

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

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W 19b

Staff: Jo Ginsberg  
Staff Report: May 24, 1996  
Meeting of: June 12, 1996

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: Peter Douglas, Executive Director  
Tom Crandall, Deputy Director  
Steven F. Scholl, North Coast District Director  
Jo Ginsberg, North Coast Planner

SUBJECT: REVISED FINDINGS for MENDOCINO COUNTY LCP AMENDMENT No. 1-95  
(Major: Creasey, et al; Peirce/Comer; Taylor; Fearey/Wilson;  
Wells/Healey; and Kruzic): (LCP Amendment approved by the  
California Coastal Commission on March 14, 1996; findings for  
consideration at the California Coastal Commission meeting of June  
12, 1996)

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STAFF NOTES1. Commission Vote to Adopt the Revised Findings.

Prevailing Commissioners on 10-1 vote to approve LUP Parts 1, 2, 4, 5,  
and 6 as submitted:

Commissioners Cava, Calcagno, Doo, Busey, Giacomini, Karas, Pavley,  
Rick, Wright, and Chairman Williams.

Prevailing Commissioners on 11-0 vote to deny LUP Part 3 as submitted and  
approve with Suggested Modifications:

Commissioners Cava, Calcagno, Doo, Busey, Giacomini, Wan, Karas,  
Pavley, Rick, Wright, and Chairman Williams.

Prevailing Commissioners on 11-0 vote to approve Implementation Plan as  
submitted:

Commissioners Cava, Calcagno, Doo, Busey, Giacomini, Wan, Karas,  
Pavley, Rick, Wright, and Chairman Williams.

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2. SITE TWO (GP 5-89/R 1-95, PEIRCE/COMER). APN 017-220-44 and 45. Change the Coastal Plan land use classification of 96 acres south of Fort Bragg from Forest Lands-160 acre minimum (FL) to Rural Residential-5 acre minimum: Planned Development (RR-5:PD). Rezone from Forest Lands (FL) to Rural Residential-5 acre minimum: Planned Development (RR:L:5:PD). (See Exhibit Nos. 7-11.)
3. SITE THREE (GP 29-88/R 22-91, TAYLOR). APN 069-161-10. Change the Coastal Plan land use classification and rezone a 2.16-acre parcel located north of Fort Bragg and south of Cleone from Rural Residential-5 acre minimum, 2 acre minimum variable (RR-5 [RR-2]) to Rural Residential-5 acre minimum, 2 acre minimum variable, \*1C (RR-5 [RR-2] \*1C) which would allow up to a 10-unit inn or a 4-unit B&B by conditional use permit. (See Exhibit Nos. 12-23.)
4. SITE FOUR (GP 4-90/R 21-91, FEAREY/WILSON). APN 121-020-21. Change the Coastal Plan land use classification and rezone 7.5 acres south of Little River from Remote Residential-20 acre minimum, 10-unit inn and accessory uses (RMR-20 \*1, \*4) to Remote Residential-20 acre minimum, conditional 20-unit inn, motel, or hotel and accessory uses (RMR-20 \*2C, \*4). (See Exhibit Nos. 24-28.)
5. SITE FIVE (GP 5-90/R 30-91, WELLS/HEALEY). APN 123-040-06 and 07. Correct the Coastal Plan LUP Map and rezone to transfer the Albion River Inn Visitor Serving Facility (VSF) designation (\*2) to the correct parcel. (See Exhibit Nos. 29-32.)
6. SITE SIX (GP 14-95/R 16-95, KRUZIC). APN 17-310-43 and 58. Change the Coastal Plan land use classification of 2.1 acres located south of Fort Bragg from Rural Residential-5 acre minimum, Rural Residential-1 acre minimum variable (RR-5 [RR-1]) to Rural Residential-5 acre minimum, Rural Residential-2 acre minimum variable (RR-5 [RR-2]) to facilitate a boundary line adjustment with an adjoining two-acre parcel to the east owned by the applicant. Rezone from Rural Residential-5 acre minimum, Rural Residential-1 acre minimum variable (RR:L-5 [RR]) to Rural Residential-5 acre minimum, Rural Residential-2 acre minimum variable (RR:L-5 [RR:L-2]). (See Exhibit Nos. 33-37.)

Summary of Commission Action:

The Commission finds the LUP Amendment for five of the six sites as submitted to be consistent with the policies of Chapter 3 of the Coastal Act, and also finds the Implementation Program Amendment for all six sites as submitted to

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Commissioners Cava, Calcagno, Doo, Busey, Giacomini, Wan, Karas,  
Pavley, Rick, Wright, and Chairman Williams.

MOTION III: I move the Commission adopt the following findings to  
support the action taken on the Implementation Plan  
Portion of Mendocino County LCP Amendment 1-95 (Major).

Prevailing Commissioners on 11-0 vote to approve Implementation Plan  
as submitted:

Commissioners Cava, Calcagno, Doo, Busey, Giacomini, Wan, Karas,  
Pavley, Rick, Wright, and Chairman Williams.

A majority of the members prevailing on the motions to certify LCP Amendment  
No. 1-95 is required to adopt the findings.

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PART ONE: INTRODUCTION

I. SITE AND PROJECT DESCRIPTIONS FOR PROPOSED LCP AMENDMENT SITES:

A. Site One (GP 12-89/R 24-91, Creasey, et al).

The proposal requests to change the Coastal Land Use Plan classification and rezone 70.14 acres comprising one parcel and a portion of a second parcel located south of Albion from Remote Residential-20 acre minimum (RMR-20) to Rural Residential-10 acre minimum (RR-10 and RR:L:10).

The proposal originally before the Mendocino County Board of Supervisors in October of 1995 was to reclassify and rezone 90.14 acres, comprising two separate legal parcels, including 20 acres in the southeast portion of the site that are very steeply sloped. On October 23, 1995 the County approved reclassification and rezoning of only 70.14 acres, determining that the southeast 20 acres should remain Remote Residential-20 acre minimum based on development constraints on these 20 acres such as steepness of slope and the highly scenic designation.

The project site is located approximately two miles south of Albion, on the Navarro Headland, upland of Highway One and accessed from Navarro Ridge Road. The southwest portion of the site is steeply sloped. There is a small watercourse in the northwest corner of the site, and a large population of the rare and endangered plant swamp harebell (Campanula californica) growing in the marshy area associated with the watercourse. The southern portion of the site is within a designated "Highly Scenic Area."

B. Site Two (GP 5-89/R 1-95, Peirce/Comer).

The proposal is to reclassify the Coastal Plan land use designation and rezone 93 acres comprising two parcels from Forest Land (FL) to Rural Residential-5 acre minimum, Planned Development (RR-5:PD and RR:L:5:PD). The site is located approximately two miles south of Fort Bragg, east of Highway One.

The original application submitted to the County in 1989 was to reclassify and rezone the subject property from Forest Land to Rural Residential-5. On October 23, 1995 the County approved the project, adding the Planned Development designation to allow the future subdivision design to average density over the property, thereby addressing the following issues: Maintenance of a 10-acre minimum lot size adjacent to Timberland Production (TP) lands to the southeast; protection of botanical resources including riparian habitat areas; avoidance of areas with soils less suitable for septic systems; and facilitation of a more efficient road pattern.

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**D. Site Four (GP 4-90/R 21-91, Fearey/Wilson).**

The subject property is 7.5 acres and contains an existing twelve-unit inn. The proposal is to change the Coastal Plan land use classification and rezone from Remote Residential-20 acre minimum, 10-unit inn and accessory uses (RMR-20, \*1, \*4) to Remote Residential-20 acre minimum, conditional 20-unit inn, motel, or hotel and accessory uses (RMR-20, \*2C, \*4).

The applicants intend to add eight additional units to the existing 12-unit inn. The inn currently consists of five separate cottages and seven rooms in two separate structures. Additionally, the property is developed with two single-family residences, a 48-seat restaurant (not currently operating), a tank house, and a garden house. The majority of the site development has taken place near the center of the property.

The project site is located on the east side of Highway One about a half-mile south of Little River, immediately north of Schoolhouse Creek. The site slopes moderately west to Highway One, and contains riparian habitat adjacent to Schoolhouse Creek at the southerly property line. The site may support the rare and endangered swamp harebell (Campanula californica).

The subject parcel, although east of Highway One, is in an area designated in the County's LUP as "Highly Scenic." The existing structures, which are set back from the highway and are screened by trees and other vegetation, are barely visible from Highway One.

**E. Site Five (GP 5-90/R 30-91, Wells/Healey).**

The County requests that the adopted land use and zoning maps be amended by relocating the "\*2" map symbol from APN 123-040-07 to APN 123-040-06 to reflect the correct location of the existing Albion River Inn, thereby correcting a recognized mapping error.

The General Plan Amendment submitted by the applicants to the County also included a second component, requesting that the land use classification and zoning be changed from Remote Residential-20 acre minimum; motel, inn, or hotel, maximum 20 units (RMR-20, \*2) to Remote Residential-20 acre minimum, resort as conditional use (RMR-20, \*5C). This change would have allowed up to nine new inn units, pursuant to zoning code density limitations of three units per acre.

On October 23, 1995 the County denied this portion of the General Plan Amendment request, based on numerous concerns about site development constraints, such as the need to protect existing riparian habitat, a limited area for sewage disposal, the need for blufftop setbacks for structures and

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eliminate the existing island of "growth-inducing" RR-1 classified land which is now surrounded by RR-2 classified lands.

This request is a revision of an original application to the County proposing to reclassify the two-acre parcel to the east (APN 17-310-60) from RR-5 [RR-2] to RR-5 [RR-1] to allow consideration of a boundary line adjustment with APN 17-310-58; however, the original proposal would have potentially permitted the division of 17-310-60 into two one-acre parcels, thereby creating potential impacts. The revised application to the County in 1995 was the result of discussions between County staff and the applicant to identify other alternatives which would decrease impacts and accomplish the landowner's objective. No increase in land use density or intensity, or additional road construction would occur as a result of the proposed land use change or a subsequent coastal development boundary line adjustment.

The property consists of two one-acre parcels each containing one dwelling. The site is located on Boice Lane, 2.5 miles south of Fort Bragg, east of Highway One. The site is relatively flat, and contains no environmentally sensitive habitat areas:

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**1. SUGGESTED MODIFICATION #1:**

A note shall be placed on the Land Use Plan map that any visitor serving accommodations developed on the subject parcel shall not be visible from major visitor destinations or particularly scenic areas within MacKerricher State Park, including but not limited to the Lake Cleone picnic area and nature trail, and the haul road.

**C. APPROVAL OF THE LAND USE PLAN PORTION OF AMENDMENT NO. 1-95 IF MODIFIED AS SUGGESTED FOR SITE THREE.**

**RESOLUTION III:**

The Commission hereby certifies Site Three of Amendment 1-95 (identified as GP 29-88, Taylor) to the Land Use Plan portion of the Mendocino County Local Coastal Program for the specific reasons discussed below in the findings on the grounds that, as modified, it meets the requirements of and is in conformity with Chapter 3 of the Coastal Act.

