



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

August 10, 2020

PUBLIC NOTICE OF PENDING ACTION
STANDARD COASTAL DEVELOPMENT PERMIT

NOTICE IS HEREBY GIVEN THAT the Mendocino County Coastal Permit Administrator at their regular meeting on Thursday, August 27, 2020 at 10:00 a.m. will conduct a public hearing on the following project that is located in the Coastal Zone at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally and via telecomment in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>

CASE#: CDP_2019-0047

DATE FILED: 12/30/2019

OWNER/APPLICANT: KATE SCULTI & JANETTE CORBY

AGENT: DAVID SPRINGER

REQUEST: Standard Coastal Development Permit to construct a single family residence, attached garage, driveway, propane enclosure, solar array, generator, landscaping and connection to water and sewer district.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Town of Mendocino, within the Point of View Estates Subdivision, on the north side of Palette Drive (CR 448), 720± ft. east of its intersection with Lansing Street (CR 500), located at 10935 Palette Dr., Mendocino (APN: 119-060-08).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JESSIE WALDMAN

The staff report and notice will be available 10 days before hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>.

As you are an adjacent property owner and/or interested party, you are invited to submit tele comment 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.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah or 120 W. Fir Street, Fort Bragg, California. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by August 26, 2020 or orally via telecomment in lieu of personal attendance. A request form to provide telecomment is available at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas> and must be received prior to 8:00 a.m. the morning of the meeting.

All public comment will be made immediately available to the Coastal Permit Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

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.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

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 FOR STANDARD CDP**

**AUGUST 27, 2020
CDP_2019-0047**

SUMMARY

OWNER/APPLICANT: KATE SCULTI & JANETTE CORBY
6505 ASCOT DR
OAKLAND, CA 94611

AGENT: DAVID SPRINGER
532 WEST STREET
FORT BRAGG, CA 95437

REQUEST: Standard Coastal Development Permit to construct a single family residence, attached garage, driveway, propane enclosure, solar array, generator, landscaping and connection to water and sewer district.

LOCATION: In the Town of Mendocino, within the Point of View Estates Subdivision, on the north side of Palette Drive (CR 448), 720± ft. east of its intersection with Lansing Street (CR 500), located at 10935 Palette Dr., Mendocino (APN: 119-060-08).

TOTAL ACREAGE: 0.3± Acres

GENERAL PLAN: General Plan, Coastal Element Chapter 4.13
Suburban Residential (SR20K:U)

ZONING: Mendocino Town Zoning Code
Mendocino Suburban Residential (MSR:20K)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

APPEALBLE: YES (300' from bluff)

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: JESSIE WALDMAN

BACKGROUND

PROJECT DESCRIPTION: A Standard Coastal Development Permit to construct a single family residence, attached garage, driveway, propane enclosure, ground-mounted solar array, landscaping and connection to water and sewer district, as shown on the *Site Plan*. In addition, the request includes installing a generator located along the north side of the proposed single family residence.

APPLICANT'S STATEMENT: New single story residence with attached garage, associated decks, patio & patio with walkways. Garden courtyard with stone posts and wire fencing with plantings along fence line and other locations. All utilities underground with existing hook ups at existing road (Palette Drive). New propane tank enclosure with solar panel pedestal inside courtyard. Also may require roof mount solar

panels to meet new 2020 Title 24 energy requirements.

On June 1, 2020, the agent submitted additional clarifications and additional requests, which stated:

“The entire walkway from driveway to courtyard shall be installed with materials that shall be permeable in nature. A second issue is owner would like to add a generator to be located on north side of garage under 50 sq. ft. foot print and shall meet all required setback and codes.”

RELATED APPLICATIONS ON-SITE:

- Parcel 7 within the Point of View Estates subdivision Tract No. 77 (Map Case 2, Drawer 4, Page 35 of Mendocino County Records)

NEIGHBORING PROPERTIES:

- APN: 119-060-07 Pre-Coastal Act – Single Family Residence
- APN: 119-060-09 PA-78-01 – Single Family Residence
- APN: 119-060-02 CDP_2017-0048 – Single Family Residence
- APN: 119-060-21 PA-78-161 – Single Family Residence

SITE CHARACTERISTICS: The project site is located within the Point of View Estates Subdivision, within the Town of Mendocino, as shown on the *Location & Aerial* maps. The project site is separated from the Pacific Ocean by Lansing Street (CR 500). The project site is located within the Appeal Jurisdiction of the California Coastal Commission, as shown on the *Appealable Areas* map. The subject parcel is a vacant, 0.3± acres parcel, where an easement for public water and utilities has been recorded and is located on the southern property line running parallel with Palette Drive (CR 448).

As part of the application, three subjective reports were prepared and submitted as part of the application packet: (1) Wynn Coastal Planning and Biology conducted a 2019 *Biological Scoping and Botanical Survey Report* (Wynn, 2019), where one California Oat grass environmentally sensitive habitat area (ESHA) is located more than fifty feet from the proposed development; (2) Brunsing Associates, Inc. conducted a *Geotechnical Investigation Report* (Brunsing, 2018), and finds the site is suitable, both geologically and geotechnical, for the proposed development; and (3) William Roop, of Archaeological Resource Services, conducted a *Cultural Resources Evaluation* (Roop, 2020).

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are classified Suburban Residential (SR) and are developed with residential uses, as shown on the *Aerial Imagery (Vicinity)* and *Aerial Imagery* maps. The proposed single family residence and ancillary development is consistent with the surrounding land uses, architectural styles, and development.

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR)	Mendocino Rural Residential (MRR)	4.25± Acres	Residential
EAST	Suburban Residential (SR20K)	Mendocino Suburban Residential (MSR)	0.5± Acres	Residential
SOUTH	Suburban Residential (SR20K)	Mendocino Suburban Residential (MSR)	0.5± Acres	Residential
WEST	suburban Residential (SR20K)	Mendocino Suburban Residential (MSR)	0.5± Acres	Vacant

Pursuant to Mendocino Town Zoning Code (MCC) Section 20.760.010(B), the Point of View Estates is located outside the Mendocino Historical Preservation District.

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed development, to construct a single family residence, including accessory and ancillary development, is consistent with the goals and policies of the Mendocino Town Local Coastal Program, Coastal Element Chapter 4.13 Mendocino Town Plan and the Mendocino Town Zoning Code (MCC), as detailed below:

Land Use: The project site is located within the boundaries of the Mendocino Town Local Coastal Program area, as shown on the *Mendocino Town General Plan* map. The subject parcel is classified as Suburban Residential (SR) by the Mendocino Town Plan, as shown on the *Mendocino Town General Plan* map. The Coastal Element Chapter 4.13, Subsection 5.3 Suburban Residential classification states:

...is intended to recognize the existing Point of View Estates Subdivision and the contiguous five lots that front on Lansing Street, north of Palette Drive.

The proposed residence is a principally permitted use and is consistent with Subsection 5.3, which allows one primary dwelling.

Zoning: The project site is located within the Mendocino Suburban Residential (MSR) zoning district, as shown on the *Mendocino Town Zoning* map. The MSR District, per MCC Section 20.648.005, states:

...is intended to recognize the existing Point of View Estates Subdivision and the five (5) lots (parcels) on its southwest boundary east of Lansing Street and north of Palette Drive, while allowing a second residential dwelling unit, subordinate in size and scale, in keeping with the existing pattern of development.

The proposed project, which includes construction of a single family residence, carport and associated utilities, is a principally permitted land use within the MSR District, pursuant to MCC Chapter 20.648. The proposed development will be located at the southeastern most portion of the subject parcel, as shown on the *Site Plan*.

The proposed project will comply with the minimum property line setback requirements for the MSR District, which are 20 feet for front and rear yards, and 6 feet for side yards. A corridor preservation setback of 25 feet applies along Palette Drive (CR 448) and 30 feet applies along Lansing Street (CR 500), resulting in a front yard setback of either 45 feet from Palette Drive (CR 448) corridor centerline and a rear yard setback of either 50 feet from Lansing Street (CR 500) or 20 feet from the front yard property line, whichever is greater. As currently proposed, the single family residence, attached garage and accessory and ancillary development are consistent with the yard setbacks and corridor preservation setbacks for the MSR District.

