

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-1865
VOICE (707) 445-7833
FACSIMILE (707) 445-7877

MAILING ADDRESS:
P. O. BOX 4908
EUREKA, CA 95502-4908

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Staff: Ruby Pap
Staff Report: February 3, 2005
Hearing Date: February 18, 2005
Commission Action:

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Robert S. Merrill, North Coast District Manager
Ruby Pap, Coastal Planner

SUBJECT: **Mendocino County LCP Amendment No. MEN-MAJ-1-02 PARTS A & B, (Major), (PART A) Tregoning/California Institute of Man in Nature; (PART B) Mayes – Land Use Plan Amendment, Zone Reclassification) (Meeting of February 18, 2005)**

SYNOPSIS

Amendment Description

Mendocino County LCP Amendment No. MEN-MAJ-1-02 proposed site-specific changes to provisions of the County's certified Local Coastal Program (LCP) affecting four different locations within the coastal zone, Parts A-D. This staff recommendation addresses the first two parts of the amendment, Parts A and B. Commission hearings on Parts C and D of the amendment will be scheduled for a future Commission meeting. Parts A and B of the changes proposed by Amendment No. MEN-MAJ-1-02 are as follows:

1. PART A (GP 12-2001/R 13-2001, TREGONING/CALIFORNIA INSTITUTE OF MAN IN NATURE). APN 017-250-30, 017-250-32, and 118-020-19.
Part A would amend the land use plan (LUP) and implementation plan (IP) to change visitor accommodations and services overlay designations and corresponding land use plan text references applying to two adjoining properties located east of Highway 1, south of Jug Handle State Reserve, approximately 0.5 mile north of Casper to allow for the improvement of an existing campground on one of the properties and the development of a new campground on the other property. The changes include: (1) changing the LUP

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and zoning maps to add an *3 designation (Campground and/or RV Campground or Hostel, a Visitor Accommodations and Services Combining District Principal Permitted Use-Existing Facility) to the California Institute of Man in Nature property while retaining the base RMR-20 (Remote Residential-20-acre minimum parcel size) LUP and zoning designations; (2) changing the zoning map to change the existing *3 zoning overlay designation on the Tregoning property to an *3C designation (Campground and/or RV Campground or Hostel, a Visitor Accommodations and Services Combining District Conditionally Permitted Use) while retaining the base AG (Agriculture) LUP and zoning designations; (3) amending a reference contained in Appendix 10 of the LUP regarding the allowable visitor accommodations at Jughandle Farm (Institute of Man in Nature) to correct the listed APN from APN 017-250-30 to 017-250-32; and (4) Changing the LUP text for Visitor Accommodations and Services (page 172) by identifying three sites that have been designated for conditional uses, including the area to the south of Jughandle Farm (the current Tregoning property).

2. PART B (GP 2-2002, MAYES) APN 027-481-30. Change the LUP classification for an approximately 8.2-acre portion of an approximately 20.8-acre parcel (APN 027-481-30) located 6 miles southeast of Point Arena, AND approximately 1 mile northwest of the intersection of Tenmile Cutoff Road (CR#503A) and Iversen Road (CR# 503 from FL (Forest Land) to RR-10 (Rural Residential-10 acre minimum) to conform to existing zoning and remove the TPZ (Timber Production Zone) map "dot" symbol from land use maps for the area previously removed from TPZ zoning.

Summary of Staff Recommendation

The staff recommends that the Commission, upon completion of a public hearing, **deny Part A (Tregoning/California Institute of Man in nature) of the proposed amendment as submitted and certify the amendment request with suggested modifications.** The amendment would recognize at the two adjacent properties located North of Caspar, east of Highway One, an existing campground at Jughandle Farm (California Institute of Man in nature) and allow for a future conditional campground at the Tregoning site. The original LUP, certified in 1985, recognized an existing campground somewhere on two combined properties, but there was confusion over which of the two properties the designation applied to. A subsequent LUP Amendment certified by the Commission in 1990 granted a conditional campground designation at the Tregoning site on the LUP, but did not recognize in the LUP the existing campground designation that belonged on the Jughandle site. The current proposed amendment is intended to clear up the confusion, to recognize the existing campground at the Jughandle site and conditionally allow for future development of a campground on the Tregoning site, potentially allowing for a net of one more additional campground than was recognized in the original LCP.

Based on preliminary analyses, the proposed LUP amendment will have no significant impacts to Highway One traffic components or Environmentally Sensitive Habitat Areas (ESHAs), and reasonable potential exists for water supply and sewage disposal capacity to support campgrounds at both sites, consistent with Coastal Act policies. However, detailed site and project specific analyses on these issues will need to be conducted during the review of coastal development permit applications for any campground facility. In addition, an agricultural

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conversion analysis consistent with Sections 30241 and 30242 of the Coastal Act and corresponding policies of the LCP will need to be conducted for the Tregoning site (which has a base designation of agriculture in the LUP). If new development is proposed for either property in the future, a Coastal Development Permit (for Jughandle Farm) and a Coastal Development Use Permit (for Tregoning property) will be required, and the projects will have to conform to all policies in the Mendocino County LCP, including determining: (1) whether adequate sewage disposal capacity and water supply exists support the new development; (2) whether there are significant impacts to Highway One and Environmentally Sensitive Habitat Areas (ESHA); and (3) whether any conditionally allowable campground on the agriculturally designated Tregoning site will affect the agricultural viability of the site, consistent with the agricultural protection provisions of the certified LCP. Therefore, the proposed LUP amendment will have no adverse impacts on coastal resources and is consistent with the Coastal Act.

In both cases, the proposed zoning district allows for the same range of principally permitted and conditional uses as the proposed LUP designation. Therefore, the proposed Implementation Plan amendment will conform with and adequately carry out the LUP as proposed to be amended. However, since the amendment application was submitted, the Tregoning property, made up of two APNs (017-250-30 & 118-020-19), became the subject of two Certificates of Compliance that are being reviewed by the County, but not yet issued. To clear up any confusion as to which parcel the conditional campground designation is meant to apply, Suggested Modification No. 1 directs that the County revise the LUP map to apply the *3C designation only to the Southern property where Mr. Tregoning intends to develop the campground, APN 118-020-19. Suggested Modification No. 2 directs the County to adopt a zoning ordinance to apply the *3C designation to the same portion of the property to ensure conformance with the LUP map as modified.

With regard to the portion of the proposed amendment that affects Part B (Mayes), the staff recommends that the Commission certify the proposed amendment to the LUP as submitted. The 20.8-acre parcel is located on the extreme eastern edge of the coastal zone, east of Highway 1, 0.5 mile north of Caspar. Mendocino County seeks this "clean-up" amendment to change the land use designation from Forest Land to Rural Residential to match the Land Use Plan map designation with the existing zoning map. The proposed LUP amendment would change the FL (Forest Land) designation to RR-10 (Rural Residential-10 acre minimum) and remove the TPZ (Timber Production Zone) map dot symbol from the land use maps. The LUP amendment would be consistent with the provision of Section 30243 of the Coastal Act which requires that conversions of commercially viable timberlands to non-timber uses be limited to providing for necessary timber processing and related facilities because the particular parcel involved is a former airstrip used by the lumber company that previously owned the site and as a result was not in timber production and has no commercially harvestable trees. In addition, the LUP amendment would not cause a significant increase in density, as the amendment would only allow for the potential development of one new residence, and only if the property is subdivided. The land use changes facilitated by the LUP amendment would not cause significant traffic impacts to Highway One, would not impact environmentally sensitive habitat areas, or the economic viability of timberlands, and is not located in a highly scenic area. If new development is proposed for the site in the future, a Coastal Development Permit will be required and the project will have to conform to all policies in the Mendocino County LCP, including determining

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whether adequate sewage disposal capacity and water supply exists to support the new development. Therefore, the proposed amendment will have no adverse impact on coastal resources and is consistent with the Coastal Act.

Analysis Criteria

To approve the amendments to the Land Use Plan (LUP), the Commission must find that the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act. To approve the amendments to the zoning ordinance, the Commission must find that the Implementation Plan (IP), as amended, will conform with and is adequate to carry out the LCP.

Additional Information:

For further information, please contact Ruby Pap at the North Central Coast District Office (415) 904-5268. Correspondence should be sent to the North Coast District Office at the above address.

RESOLUTIONS AND SUGGESTED MODIFICATIONS

**I. MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS FOR LCP
AMENDMENT NO. MEN-MAJ-1-02 PART A (TREGONING/CALIFORNIA
INSTITUTE OF MAN IN NATURE)**

**A. DENIAL OF LUP AMENDMENT NO. MEN-MAJ-1-02 PART A, AS
SUBMITTED:**

MOTION I: *I move that the Commission Certify Land Use Plan Amendment No.
MEN-MAJ-1-02 PART A as submitted by the County of Mendocino.*

STAFF RECOMMENDATION TO DENY:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION I TO DENY CERTIFICATION OF LUP AMENDMENT NO.
MEN-MAJ-1-02 PART A AS SUBMITTED:**

The Commission hereby denies Land Use Plan Amendment No. MEN-MAJ-1-02 Part A (Tregoning/California Institute of Man in Nature) as submitted by the County of Mendocino and adopts the findings set forth below on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment would not comply with the California Environmental Quality

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Act because there are feasible alternatives or mitigation measures, which could substantially lessen any significant adverse impact, which the land use plan amendment may have on the environment.

B. CERTIFICATION OF LUP AMENDMENT NO. MEN-MAJ-1-02 PART A WITH SUGGESTED MODIFICATIONS:

MOTION II: *I move that the Commission certify Land Use Plan Amendment No. MEN-MAJ-1-02 Part A for the County of Mendocino if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

Staff recommends a YES vote. Passage of the motion will result in the certification of the land use plan amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

RESOLUTION II TO CERTIFY WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies Land Use Plan Amendment No. MEN-MAJ-1-02 Part A (Tregoning/California Institute of Man in Nature) for the County of Mendocino if modified as suggested and adopts the findings set forth below on the grounds that the land use plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the land use plan amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the land use plan amendment may have on the environment.

SUGGESTED MODIFICATION NO. 1

The County shall adopt a LUP map change moving the AG-*3C designation from 017-250-30 to APN-020-19.

C. DENIAL OF IMPLEMENTATION PLAN AMENDMENT NO. MEN-MAJ-1-02 PART A (TREGONING/CALIFORNIA INSTITUTE OF MAN IN NATURE), AS SUBMITTED:

MOTION III: *I move that the Commission reject Implementation Program Amendment No. MEN-MAJ-1-02 PART A for the County of Mendocino as submitted.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the implementation plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION III TO DENY CERTIFICATION OF THE IMPLEMENTATION
PLAN AMENDMENT NO. MEN-MAJ-1-02 PART A AS SUBMITTED:**

The Commission hereby denies certification of the Implementation Program Amendment No. MEN-MAJ-1-02 PART A (Tregoning/California Institute of Man in Nature) as submitted for the County of Mendocino and adopts the findings set forth below on grounds that the implementation plan amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified land use plan as amended. Certification of the implementation plan amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the implementation program amendment as submitted.

D. APPROVAL OF IMPLEMENTATION PLAN AMENDMENT NO. MEN-MAJ-1-02 PART A (TREGONING/CALIFORNIA INSTITUTE OF MAN IN NATURE) WITH SUGGESTED MODIFICATIONS:

MOTION IV: *I move that the Commission certify Implementation Plan Amendment No. MEN-MAJ-1-02 PART A for the County of Mendocino if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED
MODIFICATIONS:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the implementation program amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION IV TO CERTIFY THE IMPLEMENTATION PROGRAM WITH
SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the Implementation Plan Amendment Part A (Tregoning/California Institute of Man in Nature) for the County of Mendocino if modified as suggested and adopts the findings set forth below on grounds that the implementation plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified land use plan as amended.

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Certification of the implementation plan amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the implementation plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

SUGGESTED MODIFICATION NO. 2:

The County shall adopt a zoning ordinance applying the AG-*3C designation to APN-020-19 only.

**II. MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS FOR LCP
AMENDMENT NO. MEN-MAJ-1-02 PART B (MAYES)**

**A. APPROVAL OF LUP AMENDMENT NO. MEN-MAJ-1-02 PART B, AS
SUBMITTED:**

MOTION V: *I move that the Commission certify Land Use Plan Amendment No. MEN-MAJ-1-02 PART B as submitted by the County of Mendocino.*

STAFF RECOMMENDATION TO APPROVE:

Staff recommends a YES vote. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION V TO APPROVE CERTIFICATION OF LUP AMENDMENT NO.
MEN-MAJ-1-02 PART B AS SUBMITTED:**

The Commission hereby certifies Land Use Plan Amendment No. MEN-MAJ-1-02 Part B (Mayes) as submitted by the County of Mendocino and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

III. DESCRIPTION OF SITES AND LCP AMENDMENTS

A. Site One (GP 12-2001/R 13-2001, Tregoning/Institute of Man in Nature)

Part A would amend the land use plan (LUP) and implementation plan (IP) to change visitor accommodations and services overlay designations and corresponding land use plan text references applying to two adjoining properties located east of Highway 1, south of Jug Handle State Reserve, approximately 0.5 mile north of Casper to allow for the improvement of an existing campground on one of the properties and the future development of an additional campground on the other property. The changes include: (1) changing the LUP and zoning maps to add an *3 designation (Campground and/or RV Campground or Hostel, a Visitor Accommodations and Services Combining District Principal Permitted Use-Existing Facility) to the California Institute of Man in Nature property while retaining the base RMR-20 (Remote Residential-20-acre minimum parcel size) LUP and zoning designations; (2) changing the zoning map to change the existing *3 zoning overlay designation on the Tregoning property to an *3C designation (Campground and/or RV Campground or Hostel, a Visitor Accommodations and Services Combining District Conditionally Permitted Use) while retaining the base AG (Agriculture) LUP and zoning designations; (3) amending a reference contained in Appendix 10 of the LUP to the allowable visitor accommodations at Jug Handle Farm (Institute of Man in Nature) to correct the listed APN from 017-250-30 to 017-250-32; and (4) Amending the LUP text for Visitor Accommodations and Services (page 172) by identifying three sites, including the property south of Jughandle Farm (currently Tregoning property), that have been designated for conditional uses.

