



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

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482  
 120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR  
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 www.mendocinocounty.org/pbs

October 16, 2023

Department of Transportation  
 Environmental Health - Ukiah  
 Building Inspection - Ukiah  
 Assessor  
 Air Quality Management  
 Archaeological Commission

Sonoma State University  
 Airport Land Use Commission  
 Department of Forestry/ CalFire  
 -Land Use  
 Department of Fish and Wildlife  
 County Addresser

Cloverdale Rancheria  
 Redwood Valley Rancheria  
 Sherwood Valley Band of Pomo Indians  
 Brooktrails Community Services District

**CASE#:** AP\_2023-0041

**DATE FILED:** 10/2/2023

**OWNER/APPLICANT:** PAUL M SAENGER

**REQUEST:** Administrative Permit to authorize single-family residential use on a parcel within the Multiple-Family Residential (R-3) zoning district.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** In the Brooktrails Township, on the west side of Brown Road (CR 609A) 800± feet south of its intersection with Madrone Drive (CR 609), located at 25148 Brown Road, Willits (APN: 098-282-13).

**SUPERVISORIAL DISTRICT:** 3

**STAFF PLANNER:** LIAM CROWLEY

**RESPONSE DUE DATE:** October 30, 2023

**PROJECT INFORMATION CAN BE FOUND AT:**

[www.mendocinocounty.org](http://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 [pbs@mendocinocounty.org](mailto:pbs@mendocinocounty.org). 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:**

Signature \_\_\_\_\_ Department \_\_\_\_\_ Date \_\_\_\_\_

**CASE: AP\_2023-0041**

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**APN/S:** 098-282-13

**PARCEL SIZE:** 0.34± Acres (14,800± sq. ft.)

**GENERAL PLAN:** Suburban Residential (SR)

**ZONING:** Multiple-Family Residential (R-3)

**EXISTING USES:** Vacant

**DISTRICT:** 3 (Haschak)

**RELATED CASES:** None

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	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
<b>NORTH:</b>	Suburban Residential (SR)	Multiple-Family Residential (R-3)	0.26± Acres	Vacant
<b>EAST:</b>	Suburban Residential (SR)	Multiple-Family Residential (R-3)	0.25± Acres	Vacant
<b>SOUTH:</b>	Rangeland (RL)	Rangeland (R-L)	100± Acres	Agricultural
<b>WEST:</b>	Suburban Residential (SR)	Public Facilities (P-F)	6.58± Acres	Open Space

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**REFERRAL AGENCIES**

**LOCAL**

- Air Quality Management District
- Airport Land Use Commission
- Archaeological Commission
- Assessor's Office
- Building Division (Ukiah)
- County Addresser
- Department of Transportation (DOT)

- Environmental Health (EH)
- Brooktrails Community Services District
- Sonoma State University

**STATE**

- CALFIRE (Land Use)
- California Dept. of Fish & Wildlife

**TRIBAL**

- Cloverdale Rancheria
  - Redwood Valley Rancheria
  - Sherwood Valley Band of Pomo Indians
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**ADDITIONAL INFORMATION:** Per Mendocino County Code Section 20.080.015(A), single-family residential use may be permitted in the Multiple-Family (R-3) zoning district upon issuance of an Administrative Permit if *“the subject property can be shown to have development constraints such as size, topography, or infrastructural deficiencies such as water or sewer availability. The purpose of this provision is to preserve the intent of the multi-family zoning designation.”*

**STAFF PLANNER:** LIAM CROWLEY

**DATE:** 10/16/2023

## ENVIRONMENTAL DATA

### 1. MAC:

GIS

*None*

### 2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

*High*

### 3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

*State Responsibility Area*

### 4. FARMLAND CLASSIFICATION:

GIS

*Grazing Land (G)*

### 5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

*None*

### 6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

*N/A*

### 7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

*Eastern Soil Class Map Unit No. 212*

### 8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

*N/A*

### 9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

*No*

### 10. TIMBER PRODUCTION ZONE:

GIS

*No*

### 11. WETLANDS CLASSIFICATION:

GIS

*Freshwater Emergent Wetland along western portion of lot*

### 12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

*Yes*

### 13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

*Yes, Zone D*

### 14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

*No*

### 15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

*Yes*

### 16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

*No*

### 17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

*No*

### 18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

*N/A*

### 19. WILD AND SCENIC RIVER:

[www.rivers.gov](http://www.rivers.gov) (Eel Only); GIS

*No*

### 20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

*Brooktrails Township Specific Plan*

### 21. STATE CLEARINGHOUSE REQUIRED:

Policy

*No*

### 22. OAK WOODLAND AREA:

USDA

*No*

### 23. HARBOR DISTRICT:

Sec. 20.512

*No*



PLANNING & BUILDING SERVICES

CASE NO: AP 2023-0041
DATE FILED: 10-2-2023
FEE: \$1,623.00
RECEIPT NO: PRJ-058973
RECEIVED BY: M. Raby
Office Use Only

APPLICATION FORM

Mendocino County

APPLICANT:

SEP 25 2023

Name: Paul Saenger Phone: 707 962-7228
Mailing Address: 1475 Baechtel Road, Apt L6
City: Willits State/Zip: CA 95470 Email: Pablo@earthpost.net

PROPERTY OWNER:

Name: Paul Saenger Phone: 707 962-7228
Mailing Address: Same
City: State/Zip: Email:

AGENT:

Name: Paul Saenger Phone: 707 962-7228
Mailing Address: Same
City: State/Zip: Email:

ASSESSOR'S PARCEL NUMBER/S: 098-282-13

TYPE OF APPLICATION:

- Administrative Permit
Agricultural Preserve: New Contract
Agricultural Preserve: Cancellation
Agricultural Preserve: Rescind & ReEnter
Airport Land Use
Development Review
Exception
Flood Hazard Development Permit
General Plan Amendment
Land Division - Minor
Land Division - Major
Land Division - Parcel
Land Division - Re-Subdivision
Modification of Conditions
Reversion to Acreage
Rezoning
Use Permit - Cottage
Use Permit - Minor
Use Permit - Major
Use Permit - Modification
Variance
Other

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

Signature of Applicant/Agent Date 9-15-23
Signature of Owner Date 9-15-23

**SITE AND PROJECT DESCRIPTION QUESTIONNAIRE**

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you 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. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.**

This application seeks approval for building a single family residence on a parcel zoned R3. Please see attached for further details in support of this application.

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2. Structures/Lot Coverage	NO. OF UNITS		SQUARE FOOTAGE		
	EXISTING	PROPOSED	EXISTING	PROPOSED	TOTAL
<input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Mobile Home <input type="checkbox"/> Duplex <input type="checkbox"/> Multifamily <input type="checkbox"/> Other: <input type="checkbox"/> Other:					
<b>GRAND TOTAL (Equal to gross area of Parcel):</b>					

**3. If the project is commercial, industrial or institutional, complete the following:**

Estimated No. of Employees per shift: \_\_\_\_\_

Estimated No. of shifts per day: \_\_\_\_\_

Type of loading facilities proposed: \_\_\_\_\_

4. Will the project be phased?

YES  NO If yes, explain your plans for phasing:

N/A

5. Will vegetation be removed on areas other than the building sites and roads?

YES  NO If no, explain:

N/A

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?

YES  NO If yes, explain:

N/A

7. How much off-street parking will be provided?

	Number	Size
No. of covered spaces:		
No. of uncovered spaces:	2	8x20
No. of standard spaces:		
No. of accessible spaces:		
Existing no. of spaces:		
Proposed additional spaces:		
Total:		

N/A

8. Is any road construction or grading planned? If yes, grading and drainage plans may be required.

YES  NO Also, please describe the terrain to be traversed. (e.g., steep, moderate slope, flat, etc.)