The proposed project is consistent with the maximum allowed building height, which is 28 feet above natural grade. The proposed average building height is 20 feet 8 inches above natural grade, as shown on the *Elevations NE & Elevations SW* maps.

A minimum of two off-street parking spaces are required and three spaces are proposed, and the site has adequate capacity for the required parking.

As listed on Table 2 below, the proposed project is consistent with the maximum allowed lot coverage; which is 25 percent, where the proposed development will result in 24.6 percent, leaving 0.4 percent remaining.

Table 2: Maximum Lot Coverage, per MCC Section 20.648.050		
	FOOT PRINT (sq. ft.)	LOT COVERAGE (%)
LOT SIZE	15,635.4 sq. ft.	-
SFR	2,178 sq. ft.	14
GARAGE	360 sq. ft.	2.3
GENERATOR	20 sq. ft.	0.1
TRELLIS, PATIO & DECKING	1,299 sq. ft.	8.3
FENCING	108 linear ft.	0
PROPOSED	3,857 sq. ft.	24.6
ALLOWED	3908.8 sq. ft.	25

The proposed project will conform to development standards of MCC Chapters 20.648, 20.704 and 20.714.

Visual Resources: Pursuant with Mendocino County Code (MCC) Section 20.504.020(A), the Town of Mendocino is the only recognized special community in the Coastal Element. The parcel is not located in a designated Highly Scenic Area. Pursuant with MCC Section 20.692.020(E), development within the Point of View Estates Subdivision shall be consistent with the standards of the Mendocino Historical Preservation District. The surrounding developed residential lots include homes with windows facing the shoreline, low-pitched gabled rooflines, and vertical redwood siding; the architectural styles in the Point of View Estates Subdivision differ from the historic setting found elsewhere in Historical Zone A. The project, as proposed, is consistent the surrounding development within the Point of View Estates Subdivision.

Condition 9 is recommended to require exterior lighting to be kept to the minimum necessary for safety and security purposes and to be downcast and shielded in a manner that will not shine light or allow light glare to extend beyond the boundaries of the parcel in compliance with MCC Section 20.504.035

With added conditions, the proposal is consistent with MCC Chapter 20.504 and MCC Section 20.692.020(E) regulations for parcels developed within a Special Community.

Hazards Management: The property is in an area of “High Fire Hazard” severity rating, as shown on the *Fire Hazard Zones & Responsibility Areas* map. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Fire Protection District. The proposed project was referred to both fire protection agencies, where no response has been received. A State Fire Safe Regulations Application Form, CalFire File Number 575-19, was issued for the project. **Condition 4 and 5** will require the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction, which ensures any fire protection policy or plan will be addressed.

The nearest development of this application shows the single family residence as being approximately 118 feet from the bluff face. The development proposal does include a *Geotechnical Investigation Report*, dated August 29, 2018 pertaining to the property prepared by Brunsing Associates, Inc. Within the *Geotechnical Investigation Report*, Brunsing determines that no additional or specific bluff setback is required for the proposed development (Brunsing, 2018, Section 5.6). Brunsing does make recommendations specific to grading and foundation installation, which is further discussed under the Grading, Erosion and Runoff section of this staff report.

With added conditions, the proposed project is consistent with MCC Chapter 20.500 regulations for hazard areas, including geologic hazards (faults, bluffs, tsunami, landslides, and erosion), fire and flood hazards.

Habitats and Natural Resources: Coastal Element 3.14 and Mendocino Town Zoning Codes address Environmentally Sensitive Habitat Areas (ESHA). MCC Chapter 20.719 states that development having the potential to impact an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to

determine the extent of sensitive resources, to document potential negative impacts, and to recommend appropriate mitigation measures. The parcel is mapped as barren land, as shown on the *LCP Habitat and Resources* map. The proposed project was referred to California Coastal Commission and California Department of Fish and Wildlife, where no response has been received.

A *Biological Scoping & Botanical Survey Report* (Wynn, 2019) was completed for the proposed project. The survey found a California Oat grass ESHA located within 100 feet of the proposed development. The *Biological Scoping and Botanical Survey Report* finds California oatgrass prairie (*Danthonia* California Herbaceous Alliance (G4 S3)) located on the adjacent parcel to the northwest of the subject parcel, as shown on the *Site Plan*. A 50 foot buffer is recommended, per the "*Reduced Buffer Analysis*" found in Section 5 and Appendix F of the *Biological Scoping and Botanical Survey Report* (Wynn, 2019).

The survey included details regarding mowing, under Section Mitigation and Avoidance Measures 6.3.2, which states:

"The recent historical management regime for the area where the California oatgrass is present is annual mowing. Wynn's biologists have observed that native California oatgrass is often more prevalent in areas that are maintained by mowing as compared to adjacent areas that are not mowed. Mowing within this habitat shall be allowed to continue, if feasible. Wynn understands that the resource is not located on the owners' property; subsequently, the owners may not have control over whether the mowing regime persists."

To avoid impact to ESHA's, including the protection of plant communities, nesting birds and amphibians during construction, as well as prevention of spread of invasive Plants, **Condition 10** is recommended and as described in Section 6 Mitigation and Avoidance Measures of the *Biological Scoping and Botanical Survey Report* (Wynn, 2019).

With added conditions, the proposed project will would not significantly impact sensitive habitats or resources and is consistent with MCC Chapter 20.719 regulations.

Archaeological/Cultural Resources: The proposed development was referred to Northwest Information Center at Sonoma State University (SSU). SSU recommended a cultural resources survey be conducted. An Archaeological Survey Report, prepared by William Roop, of Archaeological Resource Service, dated April 20, 2020, was prepared and accepted at the Archaeological Commission on July 8, 2020. The report states "No potentially significant cultural resources have been identified." Therefore, the Commission recommends including a discovery clause as part of the conditions of project approval. Staff notes that **Condition 8** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project.

The project was referred to three local tribes for review and comment, including the Sherwood Valley Rancheria, Redwood Valley Rancheria, and the Cloverdale Rancheria. As of this date, no response has been received.

With added conditions, Staff recommends the project is consistent with Mendocino County policies for the protection of the paleontological and archaeological resources.

Groundwater Resources: The project site is located within a mapped Critical Water Resources Area, as shown on the *Ground Water Resources* map. The proposed development will have access to an existing, community water and sewer system. The proposed project was referred to Mendocino City Community Services District (MCCSD) and Mendocino County Division of Environmental Health (DEH) for comment. MCCSD replied stating that the property owners have met all the requirements for a sewer connection and groundwater extraction permit. DEH responded that the MCCSD requirements satisfy DEH requirements.

Conditions 4 and 5 require the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction. They ensure the proposed development will have access to an adequate water supply and sewer connection, which will be consistent with MCCSD, DEH and MCC Chapter 20.744 regulations.

Grading, Erosion, and Run-Off: The area of the proposed single family residence, accessory structures and ancillary development is gently sloped towards the north, away from the subject parcel towards Lansing Street (CR 500), as shown on the *Topographic Map*. As proposed, grading will occur at the time of construction of the proposed single family residence, accessory structures, and the connection to utilities, including a driveway, water, sewer and electricity. Grading will be required to accommodate the proposed development.

Condition 11 is recommended that prior to the issuance of a building permit, the applicant submit plans certified by a California State Registered Professional Geotechnical or Civil Engineer that incorporate the recommendations contained within the Geotechnical Investigation Report, dated August 29, 2018 pertaining to the property prepared by Brunsing Associates, Inc. (Brunsing, 2018, Sections 7).

Also included within the proposed project, is to grade a gravel driveway, directly accessed from Palette Drive (CR 448). If the amount of grading requires a permit from the Building Division, the Coastal Permit Administrator, or their designee, shall review and approve the grading permit to determine its consistency with MCC Chapter 20.492 regulations. Grading activities, including maintaining driveway and parking areas, and any work associated with an Encroachment Permit, shall comply with MCC Chapters 20.492 regulations. While the subject parcel is located within the Town of Mendocino, the proposed development does not fall under the use types resulting in water quality concerns, per MCC 20.717.015. **Conditions 4 and 5** will require the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any grading, erosion and runoff protection and hazard area policies or plans will be addressed.

With added conditions, Staff finds the proposed project is consistent with MCC Chapters 20.492 and 20.717 regulations.

