

James Feenan

From: Meghan Durbin, WCPB <meghan@wcplan.com>
Sent: Tuesday, February 20, 2024 8:22 AM
To: Nash Gonzalez; Keith Gronendyke; pbscommissions
Cc: Russell Ford; amy@wcplan.com
Subject: CDP_2021-0011 Response to 1/25 Public Comment
Attachments: 0. Public Comment Response Letter and Enclosures.pdf

Mendocino County

FEB 20 2024

Planning & Building Services

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Dear Nash and Keith,

Thank you both for your time and attention to this project, CDP_2021-0011 (Lee & Karahashi). Please see the attached letter with enclosures outlining the applicants' responses and proposed measures to address the neighbor concerns brought up via public comment prior to and during the January 25th CPA hearing. They have also reached out directly to their neighbors.

If you have any questions or would like any further information prior to the hearing this Thursday please let me know.

Thank you,
Meghan

Meghan Durbin, Senior Planner
Wynn Coastal Planning & Biology
703 North Main Street, Fort Bragg, CA 95437
office: 707-964-2537 direct: 707-409-9597
www.WCPlan.com

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703 North Main Street, Fort Bragg CA 95437
ph: 707-964-2537 fx: 707-964-2622 www.WCPlan.com

SUBMITTAL

February 20, 2024

Planning and Building Services
860 N Bush Street
Ukiah, CA 95482

ATTN: Nash Gonzalez, Coastal Permit Administrator; Keith Gronendyke, Planner III

RE: CDP_2021-0011 Response to Public Comment

Owner: Trulee Ming Lee & Yoshiyuki Karahashi

Site: 33625 Pacific Way
Fort Bragg, CA 95437
APN: 017-060-04-00

Dear Nash & Keith,

Thank you for your continued attention to this project. The applicants would like to provide the following information in response to neighbor concerns, for the record.

Water Security: *Water is of the utmost importance to the applicants as well as their neighbors. The applicants' prior and proposed actions demonstrate their consideration.*

- The development and use of a well on the neighboring parcel at 33620 Pacific Way/APN: 017-060-07, was established by a grant deed dated July 8, 1960 (enclosed).
 - This specific well serves only the applicants' parcel.
 - This well is not used by the owners of the parcel which the well is on, nor any other neighboring parcels. The grant deed specifically states that the grantors have no right to use the well.
 - As is typical of the era when the grant deed was recorded, there are no clauses within the well easement regarding production rate and/or how many dwellings the water source can support.
- There is no nexus for the county to require a test demonstrating adequate water because both dwellings are legally non-conforming, having been built in 1948 and 1966. Thank you, Keith, for forwarding the email from Christina Pallmann confirming Environmental Health would not require such a test.
 - On a related note, there is no nexus to require an environmental study because there will be no ground disruption associated with the well infrastructure. The development proposed in the CDP application does not include any changes to the infrastructure on the neighbor's property.
- Throughout their ownership since 2015, the applicants have taken deliberate measures in the interest of water conservation and infrastructure maintenance. The comments received the day before and during the January 25th Coastal Permit Administrator hearing revealed the neighbors' water concerns for the first time since the applicants' ownership.
 - All laundry associated with the vacation rental use (towels, sheets, etc) is completed off-site.
 - The applicants installed a main water shut off valve in the piping on their parcel to ensure water loss would be minimized in the event of a burst pipe or other water emergency. Furthermore, the shut off valve allows emergencies to be addressed