The Visitor Accommodations and Services Combining District asterisk (*) designations are overlays to LUP and zoning maps that potentially allow for visitor accommodation uses to be considered at certain parcels in addition to uses allowed by their underlying base LUP and zoning designations. Existing facilities are designated by an asterisk (*) and a number (e.g. *3-existing Campground and/or RV Campground or Hostel). Sites for future conditional facilities are designated by an asterisk and a number followed by a "C" for conditional. Therefore, a *3C designation on a property is meant to allow a future campground subject to the property owner obtaining a conditional use permit for this use.

In 1971 Stuart Tregoning, current owner of the southern property (APN 017-250-30 and 118-020-19), sold the 33-acre northern parcel (Jughandle Farm APN 17-250-32) to the California Institute of Man in nature. There is an existing campground on this 33-acre parcel, as evidenced by:

- Mendocino County Business License No. 456 issued March 4, 1982 for lodging and campground.
- California Department of Parks and Recreation, Russian River Mendocino District letter dated October 6, 1998 supporting an Environmental Enhancement and Mitigation Program Grant application referencing the Jug Handle Farm campground and hostel.
- Letters from the prior property owner (Tregoning).
- Letters from others involved in the Jug Handle Farm operations past and present.

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- Spring 1995 "Jug Handle Farm Journal" newsletter that references improvements to the campground.
- Old structures that were constructed as a shower house (demolished 2001) and outhouses (photos on file with the County).
- Coastal Land Use Plan (page 172), South Central CAC Area, lists Jug Handle Farm as an "existing hostel and campground."

There has been confusion over which property the existing *3 designation on the LUP maps was meant to apply. The originally certified LUP map showed the *3 as applying to the Tregoning property, rather than the Jughandle property (CA Institute of Man in Nature), where the campground currently exists. Because his property did not have an existing campground, as part of a "clean up" amendment to the LUP the Commission certified in 1990, the LUP map designation for the Tregoning property was changed from an *3 designation to a *3C conditional campground designation. This amendment was certified by the Commission on November 15, 1990. The *3C designation gave Tregoning the right to apply for a conditional use permit for a future conditional campground on his property. However, the LUP text on p. 172, Chapter Four (Section 4.6: Jug Handle Creek to Russian Gulch Planning Area) was never changed to recognize his property as a designated site for a 'Visitor Accommodations and Services' conditional use. In addition, the zoning map, originally certified in 1993, has never reflected the *3C designation. A campground at the Tregoning site has never been developed. Additionally, the LUP map and the zoning map has never been amended to recognize the existing campground with a *3 designation at the Jughandle site.

The current proposed "clean up" amendment is intended to clear up the above confusion and remove the inconsistencies in the LCP. However, regardless of where the original campground designation was intended to be applied in the LCP, the current amendment would conditionally allow for an additional campground. Therefore, in its review of the Land Use Plan components, the Commission must review the consistency of a potential additional campground to the combined property with the Coastal Act, as done below in Section IV.

B. Site Two (GP 2-2002, Mayes)

The proposal would change the coastal plan land use classification for an approximately 8.2 - acre portion of an approximately 20.8 -acre parcel located 6 miles southeast of Point Arena, and approximately 1 mile northwest of the intersection of Tenmile Cutoff Road (CR#503A) and Iversen Road (CR# 503). The LUP designation would be changed from FL (Forest Land) to RR-10 (Rural Residential-10 acre minimum), and the amendment would remove the TPZ (Timber Production Zone) map "dot" symbol from the land use map for the site, all to conform the LUP designations to the existing zoning designations.

Mendocino County is sponsoring this application in order to provide better consistency between the general plan and zoning designations of the subject property. Coastal Development Boundary Line Adjustment #CDB 10-98, approved by the County, created the current parcel configuration. Prior to certification of the County's Implementation Plan in 1993 but after certification of the LUP in 1985, the County approved a rezoning of the property classification from the Timber

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Production Zone (TPZ) to Residential Estates- 10 acre minimum (Rezone #10-89) with the understanding that the zoning would become Rural Residential-10 acre minimum at the completion of Phase III of the Local Coastal Program. During the review of Rezone #10-89, the County determined that a Land Use Plan map amendment was not necessary given the narrow strip of land in question, finding that the land use map lines were not necessarily parcel specific in this case and left room for interpretation as to the designation line exact location. In 1989 Commission staff commented on the proposed rezone, and recommended that the County process a LUP amendment in order to clarify the location of the land use line consistent with the zoning line (See Exhibit No.10). The current amendment request is proposed for that purpose.

I. LAND USE PLAN FINDINGS

A. Standard of Review

To approve the amendments to the LUP, the Commission must find that the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act.

B. Agriculture

Coastal Act Section 30241 states that the maximum amount of prime agricultural land shall remain in agricultural production, conflicts between agriculture and urban land uses should be minimized, and conversion of agricultural lands to non-agricultural uses should be minimized. Section 30241.5 states that where the viability of existing agricultural uses is an issue in a local coastal program amendment, an economic feasibility analysis shall be conducted. Section 30242 states that all other lands suitable for agriculture shall not be converted to non-agricultural uses unless continued agricultural use is not feasible, or such conversion would preserve prime agricultural land. Section 30222 states that the use of private lands suitable for visitor serving commercial recreation facilities shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

A portion of the property affected by Part A of the LUP Amendment, the Tregoning property, is currently designated agriculture in the Mendocino County Land Use Plan map, with a *3C Visitor Accommodations (conditional campground) combining district, which potentially allows for a future conditional campground on the site with a Coastal Development Use Permit. The County is proposing to modify a section of the LUP text (p. 172) that lists visitor accommodations in the area to state that property south of Jughandle Farm (the Tregoning property) could be developed with a campground, provided a conditional use permit is obtained, and to make the text consistent with the existing *3C designation on the LUP map. A large portion of the property (south of the seasonal creek) is listed in the Mendocino County Soil Survey as prime soil for agriculture. At the time the *3C designation was certified by the Commission (LCP Amendment 1-90), an agricultural economic feasibility analysis was not conducted for the property pursuant to Sections 30241 and 30242. Similarly, no such analysis was submitted for the current proposal to change the text. However, any future campground development at the site will require a Coastal Development Use Permit from the County that

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could be appealed to the Commission. The County may approve this permit only if required agricultural land impact findings are made, pursuant to Land Use Plan Policies 3.2-4, 3.2-5, and 3.2-6 and Coastal Zoning Code Section 20.532.100(b), which take into account Sections 30241 and 30242 of the Coastal Act.

Land Use Plan Policy 3.2-4 States:

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.*

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Land Use Plan Policy 3.2-5 States:

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.

Land Use Plan Policy 3.2-16 States:

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.

Coastal Zoning Code Section 20.532.100(b)(2) "Impact Findings for Conversion of Prime Agricultural or Williamson Act Contracted Lands" states:

Conversion of prime land and/or land under Williamson Act Contract to non-agricultural uses is prohibited, unless all of the following findings are made...

- (a) All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable;*
- (b) Agricultural use of the soils cannot be successfully continued or renewed within a reasonable period of time, taking into account economic, environmental, social and technological factors;*
- (c) Clearly defined buffer areas are established between agricultural and non-agricultural uses;*

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(d) The productivity of any adjacent agricultural lands will not be diminished, including the ability of the land to sustain dry farming or animal grazing;

(e) 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

(f) For parcels adjacent to urban areas, the viability of agricultural uses is severely limited by contacts 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.

Coastal Zoning Code Section 20.532.100(b) (3) "Impact Findings for Conversion of Non-prime Agricultural Lands" states:

Conversion of all other agricultural lands to non-agricultural uses will be prohibited unless it is found that such development will be compatible with continued agricultural use of surrounding lands and at least one of the following findings applies:

(a) Continued or renewed agricultural use is not feasible as demonstrated by an economic feasibility evaluation prepared pursuant to Section 20.524.015(C)(3);

(b) Such development would result in protecting prime agricultural land and/or concentrate development.

The above cited LCP polices greatly limit the conversion of agricultural lands to other uses in a manner consistent with Section 30241, 30241.5, and 30242 of the Coastal Act. LUP Policy 3.2-4 does allow for certain activities to occur that are compatible with agriculture and that enhance the economic viability of an agricultural operation. The listed compatible activities include limited visitor accommodations such as campgrounds at locations specified in the land use plan by the visitor accommodation overlays. However, in allowing such compatible uses, LUP Policy 3.2-4 sets strict limits. The policy requires that visitor accommodations must be secondary to the agricultural activity. In addition, Policy 3.2-4 provides that any compatible activity allowed must maximize the preservation of prime agricultural soils, and maintain productivity of on-site and adjacent agricultural lands. Furthermore, the policy precludes any conversion of prime land to these uses or other non-agricultural uses unless certain criteria can be met, including criteria that all agriculturally unsuitable lands on the parcel have either been developed or are undevelopable, agricultural use cannot be successfully continued or renewed, and the productivity of adjacent agricultural lands is not diminished. These latter requirements are similar to the requirements of Section 30241 of the Coastal Act.

LUP Policy 3.2-5 mirrors the requirements of Section 30242 of the Coastal Act that all other lands suitable for agricultural use shall not be converted to non-agricultural use unless continued or renewed agricultural use is not feasible or such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250 of the Coastal Act.

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LUP Policy 3.2-16 contains similar requirements stating that all agricultural lands designated AG, such as the Tregoning property, shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible or such conversion would presser prime agricultural land or concentrate development consistent with Section 30250 of the Coastal Act. In addition, the policy incorporates the provisions of Section 30241.5 of the Coastal Act for determining whether continued or renewed agricultural use is feasible, indicating that an economic feasibility analysis must be conducted that includes an analysis of the gross revenue from the agricultural products grown in the area for the last five years and an analysis of the operation expenses associated with the production of agricultural products grown in the area for the last five years.

Finally, Coastal Zoning Code Sections 20.532.100(b)(2) and 20.532.100(b) repeat in the Implementation Plan the principal requirements of LUP policies 3.2-4, 3.2-5, and 3.2-16.

Because the proposed LCP amendment would establish future campground use of the Tregoning property as a conditional use, the proposed LCP amendment does not provide the property owner any assurances that a campground will be permitted. Any coastal development use permit application submitted in the future seeking authorization to develop a campground on the Tregoning property could only be granted if the project is found to be consistent with all of the above cited policies, as well all other policies of the certified LCP. To find that the project is consistent with the policies, that applicant will need to submit to the County the necessary analyses of agricultural feasibility called for in the policies. As noted above, the policy provisions and requirements for feasibility studies incorporate the requirements of Section 30241, 30241.5, and 30242 of the Coastal Act.

Therefore, the Commission finds that the proposed LUP amendment for Site One is consistent with Coastal Act Sections 30241, 30241.5, 30242 and 30222.

C. New Development

Section 30250(a) of the Coastal Act requires that new development be located in 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, either individually or cumulatively, on coastal resources. The intent of this policy is to concentrate development in areas able to accommodate it with public services, and to minimize adverse impacts on coastal resources.

Regarding Part A (Tregoning/Institute of Man in Nature), the County submitted preliminary soils analyses regarding the adequacy of sewage disposal and water availability at the two adjacent properties. The analyses are based on the Soil Survey of Mendocino County, Western Part, 1993, and not on specific site testing. Soils at the sites were rated as having severe limitations for use for septic tank absorption fields, but the sites have reasonable potential for on-site sewage disposal systems incorporating secondary sewage treatment, such as aerobic treatment units or sand filters. Staff from Mendocino County Environmental Health indicated pit toilets could also be permitted (with certain property line setback conditions) for campground facilities, if a conventional septic systems or secondary treatment systems are found to be infeasible following

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specific soil testing. Therefore, it is reasonable to conclude that each of the two properties where the LCP amendment would ultimately allow for campground improvements or development can accommodate necessary sewage processing facilities to support the campgrounds. As far as water availability, both sites are considered Critical Water Resource Zones in the 1982 Mendocino Coastal Groundwater Study conducted by the California State Department of Water Resources, suggesting that water availability may be problematic to support two campgrounds. Mendocino County Environmental Health department requires a "proof of water test" for new systems in these zones. This test has not been conducted or submitted for either site for this amendment. However, each property currently has a well that provides water for existing residential, hostel, and camping uses on the sites, indicating that some amount of groundwater is present. In addition, both properties are large in size. The Jug Handle property is approximately 33 acres and the Tregoning property is approximately 40 acres. Given the large size of these properties, there is an increased likelihood that sufficient groundwater can be found to serve each of the campground facilities.

Due to the fact that improvement of the existing campground at Jughandle Farm (Institute of Man in nature) will require a Coastal Development Permit and development of a new campground at the Tregoning property will require a Coastal Development Use Permit from Mendocino County, the County will have the opportunity to further review the adequacy of septic and water services to serve each campground at the time of review of the permit applications. Section 20.532.095 of the Mendocino County Coastal Zoning Ordinance, "Required Findings for all Coastal Development Permits," requires that proposed development be provided with adequate utilities and public services must be adequate to serve the proposed development. This code section also requires that proof of adequate sewage and water capacity be found prior to approval of the projects. Thus, site specific tests demonstrating adequate septic capacity and groundwater availability will have to be performed prior to County action on the coastal development permits. Additionally, any use permit for a conditional campground at the Tregoning site would be appealable to the Commission. Therefore, the Commission finds that the proposed LUP Amendment for Site One is consistent with Coastal Act Policy 30250(a) to the extent that any campground improvements subsequently approved in reliance of this LCP amendment will be located in areas able to accommodate the campground uses with adequate services.