Transportation/Circulation: The project will not contribute a significant amount of new 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. Additionally, the site is located within the Point of View Estates Subdivision, where multiple parcels have already been developed and have homes that are occupied; therefore, construction of a single family residence, carport and ancillary development is not anticipated to generate a significant amount of additional traffic beyond what presently exists.

The proposed project was referred to Mendocino County Department of Transportation (DOT), where DOT requested two conditions of approval, including conditions requiring (1) a *residential driveway approach shall be constructed onto Palette Drive (CR 448), in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation Staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted;* and (2) *the applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County rights-of-way.* **Condition 12** is recommended to ensure the proposed project has access, prior to final inspection of a building permit, consistent with DOT regulations.

With added conditions, Staff finds the proposed project is consistent with DOT regulations.

Public Access: The project site is located near the northerly boundary of the Mendocino Town Local Coastal Plan area, as shown on the *Mendocino Town General Plan* map. Existing public access to the shore is located along Heeser Drive and Lansing Street, as shown on the *LCP Land Use Map 17: Mendocino* map. The site is not designated as a potential public access trail location.

ENVIRONMENTAL DETERMINATION: The Secretary for Resources has found that certain classes or projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and the proposed residence and accessory structures meet the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 3, Section 15303, which reads “the construction of a single family residence in an urban, residential district.”

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.720 of the Mendocino Town Zoning Code, the Coastal Permit Administrator approves the proposed project, to construct a single family residence and ancillary development, and adopts the following findings and conditions.

FINDINGS:

1. Pursuant with MCC Section 20.720.035(A)(1), the proposed residential development is in conformity with the certified Mendocino Town Local Coastal Program, as the land use is intended for the Suburban Residential classification in which it is proposed; and
2. Pursuant with MCC Section 20.720.035(A)(2), the proposed residential development would be provided with adequate utilities, access roads, drainage, and other necessary facilities. The residential lot has access to ground water extraction and sewer connection; and, as conditioned, a residential driveway approach is required; and
3. Pursuant with MCC Section 20.720.035(A)(3), the proposed residential development is consistent with the purpose and intent of the Mendocino Suburban Residential District, as well as all other provisions of the Mendocino Town Zoning Code and Mendocino County Coastal Zoning Code, including building height, setback from property boundary, and lot coverage; and
4. Pursuant with MCC Section 20.720.035(A)(4), the proposed residential development, if constructed in compliance with the conditions of approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. Pursuant with MCC Section 20.720.035(A)(5), the proposed residential development would not have any adverse impact on any known archaeological or paleontological resources and Condition 8 is in place when archaeological sites or artifacts are discovered; and
6. Pursuant with MCC Section 20.720.035(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 site. The proposed residence would not affect demands on public services; and
7. Pursuant with MCC Section 20.720.035(A)(7), the proposed residential development is in conformance with the design standards of Section 20.760.050 as development located within the Point of View Estates Subdivision and is located outside of the Mendocino Historic Preservation District and the proposed architecture is similar to development on adjacent lots; and
8. Pursuant with MCC Section 20.720.035(E), the proposed residential development, including foundation grading and residential driveway approach, is in conformance to the goals and policies of the Mendocino Town Zoning Code and Mendocino County Coastal Zoning Code, including Chapter 20.488 coastal development general review criteria, Chapter 20.492 grading, erosion, and run-off, Chapter 20.496 environmentally sensitive habitat and other resource areas, Chapter 20.500 hazard areas and Chapter 20.717 water quality protection requirements; and conditions are recommended to address potential fire hazards. The site is not associated with geologic hazards, such as fault rupture, seismic-related ground failure, tsunami, nor land sliding hazards.

CONDITIONS OF APPROVAL:

1. This action shall become final and effective on the 11th day following the decision unless an appeal is filed pursuant to Section 20.720.045(G) of the Mendocino Town Zoning Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the 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. To remain valid, progress towards completion of the project must be continuous. The applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
3. 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.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The property owners shall secure all required permits for the proposed development as required by the Building Inspection Division of the Department of Planning and Building Services, Department of Environment Health, Department of Transportation, and Mendocino City Community Services District.
6. 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.
7. 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.
8. 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.
9. Prior to issuance of a Building Permit, the property owner shall furnish exterior lighting details for approval from the Coastal Permit Administrator or to the satisfaction of the Director of Planning and Building Services.
10. All recommended Mitigation and Avoidance Measures of the *Biological Scoping and Botanical Survey Report* (including Appendix F, Reduced Buffer Analysis), dated December 23, 2019 prepared by Wynn

Coastal Planning & biology are required to provide the protections of identified environmentally sensitive habitat areas. Mitigations are as follows:

Potential Impact to Birds

- a. No surveys are required if activity occurs in the non-breeding season (September to January). If development is to occur during the breeding season (February to August), a preconstruction survey is required within 14 days of the onset of construction to ensure that no nesting birds will be disturbed during development. If a survey is required, a copy shall be provided to the Mendocino County Planning and Building Services.
- b. If active special status bird nests are observed, no ground disturbance activities shall occur within a 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.
- c. Construction shall occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

Potential Impact to Amphibians

- d. Within 2 weeks prior to construction activities, project contractors shall be trained by a qualified biologist in the identification of frogs and salamanders that occur along the Mendocino County coast. Workers shall be trained to differentiate between special status and common status species and instructed on actions and communications required to be conducted in the event that a special status amphibians are observed during construction.
- e. During ground disturbing activities, construction crews shall begin each day with a visual search around the staging and impact area to detect the presence of amphibians.
- f. During construction and debris removal, any wood stockpiles shall be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians, and
- g. If a rain event occurs during the construction period, all ground disturbing activities shall cease for a period of 48 hours, starting after the rain stops. Prior to resuming construction activities, trained construction crew members shall examine the site for the presence of special status amphibians. If no amphibians are found during inspections, ground-disturbing activities may resume. If a special status amphibian is detected, construction crews shall stop all ground disturbing work and contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW shall be needed prior to reinitiating work. CDFW shall be consulted and their agreement obtained for the protective measures required for any potential special status amphibians.

Potential Impact to Plant Communities

- h. In order to protect the California oat grass, temporary construction fencing shall be erected between the resource and proposed development, no closer to the resource than the 50 foot buffer depicted with in the *Biological Scoping and Botanical Survey Report*.

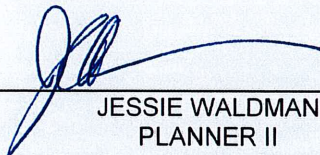
Potential Impact to Introduction of spread of Invasive Plants

- i. Invasive plant species shall not be planted. Invasive plants include iceplant, cotoneaster, English ivy, cape ivy, pampas grass, cape weed, blue gum eucalyptus, redhot poker, periwinkle, bulbil bugle lily and calla lily.

11. In accordance with MCC Chapter 20.492 and MCC Section 20.500.020(E)(3), all grading specifications and techniques will follow the recommendations cited in the Uniform Building Code or the engineer's report (for example, Brunsing Associates, Inc. and Geotechnical Investigation Proposed Corby/Sculi Residence 10935 Palette Drive, Mendocino, California August 29, 2018).
12. Prior to final inspection of a Building Permit, the property owner shall furnish evidence of access to the parcel, per Department of Transportation regulations , as follows:
 - a. Construct a residential driveway approach onto Palette Drive (CR 448); in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation Staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted; and
 - b. An encroachment permit shall be obtain from the Mendocino County Department of Transportation for any work within County rights-of-way.

Staff Report prepared by:

8/7/2020
DATE


JESSIE WALDMAN
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

ATTACHMENTS:

- | | |
|----------------------------------|--|
| A. Location Map | L. Mendocino Town Zoning Display Map |
| B. Aerial Map (Vicinity) | M. Mendocino Town General Plan |
| C. Aerial Map | N. LCP Land Use Map 17: Mendocino |
| D. Topographical Map | O. LCP Land Capabilities & Natural Hazards |
| E. Site Map | P. LCP Habitats & Resources |
| F. Floor Plan | Q. Appealable Areas |
| G. Elevations NE | R. Adjacent Parcels |
| H. Elevations SW | S. Fire Hazards Zones & Responsibility Areas |
| I. Landscaping and Lighting Plan | T. Ground Water Resource Area |
| J. Exterior Finishes | U. Water Districts |
| K. Exterior Lights | |

SUMMARY OF REFERRAL AGENCIES COMMENTS:

	Comments
Archaeological Commission	Comments
Assessor's Office	No Response
Building Division (FB)	No Comment
CALFIRE (Land Use) (#575-19)	No Response
California Coastal Commission (CCC)	No Response
California Dept. of Fish and Wildlife (CDFW)	No Response
California Native Plant Society	No Response
Cloverdale Rancheria	No Response
Department of Transportation (DOT)	Comments
Environmental Health (EH)(FB)	Comments
Mendocino City Community Services District	Comments
Mendocino Fire Protection District	No Response
Planning Division (Ukiah)	Comments
Redwood Valley Rancheria	No Response

Sherwood Valley Rancheria
Sonoma State University

No Response
Comments

REFERENCES:

Archaeological Resource Service, William Roop, Cultural Resources Evaluation for 10935 Palette Drive, April 20, 2020.

