# COUNTY OF MENDOCINO

# DEPARTMENT OF PLANNING AND BUILDING SERVICES

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pbs@mendocinocounty.org

IGNACIO "NASH" GONZALEZ, INTERIM DIRECTOR

JULIA ACKER KROG, ASSISTANT DIRECTOR

www.mendocinocounty.org/pbs

June 24, 2021

Planning – FB
Department of Transportation
Environmental Health - Fort Bragg
Building Inspection - Fort Bragg
Assessor
Agriculture Commissioner
Air Quality Management

Archaeological Commission
Resource Lands Protection Committee
Department of Forestry/ CalFire
Prevention
Resource Management
Department of Fish and Wildlife
Coastal Commission

Cloverdale Rancheria Potter Valley Tribe Redwood Valley Rancheria Sherwood Valley Band of Pomo Indians \*Tribal contacts

**CASE#**: CDP\_2020-0039 **DATE FILED**: 12/29/2020

**OWNER: ELK LLC AND PETER EISENBERGER** 

**APPLICANT/AGENT: DANIELLE MILLER** 

**REQUEST:** Standard Coastal Development Permit to convert the existing garage to a 953 square foot family care unit. There will be a separate entrance to the remainder of the existing garage, pottery room and convenience bathroom. The request includes installing a new septic system and connections to existing well and

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** In the Coastal Zone, 2.4± miles south of the town of Elk, on the east side of State Route 1 (SH1);

located at 9961 S. Hwy 1, Elk; APNs: 131-030-09,131-030-02, 131-030-21, 131-030-22 & 131-030-28.

SUPERVISORIAL DISTRICT: 5
STAFF PLANNER: TIA SAR

**RESPONSE DUE DATE: 7/8/2021** 

#### PROJECT INFORMATION CAN BE FOUND AT:

www.mendocinocounty.org

Select "Government" from the drop-down; then locate Planning and Building Services/Public Agency Referrals.

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to <a href="mailto:pbs@mendocinocounty.org">pbs@mendocinocounty.org</a>. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):
☐ No comment at this time.
Recommend conditional approval (attached).
Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
Recommend denial (Attach reasons for recommending denial).
☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
Other comments (attach as necessary).
REVIEWED BY:
Circusture Description of Descriptio

CASE: CDP\_2020-0039

OWNER/

**APPLICANT:** Peter Eisenberger

AGENT: Danielle Miller

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**APN/S:** 131-030-09, 02, 21, 22 & 28

PARCEL SIZE: 160.74 Acre

**GENERAL PLAN:** AG60:R

**ZONING:** AG:60

**EXISTING USES:** Residential

**DISTRICT:** 5<sup>th</sup>

RELATED CASES: B46-90 (BLA), CDP 2002-0001 (SFR), CE 2020-0010 (Septic), BF 2017-0338 (Garage/shop)

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	<b>ADJACENT USES</b>
NORTH:	RL160	FL	99.2 Acre	Vacant
EAST:	FL160	TP	80.1 Acre	Vacant
SOUTH:	AG60	AG60	44.6 Acre	Vacant
WEST:	AG60	AG60	20.1 Acre	Vacant

# **REFERRAL AGENCIES**

### **LOCAL**

☑ Air Quality Management District

☑ Archaeological Commission

☑ Building Division FB

□ Department of Transportation (DOT)

☑ Environmental Health (FB)

☑ Planning Division FB

 ${\color{red} \boxtimes} \ {\sf Resource} \ {\sf Lands} \ {\sf Protection} \ {\sf Com}.$ 

STATE

□ CALFIRE (Land Use)

□ California Coastal Commission

☑ California Dept. of Fish & Wildlife

# <u>TRIBAL</u>

☑ Cloverdale Rancheria

☑ Potter Valley Tribe

☑ Redwood Valley Rancheria

 ${\ \ ext{$\sigma$}}$  Sherwood Valley Band of Pomo Indians

# **ADDITIONAL INFORMATION:**

STAFF PLANNER: TIA SAR DATE: 6/21/2021

# **ENVIRONMENTAL DATA**

1. MAC:

NO

2. FIRE HAZARD SEVERITY ZONE:

High Fire Hazard

3. FIRE RESPONSIBILITY AREA:

Elk Community Service District

4. FARMLAND CLASSIFICATION:

5. FLOOD ZONE CLASSIFICATION:

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Marginal Water Resources and Critical Water Resources