N/A

9. For grading or road construction, complete the following:

N/A

- Amount of cut: \_\_\_\_\_ cubic yards
- Amount of fill: \_\_\_\_\_ cubic yards
- Max. height of fill slope: \_\_\_\_\_ feet
- Max. height of cut slope: \_\_\_\_\_ feet
- Amount of import/export: \_\_\_\_\_ cubic yards
- Location of borrow or disposal site: \_\_\_\_\_

10. Does the project involve sand removal, mining or gravel extraction? If yes, detailed extraction, reclamation and monitoring plans may be required.

YES  NO

N/A

11. Will the proposed development convert land currently or previously used for agriculture to another use?

YES  NO

12. Will the development provide public or private recreation opportunities?

YES  NO If yes, explain how:

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13. Is the proposed development visible from State Highway 1 or other scenic route?

YES  NO

N/A

14. Is the proposed development visible from a park, beach or other recreational area?

YES  NO

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking:  YES  NO

Filling:  YES  NO

Dredging:  YES  NO

Structures:  Open Coastal Waters  Wetlands  Estuaries  Lakes

N/A

If so, what is the amount of material to be dredged/filled?: \_\_\_\_\_ cubic yards

Location of dredged material disposal site?: \_\_\_\_\_

Has a U.S. Army Corps of Engineers permit been applied for?  YES  NO

16. Will there be any exterior lighting?

YES  NO If yes, describe below and identify the location of all exterior lighting on the plot and building plans.

N/A

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17. Utilities will be supplied to the site as follows:

Electricity:  Utility Company (service exists to parcel)

Utility Company (requires extension of service to site): \_\_\_\_\_ feet \_\_\_\_\_ miles

On Site Generation – Specify:

Gas:  Utility Company/Tank

On Site Generation – Specify:

None

Telephone:  YES  NO

**18. What will be the method of sewage disposal?**

- Community Sewage System (specify supplier): BROOKTRAILS
- Septic Tank
- Other (specify): \_\_\_\_\_

**19. What will be the domestic water source:**

- Community Water System (specify supplier): BROOKTRAILS
- Well
- Spring
- Other (specify): \_\_\_\_\_

**20. Are there any associated projects and/or adjacent properties under your ownership?**

- YES
- NO If yes, explain: (e.g., Assessor's Parcel Number, address, etc.)

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**21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, State and Federal agencies:**

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**22. Describe the location of the site in terms of readily identifiable landmarks: (e.g., mailboxes, mile posts, street intersections, etc.)**  
25148 Brown Rd, Willits

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**23. Are there existing structures on the property? If yes, describe below and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.**

- YES
- NO

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**24. Will any existing structure be demolished or removed? If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.**

- YES
- NO

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**25. What is the maximum height of all structures?**

Existing: \_\_\_\_\_ feet  
Proposed: \_\_\_\_\_ feet

NA

**26. What is the gross floor areas of all structures, including covered parking and accessory buildings?**

Existing: \_\_\_\_\_ square feet  
Proposed: \_\_\_\_\_ square feet

NA

**27. What is the total lot area within property lines?**

Total Lot Area: 14,000 approx  acres  square feet

**28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful:**

Undeveloped raw land. Except for a short approx 10 foot drop from Brown Road, property is level with stable soils. Vegetation consists of Doug Fir, Oak, Bay Laurel, along with understory on approximately 1/3 of the site.

**29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.**

Property borders Padula ranch land on the south, Brooktrails open space to the west, with undeveloped parcels bordering on the north (vegetated much as subject property) and to the east across Brown Road.

**30. Indicate the surrounding land uses:**

	Vacant	Residential	Agriculture	Commercial	Industrial	Public Facility	Timberland	Other
North:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
East:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
South:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
West:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Attachment to Administrative Permit Application

Given that section 20.080.015 of the Municipal Code allows for less dense, single or two family residences, on an R3 zoned property, subject to an Administrative Permit, the following are arguments which I believe mitigate in favor of issuance of such a permit.

Mixed Use Intent. The Housing Element of the Mendocino County General Plan, passed in March 2010, suggests that the subject property would qualify for the mixed use (MU) designation created under that plan. In the 1960s the trend was to segregate denser and commercial development away from single family residential development. As I believe is indicated by the MU designation, the trend now is towards more mixed use development.

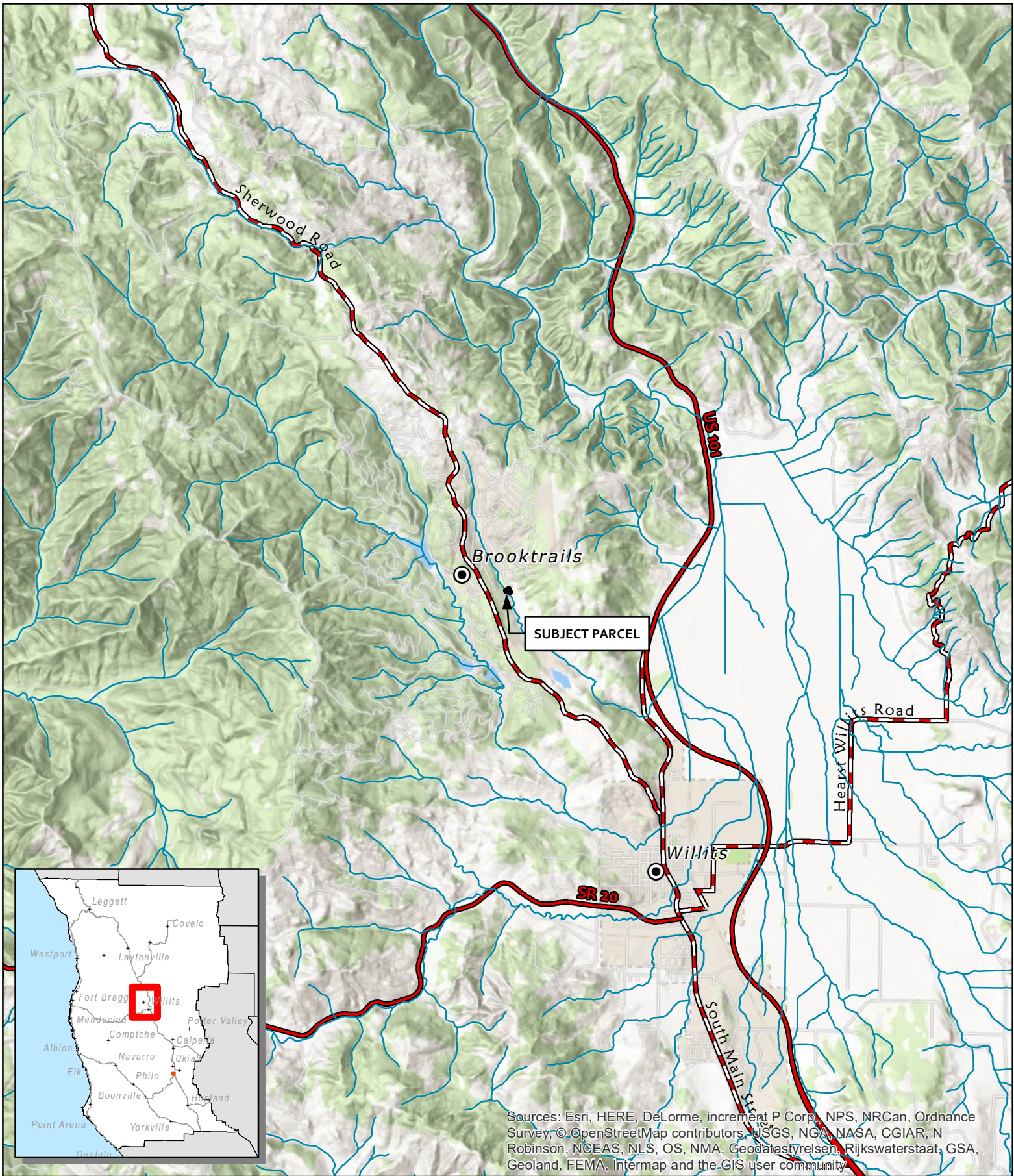
Brooktrails. I have consulted with the Brooktrails administration and, as indicated by their written response to my queries, they are supportive of my project. I believe they were under the impression that R3 *included* R1 and R2, as it seems to do in other jurisdictions I have researched, and which informed my recent land purchase in the first place (I was under the *mistaken* impression that "R3" meant pretty much the same thing across jurisdictions that utilized the term).