Encl: per above

CC: Trulee Lee + Yoshiyuki Karahashi (owners/applicants); file

- without having to disturb their neighbors' privacy or wait to gain access to the neighboring parcel.
- Annual maintenance is performed on the well as directed by the applicants. Every year the neighbor is contacted prior to the visit by the well servicing company to schedule their access when most convenient for the neighbors.
- Theoretically, the water use by visitors is less than having full time residents in each dwelling as less water is typically used per day (no laundry, fewer meals prepared, lower frequency of showers/baths, no landscaping/garden, etc) and is not used at all when vacant.
- A revised site plan is enclosed, illustrating the inclusion of the proposed water storage tank. The location of the water tank was determined through consultation with local well driller and contractor, Superior Pump & Drilling in Fort Bragg. There is no ESHA on the parcel and hence there will be no impact to natural resources by the placement of a water tank.
 - Storage tanks are a proven conservation method. By collecting a small, consistent amount of water over time the surplus in the storage tank reduces demand and the resultant wear/tear on the well and water delivery infrastructure. It also provides an additional on-site resource for fire protection.

Shared Road Right-of-Way: *This is the applicants' access as well and they also want to see it taken care of.*

- Though there is no nexus for the county to condition the private road use, the applicants are ready and willing to contribute to road maintenance.
 - Based on information from previous neighbors the applicants were under the impression they would be contacted by other neighbors when it came time for everyone who uses the right-of-way to contribute to maintenance costs.
 - The applicants have no qualms about contributing to the neighborhood road maintenance funds. They look forward to the work being done.
- The applicants have communicated their willingness to contribute directly to the owners of the Right-of-Way, the Priors, since the hearing held on January 25th.

Vacation Home Rental Use

We interface with the controversy surrounding vacation home rentals on a regular basis, in this region specifically as well as conceptually when pertaining to visitor destinations experiencing similar challenges. The points made in opposition to this case are emblematic of those expressed in hearings and forums locally, statewide and nationally. The fact remains that Vacation Home Rental is a principally permitted use in the Coastal Rural Residential district of Mendocino County and the applicants consistently meet all requirements to operate a legitimate vacation home rental.

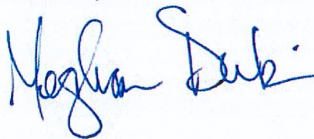
- To minimize the incidents of guests getting lost and entering neighbor properties mistakenly - a more prominent address sign can be installed on the exterior fence.
- The applicants take pride in having operated their VHR above board from the beginning – their Transient Occupancy Tax has always been paid on time. These are not operators, like many others, who skirted paying TOT, then began compliance upon discovery by county staff.
- The applicants also take very seriously the visitor capacity of their home and related safety issues. They are strict about the number of guests occupying the property at any given time and they do not allow guest parties. The applicants have never been alerted to any neighborhood issues stemming from their guests. If they were, they would address such issues promptly and thoroughly.
- Mendocino County is making a concerted effort to engage the public in conversations about how the local VHR ordinances could change. The neighbors may want to participate in those public meetings whenever they are held to voice their concerns as the county considers updating the ordinances.

Workshop Conversion to Guest Cottage

- The Guest cottage will not add density to the project, it is a permissible accessory structure to the primary home.
- This CDP is the required follow up CDP to the Emergency CDP which was issued by the county in December 2020 to address the failing septic system. The septic system repairs were completed shortly thereafter. The approved septic system design is comprised of a septic tank for each house and a leachfield sized for four bedrooms.
 - The single family residence is a 1 bedroom home;
 - the second residential unit is a 2 bedroom home;
 - per Environmental Health policy the guest cottage counts as 1 bedroom.
 - Hence, the septic system is adequately sized to accommodate conversion of the workshop to a guest cottage.
- The workshop/guest cottage is a legally non-conforming building and was constructed prior to establishment of the current required setbacks. Mendocino County code regarding legally non-conforming structures does not require the structures to be relocated.

Please let me know if you have any questions or comments.