Brunsing Associates, Inc., Geotechnical Investigation for 10935 Palette Drive. August 29 2018.

Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan, Coastal Element Chapter 4.13 Mendocino Town Plan. 2017. Accessed June 8, 2020, at: <https://www.mendocinocounty.org/government/planning-building-services/plans/coastal-element>

Mendocino County Department of Planning and Building Services. 1991. Division II of Title 20 of the Mendocino County Code. Accessed June 12, 2020, at: https://library.municode.com/ca/mendocino_county/codes/code_of_ordinances?nodeId=MECOCO_TIT20_ZOOR_DIVIIMECOCOZOCO

Mendocino County Department of Planning and Building Services. November 2017. Division III of Title 20 of the Mendocino County Code. Accessed June 8, 2020, at: https://library.municode.com/ca/mendocino_county/codes/code_of_ordinances?nodeId=MECOCO_TIT20_ZOOR_DIVIIIMETOZOCO

Mendocino County Department of Planning & Building Services. County of Mendocino Coastal Zone. LCP Map 17 – Mendocino [map]. 1985. Accessed June 8, 2020, at: <https://www.mendocinocounty.org/government/planning-building-services/county-maps/coastal-zone-local-coastal-program-lcp-maps>.

Mendocino County Department of Planning and Building Services. County of Mendocino Coastal Zone. Mendocino Town Land Use [map] 2017. Accessed June 8. 2020, at: [https://www.mendocinocounty.org/government/planning-building-services/county-maps/Mendocino-Town-Land-Use maps](https://www.mendocinocounty.org/government/planning-building-services/county-maps/Mendocino-Town-Land-Use%20maps).

Mendocino County Department of Planning & Building Services. June 2007. Fire Hazard Zones & Fire Responsibility Areas [map]. Accessed June 8. 2020, at: https://www.mendocinocounty.org/government/planning/Fire_Hazard_Severity_Map.pdf.

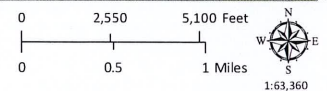
Mendocino County Department of Planning & Building Services. March 2015. Coastal Ground Water Resources [map]. Accessed June 8. 2020, at: http://www.co.mendocino.ca.us/planning/pdf/12x36_Coastal_Groundwater_Areas.pdf

Wynn Coastal Planning & Biology, Botanical Scoping & Botanical Survey Report for 10935 Palette Drive. December 23, 2019.







CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

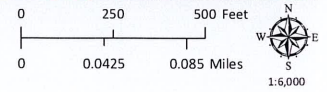
- Major Towns & Places
- Highways
- City Limits
- Major Roads
- Major Rivers





CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

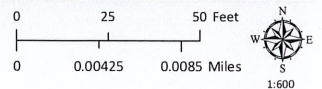
-  Major Towns & Places
-  Private Roads
-  Named Rivers
-  Public Roads



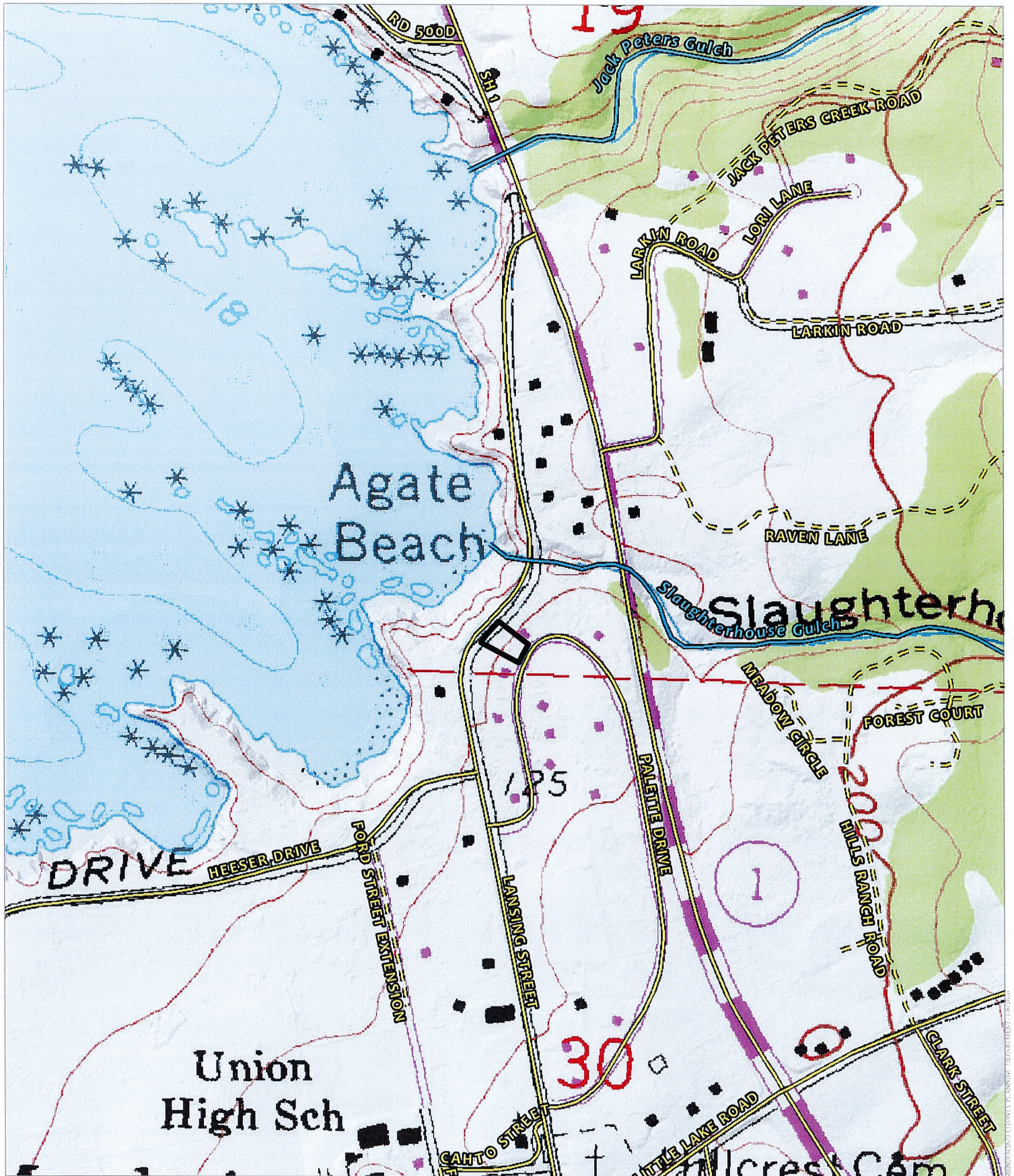


CASE: CDP 2019-0047
OWNER: CORBY, Janett
APN: 119-060-08
APLCT: Kate Sculti & Janette Corby
AGENT: David Springer
ADDRESS: 10935 Palette Drive, Mendocino