Fire. Property borders Padula range land and is in the WUI zone, which for wildfire reasons indicates more restricted, less dense, development according to land use policies of many fire prone western states, including California.

Water & Property Constraints. Property is constrained by difficult access and a watercourse flowing through corner of property (Upp Creek), as well as ongoing water shortages in Brooktrails and the restricted availability, and expense, of water and sewer connections; all I believe making property less suitable for denser development.

Precedent. I believe that there presently exist other single-family residence properties in the neighborhood which are on R3 zoned lots.

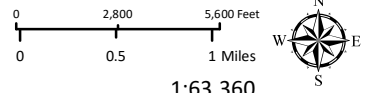
Modest. I am a retired disabled man on a fixed income intending to build a modest residence of the minimum allowable size in Brooktrails (1000 sq ft). For reasons both of finance and inclination, I would happily build smaller if allowed, and, given the choice and my background, I would also *choose* to live in a more "mixed use" neighborhood.



Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasyrjelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

**CASE: AP 2023-0041**  
**OWNER: SAENGER, Paul**  
**APN: 098-282-13**  
**APLCT: Paul Saenger**  
**AGENT: Paul Saenger**  
**ADDRESS: 25148 Brown Road, Willits**

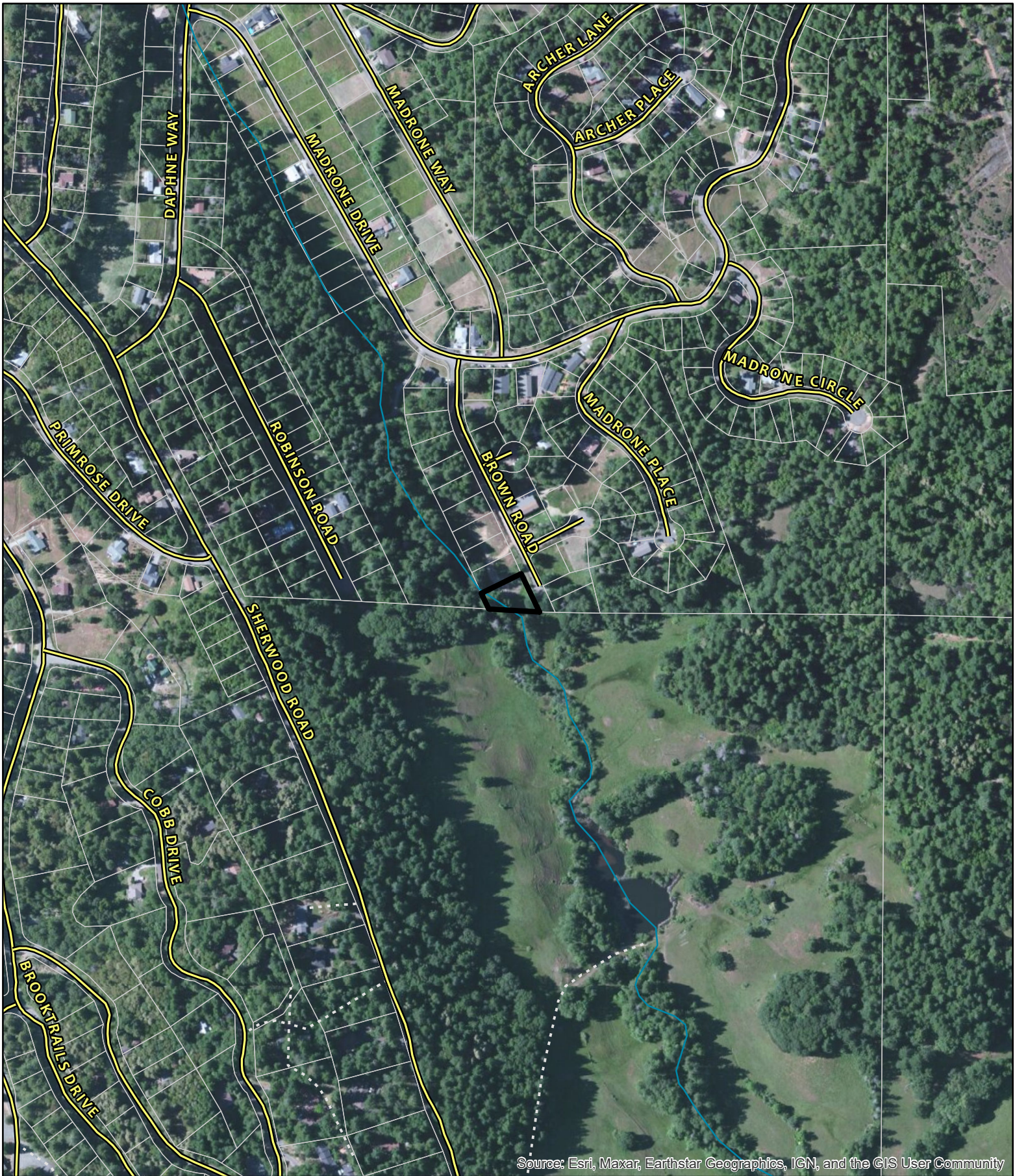
- Major Towns & Places
- Major Roads
- Hydrology
- Highways



1:63,360





LOCATION

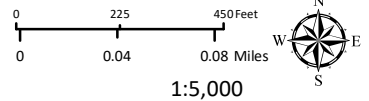
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**DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

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-  Hydrology
-  Public Roads
-  Assessors Parcels
-  Driveways/Unnamed Roads



1:5,000

**AERIAL IMAGERY**

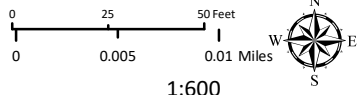
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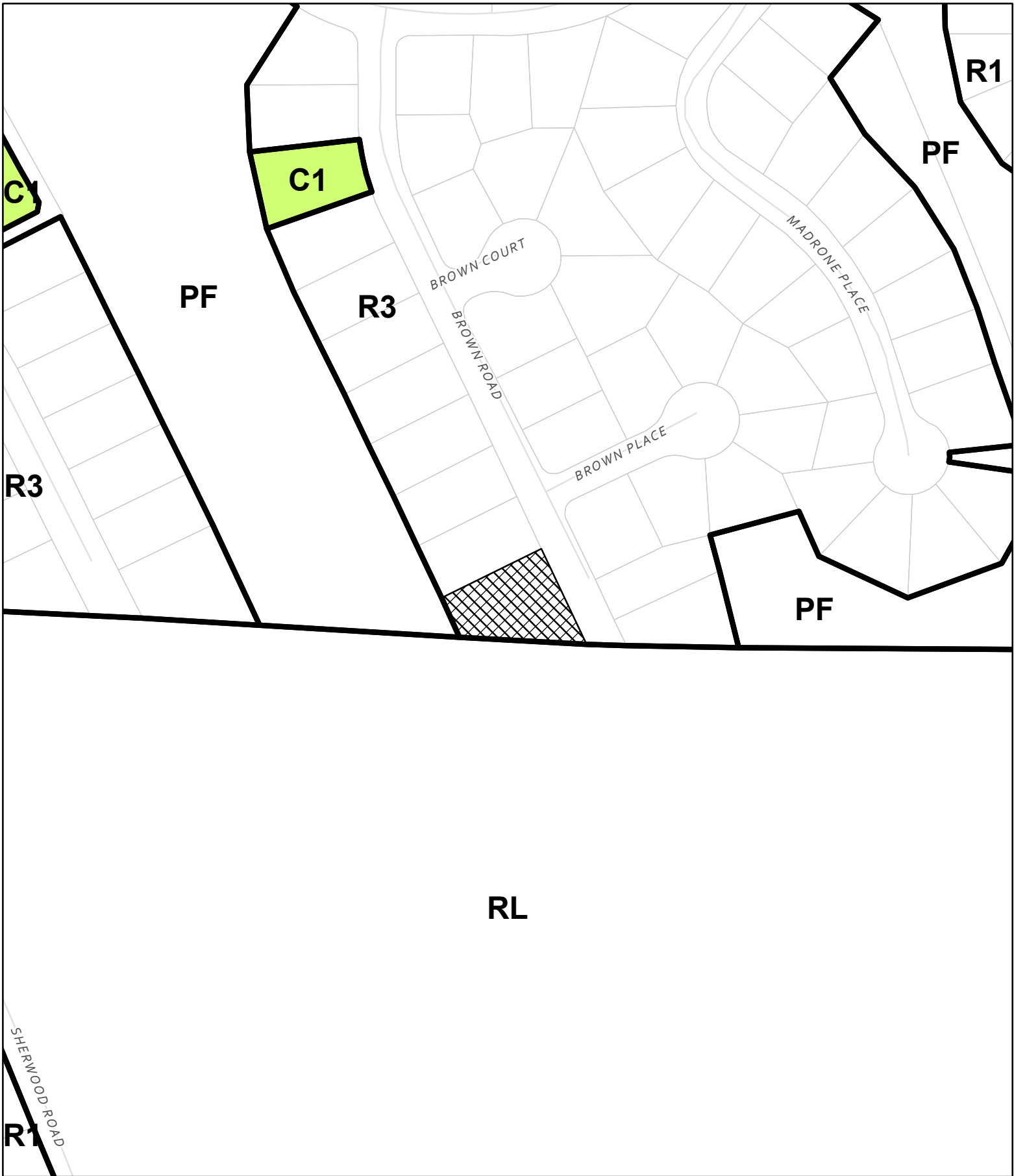
— Hydrology  
— Public Roads



