



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
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.gov
www.mendocinocounty.org/pbs

February 08, 2024

Department of Transportation
Environmental Health - Ukiah

Sonoma State University
Cloverdale Rancheria

Potter Valley Tribe
Redwood Valley Rancheria

CASE#: CC_2023-0008
DATE FILED: 11/15/2023
OWNER/APPLICANT: ROBERT EVANS III
AGENT: STEPHEN POTTER

REQUEST: Legalization of a land division violation of two parcels in the Comptche area. Both parcels meet zoning and density requirements and are developed with single-family dwellings and accessory structures. Applicants request issuance of Conditional Certificates of Compliance in order to provide requirements to legalize the violation and keep the parcel separate.

ENVIRONMENTAL DETERMINATION:

LOCATION: In the community of Comptche on the south side of Comptche-Ukiah Road (CR 223) 0.28± miles west of its intersection with Flynn Creek Road (CR 135) at 31351 and 31365 Comptche Ukiah Road, Comptche. APNs: 125-080-37 and 125-080-38.

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: RUSSELL FORD

RESPONSE DUE DATE: February 22, 2024

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 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: CC_2023-0008

OWNER: Robert W. Evans, III

APPLICANT: Robert W. Evans, III

AGENT: Stephen A. Potter

REQUEST: Legalization of a land division violation of two parcels in the Comptche area. Both parcels meet zoning and density requirements and are developed with single-family dwellings and accessory structures. Applicants request issuance of Conditional Certificates of Compliance in order to provide requirements to legalize the violation and keep the parcel separate.

LOCATION: In the community of Comptche on the south side of Comptche-Ukiah Road (CR 223) 0.28± miles west of its intersection with Flynn Creek Road (CR 135) at 31351 and 31365 Comptche Ukiah Road, Comptche. APNs: 125-080-37 and 125-080-38.

APN/S: 125-080-37 and 125-080-38

PARCEL SIZE: 5.09± total.

GENERAL PLAN: Rural Residential, 2 acre minimum

ZONING: Rural Residential, 2 acre minimum

EXISTING USES: Residential, forestland

DISTRICT: 5th (Williams)

RELATED CASES: B 33-79

REFERRAL AGENCIES

LOCAL

- Agricultural Commissioner
- Air Quality Management District
- Airport Land Use Commission
- Archaeological Commission
- Assessor's Office
- Building Division
- County Addresser
- Department of Transportation (DOT)
- Environmental Health (EH)
- Farm Advisor
- Forestry Advisor
- LAFCO
- City Planning Department
- Community Services District
- Fire District
- MAC
- Sanitation District

- School District
- Water District
- Mendocino Transit Authority (MTA)
- Planning Division
- Resource Lands Protection Com.
- CHRIS @ SSU
- Trails Advisory Council
- STATE**
- CALFIRE (Land Use)
- CALFIRE (Resource Management)
- California Coastal Commission
- California Div. of Land Use Protection
- California Div. of Mine Reclamation
- California Dept. of Fish & Wildlife
- California Highway Patrol
- California Native Plant Society
- California State Clearinghouse

- CALTRANS
 - Regional Water Quality Control Board
 - Sierra Club
 - FEDERAL**
 - Sierra Club
 - US Department of Fish & Wildlife
 - US Department of Health Services
 - US Department of Parks & Recreation
 - US Natural Resources Conservation
 - TRIBAL**
 - Cloverdale Rancheria
 - Potter Valley Tribe
 - Redwood Valley Rancheria
 - Sherwood Valley Band of Pomo Indians
 - Round Valley Tribe
-

ADDITIONAL INFORMATION:

STAFF PLANNER: Russ Ford

DATE: 2/7/2024

ENVIRONMENTAL DATA

1. MAC:

GIS
N/A

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS
Moderate

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS
State

4. FARMLAND CLASSIFICATION:

GIS
Rural Residential/Grazing

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)
N/A

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS
N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part
Various

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
N/A

10. TIMBER PRODUCTION ZONE:

GIS
No

11. WETLANDS CLASSIFICATION:

GIS
N/A

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS
No

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS
No

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
N/A

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34
No

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS
No

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS
No

21. STATE CLEARINGHOUSE REQUIRED:

Policy
Yes

22. OAK WOODLAND AREA:

USDA
No

23. HARBOR DISTRICT:

Sec. 20.512
No

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION:

