. 150 connections		Not determined	Treatment system improvements needed.
City of Point Arena Sewer System & Wastewater Treatment Plant	Uncertain		250 % connections	System to be repaired, improved 1980-1981.
Point Arena County Waterworks #2 Whiskey Shoals	None	Water supply and septic system planned for 72 units; 50 units proposed	Uncertain	
Anchor Bay County Waterworks #2	Sewer: 20-25 connections	5 connections	30 connections 10,500 G/D	New system to be built using CDBG funds; area currently is under building permit moratorium because system is inadequate.
North Gualala Waterworks (Company)	Water: 500 connections		15,000 pop.	
Gualala Community Services District	None-Initial hook-up of 185 connections, representing approximately 363.2 ESD	262 ESD	625 ESD	New system to be built consistent with Land Use Plan growth projections (2% residential and 3% commercial) and industrial reserve.

MG/D = Million gallons per day
G/D = Gallons per day
OSWMD = On Site Wastewater Management District
ESD = Equivalent Single-family Dwelling
Source: District Managers; Mendocino County Health Department

APPENDIX 6

COUNTY OF MENDOCINO
DIVISI0N 0F ENVIR0NMENTAL HEALTH

LAND DIVISION REQUIREMENTS

Revised January 1, 1982

890 North Bush St.
Ukiah, CA 95482
468-4466

MAILING ADDRESS
Courthouse
Ukiah, CA 95482

790-A So. Franklin
Fort Bragg, CA 95437
964-4713

INDEX

INTRODUCTION ---------- **1**

INDIVIDUAL WATER SUPPLY SYSTEMS ---------- **2**

Instructions for Conducting Quantity Evaluation ---------- 2
Standards for "Proof of Water" for Divisions ---------- 4

PUBLIC WATER SYSTEMS STANDARDS ---------- **5**

Well Test Procedures for Community Water Wells ---------- 5
Quantity and Storage Requirements ---------- 6

INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (No. Coast Basin Plan Req.) ---------- **11**

Site Evaluation Criteria ---------- 11
Subsurface Disposal ---------- 11
Ground Slope, Soil Depth, Depth to Groundwater, Percolation Rates ---------- 12
Setback Distances, Replacement Area, Cumulative Effect ---------- 13
Site Evaluation Methods ---------- 13
General Site Features, Soil Profiles, Depth to Ground Water Determinations ---- 14

Soil Percolation Suitability (Percolation Testing, Soil Analysis) ---------- 15

MENDOCINO COUNTY POLICY AND REQUIREMENTS ---------- **16**

Soil Test Requirements (Option A or B, Slake Test) ---------- 16
Percolation Test Procedures ---------- 16
Soil Hydrometer Tests ---------- 18
Wet Weather Testing ---------- 18
Soil Depth ---------- 18
Depth to Ground Water Where Impermeable Layers are Encountered ---------- 19
Intercept or "French" Drains ---------- 19
Wisconsin Mounds ---------- 19
Land Development Criteria (Lot Size, Buildable Area) ---------- 20

INTRODUCTION

This publication is a compilation of laws, regulations, and policies that affect divisions of land in Mendocino County. It is intended primarily for consultants engaged in the Environmental Health aspects of land divisions; however, it has also been written so as to be understandable by others.

Although most of what is included is law, both State (Basin Plan) and County Code, some of the standards are policy decisions made by the Division of Environmental Health in response to mandates of County Code. A good example would be the discussion of lot sizes under the "Land Development Criteria" heading. The intent of the lot size charts is to provide a guide for those who do not wish to provide extensive engineering and evaluation reports for their land division. Where land division proposals meet the lot sizes in the chart, relatively simple soils and water evaluation, if they pass, will gain an approval. However, we also recognize that some areas may have unusually good soil and water conditions. In this latter instance, approval may be gained for smaller lot sizes if evaluation shows favorable conditions. More extensive testing, such as proof of water on each lot, and proof that individual sewage disposal systems can be installed on each lot, will be required.

So, please use this publication as intended, as a compilation of the law, and where the laws are not specific, policies, which represent good engineering practices.

INDIVIDUAL WATER SUPPLY SYSTEMS

Objective

To provide an individual water supply system which will assure; (a) adequate supply of safe and palatable water, (b) reasonable, durable and economical operation and maintenance, and (c) be located and constructed to avoid contamination by any existing or proposed sewage disposal systems, or other source of contamination. In order to meet these objectives, a subdivider shall submit evidence that water systems will comply with water quality requirements as out-lined in the following paragraphs.

Water Quality

Water quality shall meet the chemical and bacteriological standards of the California Domestic Water Regulations. As a minimum, the Division of Environmental Health will require a general chemical analysis, performed by a certified laboratory. Other analyses may be required where specific chemicals are known to occur.

Water Quantity

To confirm the presence of water availability, at least one (1) test well shall be provided on each subdivision in an area that is indicative of what to expect on other lots. It may be necessary to provide more than one (1) well on the subdivision if the terrain in the subdivision is not uniformly distributed on all parcels, one (1) well may need to be provided, on each different terrain type. Where subdivisions are greater than ten (10) lots, one well per ten (10) lots and any fractional lots thereof will be required. Location(s) of well(s) may be designated by the Environmental Health Division.

Land divisions in areas which have a history, or are known to be water short, shall be required to prove water on all parcels. The water test(s) must be conducted during the July 15 - October 15 period.

INSTRUCTIONS FOR CONDUCTING QUANTITY TESTING OF WATER WELLS AND SPRING FOR WATER EVALUATION WATER WELL MAY BE TESTED BY ANY OF THE FOLLOWING METHODS

Well tests shall be conducted during the period of July 15 – October 15 for all shallow wells; deep wells may be tested any time.

Shallow wells	--	Wells usually shallower than 30 feet and which obtain their water predominantly from cracks and fissures in the underground rock formation.
Deep wells	--	Wells deeper than 30 feet and which usually obtain their water predominantly from cracks and fissures in the underground rock formation.

All water quantity reports shall be submitted on forms provided by the Division of Environmental Health.

Well tests made on an individual lot may be measured by a qualified Registered Sanitarian, qualified Registered Geologist, qualified Registered Engineer or qualified licensed Land Surveyor.

1. PUMP TEST METHOD - Water well is to be pumped at 5 gpm for a minimum of four (4) hours. Total drawdown and rate of recovery (as calculated on Mendocino County Health Department form #043) must be reported, or the report will not be accepted.

   As an option, you may pump the well at any chosen pump rate until dry, or until 1,200 gallons have been pumped from the well. Drawdown and recovery must be reported as above.

2. SUSTAINED YIELD - You may also pump test a well and report the sustained yield (pump rate at which water level is not lowered any further) after 1,200 gallons have been pumped.

3. BAIL TEST METHOD - The well may be bailed at any bail rate until dry, or until 1,200 gallons have been bailed from the well. Drawdown and recovery must be reported as above.

4. CERTAIN SEALED WELLS - In certain instances, it may be impossible to measure drawdown and recovery rate because of construction features of the well. In this case, the following procedures may be used:

   A. WELLS WHERE A WELL LOG IS AVAILABLE

      la. Calculate the total water available in the casing and gravel pack, assuming the well is completely full.

      2a. Pump the well to obtain at least 1,500 gallons in 24-hours after subtracting twice the quantity calculated in step la.

      3a. The person conducting the test must submit a statement the well is, in his opinion, indicative of water feasibility on the division.

   B. ALTERNATIVE, IF NO WELL LOG IS AVAILABLE

      lb. Calculate the total water available in the casing and gravel pack, assuming the well is completely full.

      2b. Pump the well to obtain at least 1,500 gallons in 24-hours after subtracting twice the quantity calculated in step lb. This step is to be repeated in 24-hours after the first pump test.

      3b. The person conducting the test must submit a statement certifying that the well is, in his opinion, indicative of water feasibility on the division.

5. SPRING TESTS - From time-to-time, a spring test may be acceptable. The following condition must be met:

   A. Developable spring must be located on each parcel.

   B. Spring test must be performed in late summer (July 15th – October 15th).

Where wells fail to produce the required five (5) gallons per minute, storage requirements may be supplemented as follows:

WATER PRODUCTION	STORAGE REQUIREMENTS
5 gpm	None
4 gpm	1,000 gallons
3 gpm	1,000 gallons
1 or 2 gpm	1,500 gallons

Water production of less than 1 gallon/minute will not be acceptable as water feasibility for the Land Division.

If the result of the water quantity test is below one gallon/minute, then it will serve as the water evaluation on that parcel, but will not be acceptable as the water feasibility for the Division. Another well, on a different parcel, must be developed and tested. If that well produces more than one gallon/minute, then that well will serve as the water evaluation for the Division; if, however, that well is less than one gallon/minute than another well on a different parcel must be developed and tested. This is done until either; 1) a well with greater than one (1) gallon/minute production is developed; or 2) every parcel in the Division has one (1) developed well on it.

WELL CONSTRUCTION

Well construction is to comply with local codes.

Springs or other water source construction shall comply with the Health Department requirements.

PUBLIC WATER SYSTEM STANDARDS

A Public Water System is:

> A system, regardless of type of ownership, for the provision of piped water to the public for domestic use., if such system has at least five CS) service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year.

Objective

To provide water supply facilities which will deliver, under adequate pressure, a satisfactory continuous supply of water which complies with chemical, physical, and bacteriological standards of the Safe Drinking Water Act (P1 93-523) and which will be palatable without being excessively hard or corrosive.

All Community Water Systems shall be designed by a California Registered Civil Engineer and shall comply with the "Pure Water Law", "Water Distribution", "California Safe Drinking Water Act", "California Water Works Standards", "California Domestic Water Quality and Monitoring Regulations" and applicable local ordinance. Copies of these regulations are available at the Division of Environmental Health offices.

Well tests conducted on a well that is to be used for a Public Water Supply will be accepted only when conducted by a California Registered Civil Engineer or by a California Registered Geologist with a specialty in Hydrology.

Well Test Procedure for Community Water Wells

1. Sustained Yields for Non-hard Rock Wells: The conditions of a pump test used to determine sustained yield of a well shall be acceptable to the Health Department and shall include:

   A. Constant rate of water discharge from the well during the pump test.

   B. Continuation of the pump test until at least four (4) measurements of water level drawdown in the well and the elapsed time since the beginning of the pump test, yield a straight line when drawdown is plotted against the logarithm of the elapsed time.

   C. Elapsed time shall not be shorter than 72-hours.

   D. Where the capacity of a source varies seasonally, the source capacity shall be the capacity at the time of maximum day demand. (July 15 – Oct. 15).

2. Sustained Yield for Hard Rock Wells: Hard rock wells shall be tested for sustained yield by either method A or B.

   A. $N = \frac{\text{Reservoir Capacity (gallons)}}{\text{f x-180 days}}$

      1. 180-day test period shall be the months of June through November. At other times of the year, the groundwater is accumulating rather than depleting.

      2. N is the number of connections.

3. f is the gallons per connection per day.

4. To determine the Reservoir Capacity: A meter is installed on the well (with low level controls) and the total amount of water pumped out of the well is the Reservoir Capacity.

B. Sustained yield may be calculated as per our testing procedure for non-hard rock wells with the only difference being: Only 25% of the obtained sustained yield can be used in production calculations for the water system.

Quantity and Storage Requirements

The following four (4) charts are to be used to design Community Water Systems. Be sure to use the appropriate chart depending on whether the water system will be metered or not. If you can provide proper documentation of lower daily summertime usages in similar areas and developments, then the Division of Environmental Health can approve of lesser quantity and storage requirements. In the absence of sufficient, applicable documentation, the following charts will be used as the design criteria:

