

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
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# Th9a

**LCP-1-MEN-20-0021-1  
(MENDOCINO COUNTY ADU REGULATIONS)**

**SEPTEMBER 9, 2021**

**CORRESPONDENCE**



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482  
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August 18, 2021

The Honorable Steve Padilla, Chair  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 95105

**RE: County of Mendocino Local Coastal Program Amendment No. LCP-1-MEN-20-0021-1 (Accessory Dwelling Units)**

Dear Chair Padilla and Commissioners,

On behalf of the Mendocino County Department of Planning & Building Services, I am writing to express support for LCP Amendment No. LCP-1-MEN-20-0021-1 with the suggested modifications as presented by Coastal Commission staff.

I would also like to share my sincere appreciation for the work of your staff, particularly North Coast District Manager Bob Merrill and former Supervising Analyst Cristin Kenyon, as it relates to Mendocino County's LCP Amendment for Accessory Dwelling Units. Mr. Merrill and Ms. Kenyon worked closely with Mendocino County staff and consultants during the initial drafting of the County's LCP Amendment to help us strike a balance between the necessary protection of coastal resources and the urgent need for more affordable housing opportunities in the coastal zone of Mendocino County.

Following the County's formal submittal of the LCP Amendment application, the County requested a number of "friendly modifications" to address new changes in State legislation and to enhance the clarity of the LCP Amendment. Coastal Commission staff were receptive to these changes and, in crafting their own "suggested modifications," they engaged in a very productive and collaborative dialogue with County representatives.

On June 9, 2021, the Mendocino County Board of Supervisors reviewed a draft of the suggested modifications to the LCP Amendment and indicated that they would support the changes with one requested revision has been addressed in the final version. I reviewed the few new suggested modifications that arose after the Board's action and I believe they will streamline the permitting process for Accessory Dwelling Units and are consistent with the Board's objectives for the LCP Amendment.

I encourage the Commission to adopt LCP Amendment No. LCP-1-MEN-20-0021-1, as recommended by your staff. Thank you.

Sincerely,

Ignacio "Nash" Gonzalez, Interim Director  
Mendocino County Department of Planning & Building Services

cc: Bob Merrill, North Coast District Director  
John Ainsworth, Executive Director

**From:** [Kathy Borst](#)  
**To:** [NorthCoast@Coastal](#)  
**Cc:** [Robinson, Aurora@Coastal](#); [Merrill, Bob@Coastal](#); [Targ, Sylvia@Coastal](#)  
**Subject:** Mendocino ARU ordinance  
**Date:** Thursday, August 19, 2021 10:32:46 AM

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Dear Commissioners and/ or Analysts,

We want to voice our support for the move the Coastal Commission made on the Mendocino County LCP Amendment No. LCP-1-MEN-20-0021-1. You removed the opportunity for owners to occupy their own ADUs while renting out their homes as short term rentals. We applaud this change. Short term rentals are partially responsible for the housing crisis in Mendocino county.

In a seven-unit neighborhood in Elk where we own a rental home, one set of owners would keep the ADU for their own vacation spot and rent out the house, so there would be no supervision of the guests. Unsupervised STR guests, in our experience, may treat a neighborhood poorly, turning it into more of a campground/party atmosphere than a place where people live and work and need to sleep at night.

We hope you hold firm on this issue and come to see STRs as something to limit to certain types of neighborhoods in the coastal zone - larger ones? Ones where there are no neighbors to disrupt? Places where the owner is fully in residence to modulate behavior? - where they can be less disruptive than what we have experienced.

Thank you for your work.

Sincerely,

Kathy Borst and Bill Cook  
707-894-3290  
[Elkhornkate@icloud.com](mailto:Elkhornkate@icloud.com)

Sent from my iPad

RECEIVED

AUG 06 2021

August 2, 2021 CALIFORNIA  
COASTAL COMMISSION  
NORTH COAST DISTRICT

To: California Coastal Commission

Re: **LCP Amendment # LCP-1-MEN-20-0021-1**, Ordinance submitted by Mendocino County Board of Supervisors.

