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California Coastal Zone Management Program

MENDOCINO COUNTY GENERAL PLAN COASTAL ELEMENT

COASTAL ZONE
INFORMATION CENTER

ADOPTED BY MENDOCINO COUNTY BOARD OF SUPERVISORS
AUGUST 17, 1983

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MENDOCINO COUNTY
GENERAL PLAN
COASTAL ELEMENT

U.S. DEPARTMENT OF COMMERCE NOAA
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USER'S GUIDE

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

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

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

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

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

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

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

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

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

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

I. BACKGROUND

1. BACKGROUND

1.1 THE COASTAL ACT

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

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

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

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

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

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

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

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

The heart of the Coastal Act is Chapter 3, Coastal Resources Planning and Management Policies (Section 30200). These policies constitute the standards that local plans must meet in order to be certified by the state as well as criteria for evaluating proposed developments within the coastal zone. Excerpts from the Act for each of the 14 policy categories are quoted in Chapter 3 of this plan. The spirit and intent of the Act can be summarized as requiring that:

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

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

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

1.2 THE COASTAL PLANNING PROCESS

In 1978 the Mendocino County Planning Department completed Issues Identification and a Draft Work Program for the LCP. The County's General Plan was subsequently found inadequate by the Superior Court and the County found itself under a moratorium prohibiting rezoning or subdivision approval until a new General Plan could be adopted. Primarily because County Planning Department staff time was needed for work on the General Plan, The Board of Supervisors exercised an option provided by the Coastal Act and requested that the Coastal Commission prepare its LCP. In June 1979 the Coastal Commission selected Blayney-Dyett as consultant for this work. The Hearing Draft was prepared by Blayney-Dyett Consultants and published in August, 1980, and represents the basis for this plan. The Hearing Draft and the Comments prepared by the staff of the California Coastal Commission were the basis of public hearings held by the Mendocino County Planning Commission beginning June 15, 1981.

1.3 PUBLIC PARTICIPATION

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

Sketch plans prepared by the CAC's and those prepared by the consultant were discussed at meetings in May and June, 1980 and plan maps were left at convenient

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

Priority of Use	Rural, undeveloped areas		Already developed areas
High	Agriculture (prime coastal dependent), forestry (productive timberland), coastal dependent public recreation. (30213, 30241, 30242, 30243, (30250a, b)	Coastal dependent[a] public recreation. (30213, 30220, 30221)	Coastal dependent industry and commerce, commercial fishing, coastal dependent public recreation and special communities. (30213, 30234, 30250a, b, 30253-5, 30255)
	Water dependent[a] public recreation (30220, 30221, 30223)		
	Non-coastal or non-water[a] dependent public recreation (30220, 30221)		
	Visitor-serving[a] commercial recreation, lower cost (30222, 30213, 30250c)		
	Visitor-serving[a] commercial recreation, higher cost (30222, 30250c)		
Low			Private residential,[b] general industrial or commercial development, (30222, 30250, 30255)

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

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

public locations with a request for public comment. Comments written on the consultant's maps, CAC plans and statements, and the many letters and comments received from individuals have been considered and frequently incorporated by the consultant in the draft Coastal Element.

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

1.4 RELATIONSHIP BETWEEN THE COASTAL ELEMENT AND THE COUNTYWIDE GENERAL PLAN

The Coastal Element is designed to be adopted as an element of the Mendocino County General Plan. Work on the Coastal Element proceeded, with the cooperation and assistance of the County Planning Department, simultaneously with revision of the County General Plan. The County General Plan includes no land use proposals within the coastal zone and the Coastal Element includes none outside. Few coordination problems surfaced except in the area around Fort Bragg. Here most existing and potential development is outside the coastal zone. Four planning programs affect this area. The Fort Bragg general plan revision, and LCP and the County general plan revision and LCP. Slightly varying time schedules and some conflicting public meetings have made it difficult for interested citizens to follow each program.

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

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

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

1.5 ADOPTION, CERTIFICATION, AND IMPLEMENTATION

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

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

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

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

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

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

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

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

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

Certification of the LCP transfers coastal development review authority to the County after:

- Mendocino County by formal resolution acknowledges the receipt of the Coastal Commission's resolution of certification, accepts any conditions or terms imposed by the Commission, takes formal action to comply with the

conditions or terms of certification, and agrees to issue permits in the area covered by the approved LCP;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. THE LAND USE PLAN

2.1 ORGANIZATION

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

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

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

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

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

The Mendocino Town Plan is located in Section 4.13.

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

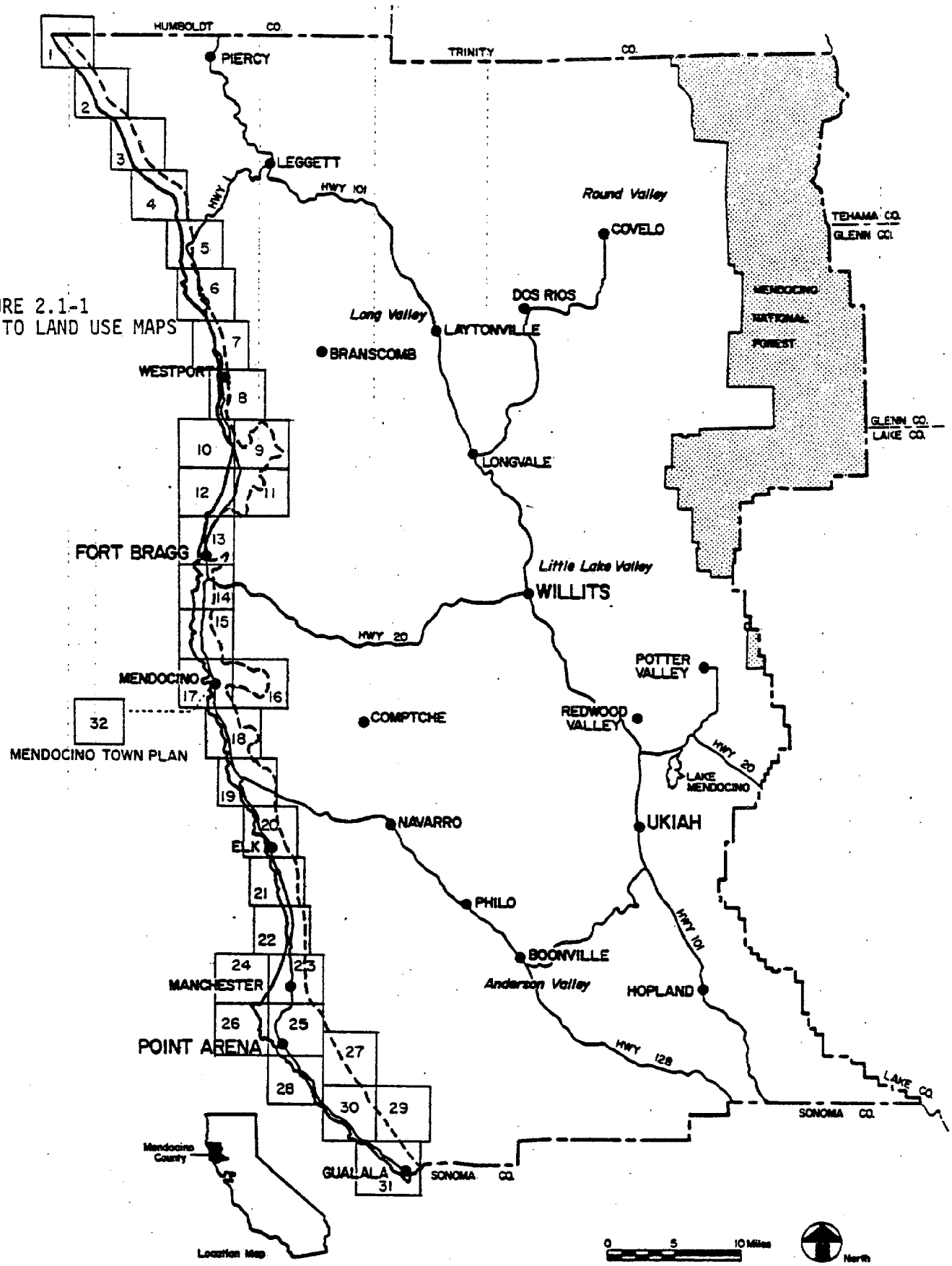
TABLE 2.1-1 CITIZENS ADVISORY COMMITTEES, MAP AREAS, AND PLANNING AREAS

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

All maps at 1" = 600' except as noted

MENDOCINO COUNTY

FIGURE 2.1-1
KEY TO LAND USE MAPS



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2. LAND USE PLAN:

ORGANIZATION AND LAND USE CLASSIFICATIONS

2.2 DESCRIPTION OF LAND USE PLAN MAP DESIGNATIONS

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

GENERAL PROVISIONS

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

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

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

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

HOME OCCUPATIONS

It is the intent of this section to provide for an accessory use within a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the dwelling for residential purposes and must not change the character thereof or adversely affect the residential or rural nature of its surroundings. When a use is a home occupation it means that the

owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation without securing a use permit to do so. However, such person shall be subject to all applicable policies of this element and to all other permits required under county code, such as building permits and business licenses. A home occupation is a principal permitted use in any land use classification where a dwelling exists.

The Mendocino County Code Section 20, Article XXXVIII should be updated through the public hearing process within 24 months of LCP adoption, to encourage individuals to provide self-employment in their own homes. The concept of a "rural home occupation" definition should be considered. "Performance" standards should be considered.

Specific Standards

A. No person other than members of the family residing on the premises shall be engaged in such occupation.

B. The home occupation shall be incidental and subordinate to its use for residential purposes and that not more than 25 percent of the floor area of the dwelling unit shall be used for such occupation. Use of an accessory building or garage for these purposes shall be prohibited.

C. There shall be no change, resulting from the home occupation, in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation other than one sign not exceeding two (2) square feet of area, non-illuminated and attached flat to the main structure or visible through a window.

D. No merchandise (except articles produced on the premises) shall be sold or displayed on the premises.

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

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

G. No mechanical or electrical equipment shall be employed other than machinery or equipment customarily found in the home associated with a hobby or a vocation not conducted for gain or profit.

H. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, dust, odors, smoke or electrical interference, detectable to the normal senses, off the lot, if the occupation is conducted in a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.

COTTAGE INDUSTRIES

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

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

The General Standards, Specific Standards, and Permitted Uses of Cottage Industries should be updated within 24 months of LCP adoption through the public hearing process. "Performance" standards and a "rural cottage industries" definition should be considered, to encourage employment and to recognize the differences of individual situations.

General Standard

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

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

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

Specific Standards

Cottage Industries shall conform to the following requirements:

A. Not more than one (1) outside person may be employed on the premises in addition to the members of the family residing on the premises.

B. The Cottage Industry shall be a secondary use of a parcel containing a dwelling occupied as a principal residence of the owner or operator of the Cottage Industry. Multiple uses may be permitted within a Cottage Industry. Such industry or equipment and storage related thereto should not be located within fifty (50) feet of any property line, excluding buildings constructed prior to the adoption of this plan.

C. No Cottage Industry permitted pursuant to this subsection may occupy more than 640 square feet of area within any building or buildings on the same parcel.

D. No on-premise signs are allowed except as provided by home occupations.

E. No merchandise (except articles produced on the premises or those items necessary for repair work in the automotive and equipment repair services, consumer use types and specialty shops) shall be sold or displayed on the premises.

F. Not more than ten (10) customers or clients shall come to the dwelling unit for service or products during any one day. Not more than one vehicle may be parked on the premises or a street adjacent thereto while awaiting or undergoing repair, or awaiting removal after repair.

G. Large vehicles and construction equipment (including but not limited to trucks of over one (1) ton rating, tractor, bulldozer, backhoe, skip-loader, well-drilling rig, cement mixer, roller, welder, air compressor, forklift, or grader) shall not be operated, maintained, or parked in connection with a Cottage Industry except to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property.

H. Noise generation from within the site shall not exceed 65 dba at the nearest off site residence.

<u>Examples of Uses Permitted Upon Securing a Minor Use Permit:</u>

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

Administrative and Business Offices
Animal Sales and Services: Household Pets
Automotive and Equipment: Light (Excluding SR)
Building Maintenance Services
Food and Beverage Preparation: Without Consumption
Laundry Services
Medical Services
Personal Improvement Services
Personal Services
Repair Services, Consumer
Research Services
Custom Manufacturing and Repairs
Specialty Shops

B. The following are examples of conditional uses that may be permitted in Rangeland, Agriculture and Forest Land land use classification:

Agricultural Sales and Services
Animal Sales and Services: Household Pets
Automotive and Equipment: Light

Automotive and Equipment: Heavy
Building Maintenance Services
Laundry Services
Personal Improvement Services
Personal Services
Repair Services
Custom Manufacturing
Packing and Processing (All types)

NON-CONFORMING USES

Objective:

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

Policies:

1. Allow the continuation of all existing legal uses which do not conform to the type of activity designated on the Land Use Map, but which conform to the following criteria:

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

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

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

3. Existing legal uses conforming with Section 1, above, may be expanded or changed to a use of lesser intensity on the following basis:

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

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

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

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

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

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

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

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

Policy

There are certain existing isolated legal land uses in the County which have been established through historical practice, and operate with a perceived public benefit. The above described land uses are contained within land use classifications which make them legal non-conforming uses. To retain the individual identity of the existing land use, and the ability of that use to expand based upon economic demand or public need, there shall be an "Isolated Service" zoning regulation provided within the zoning ordinance. Said zoning regulation shall contain the following standards:

A. In each instance in which a legally existing land use made non-conforming by the general plan is determined to warrant "Isolated Service" designation, a contract zoning shall be established for the site:

i. The contract zoning shall designate the nature, extent and intensity of the land use in question and will control said use to the extent that exists upon adoption of the contract zoning.

ii. To modify or expand the use under contract, a modification of the contract, as a rezoning will be required.

iii. A condition of the contract will require rezoning to a zone in conformance with the surrounding land use designation should the use be abandoned.

B. As criteria for modification or expansion of use, the following findings must be made prior to approval of such requests:

i. The proposal will not result in unmitigated adverse impact to surrounding land uses.

ii. The expansion or modification is found necessary to meet economic demand or increased public need.

NON-CONFORMING LOTS

Issues:

Legally created lots presently developable under existing zoning regulations, may not meet proposed General Plan minimum parcel sizes. An example of this situation would be a 20 acre parcel presently zoned A-C being recommended for "AG 40 acres" designation. Under the recommendation, the property would become a "legal non-conforming lot", as it would be smaller than the 40 acre minimum proposed. There is concern that the lot will become undevelopable by virtue of the newly established density.

Findings:

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

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

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

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

   It is anticipated that in the new Zoning Ordinance setback requirements for all zones which permit a single family dwelling (residential, agricultural, and timber zones) will be standardized to the greatest extent possible. Therefore, if a small lot is designated as AG 40 acres, the setbacks will be no different than if lots were zoned or designated residential. This provision should greatly decrease the need for a variance to setbacks in all but the most unusual circumstances.

COMBINING DISTRICTS

DEVELOPMENT LIMITATIONS
Map Code: DL

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

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

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

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

CLUSTERING
Map Code: CL

Intent: This combining district allows for the grouping of dwellings in suitable areas when requested by the property owner as opposed to even dispersal over a larger area, enhancing and protecting the natural resources of a site while providing a buffer to adjacent resource lands. In the

dwelling group all the units are developed on one parcel. This arrangement accommodates those desiring a joint development of land, a family living situation, or to provide housing for employees. Additionally, dwelling group clustering protects the productive portions of major holdings, preserves open space and reduces development costs. This special combining district is intended to be used only in conjunction with lands designated RL, FL, AG, RMR and RR-10.

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

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

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

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

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

PLANNED UNIT DEVELOPMENT
Map Code: PD

Intent: This special combining district is intended to be used only in conjunction with those designated areas on the land use map specifying Planned Unit Development. Planned Unit Development is intended to be used as a combining Land Use Classification with SR, RR-1 (40,000 sq. ft.), RR-2 (80,000 sq. ft.), RR-5, Industrial and Commercial where applicable and consistent with other policies of this plan. The use of Planned Unit Development is intended to require a site plan for a parcel to be reviewed to ensure maximum preservation of open space, protection of views from public roads, and resource protection, while allowing residential, commercial and industrial uses on an existing parcel with site area per unit specified and the site plan for the parcel reviewed to ensure maximum preservation of open space and views from public roads. The Planned Unit Development designation is used in combination with other allowable land use listed here where the division of existing parcels into conventional subdivision lots of equal size accommodating the same total number of units would not be a satisfactory solution or the siting of commercial or industrial uses would conflict with other policies of this plan. The Planned Unit Development may provide for individual lot ownership, for joint ownership of an open space parcel, for condominium ownership, or for rental units with no land divisions. Each ownership may be developed separately under the Planned Unit Development combining district.

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

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

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

LAND USE CLASSIFICATIONS

AGRICULTURE
Map Code: AG (40 acre minimum parcel size.)

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

Principal Permitted Uses: Agricultural uses, including one single family dwelling unit and associated utilities, the processing and sale of agricultural products and other uses determined to be related and compatible to agriculture, conservation and development of natural resources, home occupations.

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

Parcel Size: 40 acres. All agricultural ownerships 100 acres or larger may be eligible for Williamson Act contracts; parcels smaller than 100 acres may be eligible in combination with adjoining parcels so that total area equals at least 100 acres.

Maximum Dwelling Density: One dwelling per forty acres.

FOREST LANDS - COASTAL
Map Code: FL

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

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

Conditional Permitted Uses on Forest Lands Designated Timber Preserve Zone: Animal raising, cottage industry, dwelling groups, campgrounds, major impact services and utilities (i.e. power generating facilities, sewage disposal facilities, sanitary landfills and water treatment plants), farm employee housing, farm labor camps, extraction of sand, shale and gravel. Uses determined to be related to and compatible with forestry, conservation processing and development of natural resources, recreation and utility installations.

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

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

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

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

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

Minimum Parcel Size: 160 acres

RANGE LANDS
Map Code: RL

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

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

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

Parcel Size: 160 acres.

Maximum Dwelling Density: One dwelling per 160 acres.

OPEN SPACE - COASTAL
Map Code: OS

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

Principal Permitted Uses: Landscape preservation; structures normally associated with park or open space use; grazing; recreation qualified by passive low impact.

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

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

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

RURAL RESIDENTIAL
Map Code: RR (1 acre, 2 acres, 5 acres, 10 acres)

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

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

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

Parcel Sizes: 1 acre (40,000 sq. ft. net); 2 acres (80,000 sq. ft. net); 5 acres; 10 acres.

Density: One dwelling per legally created parcel, 1 acre (40,000 sq. ft. net), 2 acres (80,000 sq. ft. net), 5 acres, 10 acres, as designated on the Land Use Maps.

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

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

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

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

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

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

SUBURBAN RESIDENTIAL - COASTAL
Map Code: SR

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

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

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

Minimum Parcel Size: Within water and sewer districts - 6,000 sq. ft.
Within water or sewer districts - 12,000 sq. ft.
Not in a water or sewer district - 40,000 sq. ft.
4,000 sq. ft. for mobile home subdivisions and manufactured home subdivisions - 5 acres

Maximum Dwelling Density:

Within water and sewer districts:
6 Single Family Dwellings per acre.
10 Single Family Dwellings per acre in mobile home parks, mobile home subdivisions and manufactured home divisions.
24 Multiple Family Dwellings per acre.

Within water or sewer districts:
3 Single Family Dwellings per acre.
3 Multiple Family Dwellings per acre.

Not in a water or sewer district:
1 Single Family Dwelling per acre.
0 Multiple Family Dwellings per acre.

RURAL VILLAGE - COASTAL
Map Code: RV

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

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

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

Minimum Parcel Size:

Within water and sewer districts	6,000 sq. ft.
Within water or sewer districts	12,000 sq. ft.
Not in a water or sewer district	40,000 sq. ft.

FISHING VILLAGE
Map Code: FV

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

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

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

Minimum Parcel Size:

Within water and sewer districts	6,000 sq. ft.
Within water or sewer districts	12,000 sq. ft.
Not in a water or sewer district	40,000 sq. ft.

VISITOR ACCOMMODATIONS AND SERVICES
(Located outside Commercial, Rural Village, and Fishing Village designations
Map Code: * - (Category Number) - see below

Intent: To ensure that sufficient sites are reserved to meet the Coastal Act's requirement for this priority use, while at the same time allowing visitor accommodations as secondary uses at other locations. The types of visitor-serving development suitable at each location are designated based on site characteristics and compatibility with surrounding development.

Categories are:

*1 Inn, Hostel, or Bed and Breakfast Inn.
*2 Motel, Inn, or Hotel.
*3 Campground and/or RV Campground.
*4 Restaurant, boat launching or rental, or visitor- oriented art and handcraft shops.
*5 Resort - Certain selected sites located in the area of the Coastal Zone have been allocated for a dispersed type of Visitor Serving Facility such as: dude ranches, dispersed overnight cabin accommodations, health spas and other similar uses. New Visitor Serving Facilities in the "Resort" category shall not be allowed on resource lands in Agriculture, Forest Lands or Rangeland classifications.

Principal Permitted Uses: Parcels on which a *1, *2, *3, *4 or *5 has been placed allows the additional principal permitted use of a visitor serving facility. Each of these parcels have also been designated with an underlying land use, such as RR-5. No conditional use is to be permitted that would preempt a site for the principal permitted use. Categories 1, 2, 3, and 5 may have a category 4 use as an accessory use.

Conditional Uses: Housing for employees.

Conditional Uses Within Other Classifications: On a parcel with a *1C, *2C, *3C, *4C or #5C designation, indicates a visitor serving use as a conditional use; "C" indicating conditional. Criteria for approval of specific development proposals include the suitability of the specific site, based on policies in this plan and the number of visitor serving uses existing or approved in the immediate vicinity and in the planning area. Conditional visitor serving uses are designated in areas having another land use classification, typically RR or RMR.

Parcel Sizes:
*1 Inn, Hostel, or Bed and Breakfast Inn - 2 acres maximum site development.
*2 Motel, Inn or Hotel - 2 acres maximum site development.
*3 Campground and/or RV Campground - 5 acres maximum site development.
*4 Restaurant, boat launching or rental, or visitor-oriented art and handcraft shops - 1 acre maximum site development.
*5 Resort - Existing Resort Visitor Serving Facilities may be allowed to expand only after successful completion of the

development review process. Resource land encroachment shall be minimized. New Resort Visitor Serving Facilities may be developed to a maximum site coverage only after successful completion of the development review process.
- 5 acre maximum site development.

COMMERCIAL - COASTAL
Map Code: C

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

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

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

Minimum Parcel Size:

Within water and sewer districts	6,000 sq. ft.
Within water or sewer districts	12,000 sq. ft.
Not in a water or sewer district	40,000 sq. ft.

Maximum Dwelling Density:

Within water and sewer districts
6 single family dwellings per acre
24 multiple family dwellings per acre

Within water or sewer districts
3 single family dwellings per acre
3 multiple family dwellings per acre

Not in a water or sewer district
1 single family dwelling per acre
0 multiple family dwellings per acre

INDUSTRIAL
Map Code: I

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

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

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

Minimum Parcel Sizes:

Within water and sewer districts	6,000 sq. ft.
Within water or sewer districts	12,000 sq. ft.
Not in a water or sewer district	40,000 sq. ft.

PUBLIC & SEMI-PUBLIC FACILITIES
Map Code: PF

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

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

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

Minimum Parcel Size:

Within water and sewer districts	6,000 sq. ft.
Within water or sewer districts	12,000 sq. ft.
Not in a water or sewer district	40,000 sq. ft.

SHORELINE ACCESS/CIRCULATION

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

NATURAL ENVIRONMENT

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

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

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

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

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

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

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

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

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

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

Habitat/Resource Maps

Marine and Fresh Water Habitats: Kelp

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

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

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

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

Land Capability/Natural Hazards Maps

Timberland Classification
Seismic Shaking
Landslides
Faultlines

BOUNDARIES

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

Urban/Rural Boundary. The land use plan designates geographic areas within which urban-type development may be permitted. Urban-rural boundaries are designed to meet the criteria established by Section 30250(a) of the Coastal Act which provides that, "New residential, commercial or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the useable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels." "Outside existing developed areas" for implementation of this plan is intended to be that area on the rural side of the urban-rural boundary.

Water District. Areas within a publicly regulated water district that provides service to more than one user; includes served and unserved parcels.

Sewer District. Areas within a publicly regulated sewer district that provides service to more than one user; includes served and unserved parcels.

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

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

INTENT SECTION

Introduction

The purpose of this section is to give clear direction both to the general public and the decision makers in areas that could become subject to substantial interpretation problems and to set forth the basic premises under which the land use policies are to be interpreted.

Zoning Violations That Exist As A Result Of Dwelling Units Built Without Benefit Of County Permit Requirements. It is the intent of Mendocino County to recognize and provide the mechanism within this Coastal Element of the General Plan for the timely and orderly absorption of in excess of 1,000 dwelling unit density zoning violations that cannot be resolved prior to adoption of this plan because of numerous litigations currently outstanding.

There are currently approximately one thousand occupied dwelling units widely scattered throughout rural Mendocino County, all built without County permits, therefore, not identifiable at this time as a legal dwelling recognizable in the density standards set forth in various land use classifications.

1. This plan shall provide for a period of 24 months from date of final adoption for each land owner in any general plan land use or zoning classification to apply through the use permit process to bring the dwelling unit up to Clean Slate, Class K or other County Building Codes.

2. Upon complying with all conditions of the use permit and final signoff by the County, the dwelling unit and residential zoning violation shall be "grandfathered" in as a legally non-conforming use and have all of the rights and privileges enjoyed under legally non-conforming uses as identified in the non-conforming use section.

3. Failure to comply with the conditions set forth in the use permit or failure to meet the 24 month time deadline shall require the county to institute abatement proceeding to terminate the structure as a habitable dwelling unit.

4. All other uses shall be in compliance with Coastal Element policies.

5. Land use, building, and health violations not made legal through Coastal Element policies shall be remedied through existing civil, criminal, and administrative enforcement procedures.

6. Under use permit process, when group dwelling clustering are approved, detached bedrooms are prohibited.

7. The zoning ordinance shall develop a use permit process to permit the conversion of illegal non-conforming residential uses to the status of legal non-conforming uses.

3. LAND USE PLAN:

RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

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

3.1 HABITATS AND NATURAL RESOURCES

Coastal Act Requirements

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

> Section 30230. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.
>
> Section 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.
>
> Section 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
>
> (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
> (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas and boat launching ramps.
> (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.
(5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
(7) Restoration purposes.
(8) Nature study, aquaculture, or similar resource-dependent activities.

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

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

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

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

Section 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

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

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

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

Definitions

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

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

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

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

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

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

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

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

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

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

Pygmy Vegetation. A stunted forest, 2-12 feet in height occurring on soils allowing little vegetation growth, such as Blacklock soils, and characterized by cypresses, hairy Manzanita, beach pines, and pygmy Mendocino bishop pines.

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

Riparian Vegetation. Riparian Vegetation associated with the banks, edges or terrestrial limits of perennial and intermittent streams, rivers, and lakes.

Special Plant Habitat. The approximate location of rare or endangered plant species as designated by the California Native Plant Society in Inventory of Rare and Endangered Vascular Plants of California (1980). "Rare" is defined to mean a plant that is of limited distribution; or that occurs in such small numbers that it is seldom reported; or that occurs only in very few highly restricted populations. "Endangered" is defined to mean a plant threatened with extinction and not likely to survive unless some protective measures are taken. The California Department of Fish and Game's list of designated Endangered or Rare plants is also used to identify Rare or Endangered plant species.

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

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

Special Treatment Areas (STA) include a designated buffer zone along both sides of Highway 1 from Ten Mile River to the Sonoma County line. The designated buffer zone adjacent to this corridor is a 200 foot wide band running parallel to the first line of trees nearest the road. In no place does the buffer zone extend more than 350 feet from the shoulder of the road. (This STA is not shown on the land use plan maps.)

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

In addition, stream and lake protection zones have been established by the Board of Forestry within Special Treatment Areas. These are located 150 feet on each side of perennial streams and lakes and 100 feet on each side of intermittent streams.

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

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

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

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

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

Natural Habitat and Resource Protection Issues

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

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

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

Resource Areas

State Parks and Reserves[1]

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

Underwater Parks and Reserves[2]

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

Areas of Special Biological Significance[3]

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

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

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

Grindle Park - Little Lake Road, Mendocino - area between timberland and flow of stream)

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

Special Treatment Areas (designated by California Division of Forestry)

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

Fishing Access Points[4]

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

Areas of Special Biological Importance[5]

Heron Rookeries:	Hathaway Creek, Albion River, and Fort Bragg
Seabird Rookeries:	Iverson Point, Fish Rock, Sea Lion Rocks, Saddle Point, Goat Rock, White Rock, Gunderson Rock, Nose Rock , Goat Island, Cottoneva Rock, Chris Rock, Cape Viscaine Rocks
Osprey Nest Sites:	Various
Coastal Wetlands:	Hunter's Lagoon, Hathaway Creek, Garcia River, Gualala River, Brush Creek, Manchester Beach Lagoon, Elk Creek, Albion River, Navarro River, Big River, Pudding Creek, Lake Cleone, Sand Lake and Inglenook Fen, Inglenook Creek Marsh, Ten Mile River, Cottaneva Creek, Caspar Creek, Salmon Creek Alder Creek, Noyo River

Significant California Ecosystem[6]

Big River Estuary

Coastal Marine Ecosystem[7]

Mean High Water to State Three-Mile Boundary

Notes:
1. Designated by California Department of Parks and Recreation.
2. Designated by DPR in California State Park System Underwater Parks Master Plan; Point Cabrillo has been designated by the California Department of Fish and Game. Areas are located on the ocean side of area listed. The status as a park or reserve has yet to be determined by DPR.
3. Designated by State Water Quality Control Board.
4. Designated by California Department of Fish and Game, Wildlife Conservation Board and the South Central Citizens Advisory Committee.
5. Designated by California Department of Fish and Game
6. Nominated for designation by U.S. Fish and Wildlife Service
7. Designated by Mendocino County Board of Supervisors

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

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

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

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

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

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

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

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

Natural, other than domesticated vegetation present in a stream bed or on a defined stream bank, is considered "riparian" and subject to protection. Fish depend on riparian plants for shade to keep the water temperature within tolerable limits. Riparian vegetation also stabilizes the banks, reduces the rate of erosion, acts as a "filter" for sediment and debris, provides cover for wildlife, and provides stream nutrients from leaf litter.

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

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

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

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

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

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

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

Rare or Endangered Plant and Wildlife Habitat. There are several species of wildlife within or near the coastal zone officially considered to be rare, endangered, or threatened, and are protected. These include the Lotis Blue Butterfly, California Brown Pelican, southern bald eagle, American peregrine falcon, and the osprey. Such species are sensitive to human disturbance and pollution. The osprey is particularly vulnerable to timber harvesting operations, and the Department of Fish and Game has recommended several policies for protection of its habitat (#52, California State Department of Fish and Game). In addition, several plant species found in the coastal zone have been classified as either rare or endangered. These include Leafy reed grass, pityopus and Roderick's fritillary. Habitats of rare and endangered plants or animals are shown on the Land Use Plan map. These locations are general; species can and do relocate, so policy 3.1-1 provides for ongoing investigation of possible local habitats.

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

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

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

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

Coastal Element Policies: Habitats and Natural Resources

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

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

coordinated by the County Planning Department and will take place within 3 weeks, weather and site conditions permitting, of the receipt of a written request from the landowner/agent for clarification of sensitive habitat areas.

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

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

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

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

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

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

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

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

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

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

8. Nature study purposes and salmon restoration projects.

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

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

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

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

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

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

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

3. Structures will be allowed within the buffer area only if there is no other feasible site available on the parcel. Mitigation

measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution.

3.1-8 The implementation phase of the LCP shall include performance standards and mitigating measures necessary to reduce adverse impacts on wetlands and wetland buffer areas from permitted developments. Such standards and mitigating measures shall be consistent with those recommended in the California Coastal Commission's Statewide Interpretive Guidelines for Wetland and Other Wet Environmentally Sensitive Habitat Areas, adopted February 4, 1981.

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

1. Necessary water supply projects;

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

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

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

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

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

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

- existing agricultural operations;

- removal of trees for disease control, public safety purposes, or

for firewood for the personal use of the property owner at his or her residence. Such activities shall be subject to restrictions to protect the habitat values.

3.1-11 The implementation phase of the LCP shall include performance standards which shall be consistent with California Coastal Commission's Statewide Interpretive Guidelines for Wetlands and other wet Environmentally Sensitive Habitat Areas dated February 4, 1981, and required mitigation measures applicable to allowable development within Riparian Corridors. These standards and measures shall minimize potential development impacts such as increased runoff, sedimentation, biochemical degradation, increased stream temperatures and loss of shade caused by development. When development activities require removal or disturbance of riparian vegetation, replanting with appropriate native plants shall be required at a minimum ratio of 1:1.

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

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

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

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

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

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

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

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

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

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

3.1-17 All applications for sand removal, mining or gravel extraction operations on land or in stream beds within the Coastal Zone shall be subject to a Coastal Development Permit. Detailed extraction and restoration plans shall be submitted as part of all required applications. Responses shall be obtained from appropriate referral agencies, including the State Lands Commission, California Department of Fish & Game, Regional Water Quality Control Board and U.S. Army Corps of Engineers, and this data considered in developing any necessary conditions for approval. All approved operations shall be carefully monitored to ensure protection of wildlife and plant habitats and to prevent any degradation of coastal resources. Time limits of up to five years shall be placed upon all such permits to allow for periodic public and agency review of mining operations. Performance bonds shall be required to ensure proper restoration of the sites. Operations existent by vested rights shall not require a Coastal development permit.

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

1. Shall prevent siltation and other sources of pollutants that

might enter streams by requiring silt traps or other approved methods for controlling potential pollutants and runoff from each operation;

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

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

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

5. For all projects larger than the removal of 1,000 cubic yards per year shall prepare and submit a reclamation plan of the project site which may be approved prior to issuance of the permit and shall be carried out at such time as designated on the permit. For projects involving the removal of less than 1000 cubic yards, a reclamation plan shall not be required to protect coastal resources by mitigating adverse impacts on coastal resources if a categorical exclusion has been granted to the County by the Coastal Commission.

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

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

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

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

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

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

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

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

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

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

8. New or expanded energy facilities except those related to offshore oil development.

9. New or expanded boating facilities.

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

11. Restoration purposes.

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

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

Limit new development on soil types characterized by pygmy and pygmy-type vegetation to a low density (defined as 2 to 5 acres) as consistent with County Department of Environmental Health recommendations. Within two years of the adoption of the Local Coastal Plan and, at regular intervals thereafter, the Mendocino County Department of Environmental Health shall report any adverse impacts from new development in areas of pygmy and pygmy-type vegetation. If adverse impacts have occurred, further limits on new development shall be imposed pending mitigation measures. The County shall request that the U.S.D.A. SCS Soils mapping project be completed as soon as possible.

3.1-21 "Pygmy forests are unique ecosystems which may contain species of rare or endangered plants and therefore maybe environmentally

sensitive habitat areas".

New development on parcels with pygmy vegetation shall be located in the least environmentally damaging location and shall minimize the removal of native vegetation and alteration of natural landforms. Within one year of the adoption of the Local Coastal Plan, Mendocino County shall correct the Land Use and Habitat/Resources maps to reflect those specific habitat areas. After maps have been corrected, designations of specific areas of pygmy forest for habitat protection shall be considered based on quality of habitat, suitability for scientific and educational study, and presence of rare and/or endangered plants.

Landowners and adjacent property owners of any such proposed area shall be informed before the designation of any specific area, and implementation of any mitigation measures.

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

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

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

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

3.1-26 In order to protect, enhance, restore and preserve the Coastal Marine Ecosystem within the 3-mile limit, oil and gas related development shall not be permitted within the entire stretch of the Mendocino County coast from the Sonoma County line northward to Humboldt County line and extending from the mean high tide seaward to the 3-mile (state) limit. Except as provided for under 3.1-27.

3.1-27 Offshore exploration and development of, or for mineral extraction, including but not limited to petroleum products, that cannot be adequately mitigated to insure that no loss, injury or degradation of the Natural Resource Area (Coastal Marine Ecosystem), and as defined in Section 3.1 will occur and is therefore prohibited. Any application

for same shall be received as an LCP Amendment, and in order to be approved, such application shall insure that adequate mitigation will be attainable.

3.1-28 Clearance of trash and accumulated debris from coastal streams and the improvement of these streams for water supply, recreational use and fishery restoration are projects which are vital to the economic and biologic health of the Mendocino Coast and shall be encouraged whenever possible.

3.1-29 Section 30519(b) of the Coastal Act recognizes in this Coastal Element that the Coastal Commission retains primary permit authority to issue coastal permits for all development proposed on tidelands, submerged lands, or public trust lands, whether filled or unfilled, that are located in the coastal zone.

3.1-30 The California Department of Fish and Game shall be requested to maintain and augment mapped inventory of all rare, endangered, threatened and protected plant and wildlife habitats on the Mendocino coast based on up-to-date survey information. Symbols indicating rare or endangered plants and wildlife are placed on the Land Use Maps to generally locate listed species and will be pinpointed as necessary to prevent degradation prior to issuing any development permit. Furthermore, the Department of Fish and Game is requested to work with the county during the planning and permit process to evaluate the significance of mapped sites as they apply to individual development applications.

3.1-31 Vehicle traffic shall be prohibited from all public beach areas except for emergency purposes and maintenance unless specifically designated for vehicular use.

3.1-32 Structures or projects involving a diversion of water from streams appearing as dotted or dashed blue lines on 7.5 minute U.S.G.S. quadrangle maps shall be sited and designed to not impede upstream or downstream movement of native fish or to reduce stream flows to a level which will have a significant adverse affect on the biological productivity of the stream and its associated aquatic organisms.

3.2 AGRICULTURE

Coastal Act Requirements

The Coastal Act establishes agriculture as a priority use:

> Section 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:
>
> (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban uses.
> (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
> (c) By permitting the conversion of Agriculture land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.
> (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
> (e) By assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
> (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.
>
> Section 30242. All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Definitions

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

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

- All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

- Land which qualifies for rating 80 through 100 in the Storie Index Rating.

- Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

- Land planted with fruit or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

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

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

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

Agricultural Uses. Are defined as uses of land to grow and/or produce agricultural commodities for commercial purposes, including: Production or

by-products of; poultry, cattle, sheep, goats, rabbits, fish, frogs, horses and other livestock; production of hay, grain, silage, vegetables and nursery products; assessory, structures or other uses pertinent and necessary to the operation of agricultural uses including; barns, fences, stable, corrals, coops and pens.

Agricultural Issues

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

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

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

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

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

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

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

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

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

Coastal Element Policies: Agriculture

3.2-1 All agricultural land use, as represented within the agriculturally designated boundaries on the land use maps, shall be designated AG 40 or RL 160 for the purpose of determining density. This is consistent with County General Plan designations.

This will support continued coastal agriculture use. One housing unit will be allowed for each existing parcel. Additional dwellings for resident agricultural workers shall be considered as conditional uses, subject to the provisions of this plan.

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

3.2-3 If legislation permits any public agency to acquire agricultural

land, this plan would urge that such acquisition should be carried out only if the property owner is a willing seller. This policy protects existing agricultural operations by limiting public acquisitions of viable agricultural operations.

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

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

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

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

3.2-5 All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed

agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

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

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

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

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

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

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

3.2-12 Limit residential uses and subdivisions adjacent to Type I Ag Preserve land to a low density standard to provide a buffer to minimize the conflicts between agricultural operations and residential land uses. New parcels created adjacent to an Ag Preserve shall be limited to a five (5) acre minimum. For parcels beyond the 5-acre minimum buffer (parcels which would be separated from the Ag Preserve by the buffer), the minimum parcel size would be dictated by the General Plan Land Use classification.

If parcels adjacent to Type I Ag Preserve are designated Clustering (:C) or Planned Development (:PD), the density will be dictated by the General Plan Land Use classification provided that the residential development is located not closer than 200 feet from the property line(s) of the protected agricultural resource or at the farthest feasible point from said property line(s). For residential development within 200 feet of the agricultural parcels(s), density shall not exceed one dwelling unit per 5 acres. (There shall be a minimum of 5 acres of lot area for each dwelling unit located within the 200-foot limit). Approval of any land divisions shall be consistent with Policy 3.9-2 and only when the creation of new parcels at the proposed acreages will not adversely affect the long term productivity of agricultural lands.

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

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

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

3.3 FORESTRY AND SOILS RESOURCES

Coastal Act Requirements

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

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

Definitions

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

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

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

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

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

Timber Site Designation	Height at 100 Years (Feet)	Productive Capability
I	200	extremely high
II	170	very high
III	140	high
IV	110	medium
V	80	low

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

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

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

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

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

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

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

Forestry Issues

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

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

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

- such conversion will not introduce or significantly intensify uses that are incompatible with timber growing on adjacent parcels, (per Cal. Administrative Code Section 1103.7)

- the parcel is not within 500 feet of a TPZ parcel, or

- the parcel proposed for conversion is in a unit of noncommercial size when such size is not more than 15 acres.

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

Thus conversions of parcels larger than 15 acres are not to be permitted, but local policy could limit conversions still further. The BOF could vary its requirements if a private landowner or the County appealed them as inappropriate, or it could amend its rules to make them consistent with the LCP.

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

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

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

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

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

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

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

Coastal Element Policies: Forestry and Soils

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

3.3-2 A timberland unit of commercial size shall be defined as 40 or more acres of commercial timberland on one parcel.

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

3.3-4 Parcels in timberland units of commercial size (40 or more acres) shall be eligible for incorporation into a timber preserve after meeting specific qualifications as defined by Mendocino County Code Sections 20.10.02 and 22.08 as amended (Ordinance 3335, 1981) and Rule 1021, Title 18, California Administrative Code.

3.3-5 TPZ lands or parcels entirely occupied by timberlands of commercial size shall have not more than one housing unit per 160 acres, county review and approval required for more than one dwelling per legally created parcel. Housing units on a timberland parcel, portions of which are not timberland, shall be subject to the density regulations prescribed for the land use shown on the Land Use Maps. Such housing units shall be located, when feasible, on non-Timberland soils.

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

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

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

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

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

3.4 HAZARDS MANAGEMENT

Coastal Act Requirements

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

Section 30253. New development shall:

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

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

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

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

Definitions

<u>Geologic hazards</u> are defined by the LCP Manual to include the following:

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

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

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

- beach areas subject to erosion; and

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

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

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

Hazards Issues

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

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

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

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

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

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

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

Coastal Element Policies: Hazards

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

3.4-2 The County shall specify what a geologic site investigation shall include, as determined by land use and building type as well as by the type and intensity of potential hazard, in areas of known geologic hazards as shown on the Hazards Maps. Site investigation requirements are detailed in Appendix 3.

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

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

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

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

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

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

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

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

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

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

3.4-10 No development shall be permitted on the bluff face because of the fragility of this environment and the potential for resultant increase in bluff and beach erosion due to poorly-sited development. However, where they would substantially further the public welfare, developments

such as staircase accessways to beaches or pipelines to serve coastal-dependent industry may be allowed as conditional uses, following a full environmental, geologic and engineering review and upon the determinations that no feasible less environmentally damaging alternative is available and that feasible mitigation measures have been provided to minimize all adverse environmental effects.

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

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

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

3.5 VISUAL RESOURCES, SPECIAL COMMUNITIES AND ARCHAEOLOGICAL RESOURCES

Coastal Act Requirements

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

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

Definitions

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

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

<u>Highly Scenic Areas</u> to include:

- those identified on the Land Use Maps as they are adopted.
- other scenic areas and historical districts as designated by county.
- landscape preservation projects designated by the State Department of

Parks and Recreation in the California Coastline Preservation and Recreation Plan of 1971 as amended.

Visual Resources, Special Communities, and Archaeological Resources Issues

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

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

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

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

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

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

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

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

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

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

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

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

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

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

-The entire coastal zone from the Ten Mile River estuary (including its wooded slopes, wetlands, dunes and ocean vistas visible from Highway 1) north to the Hardy Creek Bridge, except Westport Beach Subdivision.

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

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

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

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

3.5-5 Providing that trees will not block coastal views from public areas such as roads, parks and trails, tree planting to screen buildings shall be encouraged. In specific areas, identified and adopted on the land use plan maps, trees currently blocking views to and along the coast shall be required to be removed or thinned as a condition of new development in those specific areas. New development shall not allow trees to block ocean views.

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

3.5-7 Caltrans should be requested to develop and install a system of small standardized highway signs which will identify, by easily recognized symbols, a full range of visitor services and accommodations, including restaurants, inns, and campgrounds. Appropriate handcrafted signs should be encouraged.

3.5-8 Power transmission lines shall be located along established corridors where possible and where the corridors are not visually intrusive. Elsewhere transmission lines shall be located to minimize visual prominence. Certain lines shall, over time, be relocated or placed underground in accord with PUC regulations (see Big River Planning Area Policy 4.7-3 and Policy 3.11-9). Distribution lines shall be underground in new subdivisions.

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

3.5-10 The County shall review all coastal development permits to ensure that the proposed projects will not adversely impact those archaeological or paleontological resources identified by the State Historical Preservation Officer and shall ensure that these proposed projects incorporate reasonable mitigation measures.

Prior to approval of any proposed development in these areas a limited field survey by a qualified professional shall be required at the applicant's expense to determine the extent of the resource. Results of the field survey shall be transmitted to the State Historical Preservation Officer and Cultural Resource Facility at Sonoma State University for comment.

3.5-11 Development in archaeological and paleontological resource areas, not identified by the State Historical Preservation Officer, shall remain subject to Chapter 22.12 "Native American Archaeological Sites" of the Mendocino County Code.

3.5-12 Where development would adversely affect paleontological or archaeological resources, identified by the State Historic Preservation Officer mitigation measures shall be in accordance with the Mendocino County Archaeological Ordinance. Codified as Chapter 22.12 Native American Archaeological Sites and amended by Ordinance Number 3221, 1978. (see Appendix 7)

3.6 SHORELINE ACCESS AND TRAIL/BIKEWAY SYSTEM

Coastal Act Requirements

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

> Section 30005.5. Nothing in this division shall be construed to authorize any local government, or to authorize the commission to require any local government, to exercise any power it does not already have under the Constitution and laws of this state or that is not specifically delegated pursuant to Section 30519. (Added by Ch. 744, Stats. 1979.)
>
> Section 30010. The Legislature hereby finds and declares that this division is not intended, and shall not be construed as authorizing the regional commission, the commission, port governing body, or local government acting pursuant to this division to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefor. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.
>
> Section 30210. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.
>
> Section 30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
>
> Section 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.
>
> Section 30212(a). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
>
> (c) Nothing in this division shall restrict public access nor shall it

excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30214. (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.
(2) The capacity of the site to sustain use and at what level of intensity.
(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

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

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

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

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

access and public recreation policies of Chapter 3 (commencing with Section 30200).

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

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

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

California Constitution

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

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

Subdivision Map Act

Sections 66478.1 to 66478.14 (summarized):

- No local agency shall approve coastal or oceanfront subdivisions, or subdivisions along navigable streams, public waterways, public lakes or public reservoirs, unless public access is provided by fee or easement from a public highway "to that portion of the bank or stream bordering or lying within the proposed subdivision, " or to "land below the ordinary highwater mark on any ocean coastline or bay shoreline within or at a reasonable distance from the subdivision."

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

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

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

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

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

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

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

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

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

Pass and repass. Where topographic constraints of the site make use of

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

Access Issues

The 130 miles of coastline is formed by mountainsides, high and low bluffs, pocket beaches, long sandy beaches, stream outlets, and river estuaries. This varied environment makes access need more dependent on the suitability of the access points than on the distribution of population or the total capacity of access points. Conditions are much different than in some sections of Southern California, where a relatively uniform coastline and a relatively uniform demand from a fully developed coastal zone make access points at intervals of 500-feet logical. Yet there are significant mismatches between available public access and need on the Mendocino Coast. As an example, 17 percent of the shoreline is state parks, but there are no non-fee public access points now open in the 20 miles between Manchester State Beach and Gualala Point Regional Park at the north edge of Sonoma County.

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

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

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

Perhaps the most controversial issue is provision of public access across private property. Access to any parcel of land or body of water is dependent on the right and ability to cross adjoining land. Until the last few decades,

there were so few places on the Mendocino coast where access was restricted that no problem was recognized. This situation has changed as development increasingly limits both visual and physical access to ocean frontage for residents and visitors.

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

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

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

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

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

Trail/Bikeway System

The 1975 Coastal Plan called for a coastal trail system, and the hiking and equestrian trails element of the California Recreational Trails Plan proposes a trail in the Pacific Coast corridor defined as extending from Oregon to

Mexico "within the sight and sounds of the Pacific Ocean." No more specific location is proposed and DPR has not funded any trail improvements in Mendocino County outside State Parks. Highway 1 is designated a Bikecentennial Route, but at the current level of funding it will be 10 years or longer before Caltrans can complete bike lanes even on the 25 percent of the route where the required widening probably would not be detrimental to the environment.

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

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

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

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

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

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

The trail designations are based on the following conclusions:

- Short coastal trails on the blufftops and beach (a few hundred yards to 10 miles) should be provided to offer hikers and equestrians opportunities to experience the shoreline without the sights and sounds of the highway. It is assumed that most users will be on trips of one day or less duration and that they will return to their point of origin.

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

Managing and Maintaining Accessways

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

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

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

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

- All dedicated access easements which pass through or are close to an environmentally sensitive area should be offered to the state

Department of Fish and Game, if a site analysis shows that unmanaged use of the easement will damage the natural resources.

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

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

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

Access Selection Criteria

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

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

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

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

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

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

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

Coastal Element Policies: Shoreline Access

3.6-1 The Coastal Conservancy, State Parks & Recreation, and other

appropriate agencies shall be requested to initiate, as a result of the Phase III access program, a public relations program for the protection and enhancement of coastal resources, particularly coastal access.

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

3.6-3 Mendocino County shall require the closure of any access which cannot be adequately maintained in a state which assures the protection of the resources.

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

3.6-5 Acquisition methods such as bequests, gifts, and outright purchases are preferred by the County when obtaining public access from private landowners. Other suitable voluntary methods such as a non-profit land trust may be helpful and should be explored in the future. Developments obtaining coastal development permits shall be required to offer to dedicate public access where it is delineated in the land use plan as a condition of permit approval, if other methods of obtaining access have not occurred within one year from the commencement of development.

Although the dedication of public access has been required and may continue to be required as a condition of permit approval, Mendocino County believes that such public access should be acquired through the eminent domain process or purchased by the appropriate agency.

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

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

3.6-7 Easements for vertical and lateral accessways and shoreline access where shown on the land use maps shall be a minimum of 25 feet wide except under adverse topographic conditions, the accessways may be limited to the right of the public pass and repass. In isolated areas along the coast, parking requirements, where appropriate, shall be required in the public right-of-way or public domain. In urban areas where adequate parking is presently available, the need for additional parking shall be considered in the permit review process.

3.6-8 Easements for lateral shoreline accessways shall extend landward 25 feet from mean high tide or to the toe of the bluff or the first line of terrestrial vegetation if the width of the beach is greater than 25 feet.

Lateral blufftop accessway easements shall be at least 25 feet in width. Bluff retreat shall be considered when planning lateral accessways.

3.6-9 Sites for shoreline access in public ownership shall be favored over those in private ownership. Where sufficient sites in public ownership exist, additional private lands or easements over private lands shall not be acquired.

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

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

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

3.6-13 The County may seek agencies to accept accessways as prescribed in this section under "Managing and Maintaining Accessways". Dedicated accessways shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

3.6-14 New and existing public accessways shall be conspicuously posted by the appropriate agency and shall have advance highway signs except those

for which specific management provisions have been made and specified in Chapter 4. Additional signs shall designate parking areas and regulations for their use, and shall include regulations for protection of marine life and warning of hazards, including high tides that extend to the bluffs. Access shall not be signed until the responsibility for maintenance and liability is excepted and management established.

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

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

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

3.6-17 Caltrans shall be required to improve turnouts designated on the Land Use Maps as a part of adjoining highway improvement projects.

3.6-18 Along sections of the highway where development intensity will result in pedestrian use, a 15-foot accessway measured from the right-of-way of Highway 1 shall be offered for dedication as a condition of permit approval if the topography is deemed suitable for pathway development. All such access offers that have been recorded shall be offered to Caltrans for acceptance. Prevailing acquisition methods for acquiring public right-of-way by Caltrans shall apply to this section.

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

3.6-20 A Class 2 bikeway (separated from vehicular lane by stripe) should be provided by Caltrans along the entire length of Highway 1 wherever construction is feasible without unacceptable environmental effects.

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

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

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

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

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

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

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

3.6-26 Subject to Section 30610.3 b through g, of the California Coastal Act, no public access conditions shall be required as a condition of project approval.

3.6-27 Prior to the opening, advertising or use of any accessway, the responsible agency shall prepare a management plan, which is acceptable to the County of Mendocino, sufficient to protect and maintain the property. Where no management plan has been developed for access, that access may not be opened to the public until such time that a management plan has been developed.

3.6-28 No development shall be approved on a site which will conflict with easements acquired by the public at large by court decree.

Where evidence of prescriptive rights is found by applying research methods described in the Attorney General's "Manual on Implied Dedication and Prescriptive Rights", but such rights have not been judicially determined, an access easement shall be required as a condition of permit approval. Development may be sited on the area of historic public use only if an alternative easement is provided on the site.

3.6-29 New development on parcels containing the accessways identified on the land use maps shall include an irrevocable offer to dedicate an easement, as required by other policies in this Chapter, for public use. Such offers shall run for a period of 21 years and shall be to grant and convey to the people of the State of California an easement for access over and across the offeror's property.

3.6-30 Any property owner, who has recorded an offer to dedicate an easement to the public as condition of permit approval and the specific locations of the easement is not recommended in the land use plan for public access, may petition the Coastal Commission to amend the permit that required the offer to eliminate the condition. It is the intent of the plan that these easements which are not recommended in the land use plan be extinguished by the Coastal Commission.

3.6-31 The accessways proposed by the Coastal Element are determined to be adequate in number and location to comply with Coastal Act intent at this time. However, when this plan undergoes future review the adequacy to meet the public need for access will be re-evaluated at that time and modified accordingly.

3.7 RECREATION AND VISITOR-SERVING FACILITIES

Coastal Act Requirements

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

> Section 30210. ...recreational opportunities shall be provided for the people consistent with public safety needs and the needs to protect public rights, rights of private property owners, and natural resource areas from overuse.
>
> Section 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.
>
> Section 30213. (Part) Lower cost visitor and recreational facilities...shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
>
> Section 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.
>
> Section 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.
>
> Section 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.
>
> Section 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
>
> Section 30250. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction of visitors.
>
> Section 30252. (6) The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development with local

park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

Definitions

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

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

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

Inn, Bed and Breakfast: Any building or portion thereof or group of buildings containing guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where breakfast meals are provided during morning hours to such transient guests for compensation or profit. A use permit shall be required for the establishment of bed and breakfast inns (4 units or less).

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

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

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

Issues: Recreation and Visitor Serving Facilities

The diversity and relatively unspoiled character of the Mendocino coast's natural and man-made environment invite the visitor to spend a day or week

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

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

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

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

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

Presently there are approximately 2,206 overnight accommodation units, including motels, inns, state park campgrounds and private campgrounds, in the coastal

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

Name	Location	Area	Facilities/Use (visitor days)	Additional Potential Development per DPR
Sinkyone Wilderness State Park	2 miles south of Humboldt/ Mendocino County line	3,600 acres	Undeveloped	100-150 campsites (many or all primitive; some hike-in only), picnicking, parking, trails, beach
Usal Ranch Project (proposed)	Immediately south of Sinkyone Wilderness State Park	To be determined; funding currently for acquisition of approximately 160 acres only	Undeveloped	Day use of beaches and trails, camping, and back-packing
Westport-Union Landing State Beach **	20 miles north of Fort Bragg	81 acres; 3 miles of ocean frontage	210 parking spaces, chemical toilets, refuse cans No day use records 1979: 45,000 camping	60 campsites and 100 additional parking spaces; screening of vehicles from highway
MacKerricher State Park	Immediately north of Fort Bragg	1,534 acres, including 454 leased acres; funded acquisition for 800 additional acres; 8 miles ocean frontage	143 campsites, 10 picnic sites, 7 miles trail, boat launching facility, boating and fishing concession, 150-person campfire center, day-use parking for 310 1979: 688,200 day use 91,500 camping 6,600 turnaways	50 campsites on present park land; Virgin Creek access; highway sign at Ward Ave.; controlled access at Inglenook Fen; shoreline access between Inglenook Fen and Ten Mile River
Jug Handle State Reserve	5 miles south of Fort Bragg	733 acres; 3 miles ocean frontage	20 parking sites, chemical toilet, 3 miles of trails 1979: 38,900 day use	Trail improvements, interpretative facility, increased access, parking area, camping (if reclassification of portion from reserve status possible)
Caspar Headlands State Beach	4 miles north of Mendocino	3 acres; 400 feet ocean frontage	25 parking spaces 1979: 3,000 day use (approx.)	Wheelchair access, sanitary facilities, additional beach acquisition; possible acquisition of nearby campground and of 0.7 acre for additional parking
Caspar Headlands State Reserve	4 miles north of Mendocino	2.7 acres; 2,400 feet ocean frontage	Informal trails 1979: 2,600 day use	Eliminate ownership or expand ownership
Russian Gulch State Park	1 mile north of Mendocino	1,253 acres +47 leased acres; 2 miles ocean frontage	30 campsites, 14 picnic sites, small beach, 12 miles of trails, 40-person group camp, 125-person recreation hall, 76 parking spaces 1979: 53,300 day use 20,200 camping 4,900 turnaways	Potential for 100 campsites; improved access to south headlands
Mendocino Headlands State Park	Adjoining Town of Mendocino; separate portion south of Big River	10,000 feet ocean frontge	Undeveloped 1979: 220,000[a] day use (approx.) May 1979-April 1980: 486,000[a] day use	Sanitary facilities, interpretive facility, 212 parking spaces. Youth hostel; 5 group camps south of Big River
Van Damme State Park	3 miles south of Mendocino	2,143 acres +20 leased acres; 1,700 feet ocean frontage	74 campsites, 50-person group camp, 180 day use parking spaces, 10 picnic sites, campfire center, 4.5 miles of trails 1979: 83,600 day use (approx.) 43,100 camping (approx.)	Access to coast and parking on north parcels; relocate group camp
Greenwood/ Elk Project	Adjacent to Elk	47 acres	Undeveloped	20-50 parking spaces, 5 picnic sites
Manchester State Beach	West of Manchester	972 acres; 17,800 feet ocean frontage	47 camp sites, 2 picnic sites 1976-77: 93,000 day use and camping	Information not available

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

** See updated (1983) information on page 138.

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

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

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

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

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

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

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

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

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

	Motels (Rooms)		Inns (Rooms)		State Park Campgrounds (Spaces)		Private Campgrounds (Spaces)		Resort (Rooms)		Total Visitor Accommodations		
	Existing *2	Add'l(10) *2C	Existing *1	Add'l(10) *1C	Existing *3	Add'l(10) *3C	Existing *3	Add'l(10) *3C	Existing *5	Add'l *5C	Existing *	Add'l *C	Total
North Coast CAC Area	0	20	20	50	--	140	250	160	7	0	277	370	647
North Central (3) CAC Area	159	0	0	0	143	40	464	40	0	0	766	80	846
South Central (4) CAC Area	109	20	52	40	104	80	292	80	104	0	661	220	881
South Coast (5) CAC Area	42	60	56	30	47	0	345	120	12	0	502	210	712
TOTAL	310	100	128	120	294	260	1351	400	123	0	2206	880	3086

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

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

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

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

Coastal Element Policies: Recreation and Visitor Serving Facilities

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

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

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

3.7-4 Proposed sites or areas for additional visitor serving facilities are designated and reserved by a number indicating a category of VSF described in this section subject to the granting of a conditional use permit. (*C) Maximum densities have been identified; precise intensity of the proposed visitor accommodations and development standards shall be specified in the Zoning Regulations and regulated so that the use will be compatible with existing uses, public services and environmental resources.