Concerning Part B of the amendment, Mayes, the re-classification of the 8.2 -acre airstrip portion of the 20.8 -acre parcel from Forest Lands (FL) to Rural Residential – 10 acre minimum to conform with the rest of the parcel, would theoretically allow future subdivision into two parcels with one dwelling on each to be considered, although whether such a division would be permitted given the parcel configuration is unknown. The property is currently vacant. The site is currently classified as a critical water resource area in the Coastal Groundwater Study. Information on the adequacy of water and sewage disposal capacity to serve two potential residences has not been submitted to the Commission. Developing a residence or subdividing the property would require a Coastal Development Permit. Thus, the County will have the opportunity to further review the adequacy of septic and water services to serve a future residence at the time of review of any coastal development permit application submitted for division of the property. Section 20.532.095 of the Mendocino County Coastal Zoning Ordinance, "Required Findings for all Coastal Development Permits," requires that proposed development be provided with adequate utilities and public services must be adequate to serve

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the proposed development. Additionally, Section 20.524.010 (B)(1)(b) and (c) of the Mendocino County Coastal Zoning Code states that a satisfactory site for an individual sewage system or a community sewage disposal system with available capacity, and proof that adequate water and sewage service is available are required conditions for approval of rural land divisions. Therefore adequacy of these services at this site must be proven prior to the approval of a Coastal Development Permit for the development of a residence or division of the property. Therefore, the Commission finds that the proposed LUP Amendment for Site Two (Mayes) is consistent with Coastal Act Policy 30250(a) to the extent that any future residential development of the parcel, including any approvable division of the property, will be located in an area able to accommodate the residential use with adequate services.

D. Highway One Traffic Capacity

Coastal Act Section 30254 states that it is the intent of the Legislature that State Highway One in rural areas of the coastal zone remain a scenic two-lane road, and that 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. Section 30250(a) of the Coastal Act also requires that new development not have significant adverse effects, either individually or cumulatively, on coastal resources.

Because the only north-south arterial in coastal Mendocino County is Highway One, the requirements of Section 30254 are a limiting factor on the potential for new development in Mendocino County. In addition, Section 30254 requires that high priority uses of the coast not be precluded by other, lower-priority uses when highway capacity is limited.

Highway capacity has been recognized by the Commission as a constraint that limits new development, as new development generates more traffic that uses more capacity and a lack of available capacity results in over-crowded highways for long periods of time. When it eventually certified the Mendocino County Land Use Plan with Suggested Modifications, the Commission found that too much buildout of the Mendocino coast would severely impact the recreational experience of Highway One and its availability for access to other recreational destination points. The Commission reduced by more than half the number of potential new parcels that could be created under the certified LUP, based on its conclusion that, given the information available at that time, approximately 1,500 new parcels was the maximum number of new parcels Highway One could accommodate while remaining a scenic, two-lane road.

The Commission recognized that in the future, a greater or smaller number of potential new parcels might be more appropriate, given that changes might occur that would affect highway capacity, such as new road improvements, or that development might proceed at a faster or slower pace than anticipated. To provide for an orderly process to adjust the number of potential parcels allowed under the LCP to reflect conditions as they change over time, the Commission approved Policy 3.9-4 of the LUP that required a future review of the Land Use Plan.

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Policy 3.9-4 of the County's LUP states that:

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 buildup limits should be increased or decreased.

Whether any significant adverse cumulative effects on coastal resources are apparent.

In response to this policy, in 1994 the County hired a transportation consultant firm to do a study (titled the State Route 1 Corridor Study) that would determine the impact to Highway One traffic carrying capacity from the buildout of the Coastal Element of the General Plan. The study projected future traffic volumes which would be generated by potential development allowed by the Coastal Element in the coastal zone and by potential development from growth areas outside of the coastal zone that affect traffic conditions on Highway One. The County also has initiated additional studies to determine where appropriate density increases could be allowed without overtaxing Highway One's limited capacity.

The Commission has adopted findings in its actions on previous LCP amendments stating that proposed LCP changes that would result in increases in residential density on a first-come, first-served basis would not ensure that highway capacity would be reserved for higher priority coastal land uses. When looked at in isolation, it may not appear that approving any particular proposal for a density increase would have much impact, when the potential for only a few new parcels is created by each such proposal. However, consistent with Section 30250(a) of the Coastal Act, the cumulative impact of numerous LCP Amendments allowing increases in residential density on highway capacity and other coastal resources must also be addressed. Looking at each new project in isolation fails to take into account the effect numerous projects would have if approved in this fashion.

During its review of Mendocino LCP Amendment No. 1-98(Major) during the Commission meeting of September 9, 1998, the Commission expressed concern regarding the approval of any future density-increasing LCP amendments without having the benefit of the complete review called for by LUP policy 3.4-9. Although a comprehensive review of the Land Use Plan has not yet been completed, the County is progressing toward the development of such a study specified by LUP policy 3.4-9.

The portion of the proposed amendment affecting Part A (Tregoning/Institute of Man in Nature) would potentially allow for an additional campground. County staff evaluated the impacts of the proposal for Site One using the development scenario for the year 2020 set forth in the 1994 corridor study. The properties are located along Road Segment 13 (Lansing Street to Gibney Lane) in the State Route 1 Corridor Study, with projected Level of Service (LOS) of E based on the development scenario for 2020. This LOS takes into account an existing 12-unit campground assigned to the Jughandle Farm property

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(Institute of Man in Nature) as shown in Appendix 10 of the Land Use Plan. The traffic volumes generated by a conditional campground (*3C) on the Tregoning property were evaluated based on several different sized campgrounds. A reserve capacity of 261 peak hour trips (pht) exists along road segment 13 before LOS-F is reached. Campsites are assigned a 0.24 pht vehicle trip rate. Therefore a 10 –unit campground would generate 2.4 pht, 20-units 4.8 pht, 30-units 7.2 pht, 40 units 9.6 pht, etc. A cumulative analysis of Coastal Land Use Plan amendments indicates that no other Local Plan Amendments have been located along Road Segment 13; since that time, LCP amendments have been limited to those that do not involve residential density increases or involve only minor changes. Therefore, the County concludes that 261 pht of existing reserve capacity is adequate to accommodate development of an additional campground on the Tregoning site without significant impacts to State Route 1, provided that a detailed analysis of impacts of a conditional campground on the Tregoning property is required at the time the application for a coastal development use permit is made.

Based on the above analysis that Road Segment 13 of Highway One would not drop below Level of Service (LOS) E from use of both the existing campground at Jughandle Farm and a future campground on the Tregoning property, the Commission finds that the proposed LUP Amendment for Part A would have no significant adverse effects on Highway One traffic capacity. The improvement of the existing campground at Jughandle Farm (Institute of Man in nature) will require a Coastal Development Permit and the development of a campground at the Tregoning property will require a Coastal Development Use Permit from Mendocino County. Thus, the County will have the opportunity to further review the adequacy of Highway One traffic capacity to serve the campgrounds at the time of review of any coastal development permit application submitted for each facility. Section 20.532.095 of the Mendocino County Coastal Zoning Ordinance, "Required Findings for all Coastal Development Permits," requires that proposed development be provided with adequate utilities and public services must be adequate to serve the proposed development, which includes traffic capacity. Detailed traffic analyses will need to be conducted and impact findings made prior to the approval of either campground. Additionally, any use permit for a conditional campground at the Tregoning site would be appealable to the Commission. Therefore, the Commission finds that Par A of the proposed LUP Amendment is consistent with Coastal Act Sections 30254 and 30250(a) regarding impacts to Highway One traffic capacity.

The portion of the proposed amendment affecting Part B (Mayes) would change the land use designation from FL to RR-10 of an 8.2-acre strip of land (a former airstrip) to match with existing zoning. This additional acreage in the RR-10 designation would theoretically allow subdivision into two parcels with one dwelling on each to be considered (the LCP limits the number of residences to one unit per parcel), although whether such a division would be permitted given the parcel configuration is unknown. A traffic analysis was not submitted for this portion of the amendment. However, the increased development potential of the site would be no more than one additional allowable residence. The site is located at the extreme eastern edge of the coastal zone, several miles from Highway 1. An alternate road, 10 Mile Road/ Eureka Hill Road, which parallels Highway One on the top of the ridge, runs from Point Arena to Gualala, the two closest commercial centers. Future occupants of a potential additional residence will not need to use Highway One for local trips.

Based on the facts that the number of potential new parcels is only one, that the site is on the extreme eastern edge of the coastal zone, and an alternate roadway exists for local trips, the Commission finds that

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the proposed LUP Amendment for Part B would not have significant adverse effects on Highway One traffic capacity and is consistent with Coastal Act Sections 30254 and 30250(a).

E. Visitor Serving Facilities

Coastal Act Section 30222 states that the use of private lands suitable for visitor serving commercial recreation facilities shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. Coastal Act Section 30213 states that lower cost visitor recreation facilities shall be protected and encouraged.

The two properties encompassed in Part A of the amendment, Tregoning and Jughandle Farm (Institute of Man in nature), that would potentially allow for campgrounds, i.e. low-cost visitor-serving recreational facilities, would retain their base land use designations (Jughandle Farm-Remote Residential, Tregoning-Agriculture). Since the Tregoning property is designated as Agriculture, Section 30222 of the Coastal Act specifically instructs that agricultural use of the site has priority over a conditionally permissible campground. However, as stated above any future campground development at the site will require a Coastal Development Use Permit from the County. As discussed in the Agricultural findings above, the County may approve this permit only if required agricultural land impact findings are made, pursuant to LCP policies, which take into account Sections 30241 and 30242 of the Coastal Act. Therefore, the Commission finds that proposed LUP amendment Part A is consistent with Coastal Act Sections 30222 and 30213.

D. Environmentally Sensitive Habitat Areas

Coastal Act Section 30240(a) states that 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. Section 30240(b) states that 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 30231 states that the biological productivity and the quality of coastal streams shall be maintained, that natural vegetation buffer areas that protect riparian habitats should be maintained, and that alteration of natural streams shall be minimized.

Regarding the proposal for Part A of the amendment (Tregoning/Institute of Man in nature), private consultants conducted preliminary field surveys at the two properties (See Exhibit 5). At the Tregoning site, only a portion of the southern area was surveyed. No rare or endangered species were found. There are three creeks/drainages on the parcel, but there are numerous areas where a future campground could be developed without encroaching to within 100 feet of the creeks and drainages. The consultant concluded that given the large size and previous degradation of the parcel from intensive farming, the distance of the proposed area from the streams and riparian areas, and the lightness of the impact from the proposed camping area, any conditionally permissible campground would have no potential significant impacts on ESHA. Regarding the Jughandle Farm (Institute of Man in nature) portion of Part A of the amendment, the preliminary biological survey concluded that the current habitat on the property has been degraded from past land use activities, is of poor quality for rare plants, and supports no riparian or

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wetland ESHA resources. A watercourse running along the southeastern portion of the property supporting riparian vegetation was found to be more than 150 feet from the camping area. Based on the preliminary survey findings, the consultant concluded that any conditionally permissible campground would have no impact on ESHA resources.

Surveys on both properties were preliminary in nature, and more detailed findings on ESHA impacts will be needed at the development stage. Improvement of the campground at Jughandle Farm (Institute of Man in nature) will require a Coastal Development Permit, and the development of a conditional campground on the Tregoning property will require a Coastal Development Use Permit from Mendocino County. The proposed developments will need to be evaluated to ensure their full compliance with the Mendocino County ESHA policies prior to approval of the permits. Therefore, the Commission finds that the portion of the LUP Amendment for Part A is consistent with Section 30240 and 30231 of the Coastal Act.

Regarding the proposal for Part B of the amendment (Mayes), there is no ESHA on the site. In addition, any future development on the site would require a Coastal Development Permit, which would need to be evaluated for its full conformance with the LCP ESHA policies. Therefore, the Commission finds that the LUP Amendment for Part B is consistent with section 30240 and 30231 of the Coastal Act.

F. Forest Lands

Coastal Act Section 30243 states that the long term productivity of soils and timberlands shall be protected, and that conversions of commercially viable timberlands to non-timber uses shall be limited to providing for necessary timber processing and related facilities.

The proposal for Part B of the amendment (Mayes) would change the coastal plan land use classification of an 8.2 -acre strip of land from Forest Land (FL) to Rural Residential -10 acre minimum (RR-10) to match existing zoning and remove the TPZ (Timber Production Zone) map "dot" symbol from land use maps for the area previously removed from TPZ zoning. The 8.2 -acre strip of land is actually a former airstrip used by the lumber company that previously owned the site, and was not in timber production. Mendocino County staff has indicated that the sparse timber on this site is not commercially viable, and a Commission staff site visit confirmed this fact. Therefore, the Commission finds that the proposed LUP amendment for Part B (Mayes) has no significant adverse effects on timberlands, would not result in the conversion of commercially viable timberlands to other uses, and is in conformance with Coastal Act Section 30243.

G. Designation of *3C to Tregoning APN 118-020-19

Since the County submitted the LCP amendment to the Commission for certification, the County has received an application submitted by Mr. Tregoning for issuance of certificates of compliance (COCs) that would recognize his property as consisting of two legal parcels. One parcel would be approximately 12.6 acres in size and would be to the north of the other parcel, which would be 27 acres in size. The two parcels that may potentially be recognized under the proposed COCs happen to coincide with the land areas described in the Mendocino County Assessor's Parcel Maps as APNs 017-250-30 (the northerly parcel) and APN 118-020-19 (the

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southerly parcel). Multiple assessor's parcel numbers can apply to one legal parcel. The currently certified LUP map applies an *3C overlay designation to the entire Tregoning property, i.e. both APN 017-250-30 and APN 119-020-19. If COCs are issued that recognize that the property consists of two separate legal parcels, confusion would be created as to whether the designation applies to each of the two Tregoning parcels or to just one, and if the designation is meant to apply to just one, which of the two parcels receives the designation.

To avoid confusion over how to interpret the *3C overlay, the Commission attaches Suggested Modification No. 1. This suggested modification directs the County to revise the Land Use Plan map to apply the *3C designation only to the southern portion of the property that is described as APN 118-020-19. This is the portion of the property where Mr. Tregoning hopes to develop the campground, and where some biological and soil surveys were conducted that preliminarily indicate development of a campground on the Tregoning property would not adversely affect certain biological resources. County staff indicates that it does not object to such a modification. In addition, as stated above, detailed site and project specific analyses on these issues will need to be conducted during the review of coastal development permit applications for any campground facility. The designation called for by the suggested modification is depicted graphically in Exhibit 11 of the staff recommendation.

