



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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February 28, 2019

PUBLIC NOTICE OF PENDING ACTION
STANDARD COASTAL DEVELOPMENT PERMIT

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, March 28, 2019 in the Fort Bragg Public Library, 499 East Laurel Street, Fort Bragg, California, at 10:00 a.m. or as soon thereafter as the item may be heard, will hear the below described project that is located in the Coastal Zone.

CASE#: CDP_2017-0032

DATE FILED: 6/27/2017

OWNER: RUTH ANN JANE GARDNER LIFE

APPLICANT: GARY & ANN FRITZ

AGENT: SPADE NATURAL RESOURCES CONSULTING

REQUEST: A Coastal Development Standard Permit request to remove a travel trailer and shed; and to construct a 1,848-square-foot residence, detached garage, accessory structures and change a test well to a production well within 50-feet of sensitive coastal resources.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

LOCATION: In the Coastal Zone, 2± miles east of Mendocino (town) lying directly south of Little Lake Road (CR 408). Accessed via Canterbury Lane (Private). Located at 43007 Little Lake Rd., Mendocino, CA, 95460. APN: 119-430-20

STAFF PLANNER: JULIANA CHERRY

As you are an adjacent property owner and/or interested party, you are invited to appear at the hearing, or to direct written comments to Planning and Building, Services 860 N Bush Street, Ukiah, CA 95482, attention Commission Staff. If you would like to be notified of the Coastal Permit Administrator's action, please submit a written request to this office. All correspondence should contain reference to the above noted case number.

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project.

If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

Additional information regarding the above noted case may be obtained by calling the Planning and Building Services Department at 964-5379, Monday through Friday.

BRENT SCHULTZ, Director of Planning and Building Services



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT - STANDARD CDP**

**MARCH 28, 2019
CDP_2017-0032**

SUMMARY

OWNER: RUTH ANN JANE GARDNER LIFE EST
1114 MONROE AVE
CHARLESTON, IL 61920

APPLICANT: GARY & ANN FRITZ
1114 MONROE AVENUE
CHARLESTON, IL 61920

AGENT: SPADE NATURAL RESOURCES CONSULTING
PO BOX 1503
MENDOCINO, CA 95460

REQUEST: A Coastal Development Standard Permit to remove a travel trailer and shed; and to construct a 1,848-square-foot residence, detached garage, accessory structures and change a test well to a production well within 50-feet of sensitive coastal resources.

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TOTAL ACREAGE: 1 Acre

GENERAL PLAN: Coastal Element, General Plan
Rural Residential (RR5:R)

ZONING: Mendocino County Coastal Zoning Code
Rural Residential (RR:5)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

APPEALABLE: Yes, Within 100 Feet of a Wetland

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: JULIANA CHERRY

BACKGROUND

PROJECT DESCRIPTION: A Standard Coastal Development Permit request to remove a travel trailer and shed, and to construct a 1,848-square-foot residence, detached garage, and accessory structures 25-feet from the edge of a Bishop Pine forest, wetlands, and California sedge.

APPLICANT'S STATEMENT: "Remove existing 25 foot temporary travel trailer and existing shed. Construct a new two-bedroom, 1,848 sq. ft. single-family residence with 465 sq. ft. of decks and covered porch, and a 952 sq. ft. detached garage; maximum building height of 28' above natural grade. Connect

to utilities. Install a new 4100 gallon water storage tank. Request connection to existing primary septic system; request probable future repair/replacement of septic tank, installation of new pump tank and trenching septic line from said tank and associated infrastructure to secondary/replacement septic field. Request connection to existing water well and future conversion of test wells to production wells (See *Application Questionnaire* stamped received August 29, 2018)."

RELATED APPLICATIONS:

On-Site

- Septic 1831-F
- Building Permit Electric to Well FB88-630
- U 1988-47 Temporary occupancy of a travel trailer during construction of home
- CC 147-77 conditional Certificate of Compliance
- SV 78-14 Subdivision Violation

Neighboring Property APN 119-430-19

- CDP 2000-29 Garage & 999-1201 Garage
- 949-419 Addition
- CS 54-86
- 6232 F Septic

SITE CHARACTERISTICS: This one-acre site is relatively flat. Site elevations vary between 500 and 520 feet above sea level and the land slopes downward in a southwesterly direction (See attachment *Topographic Map*). Soils are mapped as Shinglemill-Gibney complex and Ferncreek sandy loam soils (See attachment *Local Soils*). Shinglemill-Gibney complex and Ferncreek sandy loam are hydric soils. Shinglemill-Gibney complex soil is capable of producing pygmy vegetation; pygmy vegetation is not present on-site. East and west of the project site are 135 acres of Jackson State Forest lands. The property is located in a redwood forest, and portions of the property also contain Bishop pine forest. Wetlands cover a significant portion of the property. California sedge is adjacent to the existing driveway (See attached *Site Plan*). In addition to the existing driveway with two access points to Canterbury Lane, there is an existing cleared area situated between the Bishop Pines, wetlands, and sedge. This cleared area is the site proposed for the residence, deck, and garage. Development is proposed to be located within an Environmentally Sensitive Habitat Areas (ESHA) or within the ESHA buffer.

After U-1988-47 and Septic Permit 1831-F were approved, the property owner constructed a gravel 3,935-square-foot driveway, leachfield, replacement leachfield, well and 100-square-foot pump house, temporary trailer, 120-square-foot shed, and electric-utility box. The sewage disposal system is primarily located within a septic easement (See *Site Plan*). The applicant proposes to continue use of the driveway, septic, well and pump house, and a relocated electric-utility box. The temporary trailer and shed would be removed. While local use permits (e.g., U-1988-47) were granted for the existing development, the property owner has not demonstrated that *coastal development* permits were issued to authorize the development.

The proposed location for the single-family development would be further from the edge of ESHA than the temporary trailer that is proposed to be removed. Botanical surveys describe that there is no feasible location for development that is more than fifty feet from wetlands and rare plants or rare plant communities (May 23, 2018, page 4). To ensure that environmentally sensitive habitat and other designated resource areas are protected for both the wildlife inhabiting them as well as the enjoyment of present and future populations, a survey report was prepared. The Botanical and Biological Scoping Survey Report, as revised on May 23, 2018, identified wetlands, Bishop Pine Forest, Redwood Forest, sedge, and suitable habitat for migratory birds, the Lotis Blue Butterfly, Northern red-legged frog, and marbled murrelet. No special status species were present when the site was surveyed.

SURROUNDING LAND USE AND ZONING: As listed in Table 1, the surrounding property to the north and south are designated Rural Residential (RR5) and they are developed with Single-Family Residential land uses. Contiguous properties to the east and west are classified as Forestland (FL160) and are a part of Jackson State Forest.

Table 1. Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential	Rural Residential (RR5)	4.16 A±	Residential
EAST	Forest Lands	Timber Production (TP)	101.06 A±	Passive Recreation
SOUTH	Rural Residential	Rural Residential (RR5)	5.15 A±	Residential
WEST	Forest Lands	Timber Production (TP)	34 A±	Passive Recreation

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed project is not consistent with the goals and policies of the Local Coastal Program (LCP). Specifically, the proposed residential development is not consistent with all LCP policies relating to ESHA, despite the identification of the least environmentally damaging alternative, the lack of feasible alternatives on site, the proposed mitigation measures to offset project impacts, and siting development to minimize impervious surfaces and minimize vegetation removal. The proposed residential development would be located 25 feet from ESHA and would not comply with required minimum buffer widths.

1. **Land Use:** The parcel is classified as Rural Residential (RR5:R). This classification is intended to encourage local small scale food production (farming) in areas which are not suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability. The proposed Single-Family Residential land use is consistent with the Rural Residential classification goals and policies.

Relevant land use policies from Coastal Element Chapter 3.1 *Habitats and Natural Resources* include Policies 3.1-2, 3.1-7, and 3.1-24.

3.1-2 *Development proposals in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats (all exclusive of buffer zones) including, but not limited to those shown on the Land Use Maps, shall be subject to special review to determine the current extent of the sensitive resource. Where representatives of the County Planning Department, the California Department of Fish and Game, the California Coastal Commission, and the applicant are uncertain about the extent of sensitive habitat on any parcel such disagreements shall be investigated by an on-site inspection by the landowner and/or agents, County Planning Department staff member, a representative of California Department of Fish and Game, a representative of the California Coastal Commission. The on-site inspection shall be coordinated by the County Planning Department and will take place within 3 weeks, weather and site conditions permitting, of the receipt of a written request from the landowner/agent for clarification of sensitive habitat areas. If all of the members of this group agree that the boundaries of the resource in question should be adjusted following the site inspection, such development should be approved only if specific findings are made which are based upon substantial evidence that the resource as identified will not be significantly degraded by the proposed development. If such findings cannot be made, the development shall be denied. Criteria used for determining the extent of wetlands and other wet environmentally sensitive habitat areas are found in [Coastal Element] Appendix 8 and shall be used when determining the extent of wetlands.*

California Department of Fish and Wildlife (DFW) and Planning and Building Services staffs agree that the Bishop Pine forest, California sedge, and wetland boundaries are correctly mapped and the applicant revised their proposal to adjust the proposed width of the ESHA buffer from 6 to 25 feet. See report Section 3, *Habitats and Natural Resources*, for a detailed description of how this project satisfies the implementation of Coastal Element Policy 3.1-2, as Mendocino County Code (MCC)

Section 20.496.015 *ESHA-Development Application Procedure* implements Policy 3.1-2.

3.1-7 *A buffer area shall be established adjacent to all environmentally sensitive habitat areas. The purpose of this buffer area shall be to provide for a sufficient area to protect the environmentally sensitive habitat from significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and County Planning Staff, that 100 feet is not necessary to protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and shall not be less than 50 feet in width. New land division shall not be allowed which will create new parcels entirely within a buffer area. Developments permitted within a buffer area shall generally be the same as those uses permitted in the adjacent environmentally sensitive habitat area and must comply at a minimum with each of the following standards: 1. It shall be sited and designed to prevent impacts which would significantly degrade such areas; 2. It shall be compatible with the continuance of such habitat areas by maintaining their functional capacity and their ability to be self-sustaining and to maintain natural species diversity; and 3. Structures will be allowed within the buffer area only if there is no other feasible site available on the parcel. Mitigation measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel, at a minimum ratio of 1:1, which are lost as a result of development under this solution.*

Mitigation measures are recommended to protect the ESHA and the values of the limited buffer area. The development proposed within the buffer area is not the same as those uses permitted in the ESHA, but as proposed the project would (1) be sited and designed to prevent impacts that would significantly degrade the ESHA; (2) establish an open space easement to continue the ESHA and support the functional capacity of the ESHA; and (3) allow structures to be located within 25-feet of the ESHA, as no other feasible site is available on the parcel. See report Section 3, Habitats and Natural Resources, for a detailed discussion about how this project satisfies the implementation of Coastal Element Policy 3.1-7, as MCC Section 20.496.020(A)(4) *Permitted Development* implements Policy 3.1-7.

3.1-24 *Any development within designated resource areas, if not specifically addressed by other policies, shall be carefully reviewed and established in accord with conditions which could allow some development under mitigating conditions but would assure the continued protection of the resource.*

Implementation of policy 3.1-24 is provided by MCC Section 20.496.050 *Development of Resource Areas*. See report Section 3, Habitats and Natural Resources, for discussion about how this project satisfies the implementation of Coastal Element Policy 3.1-24.

2. Zoning: The project site is located within a Rural Residential (RR5) District. The proposed project, which involves construction of a single-family residence, appurtenant structures, and utilities, is a principally permitted use within the Rural Residential District, pursuant to MCC Chapter 20.376 *RR -- Rural Residential District*. Table 2 delineates Rural Residential development regulations and compares them to the proposed project.

	Standard	Proposed
20.376.030 Minimum Front and Rear Yards	20 FT	20 FT
20.376.035 Minimum Side Yards	6 FT	6 FT
20.376.045 Building Height Limit	28 FT	28 FT
20.376.065 Maximum Lot Coverage	20 %	6%

The August 29, 2018 proposed and revised residential footprint includes a 1,620 sq. ft. single-level building with a 228 sq. ft. two-floor tower feature, 135 sq. ft. covered porch, 330 sq. ft. deck, 952 sq. ft. two-story garage, a 4,100-gallon water storage tank, and 5,170 sq. ft. of paved driveway access. The existing 120 sq. ft. shed and the travel trailer will be removed (See attached *Site Plan*). As proposed, the development would be consistent with the requirements of MCC Chapter 20.376.

3. Habitats and Natural Resources: Several studies were prepared for the proposed project in order to identify sensitive resources on the parcel and to provide recommendations to prevent potential impacts to documented sensitive resources. In accordance with MCC Section 20.532.060 *Environmentally Sensitive Habitat Area-Supplemental Application Procedures*, Spade Natural Resources Consulting (SNRC) prepared a Botanical and Biological Scoping Survey Report (revised May 23, 2018) and a Report of Compliance Revised April 11, 2018. The consultant also prepared a Wetland and Rare Plant Avoidance and Mitigation Plan (September 17, 2018). The reports were distributed to agencies for their comments. Written comments were received from DFW and California Native Plant Society.
- Pursuant with MCC Section 20.496.015 *ESHA-Development Application Procedures*, the survey report includes Figure 11, which is a map of plant community and sensitive plant resources, and Figure 12, which is a map of wetland data point locations. Mapping and surveys indicate that the proposed residential development would be located adjacent to Bishop Pine Forest, California sedge, wetlands, and a Redwood Forest. Given the proximity of development to ESHA, the landowner's agent, County staff, California Native Plant Society, and representatives from DFW and the California Coastal Commission visited the site to investigate the extent of the sensitive habitat. DFW and County staff have agreed that the surveyed and mapped ESHA boundaries are appropriate. Staff has prepared for the Coastal Permit Administrator's consideration findings that the resources will not be significantly degraded by the proposed development (See recommended Finding #8 pursuant with MCC Section 20.532.100(A)(1); noting that if findings cannot be made pursuant with this section, then the development shall be denied).
 - Pursuant with MCC Section 20.496.020 *ESHA-Development Criteria*, a buffer area adjacent to all ESHA is required. The purpose of mapping a buffer area is to provide a sufficient area to protect the environmentally sensitive habitat from degradation resulting from future developments. As shown in Botanical and Biological Scoping Survey Report Figure 13 *Sensitive resource map with 50-foot buffer area shown*, the proposal would locate development *within* the buffer area of wetlands, Bishop pine forest, and locations of California sedge, a rare plant. Development would be adjacent to, but not within, the sensitive habitat areas. The report recommends avoidance measures to protect the sensitive resources. The proposal is a 50-foot reduced buffer from off-site ESHA and a 25-foot reduced buffer from on-site ESHA, such as wetlands, California Sedge, and Bishop Pine Forest (See recommended condition #13).

Pursuant with MCC Section 20.496.020(A)(4)(a), avoidance measures are recommended to continue the functional capacity of adjacent habitat; for example, "Driveway improvements and construction will need to be carefully designed to avoid detrimental impacts to nearby wetlands and locations where California sedge grow. Improvements will also need to maintain similar runoff patterns to provide for adequate hydrological conditions for these sensitive areas (See recommended condition #14)." The reduced buffer analysis states that no riparian or wetland vegetation would be lost and that the project is not located within a 100-year flood zone. Water run-off would flow in a southwesterly direction across this gently sloping lot. The following measures, as described in the Biological Scoping Survey, Botanical Survey and Wetland Delineation Report Section 6.2 (SNRC, May 23, 2018), are proposed to replace the protective values of the buffer area on the parcel:

- a. **Invasive Plants** - Removal of invasive plants present on the site, including bull thistle (*Cirsium vulgare*) is recommended to improve habitat value. Prior to use on the site, heavy equipment should be washed down off site to prevent accidental contamination with invasive plant seed. Invasive plants as listed by CalIPC should not be used as landscaping species, and landscaping should consist of native plants compatible with the on-site plant

communities.

- b. **Erosion Control** – Standard Best Management Practices shall be employed to assure minimization of erosion resulting from construction. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Any soil stockpiles will need to be covered or otherwise stabilized to prevent dust impacts.
- c. **Birds and Bats** - The bird breeding season typically extends from February to August. Ideally, the clearing of vegetation and the initiation of construction can be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform preconstruction breeding bird within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbances.

As with birds, bat roost sites can change from year to year, so pre-construction surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50 foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost. In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year.

- d. **Northern Red-Legged Frog** – Project contractors will be trained by a qualified biologist in the identification of the northern red-legged frog (*Rana aurora*). A survey for Northern red-legged frog should occur within two weeks prior to construction. Construction crews will begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of frogs. If a special status frog is detected, construction crews will contact DFW or a qualified biologist to relocate northern red-legged frogs prior to re-initiating work. If a rain event occurs during the construction period, all ground disturbing construction-related activities will cease for a period of 48 hours after the rain stops. Prior to resuming ground disturbing construction activities, trained construction crew member(s) will examine the site for the presence of frogs. If no special status frogs are found, construction activities may resume.
- e. **Sonoma Tree Vole** – If Douglas fir or Bishop pine trees are to be removed to accommodate the development, a Sonoma tree vole survey shall occur within two weeks of tree removal activities. Protocols per DFW shall be followed should Sonoma tree vole nests be identified in trees to be removed.
- f. **Wetland and Rare Plant Impacts** – No direct impacts are to occur to onsite wetlands or rare plants from construction or related activities. All staging and materials storage, and other project components must occur outside of wetlands and rare plant areas. A wetland and rare plant avoidance and restoration plan should be developed to provide guidance in avoidance

measures to be followed during construction, and restoration measures to be required should any areas of wetlands or rare plants be accidentally impacted. The plan should include measures to prevent accidental oil, fuel and other potential contaminant spills into natural areas and sensitive areas during construction.

- g. **Low Impact Development** – Creation of new impervious surfaces should be minimized to the extent necessary. A low-impact development design should be incorporated into the development to address runoff from new impervious surfaces, assuring runoff from the site is adequately infiltrated within the boundaries of the property, and runoff patterns for wetland and sensitive plant areas are maintained or improved.

Pursuant with MCC Section 20.496.020(A)(4)(b), the applicant seeks a determination that there is no other feasible site on the parcel suited to residential development (See Report of Compliance Revised April 11, 2018 and Staff Report Section 11 Takings).

Pursuant with MCC Section 20.496.020(A)(4)(c), the applicant seeks a determination that locating a residential land use, in a cleared area of the lot that would be 25-feet from sensitive habitat areas, would prevent impacts that could degrade adjacent habitat areas (See Report of Compliance Revised April 11, 2018 and Staff Report Section 11 Takings).

Pursuant with MCC Section 20.496.020(A)(4)(d), the applicant seeks a determination that avoidance measures, as outlined in Section 6.2 of the Biological Scoping Survey, Botanical Survey and Wetland Delineation Report, would support the continuance of the identified sensitive habitat areas and maintain their functional capacity, ability to be self-sustaining, and maintain the natural species diversity. DFW and the California Coastal Commission staff recommend conditions requiring an open space easement, to assure the protection of resources and to assure that development is compatible with the continuance of the habitat areas (See recommended condition #14).

Pursuant with MCC Section 20.496.020(A)(4)(e), the Biological Scoping Survey, Botanical Survey and Wetland Delineation Report "Appendix F Reduced Buffer Analysis" states that development would be located within buffer areas for wetlands, Bishop pine forest, and California sedge and states there is no other feasible site available on the parcel than the existing cleared land (SNRC, 5-23-2018).

Pursuant with MCC Section 20.496.020(A)(4)(f), to minimize impervious surfaces, removal of vegetation, amount of bare soil, noise, dust, artificial light, nutrient runoff, air pollution, and human intrusion into the wetland and minimize alteration of natural land forms the applicant proposes reliance on the aforementioned a through g measures. In addition, DFW, the California Coastal Commission, and Staff recommend the following additional measures, because development would be sited within the buffer area and adjacent to sensitive habitat areas (See condition #14):

- h. To minimize impervious surfaces, the existing u-shaped driveway that intersects with Canterbury Road shall be reduced to a single drive isle that follows the most direct route between the garage door and Canterbury Road. Use of the u-shaped portion of the driveway would discontinue.
- i. To minimize removal of vegetation, limit the development footprint to the existing cleared area identified in the Site Plan, and require a coastal development permit for any future development at this site. No trees are proposed to be removed.
- j. To minimize the amount of bare soil disturbed, noise, dust, nutrient runoff, and air pollution, requires the property owner to obtain a building permit for any new development on-site and require an approved grading plan with contours that would limit runoff, dust, and disturbing soil.
- k. To minimize human intrusion into the wetland and other habitat areas, requiring low-stature

fencing be installed along both sides of the driveway between the garage and the driveway's intersection with Canterbury Lane. The fence location would obstruct future use of the u-shaped portion of the existing driveway access from Canterbury Lane. Access gates may be installed adjacent to the fuel tank, water storage tank, and along Canterbury Lane. The low-stature fence would establish a physical barrier between the sensitive habitat areas and development.

- I. To minimize alteration of natural land forms, limiting grading to the five cubic yards proposed and require an approved grading plan with contours that would limit runoff, dust, and disturbing soil.

Pursuant with MCC Section 20.496.020(A)(4)(g), no riparian vegetation would be lost due to development.

Pursuant with MCC Section 20.496.020(A)(4)(h), the project site is not located within a 100-year flood zone; therefore the hydraulic capacity, subsurface flow patterns, biological diversity and/or biological or hydrological processes, either terrestrial or aquatic, would be protected.

Pursuant with MCC Section 20.496.020(A)(4)(i), to protect the hydraulic capacity, subsurface flow patterns, biological diversity, and/or biological hydrological processes, either terrestrial or aquatic, reliance on the aforementioned a through g measures is proposed. All hydrology and biologic processes are expected to be protected and maintained (See Biological Scoping Survey, Botanical Survey and Wetland Delineation Report Appendix F Reduced Buffer Analysis 5-23-2018.) In addition to the proposed measures, staff recommends previously listed measures h through l as conditions of project approval (See Condition #14).

Pursuant with MCC Section 20.496.020(A)(4)(j), proposed are low-impact development measures, e.g. proposed mitigation measure g, to direct stormwater runoff flows on this relatively flat site in a southwest direction to Big River, located about half a mile south of the project site. See recommended Conditions #14 and #18 for low-impact development requirements.

Pursuant with MCC Section 20.496.020(A)(4)(k), proposed and recommended are measures to lessen the effect of development on the adjacent sensitive habitat areas (e.g., mitigation measures a through k). See recommended conditions #14 and #18, which lists the recommended Mitigation Measures described and referenced herein as measures a through k.

- Pursuant with MCC Section 20.496.025(A), development within a wetland is limited and the proposed land use would *not* meet the requirements for permitted development in wetlands.

Pursuant with MCC Section 20.496.025(A)(8) *wetland restoration projects* are allowable. To support the native ecology of the site, wetland restoration activities, or site landscaping, would require an approved coastal development permit. Staff recommends a condition requiring the property owner to record a deed restriction to memorialize land areas not approved for development, and identify lands to be maintained as open space and limited to *Passive Recreation* land uses. The Deed Restriction would include an exhibit identifying open space areas, and the approved location for the driveway, required fence, and allowed gates. Conditions #12 (deed restriction, open space easement), #13 (buffer areas), #14 (avoidance measures), and #18 (mitigation measures) are recommended.

- Pursuant with MCC Section 20.532.060(E) *Report of Compliance*, a report based upon an on-site investigation was prepared. The investigation highlights that as proposed, the development cannot satisfy all of the criteria specified for development in, and approximate to, an environmentally sensitive habitat area. The Report of Compliance Revised April 11, 2018 "Figure 9 Least impacting option" depicts the recommended location for development (See page 12). This location avoids natural resources and mature vegetation, and limits development to areas that were previously disturbed.

On October 5, 2017, and after reviewing the application and visiting the site, California Department of Fish and Wildlife (DFW) provided the following observations:

"In reviewing documents for CDP 2017-0032, and from a visit to the site on October 2, I recognize that many elements of the planning for this proposed development are in consideration of both property line buffers and ESHA buffers which make it difficult to place a development on the site without encroaching on one or more buffers. I also recognize that there is an existing clearing on site and that the proposed footprint attempts to minimize disturbance beyond the existing clearing and buildings.

My larger concern is the setbacks related to the California sedge ESHA and the coastal wetland ESHA. The current proposal is for the edge of the garage to be six feet from the delineated wetland, and for the development footprint to be only 20 feet from the edge of the California sedge ESHA. It should be noted that policy states that the buffer shall not be less than 50 feet. The house and garage design, as presented, is fairly modest in square footage, but expansive in the placement of buildings, such that the footprint of the project is fairly large compared to the living space. This is the only house design option presented, and since the proponent is seeking a buffer reduction beyond the accepted minimum, I believe other house design options should be investigated and presented as ways to increase the setback distance from both the wetland and the California sedge."

And on March 14, 2018, DFW commented that their role does not include reviewing projects that propose to encroach on an ESHA. DFW could not concur that a buffer less than 50-feet is sufficient and wrote:

"What I can provide is my opinion as to the potential effects to ESHA given the current design. I am not worried about the California sedge population ... it appears to have existed beside the driveway for some time, and I wouldn't anticipate the hydrology changing enough to damage it (although a condition to prevent veg clearing in that section might help). However I do worry about the within 6' encroachment on a professionally-delineated wetland, particularly how the house footprint may change the local hydrology. This encroachment I would deem likely to cause a significant impact to the resource. This encroachment may also encourage foot traffic, trash disposal, fill, pollutant spills or storage, clearing of vegetation for a 100' fire-safe buffer, or any other of a wide range of potential impacts that are normally "buffered" by an appropriate amount of space."

In response to comments received, a revised site design was filed on April 6, 2018. As shown in the Report of Compliance Revised April 11, 2018 Figure 10, the garage location is changed to be the same distance from the wetlands as the proposed residence, a minimum distance of approximately 25 feet. In addition, the proposed garage location was selected to diminish the effects of vehicle emissions on the home's occupants, who are treated for asthma. In response to comments from DFW, Staff recommends a condition limiting storage of goods, materials, and refuse containers to the interior of the buildings. The property owner should avoid use of areas outside of the approved development envelope, except for *Passive Recreation* activities (See recommended Conditions #12 and #15).

On November 14, 2018, a revised Wetland and Rare Plant Avoidance and Mitigation Plan was submitted in conformance with MCC Section 20.532.065. Staff recommends adopting the mitigation measures described therein, including impact avoidance; restoration, monitoring, and reporting (See Conditions #18 through #20).

To summarize Staff Report Section 3 Habitats and Natural Resources, as proposed the project would not be consistent with MCC Section 20.496.020 *ESHA Development Criteria*, especially regarding buffer widths. Mitigation measures are recommended to reduce the effect of the proposed development on this one-acre site. The juxtaposition of the existing cleared land to wetlands, sedge, and pines located across the site cannot support a minimum fifty-foot buffer width between development areas and sensitive habitat areas. A twenty-five-foot buffer width is proposed.

Conditions are recommended to lessen the effect on species sensitive to disturbance, to reduce potential erosion, to use the natural topographic features to locate development and to use existing cultural features (e.g. cleared areas) to delineate development boundaries, and to approve a type and scale of development appropriate to the constrained site (See Conditions #12 through #15, #18, and #19). See Staff Report Section 11 Takings for additional details and analysis of project alternatives.

4. Visual Resource and Special Treatment Areas: The site is not designated as a Highly Scenic Area; however, it is designated as a Special Treatment Area due to its proximity to Jackson State Forest. Pursuant with MCC Section 20.504.025, "*Special Treatment Area buffer zones were also located adjacent to all publicly owned preserves and recreation areas, including national, State, regional, county and municipal parks. These buffer zones include those forested areas within the Coastal Zone within two hundred feet of all such publicly owned preserves and recreation areas.*"

The parcel's west and east property boundaries are contiguous with Jackson State Forest. These lands are subject to the Special Treatment Area buffer zone (i.e., 200 feet). The buffer is applied to timber harvesting activities and it is intended to protect the area's special scenic and natural qualities; therefore, a condition requiring a Coastal Development Permit or a modification to an existing permit is recommended whenever removal of any tree is proposed (See Condition #17). With the inclusion of this condition, Staff recommends that the proposal would be consistent with MCC Section 20.504.025.

5. Hazards Management: The parcel is located in an area classified with a "High Fire Hazard" severity rating. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire) and Mendocino Fire Protection District (MFPD). On May 4, 2018, the application was referred to CalFire and MFPD. CalFire File Number 91-17 requires minimum fire safety standards for Hazardous Fire Areas. Attachment *Fire Safe Plan* demonstrates that the proposed project meets CalFire Standards, including driveway standard, emergency water supply standard (4,100-gallon emergency water storage), defensible space standard and a requirement to maintain defensible space, and a reduced setback requirement to 20-feet from the property lines. CalFire provided the following additional comment: "The combined square footage of the home and attached garage is 2,415 SF. Minimum emergency water storage for this size structure is 4,100 gallons. Your exemption request for a reduced property line setback from 30 FT to 20 FT is granted with the addition of emergency water storage in the amount of 4,100 gallons."

Standard Condition #5 is recommended to achieve compliance with CalFire fire safe standards. At the request of CalFire, staff recommends specifying that 4,100 gallons of water be stored on-site as part of satisfying Fire Safe Standards and adopting condition #16. With the inclusion of these conditions, the proposal would be consistent with Mendocino County policies for fire protection.

6. Grading, Erosion, and Run-Off: The project would require minimal grading as the site is relatively level in the building area. Approximately 5 cubic yards of cut and fill grading is proposed. Grading is required for the entrance to the garage and for the flat parking area. Best Management Practices would be implemented at the time of construction and protection measures are recommended for the adjacent ESHA (See recommended condition #18). With the inclusion of the recommended condition the project would be consistent with policies related to grading, erosion and run-off.
7. Archaeological/Cultural Resources: On August 16, 2017, California Historical Resources Information System (CHRIS) responded that the office has no record of any previous cultural resource studies for the proposed project area. CHRIS Coordinator Bryan Much stated that the proposed project area has a low possibility of containing unrecorded archaeological sites and recommended that no further study for archaeological resources. The proposed project was tentatively scheduled to be considered by Mendocino County's Archaeological Commission on October 18, 2017, but was pulled from the Commission's calendar as Planning and Building Services' procedure for projects, where no further studies are recommended by CHRIS, is to not refer the project to Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Archaeological Commission in 2005 and again in 2014. It was determined to be an appropriate

guidance document for what projects would require archaeological review. Standard Condition #9 advises property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. As conditioned, the project would be consistent with Mendocino County policies for the protection of the paleontological and archaeological resource.

On August 1, 2017, the project was referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians. On August 16, 2017, Javier Silva of the Sherwood Valley Band of Pomo Indians responded with a letter that stated in part, "New construction can be heavily destructive to terrain and cause significant changes in land cover. We advise you to be especially attentive to the historical landscape near natural springs, creeks and other riparian areas. Please inform Sherwood Valley Band of Pomo Indians upon the discovery of any indigenous artifacts or deposits."

8. Groundwater Resources: The project site is located within a mapped Marginal Water Resources Area (See attached *Ground Water Resources*). Building Permit FB88-630 allowed for the construction of pump house associated with a well; the well is situated in the northeast corner of the lot (See attached *Site Plan*). On October 27, 2017 and May 17, 2018, Environmental Health responded that the well is not permitted, a septic permit is on file, and a request to include a condition stating "*Do not build or drive on existing or replacement leach field.*" An Individual Sewage Disposal System Permit No. 1831-F is on file to locate the leach field on an adjoining residential lot to the south that has granted an easement, recorded May 23, 1988, for a right-of-way to install, maintain, repair and replace a septic system (See attached *Site Plan*).