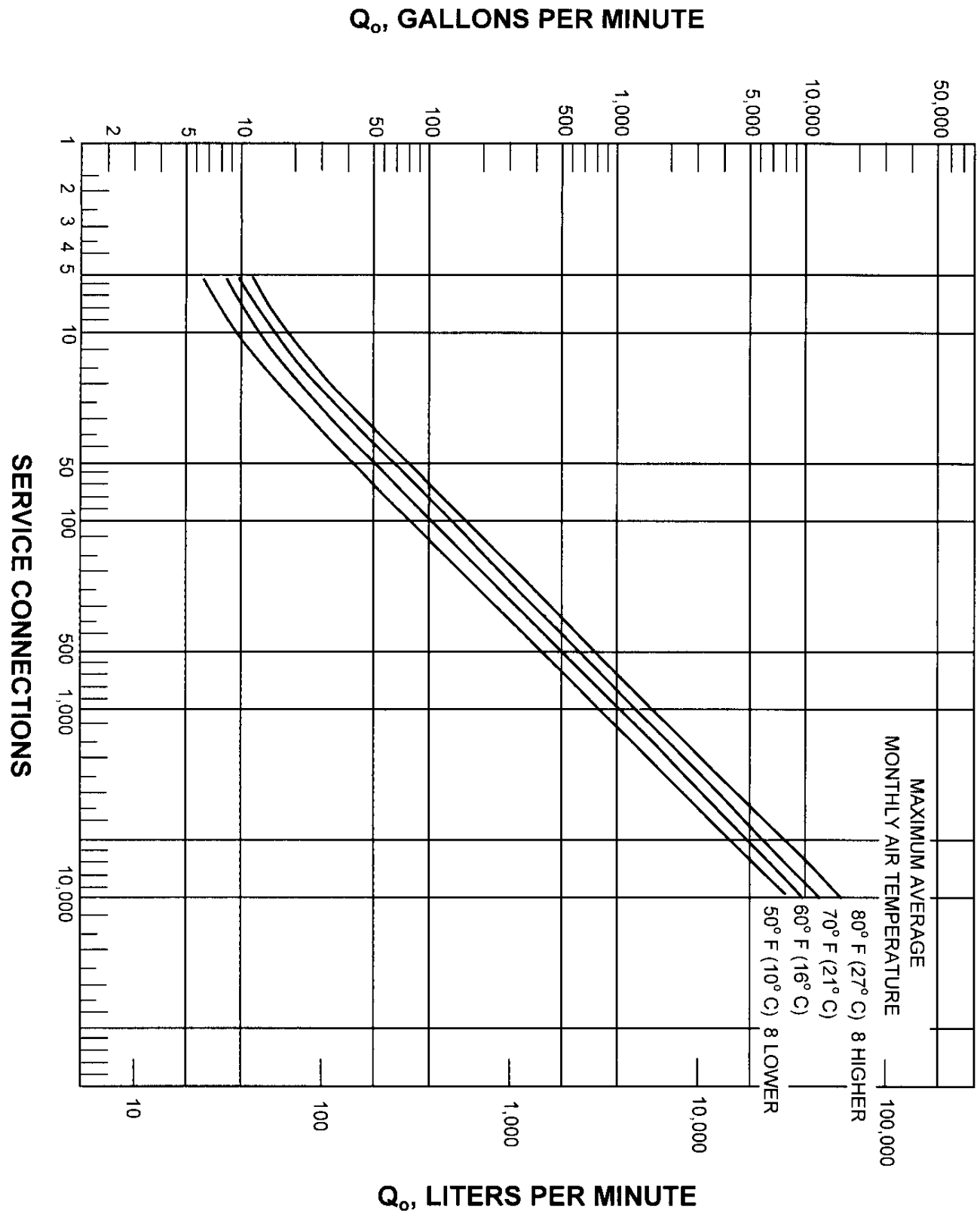


CHART I

MAXIMUM DAY DEMAND -- METERED WATER SYSTEMS

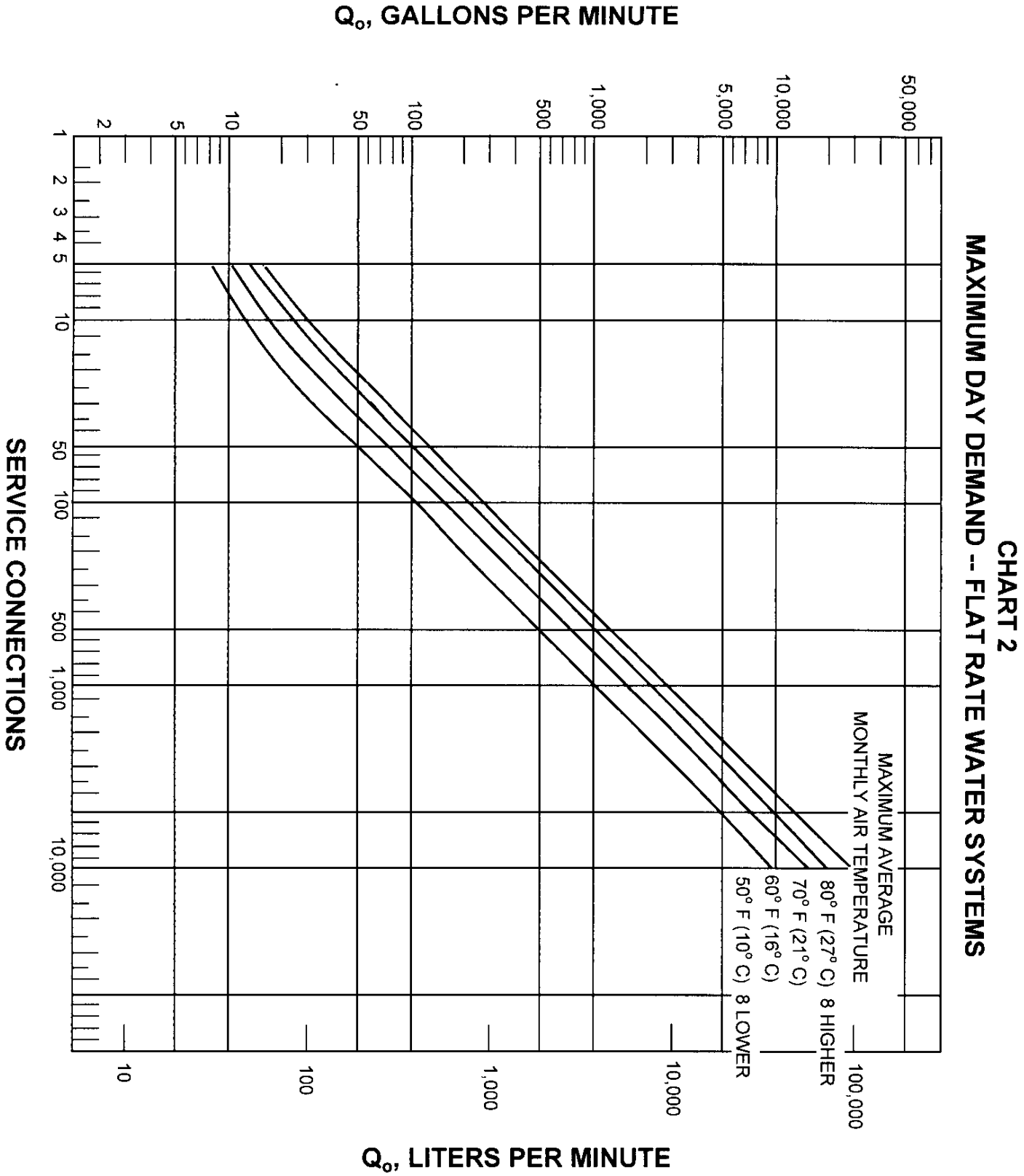


CHART 2

MAXIMUM DAY DEMAND -- FLAT RATE WATER SYSTEMS

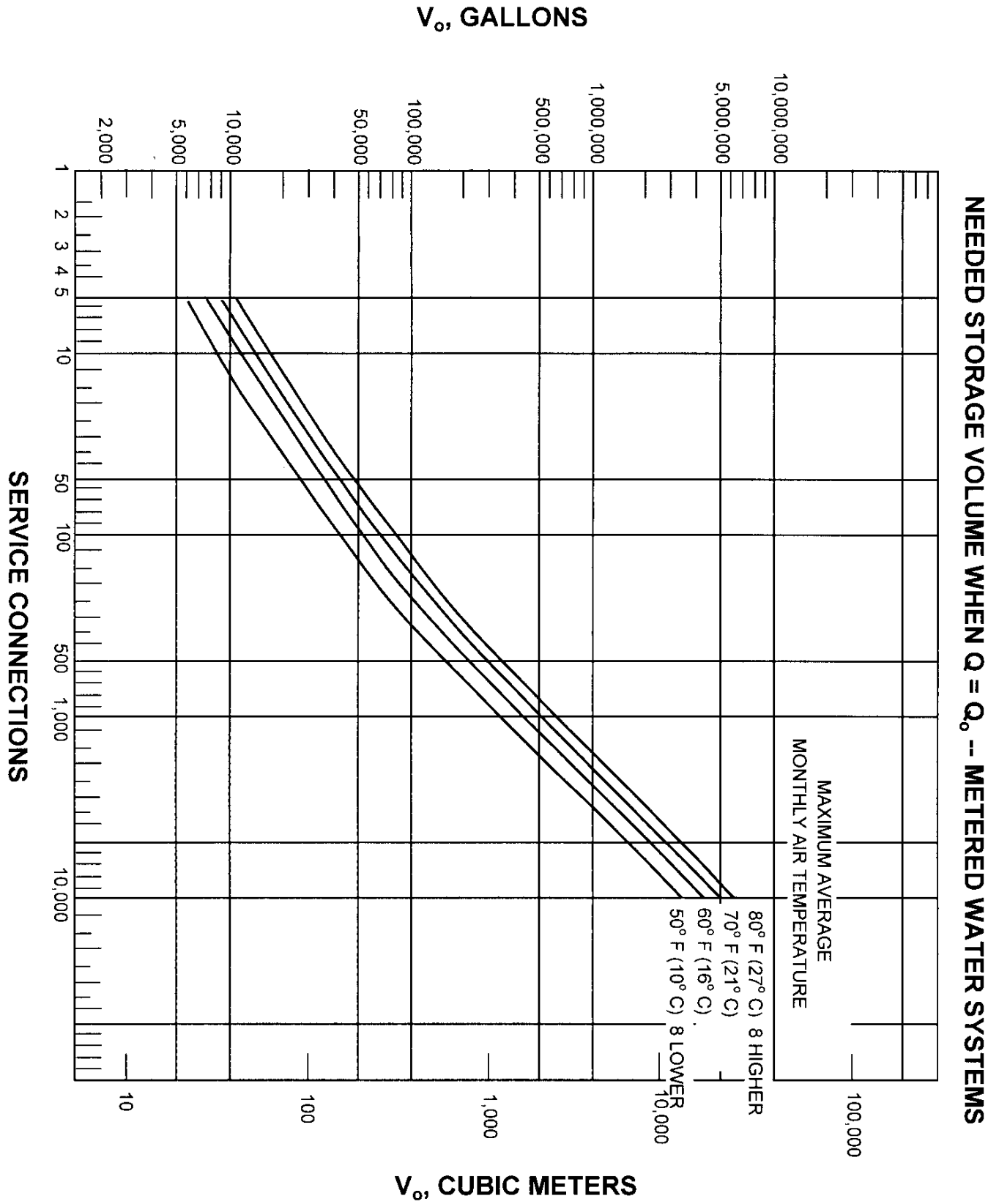


CHART 3
NEEDED STORAGE VOLUME WHEN Q = Qo -- METERED WATER SYSTEMS
Vo, GALLONS
10,000,000
5,000,000
1,000,000
500,000
100,000
50,000
10,000
5,000
2,000
MAXIMUM AVERAGE
MONTHLY AIR TEMPERATURE
80° F (27° C) & HIGHER
70° F (21° C)
60° F (16° C)
50° F (10° C) & LOWER
100,000
10,000
1,000
100
10
Vo, CUBIC METERS
SERVICE CONNECTIONS
1
2
3
4
5
10
50
100
500
1,000
10,000

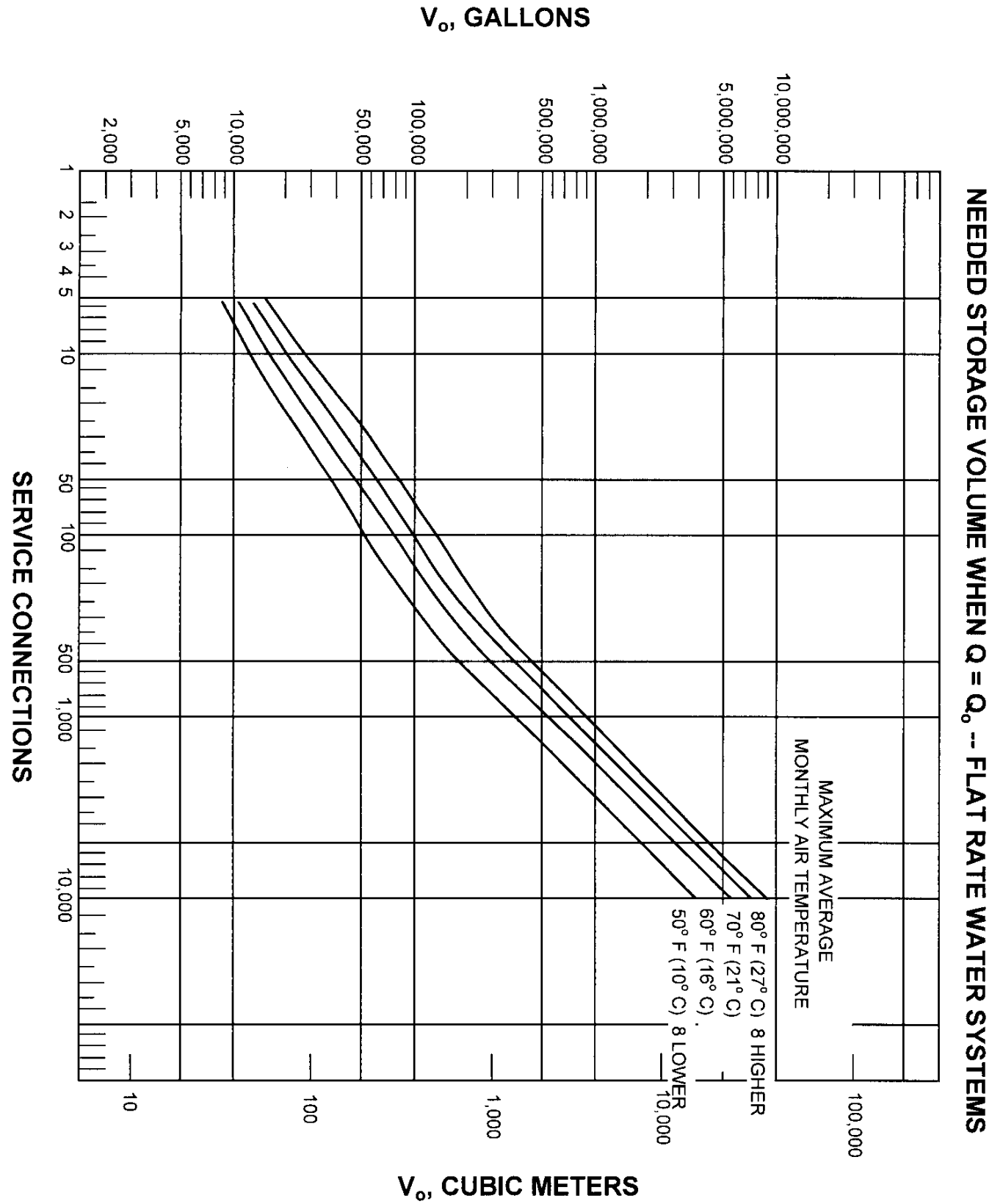


CHART 4
NEEDED STORAGE VOLUME WHEN Q = Qo -- FLAT RATE WATER SYSTEMS
Vo, GALLONS
10,000,000
5,000,000
1,000,000
500,000
100,000
50,000
10,000
5,000
2,000
MAXIMUM AVERAGE
MONTHLY AIR TEMPERATURE
80° F (27° C) & HIGHER
70° F (21° C)
60° F (16° C)
50° F (10° C) & LOWER
100,000
10,000
1,000
100
10
Vo, CUBIC METERS
SERVICE CONNECTIONS
1
2
3
4
5
10
50
100
500
1,000
10,000

INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

Objectives

Safe disposal of all human and domestic waste is necessary to protect the health of the individual family and the community and to prevent the occurrence of nuisances. To accomplish satisfactory results, such waste must be disposed of so that it;

1. will not contaminate any drinking water supply.

2. will not give rise to a public health hazard by being accessible to insects, rodents or other possible carriers which may come into contact with food or drinking water.

3. will not give rise to a public health hazard by being accessible to persons, or animals that come in contact with persons.

4. will not violate state or local laws or regulations governing water pollution or sewage disposal.

5. will not pollute or contaminate the water of any bathing beach, shell fish breeding ground, or any stream.

6. will not give rise to a nuisance due to odor or unsightly appearance.

The first stop in the design of a subsurface sewage disposal system is to determine whether the soil is suitable for the absorption of septic tank effluent and, if so, how much area is required. The soil must have an acceptable percolation rate, without interference from ground water or impervious strata below the level of the absorption system.

Site Evaluation Criteria and Methods

Excerpts from "Policy on the Control of Water Quality with Respect to Individual Waste Treatment and Disposa1 Practices", a publication of the California Water Quality, Contro1 Board, follows:

1. Criteria

   The following site criteria are considered necessary for the protection of water quality and the prevention of health hazards and nuisance conditions arising from the subsurface discharge of wastes from individual waste treatment and disposal systems. They shall be treated as region-wide standards for assessing site suitability for such systems.

   A. Subsurface Disposal

      Individual waste treatment and disposal systems shall be located, designed, constructed, and operated in a manner to ensure that effluent does not surface at any time, and that percolation of effluent will not adversely affect beneficial uses of waters of the state.

B. Ground Slope

Natural ground slope in all areas to be used for effluent disposal shall not be greater than 30 percent. Where less than five feet of soil exists below the trench bottom (see C below), ground slope shall not exceed 20 percent.

C. Soil Depth

Minimum soil depth immediately below the bottom of the leaching shall not be less than five (5) feet. A minimum depth of three (3) feet shall be permitted where ground slope is less than 20 percent.

Lesser soil depths may be granted only as a waiver for Alternative Systems. "Soil depth" is measured vertically to the point where bedrock, hardpan, impermeable soils or saturated soils are encountered.

D. Depth to Groundwater

Minimum depth to the anticipated highest level of groundwater below the bottom of the leaching trench shall be determined according to soil texture and percolation rate as follows:

Soil Texture[1] Percent Silt + Clay	Depth to Groundwater Below Leaching-Trench (ft.)
5 or less	40
6 to 10	20
11 to 15	10
Greater than 15[2]	5
Greater than 15	2[3]

Where groundwater is determined to be non-usable (see definitions) and soils contain greater than 15 percent silt and clay or have a percolation rate slower than 5 MPI, a minimum depth to groundwater of three (3) feet below the leaching trench shall be permitted without need for waiver.

E. Percolation Rates

Percolation test results in the effluent disposal area shall not be less than one inch per 60 minutes (60 MPI) for conventional leaching trenches and one inch per 30 minutes (30 MPI) for seepage pits. Percolation rates up to one inch per 120 minutes (120 MPI) may be considered only for Alternative Systems.

[1] Must exist for a minimum of three (3) continuous feet between the bottom of the leaching trench and groundwater.

[2] Or a percolation rate slower than 5 MPI.

[3] Granted only as a waiver or for Alternative Systems.

F. Setback-Distances

Minimum setback distances for various features of individual waste treatment and disposal systems shall be as shown in Table 1.

TABLE 1

MINIMUM SETBACK DISTANCES

Facility	Well	Perennially Flowing [4]Stream	Ephemeral [5]Stream	Ocean, lake or Reservoir[6]	Cut Banks, Natural Bluffs and Sharp Changes in Slope
Septic Tank	100	100	50	50	25
Leaching Field	100	100	50	100	25[7]
Seepage Pit	150	100	50	100	25[8]

G. Replacement Area

An adequate replacement area equivalent to the initial effluent disposal area shall be reserved at the time of site approval. Incompatible uses of the replacement area shall be prohibited.

H. Cumulative Effects

Possible cumulative effects on ground and surface waters shall be evaluated and considered in the regional Board's review of subdivision developments and other facilities utilizing subsurface sewage disposal systems.

2. Methods of Site Evaluation

Site evaluations are required in all instances to allow proper system design and to determine compliance with the preceding site suitability criteria prior to approving the use of individual waste treatment and disposal systems. The responsible regulatory agency (local Health Department or Regional Board) should be notified prior to the conduct of site evaluations since verification by agency personnel may be required. Site evaluation methods shall be in accordance with the following guidelines:

4 As measured from the line which defines the limit of 10 year frequency flood.
5 As measured from the edge of the water course.
6 As measured from the high-water lines.
7 Where soil depth or depth to groundwater below the leaching trench are less than five (5) feet, a minimum setback distance of 50 feet shall be required.
8 Where soil depth or depth to groundwater below the leaching trench are less than five (5) feet, a minimum setback distance of 50 feet shall be required.

A. General Site Features

Site Features to be determined by inspection shall include:

1. Land area available for primary disposal system and replacement area.

2. Ground slope in the effluent disposal and replacement area.

3. Location of cut banks, natural bluffs, and sharp changes in slope within 50 feet of the disposal and replacement area.

4. Location of wells, intercept drains, streams, and other bodies of water on the property in question and within 100 feet on adjacent properties.

B. Soil Profiles

Soil characteristics shall be evaluated by soil profile observations. One backhoe excavation in the primary disposal field and one in the replacement area shall be required for this purpose. A third profile shall be required if the initial two profiles show dissimilar conditions.

Augered test holes shall be an acceptable alternative, upon determination of the Health Officer or Regional Board: (a) where use of a backhoe is impractical because of access, (b) when necessary only to verify conditions expected on the basis of prior soils investigations, or (c) when done in connection with geologic investigations. Where this method is employed, three test holes in the primary disposal field and three in the replacement area shall be required.

In the evaluation of new subdivisions, enough soil profile excavations shall be made to identify a suitable disposal and replacement area on each proposed parcel.

The following factors shall be observed and reported from ground surface to a depth of at least five (5) feet below the proposed leach field system:

1. Thickness and coloring of soil layers and apparent United States Department of Agriculture (USDA) classification.

2. Depth to and type of bedrock, hardpan, or impermeable soil layer.

3. Depth to observed groundwater.

4. Depth to soil mottling.

5. Other prominent soil features such as structure, stoniness, roots and pores, dampness, etc.

C. Depth to Ground Water Determinations

The anticipated highest level of groundwater shall be estimated:

1. As the highest extent of soil mottling observed in the examination of soil profiles; or

2. By direct observation of groundwater levels during "wet weather" conditions.

Where a conflict in the above methods of estimation exists, the direct observation shall govern and the extent of soil mottling shall be considered the height of saturated soil for the purpose of determining soil depth.

In those areas which, because of parent materials, soils lack the necessary iron compounds to exhibit mottling, direct observation during wet weather conditions shall be required. Guidance in defining such areas shall be provided by the Regional Board for each county within the Region.

D. Soil Percolation Suitability

Determination of a site's suitability for percolation of effluent shall be by either of the following methods:

1. Percolation Testing

Percolation testing shall be in accordance with methods specified by the local regulatory agency. For soils with greater than 20 percent clay content, testing shall be conducted during "wet weather" conditions.

For soils with clay content of 20 percent or less, testing may be conducted in non-wet weather conditions provided presoaking of the test hole is accomplished with (a) a continuous 12-hour presoaking, or (b) a minimum of four (4) complete refillings beginning during the day prior to that of the conduct of the test. In all cases, percolation testing shall be conducted in the soil layer occurring at the proposed trench bottom depth.

2. Soil Analysis

Soil from the limiting soil layer observed within the excavated soil profile shall be obtained and analyzed for bulk density and texture according to methods prescribed by the Regional Board. The results shall be plotted on the soil textural triangle of Figure 1, as per the indicated instructions.

(a) Soils falling within the "coarse" range (zone 1) shall be considered to have minimal filtration capabilities, requiring increased depths to groundwater as per Table 1.

(b) Soils falling within the "acceptable" (zone 2) range shall be considered suitable for effluent disposal without further testing.

(c) Soils falling within the "marginal" range (zone 3) shall require percolation testing as per (1) above to verify suitability for effluent disposal.

(d) Soils falling within the "unacceptable" range (zone 4) shall be considered unsuitable for conventional effluent disposal methods.

MENDOCINO COUNTY POLICY AND REQUIREMENTS

Soil Test Requirements

In order to meet the requirements of the Basin Plan, the following procedures are to be followed:

Option A

Two (2) acceptable soil profiles (backhoe excavations) and six (6) acceptable percolation tests must be submitted for each lot of a proposed land division.

One (1) soil profile is to be conducted in the area where the leach field is expected to be installed and one (1) in the replacement area. Profiles are to be dug to a minimum depth of eight (8) feet, and not less than five (5) feet below the bottom of the proposed leach trench.

The six (6) percolation tests are to be performed and located throughout both areas.