Sincerely,



Meghan Durbin, Senior Planner
meghan@wcplan.com
707-409-9597 direct

GRANT DEED

(Joint Tenancy)

FOR VALUE RECEIVED, JACOB SERING and GERDA F. SERING, husband and wife, GRANT to EDGAR M. WOODROW and RUTH W. WOODROW, husband and wife as Joint Tenants, the following:

A Non-exclusive water right for all purposes and an easement for the maintenance, repair and placement of pipelines and other necessary conditions for the full use of said water rights in and to the following described real property, situate in the County of Mendocino, State of California:

All that certain lot, piece or parcel of land situate, lying within and being a portion of Fractional Section 24, Township 13 North, Range 18 West, Mount Diablo Base and Meridian; in the County of Mendocino, State of California, bounded and particularly described as follows, to wit:

Beginning at a point in the northerly boundary line of that certain tract of land known as "Dutcher and Hickman Tract" such point of beginning being N. 86° 16' W., 553.35 feet distant of the Northeast corner of said tract; also said point of beginning can be further described as being N. 97° 14' W., 3323.64 feet distant of the Section Corner common to Sections 19, 24, 25 and 30 of Township 13 North, Ranges 17 and 18 West, Mount Diablo Base and Meridian; thence from said point of beginning and along the exterior boundary lines of the lot, piece or parcel of land to be described as follows:

N. 1° 23' 10" W. 257.00 feet; thence N. 70° 14' 50" W. 250.00 feet to a point on the Shoreline of the Pacific Ocean; thence following said shoreline, first in a general North-westerly direction and second in a general Southerly direction to a point thereon which is identical with the Northwest corner of said "Dutcher and Hickman Tract", and also which point is N. 86° 16' W. 475.65 feet distant of the point of beginning for this description; thence leaving said shoreline of the Pacific Ocean and along the northerly boundary line of said "Dutcher and Hickman Tract", S. 86° 16' E. 475.65 feet to the point of beginning; all bearings as mentioned being referred to the true Meridian and the parcel of land containing a calculated area of 3.40 acres, more or less.

Provided that Grantees herein shall put in no

*Heidi Des 1/7
For B. 1999*

well greater than four feet in diameter. No limit on depth. Provided, further, that the site for the drilling of said well shall be agreed upon between the parties prior to the drilling of said well.

Greater shall have no rights to the use of said well when completed.

Dated: July 8, 1960.

Jacob Serling
JACOB SERLING

Reuben S. Serling
REUBEN S. SERLING

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF MENDOCINO)

On this 8th day of July, 1960, before me, JAMES G. WYBEN, County Clerk for said County and State, personally appeared JACOB SERLING and REUBEN S. SERLING, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

15835

Robert C. [Signature]
Notary Public for the County of Mendocino, State of California.
My commission expires on [Date]

RECORDED AT REQUEST OF:
MENDOCINO COUNTY TITLE COMPANY
BOOK 546 PAGE 26

1960 JUL 25 AM 10:15

OFFICIAL RECORDS
MENDOCINO COUNTY CALIF.
Alta [Signature] RECORDER

INDEXED

PAGED

* 280

Lands of Lee
 that portion of Lot 4 of fractional Section 24,
 Township 18 North, Range 18 West, Mount Diablo
 Base & Meridian Mendocino County, CA

General Notes
 General Plan Designation: RRS(1),U
 Zoning District: RR S
 Urban/Rural: Urban
 Highly Sensitive Area: No
 Proposed Land Use: SFR
 Appealable to Coastal Commission: Yes
 Entitlement Permit Type: CDP
 Yard Setbacks: 20' front & rear, 6' sides
 Corridor Preservation Setback: 25'
 Height Limit: 28'
 Environmental Constraints:
 Potential Geologic Hazards: No
 Water Source: Off-site well
 Wastewater Disposal: On-site septic, proposed septic repair
 Tree Removal: No Trees