3.7-5 The locations designated and types of use permitted are intended to result in accommodations of all price ranges, including lower cost

ones such as campgrounds and hostels. Lower-cost visitor and recreational facilities for persons and families of low and moderate income shall be protected, encouraged and, where feasible, provided. Developments providing public recreational opportunities are preferred.

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

3.7-7 State Department of Parks and Recreation shall develop a comprehensive land use plan and management program to their lands on the Mendocino Coast prior to any additional development or relinquishment of DPR lands.

3.8 TRANSPORTATION, UTILITIES AND PUBLIC SERVICES

Coastal Act Requirements

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

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

Definitions

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

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

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

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

(d) All community college facilities.

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

improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area.

Transportation, Utilities, and Public Service Issues

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

Highway 1 Limitations

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

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

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

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

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

term septage disposal, specific Coastal Act requirements and LCP Policies are designed to assess future demands on highway use allocations and will further reduce the adverse cumulative impacts of land use decisions in the LCP consistent with Section 30001(d).

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

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

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

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

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

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

Amount of Improvement. For maximum highway capacity, the optimum roadbed width would be 36 feet: each side consisting of 12 foot lane with a 6 foot paved shoulder. If Highway 1 were improved to these standards, capacity increases would range from 6 percent near Gibney Lane to 54 percent at most locations south of Van Damme State Park (#14, California Coastal Commission). A bridge at Dark Gulch and massive earth moving around Navarro Head probably would be required. However, developing the highway for maximum capacity would not be consistent with the environmental policies of the Coastal Act. Current Caltrans policy is to build a 32-foot section--12-foot lanes and 4-foot bikeways, where feasible. The Land Use Plan designates 12-foot lanes, and 4-foot shoulders except where topography and absence of development close to the road pose few problems. The width of the bikeways (see Policy 3.6-16) would vary from 0 to 4 feet depending on topographic feasibility.

Development Between Pudding Creek and Hare Creek. No improvement of Highway 1-Highway 20 intersection is scheduled. Approval of major development

proposals near the intersection should be contingent upon an agreement among Caltrans, the City of Fort Bragg, and the County on an intersection design that matches capacity and development intensity.

A detailed study of long-term north-south highway capacity needs in the Fort Bragg area is needed. A design for the Highway 20 intersection should be based on clear policies for the future of the Noyo and Hare Creek bridges and for any other continuous north-south route.

Water Supply

Community water supply and sewage disposal systems are described in Table 3.8-3 (See Appendix A5-1). Community water systems rely mainly on surface water sources, as ground water is not usually available in sufficient supply to serve high density residential development.

A community water system may be needed for the Town of Mendocino to serve further residental and commercial expansion in accord with the Town Plan. The feasibility of continued development in the Town with a well on each lot has not been demonstrated. However, development of surface water (probably requiring treatment) or wells and a public distribution system would be an unwelcome cost for those who now own dependable wells.

Domestic water supplies are mainly groundwater, which is available in sufficient quantity at most, but not all locations for low-density residential development. Lots at Iverson Road have been unbuildable because wells are not productive, and some wells in Mendocino Town, and other coastal areas are unreliable, necessitating hauling water during the late summer and fall of dry years. The California Department of Water Resources, in cooperation with the California Coastal Commission, and the County of Mendocino has initiated a groundwater monitoring program as part of a Coastal-wide groundwater study. This study is continuing, however a report entitled Mendocino County Coastal Groundwater Study, was published in 1982, which establishes areas of Sufficient, Marginal, Critical, and Critical Bedrock Water Resource areas, and recommends Land Use Densities in these areas. As more data is collected, these areas could change; however, this report currently represents the best available data on development constraints due to groundwater.

That the Board of Supervisors, having considered the Highway 1 Capacity Study and the Coastal Groundwater Study and recognize the need for further study into highway capacity and water availability, adopt the land use density as shown on the maps adopted by the Planning Commission as a 20-year goal.

Land divisions and development of existing parcels may proceed in accordance with the adopted maps while the studies are being conducted. This interim development should not exceed acceptable levels as there is no factual basis for anticipating buildout of existing and/or newly created parcels at an increased rate over that of the preceding years which has occurred at a rate of 2-3% per year.

Areas designated on the LCP maps as having a variable density zoning classification, which are proposed for greater density by the development of a surface water supply, shall be required to have adequate engineering, proof of water during the dry season, and operation of the system by a duly licensed Water

Treatment Plant Operator of the proper grade. As the County completes its Coastal Groundwater Study, greater densities may be allowable within the variable density zoning classifications.

Those areas, utilizing groundwater, and proposed for development to a greater density than recommended in the June 1982 Coastal Groundwater Study shall be required to have a hydrological report prepared by a qualified person which addresses the adequacy of the proposed water supply (proof of water), the direct effects on adjacent and surrounding water users, and the cumulative adverse impacts of the development on the regional water supply.

FINDINGS

Water Availability Groundwater capabilities shown in the Groundwater Study indicate the need to encourage the lower densities (parcels less than five acres in size) within service delivery areas and be provided for by special district or development funding. Application of the Coastal Groundwater Study is addressed by Policy 3.8-9.

Highway Capacity Present Highway 1 use indicates that present and increased density may result in delays and temporary discomfort of travel in the urban areas. However, the text recognizes that traffic projection is an inexact science and, given the current available information, it is difficult to predict when and where these delays would occur.

It should be noted that the Coastal Commission staff has stated that traffic in the City of Fort Bragg reaches its peak on weekdays instead of weekends and, in the staff's opinion, adequate capacity is available to accommodate recreational travelers. (Reference: Coastal Commission Staff Comments, City of Fort Bragg LCP, January 15, 1982).

Finally, in agreement with local residents, the Board of Supervisors believes that the Highway 1 Capacity Study tends to place densities and population in areas that are more valuable in their present state for agriculture and timber resource value and for the protection of other coastal resources.

Further study and monitoring of Highway 1 capacity and use are addressed in Policies 3.8-3 and 3.8-4. The Board recognizes that the 1979 Highway Capacity Study used only one site in Mendocino County, the intersection of Route 1 and Route 128, for an in-depth survey to determine the percentage of visitor traffic, and that such surveys should be conducted on other segments of Highway 1.

The land use maps as adopted by the Planning Commission would allow an additional 2481 new dwelling units in the Fort Bragg Reach and 848 new units in the Point Arena Reach. While this amount of development would increase traffic, the traffic even at full buildout would not increase to that allowed by the Highway 1 Study using the fifth highest hour. (Reference Highway 1 Study, Table VIII-2 of June 1979). Using this table all segments within the reaches could accommodate development in excess of that allowed by the plan maps with the exception of the "hub" within the city limits of Fort Bragg. This "hub" segment experiences congestion as does any urban area and according to the study any additional development would adversely affect this "hub" segment, however, the Fort Bragg LCP as certified by the California Coastal Commission made findings "that there

is adequate highway capacity to accommodate recreational travelers, that no need exists to reserve excess capacity for recreational travelers and that peak local traffic does not occur during or directly compete with peak recreational traffic".

During the life of the plan, the Board will recognize the Urban/Rural boundaries of Fort Bragg to extend west of Pearl Drive from Highway 1 and east of Highway 1 on that line extending on Boice Lane and north to Cleone. The first priority for additional development will be encouraged in this area. The second priority for development will be in those areas where the groundwater study shows that there is sufficient groundwater. Development patterns will be closely monitored and an annual report made to the Board. The Mendocino County Board of Supervisors will ask for review of highway conditions every 5 years, and request that by 1985 a new highway capacity study be conducted by Caltrans. The Board of Supervisors may establish fees to provide for lateral accesses east of Highway 1.

Improvements to Highway 1 and use of alternate routes are addressed in Policies 3.8-2, 3.8-5 and 3.8-6.

SEWAGE DISPOSAL

Public Sewerage Systems

The cities of Fort Bragg and Point Arena, and the towns of Mendocino, Westport, and Anchor Bay are served by publicly operated sewage collection, treatment, and disposal systems. In 1983 the City of Fort Bragg's sewage system operated at 70% of capacity. It is the only sewage system with capacity to serve significant additional growth, such as the Todd's Point (already a part of the Fort Bragg Municipal Improvement District) and south of Hare Creek near Simpson Lane. Substantial growth could also be accommodated within the city and in areas north of Pudding Creek that may be annexed.

In 1983 the Mendocino sewage system was operating at about 66% of capacity, and with a projected population increase under the Land Use Plan, increased visitor use, and a potential for higher per capita water use if a community water system is built, indicates that other than minor annexations to the district is not justified.

The Westport sewage system, and the Point Arena sewage system are not sized to accept significant growth from outside existing district (or City) boundaries. The community system serving Anchor Bay as of 1983 is inadequate even for current flows, and repairs currently under consideration will not allow for growth outside existing Anchor Bay Water Works #2 boundaries. The Anchor Bay system is currently operating under a cease and desist order, and a new hookup moratorium imposed by the Regional Water Quality Control Board, will remain in place until the system is brought up to standard.

ON-SITE SEWAGE DISPOSAL

Most of the Mendocino County Coast depends upon individual on-site septic tank - soil absorption system (ST-SAS). These systems can function for many years, provided they are properly designed, and installed in an appropriate site that meets all of the requirements of law, and pumped out every 3 - 5 years. There are areas with severe restraints with respect to on-site sewage disposal systems,

e.g. the Pygmy Forest areas, and areas of extremely high winter-time water tables; however, the land's suitability for on-site sewage disposal must be evaluated on a parcel by parcel basis. Recent advances in alternative on-site sewage technology can mitigate some, but not all of the constraints found on coastal parcels.

The Coast's on-site sewage disposal systems generally are functioning adequately. However, some areas, such as the area south of Fort Bragg near Simpson Lane, have been identified as areas where additional growth could cause adverse cumulative impacts. These areas are identified in a Water Quality Control Board document entitled "Final Report-Assessment of Cumulative Impacts of Individual Waste Treatment and Disposal Systems", February 1982. Procedures contained therein for assessing cumulative effects will be followed in approving new development in the above-mentioned areas.

SEPTAGE DISPOSAL

A primary problem along the coast is Septage, the material that accumulates in septic tanks and must be periodically pumped out and disposed of. Before 1980, almost all septage was disposed of at coastal sewage treatment plants, with a very small amount being spread onto agricultural land. Since 1980, however, when the City of Fort Bragg began a phase-out of accepting septage and with the other sewage treatment plants unable to accept it, more emphasis has been placed onto land disposal. Several soil amendment projects which utilize septage as a fertilizer and a soil amendment have been approved; the Mendocino Coast is currently served by such facilities. These coastal sites have the capacity to handle septage generated on the coast for the foreseeable future. As privately operated facilities, they do not have the same inherent guarantee of long-term operation as does a publicly operated facility. The County has been negotiating with the operators to establish a contract to assure long-term future operation of these sites.

The County, recognizing the potential problems with septage disposal, has included a County-wide Septage Study for 1983-84, in their County Solid Waste Master Plan update.

Coastal Element Policies: Transportation Utilities and Public Services

3.8-1 Highway 1 capacity, availability of water and sewage disposal system and other known planning factors shall be considered when considering applications for development permits.

On the rural side of the Urban/Rural Boundary, consideration shall be given to Land Use Classifications, 50% buildout, average parcel size, availability of water and solid and septage disposal adequacy and other Coastal Act requirements and Coastal Element policies.

Highway capacity impacts shall be considered in determining land use classifications and density changes.

3.8-2 Current studies indicate a need for future improvement to certain stretches of Highway 1 and to major intersections. These

improvements shall be encouraged so as to accommodate essential industries vital to the economic health of the County and other priority uses under the Coastal Act.

The Department of Transportation shall be requested and urged as a high priority of public interest and Coastal Act purpose to:

1. accelerate highway improvement projects along Highway 1 and those state maintained highway intersections within the Coastal Zone of Mendocino County.

2. develop a long range comprehensive circulation plan for Mendocino County coastal state highways and tributaries consistent with Coastal Act mandates.

If the objectives of the Coastal Act are to be met, these goals must receive high priority at both local and state levels.

3.8-3 Caltrans shall be requested to conduct a study within two years after the certification of this Plan based on a detailed origin and destination survey, trip generation data from different types of housing and accommodations, and new traffic counts to determine highway capacity improvement. Safety shall be a major consideration in any Highway 1 study.

3.8-4 Caltrans and/or the Coastal Commission shall be requested to monitor Highway 1 usage at two-year intervals. The Coastal Act's requirement that the highway remain a two-lane scenic road in rural areas creates an obligation to maintain accurate data for planning purposes.

3.8-5 Caltrans shall, in cooperation with the County, set priorities based on safety requirements and existing highway congestion for improving segments of Highway 1. Measures to be studied should include minor re-alignments, width and shoulder improvements, passing lanes, view turnouts and parking areas, and intersection improvements.

3.8-6 It shall be a goal of the Transportation Section to achieve, where possible and consistent with other objectives of The Coastal Act and plan policies for Highway 1, a road bed with a vehicle lane width of 16 feet including the shoulder (12-foot vehicle lane and 4-foot paved shoulder). The minimum objective shall be a 14-foot vehicle lane width (10-foot vehicle lane and 4-foot paved shoulder). New widening projects shall be allocated, first to safety and capacity needs and secondly to paved shoulders.

3.8-7 Land divisions and subdivisions creating new parcels or building sites or other proposed development, including lot line adjustments, mergers and issuance of conditional certificates of compliance shall be approved only where a community sewage disposal system with available capacity exists and is obligated to provide service or where a satisfactory site for a sewage system exists. Leach field approval shall require satisfactory completion of a site evaluation on the site of each proposed septic system. A leach field shall not be located

where the natural grade exceeds 30 percent slope or where there is less than 5 feet of soil below the trench if natural grade exceeds 20 percent slope. This septic system policy is consistent with the Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems adopted by the Regional Water Quality Control Board on April 17, 1979.

3.8-8 Newly constructed public water supply and sewage disposal systems and expansion of existing systems should be designed to serve development consistent with that permitted by the Land Use Plan, provided that a reasonable capacity should be reserved for potential industrial development at locations designated by the plan.

3.8-9 Approval of the creation of any new parcels shall be contingent upon an adequate water supply during dry summer months which will accommodate the proposed parcels, and will not adversely affect the groundwater table of contiguous or surrounding areas. Demonstration of the proof of water supply shall be made in accordance with policies found in the Mendocino Coastal Groundwater Study dated June 1982, as revised from time to time and the Mendocino County Division of Environmental Health's Land Division requirements as revised. (Appendix 6)

Commercial developments and other potential major water users that could adversely affect existing surface or groundwater supplies shall be required to show proof of an adequate water supply, and evidence that the proposed use shall not adversely affect contiguous or surrounding water sources/supplies. Such required proof shall be demonstrated prior to approval of the proposed use.

3.8-10 In order to be developed to the smaller parcel size, areas indicated on the map as having a variable density zoning classification shall be required to be served by a public water system which utilizes surface waters, and which does not impact upon the ground water resource, or by completion of a hydrological study which supports those greater densities.

3.8-11 Permits for new installations of septic tanks shall not be issued in the absence of a long term arrangement for septage disposal for that specific area.

3.8-12 Caltrans, the Coastal Commission, the City of Fort Bragg, and the County shall be requested to develop, as a high priority, an intersection improvement plan for Highway 1 at Highway 20.

No major development permits on Todd's Point shall be approved until such time as agreement has been reached and highway intersection improvement plans have been approved and funded.

3.8-13 Caltrans shall be requested to provide assistance to the County and Special District as they carry out their responsibility to develop a long term circulation plan including the planning of highway improvements to Hare Creek and Noyo River bridges and those tributary roads now serving the coast, e.g. Branscomb Road, Greenwood Road.

3.9 LOCATING AND PLANNING NEW DEVELOPMENT

Coastal Act Requirements

Virtually every section of the Coastal Act relates directly or indirectly to locating and planning new development. Sections of Article 6 titled "Development" that discuss visual resources, transportation, and public services are cited elsewhere in the Coastal Element text.

> Section 30106. "Development" means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).
>
> As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
>
> Section 30250. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
>
> (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
>
> Section 30252. The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing

non-automobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high-intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

Section 30253. New development shall: (1) minimize risks to life and property in areas of high geologic, flood, and fire hazard; (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs; (3) be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development; (4) minimize energy consumption and vehicle miles traveled; (5) where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Issues: Locating and Planning New Development

The Coastal Act's mandates for new development emphasize three ideas:

- Concentrate development
- Avoidance of adverse cumulative impacts on coastal resources
- Maintenance and enhancement of public access to the coast

Unless the requirement of Section 30250(a) of the Act that new development be located "in other areas with adequate public services" is interpreted so rigidly as to require nearly all growth to occur in the Fort Bragg area, this phrase must be defined to allow inclusion of communities that do not have community sewer and water systems. Only Fort Bragg and Point Arena have community sewer and water systems with more than nominal capacity available for growth. Other areas can be said to have "adequate public services" only if availability of water and/or a satisfactory septic system leach field is proven on each parcel.

Areas that can accommodate additional development such as but not limited to Cleone, Noyo, South Fort Bragg, Mendocino Town, and Gualala would be in "close proximity to existing developed areas" and are within the urban/rural boundary designated on the Land Use Plan.

Maintenance of public access and avoidance of adverse cumulative impacts as a result of new development must be addressed.

The Coastal Commission's interpretive guideline for siting new development allows a single family residence to be built on each existing lot "unless the total amount of development permissible in an area under this guideline would be inconsistent with the Coastal Act."

Allowable New Development Versus Potential Market Demand

Assuming no change in employment in the fishing and forest products industries, unconstrained growth over the next 20 years would add between 1,800 and 9,500 residents to the 1980 population estimated at 21,700 by the Mendocino County Planning Department to reside in the four coastal CAC's (B-D, EPD). Gains in tourism and retirement population would be the major contributors.

The average annual increase (not compounded) would range from less than 0.5 percent per year to 2.4 percent. This may be compared with California State Department of Finance projections for the state as a whole of average annual gains of .99 to 1.78 percent to the year 2000. The Department's E-150 series baseline projection, assuming replacement birth rate and 150,000 net in-migration per year, averages 1.42 percent annual increase.

Some coastal residents view the high projection (B-D, EPD) as a self- fulfilling prophecy and believe that 9,500 additional residents would cause adverse cumulative effects on coastal resources. Although annual average growth might be much less than 2.4 percent, there may be 9,500 additional residents even if no new residential subdivisions are approved in unincorporated areas.

Full development is not likely until more than 20 years in the future, but timing will be influenced by the market and by development phasing controls in the Coastal Element implementation program. These controls will be necessary to comply with the provision of 30250(a) which allows land divisions outside existing developed areas only where 50 percent of the usable parcels in the area have been developed and to keep traffic demand within highway capacity.

The limits on new development increase housing costs, but Section 30007.5 of the Coastal Act requires that "conflicts (between one or more policies of the Act) be resolved in a manner which on balance is the most protective of significant coastal resources." Thus, the Land Use Plan growth controls are necessary to maintain traffic service levels on Highway 1, although the result will be less affordable housing than otherwise. The inherent structure of the Coastal Act and specific policies probably would render low and moderate income housing unobtainable unless fully subsidized.

Coastal Element Policies: Locating and Planning New Development

3.9-1 An intent of the Land Use Plan is to apply the requirement of Section 30250(a) of the Act that new development be in or in close proximity to existing areas able to accommodate it, taking into consideration a variety of incomes, lifestyles, and location preferences. Consideration in allocating residential sites has been given to:

- each community's desired amount and rate of growth.

- providing maximum variety of housing opportunity by including large and small sites, rural and village settings, and shoreline and inland locations.

In addition to the considerations pertaining to the allocation of residential sites listed above, all development proposals shall be regulated to prevent any significant adverse effects, either individually or cumulatively, on coastal resources.

One housing unit shall be authorized, except where Planned Development is designated, on every legal parcel existing on the date of adoption of this plan, provided that adequate access, water, and sewage disposal capacity exists and that the proposed development is consistent with the environmental and resources policies of this Coastal Element and is in compliance with existing codes and health standards. Determination of service capacity shall be made prior to the commencement of construction.

3.9-2 The criteria for new land divisions permitted by the land use plan, outside of the urban/rural boundaries, shall be consistent with each of the following standards:

a. The new parcels to be created shall be no smaller than the minimum parcel sizes designated on the Land Use Maps. The parcel sizes designated on the maps are equal to or larger than the existing modal, or most common size in the same land use classification consistent with parcel size requirements of Section 30250(a) of the Act, thereby eliminating the need for determination of allowable parcel size on a case by case basis. (see Findings as related to Land Use Maps and Section 30250(a) in Appendix 12)

   It is the express intent of this policy that all considerations for compliance with Section 30250(a) of the Act have been met at the time of adoption of the Land Use Maps and that said maps shall be controlling for purposes of allowable parcel size.

b. No new parcels shall be created unless 50% of the existing usable parcels within the surrounding area have been developed. Usable in this context shall be determined on the basis of parcels that can be physically developed under applicable land use regulations. For purposes of this provision the "surrounding area(s)" are defined below:

   1. All of that area within the Coastal Zone from the Humboldt county line to Ten Mile River excluding lands within the Rural Village land use classification.

   2. All of that area within the Coastal Zone from the Ten Mile River to the Northern Boundary of City of Fort Bragg excluding lands within the Rural Village land use classification.

   3. All of that area within the Coastal Zone from the southern urban/rural boundary of the City of Fort Bragg to the Navarro River excluding lands within the Rural Village land use classification and within the town plan boundary of the Town of Mendocino.

4. All of that area within the Coastal Zone from the Navarro River south to Hearn Gulch and Iverson Road excluding lands within the Rural Village land use classification.

5. All of that area within the Coastal Zone from Hearn Gulch and Iverson Road south to the Gualala River excluding lands within the city limits of Point Arena and those lands within the Rural Village land use classification.

In using the criteria for each land division, the area used in each case shall be the area in which the land division falls.

c. In addition to meeting the above criteria, it is understood that land divisions must comply with all other applicable policies of the Land Use Plan and Section 30250(a) of the Coastal Act.

3.9-3 Compliance with the provision of Coastal Act Section 30250(a), prescribes that land divisions outside the urban/rural boundary can be permitted only where 50 percent of the usable parcels in the area have been developed, shall be achieved by ordinance provisions to be prepared as part of Phase III of the LCP, the implementation program.

3.9-4 Following approval of each 500 additional housing units in the coastal zone, or every 5 years, whichever comes first, the Land Use Plan shall be thoroughly reviewed to determine:

- Whether the Highway 1 capacity used by non-resident travel and visitor accommodations is in scale with demand or should be increased or decreased.

- Whether the plan assumptions about the percentage of possible development likely to occur are consistent with experience and whether the allowable buildout limits should be increased or decreased.

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

3.9-5 Land on the urban side of an urban/rural boundary shall not be subject to the rural land division criteria of Section 30250(a) of the Coastal Act.

3.9-6 The County, subject to the phasing set forth in Policy 3.9-2 above, may allow clustering in the agriculture, rangeland, forest land (not in TPZ), rural residential-10 and remote residential land use designations without divisions of land. (see Policy 3.9-8)

3.9-7 Density transfers within a land use designation on an ownership may be allowed, but density transfers between land use designations on an adjacent parcel under the same ownership shall be allowed only as follows. Once the density rights are used, there shall be no further development or division.

From	To
Agriculture.....	Rangeland, Forest Land (not in TPZ), Remote Residential, Rural Residential-10
Rangeland.....	Forest Land (not in TPZ), Remote Residential, Rural Residential-10
Forest Land.....	Rangeland, Remote Residential, Rural Residential-10

3.9-8 Subject to the phasing set forth in Policy 3.9-2 above a use permit shall be required for a cluster development and shall be granted only if:

1. At least 75 percent of the project area will remain in open space.

2. The open space area from which density or development was transferred shall be protected from future division by means such as contracts with the County, coupled with conservation easement, open space conservation agreements, or other appropriate legal mechanisms.

3. The proposed project is compatible with adjacent farm, range or forest uses and will not interfere with accepted management practices on these lands.

4. The proposed clusters will not inhibit resource management of the remaining open space, are near existing access routes and are not in hazard areas.

5. The proposed cluster development will be served adequately by essential public facilities and services such as highways, streets, police and fire protection and schools.

6. Site disturbance will be minimized by clustering, road location along contours and building site selection.

7. Applicable development standards for the zoning ordinance can be met.

8. In order to insure the preservation of the valuable site resource, the proposed clustering shall utilize the minimum amount of prime land.

3.10 HARBORS AND COMMERCIAL AND SPORT FISHING

Coastal Act Requirement

The Act's policies support coastal-dependent development, stressing protection of fishing, boating and necessary support facilities. These policies include:

> Section 30233(a). The diking, filling or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) new or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities; (2) maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps; (3) in wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored; (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities; (5) incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines; (6) mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas; (7) restoration purposes; (8) nature study, aquaculture, or similar resource-dependent activities.
>
> Section 30233(d). Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method placement, time of year of placement, and sensitivity of the placement area.
>
> Section 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting

non-water-dependent land uses that congest access corridors and preclude boating support facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30234. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

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

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland....

Issues: Harbor, Commercial and Sport Fishing

Members of the fishing community have expressed concern about the future of their industry in light of Coastal Act mandates because Sections 30224 and 30234 encourage recreational boating without clearly delineating the status of recreation relative to commercial fishing facilities.

Limited space for expansion at both Noyo and Albion create a need for policies ensuring that commercial fishing potential will not be limited by compelling demands for space. Both Noyo and Albion need improved or expanded ice house facilities, fueling docks, haulout and repair facilities and services for transient boats such as a grocery store, showers, and laundry, as well as space for more boats.

The Fishing Village (FV) land use classification as described in Section 2.2 protects the fishing industry at Noyo and Albion but does not address competitors for space with recreational boating, as do the policies below.

Policies relating to Noyo Harbor are found in Section 4.4, and policies applying to Albion in Section 4.9. Development of harbors at other locations in the unincorporated portion of the coastal zone is not anticipated. There is a potential conflict in competing for harbor space between off-shore oil development and fish and recreation industries of the Mendocino Coast.

Coastal Element Policies: Harbors, Commercial and Sport Fishing

3.10-1 At both the Noyo Harbor and Albion Harbor the commercial fishing industry is the primary use and shall be continued in conformance with Coastal Act, Section 30234.

3.10-2 The County should request the Noyo Harbor District to provide advice on planning and coordinating commercial fishing facilities, recreational boating, public access and coastal-dependent industrial development within the Noyo River harbor area, including Noyo Bay and all of the area designated as Fishing Village on the land use plan. Such advice would be considered in any amendment of the land use plan for this area.

An Albion Harbor District should be formed and encouraged to assume a role similar to that proposed to be performed by the Noyo Harbor District. The Albion Harbor District shall then be requested to advise on the coordination of commercial fishing facilities, recreational boating, public access and coastal-dependent industrial development within the Albion River harbor area, including Albion Cove and all of the area designated as Fishing Village on the land use plan. Such advice would be considered in any amendment.

3.10-3 All applications for approval of development projects within the areas described in policy 3.10-1 shall be referred to the appropriate Harbor District for review. Prior to consideration of any application for a change in the number or size of boat berths or for channel or breakwater improvements in the unincorporated area, the Board of Supervisors shall request a report from the Harbor District or from interested Harbor District members. Utilizing this report and other appropriate information, the County, shall analyze the effect of the proposed action on the commercial fishing industry, and where adverse impacts are found shall require mitigation measures such as reservation of a specified number of berths for commercial fishing boats. The Board shall make a finding as to whether approval or disapproval of the proposed project would adversely affect the commercial fishing industry. If adverse effects resulting from approval are found, the project shall not be approved unless appropriate mitigation measures are required. If the Board finds that disapproval of the project would adversely affect the commercial fishing industry, it may request the assistance of the Harbor District in negotiating agreements for mitigation impacts that will allow the project to proceed.

3.10-4 In order to provide for safe and protected anchorages along the Mendocino coast for the maximum number of vessels, especially during seasons of heavy fishing activity, the placement and numbers of permanent moorings shall be regulated.

The Noyo Harbor District may be requested to advise in developing and if appropriate implementing an ordinance for controlling the use of

moorings and anchorages in Mendocino County. In the event that a Harbor District or commission is subsequently formed for Albion (or any other area) then this future harbor district may be requested to provide similar advice in its area of concern.

3.10-5 County policies shall support the maintenance and improvement of existing harbor facilities of the region including the design and construction of a breakwater at Noyo Harbor, formulation of a master plan for Albion Harbor, and completion of the Noyo Harbor Master Plan.

3.10-6 The County shall provide assistance in securing available funding for the maintenance and improvement of existing harbor facilities.

3.10-7 The County shall encourage improved emergency support services provided by the U.S. Coast Guard and other emergency response units.

3.11 INDUSTRIAL DEVELOPMENT AND ENERGY FACILITIES

Coastal Act Requirements

The Coastal Act, while emphasizing protection, enhancement and restoration of coastal resources, recognizes that some industrial and energy development may need to be located in the coastal zone.

> Section 30001.2. The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such development in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state.
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> Section 30232. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.
>
> Section 30250 (b). Where feasible, new hazardous industrial development shall be located away from existing developed areas.
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> Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.
>
> Section 30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.
>
> Section 30262. Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:
>
> (a) The development is performed safely and consistent with the geologic conditions of the well site.

(b) New or expanded facilities related to such development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.

(c) Environmentally safe and feasible subsea completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of such structures will result in substantially less environmental risks.

(d) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, determined in consultation with the United States Coast Guard and the Army Corps of Engineers.

(e) Such development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.

(f) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Division of Oil and Gas of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.

Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.

Section 30263. (a) New or expanded refineries or petrochemical facilities nor otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area... or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.

(b) In addition to meeting all applicable air quality standards, new or expanded refineries or petrochemical facilities shall be permitted in

areas designated as air quality maintenance areas by the State Air Resources Board and in areas where coastal resources would be adversely affected only if the negative impacts of the project upon air quality are offset by reductions in gaseous emissions in the area by the users of the fuel, or, in the case of an expansion of an existing site, total site emission levels, and site levels for each emission type for which national or state ambient air quality standards have been established do not increase.

(c) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from inplant processes where feasible.

Section 30264. Notwithstanding any other provision of this division, except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed in the coastal zone if the proposed coastal site has been determined by the State Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516.

Section 30413. (b) The (Coastal) Commission shall, prior to January 1, 1978, and after one or more public hearings, designate those specific locations within the coastal zone where the location of a facility as defined in Section 25110 would prevent the achievement of the objectives of this division; provided, however, that specific locations that are presently uses for such facilities and reasonable expansion thereof shall not be so designated. Each such designation shall include a description of the boundaries of such locations, the objectives of this division which would be so affected, and detailed findings concerning the significant adverse impacts that would result from development of a facility in the designated area. The commission shall consider the conclusions, if any, reached by the State Energy Resources Conservation and Development Commission in its most recently promulgated comprehensive report issued pursuant to Section 25309. The (Coastal) Commission shall transmit a copy of its report prepared pursuant to this subdivision to the State Energy Resources Conservation and Development Commission.

Section 30515. Any person authorized to undertake a public works project or proposing an energy facility development may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area greater than that included within such certified local coastal program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification. If, after review, the local government determines that the amendment requested would be in conformity with the policies of this division, it may amend its certified local coastal program as provided in Section 30514.

If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how such amendment is in conformity with the policies of this division. The local government shall be provided an opportunity to set forth the reasons for its action. The commission may, after public hearing approve and certify the proposed amendment if it finds after a careful balancing of social, economic, and environmental effects that to do otherwise would adversely affect the public welfare, that a public need of an area greater than that included within the certified local coastal program would be met, that there is no feasible less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of this division.

Issues: Industrial Development and Energy Facilities

Industries along the Mendocino coast are predominantly resource-oriented, performing the initial processing of raw materials. Most are near Fort Bragg, the largest coastal community between San Francisco and Eureka. Many of these industries, while situated along the shoreline, are not strictly coastal dependent but Mendocino County and the Coastal area are dependent on these industries. There is a need in the county and on the coast that these existing industries remain and be allowed to expand as necessary but traditionally have been located on sites which could be used for coastal dependent industries. Georgia Pacific's lumber mill is the major industrial employer in the coastal zone and in conjunction with Louisiana Pacific Lumber Company and other lumber interests account for about 1,550 jobs. Other local industries include the Baxman Gravel Company, fish-processing and boat-building enterprises at Noyo Harbor.

Onshore oil and gas production could start in the coastal zone within the near future. The Manchester Anticline Petroleum Project is seeking permits from the County of Mendocino for the first phase of operations, drilling exploratory wells on a 1,200 acre site south of Manchester and east of Highway 1. If successful and if the project receives production permits from the county and the Coastal commission, the oil field could be brought into full production. The oil could be trucked to refineries in the San Francisco Bay area via Highway 128.

OCS Lease Sales

Outer Continental Shelf (OCS) Lease Sales, as part of a proposed national, five-year program to explore and develop offshore oil and gas resources, includes OCS submerged lands off Mendocino County. Although the Secretary of the Interior in August 1981 withdrew the Mendocino tracts from further consideration in Lease Sale #53, the initial planning stages for Lease Sale #73 are underway which could affect the Mendocino coast. In addition, the Secretary of the Interior has proposed major changes in the "Five Year OCS Oil and Gas Lease Sale Schedule - January 1982 - December 1986," which could increase the number of lease sales in California and speed up the leasing schedule.

Throughout California and in Mendocino County, local governments, the State Government and citizen groups expressed opposition to OCS leasing on the North Coast. The Board of Supervisors initially passed resolutions requesting that the Department of the Interior delay any final decisions on Lease Sale #53 until further environmental studies could be completed and that it investigate the possibility of establishing all or part of Lease Sale #53 as a petroleum reserve to be used only in a time of national emergency. The Board later appointed the Mendocino County Technical Advisory Task Force on the OCS to correspond with the various State and Federal agencies, review all pertinent documents and advise it on OCS matters. The Task Force has determined that OCS oil and gas development would create permanent adverse environmental impacts. As a result of this determination, the Task Force has recommended that no onshore related oil and gas development be permitted extending to the 3 mile limit which would facilitate OCS development such as pipelines, onshore marine terminals, gas or oil processing plants, the use of highways and airports, and the use of harbors.

The Board of Supervisors more recently has passed resolutions requesting the Department of the Interior to delete the Mendocino coast from any OCS oil and gas development. The Governor of California has made the same request. The California Coastal Commission has recommended that the Mendocino coastal tracts be deleted because oil-related offshore and onshore industrial facilities would not be compatible with policies designed to protect the areas rural and undeveloped character and its natural resources.

Energy Issues

The 1976 amendments of the Coastal Zone Management Act established the Coastal Energy Impact Program (CEIP) to provide financial assistance to coastal states and local governments potentially affected by energy development. In 1979, Mendocino county received a CEIP grant to evaluate potential impacts associated with Lease Sale #53. The studies assessed adverse effects on the tourist industry and commercial and sport fishing and analyzed siting options for energy-related onshore facilities.

The CEIP reports determined that both tourism and fishing would suffer revenue losses after an oil spill. Losses to the tourism industry could range from $1 to $6 million, depending upon the size of the spill, the season in which it occurred, and the effectiveness of cleanup operations. Potential losses to commercial and sport fishermen could range between $1 and $7 million, depending on the season. Federal programs established to mitigate adverse impacts may be inadequate because of insufficient funds, legal complexities and bureaucratic delays.

The CEIP studies also assessed five potential County sites for locating onshore facilities, such as a service base, a gas processing plant, or an oil and gas partial processing facility. None of the sites was completely suitable in terms of meeting the industry's basic requirements for land, water depths, and services; protecting sensitive habitats and avoiding hazardous areas; and conforming with County and local policies for future development. The study concluded that, given the inadequacies of the representative sites,

and the proximity of excellent facilities in the San Francisco Bay Area, the oil industry would be more likely to locate its onshore facilities out of the County.

In addition, the Coastal Commission has designated areas in the coastal zone where the California Energy Commission cannot approve new power plants. In 1978, the Commission adopted a report, Staff Recommendations on Designation of Coastal Areas Where Power Plants Would Be Inconsistent with Coastal Act Policies (#20), updated in 1979), that described and mapped areas where siting a power plant would prevent the achievement of Coastal Act Policies. These designations are site-specific and are intended to protect critical environmental resources, recreational areas, agricultural lands, scenic sites, and areas with inadequate public services. In general, the report indicated that there is no site suitable for a power plant along the stretch of coast from Ten Mile River to just south of Navarro. Power plants could conceivably be permitted in other areas, primarily east of Highway 1.

Alternative energy sources-such as solar, wind, waves, biomass and cogeneration (including kelp)-potentially could be developed on the Mendocino Coast. Currently, there is cogeneration at the Georgia Pacific plant, and many individuals are becoming more energy self-reliant by solarizing their homes, using wood stoves, and building windmills. In the short term, the shift to alternative energy sources, with the exception of wind power, is more practical as an individual private endeavor than as a large-scale commercial venture. PG&E staff believes that the coast could be a prime site to test wind-generators that would be connected to its power grid.

Coastal Element Policies: Energy Development

3.11-1 The federal government shall be requested to establish all underwater lands within the Outer Continental Shelf area as a petroleum reserve to be used only in a national emergency.

3.11-2 Onshore facilities related to the development of offshore oil and gas, except for onshore pipelines for natural gas, shall not be permitted in the coastal zone at this time, because of its environmental fragility and the difficulty of mitigating potential impacts. If there is a future need for such development, it may be considered under the special amendment process provided for energy projects by Section 30515 of the Act. (See Policy 3.1-26 and 3.1-27)

3.11-3 A full environmental review shall be required as an integral part of the use permit process dealing with oil and gas development. The findings and recommendations of the Outer Continental Shelf Oil Task Force shall be used in making a project determination.

3.11-4 Onshore oil and gas development shall be a conditional use in the Agriculture, Forest Lands, Range Lands, and Industrial land use categories. Such development shall include, but not be limited to, drilling, redrilling, production and abandonment of wells; and construction and installation of sumps, access roads, piping and

storage tanks. Such development permits shall be subject to standards set forth in Sections 30260 and 30262 of the Coastal Act.

3.11-5 Pipelines for natural gas shall be permitted as a conditional use in all land use categories, subject to at least the following standards and criteria:

- Prior to issuing a permit to construct, the County shall require that a survey be conducted along the pipeline route to determine which, if any, coastal resources may be impacted by pipeline construction and operation. The costs of this survey shall be borne by the applicant. This survey may be conducted as a part of environmental review if an Environmental Impact Report is required.

- The survey shall be conducted by a consultant selected jointly by the applicant, the County, and the Department of Fish and Game. If the survey determines that the area to be disturbed will not revegetate naturally or sufficiently quickly to avoid other damage, as from erosion, the applicant shall submit a revegetation plan. The plan shall also include provisions for restoration of any habitats which will be disturbed by construction or operation procedures.

- One year after completion of construction, the County shall require that the area crossed by the pipeline be resurveyed to assess the effectiveness of the revegetation and restoration plan. This survey shall continue to monitor progress on an annual basis, until the County feels that monitoring is no longer necessary.

- The County shall require the posting of a performance bond by the applicant to ensure compliance with these provisions.

- The County shall prohibit the use of herbicides during the pipeline construction and shall require that excess soil be delivered to an approved dumping site, after the excavation has been backfilled and compacted.

- The pipeline shall be sited and constructed in such a manner as to inhibit erosion.

- Where feasible, pipelines shall be routed to avoid important coastal resources, including recreation, natural habitat, and archaeological areas. Unavoidable routing through such areas of significant coastal resource value shall be done in a manner that minimizes the extent of disturbance and erosion.

3.11-6 In sensitive resource areas, the extent of pipeline construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas. All development

will be done in the least environmentally damaging alternative and will require mitigation for negative impacts.

3.11-7 Geologic investigations, performed by a qualified engineering geologist or a registered civil engineer with expertise in soil analysis shall be required where a proposed pipeline route crosses potential faulting zones, seismically active areas, or moderately high to high risk landslide areas. This investigation shall evaluate potential risks and recommend mitigation measures such as pipeline route changes and or engineering measures to help ensure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography.

3.11-8 New pipeline corridors shall be consolidated within existing pipeline or electrical transmission corridors unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.

3.11-9 Electrical transmission and distribution lines shall be permitted as a conditional use in all land use categories subject to the following standards and criteria:

- Electrical transmission line rights-of-way shall be routed to minimize impacts on the viewshed, especially in scenic rural areas, and to avoid locations which are on or near sensitive habitat, recreational, or archaeological resources.

- Scarring, grading, or other vegetative removal shall be minimized and revegetated with plants similar to those in the area.

- Where above-ground electrical transmission lines would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other options are less environmentally damaging.

- When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. Electrical transmission lines shall not extend along the road right-of-way for continuous distances and shall avoid the crests of roadways to minimize their visibility on distant views.

- Related utilities should use existing rights-of-way whenever such uses are compatible and feasible.

3.11-10 Each application for onshore oil and gas development shall be processed as two separate conditional use permits. The first conditional use permit application shall be limited to an exploratory phase and shall not include provisions for a production phase. Conditions of approval shall relate to installation, operation and completion of the exploratory drilling and shall

include restoration of the site and mitigation measures and condition of approval required by all concerned governmental agencies. All oil and gas developments, whether for exploration or production, shall be designed and sited to prevent or minimize adverse impacts to biological, geological, archaeological, agricultural, visual and recreational resources. Adequate notice of all proposed oil and gas development shall be given to residents of the surrounding area. Any approved oil and gas development shall be installed in a manner which will not have a detrimental impact upon the surrounding uses of land.

A conditional use permit application for a development plan shall include:

- A review of the Exploratory Phase, including a complete evaluation of the conditions of operation, impact upon the environment and adequacy of the imposed mitigations.

- A phasing plan for the staging of development, indicating the anticipated timetable for project installation, completion and decommissioning.

- Maps and plans indicating ultimate potential development and its relationship to other structures and nearby areas of coastal resource value, such as sensitive habitats, prime agricultural land, archaeological sites, recreational areas, etc.

- A plan for consolidating, to the maximum extent feasible, drilling, production and other accessory facilities, including clustering of wells.

- Plans for eliminating or mitigating adverse impacts resulting both from standard siting, construction and operating procedures and from accidents. These shall include landscaping plans, oil spill contingency plans, fire prevention procedures, procedures for transporting and disposing solid and liquid wastes, etc.

- Plans and procedures for abandoning and restoring the site.

3.11-11 Upon completion or abandonment of an oil/gas project, all above ground oil and gas production and processing facilities shall be removed from the site and the area in which they were located shall be restored by appropriate contouring, reseeding, and planting to conform with surrounding topography and vegetation.

3.11-12 The County shall encourage the development and use of alternative sources of energy, such as wind, solar, wave, and biomass and cogeneration to meet the coast's energy needs. Alternative energy facilities for onsite use shall be permitted as a conditional use in all land use categories. For off-site use, alternative energy facilities shall be considered as a conditional use in the

Agriculture, Forest Lands, Industrial Land and Range Land categories.

3.11-13 New industrial development shall be contiguous with, or in close proximity to existing developed areas able to accommodate it or where such areas are not able to accommodate it, in other areas with adequate public service and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources (Section 30250 (a) of the Coastal Act).

Future industrial projects shall be consistent with Sections 30251, 30253, 30231 and 30232 of the Coastal Act.

3.11-14 The County shall pursue and develop a County Energy Conservation Program.

3.11-15 Legally existing development located on industrial designated land shall be allowed to continue and shall be allowed to expand their current uses consistent with Coastal Act policies and to meet economic and social needs of the County of Mendocino and the coastal area.

3.11-16 Any development pursuant to this section shall conform with Policy 3.1-26 and 3.1-27, and other applicable policies of this plan.

4. LAND USE PLAN:

DESCRIPTIONS AND POLICIES FOR THIRTEEN PLANNING AREAS

NORTH COAST CAC AREA

4.1 HUMBOLDT COUNTY LINE TO ROCKPORT PLANNING AREA (Lost Coast)

The northern three quarters (approximately 7.5 miles) of the Lost Coast is in public ownership or is proposed for acquisition by the Department of Parks and Recreation. Private lands in the 1,000-yard-wide coastal zone mainly are in the Timber Preserve Zone or in Agricultural Preserve.

Sinkyone Wilderness State Park; Usal Ranch Project

Except for a part of the Bureau of Land Management's King Range National Conservation Area (Chemise Mountain Primitive Area) extending south from Humboldt County, most of the coastal zone north of Bear Harbor is Sinkyone Wilderness State Park. No management plan has been prepared by DPR, and no developed campsites exist. The Usal Ranch Project, extending from the Sinkyone Wilderness State Park boundary to a mile south of Usal Creek, is not a part of DPR's officially funded acquisition program. If funds are insufficient, acquisition could be limited to a trail easement or other less-than-full-fee interest in portions of the area. The large beach at Usal Creek is within the funded acquisition program. Land south of the Usal Ranch Project is designated for timberland and agricultural use.

Lost Coast residents who have commented on plan proposals for their area strongly favor preservation of wilderness, and most wish to restrict motor vehicle access in Sinkyone State Park within the coastal zone.

Coastal Element Policies: Sinkyone Wilderness State Park and the Proposed Usal Ranch project.

4.1-1 A management plan for the Sinkyone Wilderness State Park and for the proposed Usal Ranch project shall maintain a wilderness recreational experience wherever appropriate. A low-impact recreational experience shall be provided in other areas not adaptable for the wilderness recreational experience.

The management plan shall include provisions for improved trails, camp areas and interpretive center, as well as protection and enhancement of anadromous streams, seal haulout areas, wetlands, old growth redwood stands and archaeological resources. The Management Plan and provisions for coastal trail access shall be coordinated with the Humboldt County Local Coast Plan and with the Management Plan adopted by the Bureau of Land Management.

The plan shall include suitable access for elderly and handicapped

persons to the interpretive center proposed for Needle Rock House. Hiking and designated equestrian trails shall be situated in a manner which will be least disruptive to the environment. Vehicles shall be restricted to designated roads and parking areas.

4.1-2 In the event that federal lands within this segment of the coastal zone are transferred to state ownership, the local coastal plan indicates on the land use maps that those lands which are presently administered by the Bureau of Land Management as part of the King Range National Conservation Area should be transferred to the California Department of Parks & Recreation. These lands should be included within the boundaries of the Sinkyone Wilderness State Park and should be managed by DPR according to state park wilderness area standards. A hiking trail should be developed, located generally in the area delineated on the Land Use Map. It should extend from the Humboldt County line southward beyond the southern limits of the State Park and along the Usal Road to State Highway 1.

4.1-3 The Board of Supervisors or appropriate entity should continue to negotiate for a trail from Humboldt County line southward to connect with other trails within the Coastal Zone.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Section 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Briceland Road

Location: County Road 435 from Four Corners to (north of) Bear Harbor paralleling the coast through Sinkyone Wilderness State Park.

Characteristics: Approximately six miles of County maintained road, suitable for hikers and equestrians. Potential trails connect to shoreline.

Existing Development: unpaved.

Potential Development: Complete to Bear Harbor.

Whale Gulch

Location: 3 miles south of Humboldt County line; 1 mile southwest of Four Corners.

Ownership: Bureau of Land Management and California State Department of Parks and Recreation - Sinkyone Wilderness State Park.

Characteristics: Access via Briceland Road to trail from Low Gap Creek to sandy beach. Trail adjoins a wetland and riparian area.

Existing Development: Beach used for fishing and diving, primitive camping.

Potential Development: Improved Hike-in camping area.

Policy:
4.1-4 The method of limiting vehicle access to Briceland Road (County Road 435) shall be based upon the management plan to be developed by the Department of Parks and Recreation. Hiking or equestrian trails shall be extended from Usal Road, utilizing existing trails whenever appropriate, as indicated on the Land Use Maps. Vehicles shall be restricted to designated roads and parking areas. Vehicle access shall not be prohibited except as agreed by Mendocino County.

Bear Harbor

Location: 6 miles south of Humboldt County line, 6.2 miles southwest of Four Corners.

Ownership: California State Department of Parks and Recreation - Sinkyone Wilderness State Park.

Characteristics: Access via Briceland Road to beach trail. Secondary trail access from two points on Usal Road along old jeep trails.

Existing Development: Beach used for fishing and diving, primitive camping.

Potential Development: Improved Hike-in camping area.

Policy:
4.1-5 The method of limiting vehicle access to Briceland Road (County Road 435) shall be based upon the management plan to be developed by the Department of Parks and Recreation. Hiking or equestrian trails shall be extended from Usal Road, utilizing existing trails whenever appropriate, as indicated on the Land Use Maps. Vehicles shall be restricted to designated roads and parking areas. Vehicle access shall not be prohibited except as agreed by Mendocino County.

Jackass Creek

Location: Approximately 14 miles north of Usal Road turnoff from Highway 1.

Ownership: Private, in proposed acquisition area for Usal Ranch Project.

Characteristics: Rocky shore and cliffs border a 500-foot sand beach. Seasonal summer lagoon. Trails connect this old mill site along old jeep roads from Usal Road.

Existing Development: Beach used for fishing and day use.

Potential Development: Hike-in camping area.

Policy:
4.1-6 This area should be acquired and managed by the California State Department of Parks and Recreation. At the time of any coastal development permit, if this area is not acquired by the Department of Parks and Recreation an offer to dedicate an easement for public access shall be obtained for that area delineated on the Land Use Maps consistent with policy 3.6-5.

Little Jackass Creek

Location: 13 miles north of the Usal Road turnoff at Highway 1.

Ownership: Private.

Characteristics: Former "dog-hole port" reached via old trails. Rocky shore and cliffs border a 300-foot sand beach. Sensitive marine habitat area. Trails provide views of this rugged coastline.

Existing Development: Beach use, primitive camping.

Potential Development: Improved Hike-in camping area.

Policy:
4.1-7 This area should be acquired and managed by the California Department of Parks and Recreation. At the time of any coastal development permit, if this area is not acquired by the Department of Parks and Recreation, an offer to dedicate an easement for public access shall be obtained for that area delineated on the Land Use Maps consistent with policy 3.6-5.

Usal Creek

Location: 6 miles north of Usal Road turnoff at Highway 1.

Ownership: Private - Georgia Pacific.

Characteristics: A 1/2 mile long beach and 5 acre lagoon are bordered by a large area of level land suitable for car camping. Area is reached by a short trail from Usal Road.

Existing Development: None; currently used for primitive camping.

Potential Development: Car camping, restroom facilities, picnic area.

Policy:
4.1-8 This area should be acquired and managed by the California Department of Parks and Recreation. At the time of any coastal development permit, if this area is not acquired by the Department of Parks and Recreation, an offer to dedicate an easement for public access shall be obtained for that area delineated on the Land Use Maps consistent with policy 3.6-5.

Usal Road

Location: Humboldt County Line to Highway 1, three miles north of Rockport; County Road 431.

Characteristics: Approximately 30 miles of County maintained road, unpaved, suitable for hikers and equestrians. Potential trails connect to shoreline. During the winter months vehicular traffic is difficult and may become dangerous at times.

Existing Development: Designated by County Trails Plan.

Lost Coast Trails

Policy:
4.1-9 Designated portions of the Usal Road and of State Highway One within the coastal zone shall be designated as the main coastal trail for the area of the coast lying north of Rockport. These segments shall be connected using both existing and newly proposed alignments, extending into Humboldt County as indicated on the Land Use Maps. Vehicles shall be restricted to designated roads and parking areas.

Policy:
4.1-10 Coastal trails shall be established for hiking and equestrian use as designated on the Land Use Map connecting shoreline access points along the Briceland Road and Usal Creek, and aligned with other trail segments to the south. Vehicles shall be restricted to designated roads and parking areas.

Policy:
4.1-11 The coastal trails for hiking and equestrian use which connect Usal Road with coastal beaches along the Lost Coast area should utilize existing roads and trails where feasible to minimize disruption to the environment. Parking areas at Usal Road trailheads shall be provided to encourage hike-in recreation. Since most of these parking areas would be outside the coastal zone, this would be a worthwhile project involving close coordination between the Coastal Element and the General Plan Land Use Element.

Visitor Accommodations and Services: No sites have been designated for visitor accommodations and services as a principal permitted use in the Humboldt County Line to Rockport Planning Area. However, the following sites have been designated as a conditional use for visitor serving facilities:

Whale Gulch	DPR proposed campground
Bear Harbor	DPR proposed campground
Jackass Creek	DPR proposed campground
Little Jackass Creek	DPR proposed campground
Usal Creek	Proposed campground

4.2 ROCKPORT TO LITTLE VALLEY ROAD PLANNING AREA (Includes Westport, Inglenook)

This planning area is characterized by two distinct natural settings: the narrow or nearly non-existent coastal shelf north of Ten Mile River and the gentle slopes separated from the ocean by dunes extending from the river to Little Valley Road north of Cleone.

Potential development hinges upon access via Highway 1 and Branscomb Road. Any substantial capacity improvement to Highway 1 would require some cuts and fills and bridges. Most traffic on this segment of the highway also will use the section between Little Valley Road and Fort Bragg, where no additional capacity will be available.

North Coast CAC proposes improvement of Branscomb Road, with a possible future connection to the Central Valley to divert trips between U.S. 101 and the Westport area away from Fort Bragg.

Major development in this area is constrained due to the topography, the agricultural and timber resources and the highly scenic character of much of this segment of the coast. North of the Ten Mile River the coastal zone boundary is 1,000 yards from the shoreline, nearly all of it visible from Highway 1. This stretch is grand in scale, containing spectacular meetings of land and sea as the highway climbs to provide sweeping views of the Lost Coast and drops to narrow gulches near the shore. The most spectacular views have been permanently protected through public acquisition of lands lying between Highway 1 and the ocean. 80% of the land west of Highway 1 in this area is in public ownership. This plan has given further protection to the scenic and rural qualities of this area by ruling out creation of major new subdivisions and by the retention of rangelands and timberlands in large parcels and by designating specific areas between Hardy Creek and the Ten Mile River as highly scenic areas within which new development must be subordinate to the character of its setting consistent with Policy 3.5-3. The plan recognizes the existing subdivisions: Ocean Meadows, Seaside and Westport Beach Subdivision where each existing legally created parcel in each subdivision is allowed one residence as a principal permitted use.

The Coastal Element meets further Coastal Act requirements by directing growth to areas with available services. The plan does not anticipate formation of new districts to provide water or sewage services in this area but does recognize that the formation or expansion of existing districts requires a coastal development permit (30254).

The Coastal Element calls for most new housing units to be in Westport Beach Subdivision and in the town of Westport. Illustrated on the Land Use Maps are other areas where land divisions could occur - mainly between Inglenook and Little Valley Road.

Westport Beach Subdivision

The Westport Beach Subdivision Map (dated 1971) shows that this subdivision lies east of Highway 1 with the exception of one parcel and that 33 of its 80 20-acre residential parcels are located wholly within the coastal zone. A study prepared by the California Coastal Commission staff in 1978 concluded that 20 parcels are bisected by the zone and that of those twenty only three parcels has the primary building site within the coastal zone, thus at full buildout 37 homes will be constructed on roughly 700 acres (some parcels are larger than 20 acres) within the coastal zone."

Site development review shall be a requirement for new development within the Westport Beach Subdivision.

Coastal Element Policy: Westport Beach Subdivision

4.2-1 All of the existing parcels of the Westport Beach Subdivision which are located wholly or partly within the coastal zone shall be recognized as legal subdivision lots.

That portion of the subdivision which is located within the coastal zone shall be designated on the land use maps as Remote Residential, with a minimum parcel size of 20 acres (RMR-20), corresponding to the average size of the existing parcels.

One housing unit shall be allowed as a principal use on each existing parcel, provided that prior to the issuance of a coastal development permit for any new development, all of the applicable standards and policies of this plan shall be met.

Westport

During the 1880's Westport was a lumber shipping point and supply center for mills and lumber camps north of Ten Mile River, potentially rivaling Mendocino in size. Today its cluster of 50 buildings huddled against the elements retains clearly defined town edges almost unknown in California. Westport's spectacular setting and its compact form contribute more to its character than does the architecture of individual buildings. Except for the Switzer-Fee house (c.1884) just south of town, Westport consists of modest homes, most old, a few new or remodeled. Its grocery store, post office, two inns, restaurant and deli provide as many services as resident and tourist populations can support. Many residents work in Fort Bragg.

The Westport County Water District provides service water and sewage collection and disposal to 54 users. Expansion of system capacity is not contemplated by the District or proposed by this plan. Westport does need a community building, a building to house fire equipment, and a playfield. Gradual increases in visitor traffic and new homes in Westport Beach Subdivision to the north will support increased retail sales and service in town.

Coastal Element Policies: Westport

4.2-2 Westport shall be designated a Rural Village, as described in the Land Use classification section. Commercial uses shall be limited to both sides of Highway 1 between the southern boundary of the treatment plant on the north to the east jog in the highway to the south.