OR

Option B

Two (2) backhoe excavations are to be conducted; one (1) in the proposed leach field area and one (1) in the proposed replacement area. If both excavations exhibit acceptable soil characteristics, then a sample will be taken at each soil layer in the area between the top of the effluent pipe and three feet below the leach trench as shown in Figure 7 of "Soil Evaluation for On-site Sewage Disposal" (April 1980). If one or both excavations show unacceptable soil characteristics, then additional excavations(s) will be needed. The analysis shall consist of a Slake Test* and, if acceptable, a Hydrometer test and a Bulk Density (for all zones except sand, loamy sand or sandy loam).

*Slake Test – A soil aggregate slakes when it is placed in water and begins to fall apart as a result of the water destroying its structural integrity. Place the aggregate in a glass jar filled with tap water. Allow the aggregate to soak, while occasionally giving the jar a gentle swirl. The aggregate should soak for an hour or two. If the aggregate is soil it will slake (fall apart) within the two hour period (however, sometimes slaking will take up to 24 hours). If the material does not slake, then it is not considered soil and cannot be tested by the hydrometer method.

Percolation Tests – Shall be Conducted According to the Following Procedure:

1. Location

   Test holes shall be located in an area that complies with the Division of Environmental Health Building site criteria. Test holes alongside roads or in areas where leach lines cannot be installed will not be accepted.

2. Type of Hole

   Dig, or bore a hole of posthole width (4-inches to 12-inclies in diameter), to a depth of 30-36 inches. Carefully scratch the sides of the hole to remove any smeared soil to provide a natural soil surface. Remove all loose material and add two (2) inches of coarse sand or fine gravel to the

hole. Upon this gravel, you may rest a three (3) or four (4) inch diameter section of perforated pipe, and the annular space between the outside of the pipe and the wall of the hole may be filled with the same material used in the bottom of the hole.

At all times, percolation tests are to be performed at the level of the sewage disposal leach field. It may be necessary to conduct percolation tests below the 30-36 inch depth. If a deep leach field is planned, then the percolation tests must be performed down to the deeper level so the percolation test data accurately reflects the percolation rate for the leach field.

3. Presoak

In order to approximate a subsurface effluent disposal field in operation during the winter, it is necessary to presoak the test hole to assure that the soil surrounding the hole is both saturated and swelled. Saturation means that the void spaces between soil particles are filled with water, while swelling is the process by which water intrudes into the individual soil particles. The latter process is quite slow, especially in clay type soils, and is the reason for a 24-hour presoak period.

4. Percolation Rate Measurement

Due to the variations in soil found in Mendocino County, slight variations in percolation rate measurement are necessary.

A. If Water Remains in Test Hole

If water remains in test hole after the 24-hour presoak period, add clear water to a depth of six (6) inches above the gravel. From a fixed reference point, measure the drop in water level over a 60-minute period. The drop in this 60-minute period is the percolation rate.

B. If No Water Remains in the Test Hole

Add clear water to a depth of six (6) inches above the gravel. From a fixed reference point, measure the drop in water level hourly for at least four (4) hours, adding water each time to bring the level up to six (6) inches above the gravel. The amount of drop that occurs in the fourth (4th) or final period will be used to calculate the percolation rate.

C. If Water Seeps Away in Less Than 60 Minutes

Add clear water to a depth of six (6) inches over the gravel, and make measurements at regular intervals (e.g., 10, 15 or 30 minute intervals) whatever is necessary, to establish the true rate.

D. In all cases, tests must be run until a stabilized percolation rate is reached.

All test holes must be dry within 24 hours of beginning measurements. It must be pointed out that final approval of a site as acceptable for individual sewage disposal systems depends on several factors, and not solely on a percolation test result. A final determination as to the suitability of the particular site will be made by the Division of Environmental Health.

All soil testing shall be certified by a qualified California Registered Engineer, qualified professional Soil Scientist, qualified Registered Sanitarian or qualified Registered Geologist to be in substantial compliance with County Regulations a-,id good engineering practices.

Individual sewage disposal systems will be constructed in compliance with the County Code as prescribed on the permit.

Soil Hydrometer Tests

Soil Hydrometer samples shall be taken at each soil layer in the area between the top of the effluent pipe and three (3) feet below the leach trench as shown in Figure 7 of "Soil Evaluation for On-site Sewage Disposal". (April 1980)

Sufficient material shall be collected to provide for a Slake test, Bulk Density test (except for soils falling in the zone of sand, loamy sand or sandy loam) and the Hydrometer test.

Only Water Quality Control Board approved laboratories may perform the testing, and all test results shall indicate the results of the Slake test and Bulk Density test along with the Hydrometer readings.

Coarse particle adjustments shall be made for gravel and cobbles only. Coarse particle adjustment may not be made for fractured rock.

Soil Hydrometer data submitted for zones outside of the sand, loamy sand or sandy loam designations and not accompanied by Bulk Density data will not be accepted by the Division of Environmental Health. It will be necessary for consultants to use the paraffin-coated clod method if the core sampler method cannot be used.

Soil Hydrometer tests which fall into zone 3 of the Soil Textural Triangle, must be wet weather percolation tested to determine their acceptability. The percolation tests are to be performed down to the depth of the zone 3 material, and to be found acceptable, a minimum percolation rate of one (1) inch per hour must be obtained.

Wet Weather Testing

Soils which display high or moderate shrink-swell characteristics, or are over 20 percent clay must be tested either by performing wet weather percolation tests or performing soil Hydrometer tests; standard percolation tests will not be acceptable. Soil Hydrometer test results which fall into zone 4, are unacceptable and results which fall into zone 3, are required to be wet weather percolation tested. The wet weather testing period is any time after 20 inches of rain has fallen in the Fall, up to April 15th of the following Spring. The April 15th date may be extended in the event of unusually heavy Spring rains by written authorization of the Director of Environmental Health.

Soil Depth

Soil explorations are to be extended to a minimum depth of eight (8) feet, and descriptions of soil encountered are to be submitted on forms provided by the Division of Environmental Health. The description should include general soil characteristics, e.g., sand, gravel, clay, bedrock, etc., the depth at which impermeable layers or water are encountered and depth to which mottling is observed. Five (5) feet of soil depth immediately below the bottom of the leach trench is required. A minimum of three (3) feet of soil below the leaching trench may be permitted where ground slope is less than 20 percent and there are no other limiting factors.

Depth to Groundwater Where Impermeable Layers Are Encountered

Under certain conditions, a continuous hardpan, or a continuous impermeable layer may reduce the required depth to Groundwater to three (3) feet below the leach line.

In order to make the determination that a hardpan or an impermeable layer is continuous, first the area of the disposal field is delineated (see next paragraph below); second, post holes or auger holes are dug at a distance of 15 feet out from the disposal field area on all four sides and if all test holes encountered the hardpan at approximately the same depth, then the hardpan can be considered continuous.

To determine the size of the area to be tested, calculate the sewage disposal field size using the standard soils test data. Use either the Hydrometer sewage field sizing chart or the manual of Septic Tank Practices (to percolation data) chart and include the area for both the primary and replacement field in calculating total area needed.

Please note: Backhoe excavations are not to be made in the hard pan, only a post hole digger or hand auger is to be used. This is to assure minimum disruption of the "impermeable" hard pan thus keeping its impermeability to ground water intact.

Percolation Rates

Soil percolation rates in the disposal area shall not be less than one (1) inch in 60 minutes. If seepage pits are proposed, the rate shall not be less than two (2) inches in 60 minutes.

Intercept or "French" Drains

The use of intercept drains to lower the level of perched groundwater in the immediate leach field area shall be acceptable under the following conditions:

1. Natural ground slope is greater than five (5) percent;

2. Site investigations show groundwater to be perched on bedrock, hardpan, or an impermeable soil layer;

3. The intercept drain extends from ground surface into bedrock, hardpan, or the impermeable soil layer.

In no case shall the previous section of an intercept drain be located less than 15 feet upgradient or 5O feet laterally from any septic tank or leach field, or 25 feet from any property line.

Where all of the above conditions cannot be met, detailed engineering plans must be supplied or actual performance of the intercept drain demonstrated prior to approval.

Wisconsin Mounds

The North Coast Regional Water Quality Control Board prohibits the use of Wisconsin Mounds as grounds for approval of new Land Division. No Land Division is to be approved on the basis of the use of a Wisconsin Mound (As of August 1981 Revision).

LAND DEVELOPMENT CRITERIA

Lot Size

The determination of ultimate lot size in any particular area depends upon many factors, including sewage disposal area (depends upon soil percolation) building area, drainage area, slope and water availability. The following charts show lot sizes which are sized according to average conditions, and will be recommended by the Division of Environmental Health. If the developer wishes to propose smaller lot sizes where he feels that soil and water conditions are better than average, he may do so provided additional testing and documentation can be presented which justifies smaller lots. E.g., proof of water on each parcel will eliminate the water availability questions.

The following lot sizes are recommended:

A. Public Water System, Individual Sewage Disposal Systems

Slope	Lot Size
1 – 3%	12,000 ft ^{2}
3 – 5%	15,000 ft ^{2}
5 – 8%	18,000 ft ^{2}
8 – 10%	20,000 ft ^{2}
over 10%	24,000 ft ^{2}

B. Individual Water and Sewage Disposal Systems

Average Slope	Lot Size
50% or greater	40 acres
30 – 50%	20 acres
20 – 30%	10 acres
10 – 20%	5 acres
Up to 10%	40,000 ft ^{2}

In addition, the following recommendations are made:

2 acres – Noyo Soil Series
5 acres – Blacklock Soil Series

Lots that do not meet the above recommendations will, at a minimum, be required to show water on each lot or parcel.

Buildable Area

On all parcels, especially larger parcels of one (1) acre or more, a "building area', meeting the requirements of Table A above must be shown.

Drainage ways, utility easements, front and side yard setbacks, slopes, soil permeability and other factors may affect the buildable area required.

Other Design Criteria

For other design criteria, refer to the North Coast Basin Plan Requirements.

CHAPTER 22.12 – NATIVE AMERICAN ARCHEOLOGICAL SITES.

DIVISION I GENERAL

Sec. 22.12.010 Purpose and Findings.

The Board of Supervisors of the County of Mendocino hereby finds and declares that there exist in the County of Mendocino areas of great importance for the study of the past of the native Indian of California, hereinafter referred to as 'Native American,' said areas hereinafter referred to as 'Native American archeological sites,' and that such sites are unique, irreplaceable phenomena of significance in the history of the County and in the understanding of the cultural heritage of our land and of all humankind; that the character of such sites has attracted and can attract visitors and scientific interest to the County, thereby augmenting the economy and general welfare of the County and its residents; that such sites constitute a precious archeological, paleontological, paleoecological, and historical heritage which is fast disappearing as a result of public and private land development and other undertakings of land modification, and as a result of excessive and uncontrolled excavations for Native American artifacts; that the total efforts of government to preserve and salvage these sites and resources is fragmented and uncoordinated; that the preservation and enhancement of these sites is essential to the economic and cultural life of the County; and that, in order to promote the public welfare, it is necessary to provide regulations for the protection, enhancement, and perpetuation of such sites. (Ord. No. 1681, adopted 1976.)

Sec. 22.12.020 Definitions.

For purposes of this chapter, the following definitions shall apply:

(A) Native American Archeological Site. A 'Native American archeological site' shall mean any mound, cave, midden, place of settlement, burial ground, ceremonial ground, mine, trail, rock art, or other feature or location which in fact contains the human or cultural remains or artifacts of native California Indians in existence prior to the year 1876. Whenever in this Chapter reference is made to one hundred (100) years of age, such date shall be calculated from the effective date of this Chapter, to wit, 1976. Whenever the word 'site' or the phrase 'archeological site' is used in this chapter, it shall be deemed to mean a Native American archeological site. (Ord. No. 1681, adopted 1976.)

(B) Person. 'Person' shall mean any individual, firm, corporation, partnership, joint venture, association, society, fraternal organization, trust, concert of interest, conspiracy, or any other group or combination acting as a unit. (Ord. No. 1681, adopted 1976.)

(C) CEQA Project. 'CEQA project' shall mean any project for which an environmental impact report is required by the California Environmental Quality Act (Public Resources Code, commencing with Section 21000), by the State EIR Guidelines, or by County regulations adopted pursuant thereto; provided, however, that a project for which an environmental impact report would be required except for the issuance of a negative declaration shall be deemed a CEQA project for the purpose of requiring the preparation of an archeological element if the Archeological Commission has determined that the project may have a significant effect on archeological resources and has objected in writing to the negative declaration within the time provided by law for members of the public to respond to the finding of a negative declaration that a proposed project will not have a significant effect on the environment. 'CEQA project' shall not mean a timber harvesting plan adopted pursuant to the Z'berg-Negedly Forest Practice Act of 1973) (Public Resources Code, commencing with Section 4511) nor any timber harvesting authorized by such plan. (Ord. No. 1681, adopted 1976.)

(D) Public Lands. 'Public lands' shall mean lands owned by, leased by, or otherwise under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof. (Ord. No. 1681, adopted 1976.)

(E) Interment. 'Interment' shall mean the disposition of human remains by inurement, entombment, or burial. (Ord. No. 1681, adopted 1976.)

(F) Human Remains. 'Human remains' shall mean the body of a deceased human being and shall include the body in any stage of decomposition, including one or more bones only. (Ord. No. 1681. adopted 1976.)

(G) Burial. 'Burial' shall mean the placement of human remains in a grave inside or outside a burial park. (Ord. No. 1681, adopted 1976.)

(H) Knowingly. 'Knowingly' shall mean and import only a knowledge that the facts exist which bring the act or omission within the provisions of this Chapter and does not require any knowledge of the unlawfulness of such act or omission. A person who disturbs, excavates, or causes to be disturbed or excavated a Native American archeological site shall be deemed to have done so 'Knowingly' if he actually knows, observes on the site, would as a reasonable person know, or has brought to his attention, the following: That the site contains or is likely to contain evidence of the presence of a Native American archeological site, including artifacts, flakes of stone, fire-fractured rocks, bones, discolored soil, paintings or carvings on rock surfaces, mounds, and caves. (Ord. No. 1681, adopted 1976.)

Sec. 22.12.030 Archeological Commission.

(A) There is hereby established the Mendocino County Archeological Commission, hereinafter referred to as 'Commission.' The Commission shall consist of seven (7) regular members and one (1) alternate member, each member to serve without compensation except for travel and other out-of-pocket costs. The County Administrative Officer or a representative designated by him shall serve as the executive officer of the Commission. The Board of Supervisors shall appoint the following persons to the Commission:

(1) The Director of the Mendocino County Museum. (Ord. No.1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(2) A Native American who is a resident of the County of Mendocino and has an interest in the knowledge of the protection of Native American archeological sites. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850. adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(3) The Chief Planner of Mendocino County. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(4) A qualified, professional archeologist as determined by the standards set by appropriate professional societies; if such person is not available, the Board of Supervisors may appoint, in lieu thereof, a person having professional training in the Field of archeology. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(5) Three (3) representatives of a Native American Tribe, council, or group in Mendocino County, one of which shall be designated by the Board as an 'alternate member', to serve when a regular Native American at-large representative is unable for any reason to attend or participate in Commission proceedings. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(6) A representative of an industry such as timber, cattle, sheep, or other type likely to be affected by this Chapter. (Ord. No. 1681, adopted l976, as amended by Ord. No. 1860, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(B) The Commission shall consult with, and keep advised, the Mendocino County Sheriff-Coroner and the Mendocino County Superintendent of Schools. The Commission shall make all rules and regulations necessary or convenient for carrying out its duties and powers under this Chapter. Such rules and regulations shall, within six (6) months after the effective date of this Chapter, include a standard for determining whether or not a Native American archeological site is one of ‘archeological significance.’ Any person aggrieved may appeal from the adoption of any rule or regulation by filing, within thirty (30) days thereafter, a letter with the Clerk of the Board of Supervisors specifying the rule or regulation appealed from and the grounds for appeal; no rule or regulation shall go into effect until the lapse of thirtv (30) days or, if appealed, upon approval by the Board of Supervisors. The Board of

Supervisors may appoint an alternate for each member of the Commission, such alternate to represent the same interest or organization as the respective member. Unless otherwise required, all actions of the Commission shall require an affirmative vote of four (4) members. A decision of the Commission may be made by telephone or other verbal agreement if there is insufficient time for a meeting to be called; any decision so made shall be deemed effective unless the Commission fails to ratify the same at a regular or special meeting within thirty (30) days thereafter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(C) All members of the Commission except for the Director of the Mendocino County Museum and the Chief Planner of Mendocino County shall be appointed for a term of two (2) years. At the First regular meeting following January 1 of each year the Commission members shall elect from among themselves a chairman and vice-chairman. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(D) The Commission may appoint or designate representatives to act in the name of the Commission whenever such representatives are authorized to act by the provisions of this Chapter. Each such representative shall be subject to removal by the Board of Supervisors upon good cause shown. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(E) Appeals from the action of the Archeological Commission may be made only to the Board of Supervisors. Appeals must be filed with the Clerk of the Board within thirty (30) days of the action. (Ord. No. 3221, adopted 1978.)

DIVISION II EXCAVATION REGULATIONS

Sec. 22.12.040 Projects requiring permits.

(A) Any person who proposes to, or in fact does, excavate or disturb earth, either during the course of a CEQA project, or on public lands, or for archeological purposes, shall first obtain an excavation permit as provided for by this Chapter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1987.)

(B) It shall be unlawful, prohibited, and a misdemeanor for any of the following persons knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate or cause to be excavated, to any extent whatsoever, any Native American archeological site unless done in strict compliance with an excavation permit which has been issued in advance by the Archeological Commission:

(1) A person whose disturbance or excavation occurs during the course of CEQA project. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(2) A person engaged in such disturbance or excavation for archeological purposes or as part of an archeological project. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(3) A person engaged in such disturbance or excavation on public lands. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(C) Any act committed under the authority of an excavation permit issued hereunder shall be in accordance with its terms and conditions, including those pertaining to removal of artifacts of human remains. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(D) It shall be unlawful, prohibited, and a misdemeanor for any person to proceed under any excavation permit in a manner which constitutes a material variance from the terms of the permit or any representation in the application for said permit. In the event of such variance or violation, the permit may be cancelled forthwith by the Archeological Commission or, upon their referral, by the Board of Supervisors. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(E) Any person who encounters an unanticipated archeological site during the course of construction or excavation activities for which an excavation permit has been issued pursuant to this section shall halt, and order to be halted, all further work in the area within two hundred (200) feet of the discovery and shall not resume work in the area until he has followed the same procedures as are required

of a person making a discovery under Section 22.12.050 of this Chapter. The Archeological Commission shall, in such case follow the same procedure as required of it in Section 22.12.050 of this Chapter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221. adopted 1978.)