As the County has not completed action on the application for the COCs, it is unclear whether two or one legal parcel actually exist at this time. However, applying the *3C designation as directed in the suggested modification to the southern portion of the property within the area described as APN 118-020-19 would not be problematic even if it is determined that the Tregoning property consists of only one legal parcel. The Visitor Accommodations and Services Overlay designations are considered to apply to the whole of a legal parcel and not to a portion of the parcel. Regardless of where the overlay designation symbol appears on the land use plan map, the designation applies to the entire legal parcel. Thus, if the Tregoning property consists of just one legal parcel described by two assessor's parcel numbers as had been assumed to be the case up to now, the *3C designation would apply to all portions of the parcel, including the portion described as APN 017-250-30.

Therefore, the LUP as modified would avoid potential questions of interpretation as to which specific area of land the designation is meant to apply in the event that the pending COCs are issued and demonstrate that the property to which the *3C is proposed to be applied actually consists of two separate legal parcels.

IV. IMPLEMENTATION PLAN FINDINGS:

Regarding Part A of the amendment (Tregoning/Institute of Man in nature) the proposal would rezone a 33-acre property (APN 017-250-32) owned by the Institute of Man in nature (Jughandle Farm) by adding a *3 designation (Campground and/or RV Campground or Hostel, a Visitor Accommodations and Services Combining District Principal Permitted Use), while retaining the RMR-20 (Remote Residential-20 acre minimum) classification. It would also rezone the 39.6 acre adjacent property (APNs 017-250-30 and 118-020-19) owned by Tregoning by changing the existing *3 designation to an *3C designation (Campground and/or RV Campground or Hostel, a

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Visitor Accommodations and Services Combining District – Conditional Facility). In both cases, the proposed zoning districts allow for the same range of principally permitted and conditional uses as the LUP designations that apply to the property as amended.

As discussed in the findings above for certification of the LUP amendment, the County is currently reviewing an application for certificates of compliance to recognize the Tregoning property as consisting of two legal parcels. If COCs are issued that recognize that the property consists of two separate legal parcels, confusion could be created as to whether the existing LUP map *3C designation is intended to apply to each of the two Tregoning parcels or to just one, and if the designation is meant to apply to just one, which of the two parcels receives the designation. As modified by Suggested Modification No. 1, the *3C overlay designation would be specified as applying to APN 118-020-19, the southern portion of the Tregoning property, one of the two parcels that Mr. Tregoning is asking be recognized through a COC. To ensure that the proposed amendment to zoning map conforms with and carries out the LUP map as modified, the Commission imposes Suggested Modification No. 2. Suggested Modification No. 2 directs that the County adopt a zoning ordinance to apply the *3C designation to the portion of the property described as APN No. 118-020-19.

Therefore with respect to Part A, the Commission finds that as modified by Suggested Modification No. 2, the proposed Implementation Plan amendment conforms with and carries out the land use plan as modified.

Regarding Part B of the amendment (Mayes), this portion of the LCP amendment does not include any proposed changes to the Implementation Plan. The changes to the LUP map designation from FL to RR-10 will match the current RR-10 zoning designation for this site. Therefore, with respect to Part B (Mayes), the existing Implementation Plan is in conformance and will adequately carry out the LUP as amended.

V. California Environmental Quality Act (CEQA):

In addition to making a finding that the amendment is in full compliance with the Coastal Act, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) of the Public Resources Code requires that the Commission not approve or adopt an LCP:

...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects, which the activity may have on the environment.

As discussed in the findings above, Part A and Part B of the amendment request as modified is consistent with the California Coastal Act and will not result in significant environmental effects within the meaning of the California Environmental Quality Act.

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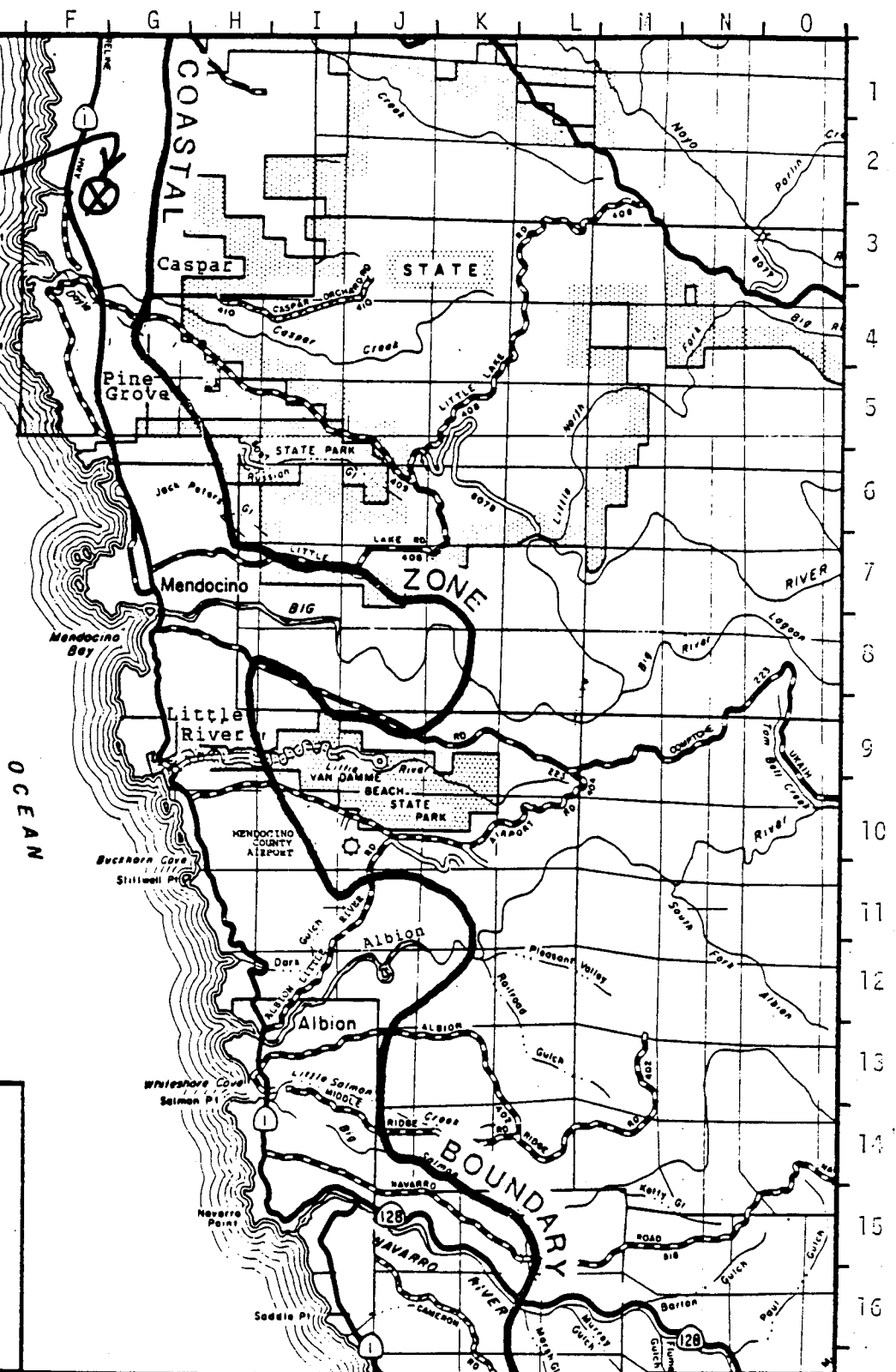
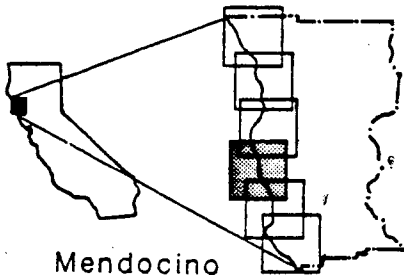
Exhibits:

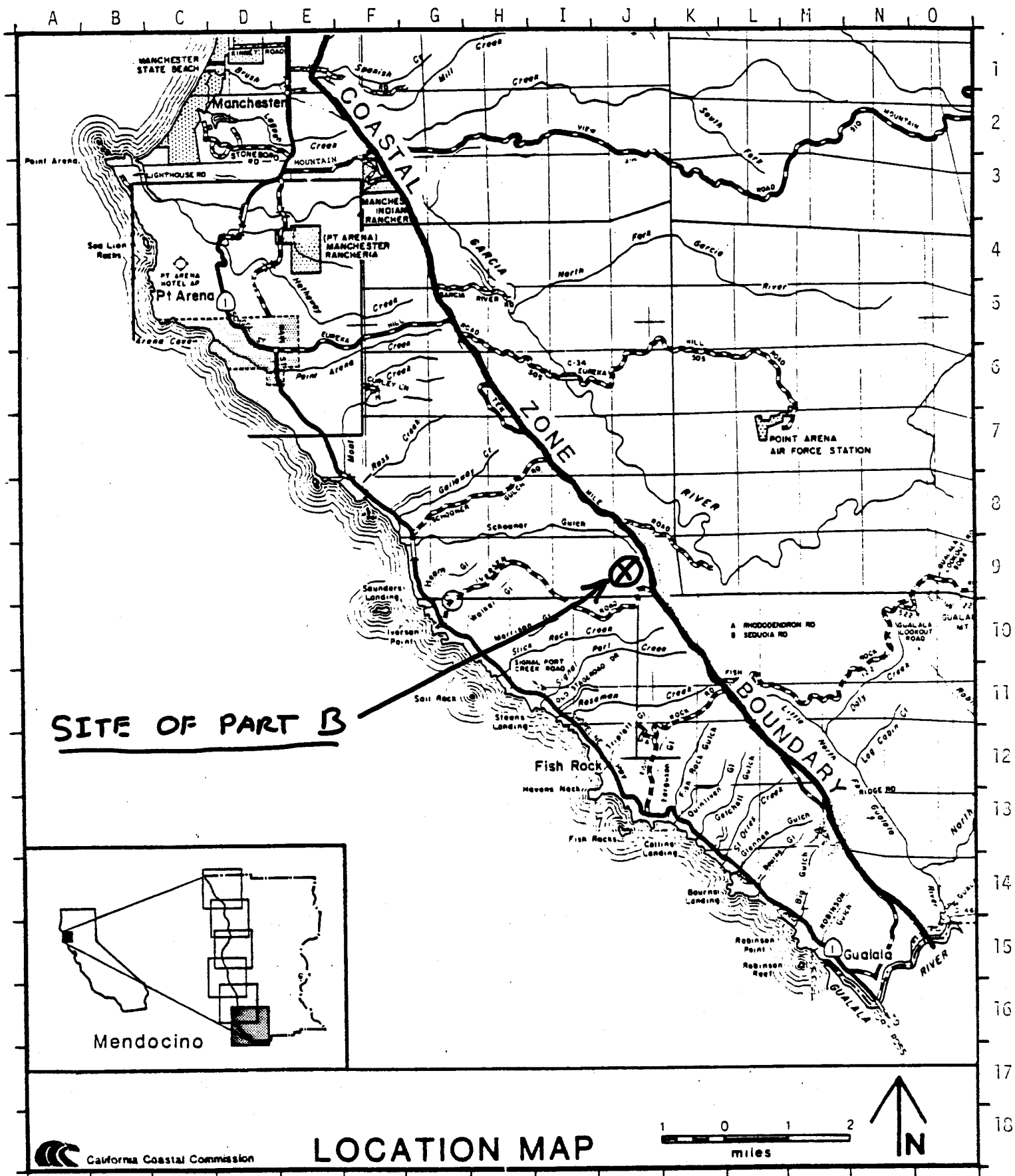
1. Regional Location Map
2. County Resolution of Transmittal
3. County Resolution and Ordinance for Part A (Tregoning/California Institute of Man in nature)
4. Location Map for Part A (Tregoning/California Institute of Man in nature)
5. Preliminary Biological Surveys for Part A (Tregoning/California Institute of Man in nature)
6. Preliminary Soil Surveys for Part A (Tregoning/California Institute of Man in nature)
7. County Resolution for Part B (Mayes)
8. Location Map for Part B (Mayes)
9. LUP map change for Part B (Mayes)
10. Prior Commission staff correspondence regarding Part B (Mayes)
11. Tregoning *3C designation as modified (Part A Tregoning/California Institute of Man in Nature)

SITE OF
PART A

EXHIBIT NO. 1
APPLICATION NO.
MEN-MAJ-1-02
REGIONAL LOCATION
MAP

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MINUTE ORDER
BOARD OF SUPERVISORS
COUNTY OF MENDOCINO STATE OF CALIFORNIA

EXHIBIT NO. 2

APPLICATION NO.

MEN-MAJ-1-02

RESOLUTION OF
TRANSMITTAL

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DATE: May 14, 2002

SUPERVISORS PRESENT: Supervisors Delbar, Shoemaker, Lucier, Campbell, Colfax

SUPERVISORS ABSENT: None

10D. PLANNING MATTERS

- 3) **2002 North and South of Navarro River Coastal Zone Cleanup Amendments (Consisting of the aforementioned Projects):**
(Continued from April 23, 2002)

THE PUBLIC HEARING WAS OPENED AND SUBSEQUENTLY CLOSED as no one present wished to address the item. *(See motion above establishing proper notice).*

Upon motion by Supervisor Campbell, seconded by Supervisor Delbar, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the 2002 North and South of Navarro River Coastal Clean-Up Group, consisting of GP 11-2001, GP 12-2001, GP 1-2002 and GP 2-2002 and related projects R 12-2001, R 13-2001 and R 1-2002, for submittal to the Coastal Commission, based on the following:

1. Environmental Finding: An Initial Study has been prepared concluding that no significant unmitigated environmental impacts will occur as the result of the approval of the 2002 North and South of Navarro River Coastal Clean-Up Amendment Group and related amendments; and
2. General Plan Finding: The proposed projects are consistent with the General Plan and Local Coastal Program and are in the public interest as stated in the project record.

Further, the Board adopts the following Resolutions and Ordinances, which shall become effective upon approval by the California Coastal Commission without suggested modification:

RESOLUTION NO. 02-101

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TO AMEND THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (GP 11-2001 -- HANNA/DICKSON/MENDOCINO COUNTY)

RESOLUTION NO. 02-102

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TO AMEND THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (GP 12-2001)



RESOLUTION NO. 02-103

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TO AMEND THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (GP 1-2002)

RESOLUTION NO. 02-104

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TO AMEND THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (GP 2-2002)

ORDINANCE NO. 4094

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY (R 12-2001)

ORDINANCE NO. 4095

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY (R 13-2001)

ORDINANCE NO. 4096

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY (R 1-2002)

STATE OF CALIFORNIA)
) ss.
COUNTY OF MENDOCINO)

I, KRISTI FURMAN, Clerk of the Board of Supervisors, in and for the County of Mendocino, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 23rd day of May, 2002.

