



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

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July 22, 2019

**PUBLIC NOTICE OF PENDING ACTION**  
**STANDARD COASTAL DEVELOPMENT PERMIT**

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, August 22, 2019, in the Fort Bragg Public Library, 499 East Laurel Street, Fort Bragg, California, at 10:00 a.m. or as soon thereafter as the item may be heard, will hear the below described project that is located in the Coastal Zone.

**CASE#:** CDP\_2018-0033

**DATE FILED:** 12/28/2018

**OWNER:** JUDITH BROWN

**APPLICANT/AGENT:** HANK McCUSKER

**REQUEST:** Standard Coastal Development Permit pursuant with MCC Section 20.684.030(H)(1) Visitor Serving Facilities Combining District Lodging Unit Allocation Procedures, to allow 7 Visitor Serving Units at the Nicholson House Inn.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** In the Coastal Zone, in the Town of Mendocino, on the east side of Ukiah Street (CR 407C) between School Street (CR 407O) and Howard Street (CR 407N), located at 44861 Ukiah St., Mendocino (APN: 119-250-12).

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** JULIANA CHERRY

The staff report and notice will be available for public review 10 days prior to the hearing at 860 North Bush Street, Ukiah and 120 West Fir Street, Fort Bragg, California and on the Department of Planning and Building Services website at:

<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

As you are an adjacent property owner and/or interested party, you are invited to appear at the hearing, or to direct written comments to Planning and Building, Services 860 N Bush Street, Ukiah, CA 95482, attention Commission Staff. If you would like to be notified of the Coastal Permit Administrator's action, please submit a written request to this office. All correspondence should contain reference to the above noted case number.

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project.

If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

Additional information regarding the above noted case may be obtained by calling the Planning and Building Services Department at 964-5379, Monday through Friday.

BRENT SCHULTZ, Director of Planning and Building Services



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**COASTAL PERMIT ADMINISTRATOR  
STAFF REPORT- STANDARD CDP**

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**AUGUST 22, 2019  
CDP\_2018-0033**

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**SUMMARY**

**OWNER:** JUDITH BROWN  
669 CONGO ST  
SAN FRANCISCO, CA 94731

**APPLICANT/AGENT:** HANK McCUSKER  
PO BOX 626  
MENDOCINO, CA 95460

**REQUEST:** Standard Coastal Development Permit pursuant with MCC Section 20.684.030(H)(1) *Visitor Serving Facilities Combining District Lodging Unit Allocation Procedures*, to allow 7 Visitor Serving Units at the Nicholson House Inn.

**LOCATION:** In the Coastal Zone, in the Town of Mendocino, on the east side of Ukiah Street (CR 407C) between School Street (CR 407O) and Howard Street (CR 407N), located at 44861 Ukiah St., Mendocino (APN: 119-250-12).

**TOTAL ACREAGE:** 0.21± Acres

**GENERAL PLAN:** General Plan, Coastal Element Chapter 4.13  
Mixed Use (MU\*:U)

**ZONING:** Mendocino Town Zoning Code  
Mendocino Mixed Use and Mendocino Visitor Serving Facility Combining District (MMU\*:12K)

**SUPERVISORIAL DISTRICT:** 5<sup>th</sup> Supervisorial District (Williams)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**APPEALABLE:** Yes, not a principally permitted use type  
See Mendocino Town Plan Policy TPA-5(c)

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** JULIANA CHERRY

**BACKGROUND**

**PROJECT DESCRIPTION:** A Standard Coastal Development Permit request, pursuant with MCC Section 20.684.030(H)(1) *Visitor Serving Facilities Combining District Lodging Unit Allocation Procedures*, to increase the allowed number of lodging units to seven at the Nicholson House Inn, located at 44861 Ukiah Street.

**APPLICANT'S STATEMENT:** "Application for 7 lodging units."

**RELATED APPLICATIONS ON-SITE:**

- MHRB Permits 85-32, 93-22, 99-26, 04-48, 2016-0022 and 2016-30
- GP 6-04

**SITE CHARACTERISTICS:** The property is a less than a half-acre parcel located west of State Route 1 and in the Town of Mendocino (See attached *Location Map*). The site is addressed as 44861 Ukiah Street (See attached *Aerial Imagery*). The property is located approximately 1,500 feet north of Mendocino Bay and has an elevation of 200± feet (See attached *Topographic Map*). The property is designated a Category III Historic Resource known as Daniel’s House (See Appendix 1, Coastal Element Chapter 4.13). The site is developed with a house and carriage house facing Ukiah Street, and a water tower in the southeast corner of the lot (See attached *Site Plan*). As shown in Table 1, the house includes Residence 1, laundry, and storage on the basement floor; inn rooms numbered 1, 2, and 7 on the main floor; and inn rooms numbered 3, 4, 5 and 6 on the second floor (See attached *House Level 1, House Level 2, Basement Plan, Roof Plan, and House Elevations*). Residence 2 is located on the main floor and basement floor of the Carriage House. The inn’s office is also located on the main floor of the Carriage House. (See attached *Office Level 1, Office Basement, and Office Elevations*). Residence 3 occupies all three floors of the Water Tower (See attached *Water Tower and Water Tower Elevations*).

	LODGING UNITS	RESIDENTIAL UNITS	OTHER
House Basement	0	1	storage, laundry
House Level 1	3	0	common areas
House Level 2	4	0	
Carriage House Basement	0	1	
Carriage House Level 1	0	0	inn office
Water Tower	0	1	
<b>TOTAL UNITS</b>	<b>7</b>	<b>3</b>	

The site is classified Mixed Use and is mapped within the Mendocino Mixed Use District; the site is mapped with the Mendocino *Visitor Serving Facilities* Combining District (See attached *Mendocino Town Land Use and Mendocino Town Plan Zoning*). *LCP Land Capabilities & Natural Hazards* mapping identifies potential bedrock and beach deposit seismicity hazards near the project site. South of the site is Mendocino Bay, which is mapped as a spawning area (See attachment). On Mendocino Headlands State Park lands (which are adjacent to Big River, Mendocino Bay, and the California shoreline), *LCP Habitats & Resources* mapping identifies potential fresh water marsh areas, beach, and other habitat areas (See attached *LCP Habitats & Resources*). The California Coastal Commission Appeal Jurisdiction follows the southern boundary of Main St, which is two blocks south of the subject site (See attachment *Appealable Areas*). The Town of Mendocino, including the project area, is mapped with a Moderate Fire Hazard rating and the local agency is the Mendocino Fire Protection District (See attachment *Fire Hazard Zones & Responsibility Areas*). The Town and project site are mapped as a Critical Water Area with groundwater extraction permits and sewer connections managed by Mendocino City Community Services District (See attachment *Ground Water Resources and Water Districts*). The project site soil is Western Soil Type 219 (See attachment *Local Soils*).

**SURROUNDING LAND USE AND ZONING:** As listed on Table 2, the surrounding lands are classified Multifamily Residential and Mixed Use (See attached *Mendocino Town Land Use and Mendocino Town Zoning*). The lot is situated facing Ukiah Street and surrounding lots are developed with Commercial and Visitor Accommodation Use Types.

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Multifamily Residential	Mendocino Multifamily Residential	0.12 acre	Vacant
EAST	Mixed Use	Mendocino Mixed Use	0.44 acre	Visitor Serving
SOUTH	Mixed Use	Mendocino Mixed Use	0.21 acre	Commercial
WEST	Mixed Use	Mendocino Mixed Use	0.21 acre	Residential

Distribution of *Visitor Serving Facilities* (VSF) and the allocation of lodging units in Town are regulated. Capacity is limited to 237 lodging units distributed among the Mendocino Visitor Serving Facility Combining District sites (shown on maps with \* and \*B). The Nicholson House Inn, at 44861 Ukiah Street, is one of these combining district sites. Listed on Table 3 are the 1992 allowed VSF units for each *Hotel, Inn, and Bed & Breakfast Accommodation*. The proposed change in allocation of seven VSF lodging units to the Nicholson House Inn is shown on Table 3, under the column labeled “Section 20.684.030(H)” (which references the *Visitor Serving Facilities Combining District Lodging Unit Allocation Procedure*). (NB: CDP\_2018-0026 previously authorized seven units at the Headlands Inn.)

As shown in Table 3, adding seven lodging unit at the Nicholson House Inn will increase the allocation of *Hotel and Inn Units* to 193 lodging units. The “*Additional Units Available for Allocation*” would decrease to 14 lodging units. The “*Total Allocation of Units*” would remain 237 lodging units.

VISITOR SERVING FACILITY NAME	ADDRESS	1992 ALLOWED UNITS	SECTION 20.684.030(H)
Hill House Hotel	10701 Palette Dr	44	
Heeser House	45080 Albion St	25	
MacCallum House	45065 Albion St	21	
Mendocino Hotel	45080 Albion St	26	
Joshua Grindle Inn	44800 Little Lake St	10	
MacCallum House Suites	10691 Palette Dr	5	
Dougherty House	45110 Ukiah St	8	
Sea Gull Inn	44960 Albion St	9	
Headlands Inn See CDP_2018-0026	10453 Howard St	6	Δ 7
Whitegate Inn / Blue Door Inn	10481 Howard St	5	
Sears House / Sweetwater Inn	44840 Main St	8	
1021 Main Street / Alegria Inn	44781 Main St	5	
Village / Didgeradoo Inn	44860 Main St	13	
Nicholson House See CDP_2018-0033	44861 Ukiah St	-0-	Δ 7
<b>* Hotels and Inns Total</b>		<b>185</b>	<b>Δ 193</b>
Lockey Seaside Cottage	10940 Lansing St	3	
Schrode / Mendocino Views	44920 Little Lake St	2	
Cameron/ Mattos	10521 School St	2	
McNamara / Packard House	45170 Little Lake St	4	
Wickersham / Blair House	45110 Little Lake St	4	
Friedman Village Cottages	45320 Little Lake St	3	
Parsons / Langters Inn	45101 Little Lake St	2	
Reeves	45141 Ukiah St	2	
Blue Heron Inn	390 Kasten St	4	
McElroy's Inn / Raku House	44820 Main St	4	
<b>*B Bed &amp; Breakfast Subtotal:</b>		<b>30</b>	<b>30</b>

Table 3: Mendocino Town Plan Visitor Serving Facilities			
VISITOR SERVING FACILITY NAME	ADDRESS	1992 ALLOWED UNITS	SECTION 20.684.030(H)
	Total Initially Allocated	215	
	Additional Available for Allocation	22	Δ 14
	Total Allocation of Units	237	237

**LOCAL COASTAL PROGRAM CONSISTENCY**

The proposed seven lodging units at the Nicholson House Inn would be consistent with the goals and policies of Coastal Element Chapter 4.13 *Mendocino Town Plan*, and this segment of Mendocino County's Local Coastal Program, as detailed below.

**LAND USE:** The project is situated within the Town of Mendocino and is subject to the goals and policies of the General Plan's Coastal Element Chapter 4.13. The parcel is classified as Mixed Use with a Visitor Serving Facility Combining classification (MU\*:U) (See attachment *Mendocino Town Land Use*). The Mixed Use classification is intended "to provide a transition between commercial development on Lansing Street and Main Street and residential areas; to provide space for offices and retail uses that do not generate heavy automobile traffic or generally operate between the house of 6:00 p.m. and 7:00 a.m.; and to encourage preservation and construction of moderately priced residential dwelling units." The applicant requests authorization of seven lodging units and the *Town Plan* provides for visitor serving uses in its Policies GM-12, GM-14, GM-15, and GM-22. The *Multi-family Residential* land use is a principally permitted use in the MU classification. As proposed, the project would be consistent with the goals and policies of Coastal Element Chapter 4.13.

**ZONING:** The project site is located within the Mendocino Mixed Use District with the Mendocino Visitor Serving Facilities Combining (MMU\*) District (See attachment *Mendocino Town Zoning*).

Pursuant with MCC Chapter 20.660, "This district is intended to provide: (1) A transition between the commercial development on Lansing and Main Streets and residential areas in the Town of Mendocino; (2) Space for offices and retail uses that do not generate heavy vehicular traffic or generally operate between the hours of 6:00 p.m. and 7:00 a.m.; (3) Support for visitor accommodations in the Visitor Serving Facilities Combining District on sites depicted with an asterisk (\*) or asterisk-B (\*B) on the certified Town Zoning Map; and (4) Encouragement for preservation and construction of moderately priced dwelling units by allowing a second residential dwelling unit, subordinate in size and scale, in keeping with the existing pattern of development. The site is also designated as a Mendocino Visitor Serving Facilities Combining District; pursuant with MCC Chapter 20.684, "this combining district is intended to provide for, and protect, visitor accommodations within the Town of Mendocino, and shall apply to those specific sites that have been reserved and deemed appropriate for commercial visitor serving facilities providing overnight accommodations, as listed in Appendix 2 of the Mendocino Town Plan, and as depicted with an asterisk (\*) or asterisk-B (\*B) on the certified Town Land Use and Zoning Maps, including hotels and inns of five (5) units or more (\*), and bed and breakfast accommodations of four (4) rooms or fewer (\*B)."

*Visitor Accommodation Use Types*, including *Hotels* or *Inns*, are permitted uses in the MMU District when it is combined with the Mendocino Visitor Serving Facilities Combining District (See MCC Section 20.664.010(A)(3)). The Nicholson House Inn, located at 44861 Ukiah Street, is a designated VSF site and the innkeeper requests authorization for seven lodging units. No new buildings or additions to existing structures are proposed.

Pursuant with MCC Section 20.684.030(H)(2), fourteen unallocated visitor serving facility lodging units would remain available for application, permitting, and use at designated VSF sites. Pursuant with MCC Section 20.684.030(H)(3), the property owner filed an application to authorize seven lodging units at

44861 Ukiah Street prior to January 1, 2019 and PBS found the filed application complete on May 17, 2019. As proposed, the project would be consistent with the regulations of MCC Chapters 20.660 *Mendocino Mixed Use* and 20.684 *Mendocino Visitor Serving Facilities Combining District*.

**HAZARDS MANAGEMENT:** Mapping does not associate the following with the subject site: faults, bluffs, landslides, erosion, or flood hazards (See attachment *LCP Land Capabilities & Natural Hazards*). The parcel is located in an area classified as a "Moderate Fire Hazard" (See attachment *Fire Hazard Zones & Responsibility Areas*). Fire protection services are provided by the Mendocino Fire Protection District (MFPD). On May 3, 2019, the application was referred to MFPD for input; however, no response has been received. On May 9, 2019, California Department of Forestry and Fire Prevention (CalFire) responded that they had no comment at this time. CalFire Permit 59-19 lists specified fire safe standards to be implemented at the site, including address and driveway standards, and a requirement to maintain defensible space. As proposed, the project would be consistent with MCC Section 20.692.025 which refers to additional requirements for all districts, including MCC Chapter 20.500 *Hazard Areas*.