Attn: Aurora Robinson - Please route this to the correct analyst, if applicable.

It recently came to my attention that the language of LCP-1-MEN-20-0021-1 covering the permitting of accessory dwelling units (ADUs) in the Mendocino county coastal zone and the potential use of properties in the coastal zone as short term rentals (STRs) - often using organizations such as Air B&B, VRBO, VACASA and other companies to manage or rent them out - has been in flux due to special interest pressure. I support the original stated purpose of permitting the additional Mendocino county ADUs - increasing the availability of workforce housing for moderate income workers. Allowing the use of either the ADU or original home as an STR decreases the amount housing available for rent and undermines the reason for allowing ADUs to be built.

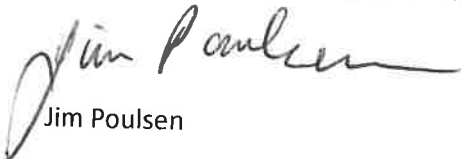
ADUs would be best suited to the parts of the county served by sewer and water systems. Adding ADUs to areas with smaller lots (< 0.5 -1 acre) that are on septic systems has much greater environmental, health and safety risks. Perhaps a "wet weather" percolation test could be implemented when a second living unit is added to a lot with a septic permit for a single family home.

The use of rural properties, with or without ADUs, as STRs is of much greater concern. We have observed STRs in our area (Elk CA) with occupancies of 10 or more people in a single family home. The vacation renters are often from cities with no exposure to protecting a septic system from overload or conserving scarce community water supplies while on vacation. A septic system designed for a single family home probably will not have the capacity for hotel use, especially during the wetter months.

During the early portion of the COVID-19 pandemic the renters were routinely in violation of Mendocino county travel restrictions, social distancing guidelines and masking requirements. Our overburdened public safety officials do not have the bandwidth to respond to minor to moderate issues resulting from STRs in rural areas such as fireworks, noise complaints or health and safety violations.

I urge the commission to maintain the purpose of the ADUs and the original structure on the lot for residential housing and not to allow the use of any such properties in the coastal zone as Air B&B style STRs.

Thank you for your attention to this matter,



Jim Poulsen

35950 Elk Meadow Road

Elk CA 95432

(Mailing address, PO Box 641 Bodega Bay CA 94923)

**From:** [Tigerlily](#)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** LPC-1-MEN-20-0021-1  
**Date:** Saturday, August 28, 2021 1:45:28 PM

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I am writing to urge the Coastal Commission to approve accessory dwelling units on the Mendocino Coast.

We are in the midst of a housing crisis, where locals can no longer afford, or even find, places to live.

Investors are buying up homes that used to house locals and offering them instead as B&Bs. Homeowners who wish to add a second unit to house an extended family are instead punished by the Planning and Building Department, with fines, fees, and delays, if they can even secure a permit. We need to streamline the process for adding density, and also ensure that these units will be used for housing, not vacation rentals.

Nearly everyone on the coast has been impacted by this housing shortage. Young people are leaving the area because they cannot afford to pay the exorbitant rents that scarcity breeds. There is a secondary crisis that will come of this, with a shortage of workers and services as high rents force middle class folk out. Please make it possible to add second units to existing parcels.

Yours sincerely,  
Lily Jones  
44840 Larkin Road  
Mendocino, CA 95460

**From:** [bluetoothfairy18@gmail.com](mailto:bluetoothfairy18@gmail.com)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** affordable housing  
**Date:** Saturday, August 28, 2021 3:39:32 PM

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I wish to express my hope that the Coastal Commission and people planning for the future and the dire need for affordable housing, will consider allowing accessory dwelling units. I believe this will benefit seniors as well, as we age and need others nearby. (Seniors in general may have even fewer resources for affordable housing than the working young.) Clusters of such units help create community as well as minimizing impact to our coastal ecology.