LCP Land Use maps/GIS
N/A

25. LCP LAND CAPABILITIES & NATURAL HAZARDS:

LCP Land Capabilities maps/GIS; 20.500
N/A

26. LCP HABITATS & RESOURCES:

LCP Habitat maps/GIS; 20.496
N/A

27. COASTAL COMMISSION APPEALABLE AREA:

Post LCP Certification Permit and Appeal Jurisdiction maps/GIS; 20.544
N/A

28. CDP EXCLUSION ZONE:

CDP Exclusion Zone maps/GIS
N/A

29. HIGHLY SCENIC AREA:

Highly Scenic & Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020
N/A

30. BIOLOGICAL RESOURCES & NATURAL AREAS:

Biological Resources & Natural Area Map; GIS; General Plan 4-9
N/A

31. BLUFFTOP GEOLOGY:

GIS; 20.500.020
N/A

COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES 860 NORTH BUSH STREET UKIAH, CALIFORNIA 95482 T: 707-234-6650 F: 707-463-5709	Case No. <u>CU-2023-0008</u>
	CDF No.
	Date Filed <u>11/15/23</u>
	Fee <u>\$3,261</u>
	Receipt No. <u>PRJ-059674 & 5</u>
Red'd By <u>LR</u>	

CERTIFICATE OF COMPLIANCE

Name of Applicant
Robert Wyatt Evans III

Mailing Address <u>PO Box 205</u>	Email <u>Bobbyevans3@gmail</u>
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City <u>comptche</u>	State <u>CA.</u>	Zip Code <u>95427</u>	Telephone <u>1-(707)-937-3357</u>
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Name of Owner
Robert Wyatt Evans III

Mailing Address <u>PO Box 205</u>	Email <u>Bobby Evans3@gmail</u>
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City <u>Comptche</u>	State <u>CA</u>	Zip Code <u>95427</u>	Telephone <u>1-(707)937-3357</u>
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Name of Agent
Stephen A Potter

Mailing Address <u>7762 Verbena RD</u>	Email <u>STUPTTR@gmail.com</u>
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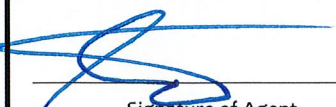
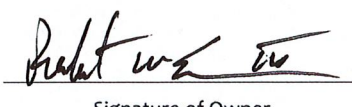
City <u>Oak hills</u>	State <u>CA</u>	Zip Code <u>92344</u>	Telephone
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Assessors Parcel Number(s) of subject property
125-080-38-00
125-080-37-00

Assessors Parcel Number(s) of all other parcels within the same ownership that are contiguous to the subject property

Street Address of Project <u>?</u>	Number of Lots Assumed <u>2</u>
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I certify that the information submitted with this application is true and accurate

	<u>11-15-23</u>		<u>11/14/23</u>
Signature of Agent	Date	Signature of Owner	Date



INDEMNIFICATION AND HOLD HARMLESS

ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4th, 1991, requires applicants of discretionary land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim action or proceeding brought against any of the foregoing individual or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

11/14/23
Date

[Signature]
Applicant

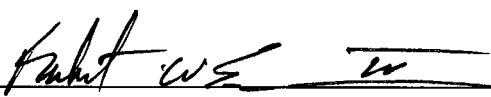
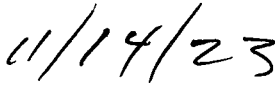
ACKNOWLEDGEMENT OF DEPOSIT/HOURLY FEE

By signing below, the applicant acknowledges that the staff at Planning and Building Services has discussed the potential for collection of a deposit fee for the projects listed below (as adopted by the Board of Supervisors Resolution No.'s 11-072, 16-150, 18-122 and 19-170)

1. Division of Land Project
2. General Plan Project
3. Coastal Project
4. Zoning Project
5. Administrative Project
6. Cannabis Project
7. Private Road Naming

Once an application has been submitted and the processing costs approach 80% of the application fee, additional staff processing time will be billed at \$90.00/hour. Staff will notify the applicant/owner that a deposit equal to 50% of the initial filing fee is required for further processing, and more than one deposit may be required depending on the complexity of the project and the staff time necessary to complete application processing.

I acknowledge that I was advised of the deposit fee for continued processing after the initial application fee has been expended.