4.2-3 Shoreline access for residents and visitors shall be provided at Pete's Beach in conformance with Policy 4.2-11.

4.2-4 Future development of Westport as a Rural Village shall require that new development be compatible with existing development relative to scope and scale.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Section 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase, by an appropriate public agency or private organization as described in Section 3.6.

Cottaneva Creek/Rockport Bay

Location: 0.75 mile west of Highway 1 at Rockport.

Ownership: Private. (LP)

Characteristics: Large flat that was former mill site; beach is used for rock and surf fishing and abalone diving.

Existing Development: Access from Highway 1 along Louisiana Pacific logging road to beach and old mill site. Picnic tables, camping area, lagoon during some months.

Potential Development: RV campground

Policy:

4.2-5 Site is designated for privately developed campground and/or hostel. At those times when the campground is open for business on specific days and hours an entrance fee may be charged to the general public as long as the visitor serving use remains. Public access without an entrance fee shall be provided consistent with policy 3.6-5 if a use other than a visitor serving use is permitted on the site.

Juan Creek

Location: 0.5 miles south of where Highway 1 turns east to Leggett.

Ownership: Private.

Potential Development: Public parking in Caltrans turnouts, pedestrian access to beach by trail east of Highway 1 down to Juan Creek then under the bridge to and along the beach.

Policy:
4.2-6 Offers to dedicate an easement for public access shall be required for the areas shown on the land use plan map consistent with Policy 3.6-5.

Westport - Union Landing State Beach

Location: In two segments, .4 and 2.6 miles long, west of Highway 1, north of Westport.

Ownership: Private (except 60 acres)

Characteristics: The park unit extends along 3.3 miles of shoreline, and consists of sandy beaches, tidepools and reefs, and blufftop area adjacent to and west of Highway 1.

Existing Development: This park unit is virtually undeveloped; facilities have been limited to portable toilets, trash cans and informal parking areas. The combination of limited formal development and the lack of visitor supervision with heavy use has resulted in erosion, sanitation, resource degradation and user safety problems.

Potential Development: (as proposed by Immediate Action Plan prepared by the California Department of Parks and Recreation, dated February, 1983) Restore damaged scenic resources using landscaping techniques. 180 - vehicle parking limit includes 50 day use sites. Day use areas will allow access to De Haven and Howard Creek Beaches, one will be designated for use by elderly and handicapped people. 10 concrete block restrooms, trash collection facilities and a mobile or modular residence/headquarters building.

Policy:
4.2-7 The California Department of Parks and Recreation shall develop a management plan which provides a combination of daytime and overnight accommodations for this area. Facilities and uses shall be installed and maintained in a manner which will be least disruptive of this fragile coastline environment, which will not be visually obtrusive from Highway 1 and which will provide safe viewing and beach access for elderly and handicapped persons.

Branscomb Road Inland Trail

Location: One mile north of Westport; Highway 1 northeasterly to Laytonville.

Existing Development: East-west partially dirt partially paved road, unsuitable for cyclists; designated on County Trails Plan.

Policy:
4.2-8 Branscomb Road should be placed on a high priority as a major access road from Highway 101 to the coast.

Wages Creek

Location: West of Highway 1, 0.7 miles north of Westport.

Ownership: Private; two ownerships.

Existing Development: 175 unit campground.

Policy:
4.2-9 At those times when the campground is open for business on specific days and hours an entrance fee may be charged to the general public as long as the visitor serving use remains. Public access without an entrance fee shall be provided consistent with policy 3.6-5 if a use other than a visitor serving use is permitted on the site.

Westport - Union Landing State Beach: Pete's Beach

Location: .3 miles north of Westport, west of Highway 1.

Ownership: California Department of Parks and Recreation.

Existing Development: Trail to blufftop and shoreline; large turn out along Highway 1. Major beach for Westport residents.

Potential Development: Day use for residents and visitors. Improved parking area and Highway 1 access sign.

Policy:
4.2-10 Department of Parks and Recreation shall develop and manage this area as an important access point for Westport residents and others if consistent with the overall management plan. After development, coastal access shall be signed along Highway 1.

Caltrans Scenic Easement (Chadbourne Gulch Property)

Location: West of Highway 1 extending 0.5 mile north and .7 mile south of Chadbourne Gulch.

Ownership: Acquired by Caltrans with federal funds. Terms of grant do not permit intensive use, defined to include camping.

Existing Development: Dirt road leads to beach at Chadbourne Gulch providing one of few beach access points for handicapped.

Potential Development: Parking area and trail to beach at Bruhel Point.

Policy:

4.2-11 The California Department of Parks and Recreation or Caltrans should develop a management plan for day use in this area which includes access to the beach at Chadbourne Gulch and to the coastal headlands trails extending southward from this area within the Caltrans property. This plan should provide for an adequate parking area and sanitary facilities to accommodate the day use visitors. Tree removal shall be a part of this management plan to improve the views to the coast while at the same time providing proper landscaping to screen the parking area and sanitary facilities.

Chadbourne Gulch to Newport

Location: Caltrans scenic easement (Chadbourne Gulch Property) to Newport.

Ownership: Private.

Potential Development: Blufftop trail on Caltrans easement only.

Policy:

4.2-12 Offers to dedicate an easement for public access shall be obtained for those areas shown on the land use plan map consistent with Policy 3.6-5.

South Kibesillah Gulch Fishing Access

Location: West of Highway 1; .5 miles north of Abalobadiah Creek.

Ownership: Wildlife Conservation Board (WCB), California Department of Fish and Game--6 acres.

Existing Development: Restrooms, picnic tables, and improved trail down the bluff to the beach are maintained by the Mendocino County Department of Parks and Beaches.

Policy:

4.2-13 Existing offers of lateral access dedication on 2 parcels north of South Kibesillah Gulch Fishing Access, one for 25 feet from the property boundary, the other for 25 feet from the mean high tide, by Cronemiller and Garcia, are found inappropriate because there is sufficient public access at the Fishing Access, a continuous blufftop trail is not proposed by the Coastal

Element, and no beach exists. These offers shall be relinquished.

Potential Development: An access stairway should be provided.

Seaside Creek

Location: One mile north of Ten Mile River Bridge at the mouth of Seaside Creek and the beach extending south to Ten Mile River.

Ownership: Seaside Beach is listed by Mendocino County Department of Parks and Beaches as a County operated beach owned by Caltrans, but boundaries are uncertain. The beach west of Highway 1 may be privately owned; prescriptive rights may exist.

Existing Development: Sand beach allowing trail connection between Seaside Creek and Ten Mile Beach during summer. County maintains bumper logs and trash receptacle.

Potential Development: Improved parking area; restrooms.

Policy:

4.2-13 The Department of Parks and Recreation shall be requested to clarify beach ownerships at Seaside Creek and should acquire and accept access offers for easements to any private beach area extending from this point south to Ten Mile River. The resultant stretch of beach access should be incorporated with that which is currently owned and managed by the Department of Parks and Recreation. This would coincide with the manner in which the public is now using this stretch of the shoreline. Any future improvements to the Seaside Beach access shall facilitate its use by elderly and handicapped persons.

Seaside Creek to Pudding Creek Trail

Location: Extending along shoreline from Seaside Creek-Ten Mile River south to Pudding Creek.

Ownership: Mostly public (MacKerricher State Park); private at Ten Mile River mouth. The beach parcel adjoining Ocean Meadows subdivision appears to have been retained by the subdivider; however, a walkway 15 feet wide from the top of the bluff has been improved and dedicated to public use. Owners of four lots (Dorn, Perkins, Miller and Aurswald) have recorded offers of dedication of 1/31 interest in the beach parcel and access along the west property line to the toe of the bluff. See above for ownership at Seaside Creek.

Potential Development: Hiking and equestrian trail following beach for 8 miles. Usable from Seaside Creek in summer and from Ten Mile Bridge and Pudding Creek year round. Alternative coastal trail for non-vehicular use.

Policy:

4.2-15 Existing offers of dedication from lot owners in Ocean Meadows shall be accepted after construction of improvements at Seaside Creek and additional offers shall be required as a condition of permit approval so that public access to the toe of the bluff is assured. The existing public walkway shall remain open to public use, but shall not be indicated on Highway 1 signs.

Because of the sometimes hazardous conditions occasioned by tidal action and stream conditions at the mouth of Ten Mile River, the coastal trail in this area shall be segmented, rather than indicated as a continuous trail system. One segment shall extend from Seaside Creek Beach south to the northern bank of Ten Mile River. Another segment shall extend from the south side of Ten Mile River along the shoreline of MacKerricher State Park to Pudding Creek.

Ten Mile River

Location: Four sites for boating access have been evaluated:

- North bridgehead, Old Highway 1 bridge;
- County Road 428 at north bank;
- Offer of dedication of floating easement along 1 mile of north bank by Wallihan;
- State property on south bank adjoining west side of Highway 1 bridge.

Ownership: Private.

Existing Development: Public access to Ten Mile River currently is available only on weekends holidays and some winter months via Fort Bragg to Georgia-Pacific haul road. No boating access is currently available on the Ten Mile River.

Potential Development: The southwest bank access point can be opened by the Department of Parks and Recreation on public lands.

Policies:

4.2-16 Power boats shall be prohibited on Ten Mile River, except for outboard motors traditionally used for trolling.

4.2-17 Department of Parks and Recreation should develop access, including boating, from the south bank, in conjunction with the present weekend holiday Georgia Pacific haul road access program on public lands. At such time as any coastal development permit is sought for land adjacent to the river, if this boating access has not been established, as a condition of permit approval, an offer to dedicate river access shall be required for the area adjacent to the public lands consistent with Policy 3.6-5. If boating access is subsequently established on the public lands, this offer shall be extinguished.

4.2-18 The existing offer of dedication on the north side of Ten Mile River by Willihan shall be relinquished at the time boat launching access becomes available on the south side of Ten Mile River. If boat launching access does not become available on the south side of Ten Mile River within five years, this policy will be re-evaluated to determine the possibility of other options.

MacKerricher State Park (Northern portion) (Inglenook Grange Trail)

The park is approximately 8 miles long and falls into two planning areas. Funded acquisition could add about 800 acres more or less to the park in the Ten Mile Dunes and Inglenook Fen areas.

Location: South bank of Ten Mile River at Bridge (see discussion above under Ten Mile River Access).

Location: Inglenook Grange.

Ownership: Private and public.

Potential Development: Parking location for limited scientific access to Inglenook Fen.

Policy:
4.2-19 The Department of Parks and Recreation shall be requested to prepare a General Plan for MacKerricher State Park that provides access to Ten Mile River and Inglenook Fen at designated locations and subject to conditions necessary for preservation of the natural environment of the park. Off-road vehicles shall be excluded.

A parking area shall be signed and improved by DPR utilizing the existing widened Caltrans right-of-way located on the west side of Highway 1 several hundred feet south of the Ten Mile River bridge. A trail system shall be developed by DPR, in conjunction with Caltrans and private property owners, to connect this parking area via an existing trail entrance which is located at the southwest corner of the bridge. A fenced trail and a marked, at-grade crossing of the Georgia-Pacific haul road shall connect with the DPR lands on the south bank of Ten Mile River.

Limited access for scientific study of the Inglenook Fen and Sand Hill Lake area shall be provided immediately adjacent to Highway 1 in the vicinity of the Grange Hall upon property to be acquired by the Department of Parks and Recreation.

Policy:
4.2-20 The Land Use Maps indicate that several parcels owned by the Bureau of Land Management are located in the area between Ten

Mile River and Sandhill Lake and Inglenook Fen. These lands should be transferred to the California Department of Parks and Recreation. These lands should be incorporated into the existing holding of the adjoining MacKerricher State Park. The area shall be managed as a natural habitat area in conjunction with passive recreational uses and dunes stabilization program.

Policy:
4.2.21 The Georgia-Pacific Corporation haul road, under a special management agreement with the California Department of Parks and Recreation, presently provides weekend and holiday vehicular access to the long stretch of public beaches which extend from Fort Bragg north to Ten Mile River. This private roadway, which travels through the entire length of the MacKerricher State Park, should be acquired by DPR and incorporated into its management plan for the park, if at any time during the life of the Local Coastal Plan the property owner desires to sell, trade or surrender this property.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Rockport to Little Valley Road Planning Area at the following locations:

Howard Creek Ranch	existing inn
DeHaven Valley Farm	existing inn
Wage's Creek Beach Campground	existing campground
Stone Painting Museum	existing service

In addition, several visitor serving facilities are located in the Rural Village of Westport, but have not been designated on the land use map. These include the Westport Inn, the Lost Coast Restaurant, and the Cobweb Palace.

The following sites have been designated as a conditional use for visitor serving facilities:

Rockport Bay, Cottaneva Creek	proposed campground
Juan Creek	proposed inn
Union Landing	proposed inn and/or restaurant
Westport Union Land State Beach	proposed campground
Wage's Creek, east of Highway 1	proposed campground
Wage's Creek, north	proposed restaurant
Chadbourne Gulch	proposed campground
Smith Ranch, southeast of Ten Mile bridge	proposed motel
Newport, Hemmingway Ranch	proposed inn
Sergeant House	proposed inn

NORTH CENTRAL CAC AREA

LITTLE VALLEY ROAD TO JUG HANDLE CREEK PLANNING AREA

This planning area includes Cleone, Noyo, and South Fort Bragg, as well as the City of Fort Bragg, which has prepared its own LCP.

4.3 LITTLE VALLEY ROAD TO FORT BRAGG PLANNING AREA (Includes Cleone)

South of Little Valley Road, the coastal zone extends nearly a mile east of Highway 1 to include the Inglenook Fen watershed until just north of Cleone where at joins it Highway 1 and follows it south to Fort Bragg, narrowing to as little as 200 yards. Consequently, most of the potentially developable land in the CAC area north of Pudding Creek lies outside the coastal zone.

An issue which will be decided by the choice of development policies on both sides of the coastal zone boundary is whether Cleone will retain a separate identity or eventually merge with Fort Bragg. A north boundary for Cleone is set by an existing Williamson Act contract and by a funded addition to MacKerricher State Park, west of the highway and north of Cleone Acres subdivision. The area in the zone between MacKerricher and Virgin Creek is predominantly in large open parcels, some of which are used for forage. Retaining this area as open agricultural land would maintain a separation between Cleone and Fort Bragg at the cost of missed development opportunities for the owners of this land.

The plan designates the western highway frontage extending half a mile north of Mill Creek Drive through Cleone as a Rural Village. Existing stores and visitor accommodations serve as a neighborhood shopping district and a visitor service center for MacKerricher State Park. Proposed residential density south of Cleone is generally one housing unit per two acres, with one housing unit per one acre in developed areas.

South of Virgin Creek, visitor accommodations and services would be the priority use for the 50 to 500-foot deep parcels between the highway and the Georgia-Pacific haul road. Presently, Baxman Gravel Company, a ready-mix concrete and plant mix asphalt supplier and Eastman Trucking Company, a log trucking firm, occupy sites west of Highway 1. Although neither industry is a coastal-dependent use as defined by the Coastal Act, both industries depend on use of the Georgia-Pacific haul road.

The present condition of Highway 1 is a major constraint to development in this area. Highway 1 just north of Pudding Creek currently is operating at maximum capacity, or Service Level E (described in Section 3.8), during peak hours. The Land Use Plan recommends widening the 10-foot lanes to 12 feet, with additional 4-foot bike lanes.

Proposed widening of this Highway 1 segment to four lanes is opposed by area residents because of the effects on existing housing. At present, this segment has a high vehicle accident rate and is extremely unsafe for non-motorized traffic. Turn lanes at heavily-used intersections, Odom Lane, MacKerricher State Park, Mill Creek Drive, etc..., would improve safety conditions.

Coastal Element Policies: Existing Industrial Development

4.3-1 Caltrans shall be directed to prepare a plan for widening the present alignment of Highway 1 from the north city limits of Fort Bragg to the north limits of Cleone rural village. Lane width shall be 12 feet, shoulder width 4 feet. This plan shall include provisions for pedestrian, bicycle and equestrian paths in Cleone rural village and at the entrance to MacKerricher State park and provisions for landscaping and replacement of trees. Road widenings shall minimize encroachments on existing residences.

4.3-2 The existing heavy industry north of Fort Bragg shall be recognized by this plan, and not required to relocate; this heavy industry is essential to the economy of the area; the present heavy industry location is environmentally and economically sound, and there exists no other suitable location in the Coastal Zone for this industry.

Designated Access Points, Trails, and Recreation Area.

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

MacKerricher State Park (Southern portion)
(Northern portions of the park are discussed in Chapter 4.2 MacKerricher Park)
(Inglenook Grange Trail)

Location: Ward Avenue, west of Highway 1 at the center of the Rural Village of Cleone.

Existing Development: County Road 425B leading to small parking area adjoining pedestrian-equestrian underpass to park.

Policy:

4.3-3 The northerly portion of Ward Avenue which extends from Highway 1 at Cleone to the beach access tunnel and parking area shall be indicated on the Land Use Maps as an existing Shoreline access route. The Department of Parks and Recreation should include this parking and tunnel access area within their park management plan and the parking area and beach access should be maintained as part of the MacKerricher State Beach. The park management plan should specifically address parking and signing of this access point and make specific recommendations which will mitigate for the adverse impacts of increased visitor use within Cleone Acres Subdivision.

Location: Mill Creek Drive, west of Highway 1, separates boundary of MacKerricher State Park with southern boundary of Cleone Rural Village.

Existing Development: County Road 425 extending into MacKerricher State Park.

Policy:
4.3-4 Mill Creek Drive shall remain open for free vehicle, equestrian, and pedestrian day use access to the MacKerricher Beach parking lot. DPR shall be encouraged to seek alternative methods of controlling access to the campgrounds.

Location: Main Park Entrance

Existing Development: Kiosk at only park entrance point marked on Highway 1; 143 campsites.

Potential Development: California State Department of Parks and Recreation (DPR) proposes 50 additional campsites within existing park.

Location: Vicinity of Virgin Creek, west of Highway 1,500 feet north of Virgin Creek.

Ownership: Undeveloped DPR parcel 250 feet wide extending from haul road to highway.

Policy:
4.3-5 An undercrossing of the Georgia-Pacific haul road to provide access to the beach portion of MacKerricher State Park from the DPR Virgin Creek property should be developed to provide for safe beach access at this location. The management plan for this area will provide for limited parking and wheelchair access.

Location: Haul road access point 0.5 mile north of Pudding Creek.

Existing Development: 200-foot paved road connecting Highway 1 with Georgia-Pacific haul road. Locked gate, but open on week-ends, holidays, and during some winter months when logging operations are shut down due to bad weather. Currently provides the only vehicular access to most of MacKerricher State Park beach frontage.

Potential Development: Highway directional sign including use regulations.

Location: Pudding Creek

Ownership: DPR and Caltrans.

Existing Development: Unimproved, unsigned parking area used for beach access and warm water swimming in Pudding Creek. Access to equestrian-pedestrian trail adjoining the haul road extends to Ten Mile River.

Policy:
4.3-6 The California Department of Parks and Recreation along with Caltrans should develop a day use parking area at Pudding Creek. This area should be signed and placed on a high priority list so this area could be improved as soon as possible.

Policy:
4.3-7 The California Department of Parks and Recreation should prepare a management plan for MacKerricher State Park. This management plan should provide for improved public access to the park at the end of Ward Avenue, Mill Creek Drive, Virgin Creek, Pudding Creek and the existing roadway access to the GP Haul Road and recognition of the State dedicated hiking and equestrian trail from Pudding Creek to Ten Mile River.

Policy:
4.3-8 Portions of the stretch of Highway 1 between Cleone and Fort Bragg constitute the narrowest band of coastal zone on the Mendocino Coast. Highway 1 is a scenic highway. This highway segment is the northern gateway to the City of Fort Bragg. Within this highway corridor, coordination between the Local Coastal Program and the General Plans of the County of Mendocino and the City of Fort Bragg shall be encouraged as being vital to the overall success of land use planning in this scenic coastal area.

Policy:
4.3-9 Highway 1 is the coastal zone boundary throughout the north central CAC area extending from Fort Bragg north to Cleone. The highway bisects Cleone, which is classified as a Rural Village on the Coastal Element Land Use Maps. General Plan land use classifications on the east side of the highway should be matched closely with the Coastal Element classifications on the west side of the highway in order to achieve a cohesive community for Cleone.

Policy:
4.3-10 The northern extent of the urban-rural boundary in the Fort Bragg portion of the North Central CAC area shall be the northern and eastern limits of the Cleone Acres subdivision in the vicinity of Ward Avenue at Cleone. The Southern extent of the urban-rural boundary shall begin south from Highway 20 along the easterly section line of Section 19 to the southern section line of Section 19; thence west along southern section line of Section 19 to Boice Lane; thence west along Boice Lane to Highway 1; thence south parallel to Highway 1 on the west side to the intersection of Pearl Drive; thence west to Pacific Ocean Drive; thence north 200 feet on Pacific Ocean Drive; thence westerly to the ocean north of the mouth of Mitchell Creek.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Little Valley Road to Fort Bragg Planning Area at the following location:

MacKerricher State Park	existing campgrounds

In addition, one site has been designated for a conditional use at Green Acres Campground (existing). Several visitor serving facilities are located

in the Rural Village of Cleone, but are not designated on the land use map. These include the Cleone Lodge, a restaurant and a campground. A second campground is located in Cleone, but outside of the coastal zone. A commercial strip has been designated north of Pudding Creek which accommodates three motels: Hi-Seas, Oceanview, and the Beachcomber.

4.4 FORT BRAGG CITY LIMIT TO HARE CREEK PLANNING AREA (Includes Noyo)

The Noyo community is identified with the harbor and the fishing and boat-building industries on the flat. Portions of the community are within the boundaries of the City of Fort Bragg and additional annexation would be logical. Hare Creek appears a likely southern limit for planning purposes, but it does not represent a well recognized community boundary. Although the coastal zone extends inland 1.5 miles east of Highway 1 along Highway 20, much existing and potential development within the CAC area lies outside the zone.

Noyo Harbor

Some 300 boats are moored in the Noyo Harbor District, including 15 to 30 sportfishing or recreational craft. The waiting list for berths has remained constant at about 150 for several years; but since the wait varies from two to five years, depending on ship size, this is not a reliable measure of demand for space. The District proposed to start construction in 1981 on 75 new berths, a 100-ton straddle carrier, administrative offices, and public restrooms. However, the expansion project has been postponed indefinitely because of lack of funding. Dolphin Cove Marina, half a mile upstream, has empty berths, but the channel is too shallow for larger boats. The LCP cannot resolve engineering questions such as the desirability of additional dredging inside the breakwater or building a new breakwater in Noyo Bay; however, both issues will be studied during the next four years by the U.S. Corps of Engineers. Construction of new breakwater would require an amendment to the Coastal Element.

Future space needs and employment in the fishing industry are difficult to predict. Seasonal catches, market conditions, and national policies that encourage importation of processed fish affect the size and economic health of the industry. The current construction of half a dozen or more boats in the 60-foot range at Noyo demonstrates the availability of capital for more intensive use of the fishery, although these boats may be used elsewhere.

It is unlikely that another all-year harbor will be built between Bodega Bay and Eureka; therefore, Noyo's potential expansion should not be curtailed either by development that does not require a location close to the water or by overly rigid environmental controls. Noyo is shown as a Fishing Village on the Land Use Maps, with fishing and boating as the primary uses. Expansion of existing restaurants and trailer parks on the flat will not be permitted unless it can be shown that the space need not be reserved for coastal dependent industry. Sites at the bluff level overlooking the harbor, mainly in Fort Bragg, should be developed for view restaurants and visitor accommodations.

Coastal Element Polices: Noyo Harbor

4.4-1 In order to provide for Noyo Harbor's potential port expansion,

development on the flat lands within the harbor area shall be limited to uses which are directly related to the coastal-dependent industries of fishing and boat-building. Recreational boating facilities shall be designed and located so as not to interfere with the needs of the commercial fishing industry.

The number of restaurant facilities and housing accommodations on the flats shall be limited to the existing square footage unless it can be clearly shown that a particular parcel or building is not needed by coastal dependent industry. Appropriate sites at the bluff level overlooking the harbor may be utilized for restaurants and other visitor accommodations.

4.4-2 The selection and use of dredge spoils disposal sites on flatlands along upstream portions of the Noyo River within the coastal zone shall be coordinated with all concerned public agencies, including the Harbor District and the City of Fort Bragg.

Harbor expansion that involves development of wetlands areas shall be carried out in accordance with applicable provisions of the coastal act, including Section 30233, and this plan. Such developments shall be permitted only where there are no feasible less environmentally damaging alternative sites, and where feasible mitigation measures have been provided to minimize adverse environmental effects. This plan shall support harbor related construction in accordance with the Noyo Harbor District Plan and policies of this Coastal Element.

County policies shall support the maintenance and improvement of existing harbor facilities of the region including the design and construction of a breakwater at Noyo Harbor, formulation of a master plan for Albion Harbor, and completion of the Noyo Harbor Master Plan.

4.4-3 The County shall develop an evacuation route for the Noyo Harbor area, in addition to North Harbor drive, by re-opening the road west of Agostino's (AP# 18-120-19) for emergency use only. The County shall coordinate evacuation procedures with the U.S. Coast Guard and all concerned law enforcement agencies.

See also Policies 3.10-1 and 3.10-2.

Todd's Point; Highway 20 Intersection

Todd's Point is located west of Highway 1 between Noyo Bay and Hare Creek. The Todd Subdivision occupies approximately one-half of the peninsula with a commercial strip along the highway. The area is served by individual water supply and by one access road (Ocean View Drive).

The intersection of Highways 1 and 20 is located between the Noyo River and Hare Creek bridges, a distance of .4 miles. The major intersection and the two narrow bridges create a bottleneck for north-south through traffic.

Ingress and egress to Highway 1 from Ocean View Drive is hazardous and further complicated by a lack of traffic control improvements.

In June of 1980, the College of the Redwoods expressed renewed interest in locating an educational center on Todd's Point just north of Hare Creek. The location of such a facility would require that the City of Fort Bragg connect the area to its water and sewer systems. Current City policy requires an area to be annexed before City water would be available. Todd's Point residents have expressed opposition to both annexation and the location of an educational center in the area.

On December 3, 1981, the Coastal Commission granted approval for a permit to College of the Redwoods contingent upon meeting five conditions. These conditions (paraphrased) required C.R.: 1) to participate in an intersection improvement district for Highway 1 and 20; 2) to redesign the parking area to provide fifteen public parking spaces at the trailhead; 3) to provide an improved accessway across C.R. property to Hare Creek Beach trail; 4) building elevations and schematics are to be approved by the Executive Director; and 5) C.R. must submit verification from the City of Fort Bragg that public sewer and water will be provided to the complex.

Since the Commission's action on this permit, the City of Fort Bragg has annexed this area, so sewer and water should be available now. However, other conditions of the permit have not been met and therefore, the permit has not been issued to date.

Coastal Element Policy: Todd's Point; Highway 20 Intersection

4.4-4 Any major new development of Todds Point shall be contingent upon annexation and provisions for sewer and water facilities by the City of Fort Bragg, and highway intersection improvement sufficient to handle increased traffic related to major new development of Todds Point.

At such time as annexation occurs, the Coastal Element should reflect the pre-zoning identified in the Fort Bragg Local Coastal Plan.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Noyo Bay

Location: Soldier Point to Noyo Bridge.

Ownership: Private; Georgia-Pacific; public.

Existing Development: Steep bluffs except for a 600-foot beach bordering the dredge spoils storage area immediately north of harbor entrance. A small portion of the blufftop is occupied by Native Americans; the remainder adjoins the Georgia-Pacific log storage area and airstrip. Shoreline access is available only at the beach area, labeled Ocean Front Park and Spoils Area in the Fort Bragg Local Coastal Plan. An unpaved parking area at the base of the breakwater is heavily used for beach access.

Potential Development: Day use shoreline park at beach area. Public use of the bluffs to the north of the beach would require extensive fencing to avoid interference with Georgia-Pacific operations. This site is less scenic than the bluffs on south side of the harbor entrance.

Policy:

4.4-5 Public access shall be maintained at the Noyo Bay Beach and the area improved and maintained under the jurisdiction of the Noyo Harbor District. Should the Industrial use of the land be changed or augmented by use or uses other than Industrial then vertical and lateral access shall be obtained consistent with Policy 3.6-5.

Noyo Harbor

Location and Ownership: Three existing boat launching ramps (one private ramp on north side and two public ramps on south side, including Wildlife Conservation Board ramp.)

Policies:

4.4-6 Existing boat launching ramps and dry docks (haul out for large boats) shall be maintained in Noyo Harbor.

4.4-7 Those offers of dedication of 15-foot vertical and lateral accessway along 45 feet of harbor frontage (Schnaubelt Fisheries) and an offer of dedication of a 5-foot vertical access on property adjoining Schnaubelt (Carine) shall be relinquished. There are sufficient access and view points within the harbor to meet the requirements of the Coastal Act.

4.4-8 The Harbor District shall be requested to provide public viewing access to the water's edge at several locations along the south shore as a condition of approval of harbor expansion.

North Harbor Drive

Location: Immediately north of Noyo River Bridge, east of Highway 1 transversing east then south to Noyo Fishing Village. Pass through village (northward) then west under bridge to harbor entrance and shoreline. Northern portion is in the City Limits of Fort Bragg.

Existing Development: Existing accessway on County Road 415A. West of bridge is large, unimproved parking area within view of harbor entrance and shoreline. Major tourist route into Fishing Village and attractions.

Potential Development: Improve parking area for viewing at harbor entrance and shoreline access.

Noyo River

Location: North bank, three miles upstream from mouth.

Ownership: Private.

Characteristics: Offer of dedication of a 25-foot lateral floating easement; no vertical accessway.

Policy:
4.4-9 The offer of floating easement shall be released because a trail system to connect to the easement is not feasible and a vertical accessway does not exist.

South Harbor Drive

Location: East of Highway 1, transversing north from Highway 20 into Noyo Fishing Village (south bank).

Existing Development: Existing accessway on County Road 415. Large improved parking area at terminus.

Todd's Point

Location: Lots north of west end of Ocean View Drive, Todd Subdivision.

Ownership: Private; prescriptive rights may exist.

Existing Development: Chicken Point traditionally is used by fishermen as a viewpoint to assess weather conditions before going to sea. Others enjoy watching boats enter and leave Noyo Harbor. The heavily used viewpoint is denuded of vegetation and is subject to littering.

Status: The parcel along the north bluff of Todd's Point may be subject to prescriptive rights and is unsuited for development. (See Noyo Bay above for legal status.) The Land Use Plan shows a trail on this site, where fine views would be possible. The trail would link Todd's Point (specifically Chicken Point) with South Harbor Drive passing under Noyo Bridge. This parcel, together with two adjoining parcels to the south at Chicken Point, is shown as "park" on the Fort Bragg adopted General Plan.

Potential Development: Acquisition, development for viewing only, and surveillance are essential to protect the privacy and quality of environment for Todd Subdivision residents.

Policies:
4.4-10 An accessway shall be acquired along the northern bluff top at Todd's Point, linking Chicken Point with south Harbor Drive by an existing trail which passes under the Noyo Bridge. A parking area, suitably screened from adjacent residential

parcels, shall be developed in the vicinity of Chicken Point. Soil and vegetation restoration work shall be incorporated as part of any public acquisition of this highly scenic area. Day use only shall be permitted.

4.4-11 All existing offers of blufftop access in Todd Subdivision (Myers, Spath, Ritchie) shall be relinquished. The blufftop offers are inappropriate because they lack vertical access connections, and because no blufftop trail around the headland is planned, and because they infringe upon privacy.

Ocean View Drive

Location: West of Highway 1, just south of Noyo Harbor Bridge extending .5 mile to blufftop.

Existing Development: Existing accessway into Todd Subdivision transversing on County Road 439 to blufftop and outstanding views to ocean and Noyo Bay.

Potential Development: See discussion on Todd's Point (above).

Hare Creek

Within the Fort Bragg to Hare Creek Planning Area, Ocean View Drive, North Harbor Drive and South Harbor Drive are shown on the Land Use Maps as existing shoreline access.

Location: West of Highway 1 Bridge, south of Highway 20.

Ownership: Private.

Existing Development: Sandy beach currently reached by path adjoining Bellow-Seacrest Subdivision on south side. Prescriptive rights may exist. Recorded offers of dedication of lateral access along the south side of Hare Creek by Patterson, Trombetta and Emerson.

Potential Development: Access near Hare Creek Bridge from the north side in conjunction with development of the adjoining parcel to the north.

Policy:

4.4.12 Public access to Hare Creek beach shall be an important feature of the local coastal plan in this area which is subject to rapidly increasing urbanization. A proposed shoreline access trail to Hare Creek beach is indicated on the land use map.

As part of its planned development, the College of the Redwoods shall be required to provide for an internal pedestrian pathway and a public parking area conveniently situated on its property.

Access beyond the college property to Hare Creek beach shall be required as a condition of approval for any future development involving those properties which adjoin the west side of Highway 1

south of Ocean View Drive (County Road 439), and these properties adjoining the north side of Hare Creek and Hare Creek beach. As an alternative to this proposal, the purchase and management by a responsible public agency of a shoreline access trail extending from the north side of Hare Creek in the vicinity of Bay View Avenue (County Road 439A) to Hare Creek beach is recommended by this plan.

Visitor Accommodations and Services: No visitor accommodation or service has been designated as a principal permitted use on the land use map in the Fort Bragg City Limit to Hare Creek Planning Area. However, an abundance of visitor accommodations and services are available in the Fishing Village at Noyo. These include Anchor Lodge, Salmon Inn, Noyo River Inn, the Wharf and several other restaurants. In addition, a small commercial area has been designated north of Noyo Bay and additional visitor accommodations are expected to be constructed on Highway 1 commercial frontage, south of Noyo Bridge.

4.5 HARE CREEK TO JUG HANDLE CREEK PLANNING AREA (South Fort Bragg)

South of Hare Creek, the Coastal Zone boundary is located approximately one and one-half miles east of Highway 1 thus including residential neighborhoods as far as two miles away from the coast.

A commercial zone on both sides of Highway 1 between Hare Creek and Boice Lane contains a building supply store, two equipment rental businesses, neighborhood grocery stores, a dairy, two motels, several campgrounds, and other highway-oriented and neighborhood commercial businesses.

Residential areas on either side of the commercial area along tributary roads such as Simpson Lane and Boice Lane are largely built out with one acre per single family dwelling parcel size predominating. Away from the tributary roads, parcel size may be five acres or larger. Although some of the larger parcels are used for agriculture, mainly grazing, the Rural Residential land use classification would encourage these uses to continue. Few parcels of 20 acres or larger exist between Hare Creek and Jug Handle Creek in the Coastal Zone.

Between Hare Creek and Boice Lane, Highway 1 has a median turn lane and bike lanes are planned in the future. The intersections of Highway 1 with Simpson Lane and Boice Lane are the sites of numerous vehicle accidents. Caltrans is considering installing a signal at the Simpson Lane intersection. Because Simpson Lane is heavily used by pedestrians, bicyclists, and equestrians, the North Central Coast CAC and the Northern California Trails Council have recommended that the 2.5 miles of Simpson Lane between Highway 1 and Mitchell Creek Drive be included in the County Trails Plan and have a high priority for road shoulder improvement.

A high water table and moderately intensive commercial development have caused septic system failures along Highway 1. Visitor facilities, including two heavily-used trailer parks, have contributed to these problems. Although the commercial zone needs sewer service, area residents strongly oppose annexation to the City of Fort Bragg which has designated Suburban Residential densities for the area. Residents of the area value the rural atmosphere and oppose high density development. Additional development would depend on provision of water and sewage disposal on each property or on the extension of Fort Bragg systems.

Designated Access Points and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Mendocino Gardens

Location: Garden entrance is located west of Highway 1 north of Digger Creek. The Garden extends to the shoreline via developed network of paths.

Ownership: Private and public. Of 47 acres, 12 acres were purchased in 1982 with State Coastal Conservancy funds and now managed by the Mendocino Coast Recreation and Park District.

Existing Development: Botanical garden developed with paths, concert area and blufftop and beach access. Restaurant at gate entrance.

Policy:
4.5-1 The Mendocino Coast Botanical Gardens shall be recognized in this Coastal Element as an important visitor service and public access facility. The Open Space and Planned Development designations shown on the Land Use Map for this property provide for viable land uses which will sustain public use of the gardens, the access trail and ocean view areas.

The entire property shall be evaluated by the County at the time of any proposed development, to assure that public access is maintained and improved.

Policy:
4.5-2 The offers to dedicate easements to the public for access shall be accepted and additional offers of dedication for public access easements shall be obtained for those areas shown on the land use plan map consistent with Policy 3.6-5 in order to complete this trail system. Vertical access from Pacific Ocean Drive to blufftop access shall be limited to non-motorized use.

Policy:
4.5-3 The Rapatz offer of access dedication, 25 feet wide along 210 feet of blufftop between Hare Creek and Digger Creek, shall be relinquished because there is no connecting vertical access nor plans for a coastal trail in this area.

Mitchell Creek

Location: West of Highway 1, south of Mitchell Creek, adjoining Pine Beach Inn to the south.

Ownership: Private; motel sign advertises private beach.

Existing Development: Paved trail from motel leads to 250-foot protected cove with sand beach. Offers of 25-foot accessway from mean high tide along the bottom of the bluff have been obtained from two adjoining lot owners, Day and Booth.

Policy:
4.5-4 An offer to dedicate public access to Mitchell Creek Beach for pedestrian use shall be required as a condition of permit approval for those areas delineated on the land use plan map. The California Department of Parks and Recreation should develop a public parking area on State property and develop a trail from the parking area to the beach.

Policy:

4.5-5 The offers to dedicate beach access by Booth and Day shall be accepted for these properties adjoining Mitchell Creek Beach. Access offers shall be required as a condition of permit approval from the other property owners surrounding Mitchell Creek Beach for the portion of the properties below the toe of the bluff, including all of the beach portions of the properties.

Jug Handle Area Trail

Location: Jug Handle State Reserve and adjoining properties; Old Highway 1 at Pine Beach Inn to then west across DPR parcel, then south to Jug Handle Creek.

Ownership: Primarily California State Department of Parks and Recreation (DPR). DPR owns a conservation easement on a large parcel south of Jefferson Way (Seitz) and a right of first refusal to purchase. DPR also owns three parcels in Jefferson Subdivision constituting a 3/14 interest in the subdivision and therefore a 3/14 interest in the recreational parcel in common, allowing public use of the shoreline parcel held in common by lot owners. In addition, DPR owns the adjoining land south of Jefferson Subdivision which has a deeded right of its owners to use this same recreational parcel.

Characteristics: Trail shown on Land Use Plan provides access to bluff top and shoreline from Old Highway 1 at north edge of Reserve and at the interpretive center south of Jug Handle Creek and at a point just north of the Seitz property driveway.

Jug Handle State Reserve North Access

Location: West of Highway 1, between Mitchell Creek and Bromley Creek.

Ownership: DPR, Jug Handle State Reserve; 40 acres reached by 80-foot wide access from old Highway 1.

Characteristics: Unimproved trail to headlands and beach. Part of Jug Handle Area Trail.

Potential Development: Day use with parking near entrance.

Policy:

4.5-6 The Department of Parks and Recreation should prepare a management plan for the Jug Handle State Reserve. As indicated on the Land Use Maps, a hiking trail should be developed through State Department of Parks and Recreation property. Identified entrances, with adequate off-street parking and limited day-use facilities, strategic locations to provide access to the trail system.

Areas of Jug Handle State Reserve east of Highway 1 in the Gibney Lane area should be considered for park status so that low impact, walk-in campsites may be developed.

An equestrian trail east of Highway 1 parallel to the highway and a trail connecting Highway 1 with Jackson State Forest should be designated.

The Department of Parks and Recreation should be required to institute a brush management program to remove Gorse and Scotch Broom in conjunction with County efforts (as directed by Policy 3.1-20) which have become a fire hazard and a threat to adjacent private lands.

Jug Handle Creek

Location: Jug Handle Creek.

Ownership: DPR, Jug Handle State Reserve.

Existing Development: Residence and interpretive center; trail to beach and Ecological Staircase. Part of Jug Handle Area Trail.

Potential Development: DPR proposes to relocate parking south of residence. The State Department of Parks and Recreation will provide, in their management plan, for a safe access and egress to the beach at the mouth of Jughandle Creek.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Hare Creek to Jug Handle Creek Planning Area at the following locations:

Pomo Campground	existing campground
Woodside Trailer Park	existing campground
Pine Beach Inn	existing motel and restaurant

In addition, many visitor accommodations and services are available along the commercial strip of Highway 1, but have not been designated on the land use map. These include the Mendocino Botanical Gardens, the Coast Motel, the Shoreline Motel and Hidden Pines Campground.

SOUTH CENTRAL CAC AREA
(Jug Handle Creek to Navarro River)

4.6 JUG HANDLE CREEK TO RUSSIAN GULCH PLANNING AREA (Includes Caspar)

Caspar is a former lumber town, situated on a coastal terrace that at one time was planted in some vegetable crops. The land slopes gently to sharp bluffs, interrupted only at the creek mouths. The planning area's vegetation includes the southernmost Sitka Spruce forest, windbreak planting, mixed fir and redwood forest, pygmy forest, scrub, Scotch Broom and gorse. After operating from 1861 until 1955, the lumber mill is now gone, its former location marked only by the mill pond weir, a few remaining workers' cottages, and buildings in the village. However, the Caspar Lumber Company still owns 300 acres on both sides of Caspar Creek, the future use of which will be the single most important determinant of community character.

Highway 1 is a two-lane expressway through Caspar and offers views of grazing lands fronting the old town and occasional distant views of the ocean. Old Highway 1, renamed Point Cabrillo Drive between Caspar Creek and Russian Gulch, provides one of the coast's rare alternatives to Highway 1 for intra-community travel. A gap in Point Cabrillo Drive at Caspar Creek, where all vehicular traffic must use the expressway, limits the sense of community and the potential for commercial development in Caspar.

Jug Handle Creek forms a distinct separator between the Caspar area and South Fort Bragg. If Caspar is to retain its distinct identity, low density development may be appropriate.

The intent of the plan is to comply with Coastal Act policies channeling development to already developed areas, preserving the quality of the landscape, and retaining agricultural land. At the same time the plan recognizes that an established pattern of development exists at the northern and southern boundaries of the planning area west of Cabrillo Drive. Where land in view corridors is designated for development, planned unit development is called for. The existing open character can be preserved by clustering homes at densities consistent with view sheds. Careful siting will retain views for residents as well as for visitors and expressway drivers.

Caspar Village

The unique rural character of the old town of Caspar shall be maintained. While most of the planning area is designated for low densities, the village offers an opportunity for construction of relatively high density, lower cost housing if water and sewage disposal can be provided. Design restrictions should be enacted to preserve the character of the town.

Coastal Element Policies: Caspar Village

4.6-1 The old town of Caspar shall be designated a Rural Village, as described in the Land Use Classification system.

4.6-2 Existing historical structures in the community shall be protected under the historic guidelines if so designated. Remodelling of existing buildings or new construction shall not degrade the character of the historical community. Building materials, colors, and architectural forms should be compatible with existing structures.

4.6-3 The County and concerned individuals shall assess the benefits of designating Caspar Village on the National Registry as a Historic District.

Designated Access Points, Trails, and Recreation Areas.

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Caspar Road Alternative Coastal Trail

Location: Old Highway 1 through Caspar to Doyle Creek.

Characteristics: Trail follows existing road (County Road 569), then unimproved trail along headlands to beach.

Policy:
4.6-4 Blufftop trail on headlands shall be acquired consistent with Policy 3.6-5.

Caspar Point

Location: From Caspar via Pacifica Drive through Vanneman property.

Ownership: Private (Vanneman).

Existing Development: Traditional access to Caspar Cove. Offer of dedication of vertical and lateral blufftop access.

Policy:
4.6-5 The offer of dedication, an easement for vertical and lateral access (Vanneman/Tree) shall be accepted. No parking is to be provided on the parcel, and the accessway is not to be indicated by a sign.

Fern Creek Road - Caspar Orchard Road Inland Trail

Location: East of Caspar: From Highway 1 east along County Road 410, then southeasterly along County Road 411A into Jackson State Forest.

Existing Development: pedestrian, bicycle, and equestrian use; designated by County Trails Plan.

Caspar-Little Lake Road (Road 409) Inland Trail

Location: South of Caspar: From Highway 1 southeasterly to its intersection with Little Lake Road (County Road 408).

Existing Development: Pedestrian, bicycle, and equestrian use; connects with alternative coastal trail along Point Cabrillo Drive (Old Highway 1) to west; and also connects to Little Lake-Sherwood Inland Trail; designated by County Trails Plan.

Caspar Headlands State Beach

Location; Both sides of the mouth of Doyle Creek.

Ownership: DPR, 3 acres.

Existing Development: State ownership includes only the southwest corner of the beach at Caspar Anchorage. Existing houses on the beach are on a leasehold from the Caspar Lumber Company. Offers of dedication for lateral blufftop access south of DPR land have been recorded by Crowther and Foster.

Potential Development: State acquisition of the entire beach and adjoining Caspar and Doyle Creek wetlands; possible acquisition of private campground east of the Point Cabrillo Drive proposed by DPR.

Policy:

4.6-6 The Department of Parks and Recreation shall be requested to prepare acquisition and management plans for all of the beach lands fronting upon Caspar Anchorage and for those Caspar Creek wetlands which are located west of Highway 1. A coastal trail loop, as indicated on the Land Use Maps connecting the village of Caspar with Point Cabrillo Drive, should be incorporated in any park management plan. If the forest land ownership at Caspar Beach ever changes, State Department of Parks and Recreation should develop a hiking and equestrian trail from Caspar Beach to Jackson State Forest.

Caspar Headlands State Reserve

Location: South side of Caspar Anchorage.

Ownership: California Department of Parks and Recreation owns four parcels within the Caspar Headlands Estates Subdivision.

Characteristics: Trail shown on the Land Use Plan provides public access from Cabrillo Drive to the cul-de-sac that provides access to the parcels in the Caspar Headlands Reserve area.

Existing Development: According to an order of the court, use is for educational purposes, however, current uses are viewing and fishing. A paved cul-de-sac, now closed to traffic, serves headlands and subdivision lots which have earth berms to separate them from state-owned parcels. Recorded offers of dedication for blufftop, lateral access exist immediately south and 0.5 miles south of DPR property. (Hall and Howell)

Potential Development: State ownership should be expanded, consolidated, or eliminated. If the reserve is retained, parking should be provided and the landscape restored.

Policies:

4.6-7 It shall be recognized that acquisition of the entire Caspar Headlands estate is not feasible and that an agreement for private and public use of the area is the best solution.

4.6-8 The offers of blufftop dedication in Caspar South subdivision and Cabrillo subdivision (Foster, Crowther, Hall, and Howell) shall be relinquished because no blufftop trail is proposed and access is available nearby.

Point Cabrillo Alternative Coastal Trail

Location: Point Cabrillo Drive (Old Highway 1 now County Road 564) from Caspar Creek to Russian Gulch.

Existing Development: Connects to Caspar-Little Lake Road and Cross - California Ecological Trail Corridor. Alternative to Highway 1 for cyclists.

Potential Development: Post sign on Highway 1 for cyclists.

Point Cabrillo Light House

Location: One mile west of Point Cabrillo Drive at Pine Grove.

Ownership: U.S. Coast Guard, 32 acres; remainder private.
Existing Development: Light station is not open to public except by written permission from District Commander in San Francisco.

Potential Development: Light house station would be an access point for picnicking, ocean viewing and historic site tours during daylight hours.

Policies:

4.6-9 When the Coast Guard abandons the lighthouse property, the California Department of Parks & Recreation or other agency or organization should acquire the property and prepare a management plan for the lighthouse that will provide for the development of a trail to the lighthouse as shown on the Land Use Plan Map. Until then, the U.S. Coast Guard shall be requested to open the light station property to limited public access at no fee. Use shall be restricted to picnicking, ocean viewing, and historic site tours during daylight hours. Because

this shoreline is included within the boundaries of the Point Cabrillo Underwater Reserve administered by the Department of Fish and Game, no offshore diving or rockfishing shall be allowed.

4.6-10 The ownership and use of this 32 acres should remain under the public jurisdiction. The Bureau of Land Management shall be requested not to relinquish this property except to another public agency.

4.6-11 Offers of dedication for public access shall be obtained along the designated pedestrian day use trail on the land use plan map consistent with Policy 3.6-5. Existing offers of dedication located on the southern trail section on the White property shall be accepted.

Cross-California Ecological Inland Trail Corridor

Location: From Russian Gulch State Park through the Park to Colusa and the North Lake Tahoe corridor.

Existing Development: Hiking and equestrian trail through Russian Gulch State Park; designated by DPR Hiking and Equestrian Trails Plan.

Russian Gulch Headlands Area

Several property owners have been required to make access offers of dedication as a condition of permit approval. Offers by Bower, Kibbee, Ferrero and Barham have been recorded; agreements with Powers, Hansen, Davies and Bergin have not yet been signed and recorded. The Land Use Plan recommends that all offers of dedication be relinquished. The area between Indian Shoals Subdivision and Russian Gulch State Park will not be needed for a blufftop trail; the bluffs themselves are fragile and a trail could not be completed using dedication offers because key parcels have been developed without dedication offers.

Policy:

4.6-12 All offers of dedication which have been recorded for public access required as a condition of permit approval within the Russian Gulch Headlands area shall be relinquished finding that there is sufficient access at Caspar Cove and Russian Gulch and that access has been requested at Point Cabrillo. The area between Point Cabrillo and Russian Gulch is already parcelled out into several subdivisions and partially developed. Public testimony has established the fragility of the area.

Russian Gulch Blufftop

Ownership: DPR

Existing Development: Well developed and heavily used park. Facilities are listed in Table 3.7-1.

Potential Development: Addition of up to 100 campsites east of Highway at north edge of park. Improved access to south headlands, including new parking area.

Policies:

4.6-13 The Department of Parks and Recreation shall be requested to prepare a general plan for Russian Gulch State Park that provides access to the south headlands, subject to conditions necessary for preservation of the park's natural environment.

4.6-14 DPR should schedule the addition of campsites at Russian Gulch State Park so that not more that 50 are built within 5 years following adoption of the Coastal Element. If subsequent evaluation shows that private campgrounds of comparable quality between Fort Bragg and Russian Gulch are not meeting the demand for campsites, 50 additional units may be built.

The Department of Parks and Recreation should schedule the development of additional campsites in conjunction with a park management plan. The number of campsites shall be dependent upon sewage capacity which is allotted to the Russian Gulch State Park by the Mendocino City Community Services District.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Jug Handle Creek to Russian Gulch Planning Area at the following locations:

Jug Handle Farm	existing hostel and campground
Caspar Beach Trailer Park	existing campground
Pt. Cabrillo Cottages and Campground	existing accommodations (motel-type)
Russian Gulch State Park	existing campground

Two sites have been designated for conditional uses. They are located at Russian Gulch State Park 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.

4.7 RUSSIAN GULCH TO VAN DAMME STATE PARK PLANNING AREA (Big River Planning Area)

The Big River area includes the Town of Mendocino, defined for Coastal Element planning purposes as the area within the Mendocino City Community Services District. The Town Plan for Mendocino is described in Section 4.13.

The entire Big River Planning Area west of Highway 1 has been designated as a "highly scenic" area, requiring that all development outside Mendocino Town be subordinate to the natural environment. Fortunately, few conflicts exist, and large parcels, low densities, and wooded terrain will make it possible to subordinate new development to its setting without unduly restrictive design policies.

In support of the Town Plan policy to limit construction of additional overnight accommodations, several new conditional visitor serving sites have been designated in the Big River area. One is a proposed group campsite on Department of Parks and Recreation (DPR) property. The other two are potential inn sites east of Highway 1 and south of Comptche-Ukiah Road. A limited number of visitor serving units within the vicinity of Mendocino would alleviate some of the pressures on the Town of Mendocino.

The U.S. Fish and Wildlife Service recently considered acquiring portions of the Big River watershed to protect the wetlands, but this plan has now been abandoned. The agency is relying on timber harvest rules, the Special Treatment Area designation that applies to much of the area within the coastal zone, and Coastal Act policies to preserve the wetlands.

Coastal Element Policies: Big River Planning Area

4.7-1 New development west of Highway 1 shall be subordinate to the view shed or scenic character of the area. New development east of Highway 1 where designated as a highly scenic area shall be subordinate to its setting.

4.7-2 Dedication of scenic easements on undeveloped portions of parcels along Highway 1 or on Brewery Gulch Road should be required.

4.7-3 Pacific Gas and Electric Company shall be requested to consider preparing a plan for relocating power transmission lines that now intrude on views of Mendocino Town at certain locations south of Big River.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Russian Gulch State Park
(See description and policies in Section 4.6)

Mendocino Town Alternative Coastal Trail

Location: From Highway 1 on Lansing Street to Heeser Drive County Road 407FF), to Main Street, Big River-Mendocino Headlands State Park. (See Town Plan map)

Characteristics: Bluff and shoreline access and viewing areas. Public restrooms are located north of Heeser Drive.

Jack Peters Creek

Location: Intersection of Highway 1 and Lansing Street (County Road 500), north of the Town of Mendocino.

Ownership: Private (Bernhard). Offer of access dedication for the narrow northern section (150 feet long) of the property.

Characteristics: The area provides a scenic overlook and shoreline access at Jack Peters Creek.

Potential Development: Improve and enlarge view turnout.

Policy:
4.7-4 Offer of access dedication shall be accepted.

Little Lake Road Inland Trail

Location: From Highway 1 at Mendocino, County Road 408 transverses northeasterly to intersection of Caspar-Little Lake Road (Road 409) to State Highway 20.

Characteristics: Pedestrian, bicycle, and equestrian use; designated on County Trails Plan.

Big River River Access and Access to Big River Beach

Location: North shore of Big River, in Highway 1 right-of-way, east of Highway 1.

Characteristics: Unpaved parking area with access to river.

Policy:
4.7-5 The parking area shall be improved and the access point developed for boat launching be maintained. Power boats on Big River shall be prohibited, except for outboard motors traditionally used for trolling. Access to the beach and river is not considered safe access to Mendocino Bay and the ocean.

Policy:

4.7-6 The existing private logging road in this forest protection area extends along the north side of Big River could serve as an excellent trail for hiking, bicycling, fishing and equestrian access along Big River. Due to the steepness of grade of the north bank of the river as well as potential fire danger and increased noise impacts, vehicular access and parking should be limited to the first six miles. In addition, this area is to be closed to dogs in order to protect wildlife. River accessways in this area shall be consistent with Coastal Act, Section 30212(a)(2). If this private road becomes available to the public it should be acquired by the California Department of Parks and Recreation and shall be managed to provide river access.

Mendocino Headlands State Park

Location: Mendocino. Park lands in this unit are divided into three separate areas: (1) west end of Mendocino Town peninsula and entire shoreline; (2) funded acquisition, east of Highway 1, north bank of Big River; and (3) east of Highway 1, south of Comptche-Ukiah Road.

Ownership: DPR; portion is private, but acquisition is funded.

Existing Development: Trail access through existing park areas on headlands north of river include blufftop and shoreline access to Mendocino Bay. Public restrooms available north of Heeser Drive.

Potential Development: DPR proposes 5 group camps accessible from Comptche Road in southern portion of park.

Policy:

4.7-7 California State Department of Parks and Recreation shall be requested to review and revise its General Development Plan for Mendocino Headlands State Park with the participation of the community. Group campsites in the southern portion of the Mendocino Headlands State Park shall be a conditional use. A hostel may be submitted for up to half of the group camp capacity in this area, if the park management plan so provides.

4.7-8 The California Department of Parks & Recreation should complete the funded acquisition of the riverside property and prepare a management plan that provides for the improvement of the existing parking area and development of the access point. The use of power boats on Big River shall be prohibited except for outboard motors traditionally used for trolling (less than 10 horsepower).

North Brewery Gulch Road (McMillen Access)

Location: South of Big River mouth, west of Comptche-Ukiah Road intersection with Highway 1.

Ownership: McMillen has recorded an offer of dedication for shoreline access over the portion of his property west of Brewery Gulch Road.

Existing Development: Wide bluff area with access to rocky intertidal area.

Policy:

4.7-9 Offer of access dedication by McMillen shall be accepted.

4.7-10 Brewery Gulch Road south of Big River on the west side of Highway One shall be preserved as an existing bluff top access affording spectacular views of Mendocino Bay and the town of Mendocino. These views shall be protected and enhanced by possible future relocations of power lines as indicated in Policy 4.7-3.

Comptche-Ukiah Road Inland Trail

Location: From Highway 1 south of Big River, southeasterly to Orr Springs and Low Gap Roads.

Characteristics: Pedestrian, bicycle, equestrian use, designated by County Trails Plan.

Mendocino Bay Alternative Coastal Trail

Location: Old Highway 1 (Brewery Gulch Road) south of Big River, west of Highway 1.

Characteristics: Turnouts with spectacular views of Mendocino.

Van Damme State Park Trail

Location: West of Highway 1, north entrance is located just south of Mendocino Bay transversing along the bluffs to just north of Little River.

Ownership: DPR, 153 acres; private agricultural parcel between two DPR parcels.

Existing Development: Coastal terrace grassland with some trees and 2,800 feet of shoreline; undeveloped.

Potential Development: Parking area, trail, shoreline access.

Policy:

4.7-11 The California State Department of Parks and Recreation shall be requested to prepare a general plan for Van Damme State Park including parking, day use facilities, and shoreline access on the two northern parcels.

4.7-12 An easement across the intervening private property shall be

obtained consistent with Policy 3.6-5 to provide a continuous loop hiking trail, as indicated on the Land Use Plan. This loop trail shall connect with Brewery Gulch Road trail to the north consistent with Policy 3.2-14. There shall be no bluff top trail until the ag land use changes.

Little River Blowhole Vista Point

Location: West of Highway 1, north of Little River Cemetary on existing private drive.

Ownership: Private

Potential Development: Vertical access trail to the blufftop

Policy:
4.7-13 An offer to dedicate an easement to the public for access shall be obtained for those areas shown on the Land Use Map consistent with Policy 3.6-5.

(See Little River Area Section 4.8, for policies for the remainder of Van Damme State Park).

