

**From:** <3dsdesign15@gmail.com>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/20/2017 8:35 AM  
**Subject:** Message to John McCo... from Web

Message to John McCowan, Dan Hamberg & all involved with the Class K issue,  
I am a building designer & have been in business for 11 years on the coast, Most of my clients are in the middle range of income & if we change the class K this will have a major impact on them. I can understand the 2000 sq.ft. proposal, If you want to build a house of this size these people can afford all the rules that apply. The 5 Acre proposal would also have a sever impact on these people, Many parcels are much smaller.

Roughly 35% of the drawings I do for people still cannot afford to build due to the costs & if we continue with the changes of Class K this will also impact the local builders.

Please consider the impact on the local people that live here that would love to build their own home (The local income is not great but we still try to make it)

If I can help in any way please contact me,

Dan Stone

3D'sDesign

707-964-8428

3dsdesign15@gmail.com

Page: <http://www.co.mendocino.ca.us/bos/>  
Browser: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/57.0.2987.133 Safari/537.36  
IP: 67.45.113.18, DT: 2017-04-20 08:23:39  
d: 1

**- Fwd: Dear Supervisor Hambu... from Web**

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 9:09 AM  
**Subject:** Fwd: Dear Supervisor Hambu... from Web

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "<chfranco@mcn.org>" <chfranco@mcn.org>  
**Date:** April 17, 2017 at 1:44:41 PM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** Dear Supervisor Hambu... from Web

Dear Supervisor Hamburg,

I am a licensed contractor in Fort Bragg and understand you are proposing to severely limit the use of the Class K permit in the near future. This would be devastating to Fort Bragg's construction industry. I'm sure it would lead to loss of revenue for the County as well because many people will avoid the permit process.

Please reconsider limiting the use of Class K permits. The state has recently passed legislation that actually eases the cost burden to build second units in order to promote more construction of rentals. Why would you then take away most peoples ability to obtain this very helpful permit by limiting the size of the structure or lot? It's already too expensive to build in this area, please don't make it worse.

Sincerely,  
Carlos Franco,  
Contractor

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>  
Browser: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36  
(KHTML, like Gecko) Chrome/51.0.2704.79 Safari/537.36 Edge/14.14393  
IP: 142.254.117.236, DT: 2017-04-17 13:32:55  
d: 1

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**- Fwd: I understand you are ... from Web**

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 9:10 AM  
**Subject:** Fwd: I understand you are ... from Web

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Fyi

Sent from my iPhone

Begin forwarded message:

**Date:** April 15, 2017 at 2:54:58 PM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** I understand you are ... from Web

I understand you are on the board to re-assess Class K rules. Please consider the two proposals below as not helpful to the continued use of Class K for the average homebuilder.

One such proposal is to limit the allowable structure size to 2000 sf. This means that a proposed 2001 sf residence could not be Class K, and so would need the water delivery system to be internally sprinklered, and it must have all tempered windows, etc, etc.

The other such proposal is to require a minimum lot size of 5 ACRES! So if your parcel is only 1 or 2 or 4.9 acres, then you could not build Class K. Most residential parcels on the Coast are well under 5 acres. One acre is the most common parcel size here.

Housing is already too expensive here, and this change would make it even worse.

These concerns must be addressed by you at the upcoming meeting.

Thank you,  
Robyn Koski  
Fort Bragg, CA

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>  
Browser: Mozilla/5.0 (Windows NT 6.1; WOW64; Trident/7.0; rv:11.0) like Gecko  
IP: 67.174.232.5, DT: 2017-04-15 14:43:25  
d: 1

- Fwd: Hi there Dan, just a ... from Web

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 9:10 AM  
**Subject:** Fwd: Hi there Dan, just a ... from Web

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "<pclark@fortbraggrealty.co>" <pclark@fortbraggrealty.co>  
**Date:** April 16, 2017 at 8:26:05 AM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** Hi there Dan, just a ... from Web

Hi there Dan, just a comment on the proposed changes to the Class K building process or permitting process. The square footage limitation and the acreage limitations seem to off the bat disqualify many rural properties from this classification. Please reconsider these to points.

Thank you  
Paul Clark

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>  
Browser: Mozilla/5.0 (Windows NT 6.1; WOW64; rv:52.0) Gecko/20100101  
Firefox/52.0  
IP: 98.207.244.163, DT: 2017-04-16 08:14:21  
d: 1

*Also sent to Supervisor McCawen*

- Fwd: Class K Letter

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 9:10 AM  
**Subject:** Fwd: Class K Letter

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "Lee Howard" <lohoward@sonic.net>  
**Date:** April 14, 2017 at 9:22:11 PM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** Class K Letter

Dan: FYI ONLY "Senior Building Official" ????? Not so sure all below is totally accurate !  
Michael is a real help in trying to keep cost down. LEE

----- Forwarded Message -----

**Subject:**FW: Class K Letter  
**Date:**Fri, 14 Apr 2017 19:51:19 -0700  
**From:**Michael Butler <mbutler@mcn.org>  
**To:**'Lee Howard' <lohoward@sonic.net>

Lee - this is written for the Coast audience, but you may agree:

Dear Editor,

As most people here know, the Mendocino Class K alternative building code is extremely popular. This is with good reason, in that Class K puts common sense in place of some very expensive and very ridiculous State regulations - such as requiring fire sprinklering inside of every rural dwelling in the County. The vast majority of homes built on the Coast - of all sizes, budgets and lot sizes - are Class K.

County Supervisors are now in the process of tightening up the 1970s Class K to bring it more in line with more contemporary expectations. Most of us in the construction business agree that such updates are helpful, beneficial, and overdue. However according to the County's Senior Building Official, there are also proposed restrictions to the application of Class K that would put it out of reach of most proposed construction projects in our area.