**D. APPROVAL OF IMPLEMENTATION PLAN PORTION OF AMENDMENT NO. 1-95 AS SUBMITTED FOR SITES ONE, TWO, THREE, FOUR, FIVE, AND SIX.**

**RESOLUTION IV:**

The Commission hereby approves certification of the Zoning and Implementation Portion of Mendocino County LCP Amendment No. 1-95 as submitted for Sites One, Two, Three, Four, Five, and Six (identified as R 24-91, Creasey et al; R 1-95, Peirce/Comer; R 22-91, Taylor; R 21-91, Fearey/Wilson; R 30-91, Wells/Healey; and R 16-95, Kruzic) based on the findings set forth below on the grounds that the zoning ordinance, zoning map, and other implementing materials conform with and are adequate to carry out the provisions of the Land Use Plan as certified. There are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impacts, within the meaning of CEQA, that the approval of the Zoning and Implementation Program would have on the environment.

**III. ADDITIONAL FINDINGS APPLICABLE TO ALL SITES:**

**A. Highway One Capacity/Traffic Impacts.**

Four of the six changes to the County's LCP proposed by this amendment will result in increases in density, two of residential uses, and two of visitor serving uses.



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coast, peak hour can be expected to occur between noon and 5 p.m. on summer Sundays.

Highway capacity was 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. Prior to certification of the County's LCP, the Commission denied numerous applications for land divisions, based partially on highway capacity constraints, and also denied several Land Use Plan amendments partially based on highway capacity constraints (e.g., 1-86, Tregoning; 3-87, Moores; and 2-90, Long). The Commission has also denied certification of several LUPs throughout the State because of limited highway capacity (City of Monterey, Skyline Segment; Malibu; and Marina del Rey/Ballona), as these LUPs did not reserve available capacity for priority uses and did not provide adequate measures to mitigate the adverse cumulative impacts of new development.

The Commission also initially denied Mendocino County's LUP, based in part on highway constraints. The County started its public hearings on the LUP with a consultant-prepared plan and accompanying maps and a document containing comments from the advisory committees and Commission staff. The draft plan was designed to allow new development in locations and densities that at buildout would have resulted in no segment of Highway One being more than 20 percent over capacity at Service Level E at certain peak hours. The plan, as submitted, would have allowed Highway One traffic to exceed capacity on Saturday and Sundays afternoons and on weekdays during the summer months of July and August.

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 LUP as originally submitted would have allowed for 3,400 new residential parcels to be created potentially. The Commission found 121 geographic areas that were not in conformance with Section 30250 of the Coastal Act. The County reviewed these areas, and agreed to a proposed modification that would result in a redesignation of the identified non-conforming areas, thus reducing the total number of new residential parcels which potentially could be created by approximately 1,500. In other words, 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.

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potential new parcels plus 75% of commercial, industrial, and visitor-serving facility buildout potential by the year 2020), which County staff believes represents the maximum feasible buildout based on past and projected development patterns. Thus, for example, in the case of each part of the subject LCP Amendment, County staff first noted what the projected Levels of Service during peak times would be in the year 2020 for the relevant road segments and intersections under the existing LCP using the 75/50 buildout scenario, then determined what additional traffic would be generated by the density increase proposed by the LCP Amendment, and, finally, determined what roadway improvements, if any, would be necessary to keep the Levels of Service within acceptable parameters (up to and including LOS E) if the density increases of the amendment were approved.

Regarding the proposal for Site One (Creasey, et al), the State Route 1 Corridor Study projected Level of Service E on State Route 1 at the project location by the year 2020, which is considered an acceptable level of road service.

As discussed above, Highway One has very limited remaining traffic capacity. The Commission notes that if the proposed LCP Amendment for Site One were approved, only an additional five parcels could be created, having minimal impacts on highway capacity and coastal resources. The Commission therefore finds that since the individual impacts to highway capacity resulting from the proposal for Site One are insignificant, the proposed LUP Amendment for Site One, as submitted, is consistent with and adequate to carry out Coastal Act Sections 30254 and 30250(a), and that the proposed Implementation Program Amendment for Site One, as submitted, is consistent with and adequate to carry out the Land Use Plan.

Regarding the proposal for Site Two (Peirce/Comer), the State Route 1 Corridor Study indicates that under the 75/50 development scenario, one intersection and two road segments affected by the proposed project will be at Level of Service F (considered unacceptable) by the year 2020. The study indicates that installation of a traffic signal at the affected intersection would improve the projected level of service by the year 2020 from F to C. The study also indicates that installation of left turn lanes to allow passing would improve one of the affected road segments from road level of service F to E, and that construction of two additional lanes at the other road segment would improve road level of service from F to A.

If the proposed LCP Amendment were approved, as many as 17 new residential parcels could be created. However, 17 is only a maximum buildout figure and a smaller number of parcels is more likely since development constraints associated with the need to protect environmentally sensitive habitat around Digger Creek at the development stage may limit the number of parcels that can be created.

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parcels are already developed to their maximum capacity. The Commission therefore finds that the proposed LUP Amendments for Sites Five and Six, as submitted, are consistent with and adequate to carry out Coastal Act Sections 30254 and 30250(a), and that the proposed Implementation Program Amendments for Sites Five and Six, as submitted, are consistent with and adequate to carry out the Land Use Plan.

**B. 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 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 to minimize adverse impacts on coastal resources.

Regarding Site One (Creasey), the existing residence on the site is currently served by an on-site septic system and well. Any future land division or other development would require proof of water and demonstration on each new lot of a proposed future land division that an adequate site for sewage disposal exists. County staff notes that construction of leach fields on the southern portion of the site, which contains slopes exceeding 30% may be difficult, thereby possibly rendering much of the southern project site as unsuitable for leach fields and therefore unsuitable for development.

However, the property owner has demonstrated a conceptual configuration that would allow a one-acre building envelope on a ten-acre parcel in the southern portion of the site outside of the steeply sloped area where it may be suitable to provide for a septic system. At such time as a land division or other development is proposed, the property owner would have to demonstrate septic capability.

The Commission thus finds that with regards to the capacity of the site to provide water and sewage to serve the development that would be allowed by the proposed LCP Amendment, the proposed LUP Amendment for Site One, as submitted, is consistent with and adequate to carry out Coastal Act Policy 30250(a), and that the proposed Implementation Program Amendment for Site One, as submitted, is consistent with and adequate to carry out the LUP.

In the case of Site Two (Peirce/Comer), the Mendocino County Department of Environmental Health indicates that water availability appears feasible for future development and no water testing is required at this stage. At such time as land division or residential development is proposed, proof of water will be required.

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provide a "cap" on the number of inn units that could be developed. The Health Department also indicates that water quality problems may result from a failure of the on-site sewer disposal system, which might become significant, depending on the ultimate buildout of the site.

In other words, it has not yet been determined if the site has adequate water or septic capacity to support a 20-unit inn, but it currently has adequate water and septic capacity to support the existing 12-unit inn, and testing will be done before additional units will be allowed. If the testing shows that no more additional units can be accommodated, redesignating the site as proposed is still appropriate to legitimize the extra two units that exceed the current designation. Therefore, the Commission finds that the proposed LUP Amendment for Site Four as submitted, which will allow up to 20 inn units, is consistent with and adequate to carry out Coastal Act Policy 30250(a), and that the proposed Implementation Program Amendment for Site Four as submitted is consistent with and adequate to carry out the provisions of the LUP.

In the cases of Sites Five and Six (Wells/Healey and Kruzic), the subject parcels are already developed to the maximum capacity, therefore no impacts to coastal resources will occur as no additional site development is allowable. Existing individual wells and septic systems are utilized to serve the existing development. As discussed above, the proposal for Site Five is to correct a mapping error, and will not affect density or allow any additional development. Regarding Site Six (Kruzic), the proposed amendment would make it possible to approve a boundary line adjustment with an adjacent parcel. However, this boundary line adjustment would not increase the overall density of the area and will not lead to an increase in the number of parcels. The Commission therefore finds that the proposed LUP Amendments for Sites Five and Six, as submitted, are consistent with and adequate to carry out the Coastal Act Policy 30250(a), and that the proposed Implementation Program Amendments for Sites Five and Six, as submitted, are consistent with and adequate to carry out the provisions of the Land Use Plan.

**C. Visual Resources.**

Coastal Act Section 30251 states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas. New development in highly scenic areas shall be subordinate to the character of its setting. Section 30250 requires that development be sited and designed to avoid individual and cumulative impacts on coastal resources. LUP Policies 3.5-3, 3.5-4, 3.5-6, and 3.5-9 limit development within "Highly Scenic" areas. Such restrictions include limiting

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area at Lake Cleone, the nature trail around Lake Cleone, and the adjacent (now public) Haul Road and beach area. No other nearby development (except part of another residence near the Taylor site) is currently visible from the park. The view looking across Lake Cleone toward the site is one of the most prominent and scenic in the park, providing a peaceful, "wilderness" impression. In fact, as State Parks personnel points out (see attached letter in Exhibit No. 21), the primary attractions to MacKerricher State Park are the diverse and sensitive natural ecosystems, the beauty of the coastline, and the popular camping and day use facilities, with Lake Cleone being a focal point of many activities. Annual public visitation is over 700,000 people, who come to enjoy the heretofore essentially unspoiled natural landscape of the park.

According to State Parks personnel, sometime within the last year someone (not from State Parks) illegally removed a substantial number of trees from State Parks property that were previously partially screening the existing residence from public views from the park. State Parks has indicated that trees have been replanted which eventually will screen the existing structure again. However, even when the new trees are fully grown, depending on the manner in which new development is built, developing a second-story inn addition to the existing residence and constructing additional detached inn units in certain locations could once again make development on the site prominently visible from the State Park and significantly degrade public views, both during daylight hours and after dark, when night lighting at the site could compromise the character of the otherwise natural and undeveloped area that is a major visitor destination.

Several neighbors have written letters indicating their concerns regarding adverse impacts of the proposed project on visual resources and on the character of the neighborhood (see Exhibit Nos. 17-23). State Parks has also indicated its extreme concern with this proposed project (see Exhibit No. 21).

While it is true that the County will have the opportunity to review and condition a coastal permit application for development of an inn, and that the future inn would have to be consistent with existing LCP policies regarding protection of visible resources, the County's LCP does not have a specific policy that requires development in areas adjacent to parks and recreation areas such as MacKerricher State Park to be sited and designed to prevent impacts which would significantly degrade such areas.

Because the proposed LCP change would allow development of an inn without regard to its effects on the visual resources of MacKerricher State Park, and the visual character of the neighborhood, the Commission finds that the proposed LUP Amendment for Site Three as submitted is not consistent with and inadequate to carry out Coastal Act Policies 30251 and 30240(b), and that the proposed Implementation Program Amendment for Site Three as submitted is not consistent with and inadequate to carry out the Land Use Plan.