Thank you for your kind attention,

Sharon Paltin, M.D.

Laytonville, CA

Sent from [Mail](#) for Windows

**From:** [Christina Vandusen](#)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** Housing  
**Date:** Saturday, August 28, 2021 4:25:00 PM

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To whom it may concern,  
Please do all you can to help with the dire housing needs.  
Please stop Airbnb from buying up properties for vacation rentals, for one thing.  
Also loosen up the codes for alternative dwelling.  
Thank you  
Christina Vandusen

**From:** [Nicole Patton](#)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** Proposal for ADU  
**Date:** Sunday, August 29, 2021 5:55:42 PM

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Hello There,

I would like this comment to be shared in the upcoming meeting. My name is Nicole Patton and I have a son who attends 2nd grade at the Mendocino K-8. My home I rent in Mendocino, Ca is going up for sale soon and I will need to find a new place to live. I have been looking for a place to move to with hardly any opportunities to apply for. I am worried I will be forced out of the area due to no housing. Its imperative that planning allow for ADU's and support the process to make it as easy and affordable as possible. I am sure it will make a huge difference and allow the wonderful community members with less resources for buying a Mendocino home to stay in the area.

Thank You for your time,  
Nicole



**From:** [Chris Skyhawk](#)  
**To:** [NorthCoast@Coastal](#)  
**Subject:** Affordable housing in coastal zone  
**Date:** Saturday, August 28, 2021 7:59:39 PM

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as a long-time resident of the mendocino coast i am asking that you do all in your power to help us create affordable housing, our community is literally collapsing, please moreADU's and less air Bn B's

thank you- Chris Skyhawk 520Cypress st. #7 fort bragg ca, 965437

[hawkwork@mcn.org](mailto:hawkwork@mcn.org)

**From:** [Wendy Babbe](#)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** LCP Amendment No. LCP-1-MEN-20-0021-1 Accessory Dwelling Units  
**Date:** Sunday, August 29, 2021 6:28:28 PM

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August 29, 2021

California Coastal Commission:

The coast of Mendocino County is so short on housing that people often search for years before finding a dwelling that's available, if at all. This shortage not only causes rents to escalate, but also causes our local communities to suffer in many ways. Last year, Elk lost a full-time mechanic and fully-trained firefighter and his family because they were unable to find housing within our community. We have little to no contractors in our community because there's no rental housing available. This means all Elk residents pay more for plumbers, electricians, carpenters, etc. to drive to our community and work on our homes. We ranch, and can't find any ranch laborers because there is no housing for them. This means we can't reach our full potential financially because we are being constrained by the lack of housing.

We need more service people on the coast. Currently we have no appliance repair technicians on the coast at all. We wait months, not weeks for service techs to come over from Ukiah & Santa Rosa, again, increasing the long-haul traffic on our roads. A service call from those communities runs almost \$250 just for them to show up. Small communities cannot survive like this. While you may want the rural flavor to remain, what you are creating is a community of tourists and wealthy people who can afford new appliances when theirs break down. They can afford to pay the trades to drive an hour here and an hour back home. By restricting population densities to this degree, you are intentionally or unintentionally changing the makeup of our small communities in ways that we'll never be able get back again.

Because we live in the Ag Zone, we are fully aware that the housing density in this area is ridiculously low. We understand that the county wants to keep the rural flavor of this area and wants to keep ag interests front & center, but this area in particular has many large ranches with just a single residence. The Highway 1 traffic in this area is predominantly building trades, service trades and deliveries. If we had more housing in the area, they wouldn't have to commute all the way from Fort Bragg and Gualala and our long-haul highway traffic could actually decrease.

Healthy, resilient, strong communities need your support. We have been thru so much in the last few years. Please, don't make it that much harder for us to recover. Let us build the housing we need so we can once again become the thriving communities the Mendocino Coast needs.