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Russian Gulch to Van Damme State Park Planning Area at the following locations:

Ames Lodge	existing inn
Blackberry Inn	existing motel
Sea Rock Motel	existing motel
Catch-a-canoe	existing service
Big River Lodge	existing motel
Mendocino Campground	existing campground
Van Damme Beach State Park	existing campground
Glendeven Inn	existing inn

The following sites have been designated as a conditional use for visitor serving facilities:

South of Mendocino Campground	proposed inn or hostel
Mendocino Headlands State Park	proposed campground
East of south entry to Brewery Gulch Road	proposed inn or hostel
Zimmer property, next to Glendeven Inn	proposed motel

Mendocino Town contains numerous inns and other visitor serving facilities. The Mendocino Town Plan is located in Chapter 4.13.

4.8 VAN DAMME STATE PARK TO DARK GULCH PLANNING AREA (Little River Planning Area)

The Little River Planning Area includes most of the larger inns on the Mendocino coast, both because this stretch of coast is exceptionally attractive and because it contains large houses built by prosperous settlers. The inns, totaling approximately 250 rooms, have been successful in remaining subordinate to the natural setting. They are patronized by visitors with few comparable choices for accommodations north of San Francisco.

Substantial expansion of the inns and hostels in this location would indicate that improvements to Highway 1 are necessary or desirable. Improvements of the sharp, badly banked curve at Dark Gulch would significantly improve safety conditions of Highway 1 in this area. There is a need in this area as well as other areas up and down the coast for Caltrans to acquire sufficient right of way through dedication or purchase of 30 foot half-width from the center of the road for the purpose of sufficient area for highway improvements and maintenance.

The Land Use Plan prescribes improvement of Highway 1 to 12-foot vehicle lanes and 4-foot shoulder - little more than what exists today. Several permit applicants have recorded offers to dedicate a 25-foot easement along the west side of the highway for a pedestrian and bicycle path in lieu of providing shoreline access.

Little River

The group of buildings situated east of the highway and north of the Little River crossing is essential to the character of Little River. This grouping is designated Rural Residential.

Designated Access Rights, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Van Damme State Park
(See Big River, Section 4.7, for discussion of separated parcels north of Little River)

Location: Along Little River.

Ownership: Department of Parks and Recreation (DPR).

Existing Development: 74 campsites and a 50-person group camp; shoreline access to large sandy beach; handicapped access, improved parking area on shoreline, west of Highway 1 for approximately 50 vehicles.

Potential Development: DPR proposes relocation of the group camp to a site near Comptche Road.

Policy:
4.8-1 The Department of Parks and Recreation shall be requested to prepare a general plan with full participation of the community. The plan shall protect residents of Gordon Lane and Comptche Road from potential adverse effects resulting from relocation of the group camp.

Little River-Airport Road Inland Trail

Location: From Highway 1 at Little River, County Road 404 transverses northeasterly to Comptche-Ukiah Road.

Existing Development: Pedestrian, bicycle, and equestrian use, designated by County Trails Plan.

Highway 1 Bicycle Easement

Location: North of Schoolhouse Gulch; Stillwell Point.

Ownership: Private

Potential Development: Bicycle or pedestrian/equestrian path.

Policy:
4.8-2 Previously adopted policies relating to improvement throughout the Highway 1 area providing for 12-foot road strips and 4-foot shoulders, where possible, should be pursued in this particular area. Accept offers of Tramaine, Glassman, and Garote and obtain additional offers of dedication along Highway 1, consistent with Policy 3.6-5.

Buckhorn Cove

Location: North side of Buckhorn Cove; south of Little River, west of Highway 1.

Ownership: Private.

Characteristics: Highly attractive rocky cove with sandy beach.

Potential Development: Entrance would be 500 feet north of cove to permit a safe turn; parking could adjoin highway and be screened from view.

Policy:
4.8-3 An offer to dedicate an easement for public access and a public parking area shall be obtained for those areas shown on the land use plan map consistent with Policy 3.6-5.

Heritage House

Location: Smith Creek, just north of Dark Gulch, west of Highway 1.

Ownership: Private.

Existing Development: Beach on inn property. Deed restriction as condition of permit to ensure continued no-fee public access.

Policy:
4.8-4 The existing visitor serving facilities consists of many separate cabin units located on several different contiguous parcels under one ownership. In order to allow for the continuation and expansion of the visitor accommodations an asterisk 1 designation shall apply to each parcel within the area designated on the map and the future use of this designated site shall be limited to visitor serving accommodations and support services.

Dark Gulch to Albion Trail

Location: 0.25 mile south of Dark Gulch to the north edge of Albion Village.

Ownership: Private; an offer of dedication of a 6 foot vertical access and a 25 foot lateral access along 400 feet of bluff top was obtained (Roberts).

Potential Development: Trail around Albion Head offering spectacular views of the coast as well as views of the Albion River Bridge, Albion Village, and Albion Harbor.

Policy:
4.8-5 The offer of dedication (vertical and lateral) from Roberts shall be accepted and in addition offers of dedication for public access for those areas delineated on the land use plan map shall be obtained consistent with Policy 3.6-5.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Van Damme State Park to Dark Gulch Planning Area at the following locations:

Little River Inn	existing inn and restaurant
Fools Rush Inn	existing motel-type accommodation
The Ledford House	existing restaurant
The Victorian Farmhouse	existing bed and breakfast inn
School House Creek Inn	existing inn
Sea Foam Lodge	existing motel
Andiron Lodge	existing motel
Heritage House	existing inn and restaurant

4.9 DARK GULCH TO NAVARRO RIVER PLANNING AREA (Albion Planning Area)

The Albion CAC area covers 35 square miles, much of it in timberland, though the view from Highway 1 consists of vistas of grassy hills on the headlands, coastal terraces and meadows. The coastal zone extends three miles up the Albion River which is estuarine and navigable by canoe, and four miles along the Navarro River. In addition to Albion Village and Albion Flats, which date from the lumber boom of the 1850's there are communities on Albion Ridge, Middle Ridge, Navarro Ridge and in the Pacific Reefs Subdivision.

Minor highway improvements, such as adding 2 to 4-foot bike lanes, are desirable where the terrain allows. A hazardous turn immediately to the North of the Albion Bridge is the site of numerous Highway 1 accidents. Spot improvement of this turn should be given high priority by Caltrans.

The need for preservation of visual resources also affects future development, for much of the planning area both west and east of Highway 1 has been designated as "highly scenic" where development must be subordinate to its setting. Navarro Head, no more scenic than many other headlands, is especially important because it is many visitors' introduction to the Mendocino coast. To travelers emerging from the dense redwood forest of Highway 128, the fog, wind, winding road and grassy hillsides above the high bluffs and surf convey the vastly lonely coast that makes the drive worthwhile.

The view has not been substantially degraded, although some would argue that the two or three house on the bluff below the road are a significant intrusion. Trees to screen buildings on the point should be planted near the buildings so that some trees near the road can be removed to open views. The main concern is to maintain this visual gateway to the coast.

On the west side of the highway, four parcels between Navarro Ridge Road and the developed parcel at the southern tip of the headland also are of particular concern. One housing unit can be built near the bluff on each of these parcels if by siting at a low point, by earth sculpture, or by trees planted near the building, the house can be subordinate to the setting. The term subordinate applied to this location should mean that the cumulative effect of one house on each of the four parcels will result in no significant change in the appearance of the coastal terrace as seen from the highway.

Albion Village

Approaching from the north, motorists see one of the coast's most striking townscapes: a wood-trestle bridge in the foreground of a small village that clings to the edge of the hill. This village is composed of two segments-the cluster of dwellings off Albion Ridge Road and the group of buildings on Albion-Airport Road north of the bridgehead.

Coastal Element Policies: Albion

4.9-1 The Albion community north of the bridge shall be designated Rural Residential 1.

The Albion community at the south end of the bridge shall be designated Rural Village. Retail establishments shall be limited in type and size; new stores shall be located only in the areas designated commercial.

4.9-2 In order to maintain the special community character, building permits shall require that building materials, color and architectural forms of new structures exposed to public view be similar to those existing buildings. Existing buildings shall not be remodeled in a manner that would detract from their historic character.

Albion Harbor - North and South

Albion harbor-north and south is the harbor for about 100 full-time commercial boats. The shallow harbor entrance limits boat size and requires entry and exit at high tide. Two small fish wholesalers operate on the flat. Full time boats concentrate on sea urchins and bottom fish in winter and salmon in summer. Facilities are minimal, and currently there is no assured public access to the water, even for a fee. Dredging, paved access, and slips with electricity and water are needed, but commercial fishers are concerned that improvements could result in commercial boats being forced out by pleasure boats.

Albion Flats and Harbor

The Albion Flats and Harbor area is the port for the Albion Fishing community. The land is privately owned. The public has had traditional access to the beach, ocean, river and up river by road to the estuary, but access is presently a problem and is often blocked.

The existing use consists of boat launching, fishing, diving, docks, residential trailers, a small store and gas pump, sanitary facilities and showers, fee parking, a boat barn and a few small dwellings formerly housing a restaurant, now a canoe rental and seasonal camping. There are year round boats (approximately 100), that fish out of Albion, with a sizeable increase in the summer. The only access from Highway 1 to the north side, to the flats, is a steep narrow road. There is a limited access further upriver on the south side to the Mendocino Biological Field Station road through Albion Village. There is currently access via privately owned road "D" to the south side of Albion River which is not maintained. The Planning Commission would recommend that this potential access be maintained.

The Coastal Commission, U.S. Fish and Wildlife, California Fish and Game in their report "Albion River Development-Impacts and Recommendations" states that "...The Albion River estuarine area-land and water-has reached its carrying capacity insofar as intensive development will adversely affect the ecological aspects which should be given first priority of management." The physical constraints on development are also addressed in Mendocino County

Planning Department's report on proposed use permit U 84-77 of September 2, 1977, by planner Charles Hudson. These constraints still exist.

Coastal Element Policies: Albion Flat

4.9-3 Any development in the Albion Flats fishing village shall currently be limited to uses directly related to the fishing, boating, boat building and diving occupations and the support systems required to maintain them. An Albion Harbor District or Commission should be established by the County to coordinate all land and water uses within the area designated Fishing Village and Albion Cove on the Land Use Plan, including the flats, the river and the ocean beach. See also Policy 4.9-6 and Policy 3.10-1.

4.9-4 Due to their negative impacts, off-road vehicles shall be prohibited from the Albion Beach.

4.9-5 Only one narrow access road exists now on the north side which could be blocked by accident. The old Highway 1 access on the south side should be reopened as the emergency evacuation road.

The County shall encourage the provision of adequate public transit and adequate streets and roads to regional harbors.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Albion-Little River Inland Trail

Location: County Road 403 transverses northeasterly from Highway 1 at Albion to Little River - Airport Road (County Road 404).

Existing Development: Pedestrian, bicycle, and equestrian use; designated by County Trails Plan.

Albion Harbor Area

Location: North shore of Albion River at terminus of County Road 403A (Albion River North Side Road).

Ownership: Private.

Existing Development: River access, large unimproved parking area, gas pumps (2) to the south.

Potential Development: Restrooms to the west, improved parking would provide for more space during busy summer season.

Location: North shore of Albion river under Highway 1 bridge at beach.

Ownership: Private.

Existing Development: Walking access through campground to beach, unimproved parking area at beach.

Location: North shore of Albion River, east of terminus of County Road 403A, south of "The Pond".

Ownership: Private.

Existing Development: Boat launching, boat parking, river access.

Location: North shore of Albion River, Schooner's Landing area.

Ownership: Private.

Existing Development: Residential trailers, seasonal camping, boat parking, several access points along private road on north shore of river.

Location: Mendocino Biological Field Station, south shore of Albion River.

Ownership: Private

Existing Development: Pedestrian, fishing and boat launching access.

Policies:

4.9-6 Assurance of access to beach and river and estuary shall be obtained by agreement, by proof of prescriptive rights, consistent with policy 3.6-5, or by purchase. A boat launch ramp should be considered for development, allowing free boat lauching by portage.

4.9-7 No cost access and parking area should be acquired to both the north and south side of the Albion River in accordance with Policy 3.6-5.

Salmon Creek

Location: Old Highway 1 behind Gregory's Restaurant (County Road 401, also known as Spring Grove Road).

Ownership: Private; offers of dedication for lateral, blufftop access 0.5 miles south of the creek have been recorded by Shaffron-Pfeffer and Chesson-Hollowed as a condition of permit approval.

Existing Development: Northern two-thirds of road is paved, excellent blufftop views. Southern part is unimproved, narrow, one-lane road leading to sandy beach.

Policies:

4.9-8 A vertical and lateral easement for an accessway at Salmon Creek shall be obtained by proof of prescriptive rights, or by purchase, or by other means consistent with Policy 3.6-5 whichever method would result in obtaining these easements at the earliest possible date shall be used by the County in implementing this policy. Until adequate public parking is available there shall be no highway signing indicating a public access at this point.

4.9-9 Access offers by Shaffron-Pfeffer and Chesson-Hollowed on the south side of Salmon Creek shall be relinquished because existing development would prevent completion of a blufftop trail using dedication offers and because adequate access will exist nearby at Salmon Creek.

Navarro Ridge Road Inland Trail

Location: From Highway 1 north of Navarro River, County Road 518 transverses southeasterly to Highway 128.

Existing Development: Pedestrian, bicycle, and equestrian use; designated by County Trails Plan.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Dark Gulch to Navarro River Planning Area at the following locations:

Albion River Inn	existing motel and restaurant
Gregory's	existing restaurant
Navarro Ridge Inn	existing inn
Good Shepherd School	existing campground
Navarro Head, east of Highway 1	proposed inn

The following sites have been designated as a conditional use for visitor serving facilities on the land use map:

North of Albion Cove, west of Highway 1	proposed inn or hostel
East of Whitesboro Cove, west of Highway 1	proposed inn or hostel

In addition to those sites designated on the land use map, the Fishing Village of Albion contains a Recreational Vehicle campground.

4.10 NAVARRO RIVER TO MALLO PASS CREEK PLANNING AREA (Includes Greenwood/Elk)

This planning area covers 12 miles of a narrow coastal shelf and high bluffs interrupted only by deep gulches at Elk and Greenwood Creeks. The Coatal Element designates most of the planning area west of Highway 1 as a "highly scenic area" within which development "shall be subordinate to the character of its setting" as required by Section 30251 of the Coastal Act. Only two exceptions exist west of Highway 1: the Rural Village of Elk and a small residential area know as Little Geyserville. The town of Elk is a "unique community," so distinctive as to make this portion of the coast worth a journey to many visitors.

In the northernmost mile of the planning area, immediately south of the Navarro River, the Cameron Road neighborhood and Little Geyserville go almost unnoticed by the highway traveler. The remaining 11 miles of coast consist of grazing land on the coastal shelf and timberland in the gulches and upper slopes. The most northerly remaining dairy ranch in the coastal zone is near the south end of the planning area.

Outside Elk, the Coastal Element calls for almost no additional land division because of the absence of urban services and the difficulty of accommodating new development subordinate to the landscape.

Traffic on this segment of Highway 1 is lighter than at any other location south of Westport. The plan calls for widening narrow sections to provide 12-foot vehicle lanes and 4-foot shoulder for bicycles. At some locations, construction of this 32-foot road section may so disrupt the environment that it should not be built.

Elk

Clearly a "unique community" within the intent of the Coastal Act, Elk (Greenwood) is the coast's only linear historic town. Since lumbering operations stopped the vestiges of the lumber town gradually have disappeared. A few elegant houses, trees along the road, vacant highway frontage, the post office, small stores, and the garage with stamped metal "brick" siding combine to establish Elk's man-made character. It is difficult to imagine any change that would improve Elk; however, a few additional housing units could be built both east and west of the highway that would not be visible from the road. Large inns or motels would be inconsistent with the town's character.

<u>Coastal Element Policy: Elk</u>

4.10-1 Elk shall be designated a Rural Village, with residential, commercial, and cottage industry uses limited mainly by sewage disposal standards. Additional overnight accommodation units shall be limited to 20 and commercial floor area limitations shall be set to keep visitor serving uses in scale with community size.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Navarro River

Location: South bank, between bridge and river mouth along County Road 517 and 517A (Navarro Bluff Road).

Ownership: Wildlife Conservation Board; portion is private property over which prescriptive rights of access have been proven (Dietz vs. King).

Existing Development: Parking and day use facilities, sand beach; major water access point for divers and fishers. Operation is by Mendocino County Department of Parks and Beaches.

Potential Development: Rehabilitation of former resort, which is shown on plan as conditional use; resolution of access road problem. A proposed trail from the south bank utilizing the old state highway to the beach.

Policies:

4.10-2 The County and the Wildlife Conservation Board shall endeavor to reach an agreement with the private property owners that will allow maintenance of an access road to the Navarro river and the ocean beach.

4.10-3 Implementation of a proposed trail by Mendocino County Parks and Beaches from the south bank utilizing the old highway to the Navarro River beach.

Highway 1 Bicycle Easement

Location: North of Cavanaugh Grade, west of Highway 1 between highway markers 37.30 and 36.85.

Ownership: Offer of dedication for 25 foot wide easement along Highway 1 by Frankel.

Policy:

4.10-4 Accept offer of highway easement to connect with future offers for use as bicycle trail. (Frankel)

Cavanaugh Gulch

Location: 2.2 miles north of Elk, just north of the old cemetery, west of Highway 1.

Ownership: Private

Characteristics: 200-foot sand beach reachable from moderately sloping bluff. Most suitable shoreline access point in six mile stretch between Navarro River and Elk.

Potential Development: Off-road access parking to be developed for up to five automobiles. Non-vehicular access to beach down moderately sloping gully way to beach.

Policy:

4.10-5 Vertical access to the beach shall be obtained consistent with Policy 3.6-5 and developed leading from the existing Caltrans turnout south of Cavanaugh Gulch at milepost 36.85. This turnout should be improved to accommodate up to five cars.

Cuffey's Point

Location: 1 mile north of Elk.

Ownership: Private

Characteristics: Superb view of coast across Greenwood Cove and seastacks to south. Suitable for viewpoint, not shoreline access.

Potential Development: Turnout and parking area; picnic tables.

Policy:

4.10-6 Caltrans should acquire an area west of Highway 1 of sufficient area to construct a parking area and vista point overlooking Cuffey's Cove. An offer to dedicate a parking area and vista point at this location shall be obtained consistent with Policy 3.6-5 if Caltrans is not successful in acquiring this area prior to application for a costal development permit. If the land use on this large area changes in the future, an offer to dedicate an easement for public access shall be required for the area delineated on the Land Use Map, consistent with Policy 3.6-5.

Greenwood/Elk State Park (tentative name for reference only)

Location: West of Highway 1 extending from center of Elk to south side of Greenwood Creek beach.

Ownership: California State Department of Parks and Recreation (DPR), 47 acres.

Existing Development: Plateau at town center with road leading to former mill site at creek; undeveloped.

Potential Development: DPR Lists potential for five picnic sites at north end of park and parking for 20-50 vehicles.

Policies:

4.10-7 The California State Department of Parks and Recreation shall be requested in accordance with LCP Policy 3.7-7 to prepare a general plan for day use only providing parking and picnic areas screened from Highway 1 north of Greenwood Creek. The Greenwood/Elk community shall participate in preparation of the park plan. The park plan shall be integrated with existing Rural Village land uses to prevent deterioration of coastal resources including the scenic highway, the historic town and the coastal bluffs and beaches.

4.10-8 An offer of dedication of a 10-foot trail, from the highway one mile south of Greenwood Creek to the ocean, obtained as a condition of permit approval (Matson), is found inappropriate and shall be relinquished, because the high bluff is hazardous and because alternative access will be available nearby at Greenwood/Elk State Park.

Elk Creek

Location: Two miles south of Elk.

Ownership: Private.

Characteristics: 40 acres west of highway loop includes 500 foot sandy beach and 3 acre lagoon. Lagoon and riparian habitats can tolerate only limited use.

Potential Development: Day use.

Policy:

4.10-9 The California State Department of Parks and Recreation shall be requested to acquire and develop for day use only.

Visitor Accommodations and Services: No sites have been designated as a principal permitted use for visitor serving facilities on the land use maps in the Navarro River to Mallo Pass Creek Planning Area; however, a variety of visitor accommodations and services are available in the Rural Village of Elk. These include the Sandpiper Inn, Harbor House Inn, Greenwood Lodge, Elk Cove Inn and others.

The following sites have been designated as a conditional use for visitor serving facilities on the land use map:

Navarro by the Sea	abandoned inn
South of Navarro River, east of Highway 1	proposed motel
Southeast of Navarro River bridge	proposed restaurant
One mile south of Elk, east of Highway 1	abandoned restaurant, proposed motel

4.11 MALLO PASS CREEK TO IVERSON ROAD PLANNING AREA
(Irish Beach/Manchester/Point Arena)

South of Mallo Pass Creek, the coastal shelf broadens, landforms become softer, and Highway 1 moves inland, sometimes out of sight of the ocean. The San Andreas fault zone intersects the shoreline near Alder Creek, runs east of Manchester, continuing parallel to and outside the coastal zone, which widens to about four miles between Manchester and Iverson Road.

A majority of the coast's full time, large-acreage ranches and prime agricultural soils are found in this planning area. The primary crop, silage, is used to feed cows at the two grade A dairies. Cattle and sheep graze on large ranches both inside and outside the coastal zone.

The upper limit of residential development in this planning area is partially determined by the capacity of Highway 1. Current peak hour traffic operates at a lower service level, on narrower sections of the highway where lanes are 9 feet wide. In most locations the roadbed could be widened, and the Coastal Element calls for construction of 12 foot lanes with 4 foot bike lanes where feasible. Improvement plans should include protected left turn lanes and passing lanes where possible.

It is difficult to predict how additional trips by both residents and visitors, would be distributed among the existing roads. From Irish Beach, the Bay Area may be reached in nearly the same driving time on Highway 128 or via Jenner and Highway 116. Weekday and weekend surveys show about 57 percent of Irish Beach traffic uses Highway 1 south, but some of these trips are for shopping in Manchester. Although Highway 128, Philo-Greenwood Road, and Mountain View Road can carry some traffic to and from this section of the coast, many drivers, particularly second home users returning to the Bay Area, will travel though Gualala and Jenner during the peak hours.

The Sonoma County LCP indicates that Highway 1 will be at capacity at Jenner, even without increased traffic due to development of existing lots at Gualala. Further, this stretch offers less opportunity to locate development out of the Highway 1 viewshed than is possible south of Iverson Road, where the potential for conflicts with agriculture also are less. The only sewer and water systems in the planning area that are capable of accommodating growth are in the City of Point Arena; and the City has no plans to extend service beyond its limits.

Irish Beach

Since 1965 the developers of Irish Beach Subdivision, just south of Mallo Pass Creek, have recorded 341 lots, typically about 15,000 square feet. Parcels allowing construction of another 58 units have been approved by the Coastal Commission in 1980. Other approvals by the County would allow the addition of 692 units, raising the possible total to 1,091. About 100 homes have been completed.

Irish Beach County Water District serves the subdivision and a septic system maintenance district recently has been formed. The Coastal Element places limitations on future development for Irish Beach.

Even when fully developed, Irish Beach is unlikely to support more than a small store, particularly if many of the new units are second homes and vacation rentals. The market in Manchester, Point Arena or the supermarket in Gualala will attract residents' major shopping trips. Irish Beach does need sites for a rental office, a community meeting room, and storage for fire equipment. A view restaurant and inn or motel, and a small store could become viable projects as population grows. A site west of the highway adjoining the subdivision on the north would be ideal for visitor serving uses, including a store. The community center could be there or on a more centrally located open space parcel east of the highway.

Minor modifications to the subdivision map and street system are needed to reduce the number of lots that have vehicular access only from Highway 1 and to connect all lots east of Highway 1 without requiring use of the highway.

The existing Caltrans viewpoint at Mallo Pass Creek provides a model for development elsewhere. The South Coast CAC has indicated that physical access to the nearby cove should not be permitted, as it would disturb the resident sea lions.

Manchester

The flat or gently rolling land and its distance from whitewater views and second home communities give Manchester the potential to develop moderately priced housing and cottage or light industry. As yet, no community sewage treatment or water systems exist, but growth could bring improved services. The area south of Elk to the northern boundaries of Point Arena has a historical use of agriculture land and has a history of being a producing dairy country. There are presently three existing dairies which are processing as much milk as 59 others which previously existed within this planning area.

Point Arena
(See City of Point Arena LCP)

South of Point Arena, Highway 1 traverses largely undeveloped coastline. Informal turnouts exist where the highway is close to the bluff, and views of the coastline and Saunders Reef are exceptional. The Coastal Element designates the area west of Highway 1 between Point Arena and Iverson Road as a "highly scenic area" within which development shall be subordinate to the character of its setting (Coastal Act, Section 30251). The sole exception is the Whiskey Shoals Subdivision as approved by the Coastal Commission on March 21, 1979.

<u>Coastal Element Policy: Point Arena By-Pass</u>

4.11-1 A "Proposed Point Arena By-Pass for Highway 1, utilizing a portion of Windy Hollow Road, shall be considered a part of this plan as a conceptual proposal. Future planning shall be coordinated with the City of Point Arena and the California Department of Transportation.

Designated Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Sections 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Irish Beach-Manchester Alternative Coastal Trail

Location: Irish Beach to Stoneboro Road; Manchester State Beach

Characteristics: Trail along sandy beach with non-vehicular access at Irish Beach, Alder Creek Beach Road, Kinney Road and Stoneboro Road.

Policy:
4.11-2 Lateral access adjoining mean high tide shall be obtained where the trail crosses private lands consistent with Policy 3.6-5.

Irish Gulch

Location: Adjoining south boundary of Irish Beach Subdivision

Ownership: Private; property owners' association and developer.

Existing Development: Road leads to sandy beach.

Potential Development: Parking area and trail to beach.

Policy:
4.11-3 Access shall be provided in accord with offer to dedicate right of pedestrian access over road to the beach and the developer's agreement to improve and dedicate a 10-car parking area. Caltrans shall be requested to provide a parking area within their easement east of Highway 1 at Irish Creek.

Alder Creek Beach Road

Location: Manchester State Beach on County Road 515.

Ownership: California State Department of Parks and Recreation (DPR).

Existing Development: Manchester State Beach access.

Potential Development: Sign on highway, parking area improvements; rehabilitation of abandoned state owned houses as park interpretive center or for lease to non-profit organization or concessionaire for use compatible with park.

Policy:

4.11-4 The existing public access to Alder Creek Beach extending from Highway 1 via Alder Creek Beach Road (County Road 515) shall be properly identified by signing at Highway 1. The dilapidated state owned houses on the bluff top south of Alder Creek shall be restored for use as a park interpretive center or other public use, or leased to a non-profit organization or concessionaire for a use which will be compatible with the park environment in which they are situated.

Kinney Road

Location: One mile north of Manchester on County Road 512.

Ownership: DPR

Existing Development: Manchester State Beach access; 46 campsites; 75 space KOA campground adjoining on private land.

Stoneboro Road

Location: .7 mile south of Manchester on County Road 570.

Ownership: DPR

Existing Development: Manchester State Beach access; DPR holdings include all but 9 parcels in Hunter's Lagoon subdivision that is in process of acquisition to protect the lagoon and wetlands.

Potential Development: Sign on highway; southern end of trail connecting with Irish Gulch and Alder Creek access.

Policy:

4.11-5 The California State Department of Parks and Recreation shall be requested to prepare a general plan for Manchester State Beach incorporating development of access at Alder Creek, Kinney Lane, and Stoneboro Road and making use of the abandoned houses near Alder Creek. This plan shall include an effective dog control program to prevent livestock predation on adjoining ranches.

Garcia River

Location: End of Minor Hole Road (County Road 509A), one mile north of the City of Point Arena.

Ownership: Private; public use in accord with posted regulations is acceptable to owner; prescriptive rights may exist.

Existing Development: Fishing access.

Potential Development: Improved parking area; sign on highway.

Policy:

4.11-6 There should be no access through agriculture lands in this area, finding that over use encroachment will be detrimental to the agriculture resource. On the existing road, to its terminous, signs shall indicate that unleashed dogs, hunting and camping are prohibited.

4.11-7 A trail segment for hiking shall be acquired consistent with provisions of Policy 3.6-5 and developed connecting the western end to Lighthouse Road (County Road 509) and the Point Arena Light Station, through the former U.S. Coast Guard Loran Station, and into Point Arena Cove (by connection to a trail segment within the City of Point Arena consistent with Policy 3.2-14). (There shall be no bluff top trail until the ag land use changes.)

Point Arena Light Station

Location: End of Lighthouse Road (County Road 509), 3/4 mile north of the City of Point Arena.

Ownership: U.S. Coast Guard

Characteristics: The lighthouse, rebuilt after the 1906 earthquake, is an important landmark in a spectacular setting. Lighthouse Road, along eroding bluffs, offers exceptional views of the coast. Current U.S. Coast Guard policy is to allow tours with written permission from District Commander in San Francisco.

Potential Development: Trail designation and turnouts along Lighthouse Road with fencing or guard rail to protect bluff edge; lighthouse tours.

Policies:

4.11-8 The U.S. Department of Transportation (Coast Guard) shall be requested to allow no-fee daytime access to the historic Point Arena Light Station. Use shall be limited to ocean viewing and fishing. In the event that this federal installation is abandoned by the Coast Guard, the Department of Parks and Recreation or other non-profit organization such as the Point Arena Lighthouse Keepers shall be requested to acquire the property and to operate it as a museum or historical site in conjunction with continued no-fee general public usage.

4.11-9 A public agency shall be requested to construct and maintain view turnouts along Lighthouse Road.

Mendocino-Lake Community College Field Station

Location: West of junction of Lighthouse Road and Highway 1, one mile northwest of the City of Point Arena.

Ownership: Mendocino-Lake Community College District.

Potential Development: College District proposes to establish a field station and science labs for the Field Study of marine biology, geology, coastal agriculture, energy and meteorology. The residential units will be reserved for instructors and students on a reservation basis.

Policy
4.11-10 The former U.S. Coast Guard Point Arena Loran Station was acquired by the Mendocino-Lake Community College to be used as a field station. It shall be operated in a manner which will provide educational, scientific, natural resource management and recreational use of the property. No fee public access limited to passive recreation uses such as daytime picnicking, fishing, hiking, and ocean viewing shall be allowed. Vehicle access shall be allowed on the existing roadway from Highway One. A hiking trail shall be developed that connects to the proposed coastal trail running from the town of Point Arena to the Point Arena Lighthouse and then to the Garcia River. Both public access and trail easements shall be obtained consistent with Policy 3.6-5. (There shall be no bluff top trail until the ag land use changes.)

Point Arena to Whiskey Shoals Trail

Location: Along the coast from the City of Point Arena's southern boundary to Whiskey Shoals subdivision.

Ownership: Private. An as yet unrecorded offer of dedication of lateral, shoreline access 1.5 miles north of Whiskey Shoals was required as a condition of permit approval (Hendricks).

Potential Development: Trail along bluff and shoreline.

Policy:
4.11-11 Offers to dedicate easements for a lateral bluff accessway shall be acquired on those areas delineated on the Land Use Map consistent with Policy 3.6-5.

Mote Creek

Location: Wiskey Shoals Subdivision, two miles south of Point Arena

Ownership: California Coastal Conservancy

Existing Development: Dirt road to beach

Potential Development: Day use picnicking, hiking, and ocean viewing

Policy
4.11-12 The California Coastal Conservancy should develop this access point including a parking area, so that it can be used by the public. Offers to dedicate easements for an accessway and lateral bluff trail shall be acquired for public use consistent with Policy 3.6-5.

Ross Creek

Location: 2.5 miles south of Point Arena; adjoins Whiskey Shoals subdivision.

Ownership: Private.

Potential Development: Beach access.

Policy:
4.11-13 Offer of dedication for public easements shall be obtained providing vertical and lateral access to beach and blufftop trails consistent with policy 3.6-5, connecting to the acquisition at Schooner Gulch/Bowling Ball Beach.

Schooner Gulch/Bowling Ball Beach

Location: 3.3 miles south of Point Arena.

Ownership: Private. Auguste has recorded an offer of dedication for lateral, blufftop access just north of Bowling Ball Beach.

Characteristics: Path from highway turnout leads to sandy beach at Schooner Gulch. Bowling Ball Beach to north is named for 3-foot diameter rocks that have eroded from sandstone bluff and are lined up in shallow crevices below like rows of bowling balls.

Potential Development: In 1974, DPR prepared acquisition plan for about 80 acres, but no action has been taken. DPR development for day use would provide the only pocket beach state park south of Greenwood Creek. The area is suited to heavy use that would be attracted by the "bowling balls".

Policies:
4.11-14 The California State Department of Parks and Recreation shall be requested to place the Schooner Gulch/Bowling Ball Beach site on their high priority acquisition list. The portion of the proposed purchase located east of Highway One should avoid displacing existing residents and should provide an adequate parking area with access off Schooner

Gulch Road and linked to the area west of Highway One via the existing undercrossing.

4.11-15 The offers of dedication for the 10 foot lateral blufftop and one 25 foot vertical access (existing roadway) on the parcel opposite Bowling Ball Beach (Auguste) shall be accepted for a blufftop trail and shall be opened for public use when maintenance and liability for the trail are assumed by an appropriate entity. Offers of dedication for public access shall be obtained on adjacent parcels where the proposed trails are shown on the Land Use Plan Map consistent with Policy 3.6-5. If the Elliot permit is issued, the offers to dedicate easements for public access should be accepted by an appropriate entity.

Hearn Gulch

Location: Milepost 10.08, immediately north of Iverson Subdivision.

Ownership: Private; prescriptive rights may exist.

Characteristics: Small cove and sand beach.

Potential Development: Parking area and trail from north side; could serve recreational development adjoining Hearn Gulch east of highway as proposed by landowner.

Policy:
4.11-16 Accessway dedication shall be obtained consistent with policy 3.6-5; purchase parking area.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Mallo Pass Creek to Iverson Road Planning Area at the following locations:

KOA, Manchester Beach	existing campground
Manchester State Beach	existing campground
Point Arena Campground	existing campground

The following sites have been designated as a conditional use for visitor serving facilities on the land use map:

North of Irish Beach subdivision, east of Highway 1	proposed motel
South of Irish Beach subdivision, west of Highway 1	proposed motel
Iverson Road	proposed campground

In addition, a variety of visitor serving facilities are located in the City of Point Arena, which is located in the central part of this Planning Area.

4.12 IVERSON ROAD TO SONOMA COUNTY LINE PLANNING AREA (Anchor Bay-Gualala)

The "banana belt" section of the Mendocino Coast is distinguished by dense forests of small coniferous and broadleaf trees, extending to the cliffs at many points. Although much of the wooded shoreline is developed, the forest dominates the scene, often blocking ocean views and hiding all evidence of development except for an occasional gate or mailbox. The coastal zone boundary, following the ridge along Ten Mile Cutoff Road, is 1.4 to 3 miles inland.

Potential highway capacity is one constraint on development in the planning area. The potential for improving the highway varies significantly within the planning area. The sharp turn at Fish Rock Gulch and the nearby 9-foot lanes cannot be improved much and thus will continue to limit improvements. At other points, the roadbed can be widened to permit 12-foot lanes with a 4-foot shoulder on each side; south of Anchor Bay the full 32-foot section including 12-foot vehicle lanes and 4 foot bicycle lanes, can be built. With additional improvements such as protected left turn lanes, the volume of traffic currently passing through Gualala could be increased by 75 percent.

The primary difficulty in assessing highway capacity is determining how much traffic will be generated by development north of the planning area and how many locally generated trips will use Highway 1 in Sonoma County. Projected growth in accord with the Sonoma County LCP could absorb available highway capacity at Jenner. Some local trips, particularly those originating on Pacific Woods Road and Old Stage Road (Brushy Opening Road) will use only very short segments of Highway 1. Some residents will use Old Stage Road and Fish Rock Road to reach Highway 101 during weekend peak hours if Highway 1 is severely congested. A high proportion of permanent residents amongst visitors will reduce travel on the highway during the summer weekend peaks when detours can be made by those familiar with local roads. In summary, the number of variable factors does not permit a precise determination of how highway capacity will affect development in Gualala. Trends must be monitored and a more detailed study prepared before any amendment to the Coastal Element is approved that increases allowable development and traffic on Highway 1.

Waste disposal, as well as highway capacity, limits development in the area; it is questionable whether individual septic systems will work for many additional small lot subdivisions. The North Gualala Water District offers service from the County line to Anchor Bay, 3.5 miles north. However, the only existing community sewage system serves only the Anchor Bay subdivision and is being rebuilt without provision for expansion. The Regional Water Quality Control Board has determined that several existing lots in Anchor Bay lack potential leach fields.

No standards can be set for minimum parcel size to ensure satisfactory performance from septic systems--such a determination must be made on a lot by lot basis--but larger lots are more likely to meet water quality standards or to qualify for waivers. If inadequate septic systems create a health hazard

in Gualala, the County should apply for a Clean Water Act facilities planning grant to address the problem.

Anchor Bay

The cluster of subdivisions at Anchor Bay occupies high bluffs on either side of Fish Rock Creek. However, Anchor Bay's compact commercial area turns its back on the Pacific and does not take advantage of the views. Overnight accommodations or a restaurant with a view deck should be built on the blufftop. Anchor Bay's proximity to Gualala, 3.5 miles south, limits the need and opportunity for additional businesses,

Gualala

Gualala is the building supply and shopping center both for Mendocino's south coast and for Sea Ranch in Sonoma County. During the last 10 years, Gualala based crews have built an average of 70 to 100 houses per year, mainly for retirees, vacation home buyers, and themselves. The plan recognizes the need for building supply establishments in commercial areas and for an industrial classification to accommodate those of industrial character, such as readymix concrete.

As development proceeds, Gualala will be able to support additional retail space, but the amount will depend on the proportion of part-time to residents in the area. When Sea Ranch reaches its maximum development of 2,000 units and the area south of Iverson Road is developed in accord with the Land Use Plan, there could be nearly 10,000 persons in the trade area--enough to support a supermarket. Gualala's existing commercial development is scattered along a mile of Highway 1, currently zoned commercial. Further development in this pattern would adversely affect highway safety and traffic capacity, nearby homes west of the highway, and Gualala's community identity.

Coastal Element Policies: Anchor Bay - Gualala

4.12-1 New residential and visitor accommodation development within Anchor Bay-Gualala Planning Area shall be dependent upon approval by the County Health Department for septic waste disposal systems installed in accordance with Regional Water Quality Control Board Basin Standards. Installation of individual septic disposal systems shall be carefully monitored by the County Health Department and the Regional Water Quality Control Board to determine the cumulative impact upon coastal resources of all development within the Anchor Bay-Gualala area.

4.12-2 The urban-rural boundary of the community of Gualala is indicated by boundary lines delineated on Land Use Map 31.

A community proposed urban-rural boundary covering a much larger area encompasses 80 acres of TPZ approximately 400 acres of Forest Land and surrounded by concentrated residential development was not

found justifiable in adoption of this plan at this time but it is recognized that this would be a logical area for growth expansion in the future.

Access Points, Trails, and Recreation Areas

Policies for all access points, trails, and recreation areas are in Section 3.6 and 3.7. Policies specific to locations in this planning area are listed below in geographic order from north to south. Each access point (other than fee access where designated) will need to be acquired by acceptance of an offer of dedication or by purchase by an appropriate public agency or private organization as described in Section 3.6.

Island Cove

Location: South of Iverson Road.

Ownership: Private; Island Cove Estates Subdivision, recorded in 1961, includes a beach parcel "reserved for use of lot owners." The Coastal Commission, as a condition of permit approval, required one owner (Tweedie) to dedicate access rights.

Existing Development: A 700-foot sand beach and sheltered cove, reached by trail from parking area.

Policy:
4.12-3 Public access shall be obtained to and along this beach as shown on the Land Use Plan Map along with a public parking area consistent with 3.6-5.

Haven's Neck

Location: A 10 acre parcel on the peninsula, 1,100 feet west of Highway 1, approximately one mile northwest of Anchor Bay.

Ownership: Private.

Characteristics: Virtually unaltered natural habitat for a number of plant and animal species including some plants of particular botanical interest; wind sculptured rock formations.

Potential Development: Public acquisition was proposed by 1967 County General Plan and 1975 Coastal Plan. Scientists and conservationists familiar with Haven's Neck have recommended limited use as a natural reserve, such as Point Lobos State Reserve south of Carmel, or no public access.

Policy:
4.12-4 An offer to dedicate an open space easement to an appropriate public agency shall be required as a condition of permit approval for that area of Haven's Neck westerly of the Narrow constriction leading to the peninsula.

Fish Rock Road Inland Trail

Location: From Highway 1 north of Anchor Bay, County Road 122 transverses northeasterly to Highway 128.

Existing Development: Pedestrian and equestrian use; designated by County Trails Plan.

Fish Rock Observation Point and Trail

Location: Approximately 1/4 mile north of the intersection of Highway 1 and Fish Rock Road.

Existing Development: Vacant parcel.

Policy:
4.12-5 An offer to dedicate an easement for public parking and access to the point for that area delineated on the Land Use Map shall be obtained consistent with Policies 3.6-5 and 3.6-7 and no signing will be done until adequate parking is created.

Anchor Bay Shoreline

Location: Fish Rock Creek, immediately north of Anchor Bay.

Ownership: Private.

Existing Development: Campground providing fee access to beach.

Policy:
4.12-6 A guarantee of continued fee access to the public as well as guests shall be acquired consistent with policy 3.6-5 together with a provision for obtaining a non-fee accessway if the visitor serving facility should be changed to another use.

Serenisea

Location: .5 mile south of Anchor Bay.

Ownership: Private; inn.

Existing Development: Trail leads to south side of the beach at Getchell Gulch.

Policy:
4.12-7 Continued fee access to the shoreline shall be assured by deed restriction consistent with policy 3.6-5, together with a provision for obtaining a non-fee accessway if the visitor serving facility should be changed to another use.

St. Orres Creek

Location: 1.1 miles south of Anchor Bay.

Ownership: Private.

Characteristics: 200 foot cove.

Policy:
4.12-8 Offers to dedicate easements for a vertical and lateral access to the cove shall be acquired for that area delineated on the Land Use Map consistent with policy 3.6-5. Caltrans should provide for a safe parking area at this location and shall be required to do so in conjunction with any highway improvement project in this area.

Cooks Beach

Location: 1.3 miles south of Anchor Bay.

Ownership: Private.

Characteristics: A 500-foot sandy beach on south side of Glennen Gulch. Connects to Bourns Landing bluff top.

Policy:
4.12-9 Offers to dedicate easements for vertical and lateral shoreline access shall be acquired for that area delineated on the Land Use Map consistent with policy 3.6-5.

Bourns Landing

Location: 1.5 miles south of Anchor Bay.

Ownership: Private.

Potential Development: Trail along open bluff with long views of coast and shoreline access at small beach; connects to Cooks Beach.

Policy:
4.12-10 Offers to dedicate easements for a blufftop trail and shoreline access shall be acquired for that area delineated on the land use plan map consistent with policy 3.6-5.

Marine View Subdivision

Location: 1.3 miles north of Gualala.

Ownership: Private; offer of dedication for 25-foot lateral access by Fager and Witt.

Policy:
4.12-11 Offers by Fager and Witt shall be relinquished because no blufftop trail is proposed and accessway would not be reachable by an existing or proposed vertical access.

Gualala Trail

Location: Central Gualala to Gualala River Bridge

Ownership: Private; offer of dedication of 25-foot blufftop access and agreement on existence of prescriptive rights over vertical access from Highway 1 to mean high tide by Bower.

Potential Development: Trail along bluff and highway.

Policy:
4.12-12 Offer of access by Bower shall be accepted; to provide the potential for completion of a public trail from Central Gualala to Gualala bridge. The trail shall follow along the blufftop and shoreline, segments may need to use the public right of way of Highway 1 over impassible areas. Offers to dedicate easements for public access shall be obtained for those areas shown on the Land Use Plan Maps consistent with Policy 3.6-5.

Gualala River Bridge

Location: North bank of Gualala River; just west of Highway 1.

Ownership: Private.

Existing Development: Unimproved road to river; boat launching. Fee access may be charged by the owner.

Potential Development: A privately developed campground.

Policy:
4.12-13 A reasonable entrance fee may be charged to the general public as long as a visitor serving use remains.

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Iverson Road to Sonoma County Line Planning Area at the following locations:

The Sea Urchin	existing service
Mar Vista Motel	existing motel
Whale Watch	existing inn
Serenisea Motel	existing motel
Re-Newell Center	existing motel
St. Orres	existing inn and restaurant
Old Milano Hotel	existing inn
Gualala River Redwood Park	existing campground

In addition, the following sites have been designated as a conditional use for visitor serving facilities on the land use map:

Getchell Gulch	proposed inn or hostel
East of Serenisea access	proposed inn or hostel
Cooks Beach, south	proposed motel
Bourns Landing	proposed motel
Gualala Point, west of bridge	proposed campground
Gualala Point, east of bridge	proposed campground

A variety of visitor serving facilities are located in the commercial areas of Anchor Bay and Gualala, which are not designated on the land use map.

MENDOCINO COUNTY GENERAL PLAN COASTAL ELEMENT

MENDOCINO TOWN PLAN

4.13 MENDOCINO TOWN PLAN

Mendocino, founded in 1851, was the first lumber town on California's north coast. The New England roots of its original residents, the economy of the lumber industry, isolation, and more recently a population attracted by the town's ambience, account for its character. This "mystical village" is the most photographed and most visited coastal destination north of San Francisco and as such is more threatened by overuse than any other coastal community. The Town of Mendocino is a "special community" as described in Section 30253(5) of the Coastal Act, and is recognized as a special community with an existing balance of residential, commercial and visitor serving facilities that is to be generally maintained.

Mendocino residents have been working on a plan since 1973. The terms of the federal grant that built the sewage treatment system require a plan. The State's willingness to acquire the headlands was dependent on the County assuming responsibility to establish Mendocino as an "Historic District."

The Historical Preservation District for the Town of Mendocino, incorporated in the Mendocino County Zoning Ordinance in 1973, established the Mendocino Historical Review Board (MHRB) that must approve demolition, construction, remodeling, excavation, and painting within Zone A, comprising the 19th century town west of Highway 1. The Board has less specific powers of approval in Zone B, the area east of Highway 1 visible from Zone A. Together the two areas constitute a National Register Historic District, allowing building owners to qualify for federal grants and tax incentives for preservation and restoration. There are only two such districts in the State of California.

Responding to the need for a plan, and because a 1" = 600' scale plan is inadequate for lot-scale issues in town, the Mendocino County LCP Work Program included a Mendocino Area Plan with "especially detailed land use designations and development provisions." The plan, at 1" = 200', and implementing regulations that will follow assume continuation of Mendocino's unincorporated status, but would be equally applicable if incorporation should be approved.

Planning Process

Rarely does a community invest as many hours in a plan as have the residents of Mendocino. Differences of opinion have emerged on most points and the Mendocino members of the South Central Citizen Advisory Committee, convening as the Big River CAC, have held many meetings working toward resolving them. Before the plan was drawn, two questionnaires were circulated to as many town residents as could be reached in an effort to determine community values.

Responses to the Mendocino Land Trust questionnaire from 288 residents and property owners in the Historic District and the 193 responses to the Big River #1 and #2 questionnaire indicated strong support for maintaining the town's residential character and for setting a ceiling on the population growth rate.

ISSUES:

Specificity of Plan

Because Mendocino's character results from diversity, it is difficult to establish a single "right" set of development standards for each parcel. Differences in uses, use mix, height, building materials, finish, yards, and

landscaping are not easily correlated with a classification of buildings that support or detract from the town's character. Traditional zoning, setting precise yards, heights, and use regulations for each lot is unlikely to conserve the town because the very principle that similarly situated properties should have the same development potential could be destructive in Mendocino.

The adopted plan needs to be followed by an ordinance that delegates broad discretionary power over site planning and design to an advisory body, presumably the Historic Review Board. Each proposal that meets the broad standards of the plan should be considered on its merit in relation to the surrounding area. The advantages of this approach are greater flexibility and possibly a more spontaneous community design quality. Its price would be uncertainty for both the developer and the community.

Growth

There appears to be general agreement that growth in the town must be limited, but disagreement as to how tight limits should be. Although additional residential development would help retain the sense of a residential community in the face of a rising tide of visitors, additional residents will themselves erode town character. If Mendocino is "Carmelized", it will be by commercial development--not just by shops selling trinkets to tourists, but by the larger number of stores that must sell to residents to survive.

While response to the Land Trust survey calls for "encouraging more resident-oriented businesses," many of the "residents" who shop in Mendocino live between Caspar and Albion. This area contains about 4,200 people now and potentially 6,400 under the development intensities designated by the Coastal Element. An attempt to meet this population's commercial needs within the town would be detrimental to town character. The designated commercial area would have to be large enough to allow choice of sites for businesses that cannot pay rents competitive with visitor-serving enterprises. Commercial floor area would double, even assuming no shift toward more visitor-serving establishments. The alternative is to limit commercial expansion in Mendocino with the knowledge that this may entail less choice for residents, higher prices, and more travel to Fort Bragg. Mendocino's status as an art and entertainment center need not be affected. Stores are not suffering from overcrowding at this point.

One approach to growth management would be to determine an acceptable annual and ultimate number of housing units or amount of commercial floor space and to enforce limits. The reverse would be to define acceptable physical change and establish regulations that prevent undesirable effects, leaving the rate, sequence, and location (consistent with the plan) to market determination. While the latter system is easier to administer, it risks too much on ability to foresee the effects of growth accurately.

Increases in visitor traffic unrelated to local population increases will affect Mendocino. The amount and type of commercial development that attracts visitors can be regulated, but the popularity of Mendocino as a destination will increase if its unique qualities are maintained. A very effective step toward preserving Mendocino as a "real" town, rather than as a resort, would be to limit expansion of overnight visitor accommodations. The resulting reduction in total visitor days spent in the town will more than offset the slight increase in additional

automobile travel per visitor. If the entire town were converted to inns, only a small percentage of visitors could be housed. Those who must stay elsewhere will spend less time in Mendocino and may have to park some distance from their destination. Fewer restaurants and boutiques will be supported if the average stay is shortened. Although the ability to regulate the impact of heavy use is less than in Yosemite Valley, the principle is the same: the number of accommodations and attractions must be limited. Section 30007.5 of the Coastal Act applies--the conflict between maximum accessibility and preservation of the town must "be resolved in a manner which on balance is the most protective of coastal resources."

The plan attempts to achieve compromise between "no-growth" and "free-market" partisans. New restrictions on development will make developed property more valuable and will limit opportunities for profit by owners of undeveloped land. As in most highly desirable California communities, the balancing of equity between those who live there now and those who may or may not have an opportunity to live there in the future is a difficult question. The issue is further complicated by the state and national interest in Mendocino's unique character. Development is limited by planning constraints such as availability of ground water, parking capacity, and historic preservation and the Coastal Act mandate to preserve the "special community."

The issues surrounding Visitor Serving Accommodation are complex, and without simple resolve. A number of long term residential units have been converted to short term accommodation in the recent past and the trend is to continue to do so.

The intent of this plan is to reasonably preserve the long term housing inventory in the Town of Mendocino, and to maintain the property rights of owners of residential property within the Historical District; thus, changes are added to relevant policy sections within this Plan.

Design Character

Amount of Development: Some residents believe that virtually all vacant land in the Historic District should remain unbuilt, while others hold that well-designed new buildings at some locations will not harm, and will perhaps improve, the town.

Design of New Buildings: Some find new development that closely follows the architectural style of the pre-1900 buildings most acceptable. Others want new buildings to be readily distinguishable as such, but less prominent than historic buildings.

Intensity of Development: There is no one intensity that is typical. Some blocks have high building coverage; others are largely open. Two-story buildings are interspersed with one-story buildings, but most commercial buildings are two stories. Watertowers and outbuildings, often crowded in back yards, contrast with a vacant lot adjoining or across the street. Most houses are modest cottages on lots 40 to 50 feet wide, but there are about a dozen mansions on larger lots with wide yards.

Views of the Town. Public acquisition of the headlands effectively conserves the

view of the Historical District (Zone A) from Highway 1. Though each large tree and watertower is important, the main visual concern of the plan is the character of the district as seen from within the town. The asphalt expanse of the highway is the only significant element of discord seen from outside the town.

The less noticeable new development east of Highway 1 can be, the sharper the definition of the old town. Existing commercial zoning along the east highway frontage would, if unchanged, draw development seeking attention, increasing the number of trips crossing the highway.

Views From the Town

West of Highway 1, Mendocino's gridiron street pattern and sloping site provide marine views from most streets and from many buildings over vacant lots or low buildings. Coastal Commission policy has been to protect views from public right of way but to avoid restricting the use of private property to preserve private views. Some private views could be preserved by regulating the location of a new building on a lot in a view corridor, but in most instances, shifting the new building would block another existing or potential view. Limiting the height of new buildings to one story would preserve some views, but would adversely affect both town character and equity. Limiting maximum height would help to preserve town character.

Water Supply; Sewage Disposal

In 1983, the Mendocino City Community Services District sewage treatment plant operated at two-thirds capacity, partially because most residents use their limited water supply sparingly. Lack of a community water system limits development to the satisfaction of some and the frustration of others. Many wells were dry during the 1977 drought and some run low nearly every summer. Residents endure inconvenience and are concerned that new development could deplete their water supply. No information is available which would allow determination of the population that can be supported by individual wells. Although authorization for the Community Services District to provide water was denied by the voters a few years ago, the 1979 Land Trust survey found that 56 percent of survey respondents favor a community water system.

A community water system could affect the visual character of the Historical Zone because of future development. Lots smaller than 12,000 square feet could be created if permitted by zoning regulations; water towers would be decorative only; and less open space would be necessary. Vegetable gardens might become more popular; so might lawns.

Affordable Housing

Affordable housing is scarce within the Mendocino town plan area. New affordable units will not be provided unless specifically addressed as a housing program within the scope of the housing element of the General Plan or accomplished through considerations of mixed use or R+ designations. Preservation of existing affordable units may be another effective measure available to protect affordable units. Allowing non-transient lodging houses and second units in predominantly single family areas and requiring construction of housing as a condition of development of commercial space would be additional ways of increasing the supply of relatively low-priced rentals.

MENDOCINO TOWN LAND USE CLASSIFICATIONS

Land Use classifications include several categories applicable only to the Town of Mendocino, as well as some common to the entire Coastal Element. In addition to minimum new parcel sizes, some Mendocino Town classifications specify both site coverage (the proportion of the site covered by buildings) and floor area ratio (total floor area in relation to lot area).

In each land use classification, principal permitted and conditional uses are listed. Uses listed as secondary uses are those requiring some form of review, such as a conditional use permit or site specific review to assure compliance with specific Coastal Element and zoning ordinance criteria. Permits for principal permitted uses will be subject to appeal to the Coastal Commission only in appealable areas; secondary uses will be subject to appeal anywhere. The plan's intent statements describe the way use classifications are applied on the Land Use Maps and will guide preparation of specific zoning regulations and the zoning map.

Legal parcels existing on the date of adoption of the plan by the County that are smaller than minimum size will be developable for principal permitted and conditional uses, subject to the same limitations as parcels meeting size standards. Existing legal uses where all state and local permits have been approved similarly will be considered to be legal non-conforming uses; the zoning regulations will assure their right to continuance and expansion consistent with town plan policies and will also assure their right to replacement if destroyed.

OPEN SPACE
Map Code: OS

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

Principal Permitted Uses: Landscape preservation; structures normally associated with park or open space use; grazing; recreation qualified by passive low impact.

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

RURAL RESIDENTIAL
Map Code: RR (1 acre, 2 acres, 5 acres, 10 acres)

Intent: The Rural Residential classification is intended to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential

classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.

Principal Permitted Uses: Residential and associated utilities, agricultural, home occupation.

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

Parcel Sizes: 1 acre (40,000 sq. ft. net); 2 acres (80,000 sq. ft. net); 5 acres; 10 acres.

Density: One dwelling per legally created parcel, 1 acre (40,000 sq. ft. net), 2 acres (80,000 sq. ft. net), 5 acres, 10 acres, as designated on the Land Use Maps.

SUBURBAN RESIDENTIAL
Map Code: SR

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

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

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

Minimum Parcel Size: Within water and sewer districts - 6,000 sq. ft.
Within water or sewer districts - 12,000 sq. ft.
Not in a water or sewer district - 40,000 sq. ft.
4,000 sq. ft. for mobile home subdivisions and manufactured home subdivisions - 5 acres

Maximum Dwelling Density:

Within water and sewer districts:
6 Single Family Dwellings per acre.
10 Single Family Dwellings per acre in mobile home parks, mobile home subdivisions and manufactured home divisions.
24 Multiple Family Dwellings per acre where designated SR

Within water or sewer districts:
3 Single Family Dwellings per acre.
3 Multiple Family Dwellings per acre.

Not in a water or sewer district:
1 Single Family Dwelling per acre.
0 Multiple Family Dwellings per acre.

RESIDENTIAL PLANNED UNIT DEVELOPMENT
Map Code: SR/RR (Acres per unit) PD

Intent: Planned Unit Development shall be a conditional use in Suburban Residential and Rural Residential 1, 2, and 5 to allow residential development of more than one housing unit on an existing parcel with site area per unit specified and the site plan for the parcel reviewed to ensure maximum preservation of open space and to reduce costs of development.

Principal Permitted Uses: Agriculture; Open Space; home occupations.

Conditional Uses: Housing units, subject to the density (units per acre) applicable to the site, with units sited for maximum open space preservation, public and semi-public facilities and utilities.

Parcel Size: No specified minimum. Consolidation of existing parcels is not mandatory.

On the Hills Ranch adjoining Slaughterhouse Gulch, a Planned Unit Development allowing 1.35 units per acre or .74 acres per unit has been approved. Other PD areas are RR-1-PD, which allows one unit per acre.

DEVELOPMENT LIMITATIONS
Map Code: DL

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

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

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

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

TOWN RESIDENTIAL
Map Code: R+

Intent: To maintain existing predominantly single family character while allowing a second unit subordinate in size, scale, scope and height on larger parcels, in keeping with an existing pattern of development. To contribute to the supply of low and moderate income housing.

Principal Permitted Uses: One or two dwellings on a parcel; Home Occupations; Keeping of horses, cows, and sheep, depending on parcel size.

Conditional Uses: Public and semi-public uses; new visitor accommodations east of Lansing Street, subject to Town Limits as described in Table 4.13-1.

Development Requirements: Minimum new parcel size of 12,000 square feet. One housing unit allowed per existing parcel under 9,000 square feet and two units on parcels of 9,000 square feet or larger. Building coverage not to exceed 25 percent of the parcel area.

MULTIPLE FAMILY RESIDENTIAL
Map Code: RM

Intent: To provide areas for multi-family residential development with the density and the number of units per parcel limited to maintain the present scale of the town.