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In the case of Site Two (Peirce/Comer), the subject property is located east of and not visible from Highway One; therefore the proposed LUP Amendment for Site Two as submitted would not affect visual resources and is consistent with and adequate to carry out Coastal Act Section 30251, and the proposed Implementation Program Amendment for Site Two as submitted is consistent with and adequate to carry out the provisions of the Land Use Plan.

Regarding Sites Five and Six, the subject properties are developed to the maximum allowable density; therefore the proposed LUP Amendments for Sites Five and Six as submitted would not affect visual resources and are consistent with and adequate to carry out Coastal Act Section 30251, and the proposed Implementation Program Amendments for Sites Five and Six as submitted are consistent with and adequate to carry out the provisions of the Land Use Plan.

**D. Environmentally Sensitive Habitat Areas.**

Coastal Act Section 30240 states that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values. Section 30231 states that 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.

In the case of Site One (Creasey, et al), a botanical survey of the subject site has found a large thriving population of swamp harebell (Campanula californica), a rare and endangered plant species, well distributed throughout the marshy area associated with the north-flowing intermittent watercourse in the northwest corner of the site adjacent to Navarro Ridge Road. At the time any land division is proposed, such land division and/or future residential development will be restricted by the policies of the certified LCP that protect sensitive habitat and require buffer areas.

Since environmentally sensitive habitat will not be adversely affected, the Commission finds that the proposed LUP Amendment for Site One is consistent with and adequate to carry out Sections 30231 and 30240 of the Coastal Act; furthermore, the proposed Implementation Program Amendment for Site One is consistent with and adequate to carry out the Land Use Plan.

In the case of Site Two (Peirce/Comer), Digger Creek, a perennial stream, crosses the northern of the two subject parcels, and supports a well-developed riparian community. The botanist who surveyed the site indicated that two rare and endangered plant species, the swamp harebell and the coast lily, might possibly be located within the impenetrable riparian community on the site. In addition, rare and endangered pygmy cypress trees grow on both parcels (see Exhibit No. 10). A seasonal "dead" pond in the southeast quadrant does not support any wetland vegetation.

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(Horkelia marinensis). The existing structure is located in the southern portion of the site. Any visitor serving accommodation developed on the site would need to be located outside of any sensitive habitat, and there is some area near the existing residence where such development could take place; another option is for inn units to be placed within the existing structure. Since environmentally sensitive habitat will not be adversely affected, the Commission finds that the proposed LUP Amendment for Site Three as submitted, which will allow up to ten inn units, is consistent with and adequate to carry out Sections 30231 and 30240 of the Coastal Act; furthermore, the proposed Implementation Program Amendment for Site Three as submitted is consistent with and adequate to carry out the Land Use Plan.

Regarding the proposal for Site Four (Fearey/Wilson), the southerly property boundary of the subject site is adjacent to Schoolhouse Creek, and there is riparian habitat on the subject parcel. In addition, the riparian area may support specimens of the rare and endangered swamp harebell (Campanula californica).

The existing structures are located well away from the sensitive habitat areas on the site. Any new visitor serving accommodations developed on the site would need to be similarly located outside of any sensitive habitat, and there is ample room on the 7.5-acre parcel where such development could take place.

Future development of inn units would need to be consistent with LCP policies protecting environmentally sensitive habitat areas, such as Policy 3.1-10, which provides for the protection of riparian areas designated as ESHA's, and Policy 3.1-7, which establishes criteria for applying buffers for the protection of identified ESHA's.

Since environmentally sensitive habitat will not be adversely affected, the Commission finds that the proposed LUP Amendment for Site Four, which will allow up to eight new inn units, is consistent with and adequate to carry out Sections 30231 and 30240 of the Coastal Act; furthermore, the proposed Implementation Program Amendment for Site Four is consistent with and adequate to carry out the provisions of the Land Use Plan.

In the case of Site Five, since the proposed change is only to move the Visitor Serving designation (\*2) from the incorrect parcel to the correct one, and the site is developed to the maximum possible density, the proposal would have no adverse impacts on environmentally sensitive habitat. Therefore, the Commission finds that the proposed LUP Amendment for Site Five as submitted is consistent with Sections 30231 and 30240 of the Coastal Act; furthermore, the proposed Implementation Program Amendment for Site Five as submitted is consistent with and adequate to carry out the provisions of the Land Use Plan.

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In the case of Sites One, Two, Five, and Six, no visitor-serving facilities are proposed. However, none of these sites are particularly suitable for such facilities. At the time the LUP was certified, the Commission determined that these sites were appropriate for residential use and were not needed for visitor-serving facilities. For each of these sites, the proposed LUP Amendment would not change the basic use of these properties as residential use, only the density. Thus the amendment would not serve to reduce potential visitor-serving facilities. Therefore, the Commission finds that the proposed LUP Amendment for Sites One, Two, Five, and Six as submitted is consistent with and adequate to carry out Coastal Act Sections 30213, 30222, and 30254, and that the Implementation Program Amendment for Sites One, Two, Five, and Six as submitted is consistent with and adequate to carry out the provisions of the Land Use Plan.

**F. Timber Resources.**

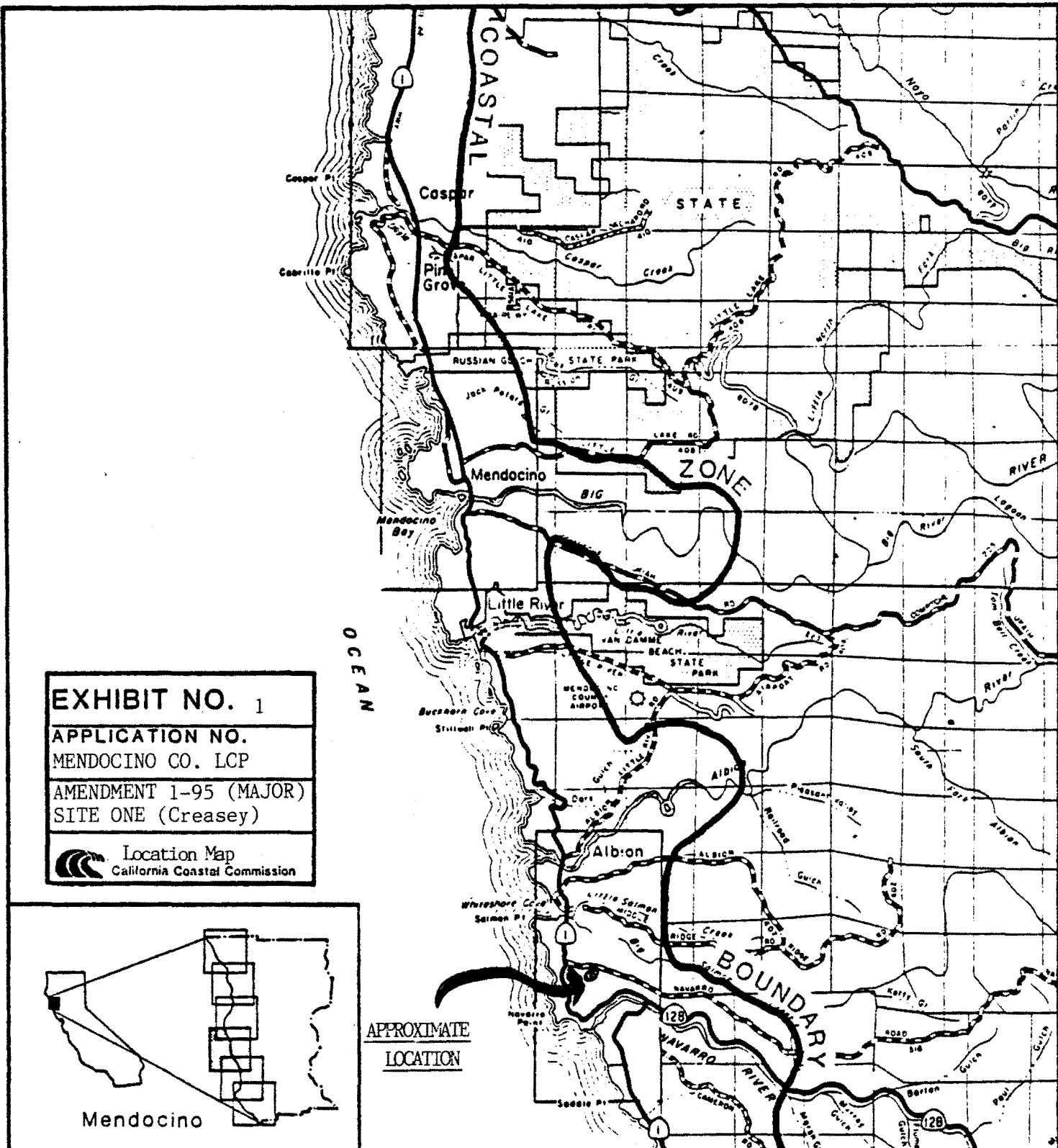
Coastal Act Section 30243 states that the long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands into units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Only one site supports possible timber resources. Regarding the proposal for Site Two (Peirce/Comer), the northern portion of the site is timber site class IV for Douglas fir, which qualifies as a coastal commercial timberland (defined as coastal or redwood forests on sites rated IV or better). The southern site falls below the threshold, with timber site class V. Therefore, approximately 40 acres meets the criteria for commercial timberland, based on soil type. However, the minimum Timber Production Zone (TPZ) parcel size specified in the LCP is 160 acres, so this 40-acre parcel is, in reality, too small to actually function as commercial timberland.


Policy 3.3-9 of the County LUP states that residential uses and subdivisions adjacent to commercial timberlands identified as TPZ shall be limited to a ten-acre minimum. When the parcel subject to development is designated Planned Development (PD) or Clustering (CL), residential development shall be maintained 200 feet from timberland parcels and average density shall not exceed one dwelling unit per 10 acres.