Thank you for your time and consideration,

Wendy Babbe

12451 S. Highway 1

Elk, CA 95432

**From:** [Annemarie](#)  
**To:** [NorthCoast@Coastal](#)  
**Cc:** [Robinson, Aurora@Coastal](#); [Merrill, Bob@Coastal](#); [Targ.Sylvia@Coastal.ca.gov](#)  
**Subject:** public comment item 9a, Mendocino County LCP Amendment (ADU) 9-9-21  
**Date:** Friday, September 03, 2021 10:22:25 AM  
**Attachments:** [public comment item 9a, Mendocino County LCP Amendment \(ADU\) 9-9-21.pdf](#)

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Hi,  
Please post.  
Thanks, Annemarie Weibel

Public Comments item 9a, 9-9-2021

Mendocino County LCP Amendment No. LCP-1-MEN-20-0021-1 Accessory Dwelling Units  
Coastal Commission public hearing and action on request by Mendocino County to amend the  
County's certified Land Use Plan and Implementation Program to regulate accessory dwelling units  
(ADUs) and junior accessory dwelling units (JADUs) in compliance with recent State legislation.  
(RSM-A)

Dear Chair Padilla and Commissioners,

First of all I want to thank you, the Board of Supervisors, and the Mendocino County staff for all the  
work that has gone into this LCP Amendment so far. It is a start.

I agree that we have a severe lack of long-term rental housing in the County's coastal zone, a real crisis.  
People who have jobs can not afford the outrageous rental fees and can not find long term rentals.  
Many doctors, nurses, teachers, and many other essential workers have to turn down employment,  
move away, or travel long distances. Given the housing shortage, many employees on the coast are  
currently living in crowded and/or substandard rental units.

I do understand that the Mendocino Coast has development limitations, limited service capacity, water  
supply, sewage disposal, and traffic capacity.

LUP Policy 3.9-1 already prohibits houses from being developed if adequate access, water, and sewage  
disposal capacity does not exist, but does not specifically address the cumulative impacts of housing  
development on Highway 1 capacity. It needs to be addressed.

Your report states that there are currently 382 vacation home rentals within the County's coastal zone  
outside the Town of Mendocino (Mendocino County TOT data and GIS, April 2020). I believe there are  
many many more. They have mushroomed since Covid as people wanted to escape the city and locals  
could not work and were told to stay at home. The County probably does not add up all the individual  
Airbnb, VRBO, Vacasa, hipcamp, etc. that are everywhere. The City of Fort Bragg allowed 12  
locations. In Albion I know of at least 10 (some are in the Coastal Zone). Tourists are walking around  
in our neighborhoods with their cameras taking photos of our gardens, trees and flowers.

I believe that the County is not getting the bed tax money from short-term rentals, but needs to  
maintain the roads, and infrastructure. If that is the case that needs to be changed.

Under the currently certified LCP, one single-family residence is permitted in the AG, RL, FL, and TP  
Districts and use of the residence as a vacation home rental is also permitted. It should not be in the  
amended LCP as we really need to have long-term rentals to address the immediate and critical need  
for affordable housing in the coastal zone.

The County needs to cap the number of vacation rentals allowed outside of the Mendocino Town Plan  
& Gualala Town Plan area immediately.

I support requesting owner occupancy for residences with JADUs. This also needs to happen for  
ADUs.

Please do not allow short-term rentals as it decreases the housing that is available for long-term rentals  
and undermines the reason for allowing ADUs to be built. Our overburdened public safety officials and  
code enforcement staff do not have the resources to respond to issues resulting from short-term rentals.

I am glad to read that prior to obtaining a building permit for an ADU or JADU, a recorded deed restriction would be required to include the prohibition on renting the unit for transient occupancy and other pertinent restrictions. What are the other pertinent restrictions?