(F) Excavations or earth disturbance on public lands for utility purposes only shall be exempt from this section and from the requirement of obtaining an excavation permit. (Ord. No. 1681, adopted 1976. as amended by Ord. No. 3221, adopted 1978.)

(G) Excavations or earth disturbances on public lands conducted or approved by the County of Mendocino or other governmental entities which do not constitute a CEQA project, as defined in this Chapter, shall be exempt from this section and from the requirement of obtaining an excavation permit. (Ord. No. 1712, adopted 1976, as amended by Ord. No. 3221, adopter 1978.)

Sec. 22.12.050 Discoveries Generally.

(A) Any person who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age, or any artifact or other evidence of a Native American archeological site which reasonable appears to exceed one hundred (100) years of age, shall take all of the following actions:

(1) Cease and desist from all further excavations and disturbances within two hundred (200) feet of the discovery. (Ord. No. 1681,adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(2) Arrange for staking completely around the area of discovery by visible stakes no more than ten (10) feet apart, forming a circle having a radius of no less than one hundred (100) feet from the point of discovery; provided, however, that such staking need not take place on adjoining property whose owner or person in possession does not authorize such staking thereon, in which case the boundary line within such circle shall be staked. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(3) Make notification of the discovery to the Sheriff-Coroner. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(4) Grant any duly authorized representative of the Commission or the Sheriff-Coroner permission to enter onto the lands of the discovery which are under the jurisdiction of the person making the discovery and to take all actions consistent with this Chapter and otherwise permitted by law. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(B) Upon being notified or otherwise becoming aware of the discovery of any evidence of a Native American archeological site, the Sheriff-Coroner shall forthwith notify the Executive Officer of tile Archeological Commission and whatever designated representatives of the Commission he deems appropriate. The Commission shall arrange for an on-site inspection of the area of discovery by one or more of its representatives within seventy-two (72) hours of the time of such notification of the Sheriff-Coroner. The Commission shall give notice of the time of the on-site inspection to the owner, or other person who made notification of the discovery, who shall be entitled to accompany the Commission representatives at all times on the property in question. The purpose of the inspection shall be to determine whether the site is one of archeological significance. In the event that such inspection does not take place within such seventy-two (72) hour period and the Commission has not, within such time, issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may be resumed; provided, however, that if a human remain was discovered, no further excavation or disturbance of the site may take place until specifically authorized by the Sheriff-Coroner.

(C) If the Commission determines that the site of the discovery is one of archeological significance, it shall, within seventy-two (72) hours of being notified of the discovery, notify the person making the discovery of such determination, the apparent boundaries of the site, and its specific recommendations for the preservation of the site from destructive disturbance or excavation; and the Commission shall issue an order to cease and desist from all further excavation or disturbance of the site for a specified period of time not to exceed thirty (30) days; provided, however, that the period may by extended up to forty-five (45) additional days by minute order of the Board of Supervisors. In issuing

such a cease and desist order, the Commission shall take into account both the need for preserving the site and the need for avoiding unnecessary financial hardships to any person engaged in construction work on the site. The cease and desist order shall be subject to whatever conditions the Commission determines will promote the purposes of this Chapter. During the period such cease and desist order is in effect, the site shall be open to physical inspection, photographing, supervised excavation, study, and all other reasonable related activities by any person duly authorized by the Commission or by the SheriffCoroner. The landowner, or the person making the original notification of discovery, shall be kept advised of the times at which any such duly authorized person is on the site and shall be given the opportunity to accompany any person while on the site. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(D) The Archeological Commission shall, for the purpose of giving or receiving notifications under this Chapter, designate as its representatives one or more residents of each Supervisorial district having expertise or experience in the evaluation of Native American archeological sites. A list of such representatives and their telephone numbers shall be provided to, and kept available with, the office of the Dispatcher Unit of the Sheriff-Coroner. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(E) It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, a Native American archeological site without complying with the provisions of this section. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221. adopted 1978.)

(F) It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, any Native American archeological site (1) in violation of any order to cease and desist issued pursuant to this section or (2) during the seventy-two (72) hour period commencing from the time of the required notification of discovery. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221. adopted 1978.)

(G) The owner, or other person in lawful possession, of land on which a discovery of a Native American archeological site has been made shall grant a license for entry thereon by every person authorized by the Archeological Commission or Sheriff-Coroner. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

Sec. 22.12.060 Discoveries of Human Remains.

(A) The provisions of this section shall apply in addition to the provisions of Section 22.12.050 of this Chapter whenever any human remains are discovered. (Ord. No. 1681, adopted 1976.)

(B) Any person who, while excavation or otherwise disturbing earth, discovers any bones or other human remains, whether or not as part of a Native American archeological site, shall immediately cease and desist from all further excavation and disturbance and shall immediately telephone or otherwise notify the Sheriff-Coroner of Mendocino County. If a Native American archeological site is involved, the Sheriff-Coroner shall thereupon notify a designated representative of the Mendocino County Archeological Commission for the particular geographical area involved. (Ord. No. 1681, adopted 1976.)

(C) It shall be unlawful, prohibited, and a misdemeanor for any person not specifically authorized by the Archeological Commission or its designated representative to do so, to excavate or otherwise disturb any such area of discovery within one hundred (100) feet of the point of discovery until the lapse of thirty (30) days or written approval of the Commission, whichever occurs first. The Commission may extend the period of thirty (30) days by written order, in which case all persons having actual notice thereof shall be prohibited from any further excavation or disturbance within such 100-foot area. (Ord. No. 1681, adopted 1976.)

(D) The Sheriff-Coroner and the Commission representative shall make, and are authorized to enter onto the lands where the discovery was made to make, in on-site inspection, for the purpose of determining (1) whether such human remains are less than one hundred (100) years old and (2) whether they are the result of any criminal or other act bringing such within the custody of the Sheriff-Coroner

under the laws of the State of California. If the Sheriff-Coroner determines he does have jurisdiction, he shall take such remains into his custody or make such other order as will insure the preservation of such remains. The Sheriff-Coroner may designate any Native Americans who are affiliated with recognized tribes or councils, and who have been specifically authorized by the Commission for such purpose, to reinter such remains in their own burial grounds or to otherwise act as his agent in the removal, storage, and preservation of such remains. (Ord. No. 1681, adopted 1976.)

(E) All human remains of any age discovered as part of a Native American archeological site shall be subject to the jurisdiction and custody of the Sheriff-Coroner, who may designate the Archeological Commission to take such human remains into custody for scientific analysis and reinterment, to the extent no Native American, or tribe or council of Native Americans, has a legal claim thereto. The owner or other person claiming lawful title to or possession of the land on which such human remains are found shall not, by that fact alone, be entitled to keep or possess such remains. The Sheriff-Coroner and the Commission may submit human remains in their respective custody to the University of California or other similar recognized institution for scientific analysis before reinterment. (Ord. No. 1681, adopted 1976.)

(F) It shall be unlawful, prohibited, and a misdemeanor for any person to mutilate, disinter, or remove from the place of interment any human remains without first obtaining the approval of the Sheriff-Coroner and all other permits required by the California Health and Safety Code and this Chapter and without first notifying in writing the Archeological Commission. (Ord. No. 1681, adopted 1976.)

APPENDIX 8 - CALIFORNIA COASTAL COMMISSION STATEWIDE INTERPRETIVE GUIDELINES (5-5-81)

APPENDIX D. TECHNICAL CRITERIA FOR IDENTIFYING AND MAPPING WETLANDS AND OTHER WET ENVIRONMENTALLY SENSITIVE HABITAT AREAS

The purpose of this discussion is to provide guidance in the practical application of the definition of "wetland" contained in the Coastal Act. The Coastal Act definition of "wetland" is set forth in Section 30121 of the Act which states:

> SEC. 30121
>
> "Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

This is the definition upon which the Commission relies to identify "wetlands." The definition refers to lands "… which may be periodically or permanently covered with shallow water…" However, due to highly variable environmental conditions along the length of the California coast, wetlands may include a variety of different types of habitat areas. For this reason, some wetlands may not be readily identifiable by simple means. In such cases, the Commission will also rely on the presence of hydrophytes and/or the presence or hydric soils. The rationale for this in general is that wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface. For this reason, the single feature that most wetlands share is soil or substrate that is at least periodically saturated with or covered by water, and this is the feature used to describe, wetlands in the Coastal Act. The water creates severe physiological problems for all plants and animals except those that are adapted for life in water or in saturated soil, and therefore only plants adapted to these wet conditions (hydrophytes) could thrive in these wet (hydric) soils. Thus, the presence or absence of hydrophytes and hydric soils make excellent physical parameters upon which to judge the existence of wetland habitat areas for the purposes of the Coastal Act, but they are not the sole criteria. In some cases, proper identification of wetlands will require the skills of a qualified professional.

The United States Fish and Wildlife Service has officially adopted a wetland classification system* which defines and classifies wetland habitats in these terms. Contained in the classification system are specific biological criteria for identifying wetlands and establishing their upland limits. Since the wetland definition used in the classification system is based upon a feature identical to that contained in the Coastal Act definitions, i.e., soil or substrate that is at least periodically saturated or covered by water, the Commission will use the classification

* "Classification of Wetlands and Deep-Water Habitats of the United States." By Lewis M. Cowardin, et al, United States Department of the Interior, Fish and Wildlife Service, December 1979.

system as a guide in wetland identification. Applying the same set of biological criteria consistently should help avoid confusion and assure certainty in the regulatory process. This appendix discusses the adapation of this classification system to the Coastal Act definition of "wetland" and other terms used in the Act, and will form the basis of the Commission's review of proposals to dike, fill or dredge wetlands, estuaries or other wet habitat areas.

I. U.S. Fish and Wildlife Classification System: Upland/Wetland/Deep-water Habitat Distinction

The United States Fish and Wildlife Service classification is hierarchical, progressing from systems and subsystems, at the most general levels, to classes, subclasses, and dominance types. The term "system" refers here to a complex of wetland and deep-water habitats that share the influence of one or more dominant hydrologic, geomorphologic, chemical, or biological factors.

The Service provides general definitions of wetland and deep-water habitat and designates the boundary between wetland and deep-water habitat and the upland limit of a wetland. The following are the Services' definitions of wetland and deep-water habitats:

A. Wetlands

"Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.

Wetlands as defined here include lands that are identified under other categories in some land-use classifications. For example, wetlands and farmlands are not necessarily exclusive. Many areas that we define as wetlands are farmed during dry periods, but if they are not tilled or planted to crops, a practice that destroys the natural vegetation, they will support hydrophytes.*

Drained hydric soils that are now incapable of supporting hydrophytes because of a change in water regime are not considered wetlands by our definition. These drained hydric soils furnish a valuable record of historic wetlands, as well as an indication of areas that may be suitable for restoration.

The upland limit of wetland is designated as (1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; (2) the boundary between soil that is predominantly hydric and

* For the purposes of identifying wetlands using the technical criteria contained in this guideline, one limited exception will be made. That is, drainage ditches as defined herein will not be considered wetlands under the Coastal Act. A drainage ditch shall be defined as a narrow (usually less than 5-feet wide), manmade nontidal ditch excavated from dry land.

soil that is predominantly nonhydric; or (3) in the case of wetlands without vegetation or soil, the boundary between land that is flooded or saturated at some time each year and land that is not."

Wetlands should be identified and mapped only after a site surrey by a qualified botanist, ecologist, or a soil scientist (See section III. B. of the guideline for a list of required information)*.

B. Deepwater Habitats

"Deepwater habitats are permanently flooded lands lying below the deepwater boundary of wetlands. Deepwater habitats include environments where surface water is permanent and often deep, so that water, rather than air, is the principal medium within which the dominant organisms live, whether or not they are attached to the substrate. As in wetlands, the dominant plants are hydrophytes; however, the substrates are considered nonsoil because the water is too deep to support emergent vegetation (U. S. Soil Conservation Service, Soil Survey Staff 1975)."

"The boundary between wetland and deep-water habitat in the Marine and Estuarine Systems (i.e., areas subject to tidal influence) coincides with the elevation of the extreme low-water of spring tide (ELWS); permanently flooded areas are considered deep-water habitats in these systems. The boundary between wetland and deep-water habitat in the Riverine, Lacustrine and Palustrine Systems lies at a depth of 2m (6.6 ft.) below low-water;, however, if emergents, shrubs or trees grow beyond this depth at any time, their deep-water edge is the boundary.'

II. Wetland/Estuary/Open Coastal Water Distinction

For the purposes of mapping "wetlands" under the Coastal Act's definition of wetlands, and of mapping the other wet environmentally sensitive habitat areas referred to in the Act, including "estuaries," streams," "riparian habitats," "lakes" and "open coastal water," certain adaptations of this classification system will be made. The following is a discussion of these adaptations.

"Wetland," as defined in Section 30121 of the Coastal Act, refers to land covered by "shallow water," and the examples given in this section include fresh, salt and brackish water marshes, mudflats and fens. A distinction between "wetland" and the other habitat areas in the Act, for example, "estuary," must be made because the Act's policies apply differently to these areas, and because the Act does not define some of these terms (such as "estuary"). A reasonable distinction can be made between "wetland" and "estuary" on the basis of an interpretation of the phrase "shallow water." Using the service's classification system, "shallow

* Further details regarding the standards and criteria for mapping wetlands using the Service's classification system may be found in the following, "Mapping conventions of the National Wetland inventory," (undated), published by the U.S.F.W.S. The document may be obtained from the U.S.F.W.S., Regional Wetland Coordinator, Region 1, Portland, Oregon.

water" would be water that is above the boundary of deep-water habitat, which would be the line of extreme low-water of spring tide* for areas subject to tidal influence and 2 meters for non-tidal areas. Therefore, wetland begins at extreme low-water of spring tide and "estuary" or "open coastal water" is anything deeper. The Coastal Act definition of "wetlands" would include the wetland areas of Estuarine, Palustrine, and Lacustrine ecological systems defined by the Fish and Wildlife classification system.

For the purposes of the Coastal Act, an "estuary" is a coastal water body usually semi-enclosed by land, but which has open, partially obstructed, or intermittent exchange with the open ocean and in which ocean water is at least occasionally diluted by fresh water runoff from the land. The salinity may be periodically increased above that of the open ocean by evaporation.

"Open coastal water" or "coastal water" as used in the Act refers to the open ocean overlying the continental shelf and its associated coastline with extensive wave action. Salinities exceed 30 parts per thousand with little or no dilution except opposite mouths of estuaries.

III. Wetland/Riparian Area Distinction

For the purpose of interpreting Coastal Act policies, another important distinction is between "wetland" and "riparian habitat." While the Service's classification system includes riparian areas as a kind of wetland, the intent of the Coastal Act was to distinguish these two areas. "Riparian habitat" in the Coastal Act refers to riparian vegetation and the animal species that require or utilize these plants. The geographic extent of a riparian habitat would be the extent of the riparian vegetation. As used in the Coastal Act, "riparian habitat" would include the "wetland" areas associated with Palustrine ecological systems as defined by the Fish and Wildlife Service classification system.

Unfortunately, a complete and universally acceptable definition of riparian vegetation has not yet been developed, so determining the geographic extent of such vegetation is rather difficult. The special case of determining consistent boundaries of riparian vegetation along watercourses throughout California is particularly difficult. In Southern California these

* While the Service's classification system uses "extreme low-water of spring tide" as the datum to distinguish between "shallow-water" and "deep-water habitat," such datum is not readily available for the California coast. Therefore, the lowest historic tide recorded on the nearest available tidal bench mark established by the U. S. National Ocean Survey should be used as the datum.

Data for such bench marks are published separately for each station in loose-leaf form by the National Ocean Survey, Tideland Water Levels, Datum and Information Branch, (C23), Riverdale, MD 20840. These compilations include the description of all bench marks at each tide station (for ready identification on the ground), and their elevations above the basic hydrographic or chart datum for the area, which is mean lower low-water on the Pacific coast. The date and length of the tidal series an which the beach-mark elevations are based are also given.

boundaries are usually obvious; the riparian vegetation grows immediately adjacent to watercourses and only extends a short distance away from the watercourse. In Northern California, however, the boundaries are much less distinct; vegetation that occurs alongside a stream may also be found on hillsides and far away from a watercourse.

For the purposes of this guideline, riparian vegetation is defined as that association of plant species which grows adjacent to freshwater watercourses, including perennial and intermittent streams, lakes, and other freshwater bodies. Riparian plant species and wetland plant species either require or tolerate a higher level of soil moisture than dryer upland vegetation, and are therefore generally considered hydrophytic. However, riparian vegetation may be distinguished from wetland vegetation by the different kinds of plant species. At the end of this appendix, lists are provided of some wetland hydrophytes and riparian hydrophytes. These lists are partial, but give a general indication of the representative plant species in these habitat areas and should be sufficient to generally distinguish between the two types of plant communities.

The upland limit of a riparian habitat, as with the upland limit of vegetated wetlands, is determined by the extent of vegetative cover. The upland limit of riparian habitat is where riparian hydrophytes are no longer predominant.

As with wetlands, riparian habitats should be identified and mapped only after a site survey by a qualified botanist, freshwater ecologist, or soil scientist.* (See pp. 6-9 of the guideline for a list of information which may be required of the applicant).

IV. Vernal Pools

Senate Bill No. 1699 (Wilson) was approved by the Governor on September 13, 1980 and the Bill added Section 30607.5 to the Public Resources Code to read:

> 30607.5. Within the City of San Diego, the commission shall not impose or adopt any requirements in conflict with the provisions of the plan for the protection of vernal pools approved and adopted by the City of San Diego on June 17, 1980, following consultation with state and federal agencies, and approved and adopted by the United States Army Corps of Engineers in coordination with the United States Fish and Wildlife Service.

The Commission shall adhere to Section 30607.5 of the Public Resources Code in all permit and planning matters involving vernal pools within the City of San Diego.

* Identification of riparian habitat areas in Northern California presents peculiar difficulties. While in Southern California riparian vegetation generally occurs in a narrow band along streams and rivers, along the major rivers in Northern California it may be found in broad floodplains, abandoned river channels and the bottoms adjacent to the channels. In forested areas, the overstory of riparian vegetation may remain similar to the adjacent forest but the understory may contain a variety of plant species adapted to moist or wet substrates. For example, salmonberry, bayberry, willow, twinberry and lady fern, may all be more common in the understory of riparian habitat areas than in other types of forest habitat areas.