Staff recommends including a condition allowing the existing well to be converted to a production well (See condition #21). At the request of Environmental Health, staff recommends adopting a condition limiting vehicular access and development opportunities within the Septic Easement or the replacement leach field area (See condition #21).

9. Transportation/Circulation: The project would not contribute new sources of traffic on local and regional roadways. The cumulative effects of traffic resulting from development on this site were considered when the Coastal Element land use designations were assigned. *State Route 1 Corridor Study Update for the County of Mendocino* lists the intersection of State Route 1 and Little Lake Road with existing peak hour conditions with a 25.4 PM peak delay and a "C" level of service (2018). This is the nearest State Route 1 intersection to the project site.

On May 4, 2018, the project was referred to Mendocino County Department of Transportation (MCDOT) for comment. The project site is located on Canterbury Lane, a private driveway, adjoining Little Lake Road (CR 408). Four residential lots have direct access to Little Lake Road via Canterbury Lane. On May 11, 2018, MCDOT responded with a request for two conditions that would require a private road approach to be constructed onto Little Lake Road (CR 408) and an encroachment permit for work within the County rights-of-way (See recommended condition #21). At the request of the applicant's agent and on May 14, 2018, the Deputy Director of Transportation Amber Munoz clarified that Canterbury Lane's existing encroachment into Little Lake Road does not meet the Department of Transportation's standard and that the Department is requesting conditions to improve public safety at the private driveway's intersection with the County road. Deputy Director Munoz wrote, "... *This proposed development is located on a driveway, not an established private road (although that wouldn't make much of a difference, if any, in our review). Canterbury Lane takes access off a County Road and is currently in a state which is damaging the edge of the road. Additionally, the narrow width of the driveway and lack of an apron do not provide for safe ingress and egress. The proposed development will exasperate these issues. In my opinion, this condition is necessary to ensure orderly development and the safety of the traveling public.*" Staff recommends adopting the two conditions requested by MCDOT (See conditions #21c and #21d).

Pursuant with MCC Section 20.472.015, two parking spaces are required for the proposed single-family home. Proposed is a two-car garage and continued use of 3,935-gravel driveway between the

proposed location for the garage and Canterbury Lane.

With the inclusion of the conditions requested by MCDOT, staff recommends that the project would satisfy policies and standards relating to circulation, driveway access onto County roads, and off-street parking (See recommended condition #21).

10. Public Access: The project site is not designated as a potential public access point on the certified LCP maps. Existing shoreline access is designated along Little Lake Road (See attachment *LCP Land Use Map 17: Mendocino*). Staff recommends that public access policies contained in Mendocino County Code would be satisfied.
11. Takings Analysis: Despite the identification of the least environmentally damaging alternative, the proposed project is not consistent with MCC Section 20.496.020 (A)(1), which reads in part, "the buffer area shall be measured from the outside edge of Environmentally Sensitive Habitat Areas and shall not be less than fifty feet in width." The proposed project is sited less than fifty feet from ESHA boundaries.

Section 30010 of the California Coastal Act addresses regulatory takings and states the following:

The Legislature hereby finds and declares that this division is not intended, and shall not be construed as authorizing the commission ... or local government acting pursuant to this division to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefor. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

In this case, prohibiting development within fifty feet of an ESHA would deprive the owner of all economic use of the property. There are no alternative development options where the project can be at least fifty feet from ESHA, as the site includes wetlands, Bishop pine forest, and sedge, or a buffer from the ESHA (See attached *Site Plan*).

Some factors courts examine to determine if a regulatory taking has occurred involve the presence of reasonable investment-backed expectations, the degree to which a regulation may interfere with those reasonable investment-backed expectations, and whether or not a regulation deprives an owner of all economic use of the property. Staff believes there was a reasonable investment backed expectation that the scale of the residential development proposed is consistent with similar properties in the vicinity. Attachment C to this staff report includes an outline of the cost the applicant has incurred since acquiring the site circa 1988. Considering the property is zoned for residential development as a principally permitted use, and residential development exists on adjacent properties, a reasonable person would believe that the property could be developed with a single-family residence. The property owner obtained permission in 1988 for the temporary occupancy of a travel trailer during the construction of the home, obtained a Certificate of Compliance, septic permit 1831-F and a building permit for the pump house. The property owner also graded and maintained the driveway, purchased architectural plans for the proposed residence and garage, and paid for the preparation of the specialized reports associated with filing a coastal development permit.

The applicant has spent approximately \$30,000 since acquiring the property to maintain the land and apply for a Coastal Development Permit.

In order to assess if the applicant's expectation to build an approximately 1,848-square-foot single-family residence with detached garage on an approximately one acre lot is similar to comparable single-family developments in the area, forty-nine (49) residences located in the vicinity were examined. The total of existing and proposed development for the subject proposed project would equal around 3,365 square feet. After reviewing 49 similar residential parcels, development sizes vary from between 856 square feet to 7,169 square feet. The average size is 3,724 square feet of development and the median size is 2,943 square feet. The proposed development is within 100 square feet of the average development size (See attached Takings Analysis).

MCC Section 20.368.010 states the principally permitted use types in the RR district, which include: single-family residential, vacation home rental, light agriculture, row and field crops, tree crops and passive recreation. Due to the prevalence of ESHA on the parcel, all principally permitted uses except for passive recreation would require encroachment into an ESHA buffer. The allowed agricultural uses would require substantial site disturbance and clearing and are not a viable way to use the property. Passive recreation use would be the only option that would be less impactful than the construction of a single-family residence and possibly not require any activities meeting the definition of development under the Coastal Act. Passive recreation uses do not afford the property owner an economically viable use.

The property was purchased with an investment-backed expectation that construction of a single-family residence would be permitted. The obtainment of a 1988 use permit for temporary occupancy of a travel trailer during construction of a home is evidence that the owner intended to pursue development of a single-family residence. This intent is noted in the Staff Report for U 1988-47.

Alternatives to the proposed development, including different development projects and alternative locations, were considered and analyzed by a qualified professional, as required by MCC Sections 20.496.020(A)(4)(b) and 20.532.060(E). The proposed project is considered the most feasible, least environmentally damaging alternative that avoids sensitive coastal resources and related ESHA buffer requirements that satisfies the investment backed expectation of the owner. Mitigation measures were recommended in the Report of Compliance and are recommended as Condition #17 to ensure the project does not have an adverse impact on the sensitive resources at the site.

Alternatives to the proposed development: Land Use and Location. The project is located in the Rural Residential District where the principally permitted use type is evidenced on adjoining lots; single-family residences are constructed on the other lots on Canterbury Lane. Besides the principally permitted Coastal Residential Use Types, other permitted use types include Coastal Agricultural Use Types and Coastal Open Space Use Types. "Agriculture and passive recreation are economically infeasible options in this location. The property is too small in size [and] does not contain prime agricultural soils ... to be considered an economically feasible location for agriculture. Further, water ... is likely insufficient to support agriculture and may result in conflicts with neighboring residential uses (Report of Compliance, page 10). "Economically feasible passive recreation in the area is accommodated to the north at the Botanical Gardens, however a small residential property would not be able to complete with the well-established nearby 47 acre attraction (*et seq*)." Adjoining the lot to the east and west is Jackson State Forest, with ample opportunities for passive recreation.

The property was acquired in April 1970 and, as part of a divorce settlement in the 1980's, title was transferred to Ruth Ann Jane Gardner. In 1988, a septic system was approved and installed; and a use permit was obtained for temporary occupancy during construction of a single-family residence (See Septic 1831-F and U 1988-47). Despite approvals to do so, the property owner did not construct a residence at that time. In 1991, Mendocino County adopted the Mendocino County Coastal Zoning Code and established single-family residential land uses as a principally permitted in the Rural Residential District. On May 10, 2001, Ms. Gardner granted to her daughter, Anne Helen Janine Gardner Fritz, a life estate in favor of Ms. Gardner for so long as she desires to live at 43007 Little Lake Road (the project site) and on June 27, 2017, a Standard Coastal Development Permit application was filed.

ENVIRONMENTAL DETERMINATION

The Coastal Permit Administrator finds that the environmental impacts identified for the project can be adequately mitigated through the conditions of approval or features of the project design so that no significant adverse environmental impacts will result from this project; therefore, a Mitigated Negative Declaration is adopted.

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, the Coastal Permit Administrator approves the proposed project, and adopts the following findings and conditions.

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Local Coastal Program, except MCC Section 20.496.020(A)(1) relating to buffer widths from Environmentally Sensitive Habitat Areas, which is specifically addressed by the Supplemental Finding #8 below. A single-family residence, garage, and pump house are consistent with the intent of the Rural Residential classification; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The proposed project will be served by an existing test well, to be converted to a domestic well under this permit and a sewage disposal system. Canterbury Lane (private drive) will be improved to Department of Transportation standards and is adequate to serve the proposed development. Drainage and other necessary facilities have been considered in project design; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the Rural Residential zoning district, as well as all other provisions of Division II of Title 20 of the Mendocino County Code, and preserves the integrity of the Rural Residential District. With compliance with the conditions of approval, the proposed single-family residence, appurtenant structures, and associated utilities would satisfy all development requirements for the district; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. An Initial Study and adoption of a Mitigated Negative Declaration is recommended. Condition 18 is recommended to insure compliance with the California Environmental Quality Act requirements for a Mitigated Negative Declaration; and
5. Pursuant with MCC Section 20.532.095(A)(5), the proposed development would not have any adverse impact on any known archaeological or paleontological resources if constructed in compliance with the conditions of approval, as there are known resources within the vicinity of the site; and
6. Pursuant with MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development. Solid waste service is available either as curbside pick-up or at the Caspar Transfer Station. While the project would contribute incrementally to traffic volumes on local and regional roadways, such incremental increases were considered when the LCP land use designations were assigned to the site; and
7. Pursuant with MCC Section 20.532.095(B), the proposed development would not diminish public access to Mendocino County coastal areas and conforms to the goals and policies of the Coastal Element of the General Plan. The project site is not designated as a potential public access point. Coastal access follows Little Lake Road.
8. Pursuant to MCC Section 20.532.100(A)(1) No development shall be allowed in an ESHA unless the resource as identified will not be significantly degraded by the proposed development, there is no feasible less environmentally damaging alternative, and all feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted. Alternatives to the proposed development were considered. Adjacent properties in the vicinity were reviewed to determine that

the size and scale of development is in conformance with adjacent properties. Mitigation measures have been recommended to reduce any potential impacts from the proposed project. As conditioned, the proposed development will not significantly degrade the resource as identified.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the California Coastal Commission has expired and no appeal has been filed with the California Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code (MCC).
3. To remain valid, progress towards completion of the project must be continuous. The property owner(s) has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
4. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
6. The Applicants shall secure all required Building Permits for the proposed project as required by the Building Division of the Department of Planning and Building Services.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
8. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
9. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.

10. Conditions approving CDP_2017-0032 shall be attached to any building permit application and shall be a part of on-site construction drawings.
11. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2,404.75 shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the California Department of Fish and Wildlife upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The property owner has the sole responsibility to insure timely compliance with this condition.**
12. Prior to the issuance of a Building Permit associated with CDP 2017-0032, the property owner shall execute and record a deed restriction, in a form and content acceptable to the Coastal Permit Administrator and County Counsel. The deed restriction will identify conditions 13, 14, 15, 18, and 19 include the following statements and, or exhibits:
 - a. The landowner agrees to indemnify and hold harmless the County of Mendocino, its successors in interest, advisors, officers, agents and employees against any and all claims, demands, damages, costs, and expenses of liability (including without limitation attorneys’ fees and costs of the suit) arising out of the design, construction, operation, maintenance, existence or failure of the permitted project. Including, without limitation, all claims made by any individual or entity or arising out of any work performed in connection with the permitted project; and
 - b. The landowner agrees that any adverse impacts to the property caused by the permitted project shall be fully the responsibility of the property owner; and
 - c. The conditions of CDP 2017-0032 permit are imposed as covenants, conditions and restrictions on the use and enjoyment of the property.
 - d. As an exhibit, the adopted findings and conditions approving CDP_2017-0032 shall be attached; and
 - e. As an exhibit, the November 14, 2018 revised Figure 3 in the Wetland and Rare Plant Avoidance and Mitigation Plan shall be included to memorialize the boundaries of the required **Open Space Easement** and the location of required fencing.

The document shall run with the land, bind all successors and assigns, and shall be recorded free of all prior liens and encumbrances, except for tax liens; and

13. Pursuant with MCC Section **20.496.020(A)(1)** *et seq.*, a buffer area shall be established adjacent to all environmentally sensitive habitat areas. The purpose of this buffer area shall be to provide for a sufficient area to protect the environmentally sensitive habitat from degradation resulting from future developments and shall be compatible with the continuance of such habitat areas.
 - a. A 50-foot reduced buffer width shall be established between the off-site Sphagnum bog and Mendocino cypress trees as described in the Biological Scoping Survey, Botanical Survey and Wetland Delineation Report dated May 23, 2018.
 - b. A 25-foot buffer width shall be established between the on-site California sedge, Bishop pine forest, and wetlands located in the northwestern, central, and southern parts of the site as

identified in the Biological Scoping Survey, Botanical Survey and Wetland Delineation Report dated May 23, 2018. The Open Space Easement area shall coincide with the 25-foot buffer width and areas with California sedge, Bishop pine forest, and wetlands.

14. Pursuant with MCC Section **20.496.020(A)(4)**, development within 100-feet of identified ESHA shall comply with the following standards:
 - a. Avoidance measures shall be implemented to ensure that development is compatible with the continuance of the adjacent habitat area by maintaining the functional capacity, their ability to be self-sustaining and maintain natural species diversity.
 - i. **Invasive Plants** - Invasive plants present on the site, including bull thistle (*Cirsium vulgare*), shall be removed to improve habitat value. Prior to use on the site, heavy equipment shall be washed down off-site to prevent accidental contamination with invasive plant seeds. Special care shall be taken to wash tires and undercarriages, where invasive seeds might be present. Invasive plants as listed by the California Invasive Plant Council (Cal-IPC) (<https://www.calipc.org/plants/inventory/>) shall not be used as landscaping species. Landscaping shall consist of native plants compatible with the on-site plant communities. A wetland restoration plan shall be prepared by an ecologist and the plan shall be prepared to the satisfaction of the Director of Planning and Building Services.
 - ii. **Erosion Control** – Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures, shall be employed to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Any soil stockpiles shall be covered or otherwise stabilized to prevent dust impacts. Any bare soil created by the construction phase of the project shall be revegetated with native vegetation and/or native seed mixes for soil stabilization.
 - iii. **Birds** - The bird breeding season typically extends from February to August. The clearing of vegetation and the initiation of construction shall be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.
 - iv. **Bats** - Bat roost sites can change from year to year, so pre-construction surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys shall be performed by a qualified biologist 14 days prior to the onset of development activities, and shall involve surveying trees, rock outcrops, and buildings subject to removal or demolition for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is observed, then a qualified biologist shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50 foot buffer shall be implemented around the roost tree. Removal of roost trees shall occur in September and October, or after the bats have left the roost.

- v. **Northern Red-Legged Frog** – Project contractors will be trained by a qualified biologist in the identification of the northern red-legged frog (*Rana aurora*). A survey for Northern red-legged frog shall occur within two weeks prior to construction. Construction crews will begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of frogs. If a special status frog is detected, construction crews will contact California Department of Fish and Wildlife or a qualified biologist to relocate northern red-legged frogs prior to re-initiating work. If a rain event occurs during the construction period, all ground disturbing construction-related activities will cease for a period of 48 hours after the rain stops. Prior to resuming ground disturbing construction activities, trained construction crew member(s) will examine the site for the presence of frogs. If no special status frogs are found, construction activities may resume.
 - vi. **Sonoma Tree Vole** – If Douglas fir or Bishop pine trees are to be removed to accommodate the development, a Sonoma tree vole survey shall occur within two weeks of tree removal activities. Protocols per the California Department of Fish and Wildlife shall be followed should Sonoma tree vole nests be identified in trees to be removed.
 - vii. **Wetland and Rare Plant Impacts** – No direct impacts are to occur to onsite wetlands or rare plants from construction or related activities. All staging and materials storage, and other project components must occur outside of wetlands and rare plant areas. A wetland and rare plant avoidance and restoration plan shall be developed and approved by the California Department of Fish and Wildlife to provide guidance in avoidance measures to be followed during construction, and restoration measures to be required should any areas of wetlands or rare plants be accidentally impacted. The plan should include measures to prevent accidental oil, fuel and other potential contaminant spills into natural areas and sensitive areas during construction.
 - viii. **Low Impact Development** – Creation of new impervious surfaces shall be minimized. A low-impact development design shall be incorporated into the development to address runoff from new impervious surfaces, assuring runoff from the site is adequately infiltrated within the boundaries of the property, and runoff patterns for wetland and sensitive plant areas are maintained or improved.
- b. Structures shall not be allowed within 50-feet of described off-site ESHA nor within 25-feet of identified on-site ESHA. The septic system and leach field may be located within the recorded Septic Easement.
 - c. Development shall be limited to those areas depicted on the November 14, 2018 revised Figure 3 in the Wetland and Rare Plant Avoidance and Mitigation Plan. Development shall be sited and designed to prevent impacts which would degrade adjacent habitat areas.
 - d. Development shall be compatible with the continuance of such habitat areas by maintaining their functional capacity and their ability to be self-sustaining and to maintain natural species diversity.
 - i. Identified avoidance measures shall be implemented.
 - ii. To assure the protection of resources and to assure that development is compatible with the continuance of the mapped habitat areas, a Deed Restriction shall establish an Open Space Easement on the property. The boundaries of the Open Space Easement shall be the property boundaries and the location of fencing as shown on the November 14, 2018 revised Figure 3 in the Wetland and Rare Plant Avoidance and Mitigation Plan.
 - e. No structures shall be allowed within the buffer area. Mitigation measures, such as planting riparian vegetation, shall be required to replace the protective values of the buffer area on the parcel.

- f. Development shall minimize the following: impervious surfaces, removal of vegetation, amount of bare soil, noise, dust, artificial light, nutrient runoff, air pollution, and human intrusion into the wetland and minimize alteration of natural landforms.
 - i. To minimize impervious surfaces, the existing u-shaped driveway that intersects with Canterbury Road shall be reduced to a single drive isle that follows the most direct route between the garage door and Canterbury Road. Use of the u-shaped portion of the driveway shall discontinue.
 - ii. To minimize removal of vegetation, limit the development footprint to the existing cleared area identified in the Site Plan, and require a coastal development permit for any future development at this site. No trees shall be removed.
 - iii. To minimize the amount of bare soil disturbed, noise, dust, nutrient runoff, and air pollution, require the property owner to obtain a building permit for any new development on-site and require an approved grading plan with contours that would limit runoff, dust, and disturbing soil.
 - iv. To minimize human intrusion into the wetland and other habitat areas, requiring low-stature fencing be installed along both sides of the driveway between the garage and the driveway's intersection with Canterbury Lane. The fence location shall obstruct future use of the u-shaped portion of the existing driveway access from Canterbury Lane. Access gates may be installed adjacent to the fuel tank, water storage tank, and along Canterbury Lane. The low-stature fence would establish a physical barrier between the sensitive habitat areas and development.
 - v. To minimize alteration of natural land forms, grading shall be limited to the five (5) cubic yards proposed and require an approved grading plan with contours that would limit runoff, dust, and disturbing soil.
 - g. Where riparian vegetation is lost due to development, such vegetation shall be replaced at a minimum ratio of one to one (1:1) to restore the protective values of the buffer area.
 - h. Aboveground structures shall allow peak surface water flows from a one hundred (100) year flood to pass with no significant impediment.
 - i. Hydraulic capacity, subsurface flow patterns, biological diversity, and/or biological or hydrological processes, either terrestrial or aquatic, shall be protected.
 - j. Prior to issuance of a Building Permit, the location and orientation of the building foundation plans shall satisfy MCC Section 20.496.040(A)(4)(j) requirements. Foundations shall be situated with the long axis of interrupted impermeable vertical surfaces oriented parallel to the groundwater flow direction. Piers may be allowed on a case by case basis.
 - k. If findings are made that the effects of developing an ESHA buffer area may result in significant adverse impacts to the ESHA, mitigation measures will be required as a condition of project approval. Noise barriers, buffer areas in permanent open space, land dedication for erosion control, and wetland restoration, including off-site drainage improvements, may be required as mitigation measures for developments adjacent to environmentally sensitive habitats. Wetland Restoration Plan Procedures shall be implemented pursuant with MCC Section 20.532.065.
15. Pursuant with MCC Sections **20.496.025(A)**, to protect environmentally sensitive habitat areas, such as wetlands, riparian corridors, and other environmentally sensitive habitat, the property owner shall immediately prior to, during, and immediately following construction-related activities:
- a. Install and maintain protective fencing during construction as shown on the November 14, 2018

- revised Figure 3 of the Wetland and Rare Plant Avoidance and Mitigation Plan. Permanent fencing shall be installed at the same locations with allowances for gates at specified access points to the water storage tank, propane tank, and private drive intersection with Canterbury Lane.
- b. Storage of goods, materials, and refuse containers shall be limited to the interior of the buildings.
 - c. Staging and stockpiling of construction materials shall be located as identified on the November 14, 2018 revised Figure 3 in the Wetland and Rare Plant Avoidance and Mitigation Plan.
 - d. The property owner shall avoid use of areas outside of the approved development envelope. *Passive Recreation* activities is allowed within the Open Space Easement.
16. In accordance with MCC Section **20.500.025** and at the request of California Department of Forestry and Fire Prevention, the property owner shall provide for storing 4,100 gallons of water on-site for fire suppression in the location shown on the site plan and the November 14, 2018 revised Figure 3 of the Wetland and Rare Plant Avoidance and Mitigation Plan.
17. Pursuant with MCC Section **20.504.025**, a Coastal Development Permit, or a modification to an existing permit, is required prior to the removal of any tree.
18. In accordance with MCC Section **20.532.060(E)(5)**, Mitigation Measures, including restoration measures and proposed buffer areas, shall be in place during all development activities:
- a. Prior to any project-related ground disturbing activities, orange plastic construction fence shall be erected at the locations shown in Figure 3 of the Wetland and Rare Plant Avoidance and Mitigation Plan. This construction fence shall be maintained in good working order until all ground disturbance, staging, storage, and heavy equipment use associated with the project is complete. Fencing shall be staked with approximately 6 foot metal t-posts at 4 to 6 foot intervals, and secured to the t-posts with zip ties. If ground disturbing activities are to occur during the rainy season (between October 31 and May 1 of any year), silt fencing shall also be properly installed and maintained in place on the outer (side away from wetlands) side of the construction fence.
 - b. Staging and stockpiling shall be limited to areas within the single-family residence and garage footprint and the stockpile and staging area shown in revised Figure 3 of the Wetland and Rare Plant Avoidance and Mitigation Plan submitted on November 14, 2018. No equipment or materials shall enter sensitive areas, and all contractors shall be made aware of the purpose of the construction fence and where to store materials.
 - c. Prior to the onset of ground disturbing activities, an on-site contractor training shall occur. Contractors and subcontractors shall be trained by a qualified biologist or ecologist, to recognize on-site special status habitats, including but not limited to wetlands, rare plants, and special status vegetation alliances. The contractors shall be made aware of the purpose of the construction fence, how it shall be maintained in place in good working order throughout project implementation, how equipment and materials shall stay out of sensitive areas, and where staging is to occur. A copy of the Wetland and Rare Plant Avoidance and Mitigation Plan shall be provided to contractors and kept on-site.
 - d. All heavy equipment maintenance such as filling with oil and lubricants shall occur off-property. Fuel, oils, and lubricants used for heavy equipment shall not be stored at the site. Paints, stains, cement, and other construction materials that may spill shall be stored inside sheds or other storage structures if feasible, or in a dedicated portion of the staging area where a tarp or similar device is placed, preventing absorption into the soil if accidentally spilled. Brushes, pans, and other equipment to be rinsed shall be wrapped in a plastic bag and rinsed off-site. Wash water shall not be thrown into the bushes.
 - e. An accidental spill kit shall be kept on site, which shall include a shovel, heavy duty plastic bags, absorbent pads, and personal protective devices (gloves, goggles etc.) necessary for the types of

materials kept on the site. The Caltrans Spill Prevention and Control manual (WM-4) included as Appendix A of the Wetland and Rare Plant Avoidance and Mitigation Plan (or a more current version if available), shall be followed for spill prevention and control procedures.

- f. As soon as it is discovered that wetlands, Bishop Pine Forest, California sedge, or areas mapped as such have been detrimentally impacted during project implementation, all disturbances to the sensitive area shall stop. Any equipment or materials shall be removed from the area as carefully as possible. Protective fencing and/or flagging shall be immediately placed around the disturbed area to prevent further impacts. The head contractor on-site shall be responsible to contact the California Department of Fish and Wildlife (CDFW), who shall be allowed on-site as soon as possible in order to assess and record the extent of the disturbance. California Department of Fish and Wildlife contacts include Daniel Harrington at (707) 964-7683 and Jennifer Garrison at (707) 964-1476. After permission is granted by CDFW, any disturbed soils shall be replaced to previous conditions to the extent feasible. Care shall be taken to avoid impacts to any undisturbed areas or special status plants still present.
- i. If areas of Bishop Pine Forest are detrimentally impacted, CDFW shall determine whether a Bishop Pine Forest restoration plan will be required, or if other measures, such as understory planting will suffice. Restoration efforts shall result in restoration of plants lost at a ratio of at least 2:1 or as required by the CDFW.
 - ii. If areas of California sedge are detrimentally impacted, areas shall be restored to natural conditions to the extent feasible. A restoration plan shall be developed if required by CDFW. Restoration shall occur under the guidance of CDFW and/or qualified botanist with a CDFW special status plant collection permit. Restoration shall result in a replacement ratio of at least 1:1 for plants lost, or as required by CDFW.
 - iii. If areas of wetlands are detrimentally impacted, wetland restoration plan shall be developed by a qualified biologist and approved by the CDFW. Any permits required for disturbance shall be obtained after the fact. Wetland restoration efforts shall result in a replacement of plants lost at a ratio of at least 2:1 or as required by the CDFW.
 - iv. Monitoring shall occur until replacement ratio goals are achieved.
 - v. Reports shall be received by the CDFW by December 1 of each year until replacement goals have been met and CDFW signs off on the restoration effort. Reports shall include the following information: (1) Name and contact information of person in charge of monitoring activities, and name and contact information of reporting party. (2) Color photos of the active management areas at the beginning and end of the reporting period. (3) A summary of any issues encountered and management steps taken during the reporting period. (4) Methods used during that monitoring period to eradicate weeds, improve ecosystem health, and encourage appropriate vegetative growth. (5) Any new invasive plant species observed or evidence of pathogen presence shall be described.

Reports shall be sent by US Mail to:

Daniel Harrington or Jennifer Garrison
California Department of Fish and Wildlife
32330 North Harbor Drive
Fort Bragg, CA 95437

- g. To minimize impervious surfaces, the existing u-shaped driveway that intersects twice with Canterbury Road shall be reduced to a single drive isle that follows the most direct route between the garage door and Canterbury Road. Use of the u-shaped portion of the driveway shall discontinue and access restricted by a permanent fence.
- h. To minimize removal of vegetation, limit the development footprint to the existing cleared area identified in the Site, a Coastal Development Permit shall be required for any future development

at this site. No trees shall be removed without an approved Coastal Development Permit.

- i. To minimize the amount of bare soil disturbed, noise, dust, nutrient runoff, and air pollution, the property owner shall obtain a Coastal Development Permit and building permit for any new development on-site. An approved grading plan, with contours that would limit runoff, dust, and disturbing soil, shall be required.
 - j. To minimize human intrusion into the wetland and other habitat areas, low-stature fencing shall be installed along both sides of the driveway between the garage and the driveway's intersection with Canterbury Lane. The fence location would obstruct future use of the u-shaped portion of the existing driveway access from Canterbury Lane. Access gates may be installed adjacent to the fuel tank, water storage tank, and along Canterbury Lane. The low-stature fence would establish a physical barrier between the sensitive habitat areas and development.
 - k. To minimize alteration of natural land forms, grading shall be limited to the five cubic yards proposed and require an approved grading plan with contours that would limit runoff, dust, and disturbing soil.
19. Pursuant with MCC Section **20.532.065** *Wetland Restoration Plan Procedures*, a Final Restoration Plan shall be prepared by the property owner based on the approving authority approved or conditionally approved tentative restoration plan. In addition, the final plan shall include all of the following:
- a. A complete statement of the restoration objectives; and
 - b. A complete description of the restoration site including a map of the project site, at a mapping scale no smaller than 1" = 200'; and
 - c. A complete restoration description including scaled, detailed diagrams, and including: (a) A grading plan depicting any alterations to topography, natural landforms, and drainage channels and areas where existing fill and debris will be removed; (b) A vegetation plan including a list of plant species to be eliminated and a list of plant species to be introduced on the restoration site, and describing the methods and proposing a schedule for eliminating and establishing vegetation; (c) A clear statement of when restoration work will commence and be completed; (d) Provisions of public access, where appropriate, for public recreation, scientific, and educational use; and (e) Other measures necessary to achieve restoration objectives and to protect the restoration site from adverse impacts of adjacent development and use. (f) Provisions for mosquito and vector control; and
 - d. Provision for Long-Term Management of the Restoration Site. The final plan shall describe the property owner's responsibilities in assuring that the project will be successful, including monitoring and evaluation, and that the restored area is maintained consistent with the plan's restoration objectives. The plan shall include provisions for making repairs or modification to the restoration site necessary to meet the project objectives. The final plan shall provide either that the restoration site shall be owned in fee by an agency or non-profit organization having among its principal purposes the conservation and management of fish and wildlife, or other habitat resources, or shall provide for dedication of an open space or conservation easement over the restoration area to such an agency or organization.
20. Prior to the issuance of a Building Permit and pursuant with MCC Section 20.532.065(H), the Coastal Zoning Administrator shall determine whether the Final Restoration Plan is in substantial conformance with the approved tentative plan.
21. Prior to the issuance of a Building Permit and pursuant with MCC Chapter 20.516 Transportation, Utilities, and Public Services, new development that requires the expansion or extension of public works or private facilities shall satisfy septage and leach filed, water supply and transportation requirements including:

- a. Converting the existing test well to a production well; and
- b. Limiting vehicular access and development opportunities within the Septic Easement or the replacement leach field area; and
- c. Constructing a private road approach onto Little Lake Road (CR 408) and Canterbury Lane (Private) in accordance with Mendocino County Road and Development Standards No. A51B, or as modified by property owner and approved by Department of Transportation staff during field review. The road approach is to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted; and
- d. The property owner shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County rights-of-way.