Principal Permitted Uses: One to five housing units; Non-transient lodging (not subject to transient occupancy tax): Home occupations; Keeping of horses, cows, and sheep, depending on parcel size.

Conditional Uses: Public and semi-public uses; new visitor accommodations east of Lansing Street, subject to Town Limits as described in Table 4.13-1.

Development Requirements: Minimum new parcel size of 12,000 square feet. One housing unit allowed on any new or existing parcel, and up to five units allowed subject to minimum site area and limitations as follows:

Up to 12,000 square foot lot:	6,000 sq. ft. for 1st unit; 3,000 sq. ft. for each additional unit.
Over 12,000 square foot lot:	6,000 sq. ft. for 1st unit; 3,000 sq. ft. for 2nd unit; 3,000 sq. ft. for 3rd unit; 6,000 sq. ft. for each additional unit.

Total building coverage not to exceed 25 percent of the parcel area. One and one-half off-street parking spaces per unit shall be provided.

MIXED USE
Map Code: MU

Intent: To provide a transition between the commercial development on Lansing and Main Streets and residential areas; to provide space for offices and retail uses that do not generate heavy automobile traffic or operate at night; to allow owners of land formerly zoned C-2-R an opportunity for more intensive development than is permitted by the residential land use classifications and to encourage preservation and construction of moderately priced housing.

Principal Permitted Uses: One to five housing units per parcel; Non-transient lodging; Home Occupations; Offices; Limited retail shops (no restaurants, bars, hardware stores, building materials or major appliance sales, service stations, automotive sales or repairs).

Conditional Uses: Public and semi-public facilities; new visitor accommodations east of Lansing Street and west of Lansing Street as so designated on the Land Use Plan map, subject to Town Limits as described in Table 4.13-1.

Development Requirements: Minimum new parcel size of 12,000 square feet. At least one housing unit allowed on any existing parcel, and up to five units allowed subject to minimum site area and limitations as follows:

Up to 12,000 square foot lot:	6,000 sq. ft. for 1st unit; 3,000 sq. ft. for each additional unit.
Over 12,000 square foot lot:	6,000 sq. ft. for 1st unit; 3,000 sq. ft. for 2nd unit; 3,000 sq. ft. for 3rd unit; 6,000 sq. ft. for each additional unit.

Building coverage not to exceed 25 percent of the parcel area. Maximum floor area not to exceed .5 square feet for each square foot of parcel area, with not more than one-half of the total floor area to be devoted to non-residential use. Residential use to occupy 50 percent of the floor area in a two-story building and 35 percent of floor area in a one-story building. Maximum lot coverage: 15 percent for main building; 25 percent total. Requirements for off-street parking shall be consistent with historic preservation guidelines as adopted by Board of Supervisors. (See Appendix)

COMMERCIAL
Map Code: C

Intent: To provide an area within the town suitable for commercial development on a scale compatible with existing commercial uses.

Principal Permitted Uses: Retail stores and services (including bars and restaurants; banks, savings and loans, sale of building materials, appliances, and hardware; service stations, auto repair), offices, and visitor accommodations may be allowed east of Lansing Street subject to town limits as described in Table 4.13-1.

Conditional Uses: Housing (subject to RM density limitations); visitor accommodations west of Lansing Street subject to town limits as described in Table 4.13-1.

Development Requirements: Minimum new parcel size of 12,000 square feet. Building coverage not to exceed 50 percent of the site area; maximum floor area not to exceed one square foot of building area for each square foot of site area; maximum store area 8,000 square feet. Requirements for off-street parking shall be consistent with historic preservation guidelines as adopted by Board of Supervisors. (See Appendix)

PUBLIC AND SEMI-PUBLIC FACILITIES
Map Code: PF

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

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

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

Minimum Parcel Size:

Within water and sewer districts	6,000 sq. ft.
Within water or sewer districts	12,000 sq. ft.
Not in a water or sewer district	40,000 sq. ft.

MENDOCINO TOWN PLAN DESCRIPTION

RESIDENTIAL

The Land Use Plan reduces the potential development of the present R-3 zoning. With a few exceptions as mapped, nearly all of the area west of Kasten Street north of Albion Street is designated for residential development consistent with the R+ Land Use Classification. Potential development to R+ standards would allow one unit on existing parcels smaller than 9,000 square feet with an allowance for an additional unit subordinate to the main residence on parcels greater than 9,000 square feet. The RM and MU land use classifications are the predominant residential land use classifications in the remaining portion of zone A between Kasten Street and Highway 1. Larger parcels of at least 24,000 square feet will be allowed to develop up to five units consistent with size and style of the larger existing houses that originally were single family homes. The use of the MU land use classification provides an area of transition between residential and commercial uses by requiring a mix of both light commercial and moderately priced residential units.

North of Saint Anthony's Church along the west side of Lansing Street the plan shows one unit per acre and in Point of View Estates (Palette Drive area) a pattern of 20,000 square foot lots is established with the exception of the Hill House property which is RM. East of Highway 1 the plan recognizes the Hills Ranch Planned Unit Development approved with 54 units on 40.6 acres and designates the remaining area east of Highway 1 as one acre minimum sites. Two large parcels totaling approximately 41 acres at the southeast boundary of the district are shown as planned unit development to ensure the preservation of the wooded hillside viewed from the south side of Big River and by north bound traffic on Highway 1.

COMMERCIAL

Current zoning allows commercial uses in 3/5 of Historical Zone A. The Town Plan prescribes general commercial uses for the majority of the Main Street frontage; south side of Albion Street from Howard to Kasten Streets and three parcels west of Kasten Street; additional commercial use is allowed on Ukiah Street three parcels past Kasten Street; the remaining core commercial runs north from Main Street to Little Lake Street and is bounded by Howard Street on the east and generally the depth of the parcels fronting on Lansing Street on the west. To maintain the scale of the town and to avoid supermarket-type merchandising, the Land Use Classifications limit the size of a single store to 8,000 square feet, approximately the floor area of Mendosa's food market.

VISITOR SERVING FACILITIES

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

Hotel: Any building or portion thereof containing five or more guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy

by transient guests for compensation or profit.

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

Bed and Breakfast Accommodations: Any building or portion thereof or group of buildings occupied by an owner or a long-term tenant (over 30 days) with the express permission of the owner, containing no more than 4 guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where breakfast meals may be provided during morning hours to such transient guests for compensation or profit. A use permit shall be required for the establishment of bed and breakfast inns.

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

Student/Instructor Temporary Housing: Any portion of a building (up to a maximum of 25%) providing temporary or intermittent housing for Students/Instructors enrolled in a bona-fide education program. Existing Student/Instructor Temporary Housing is identified on Table 4.13-1. New Student/Instructor Temporary Housing shall require a plan amendment.

Transient Guest: Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.

MIXED USE

Most of the area east and west of the Lansing Street frontage that currently is zoned C-2-R is designated mixed use. Arts and crafts studios and professional offices dot the area now. The intent of the plan is to continue this mix, while maintaining an environment that will encourage new residential investment. To do this, the Mixed Use classification limits non-residential floor area to 50 percent of building area and to 25 percent of lot area. Commercial uses are limited to those that do not attract much traffic, do not regularly operate at night, and do not handle large volumes of goods or bulky goods. The ideal use would be an artist or artisan living on the premises and selling from a shop or gallery, but there also will be space for a TV repair shop, a children's clothing store, and other low impact shops. Some will meet local needs; some will be primarily dependent on visitors.

PUBLIC FACILITIES

The plan notes existing public facilities, such as schools, churches, cemeteries, community buildings, and utilities, and assumes that all will remain. The exception is the Middle School's site which is expected to be sold by the School District when a new middle school is built on the existing Grammar School site during the next several years. The best use of the present Middle School cannot

be foreseen now. Another public use such as a community center, senior citizen center, library, local government offices, or satellite College of the Redwoods' education center would be desirable, but no public entity is able to make a commitment now to acquire it. Reuse of the Middle School site carries more potential for changing the character of Zone A than does the use of any other parcel.

OPEN SPACE

Acquisition of Mendocino Headlands State Park in 1975 preserved the town's setting. Grindle Park on Little Lake Road, the only locally controlled public open space, was deeded to the Town by the heirs of an early resident.

Mendocino's present charm is in part dependent on the many vacant or partially unused parcels within the town. The plan calls for three approaches to preservation of some of this open space.

Dedication of Scenic Easements. As a condition of permit approval, the Hills House inn offered and the Coastal Conservancy has accepted dedication of a 2.4 acre scenic easement between Palette Drive and Highway 1. On the east side of Highway 1, the developers of the Hills Ranch planned unit development have agreed to dedicate a 17 acre scenic easement. Similar offers should be required when development is approved on other large parcels visible from the highway.

Special site planning standards to be written as part of the implementation phase will allow property owners reasonable flexibility in the use of their land while retaining the open space character. The process of mediating between the interests of the town as a whole and the developer may not always result in preservation of the most important open space on each parcel, but it will go far to preserve the town's essential character.

Acquisition: It is resident desire that the Heider Lot be acquired for community use by a public or private non-profit agency. It is resident desire that the present Middle School be acquired by a private non-profit or public agency for community use. (See Policy 4.13-17)

AFFORDABLE HOUSING

The development of affordable housing is regulated and encouraged by the County Housing Element and five provisions of the Town Plan:

- Allowing a second unit in predominantly single family areas by use of the Town Residential (R+) land use classification;

- Requiring housing in Mixed Use (MU) areas;

- Allow residential units to be intermixed with commercial uses potentially preserving the moderate income shopkeeper residence;

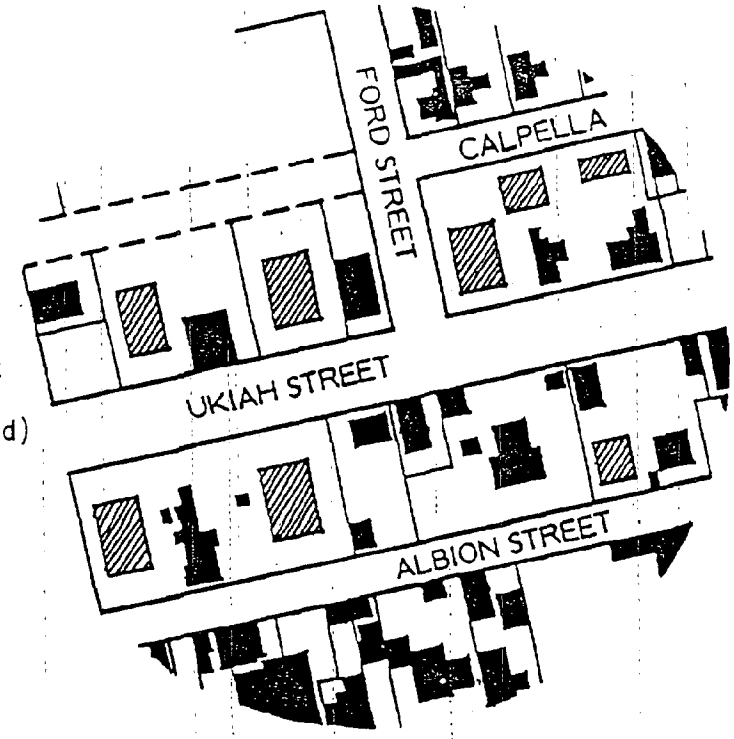
- Prohibiting the conversion of existing residential units to other uses (including Bed and Breakfast units);

- Allowing for student/instructor intermittent temporary housing.

DESIGN GUIDELINES

Guidelines are included in the list of policies and are implicit in the land use classifications. Implementation phase policies are intended to respond to two broad design concerns--building siting and architectural style.

Full development with 25% lot coverage and new 2 story buildings (shown cross hatched) near the center of each lot.



Full development with same lot coverage as above but new 2 story buildings (shown cross hatched) located to preserve open space character.

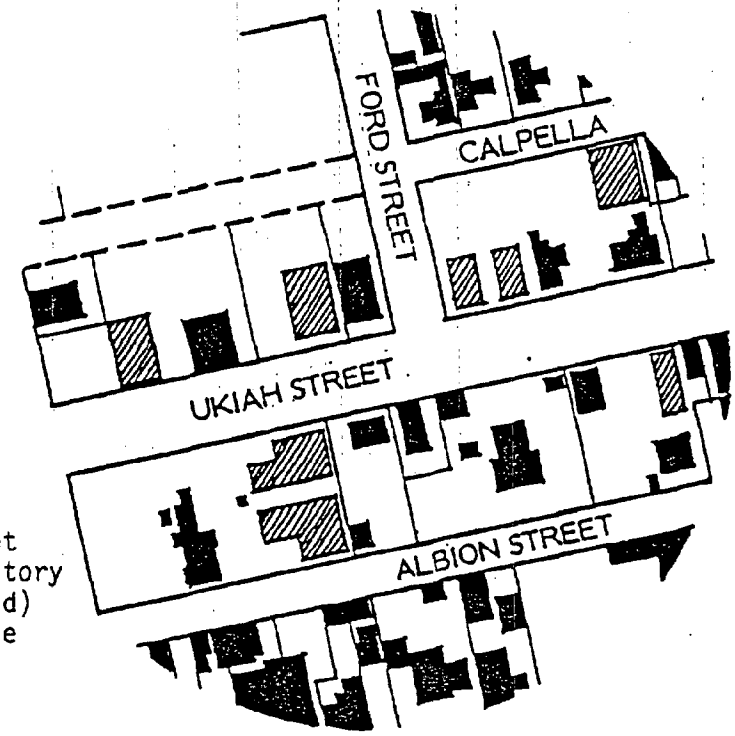


FIGURE 4.13-1

MENDOCINO TOWN PLAN EXAMPLE OF USE OF SPECIAL SITE PLANNING STANDARDS TO PRESERVE OPEN SPACE CHARACTER WITHOUT REDUCING ALLOWABLE FLOOR AREA.

Guidelines need to be included in the policy section leading to the appropriate implementation ordinances to protect and preserve the architecture and character of the town of Mendocino. Policies need to respond to two broad, design concerns--building siting, architectural style and scale in relationship to surrounding buildings. Similarly situated parcels should be entitled to the same lot coverage or ratio of floor area to site area and the MHRB or successor agency shall continue to review applications for development on a site specific basis. This means that some buildings may be required to be sited close to the street or to a side property line and applicants who wish to build the maximum floor area may be required to design a taller and narrower structure thereby continuing the open residential character of the neighborhood.

Mendocino looks as it does because it was built without zoning regulations and because some lots never were developed and many buildings have been moved or demolished. The character that results from small open spaces, large yards and vacant lots can be preserved by controlling the siting of buildings.

The architectural style of new buildings is a second concern. Some prefer that they be clearly distinguishable from historic buildings; others do not. It is more difficult, particularly for the ego, for designers to make new buildings subordinate to old ones but clearly contemporary. Mendocino's most successful new buildings are those that are hardly noticed because they employ simple 19th century forms and detail. Such a building is easier to design well, reducing the opportunities for bad mistakes.

Trees and planting also must be reviewed in the application process. Some trees must be preserved, some areas should be left open to maintain views, and some landscape materials or designs are inappropriate to the town character.

Special site planning standards will need to be written as part of the implementation phase to protect views to the sea and views of historic landmark buildings recommended as landmarks by Mendocino Historical Research, Inc., and designated on a Table in the Appendix.

CIRCULATION AND PARKING

The County of Mendocino Public Works Department with citizen participation shall be responsible for the development of a Circulation and Parking Plan to be developed within 18 months of the date of the adoption of this plan, addressing street and parking problems. This plan should determine means of resolving both the circulation and parking problems to those residents of the town of Mendocino as well as the visitors and guests who presently use those facilities and will continue to use them in the future.

Coastal Element Policies: Mendocino Town Growth Management

4.13-1 The town of Mendocino shall be designated a special community and a significant coastal resource as defined in Coastal Act Section 30251. New development shall protect this special community which, because of its unique characteristics, is a popular visitor destination point for recreational uses.

Mendocino shall be recognized as a historic residential community with limited commercial services that are important to the daily life of the Mendocino Coast.

The controlling goal of the Town Plan shall be the preservation of the town's character. This special character is a composite of historic value, natural setting, attractive community appearance and an unusual blend of cultural, educational and commercial facilities.

The preservation of the town's character shall be achieved, while allowing for orderly growth. This shall be done by careful delineation of land uses, provision of community services and review and phasing of development proposals. Balance shall be sought between residential units, visitor accommodations and commercial uses. Provision of open space and siting of structures to retain public views of the sea shall be considered as part of all new development proposals. The objective shall be a Town Plan which retains as much as possible the present physical and social attributes of the Mendocino Community.

4.13-2 The plan shall be reviewed after approval of 50 additional housing units, 25,000 square feet of non-residential floor area, or after 5 years, whichever comes first, to determine the effect of development on town character. The plan shall be revised, if necessary, to further reduce growth potential.

4.13-3 To preserve town character, commercial development shall be limited as shown on the plan, though at some point the amount of commercial space will be less than the market could support.

4.13-4

1. The Mendocino Town Plan designates existing Visitor Serving Facilities providing overnight accommodations and reserves future sites for these uses on a parcel by parcel basis by placing the appropriate designation on the Town Plan Map, with the exception of 8 unspecified units west of Lansing Street, and 15 potential unspecified units east of Lansing Street. Any additional Visitor Serving Facilities for overnight accommodations above and beyond these designations shall require a plan amendment. Any legally existing Visitor Serving Facility inadvertently omitted from the Town map shall be corrected as a mapping error. Bed and Breakfast units are identified with an asterisk "B" and all others with an asterisk. A listing of these units appear on Table 4.13-1.

2. With the exception of those overnight Visitor Serving Facilities for which coastal development permits have been issued or conditionally approved prior to the adoption of this plan by the Board of Supervisors, no inn, hotel or motel shall exceed 25 overnight units.

3. All new visitor serving facilities or expansions of existing visitor serving facilities providing overnight accommodations allocated under the 15 unspecified potential units east of Lansing Street and 8 unspecified potential units west of Lansing Street, shall be designed in scale, architecture and materials to maintain existing character of the town consistent with the special

community designation and shall be subject to a major conditional use permit.

4. All existing locations approved for inns, hotels, motels, hostels, Bed and Breakfast units and Student/Instructor housing are specifically designated on the Town Plan Map. All new Visitor Serving Facilities providing overnight accommodations, over and above those designated in Table 4.13-1, not specifically designated on the Town Plan Map shall be located east of Lansing Street and shall require a land use plan amendment.

5. Existing residential dwelling units west of Lansing Street shall not be converted to other uses (including Bed and Breakfast units). Existing residential dwelling units east of Lansing Street shall not be converted to other uses except where a conversion will result in continued maintenance of the existing housing inventory consistent with the requirements of Section 65590 of the California Government Code (SB 626-Mello).

6. The long term rental (over 30 days) of a residential structure is allowed as specified in the land use categories if rented to non-transient guests. Occupancy of these structures shall not exceed their design limitations. Exterior signing of the rentals is prohibited.

7. A residential structure may only be used as a Visitor Serving Facility after obtaining a use permit:

   (1) Use of the residential structures for visitor serving purposes of more than one (1) room, but less than 4, shall not be approved by conditional use permit in area(s) designated residential if the visitor serving use occupies more than 25% of the square footage of the residential structure or 640 square feet of the residential structure whichever is less. The rental of one (1) room for a Visitor Serving Facility purpose may be allowed throughout the Mendocino Town Plan subject to all applicable codes.

   (2) The use permit may be conditioned to not run with the land thereby precluding subsequent owners from the benefits which former owners enjoyed under the permit.

   (3) The proposed use must be consistent with the intent of the Town Plan and its objectives.

8. The reservation of specific sites for visitor serving facilities providing overnight accommodations shall not be preempted by conversion to other permanent uses excepting residential uses.

9. Existing Student/Instructor Temporary Housing is identified in Table 4.13-1. Any new sites other than those identified on Table 4.13-1 shall require a plan amendment.

   No more than 25% of a structure temporarily housing Students/Instructors may be utilized for that purpose. This

requirement does not apply to that housing currently identified in Table 4.13-1.

10. Student/Instructor, temporary and intermittent, housing facilities provided by the Mendocino Art Center on site are recognized in Table 4.13-1 and shall be consistent with the limitations cited in Policy 4.13-4 (7) (1) limited to 25% of an existing building. This use shall require a County Business License and adequate record keeping to ensure payment of bed tax on monies grossed from transient occupancy (less than 30 days stay, per occupant).

11. The renting of 4 or less rooms in private residences for non-transient occupancy for 30 or more consecutive days and nights shall not be considered to be a visitor serving facility or bed and breakfast operation subject to their respective permit requirements and site designations. Such rooms may not be sublet nor may they be occupied beyond their design capacity. There shall be no exterior signing advertising the rental of rooms.

4.13-5 All existing legal uses shall be deemed consistent with the town plan. Zoning regulations shall provide that if a use that would not be permitted under new regulations is not actively continued for a one year period it shall be considered to have lapsed and future use of the land or building must conform to current regulations. Similarly, currently legal lots shall be deemed potential building sites, subject to the same controls as lots 12,000 square feet or larger.

4.13-6 All persons operating Visitor Serving Facilities or Student/Instructor temporary housing as herein defined are subject to the provisions of Chapter 5.20 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Chapter) of the Mendocino County Code.

Coastal Element Policies: Mendocino Town Design Guidelines

4.13-8 The Historical Preservation District Zoning Ordinance, as amended, and as attached in the Appendix, shall be made a part of the Mendocino Town Plan and the Mendocino Historical Review Board shall continue to exercise those charges as specified by the ordinance.

4.13-9 Design review guidelines shall set criteria to ensure that new buildings, rehabilitations and renovations to existing structures will be consistent with the character of the town and that they shall not degrade the setting of buildings of landmark stature as recommended by Mendocino Historical Research, Inc., and designated on a Table in the Appendix. Regulations shall be consistent with the historic ordinance and guidelines as accepted by the County Board of Supervisors. Such criteria shall include, but not be limited to, height, dormers, windows, structures, appurtenances, proportion, placement of improvements on the parcel.

4.13-10 Any proposed private use of the Middle School site or changed public

use that would remove existing permanent buildings or would intensify development of the site shall require amendment of the Town Plan.

4.13-11 In addition to any design review related to protection of the character of the town, all development shall conform to Section 30251 of the Coastal Act, and any specifically designated scenic and view areas as adopted on the map. Provisions of open space and siting of structures to retain public views shall be considered as part of all new development proposals.

Coastal Element Policies: Mendocino Town Circulation and Parking

4.13-12 Improved traffic and speed controls should be immediately investigated by Caltrans and the County to alleviate the safety problems at the Little Lake Road and Main Street intersections with Highway 1.

4.13-13 On-street parking spaces in areas other than R+ shall be marked using materials that would blend in with the rural and historic quality of the town. Applications for new development should be considered for the feasibility of having off-street parking. Whenever possible, off-street parking shall be landscaped or screened, subject to historic ordinance guidelines, to perpetuate Mendocino's rural character and historic identity.

4.13-14 The Public Works Department, working with the residents of the town of Mendocino, shall develop a circulation and parking plan within 18 months after the adoption of this plan.

4.13-15 The County shall, with citizen participation, develop a plan for optimal circulation and parking of heavy weight tourist vehicles, (large RV's, delivery vans and trucks, tour buses) by June 1, 1984.

Coastal Element Policies: Mendocino Town Community Water Supply

4.13-16 All new development shall be contingent upon proof of an adequate water supply during dry summer months which will accommodate the proposed development and will not deplete the ground water table of contiguous or surrounding uses. The findings of the Coastal Ground Water Study of June 1982 shall be incorporated in the Mendocino Town Plan.

4.13-17 1. A public agency or private non-profit agency, in that order, shall be requested to acquire the Heider Lot for permanent community use.

2. A public agency or private non-profit agency, in that order, shall be requested to acquire the present Middle School for permanent community use.

TABLE 4.13-1 MENDOCINO TOWN PLAN VISITOR SERVING FACILITIES

VISITOR SERVING FACILITIES	ASSESSOR PARCEL NUMBER	WEST OF LANSING		EAST OF LANSING	
		EXISTING	POTENTIAL	EXISTING	POTENTIAL
INNS, HOTELS, MOTELS (5 rooms or more)					
The Headlands Inn	119-250-06			5	
Joshua Grindle Inn	119-140-13			7	
Hill House	119-140-04,05				
	119-140-29				
	119-080-14,15			44	
Sea Gull Inn	119-250-04			10	
Whitegate Inn	119-250-09			5	
Village Inn	119-250-37			13	
Sears House	119-250-15			7	
1021 Main Street	119-250-31			5	
Sea Rock Motel	119-030-10,13			17	
MacCallum House	119-236-10	21			
Mendocino Hotel	119-238-04,05	25			
R.O.Petersen (Heeser)	119-236-01		25		
BED & BREAKFAST (4 rooms or less)					
10520 Howard Street	119-150-37			2	
Mendocino Lookout	119-160-29	1			
Kelley's Attic	119-236-03	1			
Reeves	119-235-13	1	1		
Wells	119-160-33	1			
Bank House	119-237-09	3	1		
Soup Kitchen	119-235-09	3	1		
Bay Trading Company	119-235-09	2	2		
Coddington	119-235-14	1			
Pier	119-217-07	1			
McNamara	119-160-07		4		
Udo Nittner	119-238-14		4		
STUDENT/INSTRUCTOR TEMPORARY INTERMITTENT HOUSING					
Mendocino Art Center	119-160-32	13	6		
UNSPECIFIED UNITS			8		15
SUBTOTAL		73	52	115	15
TOTAL		125		130	

NOTE: The rental of one room, consistent with Policy 4.13-4 (7) (1) is exempt from the limits of this Table.

NOTE: Assessor parcel numbers effective as of 10/1/81

5. APPENDIX

APPENDIX 1. MAPPING METHODOLOGY

Base Maps

The base maps for the area contained in U24-U27, on maps 1-5, are USGS topographic quad sheets which were supplied by the California Coastal Commission (CCC). Photographically enlarged USGS quad sheets reproduced on mylar sheets from Mendocino County Planning Department were used as base maps for maps 6-31 covering U28-U40. All base maps include streams, the Coastal Zone Boundary, roads, and topographic lines.

Property Line Overlays

Property lines were drawn from Mendocino County Assessor's parcel maps, and updated by Blayney-Dyett using information supplied by the Coastal Commission Staff. Distortion of the County's sepia bases necessitated interpolation of the lines; justification was to the nearest section line. Thus, the property lines should be used only as a general location guide. Legal descriptions and assessor's maps must be consulted for greater accuracy.

Reproduction Method

Where necessary, mapped information was enlarged with American Optical Opaque 1000 projector tracing paper overlays. Boundaries were justified by section, aligning township and range lines and then transferred to mylar sheets. The property line overlay, topography/base, and Habitat/Resources sheets, Land Capability/Natural Hazards sheets or Land Use Plan sheet were then printed together as a sepia print in a vacuum frame print process.

MAP SET 1. HABITATS/RESOURCES

Marine and Fresh Water Habitats

Reefs: Shown as on USGS quad sheets, 1"=2,000'.

Kelp: Mapped from CCC Marine Resources maps, 1"=2,000', based on U2 flights in January and February 1977. Historic beds are shown as mapped by the California Department of Fish and Game in its unpublished Atlas of Marine Resources.

Rocky Intertidal Areas: Shown as on USGS quad sheets, 1"=2,000'.

Wetlands, Mudflats: Department of Fish and Game Wetlands Survey, Mendocino Coastline, 1979; scales vary.

Vegetation working maps were stereo delineated on 1976 USGS ortho-photo quads from May 1976 NASA U-2 color infrared (CIR) photos; scale 1:33,000. Data for the area north of Westport is derived from the COAP study (33, California Department of Water Resources) with riparian inserts. Vegetation areas of 40 acres or more were mapped, with the exception of riparian and wetland areas, all of which larger

than 10 acres are shown. Categories of vegetation are listed below and described in the Blayney-Dyett Natural Environment paper (B-D, NE).

Wooded Habitats

Redwood
Coastal Forest
Woodland (coniferous; hardwood)
Hardwood Forest
Riparian
Cutover

Other Upland Habitats

Coastal Prairie Grassland
Wooded Grasslands
Scrub
Barren
Pygmy Forest
Pygmy-type Forest
Agriculture-AF and Pasture AP
Urban

Special Habitats

Marine Mammal Haulout Areas and Seabird and Marine Rookeries: Humboldt State University Marine Resources Lab, 1"=2,000', 1979, supplemented with CCC Marine Resources maps, 1978.

Spawning Areas, Anadromous Streams and Special Animal Resources: California Department of Fish and Game correspondence, 1979, and California Natural Areas Coordinating Council, 1"=2,000', 1974.

Desiganted Resource Protection Areas

Natural Areas and Areas of Special Biological Significance: California Natural Areas Coordinating Council, 1977, 1"=2,000'.

State Parks and Preserves: USGS base maps updated with information from California Parks and Recreation maps; 1979 reduced copies of 1"=2,000' topographic maps.

Special Treatment Areas: California Division of Forestry, 1979; reduced copies of USGS 1"=2,000' topographic maps.

Viewsheds: October 1979, boundaries delineated on USGS 1"=2,000' bases, as seen from Highway 1 and public areas, checked against draft copy of view corridors by North Coast Regional Coastal Commission, 1979.

MAP SET 2. LAND CAPABILITY/NATURAL HAZARDS

Agricultural Land

Prime: Kneeland loam and Mendocino loam (122, U.S. Department of Agriculture) and sites producing at levels specified in PART II: LAND CAPABILITIES.

Non-prime: Those lands not classified as prime which show as coastal prairie grassland or agriculture on the Vegetation working maps.

Timberland

High Productive Capability Class I-III/Moderate Productive Capability Class IV: Classes for both categories were mapped as outlined on 1959 Vegetation Soils Maps by the California Division of Forestry (currently California Department of Forestry); scale 1:31,680.

Hazards

Sage and Sage maps, prepared for the Coastal Commission, have been supplemented with more recent and detailed information where available. Seismic shaking, landslides, faultlines and tsunami run-up areas were mapped as described below:

- From the Town of Mendocino south, information and scales excellent for seismic shaking, liquefaction and individual landslides, therefore these areas are accurately mapped.
- From the Town of Mendocino north, data very sparse and source maps at scales making transfer very approximate.
- Faults accurately mapped.
- Potentially high groundwater areas are approximate due to scale of original sources.
- From Gualala River to Schooner Gulch, all individual landslides are noted as shaking Zone 3 in CDMGOFR 76-3 S.F.
- Regional data presented (from Mendocino and Fort Bragg SSE) on seismic shaking and landslide hazard where detailed CDMG data unavailable.
- All landslide hazard areas (Zone D) exclude potential liquefaction and high groundwater areas.
- Tsunami run-up areas are approximate due to lack of topographic contours in many areas. All beach areas (sand 25' and less) could be inundated by tsunami run-up although not shown on map.

SOURCE MAPS FOR GEOLOGIC HAZARDS

MAP	DATE	AREA/INFO.	SCALE
Williams & Bedrossian-CDMG OFR 76-3	1976	Schooner Gulch to Gualala River/ Geology & Haz.	1:24,000
Williams & Bedrossian CDHG OFR 76-4	1976	Russian Gulch to Buckhorn Cove/ Geology & Haz.	1:24,000
Gardner - Sequence of Podzolic soils along the coast of Northern California	1968	Dehaven CR to Cuffy Cove (Greenwood Cr)/Terrace Deposits	1:126,720
Calif. DWR. Geology, Hydrology and Water Quality of Alluviated Areas	1956	Entire coastal zone/ Geology (Bedrock, Terraces, Alluvium)	1:63,360
Jahns & Hamilton PG&E Mendocino Power Plant-PSAR, Geology of Pt. Arena & Vicinity	1971	Pt. Arena/Geology	1:24,000
Boyle Master Thesis	1967	Pt. Arena/Geology	1:24,000
Sage & Sage Seismic Related Hazards in the Coastal Zone	1970	Entire Coast/Geo Hazards	1:24,000

Flooding

USGS, 1"=2,000', 1974 100-year flood delineation for Fort Bragg Area and Gualala River; Special Flood Hazard Area maps, HUD, 1978 for all other areas.

Cliff Erosion

Assessment and Atlas of Shoreline Erosion Along the California Coast (21, Department of Navigation and Ocean Development), 1977. Reduced USGS topographic base maps.

APPENDIX 2. CAC QUESTIONNAIRE RESULTS

In the fall of 1979, four citizens groups mailed or delivered questionnaire forms to residents in their planning areas, hoping to obtain information on community characteristics and preferences to guide the Citizens Advisory Committees' (CACs) work on the County's General Plan and Local Coastal Program. The South Central CAC tabulated the results of its survey for the CAC as a whole and for each of four smaller areas, Caspar, Big River, Little River, and Albion. The Greenwood-Elk CAC and the Gualala-Anchor Bay CAC, subcommittees of the South Coast CAC, each distributed their own survey form. At the same time, the Mendocino Community Land Trust circulated a questionnaire among households within the Mendocino Community Services District, gathering opinions on planning policy for the Mendocino Historic District.

The survey results are remarkably consistent, revealing a strong preference among local residents for policies emphasizing conservation and preservation of the rural character of the Mendocino Coast. Of the 25 percent of South Central CAC residents who responded to the questionnaire, 96 percent indicated that "natural beauty, rural peace & quiet" was a quality of local life "most treasured" by area residents, followed by "small town atmosphere." Similarly, 80 percent of surveyed residents of the Gualala-Anchor Bay area agreed that the "natural environmental setting" was among the most important factors behind their decisions to locate in the area, followed by "quietness of neighborhood" and "country atmosphere."

Natural beauty and an uncrowded, rural setting were most commonly cited by residents of the Greenwood-Elk area as considerations in their decision to settle nearby.

The Land Trust Questionnaire results confirm the strength of this feeling, showing that over 80 percent of those surveyed desired planning for the Historical District to emphasize the residential community rather than tourist services, and that 70 percent felt that maintaining the residential character of the town was one of the most important needs in the District.

The limited-growth attitude of Mendocino Coast residents appears and reappears in the questionnaire results. The most cited problems in South Central communities are overdevelopment, the cost of housing, traffic and noise. Gualala-Anchor Bay residents demonstrated a preference for no improvements over augmentation of such basic amenities as improved transportation, roads, utilities, education and police protection, as did one-half those responding to the Greenwood-Elk survey. Eighty-four percent of the inhabitants of Mendocino Town surveyed indicated that streets should not be widened or improved in any way that would diminish the town's rural character. One improvement approved by town residents in the questionaire, construction of a community water system, failed a few years ago to gain voters' support as an authorized function of the Mendocino City Community Services District.

APPENDIX 3. GEOTECHNICAL EVALUATION REQUIREMENTS

The Hazards Maps incorporated in the Land Use Plan show geotechnical hazards in the coastal zone. The extent of additional geotechnical study needed before approval of a project depends on both the site and the type of project. Potential projects are ranked according to suitability for accepting risk, with those requiring the greatest caution listed first.

Land Use and Building Types

Type 1: Public, High Occupancy and Critical Use, including:

Hospitals
Fire and Police Stations
Communication Facilities
Schools
Auditoriums, Theaters
Penal Institutions
High-rise Hotels, Office and Apartment Buildings (over 3 stories)
Major Utility Facilities

Type 2: Low Occupancy, including:

Low-rise Commercial and Office Buildings (1-3 stories)
Restaurants (except in high-rise category)
Residential (over 8 attached units and less than 3 stories)

Type 3: Residential (less than 8 attached units) and

Manufacturing and Storage/Warehouses (except where highly toxic substances are involved which should be evaluated on an individual basis with manditory geotechnical review)

Type 4: Open Space, Agriculture, Golf Courses, etc.

Potential Hazards

Fault Rupture. Presently available geologic maps defining active or potentially active fault traces within the San Andreas fault zone have been used to determine special studies zones called for by California Public Resources Code, Sections 30000-30900. Before proceeding with any Type 1 development, published geologic information should be reviewed, the site should be mapped geologically, and aerial photographs of the site and vicinity should be examined for lineaments. Where these methods indicate the possibility of faulting, a thorough investigation is required to determine if the area contains a potential for fault rupture.

Seismic-Related Ground Failure. Suggested site investigation requirements for seismic-related ground failure potential of the four land use/building types listed above are described in the following table:

Land Use/ Building Types	Seismic Related Ground Failure Zones (From Hazard Maps) High (Zone 3)	Moderate (Zone 2)	Low (Zone 1)
Type 1	D	C	B
Type 2	C	C	A
Type 3	B	B	A
Type 4	—	—	—

A. Current building code requirements must be met, as well as other existing state and local ordinances and regulations. A preliminary geotechnical investigation should be made to determine whether or not the hazards zone indicated by the maps is reflected by site conditions.

B. In addition to A, geotechnical investigation and structural analysis sufficient to determine structural stability of the site for the proposed use is necessary. It may be necessary to extend the investigation beyond site boundaries in order to evaluate the shaking hazard. All critical use structure sites require detailed subsurface investigation.

C. In addition to A and B, surface and/or subsurface investigation and analyses sufficient to evaluate the site's potential for liquefaction and related ground failure shall be required.

D. In addition to A, B and C, detailed dynamic ground response analyses must be undertaken.

Dangerous or unspecified land uses should be evaluated and assigned categories of investigation on an individual basis.

Tsunami. Land Use Types 1, 2, and 3 should be disallowed in tsunami-prone areas. Development of harbors and Type 4 uses should be permitted, provided a tsunami warning plan is established.

Landsliding. Because of the high potential for landsliding in almost all of the coastal zone, all development plans should undergo a preliminary evaluation of landsliding potential. The effect of the development on the landslide potential must be taken into account, because slides can result from excavation, drainage changes, and deforestation. If landslide conditions exist and cannot be avoided, positive stabilization measures should be taken to mitigate the hazard.

Coastal Erosion. Planning for an Eroding Shoreline (#17, California Coastal Commission) describes areas requiring special studies based on bluff configuration. The Statewide Interpretive Guidelines for Geologic Stability of Bluff Top Development provide further development guidelines.

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COMMUNITY WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS

District	Current Service	Unused Capacity	Total Capacity	Adequacy/Comments by District
Westport County Water District	Water: 54 connections Sewage: 54 connections	41 connections 41 connections	95 connections 95 connections	System designed to serve all lots in district; no expansion planned
Fort Bragg Municipal Improvement District	Water: 1.94 MG/D 5,500 pop. Sewage: .68 MG/D 5,500 pop.	7,500 pop. 1.5 MG/D 11,800 pop.	13,000 pop. 2.2 MG/D 17,300 pop.	Need additional water storage capacity Will not accept septage from outside district
Caspar South Water District	Water: 42 connections Sewage: 32 connections to community septic system; 10 individual systems	53 connections Undertermined	95 connections buildout 85 connections buildout	Existing on-site community septic disposal system is inadequate; alternatives are being investigated using a Clean Water Program facilities planning grant
Surfwood Mutual Water Corporation	Water: 55 connections	26 connections	81 connections	Need additional improvements to current system before service expansion can be accommodated
Mendocino City Community Services District	Sewage: 350 connections 100,000 G/D	100 connections 200,000 G/D	1,050 connections 3000,000 G/D	Annexation of small area to north is in process; no plant capacity expansion planned
Albion Mutual Water Company	Water: 25 connections	5-6 connections	30 ± connections	Upgrade completed
Pacific Reefs California Water Dist.	Water: 10 connections	16 planned	26 connections	District is uncertain whether supply will meet need at buildout
Elk County Water District	60-70 connections	Undetermined source capacity		Source may be able to handle more use; pipes to storage are at capacity
Irish Beach Calif. Water District	Water: 104 connections OSWMD: 104	316 connections	420 connections	Water supply not adequate for buildout
Point Arena Water Works (Private)	Water: Approx. 150 connections		Not determined	Treatment system improvements needed
City of Point Arena Sewer System & Waste-Water Treatment Plant	Uncertain		250 ± connections	System to be repaired, improved 1980-1981
Point Arena County Waterworks #2 Whiskey Shoals	None	Water supply and septic system planned for 72 units; 50 units proposed	Uncertain	
Anchor Bay County Waterworks #2	Sewer: 20-25 connections	5 connections	30 connections 10,500 G/D	New system to be built using CDBG funds; area currently is under building permit moratorium because system is inadequate
North Gualala Waterworks (Company)	Water: 500 connections		15,000 pop.	

MG/D = Million gallons per day
G/D = Gallons per day
OSWMD = On Site Wastewater Management District
Source: District Managers; Mendocino County Health Department

COUNTY OF MENDOCINO

DIVISION OF ENVIRONMENTAL HEALTH

LAND DIVISION REQUIREMENTS

Revised January 1, 1982

890 North Bush St.
Ukiah, Ca., 95482
468-4466

MAILING ADDRESS
Courthouse
Ukiah, Ca., 95482

790-A So. Franklin
Fort Bragg, Ca., 95437
964-4713

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INTRODUCTION

This publication is a compilation of laws, regulations, and policies that affect divisions of land in Mendocino County. It is intended primarily for consultants engaged in the Environmental Health aspects of land divisions; however, it has also been written so as to be understandable by others.

Although most of what is included is law, both State (Basin Plan) and County Code, some of the standards are policy decisions made by the Division of Environmental Health in response to mandates of County Code. A good example would be the discussion of lot sizes under the "Land Development Criteria" heading. The intent of the lot size charts is to provide a guide for those who do not wish to provide extensive engineering and evaluation reports for their land division. Where land division proposals meet the lot sizes in the chart, relatively simple soils and water evaluation, if they pass, will gain an approval. However, we also recognize that some areas may have unusually good soil and water conditions. In this latter instance, approval may be gained for smaller lot sizes if evaluation shows favorable conditions. More extensive testing, such as proof of water on each lot, and proof that individual sewage disposal systems can be installed on each lot, will be required.

So, please use this publication as intended, as a compilation of the law, and where the laws are not specific, policies which represent good engineering practices.

INDIVIDUAL WATER SUPPLY SYSTEMS

Objective

To provide an individual water supply system which will assure; (a) adequate supply of safe and palatable water, (b) reasonable, durable and economical operation and maintenance, and (c) be located and constructed to avoid contamination by any existing or proposed sewage disposal systems, or other source of contamination. In order to meet these objectives, a subdivider shall submit evidence that water systems will comply with water quality requirements as out-lined in the following paragraphs.

Water Quality

Water quality shall meet the chemical and bacteriological standards of the California Domestic Water Regulations. As a minimum, the Division of Environmental Health will require a general chemical analysis, performed by a certified laboratory. Other analyses may be required where specific chemicals are known to occur.

Water Quantity

To confirm the presence of water availability, at least one (1) test well shall be provided on each subdivision in an area that is indicative of what to expect on other lots. It may be necessary to provide more than one (1) well on the subdivision if the terrain in the subdivision is not uniformly distributed on all parcels, one (1) well may need to be provided, on each different terrain type. Where subdivisions are greater than ten (10) lots, one well per ten (10) lots and any fractional lots thereof will be required. Location(s) of well(s) may be designated by the Environmental Health Division.

Land divisions in areas which have a history, or are known to be water short, shall be required to prove water on all parcels. The water test(s) must be conducted during the July 15 - October 15 period.

INSTRUCTIONS FOR CONDUCTING QUANTITY TESTING

OF WATER WELLS AND SPRING FOR WATER EVALUATION

WATER WELL MAY BE TESTED BY ANY OF THE FOLLOWING METHODS

Well tests shall be conducted during the period of July 15 - October 15 for all shallow wells; deep wells may be tested any time.

Shallow wells - Wells usually shallower than 30 feet and which obtain their water predominatly from cracks and fissures in the underground rock formation.

Deep wells - Wells deeper than 30 feet and which usually obtain their water predominantly from cracks and fissures in the underground rock formation.

All water quantity reports shall be submitted on forms provided by the Division of Environmental Health.

Well tests made on an individual lot may be measured by a qualified Registered Sanitarian, qualified Registered Geologist, qualified Registered Engineer or qualified licensed Land Surveyor.

1. PUMP TEST METHOD - Water well is to be pumped at 5 gpm for a minimum of four (4) hours. Total drawdown and rate of recovery (as calculated on Mendocino County Health Department form #043) must be reported, or the report will not be accepted.

   As an option, you may pump the well at any chosen pump rate until dry, or until 1,200 gallons have been pumped from the well. Drawdown and recovery must be reported as above.

2. SUSTAINED YIELD - You may also pump test a well and report the sustained yield (pump rate at which water level is not lowered any further) after 1,200 gallons have been pumped.

3. BAIL TEST METHOD - The well may be bailed at any bail rate until dry, or until 1,200 gallons have been bailed from the well. Drawdown and recovery must be reported as above.

4. CERTAIN SEALED WELLS - In certain instances, it may be impossible to measure drawdown and recovery rate because of construction features of the well. In this case, the following procedures may be used:

   A. WELLS WHERE A WELL LOG IS AVAILABLE

      1a. Calculate the total water available in the casing and gravel pack, assuming the well is completely full.

      2a. Pump the well to obtain at least 1,500 gallons in 24-hours after subtracting twice the quantity calculated in step 1a.

      3a. The person conducting the test must submit a statement the well is, in his opinion, indicative of water feasability on the division.

   B. ALTERNATIVE, IF NO WELL LOG IS AVAILABLE

      1b. Calculate the total water available in the casing and gravel pack, assumin the well is completely full.

      2b. Pump the well to obtain at least 1,500 gallons in 24-hours after subtracti twice the quantity calculated in step 1b. This step is to be repeated in 24-hours after the first pump test.

      3b. The person conducting the test must submit a statement certifying that the well is, in his opinion, indicative of water feasability on the division.

5. SPRING TESTS - From time-to-time, a spring test may be acceptable. The following condition must be met:

   A. Developable spring must be located on each parcel.

   B. Spring test must be performed in late summer (July 15th - October 15th).

Where wells fail to produce the required five (5) gallons per minute, storage requirements may be supplemented as follows:

WATER PRODUCTION	STORAGE REQUIREMENTS
5 gpm	None
4 gpm	1,000 gallons
3 gpm	1,000 gallons
1 or 2 gpm	1,500 gallons

Water production of less than 1 gallon/minute will not be acceptable as water feasability for the Land Division.

If the result of the water quantity test is below one gallon/minute, then it will serve as the water evaluation on that parcel, but will not be acceptable as the water feasability for the Division. Another well, on a different parcel, must be developed and tested. If that well produces more than one gallon/minute, then that well will serve as the water evaluation for the Division; if, however, that well is less than one gallon/minute than another well on a different parcel must be developed and tested. This is done until either; 1) a well with greater than one (1) gallon/minute production is developed; or 2) every parcel in the Division has one (1) developed well on it.

WELL CONSTRUCTION

Well construction is to comply with local codes.

Springs or other water source construction shall comply with the Health Department requirements.

PUBLIC WATER SYSTEM STANDARDS

A Public Water System is:

> A system, regardless of type of ownership, for the provision of piped water to the public for domestic use, if such system has at least five (5) service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year.

Objective

To provide water supply facilities which will deliver, under adequate pressure, a satisfactory continuous supply of water which complies with chemical, physical, and bacteriological standards of the Safe Drinking Water Act (Pl 93-523) and which will be palatable without being excessively hard or corrosive.

All Community Water Systems shall be designed by a California Registered Civil Engineer and shall comply with the "Pure Water Law", "Water Distribution", "California Safe Drinking Water Act", "California Water Works Standards", "California Domestic Water Quality and Monitoring Regulations" and applicable local ordinance. Copies of these regulations are available at the Division of Environmental Health offices.

Well tests conducted on a well that is to be used for a Public Water Supply will be accepted only when conducted by a California Registered Civil Engineer or by a California Registered Geologist with a specialty in Hydrology.

Well Test Procedure for Community Water Wells

1. Sustained Yields for Non-hard Rock Wells: The conditions of a pump test used to determine sustained yield of a well shall be acceptable to the Health Department and shall include:

   A. Constant rate of water discharge from the well during the pump test.

   B. Continuation of the pump test until at least four (4) measurements of water level drawdown in the well and the elapsed time since the beginning of the pump test, yield a straight line when drawdown is plotted against the logarithm of the elapsed time.

   C. Elapsed time shall not be shorter than 72-hours.

   D. Where the capacity of a source varies seasonally, the source capacity shall be the capacity at the time of maximum day demand. (July 15 - Oct. 15).

2. Sustained Yield for Hard Rock Wells: Hard rock wells shall be tested for sustained yield by either method A or B.

   A. $N = \frac{\text{Reservoir Capacity (gallons)}}{f \times 180 \text{ days}}$

      1. 180-day test period shall be the months of June through November. At other times of the year, the groundwater is accumulating rather than depleting.

      2. N is the number of connections.

3. f is the gallons per connection per day.

4. To determine the Reservoir Capacity: A meter is installed on the well (with low level controls) and the total amount of water pumped out of the well is the Reservoir Capacity.

B. Sustained yield may be calculated as per our testing procedure for non-hard rock wells with the only difference being: Only 25% of the obtained sustained yield can be used in production calculations for the water system.

Quantity and Storage Requirements

The following four (4) charts are to be used to design Community Water Systems. Be sure to use the appropriate chart depending on whether the water system will be metered or not. If you can provide proper documentation of lower daily summertime usages in similar areas and developments, then the Division of Environmental Health can approve of lesser quantity and storage requirements. In the absence of sufficient, applicable documentation, the following charts will be used as the design criteria:

CHART I

MAXIMUM DAY DEMAND - METERED WATER SYSTEMS

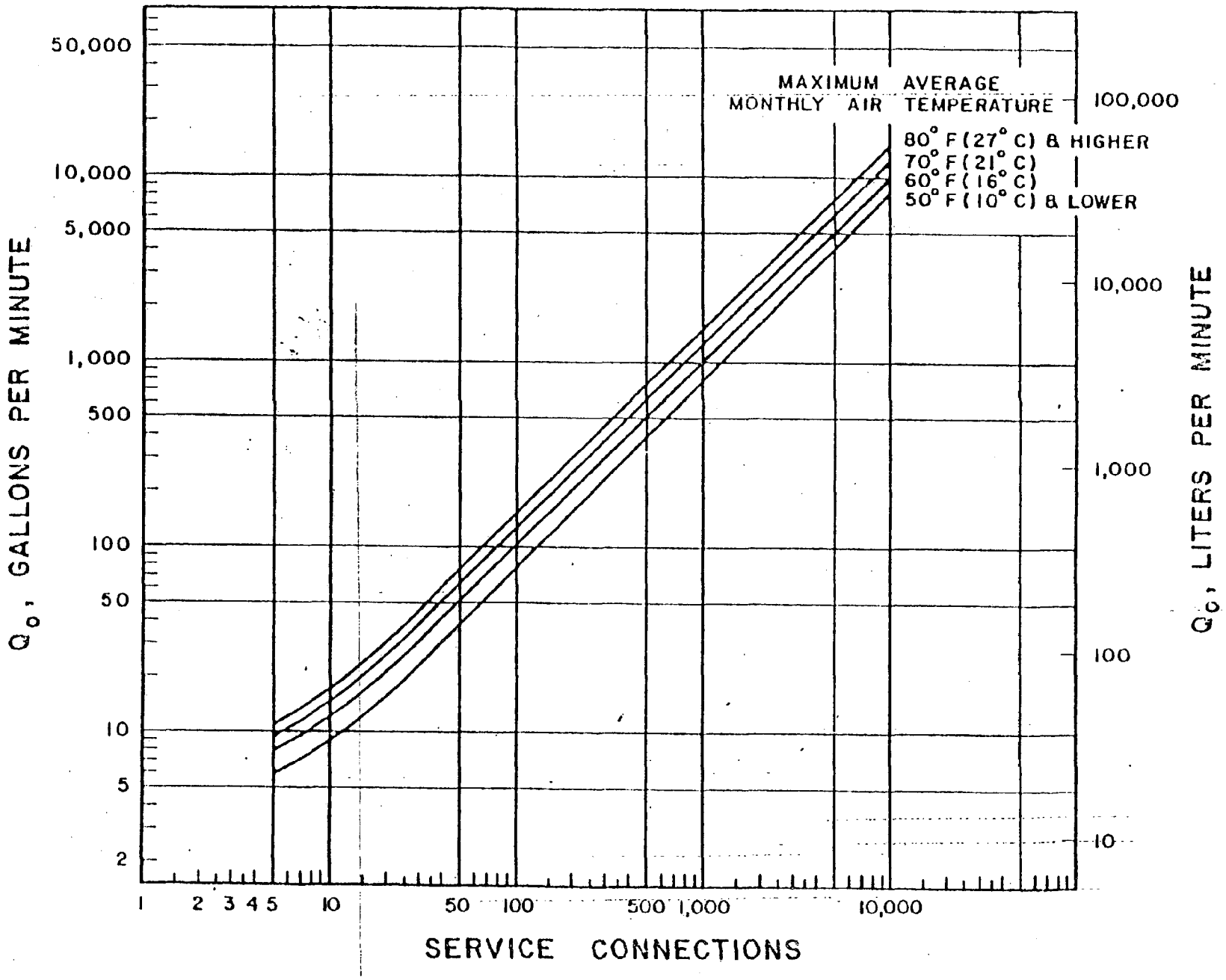


CHART 2

MAXIMUM DAY DEMAND - FLAT RATE WATER SYSTEMS

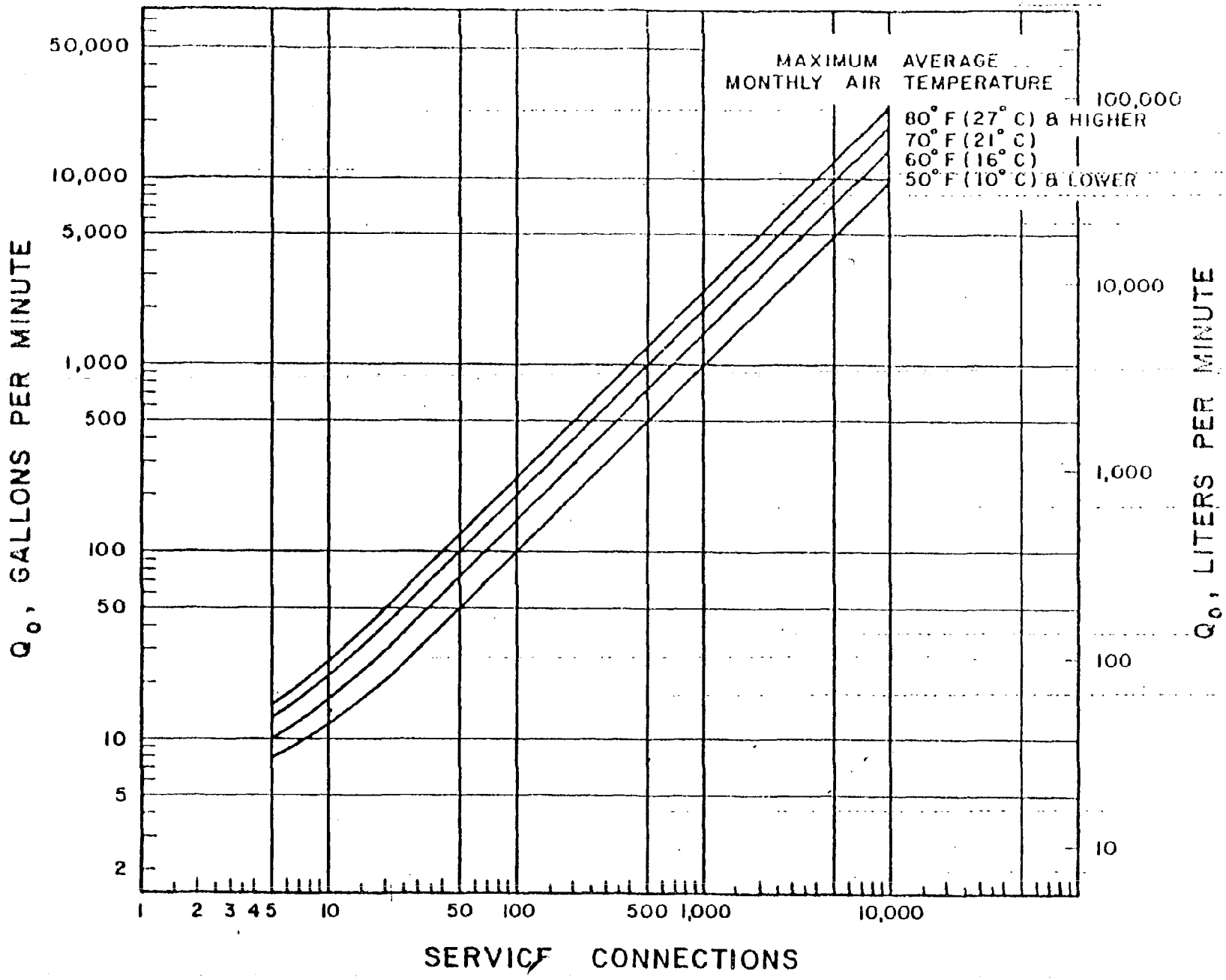


CHART 3

NEEDED STORAGE VOLUME WHEN $Q = Q_0$ - METERED WATER SYSTEMS

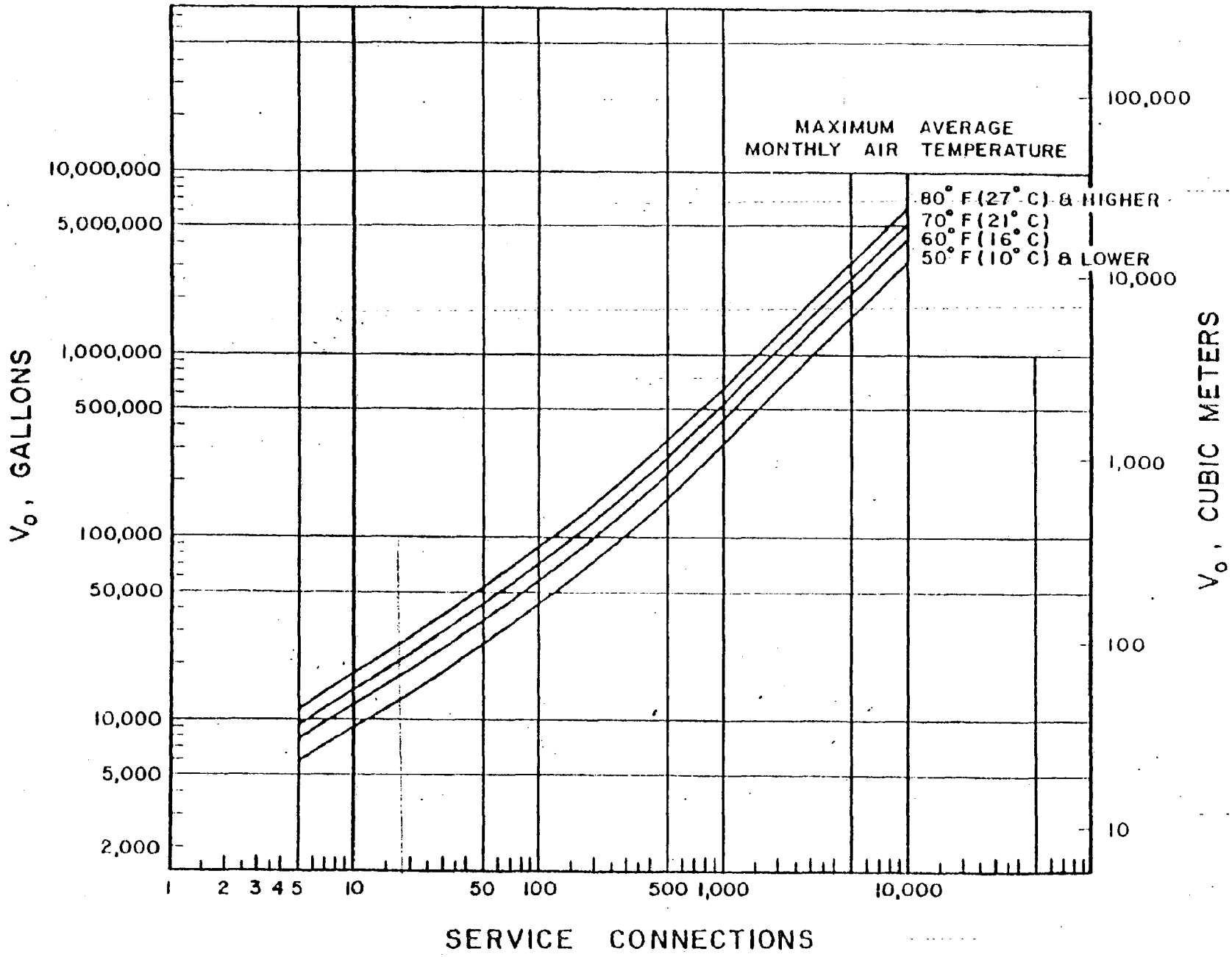
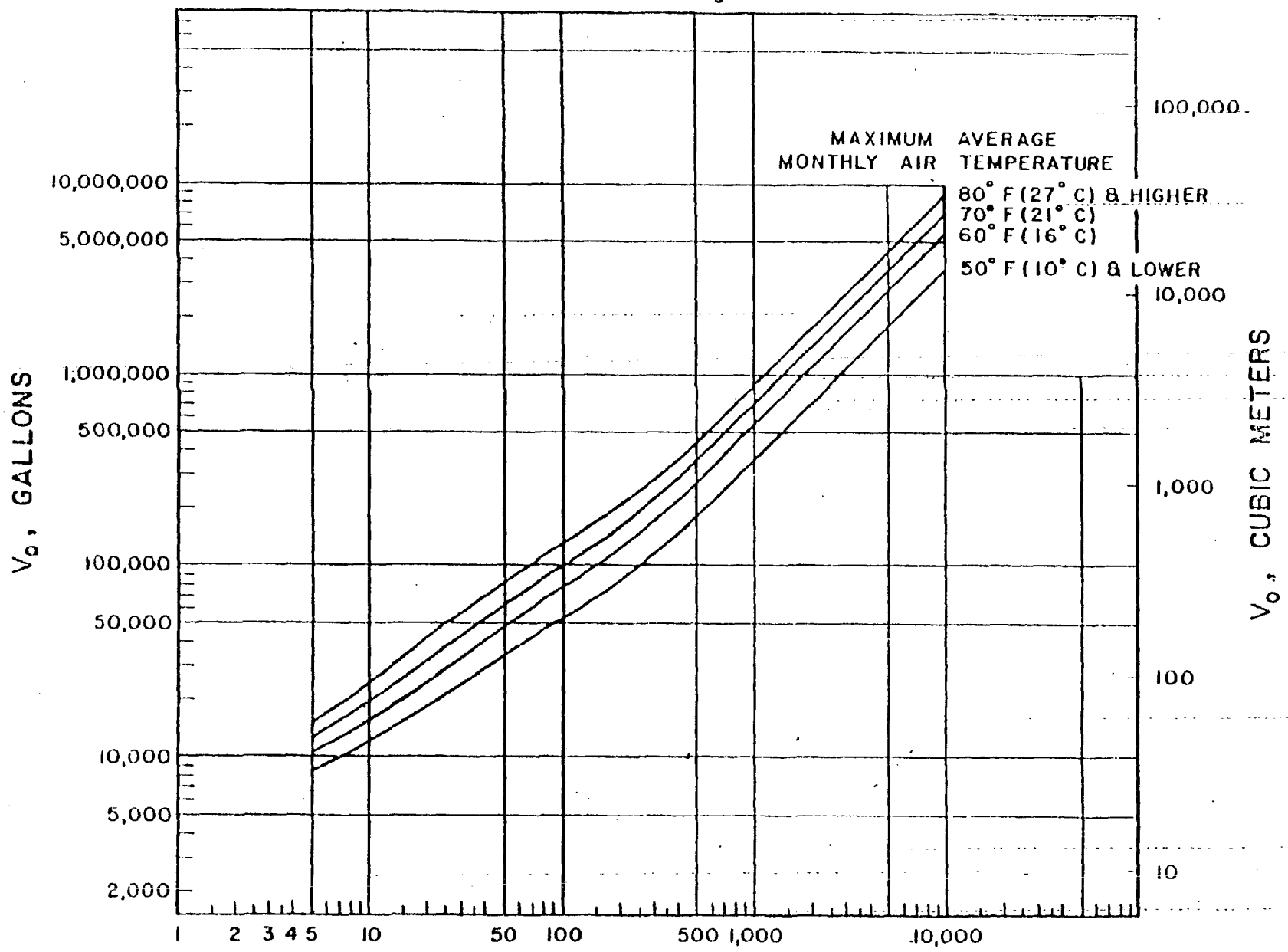


CHART 4

NEEDED STORAGE VOLUME WHEN $Q = Q_0$ - FLAT RATE WATER SYSTEMS



INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

Objectives

Safe disposal of all human and domestic waste is necessary to protect the health of the individual family and the community and to prevent the occurrence of nuisances. To accomplish satisfactory results, such waste must be disposed of so that it;

1. will not contaminate any drinking water supply.