One such proposal is to limit the allowable structure size to 2000 sf. This means that a proposed 2001 sf residence could not be Class K, and so would need the water delivery system to be internally sprinklered, and it must have all tempered windows, etc, etc.

The other such proposal is to require a minimum lot size of 5 ACRES! So if your parcel is only 1 or 2 or 4.9 acres, then you could not build Class K. Most residential parcels on the Coast are well under 5 acres. One acre is the most common parcel size here.

Housing is already too expensive here, and this change would make it even worse. The Supervisors meet on May 8 to make this decision, apparently. Supervisor Dan Gjerde agrees that the County should not impose new restrictions on who can utilize Class K, however Dan is not on the Class K committee. The Supervisors involved are John McCowan and Dan Hamburg. If you want all of us to continue to have access to Class K, these are the people who need to hear from you. <http://www.co.mendocino.ca.us/bos/> Thank you for letting them know!

Michael Butler  
Civil Engineer  
Fort Bragg

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**- Fwd: Class K Redux**

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 9:14 AM  
**Subject:** Fwd: Class K Redux

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "Paul Katzeff" <pk@thanksgivingcoffee.com>  
**Date:** April 18, 2017 at 10:36:36 AM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Cc:** "Dan Gjerde" <dangjerde@gmail.com>  
**Subject:** Fwd: Class K Redux

Dan H. If this is your idea of what we fought for 30 years ago, I am disappointed. You need to protect what we won. If you would like to discuss I am available . Class K is essential to our community's future. Otherwise the rich will own all the homes and the kids we produce will have no place to live. Do the right thing here or tell me why this needs to be done . I am open to logic and I dont know everything. So educate me if there is a good progressive reason to go backwards when you should be outlawing Vacation Rentals so we have some vacancies and the rents could stabilize at a lower rate so there is affordable housing and we can attract young couples with kids to fill our schools and ball fields and have enough births to keep the OBGYN Dept open at the hospital and be able to attract Doctors . Housing should be advanced as an essential to save the coastal tourist communities. Real Estate needs to be for the masses not for the people who can afford 5 acres(\$1,000,000). Be a nice boy and "Do the Right Thing " .  
Paul

Begin forwarded message:

**From:** "Michael Butler" <mbutler@mcn.org>  
**Subject:** Class K Redux  
**Date:** April 18, 2017 at 10:17:51 AM PDT

**To:** <[mendoalcoholfuelgroup@googlegroups.com](mailto:mendoalcoholfuelgroup@googlegroups.com)>

**Reply-To:** [mendoalcoholfuelgroup@googlegroups.com](mailto:mendoalcoholfuelgroup@googlegroups.com)

Upon speaking with Michael Oliphant (the head Building Official for the coastal area), he had thought that this must be a mistake, about the 5 acre minimum particularly - that they would NEVER do that.

Then he called me back to say that this will happen unless we stop it.

So if you want to keep Class K on the coast, where the most common lot size is 1 acre, then please contact John McCowan and Dan Hamburg, as this is their idea to make these changes.

<http://www.co.mendocino.ca.us/bos/>

It appears to be on a May 8 meeting where this will be decided - very soon and really under the radar if Oliphant was not even told about it!

Thank you!

Michael

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You received this message because you are subscribed to the Google Groups "Mendo Alcohol Fuel Group" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to [mendoalcoholfuelgroup+unsubscribe@googlegroups.com](mailto:mendoalcoholfuelgroup+unsubscribe@googlegroups.com).  
For more options, visit <https://groups.google.com/d/optout>.

- Class K

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 1:36 PM  
**Subject:** Class K

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "<torrey@pacific.net>" <torrey@pacific.net>  
**Date:** April 20, 2017 at 10:26:49 AM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** Hello Dan, Please ... from Web

Hello Dan,

Please be sure to vote against the changes to Class K enforcement and availability in Mendocino County. It is a small island of sanity in the crazy mess that is building code.

I am not anti-regulation. Another word for regulation is "protection". But the building codes have pushed construction costs so far out of reach of most people, that they have terribly exacerbated and contributed to the housing crisis in our county.

Housing is a critical issue that needs YOUR creative thought and intelligence brought to bear (please don't spend more tax payer money on consultants ... learn about the issue and figure it out, that's why we pay you). The proposed changes to the Class K building permit is a step in the wrong direction.

Thank you for your attention,

Torrey Douglass

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>  
Browser: Mozilla/5.0 (Macintosh; Intel Mac OS X 10.12; rv:52.0) Gecko/20100101  
Firefox/52.0  
IP: 172.243.158.168, DT: 2017-04-20 10:14:53  
d: 1

**- Fwd: Greetings Mr. Hamburg... from Web**

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 1:37 PM  
**Subject:** Fwd: Greetings Mr. Hamburg... from Web

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "<birdie@bigriverrealestate.com>" <birdie@bigriverrealestate.com>  
**Date:** April 20, 2017 at 11:58:54 AM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** **Greetings Mr. Hamburg... from Web**

Greetings Mr. Hamburg.

I'm a realtor and property manager on the Mendocino coast. I've learned of proposed changes to the Class K permitting process. It is a very helpful, streamlined process for bringing homes into code compliance, and I feel that the Class K permit is perfect "as is". It serves a great need in Mendocino County in general, and is of particular assistance to low income, owner-builders, and small parcel homeowners, trying to bring their buildings up to code. Please do not make changes to the Class K guidelines &/or permitting process.

Thank you for your time and consideration.

Birdie Holmes  
Big River Realty  
Mendocino CA.