**AERIAL IMAGERY**

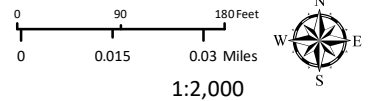
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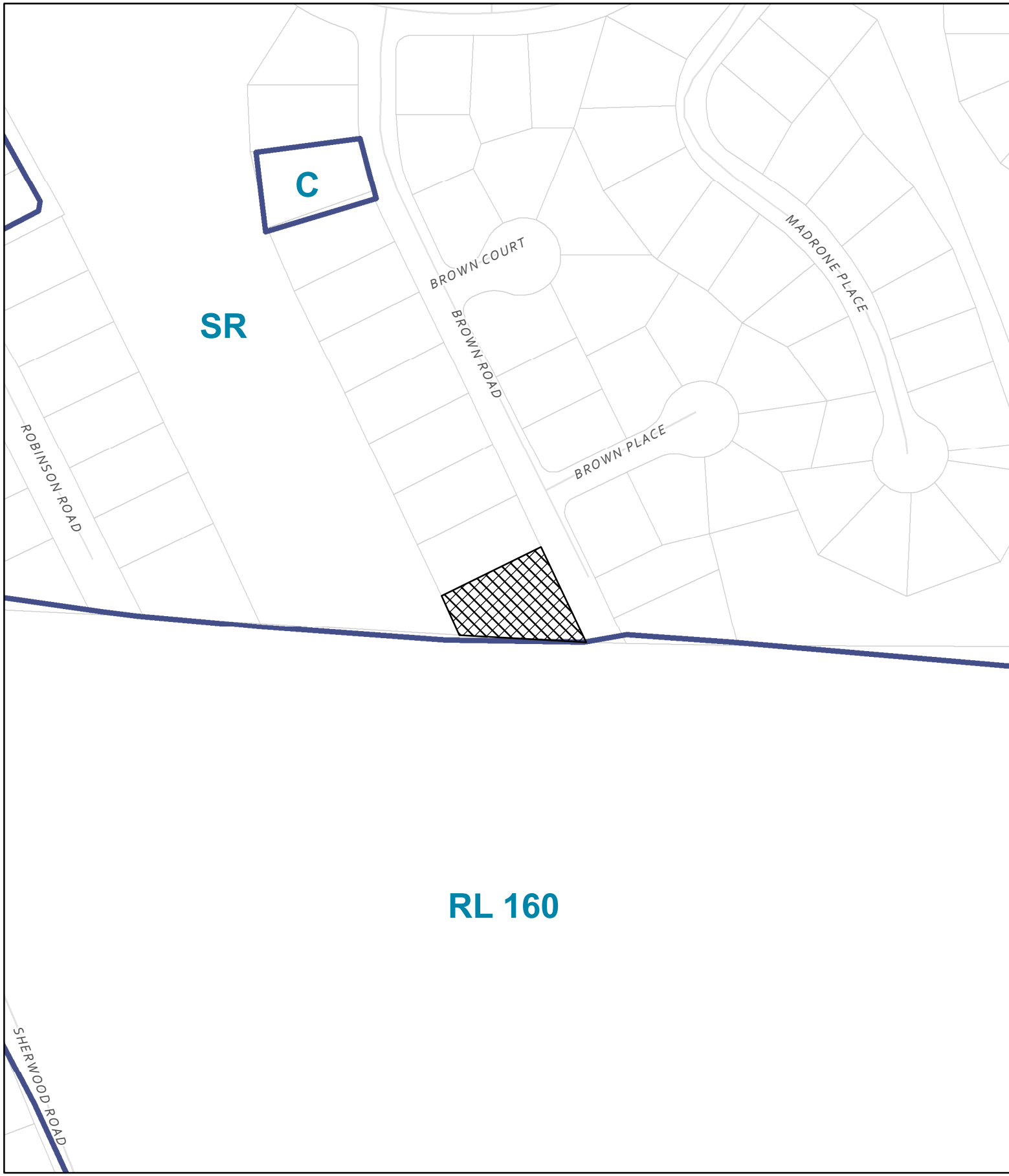
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- Zoning Districts
- Assessors Parcels
- Community Character (CC) Districts
- Public Roads





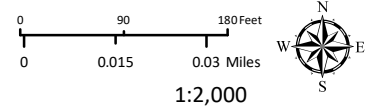
**ZONING**

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 Public Roads  
 Assessors Parcels