Applicant Signature Date

CONFORMED COPY

Copy of Document Recorded on
01/26/2018 01:28:38 PM
as 2018-00930
Mendocino County Clerk-Recorder

RECORDING REQUESTED BY:

When Recorded Mail Document
and Tax Statement To:
Robert W. Evans, et al
PO Box 132
Comptche, CA 95427

APN: 125-080-37-00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EASEMENT GRANT DEED

The undersigned grantor(s) declare(s)

This transfer is exempt from the documentary transfer tax #11930

The documentary transfer tax is \$0.00 and is computed on:

- the full value of the interest or property conveyed.
- the full value less the liens or encumbrances remaining thereon at the time of sale.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Robert W. Evans and Joan S. Evans, Trustees of the Robert W. Evans and Joan S. Evans 2008 Trust, dated September 5, 2008 , AP#125-080-37-00

hereby GRANT(S) to Robert W. Evans II, Robert W. Evans III and Christine Renee Evans Potter, formerly known as Christine Renee Evans, AP#125-080-38

the following described real property in the County of Mendocino, State of California:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS 20' FEET IN WIDTH, OVER EXISTING ROAD LYING WITHIN THE LANDS DESCRIBED IN AND AS SHOWN ON THE MAP(S) ATTACHED AS EXHIBIT A, EXHIBIT B, EXHIBIT C AND EXHIBIT D;

MAINTENANCE AND REPAIR OF EXISTING ROAD AND BRIDGE OVER THE ALBION RIVER IS RESPONSIBILITY OF THE GRANTEEES, AP#125-080-38;

SAID EASEMENT IS APPURTENANT TO AND FOR THE BENEFIT OF THE LANDS DESCRIBED IN EXHIBIT B ATTACHED.

2

Grant Deed - continued

A.P.N.: 125.080.3700

Dated: 12/13/2017

Robert W. Evans and Joan S. Evans, Trustees of the Robert W. Evans and Joan S. Evans 2008 Trust, dated September 5, 2008

Joan S. Evans

JOAN S. EVANS

Joan S. Evans, Trustee

Robert W. Evans

ROBERT W. EVANS

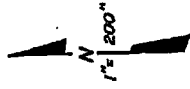
Robert W. Evans, Trustee

EXHIBIT C

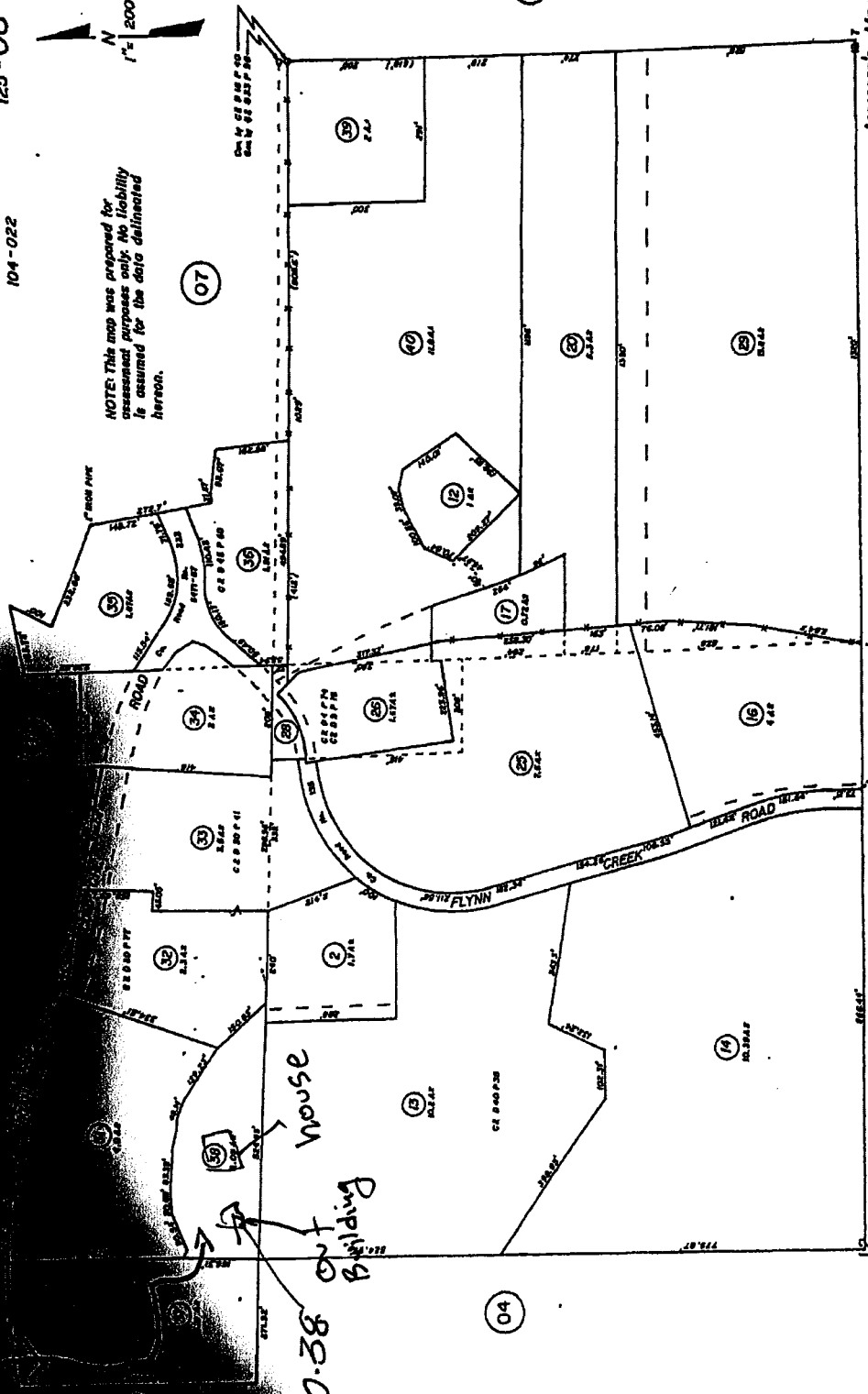
27.16N.R.16W. M.D.B. & M.