KRISTI FURMAN
Clerk of the Board of Supervisors

By: Sindi Billingsfield
Deputy

RESOLUTION NO. 02-102

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF MENDOCINO TO AMEND THE LOCAL COASTAL PROGRAM FOR
MENDOCINO COUNTY (#GP 12-2001 - CALIFORNIA INSTITUTE OF MAN IN
NATURE/TREGONING/MENDOCINO COUNTY)

WHEREAS, the County of Mendocino has adopted a Local Coastal Program, and

WHEREAS, the Local Coastal Program has been certified by the California Coastal Commission, and

WHEREAS, an application has been submitted to the County requesting amendment of the County's Local Coastal Program, and

WHEREAS, the County Planning Commission has held a public hearing on the requested amendment and submitted its recommendation to the Board of Supervisors, and

WHEREAS, the Board of Supervisors has held a public hearing on the requested amendment and has determined that the Local Coastal Program should be amended,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino adopts #GP 12-2001 amending the Local Coastal Program as shown on attached Exhibits A and B.

BE IT FURTHER RESOLVED, that Planning and Building Services staff is directed to include the amendment proposed herein in the next submittal to be made to the California Coastal Commission for certification, and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after the California Coastal Commission approves the amendment without suggested modification. In the event that the California Coastal Commission suggests modifications, the amendment shall not become effective until after the Board of Supervisors of the County of Mendocino accepts any modification suggested by the California Coastal Commission and formally adopts the proposed amendment.

BE IT FURTHER RESOLVED, that the Local Coastal Program, as is proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

BE IT FURTHER RESOLVED, that in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied. This resolution shall remain operative and binding for those amendments proposed herein that are certified by the California Coastal Commission.

EXHIBIT NO. 3

APPLICATION NO.

MEN-MAJ-1-02

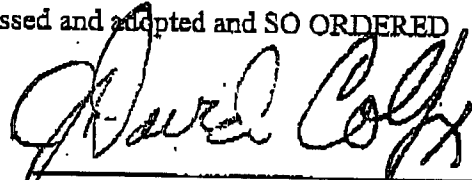
PART A, RESOLUTION
& ORDINANCE

(Page 1 of 6)

The foregoing Resolution was introduced by Supervisor Campbell, seconded by Supervisor Delbar and carried this 14 day of May, 2002 by the following roll call vote:

AYES: Supervisors Delbar, Shoemaker, Lucier, Campbell, Colfax
NOES: None
ABSENT: None

Whereupon the Chairman declared said Resolution passed and adopted and SO ORDERED


Chairman, Board of Supervisors

ATTEST: KRISTI FURMAN
Clerk of the Board

By: Kristi Furman

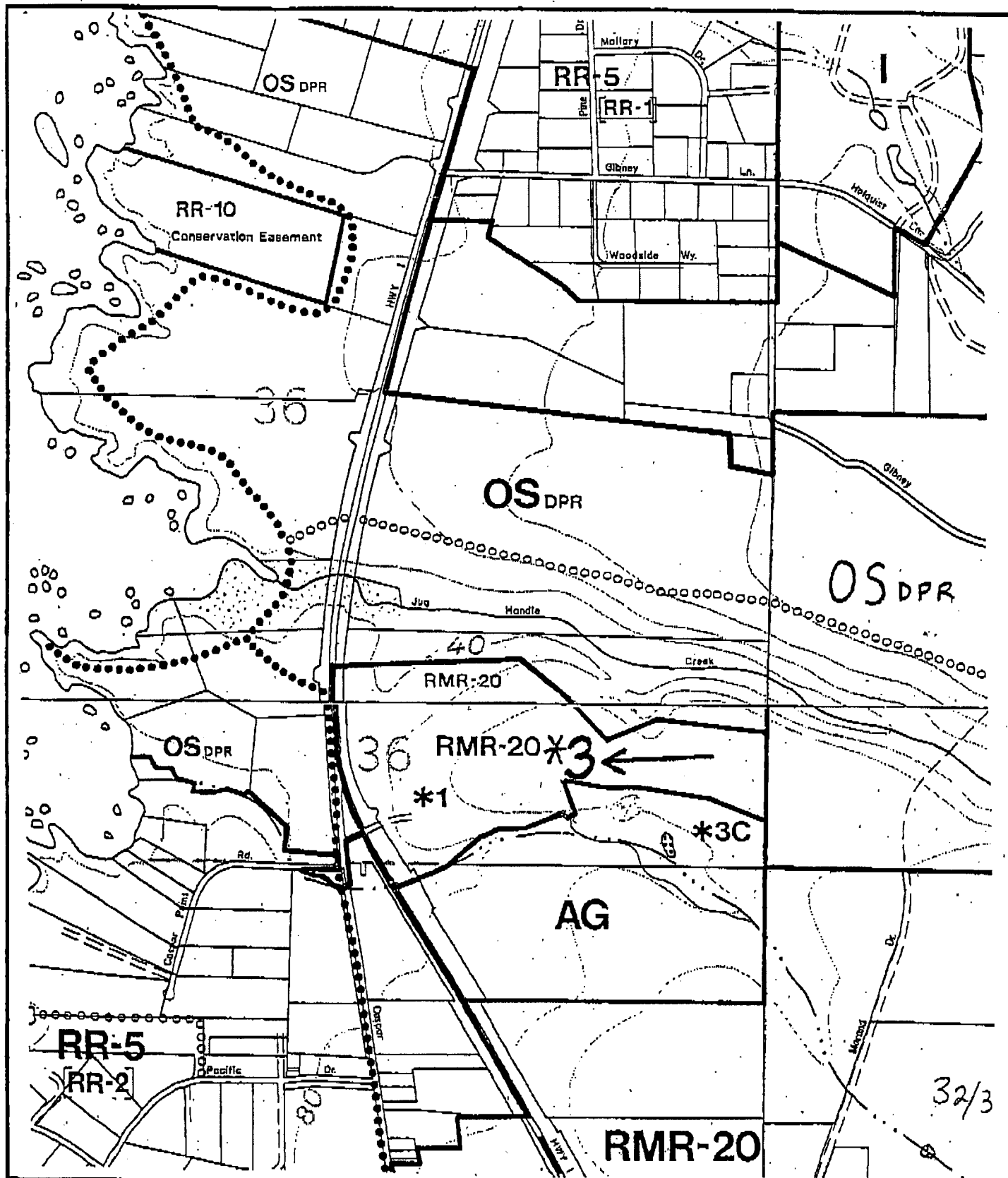
#GP 12-2001 -- CALIFORNIA INSTITUTE OF MAN IN NATURE/TREGONING/MENDOCINO COUNTY

Whereby certifying that according to the provisions of Government Code Section 25103, delivery of this document has been made.

KRISTI FURMAN
Clerk of the Board

By: Kristi Furman

DEPUTY



CASE: GP 12-2001	OWNER: Tregoning; Ca Institute Man in Nature;	APPLICANT: Mendocino County	↑ North
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A/P NUMBER 1 17-250-30, 32	COASTAL LAND USE MAP
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#GP 12-01

Amend the Coastal Element Text as follows:

Page 172:

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

Two ~~Three~~ sites have been designated for conditional uses. They are located at Russian Gulch State Park, south of Jug Handle Farm and at the Pt. Cabrillo Cottages and Campground. In addition, several visitor services are located in the Rural Village of Caspar, but have not been designated on the land use map.

Amend the Coastal Element Text, Appendix A10-1 as follows:

Jug Handle Farm	*1,*3, RMR-20	17-250-30 17-250-32	12
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EXHIBIT B

ORDINANCE NO. 4095

AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

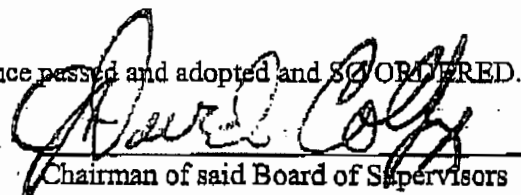
Said zoning change encompasses the property described by Assessor's Parcel Number 117-250-30 which is reclassified from AG - *3 (Agricultural District - Visitor Accommodations and Services Combining District *3) to AG - *3C (Agricultural District - Visitor Accommodations and Services Combining District *3C) and Assessor's Parcel Number 117-250-32 which is reclassified from RMR - *1 (Remote Residential District: 20 acres - Visitor Accommodations and Services Combining District *1) to RMR - *1:*3 (Remote Residential District: 20 acres - Visitor Accommodations and Services Combining District *1 and Visitor Accommodations and Services Combining District *3), more particularly shown on the attached Exhibit "A."

This Ordinance shall not become effective or operative until the California Coastal Commission approves said zoning change without suggested modifications.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 14 day of May, 2002, by the following vote:

AYES	Supervisors Delbar, Shoemaker, Lucier, Campbell, Colfax
NOES:	None
ABSENT:	None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.


Chairman of said Board of Supervisors

ATTEST: KRISTI FURMAN
Clerk of said Board

By 

CASE#: #R 13-2001

OWNER: CALIFORNIA INSTITUTE OF MAN IN NATURE/TREGONING

hereby certifies that according to the
provisions of Government Code
Section 25103, delivery of this
document has been made.

KRISTI FURMAN
Clerk of the Board

By: 
DEPUTY

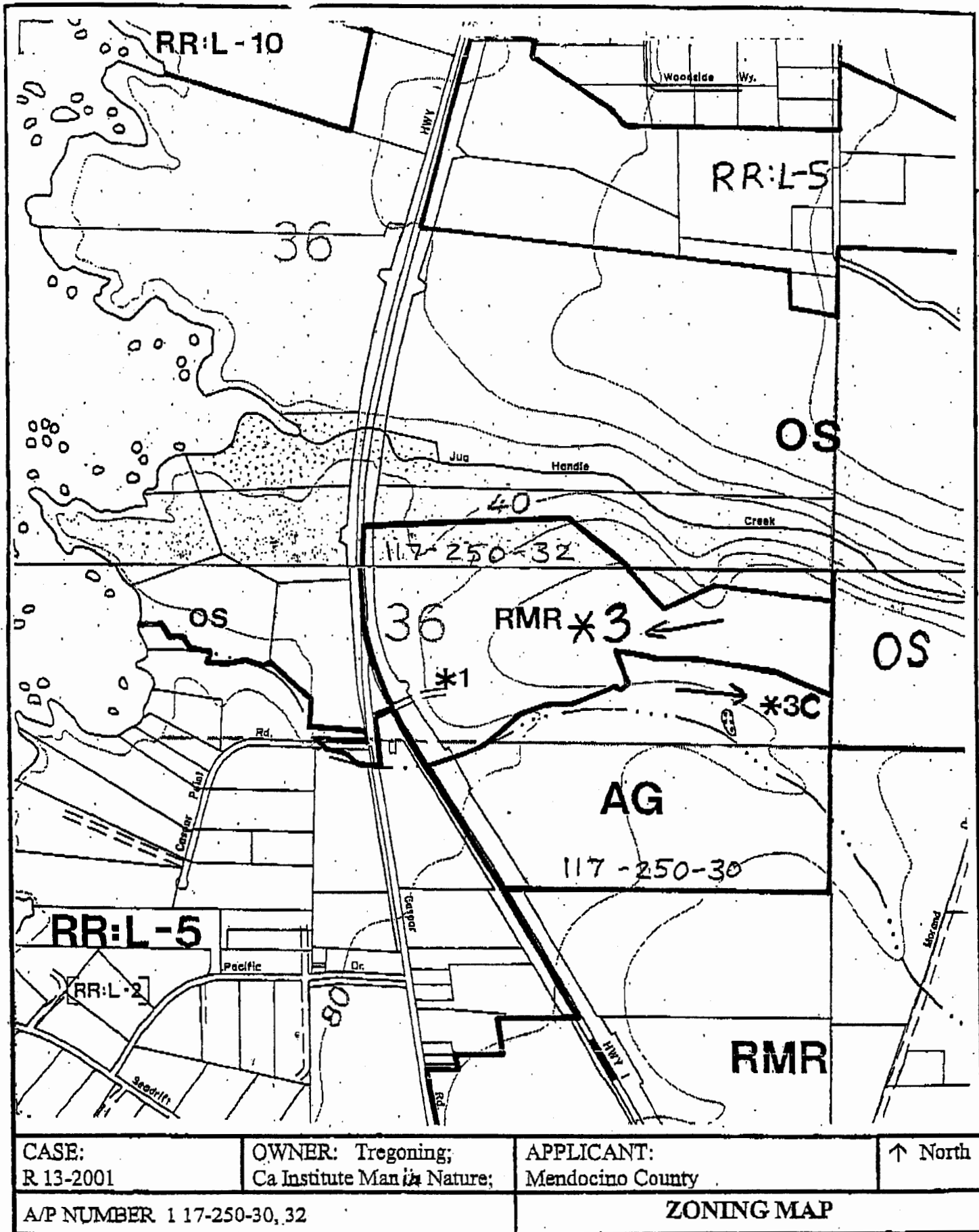
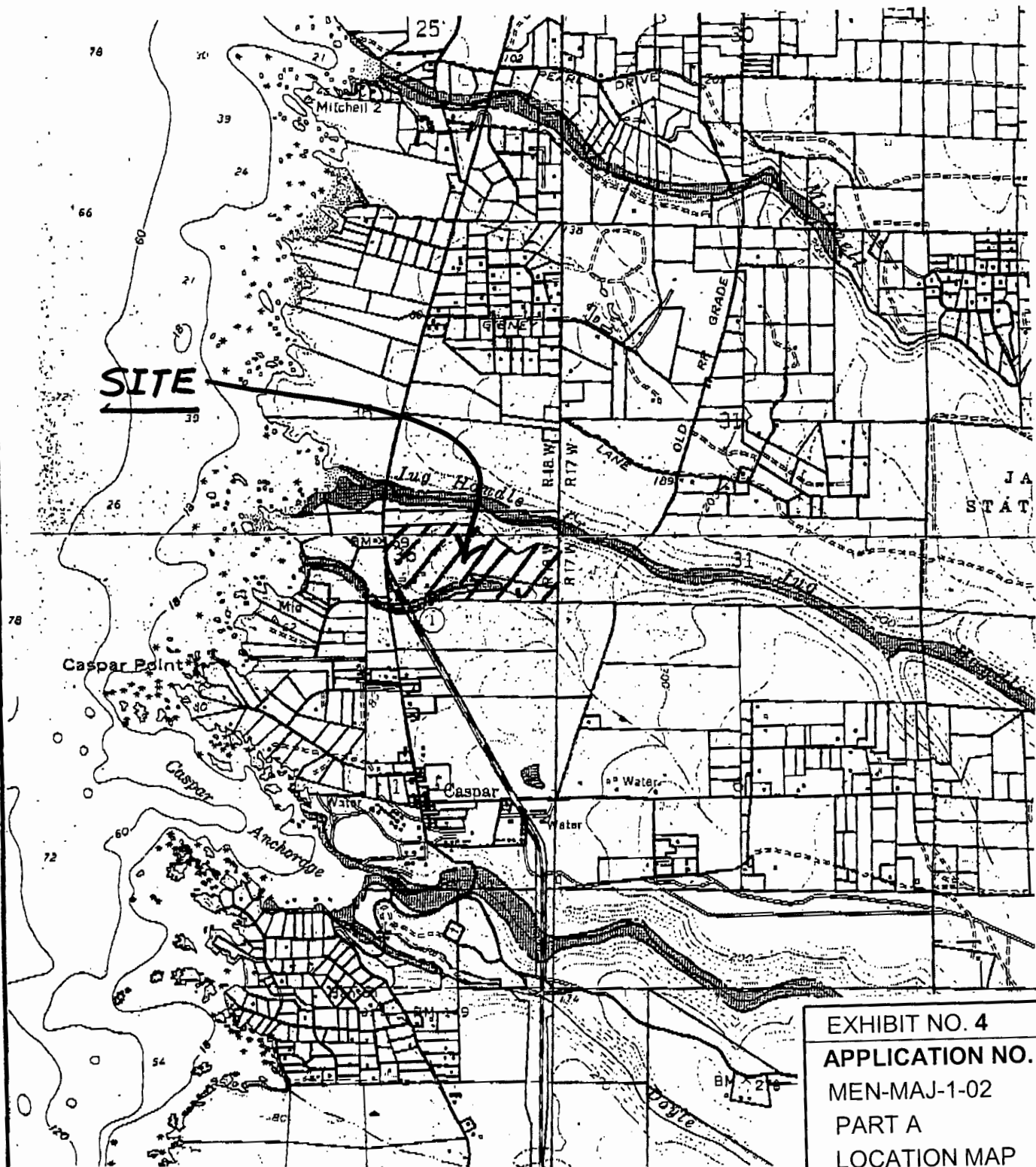