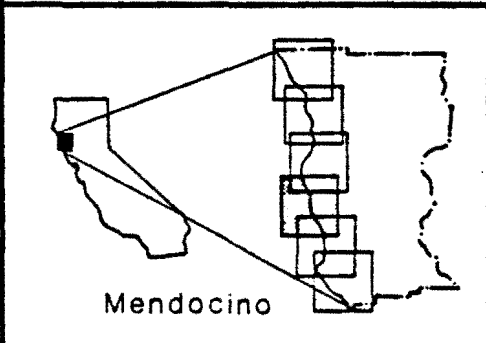
The property located east of the south half of Site Two is classified Forestland and zoned Timberland Production (TPZ). The County Board of Supervisors has indicated in its findings for approval of this site for reclassification its intent that notwithstanding the designation of the property to five-acre minimum lot size, future subdivision and use permit design shall maintain a minimum lot size of 10 acres together with a





**EXHIBIT NO. 1**  
**APPLICATION NO.**  
 MENDOCINO CO. LCP  
 AMENDMENT 1-95 (MAJOR)  
 SITE ONE (Creasey)

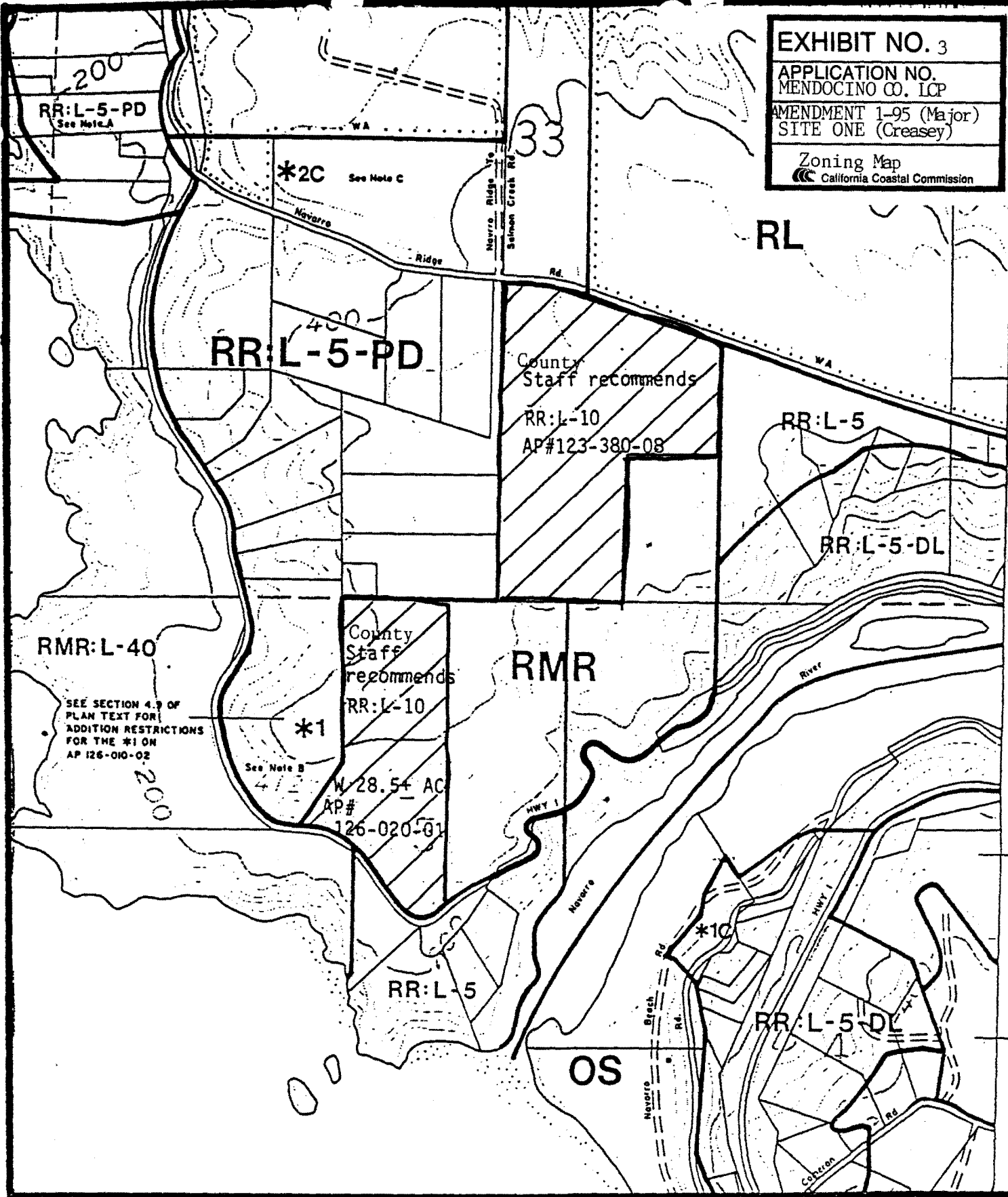
 **Location Map**  
 California Coastal Commission




APPROXIMATE  
 LOCATION



**EXHIBIT NO. 3**  
**APPLICATION NO.**  
 MENDOCINO CO. LCP  
**AMENDMENT 1-95 (Major)**  
**SITE ONE (Creasey)**  
 Zoning Map  
 California Coastal Commission



<b>CASE NUMBER:</b> GP 12-89/R 24-91	<b>OWNER:</b> Creasey	<b>AGENT:</b>
<b>A/P NUMBER:</b> 123-380-08, 126-020-01	Coastal Zoning Map	<b>SCALE:</b> 1" = 900'
		 <b>NORTH</b>


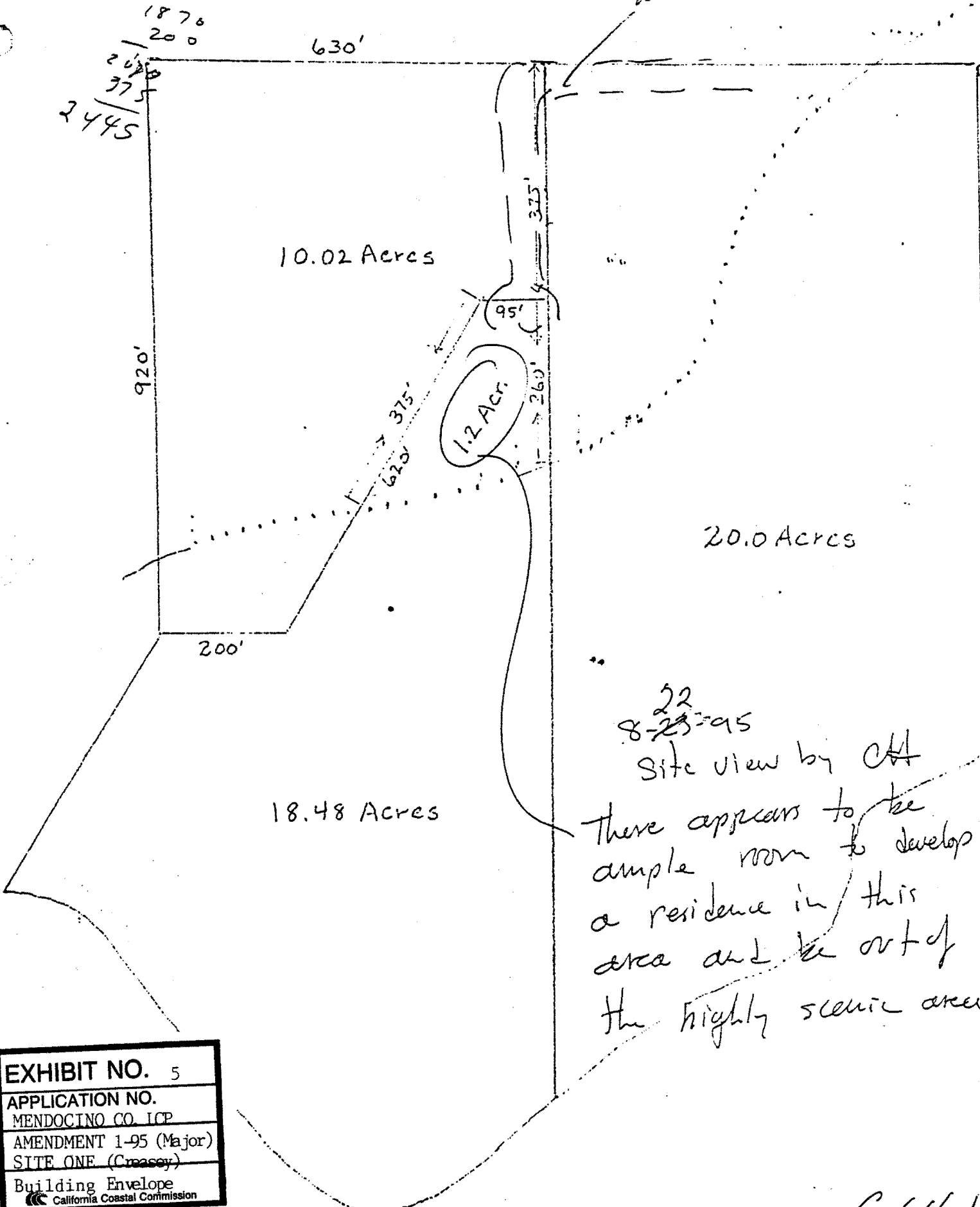
 RMR to RR:L-10

EXHIBIT B

# Site View



There appears to be ample room to develop a residence in this area and be out of the highly scenic area

**EXHIBIT NO. 5**  
**APPLICATION NO.**  
 MENDOCINO CO. ICP  
 AMENDMENT 1-95 (Major)  
 SITE ONE (Creasey)  
 Building Envelope  
 California Coastal Commission

C-64.1

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.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 23rd day of October, 1995, by the following vote:

AYES: Supervisors McMichael, Pinches, Sugawara  
NOES: Supervisors Henry, Peterson  
ABSENT: None

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

*Seiji Sugawara*  
Chairman of said Board of Supervisors

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By *Kristin Van Patten*  
Deputy

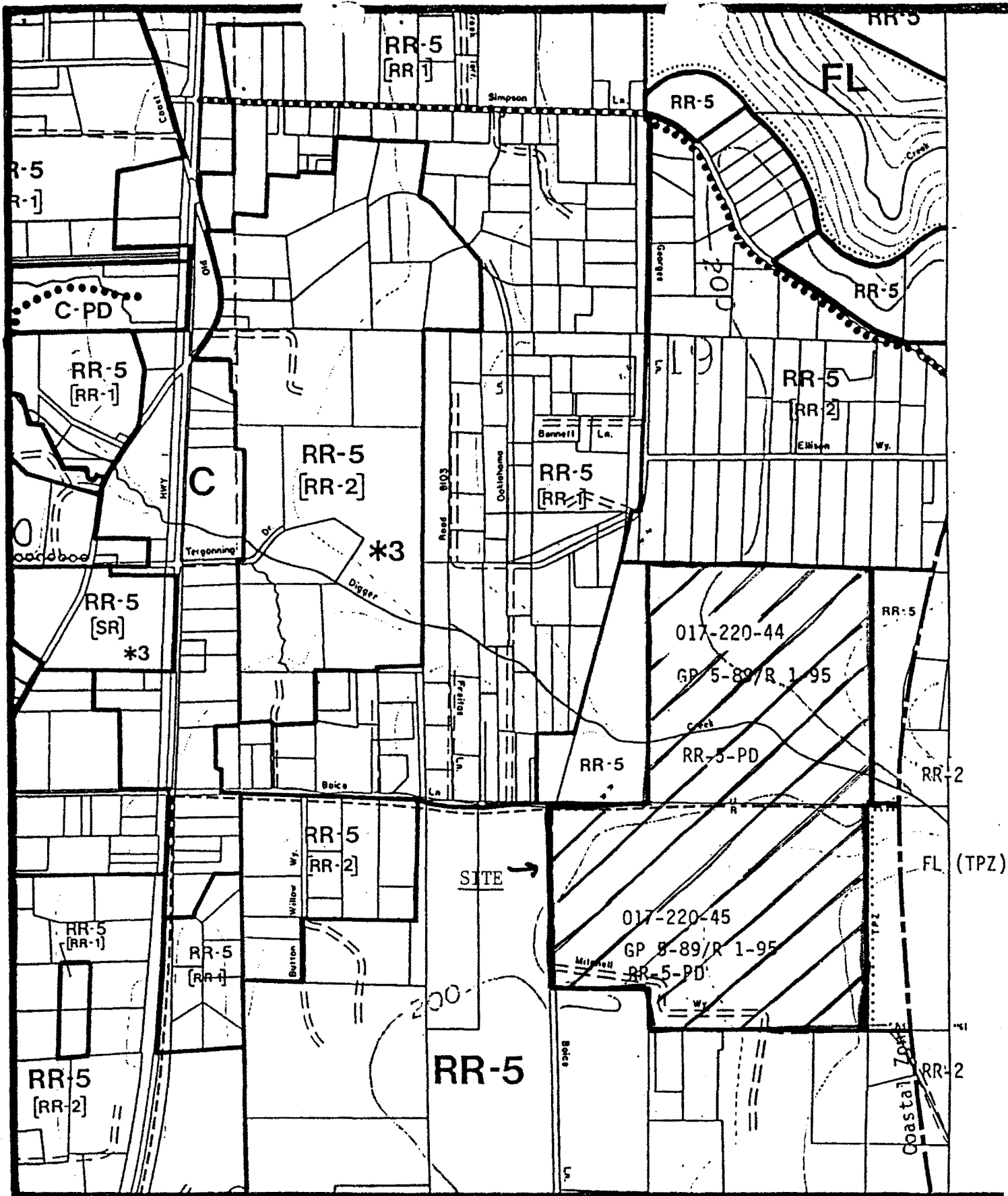
I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD  
Clerk of the Board