125-08

104-022



NOTE: This map was prepared for assessed purposes only. No liability is assumed for the data delineated hereon.



Assessor's Map
County of Mendocino, Calif.
March, 1991

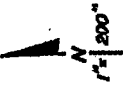
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EXHIBIT C

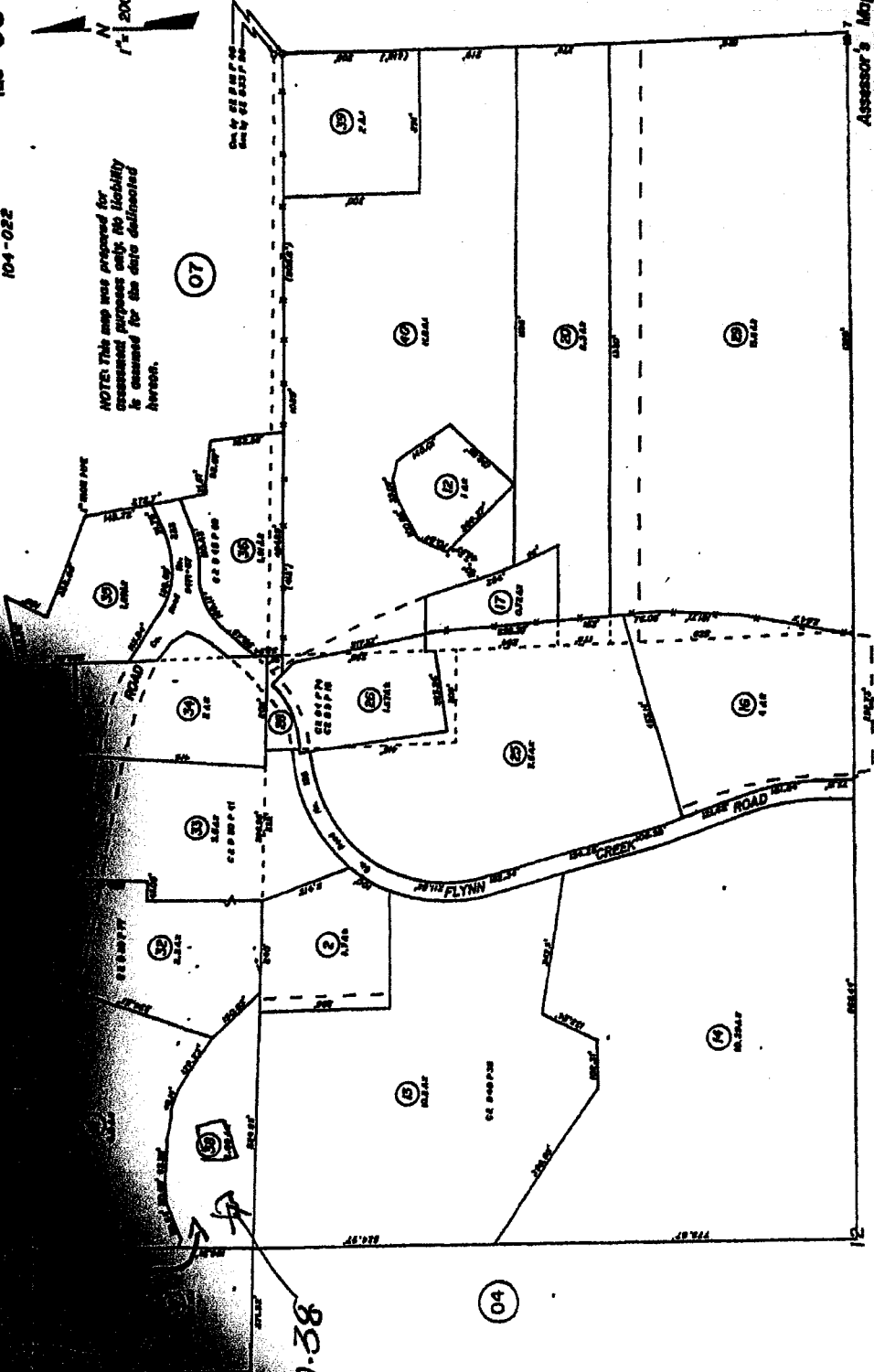
T.16N.R.16W.M.D.B.&M.