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>  
Browser: Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_12\_3) AppleWebKit/537.36  
(KHTML, like Gecko) Chrome/57.0.2987.133 Safari/537.36  
IP: 50.1.102.225, DT: 2017-04-20 11:46:53  
d: 1

**From:** <davidc@mcn.org>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/20/2017 1:41 PM  
**Subject:** To Dan Hamberg and Jo... from Web

To Dan Hamberg and John McCowan...

Please keep Class K active in Mendocino County. I legalized my house in 1985 with Clean Slate and have done additions with Class k over the years. We need to have Class K in Mendocino.  
Thank you, David Coddington, Broker /Owner Big River Realty in Mendocino 937-3223

Page: <http://www.co.mendocino.ca.us/bos/>  
Browser: Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_12\_4) AppleWebKit/603.1.30  
(KHTML, like Gecko) Version/10.1 Safari/603.1.30  
IP: 50.1.102.225, DT: 2017-04-20 13:29:57  
d: 1

**- Fwd: Class K code revisions?**

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/20/2017 3:17 PM  
**Subject:** Fwd: Class K code revisions?

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "Anderson Valley Housing Association" <[info@andersonvalleyhousing.org](mailto:info@andersonvalleyhousing.org)>  
**Date:** April 19, 2017 at 12:10:29 PM PDT  
**To:** "Dan Hamburg" <[hamburgd@co.mendocino.ca.us](mailto:hamburgd@co.mendocino.ca.us)>  
**Subject:** **Class K code revisions?**

Hi Dan,

I head a rumor that the codes for Class K building are being reviewed. As an advocate for affordable housing in Mendocino County, I'd like to know more about this. Where is the best place to get more information?

Thanks,

Angela DeWitt  
Administrative Manager  
Anderson Valley Housing Association  
PO Box 341  
Philo, CA 95446  
[707-895-3525](tel:707-895-3525)  
[info@andersonvalleyhousing.org](mailto:info@andersonvalleyhousing.org)  
[www.andersonvalleyhousing.org](http://www.andersonvalleyhousing.org)

*Making affordable housing a reality.*

**From:** <jloomis@hughes.net>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/20/2017 6:40 PM  
**Subject:** I would like to keep ... from Web

I would like to keep the class K intact. We have too much legislation. Safe Building is important, as well as affordable.

Class K, has given many a chance to build their homes.

John Loomis Construction and Concrete

Serving the coast for many, many, many years.

Page: <http://www.co.mendocino.ca.us/bos/>  
Browser: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/51.0.2704.79 Safari/537.36 Edge/14.14393  
IP: 67.45.112.156, DT: 2017-04-20 18:28:26  
d: 1

**From:** <Boonvillegeneralstore@gmail.com>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/20/2017 8:53 PM  
**Subject:** 5th District Supervis... from Web

5th District Supervisor Dan Hamburg, I would like the class K building permit language to stay the same. This potential for homeowners to build their own homes in Mendocino Co. is a unique right, and empowers low income people to build when otherwise not possible. Darius Richmond property owner and business owner in the 5th District.

Page: <http://www.co.mendocino.ca.us/bos/index.html>  
Browser: Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_10\_5) AppleWebKit/602.4.8  
(KHTML, like Gecko) Version/10.0.3 Safari/602.4.8  
IP: 64.195.220.219, DT: 2017-04-20 20:41:32  
d: 1

**From:** <caccamo.robert@yahoo.com>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/24/2017 1:28 PM  
**Subject:** I am a retired buildi... from Web

I am a retired building contractor living in Mendocino. I have just learned that the Board of Supervisors is considering reducing access to Class K building permits. This includes requiring a five acre minimum for Class K. This is a bad idea since it takes away the possibility of home ownership from the small guy. It use to be that a low middle income person could buy a lot and build a home. This dream is dying for a lot of reasons but certainly a major contributor is the complexity of the building code and permit process. The regulation of building is cost prohibitive for the small guy. All of this regulation is well intended i.e. It will be stronger, safer, with no environmental impact. I could go on for days about how counter productive this well intended regulation is. I don't expect that any supervisor will come to their senses and make building easier but for Gods' Sake don't take class K from the little guy

Page: <http://www.co.mendocino.ca.us/bos/>  
Browser: Mozilla/5.0 (Windows NT 5.1) AppleWebKit/537.36 (KHTML, like Gecko)  
Chrome/49.0.2623.112 Safari/537.36  
IP: 73.93.144.205, DT: 2017-04-24 13:16:32  
d: 1

**- Fwd: Dear Dan, I am gre... from Web**

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**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/24/2017 8:01 PM  
**Subject:** Fwd: Dear Dan, I am gre... from Web

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "<via@pacific.net>" <via@pacific.net>  
**Date:** April 24, 2017 at 3:20:31 PM PDT  
**To:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Subject:** Dear Dan, I am gre... from Web

Dear Dan,

I am greatly concerned regarding the proposed amendment to Class K that would prohibit new construction on that nature on 1 acre parcels. I am an artist here on the coast and my future plans for a studio on our property would be aborted. It is, as you know, already difficult to find affordable rentals or work spaces in the town of Mendocino. Please do not vote to exclude allowable Class K structures on parcels less than 5 acres. Such outbuildings are needed on one acre sizes as well.

Sincerely,  
Virginia Sharkey

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>  
Browser: Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_12\_3) AppleWebKit/602.4.8  
(KHTML, like Gecko) Version/10.0.3 Safari/602.4.8  
IP: 73.93.144.166, DT: 2017-04-24 15:08:11  
d: 1

**From:** <marthagarstang@gmail.com>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/27/2017 4:32 PM  
**Subject:** For the Class K Commi... from Web

For the Class K Committee: I am an architect here on the coast, and do not want to see more restrictions on the current Class K requirements. A minimum of 5 acres is unreasonable, because of the large amount of 1 and 2 acre lots. A new structure's square footage should be limited to 3,000 s.f., 2,000 s.f. is too small. If you put more restrictions on Class K construction, it will be a hardship for families to built here. Please do not change the current Class K requirements.