9-28-2019

DATE


JULIANA CHERRY
PLANNER III

Appeal Period: 10 Days
Appeal Fee: \$1616.00

ATTACHMENTS:

- | | |
|--|---|
| A. Takings Analysis | M. Adjacent Parcels |
| B. Location Map | N. Fire Hazard Zones & Responsibility Areas |
| C. Topographic Map | O. Important Farm Land |
| D. Aerial Imagery | P. Ground Water Resources |
| E. Aerial Imagery | Q. Local Soils |
| F. Site Plan | R. Williamson Act |
| G. Zoning Display Map | S. Lands in Timber Production Zones |
| H. General Plan Classifications | T. Wetlands |
| I. LCP Land Use Map 17: Mendocino | U. Fire Safe Plan |
| J. LCP Land Capabilities & Natural Hazards | V. Floor Plan |
| K. LCP Habitats & Resources | W. Garage Floor Plan |
| L. Appealable Areas | X. Identified Plan Communities |

SUMMARY OF REFERRAL AGENCY COMMENTS:

Planning (Ukiah)	Comment
Department of Transportation	Comment
Environmental Health (FB)	Comment
Building Inspection (FB)	Comment
Assessor	No Response
Forestry Advisor	No Response
Air Quality Management District	No Response
Archaeological Commission	Comment
Sonoma State University	Comment
US Fish and Wildlife Service	No Response
Native Plant Society	Comment
State Clearinghouse	No Response
CalFire	File No 91-17

California Department of Fish and Wildlife	Comment
California Coastal Commission	Comment
RWQCB	No Response
Department of Conservation	No Response
Soil Conservation Service	No Response
Cloverdale Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Redwood Valley Rancheria	No Response
Sierra Club	No Response
Mendocino Fire District	No Response

REFERENCES:

Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-Coastal Element*. 1985. Ukiah, CA.

Mendocino County, Planning and Building Services, Planning Division. *Division II of Title 20 of the Mendocino County Code*. 1991.

Spade Natural Resources Consulting. 2018. Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road (APN 119-430-20) Little River, CA. May 23, 2018.

Spade Natural Resources Consulting. 2018. Report of Compliance Revised April 11, 2018 for 43007 Little Lake Road (APN 119-430-20) Little River, CA. April 11, 2018.

Spade Natural Resources Consulting. 2018. Wetland and Rare Plant Avoidance and Mitigation Plan for 43007 Little Lake Road (APN 119-430-20) Little River, CA. Revised November 14, 2018.

CEQA INITIAL STUDY - MITIGATED NEGATIVE DECLARATION

DATE: February 25, 2019

CASE NUMBER: CDP_2017-0032

OWNER: RUTH JANE ANNE GARDNER LIFE ESTATE

APPLICANT: GARY AND ANN FRITZ

AGENT: SPADE NATURAL RESOURCES CONSULTING

PROJECT REQUEST: A Coastal Development Standard Permit request to remove an existing 25 foot travel trailer and a 120 square foot shed; and to construct a 1,848 square foot single family residence (1,620 square foot main floor with a 228 square foot upper floor tower feature) with a 952 square foot two story detached garage (lower story 600 square feet, upper story 352 square feet), 330 square feet of deck space, and a 135 square foot covered porch. Additional improvements include connection to an water well and primary septic system, future conversion of a test well to a production well, installation of a 4,100 gallon water storage tank, future repair or replacement of existing septic tank, installing a new pump tank, trenching a septic line from the septic tank and associated infrastructure to the secondary/replacement septic field, relocating an existing electrical post, and constructing a 394 square foot turnaround connected to the existing unpaved driveway, 3,935 square feet in size (for a total of 4,329 square feet). Proposed improvements would occur 25 feet from sensitive coastal resources, including a Bishop Pine forest, wetlands, and California sedge.

LOCATION: The site is located approximately 2 miles east of the Town of Mendocino, directly south of Little Lake Road (CR 408) and accessed by a private road, Cantabury Lane, at 43007 Little Lake Road, Mendocino (APN: 119-430-20).

Environmental Checklist.

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist. This includes explanations of "no" responses.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Less than Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input checked="" type="checkbox"/>	Geology /Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input checked="" type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Utilities / Service Systems		Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site; cumulative as well as project-level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Mendocino's coast includes beaches, dunes, high bluffs, sea stacks, jutting headlands, wetlands, heavily wooded gulches, grassy upland terraces, pygmy forests, serene river estuaries and rocky streams. Several 19th century villages, each with a distinct character, complement the natural landscape. The beauty and accessibility of the Mendocino coast have made it a heavily used tourist and recreational area. The Mendocino coast attracts people to sightsee. Scenic resources are the basis of the coast's tourist and retirement economies as well as a source of continuing pleasure for residents.

In addition to incorporating the California Coastal Act requirements, the Mendocino County General Plan, Coastal Element, provides specific policies and recommendations for improving and/or maintaining Mendocino County's unique scenic resources and visual character. The Coastal Element protects views to and along the ocean and scenic coastal areas by ensuring new development is subordinate to the character of the setting by designating 'highly scenic areas'. The highly scenic areas have standards for minimizing visual impacts of development through careful building placement, height limits and maintaining natural landforms.

The project site is located approximately 1.6 miles east of Highway 1 and east of the Town of Mendocino. The subject property is located within an established rural residential area and is surrounded by forest land, with the Jackson Demonstration State Forest located immediately east and west of the project site. Neighboring properties are currently developed with single family residences and accessory structures and appear to be generally flat with moderate tree cover. There is a delineated wetland in the northwestern, central, and southern portions of the subject property, which covers more than half of the site. The maximum height of the proposed single family residence is 28 feet, which is consistent with the height requirements of structures located within non-Highly Scenic Areas within the Rural Residential (RR) zoning district, such as the subject site.

a) and b) No Impact

The proposed project would have no impact on a scenic vista or scenic resources within a state scenic highway. Under CEQA, visual resources that uniquely contribute to the public benefit are considered to be scenic resources. There are no officially designated scenic highways in Mendocino County, although Highways 1, 20, and 101 within the County have been identified by the California Department of Transportation (Caltrans) as being eligible for designation as State Scenic Highways.¹ The project site is not located in a designated Highly Scenic Area and development would not be visible from Highway 1, nor have any effect on a scenic vista, including views of the coast. Furthermore, since the project is located within a forested area, development would be shielded from public roads. No impact would occur.

c) and d) Less Than Significant Impact

The proposed project would not significantly degrade the existing visual character or quality of the site and its surroundings, conflict with existing zoning, or create a new source of significant light or glare. The proposed structures on the property (single family residence with decks and covered porch, detached garage, and water storage tank) would not exceed height limitations, would be consistent with the site's existing zoning of Rural Residential (RR5), and are similar to existing development in the vicinity of the project site. No trees or vegetation would be removed from areas other than the proposed building sites and improvement sites, and due to the project's location, within a forested area and adjacent to the Jackson Demonstration State Forest, development would be shielded from public roads and would not be visible from Highway 1. Exterior lighting would be downcast and shielded, which would reduce day and nighttime views in the area. A less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on aesthetics. **(Less Than Significant Impact)**

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is within the Coastal Zone of Mendocino County. The Coastal Element of the Mendocino County General Plan describes development in the Coastal Zone as generally marked by a higher intensity of development than other lands within Mendocino County. The Coastal Element contains specific development standards for coastal properties and also relies on certain countywide policies. Conversion of agricultural uses for other land uses is discouraged unless agricultural productivity is no longer feasible, prime agricultural land would be preserved, or development is concentrated.

¹ California Department of Transportation (Caltrans). *California Scenic Highway Mapping System*. Mendocino County. Accessed October 3, 2017. Available at: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/.

The 1 acre project site is designed and zoned as Rural Residential (RR5) under the Coastal Element of the Mendocino County General Plan and the Mendocino County Code (MCC), respectively.

a), b), c), and e) No Impact

As noted above, the site is currently designated and zoned as Rural Residential (RR5) under the Coastal Element of the Mendocino County General Plan and the MCC, respectively, and is not designated for agricultural use or forest land. The subject property does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The site and adjacent parcels are classified “Grazing Land”, with “Rural Residential Land” and “Non-Agricultural and Natural Vegetation” land located further to the west and south of the site, respectively.² Additionally, the subject property is not located within or adjacent to lands within a Williamson Act contract. Therefore, no impact would occur as a result of constructing the proposed project.

d) Less Than Significant Impact

The Jackson Demonstration State Forest is located immediately west and east of the project site, which is zoned as Timber Production (TP)³; however, all development and improvements proposed on the project would occur only within the boundaries of the project site and would not convert forest land to a non-forest use. While the site contains wetland/forest ecotone and the proposed project would result in the removal of trees or vegetation only in areas of the proposed building sites and improvement areas in order to accommodate the proposed project, the site is not zoned as forest land. As such, a less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on agriculture and forestry resources. **(Less Than Significant Impact)**

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is located within a part of the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The subject parcel is located within the Mendocino County Air Quality Management District (MCAQMD). Any new emission point source is subject to an air quality permit, consistent with the District’s air quality plan, prior to project construction. The MCAQMD also enforces standards requiring new construction, including houses, to use energy efficient, low-emission EPA-certified wood stoves and similar combustion devices to help reduce area source emissions. The generation of dust during grading activities, another type of area-source emission, is limited by the County’s standard grading and erosion control requirements. These policies limit ground disturbance and require immediate revegetation after the disturbance. Consequently, these existing

² Mendocino County Department of Planning & Building Services. 1991. *Important Farmland* [map].

³ Mendocino County Department of Planning & Building Services. 1991. *Lands in Timber Production Zones* [map].

County requirements help to ensure PM₁₀ generated by the project would not be significant and that the project would not conflict with nor obstruct attainment of the air quality plan PM₁₀ reduction goals.

The proposed project does not include any activities that would impact air quality resources long term, however, there may be short-term impacts associated with the equipment used during construction. The site is located off of Little Lake Road and is accessed via an unpaved, private road (Canterbury Lane). A 394 square foot turnaround area is proposed under the project near the proposed building location, which would connect to the existing driveway. The proposed project does not include installation of a wood burning stove.

a) and b) Less Than Significant Impact

The proposed project would not conflict with or obstruct implementation of any air quality plan. The construction phase of the project would produce the following anticipated emissions:

- Combustion emission associated with operation of off-road equipment
- Combustion emissions associated with operation of on-road motor vehicles
- Fugitive dust from earth-moving activities
- Off-gassing from architectural coatings

Anticipated emissions during operation of the project include:

- Combustion emissions associated with operation of on-road motor vehicles
- Emissions from “area sources”, including architectural coating off-gassing.

The MCAQMD is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM₁₀). The most common source of PM₁₀ is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. The installation of a wood stove is not proposed under the project and there is no proposed use that would be anticipated to result in a significant increase of any criteria pollutant. A *Particulate Matter Attainment Plan* was finalized in 2005 that provides mitigation measures for construction and grading activities and unpaved roads. Additionally, the project and its emission sources are subject to MCAQMD rules and regulations contained in the most recent version of the *Rules and Regulations of the MCAQMD*. Compliance with these regulations would ensure the project would not result in a substantial increase of PM₁₀ within the vicinity of the site.

During the construction phase of the project, the proposed project has the potential to increase PM₁₀ in the immediate vicinity of the site due to site grading and preparation, in addition to truck traffic to the site. Local impacts to the area during construction would be mitigated using standard dust control measures. After construction is completed, any bare soil created by the construction phase of the project would be revegetated as soon as feasible with native vegetation and/or native seed mixes. A less than significant impact would occur.

c) Less Than Significant Impact

Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. Of these possible sensitive receptors, residential units are the closest to the project site, with the closest being approximately 90 feet southwest of the proposed building location. The highest period of pollutant emissions in the form of PM₁₀ would occur during project construction from construction equipment and would be a temporary impact. Exhaust from construction equipment and motor vehicles would not have a significant impact on neighbors due to standard emission control measures. Additionally, impacts associated with fugitive dust would be mitigated using standard dust control measures. A less than significant impact would occur.

d) Less Than Significant Impact

The site is located in an established rural residential area and is located adjacent to the Jackson Demonstration State Forest, which is located immediately east and west of the site. The proposed project would create insignificant objectionable odors during its normal operation or during construction and is not in a location that would affect substantial numbers of people. Therefore, a less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on air quality. **(Less Than Significant Impact)**

<u>IV. BIOLOGICAL RESOURCES:</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Coastal areas in Mendocino County are subject to the California Coastal Act and the Mendocino County Coastal Zoning Code (MCC), which includes regulations regarding Environmentally Sensitive Habitat Areas (ESHAs). The purpose of MCC Chapter 20.496, *Environmentally Sensitive Habitats and Other Resource Areas*, is to ensure that environmentally sensitive habitat and other designated resource areas (listed on Pages 39, 40 and 41 of the Coastal Element dated November 5, 1985), which constitute significant public resources are protected for both the wildlife inhabiting them as well as the enjoyment of present and future populations⁴. Environmentally Sensitive Habitat Areas include anadromous fish streams, sand dunes, rookeries and marine mammal haul-out areas, wetlands, riparian areas, areas of pygmy vegetation which contain species of rare or endangered plants and habitats of rare and endangered plants and animals⁵.

The subject parcel is approximately 1 acre in area. The property is located approximately 2 miles east of the Town of Mendocino, directly south of Little Lake Road and accessed by a private road, Cantabury Lane, at 43007 Little Lake Road, Mendocino (APN: 119-430-20). Two habitat and biological surveys and reports were completed for the proposed project, including a *Report of Compliance* and a *Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road* (Biological Report), prepared by Spade Natural Resources Consulting on April 11, 2018, and May 23, 2018, respectively. Surveying for special status plants occurred six times over a span of two years and was concurrent with blooming periods for all rare plants. The parcel is predominately vegetated with Coast redwood (*Sequoia sempervirens* Forest Alliance), in addition to clusters of Bishop pines (*Pinus muricata*),

⁴ Mendocino County Coastal Zoning Code, § II-20.496.010 (1995).

⁵ Mendocino County Coastal Zoning Code, § II-20.496.010 (1995).

totaling approximately 500 square feet, within the eastern portion of the site. Several Environmentally Sensitive Habitat Areas (ESHAs) have been identified on the project site, including:

- a rare plant species, California sedge (*Carex californica*, CNPS 2B.2), located in several patches on the site, along the driveway and in the southeast corner of the property, totaling approximately 300 square feet in area;
- a sensitive plant community, Bishop pine forest (*Pinus muricata* Forest Alliance, CDFW G3 S3.2), located in the eastern portion of the site; and
- wetlands located in the northwestern, central, and southern portions of the site (on both sides of the existing driveway), primarily within the coast redwood forest and appear to cover roughly half of the site.

Additional sensitive resources are presumed to be present within 100 feet of the property boundaries, including potential Sphagnum bog located within chaparral vegetation to the northeast, and tall Mendocino cypress trees (*Hesperocyperis pygmaea*) to the east. Suitable habitat was also identified for migratory birds, the Lotis Blue Butterfly, Northern red-legged frog, and marbled murrelet; however, no special status species were present on-site when the site was surveyed.

Since ESHAs have been identified on the project site, the project would be required to implement a 100 foot buffer from each identified ESHA pursuant to MCC Section 20.496.05(A)(1), unless it can be demonstrated that 100 feet is not necessary to protect the resources of the particular habitat area from possible significant disruption caused by the proposed development, but shall not be less than 50 feet in width. A reduced buffer analysis was prepared by the project biologist. Due to the extent of the ESHAs identified on the project site, there is no location on the property located 50 feet or more from a sensitive area. Implementing the proposed project would require encroachment into the required buffer areas.⁶ Although, as currently proposed, the project would locate development within the buffer area of wetlands, Bishop pine forest, and locations of California sedge, a rare plant, development would be adjacent to, but not within, the sensitive habitat areas. Additionally, the proposed development location is within areas that have been previously disturbed.

Several mitigation measures are recommended by the project biologist, California Department of Fish and Wildlife (CDFW), and the California Coastal Commission (CCC) to protect the ESHA and the values of the limited buffer area. As proposed, the project would (1) be sited and designed to prevent impacts that would significantly degrade the ESHA; (2) establish an open space easement to continue the ESHA and support the functional capacity of the ESHA; and (3) allow structures to be located within 25-feet of the ESHA, as no other feasible site is available on the parcel.

Based on review of the California Natural Diversity Database (version 3/2017), there have been past occurrences of several special-status plant and wildlife species on and within the vicinity of the site. Additionally, there have been several observances of spotted owls to the southeast of the project site.⁷ No trees or vegetation would be removed from areas other than the proposed building sites and improvement areas. While no special-status wildlife species were observed on the site during the field observation, there is the potential for several special-status invertebrates, amphibians, birds, bats, and other mammals to occur at the site and protective measures have been recommended by the project biologist.^{8, 9}

a), b), c), and d) Less Than Significant with Mitigation Incorporated

As noted above, a *Report of Compliance* and a *Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road* (Biological Report), was prepared for the subject site by Spade Natural Resources Consulting on April 11, 2018, and May 23, 2018, respectively. During site surveys, several ESHAs were identified on the project site, including:

⁶ Spade Natural Resources Consulting. May 23, 2018. *Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road*.

⁷ 6666

⁸ Spade Natural Resources Consulting. May 23, 2018. *Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road*.

⁹ Spade Natural Resources Consulting. September 17, 2018. *Wetland and Rare Plant Avoidance and Mitigation Plan, 43007 Little Lake Road*.

- a rare plant species, California sedge (*Carex californica*, CNPS 2B.2), located in several patches on the site, along the driveway and in the southeast corner of the property, totaling approximately 300 square feet in area;
- a sensitive plant community, Bishop pine forest (*Pinus muricata* Forest Alliance, CDFW G3 S3.2), located in the eastern portion of the site; and
- wetlands, which are located in the northwestern, central, and southern portions of the site (on both sides of the existing driveway), primarily within the coast redwood forest, and appear to cover roughly half of the site.

Additional sensitive resources are presumed to be present within 100 feet of the property boundaries, including potential Sphagnum bog located within chaparral vegetation to the northeast, and tall Mendocino cypress trees (*Hesperocyperis pygmaea*) to the east.

Since ESHAs have been identified on the project site, the project would be required to implement a 100 foot buffer from each identified ESHA pursuant to MCC Section 20.496.05(A)(1), unless it can be demonstrated that 100 feet is not necessary to protect the resources of the particular habitat area from possible significant disruption caused by the proposed development, but shall not be less than 50 feet in width. A reduced buffer analysis was prepared by the biologist. Due to the extent of ESHAs identified on the project site, there is no location on the property located 50 feet or more from a sensitive area (wetlands, Bishop pine forest, and California sedge) and implementing the proposed project would require encroachment into the required buffer areas. Per the Reduced Buffer Analysis, reduced buffer areas are being requested for two off-site resource areas observed within 100 feet of the parcel, including the Mendocino cypress forest and Sphagnum bog (within mapped off-site chaparral). The requested 50 foot reduced buffers were found sufficient by the project biologist to protect these sensitive resources.¹⁰ As shown in Table 1 below, and as provided on the site plan, the project, as proposed, would be located in less than 50 feet from three sensitive habitats identified on the site and less than 100 feet from two off-site sensitive habitats:

Table 1. Distance of Proposed Development from Identified Sensitive Resources

Sensitive Resource	Approximate Distance from Proposed Development (feet)
Wetland	25±
California sedge	5±
Bishop pine forest	25±
Mendocino cypress forest	50±
Chaparral	75±
Wynn Coastal Planning. June 27, 2017. <i>Site Plan</i> [map].	

As provided in the *Report of Compliance*, it was determined by the project biologist that the location of the proposed structures would be the least impacting alternative, since it would be located outside of the wetland area, would avoid natural resources and mature vegetation, and would limit development to areas that are already disturbed.¹¹ Requiring a 50 foot ESHA-buffer would make the site undevelopable.

No trees or vegetation would be removed. While no special-status wildlife species were observed on the site during the field observation, there is the potential for several special-status invertebrates, amphibians, birds, bats, and other mammals to occur at the site. Additionally, the proposed project would be located in close proximity to several sensitive habitat areas, including wetlands. As such, Staff recommends the inclusion of several mitigation measures, including implementation of standard Best Management Practices (BMPs) to minimize erosion, in addition to several avoidance measures recommended by the project biologist to reduce potential impacts associated with development of the proposed project, minimize potential impacts on sensitive habitats and species within the vicinity, and replace the protective

¹⁰ Spade Natural Resources Consulting. May 23, 2018. *Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road*.

¹¹ Spade Natural Resources Consulting. April 11, 2018. *Report of Compliance*.

values of the buffer area on the parcel^{12,13}, which are included as Mitigation Measures 1 through 19 below:

Mitigation Measure 1: Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures, shall be employed to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Any soil stockpiles shall be covered or otherwise stabilized to prevent dust impacts. Any bare soil created by the construction phase of the project shall be revegetated with native vegetation and/or native seed mixes for soil stabilization.

Mitigation Measure 2: Invasive plants present on the site, including bull thistle (*Cirsium vulgare*), shall be removed to improve habitat value. Prior to use on the site, heavy equipment shall be washed down off-site to prevent accidental contamination with invasive plant seeds. Special care shall be taken to wash tires and undercarriages, where invasive seeds might be present.

Invasive plants as listed by the California Invasive Plant Council (Cal-IPC) (<https://www.calipc.org/plants/inventory/>) shall not be used as landscaping species. Landscaping shall consist of native plants compatible with the on-site plant communities.

Mitigation Measure 3: The bird breeding season typically extends from February to August. The clearing of vegetation and the initiation of construction shall be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat, and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

Mitigation Measure 4: Bat roost sites can change from year to year, so pre-construction surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys shall be performed by a qualified biologist 14 days prior to the onset of development activities, and shall involve surveying trees, rock outcrops, and buildings subject to removal or demolition for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is observed, then a qualified biologist shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50 foot buffer shall be implemented around the roost tree. Removal of roost trees shall occur in September and October, or after the bats have left the roost.

Mitigation Measure 5: Project contractors shall be trained in the identification of the northern red-legged frog (*Rana aurora*). A survey for northern red-legged frog shall occur within two weeks prior to construction. Construction crews shall begin each work day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of frogs. If a special-status frog is detected, construction crews shall contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist to relocate the northern red-legged frog(s) prior to re-initiating work. If a rain event occurs during the construction period, all ground disturbing construction-related activities shall cease for a period of 48 hours after the rain stops. Prior to

¹² Spade Natural Resources Consulting. May 23, 2018. *Biological Scoping Survey, Botanical Survey and Wetland Delineation Report for 43007 Little Lake Road*.

¹³ Spade Natural Resources Consulting. September 17, 2018. *Wetland and Rare Plant Avoidance and Mitigation Plan, 43007 Little Lake Road*.

resuming ground disturbing construction activities, trained construction crew member(s) shall examine the site for the presence of frogs. If no special-status frogs are found, construction activities may resume.

Mitigation Measure 6: If Douglas fir or Bishop pine trees are to be removed to accommodate the development, a Sonoma tree vole survey shall occur within 2 weeks of tree removal activities. Protocols per the California Department of Fish and Wildlife (CDFW) shall be followed should Sonoma tree vole nests be identified in trees to be removed.

Mitigation Measure 7: No direct impacts to on-site wetlands or rare plants from construction or related activities shall occur. All staging and materials storage and other project components shall occur outside of wetlands and rare plant areas. A wetland and rare plant avoidance and restoration plan shall be developed to provide guidance and avoidance measures to be followed during construction, and restoration measures to be required should any areas of wetlands or rare plants be accidentally impacted. The plan shall include measures to prevent accidental oil, fuel, and other potential contaminant spills into natural areas and sensitive areas during construction.

Mitigation Measure 8: Creation of new impervious surfaces shall be minimized to the extent feasible. A low-impact development design shall be incorporated into the development to address runoff from new impervious surfaces, assuring runoff from the site is adequately infiltrated within the boundaries of the property, and runoff patterns for wetland and sensitive plant areas are maintained or improved.

Mitigation Measure 9: Prior to any project-related ground disturbing activities, orange plastic construction fence shall be erected at the locations shown in Figure 3 of the *Wetland and Rare Plant Avoidance and Mitigation Plan*. This construction fence shall be maintained in good working order until all ground disturbance, staging, storage, and heavy equipment use associated with the project is complete. Fencing shall be staked with approximately 6 foot metal t-posts at 4 to 6 foot intervals, and secured to the t-posts with zip ties. If ground disturbing activities are to occur during the rainy season (between October 31 and May 1 of any year), silt fencing shall also be properly installed and maintained in place on the outer (side away from wetlands) side of the construction fence.

Mitigation Measure 10: Staging and stockpiling shall be limited to areas within the shown proposed single family residence and detached garage footprint and stockpile and staging area shown in revised Figure 3 of the *Wetland and Rare Plant Avoidance and Mitigation Plan* submitted on 11-14-2018, to the greatest degree feasible. No equipment or materials shall enter sensitive areas, and all contractors shall be made aware of the purpose of the construction fence and where to store materials.

Mitigation Measure 11: Prior to the onset of ground disturbing activities, an on-site contractor training shall occur. Contractors and subcontractors shall be trained by a qualified biologist or ecologist, to recognize on-site special status habitats, including but not limited to wetlands, rare plants, and special status vegetation alliances. The contractors shall be made aware of the purpose of the construction fence, how it shall be maintained in place in good working order throughout project implementation, how equipment and materials shall stay out of sensitive areas, and where staging is to occur. A copy of the *Wetland and Rare Plant Avoidance and Mitigation Plan* shall be provided to contractors and kept on-site.

Mitigation Measure 12: All heavy equipment maintenance such as filling with oil and lubricants shall occur off-property. Fuel, oils, and lubricants used for heavy equipment shall not be stored at the site. Paints, stains, cement, and other construction materials that may spill shall be stored inside sheds or other storage structures if feasible, or in a dedicated portion of the staging area where a tarp or similar device is placed, preventing absorption into the soil if accidentally spilled. Brushes, pans, and other equipment to be rinsed shall be wrapped in a plastic bag and rinsed off-site. Wash water shall not be thrown into the bushes.

Mitigation Measure 13: An accidental spill kit shall be kept on site, which shall include a shovel, heavy duty plastic bags, absorbent pads, and personal protective devices (gloves, goggles etc.) necessary for the types of materials kept on the site. The Caltrans Spill Prevention and Control manual (WM-4) included as Appendix A of the *Wetland and Rare Plant Avoidance and Mitigation Plan* (or a more current version if available), shall be followed for spill prevention and control procedures.

Mitigation Measure 14: As soon as it is discovered that wetlands, Bishop Pine Forest, California sedge, or areas mapped as such have been detrimentally impacted during project implementation, all disturbances to the sensitive area shall stop. Any equipment or materials shall be removed from the area as carefully as possible. Protective fencing and/or flagging shall be immediately placed around the disturbed area to prevent further impacts. The head contractor on-site shall be responsible to contact the California Department of Fish and Wildlife (CDFW), who shall be allowed on-site as soon as possible in order to assess and record the extent of the disturbance. California Department of Fish and Wildlife contacts include Daniel Harrington at (707) 964-7683 and Jennifer Garrison at (707) 964-1476. After permission is granted by CDFW, any disturbed soils shall be replaced to previous conditions to the extent feasible. Care shall be taken to avoid impacts to any undisturbed areas or special status plants still present.

- a. If areas of Bishop Pine Forest are detrimentally impacted, CDFW shall determine whether a Bishop Pine Forest restoration plan will be required, or if other measures, such as understory planting will suffice. Restoration efforts shall result in restoration of plants lost at a ratio of at least 2:1 or as required by the CDFW.
- b. If areas of California sedge are detrimentally impacted, areas shall be restored to natural conditions to the extent feasible. A restoration plan shall be developed if required by CDFW. Restoration shall occur under the guidance of CDFW and/or qualified botanist with a CDFW special status plant collection permit. Restoration shall result in a replacement ratio of at least 1:1 for plants lost, or as required by CDFW.
- c. If areas of wetlands are detrimentally impacted, wetland restoration plan shall be developed by a qualified biologist and approved by the CDFW. Any permits required for disturbance shall be obtained after the fact. Wetland restoration efforts shall result in a replacement of plants lost at a ratio of at least 2:1 or as required by the CDFW.
- d. Monitoring shall occur until replacement ratio goals are achieved.
- e. Reports shall be received by the CDFW by December 1 of each year until replacement goals have been met and CDFW signs off on the restoration effort. Reports shall include the following information:
 - i. Name and contact information of person in charge of monitoring activities, and name and contact information of reporting party.
 - ii. Color photos of the active management areas at the beginning and end of the reporting period.
 - iii. A summary of any issues encountered and management steps taken during the reporting period.
 - iv. Methods used during that monitoring period to eradicate weeds, improve ecosystem health, and encourage appropriate vegetative growth.
 - v. Any new invasive plant species observed or evidence of pathogen presence shall be described.

Reports shall be sent by US Mail to:

Daniel Harrington or Jennifer Garrison
California Department of Fish and Wildlife
32330 North Harbor Drive
Fort Bragg, CA 95437

Mitigation Measure 15: To minimize impervious surfaces, the existing u-shaped driveway that intersects with Canterbury Road shall be reduced to a single drive isle that follows the most direct route between the garage door and Canterbury Road. Use of the u-shaped portion of the driveway would discontinue.

Mitigation Measure 16: To minimize removal of vegetation, limit the development footprint to the existing cleared area identified in the Site Plan and require a coastal development permit for any future development at this site.

Mitigation Measure 17: To minimize the amount of bare soil disturbed, noise, dust, nutrient runoff, and air pollution, require the property owner to obtain a building permit for any new development on-site and require an approved grading plan with contours that would limit runoff, dust, and disturbing soil.

Mitigation Measure 18: To minimize human intrusion into the wetland and other habitat areas, requiring low-stature fencing be installed along both sides of the driveway between the garage and the driveway's intersection with Canterbury Lane. The fence location would obstruct future use of the u-shaped portion of the existing driveway access from Canterbury Lane. Access gates may be installed adjacent to the fuel tank, water storage tank, and along Canterbury Lane. The low-stature fence would establish a physical barrier between the sensitive habitat areas and development.

Mitigation Measure 19: To minimize alteration of natural land forms, grading shall be limited to the five cubic yards proposed and an approved grading plan with contours that would limit runoff, dust, and disturbing soil is required.

With mitigation incorporated, a less than significant impact would occur.

e) Less Than Significant Impact

Under the proposed project, no trees or vegetation would be removed from areas other than the proposed building sites and improvement areas and the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. A less than significant impact would occur.

f) No Impact

There are no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applicable to the site. No impact would occur.

Conclusion: With mitigation incorporated, the proposed project would have a less than significant impact on biological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Coastal archaeological sites and areas are subject to archaeological surveys have been mapped by the California Archaeological Sites Survey, and the data is kept in the Cultural Resources Facility, Sonoma State University. These records, the most complete available, show seventy-nine (79) sites, distributed mainly along creek and river mouths and near present settlements, particularly between Cleone and Mendocino¹⁴. The maps also delineate twenty-six (26) archaeological survey areas ranging from 0.1-to-

¹⁴ Mendocino County Coastal Element, §3.5 (2011).

1,400-acres, only some of which include archaeological sites. To protect sites, the maps are confidential; however, landowners are entitled to know whether the sites are located on their property.

The project was referred to the Northwest Information Center (NWIC) at Sonoma State University and the Archaeological Commission for review and comment. In a letter response from NWIC, dated August 16, 2017 (File No: 17-0269), it is noted that NWIC has no record of any previous cultural resource studies for the proposed project area, but since the proposed project area has a low possibility of containing unrecorded archaeological sites, no further study for archaeological resources is recommended. As such, an archaeological survey was not prepared for the project.

The project site includes existing development, including a travel trailer and shed, both of which would be removed from the site under the project. NWIC notes that since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, that prior to the commencement of project activities, NWIC recommends that a qualified professional familiar with the architecture and history of Mendocino County conduct a formal CEQA evaluation. The travel trailer and shed were constructed after 1988.