Bedrock

7. SOIL CLASSIFICATION:

Western Soil 102, 135, 173 & 139

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

NO

9. WILLIAMSON ACT CONTRACT:

YES

10. TIMBER PRODUCTION ZONE:

NO

11. WETLANDS CLASSIFICATION:

YES

12. EARTHQUAKE FAULT ZONE:

NO

13. AIRPORT LAND USE PLANNING AREA:

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

NO

15. NATURAL DIVERSITY DATABASE:

NO

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

NO

**17. LANDSLIDE HAZARD:** 

M-61: General Plan 4-44

NΩ

18. WATER EFFICIENT LANDSCAPE REQUIRED:

NO

19. WILD AND SCENIC RIVER:

NO

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

NO

21. STATE CLEARINGHOUSE REQUIRED:

22. OAK WOODLAND AREA:

NO

23. HARBOR DISTRICT:

NO

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION:

Elk Special Treatment Area & Prime Agricultural

25. LCP LAND CAPABILITIES & NATURAL HAZARDS:

Prime, None-Prime, High Productivity and Maine Terrace

Deposits (Zone 2)-Strong Shaking

**26. LCP HABITATS & RESOURCES:** 

Barren Upland

27. COASTAL COMMISSION APPEALABLE AREA:

Not Appealable

28. CDP EXCLUSION ZONE:

NO

29. HIGHLY SCENIC AREA:

HIGHLY SCENIC-CONDITIONAL

30. BIOLOGICAL RESOURCES & NATURAL AREAS:

31. BLUFFTOP GEOLOGY:

NO

# COUNTY OF MENDOCINO DEPT OF PLANNING AND BUILDING SERVICES

120 WEST FIR STREET FORT BRAGG, CA 95437

Telephone: 707-964-5379 FAX: 707-961-2427 pbs@co.mendocino.ca.us www.co.mendocino.ca.us/planning



Case No(s)	(DP-2020-0039
CDF No(s)	
Date Filed	
Fee	
Receipt No.	
Received by	
	Office Use Only

# **COASTAL ZONE APPLICATION FORM: APPLICANT** Miller nnielle Name Mailing Address State O **PROPERTY OWNER** Name Address 99 (a Zip Code 45432 Phone 707 State City **AGENT** Miller Name Mailing Address Zip Code 95437 Phone 107-9114 State City **PARCEL SIZE** STREET ADDRESS OF PROJECT Square feet X Acres ASSESSOR'S PARCEL NUMBER(S) - 030-69-60

I certify that the information submitted with this application is true and accurate.

Date

Signature of Applicant/Agent

10/5/2020

Signature of Owner CEVED

FEB 2 5 2021

2/3/2021

# COASTAL ZONE - SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Planning and Building Services Department and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that your give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project, please indicate "Not Applicable" or "N/A".

		THE PROJECT	
1.	Describe your project and include se removal, roads, etc. Modification clude 953 Soft Ist floor. Remainder room and convergently from living	secondary improvements such as wells, separations to existing garage to converted to family care of 1st floor to be intence to athroom, all	tic systems, grading, vegetation or Kshop to re unit on Garage potting with seperate
2.	If the project is <u>residential</u> , please co	omplete the following:	
	TYPE OF UNIT  Single Family Mobile Home Duplex Multifamily  If Multifamily, number of dwelling to	NUMBER OF STRUCTURES  units per building:	SQUARE FEET PER DWELLING UNIT 453
3.	If the project is <u>commercial</u> , <u>industre</u> Total square footage of structures: Estimated employees per shift: Estimated shifts per day: Type of loading facilities proposed:	ial, or institutional, complete the following:	
4.	Will the proposed project be phased If Yes, explain your plans for phasin		

5.	Are there existing structures on the property? Yes No If yes, describe below and identify the use of each structure on the plot plan.
	Main Residence
	This existing garage/workshop.
6.	Will any existing structures be demolished?
	If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.
7.	Project Height. Maximum height of structure 28 feet.
8.	Lot area (within property lines): square feet acres
9.	Lot Coverage:  EXISTING NEW PROPOSED TOTAL
	Building coverage 5628 square feet square feet 5628 square feet
	Paved areasquare feetsquare feet
	Unimproved area square feet square feet square feet
	GRAND TOTAL: square feet (Should equal gross area of parcel)
10.	Gross floor area: square feet (including covered parking and accessory buildings).
11.	Parking will be provided as follows:
11.	Number of Spaces Existing 2 Proposed Total 2
	Number of covered spaces Size
	Number of uncovered spaces Size
	Number of standard spaces Size
	Number of handicapped spaces Size

. .