All vernal pools located within the City of San Diego in the coastal zone are depicted on a map attached as Exhibit 1 to a letter from Commission staff to Mr. James Gleason, City of San Diego (4/29/80). While "vernal pool" is a poorly defined regional term, all information available to the Commission suggests that all vernal pools in the coastal zone are located in the City of San Diego. It is important to point out, however, that vernal pools are distinct from vernal ponds and vernal lakes, which exist in other parts of the coastal zone (e.g. Oso Flaco Lakes in San Luis Obispo County). The Commission generally considers these habitat areas to be wetlands for the purposes of the Coastal Act, and therefore all applicable sections of the Coastal Act will be applied to these areas.

V. Representative Plant Species in Wetlands and Riparian Habitat Areas

This is a list of "representative" species that can be expected to be found in the various habitat areas indicated. Not all of them will be found in all areas of the State, and there are numerous others that could be included. However, this list should suffice to generally distinguish between these types of plant communities.

A. Salt Marsh

Pickleweed (Salicornia virginica)
Glasswort (S. subterminalis)
Saltgrass (Distichlis spicata)
Cordrass (Spartina foliosa)
Jaumea (Jaumea carnosa)
Saltwort (Batis maritima)
Alkali heath (Frankenia grandifolia)
Salt cedar (Monanthochloe littoralis)
Arrow grass (Triglochin maritimum)
Sea-blite (Suaeda californica var pubescens)
Marsh rosemary (Limonium californicum var mexicanum)
Gum plant (Grindelia stricta)
Salt Marsh fleabane (Pluchea purpurescens)

B. Freshwater Marsh

Cattails (Typha spp.)
Bulrushes (Scirpus spp.)
Sedges (Carex spp.)
Rushes (Juncus spp.)
Spikerush (Heleochais palustris)
Pondweeds (Potamogeton spp.)
Smartweeds (Polygonum spp.)
Water lilies (Nuphar spp.)
Buttercup (Ranunculus aquatilis)
Water-cress (Nasturtium officinale)
Bur-reed (Sparganium eurycarpum)

Water parsley (Venanthe sarmentosa)
Naiads (Najas spp.)

C. Brackish Marsh

Alkali bulrush (Scirpus robustus)
Rush (Juncus balticus)
Brass buttons (Cotula coronopifolia)
Fat-hen (Atriplex patula var hastata)
Olney's bulrush (Scirpus olneyi)
Common tule (Scirpus acutus)
Common reed (Phragmites communis)

D. Riparian

Wil1ows (Salix spp.)
Cottonwoods (Populus spp.)
Red alder (Alnus rubra)
Box elder (Acer negundo)
Sycamore (Platanus racemosa)
Blackberry (Rubus vitifolia)
So. Black walnut (Juglans californica) (So. Calif.)
California Bay (Umbelularia californicum) (So. Calif.)
Bracken fern (Pteris aguilinum) (Cen. Calif.)
Current (Ribes spp.)
Twinberry (Lonicera involucrata) (No. Calif.)
Lady fern (Athyrium, felix-femina)
Salmonberry (No. Calif.)
Bayberry (No. Calif.)

E. Vernal Pools

Downingia (Downingia sp.)
Meadow-foxtail (Alopecurus howellii)
Hair Grass (Deschampsia danthonioides)
Quillwort (Isoetes sp.)
Meadow-foam (Limnanthes sp.)
Pogogyne (Pogogyne sp.)
Flowering Quillwort (Lilaea scilloides)
Cryptantha (Cryptantha sp.)
Loosestrife (Lythrum hyssopifolium)
Skunkweed (Navarretia sp.)
Button-celery (Eryngium sp.)
Orcutt-grass (Orcuttia sp.)
Water-starwort (Callitriche sp.)
Waterwort (Elatine sp.)

Woolly-heads (Psilocarpus sp.)
Brodiaea (Brodiaea sp.)
Tillaea (Crassula aquatica)

APPENDIX 9

ORDINANCE NO. 3335

AN ORDINANCE ESTABLISHING CRITERIA
FOR TIMBERLAND PRESERVE ZONING (TPZ)

The Board of Supervisors of the County of Mendocino, State of California, do ordain as follows:

Delete Article XLI AGRICULTULTURAL PRESERVES of the Mendocino County Code;

Amend title of Section 22.08 to read: RESOURCE PRESERVES;

Add Section 20-5 (iii), to read:

> TIMBERLAND. Privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber, and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Add Section 22.08.010 (D) to read:

(D) The legislature of the State of Ca1ifornia in enacting AB 1258-Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976, found that the forest resources and timberlands of the state are among the most valuable of the natural renewable resources of the state.

It is essential to the objectives of the Forest Taxation Reform Act of 1976 that an orderly system be established whereby property within Mendocino County may be incorporated into Timberland Preserves by individual property owner request.

The Board of Supervisors of the County of Mendocino concurs with the findings of the California State Legislature.

Add Section 22.08.020 (B) to read:

(B) Property within the County of Mendocino may be incorporated into Timber Land Preserves through the following procedures:

1. Applicants shall file, or cause to be filed, an application for rezoning pursuant to the Mendocino County Code.

2. In addition, applicant shall submit, pursuant to California Government Code, Section 51113:

   a. A map showing the legal description or the Assessor's parcel number of the property to be zoned.

   b. A plan for forest management of the property prepared or approved as to content by a registered professional forester. Such a plan shall provide for eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

   c. An affidavit signed both by applicant(s) and registered professional forester stating the parcel(s) under consideration currently meets timber stocking standards as set forth in Section 4651 of the California Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located.

   d. If condition 2c cannot be immediately met, owner shall sign an agreement with the Board of Supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. At that time, condition 2c shall be met. Upon the fifth anniversary of the signing of such an agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall immediately rezone the parcel and specify a new zone for such parcel which is in conformance with the county General Plan and whose primary use is other than timberland.

   e. Applicant shall sign and file an affidavit for the parcel(s) under consideration stating the ownership is of one person as defined in Section 38106 of the California Revenue and Taxation Code, and said parcel(s) are comprised of single or contiguous parcels.

3. Before application is presented to the Planning Commission, said application shall be circulated for review and comment to the County Arm Advisor, the County Assessor, the County Agricultural Commissioner, and the California Department of Forestry.

4. Prior to rezoning pursuant to this section, all uses on property shall in compliance to those uses as established under Section 20.10.4, et seq, which govern permitted and compatible uses.

Amend Section 22.08.040 to read:

Section 22.08.040 TIMBERLAND PRESERVE;

Timberland (as defined in (Sec. 20-5 (iii)) eligible for incorporation into a Timber Preserve shall meet each of the following qualifications to site quality class as such terms are defined in Rule 1021 Title 18 (Public Revenues), California Administrative Code.

(A) The ownership shall contain at least 40 acres of Site Quality III or better.

(B) Those ownerships of greater than 80 acres shall contain at least 50% of the property under consideration in Site Quality III or better.

(C) Parcels zoned as timberland preserve (TPZ) shall be zoned as such for an initial term of ten years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial term of ten years unless a notice of rezone has been given in accordance to (D) below.

(D) Rezoning.

1. If an owner desires in any year to rezone a parcel from its current timberland preserve zone, those procedures as detailed in Section 51120 et seq of the California Government Code shall be applied.

2. If an owner desires to rezone from a Timberland Preserve zone immediately, those procedures as detailed in Section 51130 et seq of the California Government Code shall be applied.

Add Section 22.08.045 to read:

T-P ZONED PROPERTY – RESTRICTED USES

With respect to property under Timber Preserve (T-P) Zoning, all regulations listed under Section 20.10.4, et seq, which govern permitted and compatible uses shall apply.

The above ordinance was introduced by Supervisor de Vall, seconded by Supervisor Crofoot, and PASSED AND ADOPTED THIS 10th day of March 1981, by the following vote of the Board of Supervisors of the County of Mendocino, State of California:

AYES: Supervisors Crofoot, Hamburg, Cimolino, de Vall, Eddie

NOES: None
ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

Original Signed: James Eddie
CHAIRMAN OF SAID BOARD OF SUPERVISORS

ATTEST:

Albert P. Beltrami
Clerk of the Board of Supervisors

By: Original Signed: Joyce A. Beard
Deputy Clerk

APPENDIX 10

LIST OF EXISTING PRIVATE VISITOR ACCOMMODATIONS IN THE COASTAL ZONE OF MENDOCINO COUNTY AS OF AUGUST, 1982			
Name	**LCP Designations**	**Assessor's Parcel Nos.**	**Number of Overnight Units**
Howard Creek Ranch	*5, RMR-20	13-850-03	7
DeHaven Valley Farm	*1, RMR-20	13-890-02	7
Wage's Creek Beach Campground	*3, RMR-20	13-240-34	250
Westport Inn	RV	13-280-14	6
Cobweb Palance Inn	RV	13-300-16	7
Cleone Lodge	RV	69-152-13	9
Cleone Grocery and Campground	RV	69-153-20	30
Greenacres	RR-2	69-161-15	61
Hi-Seas Motel	C	69-241-05	14
Oceanview Lodging	C	69-241-06	12
Beachcomber Motel	C	69-241-09	22
Anchor Lodge	FV	18-140-12	14
Salmon Inn	FV	18-140-18	6
Dolphin Cove Marina	FV	18-330-02	56
Harbor Trailer Park	C	18-440-20	49
Shoreline Motel	C	17-140-13	11
Hidden Pines Campground	C	17-140-14	60
Coast Motel	C	17-140-15	20
Pomo Campground	*3, RR-2	17-160-75	104
Woodside Trailer Park	*3, SR-MH	17-080-22	104
Pine Beach Inn	*2, RR-1	17-360-03/04/07	51
Jug Handle Farm	*1,*3, RMR-20	17-250-32	12
Caspar Beach Trailer Park	*3, RR-1	118-120-03	89
Point Cabrillo Cottages and Campground	*2,3C,RR-5-PD	118-160-18	16
Ames Lodge	*1, FL	119-480-04	6
Blackberry Inn	*2, RR-5	119-010-19	13
Big River Lodge	*2, RR-5	119-300-05	23
Mendocino Campground	*3, RR-5	119-310-02/03/04	60
Glendeven Inn	*1, RR-2	121-260-28	6
Little River Inn	*5, RR-2	121-090-12/13, 121-280-01/02, 121-290-09/26	42
Fools Rush Inn	*2, RR-2	121-290-04	9
The Victorian Farmhouse	*1,4, RMR-20	121-020-03	4
School House Creek Inn	*1,4 RMR-20	121-020-02	12
Sea Foam Lodge	*1, RR-5	121-050-10	30
Andiron Lodge	*1, RR-5	121-040-21/24	12
Heritage House	*5, RR-2	121-130-08/09/10/11/13/14, 123-010-02/03/04/05/16/18	62
Albion River Inn	*2, RMR-20	123-050-02	6
Albion Flat RV Campground	FV	123-170-01	101

LIST OF EXISTING PRIVATE VISITOR ACCOMMODATIONS IN THE COASTAL ZONE OF MENDOCINO COUNTY AS OF AUGUST, 1982			
Name	**LCP Designations**	**Assessor's Parcel Nos.**	**Number of Overnight Units**
Schooner's Landing	FV	123-060-14	12
Mendocino Christian Camp	*3, FL	123-020-17	30
Navarro Ridge Inn**	*1, RR-10	123-320-04	12
Sandpiper Guest House	RV	127-160-06	5
Harbor House Inn	RV	127-170-08	9
Greenwood Lodge	RV	127-181-06	6
Elk Cove Inn	RV	127-240-03/04	3
Greenwood Pier	RV	127-181-08/10	5
Green Dolphin Inn	RV	127-232-04	2
Manchester Beach, KOA Campground	*3, RR-2	133-010-08	97
Point Arena Campground	*3, RR-5	27-010-12	30
Anchor Bay Campground	C	144-020-03	76
Mar Vista Motel	*5, RR-1	144-010-13	12
Whale Watch	*1, RR-5	144-011-14/15	5
Serenisea Motel	*2, RR-10	144-100-13	4
Re-Newell Center	*2, RR-2	144-130-34	7
St. Orres	*1, RR-2	144-130-05	11
Old Milano Hotel	*1	145-262-24	9
Gualala River Redwood Park	*3	145-270-29	142
Surf Motel	C	145-262-22	17
Gualala Hotel	C	145-262-03	15

(Revised 5-10-2005; Resolution 05-065)

ADDITIONAL EXISTING VISITOR FACILITIES DESIGNATED WITH *4

Name

Stone Painting Museum
Catch a Canoe
The Ledford House
Gregory's Restaurant
The Sea Urchin

** Now known as Fensalden Inn, this site was reclassified from an *1 to an *2C in 1990, limited to twelve units maximum. Development of the site with more than twelve visitor units will require an amendment to the Coastal Element.

APPENDIX 11 RESOURCE PRESERVES

ORDINANCE 3428

ORDINANCE AMENDING CHAPTER 22.08 OF THE MENDOCINO COUNTY CODE – RESOURCE PRESERVES

The Board of Supervisors of the County of Mendocino do ordain as follows:

Chapter 22.08 of the Mendocino County Code is amended to read as follows:

RESOURCE PRESERVES

Section 22.08.010 DECLARATION.

(A) The legislature of the State of California, in enacting the California Land Conservation Act of 1965 also known as the Williamson Act and subsequent amendments, found that the preservation of a maximum amount of a limited supply of prime agricultural land is necessary to the state's economic resources; that the discouragement of premature and unnecessary conversion of prime agricultural land to urban uses is a matter of public interest; that in a rapidly urbanizing society agricultural lands have a definite public value as open space; that the preservation of a maximum amount of the limited supply of agricultural land is necessary for the maintenance of the agricultural economy of the state and for an assurance of adequate, healthful and nutritious food for future residents of this state and the nation; that the agricultural work force is vital to sustaining agricultural productivity and that land within a scenic highway corridor or wildlife habitat has a value to the state because of its scenic beauty and its location adjacent to or within the view of a state scenic highway or because it is of great importance as habitat for wildlife and contributes to the preservation or enhancement thereof.

(B) The Board of Supervisors of the County of Mendocino concurs with the findings of the California State Legislature.

(C) It is essential to the objectives of the California Land Conservation Act of 1965 also know as the Williamson Act that an orderly system be established whereby property within Mendocino County may be incorporated into agricultural preserves and the owners of said property may, by contract, further restrict the use of their property to exclusively agricultural, recreational or open space purposes.

Section 22.08.020 CREATION OF PRESERVES.

(A) Property within the County of Mendocino may be incorporated into agricultural preserves, and property within any agricultural preserve may be further restricted by contracts between the County of Mendocino and the owners of said property pursuant to the following procedures and not otherwise:

(1) An agricultural preserve shall consist of no less than 100 acres; provided that, in order to meet this requirement, two or more parcels may be combined if they are contiguous or if they are in common ownership; and further provided that no parcel containing less than 100 acres shall be combined for this purpose with any parcels subject to an existing agricultural preserve contract unless the owners of all parcels included within the agricultural preserve have indicated their approval in writing on the petition. An agricultural preserve may contain land other than agricultural land, but the use of any land within the preserve and not under contract shall within two (2) years of the effective date of any contract on land within the preserve be restricted by

zoning or other suitable means in such a way as not to be incompatible with the agricultural use of the land, the use of which is limited by contract in accordance with this chapter. Agricultural preserves of less than 100 acres may be established if the Board of Supervisors finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment of preserves of less than 100 acres is consistent with the General Plan of the County.

(2) A petition for the formation of an agricultural preserve containing 100 or more contiguous acres shall be filed with the Mendocino County Planning Department. Said petition shall be executed by all property owners within the proposed preserve and shall contain the following:

(a) Names and addresses of all parties of record title within the preserve.

(b) A 'statement of intent' for the property to be incorporated into an agricultural preserve as defined by the California Land Conservation Act of 1965 also known as the Williamson Act and subsequent amendments.

(c) A legal description, or the assessor's parcel number, of the land which is proposed to be included within the preserve and a statement that it covers a minimum of 100 or more acres.

(d) A description of the general character and current use of the property.

(3) Said petition shall have affixed thereto a map of sufficient size to adequately reflect the following:

(a) Exterior boundaries of the proposed preserve and approximate acreage.

(b) All individual parcels within the proposed preserve, approximate acreage of each, and assessor's parcel number.

(c) Names of the owners of each parcel.

(4) No property shall be incorporated into an agricultural preserve unless the Board of Supervisors finds that it meets the eligibility qualifications established by this chapter for prime agricultural land, timberland, rangeland, recreational use, land within a scenic highway corridor, wildlife habitat, salt pond, a managed wetland area, or submerged area. An agricultural preserve consisting primarily of prime agricultural land shall be classified as Type I. An agricultural preserve consisting primarily of rangeland or forest land shall be classified as Type II and all other remaining agricultural preserves shall be classified as Type III.

(5) A public hearing shall be held by the Planning Commission pursuant to legal notice, and within 30 days after receiving the petition, the Planning Commission shall submit a report thereon to the Board of Supervisors; provided, however, that the Board of Supervisors may extend the time allowed for an additional period not to exceed 30 days.

During said public hearing, any interested person may appear and present evidence. All relevant evidence shall be received and considered by the Commission.

(6) The Board of Supervisors, upon receipt of the Planning Commission report, shall hold a public hearing on the petition for the agricultural Preserve and the Planning Commission's report. Notice of the hearing shall be published for one time in a newspaper of general circulation in Mendocino County and shall include a legal description, or the assessor's parcel number, of the land which is proposed to be included within the preserve. If the Board decides to establish the preserve, it shall do so by a resolution which shall determine the boundaries of those areas within which Mendocino County will be willing to enter into agricultural preserve contracts.

(7) Property shall be deemed contiguous although not actually touching if the only division is caused by a railroad, roadway, public throughfare, or private easement.

(8) No agricultural preserve may be established or approved by the Board of Supervisors unless the property within the proposed preserve boundaries has been approved by the Board of Supervisors for the following restrictive zoning: Agricultural (A-G), Rangeland (R-L), Forestland (F-L) or zoning allowing 'recreational use' or 'open-space use' as set forth in this chapter. The Planning Commission and the Board of Supervisors may consider petitions for rezoning of said property at the same time it considers the petition for the formation of an agricultural preserve for said property. No agricultural preserve contract may be executed an behalf of the County until the ordinance rezoning the property covered by said contract to the aforesaid restrictive zoning has become final.

(9) The fees for the processing of agricultural preserves shall be as set forth in the schedule adopted by resolution of the Board of Supervisors.

Section 22.08.021 DEFINITIONS.