**VISUAL RESOURCES:** Pursuant with MCC Section 20.504.020(A), the Town of Mendocino is the only recognized special community in the Coastal Element. The Mendocino Town Zoning Code establishes specific criteria for development in Mendocino. The site is not mapped as a Highly Scenic Area. The proposed would not change the exterior appearance of the existing buildings. On June 3, 2019, the project was referred to Mendocino Historical Review Board for their comment. At their public hearing, the Review Board stated they have no comments. Requesting comments from the Review Board is consistent with MCC Section 20.720.035(A)(7), as the Review Board may judge whether proposed development conforms with adopted design standards for the historic district. As proposed, the project would be consistent with MCC Section 20.692.025, which refers to additional requirements for all districts, including MCC Chapter 20.504 *Visual Resource and Special Treatment Areas* and the project would be consistent with MCC Section 20.720.035(A)(7).

**HABITATS AND NATURAL RESOURCES:** The Nicholson House Inn is not situated in a sensitive coastal resource area. The parcel is mapped as barren land and no ground disturbing activity is proposed (See attachment *LCP Habitat and Resources*). The proposed project would not affect sensitive coastal resources; therefore, the Department of Fish and Wildlife was not contacted when staff distributed the application to agencies for their comment. As proposed, the project would be consistent with MCC Section 20.692.025 which refers to additional requirements for all districts, including MCC Section 20.532.060 *Environmentally Sensitive Habitat Area-Supplemental Application Procedures*.

**GRADING, EROSION, AND RUN-OFF:** The site is characterized as beach deposits and stream alluvium (See attachment *LCP Land Capabilities & Natural Hazards*) and is mapped with Western Soil Class #219 (See attachment *Local Soils*). As no grading is proposed, the project would satisfy County policies for grading, erosion, and run-off and MCC Chapter 20.717 *Water Quality Protection*. The project would be consistent with MCC Section 20.692.025 which refers to additional requirements for all districts, including MCC Chapter 20.492 *Grading, Erosion, and Run-Off*.

**ARCHAEOLOGICAL/CULTURAL RESOURCES:** Mendocino County Department of Planning and Building Services procedure is to not refer these types of projects to either the California Historic Resource Information Center (CHRIS) or the Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Mendocino County Archaeological Commission in 2005 and again in 2014 and it was determined to be an appropriate guidance document for what projects would require archaeological review. Staff notes that a condition advises the property owner of the "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project (See recommended Condition #8). As conditioned, the project would satisfy County policies for archaeological and cultural resources, including MCC Section 22.12.090.

On May 3, 2019, the project was referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians; however, there are no comments at this time.

**TRANSPORTATION/CIRCULATION AND MCC CHAPTER 20.714:** The project would contribute to minimal traffic on local and regional roadways. The cumulative effects of traffic resulting from the existing inn and its associated development were considered when the Coastal Element land use designations were assigned. Staff recommends the project would not affect transportation or circulation and would be provided with adequate access. On May 3, 2019, the application was distributed to Mendocino County Department of Transportation (MCDOT) for their comment. On May 15, 2019, MCDOT offered three conditions for consideration:

1. A private road approach shall be constructed onto Main Street (CR 407C), in accordance with Mendocino County road and Development Standards No. A51B or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
2. Applicant shall pave with hot mix asphalt concrete or comparable surfacing to the extent of the property fronting Main Street (CR 407C) from the property line to the edge of the County Road.
3. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County rights-of-way.

Pursuant with MCC Section 20.684.030(E), "one parking space shall be provided onsite for each lodging unit, or where available space or the requirements of Division III preclude off-street parking, an in-lieu fee shall be paid for provision of off-street parking." Staff recommends a condition requiring the property owner to provide seven onsite parking spaces or, pursuant with MCC Section 20.714.015(B), pay an in-lieu fee for the number of spaces that cannot be accommodated on-site (See recommended Condition #10).

As conditioned, the project would satisfy County policies for transportation and circulation, and satisfies MCC Chapter 20.714 *Circulation and Parking* and MCC Section 20.684.030(E) requirements (See recommended Conditions #9, #10, #11, #12, and #13).

**PUBLIC ACCESS:** The site, located in the Town of Mendocino is not designated as a potential public access trail location. As shown on an *LCP Map 17 Mendocino*, existing public access to the shore is located along Main Street and throughout Mendocino Headlands State Park. As proposed, the project would be consistent with Public Access and Recreation Policies of Coastal Element Chapter 4.13, including Policy PAR-8, and MCC Chapter 20.718 *Public Access*.

**GROUNDWATER RESOURCES:** The project site is located within a mapped Critical Water Resources Area (See attachment *Ground Water Resources*). On May 3, 2019, the application was referred to MCCSD and Mendocino County Department of Environmental Health (DEH) for comment. DEH commented that water and sewer would be referred to MCCSD. MCCSD responded that they have approved seven short-term visitor servings units and three long-term residences. The property has demonstrated access to sufficient groundwater and sewer connection. As proposed, the project would satisfy County policies for groundwater resources as implemented by MCC Chapter 20.744 *Ground Water Evaluation*.

### **ENVIRONMENTAL DETERMINATION**

The Secretary for Resources has found that certain classes or projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. The seven unit inn would meet the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 3, Section 15303 (e), which reads "the construction of a structure in an urban, commercial district."

**PROJECT FINDINGS AND CONDITIONS**

Pursuant to the provisions of Chapter 20.720 of the Mendocino Town Zoning Code, the Coastal Permit Administrator approves the proposed project and adopts the following findings and conditions.

**FINDINGS:**

1. Pursuant with MCC Section 20.720.035(A)(1), a seven-unit *Visitor Serving Facility* located at 44861 Ukiah St., Mendocino (APN: 119-250-12) and known as “the Nicholson House Inn” satisfies the goals and policies of the Coastal Element Chapter 4.13 *Mendocino Town Plan* (including GM-12, GM-14, GM-15, GM-22) and *Visitor Serving Facilities* are intended for the classification in which the project is proposed; and
2. Pursuant with MCC Section 20.720.035(A)(2), a seven-unit *Visitor Serving Facility* located at 44861 Ukiah Street has access to adequate utilities, access roads, drainage, and other necessary facilities, including access to sufficient ground water and a sewer connection; and
3. Pursuant with MCC Section 20.720.035(A)(3), a seven-unit *Visitor Serving Facility* located at 44861 Ukiah Street is consistent with the purpose and intent of the Mendocino Mixed Use District, as well as all other provisions of the Mendocino Town Zoning Code, including MCC Section 20.684.030(H) *Visitor Serving Facilities (VSF) Combing District Lodging Unit Allocation Procedures*; and
4. Pursuant with MCC Section 20.720.035(A)(4), a seven-unit *Visitor Serving Facility* located at 44861 Ukiah Street would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. Pursuant with MCC Section 20.720.035(A)(5), a seven-unit *Visitor Serving Facility* located at 44861 Ukiah Street would not have any adverse impact on any known archaeological or paleontological resources and Condition 8 is in place when archaeological sites or artifacts are discovered; and
6. Pursuant with MCC Section 20.720.035(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the site. A seven-unit *Visitor Serving Facility* located at 44861 Ukiah Street would not affect demands on public services; and
7. Pursuant with MCC Section 20.720.035(A)(7), a seven-unit *Visitor Serving Facility* located at 44861 Ukiah Street conforms with the design standards of Section 20.760.050 and the Mendocino Historical Review Board stated they had no comment on this project.

**CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.720.045(E) of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. To remain valid, progress towards completion of the project must be continuous. The property owner(s) have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.



4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The Property Owner(s) shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. The permit was obtained or extended by fraud.
  - b. One or more of the conditions upon which the permit was granted have been violated.
  - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. Project approval by the Historical Review Board shall be obtained prior to initiating project construction, including alterations to pedestrian pathways or driveway access to County roads.
10. To the satisfaction of the Director and prior to the expiration date of CDP\_2018-0026, and pursuant with MCC Section 20.714.015(A) and (B), the development may meet the parking requirements through project design, recorded off-site parking agreements with third parties, or participation in an in-lieu fee parking program. Where no off-street parking is feasible in otherwise permitted development, the applicant shall pay an in-lieu fee to the County, or to an entity acceptable to the County, provided that such fees shall be proportionate to the cost of parking construction and maintenance, and shall be used solely in the Town of Mendocino for street and public parking improvements within existing public street rights-of-way or on other publicly owned land.
11. A private road approach shall be constructed onto Ukiah Street (CR 407C), in accordance with Mendocino County road and Development Standards No. A51B or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
12. Applicant shall pave with hot mix asphalt concrete or comparable surfacing to the extent of the property fronting Ukiah Street (CR 407C) from the property line to the edge of the County Road.
13. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County rights-of-way.

Staff Report prepared by:

7-11-19

DATE

  
JULIANA CHERRY

Appeal Period: 10 Days  
Appeal Fee: \$1610.00

**ATTACHMENTS:**

- |                      |   |
|----------------------|---|
| A. Location Map      | N. Water Tower                              |
| B. Aerial Imagery    | O. Water Tower Elevations                   |
| C. Aerial Imagery    | P. Mendocino Town Land Use Map              |
| D. Topographical Map | Q. Mendocino Town Zoning                    |
| E. Site Plan         | R. LCP Land Capabilities & Natural Hazards  |
| F. Basement Plan     | S. LCP Habitats and Resources               |
| G. House Level 1     | T. Appealable Areas                         |
| H. House Level 2     | U. Adjacent Parcels                         |
| I. Roof Plan         | V. Fire Hazard Zones & Responsibility Areas |
| J. House Elevations  | W. Ground Water Resources                   |
| K. Office Basement   | X. Water Districts                          |
| L. Office Level 1    | Y. Local Soils                              |
| M. Office Elevations |   |

**REFERRAL AGENCIES:**

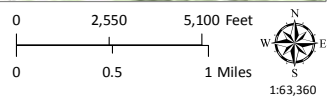
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| Assessor's Office                          | No response |
| Building Division Fort Bragg               | No comment  |
| CalFire Land Use                           | No comment  |
| California Coastal Commission              | No response |
| California State Clearinghouse             | No response |
| Cloverdale Rancheria                       | No response |
| County Addresser                           | Comment     |
| Department of Transportation               | Comment     |
| Division of Environmental Health           | Comment     |
| Mendocino City Community Services District | Comment     |
| Mendocino Fire District                    | No response |
| Planning Division Ukiah                    | Comment     |
| Potter Valley Tribe                        | No response |
| Redwood Valley Rancheria                   | No response |
| Sherwood Valley Band of Pomo Indians       | No response |



MENDOCINO COUNTY PLANNING DEPARTMENT 12/21/2019

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

- Major Towns & Places
- Major Roads
- Major Rivers
- Highways



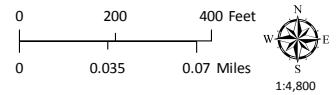
**LOCATION MAP**  
**ATTACHMENT A**

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.**  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

-  Major Towns & Places
-  Private Roads
-  Named Rivers
-  Public Roads



**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.**  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

AERIAL IMAGERY  
 ATTACHMENT B

MENDOCINO COUNTY PLANNING DEPARTMENT © 2018

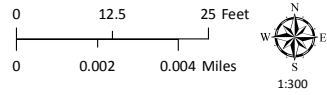


UKIAH STREET 407C

SCHOOL STREET 4070

CASE: CDP 2018-0033  
OWNER: BROWN, Judith  
APN: 119-250-12  
APLCT: Hank McCusker  
AGENT: Hank McCusker  
ADDRESS: 44861 Ukiah Street, Mendocino

Public Roads

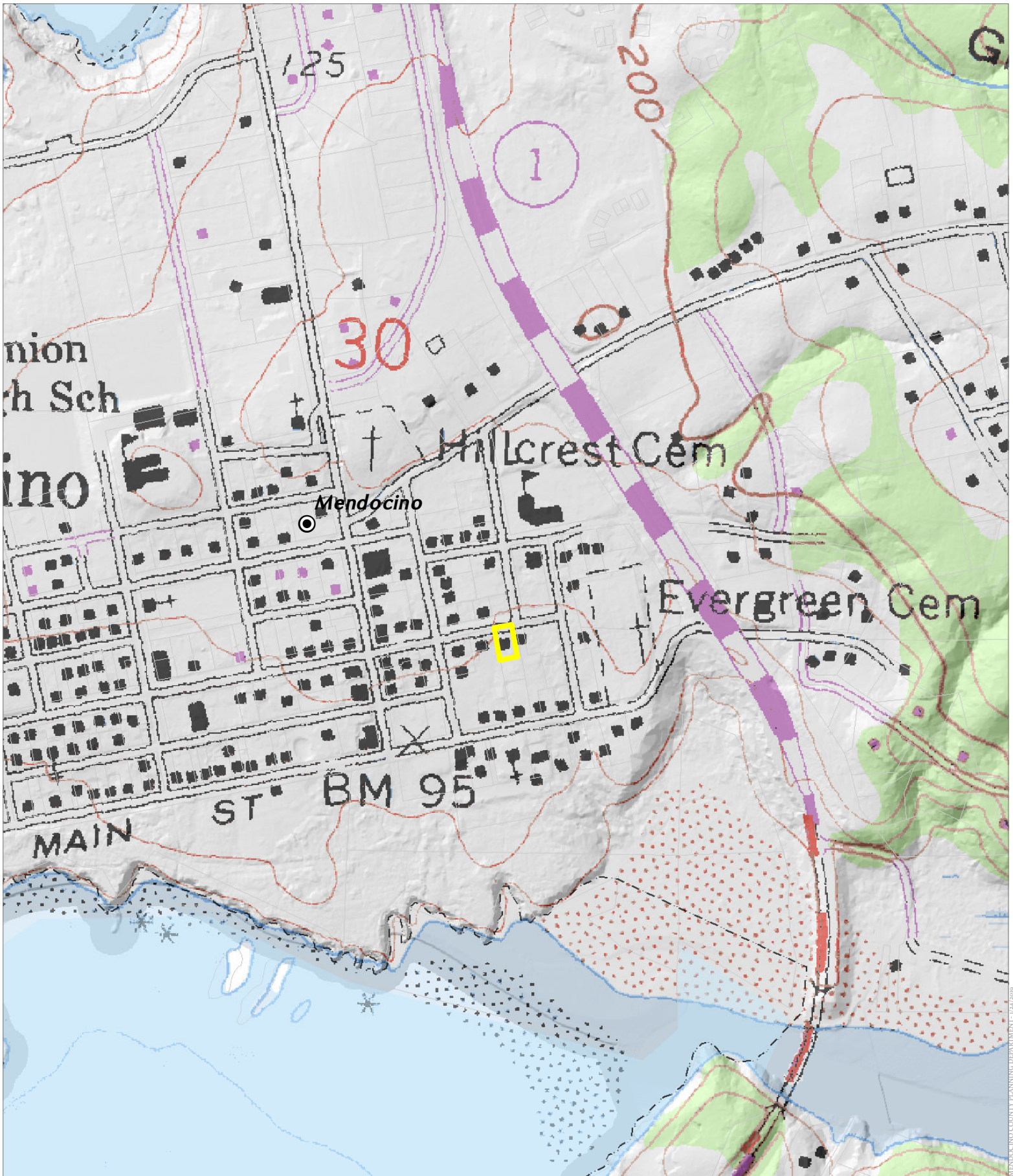


AERIAL IMAGERY

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.**  
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