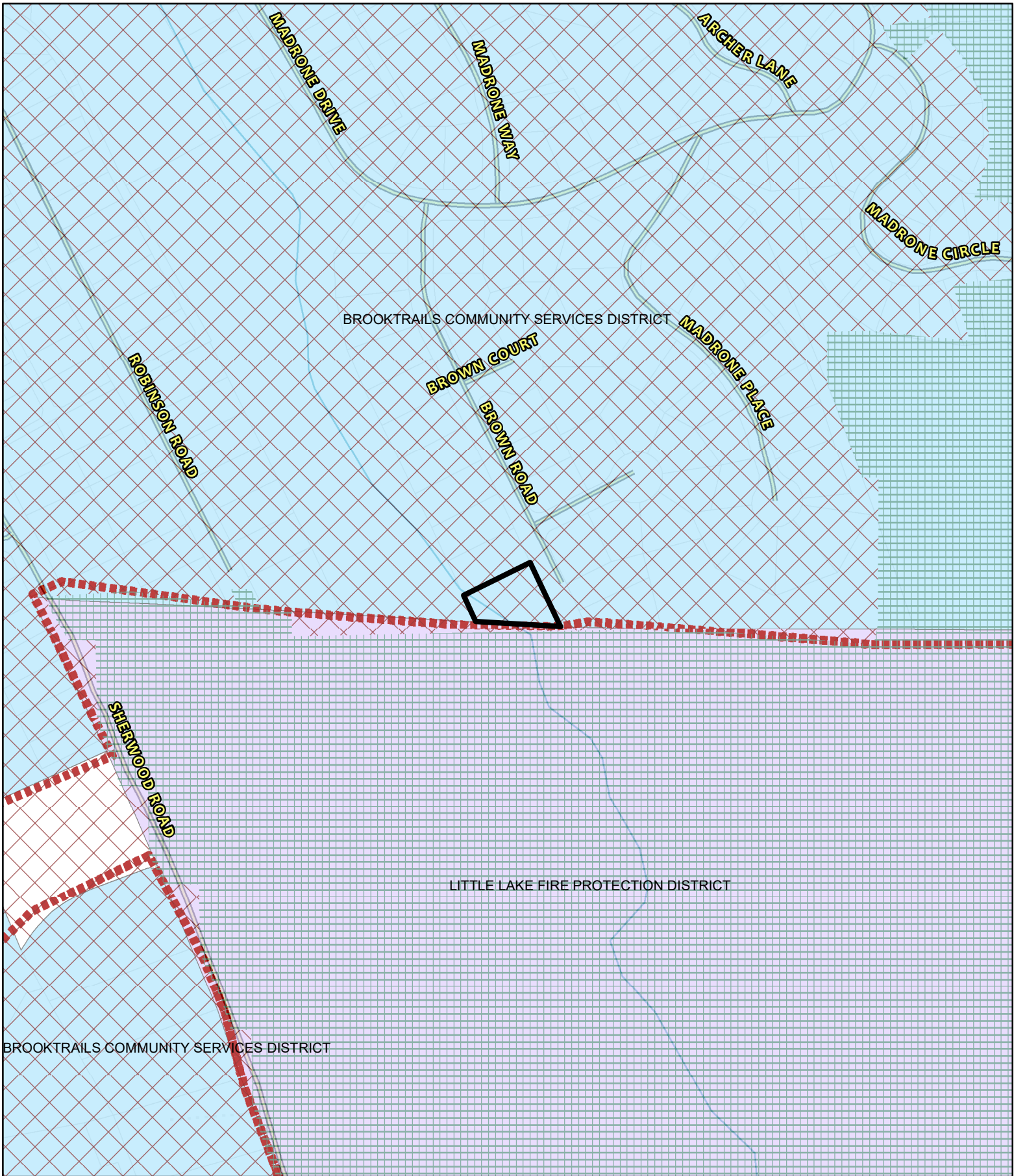


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**GENERAL PLAN**

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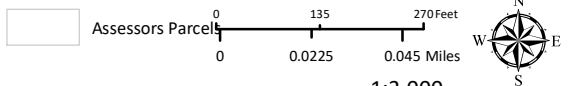






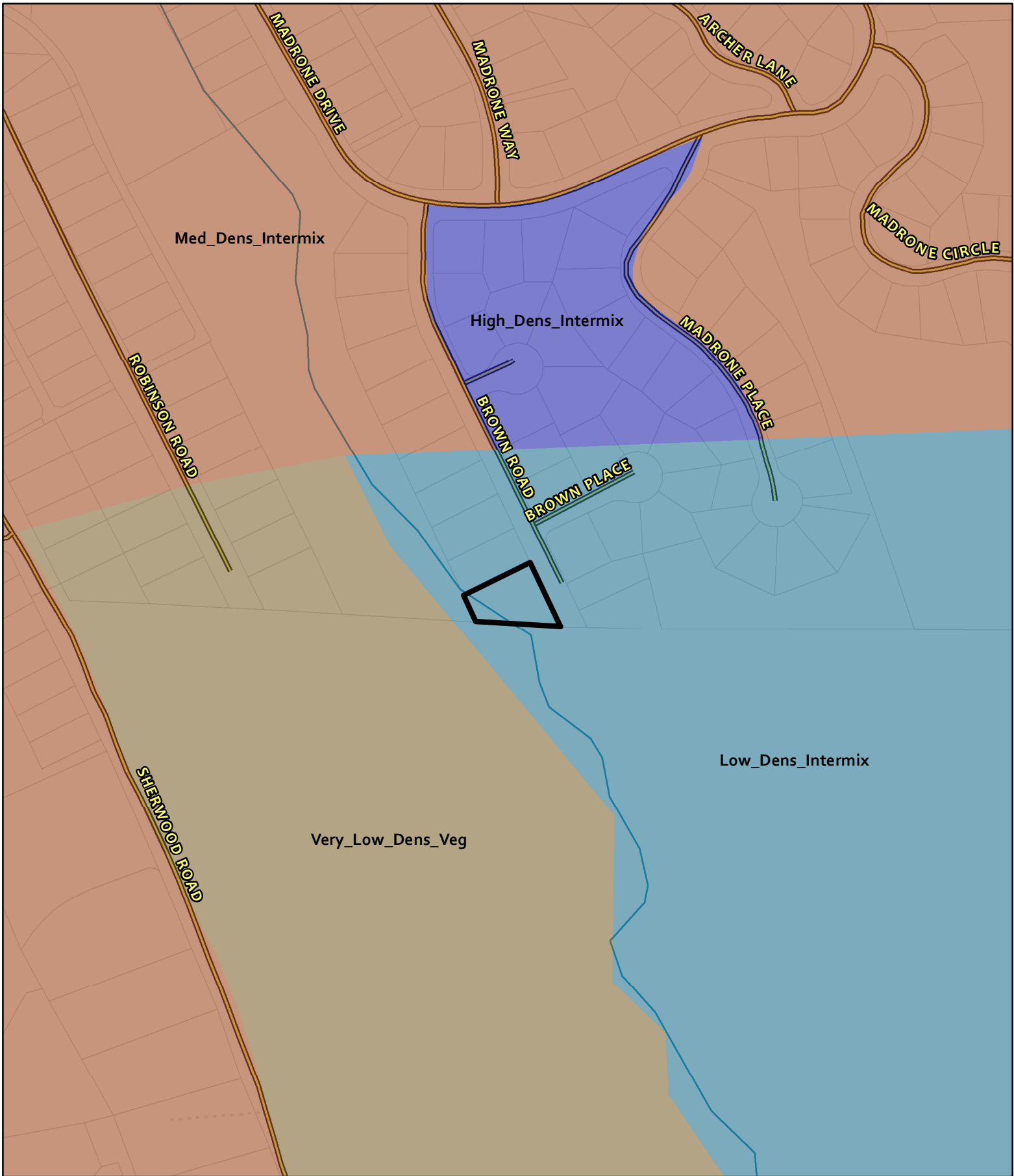
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- High Fire Hazard
- Moderate Fire Hazard
- County Fire Districts
- Hydrology
- Public Roads
- Driveways/Unnamed Roads







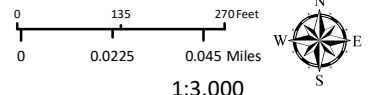
**1:3,000**  
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