Page: <http://www.co.mendocino.ca.us/bos/>  
Browser: Mozilla/5.0 (Windows NT 6.1; WOW64; rv:53.0) Gecko/20100101 Firefox/53.0  
IP: 99.197.202.235, DT: 2017-04-27 16:20:14  
d: 1

**From:** <marthagarstang@gmail.com>  
**To:** <bos@co.mendocino.ca.us>  
**Date:** 4/27/2017 4:32 PM  
**Subject:** For the Class K Commi... from Web

For the Class K Committee: I am an architect here on the coast, and do not want to see more restrictions on the current Class K requirements. A minimum of 5 acres is unreasonable, because of the large amount of 1 and 2 acre lots. A new structure's square footage should be limited to 3,000 s.f., 2,000 s.f. is too small. If you put more restrictions on Class K construction, it will be a hardship for families to built here. Please do not change the current Class K requirements.

Page: <http://www.co.mendocino.ca.us/bos/>  
Browser: Mozilla/5.0 (Windows NT 6.1; WOW64; rv:53.0) Gecko/20100101 Firefox/53.0  
IP: 99.197.202.235, DT: 2017-04-27 16:20:14  
d: 1

**- Class K - Fwd: Dear John, I am co... from Web**

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**From:** John McCowen  
**To:** COBSupport  
**Date:** 4/27/2017 5:06 PM  
**Subject:** Class K - Fwd: Dear John, I am co... from Web

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>>> <via@pacific.net> 4/24/2017 3:14 PM >>>

Dear John,

I am concerned about the proposed building code amendment that would limit the construction of Class K structures to parcels of 5 acres or more. I am an artist here in Mendocino and in the midst of planning a studio on our one acre property. As you know, rentals and work spaces in the town of Mendocino are not affordable or easy to come by.

Please vote to continue to allow home owners to construct Class K structures on one acre property.

Sincerely,  
Virginia Sharkey

Page: <http://www.co.mendocino.ca.us/bos/district2.htm>

Browser: Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_12\_3) AppleWebKit/602.4.8 (KHTML, like Gecko)  
Version/10.0.3 Safari/602.4.8  
IP: 73.93.144.166, DT: 2017-04-24 15:14:51  
d: 1

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**- Class K - Fwd: Composting Toilets, greywater, Class K**

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**From:** John McCowen  
**To:** COBSupport  
**Date:** 4/27/2017 5:11 PM  
**Subject:** Class K - Fwd: Composting Toilets, greywater, Class K  
**Attachments:** IMAGE.jpeg; IMAGE.jpeg; IMAGE.jpeg

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>>> Anna Birkas <ab@mcn.org> 4/25/2017 7:45 PM >>>

Hi Dan and John,

I am writing to continue the conversation about Class K wastewater, Composting toilets, greywater, and pit privies. This has been brought up through the class K process, and was discussed at the Environmental Health Stakeholder's meeting last week. I have been attending these stakeholder's meetings at Environmental Health over the last three years advocating for the more extensive and straightforward allowance of alternative systems. Specifically, I have been advocating for their inclusion in the LAMP, which is currently in draft form and has been submitted to the Regional Water Board.

During this process, I have been encouraged by Environmental Health to be involved, and the conversation has included a full range of system types, from those listed above, to a variety of other systems, including other biological types that conserve or recycle water. In our discussions, it was clear that standards would need to be developed if such systems were to be under the prevue of EH regulation.

The LAMP draft that was submitted neither included nor excluded systems like composting toilets. Around the time of the submittal of the LAMP it was noticed by stakeholders that the item 13. RURAL ALTERNATIVE TOILETS had disappeared from the Land Development Requirements Standards (attached).

The EH stakeholder's meeting was helpful in clarifying the status of this paragraph and composting toilets in Mendocino County, as well as clarifying which questions need to be asked in order for us to proceed. My understanding from that meeting is that although the item 13 was removed, it does not mean that composting toilets are prohibited, but simply that they are not regulated by EH.

Specifically, we distinguished between pit privies and composting toilets. EH claimed that they were informed by Charles Reed of the Regional Water Board that Pit privies (aka outhouses) are prohibited in California. Scott Miller said he would contact the Regional Board and request a source, because we were unable to confirm this in the meeting. We discussed that if pit privies were allowed, they would need requirements such as distance to groundwater, distance to streams, and depth of soil.

Another aspect that was clarified is that even though item 13 was removed, ancillary composting toilet systems are NOT prohibited. That is to say that, at this time, EH would not permit a composting toilet or greywater system as an ALTERNATIVE to a traditional septic system. Marlayna clarified that even though the RURAL ALTERNATIVE TOILET section had been removed, that there is nothing prohibiting ancillary composting toilet systems at the time (in addition to a complete septic system or sewage hook up). The original language limited composting toilets, etc. to parcels larger than 10 acres. Might one assume that in the absence of this section that composting systems may now be allowed on any lot size, provided that the owner complied with all septage and additional environmental regulations (aka, had a permitted septic system or a sewage hookup and does not pose a risk to water quality nor public health)?