The following definitions shall apply with respect to the eligibility of any land proposed to be incorporated into an agricultural preserve:

(A) 'Agricultural commodity' means any and all plant and animal products produced in this state for commercial purposes.

(B) 'Agricultural use' means use of land for the purpose of producing an agricultural commodity for commercial purposes.

(C) 'Prime agricultural land' means any of the following:

(1) All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

(2) Land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one (1) animal unit per acre as defined herein.

(4) Land planted with fruit or nut-bearing trees, vines, bushes or crops which have a nonbearing period of not less than five (5) years and which will normally return during the commercial bearing period on an annual basis from the production of not less than two hundred dollars ($200) per acre.

(5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars ($200) per acre for three (3) of the previous five (5) years.

(D) 'Agricultural preserve' means an area devoted to either agricultural use, as defined in subdivision (B), recreational use as defined in subdivision (K), or open-space as defined in subdivision (L), or any combination of such uses and which is established in accordance with the provisions of this chapter.

(E) 'Compatible use' is any use determined by the County administering the preserve or by the California Land Conservation Act of 1965 also known as the Williamson Act to be compatible with the agricultural, recreational, or open-space use of the land within the preserve and subject to contract. 'Compatible use' includes agricultural use, recreational use or open-space use unless the Board finds after notice and hearing that such use is not compatible with the agricultural, recreational or open-space use to which the land is restricted by contract pursuant to this chapter.

(F) A 'scenic highway corridor' is an area adjacent to, and within view of, the right of way of:

(1) An existing or proposed state scenic highway in the state scenic highway system established by the legislature pursuant to Article 2.5 (commencing with section 260) of Chapter 2 of Division I or the Streets and Highways Code and which has been officially designated by the Department of Transportation as an official scenic highway; or

(2) A county scenic highway established pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division I of the Streets and Highways Code, if each of the following conditions have been met:

(a) The scenic highway is included in an adopted General Plan of the county or city; and

(b) The scenic highway corridor is included in an adopted plan of the county; and

(c) Specific proposals for implementing the plan, including regulation of land use, have been approved by the Advisory Committee on a Master Plan for Scenic Highways, and the County highway has been officially designated by the Department of Transportation as an official county scenic highway.

(G) A 'wildlife habitat area' is a land or water area designated by the Board, after consulting with and considering the recommendations of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state.

(H) A 'salt pond' is an area which, for at least three (3) consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, has been used for the solar evaporation of sea water in the course of salt production for commercial purposes.

(I) A 'managed wetland area' is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted and which, for at least three (3) consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, was used and maintained as a water fowl hunting area or game refuge for an agricultural purpose.

(J) A 'submerged area' is any land determined by the Board to be submerged or subject to tidal action and found by the Board to be of great value to the state as open-space.

(K) Within a Type I or Type II agricultural preserve, 'recreational use' is the use of the land for any of the following: walking, hiking , picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided.

Within a Type III agricultural reserve, 'recreational use' is the use of the land by the public, with or without charge, for any of the following: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any fee charged for the recreational use of the land as defined within a Type III agricultural preserve shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public. The landowner may designate reasonable times and dates for use by the public for any recreational use provided, however, that the land owner provides a minimum of ninety (90) days of such use per year and sets forth such use on his or her reporting statement.

(L) 'Open-space use' is the use or maintenance of land in such a manner as to preserve its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, or for the solar evaporation of seawater in the course of salt production for commercial purposes, if such land is within:

(1) A scenic highway corridor, as defined in subdivision (F).

(2) A wildlife habitat, as defined in subdivision (G).

(3) A salt pond, as defined in subdivision (H).

(4) A manage wetland area, as defined in subdivision (I).

(5) A submerged area, as defined in subdivision (J).

Section 22.08.050 COMMERCIAL RANGELAND.

The following rules shall apply to all lands eligible for incorporation as rangeland in an agricultural preserve:

(A) Commercial rangeland eligible for incorporation into an agricultural preserve shall meet the following qualification:

All land comprised of soils classified as grass, oak-grass, and other soils that may produce feed at the rate of forty (40) acres or less per animal unit.

(1) An animal unit (A.U.) for the purposes of this chapter is defined as the quantity of forage required for good growth and production of one mature head of cattle or its equivalent in feed requirement; 4.8 tons of hay shall be deemed such feed requirement.

(2) The definition and separation of rangeland soils shall be as indicated in the soil-vegetation maps filed with the University of California Cooperative Extension Service in Mendocino County and in accordance with the Storie land-use rating and grazing percentage of range soils. Such grazing percentage and grazing rate shall be based upon the soils map of the

1947 Upland Soil Survey of Mendocino County as amended. Land not included in the Upland Soil Survey may qualify for inclusion if the carrying capacity can be shown to be forty (40) acres or less per animal unit. The burden of demonstrating that land not included in the said Upland Soil Survey has a carrying capacity of (40) acres or less per animal unit shall be borne by the applicant.

(B) No land shall be included within an agricultural preserve as rangeland unless the Board of Supervisors finds the following size and use requirements are presently met:

(1) A minimum production potential of ten (10) animal units of feed, such production potential requiring a production of feed sufficient for fifty (50) sheep or ten (10) mature beef or dairy animals.

(2) A range in continuous use for livestock production and having within the preceding three (3) years a one-year history of such production.

(C) Commercial rangeland shall be deemed to be in material noncompliance with its agricultural preserve contract if not used for livestock grazing for three (3) out of the five (5) preceding years at the above mentioned standard of forty (40) acres or less per animal unit.

Section 22.08.060 RESTRICTED USES.

All property subject to Mendocino County agricultural preserve contracts shall be restricted to the agricultural, open-space, recreational, and compatible uses hereinbelow set forth for the particular zone in which such property has been classified; provided, however, that no agricultural, recreational, open-space or compatible use listed below shall be permitted under any agricultural preserve contract if not permitted by Title 20 of the Mendocino County zoning ordinance.

Section 22.08.070 LANDS ZONED A-G, R-L AND F-L WITHIN AN AGRICULTURAL PRESERVE.

With respect to property under a Mendocino County agricultural preserve contract which is zoned A-G, R-L or F-L the following agricultural uses shall be permitted:

Agricultural Use Types

Horticulture
Row and field crops
Tree crops
Packing and processing: limited; which is the packing or processing of crops grown on the premises.
Forest production and processing: limited; which refers to the growing, harvesting, curing, milling, packaging, packing, shipping and selling of forest products, produced on the premises.

The following agricultural accessory uses are permitted:

(1) Private garages.

(2) Children’s play houses, patios, porches, gazebos, etc.

(3) Windmills.

(4) Silos.

(5) Shops (non-business purposes).

(6) Barns.

(7) Private swimming pools and hot tubs.

(8) Guest cottages. One (1) guest cottage is permitted for each residence on a parcel. In lieu of a guest cottage, a detached bedroom is permitted. In lieu of a guest cottage, a temporary family care unit may be substituted.

(9) Detached bedrooms. Not more than two (2) detached bedrooms are permitted upon each parcel. If a guest cottage is constructed the guest cottage and one (1) detached bedroom may be constructed.

(10) Travel trailer or camper. The maintaining of one (1) travel trailer or camper in dead storage where it is not used for occupancy or business purposes.

(11) Home occupations subject to the restrictions as set forth in Article XXVIII of Title 20 of the Mendocino County Code.

(12) Roadside sales of agricultural products. Operations of a single roadside stand for a display and sales of only those products produced on the premises, or on other property owned or leased by the vendor, as permitted by the zoning ordinance, provided that the stand does not exceed an area or 200 square feet, and is located not nearer than 15 feet to any street or highway.

(13) Other necessary and customary uses. Accessory agricultural uses and agricultural structures, in addition to those set forth, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to an agricultural or compatible use, as determined by the director.

Section 22.08.071 LAND WITHIN AN AGRICULTURAL DISTRICT ZONED A-G.

With respect to property under a Mendocino County agricultural preserve contract which is zoned agricultural (A-G), the permissible agricultural and compatible uses shall be as follows:

(A) The permitted agricultural uses are as follows:

(1) Animal use types

Animal raising
Packing and processing; winery

(2) Commercial use type

Animal sales and services: stockyards

(3) Residential use types

Family residential: single family

(B) Uses subject to a minor use permit. The following use types are permitted in the A-G district upon issuance of a minor use permit:

(1) Residential use types

Farm employee housing
Farm labor camps

(2) Commercial use types

Cottage industry: resource lands

(C) Uses subject to a major use permit. The following use types are permitted in the A-G district upon issuance of a major use permit:

(1) Residential use types

Family residential: dwelling group
Family residential: cluster development

(2) Civil use types

Major impact facilities
Major impact service and utilities

(3) Commercial use types

Animal sales and services: permanent auction yard
Animal sales and services: horse stables
Animal sales and services: veterinary (large animals)
Energy development: Production of energy other than that used on the property

(4) Agricultural use types

Animal waste processing
Packing and processing general

Section 22.08.080 LAND WITHIN THE RANGELAND DISTRICT (R-L).

With respect to property under an agricultural preserve contract zoned rangeland (R-L), the permissible agricultural and compatible uses shall be as follows:

(A) The permitted agricultural uses are as follows:

(1) Commercial use type

Animal sales and services: horse stables

Animal sales and services; kennels
Animal sales and services: stockyards

(2) Agricultural use types

Animal raising
Animal waste processing
Packing and processing: winery

(3) Residential use types

Family residential: single family

(B) Uses subject to a minor use permit. The following use types are permitted in the R-L district upon issuance of a minor use permit:

(1) Residential use types

Farm employee housing
Farm labor camps

(2) Commercial use types

Cottage industries: resource lands

(C) Uses subject to a major use permit. The following use types are permitted in the R-L district upon issuance of a major use permit:

(1) Agricultural use types

Packing and processing: general

(2) Commercial use types

Animal sales and services: permanent auction yard
Animal sales and services: veterinary (large animals)
Commercial recreation: outdoor sports and recreation
Commercial recreation: outdoor entertainment
Transient habitation: campground
Transient habitation: resort
Energy development: production of energy other than that used on the property

Section 22.08.081 LANDS WITHIN THE FORESTLAND DISTRICT (F-L).

With respect to property under an agricultural preserve contract zoned forestland (F-L), the following permissible agricultural compatible uses shall be as follows:

(A) The permitted agricultural and compatible uses are as follows:

(1) Commercial use types

Animal sales and services: horse stables
Animal sales and services: kennels
Animal sales and services: stockyard

(2) Agricultural use types

Animal raising
Animal waste processing
Packing and processing: winery

(3) Residential use types

Family residential: single family

(B) Uses subject to a minor use permit. The following use types are permitted in the F-L district upon issuance of minor use permit:

(1) Residential use types
Farm employee housing
Farm labor camps

(2) Commercial use types

Cottage industry: resource lands

(C) Uses subject to a major use permit. The following use types are permitted in the F-L district upon issuance of a major use permit:

(1) Commercial use types

Animal sales and services: permanent auction yard
Community recreation: outdoor sports and recreation
Community recreation: outdoor entertainment
Transient habitation: campground
Transient habitation: resort
Energy development: production of energy other than that used on the property

(2) Agricultural use types

Forest Production and processing: general

Section 22.08.082 POWER TO CONTRACT.

The County may not contract with respect to any land pursuant to this chapter unless the land:

(A) Is devoted to agricultural use.

(B) Is located within an area designated by the County as an agricultural preserve.

Section 22.08.083 INCLUSION OF LAND WITHIN SCENIC HIGHWAY CORRIDOR, WILDLIFE HABITAT AREA, SALT POND, MANAGED WETLAND AREA OR SUBMERGED AREA.

Notwithstanding any provisions of this chapter to the contrary, land devoted to recreational use or land within a scenic highway corridor, a wildlife habitat area, a salt pond, a managed wetland area, or a submerged area may be included within an agricultural preserve pursuant to this chapter. When such land is included within an agricultural preserve, the County may contract with the owner for the purpose of restricting the land to recreational or open-space use and uses compatible therewith in the same manner as provided in this chapter for a plan devoted to an agriculture use. For purposes of this section, where the term 'agricultural land' is used in this chapter, it shall be deemed to include land devoted to recreational use and land within a scenic corridor, a wildlife habitat, a salt pond, a manage wetland area or a submerged area and where the term 'agricultural use' is used in this chapter, it shall be deemed to include recreational and open-space use.

Section 22.08.085 LAND WITHIN SCENIC HIGHWAY CORRIDOR; INCLUSION IN AGRICULTURAL PRESERVE; CONTRACT TO RESTRICT USE.

Notwithstanding any provision of this chapter to the contrary, land within a scenic highway corridor, as defined in section 22.08.021(F), shall, upon the request of the owner, be included in an agricultural preserve pursuant to this chapter. When such land is included within an agricultural preserve, the County shall contract with the owner for the purpose of restricting the land to agricultural use as defined in subdivision (B), recreational uses for Type III agricultural preserve contracts as defined in subdivision (K), open-space uses defined in subdivision (L), compatible uses defined in subdivision (E), or any combination of such uses.

Section 22.08.090 REPORTING STATEMENT.

All land within an agricultural preserve whose owner does not comply with the following reporting requirement shall be deemed to be in material noncompliance with its agricultural preserve contract: The landowner shall file a reporting statement for any land included within an agricultural preserve whether Type I or Type III. Such reporting statement shall be on a form approved by the County of Mendocino and maintained in the office of the Agricultural Commissioner. The information contained in the reporting statement shall be confidential to the extent provided by law. The landowner shall file said reporting statement as follows:

(A) Every two (2) years as prescribed by the Mendocino County agricultural Commissioner, and every two (2) years thereafter; and,

(B) Upon a change of ownership, use or possession; and,

(C) Upon the issuance of certificates of compliance pursuant to Government Code Section 66499.35 or any successor statute.

The landowner shall immediately inform the County upon change of use, possession or ownership and it shall be the duty of the new landowner to simultaneously complete a new reporting statement. The reporting statement shall be in a form approved by resolution of the Board of Supervisors and such reporting statement executed under penalty of perjury. The reporting period for such statement shall be the previous two (2) contract years or whatever portion of such period is included from the period

of the last reporting statement until the change of use, possession, ownership or the issuance of certificates of compliance.

Section 22.08.100 SUBDIVISIOIN AND LANDS DIVIDED BY VIRTUE OF ISSUANCE OF CERTIFICATES OF COMPLIANCE.

For the purposes of this section "subdivision" means the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes.

No land subject to an agricultural preserve contract shall be subdivided unless the County committee, commission, or board, having the authority to grant final approval of the type of subdivision involved has made the express finding that each of the parcels resulting from such subdivision meets the minimum eligibility qualifications for agricultural preserve status as were applicable at the time the agricultural preserve was established. If any of the parcels resulting from such subdivision does not meet the minimum eligibility qualifications for agricultural preserve status in effect at the time of the filing of the tentative map for such subdivision, the County shall deny the subdivision.

No land subject to an agricultural preserve contract shall be issued certificates of compliance unless the County committee, commission, or board, having the authority to grant certificates of compliance has made the express finding that each of the parcels resulting from the issuance of certificates of compliance meets the minimum eligibility qualifications for agricultural preserve status as were applicable at the time the agricultural preserve was established. If any of the parcels resulting from the granting of such certificates of compliance does not meet the minimum eligibility qualifications for agricultural preserve status in effect at the time the agricultural preserve was established, the County committee, commission, or board shall impose as a condition of granting the requested certificate of compliance, that the subject parcel or parcels not be used for anything other agricultural use or a compatible use as set forth in the California Land Conservation Act of 1965, also known as the Williamson Act, and the subject agricultural preserve contract.

Section 22.08.110 NOTICE OF NONRENEWAL.

Any landowner who gives notice of nonrenewal of his or her agricultural preserve contract shall comply with the provisions of the California Land Conservation Act of 1965 also known as the Williamson Act, of the agricultural preserve contract, and the following rules:

(A) A notice of nonrenewal given by or on behalf of a landowner shall apply to all of his or her land under the particular contract involved unless the Board of Supervisors authorizes the landowner to serve a notice of nonrenewal on a portion thereof.

(B) A notice of nonrenewal shall not be effective if it would result in an area of less than 100 acres having a different term of contract unless either of the following applies:

(1) Said resulting area of less than 100 acres has been, or is currently, found by the Board of Supervisors to qualify as a smaller preserve necessary due to the unique characteristics of the agricultural enterprises in the area; or

(2) The landowner retains at least 100 acres under his common ownership within the particular agricultural preserve involved.

(C) A notice of nonrenewal shall not be effective until recorded with the Mendocino County Recorder.

(D) A notice of nonrenewal shall contain the following information:

(1) Name of each owner of the land subject to the notice of nonrenewal.

(2) Address of each such owner.

(3) Number of the agricultural preserve contract involved.

(4) Date of recording of the contract.

(5) Plan file number of the contract.

(6) Legal description of the land subject to the notice of nonrenewal.

(7) Date of execution of notice of nonrenewal.

(8) Name of party requesting nonrenewal.

(9) Signature of each such owner of the land.

(10) Acknowledgement of each such signature.

(11) Such other information as deemed appropriate by the Mendocino County Assessor.

(E) Any person desiring to give notice of nonrenewal shall apply to the Mendocino County Assessor for the appropriate form, giving his or her reason for nonrenewal. The Assessor shall process all notices of nonrenewal and shall arrange for the following entities to be notified upon any notice of nonrenewal being recorded:

(1) Mendocino County Planning Director.

(2) The Planning Department of any city whose limits are within three (3) miles of the land subject to such notice.

(3) Mendocino County Agricultural Commissioner.

(4) California State Resources Agency.

(5) Each and every holder of encumbrances upon the land subject to such notice.

(F) Upon receipt by the owner of a notice of nonrenewal from the County, the owner may make a written protest of the notice of nonrenewal. The written protest must be made on or before November 30 of the year in which the notice of nonrenewal was sent. The County may, at any time prior to the renewal date, withdraw the notice of nonrenewal. Upon request by the owner, the board may authorize the owner to serve a notice of nonrenewal on a portion of the land under contract.

Section 22.08.120 RECORDING; NOTICE.

No later than twenty (20) days after the County enters into a contract with a landowner pursuant to this chapter, the Clerk of the Board shall record with the County Recorder a copy of the contract, which shall describe the land subject thereto, together with a reference to the map showing the location of the agricultural preserve in which the property lies. From and after the time of such recordation such contract shall impart such notice thereof to all persons as is afforded by laws of this state.

Section 22.08.121 FURNISHING OF INFORMATION BY LANDOWNER.

The landowner shall furnish the County with such information as the County shall require in order to enable it to determine the eligibility of the land involved.