The project was referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians. A letter response was received from the Sherwood Valley Band of Pomo Indians, dated August 16, 2017, in which it is noted that the project site is located within the aboriginal boundaries of the tribe and there is a high probability of encountering cultural features, deposits, or other items of cultural patrimony. The Tribal Historical Preservation Office (TPHO) urges that the project be especially attentive to the historical landscape near natural springs, creeks, and other riparian areas, and requests notification should any indigenous artifacts or deposits be discovered on-site.

a), b), and c) Less Than Significant Impact

An archaeological survey was not performed for the site. A letter from NWIC, dated August 16, 2017 (File No: 17-0269) notes that records at the NWIC office were reviewed to determine if the project could affect historical resources, which includes both archaeological and historic resources. Per NWIC, though their office has no record of any previous cultural resource studies for the project site, the project area has a low possibility of containing unrecorded archaeological sites and no further study for archaeological resources is recommended; as such, an archaeological survey was not prepared for the project. The project site includes existing development, including a travel trailer and shed, both of which were constructed after 1988 and would be removed from the site under the project.

It is also recommended that the local Native American tribe(s) be contacted regarding traditional, cultural, and religious heritage values. The project was referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians. A letter response was received from the Sherwood Valley Band of Pomo Indians, dated August 16, 2017, in which it is noted that the project site is located within the aboriginal boundaries of the tribe and there is a high probability of encountering cultural features, deposits, or other items of cultural patrimony. The Tribal Historical Preservation Office (TPHO) urges that the project be especially attentive to the historical landscape near natural springs, creeks, and other riparian areas.

Standard Condition advises the applicants of the County's "Discovery Clause," which establishes procedures to follow in the event that archaeological or cultural materials are unearthed during site preparation or construction activities.

Standard Condition: If any archaeological sites or artifacts are discovered during site excavation or construction activities, the Applicant shall cease and desist from all further excavation and disturbances within 100-feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

With the inclusion of the recommended conditions of approval, the project is found consistent with Mendocino County policies for the protection of historic and archaeological resources. A less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on cultural resources. **(Less Than Significant Impact)**

<u>VI. ENERGY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million of therms (MM) in 2015 up to 1,174 MM in 2029.

As provided in Chapter 4 (Resource Management Element) of the Mendocino County General Plan, the County primarily relies on imported electricity and natural gas for most of its energy needs. Additionally, facilities and activities using alternative energy sources are not widespread in the County, although a number of agencies and businesses promote the use of alternative energy.

a) and b) Less Than Significant Impact

Neither project construction nor operation would be anticipated to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources, and the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The proposed project would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The 2016 Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. A less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on energy. **(Less Than Significant Impact)**

<u>VII. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>VII. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Mendocino County General Plan Chapter 3 Development Element discusses the area’s seismic hazards. Mendocino County is located just south of the Cascadia Subduction Zone and will likely be subjected to a strong earthquake in the foreseeable future. A number of faults are located throughout the county, including the San Andreas Fault in the southwest corner of the county, the Maacama Fault in the inland valley from Sonoma County to Laytonville, the Round Valley Fault in the northeastern part of the county, and the Etsel Ridge Fault in the eastern portion of the County¹⁵. Any structure built in Mendocino County will likely be subjected to seismic activity during its expected lifespan. The property neither lies within nor does it adjoin a mapped Alquist-Priolo Earthquake Fault Zone.¹⁶ The San Andreas Fault is located approximately 2 miles west of the project site and is the nearest active fault.

The soils on the project site are predominately classified as Shinglemill-Gibney complex, 2 to 9 percent slopes (#199), with a small portion of the site in the southwestern portion of the site designated as Ferncreek sandy loam, 2 to 9 percent slopes (#141) and a small portion in the southern portion of the site designated as Quinliven-Ferncreek complex, 2 to 15 percent slopes (#196).^{17,18} The Shinglemill-Gibney complex is comprised of approximately 45 percent Shinglemill loam and 35 percent Gibney loam, and are very intricately intermingled. The Shinglemill and Gibney soils are described as very deep and poorly drained, with slow permeability and high available water capacity.¹⁹

The Ferncreek soil, located in the western portion of the site, is very deep and is somewhat poorly drained. Additionally, this soil type is subject to seasonally saturated soil conditions and restricted permeability. The Quinliven-Ferncreek complex, located in the southern portion of the site, is about 60 percent Quinliven sandy loam and 25 percent Ferncreek sandy loam. The Quinliven soil is very deep and

¹⁵ Mendocino County General Plan, §3-17 (2009).

¹⁶ State of California Special Studies Zones, Department of Conservation, Division of Mines and Geology.

¹⁷ Mendocino County Planning and Building Services. 1991. *Local Soils* [map].

¹⁸ United States Department of Agriculture, Natural Resources Conservation Service. *Soil Survey of Mendocino County, California, Western Part*. No Date. Accessed September 28, 2017. Available at: https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA694/0/MendocinoWP_CA.pdf.

¹⁹ United States Department of Agriculture, Natural Resources Conservation Service. *Soil Survey of Mendocino County, California, Western Part*. No Date. Accessed September 28, 2017. Available at: https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA694/0/MendocinoWP_CA.pdf.

moderately well drained, with slow permeability and high available water capacity. The Ferncreek soil is very deep and is somewhat poorly drained, with slow permeability and high available water capacity.²⁰

a), c), d), and e) No Impact

The site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.²¹ The project site is not located on an expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

An existing septic system is currently located on the project site. Under the proposed project, trenching a septic line from the septic tank and associated infrastructure to the secondary/replacement septic field would be required. In the future, the existing septic tank is proposed to either be repaired or replaced. Since a septic system has previously been utilized on the site, the soils are capable of adequately supporting the use of septic tanks and no impact would occur.

b) Less Than Significant Impact with Mitigation Incorporated

As previously discussed, the proposed project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures, to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas, and would be required to stabilize disturbed soils and vegetate bare soil created by the construction phase of the project with native vegetation and/or native seed mixes for soil stabilization as soon as feasible (see Mitigation Measure 1 above). With the incorporation of Mitigation Measure 1, the proposed project would not result in substantial soil erosion or the loss of topsoil and a less than significant impact would occur.

f) Less Than Significant Impact

As discussed under Section V, Cultural Resources, above, an archaeological survey was not performed for the site. A letter from NWIC, dated August 16, 2017 (File No: 17-0269) notes that records at the NWIC office were reviewed to determine if the project could affect historical resources, which includes both archaeological and historic resources. Per NWIC, though their office has no record of any previous cultural resource studies for the project site, the project area has a low possibility of containing unrecorded archaeological sites and no further study for archaeological resources is recommended; as such, an archaeological survey was not prepared for the project.

Standard Condition advises the applicants of the County's "Discovery Clause," which establishes procedures to follow in the event that resources, including archaeological, paleontological, or cultural materials, are unearthed during site preparation or construction activities.

Standard Condition: If any archaeological sites or artifacts are discovered during site excavation or construction activities, the Applicant shall cease and desist from all further excavation and disturbances within 100-feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

With the inclusion of the recommended conditions of approval, the project is found consistent with Mendocino County policies for the protection of paleontological resources. A less than significant impact would occur.

Conclusion: With mitigation incorporated, the proposed project would have a less than significant impact on geology and soils. **(Less Than Significant Impact with Mitigation Incorporated)**

²⁰ United States Department of Agriculture, Natural Resources Conservation Service. *Soil Survey of Mendocino County, California, Western Part*. No Date. Accessed September 28, 2017. Available at: https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA694/0/MendocinoWP_CA.pdf.

²¹ Mendocino County Department of Planning & Building Services. 1991. *LCP Land Capabilities & Natural Hazards* [map].

VIII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The framework for regulating greenhouse gas (GHG) emissions in California is described under Assembly Bill (AB) 32. In 2006, the California Global Warming Solutions Act (AB 32) definitively established the state’s climate change policy and set GHG reduction targets (Health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing GHG emissions. Because Mendocino County is primarily rural, the amount of GHG generated by human activities, primarily the burning of fossil fuels for vehicles, heating, and other uses, is small compared to other, more urban counties.²² The MCAQMD does not have rules, regulations, or thresholds of significance for non-stationary or construction-related GHG emissions.

a, b) Less Than Significant Impact

Construction activities associated with the construction of a single family residence, detached garage, and accessory structures, in addition to driveway and utility improvements, are not anticipated to generate significant greenhouse gas emissions or conflict with an applicable plan, policy or regulation. Residential uses commonly have accessory construction, like driveways, and residential land use types are principally permitted at this location. These activities are limited in scope and duration and would not contribute significantly to greenhouse gas emissions. Given the relatively small size of the project scale, the proposed project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional, or state level. There are no adopted local plans for reducing the emission of greenhouse gases. A less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on greenhouse gas emissions. **(Less Than Significant Impact)**

XI. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²² Mendocino County General Plan §4-16 (2009).

<u>XI. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, §66261.20-66261.24. A “hazardous waste” includes any hazardous material that is discarded, abandoned, or will be recycled. Therefore, the criteria that render a material hazardous also cause a waste to be classified as hazardous (California Health and Safety Code, §25117).

The proposed project would establish a residential use involving the routine transport, use, and disposal of hazardous materials in small or limited quantities. These include construction materials, household cleaning supplies, and other materials including, but not limited to, fuel, cleaning solvents, lubricants associated with automobiles, small craft engines, and power tools. The project site does not include any known hazardous waste sites, as mapped by the State Water Resources Quality Control Board (SWRQCB)²³ or the California Department of Toxic Substances Control (DTSC)²⁴, nor are there any listed sites within the vicinity of the project site.

a), b), c), d), e), and f) No Impact

The proposed project is located in an established rural residential area that is near emergency service providers. The project would not be located on a site which is on a list of hazardous material sites. The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Improper storage of potentially hazardous materials such as construction materials, household cleaning supplies, and fuel may result in contaminated stormwater runoff being discharged into nearby water bodies, including Big River to the south and the Pacific Ocean to the west. This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site and then disposed at an approved collection facility, such as the Caspar Transfer Station, located approximately 2.2 miles northwest of the site. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities.

Construction activities associated with the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. The project is not located with an airport land use plan or within two (2) miles of a public airport or public airport. The project would not impair implementation of

²³ State Water Resources Quality Control Board. *GeoTracker*. Accessed October 4, 2017. Available at: <https://geotracker.waterboards.ca.gov/>.

²⁴ State of California. Department of Toxic Substances Control. *EnviroStor*. Accessed October 4, 2017. Available at: <https://www.envirostor.dtsc.ca.gov/public/>.

or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

g) Less Than Significant Impact

The California Department of Forestry and Fire Protection (CalFire) is the State agency in charge of enforcing the State’s regulations regarding timber harvesting and fire protection. The project site is located within the State Responsibility Area (SRA) and also within the service boundaries of the Mendocino Fire Protection District.²⁵ Additionally, the parcel is located in an area characterized by a high fire hazard severity rating²⁶ and is located immediately adjacent to the Jackson Demonstration State Forest. The Applicants submitted a State Fire Safe Regulations Application Form to CalFire (CalFire File #91-17), in which conditional approval was granted on March 28, 2017, and conditioned the project to sure adequate standards related to address, driveway, emergency water supply, defensible space, and maintaining defensible space. Additionally, CalFire granted the Applicants’ exemption request for a reduced property line setback from 30 feet to 20 feet, granted with the addition of emergency water storage in the amount of 4,100 gallons on-site. Furthermore, the Applicants would be required to have a clearly posted address, adequate driveway width for emergency response vehicles, and maintain defensible space for fire protection purposes. As such, a less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on hazards and hazardous materials. **(Less Than Significant Impact)**

X. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

According to the Mendocino County General Plan, the most critical surface water quality problem in Mendocino County is sedimentation. Major sources of sediment include erosion from barren or poorly vegetated soils, erosion from the toes of slides along stream channels, and sediments from roads.

²⁵ Mendocino County Department of Planning & Building Services. 1991. *Fire Hazard Zones & Responsibility Areas* [map].

²⁶ Mendocino County Department of Planning & Building Services. 1991. *Fire Hazard Zones & Responsibility Areas* [map].

Manmade sources of sedimentation are a byproduct of current and historical land uses, including logging, agriculture, mining, processing of alluvial aggregate material, road construction and erosion from unpaved roads, and other development-related projects within the county. Per Mitigation Measure 1, above, the project contractor would be required to employ Best Management Practices (BMPs) to minimize erosion and avoid runoff into sensitive habitat areas. Straw bales, fiber rolls, and/or silt fencing structures would be installed along the edge of the construction area prior to construction and would be maintained throughout the construction period to contain runoff from the construction area. Staff finds incorporation of the BMPs would be sufficient to prevent water runoff.

The site is located within a “Marginal Water Resources” area.²⁷ The site would be served by on-site wells and septic system. Under the proposed project, several utility improvements would occur on the site, including connection to an existing water well, conversion of a test well to a production well, installation of a 4,100 gallon water storage tank, replacing an existing septic tank, installing a new pump tank, and trenching a septic line from the septic tank and associated infrastructure to the secondary/replacement septic field. Staff recommends including a condition allowing the existing well to be converted to a production well. Staff finds that an adequate water supply is available to serve the proposed project.

The County’s storm drainage system is maintained by the Mendocino County Department of Transportation (MCDOT). Though storm drainage infrastructure is limited within the vicinity of the project site, drainage ditches are currently located on either side of Little Lake Road. The project is subject to Mendocino County Ordinance No. 4313 *Storm Water Runoff Pollution Prevention Procedure* (Mendocino County Code Chapter 16.30 et seq.), which requires that, “...any person performing construction and grading work anywhere in the County shall implement appropriate Best Management Practices to prevent the discharge of construction waste, debris or contaminants from construction materials, tools, and equipment from entering the storm drainage system.”²⁸ This ordinance was developed and adopted by Mendocino County to comply with requirements of the County’s Phase II Municipal Separate Storm Sewer System (MS4) General Permit administered by the State Water Resources Control Board (SWRCB).

The location of the proposed development is designated as an “Area of Minimal Flood Hazard” (Zone Z) and is not within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.²⁹

a) No Impact

The proposed project would not violate any water quality standards, waste discharge requirements, or otherwise substantially degrade surface or ground water quality. All necessary permits for the on-site wells and septic system would be obtained from DEH. The wells and septic system would be installed and operated in compliance with all standards and requirements. No impact would occur.

b) and c.ii) Less Than Significant Impact

The proposed project, which involves the construction of a single family residence and appurtenant structures, would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Additionally, while the amount of impervious area on the site would increase, implementation of the proposed project would not substantially alter the existing drainage pattern of the site or area and would not result in substantial flooding on- or off-site. A less than significant impact would occur.

c.i) Less Than Significant Impact with Mitigation Incorporated

As previously discussed, the proposed project would be required to employ Standard Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures, to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas. Additionally, the project would be required to stabilize disturbed soils and vegetate bare soil created by

²⁷ Mendocino County Department of Planning & Building Services. 1991. *Ground Water Resources* [map].

²⁸ Mendocino County Department of Planning & Building Services. Mendocino County General Plan. Chapter 3.16. 2009.

²⁹ Federal Emergency Management Agency. Flood Insurance Rate Map, Panel 06045C1200G, effective June 18, 2017. Accessed September 29, 2017. Available at: <https://msc.fema.gov/portal/search>.

the construction phase of the project with native vegetation and/or native seed mixes for soil stabilization as soon as feasible (see Mitigation Measure 1 above). With the incorporation of Mitigation Measure 1, the proposed project would not result substantially alter the existing drainage pattern of the site or area and would not result in substantial soil erosion or siltation on- or off-site, and a less than significant impact would occur.

c.iii), c.iv), d), and e) No Impact

The project would not create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage systems since storm drainage infrastructure is limited within the vicinity of the project site. Additionally, the project would not provide substantial additional sources of polluted runoff or substantially degrade water quality. The location of the proposed development is designated as an “Area of Minimal Flood Hazard” (Zone Z) and is not within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.³⁰ Additionally, the proposed project is not in an area where seiches, tsunamis, or mudflows are likely to occur. No impact would occur.

Conclusion: With mitigation incorporated, the proposed project would have a less than significant impact on hydrology and water quality. **(Less Than Significant Impact with Mitigation Incorporated)**

XI. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project, as conditioned, is consistent with the policies of the Local Coastal Program of the General Plan and the MCC Chapter 20.376 and MCC Sections 20.532.095 and 20.532.100. The subject parcel is classified as Rural Residential specifying a minimum parcel size of 5 acres (RR5) by the Coastal Element of the Mendocino County General Plan. The zoning district for the site is Rural Residential (RR5) under the MCC. The project includes the development of a single family residence, which is consistent with the intent of the RR Classification and District and consistent with surrounding development.

a) and b) No Impact

The project would not divide an established community as the proposed project is within an established rural residential area and would be consistent with surrounding development. The project would not conflict with any land use plan, policy, or regulation since the proposed use (single family residence and appurtenant structures and infrastructure) is principally permitted within the RR Classification and District. No impact would occur.

Conclusion: The proposed project would have no impact on land use and planning. **(No Impact)**

XII. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

³⁰Federal Emergency Management Agency. Flood Insurance Rate Map, Panel 06045C1200G, effective June 18, 2017. Accessed September 29, 2017. Available at: <https://msc.fema.gov/portal/search>.

A variety of minerals resources are known to exist in Mendocino County. The most predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. Three sources of aggregate materials are present in Mendocino County: quarries, instream gravel, and terrace gravel deposits.³¹ The Mendocino County General Plan sets forth policies to encourage mineral resource development while protecting Mendocino County’s visual character and natural environments.

a) and b) No Impact

There are no known mineral resources on the site that would be of value to the region or the residents of the state. The property does not include a mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The proposed project does not include mining. No impact would occur.

Conclusion: The proposed project would have no impact on mineral resources. **(No Impact)**

XIII. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment. Mendocino County relies principally on standards in its Noise Element, its Zoning Ordinance, and other County ordinances, and the Mendocino County Airport Comprehensive Land Use Plan to evaluate noise-related impacts of development.

Generally speaking, land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential land use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise-sensitive. While an existing single family residence is located on the parcel immediately south of the site, the uses that are being proposed under the project, including a single family residence and appurtenant structures, are similar to the uses that already exist in the area.

Predicted noise levels from on-site project operations would be less than 55 dBA for residential uses in the area, and would not measurably contribute to existing or future noise levels. Therefore, the operational noise from the project would result in a less than significant impact upon the nearest noise-sensitive receptors.

a) Less Than Significant Impact

Construction noise can be significant for short periods of time at any particular location and generates the highest noise levels during grading and demolition. Typical hourly average construction-generated noise levels are approximately 80 to 85 dBA measured at a distance of 50 feet from the site during busy

³¹ Mendocino County General Plan, §4-8, *Mineral Resources* (2009).

construction periods. With the exception of short-term construction-related noise, the proposed development would not create a new source of noise that would impact the community.

Given the small size of the project, it is anticipated that the effects of construction noise levels and vibration would be less than significant through the implementation of standard permit conditions. Standard permit conditions require limiting construction hours within 500 feet of residential uses to the hours of 7:00 am and 7:00 pm weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise sensitive land use areas.

With the inclusion of the standard permit conditions, the project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. A less than significant impact would occur.

b) and c) No Impact

The proposed project, which involves the construction of a single family residence, appurtenant structures, and associated infrastructure, would not result in the exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels. The project site is located approximately 2.9 miles north of the Lofty Redwoods Airport and is outside of the airport’s 55 dB CNEL noise contour. The project would not be exposed to excessive noise levels from aircraft. No impact would occur.

Conclusion: The proposed project would have a less than significant impact on noise. **(Less Than Significant Impact)**

<u>XIV. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The population of the Town of Mendocino was approximately 894 residents, which included approximately 447 households, in 2010. In 2000, the population was approximately 824 residents, including approximately 424 total households. The average number of persons per household in 2010 was 1.86, which remained similar to the previous census, which determined that average number of persons per household in 2000 was approximately 1.94.³²

a) and b) Less Than Significant Impact

Since the proposed project involves the construction of a single family residence, appurtenant structures, and associated infrastructure, the project would not result in the displacement of people or housing. The project would not trigger the need for new public roads or other infrastructure that may indirectly trigger population growth. Consequently, the project would not generate unanticipated population growth in the local area. A less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on population and housing. **(Less Than Significant Impact)**

³² United States Census Bureau. American Fact Finder. *Community Facts*. Accessed September 29, 2017. Available at: http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml.

<u>XV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The development of a single family residence would not create additional significant service demands or result in adverse physical impacts associated with the delivery of fire, police, parks or other public services. Fire protection to the site is provided by CalFire and the Mendocino Fire Protection District. The nearest fire station to the site is located approximately 1.1 miles northeast of the site, at 41722 Little Lake Road in Mendocino.

Police protection services for the site are provided by the Mendocino County Sheriff Department. Officers patrolling the project area are dispatched from the Mendocino County Sheriff's Department Office – Fort Bragg Substation, located approximately 8.8 miles northwest of the project site at 700 South Franklin Street in Fort Bragg.

a) Less Than Significant Impact

The demand for fire and police services is not anticipated to significantly change with the implementation of the proposed project, due to the small scale of the project. The proposed project would have minimal impact on local schools, and would not substantially increase the use of local parks. The proposed project would not substantially increase the use or otherwise affect other public facilities (e.g., libraries) in the project area. As such, a less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on public services. **(Less Than Significant Impact)**

<u>XVI. RECREATION.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mendocino County is a predominantly rural County, rich in lands and waters that provide a variety of recreational opportunities. The County's recreational system encompasses many levels of park and recreational facilities. Federal lands include recreation resources that are used by visitors and county residents. The Mendocino National Forest, which occupies approximately 81,000 acres in Mendocino County, offers an array of recreational opportunities including fishing, camping, picnicking, boating, hiking, horseback riding, wildlife viewing, hang-gliding, off-road vehicle riding, winter snow play, hunting,

wilderness experiences, and mountain biking³³. The State Parks are the best known most heavily used recreation sites along the coast in addition to boating access points and campgrounds. The Coastal Element of the Mendocino County General Plan encourages managing and maintaining both active and passive recreation to allow access to trails and the coastline for both residents and visitors.

a) and b) No Impact

The project site is located east of Highway 1 and is not designated as a potential public access trail location on the Local Coastal Plan maps. There is no evidence of prescriptive access on the site, nor would the development generate enough recreation demand to require the construction of additional facilities. No impact would occur.

Conclusion: The proposed project would have no impact on recreation. **(No Impact)**

<u>XVII. TRANSPORTATION.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Local access to the site is provided by Cantabury Lane (private road) from Little Lake Road (CR #408). Regional access is provided by California State Highway 1, which is located to the west of the project site. Pedestrian access to the site is minimal. There are no sidewalks that are adjacent to the site at this time. Direct access to the site is via an existing unpaved driveway off of Cantabury Lane. Under the proposed project, a 1,235 square foot turnaround would be constructed near the building site and would be connected to the existing unpaved driveway. Mendocino County Department of Transportation (MCDOT) was invited to provide comment on the project application. A response received from MCDOT, dated September 13, 2017, notes that MCDOT had no comment on the project. The proposed project would be provided with adequate access roads.

a), b), c) and d) No Impact

The proposed project, which involves the construction of a single family residence, appurtenant structures, and associated infrastructure, would not conflict with an applicable program, plan, ordinance, or policy addressing the circulation system or conflict with CEQA Guidelines section 15064.3, subdivision (b). The project would not increase hazards due to a design feature or result in inadequate emergency access. No impact would occur.

Conclusion: The proposed project would have no impact on transportation and traffic. **(No Impact)**

<u>XVIII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³³ Mendocino County General Plan, §3-10, *Parks and Recreation* (2009).

<u>XVIII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Per Chapter 3 (Development Element) of the Mendocino County General Plan, the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County's redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. The entire southern third of Mendocino County was the home of groups of Central Pomo. To the north of the Central Pomo groups were the Northern Pomo, who controlled a strip of land extending from the coast to Clear Lake. The Coast Yuki claimed a portion of the coast from Fort Bragg north to an area slightly north of Rockport. They were linguistically related to a small group, called the Huchnom, living along the South Eel River north of Potter Valley. Both of these smaller groups were related to the Yuki, who were centered in Round Valley. At the far northern end of the county, several groups extended south from Humboldt County. The territory of the Cahto was bounded by Branscomb, Laytonville, and Cummings. The North Fork Wailaki was almost entirely in Mendocino County, along the North Fork of the Eel River. Other groups in this area included the Shelter Cove Sinkyone, the Eel River, and the Pitch Wailaki.³⁴

As European-American settlement occurred in the county, most of these tribes were restricted to reservations and rancherias. During the 19th century, other tribes from the interior of California were forced to settle on the Round Valley Reservation in the northeastern county. Today, there are ten reservations and rancherias in Mendocino County, most of which are inhabited by tribes native to the area.³⁵

As discussed under Section V (Cultural Resources), above, the project was referred to the Northwest Information Center (NWIC) at Sonoma State University and the Archaeological Commission for review and comment. In a letter response from NWIC, dated August 16, 2017 (File No: 17-0269), it is noted that NWIC has no record of any previous cultural resource studies for the proposed project area, but since the proposed project area has a low possibility of containing unrecorded archaeological sites, no further study for archaeological resources is recommended; as such, an archaeological survey was not prepared for the project.

The project site includes existing development, including a travel trailer and shed, both of which would be removed from the site under the project. NWIC notes that since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, that prior to the commencement of project activities, NWIC recommends that a qualified professional familiar with the architecture and history of Mendocino County conduct a formal CEQA evaluation. It is also recommended

³⁴ Mendocino County General Plan, §3-7 (Cultural Resources). August 2009.

³⁵ Mendocino County General Plan, §3-7 (Cultural Resources). August 2009.

that the local Native American tribe(s) be contacted regarding traditional, cultural, and religious heritage values.

The project was referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians. A letter response was received from the Sherwood Valley Band of Pomo Indians, dated August 16, 2017, in which it is noted that the project site is located within the aboriginal boundaries of the tribe and there is a high probability of encountering cultural features, deposits, or other items of cultural patrimony. The Tribal Historical Preservation Office (TPHO) urges that the project be especially attentive to the historical landscape near natural springs, creeks, and other riparian areas, and requests notification should any indigenous artifacts or deposits be discovered on-site.

a.i) No Impact

As noted above, the project site includes existing development, including a post-1988 constructed travel trailer and shed, both of which would be removed from the site under the project. In NWIC’s letter response, dated August 16, 2017, notes that since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, that prior to commencement of project activities, NWIC recommends that a qualified professional familiar with the architecture and history of Mendocino County conduct a formal CEQA evaluation.

a.ii) Less Than Significant Impact

As discussed under Section V (Cultural Resources), above, a letter from NWIC, dated August 16, 2017 (File No: 17-0269), to the County notes that records at the NWIC office were reviewed to determine if the project could adversely affect historical resources, which includes both archaeological and historic resources. Per NWIC, there is a low possibility of the site containing unrecorded archaeological sites and further study for archaeological resources is not recommended; however, consultation with the local Native American tribe(s) regarding traditional, cultural, and religious values was recommended. As such, an archaeology survey was not performed for the site.

Though NWIC believes there is a low possibility of historical resources within the vicinity of the project, Standard Condition advises the applicants of the County’s “Discovery Clause,” which establishes procedures to follow in the event that archaeological or tribal cultural materials are unearthed during site preparation or construction activities. As such, a less than significant impact would occur.

<u>XVIX. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mendocino County offers the typical utilities and services systems offered by more populated regions. However, the site is not located within the service boundaries of a community services district and the site would be served by on-site wells and an on-site septic system. Electrical hookups are currently located at the site. Propane gas would be provided by a local fuel company.

Septic System

The proposed project would be served by an on-site septic system. The site has a septic easement within the 5.15 acre parcel located immediately south of the site (APN 119-430-19), in the very northeastern-most portion of the adjacent parcel. Currently, an existing leach field, in addition to a portion of the replacement field, is located within this septic easement. Under the proposed project, an existing septic tank would be replaced, a new pump tank would be installed, and trenching a septic line from the septic tank and associated infrastructure to the secondary/replacement septic field would occur.

The Department of Environmental Health (DEH) was invited to provide comment on the application. On October 27, 2017 and May 17, 2018, DEH responded that the well is not permitted, a septic permit is on file, and a request to include a condition stating "Do not build or drive on existing or replacement leach field." An Individual Sewage Disposal System Permit No. 1831-F is on file to locate the leach field on an adjoining residential lot to the south that has granted an easement, recorded May 23, 1988, for a right-of-way to install, maintain, repair and replace a septic system. At the request of DEH, staff recommends adopting a condition limiting vehicular access and development opportunities within the Septic Easement or the replacement leach field area.

Water Service

Water service would continue to be provided to the subject property via an on-site well. Under the proposed project, the proposed residence would be connected to the existing water well, an existing test well would be converted to a production well, and a 4,100 gallon water storage tank would be installed. Staff recommends including a condition allowing the existing well to be converted to a production well. Staff finds that an adequate water supply is available to serve the proposed project.

Storm Drainage System

The County's storm drainage system is maintained by the Mendocino County Department of Transportation (MCDOT). Though storm drainage infrastructure is limited within the vicinity of the project site, drainage ditches are currently located on either side of Little Lake Road. The project is subject to Mendocino County Ordinance No. 4313 *Storm Water Runoff Pollution Prevention Procedure* (Mendocino County Code Chapter 16.30 et seq.), which requires that, "...any person performing construction and grading work anywhere in the County shall implement appropriate Best Management Practices to prevent the discharge of construction waste, debris or contaminants from construction materials, tools, and equipment from entering the storm drainage system."³⁶ This ordinance was developed and adopted by Mendocino County to comply with requirements of the County's Phase II Municipal Separate Storm Sewer System (MS4) General Permit administered by the State Water Resources Control Board (SWRCB).

Landfills/Solid Waste

Currently, there are no remaining operating landfills in Mendocino County. Solid waste generated in the County is exported for disposal to the Potrero Hills Landfill in Solano County. Mendocino County's solid waste disposal system has shifted to a system of eight small volume transfer stations and two large volume transfer stations that receive waste for export. The Caspar Transfer Station is located approximately 2.2 miles northwest of the project site and would provide for the disposal of solid waste resulting from the residential use. Mendocino County has adopted a Hazardous Waste Management Plan to guide future decisions by the County and the incorporated cities about hazardous waste management. Policies in the Mendocino County General Plan emphasize source reduction and recycling of hazardous wastes and express a preference for onsite hazardous waste treatment over offsite treatment.

a), c), and e) No Impact

³⁶ Mendocino County Department of Planning & Building Services. Mendocino County General Plan. Chapter 3.16. 2009.

Single family residences do require daily water use, however, the anticipated water use for a residential dwelling is much less than a commercial or industrial use. The proposed project would not require the development of new or expanded water or wastewater treatment facilities, stormwater drainage, electric power, natural gas, or telecommunication facilities. The project would be served by on-site wells and septic system. The project site is served by a landfill with sufficient permitted capacity to accommodate the project's anticipated solid waste disposal needs and the project would comply with federal, state and local statutes and regulations related to solid waste. No impact would occur.

b) Less Than Significant Impact

The parcel is located within a Marginal Water Area³⁷ and would be served by on-site wells and an on-site septic system. Staff finds that an adequate water supply is available to serve the proposed project and recommends including a condition allowing the existing well to be converted to a production well. A less than significant impact would occur.

