



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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MEMORANDUM

DATE: October 19, 2020
TO: Coastal Permit Administrator
FROM: Jessie Waldman, Planner II *JWaldman*
SUBJECT: **CDP_2020-0014 (Duggan) – Recommendation for Revisions to Staff Report**

On October 16, 2020, Planning Staff received comments from the Agent on record for CDP_2020-0014, recommending revisions to the proposed recommendations proposed under the Memorandum to the CPA, dated October 14, 2020.

On October 16, 2020, Planning Staff received additional comments from the California Coastal Commission, dated October 16, 2020, requesting a phone call discussion.

Planning Staff has prepared the following clarifications and revised recommended Conditions of Approval in response to the comments received from both, the Agent on record and the California Coastal Commission, for CDP_2020-0014, both dated October 16, 2020.

Clarifications to Memorandum, dated October 14, 2020:

Due to the current effective deed restriction, Staff recommends that no additional deed restriction be required, where Coastal Development Minor Subdivision CDMS 26-2001 and Coastal Development Use Permit Modification CDUM 10-93(02) required a deed restriction for limiting development only to building envelopes. This deed restriction is currently in place, as discussed within the subject Staff Report (Pages 2, 3, 4, 5, and 6).

In addition to the current effective deed restriction, the subject parcel is mapped within a Highly Scenic Area, where future development is subject to Mendocino County Code of Ordinances Section 20.532.020(C), which would require the issuance of CDP for any development more than 10 percent of existing development on the subject parcel.

With revisions to the recommended conditions of approval, as stated below, where the revision will include providing an exterior finish schedule and an exterior lighting plan, consistent with Mendocino County Coastal Element Policies 3.5-1, 3.5-3 and 3.5-4 and Mendocino County Code Section 20.504.035, as discussed within the subject Staff Report (Pages 5 and 6), for approval from the Coastal Permit Administrator or to the satisfaction of the Director of Planning and Building Services, Staff finds the proposed project

Revisions to Conditions of Approval #9:

9. Prior to issuance of a Building Permit, the property owner shall furnish exterior finish schedule consistent with Mendocino County Coastal Element Policy 3.5-4 and Mendocino County Code of Ordinances Section 20.504.015(C), for approval from the Coastal Permit Administrator or to the satisfaction of the Director of Planning and Building Services.

Revisions to Conditions of Approval #10:

10. Prior to issuance of a Building Permit, the property owner shall furnish exterior lighting details consistent with Mendocino County Coastal Element Policy 3.5-4 and Mendocino County Code of Ordinances Section 20.504.035, for approval from the Coastal Permit Administrator or to the satisfaction of the Director of Planning and Building Services.

Encl: CDP_2020-0014 CCC Comments 2020 1016
CDP_2020-0014 Agent Comment #3, dated October 16, 2020

To: Mendocino County Planning c/o Jesse Waldman project planner
Regarding: CDP 2020-0014 Duggan Project
Date: October 16, 2020

Regarding Memo attached Dated October 14, 2020 from Jessie Waldman in response by staff Melissa Kraemer comments date of October 9, 2020 of Coastal Commission per review of our CDP application, which appears to be unclear language in that the building exterior colors need help the development be subordinate to the surrounding area, however being restricted to earth-tone colors is fine but where and when did the word "darker" get introduced as defined in # 9 see memorandum referred to above.

1. The color issue: in all my years here I have never had a request for dark earth-tones...earth tones yes but not ...also neighboring property did not have this comment or recommended conditions for approval the wording needs to be consistent such as subordinate to the environment...
2. I really think the county CDP process should reinstate applications requesting color of exteriors, along with sample and color and material of roofs....we did this for years and now the current applications do not request this and I believe the coastal commission staff may want Mendocino County to reinstate colors and roofing materials being defined on the CDP application.

In closing the owner requests to remove or redefine #9

Thank you,

Diana Wiedemann
Project Architect
707-937-2807

Jessie Waldman - Re: time for a quick call?

From: Jessie Waldman
To: Melissa@Coastal Kraemer
Date: 10/16/2020 3:50 PM
Subject: Re: time for a quick call?