Section 22.08.130 ELIGIBILITY QUALIFICATIONS AS CONTINUING REQUIREMENT.

Notwithstanding any other provision of this chanter to the contrary, an agricultural preserve contract shall be deemed materially breached if the land subject thereto at any time fails to meet the eligibility qualifications set forth in this chapter for the type of land involved.

Section 22.08.131 ENFORCEMENT.

The County or landowner may bring any action in court necessary to enforce a contract, including, but not limited to, an action to enforce a contract by specific performance or injunction. The County may elect to sue for liquidated damages as set forth in the contract which sum is equal to 25% of the full cash value, as defined by Revenue and Taxation Code Section 110, of the land when relieved of the restriction, as found by the Assessor.

Section 22.08.132 SEVERABILITY.

If any article, section, subsection, paragraph. sentence, clause or phrase of this ordinance, which is reasonably severable from the remaining portion of this ordinance is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being herein expressly declared that this ordinance and each article, section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more sections, subsections, paragraphs, clauses or phrases be declared invalid or unconstitutional.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this 12th day of April, 1983, by the following roll call vote:

AYES: Crofoot, Eddie, Cimolino, de Vall, Hamburg

NOES: None

ABSENT: None

WHEREUPON, the Chairman declared the Ordinance passed and adopted and SO ORDERED.

Original Signed: Dan Hamburg
Chairman, Board of Supervisors

ATTEST: ALBERT P. BELTRAMI
Clerk of Said Board

By: Original Signed: Joyce A. Beard
Deputy Clerk

APPROVED AS TO FORM:

Original Signed: John A. Drummond
JOHN A. DRUMMOND
County Counsel

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
1.	Briceland Road Coastal Trail	County Road 435 from Four Corners to (north of) Bear Harbor paralleling the coast through Sinkyone State Park.	6 miles of County road, suitable for hikers, equestrian. Potential trails connect to shoreline.	Unpaved; complete to Bear Harbor.
2.	Whale Gulch Shoreline	Sinkyone Wilderness State Park. 3 miles south of Humboldt County line, 1 mile southwest of Four Corners.	Sandy beach used for fishing and diving. Reached from Briceland Road from Low Gap Creek.	Undeveloped campground; non-vehicular access from Low Gap Creek.
3.	Bear Harbor Shoreline	Sinkyone Wilderness State Park. 6 miles south of Humboldt County line, 6.2 miles southwest of Four Corners.	Access via Four Corners-Usal Creek Trail. Beach used for fishing and diving.	Undeveloped campground; non-vehicular access for able-bodied persons from end of Briceland Road.
4.	Jackass Creek Shoreline	14 miles north of Usal Road turn-off from Highway 1.	Private 500 foot sand beach bordered by rocky shore and cliffs. Access via Four Corners-Usal Creek Trail or Usal Road.	Undeveloped campground; acquire as part of DPR Usal Ranch Project.
5.	Little Jackass Creek Shoreline	13 miles north of Usal Road turn-off from Highway 1.	300 foot sand beach bordered by rocky shore and cliffs. Sensitive marine habitat area. Access via Four Corners-Usal Creek Trail or Usal Road.	Undeveloped campground; acquire as part of DPR Usal Ranch Project.
6.	Usal Creek Shoreline	6 miles north of Usal Road turn-off from Highway 1.	Private ½ mile long beach, 5-acre lagoon and large level area suitable for car camping. Access from Usal Road or Four Corners-Usal Trail.	Undeveloped campground; DPR Usal Ranch Project, Car campground; restroom facilities.
7.	Usal Road Coastal Trail	Humboldt County Line to Highway 1, 3 miles north of Rockport.	Approximately 30 miles of County maintained road, suitable for hikers and equestrians. Potential trails connect to shoreline.	Designated by County Trails Plan.
8.	Lost Coast Trails	Briceland Road, Portions of Usal Road and State Highway 1 north of Rockport.	Utilizing portions of existing roads and trails to encourage hike-in recreation.	Non-vehicular access to coastal trails for hiking and equestrian access to coastal beaches.
9.	Rockport Bay/ Cottaneva Creek Shoreline	3/4 mile west of Highway 1 at Rockport.	Large beach used for fishing and diving, old mill site suitable for RV campground. Access from Highway 1. Private ownership.	Primitive camping; RV campground; entry fee may be charged.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
10.	Westport-Union Landing State Beach	1 to 4 miles north of Westport.	Narrow strip west of Highway 1. Provides outstanding views.	Uncontrolled overnight use. Day use and improved camping.
11.	Branscomb Road Inland Trail	1 mile north of Westport, Highway 1 northeasterly to Laytonville.	East-west dirt road unsuitable for most bicyclists.	Designated by County Trails Plan; high priority as major access from Highway 101.
12.	Wages Creek Shoreline	Area west of Highway 1 at Wages Creek.	Private 175 unit campground adjacent to DPR lands.	Fee access for non-guests; room for greater development.
13.	Westport-Union Landing State Beach-Pete's Beach	.3 miles north of Westport, west of Highway 1.	Trail to blufftop and beach, large parking area along Highway 1. Major beach for Westport residents.	Day use only.
14.	Caltrans Scenic Easement (Chadbourne Gulch)	West of Highway 1 extending 0.5 mile north and 0.7 mile south of Chadbourne Gulch.	Short unpaved road to small pocket beach (Chadbourne Gulch). Beach accessible to handicapped. Blufftop trail. Unimproved.	Day use; Parking area and trail to beach at Bruhel Point.
15.	Chadbourne Gulch to Newport	West of Highway 1 from 0.7 mile south of Chadbourne Gulch to approximately 1.75 miles north of Ten Mile River.	Blufftop lateral access provides long range scenic views.	Acquire vertical and lateral access for blufftop trail.
16.	South Kibesillah Gulch Fishing Access Shoreline	West of Highway 1, .5 mile north of Abalobadiah Creek.	Shoreline access from steep bluff. Wildlife Conservation Board ownership; County Management.	Day use; maintain restrooms, picnic tables, improve trail to beach.
17.	Seaside Creek Shoreline	1 mile north of Ten Mile River bridge.	Beach adjoins Highway 1, providing access to handicapped; possible prescriptive rights.	Acquire accessway and develop parking area.
18.	Seaside Creek to Pudding Creek Trail	North of Fort Bragg from Seaside Creek-Ten Mile River to Pudding Creek.	Hiking/equestrian trail parallel to beach for 8 miles. Usable from Seaside Creek in summer and from Ten Mile Bridge and Pudding Creek year round. Alternative trail for non-vehicles.	Existing public accessway at Ocean Meadows, coastal trail segmented at mouth of Ten Mile River.
19.	Ten Mile River River Access	MacKerricher State Park, west of Highway 1, south bank of river.	Unimproved boat access from G.P. haul road, open weekends and some winter months. Also access to north end of State Park.	Improve boating access; Power boats prohibited, except for out board trolling motors.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
20.	Inglenook Grange Trail	MacKerricher State Park acquisition area, .5 mile north of Little Valley Road.	Undeveloped trail to Inglenook Fen.	Acquire scientific access easement across private property to DPR acquisition area.
21.	Ward Avenue Shoreline	Cleone, MacKerricher State Park.	Equestrian/hiking underpass to park; limited parking.	No access sign to be installed along Highway 1; maintain existing access.
22.	Mill Creek Drive Shoreline	MacKerricher State Park, Cleone.	County road provides uncontrolled access to park and large parking area.	Maintain free public access to shoreline parking area.
23.	Main Entrance Shoreline	MacKerricher State Park, south of Mill Creek Drive.	Camping and day use.	Add 50 campsites.
24.	Virgin Creek Shoreline	MacKerricher State Park, .1 mile north of Virgin Creek.	State park parcel connecting to Highway 1.	Maintain undeveloped nature.
25.	Georgia-Pacific Haul Road Access	.5 mile north of Pudding Creek.	Open to Ten Mile River on weekends, holidays and some winter months.	Highway sign including regulations.
26.	Pudding Creek Shoreline	MacKerricher State Park; north boundary of Fort Bragg, north side of creek.	Sandy beach; swimming in creek, parallel road for parking.	Improve day use facilities.
27.	Noyo Bay Shoreline	North side of Noyo Bay.	600 foot beach; dirt dredge spoils storage, parking area.	Maintain existing access, improvements by Noyo Harbor District.
28.	Noyo Harbor Fishing Access	Private boat ramp on north; 2 public ramps on south side.	Developed boat launching areas.	Maintain existing access, more public viewing points.
29.	North Harbor Drive Shoreline and River Access	Immediately north of Noyo Harbor Bridge, east of Highway 1 traversing east then south to Noyo Fishing Village then to shoreline.	Northern portion is in City limits. Passes through Noyo Fishing Village on County Road 415A.	Paved, except for large parking area west of bridge; improve parking at harbor entrance.
30.	South Harbor Drive River Access	East of Highway 1, traversing north from Highway 20 into Noyo Fishing Village (south bank).	Major road into Noyo Fishing Village (south bank). County maintained-road 415.	Large improved parking area at terminus.
31.	Todd's Point Blufftop	Todd Subdivision, south side of Noyo Bay.	View area at entrance to Noyo Bay, prescriptive rights may exist.	Acquire viewpoint and trail, parking area at Chicken Point.
32.	Ocean View Drive Shoreline	West of Highway 1, just south of Noyo Harbor Bridge, extending .5 mile to blufftop.	Existing accessway to Todd Subdivision traversing on County Road 439 to blufftop and outstanding views to ocean and Noyo Bay.	Development of Chicken Point.
33.	Hare Creek	North side of Hare Creek.	Access to Hare Creek Beach.	Proposed trail from CR 439A to Hare Creek Beach.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
34.	Hare Creek	South side of Hare Creek.	Creekside Trail.	Existing pathway.
35.	Mendocino Botanical Gardens - Trail	Garden entrance is located west of Highway 1, north of Digger Creek.	Extends from Highway 1 to the shoreline via developed network of paths.	Proposed loop trail to return to Pacific Ocean Drive south of Gardens.
36.	Mitchell Creek Shoreline	West of Highway 1, south of Mitchell Creek adjoining Pine Beach Inn.	Paved trail extends to cove and beach from motel.	Not to acquire fee access for non-guests, DPR to develop adjacent access.
37.	Jug Handle Area Trail	Jug Handle State Reserve and adjoining properties; Old Highway 1 at Pine Beach Inn to Jug Handle Creek.	Primarily public ownership, loop trail provides blufftop and shoreline access. Interpretive signs at southern entrance.	Day use and trail improvements in park.
38.	Jug Handle State Reserve-North Access	North of Bromley Creek, west of Highway 1.	40 acres reached by 80 foot wide access from Old Highway 1.	Day use with parking near entrance.
39.	Jug Handle Creek Shoreline	South of Jug Handle Creek, west of Highway 1.	Main entrance to Jug Handle Reserve and Ecological Staircase.	Residence and interpretative center, trail to beach.
40.	Caspar Road Alternative Trail	Old Highway 1 through Caspar to Doyle Creek.	Trail follows existing road, County Road 569, then unimproved trail along headlands to beach.	Acquire blufftop trail on headlands.
41.	Fern Creek Road-Caspar Orchard Road Inland Trail	East of Caspar; From Highway 1 east along County Road 410, then southeasterly along County Road 411A into Jackson State Forest.	Pedestrian, bicycle, and equestrian use.	Designated by County Trails Plan.
42.	Caspar-Little Lake Road Inland Trail (Road 409)	South of Caspar; Highway 1 southeasterly to its intersection with Little Lake Road (Road 408).	Pedestrian/bicycle/equestrian use. Connects with alternative trail to west along old Highway 1.	Designated by County Trails Plan.
43.	Caspar Headlands State Beach Shoreline	Mouth of Doyle Creek.	3 acre parcel; DPR beach parcel.	Acquire additional beach and develop trail system.
44.	Caspar Headlands State Reserve	North of Caspar Headlands South Subdivision, south of Caspar Anchorage.	DPR; 4 non-contiguous parcels with subdivision of 10 vacant lots.	View and fishing area; acquire lots or trade to consolidate holding; develop for day use.
45.	Point Cabrillo Alternative Coastal Trail	Old Highway 1 from Caspar Creek to Russian Gulch (Now County Road 564).	Connects to Caspar-Little Lake Road and Cross-California Ecological Trail Corridor. Alternative to Highway 1 for bicyclists.	Post sign on Highway 1.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
46.	Point Cabrillo Light House Shoreline	1 mile south of Doyle Creek along Point Cabrillo Drive, then 1 mile west on public road to Light House.	Blufftop at USCG Light Station and adjoining private land to the south.	Limited public access at no fee; picnicking, viewing and historic site tours; day use only.
47.	Cross-California Ecological Inland Trail Corridor	From Russian Gulch State Park to Colusa and North Lake Tahoe Corridor.	Hiking/equestrian trail exists in Russian Gulch State Park.	Designated by DPR Hiking and Equestrian Trails Plan.
48.	Russian Gulch Blufftop	Russian Gulch State Park.	Well developed and heavily used State Park.	Addition of 100 campsites east of Highway 1. New parking area.
49.	Mendocino Town Alternative Coastal Trail	Lansing Street to Heeser Drive, to Main Street to Big River-Mendocino Headlands State Park.	Bluff access and viewing areas.	Trail and parking area improvements.
50.	Jack Peters Creek View Access	Intersection of Highway 1 and Lansing Street (County Road 500).	Bluff access for views; shoreline access at Jack Peters Creek.	Improve and enlarge view turnout.
51.	Little Lake Road Inland Trail	From Highway 1 at Mendocino, County Road 408 traverses northeasterly to intersection of Caspar-Little Lake Road (Road 409) to Highway 20.	Pedestrian, bicycle, and equestrian use.	Designated on County Trails Plan.
52.	Big River Beach and River Access	North shore of Big River, east of Highway 1 right-of-way.	Unpaved parking area with access to river.	Improve parking area, allow small trolling motor boats.
53.	Mendocino Headlands State Park	Unit divided into 3 separate areas: west end and shoreline of Mendocino Town peninsula; funded acquisition, east of Highway 1, north bank of Big River; and east of Highway 1, south of Comptche-Ukiah Road.	Trail, blufftop and shoreline access.	General Development Plan requested from DPR.
54.	North Brewery Gulch Road Shoreline Access	South of Big River mouth, west of Comptche-Ukiah Road intersection with Highway 1.	Wide bluff area with access to rocky inter-tidal area.	Accept offer of dedication by McMillen.
55.	Comptche-Ukiah Road Inland Trail	From Highway 1 southeasterly to Orr Springs and Low Gap Roads.	Pedestrian, bicycle and equestrian use on County maintained road.	Designated on County Trails Plan.
56.	Mendocino Bay Alternative Coastal Trail	Old Highway 1, south of Big River mouth (Brewery Gulch Road).	Turnouts with spectacular views of Mendocino and bay.	Maintain existing access.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
57.	Van Damme State Park Trail	West of Highway 1; north of Gordon Lane to north of Little River.	Blufftop trail.	Develop parking area, trail, and shoreline access.
58.	Van Damme State Park Trail	Along Little River, west of Highway 1.	Handicapped access to large sandy beach.	Improved parking at beach; relocation of group camp.
59.	Little River Blowhole Vista Point	West of Highway 1; north of Little River Cemetery.	Private.	Vertical access trail to the blufftop.
60.	Little River-Airport Road Inland Trail	From Highway 1 at Little River, northeasterly to Comptche-Ukiah Road.	Pedestrian, bicycle, and equestrian use.	Designated by County Trails Plan.
61.	Highway 1 Bicycle Easement	North of Schoolhouse Gulch; Stillwell Point.	Offer for easement for future use as bicycle trail.	Accept offer to connect with future offers.
62.	Buckhorn Cove Shoreline	North side of Buckhorn Cove, south of Little River.	Rocky cove with sandy beach; private ownership.	Acquire accessway and parking area.
63.	Heritage House Shoreline	North of Dark Gulch at Smith Creek.	Beach on inn property. No fee public access in accord with deed restriction.	Maintain.
64.	Dark Gulch to Albion Trail	South of Dark Gulch; west of Highway 1.	Private; spectacular ocean and harbor views.	Proposed blufftop trail from Dark Gulch to Albion Harbor.
65.	Albion-Little River Road Inland Trail	Northeasterly of Highway 1 at Albion to Little River-Airport Road.	Pedestrian/bicycle/equestrian use.	Designated by County Trails Plan.
66.	Albion Harbor County Road 403A	North side of Albion Harbor at terminus of County Road 403A.	Private, river access at entrance to campground.	Unimproved parking, gas.
67.	Albion Harbor under Highway 1 bridge	North side of Albion River at shoreline.	Private, walking access through campground.	Unimproved parking at beach.
68.	Albion Harbor south of "The Pond"	North side of Albion River, east of County Road 403A.	private, river access.	Boat launching, boat parking; maintain.
69.	Albion Harbor Schooner's Landing	North side of Albion River, east of harbor.	Private, numerous river access points.	Residential trailers, camping, boat parking; maintain.
70.	Albion Harbor Field Station	South side of Albion River at Mendocino Biological Field Station.	Private, pedestrian, fishing, and boat launching access.	Maintain.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
71.	Albion South Bluff Trail	West of Highway 1 at Spring Grove Road to blufftop, then northwesterly to most western point of headland before termination.	Blufftop trail to views of coastline.	Acquire vertical and lateral access for blufftop trail.
72.	Salmon Creek	Old Highway 1 behind Gregory's Restaurant; north side of Salmon Creek, west of Highway 1.	Private, old road leads to sandy beach, blufftop trail.	Maintain. Acquire accessway along Spring Grove (CR# 401) south to Salmon Creek as a condition of permits.
73.	Navarro Ridge Road Inland Trail	From Highway 1 north of Navarro River, southeasterly to Highway 128.	Pedestrian/bicycle/equestrian use.	Designated by County Trails Plan.
74.	Navarro Headland	West of Highway 1, south of intersection with Navarro Ridge Road.	Blufftop trail westerly to bluff then south to view point overlooking the Navarro River.	Acquire access as indicated on land use map consistent with Policy 3.6-5.
75.	Navarro River Shoreline Fishing access	South bank, between bridge and river mouth.	Large sandy beach. Wildlife Conservation Board ownership; road crosses private land on which prescriptive rights have been proven.	Secure agreement on improvement and maintenance of road.
76.	Highway 1. Bicycle Easement	North of Cavanaugh Grade.	Offer of easement for future use of non-motorized traffic.	Accept offer to connect with future offers.
77.	Cavanaugh Gulch Shoreline	2.2 miles north of Elk.	200 foot sandy beach reachable from moderately sloping bluff.	Vertical access to be developed from Caltrans turnout.
78.	Cuffey's Point	1 mile north of Elk, west side of Highway 1.	Superb view of coast across Greenwood Cove. No shoreline access.	Turnout and parking area, picnic tables. Caltrans to upgrade.
79.	Greenwood Elk State Park	West of Highway 1 from center of Elk to south side of Greenwood Creek Beach.	Headlands and beach, recently acquired by DPR; undeveloped.	Prepared plan, provide parking area and trails; open for day use.
80.	Elk Creek Shoreline	2 miles south of Elk.	40 acres west of Highway 1 loop includes 500 foot sandy beach and 3 acre lagoon.	Acquire and develop for day use only.
81.	Irish Gulch	Second parcel south of Irish Gulch.	Private; pedestrian access to beach.	Acquire vertical access to join with shoreline access. Potential for parking area.
82.	Irish Beach-Manchester Alternative Coastal Trail	Irish Beach to Stoneboro Road; Manchester State Beach.	Trail along sandy beach with non-vehicular access at Irish Beach, Alder Creek Beach Road, Kinney Road and Stoneboro Road.	Acquire accessway adjoining mean high tide.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

