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**PLANNING COMMISSION  
STAFF REPORT- MINOR SUBDIVISION**

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**DECEMBER 19, 2024  
MS\_2022-0002**

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**SUMMARY**

**OWNER/APPLICANT:** Michael & Maribelle Anderson  
PO Box 1266  
Fort Bragg, CA 95437

**AGENT:** Wynn Coastal Planning & Biology, inc, Amy Wynn  
703 N. Main Street  
Fort Bragg, CA 95437

**REQUEST:** Minor Subdivision of a 14.04± acre parcel into two (2) parcels. Parcel One would be 4.77± acres, while Parcel Two would be 9.27± acres.

**LOCATION:** 2± miles north of the City of Fort Bragg town center, lying east of State Route 1 (SR 1), 0.5± miles north from its intersection with Airport Road (CR 424); located at 22601 N Hwy 1, Fort Bragg (APN: 069-231-39).

**TOTAL ACREAGE:** 14± Acres

**GENERAL PLAN:** Industrial (I 40K)

**ZONING:** Industrial

**SUPERVISORIAL DISTRICT:** 4 (Gjerde)

**ENVIRONMENTAL DETERMINATION:** Negative Declaration

**RECOMMENDATION:** By resolution, adopt a Negative Declaration and approve Minor Subdivision MS\_2022-0002, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval in Exhibit A of the Resolution.

**STAFF PLANNER:** Keith Gronendyke

**BACKGROUND**

**PROJECT DESCRIPTION:** Request for a Minor Subdivision of an existing 14.07± acre parcel into two (2) parcels. Parcel 1 would be 4.77± acres and will contain existing commercial development. Parcel 2 would be 9.27± acres and will contain an existing log storage facility.

**APPLICANT'S STATEMENT:** *The goal is to separate the logging storage facility from the commercial rental portion of the property. The logging storage facility is complementary to the logging business administration, which is located on an adjacent parcel (APNs 069-231-17 & -34). Proposed Parcel 1 will continue to support the existing commercial uses and structures. Proposed Parcel 2 will continue to support the logging storage facility, which includes temporary storage of logs, equipment parking, and equipment shed.*

**SITE CHARACTERISTICS:** The proposed project site is located 2± miles north of the City of Fort Bragg center, lying on the east side of State Route 1 (SR 1), 0.5± miles north of its intersection with Airport Road (CR 424), located at 22601 North Hwy 1, Fort Bragg and is approximately 14.07 acres. The parcel is accessed from North State Route 1 (SR 1) via one (1) paved driveway.

The subject parcel is developed with an existing commercial use, Matson Building Supply, and a log storage facility serving Anderson Logging, Inc. The Minor Subdivision will separate the commercial use from the log storage facility. Parcel 1 would be 4.77± acres and will continue the existing commercial use. Parcel 2 would be 9.27± acres and will continue the existing use, including a log storage facility, which includes temporary storage of logs, equipment parking and an equipment shed. It should be noted that the original parcel map was proposing to cross property lines to supply waste disposal services from proposed parcel 1 to proposed parcel 2, as no suitable soil sites to install a septic system was found on proposed parcel 2. This was not consistent with the Mendocino County Division of Land Regulations (Chapter 17) nor the Mendocino County Division of Environmental Health (DEH) regulations. Consequently, a revised Tentative Map was prepared to re-configure the proposed parcels and incorporates a twenty (20) foot wide by four hundred and fifteen (415) foot long access strip along the east property line to provide parcel 2 a suitable location on which to construct a septic system without requiring an easement. This satisfies DEH requirements.

Potable water for parcel 2 will be provided via an easement from an existing well house on parcel 1. DEH also approves of this proposal to supply potable water needs to proposed parcel 2.

