

# *Chronology*

**December, 1998**

**Initial presentation to the Mendocino County Planning Commission,  
Ukiah, CA**

**In attendance:**

**Mike Dell'Ara, Meridian Green, Michael Potts, Oscar Smith, Judy Tarbell,  
& Vince Taylor**

**At this meeting we presented to the commission our plans for developing a sustainable community and planning for the land use of the parcels owned by the Caspar Cattle Company. Oscar was present at the meeting and as the land owner voiced support for our goals.**

**October, 2001**

**Initial meeting with the Planning Department and Coastal Commissioners,  
Fort Bragg, CA**

**In attendance:**

**Mike Dell'Ara, Bob Merrill, Oscar Smith, Peter Wells,  
& Doug Zanini**

**At this meeting we discussed possibilities for a General Plan Amendment and/or a density credit transfer to facilitate an increase in density in return for a conversion to open space of properties held by the Caspar Cattle Company.**

**December, 2001**

**Meeting with the Planning Department, Fort Bragg, CA**

**In attendance:**

**Mike Dell'Ara, Patty Campbell, Oscar Smith & Doug Zanini**

**At this meeting, we followed up on the issues initiated in the previous meeting of October, 2001.**

**March, 2002**

**Meeting with the Planning Department, Ukiah, CA**

**In attendance:**

**Mike Dell'Ara, Ray Hall, Oscar Smith, Judy Tarbell, Peter Wells  
& Doug Zanini**

**See attached meeting notes.**

**March, 2002**

**Letter to Mendocino County Planning Department (copy attached)**

**June, 2004**

**Letter to the California Coastal Commission (copy attached)**

## A Caspar Town Plan

When the Caspar Lumber Company closed its doors in 1955, it sold 50,000 acres to the State of California which became Jackson State Forest, and it held onto the remaining 570 acres which included the heart of the town of Caspar. Caspar Lumber Company had plans for this property. Seven years earlier, in 1948, it had commissioned the planner, Kenneth F. Jones of San Francisco, to design a "Frontier Town" which included a motel and cottages on the Caspar Headlands, a Recreation Center at the mill site, a Public Park and Shopping Center and Old Town and about 114 house and commercial lots extending from Caspar Road east beyond Caspar Orchard Road. This development never occurred. Instead, in 1990, Caspar Lumber Company sold the remainder of its property: 270 acres of timberland to Georgia-Pacific Corporation (this land is currently for sale by the new owner, Campbell-Hawthorne) and 300 acres to Caspar Cattle Company. In 1998, Caspar Cattle Company sold its lands south of Caspar Creek, including Caspar Beach and Caspar Cemetery, to the Mendocino Land Trust. In 2000, it sold 70 acres, including the Caspar Headlands, to The Trust for Public Land which transferred the property to the Mendocino Land Trust. These properties are slated to become a State Park, beginning in May 2002. Now most of the remaining Caspar property is being sold: .7 downtown acres to Karen Novak and Dan Dickson; 72 acres to Peter Wells which includes all lands south of Caspar Street and Fern Creek Drive and the two water sources which provide for the needs of the company houses, as well as much of Mendocino in the dry season; 2.3 acres, including the former Caspar Schoolhouse, to Ruth and Mike Dell'Ara who have a lease/option to pass ownership to the Caspar Community non-profit which will operate it as a Community Center. Caspar Cattle Company has agreed to donate a one-acre, rural village parcel to Caspar Community upon the successful rezoning of the Caspar Town Plan.

After 47 years of no change, the remaining property of the Caspar Lumber Company is being sold, and presumably developed. The community of Caspar could see the trend, and in 1997 began to plan for its town's growth in quarterly meetings which have continued to this day. Fueled by the commitment of a people making decisions about their home town, led by the organizational skill of the non-profit Caspar Community (a federally recognized 501(c)(3) corporation) and guided by Randy Hester, UC Berkeley Landscape Architect, the town planned for the development of the remaining 300 acres of Caspar Lumber Company Land. The Headlands, Caspar Beach and the Duck Pond were deemed sacred -- and all but the latter have since been placed into public open space. The remaining 140 acres were planned with about 35 houses, some single family, some duplex, many clustered, including affordable housing for all ages; six commercial buildings, many half residential; and six live/work units.