Name		Location	Characteristics	Existing/Potential Development
83.	Alder Creek Beach Road Shoreline	2 miles north of Manchester, north end of Manchester State Beach.	North entrance to State Beach (County Road 515).	Post sign at Highway 1, park-area improvements restore abandoned houses.
84.	Kinney Road Shoreline	1 mile north of Manchester, west of Highway 1.	Marked entrance to Manchester State Beach and KOA Campground.	Maintain.
85.	Stoneboro Road Shoreline	.7 mile south of Manchester, west of Highway 1.	County Road leading to southern entrance to Manchester State Beach; unsigned.	Post sign at Highway 1 accessway to beach trail.
86.	Manchester Beach/Garcia River	West of Highway 1, south of Stoneboro Road.	Sandy beach and dunes west of grazing lands.	Beach trail extension to north side of Garcia River mouth, acquire easements as a condition of permit approval.
87.	Garcia River River Access	End of Minor Hole Road, south bank of Garcia River.	County road to fishing access open at no fee with conditions by private owner.	Post regulation signs along road; maintain.
88.	Point Arena Light Station Blufftop	3 miles northwest of City of Point Arena, end of Lighthouse Road.	Improved road to USCG light station; viewing area. Lighthouse not open to public.	Request public access; construct and maintain view turnouts along Lighthouse Road.
89.	Mendocino-Lake Community College Field Station	1.0 mile northwest of City of Point Arena.	Blufftop view point with vehicular access.	Owned by Mendocino-Lake Community College District.
90.	Pacific Gas and Electric Road	Existing road along northern boundary of the City of Point Arena.	Existing road used as vertical accessway to blufftop.	Acquire vertical accessway to connect to proposed lateral accessway at blufftop.
91.	Point Arena To Whiskey Shoals Trail	Along coast from Point Arena south to Whiskey Shoals.	Blufftop trail and shoreline.	Acquire accessway.
92.	Mote Creek (Whiskey Shoals)	2.3 miles south of Point Arena; forms northern boundary of Whiskey Shoals subdivision.	Owned by Coastal Conservancy in 72-lot subdivision.	Accessway and lateral blufftop trail shall be acquired for public use.
93.	Ross Creek Shoreline	2.5 miles south of Point Arena; adjoins Whiskey Shoals subdivision.	Private beach access.	Acquire accessway.
94.	Schooner Gulch/Bowling Ball Beach-Shoreline/Blufftop	3.3 miles south of the City of Point Arena.	Path from highway turnout leads to sandy beach, unique bowling ball rocks on beach, blufftop and beach access.	DPR to acquire and develop for day use. Parking area to be developed east of Highway 1.

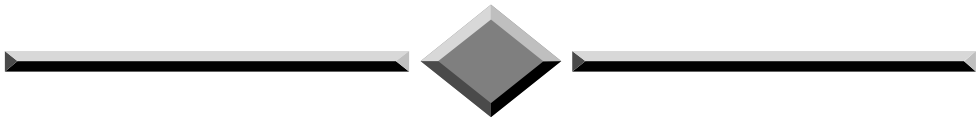
This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

TABLE 3.6-1 SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
95.	Hearn Gulch Shoreline	4.5 miles south of the City of Point Arena at milepost 10.08.	Short trail to small cove and sandy beach.	Acquire accessway; purchase parking area.
96.	Island Cove Shoreline	5 miles south of the City of Point Arena, south of Iverson Road.	700 foot sand beach on sheltered cove, reached by trail from parking area.	Potential for public access. No highway signing.
97.	Havens Neck Limited Scientific	3.5 miles north of Gualala. 10 acre peninsula parcel 1,100 feet west of Highway 1.	Promontory of exceptional beauty with unusual plant species and wind-sculptured rocks; high erosion rate.	Acquire right of scientific access.
98.	Fish Rock Observation Point and Trail	West side of Highway 1, .25 mile north of Fish Rock Road.	Private; vacant parcel with ocean and cliff views.	Potential for public access for view point. No highway signing until adequate parking is developed.
99.	Fish Rock Road Inland Trail	2.8 miles north of Gualala from Highway 1 northeasterly to Highway 128.	Pedestrian and equestrian use.	Designated on County Trails Plan.
100.	Anchor Bay Shoreline	Fish Rock Gulch, north of Anchor Bay town.	Sandy beach at campground.	Assure fee access for non-guests.
101.	Getchell Gulch Blufftop/Shoreline	.5 mile south of Anchor Bay.	Short trail from Getchell Gulch across small headlands.	Acquire accessway.
102.	Serenisea Shoreline	.5 mile south of Anchor Bay.	Short trail to beach serves same beach as Getchell Gulch.	Assure fee access for non-guests.
103.	St. Orres Creek Shoreline	1.1 miles south of Anchor Bay.	200 foot cove.	Acquire vertical and lateral accessway. Off-street parking.
104.	Cooks Beach Shoreline	1.3 miles south of Anchor Bay.	500 foot sandy beach on south side of Glennen Gulch.	Acquire vertical and lateral accessway.
105.	Bourns Landing	1.5 miles south of Anchor Bay.	Open bluff with long views of shoreline, small beaches.	Blufftop trail and shoreline access to be acquired.
106.	Gualala Trail	Central Gualala to Gualala River bridge.	Trail along bluff and Highway 1.	Accept dedication offer.
107.	Gualala River Bridge River Access	North bank of Gualala River, west of Highway 1.	Unimproved road to river, boat launching.	Acquire accessway as indicated on land use map consistent with Policy 3.6-5.

This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

GLOSSARY



GLOSSARY

ANADROMOUS STREAM: Fresh water stream used as migration corridor and spawning and nursery habitat by fish, such as salmon and steelhead trout, that live most of their adult lives in saltwater.

AQUACULTURE: That form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water.

COASTAL ARCHAEOLOGICAL SITES: Areas subject to archaeological surveys have been mapped by the California Archaeological Sites Survey, and the data is kept in the Cultural Resources Facility, Sonoma State University. These records, the most complete available, show 79 archaeological sites, distributed mainly along creek and river mouths and near present settlements, particularly between Cleone and Mendocino. The maps also delineate 26 archaeological survey areas ranging from 0.1 to 1,400 acres, only some of which include archaeological sites. To protect sites, the maps are confidential; however, land owners are entitled to know whether sites are located on their property. At present, residential development, public access, and timber harvesting appear to be the principal sources of destruction of archaeological sites.

COASTAL COUNTY:[1] Means a county or city and county which lies, in whole or in part, within the coastal zone.

COASTAL-DEPENDENT DEVELOPMENT OR USE:[1] Means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

COASTAL DEVELOPMENT PERMIT:[1] Means a permit for any development within the coastal zone that is required pursuant to subdivision (a) of Section 30600.

COASTAL-RELATED DEVELOPMENT:[1] Means any use that is dependent on a coastal-dependent development or use.

COASTAL PLAN:[1] Means the California Coastal Zone Conservation Plan prepared and adopted by the California Coastal Zone Conservation Commission and submitted to the Governor and the Legislature on December 1, 1975, pursuant to the California Coastal Zone Conservation Act of 1972 (commencing with Section 27000).

COASTAL ZONE:[1] Means that land and water area of the State of California from the Oregon border of the Republic of Mexico, specified on the maps identified and set forth in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting that division, extending seaward to the State's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less that 1,000 yards. The coastal zone does not

[1] Definitions taken from the Coastal Act of 1976.

include the area of jurisdiction of the San Francisco Bay Conservation and Development Commission, established pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, nor any area contiguous thereto, including any river, stream, tributary, creek, or flood control or drainage channel flowing into such area.

The commission shall, within 60 days after its first meeting, prepare and adopt a detailed map, on a scale of one inch equals 24,000 inches for the coastal zone and shall file a copy of such map with the county clerk of each coastal county. The purpose of this provision is to provide greater detail than is provided by the maps identified in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting this division. The commission may adjust the inland boundary of the coastal zone the minimum landward distance necessary, but in no event more than 100 yards, or the minimum distance seaward necessary, but in no event more than 200 yards, to avoid bisecting any single lot or parcel or to conform it to readily identifiable natural or man made features.

COTTAGE INDUSTRY: A secondary use of a residential parcel for gainful employment involving the manufacture, provision, or sale of goods and/or services, which is conducted by occupants of the premises and not more than one non-resident employee in a manner which does not substantially change or disturb the residential appearance and character of the site, and which is conducted pursuant to a conditional use permit. (see intent, page 16)

CUMULATIVE IMPACTS: Refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

DEVELOPMENT: Section 30l06, Coastal Act. "On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line."

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and having only one kitchen.

ENERGY FACILITY:[2] Means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

ENVIRONMENTALLY SENSITIVE AREA:[2] Means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

FEASIBLE:[2] Means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

FILL:[2] Means earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area.

HIGHLY SCENIC AREAS: Are considered by the LCP Manual to include:

- Landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan; (#60, California State Department of Parks and Recreation)

- Open areas of particular value for preserving natural landforms and significant vegetation, or for providing attractive transitions between natural and urbanized areas; and

Highly scenic areas as described in Section 30251 of the Act are areas in which development shall be subordinate to the character of its setting.

HOME OCCUPATION: An accessory use of not more than 25 percent of the floor area of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services, which is conducted solely by occupants of the dwelling unit in a manner which does not change or disturb the residential appearance and character of the site (see intent, page 2).

HOUSING, AFFORDABLE: The Coastal Commission has defined affordable for sale housing as units selling for up to 2.5 times a family's annual income. Affordable rental housing is

[2] Definitions taken from the Coastal Act of 1976.

defined by Section 50053 of the Health and Safety Code as units renting for up to 25 percent of a family's monthly income.

IMPLEMENTING:[3] Means the ordinances, regulations, or programs which implement either the provisions of the certified local coastal program or the policies of this division and which are submitted pursuant to Section 30502.

LAND USE PLAN:[3] Means the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions.

LOCAL COASTAL ELEMENT:[3] Is that portion of a general plan applicable to the coastal zone which may be prepared by local government pursuant to this division, or such additional elements of the local government's general plan prepared pursuant to subdivision (k) of Section 65303 of the Government Code, as such local government deems appropriate.

LOCAL COASTAL PROGRAM:[3] Means a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local level.

LOCAL GOVERNMENT:[3] Means any chartered or general law city, chartered or general law county, or any city and county.

LOW INCOME HOUSEHOLD: One whose annual earnings fall between 50 and 80 percent of the median household income in the County.

MINOR AMENDMENT: Pursuant to Public Resources Code Section 30514(c) and for purposes of this article, a minor amendment to a local coastal program includes, but is not limited to, the following:

(a) changes in wording which made the use as designated in the Zoning Ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the executive director of the Coastal Commission or the Commission to be consistent with the Land Use Plan as certified by the Commission.

(b) for annexed or detached areas, certification of Zoning Ordinances, zoning district maps or other implementing actions where either:

(1) the certified Land Use Plan and zoning designations of the city and county jurisdictions for the geographic area are equivalent; or

[3] Definitions taken from the Coastal Act of 1976.

(2) the Commission has certified proposed pre-annexation zoning for the annexing jurisdiction.

(c) change in the notification and hearing procedures that is consistent with the requirements of the Coastal Act.

MODERATE INCOME HOUSEHOLD: One whose annual earnings fall between 80 and 120 percent of the median household income in the County.

NEIGHBORHOOD COMMERCIAL: Commercial services of a small scale, convenience retail stores and services commonly located in or adjacent to and providing direct services to residential zones.

OCEAN RANCHING: Aquaculture where juvenile anadromous fish are reared and released into state waters to grow and return to an aquaculture facility to be harvested commercially.

PERMIT:[4] Means any license, certificate, approval, or other entitlement for use granted or denied by any public agency which is subject to the provisions of this division.

PRIME AGRICULTURAL LANDS: Coastal Act Section 30113 and Section 51201 of the California Government Code define prime agricultural land as:

- All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

- Land which qualifies for rating 80 through 100 in the Storie Index Rating.

- Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

- Land planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

PUBLIC AND SEMI-PUBLIC FACILITIES AND UTILITIES: (Include such public and community serving uses as) schools, fire stations, churches, cemeteries, sewage treatment plants, and community buildings.

RARE OR ENDANGERED PLANT HABITAT: Nine plant species found in the coastal zone have been classified as either rare or endangered. These include leafy reed grass, Mendocino Coast paint brush, Menzies wallflower, Thurber's reed grass, Howell chorizantho, swamp harbell, pityopus, Roderick fritillania, and supple daisy.

[4] Definitions taken from the Coastal Act of 1976.

RARE OR ENDANGERED WILDLIFE HABITAT: There are eight species of wildlife within or near the coastal zone considered to be rare, endangered, threatened, or protected (B-D, NE). These include the Lotis Blue butterfly, brown pelican, southern bald eagle, American peregrine falcon, California yellow-billed cuckoo, the osprey and the California Grey Whale. Such species are sensitive to human disturbance and pollution. The osprey is particularly vulnerable to timber harvesting operations, and the Department of Fish and Game has recommended several policies for protection of its habitat (#52, California State Department of Fish and Game).

Habitats of rare and endangered plants or animals are shown on the Land Use Plan map. These locations are general; species can and do relocate, so policy 3.1-1 provides for ongoing investigation of possible local habitats.

RECREATION – EDUCATION: Sites or facilities which are incidental and secondary to the primary permitted use of the property and which provide for social, spiritual, educational, or recreational experiences and activities, including but not limited to private schools and organized camps. Living unit must conform with density established by the General Plan designation.

ROOKERIES AND HAULOUT AREAS: Many offshore rocks and onshore rocky areas are important seabird and marine mammal rookeries. Five in particular have been designated as major seabird rookeries because they provide habitat for rare species or have at least 100 nests: Cape Vizcaino, Goat Island, Devil's Basin Rocks, White Rock, and Fish Rock. Sea lions and harbor seals use the offshore rocks as rookeries as well, particularly at Laguna Point, Goat Island, Sea Lion Rock, and Fish Rock. These mammals use the offshore rocks near Caspar Headlands, Buckhorn Cove, and Devil's Basin as haulout areas -- essential for molting, loafing, evading predators and possibly as pupping grounds. Rookeries and haulout areas are not shown on the Land Use Plan, but appear on the Habitat/Resources Maps prepared in November 1979.

SEMI - PUBLIC FACILITIES: Building, structures, or other facilities which are privately owned but which may be used to accommodate public gatherings, including but not limited to lodges, granges, social clubs, and fraternal and religious organizations.

SENSITIVE COASTAL RESOURCE AREAS:[5] Means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

(a) Special marine and land habitat areas, wetland, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.

(b) Areas possessing significant recreational value.

(c) Highly scenic areas.

(d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.

[5] Definitions taken from the Coastal Act of 1976.

(e) Special communities or neighborhoods which are significant visitor destination areas.

(f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.

(g) Areas where divisions of land could substantially impair or restrict coastal access.

SINGLE FAMILY DWELLING: A building containing not more than one (1) dwelling unit.

TIMBERLAND PRODUCTION ZONE (TPZ): In 1976, the California Legislature passed the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act (AB 1258) to preserve commercial timberland and lessen pressures for conversion by changing the method of timberland taxation. AB 1258 required the County to establish zoning districts within which only timber harvesting, the production of forest products, and compatible uses are permitted and within which taxes levied against the land are based on the timber yield rather than on the value of standing timber. Compatible uses are defined as uses which do not significantly detract from growing and harvesting timber, including but not limited to:

- Management for watershed;
- Management for fish and wildlife habitat or hunting and fishing;
- Roads, landings, log storage areas, or other uses integrally related to the growing, harvesting and processing of forest products;
- Erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities;
- Grazing.

TIMBER PROCESSING AND RELATED FACILITIES: Include sawmills, pulp mills, veneer mills, other timber processing plants, log decks, by-product storage sites, and related operating areas required for product processing.

TRANSIENT GUEST: Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.

URBAN/RURAL BOUNDARY: Defines the areas to which the Coastal Act's rural land division policy would apply. Section 30250(a) of the Act provides that land divisions outside of existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and where the size of the parcels to be created would be no smaller than the average size of surrounding parcels (See Chapter 2 page 35 and Policy 3.9-2).

VACATION HOME RENTAL: A single family residential dwelling unit intended for single family occupancy designed to be let or hired as an entire unit for occupancy by transient guests for compensation or profit; not a Visitor Service Facility or Accommodation as defined in this plan.

VIEWSHEDS: As delineated on the Resources Maps describe the boundaries of the area (of particular visual importance which is) visible from Highway 1.

VISITOR ACCOMMODATIONS AND SERVICES: As defined in the Mendocino Coastal Element include inns, motels, campgrounds, restaurants, boat rental and launching establishments, and studios selling works of art. The land use classification system establishes different development criteria for each type of accommodation and service. (See Chapter 2 - Land Use Classifications)

WETLANDS: Lands covered periodically or permanently with shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are extremely fertile and productive environments. Tidal flushing from the ocean and/or nutrient-rich freshwater runoff mix to form a delicate balance responsible for their productivity. They function as nurseries for many aquatic species and serve as feeding and nesting areas for water fowl, shorebirds and wading birds, as well as a few rare and endangered species such as the Peregrine Falcon.

ZONING ORDINANCE:[6] Means an ordinance authorized by Section 65850 of the Government Code or, in the case of a charter city, a similar ordinance enacted pursuant to the authority of its charter.

[6] Definitions taken from the Coastal Act of 1976.