12.	Utilities will be supplied to the site as follows:
	A. Electricity
	Utility Company (service exists to the parcel).
	Utility Company (requires extension of services to site: feet miles
	On Site generation, Specify:
	None
	B. Gaş-
	Utility Company/Tank
	On Site generation, Specify:
	None
	C. Telephone: Yes
13.	Will there by any exterior lighting? Yes
	If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.
	Eachor
	Existino).
14.	What will be the method of sewage disposal?
	Community sewage system, specify supplier
	Septic Tank  Other provides
-	Other, specify
15.	What will be the domestic water source?
	Community water system, specify supplier
	Well
	Spring Other, specify
	Other, specify
16.	Is any grading or road construction planned? Yes
10.	If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate
	slope, flat, etc.).
	For grading and road construction, complete the following:
	Tot grading and road construction, complete the following.
	A. Amount of cut: cubic yards
	B. Amount of fill: cubic yards
	C. Maximum height of fill slope: feet
	D. Maximum height of cut slope: feet
	E. Amount of import or export: cubic yards
	F. Location of borrow or disposal site:

17.	Will vegetation be removed on areas other than the building sites and roads?  Yes . No If yes, explain:
18.	Does the project involve sand removal, mining or gravel extraction? Yes If yes, detailed extraction, reclamation and monitoring may be required.
19.	Will the proposed development convert land currently or previously used for agriculture to another use? Yes No If yes, how many acres will be converted? acres (An agricultural economic feasibility study may be required.)
20.	Will the development provide public or private recreational opportunities?   Yes, No If yes, explain:
21.	Is the proposed development visible from:  A. State Highway 1 or other scenic route? Yes B. Park, beach or recreation area? Yes
22.	Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?  Yes No If yes, explain:
23.	Does the development involve diking, filling, dredging or placing structures in open coastal waters, wetlands, estuaries or lakes?  A. Diking
	Has a U.S. Army Corps of Engineers permit been applied for?  Yes No

If you need additional room to answer any question, attach additional sheets.

# CERTIFICATION AND SITE VIEW AUTHORIZATION

- I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the County.
- 2. I hereby grant permission for County Planning and Building Services staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

  Owner/Authorized Agent

  Date

  NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.

  AUTHORIZATION OF AGENT

  I hereby authorize

  To act as my representative and to bind me in all matters concerning this application.

  MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page One of the application form.

Name	Name	Name
Danielle Miller		
Lat here is the		m i j
Mailing Address	Mailing Address	Mailing Address
PO BOX 11000		
Po Box 11200 Fort Bragg Ca 95437.		

### COMPLETE FOR PROJECTS LOCATED WITHIN THE COASTAL ZONE ONLY

#### DECLARATION OF POSTING

At the time the application is submitted for filing, the applicant must **Post**, at a conspicuous place, easily read by the public and as close as possible to the site of the proposed development, notice that an application for the proposed development has been submitted. Such notice shall contain a general description of the nature of the proposed development and shall be on the standard form provided in the application packet. If the applicant fails to post the completed notice form and sign the **Declaration of Posting**, the Department of Planning and Building Services cannot process the application.

As **Proof of Posting**, please sign and date this Declaration of Posting form when the site is posted; it serves as proof of posting. It should be returned to the Department of Planning and Building Services with the application.