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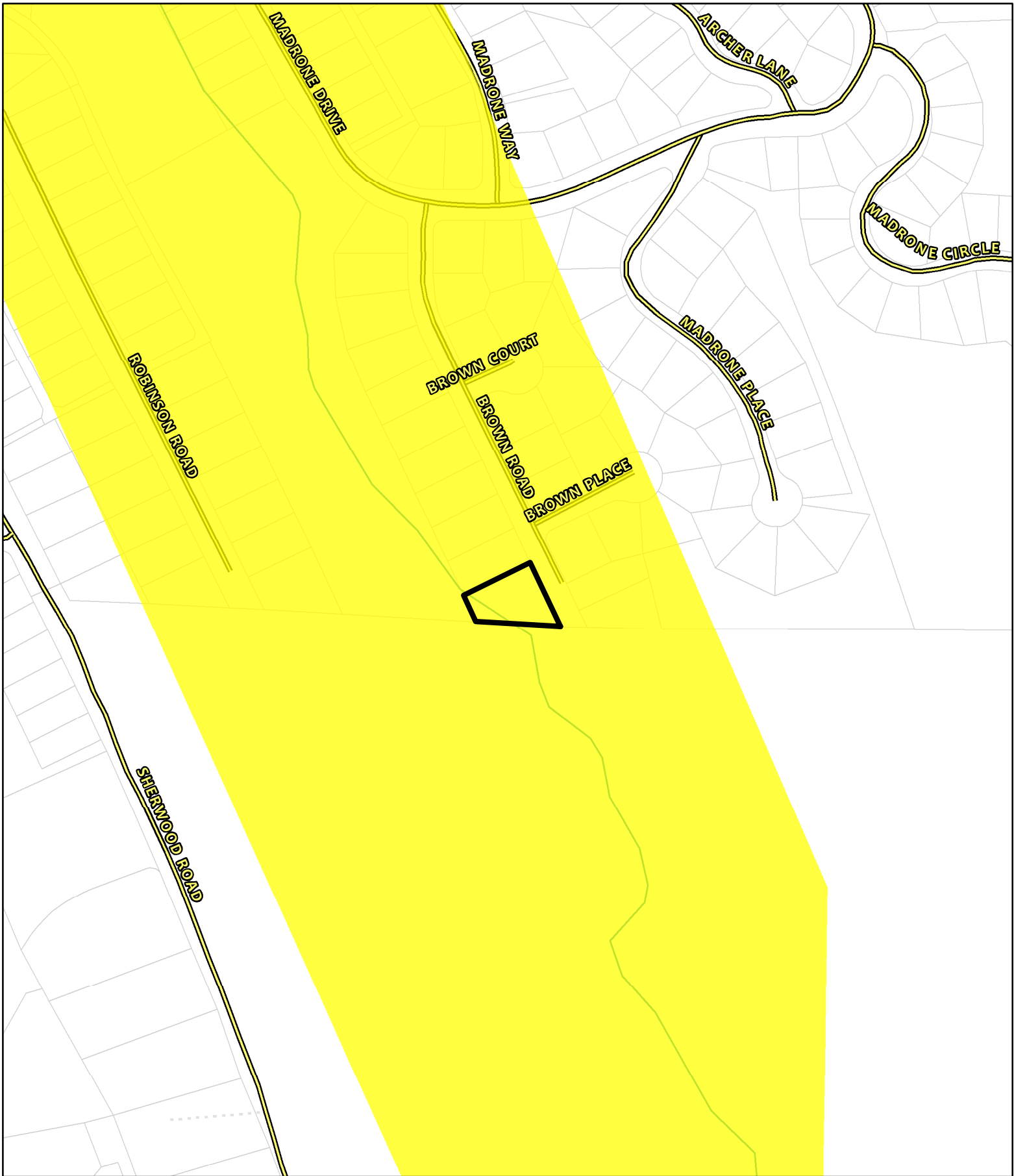
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-  Hydrology
-  Public Roads
-  Driveways/Unnamed Roads
-  Assessors Parcels



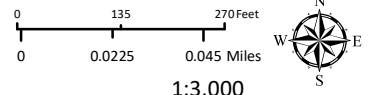
**WILDLAND-URBAN INTERFACE**

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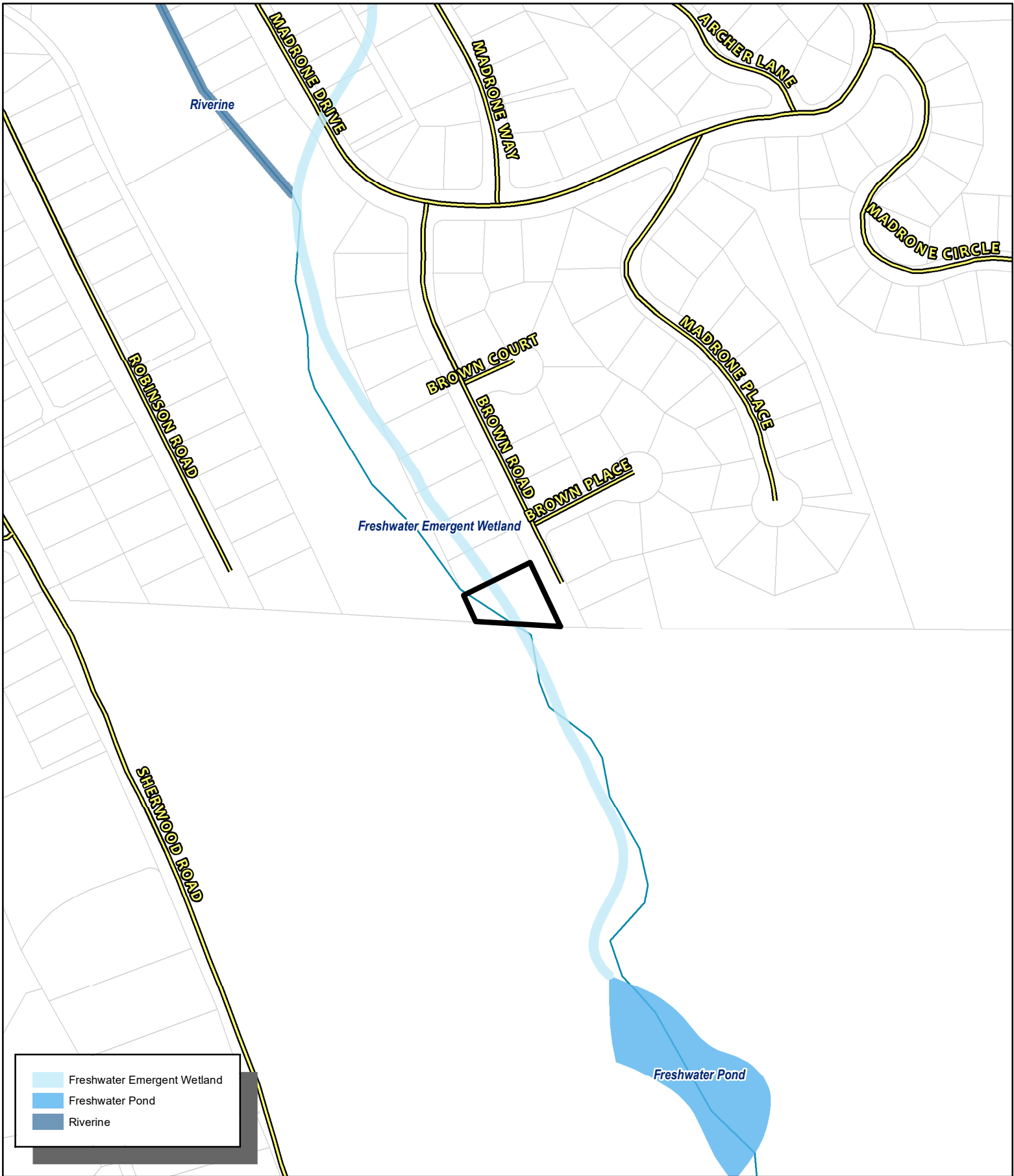
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- Maacama Fault Zone
- Driveways/Unnamed Roads
- Hydrology
- Assessors Parcels
- Public Roads



**EARTHQUAKE FAULT ZONE**

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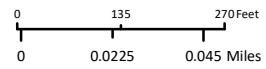


- Freshwater Emergent Wetland
- Freshwater Pond
- Riverine

**CASE: AP 2023-0041**  
**OWNER: SAENGER, Paul**  
**APN: 098-282-13**  
**APLCT: Paul Saenger**  
**AGENT: Paul Saenger**  
**ADDRESS: 25148 Brown Road, Willits**