Public Roads

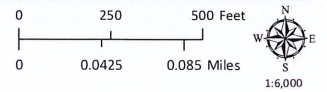


AERIAL IMAGERY
ATTACHMENT C

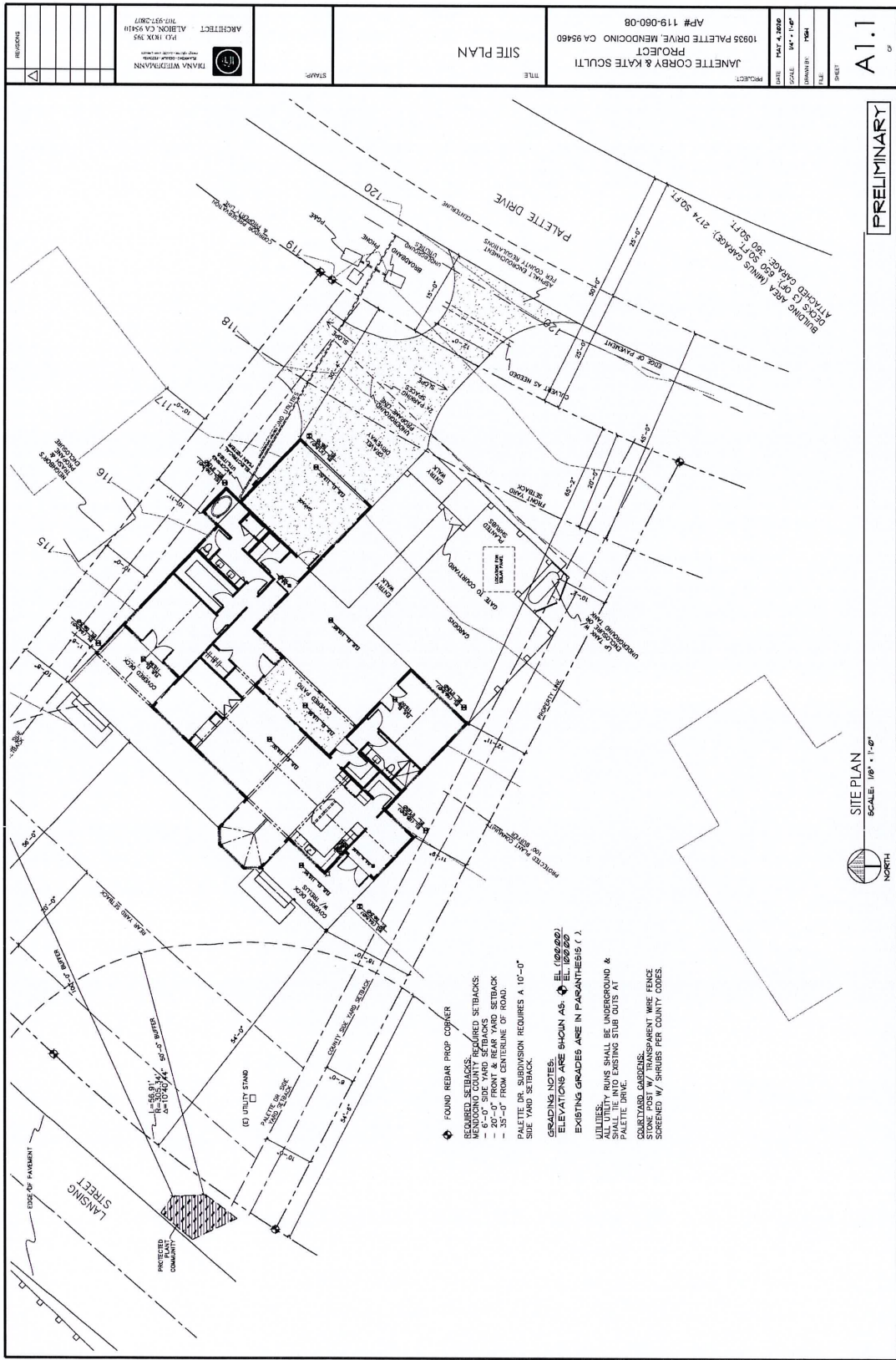


CASE: CDP 2019-0047
 OWNER: CORBY, Janett
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 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

- Major Towns & Places
- Private Roads
- Named Rivers
- Public Roads



TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET
 ATTACHMENT D



NO.	DATE	DESCRIPTION

ARCHITECT: DRANA WITTMANN
 101 N. 3RD ST.
 ALBION, CA 95410
 TEL: 707.937.2877

PROJECT: JANETTE CORBY & KATE SCULTI
 10935 PALETTE DRIVE, MENDOCINO, CA 95460
 AP# 119-060-08

DATE: MAY 4, 2019
 SCALE: 1/8" = 1'-0"
 DRAWN BY: TMS
 FILE:

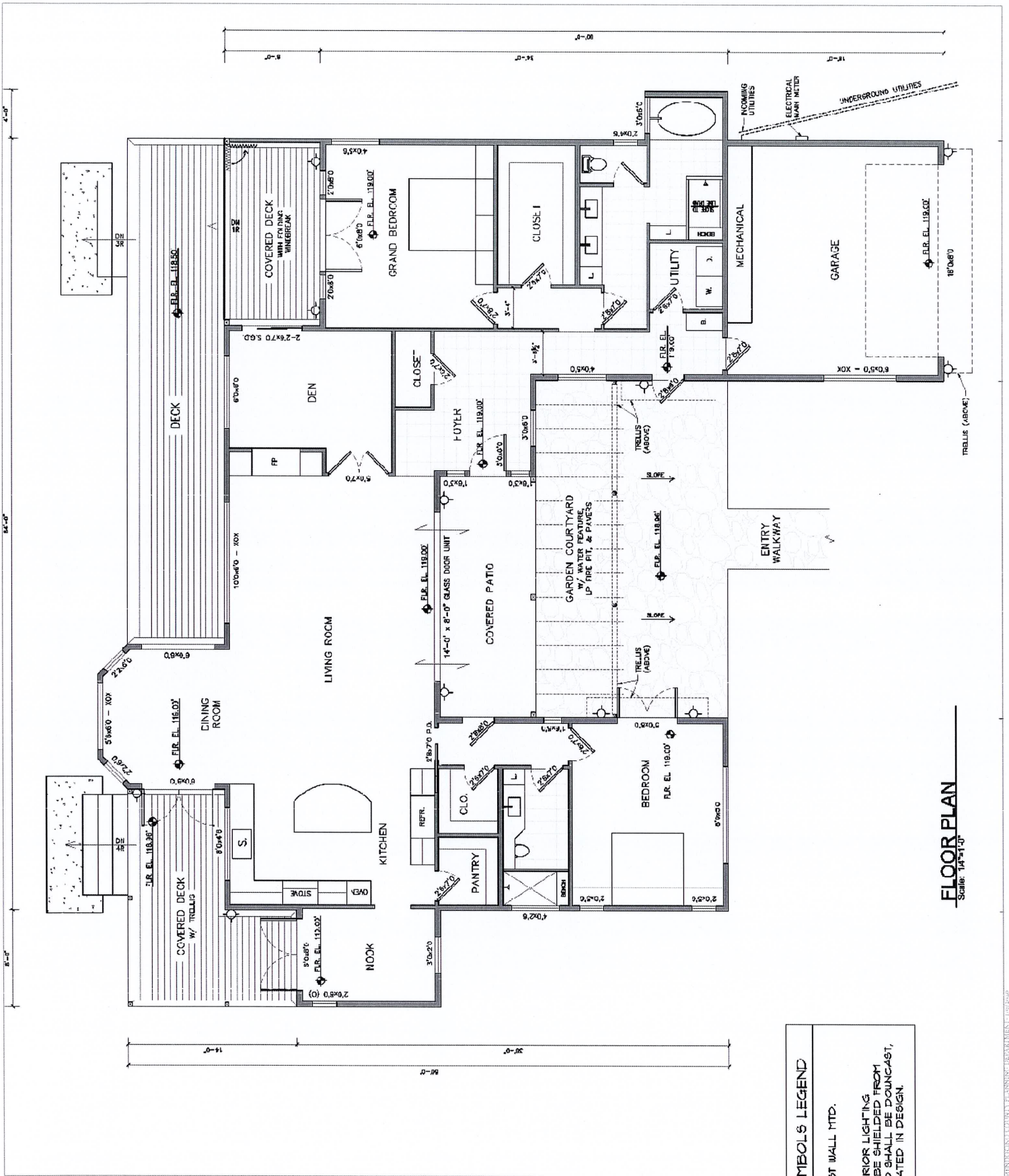
TITLE: SITE PLAN
 SHEET: A1.1
 PRELIMINARY

- FOUND REBAR PROP CORNER
- REQUIRED SETBACKS:
MENDOCINO COUNTY REQUIRED SETBACKS:
- 6'-0" SIDE YARD SETBACKS
- 5'-0" FRONT YARD SETBACK
- 35'-0" FROM CENTERLINE OF ROAD
PALETTE DR. SUBDIVISION REQUIRES A 10'-0" SIDE YARD SETBACK.
- GRADING NOTES:
ELEVATIONS ARE SHOWN AS: EL. (2020)
EXISTING GRADES ARE IN PARENTHESES ().
- UTILITIES:
ALL UTILITY RUNS SHALL BE UNDERGROUND & SHALL BE IN EXISTING STUB OUTS AT PALETTE DRIVE.
COURTYARD GARDENS:
STONE POST W/ TRANSPARENT WIRE FENCE SCREENED W/ SHRUBS PER COUNTY CODES.

CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

NO SCALE

REVISED SITE PLAN
ATTACHMENT E

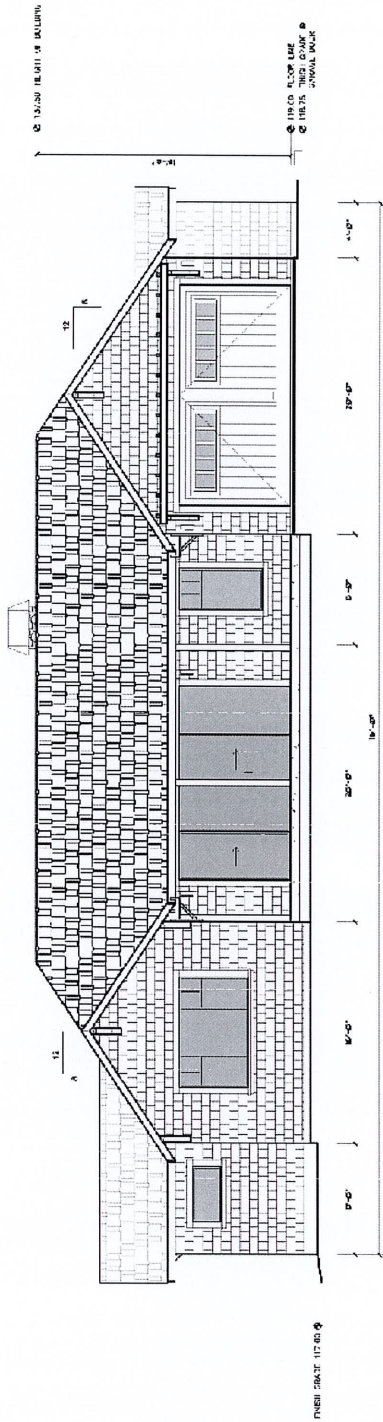


FLOOR PLAN
 Scale: 1/4" = 1'-0"

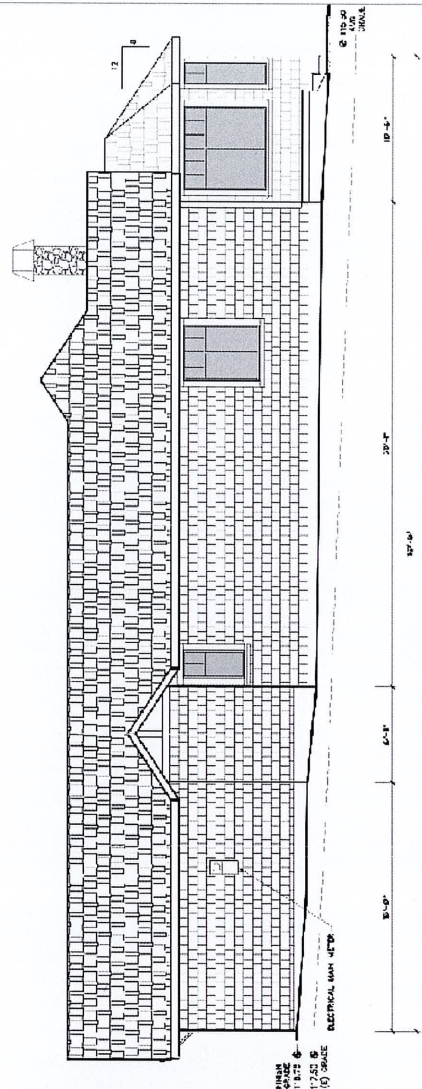
MBOLS LEGEND
ST WALL MTD.
RIOR LIGHTING BE SHIELDED FROM SHALL BE DOWNCAST, ATED IN DESIGN.

CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 AP/CT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

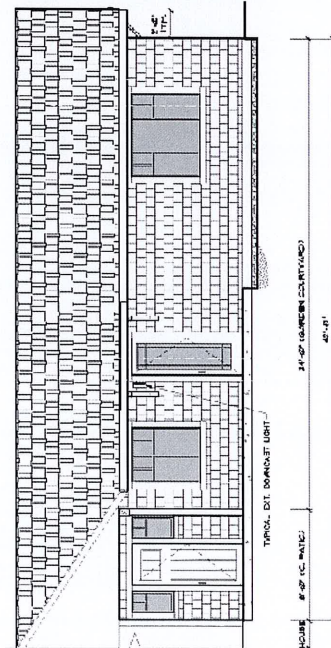
NO SCALE



EAST ELEVATION
Scale: 1/8"=1'-0"



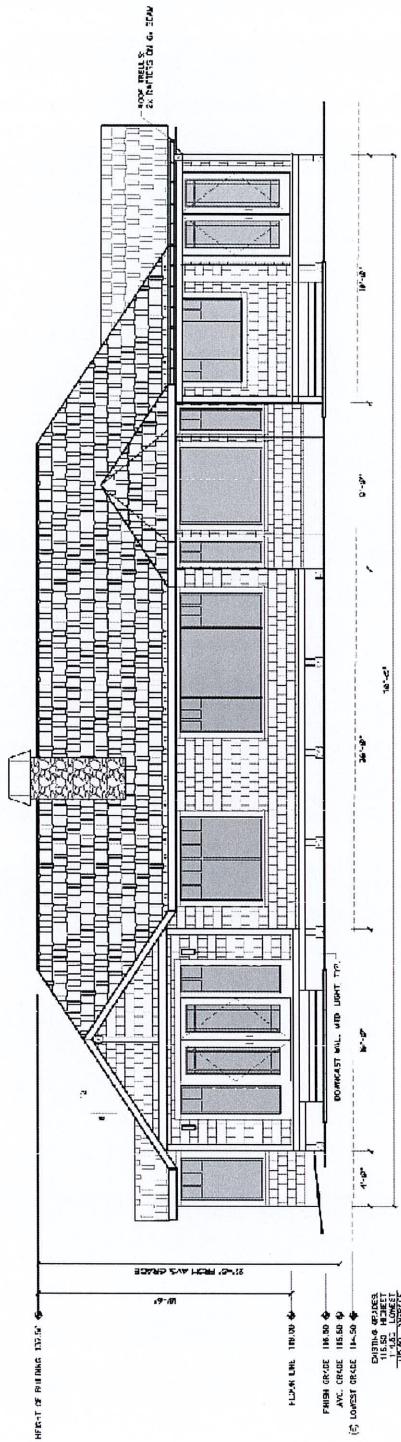
NORTH ELEVATION
Scale: 1/8"=1'-0"



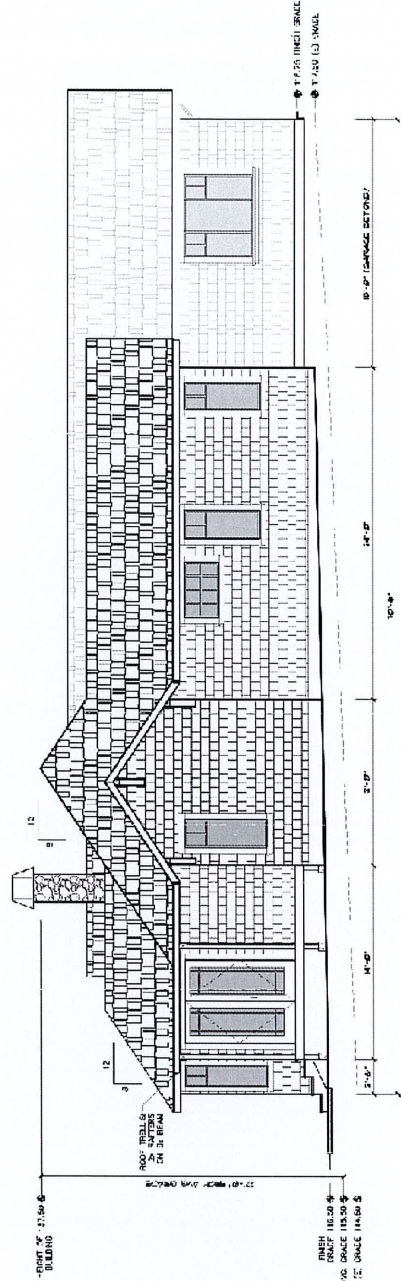
NORTH - COURTYARD ELEVATION
Scale: 1/8"=1'-0"