2. will not give rise to a public health hazard by being accessible to insects, rodents or other possible carriers which may come into contact with food or drinking water.

3. will not give rise to a public health hazard by being accessible to persons, or animals that come in contact with persons.

4. will not violate state or local laws or regulations governing water pollution or sewage disposal.

5. will not pollute or contaminate the water of any bathing beach, shell fish breeding ground, or any stream.

6. will not give rise to a nuisance due to odor or unsightly appearance.

The first step in the design of a subsurface sewage disposal system is to determine whether the soil is suitable for the absorption of septic tank effluent and, if so, how much area is required. The soil must have an acceptable percolation rate, without interference from ground water or impervious strata below the level of the absorption system.

Site Evaluation Criteria and Methods

Excerpts from "Policy on the Control of Water Quality with Respect to Individual Waste Treatment and Disposal Practices", a publication of the California Water Quality Control Board, follows:

1. Criteria

   The following site criteria are considered necessary for the protection of water quality and the prevention of health hazards and nuisance conditions arising from the subsurface discharge of wastes from individual waste treatment and disposal systems. They shall be treated as region-wide standards for assessing site suitability for such systems.

   A. Subsurface Disposal

      Individual waste treatment and disposal systems shall be located, designed, constructed, and operated in a manner to ensure that effluent does not surface at any time, and that percolation of effluent will not adversely affect beneficial uses of waters of the state.

B. Ground Slope

Natural ground slope in all areas to be used for effluent disposal shall not be greater than 30 percent. Where less than five feet of soil exists below the trench bottom (see C below), ground slope shall not exceed 20 percent.

C. Soil Depth

Minimum soil depth immediately below the bottom of the leaching shall not be less than five (5) feet. A minimum depth of three (3) feet shall be permitted where ground slope is less than 20 percent.

Lesser soil depths may be granted only as a waiver for Alternative Systems. "Soil depth" is measured vertically to the point where bedrock, hardpan, impermeable soils or saturated soils are encountered.

D. Depth to Groundwater

Minimum depth to the anticipated highest level of groundwater below the bottom of the leaching trench shall be determined according to soil texture and percolation rate as follows:

Soil Texture* Percent Silt + Clay	Depth to Groundwater Below Leaching Trench (ft.)
5 or less	40
6 to 10	20
11 to 15	10
Greater than 15**	5
Greater than 15	2***

Where groundwater is determined to be non-usable (see definitions) and soils contain greater than 15 percent silt and clay or have a percolation rate slower than 5 MPI, a minimum depth to groundwater of three (3) feet below the leaching trench shall be permitted without need for waiver.

E. Percolation Rates

Percolation test results in the effluent disposal area shall not be less than one inch per 60 minutes (60 MPI) for conventional leaching trenches and one inch per 30 minutes (30 MPI) for seepage pits. Percolation rates up to one inch per 120 minutes (120 MPI) may be considered only for Alternative Systems.

* Must exist for a minimum of three (3) continuous feet between the bottom of the leaching trench and groundwater.

** Or a percolation rate slower than 5 MPI

*** Granted only as a waiver or for Alternative Systems.

F. Setback Distances

Minimum setback distances for various features of individual waste treatment and disposal systems shall be as shown in Table 1.

Table 1

MINIMUM SETBACK DISTANCES

Facility	Well	Perennially Flowing Stream 1/	Ephemeral Stream 2/	Ocean Lake or Reservoir 3/	Cut Banks, Natural Bluffs and Sharp Changes in Slope
Septic Tank	100	100	50	50	25
Leaching Field	100	100	50	100	25 4/
Seepage Pit	150	100	50	100	25 4/

G. Replacement Area

An adequate replacement area equivalent to the initial effluent disposal area shall be reserved at the time of site approval. Incompatible uses of the replacement area shall be prohibited.

H. Cumulative Effects

Possible cumulative effects on ground and surface waters shall be evaluated and considered in the regional Board's review of subdivision developments and other facilities utilizing subsurface sewage disposal systems.

2. Methods of Site Evaluation

Site evaluations are required in all instances to allow proper system design and to determine compliance with the preceding site suitability criteria prior to approving the use of individual waste treatment and disposal systems. The responsible regulatory agency (local Health Department or Regional Board) should be notified prior to the conduct of site evaluations since verification by agency personnel may be required. Site evaluation methods shall be in accordance with the following guidelines:

1/ As measured from the line which defines the limit of 10 year frequency flood.
2/ As measured from the edge of the water course.
3/ As measured from the high-water lines.
4/ Where soil depth or depth to groundwater below the leaching trench are less than five (5) feet, a minimum setback distance of 50 feet shall be required.

A. General Site Features

Site features to be determined by inspection shall include:

1. Land area available for primary disposal system and replacement area.

2. Ground slope in the effluent disposal and replacement area.

3. Location of cut banks, natural bluffs, and sharp changes in slope within 50 feet of the disposal and replacement area.

4. Location of wells, intercept drains, streams, and other bodies of water on the property in questions and within 100 feet on adjacent properties.

B. Soil Profiles

Soil characteristics shall be evaluated by soil profile observations. One backhoe excavation in the primary disposal field and one in the replacement area shall be required for this prupose. A third profile shall be required if the initial two profiles show dissimilar conditions.

Augered test holes shall be an acceptable alternative, upon determination of the Health Officer or Regional Board: (a) where use of a backhoe is impractical because of access, (b) when necessary only to verify conditions expected on the basis of prior soils investigations, or (c) when done in connection with geologic investigations. Where this method is employed, three test holes in the primary disposal field and three in the replacement area shall be required.

In the evaluation of new subdivisions, enough soil profile excavations shall be made to identify a suitable disposal and replacement area on each proposed parcel.

The following factors shall be observed and reported from ground surface to a depth of at least five (5) feet below the proposed leachfield system:

1. Thickness and coloring of soil layers and apparent United States Department of Agriculture (USDA) classification.

2. Depth to and type of bedrock, hardpan, or impermeable soil layer.

3. Depth to observed groundwater.

4. Depth to soil mottling.

5. Other prominent soil features such as structure, stoniness, roots and pores, dampness, etc.

C. Depth to Ground Water Determinations

The anticipated highest level of groundwater shall be estimated:

1. As the highest extent of soil mottling observed in the examination of soil profiles; or

2. By direct observation of groundwater levels during "wet weather" conditions.

Where a conflict in the above methods of estimation exists, the direct observation shall govern and the extent of soil mottling shall be considered the height of saturated soil for the purpose of determining soil depth.

In those areas which, because of parent materials, soils lack the necessary iron compounds to exhibit mottling, direct observation during wet weather conditions shall be required. Guidance in defining such areas shall be provided by the Regional Board for each county within the Region.

D. Soil Percolation Suitability

Determination of a site's suitability for percolation of effluent shall be by either of the following methods:

1. Percolation Testing

Percolation testing shall be in accordance with methods specified by the local regulatory agency. For soils with greater than 20 percent clay content, testing shall be conducted during "wet weather" conditions.

For soils with clay content of 20 percent or less, testing may be conducted in non-wet weather conditions provided presoaking of the test hole is accomplished with (a) a continuous 12-hour presoaking, or (b) a minimum of four (4) complete refillings beginning during the day prior to that of the conduct of the test. In all cases, percolation testing shall be conducted in the soil layer occurring at the proposed trench bottom depth.

2. Soil Analysis

Soil from the limiting soil layer observed within the excavated soil profile shall be obtained and analyzed for bulk density and texture according to methods prescribed by the Regional Board. The results shall be plotted on the soil textural triangle of Figure 1, as per the indicated instructions.

(a) Soils falling within the "coarse" range (zone 1) shall be considered to have minimal filtration capabilities, requiring increased depths to groundwater as per Table 1.

(b) Soils falling within the "acceptable" (zone 2) range shall be considered suitable for effluent disposal without further testing.

(c) Soils falling within the "marginal" range (zone 3) shall require percolation testing as per (1) above to verify suitability for effluent disposal.

(d) Soils falling within the "unacceptable" range (zone 4) shall be considered unsuitable for conventional effluent disposal methods.

Soil Test Requirements

In order to meet the requirements of the Basin Plan, the following procedures are to be followed:

Option A

Two (2) acceptable soil profiles (backhoe excavations) and six (6) acceptable percolation tests must be submitted for each lot of a proposed land division.

One (1) soil profile is to be conducted in the area where the leach field is expected to be installed and one (1) in the replacement area. Profiles are to be dug to a minimum depth of eight (8) feet, and not less than five (5) feet below the bottom of the proposed leach trench.

The six (6) percolation tests are to be performed and located throughout both areas.

OR

Option B

Two (2) backhoe excavations are to be conducted; one (1) in the proposed leach field area and one (1) in the proposed replacement area. If both excavations exhibit acceptable soil characteristics, then a sample will be taken at each soil layer in the area between the top of the effluent pipe and three feet below the leach trench as shown in figure 7 of "Soil Evaluation for On-site Sewage Disposal" (April 1980). If one or both excavations show unacceptable soil characteristics, then additional excavations(s) will be needed. The analysis shall consist of a Slake Test* and, if acceptable, a Hydrometer test and a Bulk Density (for all zones sxcept sand, loamy sand or sandy loam).

*Slake Test -- A soil aggregate slakes when it is placed in water and begins to fall apart as a result of the water destroying its structural integrity. Place the aggregate in a glass jar filled with tap water. Allow the aggregate to soak, while occassionally giving the jar a gentle swirl. The aggregate should soak for an hour or two. If the aggregate is soil it will slake (fall apart) within the two hour period (however, sometimes slaking will take up to 24 hours). If the material does not slake, then it is not considered soil and cannot be tested by the hydrometer method.

Percolation Tests -- Shall be Conducted According to the Following Procedure:

1. Location

   Test holes shall be located in an area that complies with the Division of Environmental Health Building site criteria. Test holes alonside roads or in areas where leach lines cannot be installed will not be accepted.

2. Type of Hole

   Dig, or bore a hole of post hole width (4-inches to 12-inches in diameter), to a depth of 30-36 inches. Carefully scratch the sides of the hole to remove any smeared soil to provide a natural soil surface. Remove all loose material and add two (2) inches of coarse sand or fine gravel to the hole. Upon this gravel,

you may rest a three (3) or four (4) inch diameter section of perforated pipe, and the annular space between the outside of the pipe and the wall of the hole may be filled with the same material used in the bottom of the hole.

At all times, percolation tests are to be performed at the level of the sewage disposal leach field. It may be necessary to conduct percolation tests below the 30-36 inch depth. If a deep leach field is planned, then the percolation tests must be performed down to the deeper level so the percolation test data accurately reflects the percolation rate for the leach field.

3. Presoak

In order to approximate a subsurface effluent disposal field in operation during the winter, it is necessary to presoak the test hole to assure that the soil surrounding the hole is both saturated and swelled. Saturation means that the void spaces between soil particles are filled with water, while swelling is the process by which water intrudes into the individual soil particles. The latter process is quite slow, especially in clay type soils, and is the reason for a 24-hour presoak period.

4. Percolation Rate Measurement

Due to the variations in soil found in Mendocino County, slight variations in percolation rate measurement are necessary.

A. If Water Remains in Test Hole

If water remains in test hole after the 24 hour presoak period, add clear water to a depth of six (6) inches above the gravel. From a fixed reference point, measure the drop in water level over a 60-minute period. The drop in this 60-minute period is the percolation rate.

B. If No Water Remains in the Test Hole

Add clear water to a depth of six (6) inches above the gravel. From a fixed reference point, measure the drop in water level hourly for at least four (4) hours, adding water each time to bring the level up to six (6) inches above the gravel. The amount of drop that occurs in the fourth (4th) or final period will be used to calculate the percolation rate.

C. If Water Seeps Away in Less Than 60-Minutes

Add clear water to a depth of six (6) inches over the gravel, and make measurements at regular intervals (e.g., 10, 15 or 30 minute intervals) whatever is necessary to establish the true rate.

D. In all cases, tests must be run until a stablized percolation rate is reached.

All test holes must be dry within 24 hours of beginning measurements. It must be pointed out that final approval of a site as acceptable for individual sewage disposal systems depends on several factors, and not solely on a percolation test result. A final determination as to the suitability of the particular site will be made by the Division of Environmental Health.

All soil testing shall be certified by a qualified California Registered Engineer, qualified professional Soil Scientist, qualified Registered Sanitarian or qualified Registered Geologist to be in substantial compliance with County Regulations and good engineering practices.

Individual sewage disposal systems will be constructed in compliance with the County Code as prescribed on the permit.

Soil Hydrometer Tests

Soil Hydrometer samples shall be taken at each soil layer in the area between the top of the effluent pipe and three (3) feet below the leach trench as shown in figure 7 of "Soil Evaluation for On-site Sewage Disposal". (April 1980)

Sufficient material shall be collected to provide for a Slake test, Bulk Density test (except for soils falling in the zone of sand, loamy sand or sandy loam) and the Hydrometer test.

Only Water Quality Control Board approved laboratories may perform the testing, and all test results shall indicate the results of the Slake test and Bulk Density test along with the Hydrometer readings.

Coarse particle adjustments shall be made for gravel and cobbles only. Coarse particle adjustment may not be made for fractured rock.

Soil Hydrometer data submitted for zones outside of the sand, loamy sand or sandy loam designations and not accompanied by Bulk Density data will not be accepted by the Division of Environmental Health. It will be necessary for consultants to use the paraffin-coated clod method if the core sampler method cannot be used.

Soil Hydrometer tests which fall into zone 3 of the Soil Textural Triangle, must be wet weather percolation tested to determine their acceptability. The percolation tests are to be performed down to the depth of the zone 3 material, and to be found acceptable, a minimum percolation rate of one (1) inch per hour must be obtained.

Wet Weather Testing

Soils which display high or moderate shrink-swell characteristics, or are over 20 percent clay must be tested either by performing wet weather percolation tests or performing soil Hydrometer tests; standard percolation tests will not be acceptable. Soil Hydrometer test results which fall into zone 4, are unacceptable and results which fall into zone 3, are required to be wet weather percolation tested. The wet weather testing period is any time after 20 inches of rain has fallen in the Fall, up to April 15th of the following Spring. The April 15th date may be extended in the event of unusually heavy Spring rains by written authorization of the Director of Environmental Health.

Soil Depth

Soil explorations are to be extended to a minimum depth of eight (8) feet, and descriptions of soil encountered are to be submitted on forms provided by the Division of Environmental Health. The description should include general soil characteristics, e.g., sand, gravel, clay, bedrock, etc., the depth at which impermeable layers or water are encountered and depth to which mottling is observed. Five (5) feet of soil depth immediately below the bottom of the leach trench is required. A minimum of three (3) feet of soil below the leaching trench may be permitted where ground slope is less than 20 percent and there are no other limiting factors.

Depth to Groundwater Where Impermeable Layers Are Encountered

Under certain conditions, a continuous hardpan, or a continuous impermeable layer may reduce the required depth to groundwater to three (3) feet below the leach line.

In order to make the determination that a hardpan or an impermeable layer is continuous first the area of the disposal field is delineated (see next paragraph below); second, post holes or auger holes are dug at a distance of 15 feet out from the disposal field area on all four sides and if all test holes encountered the hardpan at approximately the same depth, then the hardpan can be considered continuous.

To determine the size of the area to be tested, calculate the sewage disposal field size using the standard soils test data. Use either the Hydrometer sewage field sizing chart or the manual of Septic Tank Practices (to percolation data) chart and include the area for both the primary and replacement field in calculating total area needed.

Please note: Backhoe excavations are not to be made in the hard pan, only a post hole digger or hand auger is to be used. This is to assure minimum disruption of the "impermeable" hard pan thus keeping it's impermeability to ground water intact.

Percolation Rates

Soil percolation rates in the disposal area shall not be less than one (1) inch in 60 minutes. If seepage pits are proposed, the rate shall not be less than two (2) inches in 60 minutes.

Intercept or "French" Drains

The use of intercept drains to lower the level of perched groundwater in the immediate leachfield area shall be acceptable under the following conditions:

1. Natural ground slope is greater than five (5) percent;

2. Site investigations show groundwater to be perched on bedrock, hardpan, or an impermeable soil layer;

3. The intercept drain extends from ground surface into bedrock, hardpan, or the impermeable soil layer.

In no case shall the previous section of an intercept drain be located less than 15 feet upgradient or 50 feet laterally from any septic tank or leachfield, or 25 feet from any property line.

Where all of the above conditions cannot be met, detailed engineering plans must be supplied or actual performance of the intercept drain demonstrated prior to approval.

Wisconsin Mounds

The North Coast Regional Water Quality Control Board prohibits the use of Wisconsin Mounds as grounds for approval of new Land Division. No Land Division is to be approved on the basis of the use of a Wisconsin Mound. (As of August 1981 Revision).

LAND DEVELOPMENT CRITERIA

Lot Size

The determination of ultimate lot size in any particular area depends upon many factors, including sewage disposal area (depends upon soil percolation) building area, drainage area, slope and water availability. The following charts show lot sizes which are sized according to average conditions, and will be recommended by the Division of Environmental Health. If the developer wishes to propose smaller lot sizes where he feels that soil and water conditions are better than average, he may do so provided additional testing and documentation can be presented which justifies smaller lots. E.g., proof of water on each parcel will eliminate the water availability questions.

The following lot sizes are recommended:

A. Public Water System, Individual Sewage Disposal Systems

Slope	Lot Size
1 - 3%	12,000 ft^2
3 - 5%	15,000 ft^2
5 - 8%	18,000 ft^2
8 - 10%	20,000 ft^2
over 10%	24,000 ft^2

B. Individual Water and Sewage Disposal Systems

Average Slope	Lot Size
50% or greater	40 acres
30 - 50%	20 acres
20 - 30%	10 acres
10 - 20%	5 acres
Up to 10%	40,000 $ft.^2$

In addition, the following recommendations are made:

2 acres - Noyo Soil Series
5 acres - Blacklock Soil Series

Lots that do not meet the above recommendations will, at a minimum, be required to show water on each lot or parcel.

Buildable Area

On all parcels, especially larger parcels of one (1) acre or more, a "building area" meeting the requirements of Table A above must be shown.

Drainage ways, utility easements, front and sideyard setbacks, slopes, soil permeability, and other factors may affect the buildable area required.

Other Design Criteria

For other design criteria, refer to the North Coast Basin Plan Requirements.

CHAPTER 22.12 NATIVE AMERICAN ARCHEOLOGICAL SITES.

DIVISION I GENERAL

Sec. 22.12.010 Purpose and Findings.

The Board of Supervisors of the County of Mendocino hereby finds and declares that there exist in the County of Mendocino areas of great importance for the study of the past of the native Indian of California, hereinafter referred to as 'Native American,' said areas hereinafter referred to as 'Native American archeological sites,' and that such sites are unique, irreplaceable phenomena of significance in the history of the County and in the understanding of the cultural heritage of our land and of all humankind; that the character of such sites has attracted and can attract visitors and scientific interest to the County, thereby augmenting the economy and general welfare of the County and its residents; that such sites constitute a precious archeological, paleontological, paleoecological, and historical heritage which is fast disappearing as a result of public and private land development and other undertakings of land modification, and as a result of excessive and uncontrolled excavations for Native American artifacts; that the total efforts of government to preserve and salvage these sites and resources is fragmented and uncoordinated; that the preservation and enhancement of these sites is essential to the economic and cultural life of the County; and that, in order to promote the public welfare, it is necessary to provide regulations for the protection, enhancement, and perpetuation of such sites. (Ord. No. 1681, adopted 1976.)

Sec. 22.12.020 Definitions.

For purposes of this chapter, the following definitions shall apply:

(A) Native American Archeological Site. A 'Native American archeological site' shall mean any mound, cave, midden, place of settlement, burial ground, ceremonial ground, mine, trail, rock art, or other feature or location which in fact contains the human or cultural remains or artifacts of native California Indians in existance prior to the year 1876. Whenever in this Chapter reference is made to one hundred (100) years of age, such date shall be calculated from the effective date of this Chapter, to wit, 1976. Whenever the word 'site' or the phrase 'archeological site' is used in this chapter, it shall be deemed to mean a Native American archeological site. (Ord. No. 1681, adopted 1976.)

(B) Person. 'Person' shall mean any individual, firm, corporation, partnership, joint venture, association, society, fraternal organization, trust, concert of interest, conspiracy, or any other group or combination acting as a unit. (Ord. No. 1681, adopted 1976.)

(C) CEQA Project. 'CEQA project' shall mean any project for which an environmental impact report is required by the California Environmental Quality Act (Public Resources Code, commencing with Section 21000), by the State EIR Guidelines, or by County regulations adopted pursuant thereto;

provided, however, that a project for which an environmental impact report would be required except for the issuance of a negative declaration shall be deemed a CEQA project for the purpose of requiring the preparation of an archeological element if the Archeological Commission has determined that the project may have a significant effect on archeological resources and has objected in writing to the negative declaration within the time provided by law for members of the public to respond to the finding of a negative declaration that a proposed project will not have a significant effect on the environment. 'CEQA project' shall not mean a timber harvesting plan adopted pursuant to the Z'berg-Negedly Forest Practice Act of 1973 (Public Resources Code, commencing with Section 4511) nor any timber harvesting authorized by such plan. (Ord. No. 1681, adopted 1976.)

(D) Public Lands. 'Public lands' shall mean lands owned by, leased by, or otherwise under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof. (Ord. No. 1681, adopted 1976.)

(E) Interment. 'Interment' shall mean the disposition of human remains by inurement, entombment, or burial. (Ord. No. 1681, adopted 1976.)

(F) Human Remains. 'Human remains' shall mean the body of a deceased human being and shall include the body in any stage of decomposition, including one or more bones only. (Ord. No. 1681, adopted 1976.)

(G) Burial. 'Burial' shall mean the placement of human remains in a grave inside or outside a burial park. (Ord. No. 1681, adopted 1976.)

(H) Knowingly. 'Knowingly' shall mean and import only a knowledge that the facts exist which bring the act or omission within the provisions of this Chapter and does not require any knowledge of the unlawfulness of such act or omission. A person who disturbs, excavates, or causes to be disturbed or excavated a Native American archeological site shall be deemed to have done so 'Knowingly' if he actually knows, observes on the site, would as a reasonable person know, or has brought to his attention, the following: That the site contains or is likely to contain evidence of the presence of a Native American archeological site, including artifacts, flakes of stone, fire-fractured rocks, bones, discoloured soil, paintings or carvings on rock surfaces, mounds, and caves. (Ord. No. 1681, adopted 1976.)

Sec. 22.12.030 Archeological Commission

(A) There is hereby established the Mendocino County Archeological Commission, hereinafter referred to as 'Commission.' The Commission shall consist of seven (7) regular members and one (1) alternate member, each member to serve without compensation except for travel and other out-of-pocket costs. The County Administrative Officer or a representative designated by him shall serve as the executive officer of the Commission. The Board of Supervisors shall appoint the following persons to the Commission:

(1) The Director of the Mendocino County Museum. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(2) A Native American who is a resident of the County of Mendocino and has an interest in the knowledge of the protection of Native American archeological sites. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(3) The Chief Planner of Mendocino County. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(4) A qualified, professional archeologist as determined by the standards set by appropriate professional societies; if such person is not available, the Board of Supervisors may appoint, in lieu thereof, a person having professional training in the field of archeology. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(5) Three (3) representatives of a Native American Tribe, council, or group in Mendocino County, one of which shall be designated by the Board as an 'alternate member', to serve when a regular Native American at-large representative is unable for any reason to attend or participate in Commission proceedings. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(6) A representative of an industry such as timber, cattle, sheep, or other type likely to be affected by this Chapter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 1860, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(B) The Commission shall consult with, and keep advised, the Mendocino County Sheriff-Coroner and the Mendocino County Superintendent of Schools. The Commission shall make all rules and regulations necessary or convenient for carrying out its duties and powers under this Chapter. Such rules and regulations shall, within six (6) months after the effective date of this Chapter, include a standard for determining whether or not a Native American archeological site is one of 'archeological significance.' Any person aggrieved may appeal from the adoption of any rule or regulation by filing, within thirty (30) days thereafter, a letter with the Clerk of the Board of Supervisors specifying the rule or regulation appealed from and the grounds for appeal; no rule or regulation shall go into effect until the lapse of thirty (30) days or, if appealed, upon approval by the Board of Supervisors. The Board of Supervisors may appoint an alternate for each member of the Commission, such alternate to represent the same interest or organization as the respective member. Unless otherwise required, all actions of the Commission shall require an affirmative vote of four (4) members. A decision of the Commission may be made by telephone or other verbal agreement if there is insufficient time for a meeting to be called; any decision so made shall be deemed effective unless the Commission fails to ratify the same at a regular or special meeting within thirty (30) days thereafter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(C) All members of the Commission except for the Director of the Mendocino County Museum and the Chief Planner of Mendocino County shall be appointed for a term of two (2) years. At the first regular meeting following January 1 of each year the Commission members shall elect from

1976, as amended by Ord. No. 1850, adopted 1977, as amended by Ord. No. 3221, adopted 1978.)

(D) The Commission may appoint or designate representatives to act in the name of the Commission whenever such representatives are authorized to act by the provisions of this Chapter. Each such representative shall be subject to removal by the Board of Supervisors upon good cause shown. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(E) Appeals from the action of the Archeological Commission may be made only to the Board of Supervisors. Appeals must be filed with the Clerk of the Board within thirty (30) days of the action. (Ord. No. 3221, adopted 1978.)

DIVISION II EXCAVATION REGULATIONS

Sec. 22.12.040 Projects requiring permits.

(A) Any person who proposes to, or in fact does, excavate or disturb earth, either during the course of a CEQA project, or on public lands, or for archeological purposes, shall first obtain an excavation permit as provided for by this Chapter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1987.)

(B) It shall be unlawful, prohibited, and a misdemeanor for any of the following persons knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate or cause to be excavated, to any extent whatsoever, any Native American archeological site unless done in strict compliance with an excavation permit which has been issued in advance by the Archeological Commission:

(1) A person whose disturbance or excavation occurs during the course of CEQA project. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(2) A person engaged in such disturbance or excavation for archeological purposes or as part of an archeological project, (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(3) A person engaged in such disturbance or excavation on public lands. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(C) Any act committed under the authority of an excavation permit issued hereunder shall be in accordance with its terms and conditions, including those pertaining to removal of artifacts of human remains. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(D) It shall be unlawful, prohibited, and a misdemeanor for any person to proceed under any excavation permit in a manner which constitutes a material variance from the terms of the permit or any representation in the application for said permit. In the event of such variance or violation, the permit may be cancelled forthwith by the Archeological Commission or, upon their referral, by the Board of Supervisors. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(E) Any person who encounters an unanticipated archeological site during the course of construction or excavation activities for which an excavation permit has been issued pursuant to this section shall halt, and order to be halted, all further work in the area within two hundred (200) feet of the discovery and shall not resume work in the area until he has followed the same procedures as are required of a person making a discovery under Section 22.12.050 of this Chapter. The Archeological Commission shall, in such case follow the same procedure as required of it in Section 22.12.050 of this Chapter. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(F) Excavations or earth disturbance on public lands for utility purposes only shall be exempt from this section and from the requirement of obtaining an excavation permit. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(G) Excavations or earth disturbances on public lands conducted or approved by the County of Mendocino or other governmental entities which do not consititute a CEQA project, as defined in this Chapter, shall be exempt from this section and from the requirement of obtaining an excavation permit. (Ord. No. 1712, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

Sec. 22.12.050 Discoveries Generally

(A) Any person who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age, or any artifact or other evidence of a Native American archeological site which reasonable appears to exceed one hundred (100) years of age, shall take all of the following actions:

(1) Cease and desist from all further excavations and disturbances within two hundred (200) feet of the discovery. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(2) Arrange for staking completely around the area of discovery by visible stakes no more than ten (10) feet apart, forming a circle having a radius of no less than one hundred (100) feet from the point of discovery; provided, however, that such staking need not take place on adjoining property whose owner or person in possession does not authorize such staking thereon, in which case the boundary line within such circle shall be staked. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(3) Make notification of the discovery to the Sheriff-Coroner. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(4) Grant any duly authorized representative of the Commission or the Sheriff-Coroner permission to enter onto the lands of the discovery which are under the jurisdiction of the person making the discovery and to take all actions consistent with this Chapter and otherwise permitted by law. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(B) Upon being notified or otherwise becoming aware of the discovery of any evidence of a Native American archeological site, the Sheriff-Coroner shall forthwith notify the Executive Officer of the Archeological Commission and whatever designated representatives of the Commission he deems appropriate. The Commission shall arrange for an on-site inspection of the area of discovery by one or more of its representatives within seventy-two (72) hours of the time of such notification of the Sheriff-Coroner. The Commission shall give notice of the time of the on-site inspection to the owner, or other person who made notification of the discovery, who shall be entitled to accompany the Commission representatives at all times on the property in question. The purpose of the inspection shall be to determine whether the site is one of archeological significance. In the event that such inspection does not take place within such seventy-two (72) hour period and the Commission has not, within such time, issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may be resumed; provided, however, that if a human remain was discovered, no further excavation or disturbance of the site may take place until specifically authorized by the Sheriff-Coroner.

(C) If the Commission determines that the site of the discovery is one of archeological significance, it shall, within seventy-two (72) hours of being notified of the discovery, notify the person making the discovery of such determination, the apparent boundaries of the site, and its specific recommendations for the preservation of the site from destructive disturbance or excavation; and the Commission shall issue an order to cease and desist from all further excavation or disturbance of the site for a specified period of time not to exceed thirty (30) days; provided, however, that the period may by extended up to forty-five (45) additional days by minute order of the Board of Supervisors. In issuing such a cease and desist order, the Commission shall take into account both the need for preserving the site and the need for avoiding unnecessary financial hardships to any person engaged in construction work on the site. The cease and desist order shall be subject to whatever conditions the Commission determines will promote the purposes of this Chapter. During the period such cease and desist order is in effect, the site shall be open to physical inspection, photographing, supervised excavation, study, and all other reasonable related activities by any person duly authorized by the Commission or by the Sheriff-Coroner. The landowner, or the person making the original notification of discovery, shall be kept advised of the times at which any such duly authorized person is on the site and shall be given the opportunity to accompany any person while on the site. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(D) The Archeological Commission shall, for the purpose of giving or receiving notifications under this Chapter, designate as its representatives one or more residents of each Supervisorial district having expertise or experience in the evaluation of Native American archeological sites. A list of such representatives and their telephone numbers shall be provided to, and kept available with, the office of the Dispatcher Unit of the Sheriff-Coroner. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(E) It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, a Native American archeological site without complying with the provisions of this section. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(F) It shall be unlawful, prohibited, and a misdemeanor for any person knowingly to disturb, or cause to be disturbed, in any fashion whatsoever, or to excavate, or cause to be excavated, to any extent whatsoever, any Native American archeological site (1) in violation of any order to cease and desist issued pursuant to this section or (2) during the seventy-two (72) hour period commencing from the time of the required notification of discovery. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

(G) The owner, or other person in lawful possession, of land on which a discovery of a Native American archeological site has been made shall grant a license for entry thereon by every person authorized by the Archeological Commission or Sheriff-Coroner. (Ord. No. 1681, adopted 1976, as amended by Ord. No. 3221, adopted 1978.)

Sec. 22.12.060 Discoveries of Human Remains.

(A) The provisions of this section shall apply in addition to the provisions of Section 22.12.050 of this Chapter whenever any human remains are discovered. (Ord. No. 1681, adopted 1976.)

(B) Any person who, while excavation or otherwise disturbing earth, discovers any bones or other human remains, whether or not as part of a Native American archeological site, shall immediately cease and desist from all further excavation and disturbance and shall immediately telephone or otherwise notify the Sheriff-Coroner of Mendocino County. If a Native American archeological site is involved, the Sheriff-Coroner shall thereupon notify a designated representative of the Mendocino County Archeological Commission for the particular geographical area involved. (Ord. No. 1681, adopted 1976.)

(C) It shall be unlawful, prohibited, and a misdemeanor for any person not specifically authorized by the Archeological Commission or its designated representative to do so, to excavate or otherwise disturb any such area of discovery within one hundred (100) feet of the point of discovery until the lapse of thirty (30) days or written approval of the Commission, whichever occurs first. The Commission may extend the period of thirty (30) days by written order, in which case all persons having actual notice thereof shall be prohibited from any further excavation or disturbance within such 100-foot area. (Ord. No. 1681, adopted 1976.)

(D) The Sheriff-Coroner and the Commission representative shall make, and are authorized to enter onto the lands where the discovery was made to make, an on-site inspection, for the purpose of determining (1) whether such human remains are less than one hundred (100) years old and (2) whether they are the result of any criminal or other act bringing such

within the custody of the Sheriff-Coroner under the laws of the State of California. If the Sheriff-Coroner determines he does have jurisdiction, he shall take such remains into his custody or make such other order as will insure the preservation of such remains. The Sheriff-Coroner may designate any Native Americans who are affiliated with recognized tribes or councils, and who have been specifically authorized by the Commission for such purpose, to reinter such remains in their own burial grounds or to otherwise act as his agent in the removal, storage, and preservation of such remains. (Ord. No. 1681, adopted 1976.)

(E) All human remains of any age discovered as part of a Native American archeological site shall be subject to the jurisdiction and custody of the Sheriff-Coroner, who may designate the Archeological Commission to take such human remains into custody for scientific analysis and reinterment, to the extent no Native American, or tribe or council of Native Americans, has a legal claim thereto. The owner or other person claiming lawful title to or possession of the land on which such human remains are found shall not, by that fact alone, be entitled to keep or possess such remains. The Sheriff-Coroner and the Commission may submit human remains in their respective custody to the University of California or other similar recognized institution for scientific analysis before reinterment. (Ord. No. 1681, adopted 1976.)

(F) It shall be unlawful, prohibited, and a misdemeanor for any person to mutilate, disinter, or remove from the place of interment any human remains without first obtaining the approval of the Sheriff-Coroner and all other permits required by the California Health and Safety Code and this Chapter and without first notifying in writing the Archeological Commission. (Ord. No. 1681, adopted 1976.)

APPENDIX D. TECHNICAL CRITERIA FOR IDENTIFYING AND MAPPING WETLANDS AND OTHER WET ENVIRONMENTALLY SENSITIVE HABITAT AREAS

The purpose of this discussion is to provide guidance in the practical application of the definition of "wetland" contained in the Coastal Act. The Coastal Act definition of "wetland" is set forth in Section 30121 of the Act which states:

> SEC. 30121
>
> "Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

This is the definition upon which the Commission relies to identify "wetlands." The definition refers to lands ". . . which may be periodically or permanently covered with shallow water . . . ." However, due to highly variable environmental conditions along the length of the California coast, wetlands may include a variety of different types of habitat areas. For this reason, some wetlands may not be readily identifiable by simple means. In such cases, the Commission will also rely on the presence of hydrophytes and/or the presence of hydric soils. The rationale for this in general is that wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface. For this reason, the single feature that most wetlands share is soil or substrate that is at least periodically saturated with or covered by water, and this is the feature used to describe wetlands in the Coastal Act. The water creates severe physiological problems for all plants and animals except those that are adapted for life in water or in saturated soil, and therefore only plants adapted to these wet conditions (hydrophytes) could thrive in these wet (hydric) soils. Thus, the presence or absence of hydrophytes and hydric soils make excellent physical parameters upon which to judge the existence of wetland habitat areas for the purposes of the Coastal Act, but they are not the sole criteria. In some cases, proper identification of wetlands will require the skills of a qualified professional.

The United States Fish and Wildlife Service has officially adopted a wetland classification system* which defines and classifies wetland habitats in these terms. Contained in the classification system are specific biological criteria for identifying wetlands and establishing their upland limits. Since the wetland definition used in the classification system is based upon a feature identical to that contained in the Coastal Act definitions, i.e., soil or substrate that is at least periodically saturated or covered by water, the Commission will use the

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* "Classification of Wetlands and Deep-Water Habitats of the United States." By Lewis M. Cowardin, et al, United States Department of the Interior, Fish and Wildlife Service, December 1979.

classification system as a guide in wetland identification. Applying the same set of biological criteria consistently should help avoid confusion and assure certainty in the regulatory process. This appendix discusses the adapation of this classification system to the Coastal Act definition of "wetland" and other terms used in the Act, and will form the basis of the Commission's review of proposals to dike, fill or dredge wetlands, estuaries or other wet habitat areas.

I. U.S. Fish and Wildlife Classification System: Upland/Wetland/Deep-water Habitat Distinction

The United States Fish and Wildlife Service classification is hierarchical, progressing from systems and subsystems, at the most general levels, to classes, subclasses, and dominance types. The term "system" refers here to a complex of wetland and deep-water habitats that share the influence of one or more dominant hydrologic, geomorphologic, chemical, or biological factors.

The Service provides general definitions of wetland and deep-water habitat and designates the boundary between wetland and deep-water habitat and the upland limit of a wetland. The following are the Services' definitions of wetland and deep-water habitats:

A. Wetlands

> "Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.
>
> Wetlands as defined here include lands that are identified under other categories in some land-use classifications. For example, wetlands and farmlands are not necessarily exclusive. Many areas that we define as wetlands are farmed during dry periods, but if they are not tilled or planted to crops, a practice that destroys the natural vegetation, they will support hydrophytes.*

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* For the purposes of identifying wetlands using the technical criteria contained in this guideline, one limited exception will be made. That is, drainage ditches as defined herein will not be considered wetlands under the Coastal Act. A drainage ditch shall be defined as a narrow (usually less than 5-feet wide), manmade nontidal ditch excavated from dry land.

Drained hydric soils that are now incapable of supporting hydrophytes because of a change in water regime are not considered wetlands by our definition. These drained hydric soils furnish a valuable record of historic wetlands, as well as an indication of areas that may be suitable for restoration.

The upland limit of wetland is designated as (1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; (2) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or (3) in the case of wetlands without vegetation or soil, the boundary between land that is flooded or saturated at some time each year and land that is not."

Wetlands should be identifed and mapped only after a site survey by a qualified botanist, ecologist, or a soil scientist (See section III. B. of the guideline for a list of required information)*.

B. Deepwater Habitats

"Deepwater habitats are permanently flooded lands lying below the deepwater boundary of wetlands. Deepwater habitats include environments where surface water is permanent and often deep, so that water, rather than air, is the principal medium within which the dominant organisms live, whether or not they are attached to the substrate. As in wetlands, the dominant plants are hydrophytes; however, the substrates are considered nonsoil because the water is too deep to support emergent vegetation (U. S. Soil Conservation Service, Soil Survey Staff 1975)."

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* Further details regarding the standards and criteria for mapping wetlands using the Service's classification system may be found in the following, "Mapping Conventions of the National Wetland Inventory," (undated), published by the U.S.F.W.S. The document may be obtained from the U.S.F.W.S., Regional Wetland Coordinator, Region 1, Portland, Oregon.

"The boundary between wetland and deep-water habitat in the Marine and Estuarine Systems (i.e., areas subject to tidal influence) coincides with the elevation of the extreme low-water of spring tide (ELWS); permanently flooded areas are considered deep-water habitats in these systems. The boundary between wetland and deep-water habitat in the Riverine, Lacustrine and Palustrine Systems lies at a depth of 2m (6.6 ft.) below low-water; however, if emergents, shrubs or trees grow beyond this depth at any time, their deep-water edge is the boundary."

II. Wetland/Estuary/Open Coastal Water Distinction

For the purposes of mapping "wetlands" under the Coastal Act's definition of wetlands, and of mapping the other wet environmentally sensitive habitat areas referred to in the Act, including "estuaries," "streams," "riparian habitats," "lakes" and "open coastal water," certain adapations of this classification system will be made. The following is a discussion of these adaptations.

"Wetland," as defined in Section 30121 of the Coastal Act, refers to land covered by "shallow water," and the examples given in this section include fresh, salt and brackish water marshes, mudflats and fens. A distinction between "wetland" and the other habitat areas in the Act, for example, "estuary," must be made because the Act's policies apply differently to these areas, and because the Act does not define some of these terms (such as "estuary"). A reasonable distinction can be made between "wetland" and "estuary" on the basis of an interpretation of the phrase "shallow water." Using the service's classification system, "shallow water" would be water that is above the boundary of deep-water habitat, which would be the line of extreme low-water of spring tide* for areas subject to tidal influence and 2 meters for non-tidal areas. Therefore, wetland begins at extreme low-water of spring tide and "estuary" or "open coastal water" is anything deeper. The Coastal Act definition of "wetlands" would include the wetland areas of Estuarine, Palustrine, and Lacustrine ecological systems defined by the Fish and Wildlife classification system.

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* While the Service's classification system uses "extreme low-water of spring tide" as the datum to distinguish between "shallow-water" and "deep-water habitat," such datum is not readily available for the California coast. Therefore, the lowest historic tide recorded on the nearest available tidal bench mark established by the U. S. National Ocean Survey should be used as the datum.

Data for such bench marks are published separately for each station in loose-leaf form by the National Ocean Survey, Tideland Water Levels, Datum and Information Branch, (C23), Riverdale, MD 20840. These compilations include the description of all bench marks at each tide station (for ready identification on the ground), and their elevations above the basic hydrographic or chart datum for the area, which is mean lower low-water on the Pacific coast. The date and length of the tidal series on which the bench-mark elevations are based are also given.

For the purposes of the Coastal Act, an "estuary" is a coastal water body usually semi-enclosed by land, but which has open, partially obstructed, or intermittent exchange with the open ocean and in which ocean water is at least occassionally diluted by fresh water runoff from the land. The salinity may be periodically increased above that of the open ocean by evaporation.

"Open coastal water" or "coastal water" as used in the Act refers to the open ocean overlying the continental shelf and its associated coastline with extensive wave action. Salinities exceed 30 parts per thousand with little or no dilution except opposite mouths of estuaries.

III. Wetland/Riparian Area Distinction

For the purpose of interpreting Coastal Act policies, another important distinction is between "wetland" and "riparian habitat." While the Service's classification system includes riparian areas as a kind of wetland, the intent of the Coastal Act was to distinguish these two areas. "Riparian habitat" in the Coastal Act refers to riparian vegetation and the animal species that require or utilize these plants. The geographic extent of a riparian habitat would be the extent of the riparian vegetation. As used in the Coastal Act, "riparian habitat" would include the "wetland" areas associated with Palustrine ecological systems as defined by the Fish and Wildlife Service classication system.

Unfortunately, a complete and universally acceptable definition of riparian vegetation has not yet been developed, so determining the geographic extent of such vegetation is rather difficult. The special case of determining consistent boundaries of riparian vegetation along watercourses throughout California is particularly difficult. In Southern California these boundaries are usually obvious; the riparian vegetation grows immediately adjacent to watercourses and only extends a short distance away from the watercourse. In Northern California, however, the boundaries are much less distinct; vegetation that occurs alongside a stream may also be found on hillsides and far away from a watercourse.

For the purposes of this guideline, riparian vegetation is defined as that association of plant species which grows adjacent to freshwater watercourses, including perennial and intermittent streams, lakes, and other freshwater bodies. Riparian plant species and wetland plant species either require or tolerate a higher level of soil moisture than dryer upland vegetation, and are therefore generally considered hydrophytic. However, riparian vegetation may be distinguished from wetland vegetation by the different kinds of plant species. At the end of this appendix, lists are provided of some wetland hydrophytes and riparian hydrophytes. These lists are partial, but give a general indication of the representative plant species in these habitat areas and should be sufficient to generally distinguish between the two types of plant communities.

The upland limit of a riparian habitat, as with the upland limit of vegetated wetlands, is determined by the extent of vegetative cover. The upland limit of riparian habitat is where riparian hydrophytes are no longer predominant.

As with wetlands, riparian habitats should be identified and mapped only after a site survey by a qualified botanist, freshwater ecologist, or soil scientist.* (See pp. 6-9 of the guideline for a list of information which may be required of the applicant).

IV. Vernal Pools

Senate Bill No. 1699 (Wilson) was approved by the Governor on September 13, 1980 and the Bill added Section 30607.5 to the Public Resources Code to read:

> 30607.5. Within the City of San Diego, the commission shall not impose or adopt any requirements in conflict with the provisions of the plan for the protection of vernal pools approved and adopted by the City of San Diego on June 17, 1980, following consultation with state and federal agencies, and approved and adopted by the United States Army Corps of Engineers in coordination with the United States Fish and Wildlife Service.

The Commission shall adhere to Section 30607.5 of the Public Resources Code in all permit and planning matters involving vernal pools within the City of San Diego.

All vernal pools located within the city of San Diego in the coastal zone are depicted on a map attached as Exhibit 1 to a letter from Commission staff to Mr. James Gleason, City of San Diego (4/29/80). While "vernal pool" is a poorly defined regional term, all information available to the Commission suggests that all vernal pools in the coastal zone are located in the City of San Diego. It is important to point out, however, that vernal pools are distinct from vernal ponds and vernal lakes, which exist in other parts of the coastal zone (e.g. Oso Flaco Lakes in San Luis Obispo County). The Commission generally considers these habitat areas to be wetlands for the purposes of the Coastal Act, and therefore all applicable sections of the Coastal Act will be applied to these areas.

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* Identification of riparian habitat areas in Northern California presents peculiar difficulties. While in Southern California riparian vetetation generally occurs in a narrow band along streams and rivers, along the major rivers in Northern California it may be found in broad floodplains, abandoned river channels and the bottoms adjacent to the channels. In forested areas, the overstory of riparian vegetation may remain similar to the adjacent forest but the understory may contain a variety of plant species adapted to moist or wet substrates. For example, salmonberry, bayberry, willow, twinberry and lady fern, may all be more common in the understory of riparian habitat areas than in other types of forest habitat areas.

V. Representative Plant Species in Wetlands and Riparian Habitat Areas

This is a list of "representative" species that can be expected to be found in the various habitat areas indicated. Not all of them will be found in all areas of the State, and there are numerous others that could be included. However, this list should suffice to generally distinguish between these types of plant communities.

A. Salt Marsh

Pickleweed (*Salicornia virginica*)
Glasswort (*S. subterminalis*)
Saltgrass (*Distichlis spicata*)
Cordgrass (*Spartina foliosa*)
Jaumea (*Jaumea carnosa*)
Saltwort (*Batis maritima*)
Alkali heath (*Frankenia grandifolia*)
Salt cedar (*Monanthochloe littoralis*)
Arrow grass (*Triglochin maritimum*)
Sea-blite (*Suaeda californica* var *pubescens*)
Marsh rosemary (*Limonium californicum* var *mexicanum*)
Gum plant (*Grindelia stricta*)
Salt Marsh fleabane (*Pluchea purpurescens*)

B. Freshwater Marsh

Cattails (*Typha* spp.)
Bulrushes (*Scirpus* spp.)
Sedges (*Carex* spp.)
Rushes (*Juncus* spp.)
Spikerush (*Heleochais palustris*)
Pondweeds (*Potamogeton* spp.)
Smartweeds (*Polygonum* [illegible] .)
Water lilies (*Nuphar* spp.)
Buttercup (*Ranunculus aquatilis*)
Water-cress (*Nasturtium officinale*)
Bur-reed (*Sparganium eurycarpum*)
Water parsley (*Venanthe sarmentosa*)
Naiads (*Na* [illegible] .)

C. Brackish Marsh

Alkali bulrush (*Scirpus robustus*)
Rush (*Juncus balticus*)
Brass buttons (*Cotula coronopifolia*)
Fat-hen (*Atriplex patula* var *hastata*)
Olney's bulrush (*Scirpus olneyi*)
Common tule (*Scirpus acutus*)
Common reed (*Phragmites communis*)

D. Riparian

Willows (Salix spp.)
Cottonwoods (Populus spp.)
Red alder (Alnus rubra)
Box elder (Acer negundo)
Sycamore (Platanus racemosa)
Blackberry (Rubus vitifolia)
So. Black walnut (Juglans californica) (So. Calif.)
California Bay (Umbelularia californicum) (So. Calif.)
Bracken fern (Pteris aquilinum) (Cen. Calif.)
Current (Ribes spp.)
Twinberry (Lonicera involucrata) (No. Calif.)
Lady fern (Athyrium felix-temina)
Salmonberry (No. Calif.)
Bayberry (No. Calif.)

E. Vernal Pools

Downingia (Downingia sp.)
Meadow-foxtail (Alopecurus howellii)
Hair Grass (Deschampsia danthonioides)
Quillwort (Isoetes sp.)
Meadow-foam (Limnanthes sp.)
Pogogyne (Pogogyne sp.)
Flowering Quillwort (Lilaea scilloides)
Cryptantha (Cryptantha sp.)
Loosestrife (Lythrum hyssopifolium)
Skunkweed (Navarretia sp.)
Button-celery (Eryngium sp.)
Orcutt-grass (Orcuttia sp.)
Water-starwort (Callitriche sp.)
Waterwort (Elatine sp.)
Woolly-heads (Psilocarpus sp.)
Brodiaea (Brodiaea sp.)
Tillaea (Crassula aquatica)

APPENDIX 9

ORDINANCE NO. 3335

AN ORDINANCE ESTABLISHING CRITERIA
FOR TIMBERLAND PRESERVE ZONING (TPZ)

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

Delete Article XLI AGRICULTURAL PRESERVES of the Mendocino County Code;

Amend title of Section 22.08 to read: RESOURCE PRESERVES;

Add Section 20-5 (iii), to read:

TIMBERLAND. Privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber, and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Add Section 22.08.010-(D) to read:

(D) The legislature of the State of California in enacting AB 1258-Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976, found that the forest resources and timberlands of the state are among the most valuable of the natural renewable resources of the state.

It is essential to the objectives of the Forest Taxation Reform Act of 1976 that an orderly system be established whereby property within Mendocino County may be incorporated into Timberland Preserves by individual property owner request.

The Board of Supervisors of the County of Mendocino concurs with the findings of the California State Legislature.

Add Section 22.08.020 (B) to read:

(B) Property within the County of Mendocino may be incorporated into Timber Land Preserves through the following procedures:

1. Applicants shall file, or cause to be filed, an application for rezoning pursuant to the Mendocino County Code.

2. In addition, applicant shall submit, pursuant to California Government Code, Section 51113:

   a. A map showing the legal description or the Assessor's parcel number of the property to be zoned.

   b. A plan for forest management for the property prepared or approved as to content by a registered professional forester. Such a plan shall provide for eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

   c. An affidavit signed both by applicant(s) and registered professional forester stating the parcel(s) under consideration currently meets timber stocking standards as set forth in Section 4651 of the California Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located.

   d. If condition 2c cannot be immediately met, owner shall sign an agreement with the Board of Supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. At that time, condition 2c shall be met. Upon the fifth anniversary of the signing of such an agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall immediately rezone the parcel and specify a new zone for such parcel which is in conformance with the county General Plan and whose primary use is other than timberland.

   e. Applicant shall sign and file an affidavit for the parcel(s) under consideration stating the ownership is of one person as defined in Section 38106 of the

California Revenue and Taxation Code, and said parcel(s) are comprised of single or contiguous parcels.

3. Before application is presented to the Planning Commission, said application shall be circulated for review and comment to the County Farm Advisor, the County Assessor, the County Agricultural Commissioner, and the California Department of Forestry.

4. Prior to rezoning pursuant to this section, all uses on property shall in compliance to those uses as established under Section 20.10.4, et seq, which govern permitted and compatible uses.

Amend Section 22.08.040 to read:

Section 22.08.040 TIMBERLAND PRESERVE;

Timberland (as defined in (Sec. 20-5 (iii)) eligible for incorporation into a Timber Preserve shall meet each of the following qualifications to site quality class as such terms are defined in Rule 1021 Title 18 (Public Revenues), California Administrative Code.

(A) The ownership shall contain at least 40 acres of Site Quality III or better.

(B) Those ownerships of greater than 80 acres shall contain at least 50% of the property under consideration in Site Quality III or better.

(C) Parcels zoned as timberland preserve (TPZ) shall be zoned as such for an initial term of ten years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial term of ten years unless a notice of rezone has been given in accordance to (D) below.

(D) Rezoning.

1. If an owner desires in any year to rezone a parcel from its current timberland preserve zone, those procedures as detailed in Section 51120 et seq of the California Government Code shall be applied.

2. If an owner desires to rezone from a Timberland Preserve zone immediately, those procedures as detailed in Section 51130 et seq of the California Government Code shall be applied.

Add Section 22.08.045 to read:

T-P ZONED PROPERTY - RESTRICTED USES

With respect to property under Timber Preserve (T-P) Zoning, all regulations listed under Section 20.10.4, et seq, which govern permittec and compatible uses shall apply.