I approve that as a result of scattered water and septic limitations, the Department of Environmental Health will determine the adequacy of water and septic capacity on a parcel-by-parcel basis. These studies are essential to protecting existing users and the groundwater resource.

It is good to know that Modification 2 broadens the proposed restriction on vacation rentals so that, on a property with an ADU and/or JADU, use of any dwelling as a vacation rental is prohibited. Also Modification 2 clarifies that ADUs are only permitted in areas where no major vegetation removal is required.

I support that based on 3.2-4 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.

Short-term rentals are partially responsible for the housing crisis in Mendocino County. Elderly, people with disabilities, large households, single parent households, agricultural workers, and homeless persons are especially effected by the lack of housing and the current rental prices. Full-time short term rentals should not be tolerated as they remove houses from the residential market.

To bring awareness to the housing crisis issue the Grand Jury in their 2020/2021 Report Need for Housing began investigating what is currently being done to improve the availability of housing in Mendocino County, as well as what is currently being done to improve the situation for homeless people. These reports unfortunately do not address the problems caused by short term rentals like Airbnb, VRBO, Vacasa, hipcamp, etc.)

<https://www.mendocinocounty.org/government/grand-jury/2020-2021-reports>

What is needed immediately is a new Vacation Home Rental Ordinance. We can not wait 3 years until the County comes up with this new Ordinance. In the meantime more landowners are applying for major use permits to rent out their houses (or rent without permits) demanding outrageous prices. Often owners are not on site, which in an area like ours can have serious consequences. When an owner occupies a house, they take care of it. They know their neighbors, keep the noise down, shop locally, send their kids to the local school, and set down roots. Absentee landlords kill communities. They don't have roots. They don't care about noise, safety, or cleanliness. They don't care about schools or neighbors. All they care about is extracting wealth. This business model is driving locals away and has serious social, economic, and environmental effects that we all bear. It should be demanded that they live on site also to make sure that there is no fire danger, that water is used sparingly, that septic systems are not overloaded, etc. Vesting owners and installing security cameras is not good enough. It should be mandated that all these hosts that offer short term vacation rentals (Airbnb, VRBO, Vacasa, Hipcamp, etc.) are only renting out space in a housing unit that they own and live in full-time.

Thank you for facilitating a solution to allow ADUs and JADUs. I am glad that this LCP Amendment will somewhat address the local needs once you amend it to include the comments you are receiving from the public. The special interests of certain people in certain positions should not sway you to vote against the needs of the local communities.

Sincerely, Annemarie Weibel

**From:** [Christopher Pederson](#)  
**To:** [NorthCoast@Coastal](#)  
**Cc:** [Ainsworth, John@Coastal](#); [Huckelbridge, Kate@Coastal](#)  
**Subject:** Public Comment on September 2021 Agenda Item Thursday 9a - Mendocino County LCP Amendment No. LCP-1-MEN-20-0021-1(Accessory Dwelling Units).  
**Date:** Friday, September 03, 2021 11:10:16 AM

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Dear Chair Padilla and Commissioners:

I support the staff recommendation for the Mendocino County LCP amendment regarding ADUs. The staff report correctly points out that ADUs advance several important Coastal Act policies. They provide an important source of affordable housing, they help to concentrate development in already urbanized areas, and they reduce vehicle miles traveled. (*See* Pub. Resources Code, §§ 30604(f), 30250(a), 30253(d).)

The report also acknowledges that ADUs have the potential to raise Coastal Act concerns if they overburden public services. Rather than imposing burdensome requirements on ADUs that are likely to suppress their creation, staff instead recommends a reasonable cap on the total number of ADUs. That will allow the County to enjoy the Coastal Act benefits that ADUs provide and will allow future consideration of whether to adjust the cap or to impose other requirements in light of any real-world impacts newly constructed ADUs may have.

The approach that staff recommends here should serve as a model for the Commission's evaluation of future LCP amendments regarding ADUs.

Thank you for your consideration of my comments.

Sincerely,

Christopher Pederson