EXHIBIT A

6 of 6



CASE: GP 12-2001/R 13-2001	OWNER: Tregoning; Ca Institute Man & Nature;	APPLICANT: Mendocino County	↑ North
A/P NUMBER 1 17-250-30, 32			LOCATION MAP

B24

Botanical Survey for:
Stuart Tregoning
P.O. Box 63
Caspar, CA 95420
964-7815

For A.P.N. 118-02-19
Located at:
15401 Hwy 1 N.
Caspar, CA 95420

Survey by
Alison Gardner
Box 838
Albion, CA 95410
937-5201

Field work done on Aug. 12, 2004.

Description of Parcel

The 27 acre parcel is in Closed Cone Pine Forest, but much of it is open meadow, which has a long history of being intensively farmed, which has probably contributed to the marked lack of diversity and predominance of introduced species I saw in the grassland vegetation. There are three creeks/drainages on the parcel, but none (including their riparian vegetation) are within 100' of the proposed camping area. Because of the size of the parcel I surveyed only the area in which the owner plans to allow camping, and a 100' buffer around this zone.

Rare and Endangered Species

I found no rare or endangered species.

Environmentally Sensitive Habitat Areas

There is a creek, a drainage from a spring and a seasonal drainage on the parcel, but the waterways and their riparian zones are more than 100' from the project area. (The nearest riparian vegetation is 180' from the proposed camping area.)

EXHIBIT NO. 5
APPLICATION NO.
MEN-MAJ-1-02
PART A
BIOLOGICAL SURVEYS
(Page 1 of 7)

-1-

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Ukiah, CA 95482

Plant List

Binomial	Common Name	Native?
<i>Pinus radiata</i>	Monterey Pine	no
<i>Pteridium aquilinum</i> var. <i>pubescens</i>	Bracken Fern	yes
<i>Rubus ursinus</i>	California Blackberry	yes
<i>Ulex europaeus</i>	Gorse	no
<i>Briza major</i>	Rattlesnake Grass	no
<i>Danthonia pilosa</i>	Australian Oat Grass	no
<i>Vulpia</i> sp.	Vulpia	no
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	no
<i>Agrostis capillaris</i>	Colonial Bent Grass	no
<i>Plantago lanceolata</i>	Common Plantain	no
<i>Senecio jacobaea</i>	Tansy Ragwort	no
<i>Poa kelloggii</i>	Kellogg's Bluegrass	yes
<i>Dactylis glomerata</i>	Orchard Grass	no
<i>Hypochoeris radicata</i>	Coast Dandelion	no
<i>Cotoneaster</i> sp.	Cotoneaster	no
<i>Prunella vulgaris</i>	Self Heal	yes
<i>Leontodon taraxacoides</i>	Hawkbit	no
<i>Rumex acetosella</i>	Sheep Sorrel	no
<i>Lonicera hispidula</i>	Twining Honeysuckle	yes
<i>Holcus lanatus</i>	Velvet Grass	no
<i>Aira caryophyllea</i>	Silver European Hairgrass	no
<i>Bromus hordeaceus</i>	Soft Chess	no
<i>Linum usitatissimum</i>	Common Flax	no
<i>Danthonia californica</i>	California Oatgrass	yes
<i>Trifolium subterraneum</i>	Subterranean Clover	no

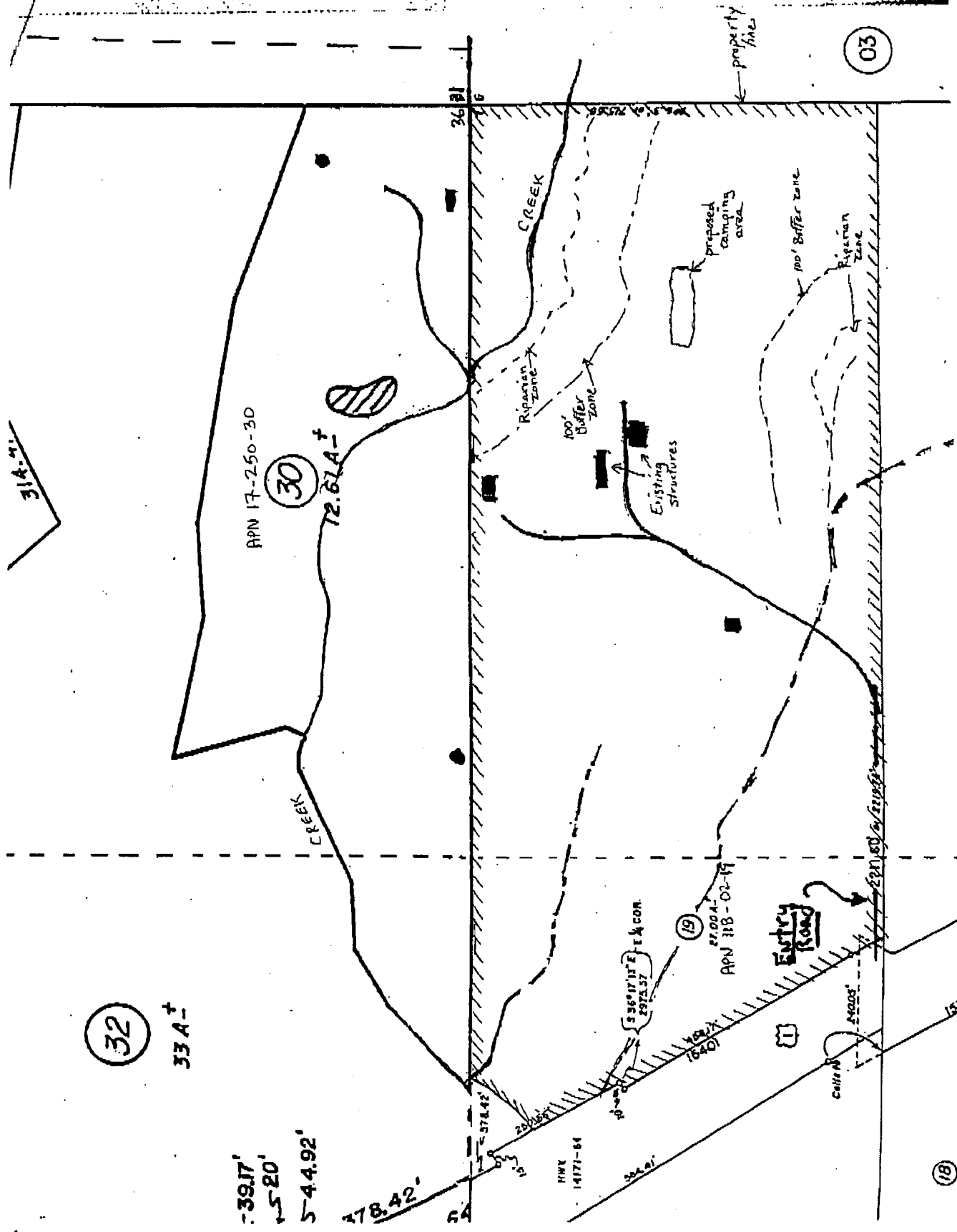
<i>Lupinus arboreus</i>	Bush Lupine	yes
<i>Avena sativa</i>	Slender Wild Oats	no
<i>Brodiaea sp.</i>	Brodiaea	yes
<i>Medicago polymorpha</i>	Bur Clover	no
<i>Bromus diandrus</i>	Ripgut	no
<i>Eschscholtzia californica</i>	California Poppy	yes
<i>Stachys ajugoides var. rigida</i>	Horse Mint	yes
<i>Soliva sessilis</i>	Soliva	no
<i>Sonchus asper</i>	Prickly Sow Thistle	no
<i>Anagallis arvensis</i>	Scarlet Pimpernel	no
<i>Pinus muricata</i>	Bishop Pine	yes
<i>Briza minor</i>	Miniature Rattlesnake Grass	no
<i>Cirsium vulgare</i>	Bull Thistle	no
<i>Lithocarpus densiflorus</i>	Tan Oak	yes
<i>Elymus glaucus</i>	Blue Wild Rye	yes
<i>Sisyrinchium californicum</i>	Golden-eyed Grass	yes
<i>Cytisus scoparius</i>	Scotch Broom	no
<i>Aira praecox</i>	European Hairgrass	no
<i>Silene gallica</i>	Catch-fly	no
<i>Vicia sp.</i>	Vetch	

Conclusion:

Given the large size and previous degradation of the parcel, the distance of the proposed use area from the streams and riparian areas, and the lightness of the impact from the proposed camping area, I would not expect any significant botanical degradation of the parcel or the E.S.H.A.'s.

Alison Gardner
10-26-04

Vegetation Map
prepared by
Allison Gaudin
10-26-04



Lost Coast Consulting
P.O. Box 4351
Arcata, California 95518
Ph. (707) 272-4496

September 2, 2004

Bob Merrill
California Coastal Commission
P.O. Box 4908
Eureka, CA 95502-4908

RE: LCP amendment to conform the Local Coastal Plan Text, Land Use Map classifications, and Zoning maps to recognize and existing campground on property owned by California Institute of Man (Jug Handle Creek Farm and Nature Center)(*3) APN 17-250-32, 15501 North Hiway One, Caspar, CA 95420

Dear Mr. Merrill,

On the 28th of June 2004, I visited the Jug Handle Creek Farm at the request of Helene Chalfin, the Executive Director. The purpose of my visit was to conduct a preliminary botanical and wetland survey as requested by the California Coastal Commission in part B of the submittal referred to as the North and South of Navarro River Coastal Clean-up Amendment Group. The preliminary field survey sought to identified potential environmentally sensitive habitat areas (ESHA) (California coastal Commission 1981) that included rare plant, riparian, sand dune, wetland, pygmy and pygmy-type habitats (Mendocino County Department of Planning and Building Services 1985/1991).

During the survey I spent approximately two and a half hours walking the existing and proposed campground area making notes of the plant communities and searching for rare plant, riparian, and wetland ESHA resources. Habitat at the site consisted of coastal prairie (Holland 1986) dominated by introduced perennial grassland vegetation (Sawyer and Keeler-Wolfe 1995) and surrounded by Monterey pines (*Pinus radiata*). The current habitat has been degraded from past land use activities and is of poor quality for rare plants and supports no riparian or wetland ESHA resources. An unnamed watercourse (riparian habitat) runs along the southeastern portion of the property. The riparian vegetation is greater than 150 feet from the campground area and should not be significantly impacted by campground activities.

Preliminary survey findings indicate that the proposed campground improvements will have no impact on rare plant, riparian, and wetland ESHA resources. Please feel free to contact me with any questions.

Sincerely,



Matt Richmond
Botanist/Wetland Specialist
Lost Coast Consulting

Enclosures: Literature cited, site map (plot plan)

Cc: H. Chalfin: P. Townsed

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SEP 07 2004

BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

5 of 7

Literature Cited

California Coastal Commission, *Statewide Interpretive Guidelines*, February 4, 1981.

Holland, R.F. 1986. *Preliminary Descriptions of the Terrestrial Plant Communities of California*. Unpublished report. State of California, The Resources Agency, Department of Fish and Game, Natural Heritage Division, Sacramento, CA.

Mendocino County Department of Planning and Building Services. 1985. *Mendocino County General Plan Coastal Element*. Revised March 11, 1991. Ukiah, CA.

Sawyer, J.O. and T. Keeler-Wolf. 1995. *A Manual of California Vegetation*. California Native Plant Society Press, Sacramento, CA.