NO SCALE

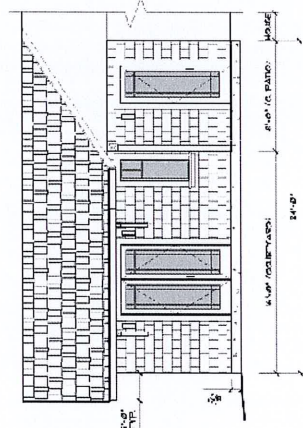
CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
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 ADDRESS: 10935 Palette Drive, Mendocino



WEST ELEVATION
Scale: 1/8"=1'-0"



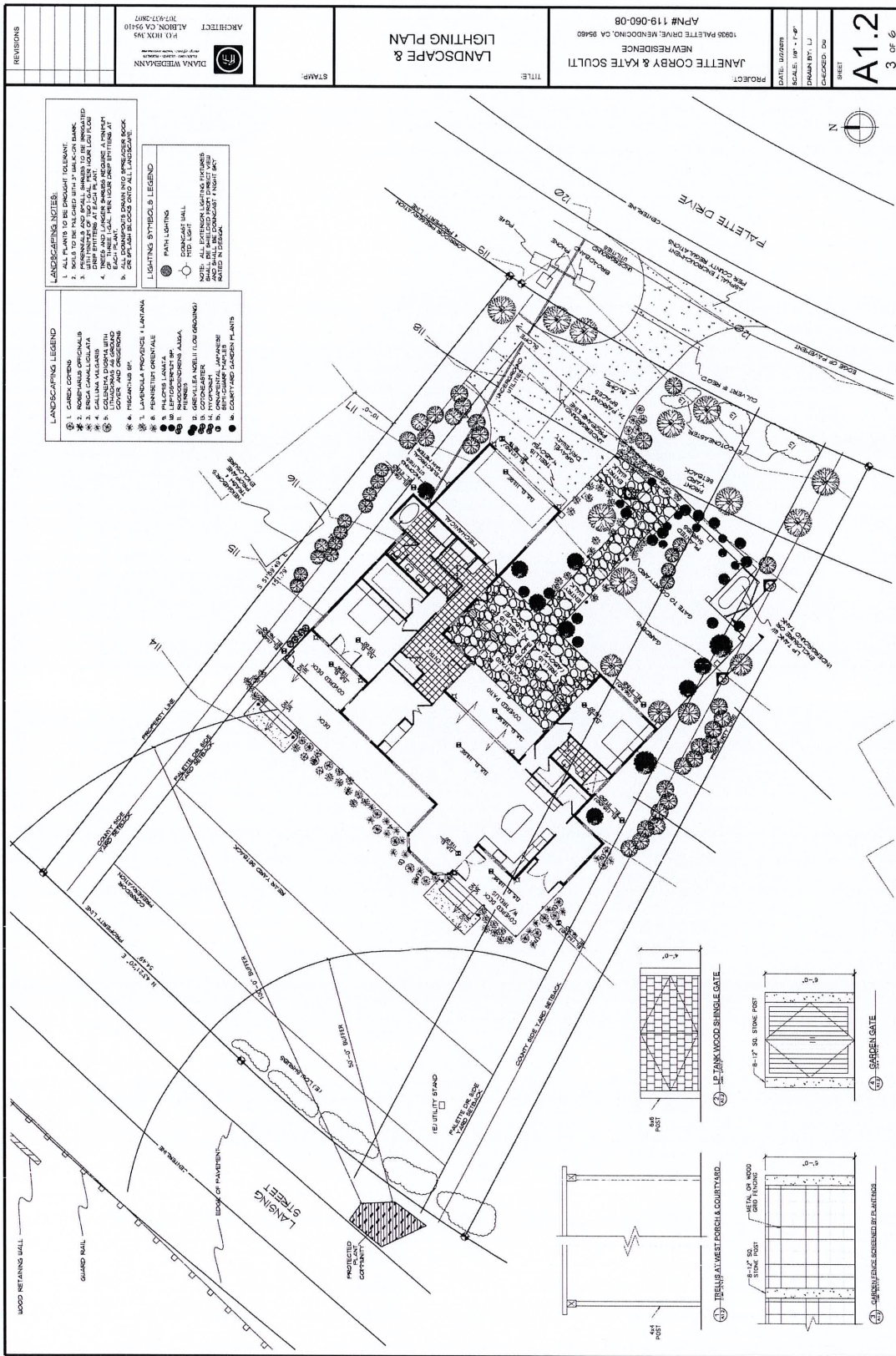
SOUTH ELEVATION
Scale: 1/8"=1'-0"



SOUTH - COURTYARD ELEVATION
Scale: 1/8"=1'-0"

NO SCALE

CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino



REVISIONS	ARCHITECT DANA WEISBANN ALBION, CA 94920 415.437.2807	PROJECT JANETTE CORBY & KATE SCULTI NEW RESIDENCE 10935 PALETTE DRIVE, MENDOCINO, CA 95460 APN# 119-060-08	DATE: 07/2018 SCALE: 1/8" = 1'-0" DRAWN BY: LU CHECKED: DN	A1.2 3 OF 3 SHEET
			TITLE LANDSCAPE & LIGHTING PLAN	

- LANDSCAPING NOTES:**
1. ALL PLANTS TO BE BROUGHT TOLEMANE.
 2. ALL PLANTS TO BE BROUGHT TOLEMANE.
 3. PLANTS AND SMALL SHRUBS TO BE INSTALLED WITHIN 14 DAYS OF THE START OF CONSTRUCTION.
 4. PLANTS TO BE INSTALLED WITHIN 14 DAYS OF THE START OF CONSTRUCTION.
 5. PLANTS TO BE INSTALLED WITHIN 14 DAYS OF THE START OF CONSTRUCTION.
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 8. PLANTS TO BE INSTALLED WITHIN 14 DAYS OF THE START OF CONSTRUCTION.
 9. PLANTS TO BE INSTALLED WITHIN 14 DAYS OF THE START OF CONSTRUCTION.
 10. PLANTS TO BE INSTALLED WITHIN 14 DAYS OF THE START OF CONSTRUCTION.

- LANDSCAPING LEGEND:**
- 1. CAREX CORNS
 - 2. ROSEMAUS OPTICALIS
 - 3. SALICARIA LUCIDA
 - 4. COLENDRA DORATA
 - 5. COLENDRA DORATA
 - 6. COLENDRA DORATA
 - 7. COLENDRA DORATA
 - 8. COLENDRA DORATA
 - 9. COLENDRA DORATA
 - 10. COLENDRA DORATA

- LANDSCAPING LEGEND:**
- 1. LANTANA PROSTRATA
 - 2. LANTANA PROSTRATA
 - 3. LANTANA PROSTRATA
 - 4. LANTANA PROSTRATA
 - 5. LANTANA PROSTRATA
 - 6. LANTANA PROSTRATA
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- LANDSCAPING LEGEND:**
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- LANDSCAPING LEGEND:**
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- LANDSCAPING LEGEND:**
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- LANDSCAPING LEGEND:**
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- LANDSCAPING LEGEND:**
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 - 7. LANTANA PROSTRATA
 - 8. LANTANA PROSTRATA
 - 9. LANTANA PROSTRATA
 - 10. LANTANA PROSTRATA

CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

NO SCALE

RESUBMIT COUNTY PLANNING DEPARTMENT 7/19/2018

EXTERIOR LIGHTING NOTES:

ALL EXTERIOR LIGHTING FIXTURES SHALL BE SHIELDED FROM DIRECT VIEW AND SHALL BE DOWNCAST, OR NIGHT SKY RATED IN DESIGN.