The above ordinance was introduced by Supervisor de Vall, seconded by Supervisor Crofoot, and PASSED AND ADOPTED THIS 10th day of March 1981, by the following vote of the Board of Supervisors of the County of Mendocino, State of California:

AYES: Supervisors Crofoot, Hamburg, Cimolino, de Vall, Eddie

NOES: None

ABSENT: None

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

James Eddie
CHAIRMAN OF SAID BOARD OF SUPERVISORS

ATTEST:

Albert P. Beltrami
Clerk of the Board cf Supervisors

By: _____
Deputy Clerk

LIST OF EXISTING PRIVATE VISITOR ACCOMMODATIONS IN THE COASTAL ZONE OF MENDOCINO COUNTY AS OF AUGUST, 1982

Name	LCP Designations	Assessor's Parcel Nos.	Number of Overnight Units
Howard Creek Ranch	*5, RMR-20	13-850-03	7
DeHaven Valley Farm	*1, RMR-20	13-890-02	7
Wage's Creek Beach Campground	*3, RMR-20	13-240-34	250
Westport Inn	RV	13-280-14	6
Cobweb Palance Inn	RV	13-300-16	7
Cleone Lodge	RV	69-152-13	9
Cleone Grocery and Campground	RV	69-153-20	30
Greenacres	RR-2	69-161-15	61
Hi-Seas Motel	C	69-241-05	14
Oceanview Lodging	C	69-241-06	12
Beachcomber Motel	C	69-241-09	22
Anchor Lodge	FV	18-140-12	14
Salmon Inn	FV	18-140-18	6
Dolphin Cove Marina	FV	18-330-02	56
Harbor Trailer Park	C	18-440-20	49
Shoreline Motel	C	17-140-13	11
Hidden Pines Campground	C	17-140-14	60
Coast Motel	C	17-140-15	20
Pomo Campground	*3, RR-2	17-160-75	104
Woodside Trailer Park	*3, SR-MH	17-080-22	104
Pine Beach Inn	*2, RR-1	17-360-03/04/07	51
Jug Handle Farm	*1,*3, RMR-20	17-250-30	12
Caspar Beach Trailer Park	*3, RR-1	118-120-03	89
Point Cabrillo Cottages and Campground	*2,3C,RR-5-PD	118-160-18	16
Ames Lodge	*1, FL	119-480-04	6
Blackberry Inn	*2, RR-5	119-010-19	13
Big River Lodge	*2, RR-5	119-300-05	23
Mendocino Campground	*3, RR-5	119-310-02/03/04	60
Glendeven Inn	*1, RR-2	121-260-28	6
Little River Inn	*5, RR-2	121-090-12/13, 121-280-01/02, 121-290-09/26	42
Fools Rush Inn	*2, RR-2	121-290-04	9
The Victorian Farmhouse	*1,4, RMR-20	121-020-03	4
School House Creek Inn	*1,4 RMR-20	121-020-02	12
Sea Foam Lodge	*1, RR-5	121-050-10	30
Andiron Lodge	*1, RR-5	121-040-21/24	12
Heritage House	*5, RR-2	121-130-08/09/10/11 13/14, 123-010-02/03/ 04/05/16/18	62

LIST OF EXISTING PRIVATE VISITOR ACCOMMODATIONS IN THE COASTAL ZONE OF MENDOCINO COUNTY AS OF AUGUST, 1982 (con't)

Name	LCP Designations	Assessor's Parcel Nos.	Number of Overnight Units
Albion River Inn	*2, RMR-20	123-050-02	6
Albion Flat RV Campground	FV	123-170-01	101
Schooner's Landing	FV	123-060-14	12
Mendocino Christian Camp	*3, FL	123-020-17	30
Navarro Ridge Inn	*1, RR-10	123-320-04	12
Sandpiper Guest House	RV	127-160-06	5
Harbor House Inn	RV	127-170-08	9
Greenwood Lodge	RV	127-181-06	6
Elk Cove Inn	RV	127-240-03/04	3
Greenwood Pier	RV	127-181-08/10	5
Green Dolphin Inn	RV	127-232-04	2
Manchester Beach, KOA Campground	*3, RR-2	133-010-08	97
Point Arena Campground	*3, RR-5	27-010-12	30
Anchor Bay Campground	C	144-020-03	76
Mar Vista Motel	*5, RR-1	144-010-13	12
Whale Watch	*1, RR-5	144-011-14/15	5
Serenisea Motel	*2, RR-10	144-100-13	4
Re-Newell Center	*2, RR-2	144-130-34	7
St. Orres	*1, RR-2	144-130-05	11
Old Milano Hotel	*1,	145-262-24	9
Gualala River Redwood Park	*3	145-270-29	142
Surf Motel	C	145-262-22	17
Gualala Hotel	C	145-262-03	15

ADDITIONAL EXISTING VISITOR FACILITIES DESIGNATED WITH *4

Name
Stone Painting Museum
Catch a Canoe
The Ledford House
Gregory's Restaurant
The Sea Urchin

ORDINANCE 3428

ORDINANCE AMENDING CHAPTER 22.08 OF THE MENDOCINO COUNTY CODE - RESOURCE PRESERVES

The Board of Supervisors of the County of Mendocino do ordain as follows:

Chapter 22.08 of the Mendocino County Code is amended to read as follows:

"RESOURCE PRESERVES

Section 22.08.010 DECLARATION.

(A) The legislature of the State of California, in enacting the California Land Conservation Act of 1965 also known as the Williamson Act and subsequent amendments, found that the preservation of a maximum amount of a limited supply of prime agricultural land is necessary to the state's economic resources; that the discouragement of premature and unnecessary conversion of prime agricultural land to urban uses is a matter of public interest; that in a rapidly urbanizing society agricultural lands have a definite public value as open space; that the preservation of a maximum amount of the limited supply of agricultural land is necessary for the maintenance of the agricultural economy of the state and for an assurance of adequate, healthful and nutritious food for future residents of this state and the nation; that the agricultural work force is vital to sustaining agricultural productivity and that land within a scenic highway corridor or wildlife habitat has a value to the state because of its scenic beauty and its location adjacent to or within the view of a state scenic highway or because it is of great importance as habitat for wildlife and contributes to the preservation or enhancement thereof.

(B) The Board of Supervisors of the County of Mendocino concurs with the findings of the California State Legislature.

(C) It is essential to the objectives of the California Land Conservation Act of 1965 also know as the Williamson Act that an orderly system be established whereby property within Mendocino County may be incorporated into agricultural preserves and the owners of said property may, by contract, further restrict the use of their property to exclusively agricultural, recreational or open space purposes.

* * *

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* * *

Section 22.08.020 CREATION OF PRESERVES.

(A) Property within the County of Mendocino may be incorporated into agricultural preserves, and property within any agricultural preserve may be further restricted by contracts between the County of Mendocino and the owners of said property pursuant to the following procedures and not otherwise:

(1) An agricultural preserve shall consist of no less than 100 acres; provided that, in order to meet this requirement, two or more parcels may be combined if they are contiguous

or if they are in common ownership; and further provided that no parcel containing less than 100 acres shall be combined for this purpose with any parcels subject to an existing agricultural preserve contract unless the owners of all parcels included within the agricultural preserve have indicated their approval in writing on the petition. An agricultural preserve may contain land other than agricultural land, but the use of any land within the preserve and not under contract shall within two (2) years of the effective date of any contract on land within the preserve be restricted by zoning or other suitable means in such a way as not to be incompatible with the agricultural use of the land, the use of which is limited by contract in accordance with this chapter. Agricultural preserves of less than 100 acres may be established if the Board of Supervisors finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment of preserves of less than 100 acres is consistent with the General Plan of the County.

(2) A petition for the formation of an agricultural preserve containing 100 or more contiguous acres shall be filed with the Mendocino County Planning Department. Said petition shall be executed by all property owners within the proposed preserve and shall contain the following:

(a) Names and addresses of all parties of record title within the preserve.

(b) A 'statement of intent' for the property to be incorporated into an agricultural preserve as defined by the California Land Conservation Act of 1965 also known as the Williamson Act and subsequent amendments.

(c) A legal description, or the assessor's parcel number, of the land which is proposed to be included within the preserve and a statement that it covers a minimum of 100 or more acres.

(d) A description of the general character and current use of the property.

(3) Said petition shall have affixed thereto a map of sufficient size to adequately reflect the following:

(a) Exterior boundaries of the proposed preserve and approximate acreage.

(b) All individual parcels within the proposed preserve, approximate acreage of each, and assessor's parcel number.

(c) Names of the owners of each parcel.

(4) No property shall be incorporated into an agricultural preserve unless the Board of Supervisors finds that it meets the eligibility qualifications established by this chapter for prime agricultural land, timberland, * * * rangeland, recreational use, land within a scenic highway corridor, wildlife habitat, salt pond, a managed wetland area, or submerged area. An agricultural preserve consisting primarily of prime agricultural land shall be classified as Type I. An agricultural preserve consisting primarily of rangeland or forest land shall be classified as Type II and all other remaining agricultural preserves shall be classified as Type III.

(5) A public hearing shall be held by the Planning Commission pursuant to legal notice, and within 30 days after receiving the petition, the Planning Commission shall submit a report thereon to the Board of Supervisors; provided, however, that

the Board of Supervisors may extend the time allowed for an additional period not to exceed 30 days.

During said public hearing, any interested person may appear and present evidence. All relevant evidence shall be received and considered by the Commission.

(6) The Board of Supervisors, upon receipt of the Planning Commission report, shall hold a public hearing on the petition for the the agricultural Preserve and the Planning Commission's report. Notice of the hearing shall be published for one time in a newspaper of general circulation in Mendocino County and shall include a legal description, or the assessor's parcel number, of the land which is proposed to be included within the preserve. If the Board decides to establish the * * * preserve, it shall do so by a resolution which shall determine the boundaries of those areas within which Mendocino County will be willing to enter into agricultural preserve contracts.

(7) Property shall be deemed contiguous although not actually touching if the only division is caused by a railroad, roadway, public throughfare, or private easement.

(8) No agricultural preserve may be established or approved by the Board of Supervisors unless the property within the proposed preserve boundaries has been approved by the Board of Supervisors for the following restrictive zoning: Agricultural (A-G), Rangeland (R-L), Forestland (F-L) or zoning allowing 'recreational use' or 'open-space use' as set forth in this chapter. The Planning Commission and the Board of Supervisors may consider petitions for rezoning of said property at the same time it considers the petition for the formation of an agricultural preserve for said property. No agricultural preserve contract may be executed on behalf of the County until the ordinance rezoning the property covered by said contract to the aforesaid restrictive zoning has become final.

(9) The fees for the processing of agricultural preserves shall be as set forth in the schedule adopted by resolution of the Board of Supervisors.

* * *

Section 22.08.021 DEFINITIONS.

The following definitions shall apply with respect to the eligibility of any land proposed to be incorporated into an agricultural preserve:

(A) 'Agricultural commodity' means any and all plant and animal products produced in this state for commercial purposes.

(B) 'Agricultural use' means use of land for the purpose of producing an agricultural commodity for commercial purposes.

(C) 'Prime agricultural land' means any of the following:

(1) All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

(2) Land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity

equivalent to at least one (1) animal unit per acre as defined herein.

(4) Land planted with fruit or nut-bearing trees, vines, bushes or crops which have a nonbearing period of not less than five (5) years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars ($200) per acre.

(5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars ($200) per acre for three (3) of the previous five (5) years.

(D) 'Agricultural preserve' means an area devoted to either agricultural use, as defined in subdivision (B), recreational use as defined in subdivision (K), or open-space as defined in subdivision (L), or any combination of such uses and which is established in accordance with the provisions of this chapter.

(E) 'Compatible use' is any use determined by the County administering the preserve or by the California Land Conservation Act of 1965 also known as the Williamson Act to be compatible with the agricultural, recreational, or open-space use of the land within the preserve and subject to contract. 'Compatible use' includes agricultural use, recreational use or open-space use unless the board finds after notice and hearing that such use is not compatible with the agricultural, recreational or open-space use to which the land is restricted by contract pursuant to this chapter.

(F) A 'scenic highway corridor' is an area adjacent to, and within view of, the right of way of:

(1) An existing or proposed state scenic highway in the state scenic highway system established by the legislature pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code and which has been officially designated by the Department of Transportation as an official scenic highway; or

(2) A county scenic highway established pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code, if each of the following conditions have been met:

(a) The scenic highway is included in an adopted General Plan of the county or city; and

(b) The scenic highway corridor is included in an adopted specific plan of the county; and

(c) Specific proposals for implementing the plan, including regulation of land use, have been approved by the Advisory Committee on a Master Plan for Scenic Highways, and the county highway has been officially designated by the Department of Transportation as an official county scenic highway.

(G) A 'wildlife habitat area' is a land or water area designated by the Board, after consulting with and considering the recommendations of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state.

(H) A 'salt pond' is an area which, for at least three (3) consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, has been used for

the solar evaporation of sea water in the course of salt production for commercial purposes.

(I) A 'managed wetland area' is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted and which, for at least three (3) consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, was used and maintained as a water fowl hunting area or game refuge for an agricultural purpose.

(J) A 'submerged area' is any land determined by the Board to be submerged or subject to tidal action and found by the Board to be of great value to the state as open-space.

(K) Within a Type I or Type II agricultural preserve, 'recreational use' is the use of the land for any of the following: walking, hiking, picnicing, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided.

Within a Type III agricultural preserve, 'recreational use' is the use of the land by the public, with or without charge, for any of the following: walking, hiking, picnicing, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any fee charged for the recreational use of the land as defined within a Type III agricultural preserve shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public. The landowner may designate reasonable times and dates for use by the public for any recreational use provided, however, that the landowner provides a minimum of ninety (90) days of such use per year and sets forth such use on his or her reporting statement.

(L) 'Open-space use' is the use or maintenance of land in such a manner as to preserve its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, or for the solar evaporation of seawater in the course of salt production for commercial purposes, if such land is within:

(1) A scenic highway corridor, as defined in subdivision (F).

(2) A wildlife habitat, as defined in subdivision (G).

(3) A salt pond, as defined in subdivision (H).

(4) A manage wetland area, as defined in subdivision (I).

(5) A submerged area, as defined in subdivision (J).

* * *

* * *

* * *

Section 22.08.050 COMMERCIAL RANGELAND.

The following rules shall apply to all lands eligible for incorporation as rangeland in an agricultural preserve:

(A) Commercial rangeland eligible for incorporation into an agricultural preserve shall meet the following qualification:

All land comprised of soils classified as grass, oak-grass, and other soils that may produce feed at the rate of forty (40) acres or less per animal unit.

(1) An animal unit (A.U.) for the purposes of this chapter is defined as the quantity of forage required for good growth and production of one mature head of cattle or its equivalent in feed requirement; 4.8 tons of hay shall be deemed such feed requirement.

(2) The definition and separation of rangeland soils shall be as indicated in the soil-vegetation maps filed with the University of California Cooperative Extension Service in Mendocino County and in accordance with the Storie land-use rating and grazing percentage of range soils. Such grazing percentage and grazing rate shall be based upon the soils map of the 1947 Upland Soil Survey of Mendocino County as amended. Land not included in the Upland Soil Survey may qualify for inclusion if the carrying capacity can be shown to be forty (40) acres or less per animal unit. The burden of demonstrating that land not included in the said Upland Soil Survey has a carrying capacity of forty (40) acres or less per animal unit shall be borne by the applicant.

(B) No land shall be included within an agricultural preserve as rangeland unless the Board of Supervisors finds the following size and use requirements are presently met:

* * *

(1) A minimum production potential of ten (10) animal units of feed, such production potential requiring a production of feed sufficient for fifty (50) sheep or ten (10) mature beef or dairy animals.

(2) A range in continuous use for livestock production and having within the preceding three (3) years a one-year history of such production.

(C) Commercial rangeland shall be deemed to be in material noncompliance with its agricultural preserve contract if not used for livestock grazing for three (3) out of the five (5) preceeding years at the above mentioned standard of forty (40) acres or less per animal unit.

Section 22.08.060 RESTRICTED USES.

All property subject to Mendocino County agricultural preserve contracts shall be restricted to the agricultural, open-space, recreational, and compatible uses hereinbelow set forth for the particular zone * * * in which such property has been classified; provided, however, that no agricultural, recreational, open-space or compatible use listed below shall be permitted under any agricultural preserve contract if not permitted by Title 20 of the Mendocino County zoning ordinance.

Section 22.08.070 LANDS ZONED A-G, R-L AND F-L WITHIN AN AGRICULTURAL PRESERVE.

With respect to property under a Mendocino County agricultural preserve contract which is zoned * * * A-G, R-L or F-L the following * * * agricultural * * * uses shall be * * * permitted:

Agricultural Use Types

Horticulture
Row and field crops
Tree crops
Packing and processing: limited; which is the packing or processing of crops grown on the premises.
Forest production and processing: limited; which refers to the growing, harvesting, curing, milling,

packaging, packing, shipping and selling of forest products, produced on the premises.

The following agricultural accessory uses are permitted:

(1) Private garages.

(2) Children's play houses, patios, porches, gazebos, etc.

(3) Windmills.

(4) Silos.

(5) Shops (non-business purposes).

(6) Barns.

(7) Private swimming pools and hot tubs.

(8) Guest cottage. One (1) guest cottage is permitted for each residence on a parcel. In lieu of a guest cottage, a detached bedroom is permitted. In lieu of a guest cottage, a temporary family care unit may be substituted.

(9) Detached bedrooms. Not more than two (2) detached bedrooms are permitted upon each parcel. If a guest cottage is constructed the guest cottage and one (1) detached bedroom may be constructed instead of two (2) detached bedrooms.

(10) Travel trailer or camper. The maintaining of one (1) travel trailer or camper in dead storage where it is not used for occupancy or business purposes.

(11) Home occupations subject to the restrictions as set forth in Article XXVIII of Title 20 of the Mendocino County Code.

(12) Roadside sales of agricultural products. Operations of a single roadside stand for a display and sales of only those products produced on the premises, or on other property owned or leased by the vendor, as permitted by the zoning ordinance, provided that the stand does not exceed an area of 200 square feet, and is located not nearer than 15 feet to any street or highway.

(13) Other necessary and customary uses. Accessory agricultural uses and agricultural structures, in addition to those set forth, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to an agricultural or compatible use, as determined by the director.

Section 22.08.071 LAND WITHIN AN AGRICULTURAL DISTRICT ZONED A-G.

With respect to property under a Mendocino County agricultural preserve contract which is zoned agricultural (A-G), the permissible agricultural and compatible uses shall be as follows:

(A) The permitted agricultural uses are as follows:

(1) Animal use types
Animal raising
Packing and processing; winery

(2) Commercial use types
Animal sales and services: stockyards

(3) Residential use types
Family residential: single family

(B) Uses subject to a minor use permit. The following use types are permitted in the A-G district upon issuance of a minor use permit:

(1) Residential use types
Farm employee housing
Farm labor camps

(2) Commercial use types
Cottage industry: resource lands

* * *

(C) Uses subject to a major use permit. The following use types are permitted in the A-G district upon issuance of a major use permit:

(1) Residential use types
Family residential: dwelling group
Family residential: cluster development

(2) Civil use types
Major impact facilities
Major impact service and utilities

(3) Commercial use types
Animal sales and services: permanent auction yard
Animal sales and services: horse stables
Animal sales and services: veterinary (large animals)
Energy development: Production of energy other than that used on the property

(4) Agricultural use types
Animal waste processing
Packing and processing general

* * *

Section 22.08.080 LAND WITHIN THE RANGELAND DISTRICT (R-L).

With respect to property under an agricultural preserve contract zoned rangeland (R-L), the permissible agricultural and compatible uses shall be as follows:

(A) The permitted agricultural uses are as follows:

(1) Commercial use types
Animal sales and services: horse stables
Animal sales and services: kennels
Animal sales and services: stockyards

(2) Agricultural use types
Animal raising
Animal waste processing
Packing and processing: winery

(3) Residential use types
Family residential: single family

(B) Uses subject to a minor use permit. The following use types are permitted in the R-L district upon issuance of a minor use permit:

(1) Residential use types
Farm employee housing
Farm labor camps

(2) Commercial use types
Cottage industries: resource lands

* * *

(C) Uses subject to a major use permit. The following use types are permitted in the R-L district upon issuance of a major use permit:

(1) Agricultural use types
Packing and processing: general

(2) Commercial use types
Animal sales and services: permanent auction yard
Animal sales and services: veterinary (large animals)
Commercial recreation: outdoor sports and recreation
Commercial recreation: outdoor entertainment
Transient habitation: campground
Transient habitation: resort
Energy development: production of energy other than that used on the property

* * *

Section 22.08.081 LANDS WITHIN THE FORESTLAND DISTRICT (F-L).

With respect to property under an agricultural preserve contract zoned forestland (F-L), the following permissible agricultural compatible uses shall be as follows:

(A) The permitted agricultural and compatible uses are as follows:

(1) Commercial use types
Animal sales and services: horse stables
Animal sales and services: kennels
Animal sales and services: stockyard

(2) Agricultural use types
Animal raising
Animal waste processing
Packing and processing: winery

(3) Residential use types
Family residential: single family

(B) Uses subject to a minor use permit. The following use types are permitted in the F-L district upon issuance of a minor use permit:

(1) Residential use types
Farm employee housing
Farm labor camps

(2) Commercial use types
Cottage industry: resource lands

(C) Uses subject to a major use permit. The following use types are permitted in the F-L district upon issuance of a major use permit:

(1) Commercial use types
Animal sales and services: permanent auction yard
Community recreation: outdoor sports and recreation
Community recreation: outdoor entertainment
Transient habitation: campground
Transient habitation: resort
Energy development: production of energy other than that used on the property

(2) Agricultural use types
Forest production and processing: general

Section 22.08.082 POWER TO CONTRACT.

The County may not contract with respect to any land pursuant to this chapter unless the land:

(A) Is devoted to agricultural use.

(B) Is located within an area designated by the County as an agricultural preserve.

Section 22.08.083 INCLUSION OF LAND WITHIN SCENIC HIGHWAY CORRIDOR, WILDLIFE HABITAT AREA, SALT POND, MANAGED WETLAND AREA OR SUBMERGED AREA.

Notwithstanding any provisions of this chapter to the contrary, land devoted to recreational use or land within a scenic highway corridor, a wildlife habitat area, a salt pond, a managed wetland area, or a submerged area may be included within an agricultural preserve pursuant to this chapter. When such land is included within an agricultural preserve, the County may contract with the owner for the purpose of restricting the land to recreational or open-space use and uses compatible therewith in the same manner as provided in this chapter for a plan devoted to an agricultural use. For purposes of this section, where the term 'agricultural land' is used in this chapter, it shall be deemed to include land devoted to recreational use and land within a scenic highway corridor, a wildlife habitat, a salt pond, a manage wetland area or a submerged area and where the term 'agricultural use' is used in this chapter, it shall be deemed to include recreational and open-space use.

Section 22.08.085 LAND WITHIN SCENIC HIGHWAY CORRIDOR; INCLUSION IN AGRICULTURAL PRESERVE; CONTRACT TO RESTRICT USE.

Notwithstanding any provision of this chapter to the contrary, land within a scenic highway corridor, as defined in Section 22.08.021(F), shall, upon the request of the owner, be included in an agricultural preserve pursuant to this chapter. When such land is included within an agricultural preserve, the County shall contract with the owner for the purpose of restricting the land to agricultural use as defined in subdivision (B), recreational uses for Type III agricultural preserve contracts as defined in subdivision (K), open-space uses defined in subdivision (L), compatible uses defined in subdivision (E), or any combination of such uses.

Section 22.08.090 REPORTING STATEMENT.

All land within an agricultural preserve whose owner does not comply with the following reporting requirement shall be deemed to be in material noncompliance with its agricultural preserve contract: The landowner shall file a reporting statement for any land included within an agricultural preserve whether Type I, Type II or Type III. Such reporting statement shall be on a form approved by the County of Mendocino and maintained in the office of the Agricultural Commissioner. The information contained in the reporting statement shall be confidential to the extent provided by law. The landowner shall file said reporting statement as follows:

(A). Every two (2) years as prescribed by the Mendocino County Agricultural Commissioner, and every two (2) years thereafter; and,

(B). Upon a change of ownership, use or possession; and,

(C). Upon the issuance of certificates of compliance pursuant to Government Code Section 66499.35 or any successor statute.

The landowner shall immediately inform the County upon change of use, possession or ownership and it shall be the duty of the new landowner to simultaneously complete a new reporting statement. The reporting statement shall be in a form approved by resolution of the Board of Supervisors and such reporting statement executed under penalty of perjury. The reporting period for such statement shall be the previous two (2) contract years or whatever portion of such period is included from the period of the last reporting statement until the change of use, possession, ownership or the issuance of certificates of compliance.

Section 22.08.100 SUBDIVISION AND LANDS DIVIDED BY VIRTUE OF ISSUANCE OF CERTIFICATES OF COMPLIANCE.

For the purposes of this section "subdivision" means the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes.

No land subject to an agricultural preserve contract shall be subdivided unless the County committee, commission, or board, having the authority to grant final approval of the type of subdivision involved has made the express finding that each of the parcels resulting from such subdivision meets the minimum eligibility qualifications for agricultural preserve status as were applicable at the time the agricultural preserve was established. If any of the parcels resulting from such subdivision does not meet the minimum eligibility qualifications for agricultural preserve status in effect at the time of the filing of the tentative map for such subdivision, the County shall, * * * deny the subdivision.

No land subject to an agricultural preserve contract shall be issued certificates of compliance unless the County committee, commission, or board, having the authority to grant certificates of compliance has made the express finding that each of the parcels resulting from the issuance of certificates of compliance meets the minimum eligibility qualifications for agricultural preserve status as were applicable at the time the agricultural preserve was established. If any of the parcels resulting from the granting of such certificates of compliance does not meet the minimum eligibility qualifications for agricultural preserve status in effect at the time the agricultural preserve was established, the County committee, commission, or board shall impose as a condition of granting the requested certificate of compliance, that the subject parcel or parcels not be used for anything other than agricultural use or a compatible use as set forth in the California Land Conservation Act of 1965, also known as the Williamson Act, and the subject agricultural preserve contract.

Section 22.08.110 NOTICE OF NONRENEWAL.

Any landowner who gives notice of nonrenewal of his or her agricultural preserve contract shall comply with the provisions of the California Land Conservation Act of 1965 also known as the Williamson Act * * *, of the agricultural preserve contract, and the following rules:

(A) A notice of nonrenewal given by or on behalf of a landowner shall apply to all of his or her land under the

particular contract involved unless the Board of Supervisors authorizes the landowner to serve a notice of nonrenewal on a portion thereof.

(B) A notice of nonrenewal shall not be effective if it would result in an area of less than 100 acres having a different term of contract unless either of the following applies:

(1) Said resulting area of less than 100 acres has been, or is currently, found by the Board of Supervisors to qualify as a smaller preserve necessary due to the unique characteristics of the agricultural enterprises in the area; or

(2) The landowner retains at least 100 acres under his common ownership within the particular agricultural preserve involved.

(C) A notice of nonrenewal shall not be effective until recorded with the Mendocino County Recorder.

(D) A notice of nonrenewal shall contain the following information:

(1) Name of each owner of the land subject to the notice of nonrenewal.

(2) Address of each such owner.

(3) Number of the agricultural preserve contract involved.

(4) Date of recording of the contract.

(5) Plan file number of the contract.

(6) Legal description of the land subject to the notice of nonrenewal.

(7) Date of execution of notice of nonrenewal.

(8) Name of party requesting nonrenewal.

(9) Signature of each such owner of the land.

(10) Acknowledgement of each such signature.

(11) Such other information as deemed appropriate by the Mendocino County Assessor.

(E) Any person desiring to give notice of nonrenewal shall apply to the Mendocino County Assessor for the appropriate form, giving his or her reason for nonrenewal. The Assessor shall process all notices of nonrenewal and shall arrange for the following entities to be notified upon any notice of nonrenewal being recorded:

(1) Mendocino County Planning Director.

(2) The Planning Department of any city whose limits are within three (3) miles of the land subject to such notice.

(3) Mendocino County Agricultural Commissioner.

(4) California State Resources Agency.

(5) Each and every holder of encumbrances upon the land subject to such notice.

(F) Upon receipt by the owner of a notice of nonrenewal from the County, the owner may make a written protest of the

notice of nonrenewal. The written protest must be made on or before November 30 of the year in which the notice of nonrenewal was sent. The County may, at any time prior to the renewal date, withdraw the notice of nonrenewal. Upon request by the owner, the board may authorize the owner to serve a notice of nonrenewal on a portion of the land under contract.

Section 22.08.120 RECORDING; NOTICE.

No later than twenty (20) days after the County enters into a contract with a landowner pursuant to this chapter, the Clerk of the Board shall record with the County Recorder a copy of the contract, which shall describe the land subject thereto, together with a reference to the map showing the location of the agricultural preserve in which the property lies. From and after the time of such recordation such contract shall impart such notice thereof to all persons as is afforded by the recording laws of this state.

Section 22.08.121 FURNISHING OF INFORMATION BY LANDOWNER.

The landowner shall furnish the County with such information as the County shall require in order to enable it to determine the eligibility of the land involved.

Section 22.08.130 ELIGIBILITY QUALIFICATIONS AS CONTINUING REQUIREMENT.

Notwithstanding any other provision of this chapter to the contrary, an agricultural preserve contract shall be deemed materially breached if the land subject thereto at any time fails to meet the eligibility qualifications set forth in this chapter for the type of land involved.

Section 22.08.131 ENFORCEMENT.

The County or landowner may bring any action in court necessary to enforce any contract, including, but not limited to, an action to enforce a contract by specific performance or injunction. The County may elect to sue for liquidated damages as set forth in the contract which sum is equal to 25% of the full cash value, as defined by Revenue and Taxation Code Section 110, of the land when relieved of the restriction, as found by the Assessor.

Section 22.08.132 SEVERABILITY.

If any article, section, subsection, paragraph, sentence, clause or phrase of this ordinance, which is reasonably severable from the remaining portion of this ordinance is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being herein expressly declared that this ordinance and each article, section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more sections, subsections, paragraphs, clauses or phrases be declared invalid or unconstitutional."

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this 12th day of April, 1983, by

the following roll call vote:

AYES: Crofoot, Eddie, Cimolino, de Vall, Hamburg

NOES: None

ABSENT: None

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

Dan Hamburg
Chairman, Board of Supervisors

ATTEST: ALBERT P. BELTRAMI
Clerk of Said Board

By: Joyce A. Beard
Deputy Clerk

APPROVED AS TO FORM:

JOHN A. DRUMMOND
County Counsel

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

ALBERT P. BELTRAMI
Clerk of the Board

By: Joyce A. Beard

LAND USE MAP FINDINGS IN SUPPORT OF LAND USE MAPS AS RECOMMEND BY THE PLANNING COMMISSION

1) This land use designation reflects similar parcel sizes and uses of nearby/surrounding/locally evident development pattern.

2) This proposed land use designation allows for an increase in density greater than the average existing parcel size to meet the/a demonstrated social and economic need.

3) This proposed land use designation allows for an increase in the number of parcels smaller than the average existing parcel size to take the pressure off of other resource areas.

4) This proposed land use designation would allow an increase in the number of parcels less than the average existing parcel size because this area is a logical extension of a public service district.

5) This proposed land use designation allows, at full buildout, a substantial increase of parcels which do not reflect the average parcel size because the State/County Road system has been developed to/through/adjacent to this area which would accommodate the proposed growth.

6) The area encompassed within this proposed land use designation is considered to be a logical infilling area and as such may not reflect the average parcel size of the existing parcels.

7) This proposed land use designation would allow parcels to be developed smaller than the existing average parcel size to maintain the County's commitment to provide for additional development.

8) The new parcel size which may be developed consistent with the designated land use is smaller than the existing average parcel size in order to correspond to previously adopted plans.

9) Development is proposed for this area in excess of existing parcel size averages because this area is not considered to be a significant resource area and can support additional development.

10) Parcel sizes proposed for this area do not reflect the existing average size because this area on balance with other similarly developed areas is more appropriate to receive additional development.

11) The density proposed for this area recognizes previously issued approvals and entitlements.

12) The minimum parcel size proposal for this area, although smaller than the existing average parcel size, has been selected for the purpose of concentrating development in an appropriate area.

13) Increased density has been proposed for this area because highway capacity is not a limiting factor.

14) Increased density has been proposed for this area because it is not within a critical groundwater resource area.

15) The minimum parcel size proposed for this area is smaller than the existing average because the existing infrastructure is capable of serving greater density.

16) Although the minimum parcel size proposed for this area is smaller than the existing average, the area has been the subject of an EIR which supports the proposed density.

17) Although the proposed parcel size for this area is smaller than the average parcel size, the number of new parcels that may be created is insignificant.

18) Although the proposed parcel size for this area is smaller than the average parcel size, the area is sufficiently built-out to prevent any substantial creation of new parcels.

19) The parcel size proposed for this area, although smaller than the average size, has been chosen to avoid rendering the majority of existing lots non-conforming.

20) The proposed minimum parcel size will not allow the creation of any new parcels.

21) The development of parcel sizes smaller than the existing average parcel size is proposed for this area because this area has been designated for Planned Development which has the flexibility to mitigate problems from potential development.

22) The density proposed for this area recognizes and takes into account the existing zoning applied by the County of Mendocino and adjoining County General Plan densities.

BOARD OF SUPERVISORS

LAND USE MAP FINDINGS TABLE

MAP NUMBER	KEY TO LAND USE POLYGON A - Z	EXISTING AVERAGE PARCEL SIZE	PROPOSED CLASSIFICATION PC	AVG.	REMARK	FINDINGS OF SUPPORT & COMMENTS
1						
2						
3						
4						
5						
6						
7						
8	A	100 ac	RMR-40	(RL, FL)		3,5,13 & 22
9						
10	A	3.9	RR-2	(RR-5)	Ag Buff (RR-10)	1,3,6,9,10,12,13,14,17 & 18
	B	2.2	RR-1	(RR-2)		1,2,3,5,6,7,10,12,13, 17 & 18
	C	19.7	RR-10	(RR-20)		1,5,10,12 & 13
	D	17.0	RR-10	(RMR-20)		2,7,13 & 17
11	A	4.6	RR-2	(RR-5)		1,2,3,5,6,7,9,10,12,13 & 14
	B	4.8	RR-2	(RR-5)	Ag Buff (RR-10)	1,2,5,6,9,10,12,13 & 14
	C	22.6	RR-5	(RMR-20)	TPZ (RR-10)	2,7,9,10,12 & 13
12	A	13.6	RR-2	(RR-10)	Ag Buff (RR-10)	1,2,3,5,6,7,10,12,13 & 14
	B	16.2	RMR-40	(RMR-20)		
	C	8.2	RR-2	(RR-10)		URBAN SIDE OF U/R BOUNDARY
	D	3.2	RR-1	(RR-2)		URBAN SIDE OF U/R BOUNDARY
	E	8.5	SR	(RR-10)		URBAN SIDE OF U/R BOUNDARY

MAP NUMBER	KEY TO LAND USE POLYGON A - Z	EXISTING AVERAGE PARCEL SIZE	PROPOSED CLASSIFICATION PC	AVG.	REMARK	FINDINGS OF SUPPORT & COMMENTS
	A	8.5 ac	RR-2	(RR-10)		URBAN SIDE OF U/R BOUNDARY
	B	2.4	SR-40K	(RR-2)		URBAN SIDE OF U/R BOUNDARY
	C	5.0	FV	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	D	1.0	FV	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	E	1.0	FV	(RR-1)		URBAN SIDE OF U/R BOUNDARY
13					Ag Buff	
	F	11.7	RR-5	(RR-10)	(RR-10)	URBAN SIDE OF U/R BOUNDARY
	G	40 K SQFT	SR-12K	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	H	3.5	RR-10	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	I	8.7	RR-5	(RR-10)		URBAN SIDE OF U/R BOUNDARY
					Ag Buff	
	J	2.0	RR-1	(RR-2)	(RR-10)	URBAN SIDE OF U/R BOUNDARY
	A	4.3	SR	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	B	1.4	FV	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	C	1.8	RR-1	(RR-2)		URBAN SIDE OF U/R BOUNDARY
					TPZ	
14	D	7.8	RR-5	(RR-5)	(RR-10)	URBAN SIDE OF U/R BOUNDARY
	E	3.8	RR-2	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	F	7.2	RR-2	(RR-10)		URBAN SIDE OF U/R BOUNDARY
	G	4.8	RR-2	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	H	11.4	RR-1-PD	(RR-10)		1,3,5,6,7,9,10,12,14 & 21
	I	1.7	RR-1	(RR-2)		1,3,5,6,7,9,10,12,14 & 15
	A	14.24	RMR-20	(RR-10)		(Creates 3 more parcels)17
					TPZ	
	B	33.9	RR-10	(RMR-40)	(RR-10)	1,2,5,6,7,9,10 & 12
	C	1.66	RR-5	(RR-1)		(Creates 1 more parcel) 17
					TPZ	
	D	34.0	RR-10	(RMR-40)	(RR-10)	1,3,5,6,9,10,12,14 & 17
	E	27.5	RR-5-PD	(RMR-20)		1,2,3,5,6,7,10,12 & 21
	F	22.3	RR-10	(RMR-20)		3,4,5,6,9,10 & 12
15					TPZ &	
					Ag Buff	
	G	22.3	RR-10	(RMR-20)	(RR-10)	2,3,5,6,9,10 & 12
					Ag Buff	
	H	22.3	RR-10	(RMR-20)	(RR-10)	2,3,5,6,9,10,12 & 14
	I	21.8	RR-5	(RMR-20)		2,3,5,6,9,10,12 & 14
	J	1.86	RR-1	(RR-2)		2,3,4,5,6,7,9,10,12,18 & 19
	K	24.61	RR-1-PD	(RMR-20)		1,2,3,4,5,6,7,9,10,12 & 21
16	A	11.2	RMR-20	(RR-10)		(Creates 10 more parcels) 3,5,9 & 12
	A	7.7	RR-5	(RR-10)		1,2,3,4,5,6,10 & 12
17					TPZ	
	B	10.0	RR-5	(RR10)	(RR-10)	1,3,4,6,10 & 12

MAP NUMBER	KEY TO LAND USE POLYGON A - Z	EXISTING AVERAGE PARCEL SIZE	PROPOSED CLASSIFICATION PC	AVG.	REMARK	FINDINGS OF SUPPORT & COMMENTS
17	C	10.0 ac	RR-5	(RR-10)	TPZ (RR-10)	1,2,3,6,7,10,12 & 17
	D	5.0	RR-2	(RR-5)	TPZ (RR-10)	1,2,3,6,7,10,12,14 & 18
	E	4.0	RR-2	(RR-5)		1,2,3,5,6,10,14 & 17
	F	11.0	RMR-20	(RR-10)	TPZ (RR-10)	5,6,10,12 & 17
	G	141.0	RMR-40	(FL)		LITTLE RIVER INN GOLF COURSE
	H	13.0	RMR-20	(RR-10)	TPZ (RR-10)	3,6,7,12 & 17
18	A	34.9	RMR-20	(RMR-40)	TPZ (RR-10)	5,9,10,14 & 17
	B	40.0	RR-10	(RMR-40)	TPZ (RR-10)	2,6,7,13,14 & 17
	C	14.3	RMR-20	(RR-10)	TPZ (RR-10)	5,7,9,10,12,14 & 17
	D	4.4	RR-10	(RR-5)		1,5,6,9,10 & 14
	E	33.3	RMR-20	(RMR-40)	TPZ (RR-10)	2,7 & 10
	F	7.5	RR-2	(RR-10)	TPZ (RR-10)	1,2,5,9,10,12 & 17
	G	6.0	FV	(RR-5)		1,2,3,5,6,7,10 & 12
	H	4.0	RR-2	(RR-5)	TPZ (RR-10)	1,2,5,6,12 & 13
	I	3.9	RR-2	(RR-5)		2,3,5,6,10 & 12
19	A	21.9	RMR-40	(RMR-20)		3,5,7,13 & 17
20	A	2.7	RR-5	(RR-2)		1,2,3,5,6,7,10 & 12
	B	5.5	RR-10	(RR-5)	Ag Buff (RR-10)	1,2,3,4,5,6,7,9,10 & 12
	C	.8	RR-2-DL	(RR-1)		1,2,3,5 & 17
	D	12.9	SR	(RR-10)	(MHP)	1,2,3,5 & 17
21						
22					Ag Buff	&
	A	87.5	SR-PD	(RL)	TPZ (RR-10)	URBAN SIDE OF U/R BOUNDARY
	B	27.9	RR-10	(RMR-20)		URBAN SIDE OF U/R BOUNDARY
	C	13.0	SR-12K-PD	(RR-10)	TPZ (RR-10)	URBAN SIDE OF U/R BOUNDARY
	D	6.7	SR-12K-PD	(RR-5)	TPZ (RR-10)	URBAN SIDE OF U/R BOUNDARY
	E	85.0	SR-12K-PD	(RL)	Ag Buff (RR-10)	URBAN SIDE OF U/R BOUNDARY
23	A	.7	SR	(RR-1)	Ag Buff (RR-10)	2,5,11 & 17
	B	.9	RV	(RR-1)	Ag Buff (RR-10)	URBAN SIDE OF U/R BOUNDARY

MAP NUMBER	KEY TO LAND USE POLYGON A - Z	EXISTING AVERAGE PARCEL SIZE	PROPOSED CLASSIFICATION PC	AVG.	REMARK	FINDINGS OF SUPPORT & COMMENTS
23	C	60.0 ac	RR-5	(AG)	Ag Buff (RR-10)	URBAN SIDE OF U/R BOUNDAR'
	D	9.0	RR-5	(RR-10)	Ag Buff (RR-10)	1,5,11,14 & 17
	E	7.9	RR-5	(RR-10)	Ag Buff (RR-10)	1,5,11,14 & 17
24	A	1.1	RR-2	(RR-1)		7,9,14 & 18
25	A	14.0	RMR-20	(RR-10)	Ag Buff & TPZ (RR-10)	5,7 & 13
	B	5.1	RR-10	(RR-5)	TPZ (RR-10)	5,7 & 13
26	A	10.0	RR-5	(RR-10)	Ag Buff (RR-10)	3,5,7,9 & 13
	B	12.0	RMR-20	(RR-10)	Ag Buff (RR-10)	3,5,9 & 13
27	A	97.2	RMR-20	(FL)	TPZ (RR-10)	1,2,5,7,12 & 13
	B	1.2	RMR-20	(RR-1)	TPZ RR-10)	5,13 & 20
28	A	2.5	RR-5-DL	(RR-2)		1,3,5,13 & 17
	B	17.3	RMR-40	(RMR20)	TPZ (RR-10)	20
	C	16.5	RR-10	(RMR-20)	TPZ (RR-10)	1,3,5,6,10,11 & 13
29	A	30.7	RMR-20	(RMR-40)	TPZ (RR-10)	5,6,7,10 & 13
	B	40.0	RR-10	(RMR-40)	TPZ (RR-10)	5,6,7,10 & 13
	C	4.9	RR-2	(RR-5)		14,5,6,9,10,12 & 13
	D	.9	SR-40K-PD	(RR-1)		1,2,3,4,5,6,7,9,10,12,13 & 21
30	A	20.0	RR-10	(RMR-20)	TPZ (RR-10)	1,2,7,10,12,13 & 17
	B	24.2	RMR-40	(RMR-20)	TPZ (RR-10)	20
	C	15.4	RR-10	(RMR-20)		3,5,6,7,9,10,12 & 13
	D	2.2	RR-5	(RR-2)		20
	E	1.5	RR-1-PD	(RR-2)		1,2,3,4,5,6,10,12,13,17 & 21
	F	5.2	RR-10	(RR-5)		20
	G	3.7	RR-2	(RR-5)		1,3,4,6,9,10,12,13 & 17
	H	7.7	RR-5	(RR-10)		20
	I	5.2	RR-10	(RR-5)		20
31	A	10.4	RR-5	(RR-10)	TPZ (RR-10)	1,2,6,9,10,12,13 & 17
	B	15.6	RR-10	(RMR-20)		1,3,5,6,10,12,13 & 17
	C	2.6	RR-1	(RR-2)		1,3,5,6,10,12 & 13

MAP NUMBER	KEY TO LAND USE POLYGON A - Z	EXISTING AVERAGE PARCEL SIZE	PROPOSED CLASSIFICATION PC	AVG.	REMARK	FINDINGS OF SUPPORT & COMMENTS
	D	10.2 ac	RR-5	(RR-10)		1,3,5,6,10,12 & 13
					Ag Buff	
	E	17.4	RR-5-PD	(RMR-20)	(RR-10)	1,3,5,6,10,12,13 & 21
	F	17.3	SR-40K	(RMR-20)		1,3,5,6,10,12 & 13
					TPZ	
	G	38.1	RMR-20	(RMR-40)	(RR-10)	2,5,6,10,12 & 13
	H	2.7	RR-1	(RR-2)		1,2,3,5,6,9,10,12,13 & 17
	I	1.7	SR-40K	(RR-1)		URBAN SIDE OF U/R BOUNDARY
31	J	.5	SR	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	K	4.6	SR	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	L	15.0	RR-2	(RMR-20)		2,5,6,10,12 & 13
					TPZ	
	M	10.1	RR-5	(RR-10)	(RR-10)	URBAN SIDE OF U/R BOUNDARY
					TPZ	
	N	25.9	RMR-40	(RMR-20)	(RR-10)	20
	O	4.7	RR-2	(RR-5)		URBAN SIDE OF U/R BOUNDARY
	A	2.2	RR-1	(RR-2)		URBAN SIDE OF U/R BOUNDARY
	B	.6	SR-20K	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	C	5.7	RR-PD	(RR-5)		URBAN SIDE OF U/R BOUNDARY
32	D	1.2	RM	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	E	.9	RM	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	F	.9	RM	(RR-1)		URBAN SIDE OF U/R BOUNDARY
	G	20.5	RR-1-PD	(RMR-20)		URBAN SIDE OF U/R BOUNDARY

	Name	Location	Characteristics	Existing/Potential Development
1.	Briceland Road Coastal Trail	County Road 435 from Four Corners to (north of) Bear Harbor paralleling the coast through Sinkyone State Park.	6 miles of County road, suitable for hikers, equestrian. Potential trails connect to shoreline.	unpaved; complete to Bear Harbor.
2.	Whale Gulch Shoreline	Sinkyone Wilderness State Park. 3 miles south of Humboldt County line, 1 mile southwest of Four Corners.	Sandy beach used for fishing and diving. Reached from Briceland Road from Low Gap Creek.	Undeveloped campground; non-vehicular access from Low Gap Creek
3.	Bear Harbor Shoreline	Sinkyone Wilderness State Park. 6 miles south of Humboldt County line, 6.2 miles southwest of Four Corners	Access via Four Corners-Usal Creek Trail. Beach used for fishing and diving.	Undeveloped campground; non-vehicular access for able-bodied persons from end of Briceland Road
4.	Jackass Creek Shoreline	14 miles north of Usal Road turn-off from Highway 1.	Private 500 foot sand beach bordered by rocky shore and cliffs. Access via Four Corners-Usal Creek Trail or Usal Road.	Undeveloped campground; acquire as part of DPR Usal Ranch Project.
5.	Little Jackass Creek Shoreline	13 miles north of Usal Road turn-off from Highway 1.	300 foot sand beach bordered by rocky shore and cliffs. Sensitive marine habitat area. Access via Four Corners-Usal Creek Trail or Usal Road.	Undeveloped campground; acquire as part of DPR Usal Ranch Project.
6.	Usal Creek Shoreline	6 miles north of Usal Road turn-off from Highway 1.	Private ½ mile long beach, 5 acre lagoon and large level area suitable for car camping. Access from Usal Road or Four Corners-Usal Trail.	Undeveloped campground; DPR Usal Ranch Project, Car campground; restroom facilities.
7.	Usal Road Coastal Trail	Humboldt County Line to Highway 1, 3 miles north of Rockport	Approximately 30 miles of County maintained road, suitable for hikers and equestrians. Potential trails connect to shoreline.	Designated by County Trails Plan.
8.	Lost Coast Trails	Briceland Road, Portions of Usal Road and State Highway 1 north of Rockport.	Utilizing portions of existing roads and trails to encourage hike-in recreation.	Non-vehicular access to coastal trails for hiking and equestrian access to coastal beaches.
9.	Rockport Bay/ Cottaneva Creek Shoreline	3/4 mile west of Highway 1 at Rockport	Large beach used for fishing and diving, old mill site suitable for RV campground. Access from Highway 1. Private ownership.	Primitive camping; RV campground; entry fee may be charged.

[a] This table summarizes information presented in greater detail in Chapter 4. See Policies 4.1-1 to 4.12-13.

SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
10.	Westport-Union Landing State Beach	1 to 4 miles north of Westport	Narrow strip west of Highway 1. provides outstanding views.	Uncontrolled overnight use. Day use and improved camping.
11.	Branscomb Road Inland Trail	1 mile north of Westport, Highway 1 northeasterly to Laytonville	East-west dirt road unsuitable for most bicyclists.	Designated by County Trails Plan; high priority as major access from Highway 101.
12.	Wages Creek Shoreline	Area west of Highway 1 at Wages Creek	Private 175 unit campground adjacent to DPR lands.	Fee access for non-guests; room for greater development,
13.	Westport-Union Landing State Beach-Pete's Beach	.3 miles north of Westport, west of Highway 1	Trail to blufftop and beach, large parking area along Highway 1. Major beach for Westport residents.	Day use only.
14.	Caltrans Scenic Easement (Chadbourne Gulch)	West of Highway 1 extending 0.5 mile north and 0.7 mile south of Chadbourne Gulch.	Short unpaved road to small pocket beach (Chadbourne Gulch). Beach accessible to handicapped. Blufftop trail. Unimproved.	Day use; Parking area and trail to beach at Bruhel Point.
15.	South Kibesillah Gulch Fishing Access Shoreline	West of Highway 1, .5 mile north of Abalobadiah Creek	Shoreline access from steep bluff. Wildlife Conservation Board ownership; County Management.	Day use; maintain restrooms, picnic tables, improve trail to beach.
16.	Seaside Creek Shoreline	1 mile north of Ten Mile River bridge	Beach adjoins Highway 1, providing access to handicapped; possible prescriptive rights.	Acquire accessway and develop parking area.
17.	Seaside Creek to Pudding Creek Trail	North of Fort Bragg from Seaside Creek-Ten Mile River to Pudding Creek	Hiking/equestrian trail parallel to beach for 8 miles. Usable from Seaside Creek in summer and from Ten Mile Bridge and Pudding Creek year round. Alternative trail for non-vehicles.	Existing public accessway at Ocean Meadows, coastal trail segmented at mouth of Ten Mile River.
18.	Ten Mile River River Access	MacKerricher State Park, west of Highway 1, south bank of river	Unimproved boat access from G.P. haul road, open weekends and some winter months. Also access to north end of State Park.	Improve boating access; Power boats prohibited, except for out board trolling motors.
19.	Inglenook Grange Trail	MacKerricher State Park acquisition area, .5 miles north of Little Valley Road	Undeveloped trail to Inglenook Fen.	Acquire scientific access easement across private property to DPR acquisition area.
20.	Ward Avenue Shoreline	Cleone, MacKerricher State Park	Equestrian/hiking underpass to park; limited parking.	No access sign to be installed along Highway 1; maintain existing access.

	Name	Location	Characteristics	Existing/Potential Development
21.	Mill Creek Drive Shoreline	MacKerricher State Park, Cleone	County road provides uncontrolled access to park and large parking area.	Maintain free public access to shoreline parking area.
22.	Main Entrance Shoreline	MacKerricher State Park, south of Mill Creek Drive	Camping and day use	Add 50 campsites.
23.	Virgin Creek Shoreline	MacKerricher State Park, .1 mile north of Virgin Creek	State park parcel connecting to Highway 1	Maintain undeveloped nature
24.	Georgia-Pacific Haul Road Access	.5 mile north of Pudding Creek	Open to Ten Mile River on weekends, holidays and some winter months.	Highway sign including regulations.
25.	Pudding Creek Shoreline	MacKerricher State Park; north boundary of Fort Bragg, north side of creek.	Sandy beach; swimming in creek, parallel road for parking.	Improve day use facilities.
26.	Noyo Bay Shoreline	North side of Noyo Bay	600 foot beach; dirt dredge spoils storage, parking area	Maintain existing access, improvements by Noyo Harbor District.
27.	Noyo Harbor Fishing Access	Private boat ramp on north; 2 public ramps on south side	Developed boat launching areas.	Maintain existing access, more public viewing points.
28.	North Harbor Drive Shoreline and River Access	Immediately north of Noyo Harbor Bridge, east of Highway 1 transversing east then south to Noyo Fishing Village then to shoreline.	Northern portion is in City limits. Passes through Noyo Fishing Village on County Road 415A	Paved, except for large parking area west of bridge; improve parking at harbor entrance
29.	South Harbor Drive River Access	East of Highway 1, transversing north from Highway 20 into Noyo Fishing Village (south bank)	Major road into Noyo Fishing Village (south bank). County maintained-road 415.	Large improved parking area at terminus.
30.	Todd's Point Blufftop	Todd Subdivision, south side of Noyo Bay.	View area at entrance to Noyo Bay, prescriptive rights may exist.	Acquire viewpoint and trail, parking area at Chicken Point.
31.	Ocean View Drive Shoreline	West of Highway 1, just south of Noyo Harbor Bridge, extending .5 miles to blufftop.	Existing accessway to Todd Subdivision transversing on County Road 439 to blufftop and outstanding views to ocean and Noyo Bay.	Development of Chicken Point.
32.	Hare Creek	North side of Hare Creek	Access to Hare Creek Beach.	Proposed trail from CR 439A to Hare Creek Beach.
33.	Hare Creek	South side of Hare Creek	Creekside Trail	Existing pathway

SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
34.	Mendocino Botanical Gardens - Trail	Garden entrance is located west of Highway 1, north of Digger Creek	Extends from Highway 1 to the shoreline via developed network of paths.	Proposed loop trail to return to Pacific Ocean Drive south of Gardens.
35.	Mitchell Creek Shoreline	West of Highway 1, south of Mitchell Creek adjoining Pine Beach Inn	Paved trail extends to cove and beach from motel	Not to acquire fee access for non-guests, DPR to develop adjacent access.
36.	Jug Handle Area Trail	Jug Handle State Reserve and adjoining properties; Old Highway 1 at Pine Beach Inn to Jug Handle Creek	Primarily public ownership, loop trail provides bluff-top and shoreline access. Interpretive signs at southern entrance.	Day use and trail improvements in park.
37.	Jug Handle State Reserve-North Access	North of Bromley Creek, west of Highway 1.	40 acres reached by 80 foot wide access from Old Highway 1.	Day use with parking near entrance.
38.	Jug Handle Creek Shoreline	South of Jug Handle Creek, west of Highway 1.	Main entrance to Jug Handle Reserve and Ecological Staircase	Residence and interpretative center, trail to beach
39.	Caspar Road Alternative Trail	Old Highway 1 through Caspar to Doyle Creek	Trail follows existing road, County Road 569, then unimproved trail along headlands to beach.	Acquire blufftop trail on headlands
40.	Fern Creek Road-Caspar Orchard Road Inland Trail	East of Caspar: From Highway 1 east along County Road 410, then southeasterly along County Road 411A into Jackson State Forest.	Pedestrian, bicycle, and equestrian use	Designated by County Trails Plan.
41.	Caspar-Little Lake Road Inland Trail (Road 409)	South of Caspar; Highway 1 southeasterly to its intersection with Little Lake Road (Road 408)	Pedestrian/bicycle/equestrian use. Connects with alternative trail to west along old Highway 1	Designated by County Trails Plan.
42.	Caspar Headlands State Beach Shoreline	Mouth of Doyle Creek	3 acre parcel; DPR beach parcel	Acquire additional beach and develop trail system
43.	Caspar Headlands State Reserve	N. of Caspar Headlands South subdivision, south of Caspar Anchorage.	DPR: 4 non-contiguous parcels with subdivision of 10 vacant lots.	View and fishing area; acquire lots or trade to consolidate holding; develop for day use.
44.	Point Cabrillo Alternative Coastal Trail	Old Highway 1 from Caspar Creek to Russian Gulch. (Now County Road 564)	Connects to Caspar-Little Lake Road and Cross-California Ecological Trail Corridor. Alternative to Highway 1 for bicyclists.	Post sign on Highway 1.

	Name	Location	Characteristics	Existing/Potential Development
45.	Point Cabrillo Light House Shoreline	1 mile south of Doyle Creek along Point Cabrillo Drive, then 1 mile west on public road to Light House.	Blufftop at USCG Light Station and adjoining private land to the south.	Limited public access at no fee; picnicking, viewing and historic site tours; day use only.
46.	Cross-California Ecological Inland Trail Corridor	From Russian Gulch State Park to Colusa and North Lake Tahoe Corridor	Hiking/equestrian trail exists in Russian Gulch State Park	Designated by DPR Hiking and Equestrian Trails Plan
47.	Russian Gulch Blufftop	Russian Gulch State Park	Well developed and heavily used State Park	Addition of 100 campsites east of Highway 1. New parking area.
48.	Mendocino Town Alternative Coastal Trail	Lansing Street to Heeser Dr, to Main Street to Big River-Mendocino Headlands State Park	Bluff access and viewing areas	Trail and parking area improvements.
49.	Jack Peters Creek View Access	Intersection of Highway 1 and Lansing St. (County Road 500).	Bluff access for views; shoreline access at Jack Peters Creek	Improve and enlarge view turn-out
50.	Little Lake Road Inland Trail	From Highway 1 at Mendocino, County Road 408 transverses northeasterly to intersection of Caspar-Little Lake Road (Road 409) to Highway 20.	Pedestrian, bicycle, and equestrian use.	Designated on County Trails Plan
51.	Big River Beach and River Access	North shore of Big River, east of Highway 1 right-of-way	Unpaved parking area with access to river.	Improve parking area, allow small trolling motor boats.
52.	Mendocino Headlands State Park	Unit divided into 3 separate areas: West end and shoreline of Mendocino Town peninsula; funded acquisition, east of Highway 1, north bank of Big River; and east of Highway 1, south of Comptche-Ukiah Road.	Trail, blufftop and shoreline access.	General Development Plan requested from DPR.
53.	North Brewery Gulch Road Shoreline Access	South of Big River mouth, west of Comptche-Ukiah Road intersection with Highway 1	Wide bluff area with access to rocky intertidal area.	Accept offer of dedication by McMillen
54.	Comptche-Ukiah Road Inland Trail	From Highway 1 southeasterly to Orr Springs and Low Gap Roads.	Pedestrian, bicycle and equestrian use on County maintained road.	Designated on County Trails Plan.
55.	Mendocino Bay Alternative Coastal Trail	Old Highway 1, south of Big River mouth (Brewery Gulch Road).	Turn-outs with spectacular views of Mendocino and bay.	Maintain existing access.

SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
56.	Van Damme State Park Trail	West of Highway 1; north of Gordon Lane to north of Little River	Blufftop trail	Develop parking area, trail, and shoreline access.
57.	Van Damme State Park	Along Little River, west of Highway 1.	Handicapped access to large sandy beach.	Improved parking at beach relocation of group camp.
58.	Little River Blowhole Vista Point	West of Highway 1; north of Little River Cemetary.	Private.	Vertical access trail to the blufftop.
59.	Little River-Airport Road Inland Trail	From Highway 1 at Little River, northeasterly to Comptche-Ukiah Road.	Pedestrian, bicycle, and equestrian use	Designated by County Trails Plan
60.	Highway 1 Bicycle Easement	North of Schoolhouse Gulch; Stillwell Point	Offer for easement for future use as bicyle trail	Accept offer to connect with future offers.
61.	Buckhorn Cove Shoreline	North side of Buckhorn Cove, south of Little River	Rocky cove with sandy beach; private ownership	Acquire accessway and parking area
62.	Heritage House Shoreline	North of Dark Gulch at Smith Creek	Beach on inn property. No fee public access in accord with deed restriction	Maintain.
63.	Dark Gulch to Albion Trail	South of Dark Gulch; West of Highway 1	Private; spectacular ocean and harbor views.	Proposed blufftop trail from Dark Gulch to Albion Harbor.
64.	Albion-Little River Road Inland Trail	Northeasterly of Highway 1 at Albion to Little River-Airport Road.	Pedestrian/bicycle/equestrian use.	Designated by County Trails Plan.
65.	Albion Harbor County Road 403A	North side of Albion Harbor at terminus of County Road 403A	Private, river access at entrance to campground	Unimproved parking, gas
66.	Albion Harbor under Highway 1 bridge	North side of Albion River at shoreline	Private, walking access through campground	Unimproved parking at beach;
67.	Albion Harbor south of "The Pond"	North side of Albion River, east of County Road 403A	Private, river access	Boat launching, boat parking; maintain.
68.	Albion Harbor Schooner's Landing	North side of Albion River, east of harbor	Private, numerous river access points	Residential trailers, camping, boat parking; maintain
69.	Albion Harbor Field Station	South side of Albion River at Mendocino Biological Field Station	Private, pedestrian, fishing, and boat launching access	Maintain.

	Name	Location	Characteristics	Existing/Potential Development
70.	Salmon Creek	Old Highway 1 behind Gregory's Restaurant; north side of Salmon Creek, west of Highway 1	Private, old road leads to sandy beach, blufftop trail	Maintain. Acquire accessway by prescriptive rights or by purchase.
71.	Navarro Ridge Road Inland Trail	From Highway 1 north of Navarro River, southeasterly to Highway 128.	Pedestrian/bicycle/equestrian use.	Designated by County Trails Plan.
72.	Navarro River Shoreline Fishing Access	South bank, between bridge and river mouth	Large sandy beach. Wildlife Conservation Board ownership; road crosses private land on which prescriptive rights have been proven.	Secure agreement on improvement and maintenance of road.
73.	Highway 1. Bicycle Easement	North of Cavanaugh Grade.	Offer of easement for future use as bicycle trail.	Accept offer to connect with future offers.
74.	Cavanaugh Gulch Shoreline	2.2 miles north of Elk	200 foot sandy beach reachable from moderately sloping bluff.	Vertical access to be developed from Caltrans turnout.
75.	Cuffey's Point	1 mile north of Elk west side of Highway 1.	Superb view of coast across Greenwood Cove. No shoreline access.	Turnout and parking area, picnic tables. Caltrans to upgrade.
76.	Greenwood Elk State Park	West of Highway 1 from center of Elk to south side of Greenwood Creek Beach.	Headlands and beach, recently acquired by DPR; undeveloped.	Prepared plan, provide parking area and trails; open for day use.
77.	Elk Creek Shoreline	2 miles south of Elk	40 acres west of Highway 1 loop includes 500 foot sandy beach and 3 acre lagoon.	Acquire and develop for day use only.
78.	Irish Beach-Manchester Alternative Coastal Trail	Irish Beach to Stoneboro Road; Manchester State Beach.	Trail along sandy beach with non-vehicular access at Irish Beach, Alder Creek Beach Road, Kinney Road and Stoneboro Road	Acquire accessway adjoining mean high tide.
79.	Alder Creek Beach Road Shoreline	2 miles north of Manchester, north end of Manchester State Beach	North entrance to State Beach (County Road 515)	Post sign at Highway 1, park-area improvements, restore abandoned houses.
80.	Kinney Road Shoreline	1 mile north of Manchester, west of Highway 1	Marked entrance to Manchester State Beach & KOA Campground.	Maintain.
81.	Stoneboro Road Shoreline	.7 mile south of Manchester, west of Highway 1	County Road leading to southern entrance to Manchester State Beach; unsigned	Post sign at Highway 1.
82.	Garcia River River access	End of Minor Hole Road, south bank of Garcia River	County road to fishing access open at no fee with conditions by private owner.	Post regulation signs along road; maintain.

SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
83.	Point Arena Light Station Blufftop	3 miles northwest of City of Point Arena, end of Lighthouse Road	Improved road to USCG light station; viewing area. Lighthouse not open to public.	Request public access; construct and maintain view turnouts along Lighthouse Road.
84.	Mendocino-Lake Community College Field Station	1.0 mile northwest of City of Point Arena	Blufftop view point with vehicular access.	Owned by Mendocino-Lake Community College District.
85.	Point Arena to Whiskey Shoals Trail	Along coast from Point Arena south to Whiskey Shoals	Blufftop trail and shoreline	Acquire accessway
86.	Mote Creek (Whiskey Shoals)	2.3 miles south of Point Arena; forms northern boundary of Whiskey Shoals subdivision.	Owned by Coastal Conservancy in 72-lot subdivision	Accessway and lateral blufftop trail shall be acquired for public use.
87.	Ross Creek Shoreline	2.5 miles south of Point Arena; adjoins Whiskey Shoals subdivision	Private beach access	Acquire accessway.
88.	Schooner Gulch/ Bowling Ball Beach-Shoreline/ Blufftop	3.3 miles south of the City of Point Arena	Path from highway turnout leads to sandy beach, unique bowling ball rocks on beach, blufftop and beach access.	DPR to acquire and develop for day use. Parking area to be developed east of Highway 1.
89.	Hearn Gulch Shoreline	4.5 miles south of the City of Point Arena at milepost 10.08.	Short trail to small cove and sandy beach	Acquire accessway; purchase parking area.
90.	Island Cove Shoreline	5 miles south of the City of Point Arena, south of Iverson Road.	700 foot sand beach on sheltered cove, reached by trail from parking area.	Potential for public access. No highway signing.
91.	Havens Neck Limited Scientific	3.5 miles north of Gualala. 10 acre peninsula parcel 1,100 feet west of Highway 1	Promontory of exceptional beauty with unusual plant species and wind-sculptured rocks; high erosion rate.	Acquire right of scientific access.
92.	Fish Rock Observation Point and Trail	West side of Highway 1, .25 miles north of Fish Rock Road	Private; vacant parcel with ocean and cliff views.	Potential for public access for view point. No highway signing until adequate parking is developed.
93.	Fish Rock Road Inland Trail	2.8 miles north of Gualala from Highway 1 northeasterly to Highway 128.	Pedestrian and equestrian use.	Designated on County Trails Plan.
94.	Anchor Bay Shoreline	Fish Rock Gulch, north of Anchor Bay town.	Sandy beach at campground.	Assure fee access for non-guests.
95.	Serenisea Shoreline	.5 mile south of Anchor Bay	Short trail to beach serves same beach as Getchell Gulch.	Assure fee access for non-guests.

SUMMARY OF DESIGNATED COASTAL ACCESS POINTS AND TRAIL SYSTEM

	Name	Location	Characteristics	Existing/Potential Development
96.	St. Orres Creek Shoreline	1.1 mile south of Anchor Bay	200 foot cove.	Acquire vertical and lateral accessway. Off-street parking.
97.	Cooks Beach Shoreline	1.3 miles south of Anchor Bay	500 foot sandy beach on south side of Glennen Gulch.	Acquire vertical and lateral accessway
98.	Bourns Landing	1.5 miles south of Anchor Bay	Open bluff with long views of shoreline, small beaches	Blufftop trail and shoreline access to be acquired.
99.	Gualala Trail	Central Gualala to Gualala River bridge	Trail along bluff and Highway 1	Accept dedication offer.
100.	Gualala River Bridge River Access	North bank of Gualala River, west of Highway 1.	Unimproved road to river, boat launching	Potential for privately developed campground.

TABLE OF HISTORIC STRUCTURES

The attached inventory of buildings and sites, historic and non-historic, in the Mendocino Historic Preservation District, Zone A is in preliminary form.

It represents research into the history of Mendocino over the past ten years and is still incomplete. However, in the interests of planning for the future it is believed that the County and MHRB or successor organizations may find the survey helpful in establishing guidelines for planning Mendocino's future. There are few communities that could include all buildings in a survey.

When working on the inventory it was noticeable that there are quite a number of sites not included here. Whether they are important only to historians, or of interest to planners is a question not answered thus far.

Another fact noticed is the discrepancy in house numbers where the old numbering system is still used and people did not change over to the County's numbering system.

At one time it was considered sufficient to use two categories for the Inventory: Historic and Non-Historic, but as research continued it became apparent this simplistic approach would not suffice. The Categories now number four with Categories II and IV having two parts. Category IIa has been established as sort of a holding category until further research is made regarding the historical significance of the building. Several questions need to be asked: is the building historically important, does it deserve Landmark status or will it fall into Category III or Category IVa.

CATEGORIES

I. Landmark: Construction dated, history substantiated, only minor alterations in character with original architecture.

II. Historically Important:
- a. Construction date known or closely estimated, research in progress, architecture modified.
- b. There were a number of semi-bungalows built at about the same time, not Maine architecture but historic by age and design in Mendocino.

III. Architecture ostensibly altered but basic structure is still discernible.

IV. Non-Historic:
- a. Reproductions or buildings constructed to resemble historic buildings.
- b. Buildings erected between 1930 and 1979, and not copies of historic buildings.

Map numbers refer to the locations of the buildings. Numbers <u>without</u> the letter E locate buildings west of Lansing Street, by far the largest section of Zone A, and numbers followed by E locate buildings east of Lansing Street.

Source: Research provided by Mendocino Historical Research, Inc., 7-24-79.

MENDOCINO HISTORICAL RESEARCH, INC.
INVENTORY OF HISTORIC BUILDINGS
ZONE A - HISTORIC PRESERVATION DISTRICT
WEST OF LANSING STREET

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-24-1	I	1	Ford House	1854	Main St	State Park Interpretive Center
119-21-8	I	2	Carlson Hotel Site & Water Tower	1857	10401 Main St	Dwelling where Heeser's Store was & vacant land where Hotel was
119-21-13		3	N/H		Main St	Store Building-Rental
119-21-13	III	4	Neto's Hotel		450 Main St	Offices and Apt. upstairs
119-21-10	S	5	Site of Gus' Saloon	1870's	Main St	Open Lot
119-237-1	IVb	6	N/H		480 Main St	Medical Bldg.& Dwelling upstairs
119-237-2	I	7	Lemos' Saloon	1870's	Main St	Store and Offices
119-237-3	IVa	8	Ramus Boarding House	c1875	45160 Main St	Rebuilt into Shops & Offices
119-237-13	IVa	9	Tank Alley Site	1978	Main St	Store
119-237-4	I	10	Ramus Saloon	c1875	Main St	Vacant & Deteriorated
119-237-5	I	11	Bank of Commerce	1905	522 Main St	Stores
119-237-6	III	12	Barn-Store	c1875	530 Main St	Stores
119-237-7	I	13	Eugene Brown House	1878	Main St	Dwelling
119-237-12	IVb	14	N/H		Main St	Art Gallery, Bay Window
119-237-11	III	15	Eagle Saloon		Main St	Dwelling-Duplex
119-237-10	I	16	Bank of Commerce	1908	45100 Main St	Bank of America

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-238-1	I	17	Jarvis-Nichols Bldg	c1871	45080 Main St	Stores & Offices
119-238-14	IIa	18	Drug Store - Toggery		Main St	Arcade-Shops
119-238-15	IVa	19	N/H		Main St & Albion	Ice Cream Parlor & Le Voyage
119-238-5 119-238-4	I	20	Mendocino Hotel	1878	Main St	Hotel
119-238-6	I	21	Dr. Milliken's Office	1880's	Main St	Dwelling
119-238-6	I	22	H	1880's	45070 Main St	Saloon
119-238-8	IIa	23	H		690 Main St	Ragtime Clothing Store
119-238-9	S/IIb	24	Site of Alhambra Hotel		710 Main St	Dwelling & Dentist's Office
119-238-10	IVb	25	N/H		45040 Main St	Deil & Restaurant, Dwelling on Albion Street
119-238-10	I	25a	Kelley Rental	1870's	Main St	Media Bldg on Kelley Pond
119-238-10	I	25b	H		Main St	Kelley Pond
119-238-17	I	26	Kelley House	1861	Main St	Historical Library & Museum
119-238-16	I	27	Kelley Water Tower	1920's	Main St	On property of Kelley Store bldg
119-238-16	IVa	27a	N/H	1979	45000 Main St	Reproduction of Kelley Store
119-236-5	S	28	Site of Boyd & Switzer Livery		Lansing St	Demolished 1923 for present bldg
119-236-5	I	28a	Shell Garage	1923	Lansing St	Service Station and Rentals
119-236-12	S	?	Site of Kelley Barn	1800's	Albion St	Demolished in 1978 - Barn
119-236-12	IVa	?	Reconstructed using material & design of barn	1978	Albion St	Apartments rented by MacCallum House
119-236-10	I	29	MacCallum House	1882/1908	45020 Albion St	Inn - 1908 rear half was added

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-238-7	IVb	30	N/H		Albion St	Dwelling
119-236-1	I	31	Heeser House	1852	620 Albion St	Expected to be Hotel Annex
119-237-9	I	32	Bank House	1908	390 Kasten St	Coffee House & Gifts
119-235-12	IVb	33	N/H		Kasten St	Wild Life Gallery
119-235-15	IIa	34	?		Albion St	Dwelling-Rental
119-235-5	IV	35	N/H	1935	540 Albion St	Dwelling
119-235-2	I	36	Joss House	c1867	Albion St	Joss House
119-235-2	IVa	36a	N/H	1940's	45160 Albion St	Dwelling - (Hee)
119-235-14	IVa	37	N/H		500 Albion St	Dwelling-Rental
119-217-7	IVa	38	N/H		470 Albion St	Dwelling-Studio
119-217-6	IIa	39	H		460 Albion St	Dwelling
119-217-2	IVb	40	N/H		45301 Albion St	Dwelling
119-217-1		41	N/H		Albion St	Open Lot
119-217-3	I	42	Crown Hall	1901	Ukiah St	Rental for Large Functions
119-217-4	I	43	Marcellino House		45281 Ukiah St	Dwelling & Jewelry Studio
119-217-5	I	44	Pimentel House	c1866	45271 Ukiah St	Dwelling
119-235-13	I	45	Golgert House	c1890	Ukiah St	Dwelling-Rental
119-235-13	IVb	46	N/H	c1960's	511 Ukiah St	Dwelling
119-235-4	IVb	47	N/H	c1960's ?	Ukiah St	Dwelling
119-235-7	I	48	Lisbon-Paoli Hotel	1881	Ukiah St	Shop & Partially Vacant

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-235-9	I	49	Dougherty House	1870's ?	571 Ukiah St	Dwelling & Shop On Rear
119-235-10	I	50	Odd Fellows Hall	1878	Ukiah St	Art Gallery
119-236-2	III	51	Seavey House	c1900	45061 Ukiah St	Dwelling
119-236-3	III	52	A Kelley Rental House	1860's/1870's	620 Ukiah St	Store
119-236-11	I	53	Red Baptist Church	1894	45015 Ukiah St	Food Store
119-236-12	IIa	54	Apple Shed	1860's	Albion St	Office for MacCallum Inn
119-236-11	I	55	Shultz House	1880's	Ukiah St	Store
119-236-7	IIa	56	Kellieowen Hall	1887	10470 Ukiah St	Stores
119-234-7	I	57	Masonic Hall	1866-72	Lansing St	Masonic Lodge & Bank Downstairs
119-234-1	I	58	Warren-Hegenmeyer House	c1864	45010 Ukiah St	Store, Women's Clothing
119-234-1	IIa	59	Rego House		Ukiah St	Dwelling & Wood Studio
119-233-6	IVb	60	N/H		Ford St	Post Office
119-233-5		61	N/H		Ukiah St	Open Lot (Thompson Est.)
119-233-8 119-233-9	I	62	Beacon Building	1872	45064 Ukiah St	Antique Store, Gallery & Newspaper Office
119-233-2		63			Ukiah St	Open Lot (Quattrocchi)
119-232-10	I	64	Frank Brown House	1868	Ukiah St	Dwelling
119-232-8	IIa	65	Madeira House		45116 Ukiah St	Dwelling
119-232-7	IIa	66	Well's Shoe Shop	c1875	45124 Ukiah St	Dwelling
119-232-6	I	67	Gregory House	1875	Ukiah St	Dwelling-Rental

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-232-2	IIa	68		1800's	510 Ukiah St	Dwelling-Rental
119-232-1	IIa	69	Vieira House	c1902	45140 Ukiah St	Dwelling-Rental
119-215-3	I	70	Denslow-Hayden House	c1875	Ukiah St	Dwelling
119-215-2	IIa	71	Lazarus House		Ukiah St	Dwelling
119-215-1	III	72	Bettencourt House	c1887	45320 Ukiah St	Dwelling
119-215-1	I	72a	Bettencourt Water Tower	1905	45320 Ukiah St	Water Tower & Out Building
119-214-11	IVb	73	N/H		Ukiah St	Dwelling
119-214-10	I	74	Joseph Lawrence Dias		Ukiah St	Dwelling
119-214-8	I	75	Antonio D. Freitas House		45350 Ukiah St	Dwelling
119-214-21		76			45370 Ukiah St	Rental Dwelling
119-214-12	IIa	77	Costa House		Kelly St	Dwelling-Rental
119-216-6	I	78	Valador House	1881	Ukiah St	Dwelling
119-216-7	III	79	Quaill (Coelho) House		Rundle St	Dwelling W/Rental
119-216-8 119-216-9	III	80			Rundle St	Dwelling
119-216-10	III	81			Rundle St	Dwelling
119-216-5		82				Open Lot
119-216-4		83				Open Lot
119-216-3	III	84			Kelly St	Dwelling
119-216-2	III	85	Casmero Silvia House	c1890	10451 Kelly St	Dwelling & Chiro. Office

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-216-1	IIa	86			311 Ukiah St	Dwelling
119-211-10	I	87	Annie Silveria Barn		Kelly St	Barn, Outbuildings
119-211-9	I	88	Annie Silveria House		Kelly St	Dwelling
119-211-8	IIa	89	Belle Silveria House		10520 Kelly St	Dwelling
119-211-7	IVb	90	N/H		Kelly St	Dwelling
119-214-15 119-214-20	IIa	91			Carlson St	Dwelling
119-214-6	III	92			Calpella St	Dwelling
119-214-7	III	93			Heeser St	Dwelling
119-232-3	IIa	94	Noia House		Calpella St	Dwelling
119-232-4	IIa	95	Marshall House		Calpella St	Dwelling
119-232-5	IIa	96	Thomas House	c1880	45125 Calpella St	Dwelling
119-232-9	IIa	97	Gomes House		10550 Kasten St	Dwelling
119-233-1	IVb	98	Remnants of 2nd Odd Fellows Hall		551 Kasten St	Apts. & Offices
119-234-5	IVa	99	N/H	1878	10540 Lansing St	Bakery & Offices
119-160-31	IIa	100	H		Lansing St	Mendosa's Warehouse
119-160-31	IVb	101	N/H		620 Lansing St	Village Spirits
119-160-31		102			Lansing St	Open Lot-Thompson Lumber
119-160-30	IVb	103	N/H		45010 Calpella St	Dwelling
119-160-29	IIa	103a	H		45201 Ltl Lake St	Real Estate Office

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-160-28	I	104	Fraga House & W. T.		45040 Calpella St	Dwelling
119-160-27	I	105	Madera House & Barn		Calpella St	Dwelling
119-160-26	I	106	Beggs House	1881	Ford St	Dwelling
119-231-9	I	107	Denslow-Maxwell House	c1880	Kasten St	Dwelling-Rentals
119-231-7	I	108	Vincent House		Calpella St	Dwelling
119-231-6	I	109	Silvia House		570 Calpella St	Duplex-Rentals
119-231-4	I	110	Valadao House		45130 Calpella St	Dwelling
119-231-3	I	111	Jerome House	1868	45150 Calpella St	Dwelling
119-213-7	III	112	Pereira House		Williams St	Dwelling
119-213-6	III	113	John Q. Brown House		460 Calpella St	Dwelling
119-213-3	I	114	Antonio Lemos House		45300 Calpella St	Dwelling
119-213-2	I	115	King House	c1900	420 Calpella St	Dwelling
119-212-6	IIb	116	?		Heeser St	Dwelling
119-212-4	IIa	117	H		45350 Calpella St	Dwelling
119-212-3	I	118	Salvador House	1881	Calpella St	Dwelling-Rental
119-212-2	IVb	119	N/H		Calpella St	Dwelling
119-211-5	IIa	120	Silva House	1912	Kelly St	Dwelling
119-211-4	IIa	121	Silva House	1912	Kelly St	Dwelling
119-212-1	IVb	122	N/H		Kelly St	Dwelling
119-212-1	IVb	122a	N/H		Kelly St	Dwelling

A.P. No.	Category	Map No.	Historic Name	Date Built	Address		Present Use
119-212-5	IVb	123	N/H			Heeser St	Dwelling
119-213-1	IVb	124	N/H			Heeser St	Dwelling
119-213-8	IIa	125	Borgna House	c1880's	43267	Ltl Lake St	Dwelling
119-231-1	III	126				Ltl Lake St	Dwelling
119-231-2	III	127	Joe Linhares House	c1880	45141	Ltl Lake St	Dwelling & Studio
119-231-5	IIa	128	Bever House	c1880	45121	Ltl Lake St	Dwelling
119-231-8	IIa	129				Kasten St	Dwelling-Rental
119-160-11	IVb	130	N/H			Ltl Lake St	Baptist Church
119-160-12	I	131	Heeser's Field			Ltl Lake St	Open Land
119-160-25	I	132	Heeser-McKenzie House			Ltl Lake St	Apartments
119-160-31	I	133	Pete Anderson House	c1895		Lansing St	Dwelling
119-160-23	IVb	134	N/H		45050	Ltl Lake St	Cheese Shop
119-160-23	IVa	135	N/H		45080	Ltl Lake St	Office Building
						Ltl Lake St	Open Lot
119-160-20	IVb	137	N/H		45090	Ltl Lake St	Dwelling
119-160-10	I	138	Elisha Blair House	1888	698	Ltl Lake St	Dwelling
119-160-9	I	139	Albert Brown House	1880	640	Ltl Lake St	Dwelling
119-160-8	I	140	Maxwell-Jarvis House	1878	45160	Ltl Lake St	Apartments
119-160-7	I	141	C.O. Packard House	1878	45150	Ltl Lake St	Dwelling
119-160-32	S	142	Site of Morgan-Preston H		45200	Ltl Lake St	Art Center

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-160-32	IVb	142a	N/H			Art Center
119-180-7	III	143	Gordon House	1911	45300 Ltl Lake St	Dwelling
119-180-6	IIa	144	Daniels House		406 Ltl Lake St	Dwelling
119-180-5	I	145	Morgan-Mullen House	c1887	Ltl Lake St	Room Rentals
119-180-3	IIb	146	Howard Brown House	1911	10650 Williams St	Dwelling
119-160-38	IVb	147	N/H		Covelo St	Apartments
119-160-6	S	148	Site of Mendo. 1st H.S.	1894	10700 Ford St	High School
119-160-6	IVb	148a	N/H	1945	10700 Ford St	High School
119-160-19	IVb	149			Covelo St	Dwelling
119-160-22	S	150	Jailhouse Lot		Covelo St	Open Lot
119-160-24	IIa	151	Tyrell House		10630 Lansing St	Dwelling
119-160-18	IIa	152			Covelo St	Dwelling
119-160-17	I	153	Jens Hansen House	c1880	45060 Covelo St	Dwelling
119-160-16	III	154	Peirsol Hospital	c1880's	45080 Covelo St	Dwelling-Rental
119-160-14	III	155	Goldsam House	c1870's	45090 Covelo St	Dwelling
119-160-13	I	156	Carroll House	1878	Covelo St	Dwelling-Rental
119-160-15	I	157	Staudacker House		Cahto St	Vacant
119-140-27	IIa	158	Heeser's Barn		Cahto St	Vacant
119-140-26	S	159	Site of 1st St. Anthony's Church	1905	Lansing St	Catholic Church

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-140-8	S	160	Catholic Cemetery & Veteran's Cemetery		Lansing St	Cemetery

MENDOCINO HISTORICAL RESEARCH, INC.
INVENTORY OF HISTORIC BUILDINGS
ZONE A - HISTORIC PRESERVATION DISTRICT
EAST OF LANSING STREET

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-250-25	S	E 1	Site of Occidental Hotel	Burned 1941	Main St	Open Lot
119-250-26	IVb	E 2	N/H		44901 Main St	Schlafer's Garage
119-250-27	I	E 3	Presbyterian Church	1867	44831 Main St	Presbyterian Church
119-250-28	I	E 3	Presbyterian Church	1867	44831 Main St	Presbyterian Church
119-250-29	I	E 4	Cavanaugh House	c1860	991 Main St	Dwelling & Black Bear Press
50' Street		E 5	Open Lot		Main St	Open Lot
119-250-30	I	E 6	Len Barnard House	c1880	Main St	Dwelling & School
119-250-31	IIa	E 7	Perry-Lyons House		Main St	Dwelling & Inn
119-250-32	IIa	E 8	Henry R. Ferrill House		Main St	Dwelling
119-250-33	IIa	E 9	Fraser House	1911	1061 Main St	Real Estate Office
119-250-22 119-150-26	S	E10	Evergreen Cemetery		Main St	Cemetery
119-150-33	IVb	E	N/H		Main St	Carlson Art Gallery
119-250-21	I	E11	Justin Packard House	1800's	44780 Main St	Dwelling
119-250-19	IIb	E12	Berry-Barton House		998 Main St	Restaurant
119-250-18	IIa	E13	H	1860's	Main St	Dwelling - Rental
119-250-15	IIa	E14	Peterson-Knacke House		44840 Main St	Coast Health Services

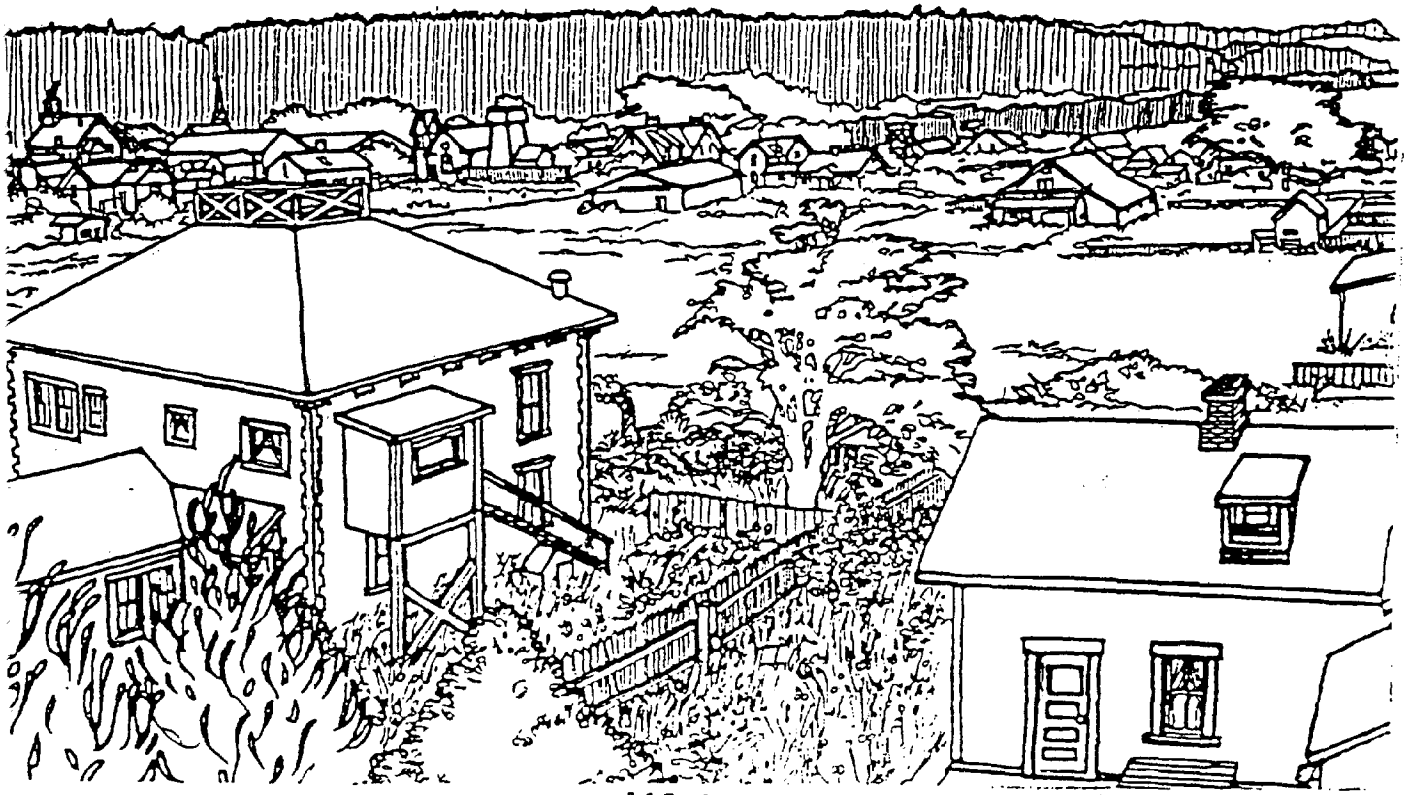
A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-250-37	I	E15	McCornack House	1882	Main St	Mendocino Village Inn
119-250-11	I	E16	Lansing House	c1853	44900 Main St	Dwelling, Duplex
119-250-7 119-250-8		E17	Open Lot		Main St	Open Lot
119-250-4	I	E18	Switzer House		Albion St	Sea Gull Inn (part of)
119-250-3	I	E19	Lemos Barber Shop		449 Lansing St	Real Estate Office & Sea Gull Inr
119-250-2	IIa	E20	Site of Blacksmith		Lansing St	Fire Department
119-250-1		E20a	Site of Gospel Hall		Lansing St	Sea Gull Inn Restaurant
119-250-1	I	E21	Jacob Stauer House		Ukiah St	Dwelling - David Jones
119-250-6	III	E22	Switzer-Strauss House	moved 1893	Albion St	Headlands Inn
119-250-11 (See E16)	IIa	E23	Wm V. Ferrill House		Howard St	Dwelling
119-250-9	I	E24	McCornack Hospital	c1880	Howard St	Dwelling
119-250-10	III	E25	?		941 Ukiah St	Dwelling & Law Office
119-250-12	III	E26	Daniels' House		Ukiah St	Apartments
119-250-38	IVb	E27	N/H		Ukiah St	"The Well"
119-250-14	IIa	E28	J.D. Johnson Rental		44835 Ukiah St	Beaujolais Restaurant
119-250-16	IIa	E29	J.D. Johnson's Barn		Ukiah St	Store
119-250-20 119-150-25	IIa	E30	H		571 Evergreen St	Dwelling
119-150-24	I	E31	J.D. Johnson Rental		Evergreen St	Dwelling

A.P. No.	Category	Map No.	Historic Name	Date Built	Address		Present Use
119-150-34 119-150-35	IVb	E32	N/H			Ukiah St	Trailers & Garage
119-150-18 119-150-19	I	E33	Bowman House	1879		Ukiah St	Dwelling
119-150-8	I	E34	Walsh-Doolittle House			Ukiah St	Dwelling
119-150-7	IIa	E35	J.D. Johnson-2 Rentals	c1880		Ukiah St	Dwellings
119-150-7	I	E36	Stauer Building	1898		Lansing St	Apartments & Offices
119-150-7	I	E37	Old Bakery Building		531	Lansing St	Real Estate Office
119-150-7	IVb	E38	N/H			Lansing St	Justice Court
119-150-6	III	E39	Priest's House	1866	601	Lansing St	Office Building
119-150-4	I	E40	Mendosa's Store	1909		Lansing St	Mendosa's Store
119-150-5	IIa	E41	Paddleford House			Howard St	Dwelling
119-150-17	IVb	E42	N/H			Howard St	Dwelling
119-150-16	IVb	E43	N/H			Howard St	Pacific Telephone Sub-Station
119-150-21	I	E44	Flanagan-Escola House	1889		School St	Dwelling
119-150-22	I	E45	Packard-Johnson House		991	Pine St	Dwelling
119-150-23	I	E46	Packard-Gibbs House	1891	44681	Pine St	Dwelling
119-150-27	IIb	E47	H			Pine St	Dwelling
119-140-19	S	E48	Site of Mendocino Grammar School	1885		School St	School
119-150-38	IIa	E49	Jasperson House		650	School St	Dwelling

A.P. No.	Category	Map No.	Historic Name	Date Built	Address	Present Use
119-150-11	I	E50	Henry Gorden House	c1890	School St	Dwelling
119-150-15	IIa	E51	H		Pine St	Dwelling-Rental
119-150-14	IIa	E52	H		Pine St	Dwelling
119-150-13	IIa	E53	H		Pine St	Dwelling
119-150-12	IIa	E54	H		Pine St	Dwelling
119-150-1	I	E55	Williams House		10575 Lansing St	Dwelling-Rental
119-150-36 119-150-37		E56	Open Lot		Ltl Lake St	Open Lot
119-140-8	S	E57	Site of St. Vincent Catholic Church	1864	Ltl Lake St	Hillcrest Cemetery
119-140-9		E58	Open Lot		Ltl Lake St	Open Lot
119-140-10	IVb	E59	N/H		Ltl Lake St	Dwelling
119-140-24	I	E60	Spencer Hills House	1855	44900 Ltl Lake St	Dwelling
119-140-13	I	E61	Joshua Grindle House	1879-85	44800 Ltl Lake St	Joshua Grindle Inn

TITLE PAGE ONLY - THE REMAINING GUIDELINE PAGES ARE UNDERGOING REVISIONS

MENDOCINO HISTORIC REVIEW BOARD DESIGN GUIDELINES 1982



ARTICLE XLII. HISTORICAL PRESERVATION DISTRICT FOR TOWN OF MENDOCINO.

Sec. 20 - 111. Purpose.

The Board of Supervisors of the County of Mendocino find and declare that the community of Mendocino and its immediate environs represents a unique and outstanding example of early California architecture and town development connected with the redwood lumber industry along the Mendocino Coast in the last half of the 19th century.

It further finds that much of the unique character of this community rests with the style of architecture which dominates the town and which is representative of early northern California architecture, to the extent that it has achieved recognition by being placed on the National Register of Historic Places.

Therefore, the board finds that a Historical Preservation District is needed to preserve the architecture and character of this community. It further finds that the preservation of many buildings, representative of early northern California architecture within the town of Mendocino is essential to the economic and cultural development of Mendocino, and to the economy of the town and of the County, which is in large measure based on tourism and visitors who have been attracted to the town in substantial numbers. (Ord. No. 1057A, adopted 1973.)

Sec. 20 - 112. Designation of District.

As an overlay district for which regulations are hereby established in addition to the "use regulations" imposed by the existing and future zone classification districts for said area, there is hereby established a Historical Preservation District in the unincorporated area of the County of Mendocino consisting of the area described as follows:

All that real property situated in the County of Mendocino, State of California, described in Exhibit "A", which is incorporated herein by reference and is available for public inspection at the office of the Mendocino County Office of the Clerk of the Board of Supervisors, Courthouse, Ukiah. Such area shall be subject to the provisions of this article. (Ord. No. 1057A, adopted 1973.)

Sec. 20 - 113. Designation of Historical Zones.

Within the Historical Preservation District as described in Section 20-112 of this ordinance there are established Historical Zones as follows:

(a) Historical Zone A is all that area within the Historical Preservation District and bounded on the north by Slaughter House Gulch, on the east by California State Highway One, on the south by Big River and waters of Mendocino Bay, and on the west by the Pacific Ocean.

(b) Historical Zone B is all that area within the Historical Preservation District other than that which is described in sub-paragraph (a) of this paragraph. (Ord. No. 1057A, adopted 1973.)

Sec. 20-114. Establishment of Historical Review Board.

There is hereby established a Historical Review Board, hereinafter called "Review Board", whose function and duties shall be to review all applications for new construction, or the alteration of the exterior surfaces of existing structures within the Historical Preservation District. Said Review Board shall consist of five (5) members, all of whom shall be electors of or owners of real property in said Historical Preservation District, and who shall serve without compensation. All members shall be appointed by the Board of Supervisors, and of the first members appointed one (1) shall be appointed to a term of one (1) year, two shall be appointed for a term of two (2) years, and two shall be appointed for a term of four (4) years. Thereafter, the terms of all members of the Review Board shall be for four (4) years. (Ord. No. 1057A, adopted 1973.)

Sec. 20-115. Work in Historical Zone Requiring Approval.

None of the following work shall be commenced or continued within Historical Zone A, nor shall any building, demolition or other permit necessary for such work be issued, without prior approval of the Review Board.

(a) Demolition or removal of any structure of a value of over $100.00 or having a square footage area of over 100 square feet. (Ord. No. 1057A, adopted 1973.)

(b) Remodeling or alteration of the exterior of any structure where such work requires a building permit. (Ord. No. 1057A, adopted 1973.)

(c) Construction of any structure where such work requires a building permit. (Ord. No. 1057A, adopted 1973.)

(d) Construction, erection or installation of any outdoor advertising sign, lighted or unlighted, or any outdoor lighting as herein defined. (Ord. No. 1057A, adopted 1973.)

(e) Any excavation of, or deposit of material upon, land in such a manner as to materially alter the existing contour or condition of the land, including leveling, grading, piling or paving. (Ord. No. 1057A, adopted 1973.)

(f) Any painting of the exterior of an existing building or structure, other than routine maintenance painting and any painting of the exterior of a newly constructed building or structure, whether or not a building permit is required for such work. (Ord. No. 1057A, adopted 1973.)

(g) Any construction of public utility poles where such construction creates an extension of public utility lines. (Ord. No. 1057A, adopted 1973.)

Sec. 10-116. Work in Historical Zone B Requiring Approval.

None of the following work shall be commenced or continued within Historical Zone B, nor shall any building or other permit necessary for such

MENDOCINO

work be issued, without the prior approval of the Review Board. (Ord. No. 1057A, adopted 1973.)

(a) Construction of any structure requiring a building permit and any portion of which is capable of being seen by a person standing on any point in Historical Zone A. (Ord. No. 1057A, adopted 1973.)

(b) Installation of any commercial sign or commercial lighted device, any portion of which is capable of being seen, or which casts a light, any portion of which is capable of being seen, by a person standing on any point in Historical Zone A. (Ord. No. 1057A, adopted 1973.)

(c) Any construction of public utility poles where such construction creates an extension of public utility lines. (Ord. No. 1057A, adopted 1973.)

Sec. 20-117. Special Approvals Required.

No mobile home, trailer, or camper home shall be constructed, or maintained in any portion of the Historical Preservation District after the effective date of this ordinance without the prior approval of the Review Board. The factors and standards governing work requiring approval shall apply to the construction, installation, or maintenance of any such mobile home, trailer or camper home. Uses existing at the time of the adoption of this ordinance shall be excepted from the requirements of this section. (Ord. No. 1057A, adopted 1973.)

Sec. 20-118. Procedure for Submission to Review Board.

Any person desiring to do or to have done any of the work mentioned in Sections 20-115, 116, or 117 of this chapter, shall prior to the commencement of such work submit to the Review Board all of the following:

(a) Three copies of a plot plan drawn to scale and of a size sufficient to allow it to be easily read, showing:

(1) Property lines of the parcel upon which the work is proposed to be done;

(2) Location of the work upon the property;

(3) Location of any easement, right of way, utility lines or similar facilities which might be affected by the proposed work.

(b) One copy of the exterior plan of such work if the work is to cost under $1,000.00 total cost and three copies of such plan if the total cost of such work is $1,000.00 or over.

(c) If job specifications are to be used for the proposed work, the same number of copies as are required of the plans for the work.

(d) A statement of the ownership of the subject property, including the names and addresses of all persons owning legal title therein, the book and page number of recorded deed or other conveyance, and the applicant's interest in the subject property, if he is not the owner.

contiguous properties, the reason for such work, and an applicant's statement of how the proposed work conforms to this chapter as it relates to other existing structures and uses. (Ord. No. 1057A, adopted 1973.)

Sec. 20-119. Standards.

Standards to be used by the Review Board in considering applications for approval are as follows:

(a) Forms, materials, textures and colors shall be in general accord with the appearance of structures built in Mendocino prior to 1900. To this end they shall be in general accord with the designs as exemplified, but not limited to, those depicted in the photographs contained in Exhibit "B", a book of photographs which is incorporated herein by reference and is available for public inspection at the office of the Clerk of the Board of Supervisors, Courthouse, Ukiah. This section shall not be interpreted as requiring construction to be with the forms, materials, textures, colors, or design as used in Mendocino prior to 1900 but only that the construction be compatible with and not in disharmony with the architectural standards herein expressed.

(b) In order to further amplify and illustrate the descriptions or definitions of Mendocino architecture prior to 1900, and to furnish more complete details, architectural elements and composition thereof, the Review Board may from time to time submit additional illustrations, photographs and definitions, which, when approved by resolution of the Board of Supervisors of Mendocino County, shall be additional standards applicable in the Historical Preservation District. (Ord. No. 1057A, adopted 1973.)

(c) In order for the Review Board to determine whether proposed work would be in conformance with the standards set forth above, the following factors shall be evaluated:

(1) The architecture, materials, details, proportion, color, facade treatment, and fenestration of the work proposed insofar as the same affects the subject property, other property within the District, and the uses thereof. (Ord. No. 1158, adopted 1973.)

Sec. 20-120. Hearing by Review Board; Notices.

Within 35 days from the date of submission of the material required by Section 20-118, the Review Board shall review the application at a public meeting. At least seven (7) days before such hearing, notice of time and place of hearing and of the Review Board's intention to consider the application shall be posted on the subject property in a manner best calculated to give public notice and in two other public places within the District, and a copy thereof shall be mailed to the applicant at the address shown on the application. (Ord. No. 1057A, adopted 1973.)

hearing may be continued, the Review Board shall consider the application shall hear and consider all arguments and evidence presented for or against the proposed work, and shall take action by majority vote of the members of the Review Board present. Such action may grant approval, deny approval, or may be conditional approval, conditioned upon changes in the proposed work or upon any other reasonable condition. (Ord. No. 1057A, adopted 1973.)

Sec. 20.123 Findings Necessary For Any Approval.

The Review Board shall not approve or conditionally approve any application for proposed work unless it affirmatively finds:

(A) That the proposed work, considered in conjunction with the appearance and design of other structures within the District will not be unsightly, obnoxious or undesirable in appearance to the extent that it will adversely affect uses and property values of other property within the District. (Ord. No. 1057A, adopted 1973.)

(B) That the proposed work is in harmony with the existing development of property within the District insofar as exterior appearance of structure is concerned. (Ord. No. 1057A, adopted 1973.)

(C) That the nature and appearance of the proposed work will not detract from the appearance of other property within the District nor tend to limit the opportunity to attain optimum use and value of the property and improvement within the District. (Ord. No. 1057A, adopted 1973.)

(D) If the proposed work consists of alteration or demolition of an existing structure, that such work will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance. (Ord. No. 1057A, adopted 1973.)

(E) That the nature and appearance of the proposed work will not be detrimental to the general welfare of the public. (Ord. No. 1057A, adopted 1973.)

Sec. 20.124 Determination by Review Board.

The decision of the Review Board shall be in writing and shall specify the basis therefor. In the event that the decision is conditional it shall specify the conditions or requirements to be met by the applicant as a condition of approval. (Ord. No. 1057A, adopted 1973.)

Sec. 20.125 Appeal to Board of Supervisors

The applicant or any registered voter or property owner within the Historical Preservation District who has appeared in the action and disagrees with the decision of the Review Board may appeal to the Board of Supervisors of the County of Mendocino by written appeal filed with the Review Board within ten days of Review Board's order. The Review Board shall transmit all its records to the Board of Supervisors which shall hear the appeal based on the records of the Review Board and other evidence the Board of Supervisors admits during its hearing of the matter. Notice of

hearings by the Board of Supervisors shall be in the same manner as other hearings of the Board of Supervisors. The Board of Supervisors may affirm, reverse, or modify the ruling of the Review Board. The decision of the Board of Supervisors shall be final. In the alternative, the Board of Supervisors may remand the matter back to the Review Board for further consideration. (Ord. No. 1057A, adopted 1973, as amended by Ord. No. 1158, adopted 1973, as amended by Ord. No. 3265, adopted 1979.)

Sec. 20.126 Definitions.

For the purpose of this chapter certain terms used in this chapter shall be defined as set forth herein:

(A) "Person" includes any person, firm, association, organization, partnership, business trust, corporation or company. (Ord. No. 1057A, adopted 1973.)

(B) "Structure" means anything constructed or erected, the use of which requires location in or on the ground or attachment to something having location in or on the ground. (Ord. No. 1057A, adopted 1973.)

(C) "Outdoor advertising sign" means any sign of any character erected or maintained for any commercial purposes, whether or not on or attached to a building or structure, except notices lawfully attached to any public notice or public signboard approved by the Review Board. (Ord. No. 1057A, adopted 1973.)

(D) "Outdoor lighting" means any exterior lights or lighting systems designed or maintained to light the exterior of a structure, except such lights as are reasonably necessary to light doorways, stairs, walkways and similar areas. (Ord. No. 1057A, adopted 1973.)

(E) "Alteration" means the addition to or removal of or from a structure of any part thereof, the repair thereof, and glazing, painting or removal of paint, and similar modification. (Ord. No. 1057A, adopted 1973.)

(F) "Exterior" of a structure means any portion of the outside of a structure, or any addition thereto, which is capable of being seen from any public place. (Ord. No. 1057A, adopted 1973.)

(G) "Street vending" shall mean the displaying, offering or solicitation for sale or the actual sale of goods, food, wares, merchandise, artwork or similar items on a public street or sidewalk with the receipt or expectation of consideration. Street vending shall not include such activities as the distribution or offering, with or without the receipt of consideration, of printed written or similar material or information. (Ord. No. 2050, adopted 1977, as amended by Ord. No. 3080, adipted 1978.)

Sec. 20.127 Public Utility Poles and Lines.

All public utility poles and lines shall be subject to the provisions set forth for Zones A and B. Any such pole or line existing on the effective date of this ordinance may be maintained, repaired, and replaced without complying with or being subject to the provisions set forth for Zones A and B. All such non-conforming uses shall be subject to the provisions of Section 20.86 of the Mendocino County Code. (Ord. No. 1057A, adopted 1973.)

Sec. 20.128 Enforcing Agency.

The Department of Building Inspection for the County of Mendocino shall enforce the provisions of this article. (Ord. No. 1057A, adopted 1973.)

Sec. 20.129 Penalties for Violations.

Violation of any provisions of this chapter shall be a misdemeanor punishable by a fine not exceeding Five Hundred Dollars or imprisonment in the County Jail of Mendocino County for not exceeding six months, or by both such fine and imprisonment. In addition to any other remedy, the County of Mendocino may obtain injunctive relief in any court of competent jurisdiction ordering the cessation or removal of work without the required approval. (Ord. No. 1057A, adopted 1973.)

Sec. 20.130 Street Vending.

No person or persons shall, within the Historical Preservation District, engage in the activities described herein as 'street vending'. Notwithstanding any other provision of this chapter to the contrary,violation of this section is hereby declared to be an infraction punishable upon conviction by a fine up to fifty dollars ($50); this section of this chapter shall be enforced by the Mendocino County Sheriff. (Ord. No. 2050, adopted 1977.)

Sec. 20.140 Severability.

If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance. (Ord. No. 2050, adopted 1977.)

6. GLOSSARY

LOCAL COASTAL PLAN

GLOSSARY

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

AQUACULTURE: That form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water.

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

* COASTAL COUNTY: Means a county or city and county which lies, in whole or in part, within the coastal zone.

* COASTAL-DEPENDENT DEVELOPMENT OR USE: Means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

* COASTAL DEVELOPMENT PERMIT: Means a permit for any development within the coastal zone that is required pursuant to subdivision (a) of Section 30600.

* COASTAL-RELATED DEVELOPMENT: Means any use that is dependent on a coastal-dependent development or use.

* COASTAL PLAN: Means the California Coastal Zone Conservation Plan prepared and adopted by the California Coastal Zone Conservation Commission and submitted to the Governor and the Legislature on December 1, 1975, pursuant to the California Coastal Zone Conservation Act of 1972 (commencing with Section 27000).

* COASTAL ZONE: Means that land and water area of the State of California from the Oregon border of the Republic of Mexico, specified on the maps identified and set forth in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting that division, extending seaward to the State's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends

* Definitions taken from the Coastal Act of 1976.

inland less that 1,000 yards. The coastal zone does not include the area of jurisdiction of the San Francisco Bay Conservation and Development Commission, established pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, nor any area contiguous thereto, including any river, stream, tributary, creek, or flood control or drainage channel flowing into such area.

The commission shall, within 60 days after its first meeting, prepare and adopt a detailed map, on a scale of one inch equals 24,000 inches for the coastal zone and shall file a copy of such map with the county clerk of each coastal county. The purpose of this provision is to provide greater detail than is provided by the maps identified in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting this division. The commission may adjust the inland boundary of the coastal zone the minimum landward distance necessary, but in no event more than 100 yards, or the minimum distance seaward necessary, but in no event more than 200 yards, to avoid bisecting any single lot or parcel or to conform it to readily identifiable natural or man made features.

COTTAGE INDUSTRY: A secondary use of a residential parcel for gainful employment involving the manufacture, provision, or sale of goods and/or services, which is conducted by occupants of the premises and not more than one non-resident employee in a manner which does not substantially change or disturb the residential appearance and character of the site, and which is conducted pursuant to a conditional use permit. (see intent, page 14)

* CUMULATIVELY OR CUMULATIVE EFFECT: Means the incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

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

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

* ENERGY FACILITY: Means any public or private processing, producing,

* Definitions taken from the Coastal Act of 1976.

generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

* ENVIRONMENTALLY SENSITIVE AREA: Means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

* FEASIBLE: Means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

* FILL: Means earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area.

HIGHLY SCENIC AREAS: Are considered by the LCP Manual to include:

- Landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan; (#60, California State Department of Parks and Recreation)

- Open areas of particular value for preserving natural landforms and significant vegetation, or for providing attractive transitions between natural and urbanized areas; and

Highly scenic areas as described in Section 30251 of the Act are areas in which development shall be subordinate to the character of its setting.

HOME OCCUPATION: An accessory use of not more than 25 percent of the floor area of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services, which is conducted solely by occupants of the dwelling unit in a manner which does not change or disturb the residential appearance and character of the site. (see intent, page 2)

HOUSING, AFFORDABLE: The Coastal Commission has defined affordable for sale housing as units selling for up to 2.5 times a family's annual income. Affordable rental housing is defined by Section 50053 of the Health and Safety Code as units renting for up to 25 percent of a family's monthly income.

* IMPLEMENTING: Means the ordinances, regulations, or programs which implement either the provisions of the certified local coastal program or the policies of this division and which are submitted pursuant to Section 30502.

* LAND USE PLAN: Means the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions.

LIGHT AGRICULTURE: (Includes "local scale farming" and "small scale farming"):

(1) Land devoted to the hatching, raising, butchering or marketing on a

* Definitions taken from the Coastal Act of 1976.

small scale of chickens, turkeys or other fowl or poultry and eggs, rabbits, fish, frogs, mink, chinchilla or other small farm animals or similar in nature, provided that not more than ten (10) mature animals per forty thousand (40,000) square feet, combined total; of all species, may be kept, fed or maintained. The total number of all species shall not exceed forty (40). In all cases, the permissible number of animals per acre shall be computed on the basis of the nearest equivalent ration (i.e. 5 animals on 20,000 square feet).

(2) The grazing of cattle, horses, sheep, goats, hogs or other farm stock or animals, including the supplementary feeding thereof, provided not more than one (1) such animal per forty thousand (40,000) square feet shall be kept or maintained. The total number of all species shall not exceed four (4). In no event shall there be any limit to the permissible number of sheep or goats which may be grazed per acre when such grazing operations is conducted on fields for the purpose of cleaning up unharvested crops and, further where such grazing operations is not conducted for more than four weeks in any six month period.

(3) Keeping of small and large animals shall be cumulative (i.e. 80,000: 2 large animals and 20 small animals).

(4) Apiaries, provided that no more than two (2) working hives may be kept on parcels of forty thousand (40,000) square feet or less.

* LOCAL COASTAL ELEMENT: Is that portion of a general plan applicable to the coastal zone which may be prepared by local government pursuant to this division, or such additional elements of the local government's general plan prepared pursuant to subdivision (k) of Section 65303 of the Government Code, as such local government deems appropriate.

* LOCAL COASTAL PROGRAM: Means a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local level.

* LOCAL GOVERNMENT: Means any chartered or general law city, chartered or general law county, or any city and county.

LOW INCOME HOUSEHOLD: One whose annual earnings fall between 50 and 80 percent of the median household income in the County.

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

(a) changes in wording which made the use as designated in the Zoning Ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or

* Definitions taken from the Coastal Act of 1976.

density of use and which are found by the executive director of the Coastal Commission or the Commission to be consistent with the Land Use Plan as certified by the Commission.

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

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

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

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

MODERATE INCOME HOUSEHOLD: One whose annual earnings fall between 80 and 120 percent of the median household income in the County.

OCEAN RANCHING: Aquaculture where juvenile anadromous fish are reared and released into state waters to grow and return to an aquaculture facility to be harvested commercially.

* PERMIT: Means any license, certificate, approval, or other entitlement for use granted or denied by any public agency which is subject to the provisions of this division.

PUBLIC AND SEMI-PUBLIC FACILITIES AND UTILITIES: (Include such public and community serving uses as) schools, fire stations, churches, cemeteries, sewage treatment plants, and community buildings.

RARE OR ENDANGERED PLANT HABITAT: Nine plant species found in the coastal zone have been classified as either rare or endangered. These include leafy reed grass, Mendocino Coast paint brush, Menzies wallflower, Thurber's reed grass, Howell chorizantho, swamp harbell, pityopus, Roderick fritillania, and supple daisy.

RARE OR ENDANGERED WILDLIFE HABITAT: There are seven species of wildlife within or near the coastal zone considered to be rare, endangered, threatened, or protected (B-D, NE). These include the Lotis Blue butterfly, brown pelican, southern bald eagle, American peregrine falcon, California yellow-billed cuckoo, and the osprey. Such species are sensitive to human disturbance and pollution. The osprey is particularly vulnerable to timber harvesting operations, and the Department of Fish and Game has recommended several policies for protection of its habitat (#52, California State Department of Fish and Game).

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

* Definitions taken from the Coastal Act of 1976.

RECREATION - EDUCATION: Sites or facilities which are incidental and secondary to the primary permitted use of the property and which provide for social, spiritual, educational, or recreational experiences and activities, including but not limited to private schools and organized camps. Living unit must conform with density established by the General Plan designation.

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

SEMI - PUBLIC FACILITIES: Building, structures, or other facilities which are privately owned but which may be used to accommodate public gatherings, including but not limited to lodges, granges, social clubs, and fraternal and religious organizations.

* SENSITIVE COASTAL RESOURCE AREAS: Means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

(a) Special marine and land habitat areas, wetland, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.

(b) Areas possessing significant recreational value.

(c) Highly scenic areas.

(d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.

(e) Special communities or neighborhoods which are significant visitor destination areas.

(f) Areas that provide existing coastal housing or recreational opportunities for low-and moderate-income persons.

(g) Areas where divisions of land could substantially impair or restrict coastal access.

TIMBERLAND PRESERVE ZONE (TPZ): In 1976, the California Legislature passed the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act (AB 1258) to preserve commercial thimberland and lessen pressures for conversion by changing the method of timberland taxation. AB 1258 required the County to establish zoning districts within which only timber harvesting, the production of forest products,

* Definitions taken from the Coastal Act of 1976.

and compatible uses are permitted and within which taxes levied against the land are based on the timber yield rather than on the value of standing timber. Compatible uses are defined as uses which do not significantly detract from growing and harvesting timber, including but not limited to

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

TIMBER PROCESSING AND RELATED FACILITIES: Include sawmills, pulp mills, veneer mills, other timber processing plants, log decks, by-product storage sites, and related operating areas required for product processing.

TRANSIENT GUEST: Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.

URBAN/RURAL BOUNDARY: Defines the areas to which the Coastal Act's rural land division policy would apply. Section 30250(a) of the Act provides that land divisions outside of existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and where the size of¶ the parcels to be created would be no smaller than the average size of surrounding parcels. (See Chapter 2 page 20 and Policy 3.9-2)

VIEWSHEDS: As delineated on the Resources Maps describe the boundaries of the area (of particular visual importance which is) visible from Highway 1.

VISITOR ACCOMMODATIONS AND SERVICES: As defined in the Mendocino Coastal Element include inns, motels, campgrounds, restaurants, boat rental and launching establishments, and studios selling works of art. The land use classification system establishes different development criteria for each type of accommodation and service. (See Chapter 2 - Land Use Classifications)

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

* ZONING ORDINANCE: Means an ordinance authorized by Section 65850 of the Government Code or, in the case of a charter city, a similar ordinance enacted pursuant to the authority of its charter.

* Definitions taken from the Coastal Act of 1976.

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