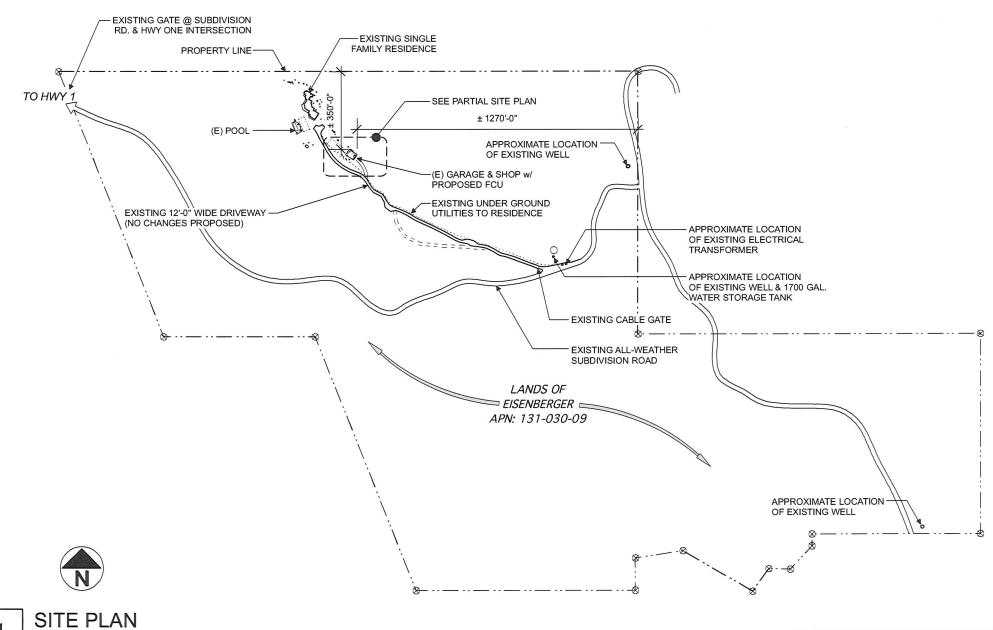
Modification of existing garage to include 953 Soft converted to family care unit. I garage to include 953 Soft converted
Located at: 9961 S Hwy I EIK CA 95432
7
(Address of development and Assessor's Parcel Number)
The public notice was posted at:
The Smichire
(A conspicuous place, easily seen by the public and as close as possible to the site of proposed development)
(11 conspicuous place, eachly seem by the public and as close as possible to the site of proposed act explanation)
Owner/Authorized Representative
Owner/Muniorized Representative
10/6/2020
Date

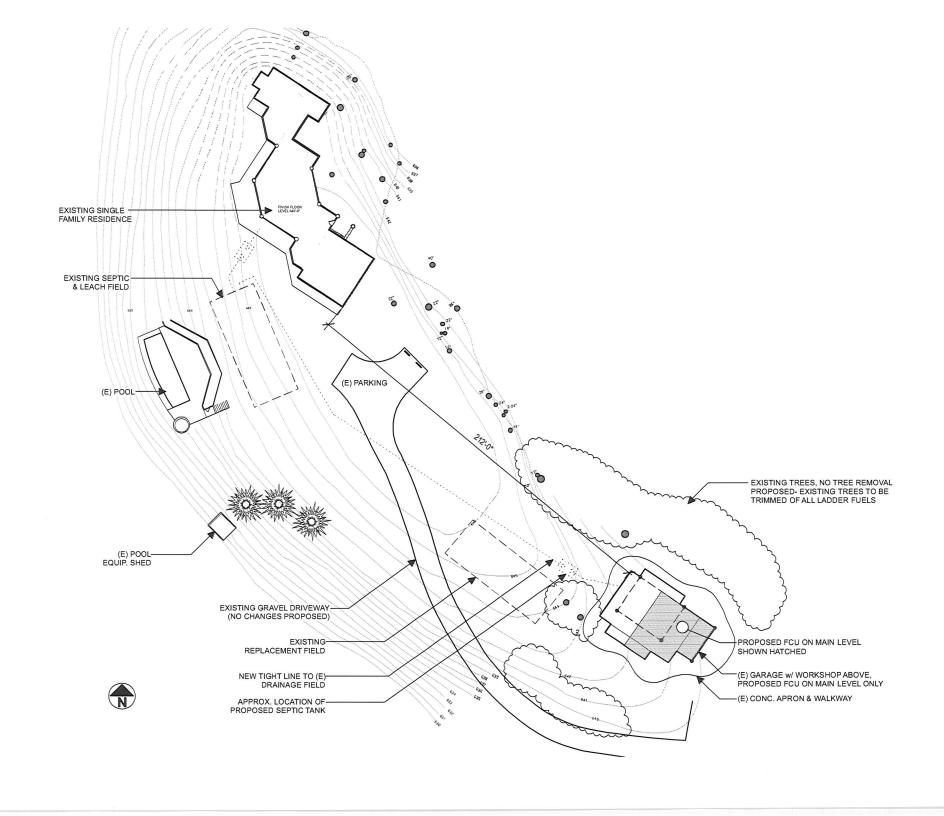
(A copy of the notice which was posted shall be attached to this form).