By: *Kristin Van Patten*  
DEPUTY

GP 12-89/R 24-91 - CREASEY

EXHIBIT NO. 6
APPLICATION NO. MENDOCINO CO. LCP
AMENDMENT 1-95 (Major) SITE ONE (Creasey)
Resolution California Coastal Commission



**EXHIBIT NO.** 8  
**APPLICATION NO.**  
 MENDOCINO CO. ICP  
 AMENDMENT 1-95 (Major)  
 SITE TWO (Peirce/Comer)

LUP Map  
 California Coastal Commission

**OWNER:**  
 Peirce/Comer

**COASTAL LAND USE MAP**

**AGENT:**  
 O'Rourke

**SCALE:**  
 1" = 750'




 FL to RR-5-PD

EXHIBIT A C-2

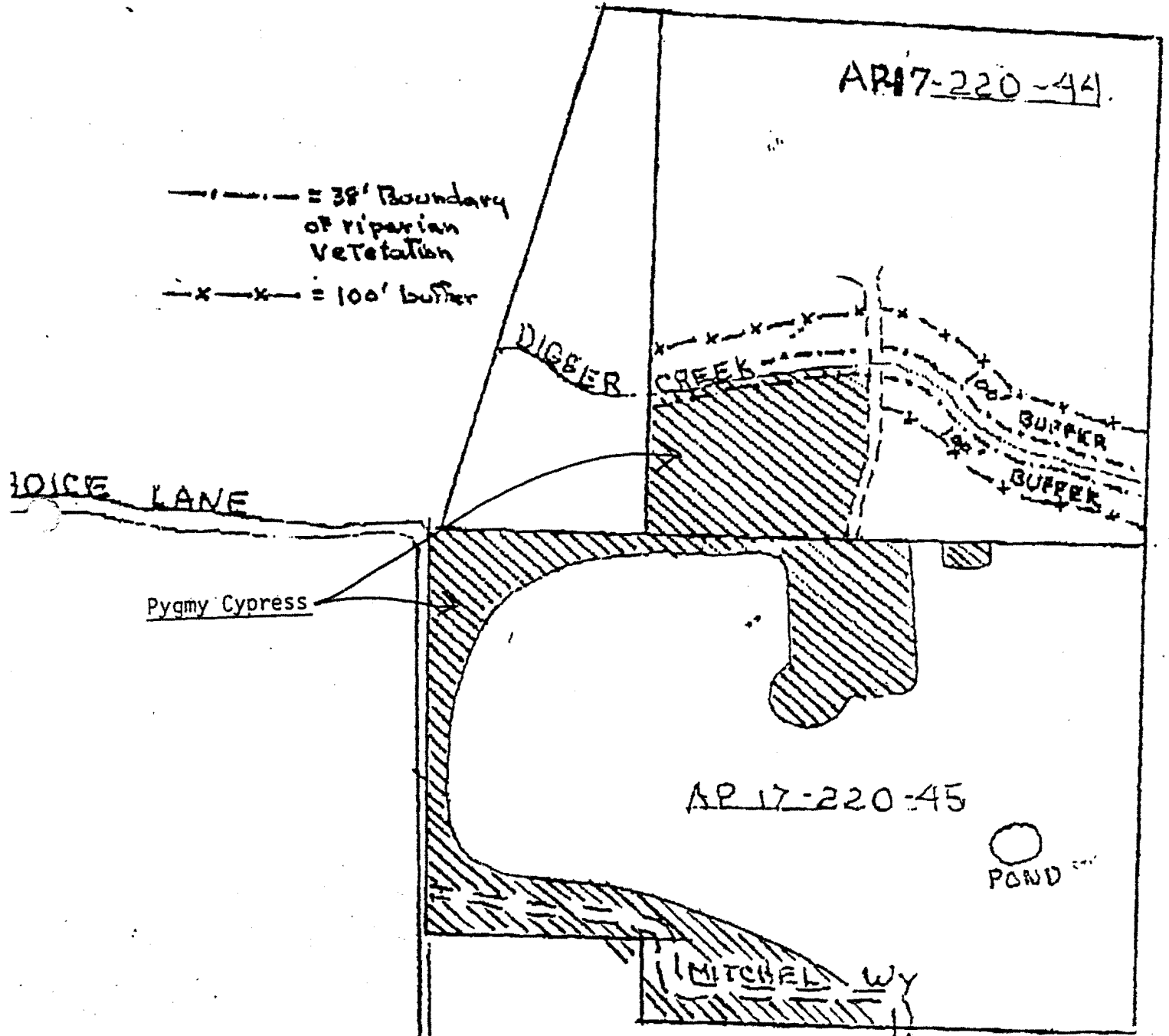
EXHIBIT NO. 10

APPLICATION NO.  
MENDOCINO CO. LCP

AMENDMENT 1-95 (Major)  
SITE TWO (Peirce/Comer)

ESHA  
California Coastal Commission

GP 589 Peirce



Excerpt from Botanical Survey, Mary Rhyne conducted 7/25/95

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of the Board of Supervisors of the County of Mendocino that #GP 5-89/#R 1-95 be adopted 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 Board of Supervisors of the County of Mendocino acknowledges receipt of the Coastal Commission's action, formally adopts the proposed amendment and accepts any modification suggested by the Coastal Commission, and

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.

The foregoing Resolution was introduced by Supervisor Pinches, seconded by Supervisor McMichael and carried this 23rd day of October, 1995 by the following roll call vote:

- AYES: Supervisors McMichael, Pinches, Peterson, Sugawara
- NOES: None
- ABSENT: None
- ABSTAIN: Supervisor Henry

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

*Seiji Sugawara*  
Chairman of said Board of Supervisors

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By *Kristin Van Katten*  
Deputy

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

JOYCE A. BEARD  
Clerk of the Board

By: *Kristin Van Katten*  
DEPUTY

GP 5-89/R 1-95 - PEIRCE/COMER

EXHIBIT NO.	11
APPLICATION NO.	MENDOCINO CO. LCP
AMENDMENT	1-95 (Major)
SITE TWO	(Peirce/Comer)
Resolution	
California Coastal Commission	

MAC KERRICHER  
STATE PARK

OS DPR

RR-5

Cleone  
RM 67

PARKING LOT

Cleone

OS DPR

[RR-2]  
RR-5

\*3C  
[RR-1]  
RR-5

[SR]  
RR-5

SITE

GEORGIA PACIFIC FACILITY ROAD

[RR-2]  
RR-5

RR-5  
[RR-1]

OSDOM LANE

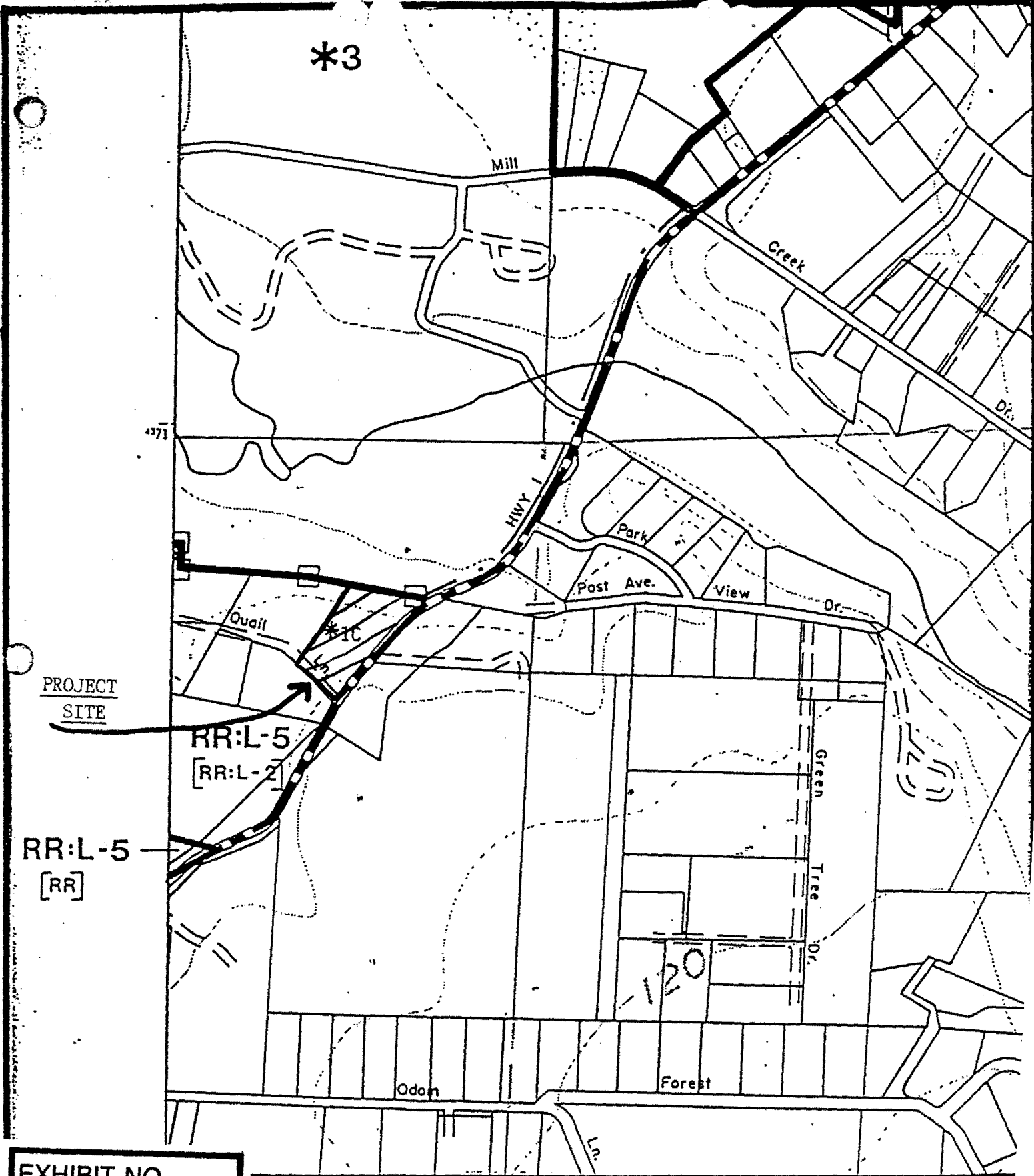
HAPPY LANE

EXHIBIT NO. 13  
APPLICATION NO.  
MENDOCINO CO. LCP  
AMENDMENT 1-95 (Major)  
SITE THREE (Taylor)  
Vicinity Map  
California Coastal Commission