With the recent creation of the Caspar Community Center and the pending sale of 72 acres to Peter Wells, Caspar Community is again putting the Town Plan in the active seat. We have determined four initial objectives:

1. Create parcel boundaries which follow street divisions (see map A)
2. Include the nine residential lots and four rural village lots which have been "lost" to public open space in the development of the parcels east of Caspar Road and west of Highway One. This area is the heart of Caspar Village; the current housing and commercial pattern of small, clustered lots with much open space can gracefully be expanded to give Caspar a sense of being a village with a center.
3. Designate parcels east of Highway One for Planned Unit Development.
4. The southeast parcel includes the four water wells which supply the Caspar Cattle Company water system. Our plan is to expand this system to become a community-wide water system under community ownership.

The community of Caspar is looking forward to working with the Mendocino County Planning Department in the creation of a Caspar Village.

March 2002



14 March 2002

Box 84  
15051 Caspar Road  
Caspar, CA 95420  
707.964.4997  
casparcommons.org

A federally recognized  
501c3 corporation  
Employer Identification  
Number: 94-3321996

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Ray Hall  
Mendocino County Planning Department  
501 Low Gap Road  
Ukiah, CA 95480

Dear Ray,

I wanted to update you on the progress Caspar Community is making in our community planning, including the Town Square concept, density transfers, and boundary line adjustments.

Enclosed is a conceptual design for the Town Square created through community meetings led by Randy Hester, Landscape Architect, and his UC Berkeley team. As you can see by comparing this area with the parcel zoning map, the Town Square encompasses land currently owned by Caspar Cattle Company (Oscar Smith). Mr. Smith et al have agreed to donate their portion of the Town Square to Caspar Community with the completion of the community's work in applying density transfers to the property Mr. Smith et al will continue to own. Mr. Smith et al have also agreed at that time to place a conservation easement on the remaining acreage north and east of the Community Center (AP 118-05-27) and the area including the duck pond (AP 118-05-18 and AP 118-06-01). We are currently under contract with Randy Hester and his graduate student, Carey Knecht, to arrive at community consensus regarding density transfers that are agreeable to Mr. Smith.

We have just received community agreement on executing a boundary line adjustment to transfer ownership of 8500 sq. ft. of property to neighbors west of the Community Center which we recently purchased. This will make their legal, non-conforming lots larger while providing a buffer between their homes and the Community Center.

We also want you to know that Mr. Peter Wells recently abandoned his escrow on the parcels south of Caspar Street and west of Highway One (AP 118-08-10, -12, and -14) and the parcels south of Fern Creek and east of Highway One (AP 118-09-12 and -13). We continue working with Mr. Smith to define suitable development for these areas in a manner which will facilitate community ownership of the water resource.

We'll continue to update you as our plans become more defined. If appropriate, I hope you will incorporate the planning work that Caspar is doing into the update of the Local Coastal Plan and the General Plan.

Please feel free to call me should you have any questions or comments.

Sincerely,

Mike Dell'Ara

cc: Pam Townsend  
Rick Miller  
Oscar Smith

*To preserve & enhance the quality of all life in Caspar.*



July 2003

## MENDOCINO COUNTY MEMORANDUM

### MEETING WITH CASPAR COMMUNITY JULY 22, 2003, UKIAH

**Participants:** Judy Tarbell, Judith Bayer, Doug Hamnerstrom, Pam Townsend.

**Materials exchanged:**

Summary of meeting with Ray Hall, March 4, 2002, produced by Judy Tarbell.  
Zoning Code sections on RR, RV, C, PD, and Density Transfers  
Zoning Map