CARL RITTIMAN AND ASSOCIATES, INC.
CERTIFIED PROFESSIONAL SOIL SCIENTISTS
P.O. BOX 1700
MENDOCINO, CA 95460

EXHIBIT NO. 6

APPLICATION NO.

MEN-MAJ-1-02

PART A

SOIL SURVEYS

(Page 1 of 4)

Pam Townsend
Mendocino County Department of Planning and Building Services
501 Low Gap Rd., Room 1440
Ukiah, CA 95482

Date: 12/10/04

Re: 15401 N. Highway 1, Caspar, APN 118-02-19; S. Tregoning

Pam,

I have been asked by Stuart Tregoning to comment on the soil and water resources with respect to a potential campground development at the above referenced site. My understanding is that a campground with on-site sewage disposal and an on-site water system is being considered for the parcel.

The area of the planned campground was included in the Soil Survey of Mendocino County, Western Part, 1993. I have included a map of the project area with the soil mapping unit delineations transferred from the soil survey. The soil mapping unit descriptions from the soil survey are also included.

The project is covered by soil-mapping unit 117, Cabrillo-Heeser complex, 0 to 5 percent slopes and map unit 214, Tropaeuets, 0 to 15 percent slopes. The campground development will be located in map unit 117 as shown on the attached site map.

The Cabrillo soils are very deep and somewhat poorly drained with a seasonal water table at 30 to 48 inches below the soil surface in the winter. The Heeser soils are very deep and somewhat excessively drained. Both soils in this mapping unit have been rated as having slight limitations for development of camp areas and picnic areas. A slight rating means that the soil properties are generally favorable and that limitations are minor and easily overcome. These soils have been rated as having severe limitations for use for septic tank absorption fields. For the Cabrillo soils this rating is due to the seasonal soil wetness and relatively slow percolation rates. For the Heeser soils the severe rating is due to the poor filtration capacity of the sandy subsoils. A severe rating means that soil properties are unfavorable or so difficult to overcome that special design, significant increases in construction costs and possibly increased maintenance are required.

The Tropaeuets soils are very deep and very poorly drained. A seasonal watertable is present from the soil surface to a depth of 60 inches or more in most years. The soils in this mapping unit are too variable to rate for use for campground development or for use for septic tank absorption fields. These soils are located adjacent to watercourses and wetlands and would not be available for any development in the coastal zone,

It is important to realize that this soil survey, which was conducted county wide, was not intended to be a site-specific survey. It is recognized in the soil survey that inclusions of different soil types will be found within the named mapping units. These included soils may have better conditions for use for on-site sewage disposal systems. It is the intent of the site evaluation that leads to the on-site sewage disposal system proposal to identify the specific soils on site that have the highest potential for use for on-site sewage disposal systems.

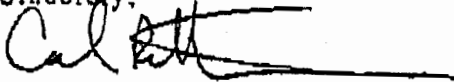
If the soil conditions found at the site are as reported in the soil survey, the site still has reasonable potential to be developed as a campground. An on-site sewage disposal system that incorporates secondary sewage treatment, such as an aerobic treatment unit or sand filter, may be appropriate for these soil conditions.

As far as water availability, the site was considered as a Critical Water Resource zone in the 1982 Mendocino Coastal Ground Water Study conducted by the State of California Department of Water Resources. This rating suggests that water availability may be problematic in the area and that a sustained yield "proof of water test" would be appropriate on any water source designed to serve the campground.

This site has potential to support a campground. Specific site testing of soils and winter groundwater levels would be conducted in order to design any on-site sewage disposal system to serve the campground. Similarly, a sustained yield water test should be conducted in the driest time of year on the proposed water source for the campground to ensure an adequate water supply.

Please feel free to contact me with any questions that you have regarding this project.

Sincerely,



Carl Rittiman, CPSS

Cc: S. Tregoning

CARL RITTIMAN AND ASSOCIATES, INC.
CERTIFIED PROFESSIONAL SOIL SCIENTISTS
P.O. BOX 1700
MENDOCINO, CA 95460

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BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Pam Townsend
Mendocino County Department of Planning and Building Services
501 Low Gap Rd., Room 1440
Ukiah, CA 95482

Date: 10/27/04

Re: LCP Amendment Men Maj 1-02 Jughandle Creek Nature Center

Pam,

I have been asked by representatives of the Jughandle Creek Nature Center to comment on the soil and water resources at the site. My understanding is that a campground with on-site sewage disposal and an on-site water system is planned for the site.

The area of the planned campground was included in the Soil Survey of Mendocino County, Western Part, 1993. I have included a map of the project area with the soil mapping unit delineations transferred from the soil survey. The soil mapping unit descriptions from the soil survey are also included.

The project is dominantly covered by soil-mapping unit 117, Cabrillo-Heeser complex, 0 to 5 percent slopes and map unit 212, Tregoning-Cleone complex, 0 to 5 percent slopes. It is possible that the campground development will be located in one map unit and the on-site sewage disposal system located on another.

The Cabrillo soils are very deep and somewhat poorly drained with a seasonal water table at 30 to 48 inches below the soil surface in the winter. The Heeser soils are very deep and somewhat excessively drained. Both soils in this mapping unit have been rated as having severe limitations for use for septic tank absorptions fields. For the Cabrillo soils this rating is due to the seasonal soil wetness and relatively slow percolation rates. For the Heeser soils the severe rating is due to the poor filtration capacity of the sandy subsoils.

The Tregoning soils are moderately deep to a cemented hardpan and are poorly drained with a seasonal water table at 12 to 30 inches below the soil surface. The Cleone soils are very deep and somewhat poorly drained with a seasonal watertable at 30 to 48 inches below the soil surface in the winter. Both soils in this mapping unit have been rated as having severe limitations for use for septic tank absorption fields due to seasonal wetness.

It is important to realize that this soil survey, which was conducted county wide, was not intended to be a site-specific survey. It is recognized in the soil survey that inclusions of different soil types will be found within the named mapping units. These included soils may have better conditions for use for on-site sewage disposal

systems. It is the intent of the site evaluation that leads to the on-site sewage disposal system proposal to identify the soils on site that have the highest potential for use for on-site sewage disposal systems.

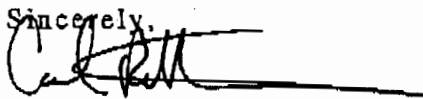
If the soil conditions found at the site are as reported in the soil survey, it still has reasonable potential to be developed as a campground. An on-site sewage disposal system that incorporates secondary sewage treatment, such as an aerobic treatment unit or sand filter, would be appropriate for these soil conditions.

As far as water availability, the site was considered as a Critical Water Resource zone in the 1982 Mendocino Coastal Ground Water Study conducted by the State of California Department of Water Resources. This rating suggests that water availability may be problematic in the area and that a sustained yield "proof of water test" would be appropriate on any water source designed to serve the campground.

The site at the Jughandle Creek Nature Center has potential to support a campground. Specific site testing of soils and winter groundwater levels would be conducted in order to design any on-site sewage disposal system to serve the campground. Similarly, a sustained yield water test should be conducted in the driest time of year on the proposed water source for the campground to ensure an adequate water supply.

Please feel free to contact me with any questions that you have regarding this project.

Sincerely,



Carl Rittiman, CPSS

Cc: A. Evenich

RESOLUTION NO. 02-104

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF MENDOCINO TO AMEND THE LOCAL COASTAL PROGRAM FOR
MENDOCINO COUNTY (#GP 2-2002 - MAYES)**

WHEREAS, the County of Mendocino has adopted a Local Coastal Program, and

WHEREAS, the Local Coastal Program has been certified by the California Coastal Commission, and

WHEREAS, an application has been submitted to the County requesting amendment of the County's Local Coastal Program, and

WHEREAS, the County Planning Commission has held a public hearing on the requested amendment and submitted its recommendation to the Board of Supervisors, and

WHEREAS, the Board of Supervisors has held a public hearing on the requested amendment and has determined that the Local Coastal Program should be amended,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino adopts #GP 2-2002 amending the Local Coastal Program as shown on attached Exhibit A.

BE IT FURTHER RESOLVED, that Planning and Building Services staff is directed to include the amendment proposed herein in the next submittal to be made to the California Coastal Commission for certification, and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after the California Coastal Commission approves the amendment without suggested modification. In the event that the California Coastal Commission suggests modifications, the amendment shall not become effective until after the Board of Supervisors of the County of Mendocino accepts any modification suggested by the California Coastal Commission and formally adopts the proposed amendment.

BE IT FURTHER RESOLVED, that the Local Coastal Program, as is proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

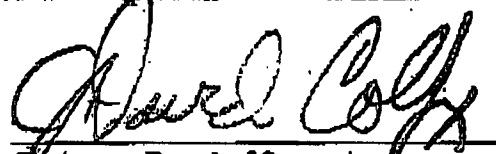
BE IT FURTHER RESOLVED, that in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied. This resolution shall remain operative and binding for those amendments proposed herein that are certified by the California Coastal Commission.

EXHIBIT NO. 7
APPLICATION NO.
MEN-MAJ-1-02
PART B
RESOLUTION
(Page 1 of 3)

The foregoing Resolution was introduced by Supervisor Campbell, seconded by Supervisor Delbar and carried this 14 day of May, 2002 by the following roll call vote:

AYES: Supervisors Delbar, Shoemaker, Lucier, Campbell, Colfax
NOES: None
ABSENT: None

Whereupon the Chairman declared said Resolution passed and adopted and SO ORDERED


Chairman, Board of Supervisors

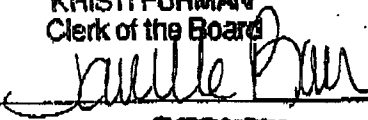
ATTEST: KRISTI FURMAN
Clerk of the Board

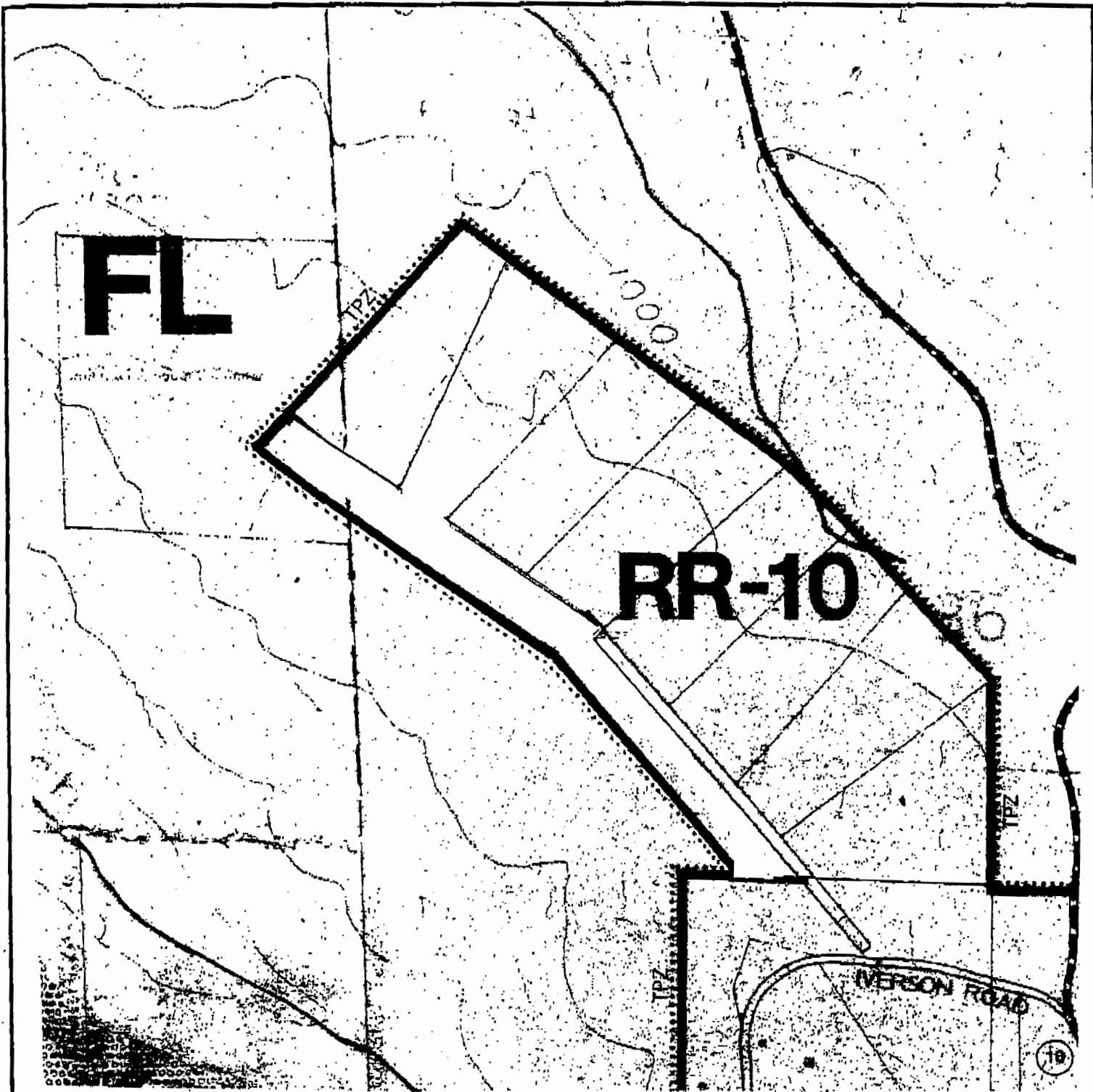
By: 