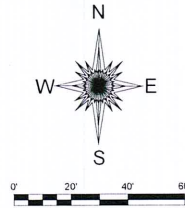
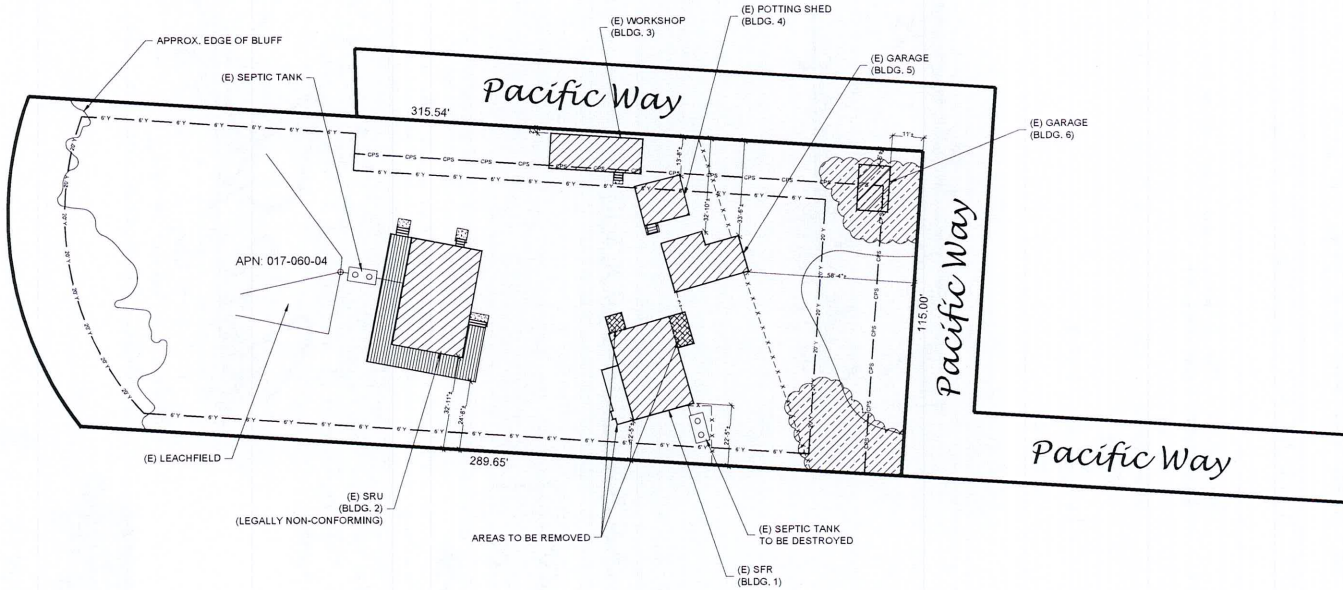
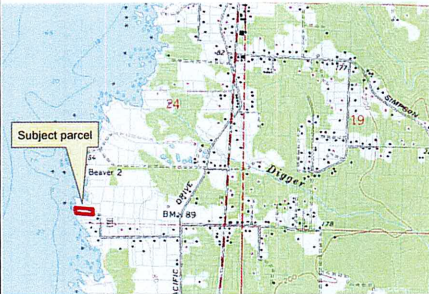
CDP Lot Coverage Tabulation
 Gross Site Area: 0.83 Acres (36,225 sf)
 Maximum allowable lot coverage: 50% (18,112.50 sf)

Lot Coverage:
 Footprint - (E) SRU (Bldg 2): 965 sf
 Footprint - (E) Decks: 695 sf
 Footprint - (E) Concrete Landing: 47 sf
 Footprint - (E) SFR (Bldg 1): 806 sf
 Footprint - (E) SFR (Bldg 1) to be removed: (104 sf)
 Footprint - (E) Decks: 123 sf
 Footprint - (E) Decks to be removed: (123 sf)
 Footprint - (P) SFR Addition (Bldg 1): 511 sf
 Footprint - (P) Decks: 474 sf
 Footprint - (P) Workshop/(P) Guest Cottage (Bldg 3): 400 sf
 Footprint - (E) Deck: 9 sf
 Footprint - (E) Concrete Landing: 6 sf
 Footprint - (E) Garage to be remodeled (Bldg 5): 426 sf
 Footprint - (E) Potting Shed (Bldg 4): 233 sf
 Footprint - (E) Deck: 19 sf
 Footprint - (E) Concrete Landing: 6 sf
 Footprint - (E) Garage (Bldg 5): 176 sf
Total Building Footprint: 4,660 sf