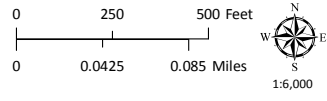
ATTACHMENT C

MENDOCINO COUNTY PLANNING DEPARTMENT - 12/17/2019



CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

● Major Towns & Places

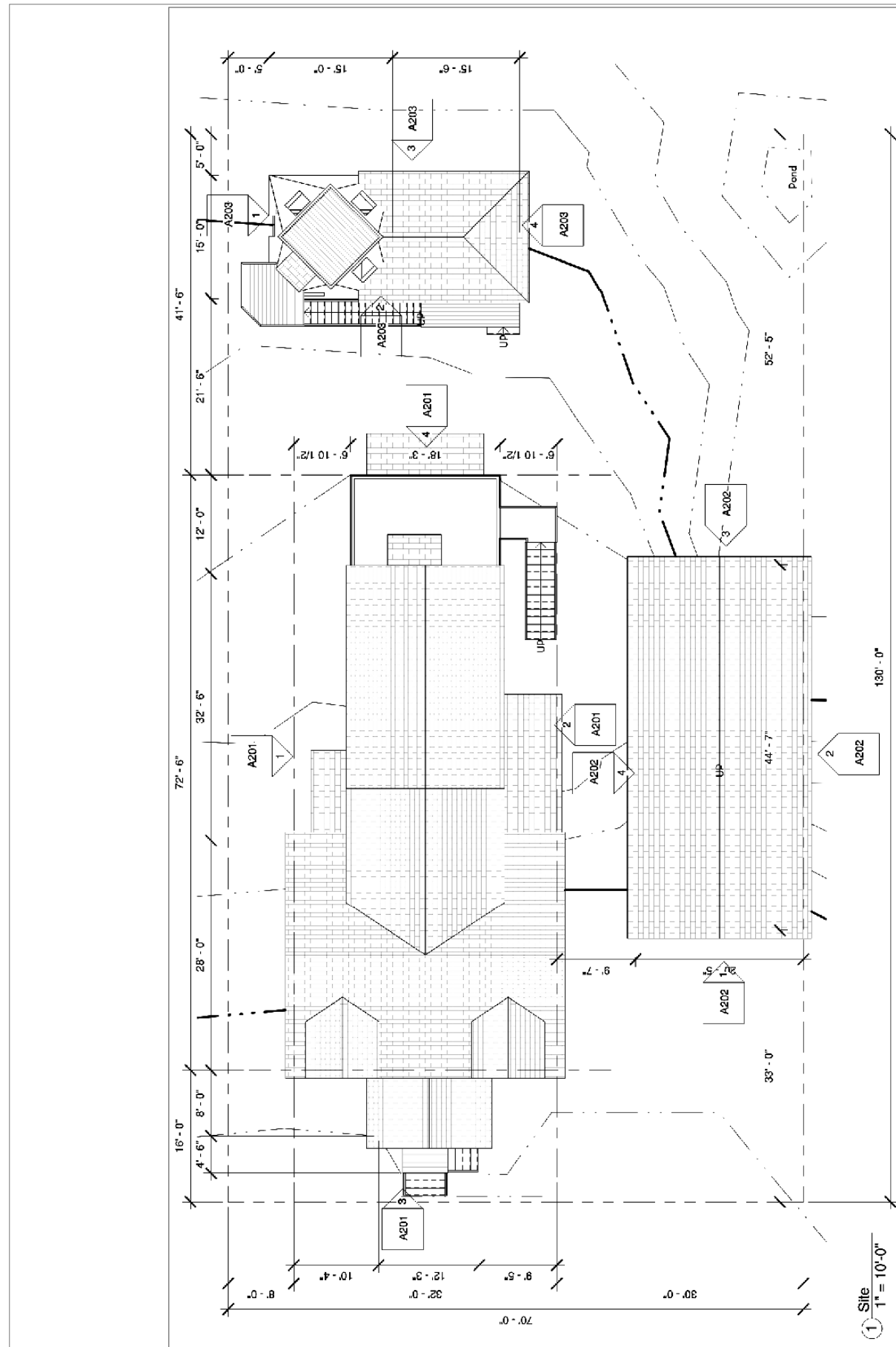


TOPOGRAPHIC MAP  
 CONTOUR INTERVAL IS 40 FEET

ATTACHMENT D

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**

MENDOCINO COUNTY PLANNING DEPARTMENT - 1/24/2019



<b>Site</b>	
Project number:	NH-001
Date:	12/26/2018
APN#:	119-250-12
<b>A100</b>	
Scale: 1" = 10'-0"	

No.	Description	Date

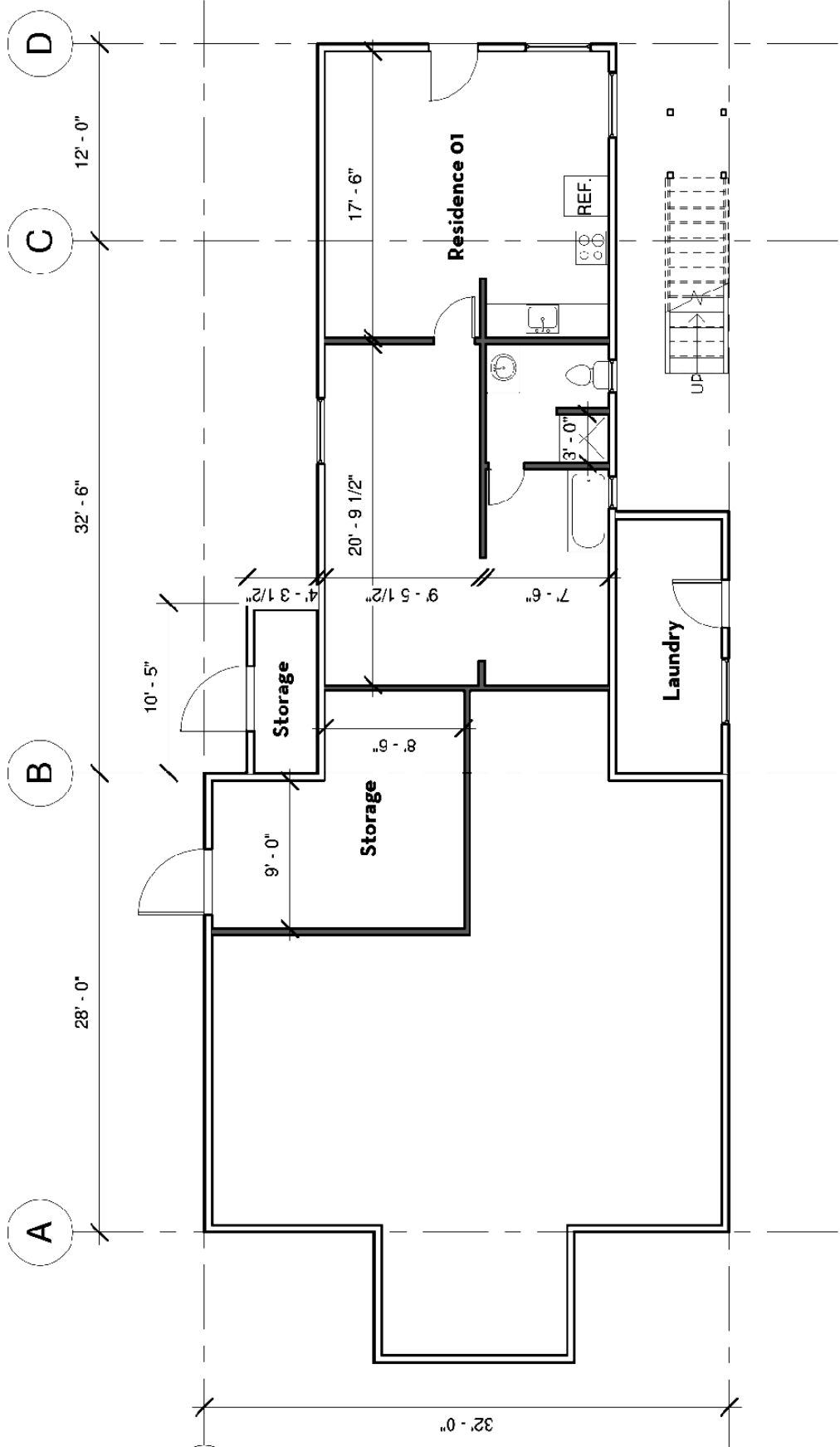
**Nicholson House Inn**  
**Inn Rental Spaces**  
 44861 Ukiah St, Mendocino, CA 95460

**Sunny Chancellor**  
 DESIGNER  
 Mobile: 707.357.6595  
 sunny@chancellor.net

Post Office Box 1582  
 Mendocino, CA 95460

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE



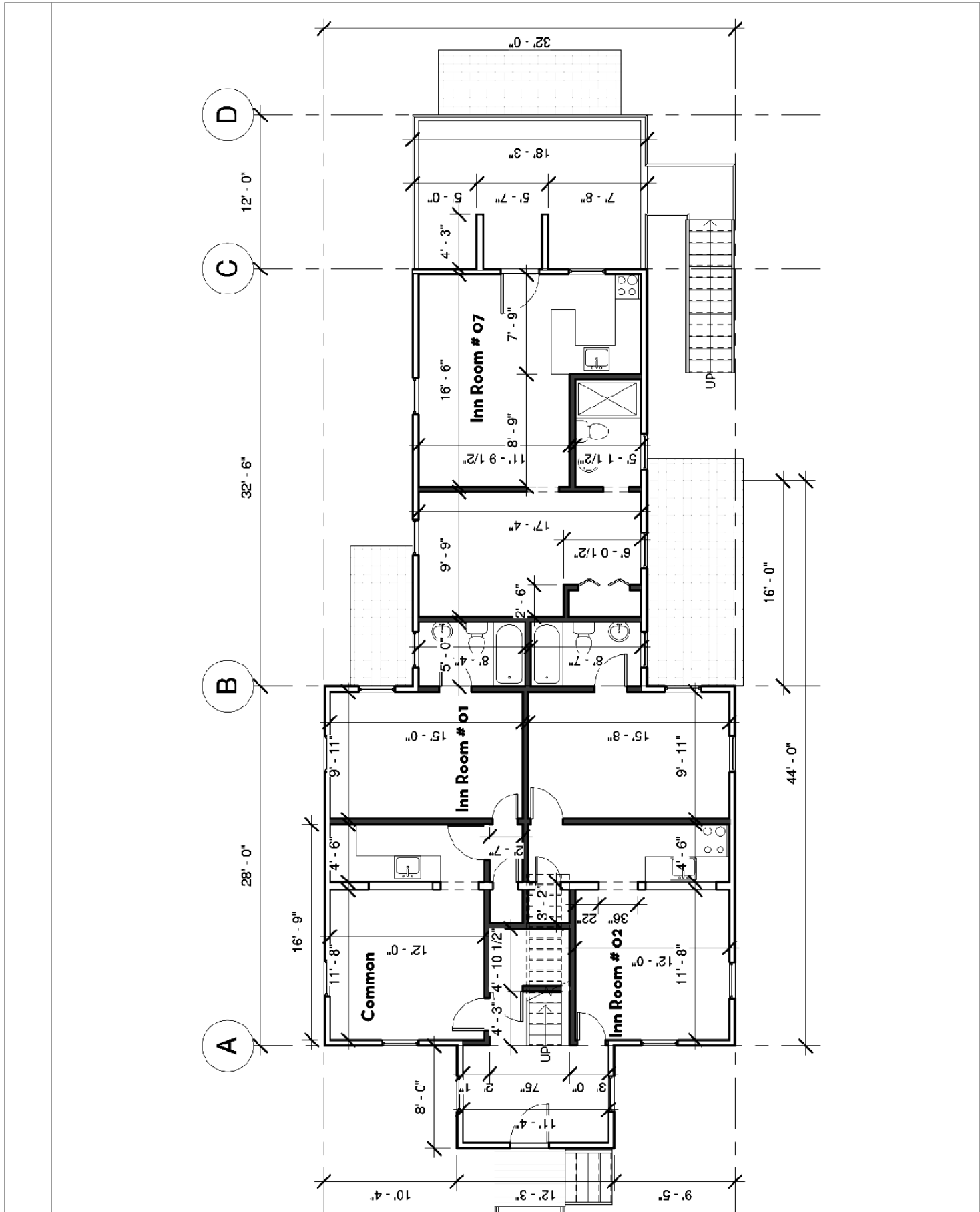
CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE

BASEMENT PLAN  
 ATTACHMENT F

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2019





CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE

HOUSE LEVEL 1  
 ATTACHMENT G

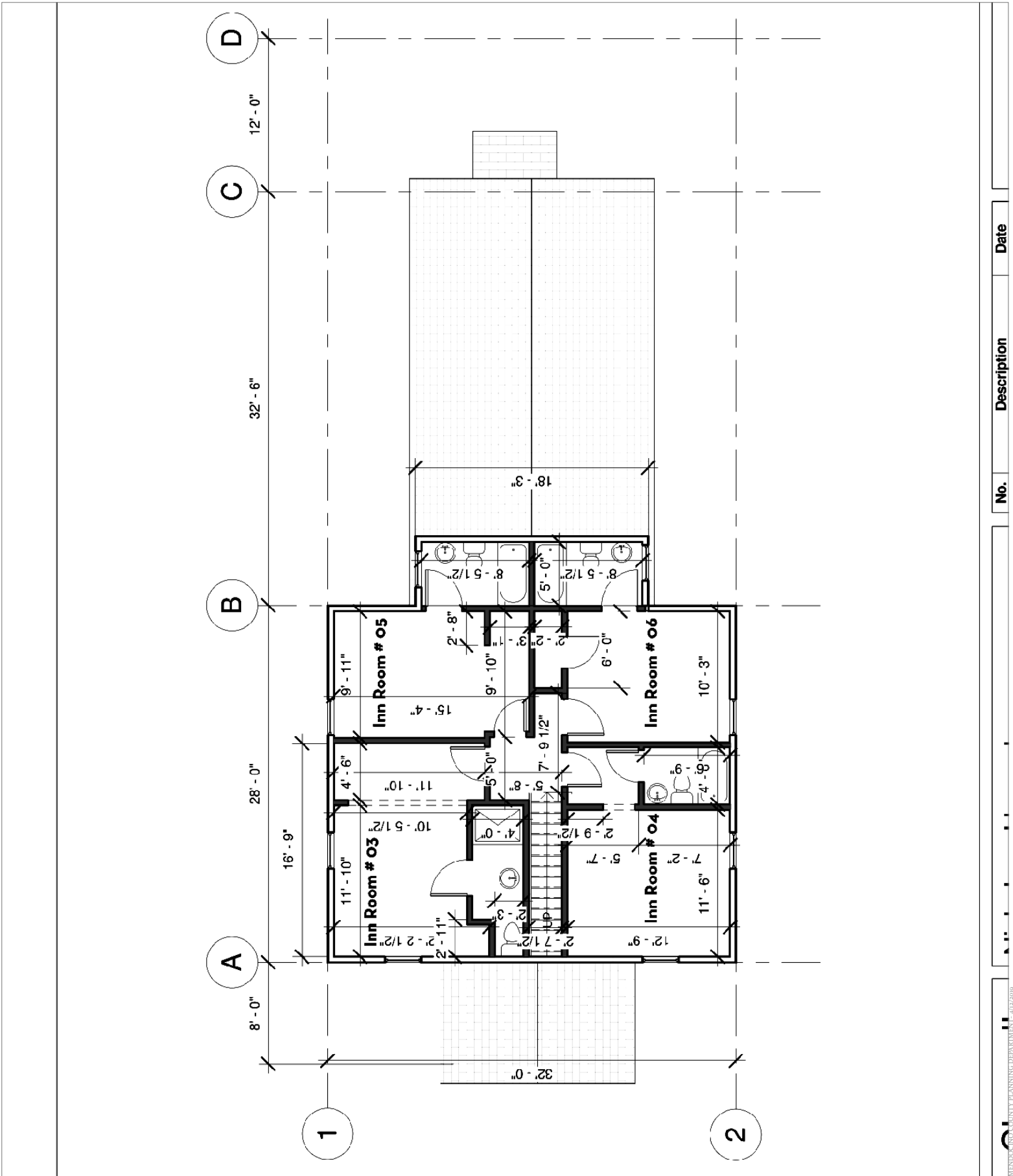
**hancellor**

Nicholson House Inn

No.	Description	Date

House - Level 1

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2019

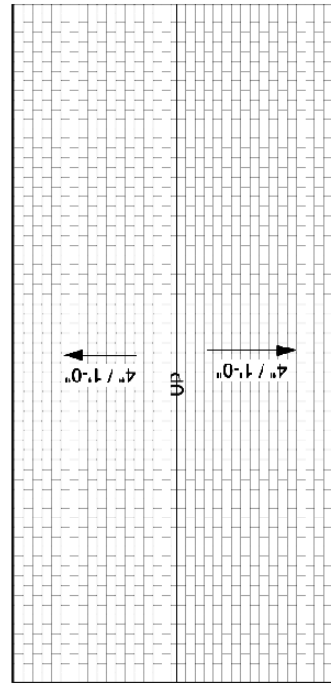
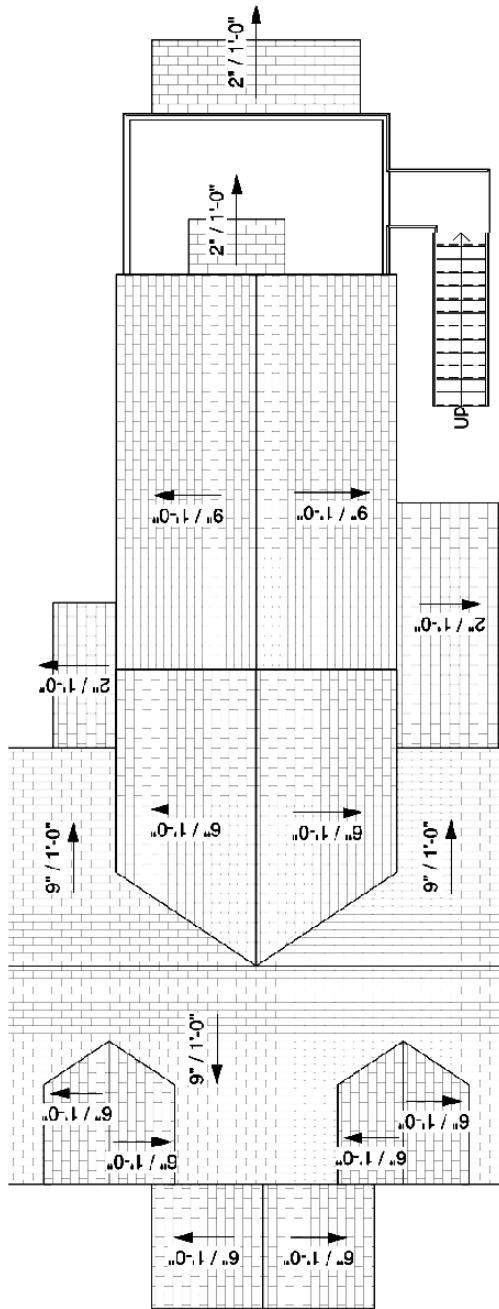
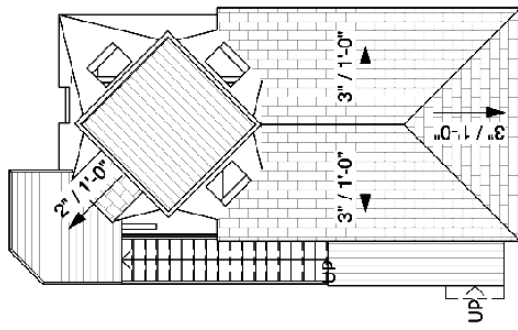


CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE

HOUSE LEVEL 2  
 ATTACHMENT H

No.	Description	Date



# Roof Plan

Project number: NH-001

No.	Description	Date

## Nicholson House Inn Inn Rental Spaces

**Sunny Chancellor**  
DESIGNER

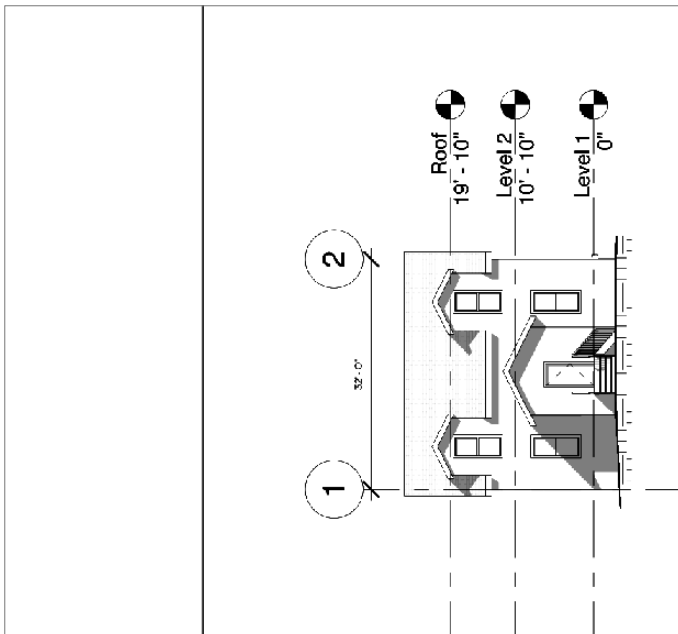
M.H.I. 757.057.6642  
MENDOCINO COUNTY PLANNING DEPARTMENT

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

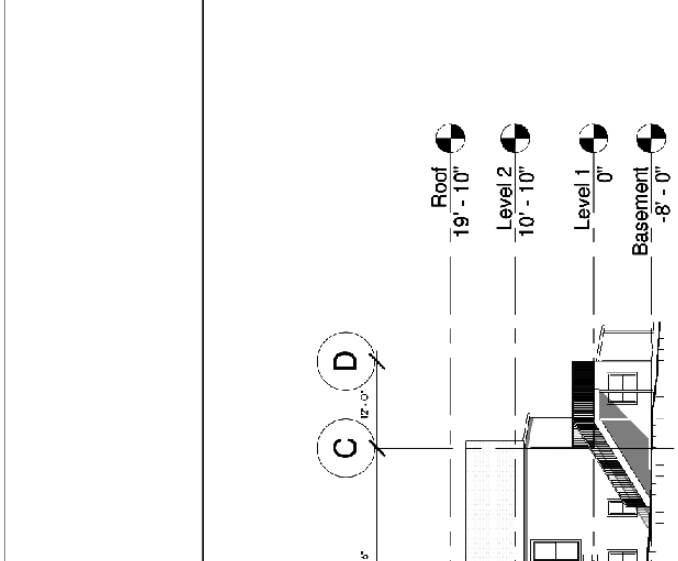
NO SCALE

ROOF PLAN

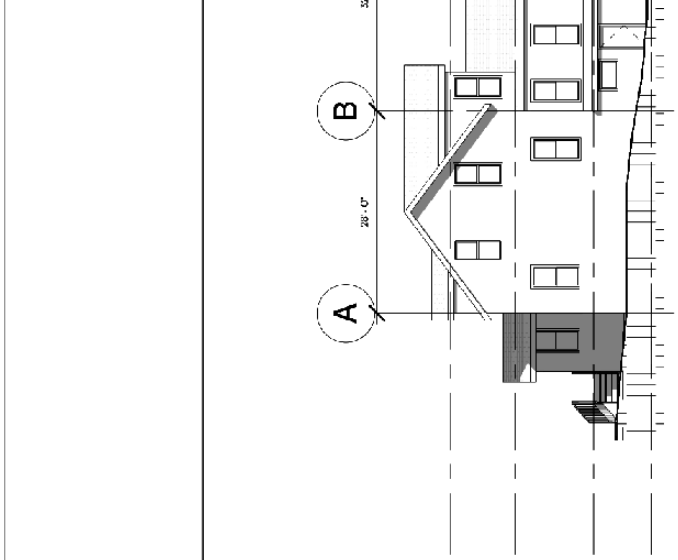
ATTACHMENT I



② House - West  
1/16" = 1'-0"

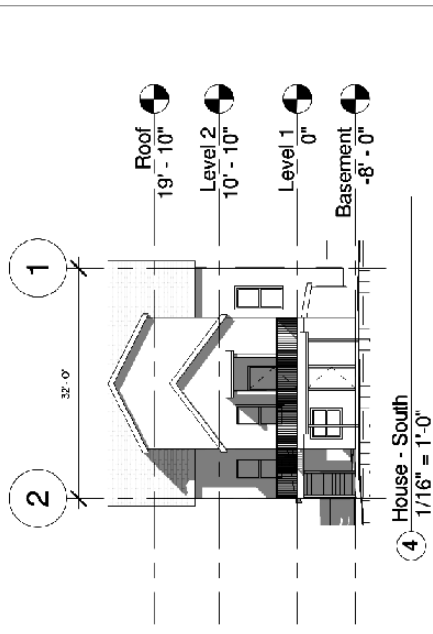


③ House - North  
1/16" = 1'-0"



① House - East  
1/16" = 1'-0"

④ House - South  
1/16" = 1'-0"



House Elevations	
Project number:	NH-001
Date:	12/26/2018
APN#:	119-250-12
Scale: 1/16" = 1'-0"	

No.	Description	Date

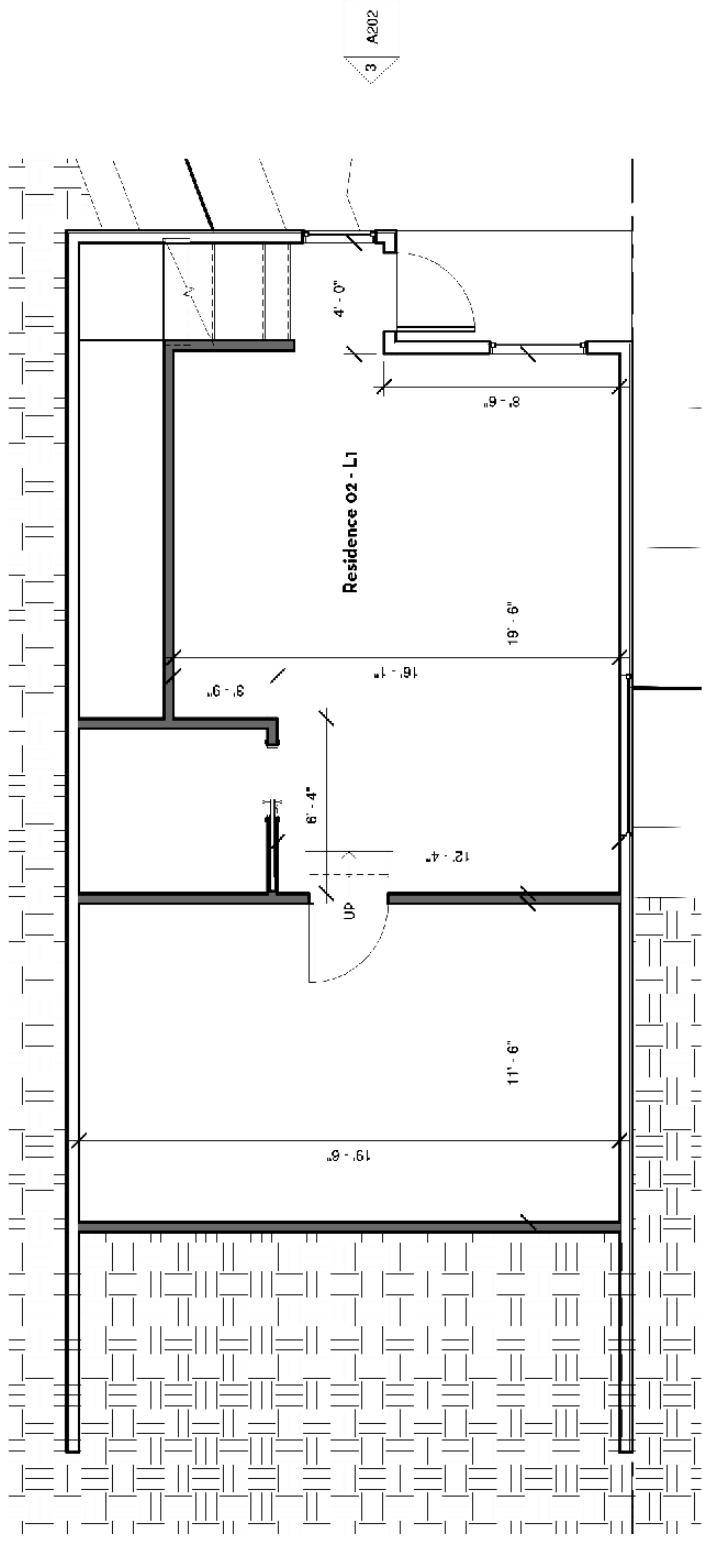
**Sunny Chancellor**  
DESIGNER  
Mobile: 707.357.6895  
sunny@chancellor.net

**Nicholson House Inn  
Inn Rental Spaces**  
44861 Ukiah St, Mendocino, CA 95460

Post Office Box 1582  
Mendocino, CA 95480

CASE: CDP 2018-0033  
OWNER: BROWN, Judith  
APN: 119-250-12  
APLCT: Hank McCusker  
AGENT: Hank McCusker  
ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE



1 Office Basement  
1/4" = 1'-0"

No.	Description	Date

**Sunny Chancellor**  
 DESIGNER  
 Mobile: 707.357.6595  
 sunny@chancellor.net

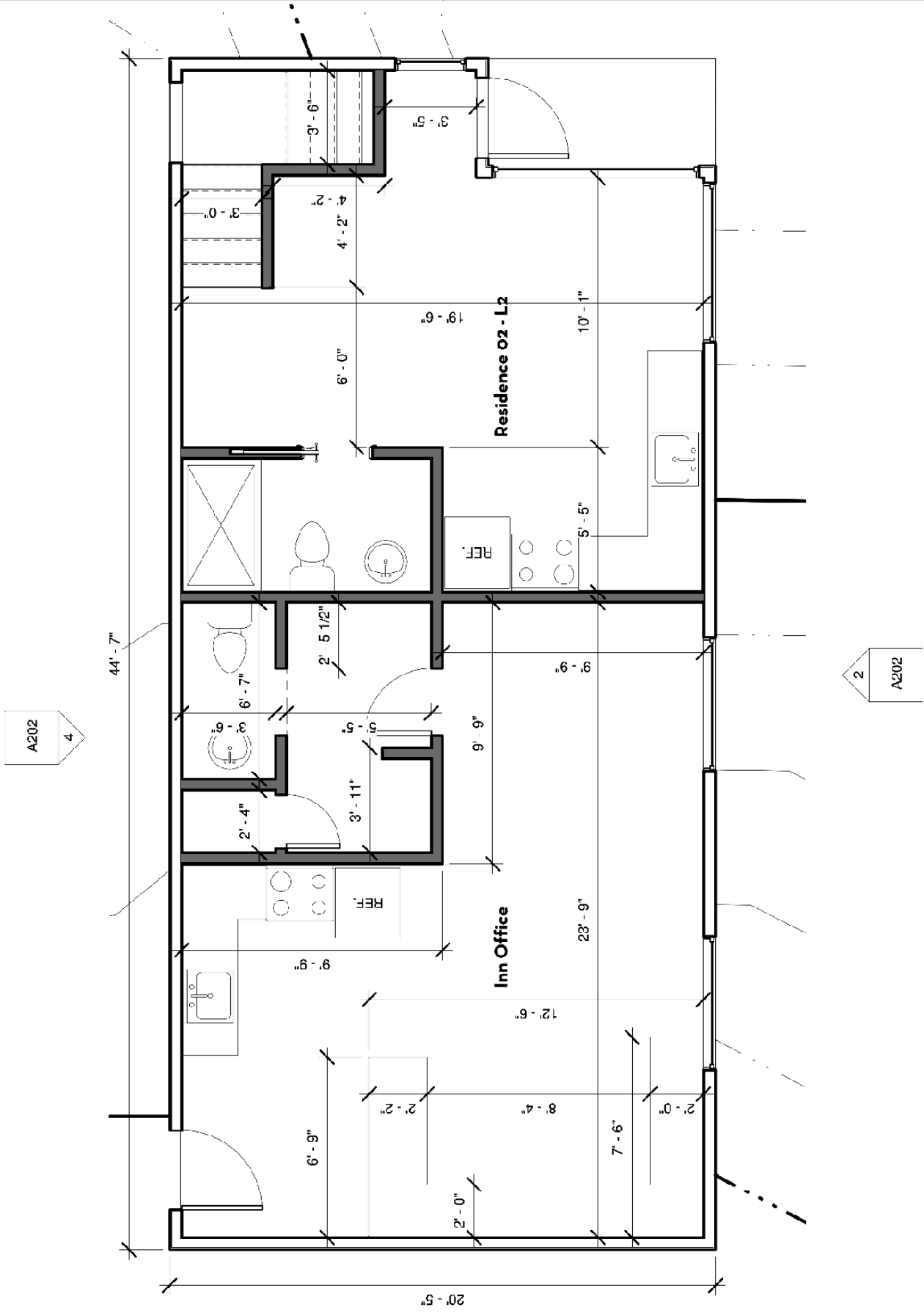
**Nicholson House Inn  
 Inn Rental Spaces**  
 44861 Ukiah St. Mendocino, CA 95460

**Office - Basement**  
 Project number: NH-001  
 Date: 12/26/2018  
 APN#: 119-250-12  
 A104  
 Scale: 1/4" = 1'-0"

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2009



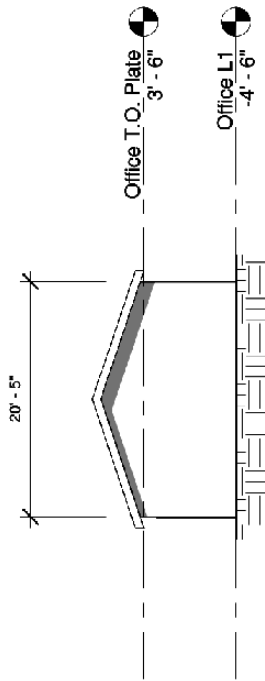
No.	Description	Date

City Chancellor  
 Mendocino County Planning Department - 4/12/2019  
 Nicholson House Inn

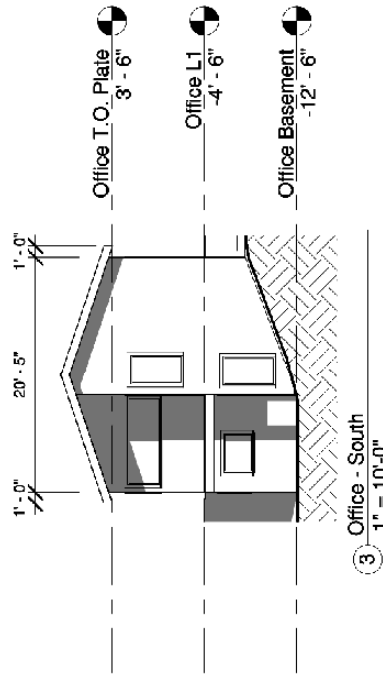
Office - Level 1

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

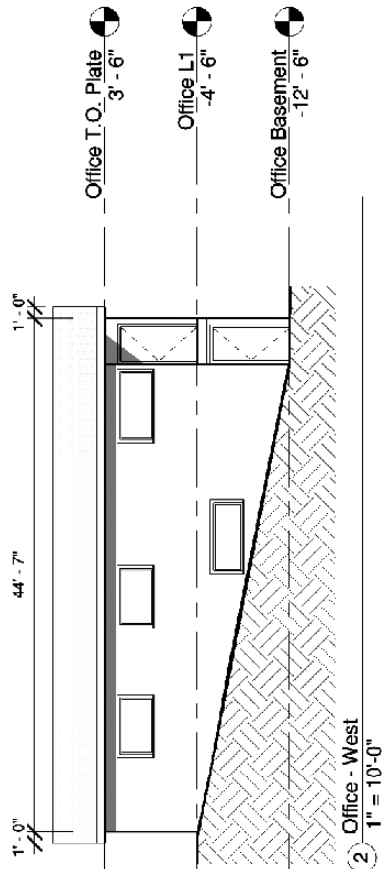
NO SCALE



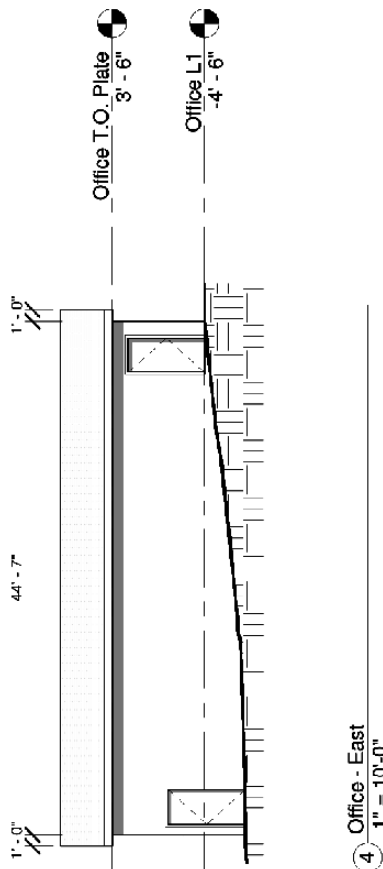
① Office - North  
1" = 10'-0"



③ Office - South  
1" = 10'-0"



② Office - West  
1" = 10'-0"



④ Office - East  
1" = 10'-0"

### Office Elevations

Project number:	NH-001
Date:	12/26/2018
APN#:	119-250-12

A202  
Scale: 1" = 10'-0"

No.	Description	Date

**Nicholson House Inn**  
**Inn Rental Spaces**  
 44851 Ukiah St, Mendocino, CA 95460

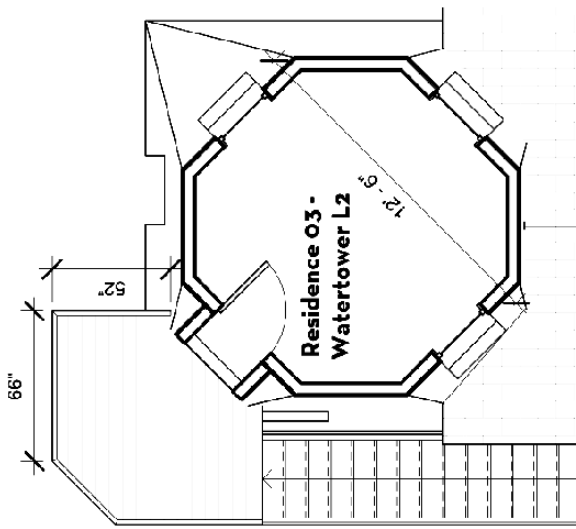
**Sunny Chancellor**  
 DESIGNER  
 Mobile: 707.357.6895  
 sunny@chancellor.net

Post Office Box 1582  
 Mendocino, CA 95480

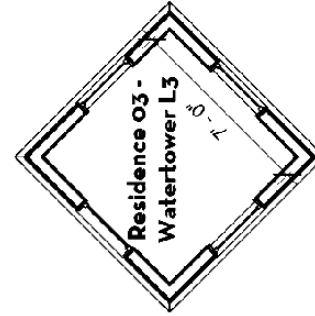
CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE

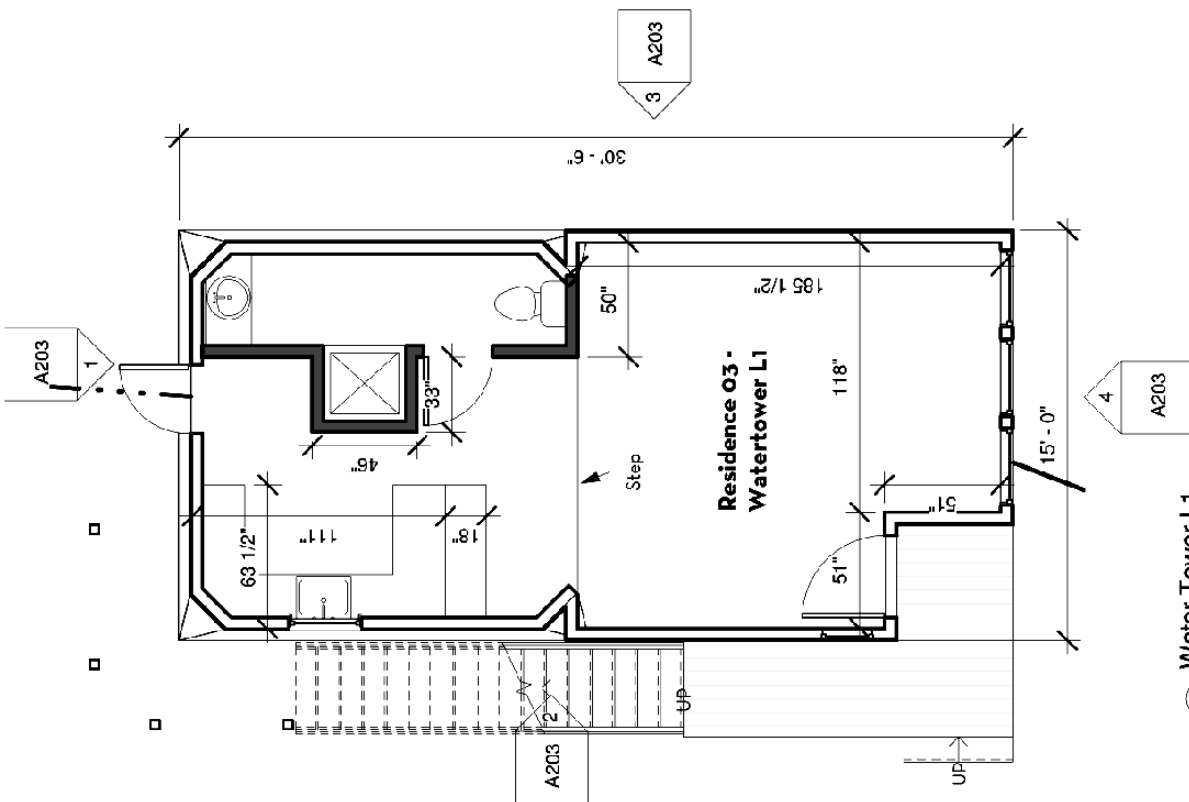
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2019



② Water Tower L2  
3/16" = 1'-0"



③ Water Tower L3  
3/16" = 1'-0"



① Water Tower L1  
3/16" = 1'-0"

Water Tower

No.	Description	Date

Nicholson House Inn  
Inn Rental Spaces

Sunny Chancellor  
DESIGNER

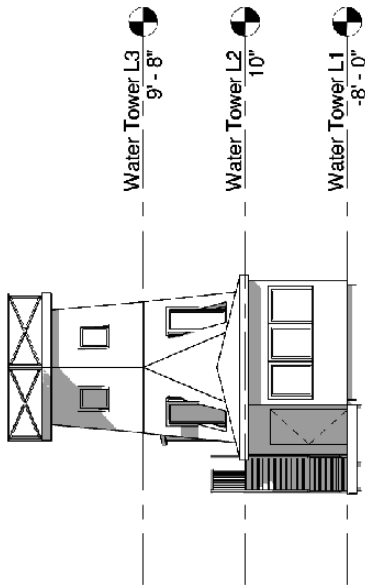
WATER TOWER  
ATTACHMENT N

CASE: CDP 2018-0033  
OWNER: BROWN, Judith  
APN: 119-250-12  
APLCT: Hank McCusker  
AGENT: Hank McCusker  
ADDRESS: 44861 Ukiah Street, Mendocino

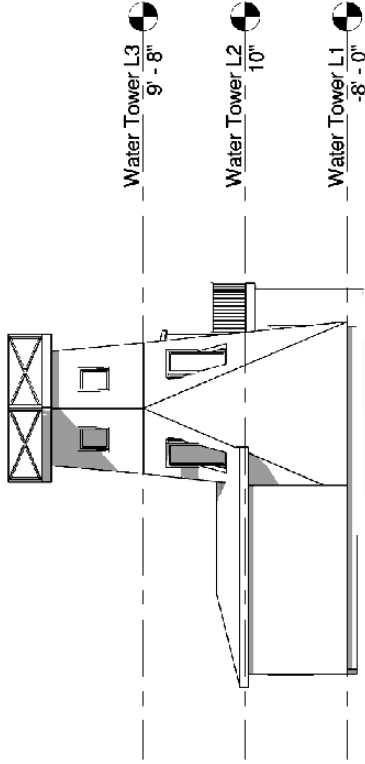
NO SCALE

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2019 11:41:36 AM 363 063 0666 Project number: NI

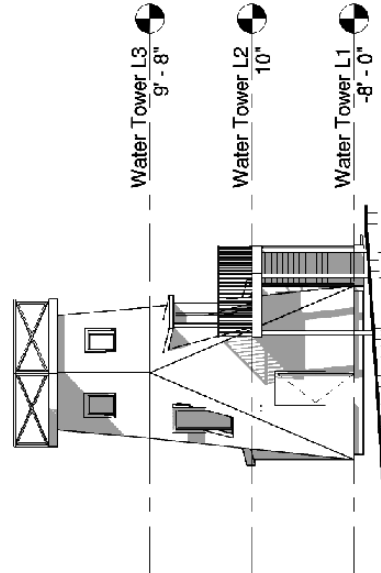




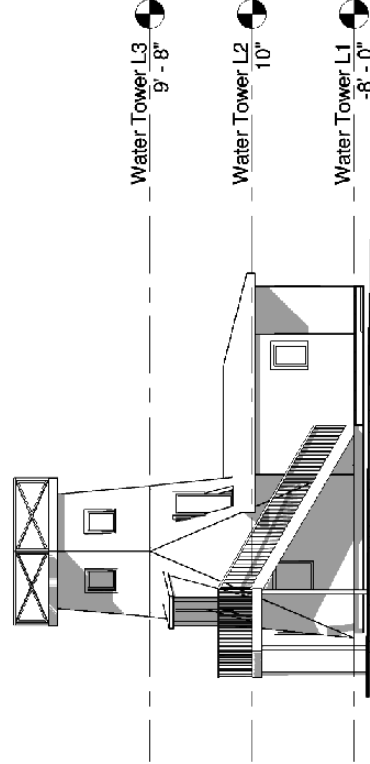
④ Water tower - West  
1" = 10'-0"



