

Jessie Waldman - comments on CDP-2020-0021 (Pearce)

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Mendocino County

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Planning & Building Services

Hello Jessie

Coastal Commission staff offers the following preliminary comments on the subject CDP referral (reference <https://www.mendocinocounty.org/home/showdocument?id=37564>):

1. The County's LCP allows only one single family residence (SFR) per lot (policy 3.9-1). The subject site currently is developed with two SFRs (non-conforming) and proposes to renovate one and replace the other in kind. An owner has the right to repair and maintain existing structures, including existing non-conforming structures, but replacement and redevelopment that go beyond "repair and maintenance" (50% or greater repairs/replacement) must be consistent with all applicable LCP policies, including policies that limit the number of allowed SFRs per lot. As proposed, it's unclear how the County would make the findings for approval of complete renovation of one SFR and replacement of a second SFR in kind.
2. The County has the authority to regulate landscaping as a form of development under the LCP (e.g., see 14 CCR sec. 13250(a)), and whenever there is development in proximity to ESHA or a park/recreation area (as is the case with the subject site, adjacent to the State Beach), which potentially could be degraded by the new development (such as the planting of invasive species associated with residential landscaping), we recommend, and the LCP provides the authority for, conditioning the CDP to include landscaping restrictions that prohibit planting of non-native and invasive species. No plant species listed as problematic and/or invasive and/or "noxious weed" by the California Native Plant Society, the California Invasive Plant Council, the State of CA, or the federal government should be allowed to naturalize or persist on the site, and the planting of native, regionally appropriate species should be required, to the maximum extent feasible. In addition, requiring the conditions of the permit to be recorded with the deed (e.g., including a condition on the CDP to require this), would ensure that this restriction runs with the land, thereby notifying successors in interest of this restriction.

Thank you for the opportunity to comment.

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