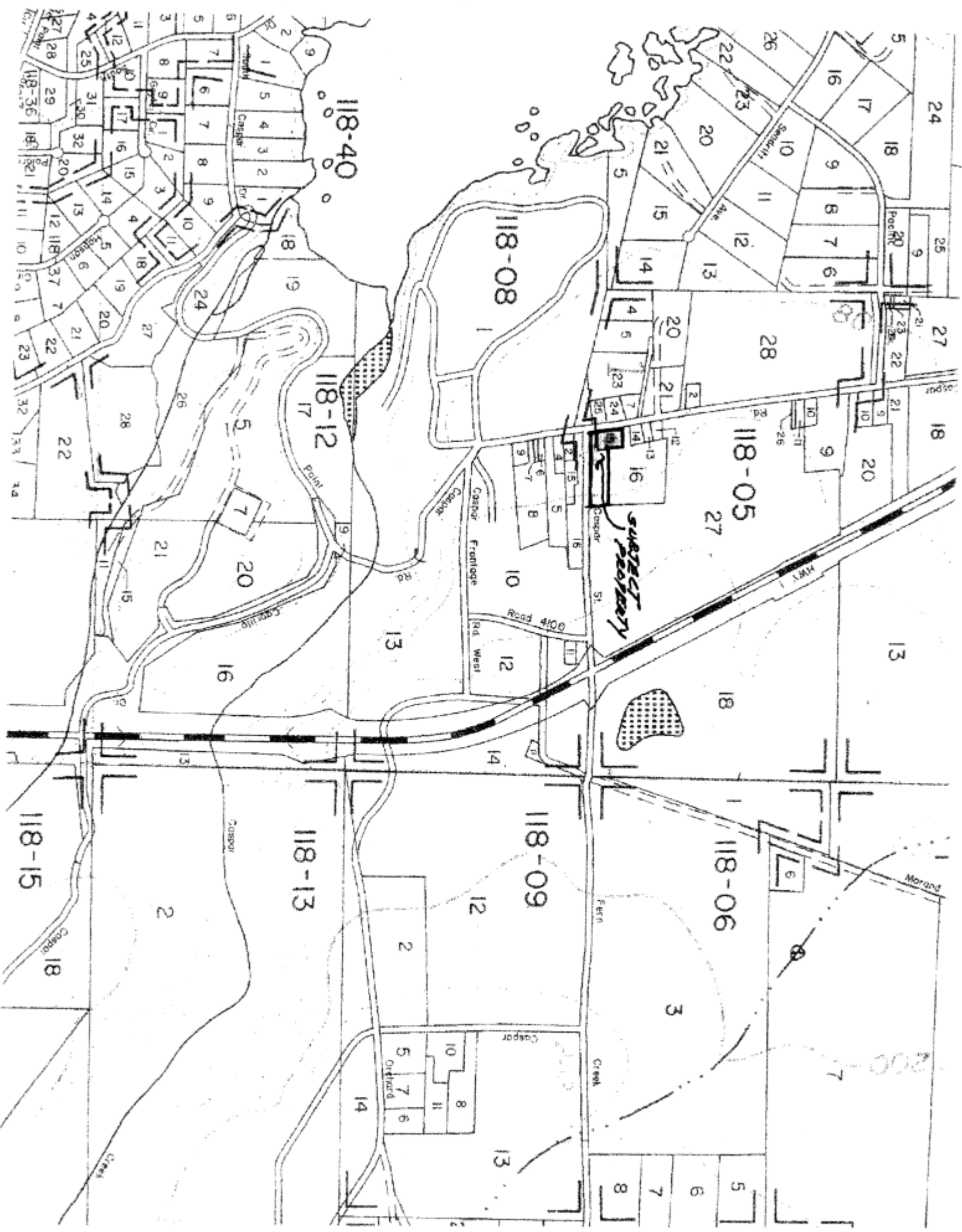
**Maps referred to:**

Caspar Town Plan Showing Density Transfers  
Caspar, Possible Zoning—Southeast Quadrant  
Open Space Preservation and Development of Caspar Cattle Company Lands  
Zoning Map