③ Water tower - South  
1" = 10'-0"



① Water tower - East  
1" = 10'-0"



② Water tower - North  
1" = 10'-0"

**Sunny Chancellor**  
DESIGNER

Mobile: 707.357.6895  
sunny@chancellor.net

Post Office Box 1562  
Mendocino, CA 95480

**Nicholson House Inn  
Inn Rental Spaces**  
44851 Ukiah St, Mendocino, CA 95460

**Watertower Elevations**

Project number:	NH-001	A203
Date:	12/26/2018	
APNH:	119-250-12	

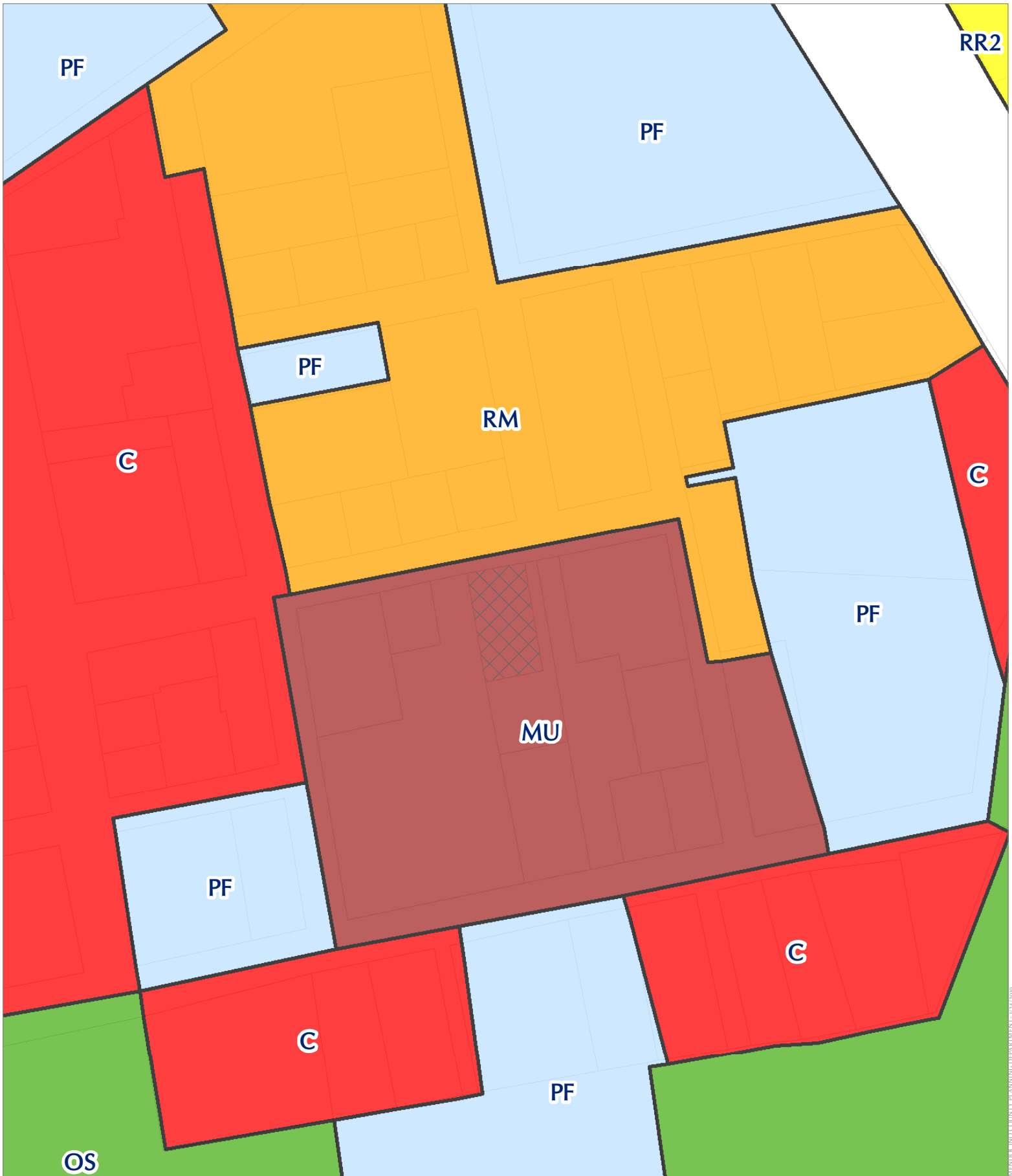
Scale: 1" = 10'-0"

No.	Description	Date

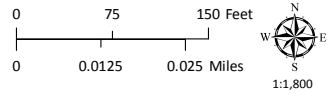
CASE: CDP 2018-0033  
OWNER: BROWN, Judith  
APN: 119-250-12  
APLCT: Hank McCusker  
AGENT: Hank McCusker  
ADDRESS: 44861 Ukiah Street, Mendocino

NO SCALE

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2009

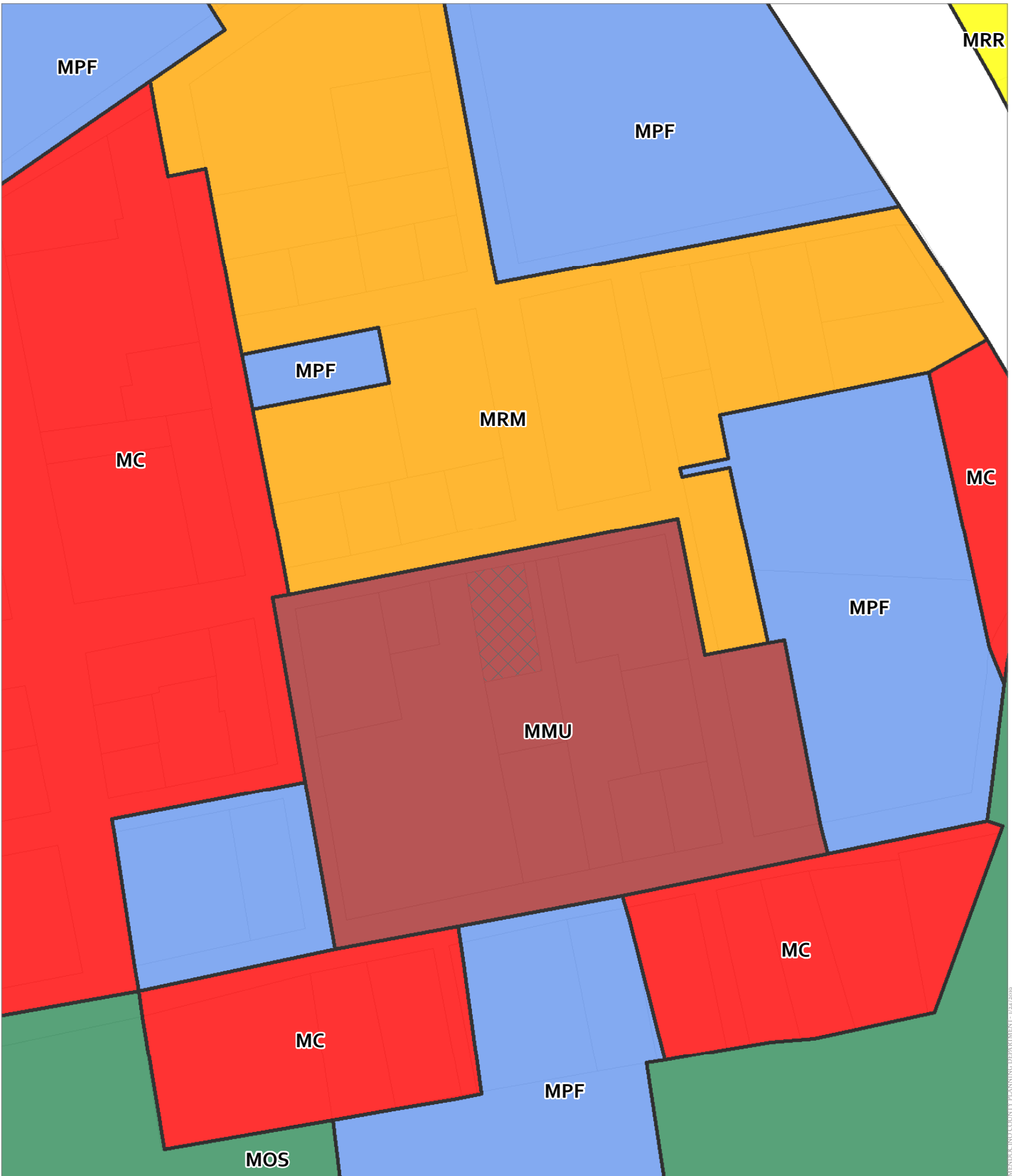


CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

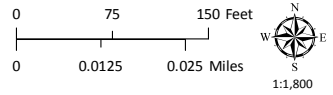


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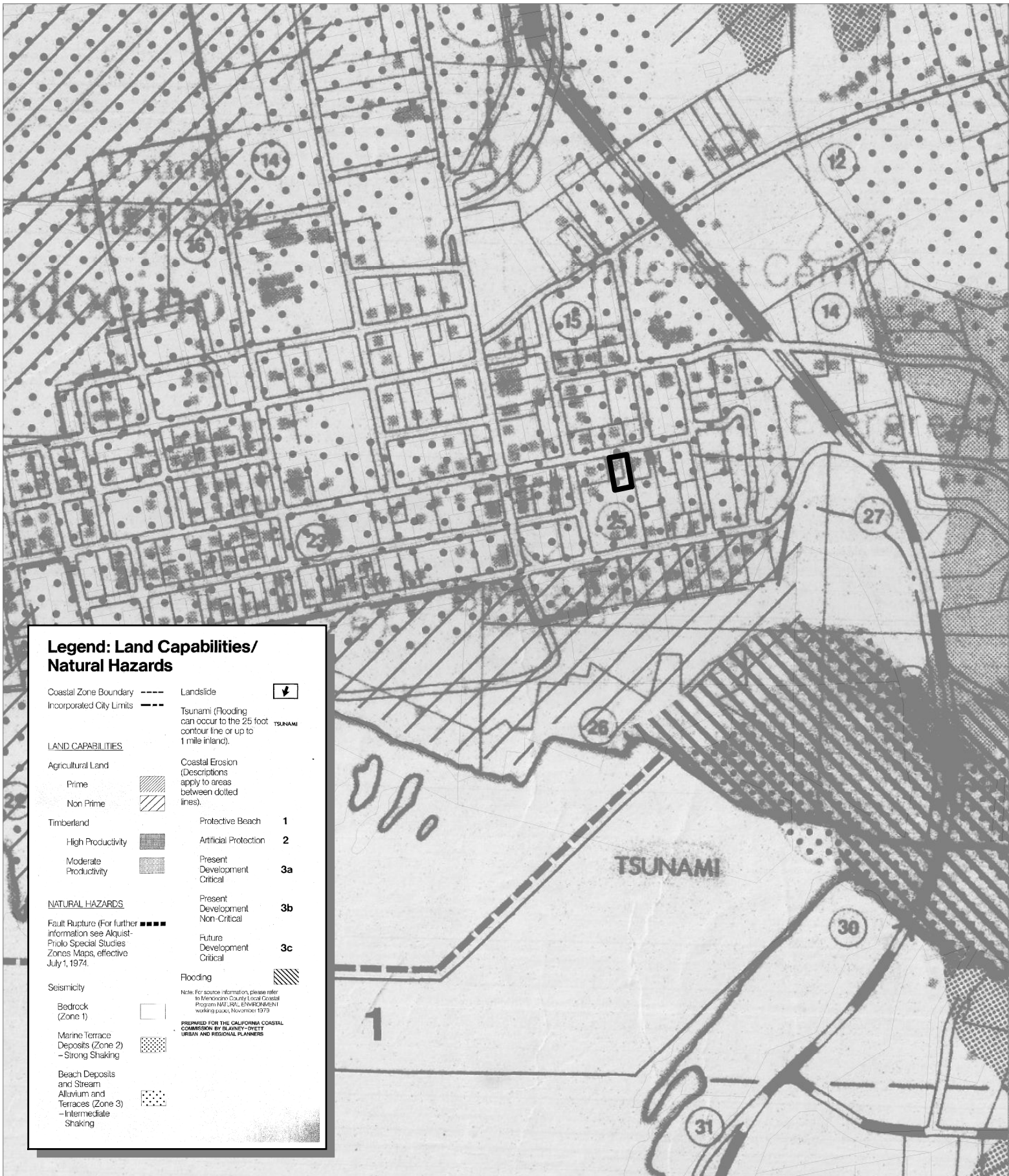
MENDOCINO COUNTY PLANNING DEPARTMENT - 12/21/2019



CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino



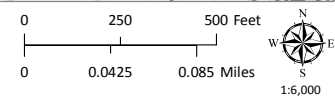
MENDOCINO COUNTY TOWN PLANNING DEPARTMENT - 12/21/2019

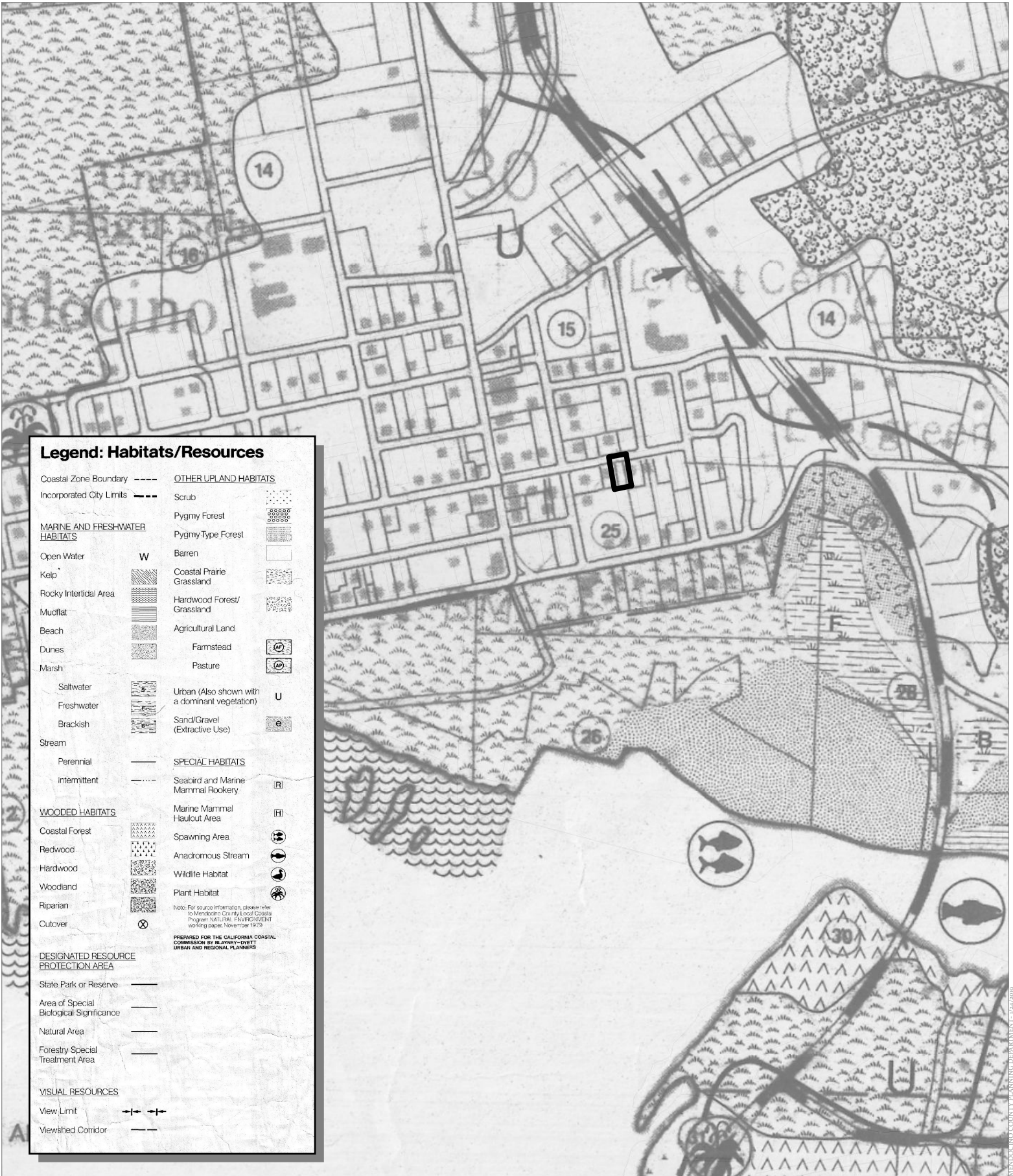


**Legend: Land Capabilities/ Natural Hazards**

Coastal Zone Boundary	---	Landslide	
Incorporated City Limits	---	Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).	TSUNAMI
<b>LAND CAPABILITIES</b>			
Agricultural Land		Coastal Erosion (Descriptions apply to areas between dotted lines).	
Prime		Protective Beach	1
Non Prime		Artificial Protection	2
Timberland		Present Development Critical	3a
High Productivity		Present Development Non-Critical	3b
Moderate Productivity		Future Development Critical	3c
<b>NATURAL HAZARDS</b>			
Fault Rupture (For further information see Alquist-Philo Special Studies Zones Maps, effective July 1, 1974.		Flooding	
Seismicity		Note: For source information, please refer to Mendocino County Local Coastal Program NATIONAL ENVIRONMENTAL WORKING GROUP, November 1973.	
Bedrock (Zone 1)		<b>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANEY-DWYER URBAN AND REGIONAL PLANNERS</b>	
Marine Terrace Deposits (Zone 2) - Strong Shaking			
Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking			

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

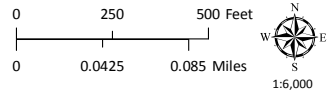




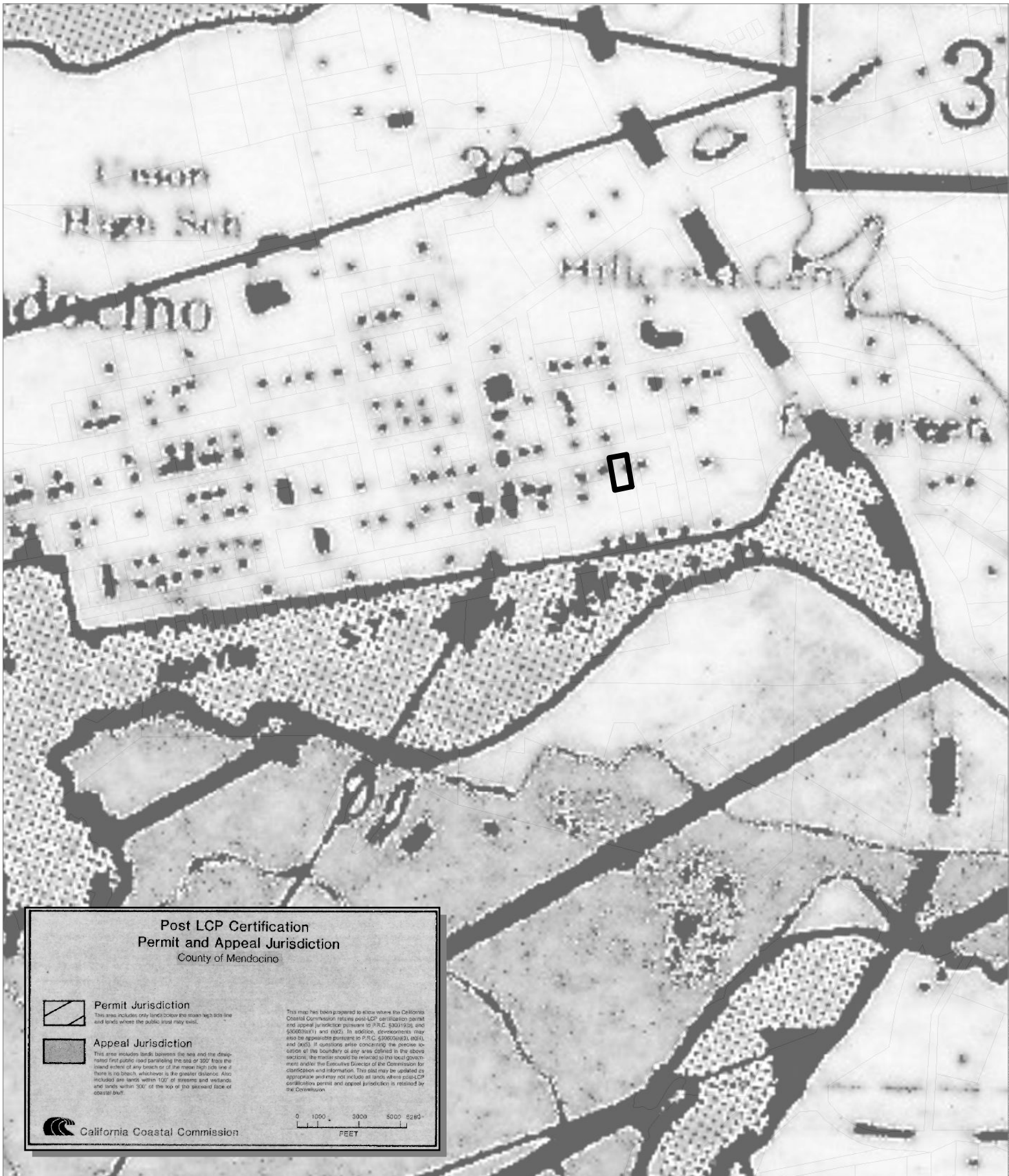
**Legend: Habitats/Resources**

- Coastal Zone Boundary - - - -
  - Incorporated City Limits - - - -
  - MARINE AND FRESHWATER HABITATS**
  - Open Water W
  - Kelp
  - Rocky Intertidal Area
  - Mudflat
  - Beach
  - Dunes
  - Marsh
  - Saltwater
  - Freshwater
  - Brackish
  - Stream
  - Perennial
  - Intermittent
  - WOODED HABITATS**
  - Coastal Forest
  - Redwood
  - Hardwood
  - Woodland
  - Riparian
  - Cutover
  - DESIGNATED RESOURCE PROTECTION AREA**
  - State Park or Reserve
  - Area of Special Biological Significance
  - Natural Area
  - Forestry Special Treatment Area
  - VISUAL RESOURCES**
  - View Limit
  - Viewshed Corridor
  - OTHER UPLAND HABITATS**
  - Scrub
  - Pygmy Forest
  - Pygmy Type Forest
  - Barren
  - Coastal Prairie Grassland
  - Hardwood Forest/ Grassland
  - Agricultural Land
  - Farmstead
  - Pasture
  - Urban (Also shown with a dominant vegetation) U
  - Sand/Gravel (Extractive Use) e
  - SPECIAL HABITATS**
  - Seabird and Marine Mammal Rookery
  - Marine Mammal Haulout Area
  - Spawning Area
  - Anadromous Stream
  - Wildlife Habitat
  - Plant Habitat
- Note: For source information, please refer to Mendocino County Local Coastal Program (LCP) Update, ENVIRONMENTAL WORKING PAPER, November 1979
- PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY DELANEY-DYETT URBAN AND REGIONAL PLANNERS

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino



MENDOCINO COUNTY PLANNING DEPARTMENT - 1/24/2019



**Post LCP Certification  
Permit and Appeal Jurisdiction**  
County of Mendocino



**Permit Jurisdiction**

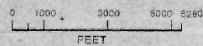
This area includes only lands between the mean high tide line and lands where the public trust may exist.



**Appeal Jurisdiction**

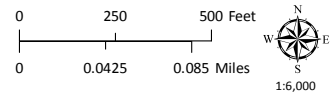
This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the lowest extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 500' of the top or the seaward face of coastal bluffs.

This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.S.C. §§33153, and 50003(a)(1) and (a)(2). In addition, developments may also be appealable pursuant to P.S.C. §§3004(a)(3), 6041, and 6043. If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This map may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.



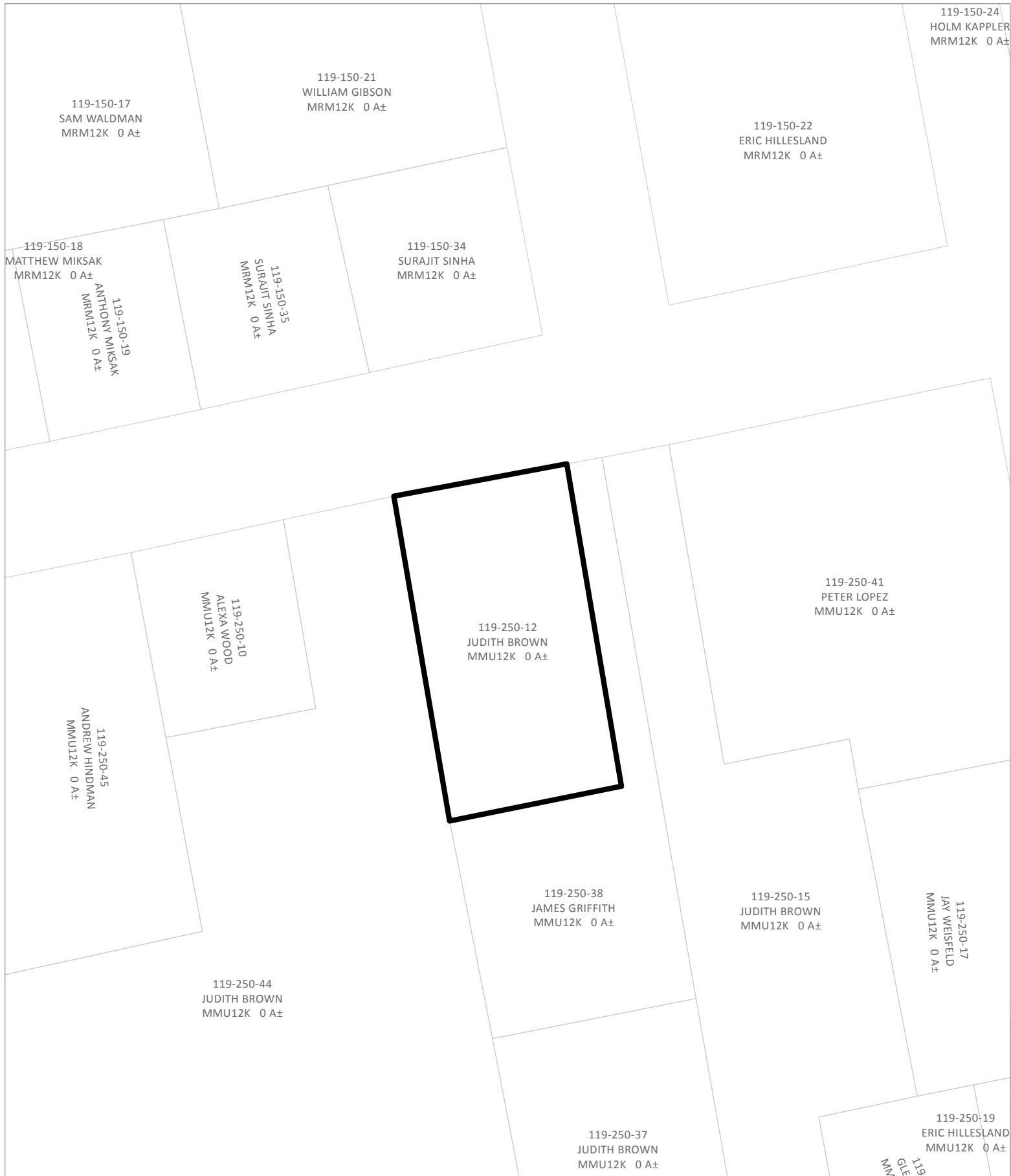
California Coastal Commission

CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

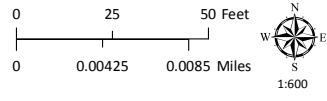


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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**