A-17



\*3



PROJECT SITE

RR:L-5  
[RR:L-2]

RR:L-5  
[RR]

**EXHIBIT NO.** 15  
**APPLICATION NO.**  
 MENDOCINO CO. LCP  
 AMENDMENT 1-95 (Major)  
 SITE THREE (Taylor)  
 Zoning Map  
 California Coastal Commission

1	OWNER: TAYLOR	Map as proposed to be amended.
-10	EXHIBIT B	Zoning



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.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 23rd day of October, 1995, by the following vote:

AYES: Supervisors Pinches, Henry, Peterson, Sugawara  
NOES: Supervisor McMichael  
ABSENT: None

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

ATTEST: JOYCE A. BEARD  
Clerk of said Board


By Kristin VanPatten  
Deputy

Seiji Sugawara  
Chairman of said Board of Supervisors

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

JOYCE A. BEARD  
Clerk of the Board  
By: Kristin VanPatten  
DEPUTY

GP 29-88/R 22-91 - TAYLOR

EXHIBIT NO. 16
APPLICATION NO. MENDOCINO CO. LCP
AMENDMENT 1-95 (Major) SITE THREE (Taylor)
Resolution
 California Coastal Commission

The quiet peaceful nature of this lovely coastal rural residential lane will be profoundly affected by the introduction of an inn with its accompanying noise and traffic.

Please do not allow commercial development except in zones designated for commercial use. We must not allow the lovely coastal area between Fort Bragg + Cleone to be destroyed.

Sincerely,

Janet Walls

P.S. Please keep my name confidential

EXHIBIT NO. 17

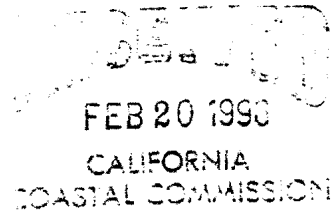
APPLICATION NO.  
MENDOCINO CO. LCP

AMENDMENT 1-95 (Major)  
SITE THREE (Taylor)

Correspondence  
California Coastal Commission

11 Feb 1996

Ms. Jo Ginsberg  
Coastal Planner  
California Coastal Commission  
45 Fremont Street - Suite 2000  
San Francisco, CA 94105



Re: Taylor Rezone  
GP29-88/R22-91

Dear Ms. Ginsberg:

Enclosed please find copies of our letters to the Mendocino County Planning Commission and County Board of Supervisors opposing the above application for a change in the Coastal Plan Land Use Classification to permit conditional use for a 10-unit inn or bed and breakfast facility at the head of Quail Lane.

Our objections are based on the issue that the Local Coastal Plan elements 3.5-3 and 3.5-4 protecting "highly scenic sites" west of Highway One were not complied with by the Planning Commission or the Board of Supervisors. The existing structures are highly visible from MacKerricker State Park and additional structures and second story additions will be more intrusive. Coastal Plan Element 3.1-10 for protection of riparian areas - 1/3 of the site is designated riparian - hydrological pressure on the riparian area, proof of water supply (Coastal Element Policy 3.8-()) and traffic impacts (Coastal Element Policy 3.8-1) were not properly addressed by the Board of Supervisors. The character of this site, adjoining MacKerricker State Park, Lake Cleone and Mill Creek is highly sensitive to development and none of the above cited Coastal Plan requirements were properly evaluated. A careful environmental impact study related to the cited items must be required before this proposed development is approved. We request a new hearing under section 20.544.020 (B)(1) of the Mendocino County Code Coastal Zone, and other applicable provisions of law.

We are also enclosing an item regarding the general concern of the effects of unchecked pumping of groundwater especially in coastal areas. Residents of Quail Lane are concerned about the added drain on modest existing water supply from the demands of a commercial establishment.

With thanks,

Sincerely

*Patricia Jones*  
*Herde Groboske*

EXHIBIT NO. 19
APPLICATION NO. MENDOCINO CO. LCP
AMENDMENT 1-95 (Major) SITE THREE (Taylor)
Correspondence California Coastal Commission

# 98 signatures

We the undersigned request the Board of Supervisors to deny the appeal of Henry and Helen Taylor for a change to the Coastal Plan land use classification and rezone from Rural Residential to RR-5 (RR-2) \* 1 C to allow a conditional 10 unit inn or 4 unit bed and breakfast, on parcel #69-161-10 lying on the west side of Highway 1, north side of Quail Ln. The reasons this request should be denied are due to its adverse environmental impacts on MacKerricher State Park, and violation of policies set forth in the Coastal Plan.

The approval of this request by the Planning Commission was made without full ventilation of concerns and information. Given the sensitive nature of the Coastal Zone as acknowledged by the Coastal Plan it's not right that a Environmental Impact Plan would not be required considering this project's scenic and traffic impact. The Planning Commission's approval appears to have violated the requirements of a negative declaration set forth in 14 Cal. Code Regs Sections 15071 through E.T. Seg. We are requesting a full Environmental Impact Report be prepared before any further action be taken, as required by Public Resources Code Sec. 21083 (b) ET AL 12 Cal. Regs Sections 15064 (f) and 15382.

Patrick W. Candill Patrick W. Candill 32968 Park View Dr.  
Signature Print Name Address

Trudy M. Morgan Trudy M. Morgan 32775 Park View Dr  
Signature Print Name Address

ROBERT HUNT ROBERT HUNT 33000 Mill Cr.  
Signature Print Name Address

RUTH S. FREEMAN RUTH S. FREEMAN 311 Cypress St apt. 204  
Signature Print Name Address

Katy M. Hayes Katy M. Hayes 24701 Ward Ave Chico CA  
Signature Print Name Address

EXHIBIT NO. 20
APPLICATION NO.
MENDOCINO CO. ICP
AMENDMENT 1-95 (Major)
SITE THREE (Taylor)
Correspondence
California Coastal Commission

93 more signatures

Mr. Peter Douglas  
February 16, 1996  
Page 2

EXHIBIT NO. 21
APPLICATION NO. MENDOCINO CO. LCP
AMENDMENT 1-95 (Major) SITE THREE (Taylor)
Correspondence California Coastal Commission

convenient than walking along the highway to the main entrance, it would be detrimental to these sensitive resources. A conditional use like the one being proposed would be better suited further to the north in the Cleone Village area. Here there are established patterns of visitor serving facilities mixed with residential designations, and access to the state park is most convenient. To move forward with this requested land use change would set a precedent and begin to erode the comprehensive planning strategies set forth in the Local Coastal Plan.

#### Transportation/Access

In the Mendocino County Staff Report (September 7, 1995) there is reference made to the proximity of the adjacent State Park, and that proposed inn visitors would rather walk to the park than drive. We wholeheartedly endorse alternative forms of transportation for park access. Convenience and ease of access are key factors here. Based on our experience, people will access the park in the most direct fashion, whether it is legal or not. This is an ongoing management problem for MacKerricher S.P. that we continue to work hard at resolving. Our concern for visitors not using a designated park access are noted in the above paragraph. We believe that the County has made an invalid assumption that possible inn visitors will leave their automobiles behind and walk to the park. While this may be true for some, we cannot support the Counties claim that the reduction of traffic generated on Highway 1 (resulting from this project) is a significant benefit as noted in Project Recommendation #1 of the staff report. If the State Park were the true destination, visitors would be staying at the park. A bed and breakfast or inn is a destination in itself.

#### Plant Community/Wildlife

The area surrounding Lake Cleone (and some areas beyond park boundaries) is a unique composition of several sensitive plant communities. These plant communities include the Beach Pine/Northern Bishop Pine Forest, Riparian, and Coastal Freshwater Marsh. All of these plant communities are designated Rare Natural Communities by the California Department of Fish and Game, Natural Diversity Data Base. These pine forests provide habitat for sensitive species such as the sharp-shinned hawk, Cooper's Hawk and goshawk. While the later is rarely observed, the other hawks can be expected to use the habitat. The Riparian Community, provides critical wildlife habitat for sensitive species such as; red-legged frogs, foothill yellow-legged frogs, western pond turtles, great egret, great blue heron, black-crowned night heron, and northern harrier. Not only are riparian areas park protected, the Mendocino County Local Coastal Plan (Policy 3.1-10) provides for protection as well. State Parks is vitally concerned about the degradation of these plant communities from indiscriminate and undesignated public use and access. It is our contention that this proposed conditional land use change will result in further degradation of the immediate area.

In the past, we have had problems with the unauthorized trails and vegetation leading from our Lake Cleone Loop Trail, up to the Taylor parcel. In defiance of our efforts to maintain area boundary fencing, fences and vegetation are cut and/or destroyed to facilitate illegal access. In addition to this, last fall park staff discovered an illegal tree cutting incident that had taken place on State Park land, below the Taylor residence. Four pine trees had been cut, ranging from 6" to 18" in diameter. This opened up a clearing of about 60 feet wide. A trail leading from the Taylor residence to the lake was found. Along this trail, a tree had fallen across the trail with a section of the tree removed to allow for access. While it may be normal practice for utility companies to cut trees endangering overhead lines, these trees did not pose any possible conflict to nearby lines. Our investigation has cleared the contractor responsible for vegetative clearing around these lines. We will continue our investigation of this trespass. In the meantime, we have been restoring destroyed vegetation and attempting to control access in defiance of continued setbacks.

Mr. Peter Douglas  
February 16, 1996.  
Page 4

Should you or members of your staff have any questions, or need additional information, please call me or Mr. Gary Shannon of my staff at (707) 865-2391.

Sincerely,



Robert R. LaBelle,  
District Superintendent

<b>EXHIBIT NO.</b> 21
<b>APPLICATION NO.</b> MENDOCINO CO. ICP
AMENDMENT 1-95 (Major) SITE THREE (Taylor)
Correspondence



COASTAL CONSERVATION COMMITTEE

29900 Highway 20  
Fort Bragg, California 95437

February 19, 1996

FEB 22 1996

CLUB  
1030 STATE ST. FORT BRAGG, CALIF. 95437

California Coastal Commission  
45 Fremont - Suite 2000  
San Francisco, California 94105-2219

RE: Mendocino County General Plan Amendment/Rezone GP 29-88/R 22-91  
(Taylor): Request for Environmental Impact Report.