Total Lot Coverage (Footprint): 4,660 sf (12.86%)

(E) Driveway & Parking: 1,737 sf

LEGEND	
	(E) GRAVEL DRIVEWAY
	(E) TREE COVERAGE
	CPS CORRIDOR PRESERVATION SETBACK
	YARD SETBACK
	100' BUFFER FROM NEIGHBOR'S WELL
	FENCE
	(E) SEWER LINE
	(P) SEWER LINE



Design review, not meant for construction.

Dimensions based on 3/15/11 Site Plan. Design Prepared by: [Firm Name] & associates dated 6.6.2004. All dimensions are approximate.



KARAHASHI & LEE
 33625 Pacific Way
 Fort Bragg, CA 94747

REVISION	BY	DATE	APN
1	TH	11/21/11	017-0660-04-00
2	TH	11/21/11	
3	TH	11/21/11	
4	TH	11/21/11	
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8	TH	11/21/11	
9	TH	11/21/11	
10	TH	11/21/11	

SHEET 1 OF 2 SHEETS

Lands of Lee
that portion of Lot 4 of fractional Section 24,
Township 18 North, Range 18 West, Mount Diablo
Base & Meridian Mendocino County, CA

General Notes

General Plan Designation:	RR5(1) U
Zoning District:	RR 5
Urban/Rural:	Urban
Highly Scenic Area:	No
Proposed Land Use:	SFR
Applicable to Coastal Commission:	Yes
Entitlement Permit Type:	CDP
Yard Setbacks:	20' front & rear, 6' sides
Corridor Preservation Setback:	25'
Height Limit:	28'
Environmental Constraints:	No
Potential Geologic Hazards:	No
Water Source:	Off-site well
Wastewater Disposal:	On-site septic, proposed septic repair
Tree Removal:	No Trees

CDP Lot Coverage Tabulation

Gross Site Area:	0.83 Acres (36,225 sf)
Maximum allowable lot coverage:	50% (18,112.50 sf)