**Topics of discussion:**

1. Robert Merrill/Randy Stemmler, Coastal Commission staff, agreed that in principle density from property deeded to State Department of Parks and Recreation (DPR) could be transferred to other portions of the community because no increase in development potential or traffic would occur. Townsend strongly suggested Caspar Community obtain a letter to this effect.
2. What entitlements would be needed to transfer density: The applicability of the Density Transfer, Clustering Development, and Planned Unit Development sections were discussed. It is unclear from the summary of the March 4, 2002 meeting exactly what entitlements were contemplated. Townsend will clarify this with Ray Hall and forward information to Caspar Community. The applicability of the PD to the southeast quadrant was addressed. PD allows parcels below the zoning requirement, provided average density conforms (for example, 6 parcels can be proposed on 60 acres zoned RR-10; with PD some parcels may be less than 10 acres as long as the average of all parcels is 10 acres or more). *(Note: Ray Hall has clarified that the intent is to submit a LCP amendment that changes State Park land to Open Space and increases density on other land to compensate for the reduction in building sites. State Parks should be acknowledge agreement.)*
3. The meaning, applicability and general information about Certificates of Compliance, Boundary Adjustments, and significance of Assessor's parcel numbers was addressed. CC's recognize as legal parcels those created prior to subdivision laws; legal parcels may be offered for sale, lease or financing. Boundary adjustments adjust lines between contiguous legal parcels (generally 4 or fewer); the number of parcels created cannot exceed the number of original parcels; the number of parcels that do not conform to zoning minimums (such as 10 acres for RR-10) cannot be increased as a result of the adjustment; and parcels with split zoning should not be created. #CC 34-90 (17 parcels, Caspar Cattle Company) was reviewed. Mary Lynn Hunt noted the Assessor has not mapped CC parcels when recorded, but rather when the property is conveyed- some legal parcels recognized through CCs do not show up as separate Assessor's parcels. She indicated more Boundary Adjustments have been recorded

Mendocino County Planning and Building Services ♦ 501 Low Gap Road, Room 1440, Ukiah, CA 95482  
(707) 463-4281 ♦ FAX (707) 463-5709 ♦ townsenp@co.mendocino.ca.us



June 2004



16 June 2004

Box 84  
15051 Caspar Road  
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**CASPAR  
COMMUNITY  
CENTER**

Dalen Anderson,  
Manager and Secretary

Mr. Robert Merrill, Coastal Manager  
North Coast District Office  
California Coastal Commission  
710 E Street, Suite 200  
Eureka, CA 95501  
707.445.7833

Dear Bob,

Caspar Community is ready to move forward with its town-approved plan for affordable housing in the downtown area, and I have an important request for you in this regard.

Ray Hall and Pam Townsend of County Planning and the Caspar Community Board need a letter from you to Caspar Community noting your support for the density transfer of nine residential lots and two RV lots from Caspar Headlands State Park to Caspar Community. As you will recall, the development of these lots was "lost" when Caspar Headlands became public open space.

The town of Caspar has continued to work with Randy Hester and Carey Knecht of UC Berkeley Landscape Architecture Department. At a Community Meeting in November 2003 we reached consensus on the location and size of six residential lots and two RV lots in downtown Caspar (map enclosed) which the town will "grant" to Oscar Smith in trade for Mr. Smith giving Caspar Community ownership of the property directly south and west of the Caspar Community Center property (another map enclosed).

Fundamental to our negotiation with Oscar Smith is his commitment that on his +/- 49 acres which are north of Caspar Street and Fern Creek Road, on both sides of Highway One, four of the six additional residences will be affordable housing, and that the remaining acres will be placed in a conservation easement. This easement covers both the open field which is the defining view of Caspar from both Highway One and from vehicles entering Caspar from the Highway, and Caspar Duck Pond which has been defined as a "sacred space" by the community in our early planning work with Randy Hester.

We are ready to complete the negotiation with Mr. Smith, and a letter from you noting your support of moving these densities to the downtown area is essential, both for Mr. Smith and Caspar Community, and for Ray Hall and Pam Townsend of the Planning Department.

I will enclose a copy of our letter to you of June 2002 along with the maps and policies referred to in that letter.

I hope you will write a letter of commitment to this Density Transfer in Caspar. Your endorsement of this project will facilitate our work with Ray Hall and Pam Townsend of the Mendocino County Planning Department and our negotiation with Oscar Smith.

I'll be in Eureka this coming Monday, June 21 and would be delighted if we could meet at that time. If that isn't convenient for you, please call me if you have any further questions. I can be reached via the Caspar Community Center office at 707.964.4997 or at my home office at 707.964.1323. My email is tarbell@mcn.org.

Best regards

Judy Tarbell

cc: Ray Hall and Pam Townsend, Mendocino County Planning Department  
Ron Munson, Director, Russian Gulch District Headquarters, California State Parks  
Oscar Smith, Caspar Cattle Company

encl: plan for proposed residential and RV lots  
map of proposed expanded Caspar Community Center property;  
density transfer maps; Caspar Town Plan  
Caspar Town Plan Policies (Guiding Principles).