125-08

104-022



NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.



Assessor's Map
County of Mendocino, Calif.
March, 1991

2

080-38

CLEAN SLATE CERTIFICATION

MENDOCINO COUNTY, CA

OWNERS: Robert Evans

CASE #CS 94-83

LOCATION: 31351 Comptche-Uk Road
Comptche

APN: 125-070-15

The above parcel(s) have met the requirements of the Mendocino County California Clean Slate Ordinances as lawfully adopted by the Board of Supervisors as evidenced by the signatures of the applicable departments of this County.

ASSESSOR'S OFFICE:

This office certifies that ONE dwelling units, NO detached bedrooms and ONE miscellaneous structures and developments have been appraised on or before this date 4/6/87.

Signed Gordon F. Schin, Director

BUILDING INSPECTION DIVISION:

Certifies that one dwelling unit and one miscellaneous structure have met the requirements for the Clean Slate Ordinance. All deficiencies itemized in the Clean Slate file have been satisfactorily corrected.

Signed Ray Hall, Senior Inspector, dated 4/9/87

ENVIRONMENTAL HEALTH DIVISION:

Has previously approved the existing sanitary facilities —, or certifies that they met Clean Slate requirements —, or that deficiencies discovered were corrected to Clean Slate requirements Yes, or applicant elected to meet standard requirements —, for ONE dwellings and 0 detached bedrooms.

Signed Gerald F. Davis, Director, dated 5/22/87

PLANNING DIVISION:

One dwelling unit and one miscellaneous structure have met all applicable requirements in effect on this date.

Signed Ray Hall, Director, dated 4/9/87

** Specific items are on file in applicable departments
* Original in Planning Department files



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING & BUILDING SVCS.

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120 WEST FIR STREET • FORT BRAGG, CALIFORNIA 95437

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CERTIFICATE OF COMPLIANCE

A Certificate of Compliance is a document recorded by the County which states that the real property identified on the Certificate was created in compliance with the County Division of Land Regulations and the State Subdivision Map Act, or in other words, the parcel was legally divided or created. A recorded Parcel Map, Final Map or Unilateral Agreement constitutes a Certificate of Compliance.

Issuance of a Certificate of Compliance ensures that subsequent building permits will not be held or denied by the Planning and Building Services Department because the legality of the parcel is in question. However, a Certificate of Compliance is not a guarantee that subsequent building permits will be issued. The property owner must still comply with the requirements of the:

1. Division of Environmental Health (i.e., percolation tests)
2. Building Division of the Department of Planning and Building Services
3. County Zoning Regulations

The issuance of a Certificate of Compliance does not imply that the real property complies with present day land division development requirements. The County is not guaranteeing that the parcel has legal access, or that the road to the parcel has an adequate width or easement, etc., to meet today's land division development standards. In addition, a Certificate does not make any references as to the legality of or the use of structures on the property.

MATERIALS REQUIRED FOR SUBMISSION OF A CERTIFICATE OF COMPLIANCE

1. One (1) copy of a completed application signed by the recorded legal owner of the subject property. A letter from the owner must be submitted to the Department of Planning and Building Services with the completed application if an authorized agent is representing the project.
2. One (1) copy of the Deed of Contract of Sale (or any other instrument) creating the parcel and a complete description of any easements or rights-of-way for access to said parcels from a public street or highway.
3. One (1) copy of the **Most Recent Deed** of record showing the Book and Page or Document Number, as well as the names of all parties with an ownership interest in the subject property.
4. An exhibit showing the location of any existing single family residences or other significant existing structures.
5. One (1) signed Indemnification Agreement.
6. One (1) signed Acknowledgement of Deposit/Hourly Fee
7. The applicable filing fee. Check with a planner prior to application submission for current fees.