Conclusion: The proposed project would have a less than significant impact on utilities and service systems. **(Less Than Significant Impact)**

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potential Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is located within the State Responsibility Area (SRA) and is served by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Fire Protection District.³⁸ The site is classified as being located within high fire hazard severity area.³⁹

a), b), c), and d) Less Than Significant Impact

There are no elements of the project that would impair an adopted emergency response plan or emergency evacuation plan, exacerbate wildfire risks, or expose people or structures to significant risks. Per CalFire File Number 91-17, minimum fire safety standards for Hazardous Fire Areas are required. The project's *Fire Safe Plan* demonstrates that the proposed meets CalFire Standards, including driveway standard, emergency water supply standard (4,100-gallon emergency water storage), defensible space standard and a requirement to maintain defensible space, and a reduced setback requirement to 20-feet from the property lines.

Conclusion: The proposed project would have a less than significant impact on wildfire. **(Less Than Significant Impact)**

³⁷ Mendocino County Department of Planning & Building Services. 1991. *Ground Water Resources* [map].

³⁸ Mendocino County Department of Planning & Building Services. 1991. *Fire Hazard Zones & Responsibility Areas* [map].

³⁹ Mendocino County Department of Planning & Building Services. 1991. *Fire Hazard Zones & Responsibility Areas* [map].

<u>XIX. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a), b), and c) Less Than Significant

The project’s potential to degrade the quality of the environment, as described in the first Mandatory Finding of Significance, would be less than significant provided it incorporates the mitigation measures and conditions of approval identified in this Initial Study.

None of the of the project’s mitigated impacts are cumulatively considerable because the project’s potential impacts are limited to the project site, and the approval and establishment of the project would not alter the existing setting nor amend an existing regulation that would create a circumstance where the incremental effect of a probable future project would generate a potentially significant environmental impact.

The project would not generate any potential direct or indirect environmental effect that would have a substantial adverse impact on human beings including, but not limited to, exposure to geologic hazards, air quality, water quality, traffic hazards, noise and fire hazards.

A less than significant impact would occur.

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

2-25-2019
DATE



JULIANA CHERRY
PLANNER III

Takings Analysis

Information Needed to Evaluate Project Consistency with Coastal Act Section 30010

If the information derived from the requested alternatives analysis indicates that the project cannot be found consistent with the ESHA and ESHA buffer policies of the certified Mendocino Local Coastal Program, the Commission will need to evaluate whether an alternative proposal could be approved, and if not, whether denial of the project would result in an unconstitutional taking of private property for public use. In order to make that evaluation, the Commission will need to request additional information from the applicant concerning alternative proposals and the applicant's reasonable investment-backed expectations to make such determinations prior to holding a de novo hearing on the project. The landowner of the property that is the subject of [permit #] must provide the following information for the property that is subject to [permit #] as well as all property in common contiguous ownership, i.e. any immediately adjacent property also owned by the applicant:

1. When the property was acquired, and from whom: The property was purchased by Harold Robinson from RB Osborne in April 1970. The property was subsequently transferred to Harold Robinson's wife, Jane Gardner, in the 1980's as part of their divorce settlement. (See detailed description attached to email with subject line Response to Questions and dated April 20, 2018.) The owner is listed as "Gardner Ruth Ann Jane Life Estate. On March 14, 2001, Ruth Ann Jane Gardner Robinson granted Anne Helen Janine Gardner Fritz reserving from this grant a life estate in favor of Ruth Ann Jane Gardner for so long as she desires to live at 43007 Little Lake Road, Mendocino, CA 95460.
2. The purchase price paid for the property: The purchase price paid is described as a divorce settlement and property transfer from Harold Robinson to Ruth Anne Jane Gardner Robinson.
3. The fair market value of the property at the time it was acquired and the basis upon which fair market value was derived: Not applicable.
4. Whether a general plan, zoning, or similar land use designations applicable to the property changed since the time the property was purchased. If so, identify the particular designation(s) and applicable change(s): No changes.
5. At the time the property was purchased, or at any subsequent time, whether the project been subject to any development restriction(s) (e.g., restrictive covenants, open space easements, etc.), other than the land use designations referred to in the preceding question: No covenants or restrictions.
6. Whether the size or use of the property changed in any way since it was purchased. If so, identify the nature of the change, the circumstances and the relative date(s): No change in size or use of the property.
7. Whether a portion of, or interest in, the property was sold or leased since the time the applicants purchased it, and the relevant date(s), sales price(s), rent assessed, and the nature of the portion or interest sold or leased: No sale or lease.
8. A copy of any title report, litigation guarantee or similar document that might have been prepared in connection with all or a portion of the property, together with a statement of when the document was prepared and for what purpose (e.g., refinancing, sale, purchase, etc.). See attached documents.
9. The approximate date and offered price of any offers to buy all or a portion of the property since the time the applicants purchased the property: No offers.
10. The costs associated with ownership of the property on an annualized basis for the last five calendar years. These costs should include, but not necessarily be limited to property taxes, property assessments, debt service, including mortgage and interest costs; and operation and management costs. See detailed description attached to email with subject line Response to Questions and dated April 20,

2018.

\$7,000	estimated septic system
2,500	estimated septic system
175	permit fee
185	permit fee
1,500	clearing, grading/gravelling driveway
800	establish electrical service
2,500	well
1,000	temporary structure
400	property survey
500	drafting services
2,614	replace well pump
2,946	botanical and wildlife survey
1,301	report of compliance
5,363	consulting fees
1,210	five years paid property taxes
\$ 29,994	Itemized expenses

11. Whether apart from any rent received from leasing all or a portion of the property (see question #7 above), current or past use of the property generates any income. If the answer is yes, the amount of generated income on an annualized basis for the past five calendar years and a description of the use(s) that generates or has generated such income. No.



Teresa R Spade, AICP
Land Use Planner,
Botanist and Biologist
Spade Natural Resources Consulting
31901 Simpson Lane
Fort Bragg, CA 95437
phone: 707.964.6947
spadenrc@gmail.com

To: County of Mendocino Planning Division
Juliana Cherry, Planner III
120 West Fir Street
Fort Bragg, CA 95437

Date: August 28, 2018

Dear Juliana:

The following is the square footage analysis you requested for Fritz at 43007 Little Lake Road in Mendocino (119-430-20).

I used GIS to identify approximately 50 parcels in the same vicinity as the subject parcel, which were zoned residential and roughly the same size as the subject parcel. These properties found were all located within the Coastal Zone off of Little Lake Road or a road directly adjacent to Little Lake Road.

I first checked the building address files at the planning and building department. I found the information there to be incomplete, but recorded what information was available. I then requested information from the County Assessors office. I found that there was some differences between the two sources of information. Generally the assessors office information was more complete, in that they had information on all developed properties, and in general the data from the assessors office indicated that there was more development square footage than the information in the planning and building records. In some instances, the planning and building records showed more square footage. For consistency, I decided to use only the information from the assessors office.

I determined that three of the parcels I had initially selected were undeveloped, based on information from both the assessors office and planning and building records. I deleted those three parcels and used the remainder (49 parcels) for the analysis.

The proposed subject parcel is requested to be developed as shown in Table 1.

Table 1. Proposed development for Fritz property.

TYPE OF UNIT	NO. OF STRUCTURES/UNITS	EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT. PER STRUCTURE
<input checked="" type="checkbox"/> Single Family Residence	1	0	1848	1848
<input checked="" type="checkbox"/> Garage, attached with second story workshop	1	0	952	952
<input checked="" type="checkbox"/> Covered Porch and Decks		0	465	465
<input type="checkbox"/> Guest Cottage		0	0	0
<input checked="" type="checkbox"/> Shed	1	120	0	0
<input checked="" type="checkbox"/> Pump House	1	100	0	100
<input checked="" type="checkbox"/> Water Tank	1	0	4100 gallon	4100 gallon
<input checked="" type="checkbox"/> Propane Tank	1	0	40	40
<input type="checkbox"/> Oil Tank		0	0	0
<input type="checkbox"/> Generator		0	0	0
<input checked="" type="checkbox"/> Driveway	1			
<input type="checkbox"/> Retaining Wall		0	0	0
<input type="checkbox"/> Garden Fence		0	0	0
<input type="checkbox"/> Perimeter Fence		0	0	0

The total of existing and proposed development for the subject proposed project would equal around 3,365 square feet. According to my analysis of 49 similar residential parcels, development sizes vary from between 856 square feet to 7169 square feet. The average size was determined to be 3,274 square feet of development, and the median size was determined to be 2,943 square feet. The proposed development was determined to be within 100 square feet of the average development size.


Teresa R Spade, AICP

Table 2. Residential structures square footage for similarly located and sized parcels.

APN	Address	Zoning	Acreage	Total Sq Footage of Structures	SFR	Garage	Deck	Accessory Structures
119-430-20	43007 Little Lake Road	RR-5	1	3365	1848	952	465	100
119-430-36	43005 Little Lake Road	RR-5	4.16	856	784			72
119-430-19	43009 Little Lake Road	RR-5	5.15	2965	2360			605
119-470-02	42375 Little Lake Road	RR-5	2.02	6355	3288	792	1285	990
119-470-03	42351 Little Lake Road	RR-5	0.92	2534	2006	528		
119-470-04	42301 Little Lake Road	RR-5	1.58	1336	1112			224
119-470-06	44291 Little Lake Road	RR-5	1.58	2123	1531	400		192
119-430-16	43161 Little Lake Road	RR-5	2.07	4524	3488	696	208	132
119-430-17	43171 Little Lake Road	RR-5	2.97	2592	2064	528		
119-400-22	10425 Nichols Lane	RR-5	1.05	3112	2100	440		572
119-400-06	10502 Nichols Lane	RR-5/RR-2	1	3018	2220	484	314	
119-400-09	10350 Nichols Lane	RR-5/RR-2	2	5617	3116	625	1126	750
119-400-07	10500 Nichols Lane	RR-5/RR-2	2.69	2522	1879	576		67
119-400-21	10451 Nichols Lane	RR-5/RR-2	1.55	2560	1616	504		440
119-400-17	10503 Nichols Lane	RR-5	1.03	2820	2740			80
119-400-05	105200 Nichols Lane	RR5/RR-2	0.89	1536	768	768		
119-400-45	10290 Nichols Lane	RR5/RR-2	0.36	2355	1331	552	144	328
119-390-20	43725 Little Lake Road	RR-5	1.25	2950	1879	289	578	204
119-390-17	43751 Little Lake Road	RR-5	1.49	2750	1332	480	764	174
119-390-18	43741 Little Lake Road	RR-5	1.11	1734	1048	312		374
119-390-19	43731 Little Lake Road	RR-5	0.9	1978	1658	320		
119-390-10	43853 Tibbens Ln	RR-5	1.2	2692	2116	576		
119-390-11	43851 Tibbens Ln	RR-5	1.35	4553	3472	484		597
119-390-12	43745 Tibbens Ln	RR-5	1.25	4549	2742	508		1299
119-390-13	43755 Little Lake Road	RR-5	1.71	7169	1579	572	1994	3024
119-390-14	43801 Little Lake Road	RR-5	1.33	2936	2456	480		
119-390-05	43906 Tibbens Ln	RR-5	1.22	2622	1308	576		738

APN	Address	Zoning	Acreage	Total Sq Footage of Structures	SFR	Garage	Deck	Accessory Structures
119-390-06	43840 Tibbens Ln	RR-5	1.22	4941	2170	1296	735	740
119-390-08	43849 Little Lake Road	RR-5	1.35	2780	1536	323	756	165
119-050-62	43970 Little Lake Road	RR-5/RR-2	0.47	3398	1444	1200		754
119-050-36	10750 Cummings St	RR-5/RR-2	0.86	2426	1400		296	730
119-050-20	10850 Cummings St	RR-5/RR-2	1.5	2472	1528	504		440
119-050-27	10761 Cummings St	RR-5/RR-2	0.56	3575	1677			1898
119-050-26	10781 Cummings St	RR-5/RR-2	1.05	2248	1488	624		136
119-050-18	10960 Wildwood Ln	RR-5/RR-2	0.91	3275	1620	616	201	838
119-050-17	11000 Wildwood Ln	RR-5/RR-2	1.04	2634	1186	1152	120	176
119-050-50	11037 Wildwood Ln	RR-5/RR-2	0.92	3091	1344	864	686	197
119-050-52	11001 Wildwood Ln	RR-5/RR-2	1.22	3040	1800	568		672
119-050-39	10951 Gurley Ln	RR-5/RR-2	0.84	3945	2678	360	322	585
119-050-53	10941 Gurley Ln	RR-5/RR-2	1.14	5877	1884	418	1126	2449
119-050-54	10901 Gurley Ln	RR-5/RR-2	0.95	3775	1482	170		2123
119-100-01	10651 Gurley Ln	RR-5/RR-2	1.84	1730	1404			326
119-090-04	10650 Gurley Ln	RR-5/RR-2	1.01	4262	2155	525		1582
119-040-23	10750 Gurley Ln	RR-5/RR-2	1.08	3664	2519	625		520
119-090-41	44300 Little Lake Rd	RR-2/MRR	1.03	3452	1896	768	136	652
119-090-39	44400 Little Lake Rd	RR-2/MRR	0.73	3984	1494		773	1717
119-090-17	44440 Little Lake Rd	RR-2/MRR	1.11	6161	1368			4793
119-090-16	44460 Little Lake Rd	RR-2/MRR	1.09	5571	1850	288	546	2887
119-090-15	44500 Little Lake Rd	RR-2/MRR	1.39	2073	1877			196
119-090-14	44510 Little Lake Rd	RR-2/MRR	0.68	1316	1100			216



Figure 1. Comparison parcels APNs 119-090-13 through 119-090-41



Figure 2. Comparison parcels APNs 119-090-41 through 119-390-17.

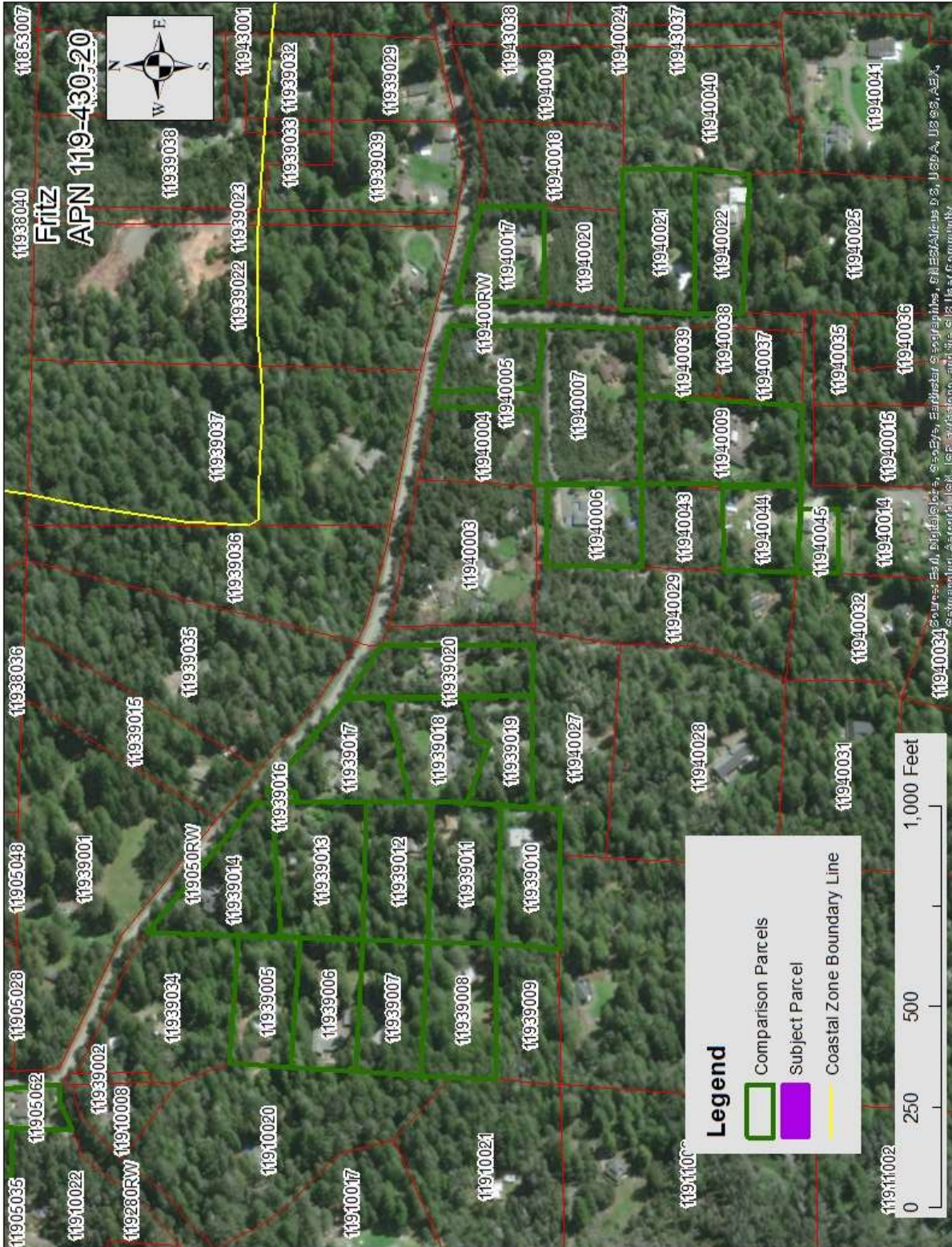


Figure 3. Comparison parcels 119-390-05 through 119-400-22.

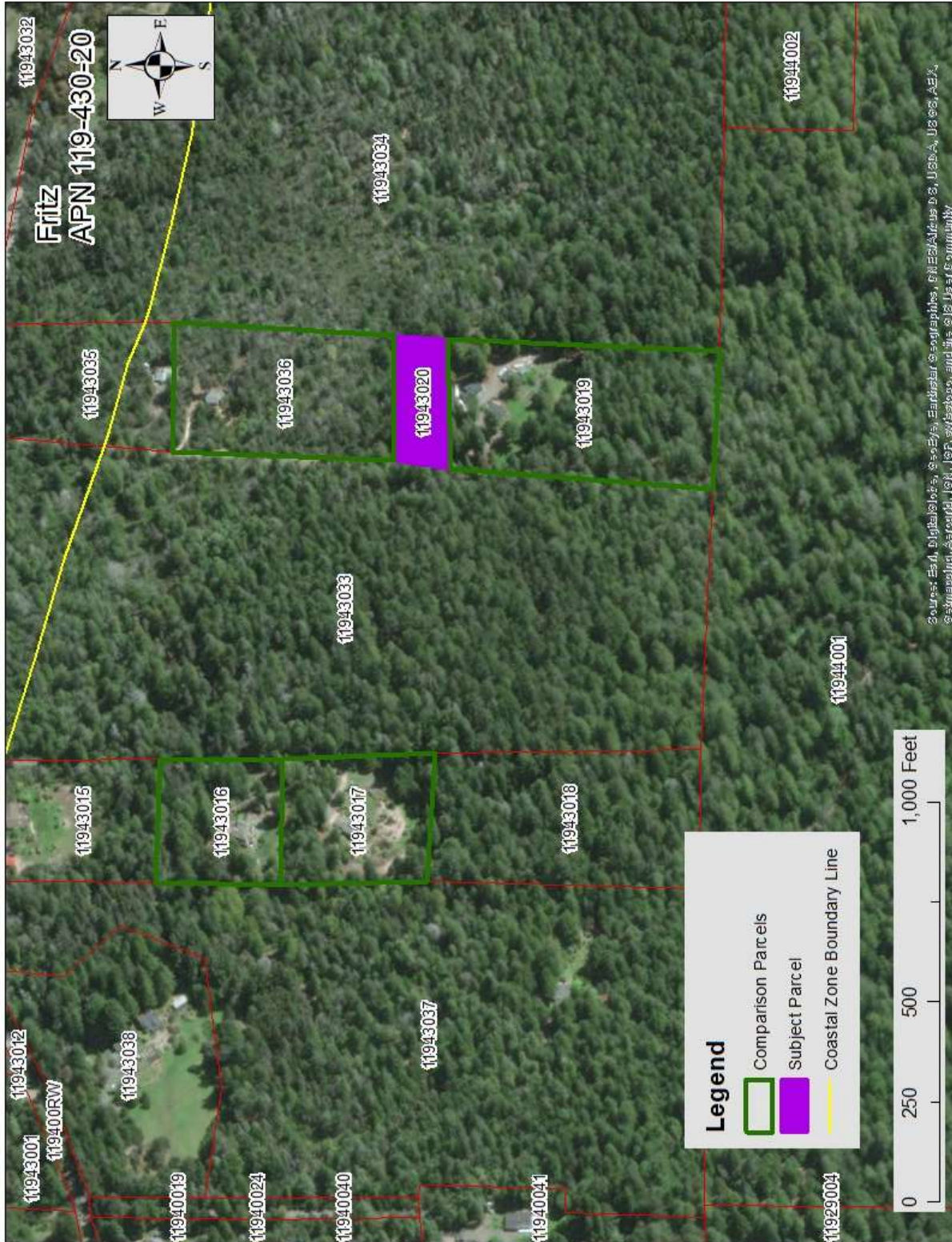


Figure 4. Comparison parcels 119-430-16 through 119-430-36.



Teresa Spade <spadenrc@gmail.com>

Responses to questions

1 message

fritz, gary n <gan05fz@consolidated.net>

To: spadenrc@gmail.com

Cc: gan05fz@consolidated.net

Fri, Apr 20, 2018 at 6:48 AM

Hi Tess,

After consulting with Ann as to what she remembers and looking at various documents, we have answered your questions to the best of our knowledge. Some costs have been estimated since we do not have receipts. Estimates were done by researching what it would cost to do the same today and then adjusting the price down ("deflation") to take into account the number of years back that the job was done. It should be noted that the history and purpose of the property question (Parcel 20 on the Assessor's Map) when transferred to Jane Gardner was undoubtedly for the purpose of establishing a residence. The legal documents refer to the construction of a residence (see attached "Exhibits E and F" for an example) and all the preparations for such are consistent with this aim:

1. The property was offered to Dr. Harold Robinson (the husband of Ann's Mom) sometime in the late sixties by R.B Osborne, who owned the property north to Little Lake Rd. Dr. Harold Robinson, at the time, owned the property south and adjacent to the Osborne parcel. The property transfer was completed in April of 1970 and recorded in Vol. 814 of Official Records, page 750, Mendocino County Records (see attachment "Exhibit A"). The parcel in question subsequently appears on the County of Mendocino Assessor's Map in 1971 as Parcel 20 bordered by Parcel 36 to the north and Parcel 19 to the south (see attachment "Exhibit B"). In the mid-1980s Jane Gardner and Harold Robinson entered into divorce proceedings. As part of the divorce settlement, Parcel 20 was to be transferred to Jane Gardner as a location on which to build her residence; the installation of a septic system was a condition for the property transfer as were the necessary easements (e.g., easement onto Parcel 19 for the septic system and a replacement site). The process of obtaining a permit to install a sewage disposal system began in 1986 with a Site Evaluation Report for the placement of a septic system for a two-bedroom residence (see attached "Exhibit C"). Subsequently, on July 12, 1988 Dr. Robinson obtained the approval and permit from the Mendocino County Planning Department (see attached "Exhibit D"). Two weeks later, Jane Gardner completed a Certificate of Compliance: Residential for a two-bedroom residence on the property. This Certificate included blueprints and construction details prepared by a custom drafter and also detailed the placement of the residence on Parcel 20 (see attachment "Exhibit E"). On September 20, 1988, Jane Gardner submitted a request for a "Use permit for the temporary occupancy of a travel trailer while constructing a dwelling" (see attachment "Exhibit F").

2. DEVELOPMENTS AND THEIR COST

- a. Establishing a septic system: Dr. Robinson died in 1990 and, therefore we do not have exact costs and can only estimate what it might have cost based on the average cost of a septic system in California today (about \$7,000). We estimate that it cost about \$2,500 to establish the septic system in Parcel 20. Fees associated with the process and permits include \$175 for permit (see "Exhibit D"). Permit fee \$185 (see receipt "Exhibit G").
- b. Clearing, grading/graveling for a driveway over a period of 30 years. Estimated at \$1500
- c. Establishing an electric pole and installation of fuse box: Estimated at \$800
- d. Drilling a well and installation of pump and electrical hook-up: \$2,500 (estimated)
- e. Construction of a temporary structure (poured slab + protective shed) to house the well and fuse box: Estimated at \$1,000
- f. Property survey (by Richard Seale of Ft. Bragg): \$400 (see receipt Exhibit H)
- g. Custom drafting of house plans and preparation of Certificate of Compliance (prepared by John Duncan of Custom Drafting, Ft. Bragg). I spoke to John Duncan (Tel: 707-937-4713) and he estimates it cost approximately \$500 back in 1988.

- h. Replacement well pump and installation: \$2614.10 (see receipt)
COSTS ASSOCIATED WITH ESTABLISHING A RESIDENCE AT PARCEL 20 OVER THE PAST 5 YEARS
- a. Biological Scoping Survey, Wetlands Delineation, Botanical Survey, Reduced Buffer Analysis (\$2946), Report of Compliance (\$1301), Wynn Coastal Planning Fees (\$5363.34),
- b. Five years of property taxes = \$1209.66 (see receipts)
- 3. Square footage of house footprint: The footprint of living space in the house is 1620 sq ft. (not counting the tower, which does not add to the footprint since it is on the second floor), and the garage is 567 sq ft.

Let me know if you need anything else or have any questions.
Gary

7 attachments



Exhibit A.jpg
771K

PROCESSED



Exhibit B Assessor's map.jpg
874K

GENERAL AFFIDAVIT

STATE OF CALIFORNIA

COUNTY OF MENDOCINO

RE: Family history and intended purpose of 43007 Little Lake Rd. (Parcel # 119-430-20)

PERSONALLY came and appeared before me, the undersigned Notary, the within named Ruth Ann Jane Gardner, who is a resident of Mendocino County, State of California, and makes this her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of her knowledge.

My ex-husband, Dr. Harold S. Robinson, purchased a parcel of land on Little Lake Road, Mendocino in 1970 (Exhibit A). I lived on Little Lake Rd. in Mendocino since the early 1970s where we raised my daughter (now Ann Helen Fritz) and son. In 1986, I took ownership of one acre of the property (Parcel # 119-430-20), now known as 43007 Little Lake Rd., as part of a divorce settlement and with an understanding and intention that I would have a parcel on which to build a home. As part of the divorce settlement, my ex-husband initiated the process of obtaining a permit to install a sewage system on my property for construction of a two-bedroom home, which included an easement onto his property for the leaching trenches. The application was submitted in July, 1986 (AP #119-430-20), approved, and implemented in 1988 (Exhibit B). I subsequently completed the process of grading a road into the property, obtaining electricity, and installing a well. In 1988, I paid for blueprints for a home on the site drafted by John M. Duncan of "Custom Drafting", of Ft. Bragg, California (Exhibit C). I also obtained a permit to live in a small travel trailer on the property during construction (Exhibit D). Prior to my ownership, the property had been used since the early 1970s as a campsite (tents and travel trailers) for family and friends and continued to be used in this fashion after I obtained ownership in 1986; the property has continued to be used for camping to the present and is bordered on the north and south by dwellings; some of the latter built in the 1990s. Unfortunately, I was unable to finance the construction of a house on my parcel and in 2001 transferred ownership of 43007 Little Lake Rd. to my daughter Ann Helen Fritz with the intention that she and her husband, Gary N. Fritz, would build their home on the property (Exhibit E).

DATED this the 23rd day of December in the year 2016

Ruth Ann Jane Gardner

Name of Affiant

SWORN to and subscribed before me, this the day 23 of Dec in the year 2016

Brenda Barrett

NOTARY PUBLIC

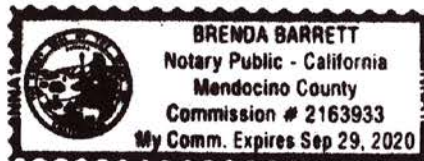


EXHIBIT "A"

PARCEL ONE: Beginning at the Northwest corner of land described in deed executed by C.R. Osborne, et al. to R. B. Osborne, et ux, dated September 4, 1968, recorded September 12, 1968 in Volume 773 of Official Records, page 75, Mendocino County Records; thence East along the North line of said Osborne land 330 feet to the East line thereof; thence South along the said East line to the North line of land described in deed executed by R. B. Osborne, et ux, to Harold S. Robinson, et ux, dated April 1, 1970, recorded April 15, 1970, in Volume 814 of Official Records, page 750, Mendocino County Records; thence West 330 feet along said North line to the West line of said Osborne land as described in the deed recorded in Volume 773 of Official Records, page 75, Mendocino County Records; thence North along said West line to the Point of beginning. Being a portion of Section 28, Township 17 North, Range 17 West, Mount Diablo Meridian.

PARCEL TWO: A non-exclusive easement as created in deed executed by C.R. Osborne, et al, to R. B. Osborne, et ux, dated September 4, 1968, recorded September 12, 1968 in Volume 773 of Official Records page 75, Mendocino County Records, as follows:

A non-exclusive easement, as an appurtenance to the parcel of land described as Parcel One above, or any portion thereof, for use as roadway and utilities purposes over a strip of land 40 feet in width running North from the North boundary of the Parcel One above described to the South line of the Little Lake Road, the West line of said 40 foot strip being the West line of the East half of the East half of the Northwest quarter of said Section 28.