We moved on to the discussion of the possibility of replacing or partially replacing a septic system with a composting toilet or pit pricey system, and the possibility of doing this on a local agency level (EH instead RWB). Additional documents were shared which specifically acknowledge the acceptance of alternative and composting toilets as a legal option recognized by the State. Specifically, the environmental review of the OWTS policy by the RWB acknowledges composting systems as currently legal in Mendocino County, as well as a viable option for onsite wastewater

treatment [http://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_sed\\_061912.pdf](http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_sed_061912.pdf)

(see attachments of specific pages.

I will also note that this document acknowledges a variety of alternative methods as viable for onsite wastewater treatment, in addition to Composting systems.

The California plumbing code also acknowledges the legality of alternative systems to septic treatment, on "Limited density owner built rural dwellings" in section 303.1 in which it says a water closet may not be required. It also acknowledges the use greywater systems (See attachment). This is specifically relevant to our class K situation.

The existing California greywater code defines GW as wastewater coming from laundry, bath, shower, and lavatory sink. Specifically it excluded kitchen sink water. It also requires that greywater system have a valve that the operator may, at any time, turn to divert greywater from the greywater system to the septic or sewage system. Thus, if one were to replace a flush toilet with a composting toilet system, they would still be required to have an on-site wastewater treatment system for the greywater (septic or otherwise). From here, we can take this in two directions, we can consider the possibility of reducing septic system size requirements for houses with composting toilets, such that the septic system is adequate to treat greywater, and we can consider providing a wastewater treatment system for greywater that is both an alternative to the greywater code as well as an alternative to a septic system.

The greywater code (California plumbing code Chapter 16) provides a homeowner with a relatively simple means to divert greywater from the septic or sewage system and water landscaping or a garden. It was implemented statewide in response to the drought and does not replace septic or sewage systems. While the greywater code provides this easy option for a greywater system, it does not prohibit EH agencies from providing an alternative greywater system, but this must be addressed as an onsite wastewater treatment system and be addressed under the OWTS policy rather than the more simple greywater code. That is to say that EH has the authority to propose in their LAMP, as a part of their OWTS policy, an alternative method to treatment of greywater than a septic system. It should also be acknowledged that the State is currently working on a "Dark Grey Water Treatment" code option for kitchen sinks as well.

While I paint a picture of a path towards compliance for alternative systems on rural properties in Mendocino County, I want to acknowledge the difficulty of the situation that EH faces in attempting to legitimize and codify such systems. In order to provide the option of alternative systems, EH must create a defensible regulatory framework for the design and approval of such systems. If such systems were allowed, then they would also need to include them in the LAMP and be able to defend their regulation to the RWB.

At the beginning of the stakeholder's meeting EH explained that they were short staffed and continued to have unfilled positions. This makes the in-house development of such regulations nearly impossible. Even in the case of an outside committee or consultant developing the regulations, EH would have to, in the very least, review and approve such a proposal, as well as be able to defend it to the RWB. This is not a small task.

As a proponent of water and energy conservation and nutrient recycling I am strongly in support of developing a robust alternative OWTS option in our LAMP. I believe it is in the best interest of the County to support EH and stakeholders in such a process. That said, the County will need to be extensively supportive in such a process in going to occur.

I believe that in this e-mail and its attachments a legally, defensible alternative wastewater treatment system path is provided, but the support of the supervisors and stakeholders is required to pull it off. Please take the time to consider it carefully and I look forward to working with you on this project.

Sincerely,

Anna Birkas  
[707-391-1761](tel:707-391-1761)  
[ab@mcn.org](mailto:ab@mcn.org)