Hello Melissa,

Thank you for your time this afternoon on the phone to discuss CDP_2020-0014.

As part of the Staff report and review of the request under CDP_2020-0014, the Project is found to be consistent with Mendocino County Coastal Element Policy 3.5-4, which states:

*...Minimize visual impact of development on hillsides by (1) requiring grading or construction to follow the natural contours; (2) resiting or prohibiting new development that requires grading, cutting and filling that would significantly and permanently alter or destroy the appearance of natural landforms; (3) designing structures to fit hillside sites rather than altering landform to accommodate buildings designed for level sites; (4) concentrate development near existing major vegetation, and **(5) promote roof angles and exterior finish which blend with hillside.** Minimize visual impacts of development on terraces by (1) avoiding development in large open areas if alternative site exists; (2) minimize the number of structures and cluster them near existing vegetation, natural landforms or artificial berms; (3) provide bluff setbacks for development adjacent to or near areas along the shoreline; (4) design development to be in scale with rural character of the area. Minimize visual impact of development on ridges by (1) prohibiting development that projects above the ridgeline; (2) if no alternative site is available below the ridgeline, development shall be sited and designed to reduce visual impacts by utilizing existing vegetation, structural orientation, landscaping, and shall be limited to a single story above the natural elevation; (3) prohibiting removal of tree masses which destroy the ridgeline silhouette. Nothing in this policy shall preclude the development of a legally existing parcel.*

And also consistent with Mendocino County Code Section 20.504.015 (C)(3), which states:

"New development shall be subordinate to the natural setting and minimize reflective surfaces. In highly scenic areas, building materials including siding and roof materials shall be selected to blend in hue and brightness with their surroundings."

Regarding the deed restriction recommendation, Coastal Development Minor Subdivision CDMS 26-2001 and Coastal Development Use Permit Modification CDUM 10-93(02) required a deed restriction for limiting development only to building envelopes. This Deed restriction is in place currently.

Upon review of your recommendations, discussion with the Agent for CDP_2020-0014 and our phone call today, I will be preparing a 2nd Memorandum to replace my 1st memorandum, dated October 14, 2020.

Looking forward to Monday,

Jessie Waldman
Planner II
County of Mendocino - Planning & Building
120 W. Fir Street
Fort Bragg, CA 95437

"Due to the Health Officers Order, we have closed both the Fort Bragg and Ukiah public counters in Planning and Building Services. Our staff remain behind closed doors working on existing applications for permits and discretionary actions. We are still open for business. If you have new permit applications, we encourage you to mail, e-mail or send them into us through our new E-permit site at <https://www.mendocinocounty.org/government/planning-building-services>. If you have any questions, please e-mail us at pbs@co.mendocino.ca.us, or call our Fort Bragg offices at (707) 964-5379 and Ukiah offices at (707) 234-6650. We will respond to your calls and e-mails just as quick as we can."

>>> "Kraemer, Melissa@Coastal" <Melissa.Kraemer@coastal.ca.gov> 10/16/2020 2:22 PM >>>

Hi Jessie

I was speaking with Diana Weideman (sp?) about the project on Navarro Ridge that I recently submitted comments on and which you produced the associated memo for. She mentioned a recent approval next door that had identical conditions related to exterior finish and lighting, each with no identified standards.... <https://www.mendocinocounty.org/home/showdocument?id=35486>. Without the identified standards, the permitted structures could be white or other non-earth tone colors. How will the County reviewer of that earlier permit (Herrmann) decide what to approve given the context of the requirement to be subordinate to the character of the setting?

I was wondering if you had a quick moment to discuss? Diana seems to agree with my recommendation but her clients are concerned that the neighbors will get to build a white house whereas they would like to build a white house (though they're okay with darker as well) but now they can't.

If you have time for a quick call, I'm in the office the rest of the afternoon – [707-826-8950 ext. 9](tel:707-826-8950). If not, we'll be in Mendo next week actually and maybe we'll stop by to say hello. Or we can connect another time also.

Thanks

Melissa B. Kraemer *(she/her)*
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California Coastal Commission
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