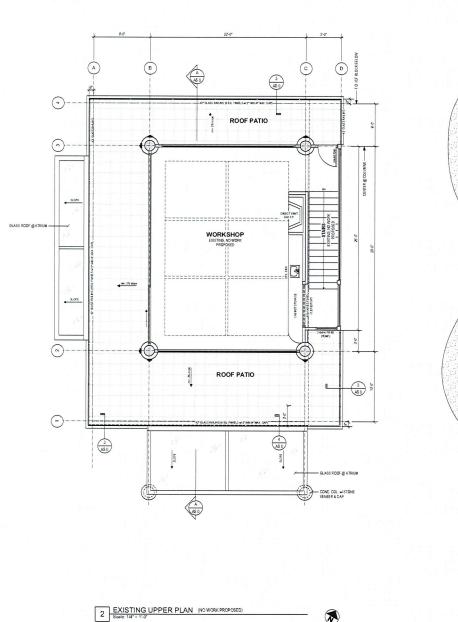
**NOTE:** YOUR APPLICATION CANNOT BE PROCESSED UNTIL THIS "DECLARATION OF POSTING" IS SIGNED AND RETURNED TO PLANNING AND BUILDING SERVICES.

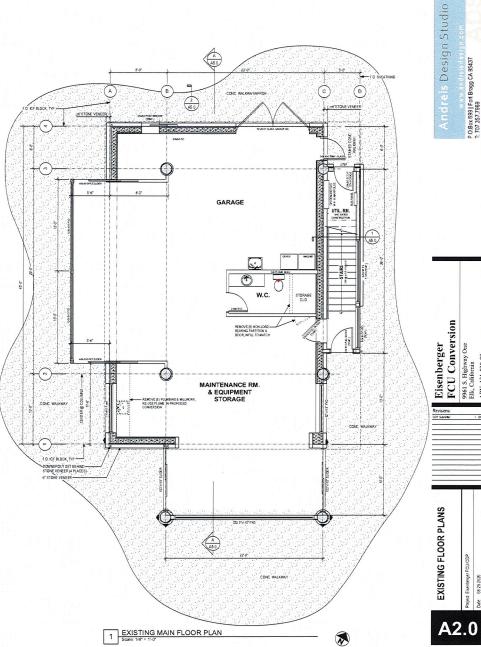
# **Exhibit A: Property Titling Questionnaire**