## GENERAL REGULATIONS

- » 301.4.1 **Coastal High Hazard Areas.** Plumbing systems in buildings located in coastal high hazard areas shall be in accordance with the requirements of Section 301.4, and plumbing systems, pipes, and fixtures shall not be mounted on or penetrate through walls that are intended to breakaway under flood loads in accordance with the *California Building Code* or *California Residential Code*.
- » 301.5 **Alternative Engineered Design.** An alternative engineered design shall comply with the intent of the provisions of this code and shall provide an equivalent level of quality, strength, effectiveness, fire resistance, durability, and safety. Material, equipment, or components shall be designed and installed in accordance with the manufacturer's installation instructions.
- » 301.5.1 **Permit Application.** The registered design professional shall indicate on the design documents that the plumbing system, or parts thereof, is an alternative engineered design so that it is noted on the construction permit application. The permit and permanent permit records shall indicate that an alternative engineered design was part of the approved installation.
- » 301.5.2 **Technical Data.** The registered design professional shall submit sufficient technical data to substantiate the proposed alternative engineered design and to prove that the performance meets the intent of this code.
- » 301.5.3 **Design Documents.** The registered design professional shall provide two complete sets of signed and sealed design documents for the alternative engineered design for submittal to the Authority Having Jurisdiction. The design documents shall include floor plans and a riser diagram of the work. Where appropriate, the design documents shall indicate the direction of flow, pipe sizes, grade of horizontal piping, loading, and location of fixtures and appliances.
- » 301.5.4 **Design Approval.** An approval of an alternative engineered design shall be at the discretion of the Authority Having Jurisdiction. The exercise of this discretionary approval by the Authority Having Jurisdiction shall have no effect beyond the jurisdictional boundaries of said Authority Having Jurisdiction. An alternative engineered design so approved shall not be considered as in accordance with the requirements, intent, or both of this code for a purpose other than that granted by the Authority Having Jurisdiction.
- » 301.5.5 **Design Review.** The Authority Having Jurisdiction shall have the authority to require testing of the alternative engineered design in accordance with Section 301.3.1, including the authority to require an independent review of the design documents by a registered design professional selected by the Authority Having Jurisdiction and at the expense of the applicant.
- » 301.5.6 **Inspection and Testing.** The alternative engineered design shall be tested and inspected in accordance with the submitted testing and inspection plan and the requirements of this code.
- 301.6 **One- and Two-Family Dwellings.** [HCD 1] *The provisions contained in this code shall not apply to one and two-family dwelling private sewage disposal systems and minimum plumbing facilities when alternate facilities or installations have been approved by the local health authority, provided that such alternative facilities or installations provide substantially equivalent or greater protection to health and safety.*
- 302.0 **Iron Pipe Size (IPS) Pipe.**
- 302.1 **General.** Iron, steel, copper, and copper alloy pipe shall be standard-weight iron pipe size (IPS) pipe.
- 303.0 **Disposal of Liquid Waste.**
- 303.1 **General.** It shall be unlawful for a person to cause, suffer, or permit the disposal of sewage, human excrement, or other liquid wastes, in a place or manner, except through and by means of an approved drainage system, installed and maintained in accordance with the provisions of this code.
- Exception: [HCD 1] Limited-density owner-built rural dwellings. A water closet shall not be required when an alternate system is provided and has been approved by the local health official. Where an alternative to the water closet is installed, a system for the disposal or treatment of graywater shall be provided to the dwelling. Graywater systems shall be designed according to water availability, use and discharge. The design, use and maintenance standards of such systems shall be the prerogative of the local health official.*
- 304.0 **Connections to Plumbing System Required.**
- 304.1 **General.** Plumbing fixtures, drains, appurtenances, and appliances, used to receive or discharge liquid wastes or sewage, shall be connected properly to the drainage system of the building or premises, in accordance with the requirements of this code.
- Exception: [HCD 1] Limited-density owner-built rural dwellings. Where conventional plumbing, in all or in part, is installed within the structure, it shall be installed in accordance with the provisions of this code. Alternative materials and methods shall be permitted provided that the design complies with the intent of the code, and that such alternatives shall perform to protect health and safety for the intended purpose.*
- 305.0 **Damage to Drainage System or Public Sewer.**
- 305.1 **Unlawful Practices.** It shall be unlawful for a person to deposit, by any means whatsoever, into a plumbing fixture, floor drain, interceptor, sump, receptor, or device, which is connected to a drainage system, public sewer, private sewer, septic tank, or cesspool, any ashes; cinders; solids; rags; inflammable, poisonous, or explosive liquids or gases; oils; grease; or any other thing whatsoever that is capable of causing damage to the drainage system or public sewer.

waterboards.ca.gov

2016 California Plumbing Code

Section 5: Regulatory Framework

**Table 5-1: Points of Comparison for Select Counties and the Proposed Policy**

Regulatory Elements	Proposed Project	El Dorado County	Inyo County	Los Angeles County	Mendocino County	Merced County	Riverside County	Santa Cruz County	Solano County
<b>Point 1: Minimum Operating Requirements</b>									
<p><b>General requirements: Siting and design, construction, performance requirements and maintenance</b></p>	<ul style="list-style-type: none"> <li>• TIER I</li> <li>• Applies to all new and replacement OWTs with the capacity to treat up to 3,500 gpd</li> <li>• Qualified professionals requirements:                             <ul style="list-style-type: none"> <li>o Soils and site evaluation and design</li> </ul> </li> <li>• Designed for percolation rates from 1-120 MPI.</li> <li>• Setbacks from wells, surface waters, unstable land masses, and drinking water intakes.</li> <li>• Ground slope limitation of 25 percent.</li> <li>• Average density dependent on local precipitation.</li> <li>• Tank performance standards:                             <ul style="list-style-type: none"> <li>o Secure access opening and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Tank performance standards:                             <ul style="list-style-type: none"> <li>o Effluent filter required</li> <li>o Two 20-inch risers</li> <li>o 2 compartments</li> </ul> </li> <li>• General standards provided for siting, design, and construction including conditions requiring special design, such as STS</li> <li>• Standards for pump systems</li> <li>• Qualified professionals requirements: for design (registered civil engineer, geologist or environmental health specialist or certified soil scientist) and</li> </ul>	<ul style="list-style-type: none"> <li>• Must first notify county of intended discharges</li> <li>• County must approve construction of facilities for wastewater discharge</li> <li>• Prescriptive measures follow the 1985 Uniform Plumbing Code</li> <li>• STS may be used on a case-by-case basis and with regional water board or County Environmental Health Services approval using siting and emergency contingency plans</li> <li>• Residential land use density dictates applicability of</li> </ul>	<ul style="list-style-type: none"> <li>• Tank performance standards                             <ul style="list-style-type: none"> <li>o Two 20-inch risers</li> <li>o 2 compartments</li> </ul> </li> <li>• Prescriptive measures follow a modified Uniform Plumbing Code</li> <li>• Qualified professionals required for site evaluation and design of new construction and some repairs</li> <li>• Use percolation testing for system suitability.</li> <li>• Allow STS where prescriptive condition cannot be met, including performance requirements: TKN: 50% reduction, BOD: 30 mg/L; TSS 30</li> </ul>	<ul style="list-style-type: none"> <li>• Qualified professionals requirements for design and site evaluation</li> <li>• General standards provided for siting, design, and construction</li> <li>• STS required for repairs with less than 12 inches to groundwater or bedrock</li> <li>• Allows composting systems</li> <li>• STS require a permit for STS</li> <li>• Contains lot size requirements:                             <ul style="list-style-type: none"> <li>o 12,000 SQFT for sites with municipal water</li> <li>o 40,000 SQFT where no municipal system exists.</li> </ul> </li> <li>• Adopted Appendix I of</li> </ul>	<ul style="list-style-type: none"> <li>• Tank sizing and performance standards                             <ul style="list-style-type: none"> <li>o Two 20-inch risers</li> <li>o Two compartments</li> </ul> </li> <li>• 5 feet of continuous unsaturated soil for leach lines and 10 feet for pits</li> <li>• General standards provided for siting, design, and construction</li> <li>• Qualified professionals required                             <ul style="list-style-type: none"> <li>o for site evaluation, design, and installation of conventional systems as approved by environmental health or licensed by the state</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Tank performance standards:                             <ul style="list-style-type: none"> <li>o Secure access opening and watertight risers</li> <li>o 18-inch mesh effluent filter</li> </ul> </li> <li>• Ordinance with setbacks</li> <li>• Qualified professionals requirements: Registered environmental health specialist or registered civil engineer for testing and design</li> <li>• Percolation test requirements</li> <li>• Qualified service provider required for operation and maintenance</li> <li>• Operating permit required for STS with pumping schedule, proof of ongoing</li> </ul>	<ul style="list-style-type: none"> <li>• Septic tank must have risers</li> <li>• Site suitability determined by percolation testing and groundwater level.</li> <li>• Setbacks in ordinance</li> <li>• Site evaluation and design done by registered environmental health specialist, geologist, or civil engineer</li> <li>• Slopes limited to less than 30%</li> <li>• Prescribes design flows</li> <li>• Lot size limitations apply, typically 1 acre for existing lots and 2.5 acres areas within a reservoir containing watershed.</li> <li>• O&amp;M manual required for STS</li> </ul>	<ul style="list-style-type: none"> <li>• Septic tank                             <ul style="list-style-type: none"> <li>o Must be able to accommodate an effluent filter</li> <li>o Two 20-inch risers</li> </ul> </li> <li>• Qualified professionals requirement:                             <ul style="list-style-type: none"> <li>o Siting and design must be prepared by a civil engineer, geologist, environmental health specialist, or certified professional soil scientist</li> <li>o For STS, must use a registered civil engineer or environmental health specialist. Treatment must be better or equal to intermittent sand filter.</li> </ul> </li> <li>• STS Performance                             <ul style="list-style-type: none"> <li>o 240,000/100 ml. total coliform or</li> </ul> </li> </ul>