#GP 2-2002 - MAYES

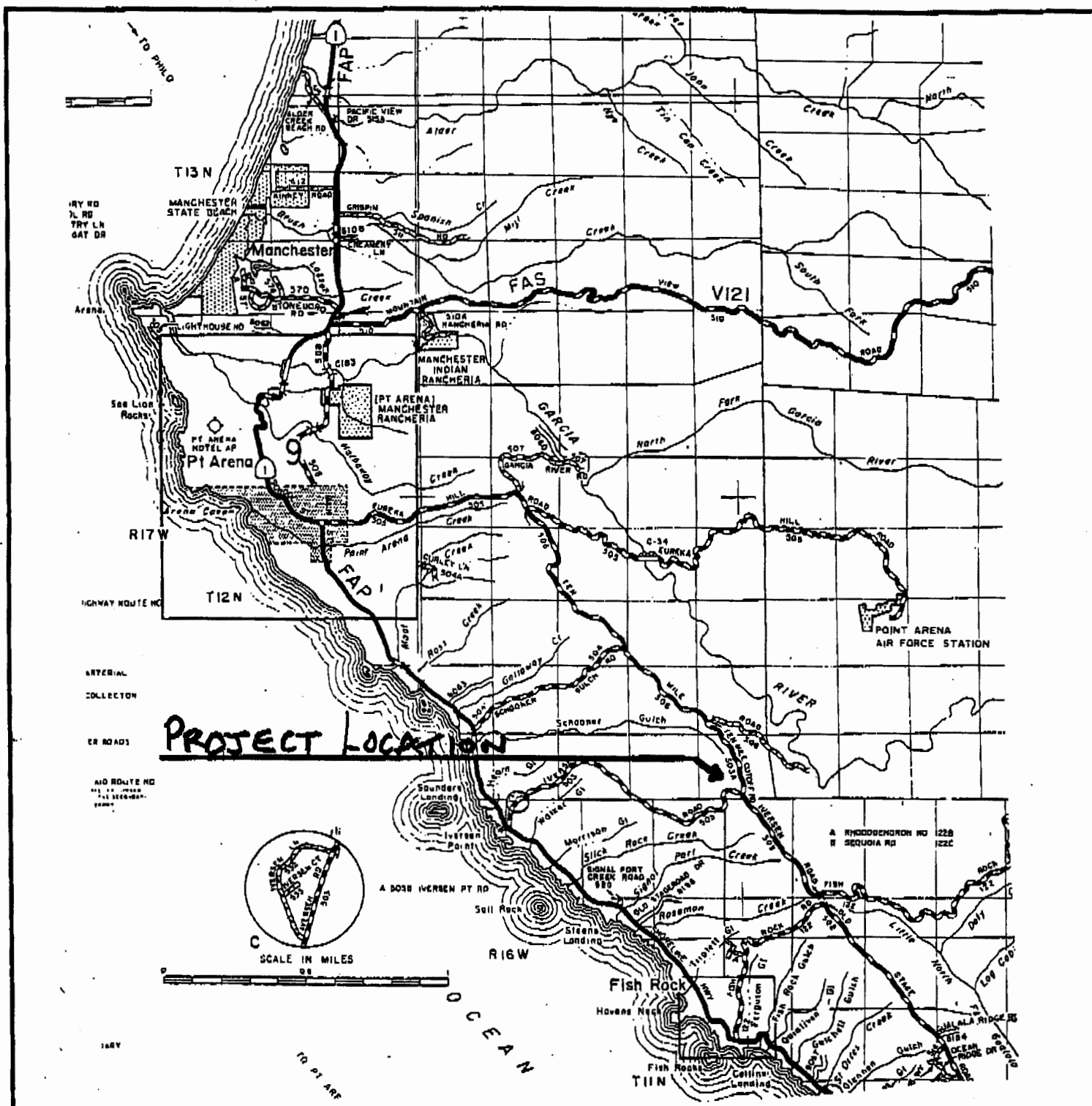
Whereby certifying that according to the provisions of Government Code Section 25103, delivery of this document has been made.

KRISTI FURMAN
Clerk of the Board

By: 
DEPUTY



CASE NUMBER: GP 2-02	OWNER: MAYES	COASTAL PLAN LAND USE MAP NORTH: 
APN 27-481-30	FL to RR 10 Remove "TPZ" symbol	EXHIBIT A



CASE NUMBER:
#GP 2-02

OWNER: MAYES

LOCATION MAP

NORTH:

APN 27-481-30

PROJECT LOCATION:

EXHIBIT NO. 8

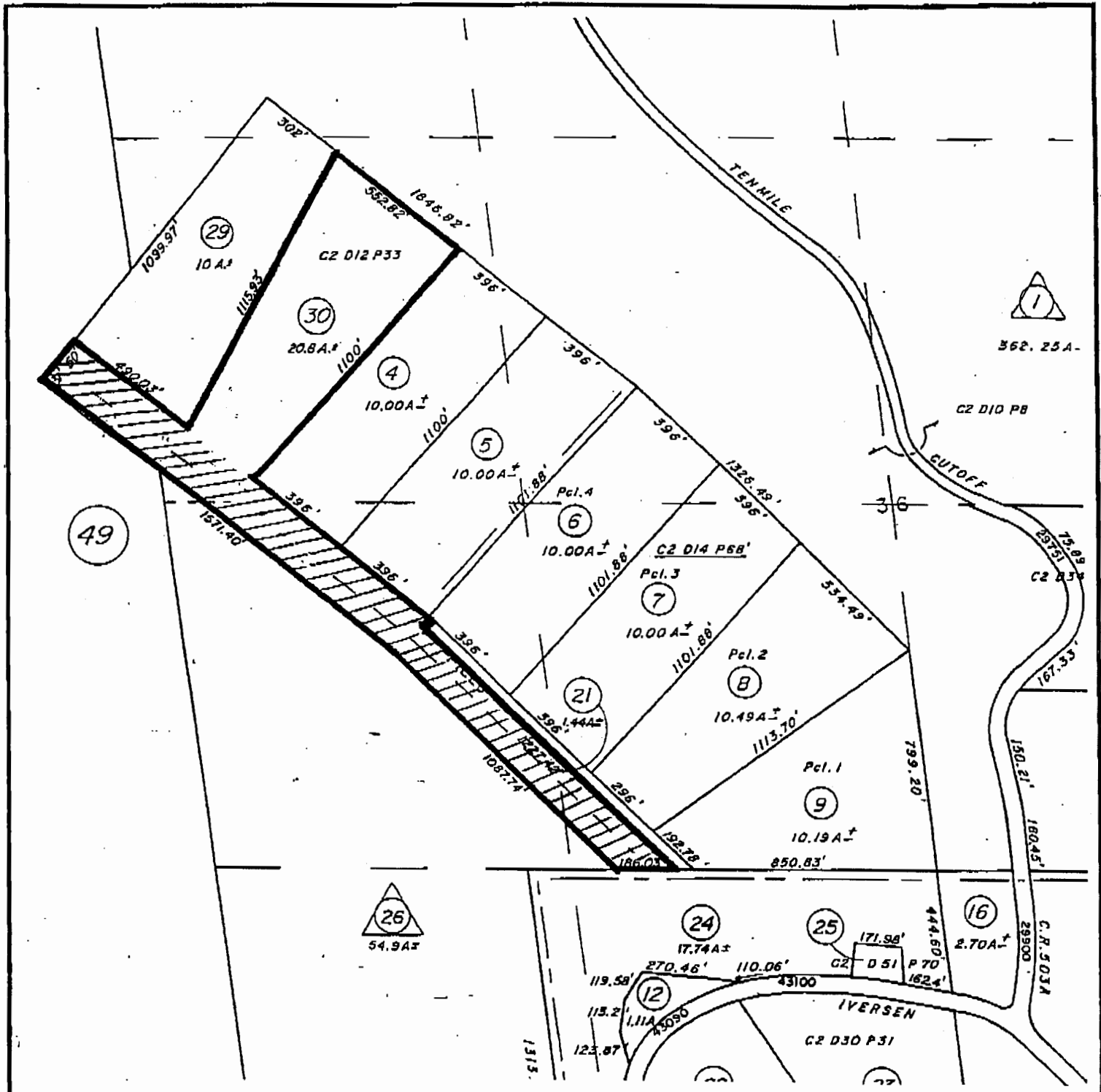
APPLICATION NO.

MEN-MAJ-1-02

PART B

LOCATION MAP

EXHIBIT MAP A



<p>CASE NUMBER: #GP 2-02</p>	<p>OWNER: MAYES</p>	<p>PROJECT AREA MAP NORTH: </p>
<p>APN 27-481-30</p>	<p>GENERAL PLAN CHANGE: FL TO RR 10</p>	<p>EXHIBIT NO. 9 APPLICATION NO. MEN-MAJ-1-02 PART B SPECIFIC LUP MAP CHANGE</p>

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
431 HOWARD STREET, 4TH FLOOR
SAN FRANCISCO, CA 94105
(415) 543-8555



August 23, 1989

Frank Lynch
Department of Planning and Building Services
County of Mendocino
Courthouse
Ukiah, CA 95482

RECEIVED
AUG 23 1989
BY _____
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

RE: Case No. R 10-89

Dear Mr. Lynch:

The above referenced project involves a development proposed by Thomas Taylor. Activities in the Coastal Zone must be consistent with the California Coastal Act. As such, the project has been reviewed by Commission staff. The comments that follow are those of staff and do not represent the position of the Coastal Commission.

The project appears to be:

XX Generally consistent with the applicable policies of the County's Land Use Plan

XX Generally consistent with the applicable policies of the Coastal Act.

 Inconsistent with Policies _____ of the Coastal Act for the following reasons:

XX Inconsistent with policies of the County's LCP or Land Use Plan for the following reasons:

Project appears to result in one lot (APN 27-481-02) with a split land use plan designation.

EXHIBIT NO. 10

APPLICATION NO.

MEN-MAJ-1-02

PART B, PRIOR COMMIS-
SION CORRESPONDENCE

(Page 1 of 2)

Staff recommendations/Suggested mitigation:

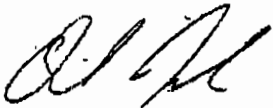
The project appears to result in one lot (APN 27-481-02, 10). The merging of 27-481-10 and 27-491-02, 10 into one lot will create a lot with both FL and RR-10 land use classifications. Such split designations should not be encouraged - the proposed parcel should have a single designation. This can be accomplished by either the County's clean-up amendment or the landowner's submittal of an LUP amendment.

(Also recommended is a "clean-up" amendment for purposes of re-drawing the TPZ line.)

If the proposed development is approved by the County, the project will still require a coastal development permit to ensure its conformity with the applicable policies of the Coastal Act. We reserve the right, however, to suggest further modifications to the proposed development at the time it is the subject of a coastal development permit application.

Thank you for the opportunity to comment on this project. If you have any questions, please contact me at your earliest convenience.

Sincerely,



David Zehnder
Coastal Planner

5686P

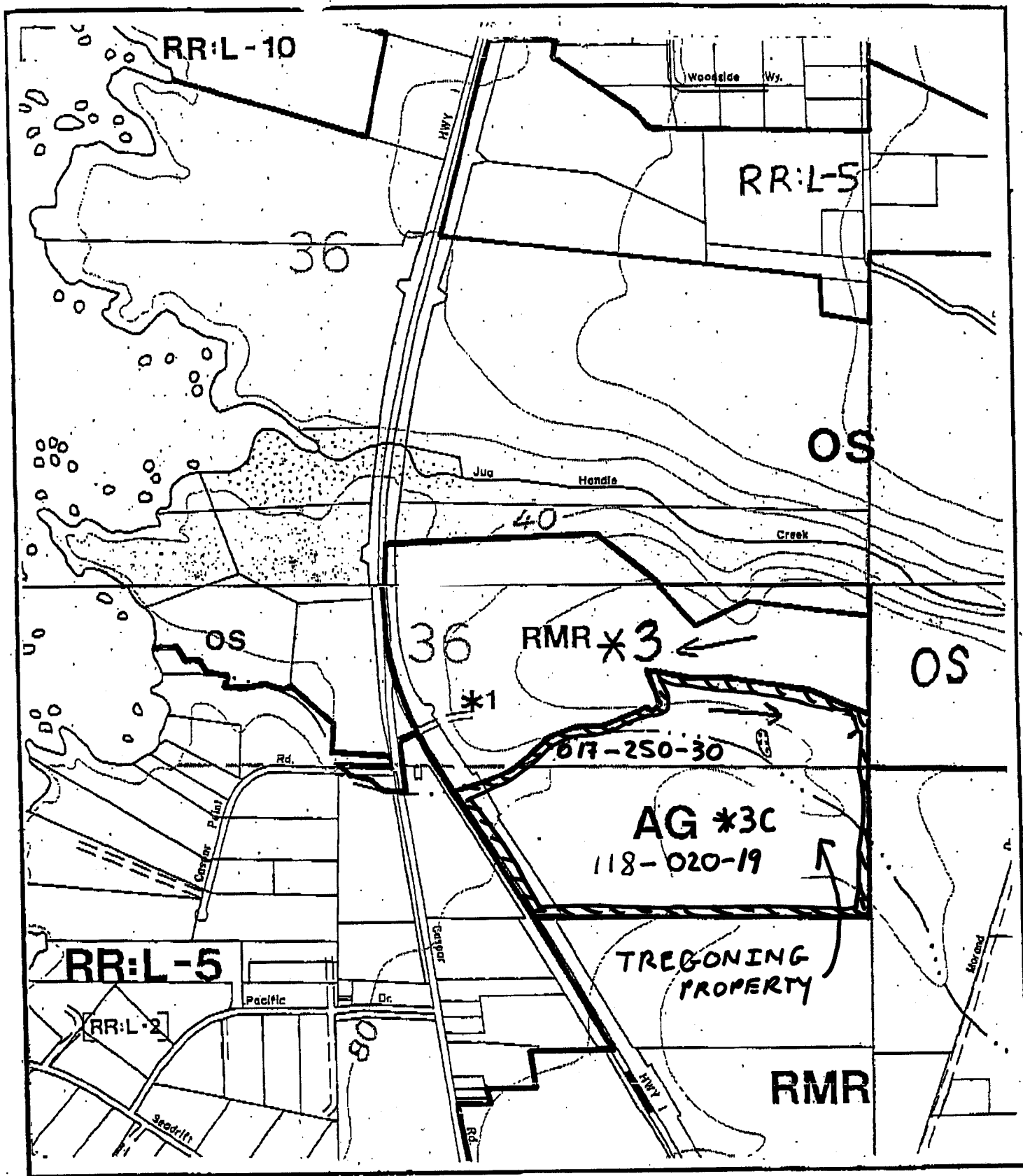


EXHIBIT NO. 11

APPLICATION NO.

MEN-MAJ-1-02

PART A, TREGONING

*3C DESIGNATION AS

MODIFIED