*To preserve & enhance the quality of all life in Caspar.*



December 2004



*This MOU was in accord with the verbal "gentlemen's agreement" worked out between Oscar Smith and Mike dell'Ara on behalf of Caspar Community. It was mailed to Oscar at his known place of business, but was never returned signed. One concludes that only one of those agreeing was a gentleman...*

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**CASPAR  
COMMUNITY  
CENTER**

Dalen Anderson,  
Manager & Secretary

Memorandum of Understanding  
Density Transfer and Village Square

Caspar Cattle Company and Caspar Community jointly agree to the following:

Caspar Community, assisted by Caspar Cattle Company, will work with Mendocino County Planning Department to effect a "Density Transfer" of two parcels zoned RV and six residential lots onto the northwest parcels of land (118-05-27, 118-05-18, and 118-05-18) owned by Caspar Cattle Company.

The RV parcels will be contiguous, located on Caspar Street at a site east of the Caspar Community Center parcel, and sized so they could potentially be split into a total of four minimally sized RV parcels.

Four of the six residential parcels will be located west of Highway One, north of the old Superintendent's House, and accessible from Caspar Road; they will be contiguous and clustered on 1 acre to preserve open space.

Two residential parcels will be located east of Highway One, situated in such a way as to preserve maximum open space around the existing duck pond.

Caspar Cattle Company agrees to place the balance of the acreage into an open space preservation with a local land trust and/or deed restriction that perpetually dedicates the land to open space.

Caspar Cattle Company, within one month of the creation of the above parcels, agrees to transfer to Caspar Community the title for all property south and west of the Caspar Schoolhouse parcel (118-05-16), thereby extending the boundary for the Community Center parcel directly south to Caspar Street, as shown on the attached map.

Caspar Cattle Company agrees to provide reasonable volumes of water at reasonable cost to all parcels affected by this agreement.

Signed:

*Judy Tarbell*  
Judy Tarbell, President  
Caspar Community

*9 December 2004*

Date

Notarized

\_\_\_\_\_  
Oscar Smith, Principal  
Caspar Cattle Company

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notarized

To preserve & enhance the quality of all life in Caspar.

March 2005

## Jackson Law Offices

245 East Laurel Street  
Fort Bragg, CA 95437

E-mail: [jackson@mcn.org](mailto:jackson@mcn.org)

Telephone: (707) 962-0222

Facsimile: (707) 962-0269

James A. Jackson

March 12, 2005

Judy Tarbell, President  
Caspar Community Center  
P.O. Box 84  
15051 Caspar Road  
Caspar, CA 95420

Re: Downtown Caspar Planning

Dear Ms. Tarbell:

This office represent Caspar Cattle Company, Inc. My client and I recently reviewed two documents dated February 13, 2005 which purport to describe a verbal agreement between the company and the community of Caspar regarding properties owned by the company in Caspar. These letters come as quite a surprise to my client and I, as there has never been any discussion of the changes discussed in your letters with any representative of the Caspar Cattle Company. We assume that these are talking points which have come from community meetings which set forth the desires of some members of the community regarding possible future land use within Caspar.

We want to state for the record as unequivocally as possible that there is no agreement, verbal or otherwise, with the Caspar Cattle Company, Inc. as described in the documents dated February 13, 2005. The company is not presently pursuing any zoning or other land use changes for its properties, and does not anticipate requesting such changes any time in the near future. These properties are presently for sale. To the extent future owners of properties presently owned by the company are interested in discussing a proposed town plan I expect that they will contact members of your board in order to pursue such discussions.