**ANY APPLICATION NOT MEETING THE ABOVE CRITERIA WILL BE CONSIDERED INCOMPLETE AND
WILL BE RETURNED TO THE APPLICANT.**

Quitclaim Deed

THIS QUITCLAIM DEED, executed this 27 day of July, 2005,
by first party, Grantor, ROBERT W. EVANS JOAN S. EVANS
whose post office address is PO BOX 132 COMPTON CA 95427
to second party, Grantee, ROBERT W. EVANS II
whose post office address is P.O. BOX 286 COMPTON CA 95427

WITNESSETH, That the said first party, for good consideration and for the sum of none
GIFT Dollars (\$ 0)
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby ~~release~~ release and quitclaim unto the
said second party forever, all the right, title, interest and claim which the said first party has in and to the following described
parcel of land, and improvements and appurtenances thereto in the County of MEDDOKIND
State of CALIFORNIA to wit:

EXHIBIT A

Assessors Parcel No. 125-080-38

2



IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.
Signed, sealed and delivered in presence of:

Signature of Witness: _____

Print name of Witness: _____

Signature of Witness: _____

Print name of Witness: _____

Signature of First Party: [Handwritten Signature]
Print name of First Party: ROBERT W EVANS JOAN S. EVANS

Signature of Second Party: _____

Print name of Second Party: NO

Signature of Preparer: [Handwritten Signature]

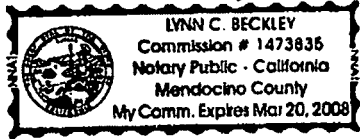
Print Name of Preparer: DAN S. EVANS

Address of Preparer: P.O. Box 132 Compton CA 95127

State of CALIF
County of MENDOCINO }

On 27 JULY 2005 before me, LYNN C BECKLEY, NOTARY PUBLIC
appeared ROBERT W EVANS AND JOAN S EVANS
~~personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) (are)~~
subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/~~her/their~~ authorized
capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.
WITNESS my hand and official seal.

[Handwritten Signature]
Signature of Notary



Affiant Known Produced ID
Type of ID _____ (Seal)



EXHIBIT A

The land referred to herein is situated in the unincorporated area, County of Mendocino, State of California and is described as follows:

All that certain real property known as parcel 125-080-38, situate in the County of Mendocino, State of California, and being a portion of Section 122, Township 16 North, Range 16 West, Mount Diablo Base and Meridian, more particularly described as follows: beginning at the center North 1/16 corner of Section 12, Township 16 North, Range 16 West, Mount Diablo Base and Meridian as shown on that certain Record of Survey Map filed in Map Case 2, Drawer 22, Page 49, Mendocino County Records; one-half inch iron pipe tagged L.S.3856 at the South line of the Northeast ¼ of the northwest ¼ of the aforesaid Section 12;
thence North 166 feet to the center of the Albion River;
thence along the center of Albion River South 68° 41' 05" East, 17.59 feet;
thence North 61° 32' 45" East, 90.54 feet;
thence North 89° 06' 20" East, 50.69 feet;
thence South 86° 20' 28" East, 93.39 feet;
thence South 77° 38' 12" East, 31.73 feet;
thence South 87° 12' 01" East, 24.95 feet;
thence South 70° 59' 17" East, 49.14 feet;
thence South 55° 40' 03" East, 129.23 feet;
thence South 40° 24' 28" East, 150.83 feet;
thence leaving said center of Albion River North 88° 30' 24" West, 524.99 feet to the point of beginning, containing 2.09 acres more or less.

125-080-38

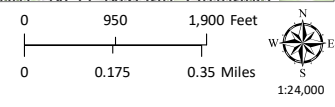


2005-16659
Pg: 4/4



CASE: CC 2023-0008
OWNER: EVANS, Robert
APN: 125-080-37, 38
APLCT: Robert Wyatt Evans, III
AGENT: Stephen Potter
ADDRESS: 31351 Comptche Ukiah Road, Mendocino