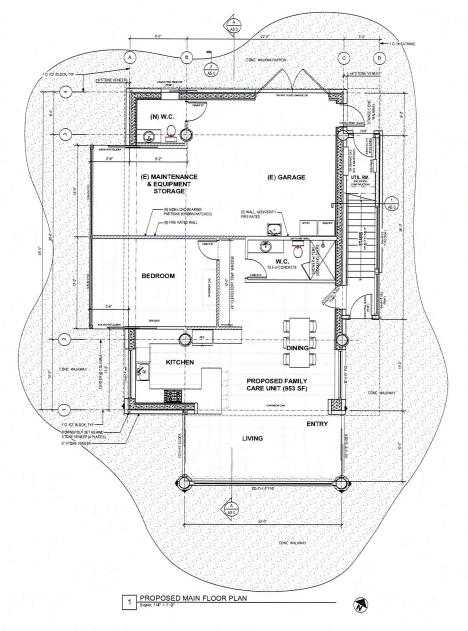
1.	Do you ("Applicant") own title to the real property (the "Property") to be pledged as collateral for the requested loan? Answer "yes" or "no" <b>YES</b> . If "no", explain:
2.	How is title to the real property held? Please specify:
	Originally it was held by Peter Eisenberger and Graciela Chichilnisky, two individuals; All of Peter Eisenberger's 50% ownership in the property was contributed in 2006 to Elk LLC, of which Peter Eisenberger now owns approximately 65.5% and Nicholas Eisenberger, his son, owns 34.5%.
3.	If the Applicant does not hold title to the Property in his/her/their name, what is Applicant's relationship to the entity that does hold title to the Property?  Please specify: <b>Applicant is a Managing Member of ELK LLC, as described above</b> .
4.	Does Applicant intend to use the Property as his/her/their primary residence?  Answer "yes" or "no"NO If "no", will it be used as a vacation/second home? Answer "yes" or "no"YES If "no", please explain: Does Applicant intend to rent the Property or otherwise use it as investment property? Answer "yes" or "no"No
5.	What is the name of the entity that holds title to the Property? Please specify: Elk LLC
6.	What type of entity is it? Please specify: A Limited Liability Company, registered in the State of New Jersey.
7.	Please submit copies of appropriate organization documents: See Attached
8.	For what purpose was the entity formed? Please specify: For estate planning purposes.
9.	In which state was the entity created? Please specify: New Jersey
10.	What is the entity's Federal Taxpayer Identification Number? 20-3958574
11.	What are the entity's assets and liabilities? Please specify: The assets of ELK LLC are solely a one half share of the subject property at 9961 S. Hwy 1, Elk CA 95432
12.	Does the entity report income to the IRS? Answer "yes" or "no" NO
13.	Who owns the entity and what are the respective percentage of ownership interests? Please specify: Peter Eisenberger owns approximately 65.5% of Elk LLC and Nicholas Eisenberger, his son, owns 34.5%.
	reby certify that the foregoing is true and correct in all respects and acknowledge that the lender will cess my application for credit in reliance thereon.
DA	TED: This 24 day of January, 2012
J.	
App	olicant Co-Applicant







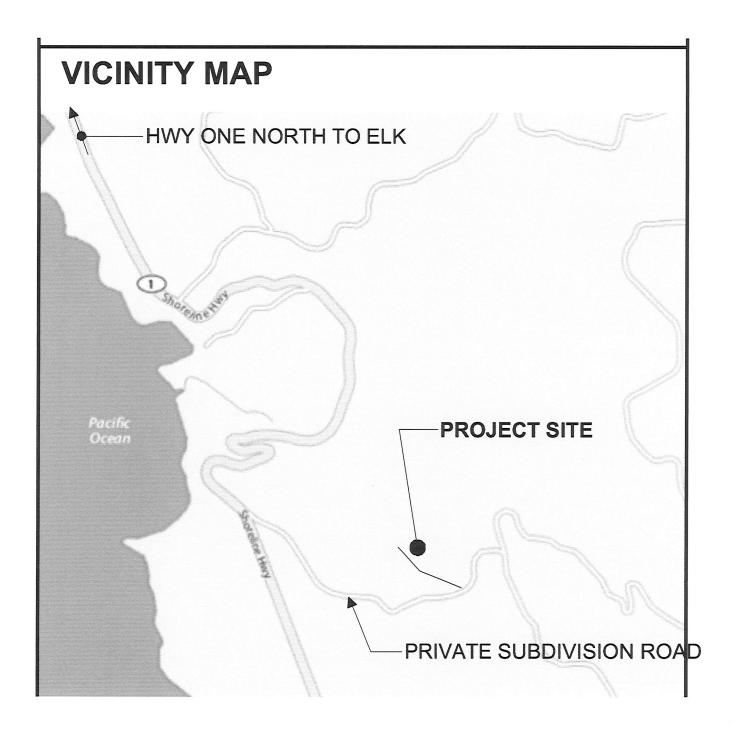




Eisenberger
FCU Conversion
9961 S. Highway One
Elk, Colifornia
APK: 131-030-09

PROPOSED CONVERSION PLAN

A2.1



4. At leas outlets. ce 5. GROUI shower at 6. All brar tamper-re 7. OUTD( and shall 8. Exterio

11.CARBounits with back-

a)

b)

12.CIRCL

a)

dis

ap

b)

su c)

ou

13. Recep

14. PANE installed a

15. GROL

FIRE RAT

1. Interio