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OWTS Policy

EH claims the in order to do this they would need specific standards on which to develop a regulatory framework.

obtaining a permit is payment of an additional inspection fee equal to the permit fee. You may also be subject to legal action, if you install your system without a permit. You may endanger your own health or the health of others, and degrade surface or ground water with an improperly designed, constructed, or installed system. You will be required to hire a site evaluator to conduct soil testing and evaluate the design of the unpermitted system. It is possible the unpermitted system may have to be abandoned and a system conforming to these regulations installed in its place.

#### 11. SECOND RESIDENTIAL UNITS AND OTHER ACCESSORY STRUCTURES

Second Residential Units of any type (and any structures with plumbing) require approval of the Environmental Health Division. Second Residential Units usually require a separate septic system to be installed. Please contact Environmental Health for specific information on requirements for approval of such units.

#### 12. OCCUPATION OF LAND WITHOUT AN APPROVED SEWAGE SYSTEM

The Mendocino County Code does not allow someone to occupy land without the installation of an approved sewage system. You can camp on your land for a maximum of 60 days in any six-month period without obtaining a septic permit, but you must not discharge any wastes to the surface of the ground. You may not utilize a chemical toilet, portable toilet, or holding tank in place of an approved septic system for occupancy of a parcel for purposes other than camping.

#### 13. RURAL ALTERNATE TOILETS

Mendocino County allows the use of "rural" systems, such as composting toilets/pit privies, in combination with gray water systems. Gray water systems are sized at 50% of a standard septic tank system size given that about 40% of the flow of a household is toilet wastes. Such systems are limited to appropriate rural parcels of ten (10) acres or larger and must be located 200 feet from any property line. Soils testing and permits are required to install these systems. Contact the Environmental Health Division for current requirements for such systems.

#### 14. NON-STANDARD SEWAGE SYSTEMS

Non-standard systems are used on sites which may not meet the standard criteria of the site evaluation process. Non-standard systems have specific advantages which can overcome some site constraints. Installation must be according to the designer's plan and the Non-Standard System Program. Ongoing monitoring, an Operational Permit and a Recorded Notice on the property deed are required of all Non-Standard Systems. Copies of the program are available for many counties in the Environmental Health Division.

Today, for the purpose of keeping things simplified and focused on those systems most relevant to class K, I will focus on Composting toilets, pit privets, greywater, and dark greywater systems.

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**- Class K - Fwd: compost toilets**

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**From:** John McCowen  
**To:** COBSupport  
**Date:** 4/27/2017 5:23 PM  
**Subject:** Class K - Fwd: compost toilets

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>>> Scott Miller <garbageczar@saber.net> 4/22/2017 8:54 PM >>>  
>

Dan and John,

It was not an easy discussion at the Stakeholders meeting. This might need to be discussed at the next Class K hearing the Standing Committee conducts. It seems DEH is under the impression that the State wants compost toilets out of our LAMP.

However the state LAMP guidance documents seem to suggest they are an option.

And DEH says pit privies are definitely prohibited. Really? I want to know the state section that prohibits them. I will research that with Charles Reed at the RWQCB.

With a pit privy, unlike a compost toilet, the waste goes into the soil and is never handled again - thus no chance for spread of disease.

The compost toilet on the other hand, that material must be handled and disposed of appropriately (dug in around a fruit tree and buried). If the handling or the disposal is sloppy, then there is potential for disease transmission, unlike with a pit privy.

How many hunting clubs have pit privies? Are we going to force them to put in flush toilets?