Major Roads



LOCATION MAP

MENDOCINO COUNTY PLANNING DEPARTMENT - 2/2/2024



31300
COMPTCHE
UKIAH RD
✓

31200
COMPTCHE
UKIAH RD
✓

COMPTCHE-UKIAH ROAD

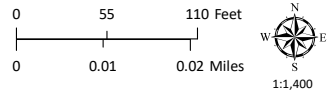
31351
COMPTCHE
UKIAH RD
✓

31301
COMPTCHE
UKIAH RD
✓

31365
COMPTCHE
UKIAH RD
✓

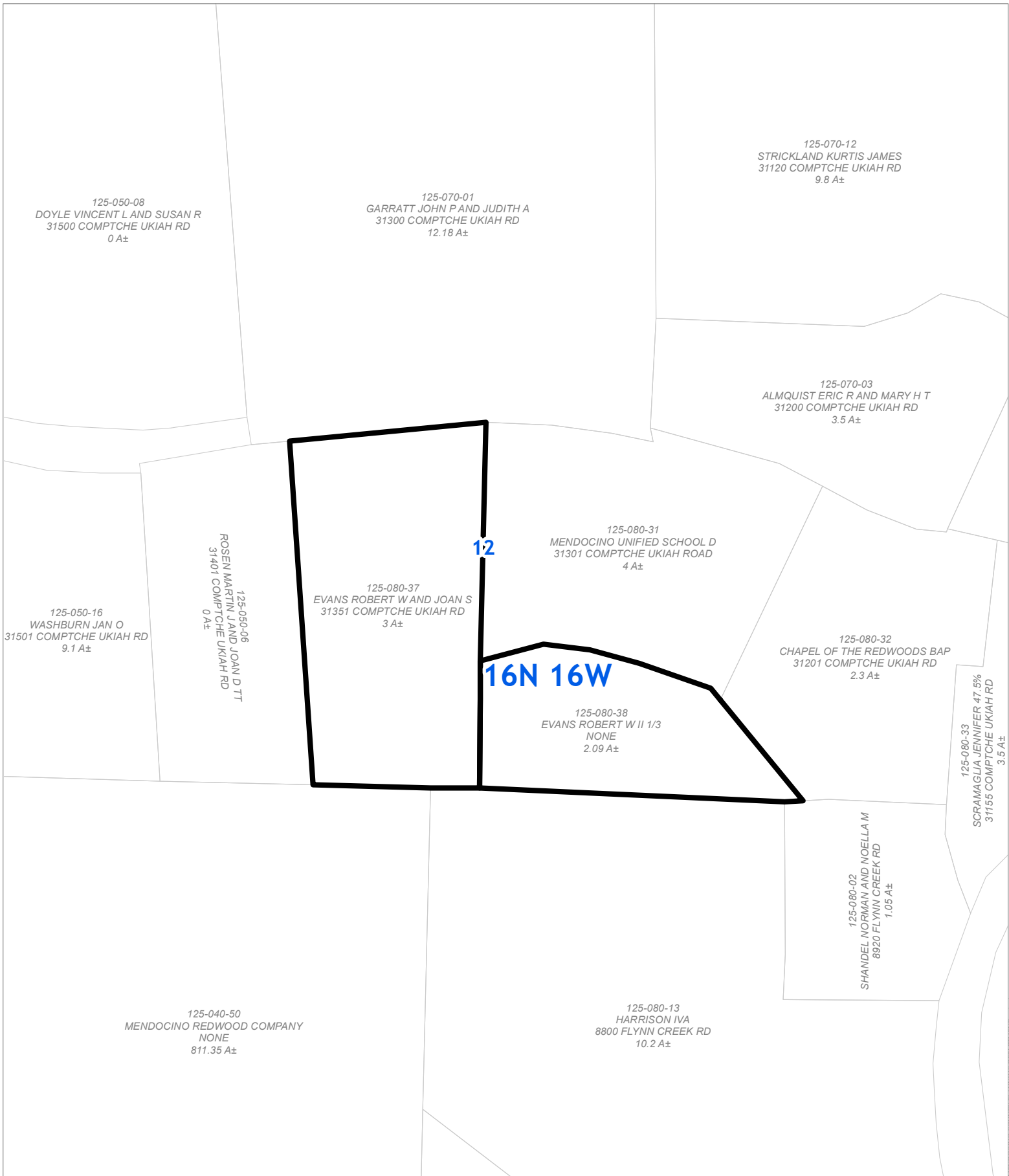
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Public Roads

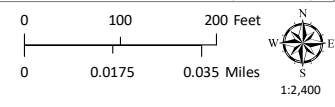


AERIAL IMAGERY

MENDOCINO COUNTY PLANNING DEPARTMENT - 10/27/2023



CASE: CC 2023-0008
OWNER: EVANS, Robert
APN: 125-080-37, 38
APLCT: Robert Wyatt Evans III
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ADDRESS: 31351 Comptche Ukiah Road, Mendocino