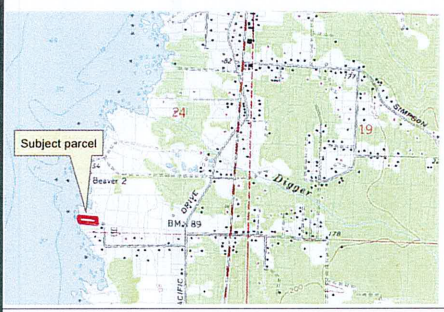
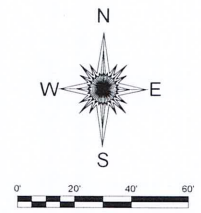
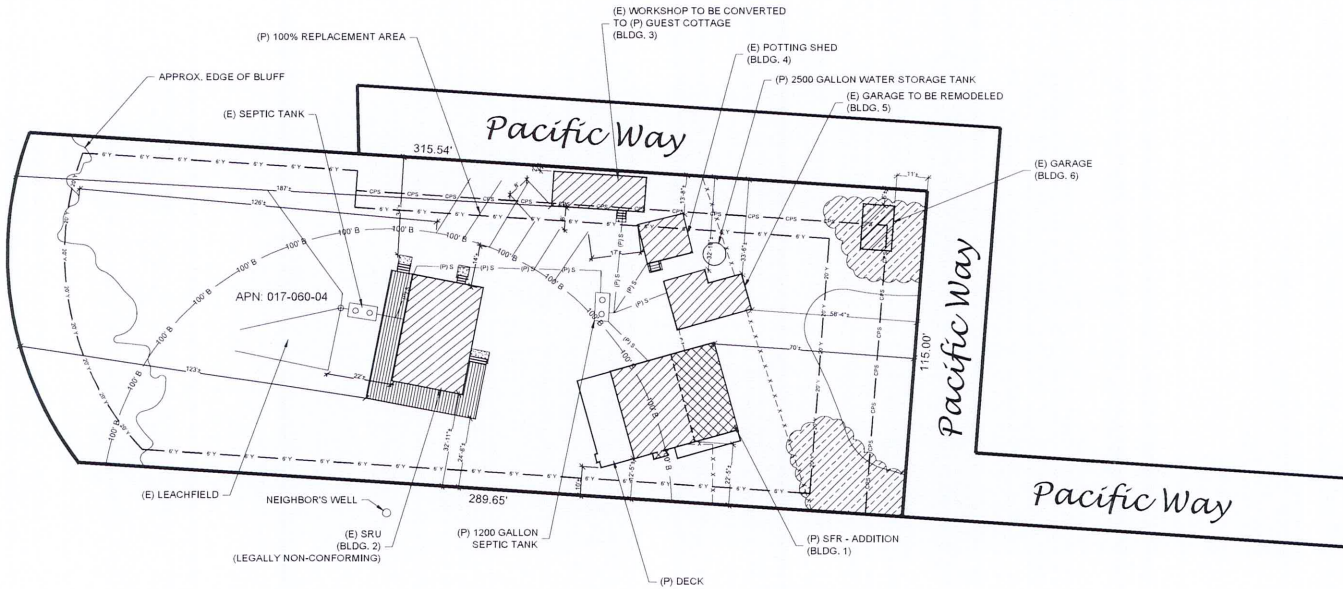
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Footprint - (E) Workshop/(P) Guest Cottage (Bldg 3):	400 sf
Footprint - (E) Deck:	9 sf
Footprint - (E) Concrete Landing:	6 sf
Footprint - (E) Garage to be remodeled (Bldg 5):	428 sf
Footprint - (E) Potting Shed (Bldg 4):	233 sf
Footprint - (E) Deck:	10 sf
Footprint - (E) Concrete Landing:	8 sf
Footprint - (E) Garage (Bldg 5):	178 sf
Total Building Footprint:	4,660 sf

Total Lot Coverage (Footprint):	4,660 sf (12.86%)
(E) Driveway & Parking:	1,737 sf

LEGEND

	(E) GRAVEL DRIVEWAY
	(E) TREE COVERAGE
	CORRIDOR PRESERVATION SETBACK
	YARD SETBACK
	100' BUFFER FROM NEIGHBOR'S WELL
	FENCE
	(E) SEWER LINE
	(P) SEWER LINE



NOTE:
 THE DISCHARGE OF POLLUTANTS TO ANY STORM DRAINAGE SYSTEM IS PROHIBITED. NO SOLID WASTE, PETROLEUM BYPRODUCTS, SOIL PARTICULATE, CONSTRUCTION WASTE MATERIALS, OR WASTEWATER GENERATED ON CONSTRUCTION SITES OR BY CONSTRUCTION ACTIVITIES SHALL BE PLACED, CONVEYED OR DISCHARGED INTO THE STREET, GUTTER OR STORM DRAIN SYSTEM.

PROPOSED SITE PLAN 1" = 20' 1

Design review, not meant for construction.

Dimensions based on a Site Plan by Daniel Roger Dickson, recorded dated 6/6/2004. All dimensions are approximate.

Wynn
 LANDSCAPE ARCHITECTURE
 703 North Main Street, Fort Bragg, CA 94537
 ph: 707-464-2337, fx: 707-464-2827, www.WynnCA.com

KARAHASHI & LEE
 33-627 Pacific Way
 Fort Bragg, CA 94547

REVISION	DATE	BY	APP. BY
1	7/24/2017	TH	TH
2	8/14/17	TH	TH
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 OF 2 SHEETS