Compost toilets/pit privies on 10 ac and 200' from property line seems like enough regulation to prevent any disaster DEH might imagine. Graywater will be disposed of just like septic - in good soil conditions and sub-surfacely, sized appropriately.

My clients live on 80 ac that is one-hour drive out a dirt road from Covelo. Not a big threat to anyone.

I think we need some flexibility here, and I hope we can achieve it.

Scott Miller

272-7274

[garbageczar@saber.net](mailto:garbageczar@saber.net)

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- Class K - Fwd: hi john we need to ta... from Web

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**From:** John McCowen  
**To:** COBSupport  
**Date:** 4/27/2017 6:00 PM  
**Subject:** Class K - Fwd: hi john we need to ta... from Web

---

>>> <dw@dianawiedemann.com> 4/17/2017 12:00 PM >>>

hi john we need to talk about keeping Class K as it works beautifully on coast and it allows for common sense building practices I use class k permitting most of the time now as all my clients prefer it as no one wants to sprinkler the interior of their house and unnecessarily temper all windows ....I am a licensed architect and have been practicing for many years and I was part of non code solution way back when with all codes wars and Blurr 2 committee hope all is well regards Diana Wiedemann 937-2807 or email below

Page: <http://www.co.mendocino.ca.us/bos/district2.htm>

Browser: Mozilla/5.0 (Windows NT 6.1; WOW64; rv:47.0) Gecko/20100101 Firefox/47.0  
IP: 184.63.251.131, DT: 2017-04-17 12:00:44  
d: 1

**- Fwd: Dear Dan Hamburg, I c... from Web**

---

**From:** Dan Hamburg <hamburgd@co.mendocino.ca.us>  
**To:** Nicole French  
**Date:** 4/29/2017 12:55 PM  
**Subject:** Fwd: Dear Dan Hamburg, I c... from Web

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Fyi

Sent from my iPhone

Begin forwarded message:

**From:** "Dan Hamburg" <hamburgd@co.mendocino.ca.us>  
**Date:** April 29, 2017 at 12:20:48 PM PDT  
**To:** "" <johncurtis@mcn.org>  
**Subject:** Re: Dear Dan Hamburg, I c... from Web

Thanks John. I think the changes we'll arrive at will be rather minor but important: 3 inspections (foundation, interior walls/electrical and final) and maybe a square footage limitation (3000?). Some fire-safe standards (e.g., fire retardant siding, venting) though not sprinklers or tempered glass. We may add in an insulation requirement but not full tilt Title 24.

I'm for leaving the density at 1 acre. Trying to get input from local fire chiefs because this is probably the #1 concern with K in fairly high density areas of the county.

I introduced K as a supervisor in 1982 and certainly don't want to see it end. I must say though that when people use it to build 6000 square foot homes it has gone beyond what I saw as the intent!

Dan

Sent from my iPhone

On Apr 28, 2017, at 10:59 PM, <johncurtis@mcn> <johncurtis@mcn>  
wrote:

Dear Dan Hamburg, I came up to Mendocino in 1969 and stood in there with the battle for Class K. I hope that it doesn't get amended or whatever. Safety is great if you even have a roof over your head. Providing

shelter is in the constitution. Let's help people up don't keep people down.  
Housing is getting quite difficult to find as it is. Yours John

Page: <http://www.co.mendocino.ca.us/bos/district5.htm>

Browser: Mozilla/5.0 (Windows NT 10.0; Win64; x64)  
AppleWebKit/537.36 (KHTML, like Gecko) Chrome/51.0.2704.79  
Safari/537.36 Edge/14.14393

IP: 184.63.250.8, DT: 2017-04-28 22:46:38

d: 1

5/1/17

To the Members of the Board;

Recently, I've been given to understand that the Class K ordinance is under review. In my opinion creating 5 acre minimum and 2000 sq. ft. maximums before a structure can qualify for Class K status is an unwise direction to go for a number of reasons.

Many families and individuals living on far less than 5 acres need housing and accessory buildings. As Class K structures they were able to take advantage of more relaxed, though no less adequate detailing - 6" stem walls, 2x4 framing, no need for energy calcs because of renewable energy and heat source, recycled windows, and eave vents. These structures, even when coastal, would fall within the sweep of the broad brush painted by CalFire. While changing the building code for the better and safer in many areas, the updated guidelines are, in several aspects, inappropriate for the coast. That sprinkler systems would need to be installed in many of these units, if removed from the Class K umbrella, just makes no sense.

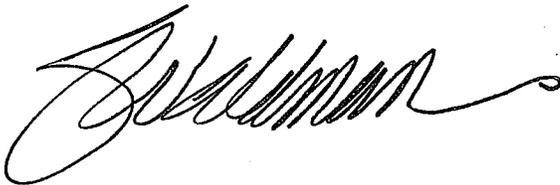
Further, Class K, while originally a way of establishing county oversight for a growing array of "outlaw" building, still provides owner builders the latitude to express themselves in a largely unfettered yet responsible, safe manner. I've helped plan three of these units - all under 450 sq. ft. and on parcels smaller than 5 acres - in the last two years. That homeowners have even this small degree of freedom over their immediate environment is not to be underestimated. If these structures were made to conform to the ever changing current codes, I believe many would never be built.

It's been my impression over the years that the Building and Planning staffs have often welcomed Class K projects largely because of the more personal, liberal approach.

What exists now has been a fine alternative for many people. Please reconsider your critique of something that works so well.

Thank you,

Sam Waldman, Architect



COUNTY OF MENDOCINO  
BOARD OF SUPERVISORS

2017 MAY 3 AM 10 38

EXECUTIVE OFFICE

PER \_\_\_\_\_  
UKIAH, CALIFORNIA

C: BOS, CEO, CAO, PBS