Very truly yours,

  
James A. Jackson

JAJ:fc

Enclosures

cc: Caspar Cattle Company, Inc.  
Pamela Townsend, Mendocino County Planning Dept.  
Robert Merrill, California Coastal Commission  
Ann Holden, Wilkinson Real Estate Services



*March 2005*

March 31, 2005

Oscar Smith  
Box 314  
Comptche, CA 95427

Dear Oscar,

As you know, I am not currently an active member of the Caspar Community Board of Directors. However, the Board forwarded to me a letter they recently received from the Jackson Law Offices who represent the Caspar Cattle Company. That letter, I suppose, is a response to the Memorandum of Understanding (MOU) dated December 9, 2004 that was sent to you for your signature by the Caspar Community Board and the March 7, 2005 letter regarding downtown planning and the Caspar Community's assumed agreement with you. I was amazed by the statement in Mr. Jackson's letter that "these letters come as quite a surprise to my client and I as there has never been any discussion of the changes discussed in your letters with any representative of the Caspar Cattle Company." Perhaps you did not realize that the MOU was the necessary next step in the process that we started in October, 2001.

To give some background, during 1998 the Caspar community began raising over \$25,000 locally to fund the development of an overall community plan with the assistance of Professor Randy Hester and students from the University of California, Berkeley Landscape Architectural Planning Department. That process defined a broad community plan which resulted in the community assisted purchase of the Caspar Headlands and ultimately the Caspar School House from the Caspar Cattle Company. In October, 2001, on the heels of these successes, you and I scheduled a meeting with Peter Wells, the Mendocino County Planning Department and the California Coastal Commission to discuss the possibilities for a General Plan Amendment and/or a density credit transfer to facilitate an increase in building density in return for a conversion to open space of properties held by the Caspar Cattle Company. A subsequent meeting was held in December, 2001 where the plan was further defined. See attachments.

Oscar, around this time is when you offered to donate the land south and west of the Caspar Community Center property to the Caspar Community as a token of your appreciation for the work they would do to accomplish the planning and rezoning necessary to transfer the density credits that had been extinguished with the purchase from the Caspar Cattle Company of the Caspar Headlands and its transfer to State Parks. The agreement was that we would work to effect a density transfer that would include six additional home sites and two Rural Village zoned parcels equivalent to the size of two of the previously existing Rural Village parcels on the property behind the Caspar Community Center both east and west of Highway One. It was further agreed that you would cause the balance of that property to be put in some form of an open space easement. The enclosed letter to Ray Hall, dated March 14, 2002 (copied to you) refers to this agreement as well as our letter of June 16, 2004. Oscar, clearly our agreement was a 'gentleman's agreement' secured only by a handshake and I believed it was based on

Oscar Smith  
March 31, 2005

Page -2-

mutual trust and the success of our prior transactions. As a result of this agreement, the Caspar Community has expended thousands of hours through many meetings and planning sessions with the community, government entities and independent consultants. We raised an additional \$9,000 from the community to fund the charette for the Community Square and broader studies for placement and layout of the proposed development. I kept you updated as things progressed with telephone calls/voice mail messages and personal discussions whenever we met. This process has been a focal point in many of our Caspar newsletters which have all been mailed to you. You have been copied on all documents pertinent to these activities. I have also invited you to attend these meetings although I am aware that it was not in your nature to attend meetings of more than a few people.

The community believes that by proceeding with these density credits and rezoning changes, the value of your property would be enhanced while providing a design for Caspar that meets the needs of the future. Oscar, I know that there have been a lot of changes in your life in the last two years, and I understand that you now want to sell the property quickly and get on with your life. You must understand, however, that this community has been totally motivated by your offer to donate the land for a Community Square. It has been the catalyst for helping us to raise the \$9,000 for the planning effort and engaging the community to come to consensus on the density credits and rezoning. We have expended four year's worth of arduous homework in preparation to take this next major step with County Planning and the California Coastal Commission. The Caspar Community has approximately one half of a file drawer full of information including memos, maps, graphics, agendas, minutes, cookie crumbs, etc., relative to this project. I hope this explains where we believe we are at this point in time, and that is why the Memorandum of Understanding was forwarded to you for your signature. It was merely a formality that must precede our next steps in the permitting process.

I hope the preceding explains why we were all so astounded to read Jim Jackson's letter. Although you have not joined us in the front seat of this journey, we always felt that you were in the back seat and clearly have been along for the ride. Oscar, if you have had a change of heart, it will be a big disappointment to a lot of people. I hope that is not the case. Please let us know. Give me a call.

Sincerely,

Mike Dell'Ara  
Box 122  
Caspar, CA 95420-0118  
(707) 964-6851

cc: Caspar Community Board of Directors