J. Gardner Residence
Project Title
43007 Little Lake Rd., Mendocino CA.
Project Address
John M. Duncan, CUSTOM DRAFTING (707) 964-1245
Documentation Author Telephone
Building Permit #
Checked By / Date
Compliance Method (Package, Point System or Computer) Climate Zone Enforcement Agency Use Only

GENERAL INFORMATION

Total Conditioned Floor Area: 800 ft²
Building Type: Single Family Hotel/Motel
(check one or more) Multi-Family (less than 4 stories) Addition
 Multi-Family (4 or more stories) Existing-Plus-Addition
Front Entry Orientation: North / East / South / West All Orientations: (circle one or more)
Number of Dwelling Units: 1
Floor Construction Type: Slab / Raised Floor (circle one or both)
Infiltration Control: Standard/Tight (circle one)

BUILDING SHELL INSULATION

Component Type	Insulation R-Value	Location/Comments (attic, to garage, typical, etc.)
Wall	<u>19</u>	<u>Typ</u>
Wall		
Roof	<u>19</u>	<u>Typ</u>
Roof		
Floor	<u>11</u>	<u>Typ</u>
Floor		
Slab Edge	<u>N/A</u>	

GLAZING

Glazing Orientation	Area (sf)	Glass Type (single, double)	Shading Devices		Overhang (yes/no)	Framing Type (metal/wood)
			Interior (roller blind, etc.)	Exterior (shadescreen, etc.)		
Front... (<u>W</u>)		<u>Double</u>	<u>off white</u>	<u>none</u>	<u>yes</u>	<u>metal</u>
Front... ()						
Left... (<u>W</u>)		<u>11</u>	<u>11</u>	<u>11</u>	<u>no</u>	<u>11</u>
Left... ()						
Rear... (<u>E</u>)		<u>11</u>	<u>11</u>	<u>11</u>	<u>yes</u>	<u>11</u>
Rear... ()						
Right... (<u>S</u>)		<u>11</u>	<u>11</u>	<u>0</u>	<u>no</u>	<u>11</u>
Right... ()						
Skylight		<u>N/A</u>				
Skylight						

THERMAL MASS

Type/Covering (slab/exposed, tile, etc.)	Area (sf)	Thickness (inches)	Location/Description (kitchen, bath, etc.)
<u>Brick Exposed</u>	<u>52</u>	<u>3 1/2</u>	<u>Woodstove Raised Hearth, & Backwall</u>

Certificate of Compliance: Residential Custom Drafting Job No. (Page 2 of 2) CF-IR

J. Gardner Residence
Project Title
Date: 7/27/88

HVAC SYSTEMS

Type (furnace, air conditioner, heat pump)	Minimum Efficiency (SE, SEER, HSPF)	Duct Location (attic, etc.)	Duct R-Value	Output (Btuh)	Manufacturer / Model # (or approved equal)
<u>Wood Heating, Backup to be specified by owner</u>					
<u>GRAVITY SE-70</u>		<u>NONE</u>	<u>N/A</u>	<u>24500</u>	<u>KREBSKY-VARD 621355</u>

Maximum Furnace Heating Output: _____ Btuh

HOT WATER SYSTEMS

System Type (storage gas, etc.)	Tank Capacity	Manufacturer/Model # (or approved equal)	Special Feature(s)
<u>Storage Gas</u>	<u>40</u>		

SPECIAL FEATURES/REMARKS (Add extra sheets if necessary)

COMPLIANCE STATEMENT

This certificate of compliance lists the building features and performance specifications needed to comply with Title 24, Chapter 2-53 and Title 20, Chapter 2, Subchapter 4, Article 1 of the California Administrative Code. This certificate has been signed by the individual with overall design responsibility and the building owner, who shall retain a copy of it and transmit the certificate to any subsequent purchaser of the building. When this certificate of compliance is submitted for a single building plan to be built in multiple orientations, all building conservation

RECORDING REQUESTED BY

BART P. KRONFELD, ESQ.
POST OFFICE BOX 1677
Fort Bragg, California 95437

2001-08311
Recorded at the request of
BART P KRONFELD
05/10/2001 12:16P
Fee: 10.00 No of Pages: 2

	\$20.00 PAID
X	PCO FILED
	Exempt

Mail Tax Statements To:

JANE GARDNER
Post Office Box 1713
Mendocino, California 95460

OFFICIAL RECORDS
Mendocino County, CA
Marsha A Wharff, Clerk-Recorder



APN# 119 - 430 - 20

SPACE ABOVE THIS LINE FOR RECORDER'S USE
The undersigned grantor(s) declare(s)
Documentary Transfer Tax is \$ 0

GRANT DEED RESERVING LIFE ESTATE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
RUTH ANN JANE GARDNER ROBINSON, a married woman, (Grantor)
hereby GRANTS to: **ANNE HELEN JANINE GARDNER FRITZ** reserving from this grant
a **life estate in favor of RUTH ANN JANE GARDNER for so long as she desires to
live at** the following described real property in the County of Mendocino, State of
California:

For description see EXHIBIT A attached hereto and incorporated herein.

Dated: March 14, 2001

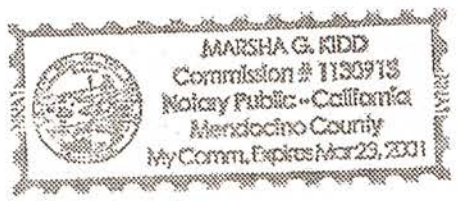
Ruth Ann Jane Gardner Robinson
RUTH ANN JANE GARDNER ROBINSON

State of California)
County of Mendocino)

On March 14, 2001, before me, Marsha G. Kidd, Notary,
personally appeared **Ruth Ann Jane Gardner** personally known to me to be the person whose
name is subscribed to the within instrument and acknowledged to me that she executed
the same in her authorized capacity and that by her signature on the instrument the person
or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Marsha G. Kidd
NOTARY PUBLIC



MOND HALL
DIRECTOR

FURT BRIDGE
MENDOCINO CO. HEALTH DEPARTMENT



TELEPHONE
707-463-4281

cc: FB

RECEIVED

SEP 21 1988

COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

43007 Little Lake Rd
MENDOCINO

NO. CO. HEALTH DFPT.

MAILING ADDRESS: COURTHOUSE
UKIAH, CALIFORNIA 95482

file

September 20, 1988

- Public Works
- Environmental Health
- Building Inspection (FB)
- Emergency Services
- Department of Forestry
- Coastal Commission
- Mendocino Fire District

*CASE#: U 47-88
 OWNER: RUTH ANN JANE GARDNER
 REQUEST: Use permit for the temporary occupancy of a travel trailer while constructing a dwelling
 LOCATION: 1 3/4 +- mi E of the Town of Mendocino, lying 1100+- ft S of Little Lake Rd (CR 409) access via a private road, approx 2600+- ft W of Nichols Ln (CR 408A); AP# 119-430-20
 *PROJECT COORDINATOR: Ignacio Gonzalez
 RESPONSE DUE DATE: October 4, 1988

*PLEASE NOTE THE CASE NUMBER AND NAME OF PROJECT COORDINATOR WITH ALL CORRESPONDENCE TO THIS DEPARTMENT.

Attached to this form is information describing the above noted project(s). The County Planning Department is soliciting your input, which will be used in staff analysis, and will be forwarded to the appropriate public hearing.

You are invited to comment on any aspect of the proposed project(s). Please address any concerns or recommendations on environmental considerations and specific information regarding permits you may require to Ignacio Gonzalez, the project coordinator, at the above address.

No Comment Comments to Follow
 JDR 10-14-88 Comments Attached or Below

NOTE:
NEW SEPTIC PERMIT ISSUED 7/88
(SYSTEM INSTALLED)

WILLIAM G. RUMMEL
Registered Sanitarian
Environmental Consultant/Service

P.O. Box 50
Menlo Park, CA 94025
(650) 327-1400

SITE EVALUATION REPORT
FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT

NAME: HAROLD ROBINSON / JANE GARDNER A.P.No. 119-430-20
SITE EVALUATOR: W.G. Rummel
ADDRESS: P.O. Box 1105 ADDRESS: P.O. Box 50, Mendocino Ca.
CITY: Mendocino, Ca. 95460 AGENT: _____
LOCATION: 43007 Little Lake Rd, Mendocino -
turn 50 just past the 2.0 mi marker

NO. OF BEDROOMS: 2 WATER SUPPLY: INDIVIDUAL PUBLIC

The attached compilation of soils and site information (including a plot plan, soil profile report, and either soil percolation or soil texture report) are submitted for review.

SITE EVALUATOR'S STATEMENT:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE ABOVE LOT/FARMS USING APPLICABLE PROCEDURES, AND THAT IT COMPLIES WITH ALL STATE AND COUNTY REQUIREMENTS FOR AN ON-SITE SEWAGE DISPOSAL SYSTEM.

- Requires Sanitarian System No. 1 * (See Plans & Report)
- Requires Waiver (request attached)
- Requires Other Special/Alternative Designs (Proposal attached)

DATE: 7/8/86
SIGNED: William G. Rummel



INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT		RECEIPT NUMBER 55629	PERMIT NUMBER 1831-F
FEE \$175		ADDITION <input type="checkbox"/> RENEWAL <input type="checkbox"/> REPAIR	

890 N. BUSH ST.
UKIAH, CA 95482
(707) 468-4466

DIVISION OF ENVIRONMENTAL HEALTH
DEPARTMENT OF PUBLIC HEALTH
COUNTY OF MENDOCINO

790A SO. FRANKLIN ST.
FORT BRAGG, CA 95437
(707) 964-4713

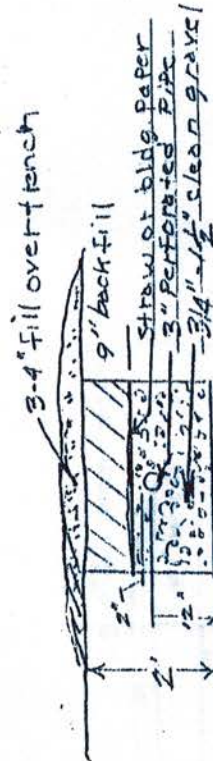
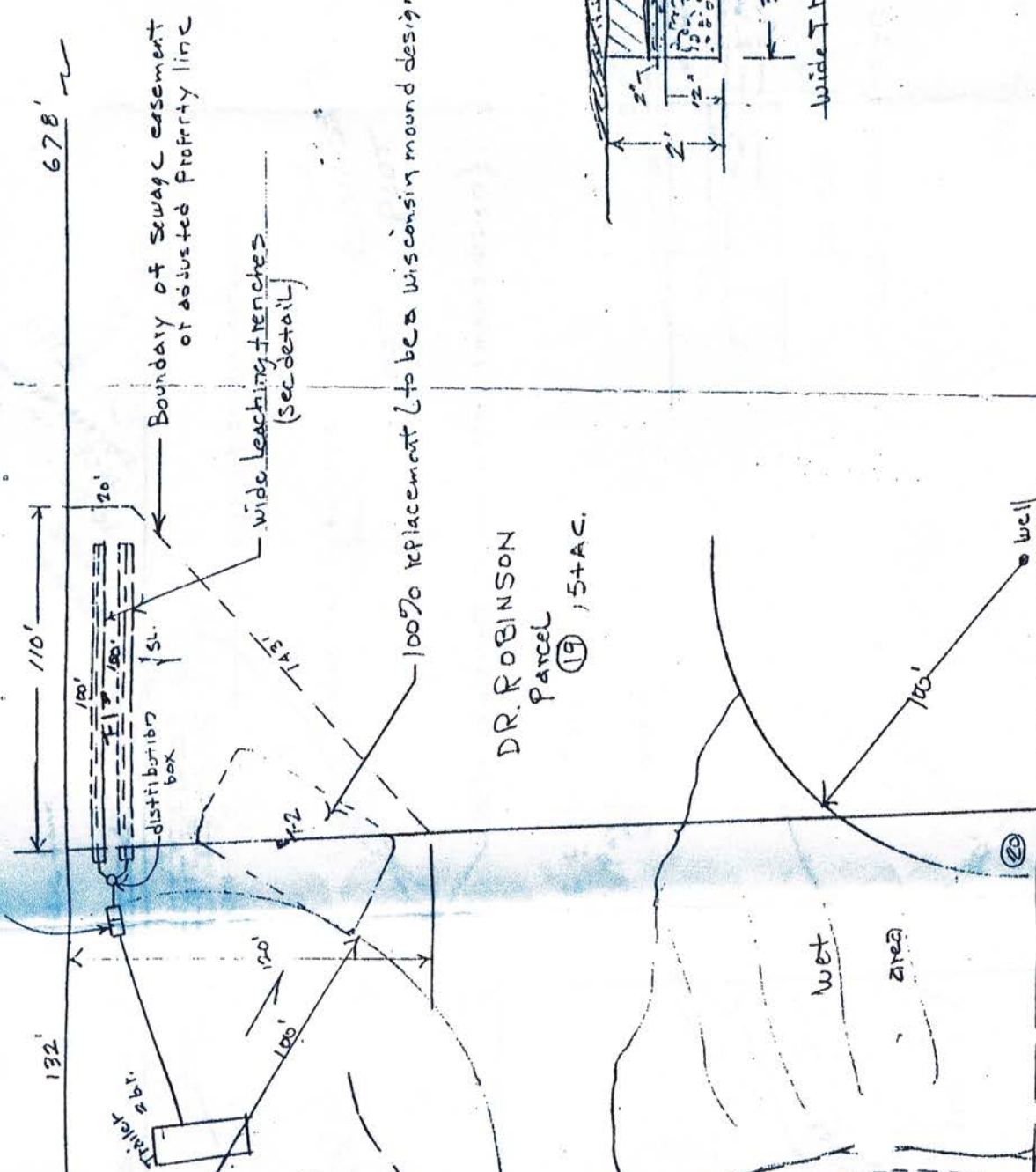
SEE REVERSE SIDE FOR AS-BUILT SKETCH

<p>REQUIREMENTS & SPECIFICATIONS:</p> <p>GENERAL REQUIREMENTS</p> <ol style="list-style-type: none"> Leach Trenches shall be covered with a minimum of 12 inches of backfill after Health Department approval. Septic tank and disposal field must be 10 feet from property lines and structures, 100 feet from any water well or surface drainage. When the sewage disposal system has been installed, and before top soil is placed over it, the INSTALLER SHALL NOTIFY the Health Department IN WRITING that a final inspection can be made. Allow five working days for the inspection. Trenches shall have a gradual fall of 1 inch to 30 feet. <p>TREATMENT TANK</p> <input type="checkbox"/> Septic Tank-size 1200 gals. <input type="checkbox"/> Other describe _____ <input checked="" type="checkbox"/> Trench Disposal	<p>SUBSURFACE DISPOSAL AREA</p> <p>Total linear feet of trench 300 ft. Number of trenches 3 Length of each trench 100 ft. Total depth of trench 2 ft. Depth of gravel below line 1 ft.</p> <p><input type="checkbox"/> Leach Bed SEPARATE - _____ sq. ft. Total Bed area _____ sq. ft. Number of beds _____ Width _____ ft. Length _____ ft. Total Depth of bed(s) _____ ft. Depth of gravel below line _____ ft.</p> <p><input type="checkbox"/> Other Disposal Area Describe _____</p>
<p>SPECIAL REQUIREMENTS</p> <p><input type="checkbox"/> Install in _____ Area <input type="checkbox"/> Special Design (Describe) _____</p>	
<p>Remarks: 2 MAY 88 Leach line installation J. Ehlers - OK</p>	

<p>PERMIT ISSUED: 5/16/88</p>	<p>DATE: 7-12-88</p>
<p>INSTALLATION APPROVAL BY: [Signature]</p>	<p>DATE: 7-12-88</p>

THIS PERMIT EXPIRES ONE YEAR FROM DATE OF ISSUANCE - MENDOCINO COUNTY CODE SEC.16.08.020

This permit may be renewed upon application for renewal within one year of expiration



wide trench design, No. 55

7-14 } Soil Profiles
4-28 }

SEWAGE DISPOSAL SYSTEM
 For Jane Gardner, residence
 43007 Little Lake Rd, Mendocino
 AP# 119-430-20, Mendocino Co
 July 8, 1986 by: W.G. Rummel, P.E.

WILLIAM G. RUMMEL, R.S.
 Sanitation Consultant
 P.O. Box 50
 Mendocino, Ca. 95460
 Registration No. 1647

SCALE 1" = 40'

Private Rd



SHARI L. SCHAPMIRE
TREASURER-TAX COLLECTOR
501 Low Gap Road, Room #1060
Ukiah, CA 95482
www.co.mendocino.ca.us/tax

MENDOCINO COUNTY SECURED TAX STATEMENT
FOR FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014
2013 - 2014

PROPERTY INFORMATION		SEE REVERSE FOR IMPORTANT INFORMATION	
ASSESSMENT NUMBER: 42786	TAX RATE AREA: 104-004	Please Bring Entire Bill When Paying in Person.	
PARCEL NUMBER: 119-430-2000	ACRES: 1.00	Your Canceled Check is Your Best Receipt.	
LOCATION: 43007 LITTLE LAKE RD ME	LIEN DATE OWNER: GARDNER RUTH ANN JANE LIFE EST		

001195

paid 10/29/13 \$237.46

CREDIT CARD OR ELECTRONIC CHECK PAYMENT
BY PHONE: 1-800-617-2276
OR BY INTERNET VISIT www.officialpayments.com
(convenience fees apply)

GARDNER RUTH ANN JANE LIFE EST
C/O ANN H FRITZ
1114 MONROE AVE
CHARLESTON IL 61920-2255

TELEPHONE NUMBERS	COUNTY VALUES AND EXEMPTIONS
Tax Collection (707) 234-6875	VALUE
Address Change (707) 463-4311	LAND 12,974
Exemptions (707) 463-4315	IMPROVEMENTS 2,637
Assessed Values (707) 463-4311	PERSONAL PROPERTY
Tax Rates (707) 234-6862	HOMEOWNER'S EXEMPTION
Personal Property (707) 463-4307	OTHER EXEMPTION
	NET ASSESSED VALUE 15,611

VOTER APPROVED TAXES, TAXING AGENCY DIRECT CHARGES AND SPECIAL ASSESSMENTS	
TELEPHONE NUMBERS	TAX RATE PERCENT
(707)234-6862	1.000
(707)234-6860	.011
(707)961-1234	.013
(707)937-5868	.081
(707)937-5868	DIRECT CHARGE
(707)937-0131	DIRECT CHARGE
DESCRIPTION	AGENCY TAXES/CHARGES
COUNTY WIDE BASE TAX	156.10
REDWOODS JC BOND	1.70
MENDOCINO COAST HOSP	2.02
MENDOCINO UNIF BOND	12.64
MENDOCINO UNIF MAINT	30.00
MENDOCINO FIRE PROT	35.00

DUE AND PAYABLE ON 11/1/2013		DUE AND PAYABLE ON 2/1/2014	
1ST INSTALLMENT	\$ 118.73	2ND INSTALLMENT	\$ 118.73
DELINQUENT AFTER 12/10/2013		DELINQUENT AFTER 4/10/2014	
		TOTAL TAXES	\$ 237.46



SHARI L. SCHAPMIRE
TREASURER-TAX COLLECTOR
 501 Low Gap Road, Room #1060
 Ukiah, CA 95482
 www.co.mendocino.ca.us/fax

MENDOCINO COUNTY SECURED TAX STATEMENT
FOR FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015

Corrected Bill
2014 - 2015

PROPERTY INFORMATION
 ASSESSMENT NUMBER: 42832R TAX RATE AREA: 104-004
 PARCEL NUMBER: 119-430-200R ACRES: 1.00
 LOCATION: 43007 LITTLE LAKE RD ME
 LIEN DATE OWNER: GARDNER RUTH ANN JANE LIFE EST

SEE REVERSE FOR IMPORTANT INFORMATION
 Please Bring Entire Bill When Paying in Person.
 Your Canceled Check is Your Best Receipt.

005531

DISCOVER
 VISA
 ELECTRONIC CHECKS

CREDIT CARD OR ELECTRONIC CHECK PAYMENT
 BY PHONE: 1-800-617-2276
 OR BY INTERNET VISIT www.officialpayments.com
 (convenience fees may apply - see reverse)

GARDNER RUTH ANN JANE LIFE EST
 C/O ANN H FRITZ
 1114 MONROE AVE
 CHARLESTON IL 61920-2255

TELEPHONE NUMBERS	COUNTY VALUES AND EXEMPTIONS	VALUE
Tax Collection (707) 234-6875	LAND	13,033
Address Change (707) 234-6800	IMPROVEMENTS	2,649
Exemptions (707) 234-6801	PERSONAL PROPERTY	
Assessed Values (707) 234-6800	HOMEOWNER'S EXEMPTION	
Tax Rates (707) 234-6862	OTHER EXEMPTION	
Personal Property (707) 234-6815	NET ASSESSED VALUE	15,682

VOTER APPROVED TAXES, TAXING AGENCY DIRECT CHARGES AND SPECIAL ASSESSMENTS	
TELEPHONE NUMBERS	TAX RATE PERCENT
(707)234-6862	1,000
(707)234-6860	.013
(707)961-1234	.013
(707)937-5868	.080
(707)937-5868	DIRECT CHARGE
(707)937-0131	DIRECT CHARGE
	AGENCY TAXES/CHARGES
	156.82
	2.02
	2.02
	12.54
	30.00
	35.00

paid 11/9/2014
\$ 238.40

* Corrected Bill * Adjusted Tax Bill Order of the Board of Supervisors * Corrected Bill *	
DUE AND PAYABLE ON 11/1/2014	DUE AND PAYABLE ON 2/1/2015
1ST INSTALLMENT \$ 119.20	2ND INSTALLMENT \$ 119.20
DELINQUENT AFTER 12/10/2014	DELINQUENT AFTER 4/10/2015
	TOTAL TAXES \$ 238.40



SHARI L. SCHAPMIRE
TREASURER-TAX COLLECTOR
 501 Low Gap Road, Room #1060
 Ukiah, CA 95482
 www.co.mendocino.ca.us/tax

MENDOCINO COUNTY SECURED TAX STATEMENT
FOR FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016

2015 - 2016

PROPERTY INFORMATION		SEE REVERSE FOR IMPORTANT INFORMATION	
ASSESSMENT NUMBER: 42853	TAX RATE AREA: 104-004	Please Bring Entire Bill When Paying in Person.	
PARCEL NUMBER: 119-430-2000	ACRES: 1.00	Your Canceled Check is Your Best Receipt.	
LOCATION: 43007 LITTLE LAKE RD ME			
LIEN DATE OWNER: GARDNER RUTH ANN JANE LIFE EST			

001190

DISCOVER MASTERCARD VISA ELECTRONIC CHECK

CREDIT CARD OR ELECTRONIC CHECK PAYMENT
 BY PHONE: 1-800-617-2276
 OR BY INTERNET VISIT www.officialpayments.com
 (convenience fees may apply - see reverse)

GARDNER RUTH ANN JANE LIFE EST
 C/O ANN H FRITZ
 1114 MONROE AVE
 CHARLESTON IL 61920-2255

TELEPHONE NUMBERS	COUNTY VALUES AND EXEMPTIONS	VALUE
Tax Collection (707) 234-6875	LAND	13,293
Address Change (707) 234-6800	IMPROVEMENTS	2,702
Exemptions (707) 234-6801	PERSONAL PROPERTY	
Assessed Values (707) 234-6800	HOMEOWNER'S EXEMPTION	
Tax Rates (707) 234-6862	OTHER EXEMPTION	
Personal Property (707) 234-6815	NET ASSESSED VALUE	15,995

VOTER APPROVED TAXES, TAXING AGENCY DIRECT CHARGES AND SPECIAL ASSESSMENTS		
TELEPHONE NUMBERS	DESCRIPTION	TAX RATE PERCENT
(707)234-6862	COUNTY WIDE BASE TAX	1.000
(707)234-6860	REDWOODS JC BOND	.010
(707)961-1234	MENDOCINO COAST HOSP	.015
(707)937-5868	MENDOCINO UNIF BOND	.091
(707)937-5868	MENDOCINO UNIF MAINT	
(707)937-0131	MENDOCINO FIRE PROT	
		AGENCY TAXES/CHARGES
		159.94
		1.58
		2.38
		14.54
		30.00
		35.00

paid check no. 3157 mailed 11/09/15

\$ 243.44

DUE AND PAYABLE ON 11/1/2015	DUE AND PAYABLE ON 2/1/2016
1ST INSTALLMENT \$ 121.72	2ND INSTALLMENT \$ 121.72
DELINQUENT AFTER 12/10/2015	DELINQUENT AFTER 4/10/2016
TOTAL TAXES \$ 243.44	

RETURN THIS STUB WITH YOUR PAYMENT

PLEASE MAKE CHECK PAYABLE TO:

MENDOCINO COUNTY TAX COLLECTOR
501 LOW GAP RD., ROOM #1060
UKIAH, CA 95482

2ND INSTALLMENT PAYMENT CAN NOT BE ACCEPTED
UNLESS THE 1ST INSTALLMENT HAS BEEN PAID.

ASSESSED TO ▼

GARDNER RUTH ANN JANE LIFE EST
C/O ANN H FRITZ
1114 MONROE AVE
CHARLESTON, IL 61920

RETURN THIS STUB WITH YOUR PAYMENT

PLEASE MAKE CHECK PAYABLE TO:

MENDOCINO COUNTY TAX COLLECTOR
501 LOW GAP RD., ROOM #1060
UKIAH, CA 95482

TO PAY TOTAL TAX OF \$ 244.08 RETURN
BOTH STUBS WITH PAYMENT BY DEC. 10, 2016

ASSESSED TO ▼

GARDNER RUTH ANN JANE LIFE EST
C/O ANN H FRITZ
1114 MONROE AVE
CHARLESTON, IL 61920

▲ DETACH HERE ▲

2ND INSTALLMENT PAYMENT STUB

MENDOCINO COUNTY SECURED PROPERTY TAXES

PARCEL NUMBER 119-430-2000	TAX RATE AREA 104-004	ASSESSMENT NO. 42924
--------------------------------------	---------------------------------	--------------------------------

2ND

2016 - 2017

IF PAID BY 4/10/2017 \$ 122.04

10% PENALTY \$ 12.20
COST CHARGE \$ 20.00

AFTER APRIL 10, 2017 PAY THIS AMOUNT → \$ 154.24

42924 2119430200000000122040000154240000024408

▲ DETACH HERE ▲

1ST INSTALLMENT PAYMENT STUB

MENDOCINO COUNTY SECURED PROPERTY TAXES

PARCEL NUMBER 119-430-2000	TAX RATE AREA 104-004	ASSESSMENT NO. 42924
--------------------------------------	---------------------------------	--------------------------------

1ST

2016 - 2017

IF PAID BY 12/10/2016 \$ 122.04

10% PENALTY \$ 12.20

AFTER DECEMBER 10, 2016 PAY THIS AMOUNT → \$ 134.24

42924 1119430200000000122040000134240000024408

OwnBey Plumbing
 30564 Sherwood Rd
 Fort Bragg, CA 95437

459317

CUSTOMER'S ORDER NO. DEPT. DATE: 7-2-07

NAME: Mr & Mrs Fritz

ADDRESS: 43007 Little Lake Rd

CITY, STATE, ZIP: Mendocino CA 95460

SUBJECT: CASH C.O.D. CHARGE ON ACCT. MENSE BID. PAID/OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	V-250 Pressure Tank		\$ 585.00
2	Labor & Travel		\$ 543.50
3	Parts & materials		\$ 147.51
4	3/4 HP SUB PUMP		\$ 830.00
5	Pump control Box		72.50
6	QA Pump tee		\$ 218.00
7	Pump wire		\$ 87.60
8	Sales Tax		\$ 129.99
9			
10	Total		\$ 2,614.10
11			
12	Installed PUMP Station		
13	In-Pump-house...		
14			
15	Thank you.		

Check 1996

7/2/07

ORIGINAL 2001 REDIFORM 51120

RICHARD A. SEALE
Licensed Land Surveyor
420 Redwood Ave.
Fort Bragg, CA 95437

STATEMENT

paid 8/3/07
1949
\$ 400.00

DATE July 2, 2007

Eary Fritz
1114 Monroe Ave
Charleston, Illinois 61920

Detach and Return This Stub With Remittance. Amt. Remitted \$

DATE	CHARGES AND CREDITS	BALANCE
7/02/07	Location of property corners A.P.# 119-430-20, Little Lake Rd. Mendocino	\$ 400.00

Your Check is Your Receipt

Thank You



COUNTY OF MENDOCINO

OFFICIAL RECEIPT 55629

DEPARTMENT Health Dept

RECEIVED FROM Harold Robinson

for some hardware

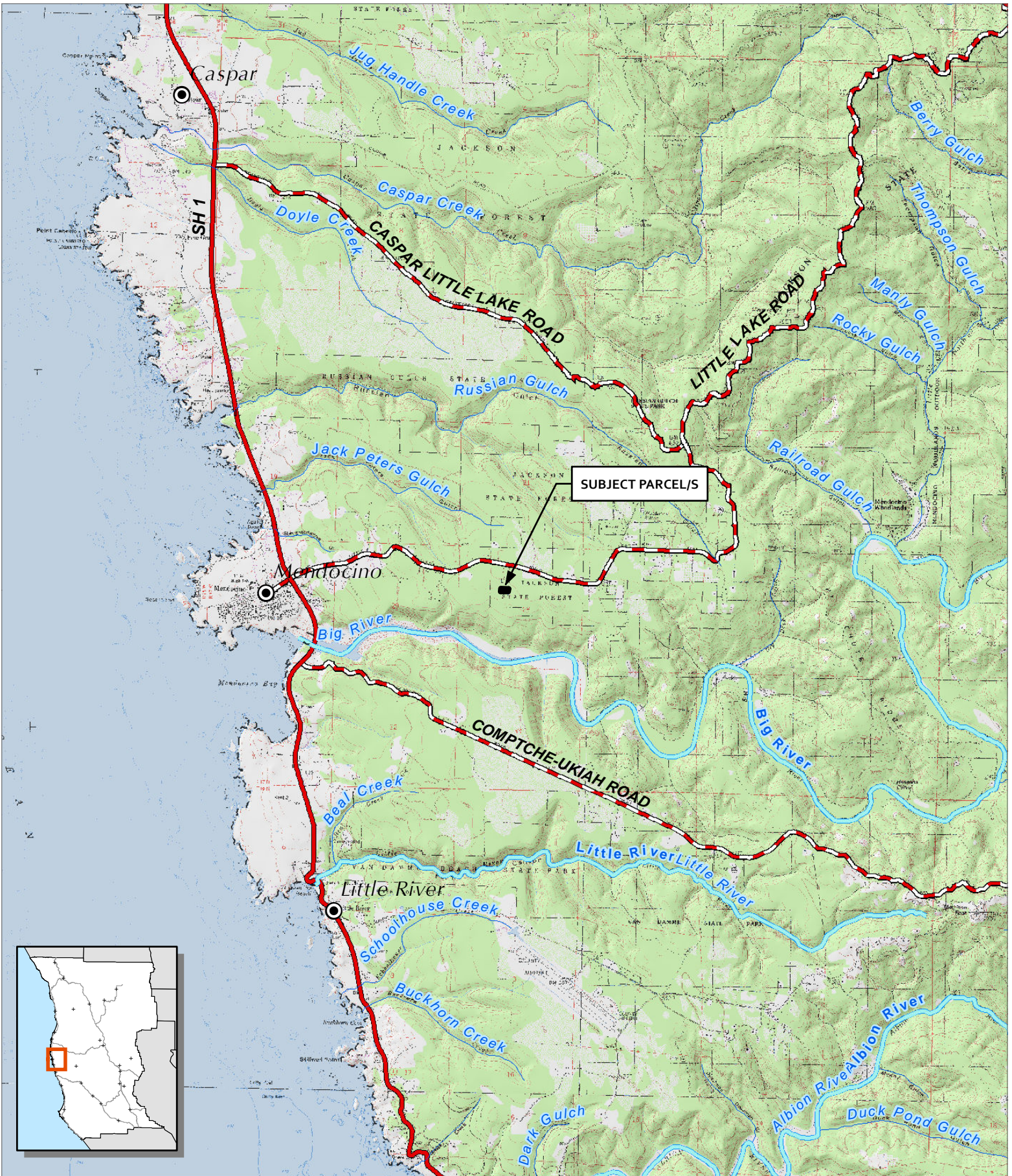
ADDRESS 43007 Little Lake Rd

FOR Check A

AMOUNT One Eighty Five Dollars

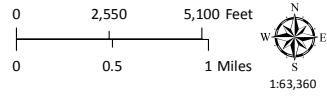
\$ 185-

CASH					
CHECK	<u>90-006</u>				
M.O.					
FUND	BUDGET	ACCT. NO.	ACCT. NAME	AMOUNT	
				<u>185-</u>	
DATE	<u>12/87</u>				
PAYEE COPY					