**RELATED APPLICATIONS ON SITE:**

- Parcel Map Record of Survey (Map Case 2, Drawer 59, Page 12 of Mendocino County Records)
- BF\_1996-0355 - Storage Building 45x160 (Finaled) (Issued 5/14/96)
- BF\_1999-0117 - Storage Building (Finaled) (Issued 2/23/99)
- BF\_1999-0444 – Addition (Expired)
- BF\_1999-0939 - Occupancy Change from Warehouse to Sales (Expired)
- BF\_2000-1174 - Sales Building (Finaled) (Issued 1/4/01)
- BF\_2002-0674 – Storage Building (Finaled) (Issued 8/30/02)
- BF\_2003-0948 – Storage Building (Finaled) (Issued 9/19/03)
- BF\_2006-0900 – Warehouse Building 40x125 (Expired)
- BF\_2006-0901 – Warehouse Building 50x100 (Expired)
- BF\_2007-0463 - Connect 600 ug service panel w/ three (3) 100-amp sockets (Expired)
- BF\_2007-0627 - Place 300 cubic yards of Topsoil (Expired)
- BF\_2007-1055 - Commercial Warehouse (Finaled) (Issued 3/18/08)
- BF\_2008-0476 - 100-amp service + four (4) lights (Finaled) (Issued 6/20/08)
- BF\_2008-0809 - Replace existing deck (APN: 069-231-38) (Hold)
- BF\_2014-0639 - Entry way addition in Store Building (Expired)
- BF\_2016-0025 - 30,000-gallon Propane Tank on slab (Expired)
- CC\_30-01 – Three (3) lots, APN's 069-231-38, 069-210-01 and 069-251-21 (Finaled 12/31/10)

**NEIGHBORING PROPERTIES:**

- APN: 069-231-38 – CC\_30-01 – Three (3) lots, Easement lot serving adjacent parcel to the east
- APN: 069-231-25, 069-231-17 & 069-231-34 – City of Fort Bragg

**SURROUNDING LAND USE AND ZONING:** As listed on Table 1 below, the surrounding lands are classified and zoned Remote Residential (RMR), Rural Residential (RR) or within the incorporated area of the City of Fort Bragg, where the adjacent parcels are developed with residential uses, as shown on the *Location, Aerial and Zoning Map, General Plan Classifications* maps.

<b>TABLE 1. SURROUNDING LAND USE AND ZONING</b>				
	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	Rural Residential (RR5)	Rural Residential (RR5)	1.7± Acres	Residential
<b>EAST</b>	Remote Residential (RMR20)	Rural Residential (RR5)	36.6± Acres	Residential
<b>SOUTH</b>	Rural Residential (RR2)	Rural Residential (RR2)	1.2± Acres	Residential
<b>WEST</b>	Rural Residential (RR5(2)) & City of Fort Bragg	Rural Residential (RR5(2)) & City of Fort Bragg	7.8± Acres, 2.5± Acres & 3.2±	Residential & Commercial

**PUBLIC SERVICES:**

Access: State Route 1 (SR 1)  
 Fire District: Fort Bragg Rural Fire District  
 Water District: NONE (On-site)  
 Sewer District: NONE (On-site)  
 School District: Fort Bragg Unified School District

**AGENCY COMMENTS:** As listed on Table 2 below, project referrals were sent on September 12, 2022, to the following agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification, denial, conditions of approval, or required permits are discussed in full in the following section.

<b>TABLE 2: AGENCY COMMENTS</b>	
<b>REFERRAL AGENCIES</b>	<b>COMMENT</b>
Archaeological Commission	Comments
Assessor's Office	No Response
Building Division (Ukiah)	No Comment
California Department of Fish & Wildlife (CDFW)	Comment
CAL FIRE (Land Use)	Comment
CALTRANS	No Response
Cloverdale Rancheria	No Response
Department of Transportation (DOT)	Comments
Environmental Health (EH) (Ukiah)	Comments
Fort Bragg Rural Fire District	No Comment
Fort Bragg City Planning Department	No Response
Planning Division (Ukiah)	Comments
Potter Valley Tribe	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Sonoma State University (SSU)	Comments

**Department of Transportation:** The Mendocino County Department of Transportation commented that since the parcel fronts along State Route 1, which is regulated by the State of California's Department of Transportation (Caltrans), any work within the State of California's right-of-way will have to be coordinated with Caltrans. Additional comments regarding the parcel map have also been included. These requirements have been added to the Conditions of Approval numbered 14 and 15 (Exhibit A).