Members of the Commission:

We find the Mendocino County Planning Department environmental work on the Taylor application, in its inadequacy, lack of concern, and glib dismissal of any potentially significant environmental impacts, embarrassing. In the words of the Planning Director, "It is not our policy" to require environmental impact reports from developers. This attitude, together with an impoverished county budget, has led directly to little or no environmental analysis of projects such as Taylor. The situation worsens, and an accurate anticipation of it led the Sierra Club, many years ago, to strenuously object to turning the coastal permitting process over to Mendocino County. Time has amply validated our concerns.

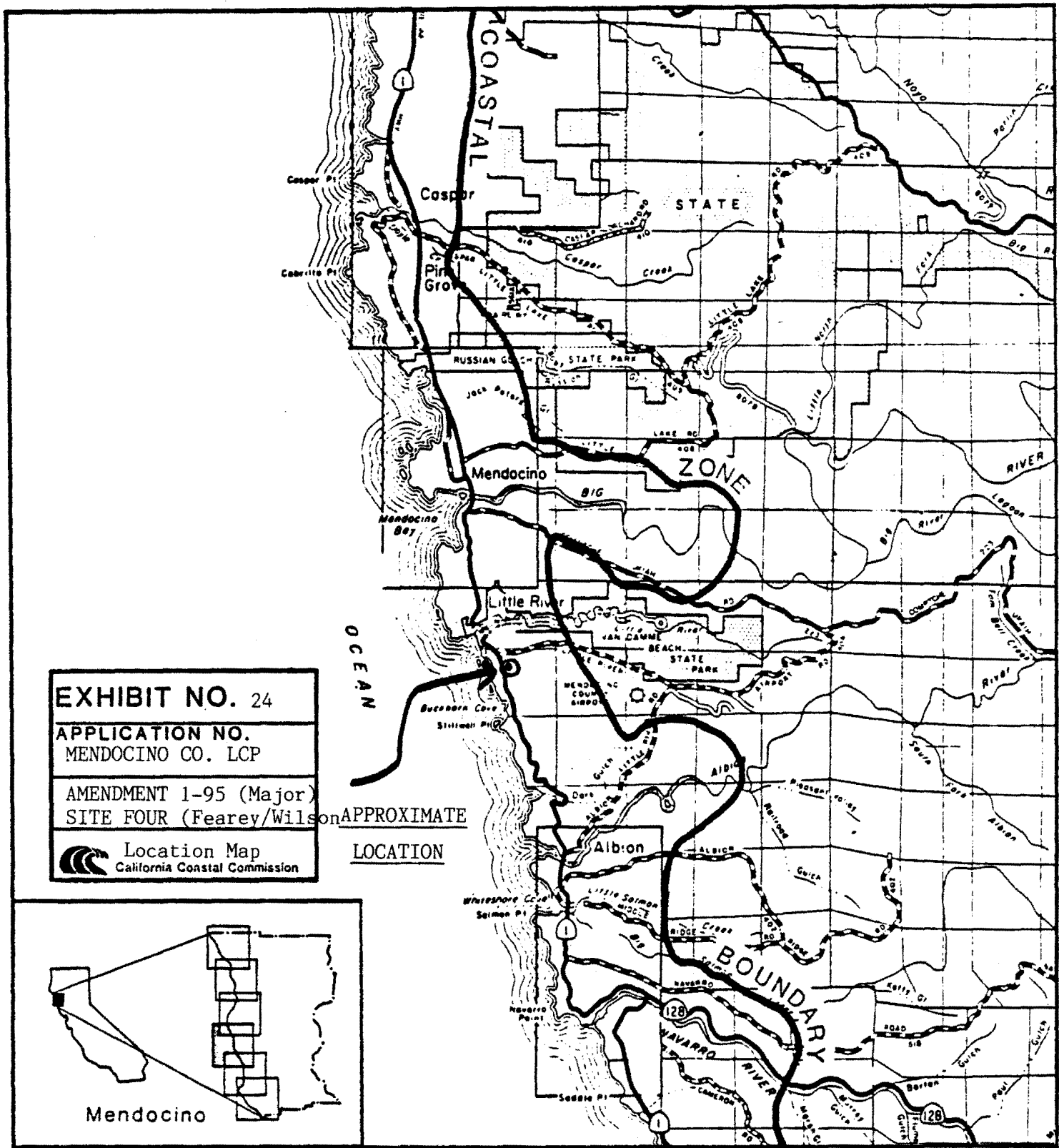
The county's environmental analysis fails in every particular:

Water usage is underestimated by some 70% (see Graboske letter, 2. Water), and impacts on Lake Cleone and MacKerricher State Park ignored.


**MENDO-LAKE GROUP, SIERRA CLUB**

<b>EXHIBIT NO.</b> 23
<b>APPLICATION NO.</b> MENDOCINO CO. LCP
<b>AMENDMENT 1-95 (Major)</b> <b>SITE THREE (Taylor)</b>
Correspondence California Coastal Commission

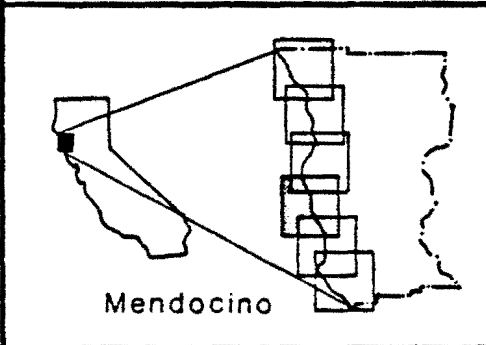




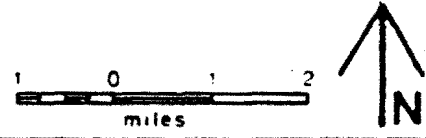
**EXHIBIT NO. 24**  
**APPLICATION NO.**  
 MENDOCINO CO. LCP  
 AMENDMENT 1-95 (Major)  
 SITE FOUR (Fearey/Wilson)


 **Location Map**  
 California Coastal Commission

APPROXIMATE  
LOCATION

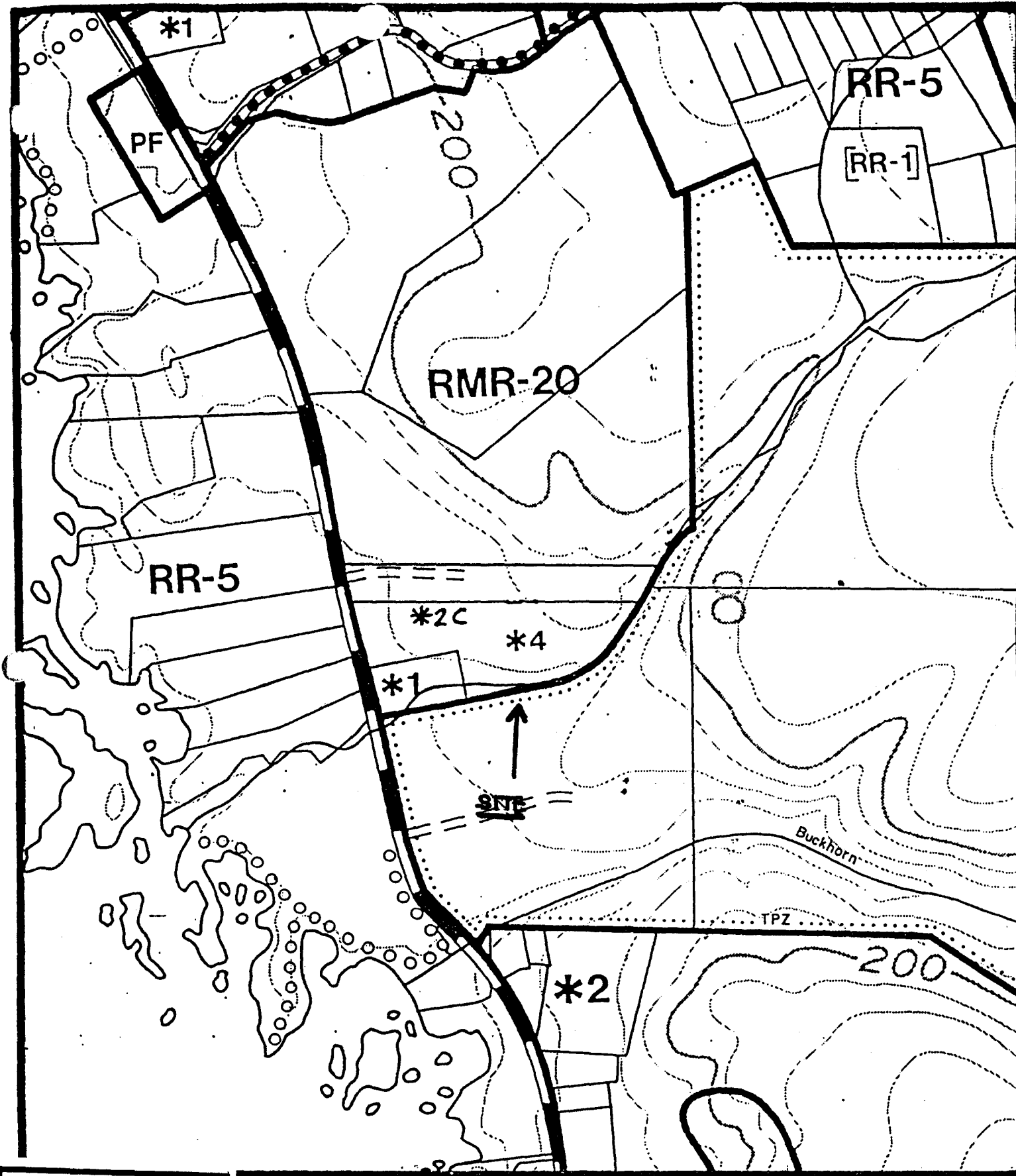


Mendocino



 California Coastal Commission


**LOCATION MAP**



**EXHIBIT NO.** 26  
**APPLICATION NO.**  
 MENDOCINO CO. LCP  
 AMENDMENT 1-95 (Major  
 SITE FOUR (Fearey/  
 Wilson) LUP Map  
 California Coastal Commission

OWNER: FEAREY & WILSON		Map as proposed to be amended.	
-020-21	EXHIBIT A	Land Use	 NORTH

file GP 4-90

<b>EXHIBIT NO.</b> 28
<b>APPLICATION NO.</b> MENDOCINO CO. LCP
<b>AMENDMENT 1-95 (Major)</b> <b>SITE FOUR (Fearey/Wilson)</b>
Resolution  California Coastal Commission

RESOLUTION NO. 95-210

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF MENDOCINO OF INTENT TO AMEND THE LOCAL COASTAL  
PROGRAM FOR MENDOCINO COUNTY  
(GP 4-90/R 21-91 - FEAREY & WILSON)**