- Hydrology
- Public Roads
- Driveways/Unnamed Roads

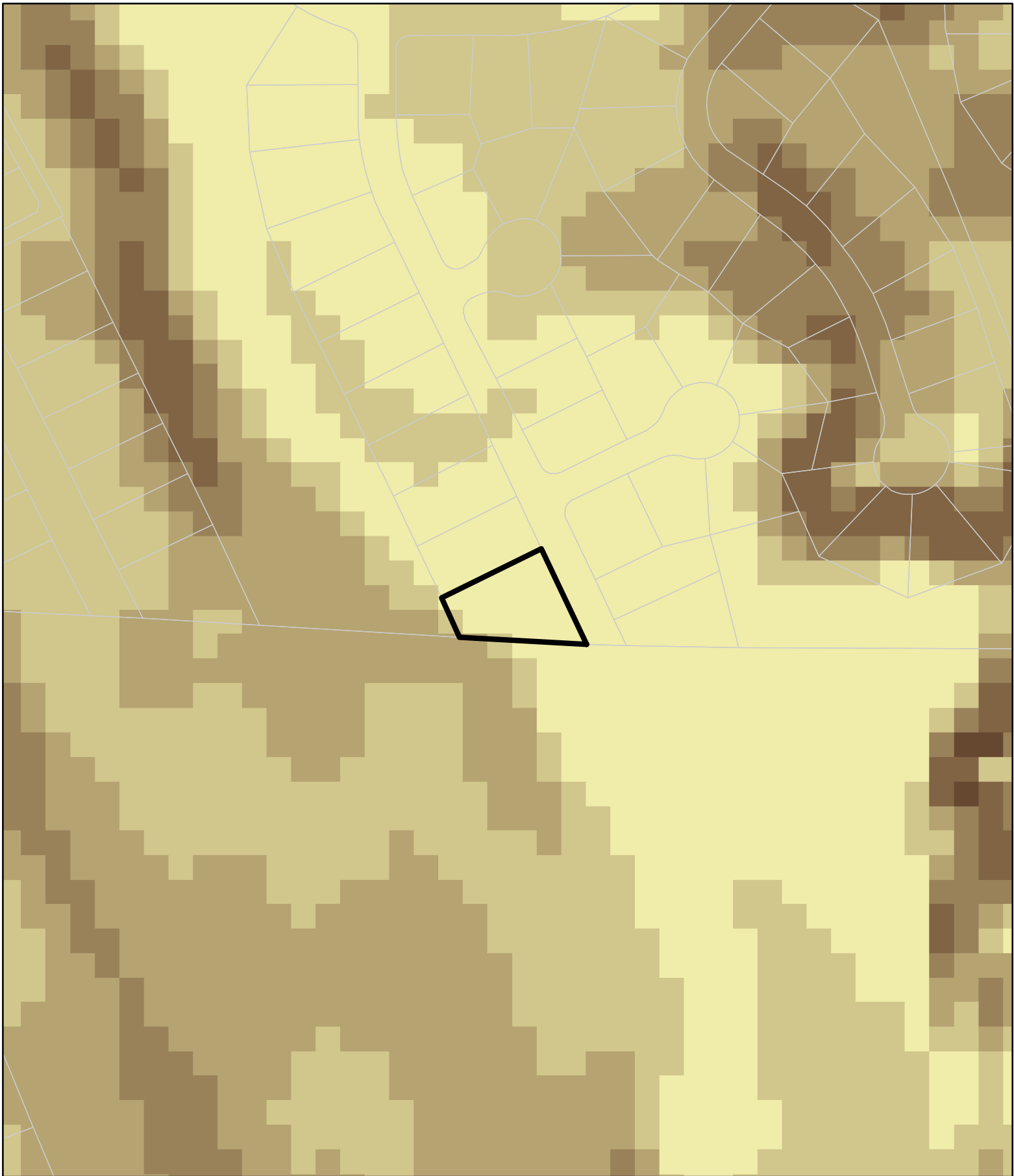
Assessors Parcels



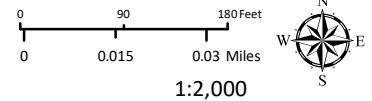
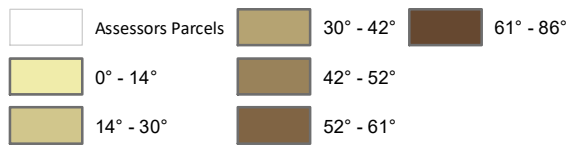
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**WETLANDS**

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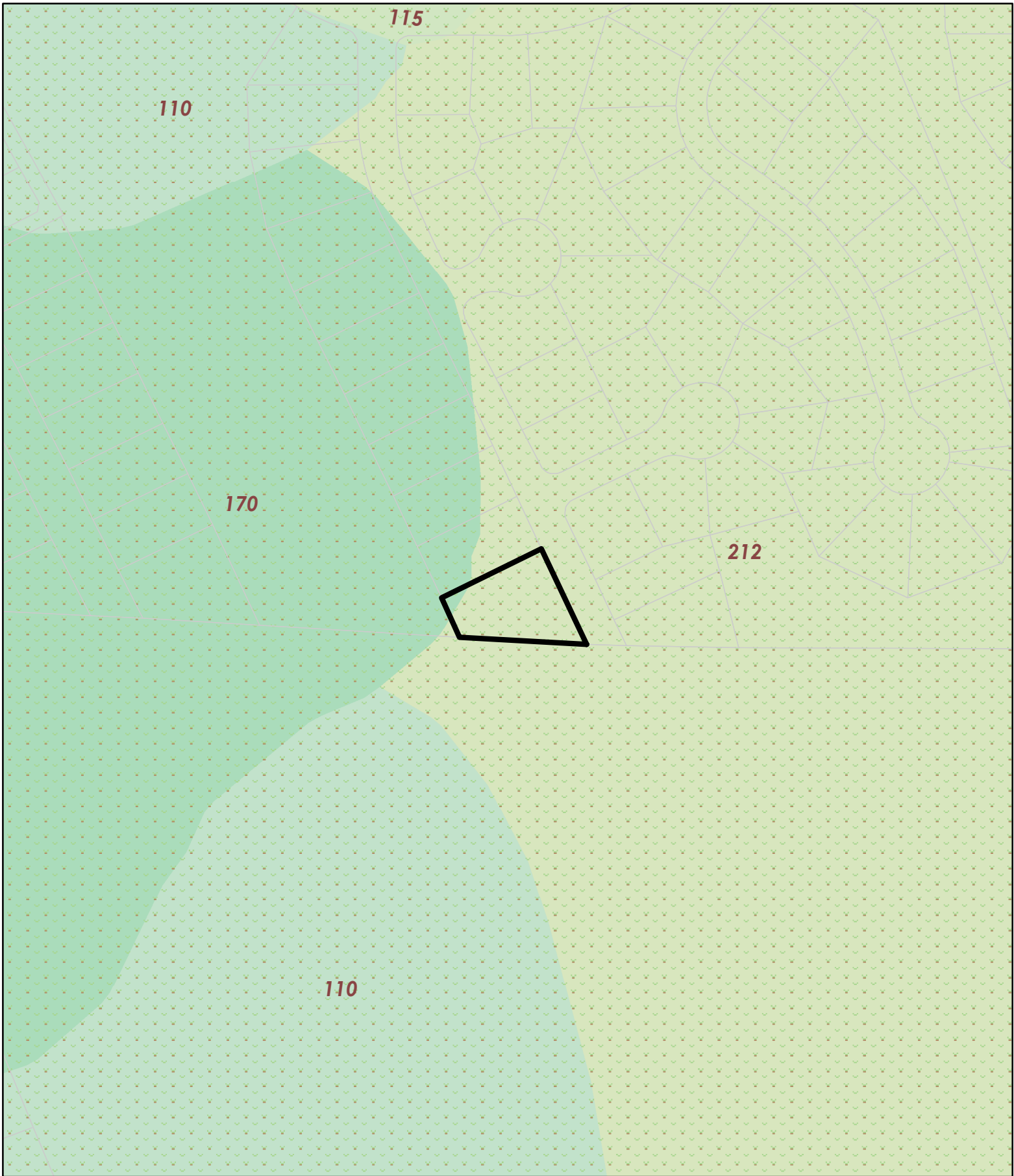


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



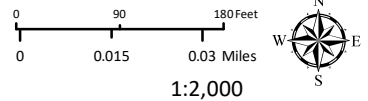
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ESTIMATED SLOPE