**Environmental Health:** Environmental Health recommends conditions regarding soil testing, compliance with North Coast Regional Water Quality Control Board, and a well pump test for potable water needs on proposed parcel 2. These are reflected in Conditions of Approval numbers 7-13 (See Exhibit A).

**Archaeological Commission:** The applicant went before the Archaeological Commission on June 14, 2023, and submitted an archaeological survey, which was accepted by the commission. As such, the standard discovery clause Condition of Approval has been added (see Condition 4).

**CAL FIRE:** The California Department of Forestry has included a list of conditions that the applicant will have to meet to comply with State Fire Safe Regulations as set forth in 14 CCR Natural Resources; Div. 1.5. These requirements are listed in Condition of Approval number 6 (Exhibit A).

**California Department of Fish and Wildlife (CDFW):** CDFW responded on October 31, 2024 requesting that any future development require the appropriate biological studies to inform the least environmentally damaging option.

On November 10, 2022, the Mendocino County Subdivision Committee approved a set of recommended conditions for the proposed subdivision. Their recommendations are a part of the attached Resolution and its Exhibit A.

### **KEY ISSUES**

**1. General Plan and Zoning Consistency:** The project site is currently classified in the County of Mendocino's General Plan as Industrial (I). Chapter 3: Development Element of the General Plan, regarding Development Policies for Land Use (Policy DE-9) describes the intent of the Industrial (I) land use classification as:

*... intended to be applied to lands suited for major industrial uses, where necessary services such as transportation systems and utilities exist or can be efficiently provided, where disruption of proximate uses will be least, and where the potential for environmental disruption is minimal or can be adequately controlled. This classification is intended to protect these lands from the pressures of development and preserve them for future use as designated.*

The proposed subdivision is not within the jurisdictional boundaries of a water or sewer district. Each proposed lot would be provided with water and sewage infrastructure via on-site wells and on-site septic systems. Each parcel will continue to be accessed via State Route 1 (SR 1), a publicly maintained road. The site is within the jurisdictional boundary of both the California Dept. of Forestry and Fire Protection (CAL FIRE) and Fort Bragg Rural Fire Protection District response areas. The subdivision is intended to separate the existing commercial use from the existing logging storage facility. Both parcels will continue the established uses of commercial and logging storage facility. The Industrial (I) classification establishes a minimum lot size of forty thousand (40,000) square feet. As proposed, each proposed lot would be at least forty-thousand square feet in size. The proposed subdivision meets the minimum lot size requirements, and no development is proposed at this time and future development will be subject to Industrial (I) classifications. Therefore, staff finds that the subdivision request is consistent with the Industrial (I) General Plan land use classification.

Policy DE-52 of the Mendocino County General Plan states:

*"Designate and maintain an adequate supply of land to meet growth demands for a broad range of industrial uses, consistent with General Plan and community objectives and environmental and infrastructure constraints and opportunities."*

This subdivision is intended to separate two individual uses, which could encourage the development of a variety of other commercial/industrial type uses on the parcel that will retain the commercial lumber business. As such, this minor subdivision is consistent with Policy DE-52 of the Mendocino County General Plan.

The subject lot is within the Limited Industrial (I1) zoning district as defined in the Mendocino County Code (MCC) Chapter 20.096. The I1 district is intended...