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

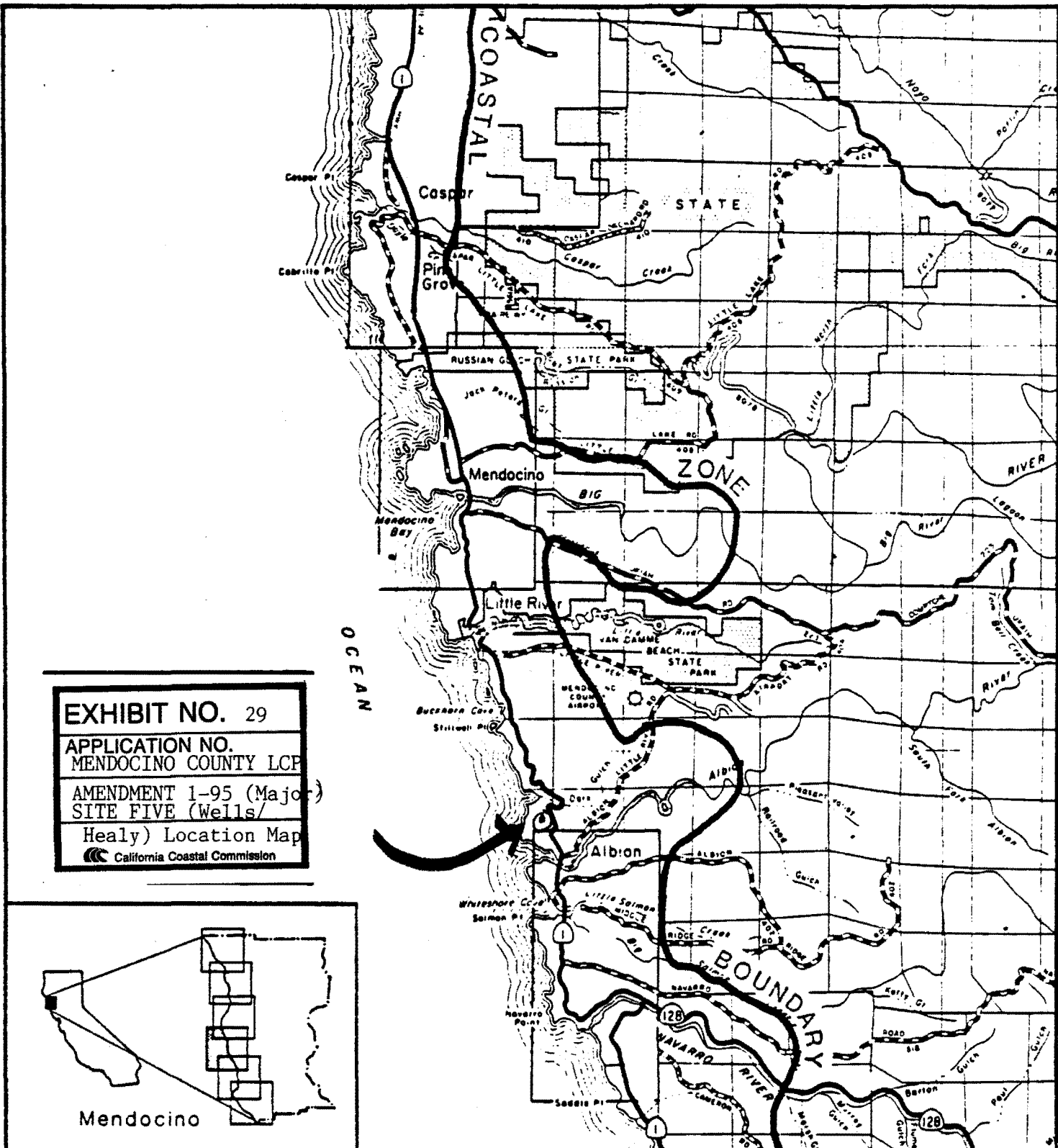
WHEREAS, the County Planning Commission has held a public hearing on the requested amendment and submitted its recommendation to the Board of Supervisors, and

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,

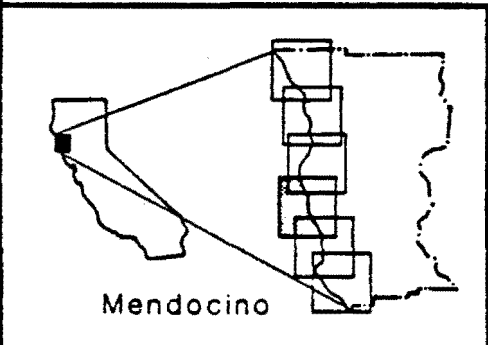
NOW, THEREFORE, BE IT RESOLVED, that it is the intent of the Board of Supervisors of the County of Mendocino that #GP 4-90/#R 21-91 be adopted amending the Local Coastal Program as shown on attached Exhibits A and B.

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 Board of Supervisors of the County of Mendocino acknowledges receipt of the Coastal Commission's action, formally adopts the proposed amendment and accepts any modification suggested by the Coastal Commission, and

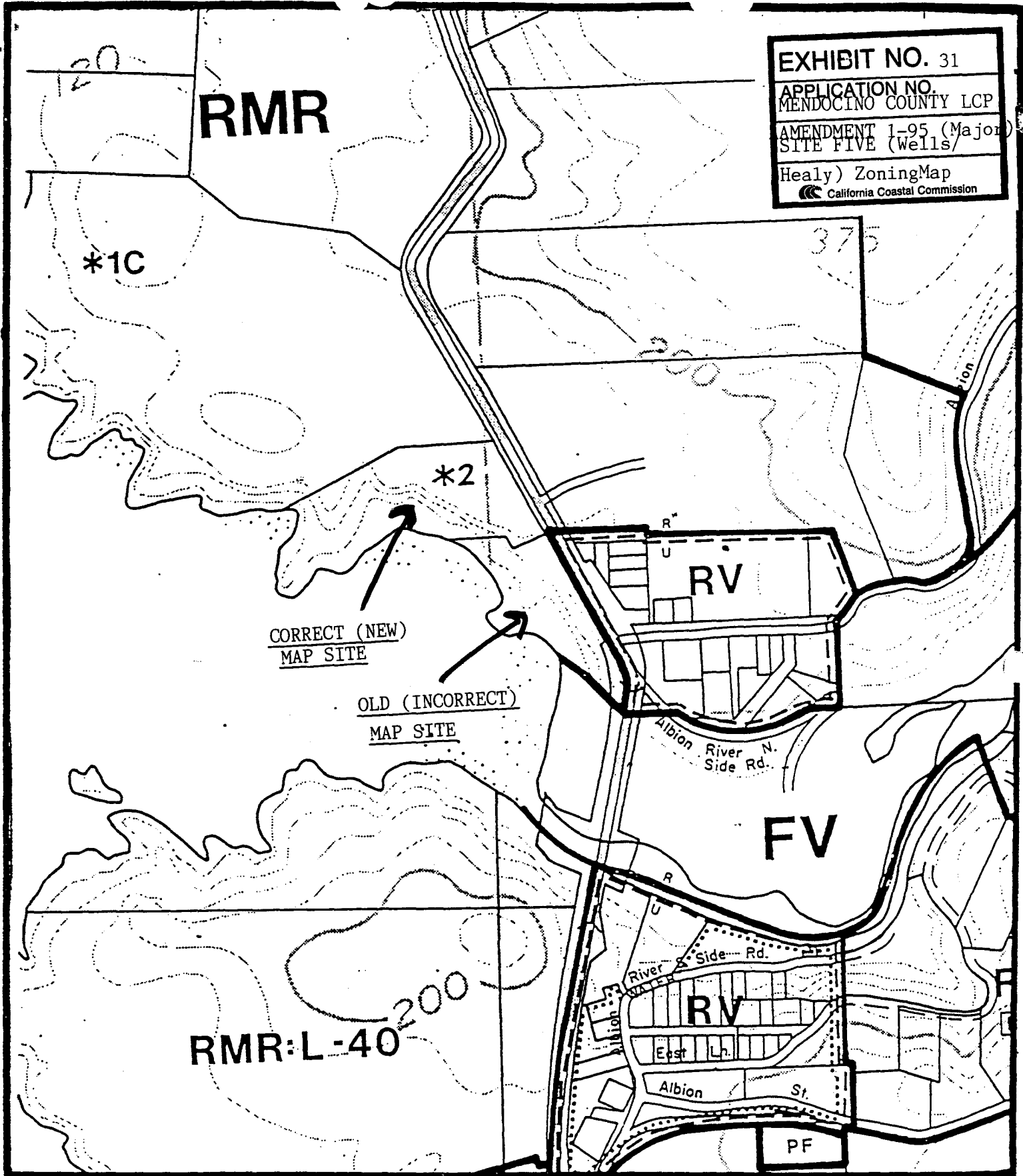



**EXHIBIT NO. 29**  
**APPLICATION NO.**  
**MENDOCINO COUNTY LCP**  
**AMENDMENT 1-95 (Major)**  
**SITE FIVE (Wells/**  
**Healy) Location Map**  
 California Coastal Commission



 **LOCATION MAP**  

**EXHIBIT NO. 31**  
**APPLICATION NO.**  
 MENDOCINO COUNTY LCP  
 AMENDMENT 1-95 (Major)  
 SITE FIVE (Wells/  
 Healy) ZoningMap  
 California Coastal Commission



<b>CASE NUMBER:</b> #GP 5-90/#R 30-91	<b>OWNER:</b> WELLS & HEALEY	Map as proposed to be amended.	
<b>A/P NUMBER:</b> 123-040-06	<b>EXHIBIT B</b>	Zoning	 NORTH

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.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 23rd day of October, 1995, by the following vote:

AYES: Supervisors Henry, Peterson, Sugawara  
NOES: Supervisors McMichael, Pinches  
ABSENT: None

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

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By Kristin VanLatten  
Deputy


Seiji Sugawara  
Chairman of said Board of Supervisors

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

JOYCE A. BEARD  
Clerk of the Board

By: Kristin VanLatten  
DEPUTY

GP 5-90/R 30-91 - WELLS & HEALY

EXHIBIT NO. 32
APPLICATION NO. MENDOCINO COUNTY LCP
AMENDMENT 1-95 (Major), SITE FIVE (Wells/ Healy) Resolution
 California Coastal Commission







The foregoing Resolution was introduced by Supervisor Henry, seconded by Supervisor Peterson and carried this 13th day of November, 1995 by the following roll call vote:

AYES: Supervisors Pinches, Henry, Peterson, Sugawara  
NOES: None  
ABSENT: Supervisor McMichael

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

*Seiji Sugawara*  
Chairman of said Board of Supervisors

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By *Kristin Verbeten*  
Deputy

GP 14-95/R 16-95 - Kruzic

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

JOYCE A. BEARD  
Clerk of the Board  
By: *Kristin Verbeten*  
DEPUTY

EXHIBIT NO.	37
APPLICATION NO.	MENDOCINO CO. LCP
AMENDMENT 1-95 (Major)	SITE SIX (Kruzic)
Resolution California Coastal Commission	