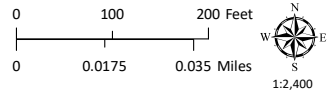


MENDOCINO COUNTY PLANNING DEPARTMENT - 11/20/2023

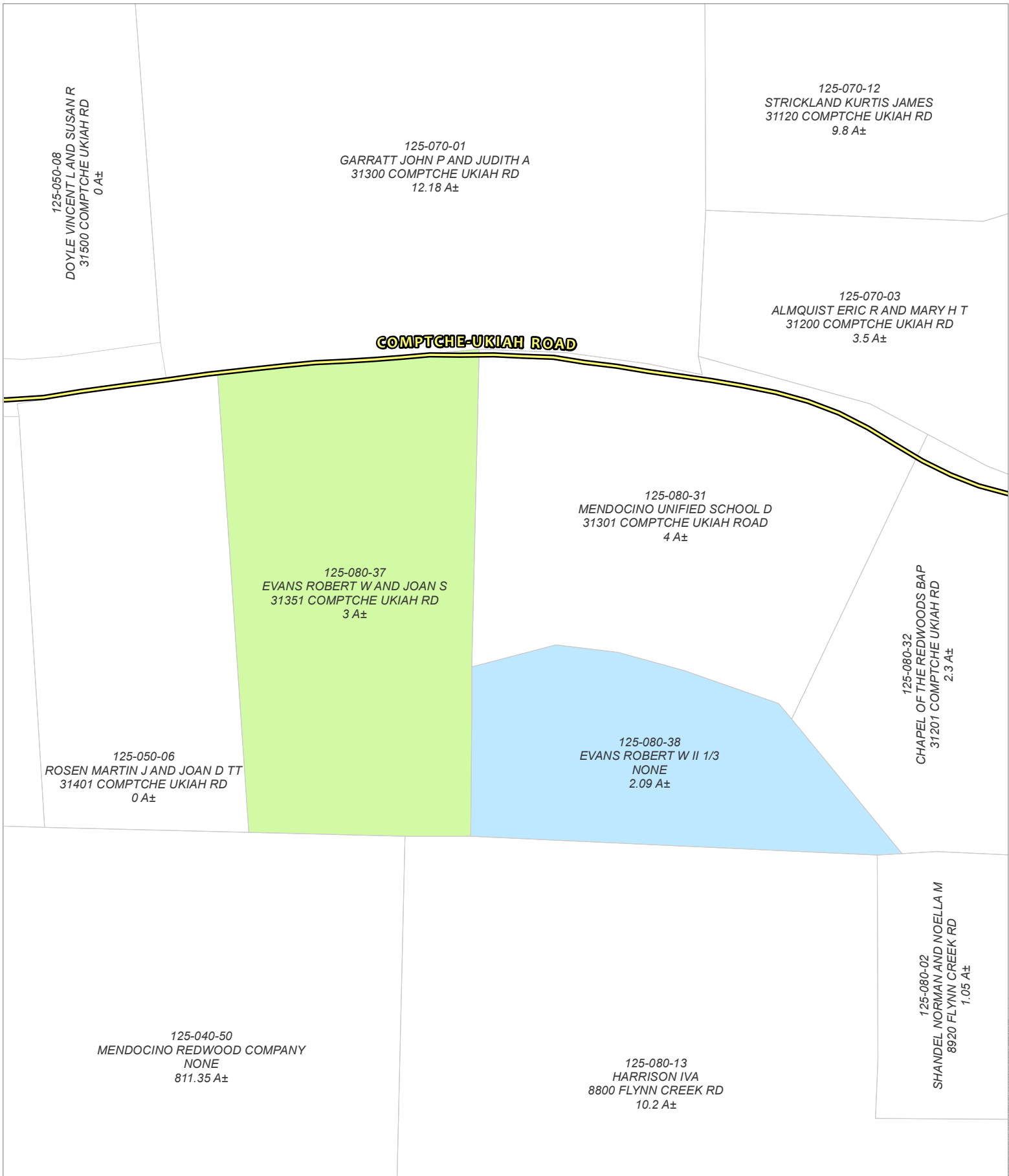


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OWNER: EVANS, Robert
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ADDRESS: 31351 Comptche Ukiah Road, Mendocino

 Zoning Districts



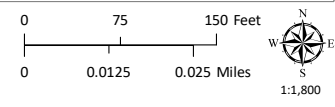
MENDOCINO COUNTY PLANNING DEPARTMENT - 10/20/2023



MENDOCINO COUNTY PLANNING DEPARTMENT - 10/20/2023

CASE: CC 2023-0008
OWNER: EVANS, Robert
APN: 125-080-37, 38
APLCT: Robert Wyatt Evans III
AGENT: Stephen Potter
ADDRESS: 31351 Comptche Ukiah Road, Mendocino

Public Roads



PROPOSED LOTS