*... to create and preserve areas where manufacturing and industrial uses which evidence no or very low nuisance characteristics may locate. Nonindustrial uses which support or are adjuncts to industrial uses and are compatible with such uses are permitted within the zone particularly administrative, sales and service uses.*

The subdivision is intended to separate the existing commercial use from the existing logging storage facility. This request is consistent with the intent of the I1 zoning district as the existing uses are commercial and a logging storage facility. MCC Section 20.096.025 establishes no minimum lot size for I1 zones. Parcel 1 would be 4.77± acres and Parcel 2 would be 9.27± acres. MCC Section 20.096.030 establishes a minimum of a ten (10) foot front yard setback, and the existing development on both proposed parcels are consistent. MCC Section 20.096.035 establishes no minimum side or rear yard setbacks, except when zoning of contiguous parcels are not commercial or industrial, such as the subject parcel. Thus, a minimum side yard shall be five (5) feet and a minimum rear yard setback shall be ten (10) feet. Therefore, staff finds the proposed subdivision to be consistent with the intent and requirements of the Limited Industrial (I1) zoning district.

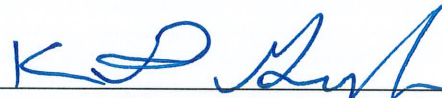
**2. Division of Land Regulations:** The project was reviewed by the Mendocino County Subdivision Committee on November 10, 2022. The Committee recommended conditional approval of the proposed subdivision to the Planning Commission pursuant to findings required by MCC Section 17-48.5. The Committee's recommendations are part of the attached Resolution, including Exhibit A. The Committee did not find conflicts with the County Division of Land Regulations.

**Fire Safety Findings:** The proposed development lies within a State Responsibility Area and within a publicly funded fire district. Upon review by CAL FIRE, because the proposed parcels are to be greater in size than one-acre, Fire Safe Regulation § 1276.01 (a) stipulates that a thirty-foot setback be maintained between all structures and property lines. The agent for the project requested a waiver from this requirement because no new structures are proposed, these structures are constructed primarily of concrete and metal and are used for commercial/warehouse purposes. Also, the parcels are located immediately adjacent to the City of Fort Bragg and the Fort Bragg Local Responsibility Area. The agent argued that because of the above noted mitigation measures, the subject parcels will have adequate access to fire suppression services and pose a low fire risk making them a suitable candidate for an exception to Fire Safe Regulation § 1276.01 (a). In a letter dated August 5, 2022, CAL FIRE agreed with the project's agent and granted an exception from the thirty-foot setback from property line requirement for this entitlement application. Additionally, staff finds that structural fire protection and suppression services will be available for the subdivision through a special district that is funded by a public entity, and therefore makes the findings required by Government Code Section 66474.02(a).

**3. Environmental Protection:** An Initial Study for the proposed project was completed in accordance with the California Environmental Quality Act or CEQA. There are no significant effects to the environment identified that would result from the project; thus a Negative Declaration was prepared. It is noted in the Initial Study that the proposed subdivision could result in some environmental impacts due to future development; however these were considered to be less than significant impacts.

11-01-2024

DATE



KEITH GRONENDYKE  
PLANNER III

Appeal Period: 10 Days  
Appeal Fee: \$2,674.00

**ATTACHMENTS:**

- |                          |   |
|--------------------------|---|
| A. Location Map          | J. Fire Hazard Zones and Responsibility Map |
| B. Aerial Map (Vicinity) | K. Wildland-Urban Interface Zones           |
| C. Aerial Map            | L. Stormwater Permitting Zones              |
| D. Topographical Map     | M. Ground Water Resource Area               |
| E. Tentative Map         | N. Estimated Slopes                         |
| F. Exhibit Map           | O. Western Soil Classes                     |
| G. Zoning Map            | P. Important Farmland                       |
| H. General Plan Map      | Q. Misc. Districts& Data                    |
| I. Adjacent Owner Map    |   |

**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):**

**NEGATIVE DECLARATION OR INITIAL STUDY ARE AVAILABLE ONLINE AT:**

[www.mendocinocounty.gov/pbs](http://www.mendocinocounty.gov/pbs)