**APPEALABLE AREAS  
 ATTACHMENT T**



CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

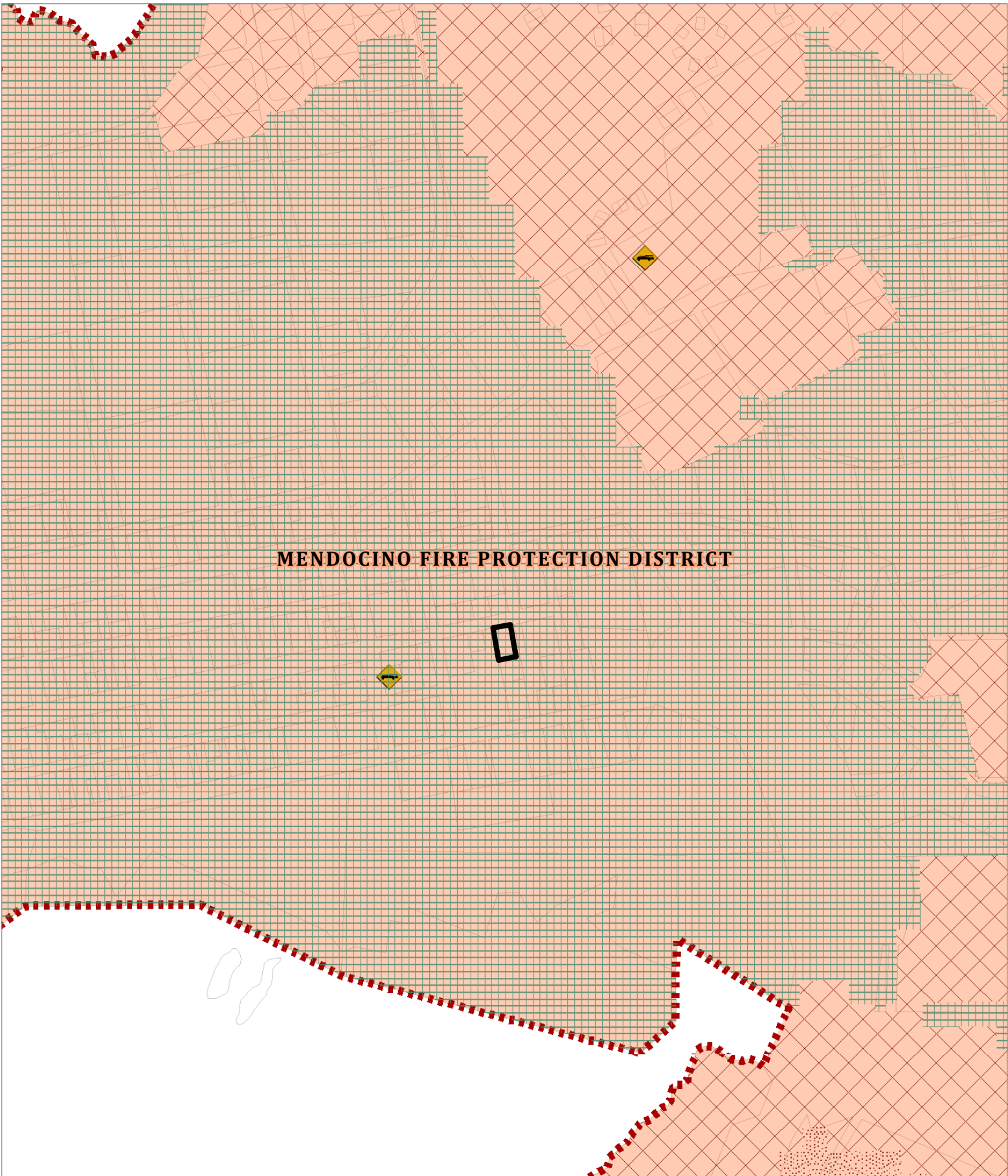


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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES






ADJACENT PARCELS  
 ATTACHMENT U

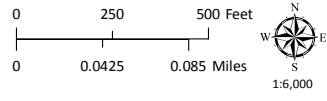
MENDOCINO COUNTY PLANNING DEPARTMENT 7/27/2016

# MENDOCINO FIRE PROTECTION DISTRICT



CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  Fire Stations
-  County Fire Districts



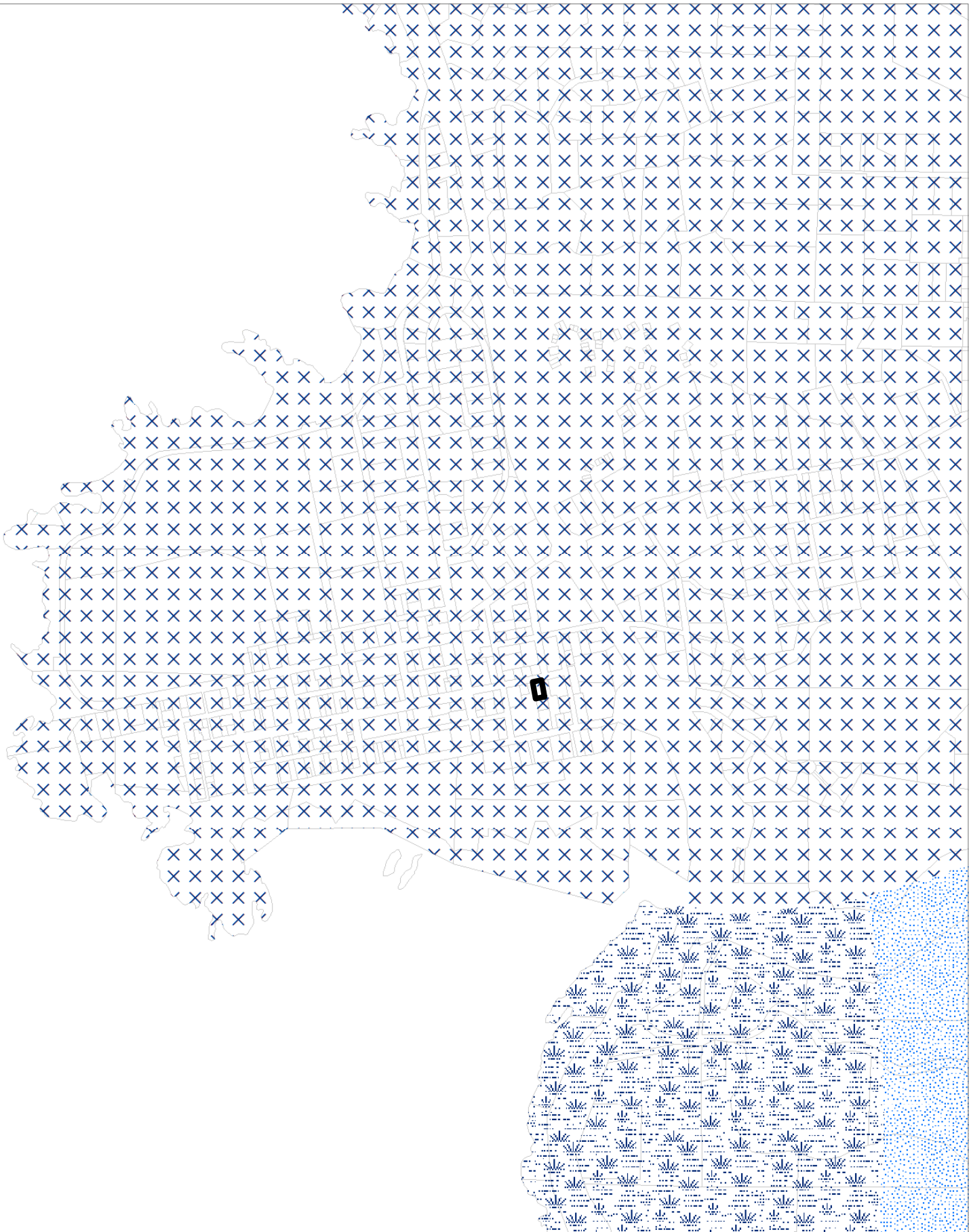
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.**  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

**ATTACHMENT V**

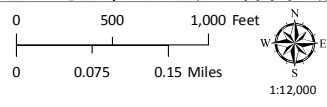
MENDOCINO COUNTY PLANNING DEPARTMENT 1/21/2019





CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

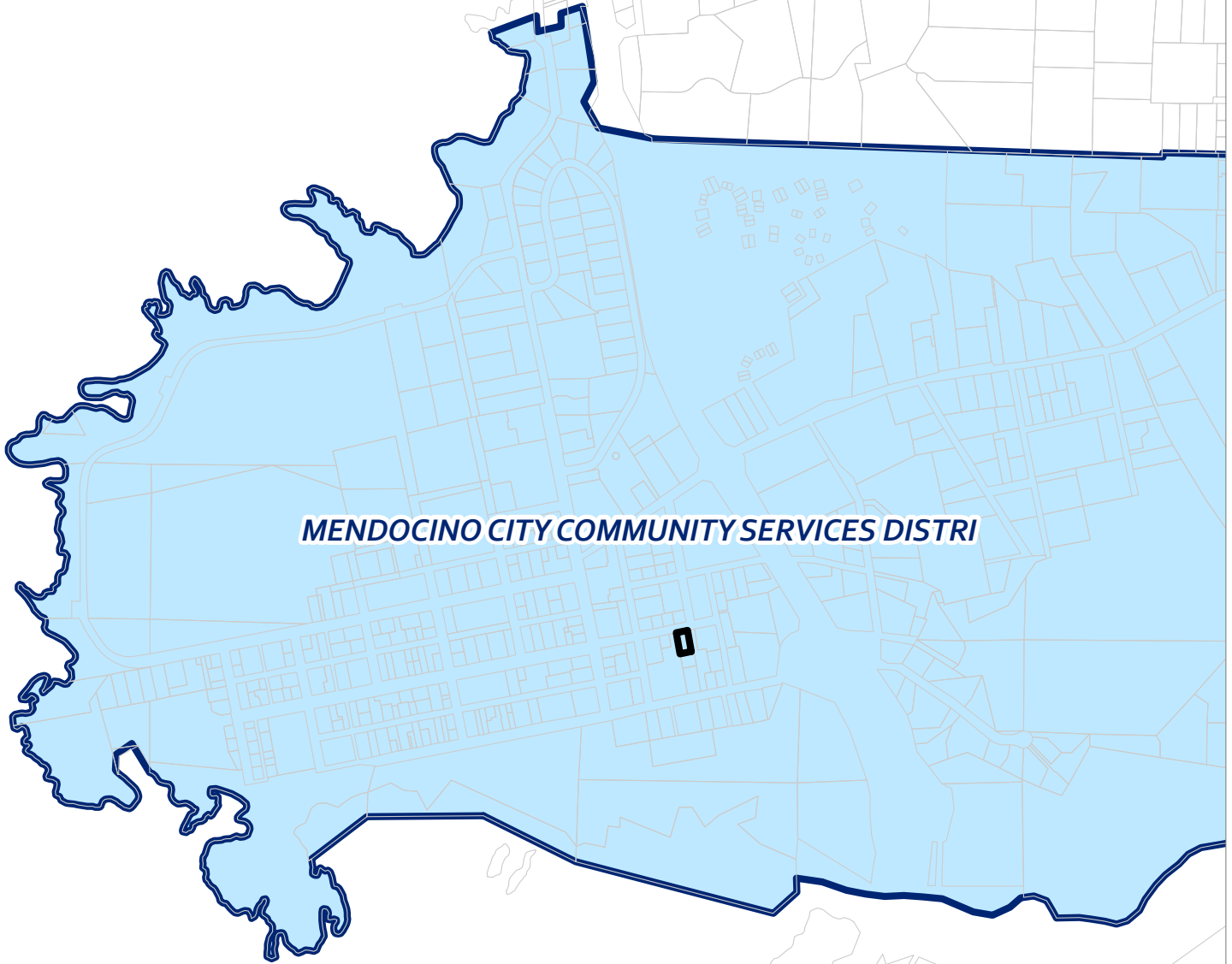
- < X > Critical Water Areas
- Sufficient Water Resources
- 🌴 Marginal Water Resources



GROUND WATER RESOURCES  
 ATTACHMENT W

MENDOCINO COUNTY PLANNING DEPARTMENT - 10/2018


**SURFWOOD MUTUAL WATER CORPORATION**

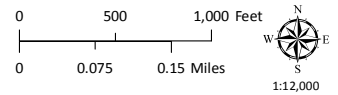


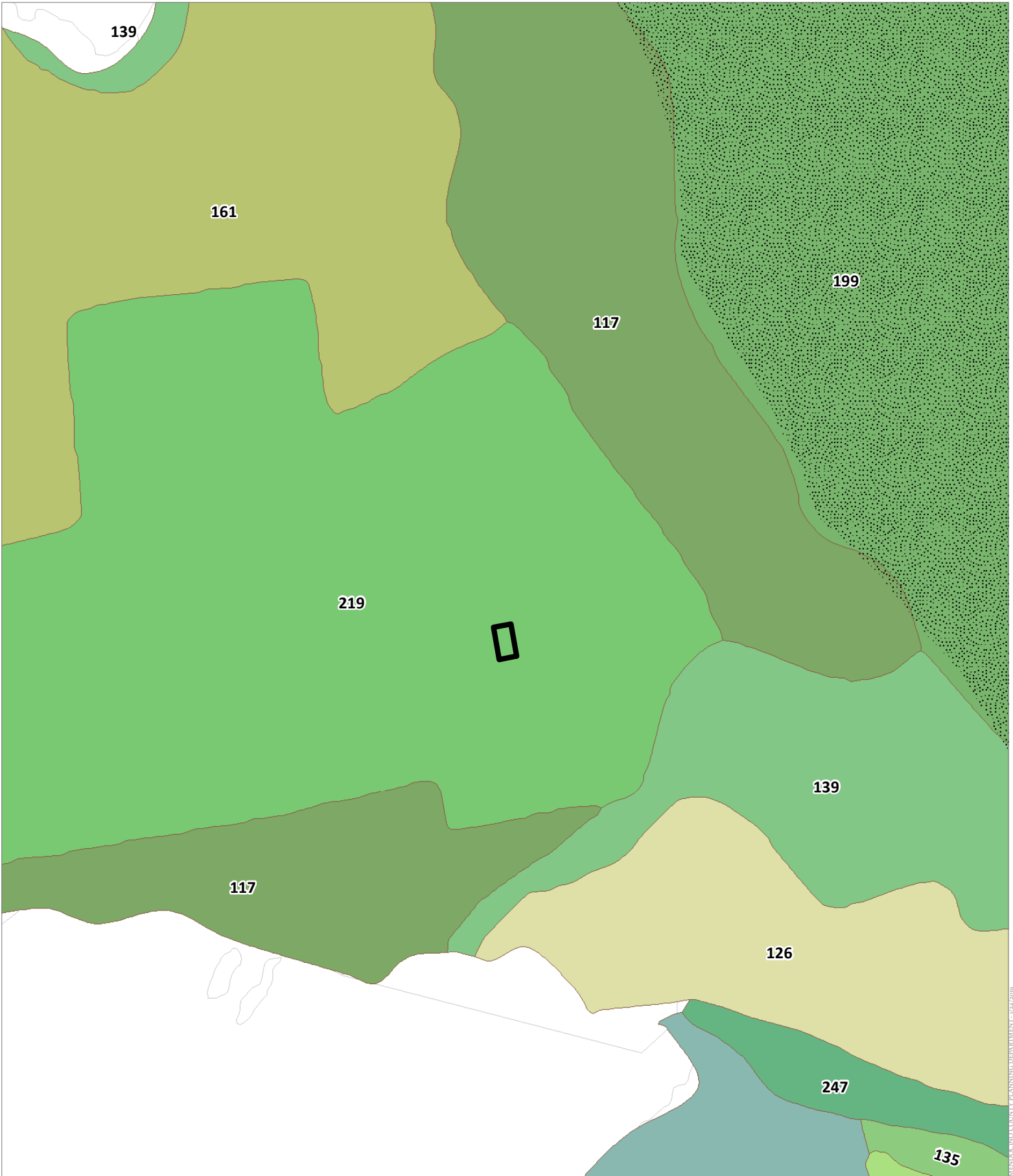
**MENDOCINO CITY COMMUNITY SERVICES DISTRI**





CASE: CDP 2018-0033  
OWNER: BROWN, Judith  
APN: 119-250-12  
APLCT: Hank McCusker  
AGENT: Hank McCusker  
ADDRESS: 44861 Ukiah Street, Mendocino

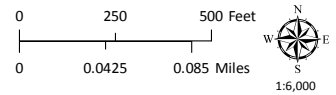
 County Water Districts





CASE: CDP 2018-0033  
 OWNER: BROWN, Judith  
 APN: 119-250-12  
 APLCT: Hank McCusker  
 AGENT: Hank McCusker  
 ADDRESS: 44861 Ukiah Street, Mendocino

-  Shinglemill-Gibney Complex
-  Western Study Soil Types



LOCAL SOILS  
 ATTACHMENT Y

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MENDOCINO COUNTY PLANNING DEPARTMENT - 7/27/2019