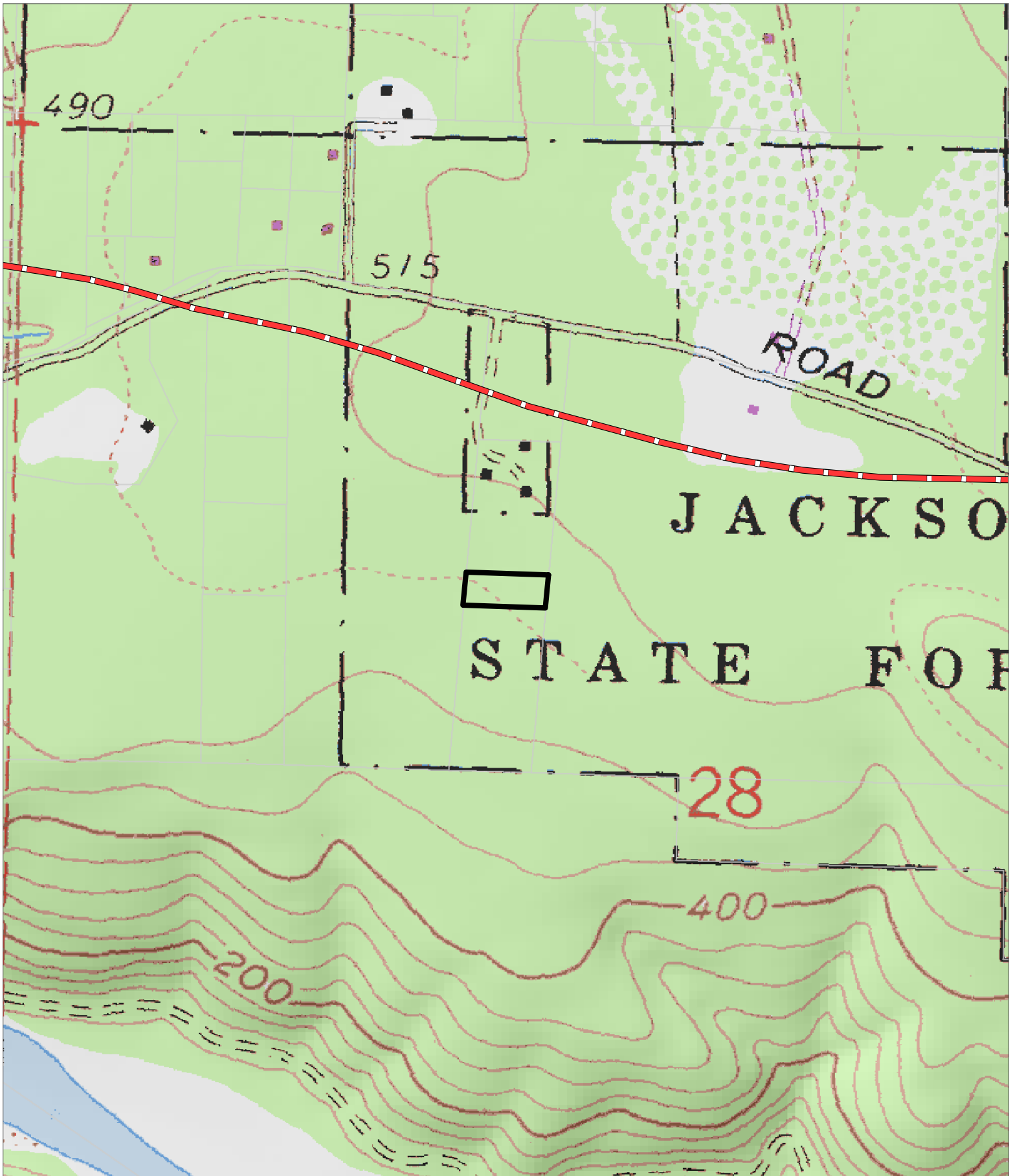
CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

- Major Towns & Places
- Highways
- Major Roads
- Major Rivers
- Named Rivers



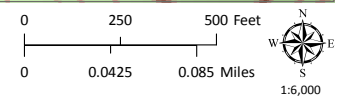
LOCATION MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
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 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

 Coastal Zone Boundary



TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

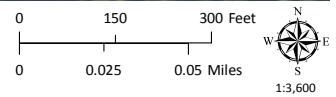
**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

CASE: CDP 2017-0032
OWNER: FRITZ, Gary & Ann
APN: 119-430-20
APLCT: Gary & Ann Fritz
AGENT: Teresa Spade
ADDRESS: 43007 Little Lake Road, Mendocino

Public Roads
Driveways/Unnamed Roads



AERIAL IMAGERY

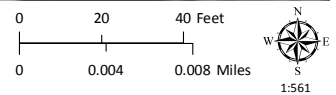
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CASE: CDP 2017-0032
OWNER: FRITZ, Gary & Ann
APN: 119-430-20
APLCT: Gary & Ann Fritz
AGENT: Teresa Spade
ADDRESS: 43007 Little Lake Road, Mendocino

--- Driveways/Unnamed Roads




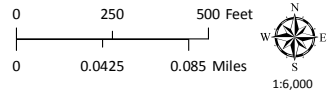
AERIAL IMAGERY

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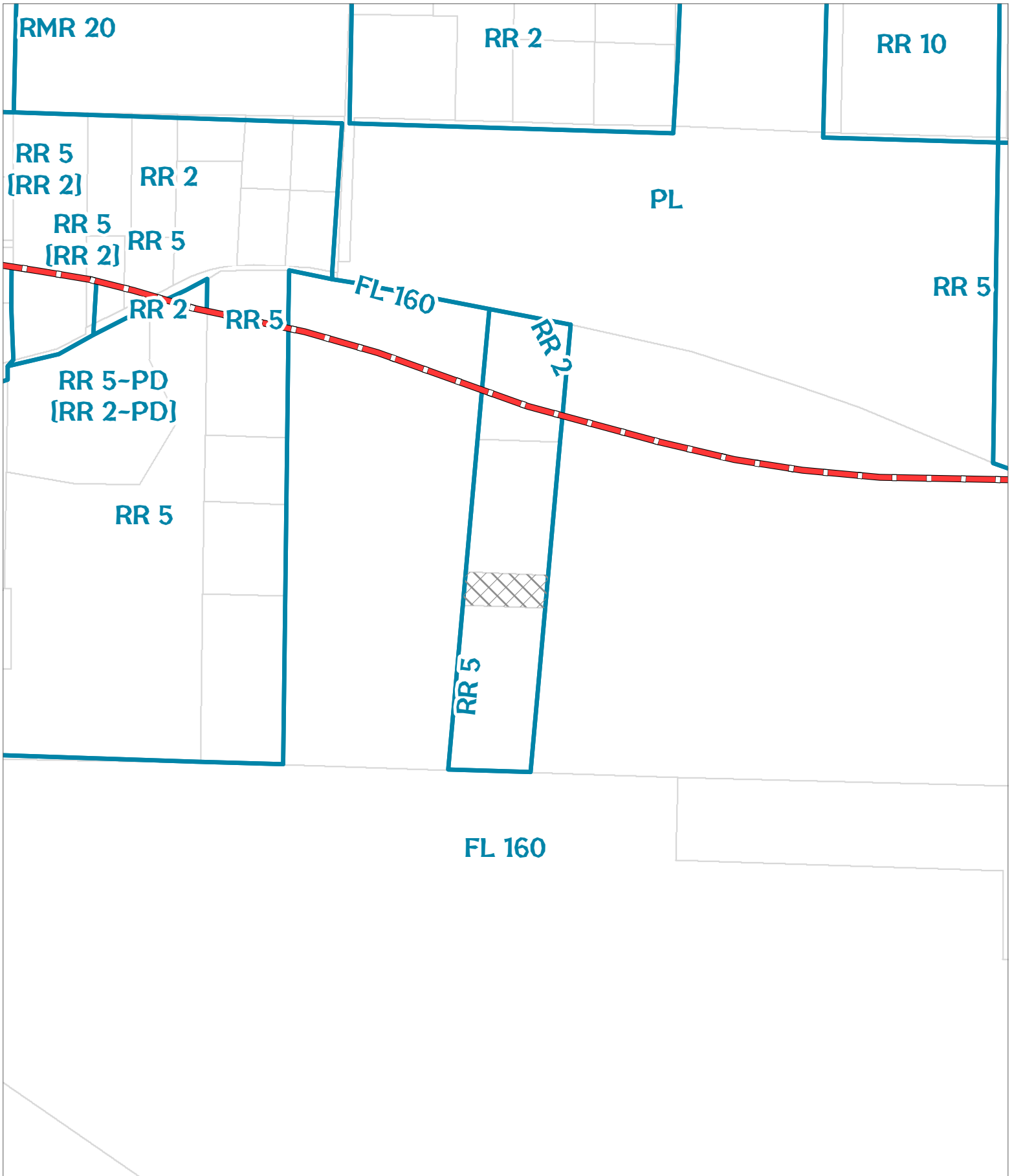
CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

 Zoning Districts





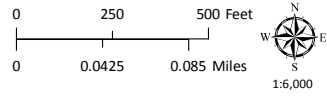
ZONING DISPLAY MAP

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CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

 Coastal Zone Boundary
 General Plan Classes



GENERAL PLAN CLASSIFICATIONS

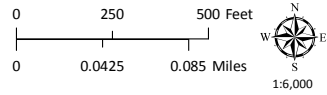
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SHORELINE ACCESS/CIRCULATION			
-----	Shoreline Access Existing		View Turnout
o-o-o-o-o-o-o	Shoreline Access Proposed	---	Proposed road alignment
NATURAL ENVIRONMENT			
	Prime Agricultural Land <small>As defined by 2014 Code Sec. 20200(a)</small>		Rare or Endangered Plant Habitat <small>Designated by California Native Plant Society</small>
	Pygmy Vegetation <small>Designated based on Riparian or Wetland soils</small>		Rare or Endangered Wildlife Habitat <small>Designated based on location of plants or animals and their designations by the California Department of Fish and Game</small>
	Pygmy-type Vegetation <small>Designated based on Riparian or Wetland soils</small>		Special Treatment Area <small>Used to protect riparian resources to protect stream quality</small>
	Riparian Vegetation <small>Wetlands vegetation associated with the banks of streams and rivers and other riparian areas</small>		Flooding <small>As defined in general division of flooding in a given year (2000 to 1:4, 1:100, 1:500)</small>
	Wetlands <small>Wetlands are defined as periodically or permanently saturated with shallow water, including swamps, marshes, and bays</small>		
	Dunes		
BOUNDARIES			
	Urban/Rural Boundary <small>1/4 mile buffer (except areas of Coastal Act Sec. 30200) around the parcel</small>		Timber Preserve Zone <small>Use restricted to timber production</small>
	Water District <small>Publicly regulated body of water for water supply</small>		Williamson Act <small>Current farming use in agriculture</small>
	Sewer District <small>Publicly regulated body of water for sewage disposal</small>		

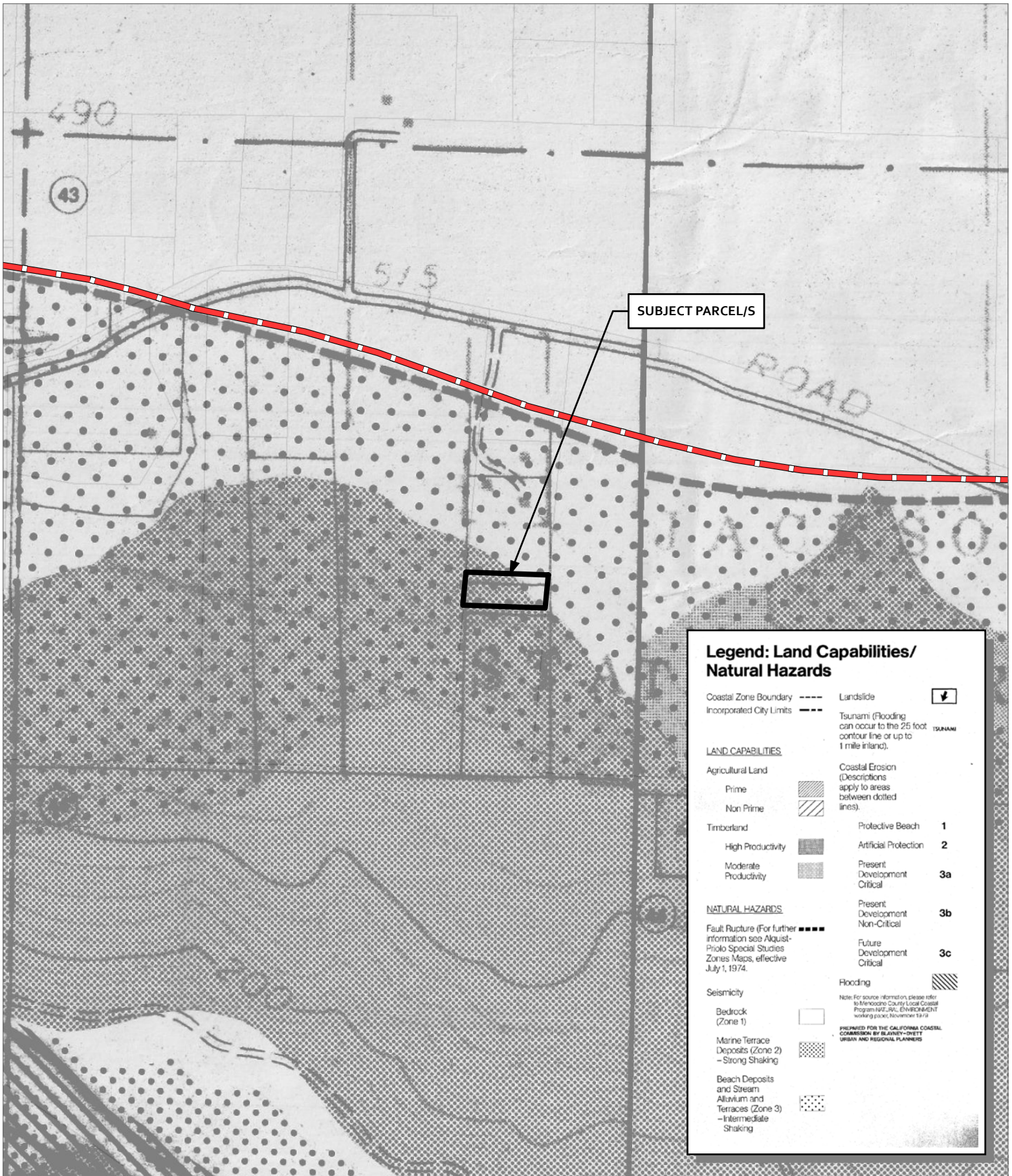
CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

Coastal Zone Boundary



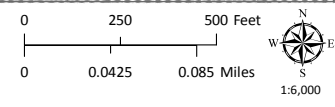
LCP LAND USE MAP 17: MENDOCINO

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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



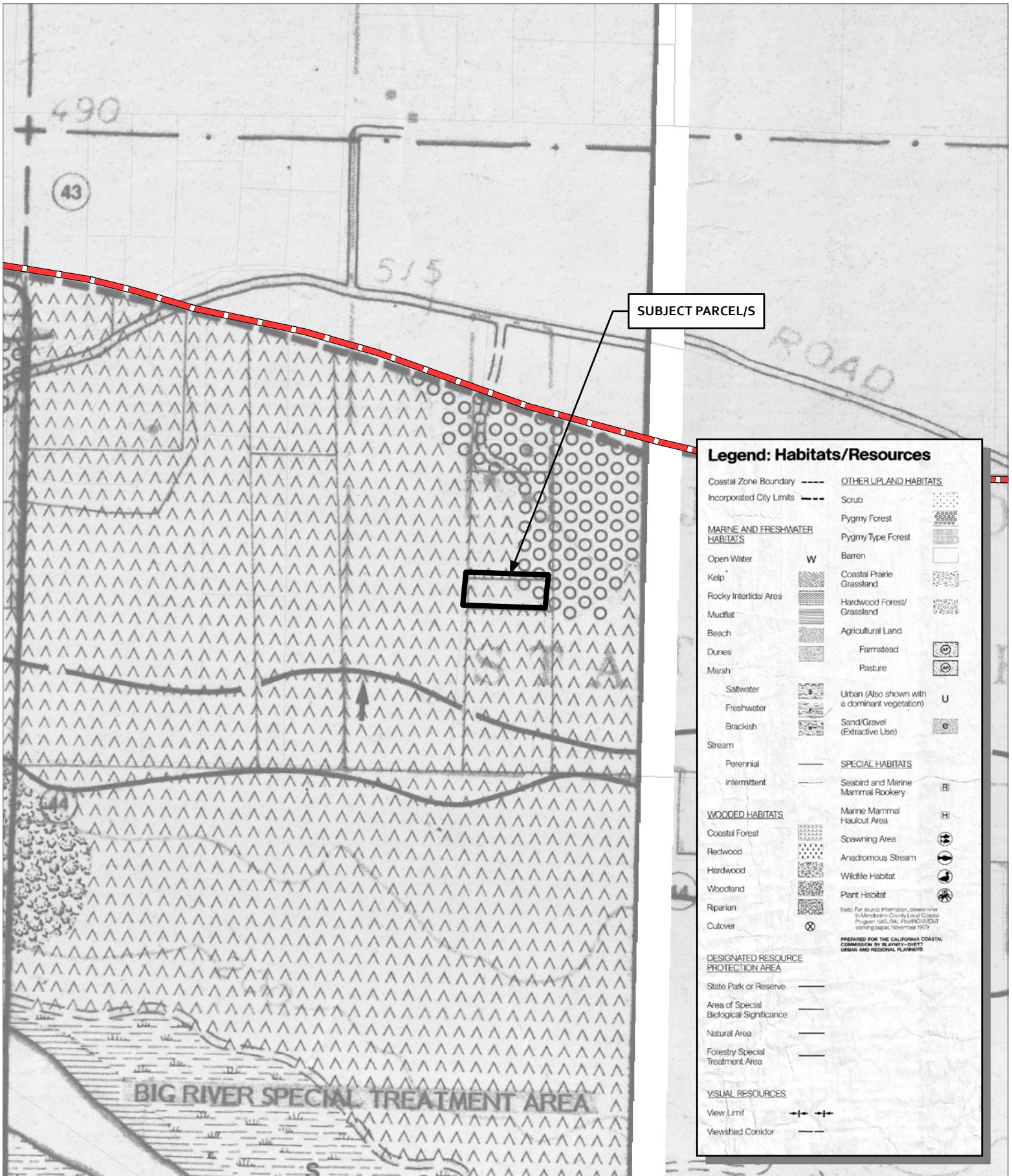
CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

Coastal Zone Boundary



LCP LAND CAPABILITIES & NATURAL HAZARDS

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Legend: Habitats/Resources

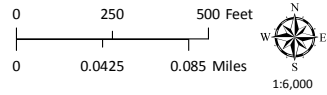
Coastal Zone Boundary	---	OTHER UPLAND HABITATS	
Incorporated City Limits	---	Scrub	[Pattern]
MARINE AND FRESHWATER HABITATS		Pygmy Forest	[Pattern]
Open Water	W	Pygmy Type Forest	[Pattern]
Kelp	[Pattern]	Barren	[Pattern]
Rocky Intertidal Area	[Pattern]	Coastal Prairie Grassland	[Pattern]
Mudflat	[Pattern]	Hardwood Forest/Grassland	[Pattern]
Beach	[Pattern]	Agricultural Land	[Pattern]
Dunes	[Pattern]	Farmstead	[Pattern]
Marsh	[Pattern]	Pasture	[Pattern]
Saltwater	[Pattern]	Urban (Also shown with a dominant vegetation)	U
Freshwater	[Pattern]	Sand/Gravel (Extractive Use)	e
Brackish	[Pattern]		
Stream		SPECIAL HABITATS	
Perennial	—	Seabird and Marine Mammal Rookery	RI
Intermittent	---	Marine Mammal Haulout Area	MI
WOODED HABITATS		Spawning Area	[Symbol]
Coastal Forest	[Pattern]	Anadromous Stream	[Symbol]
Redwood	[Pattern]	Wildlife Habitat	[Symbol]
Hardwood	[Pattern]	Plant Habitat	[Symbol]
Woodland	[Pattern]		
Riparian	[Pattern]		
Cutover	[Symbol]		
DESIGNATED RESOURCE PROTECTION AREA			
State Park or Reserve	—		
Area of Special Biological Significance	—		
Natural Area	—		
Forestry Special Treatment Area	—		
VISUAL RESOURCES			
View Limit	---+---+---		
Viewshed Corridor	---		

Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT working paper, November 1979

PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAVERY-DYETT URBAN AND REGIONAL PLANNERS

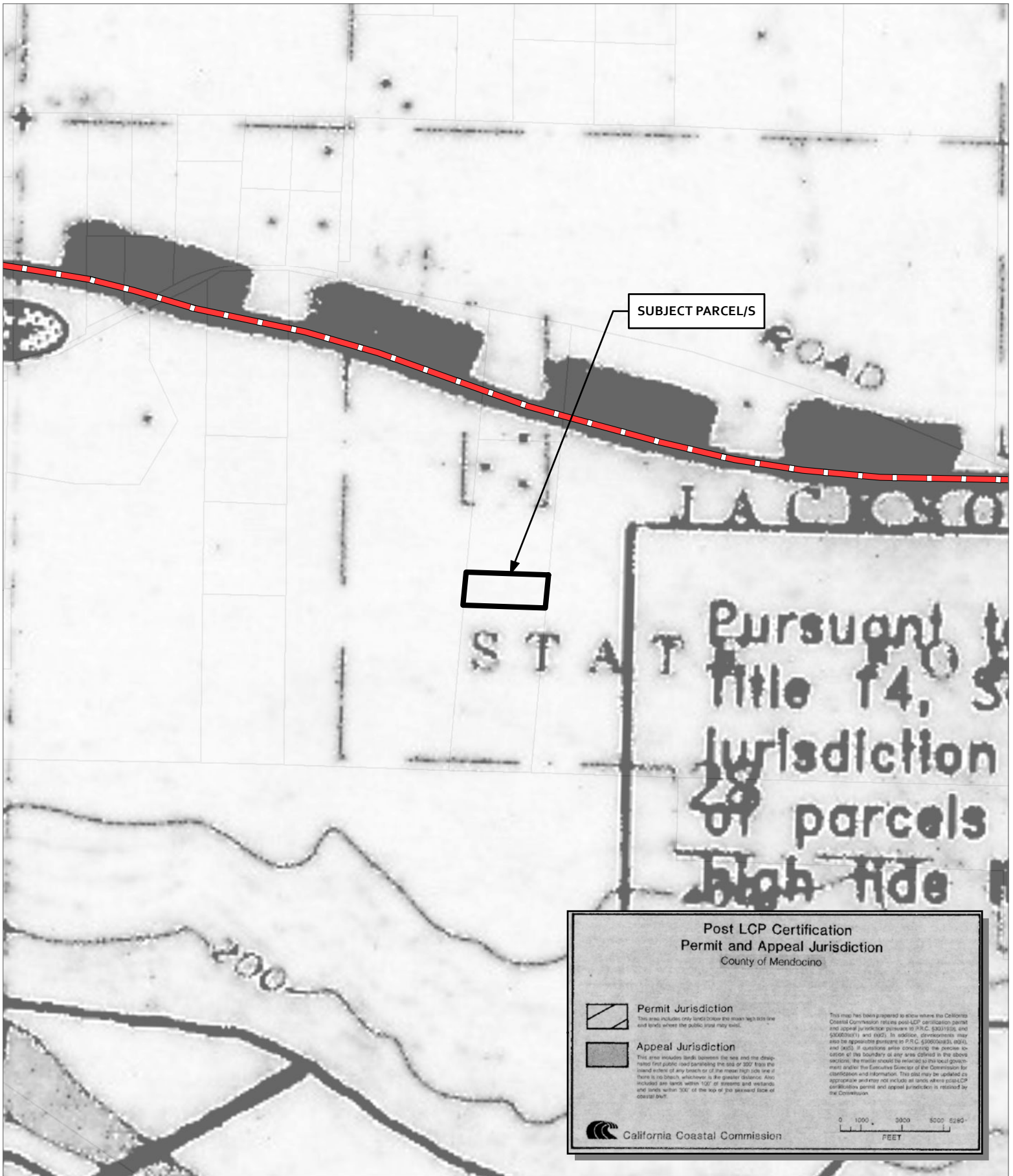
CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
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Coastal Zone Boundary




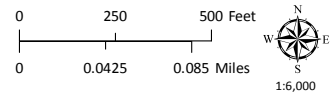
LCP HABITATS & RESOURCE

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**



CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino

 Coastal Zone Boundary

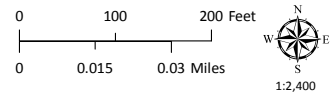


APPEALABLE AREAS

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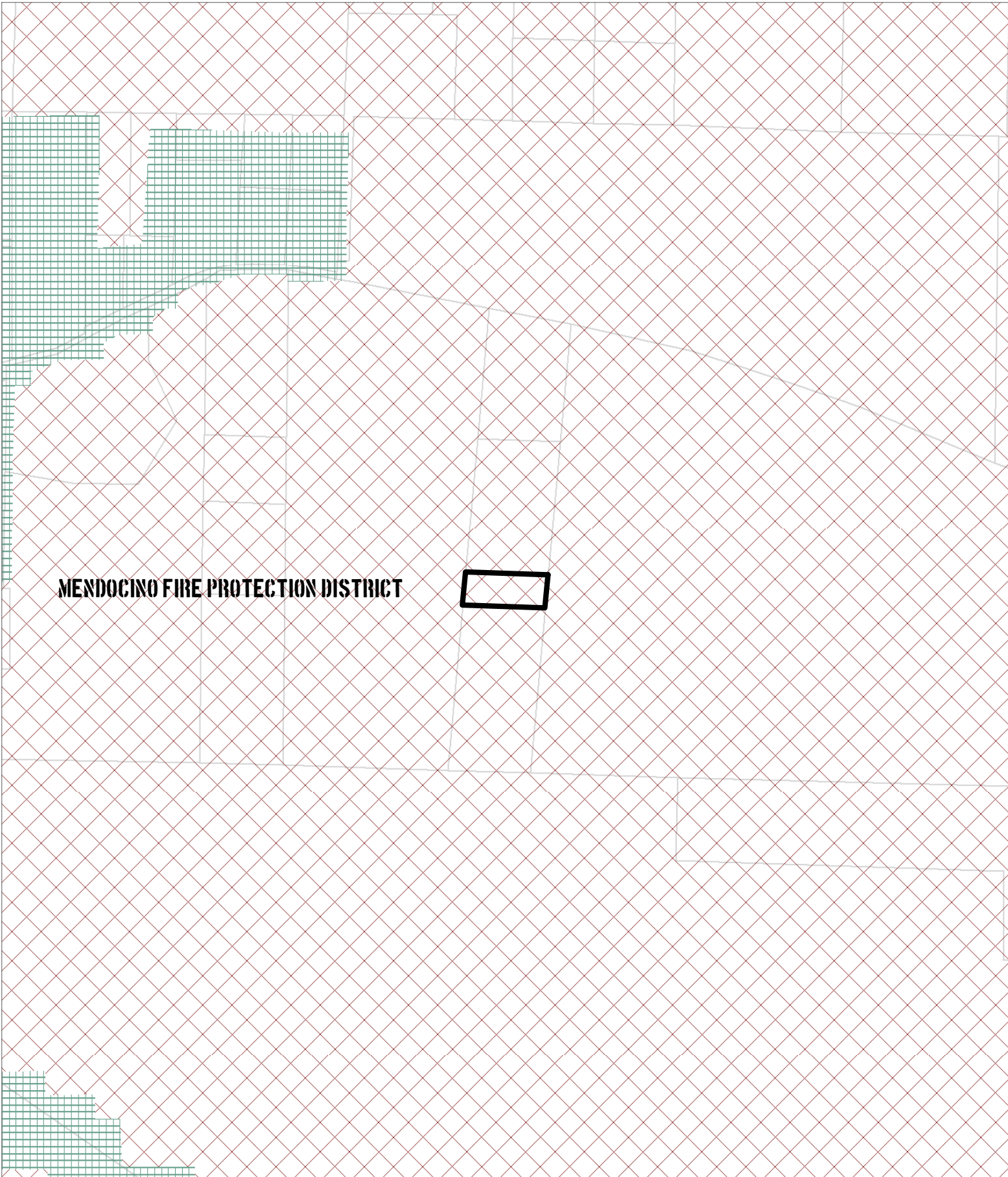


CASE: CDP 2017-0032
 OWNER: FRITZ, Gary & Ann
 APN: 119-430-20
 APLCT: Gary & Ann Fritz
 AGENT: Teresa Spade
 ADDRESS: 43007 Little Lake Road, Mendocino



ADJACENT PARCELS




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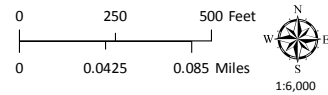


MENDOCINO FIRE PROTECTION DISTRICT



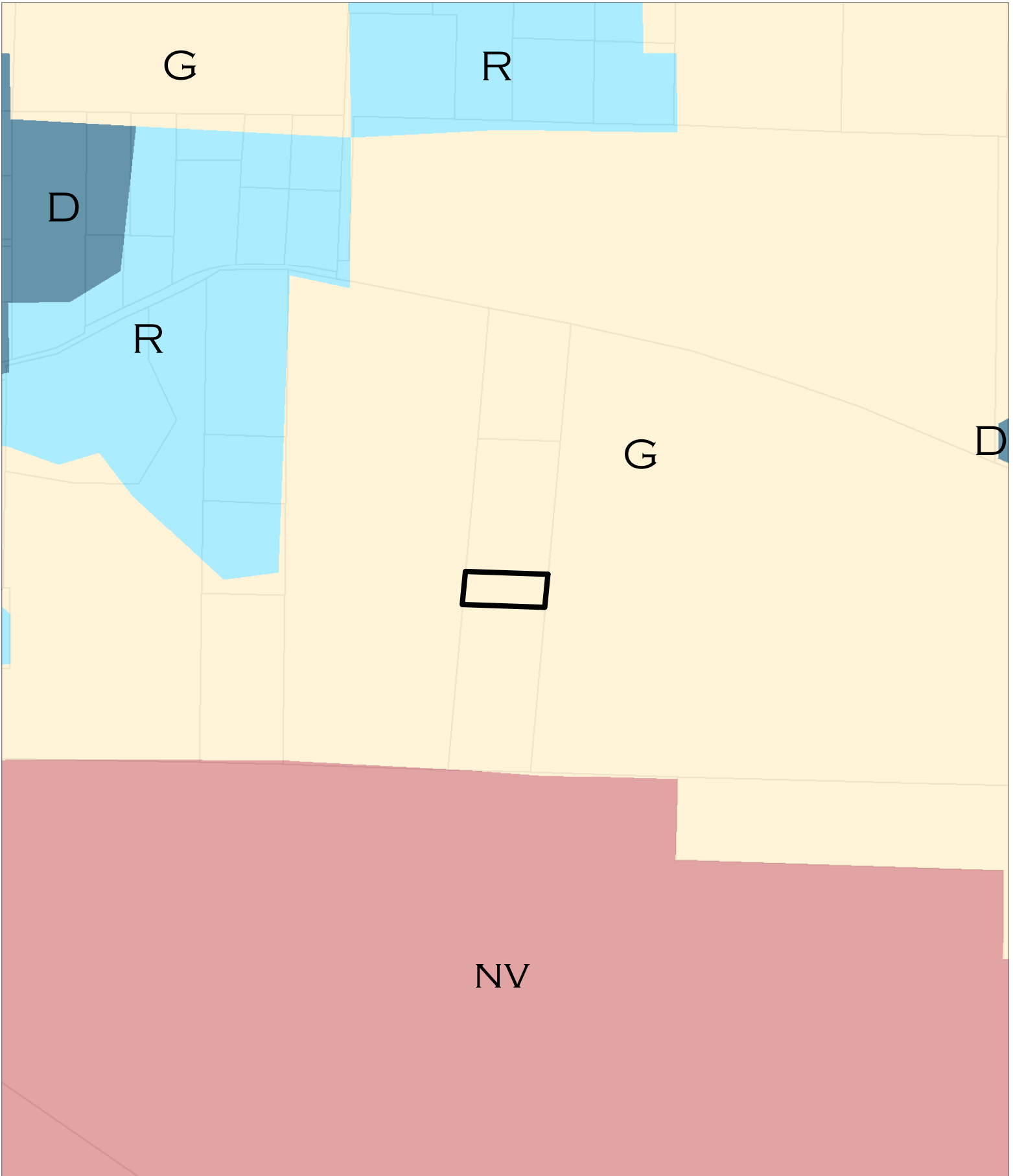
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-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard



