

Jessie Waldman - Re: CDP_2019-0049 (Fukasawa) - Public Comments

From: "Amy@WCPlan.com" <Amy@WCPlan.com>
To: Waldman Jessie <waldmanj@mendocinocounty.org>
Date: 6/22/2021 2:58 PM
Subject: Re: CDP_2019-0049 (Fukasawa) - Public Comments
Cc: Cionco Richard <rcionco@csus.edu>, Fukasawa Natsuki <nfukasawa@yahoo.com...>

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JUN 22 2021

Hi Jessie,

Thanks for this. I appreciate the neighbor's concerns.

As the Fukasawa-Cioncos discuss colors and materials amongst themselves, I have a some questions/comments for you:

PLANNING & BUILDING SERV
FORT BRAGG CA**1) Are there any plans to add back into the [CDP application](#) the Colors & Materials question?**

That question used to be in the form, but it's not been in there for a long time. We used to use our own Word template of the County's form, which included the C&M question, so I didn't realize that it was no longer on the application. We stopped using our own Word template when the county asked that we use the PDF form to ensure that our Qs match the County's (which, obviously, makes sense; need to make sure that our app form is current).

2) Special Condition #10:

When we went over your Draft Staff Report, I didn't get into this level of details relative to Condition #10. Basically, C10 cites code sections that don't apply to our project, but since we're not in HSA and the Staff Report makes note of this fact, we don't have to concern ourselves with that performance measure.

Perhaps, though, since it's confusing to the public, it might be better to cite only Policy 3.5-1, which does include a sentence about development being compatible with the character of surrounding areas.

Similarly, it might make sense to remove the citation of 20.504.015(C) as those are Development Criteria that only apply to Highly Scenic Areas (Section 20.504.015 - Highly Scenic Areas). Chapter 20.504 as a whole applies to Visual Resource & Special Treatment Areas. Since Fukasawa is neither in a HSA nor is a timber removal project (subject to Special Treatment Area policies and regulations).

Since we're on this topic, I can share with you what I discovered and if you like, we can review together.

3) Special Treatment Areas:

Special Treatment Areas: As I read the Coastal Element and our Zoning Ordinance, the STA designation is focused on timberlands, mainly to ensure that any THP doesn't impact coastal views. They don't pertain to structural development. See below.

[Mendocino County Coastal Element 3.1 HABITATS AND NATURAL RESOURCES](#)

Definitions:

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 scenic corridor along both sides of Highway 1 from Ten Mile River to the Sonoma County line. The designated width of this corridor is a minimum of 200 feet running parallel to Highway One or inland to the first line of trees nearest the road. However, in no place does the corridor 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, a watercourse and lake protection zone has been established by the Board of Forestry within Special Treatment Areas. The width of this zone varies generally from 50 feet to 200 feet from the edge of the watercourse depending on the steepness of slope and the "Clarification of the Watercourse" (i.e., I, II, III, and IV).

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.

Mendocino County Coastal Element Chapter 3.5

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:

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 [*Habitats & Natural Resources, above*]).** 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.

4) Highly Scenic Areas:

Coastal Element Policy 3.5-1: notes that permitted development shall "be visually compatible with the character of the surrounding areas...."

Only development that is “in highly scenic areas... shall be subordinate to the character of its setting.”

Coastal Element Policy 3.5-3: notes what areas are to be considered highly scenic area, “within which new development shall be subordinate to the character of its setting.” 3.5-3 does not pertain to non-HSA land. The Fukasawa-Cionco property is not located within any of these Highly Scenic Areas, which of course you know because you make that point in your Staff Report.

Coastal Element Policy 3.5-4: notes further development standards for development located in highly scenic areas, such that they “shall be sited near the toe of a slope,” etc. 3.5-4 does not pertain to non-HSA land.

20.504.020 - Special Communities and Neighborhoods does not apply to Fukasawa; therefore, Section 20.504.020(C) does not apply. Subsection C applies to those enumerated in 20.504.020(B), which covers “communities and service centers... [which] shall have special protection set forth in Section 20.504.020(C):

1. Little River....
2. **Anchor Bay: Getchell Gulch on the south to Fish Rock Road on the north including all parcels with highway frontage on the east side of Highway 1 and all parcels west of Highway 1.** *[this is south of Fukasawa and Iversen subdivision]*
3. Gualala...

Hope this helps!

Best,
Amy

On Jun 22, 2021, at 8:05 AM, Jessie Waldman <waldmanj@mendocinocounty.org> wrote:

Hello Richard and Natsuki,
Hope all is well.

Our office has received the two (2) attached Public Comments. These will be available on our County Website, <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>.

The recommended Condition of Approval #10 will require an exterior finish schedule be provided prior to issuance of any building permit. However, if you wish to provide this schedule sooner, Staff will assist in presenting this to the Coastal Permit Administrator (CPA) as soon as possible.

Feel free to email or call , should you have any questions.
Thank you,

Jessie Waldman
Planner II
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"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."

<CDP-2019-0049 PC 1.pdf><CDP-2019-0049 PC 2.pdf>

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My work schedule is Monday through Thursday.



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