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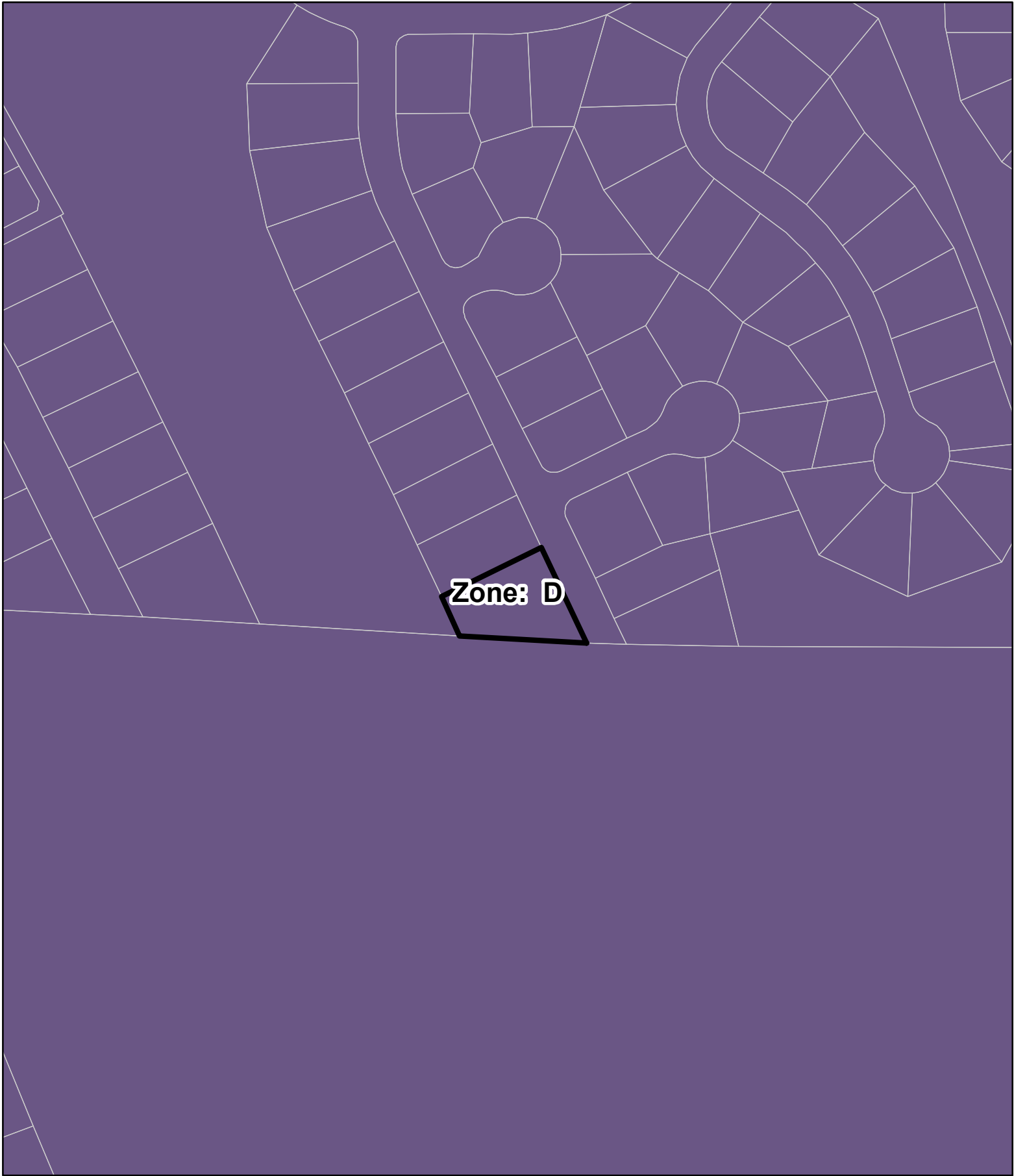
**CASE: AP 2023-0041**  
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 Assessors Parcels  
 Naturally Occurring Asbestos




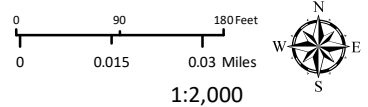
**EASTERN SOIL CLASSIFICATIONS**

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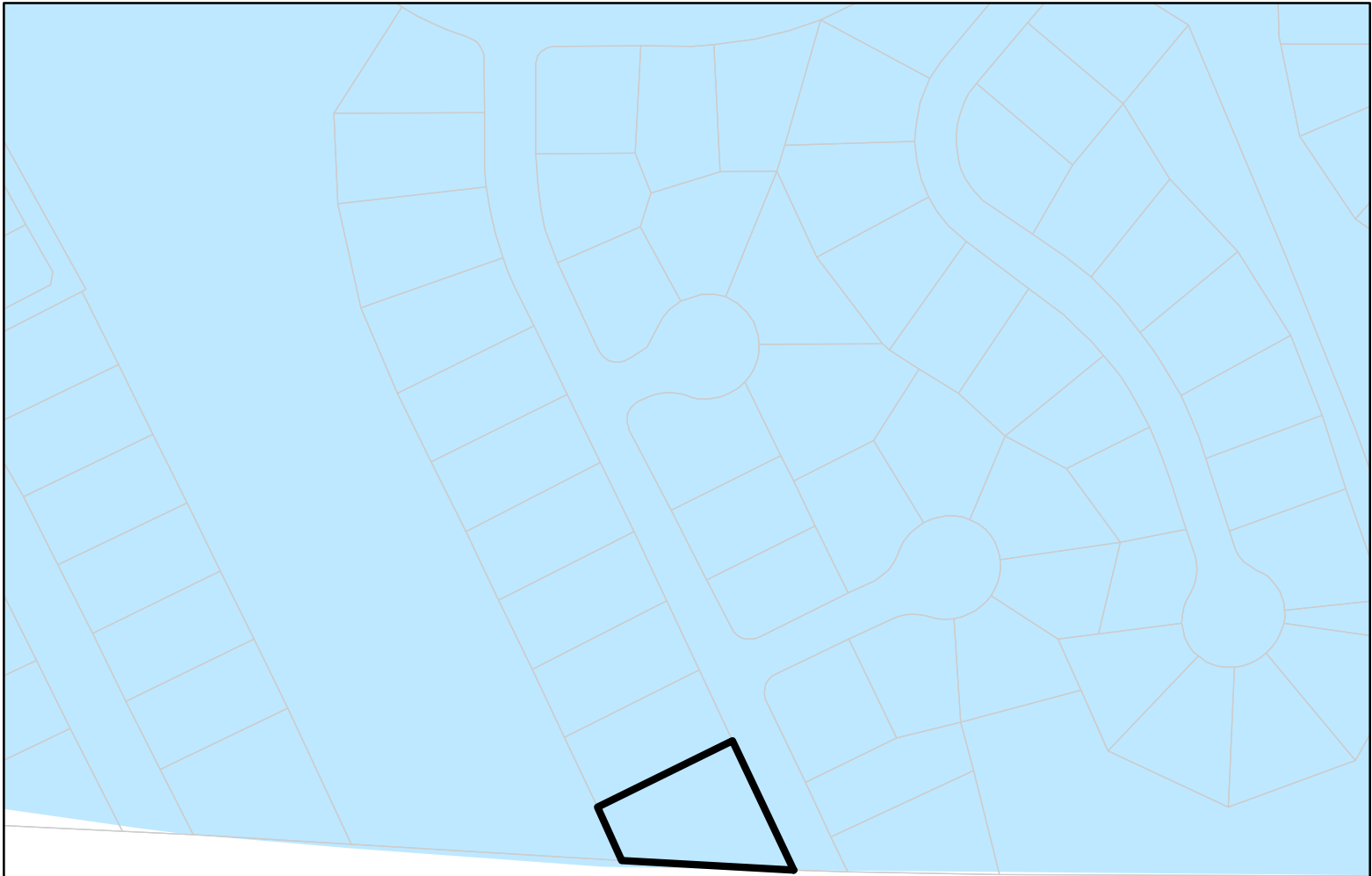
 Assessors Parcels





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**AIRPORT ZONES**

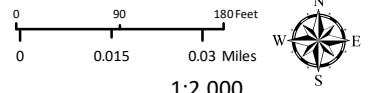
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 Assessors Parcels  
 County Water Districts



1:2,000  
**WATER DISTRICT**

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