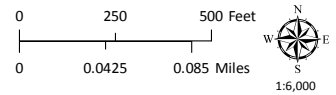
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

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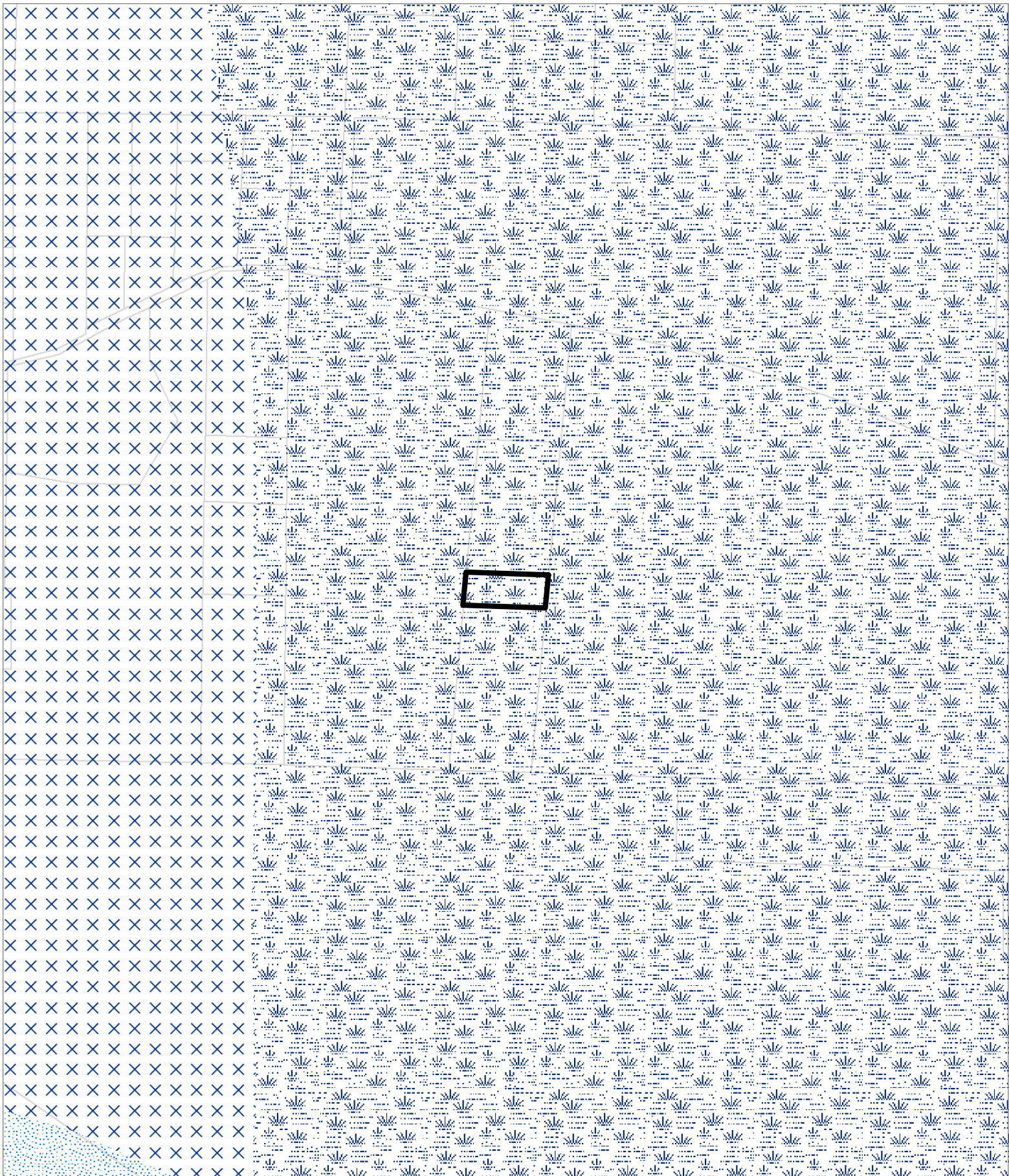
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- Urban & Built-Up Land (D)
- Grazing Land (G)
- Non-Ag & Natural Vegetation (nv)



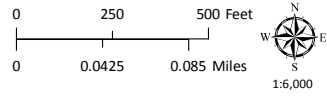
IMPORTANT FARMLAND

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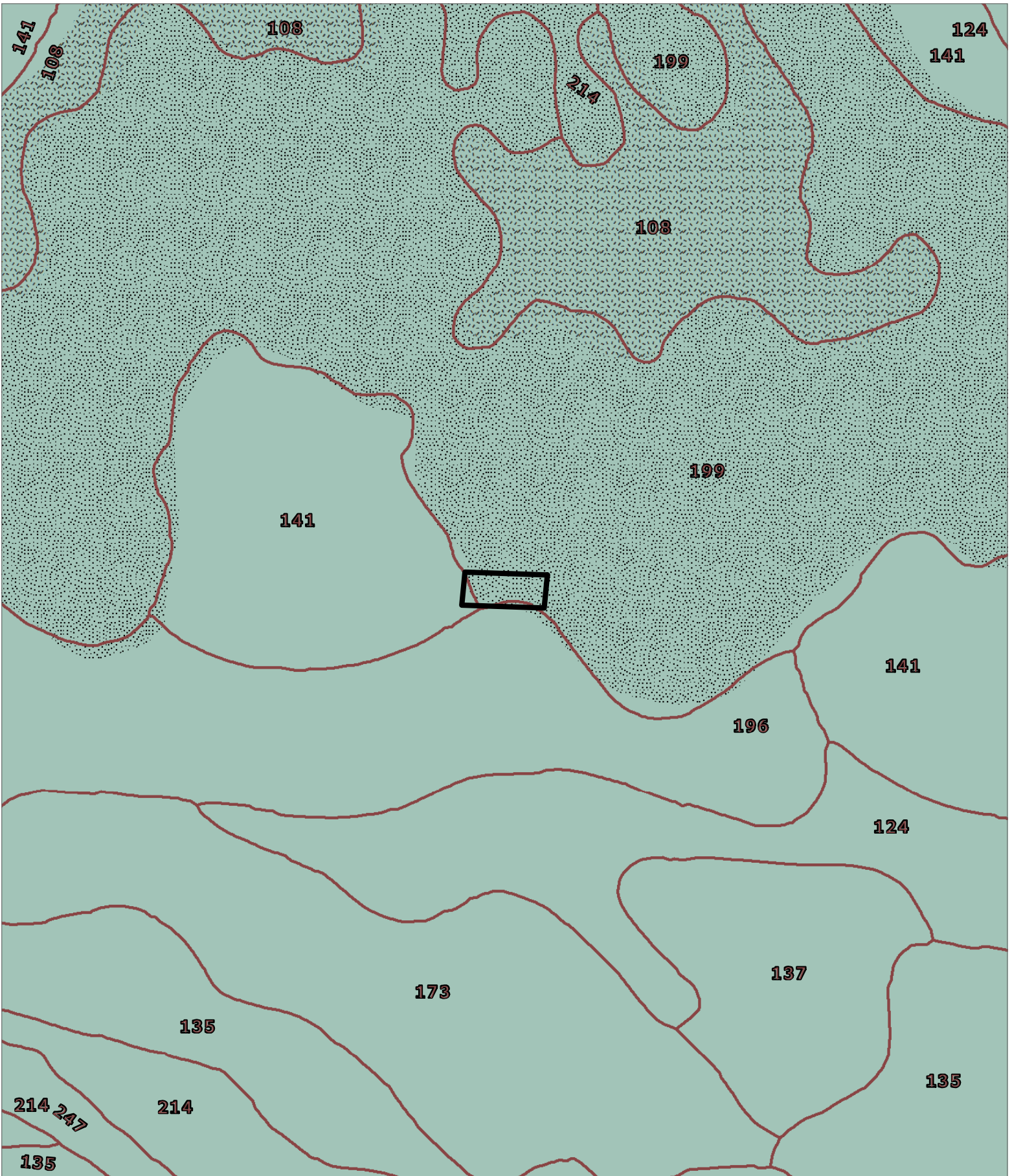
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- < X > Critical Water Areas
- Sufficient Water Resources
- — — — — Marginal Water Resources







GROUND WATER RESOURCES

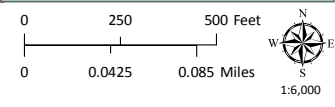
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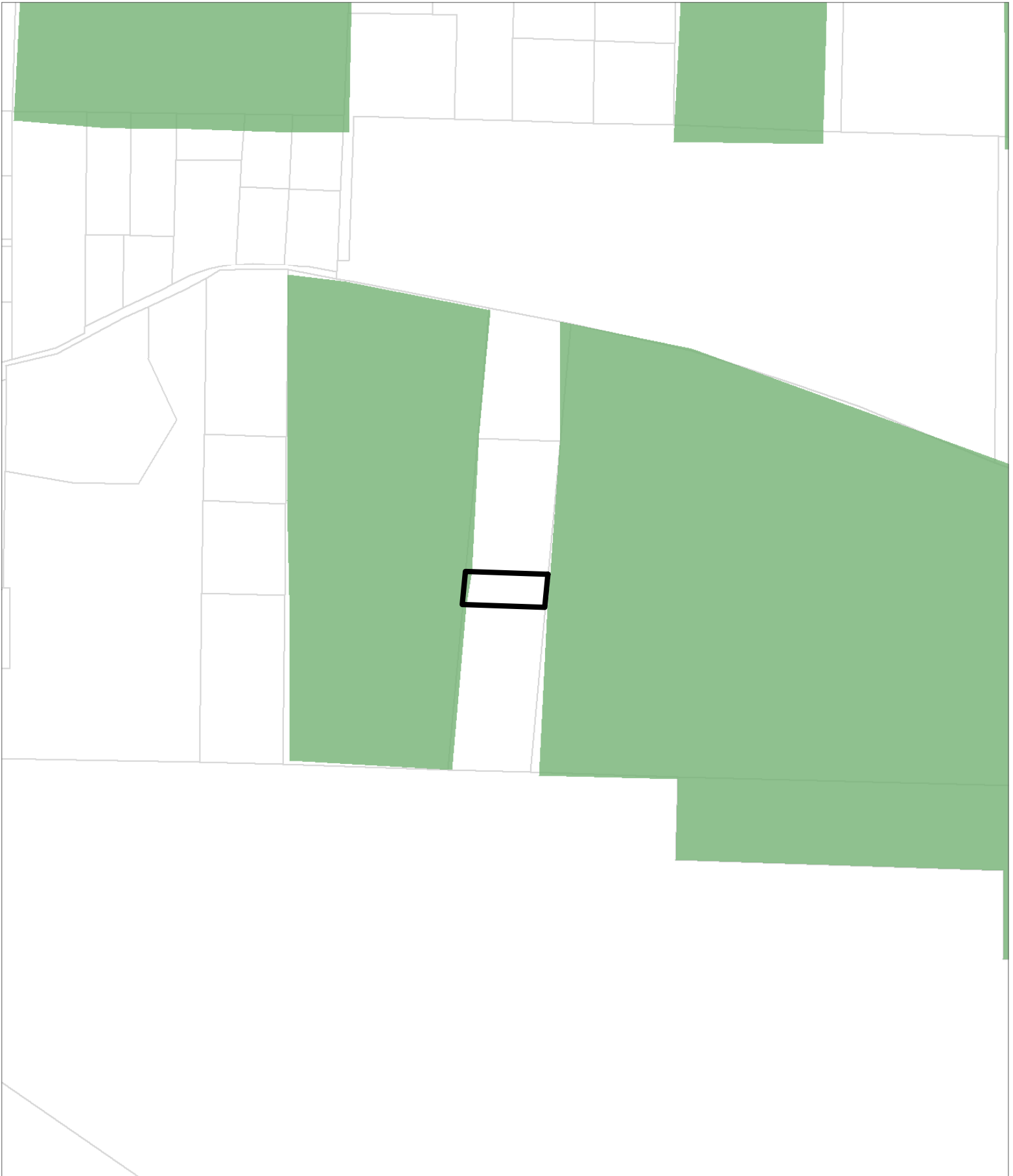
-  Western Soil Classes
-  Blacklock & Aborigine
-  Shinglemill-Gibney Complex

 Bishop Pine



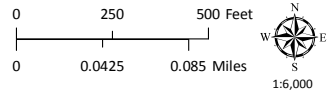
LOCAL SOILS

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 TPZ 2015



LANDS IN TIMBER PRODUCTION ZONES

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ns: Division 1.5, Chapter 7, Subchapter 2, Article 5.

Fire Standards

by reducing the volume and density of flammable vegetation, the strategic siting of fuel
vide
fire equipment and evacuating civilians; and
a wildfire.

Fire Standards (Implementation)

er shall be set back from the property line at least 30 feet. Smaller parcels shall provide for

struction or development must be lawfully disposed of before final approval of a project.
rt of a development or project shall be strategically located to separate wildland fuels

STRUCTURES

erates, or maintains a building or structure in, upon, or adjoining any mountainous area,
ids, grass-covered lands, or any land that is covered with flammable material, shall at all

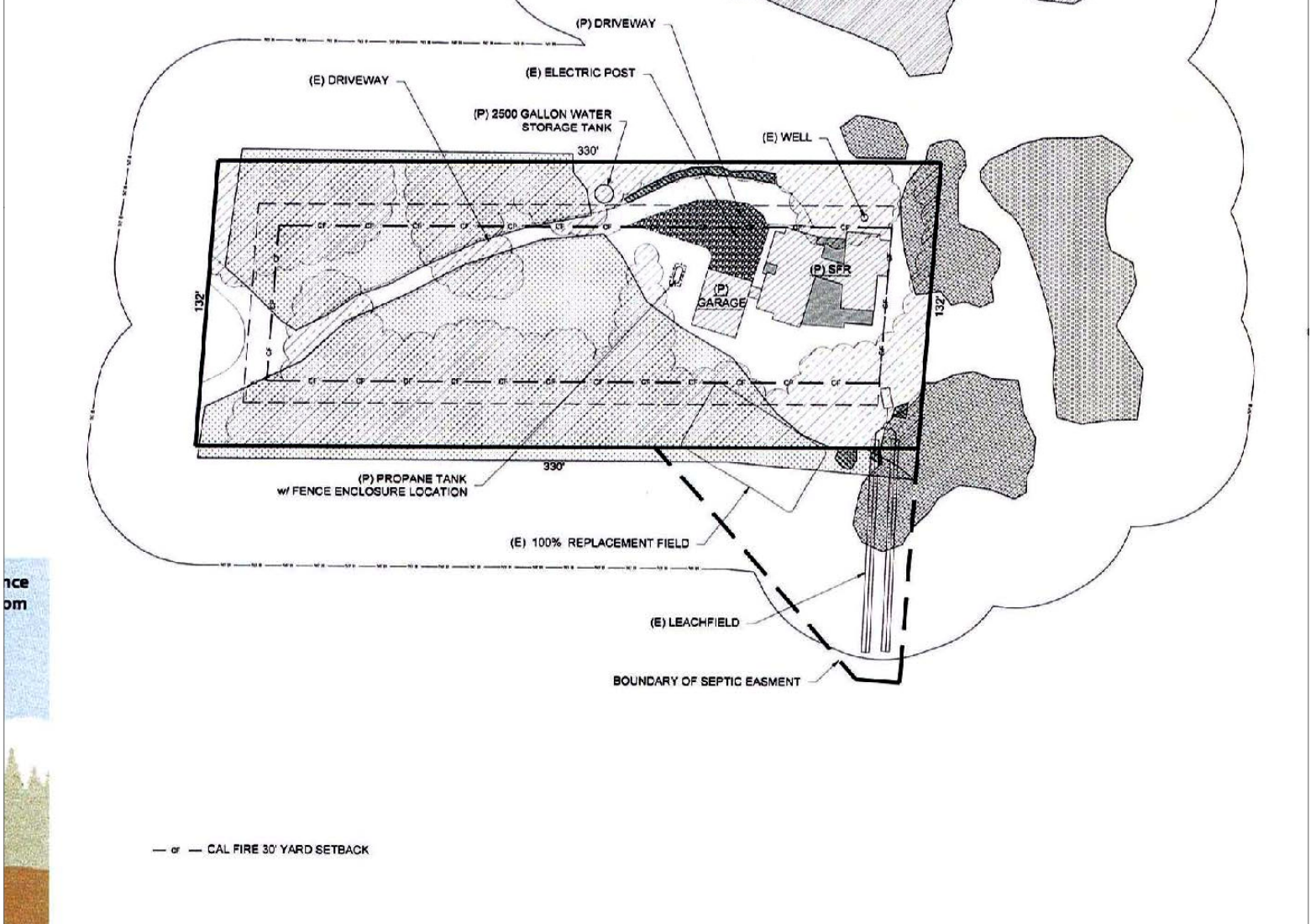
he building or structure a firebreak made by removing and clearing away, for a distance of
the building or structure or to the property line, whichever is nearer, all flammable vegetation
division does not apply to single specimens of trees or other vegetation that is well-pruned and
ge fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any

he building or structure additional fire protection or firebreak made by removing all brush,
growth that is located within 100 feet from the building or structure or to the property line
state law, or local ordinance, rule, or regulation. This section does not prevent an insurance
structure from requiring the owner of the building or structure to maintain a firebreak of more
structure. Grass and other vegetation located more than 30 feet from the building or structure
ive the ground may be maintained where necessary to stabilize the soil and prevent erosion.
gible specimens of trees or other vegetation that is well-pruned and maintained so as to
a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure,
at extends within 10-feet of the outlet of a chimney or stovepipe.

verhanging a building free of dead or dying wood.

ie of leaves, needles, or other dead vegetative growth.

screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove,
r liquid fuel. The screen shall be constructed of nonflammable material with openings of not
4291)



FIRE SAFE PLAN

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NO SCALE

FIRE SAFE PLAN

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BACK PERSPECTIVE



FRONT PERSPECTIVE

© 2012

THE MAPLE

THIS COMPACT YET CLASSICALLY PROPORTIONED HOME COMBINES THE CONVENIENCE OF ALL THE NECESSARY ROOM FUNCTIONS ON A SINGLE FLOOR WITH THE DRAMATIC EXCEPTION OF THE TOWER LOFT SEPARATED BY THE GENEROUSLY GLAZED ENTRY. THE SPACES ARE DIVIDED IN TWO NARROW WINGS FOR MAXIMUM DAYLIGHT AND VIEWS. THE "DAYTIME" WING IS A SINGLE GREAT VAULTED SPACE INCLUDING THE LIVING, DINING AND COOKING AREAS. THE OTHER "EVENING" WING CONTAINS THE SLEEPING BATH AND LAUNDRY AREAS. A SPACIOUS DECK CONNECTS THE TWO WINGS AND SUPPORTS INDOOR / OUTDOOR LIVING WITH COVERED AND UNCOVERED SITTING AREAS AS WELL AS STEPS DOWN TO THE GROUNDS BEYOND LONG BAY WINDOWS ARE ABUNDANT IN LIGHT AND REINFORCE THE CONNECTION TO THE OUTDOORS.

MAIN LEVEL	1620 SF
UPPER TOWER	228 SF
TOTAL HEATED SPACE	1848 SF

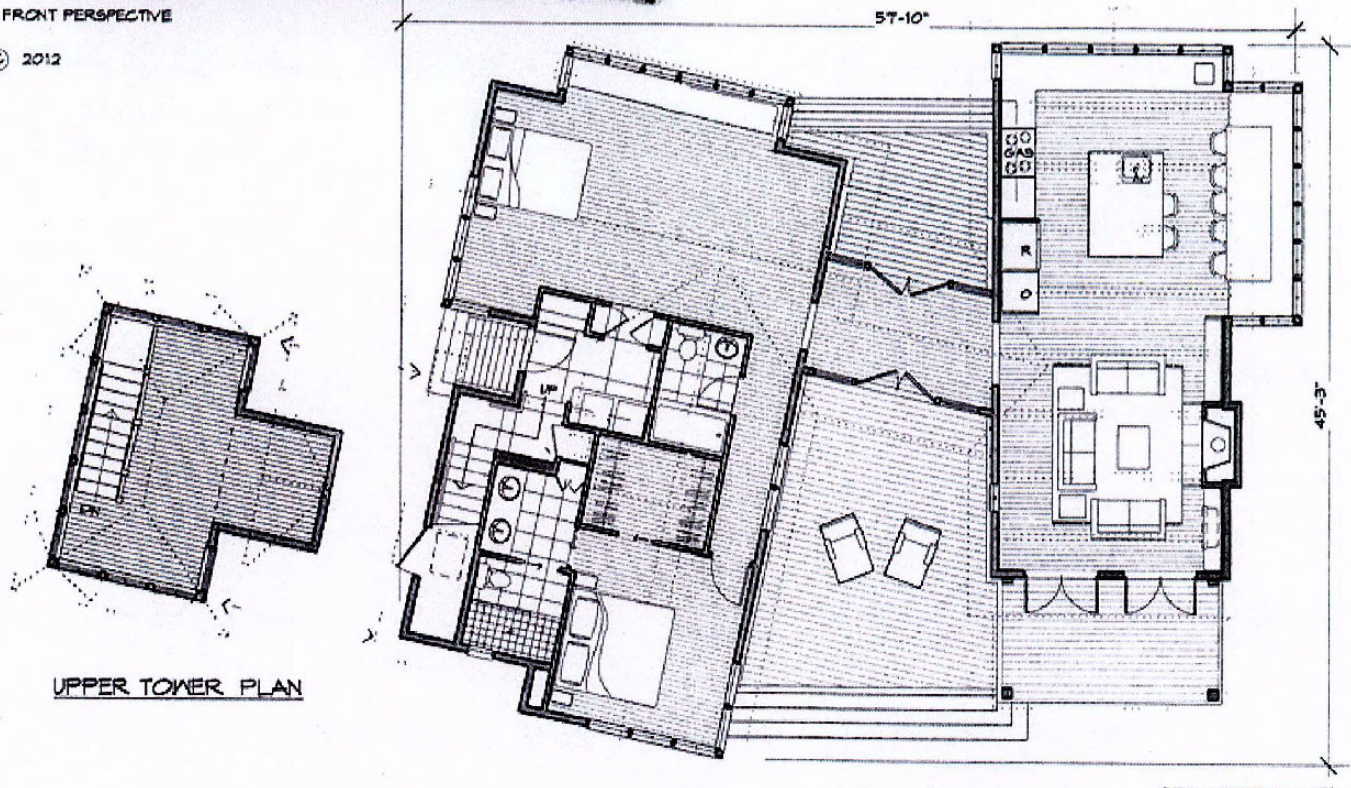
COVERED PORCH	195 SF
DECKS	330 SF

BEDROOMS	2
BATHROOMS	2

LIVING	14'-6" X 16'-0"
KITCHEN/DINING	19'-8" X 16'-4"
ENTRY	13'-0" X 7'-0"
COVERED PORCH	15'-0" X 8'-0"

M. BEDROOM	11'-6" X 12'-0"
M. BATH	6'-0" X 12'-0"
M. CLOSET	8'-0" X 5'-10"

BEDROOM 2	9'-0" X 9'-0"
UPPER TOWER	12'-4" X 8'-0"
BATH	10'-9" X 18'-10"
	5'-0" X 7'-10"



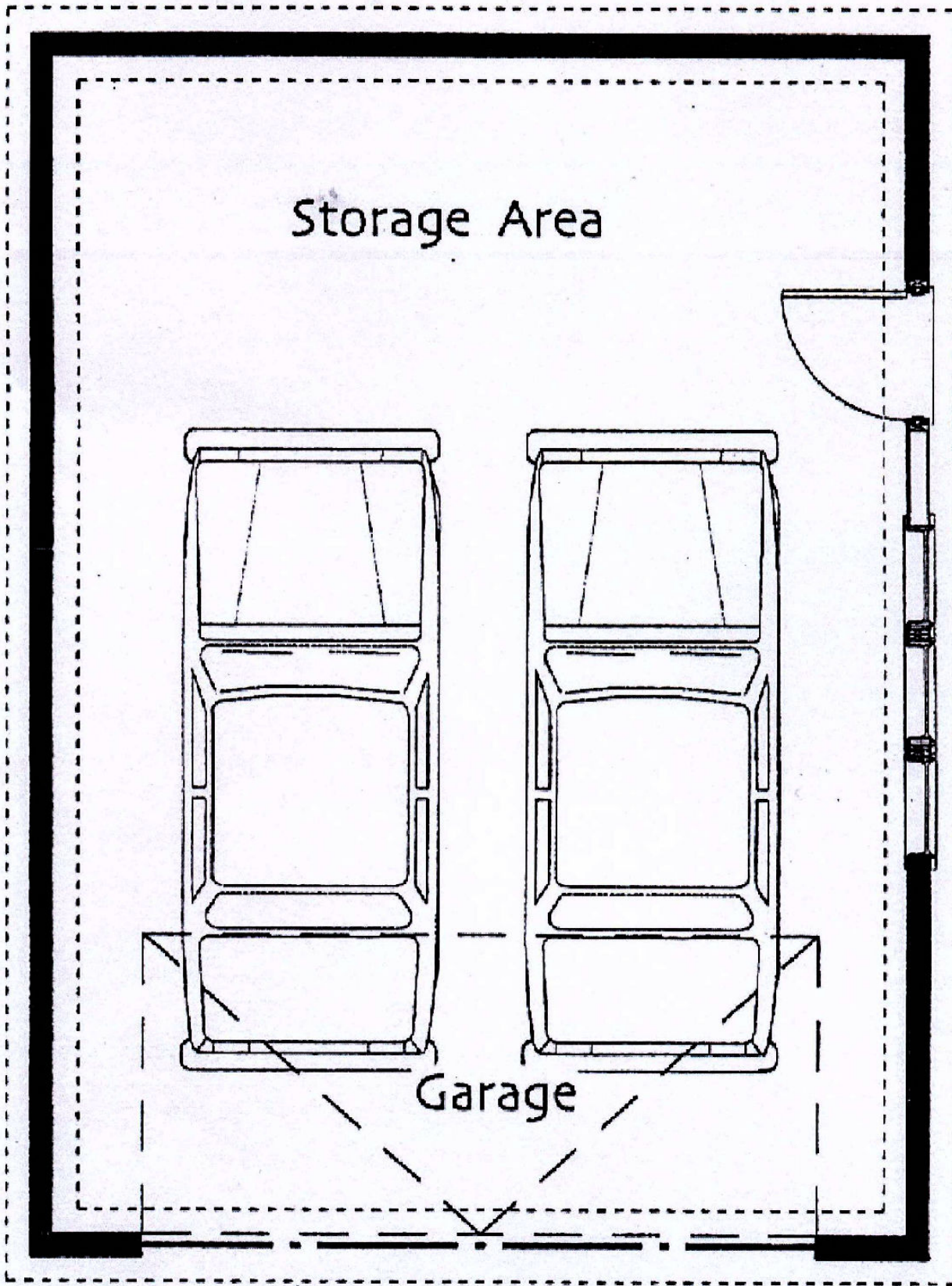
UPPER TOWER PLAN

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NO SCALE

FLOOR PLAN

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NO SCALE

GARAGE FLOOR PLAN

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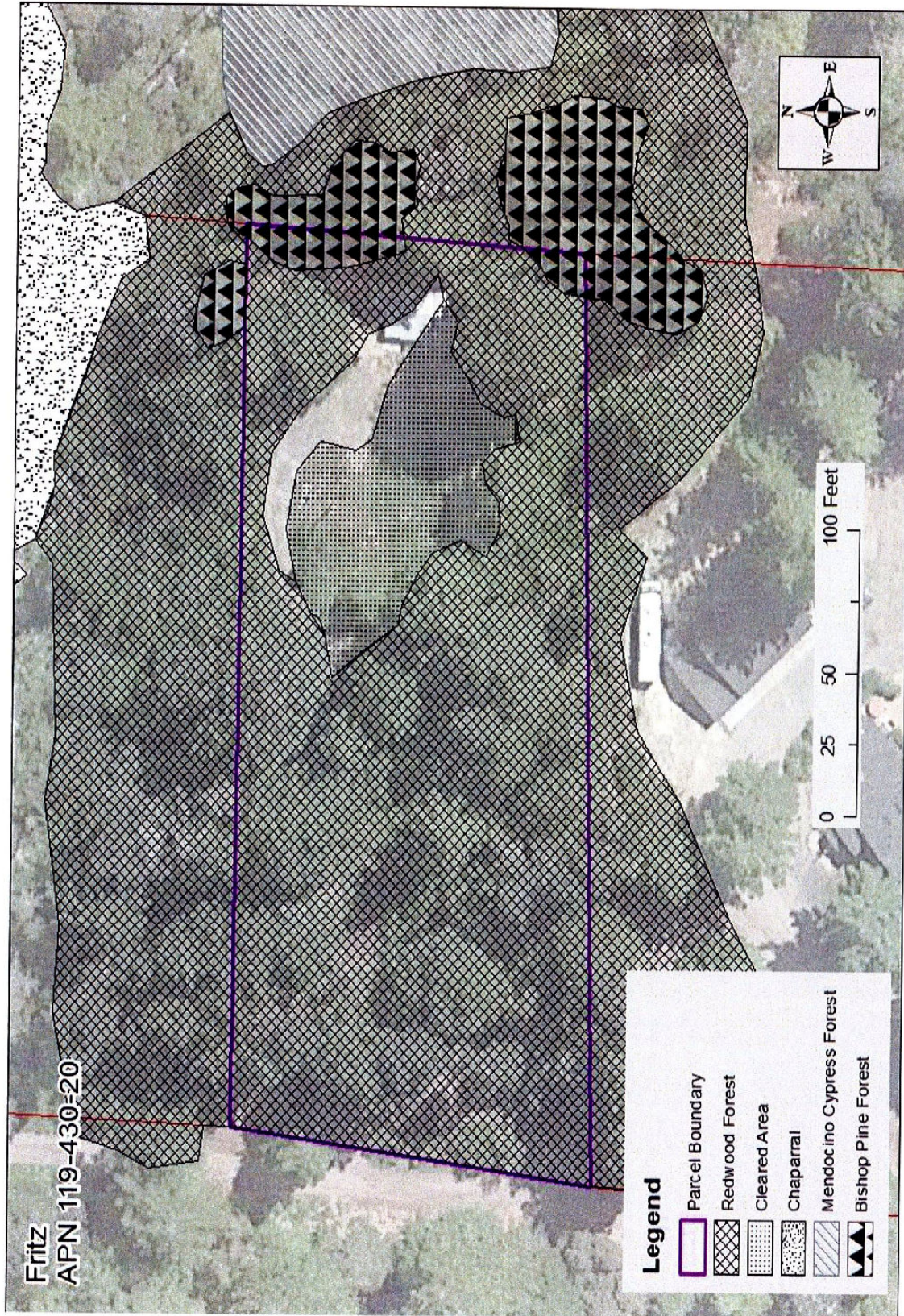


Figure 2. Plant communities map.

Fritz APN119-430-20
 Scoping, Botanical, Wildlife Surveys & Wetland Delineation

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NO SCALE

IDENTIFIED PLANT COMMUNITIES

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