LANDSCAPING NOTES:

ALL LANDSCAPING PLANTS SHALL BE DROUGHT-TOLERANT PERENNIALS & SHRUBS & SHALL BE WATERED WITH A LOW WATER DRIP IRRIGATION SYSTEM.

BUILDING MATERIALS:

EXTERIOR MATERIALS:

ROOFING: DARK GRAY COMPOSITION SHINGLES

SIDING: BROWN SHINGLES

TRIM: 1x4 & 1x6 PAINT GRADE CREAMY WHITE

FASCIA: 2x6 PAINT GRADE CREAMY WHITE

WINDOWS: CREAMY WHITE ALUMINUM CLAD. ALL GLAZING OF WINDOWS & DOORS SHALL BE DUAL-GLAZED LOW-E UNITS, W/ NONREFLECTIVE GLASS.

TEMPERED GLASS ON TOP OF WOOD TRELLIS.

DRIVEWAY & PARKING: COMPACTED GRAVEL W/ REG. DOT ASPHALT ENCROACHMENT W/ CULVERT.

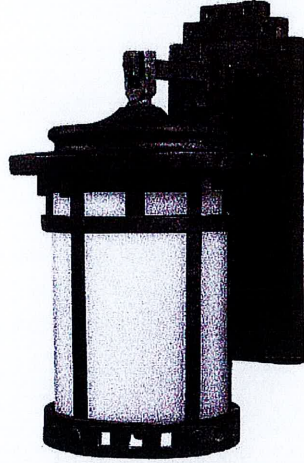
EXTERIOR HOUSE COLORS:

ROOF: DARK GRAY COMPOSITION SHINGLES

SIDING: BROWN SHINGLES

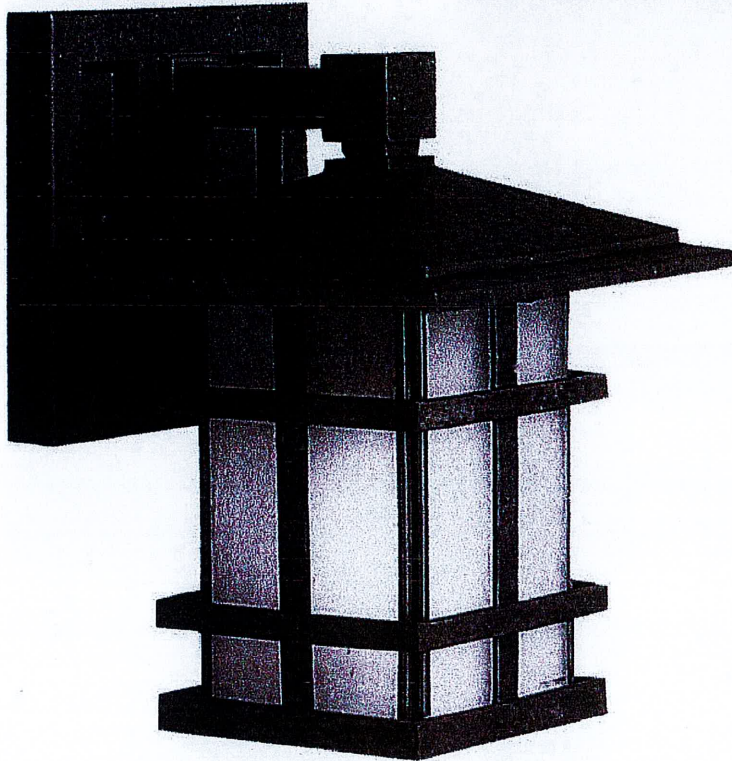
DOORS, WINDOWS & TRIM: CREAMY WHITE

COMPOSITE DECKING: BROWN



Shown in Sienna finish and Mocha glass

Santa Barbara Dark Sky 13 Inch Tall 1 Light Outdoor Wall Light by Maxim Lighting



RECEIVED

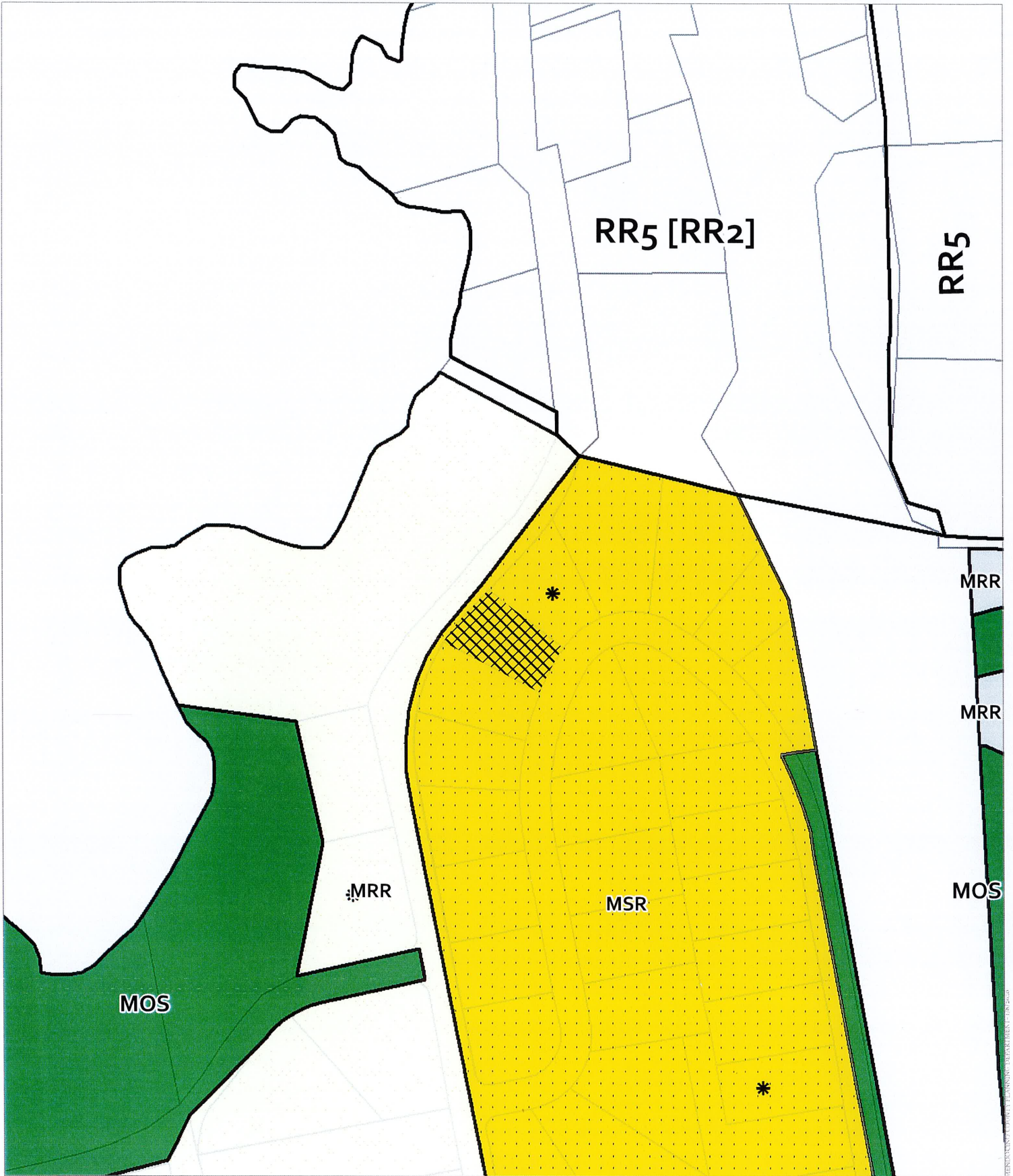
DEC 30 2019

PLANNING & BUILDING SERV
FORT BRAGG CA



CASE: CDP 2019-0047
OWNER: CORBY, Janett
APN: 119-060-08
APLCT: Kate Sculti & Janette Corby
AGENT: David Springer
ADDRESS: 10935 Palette Drive, Mendocino

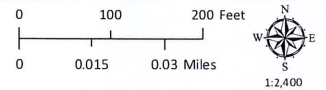
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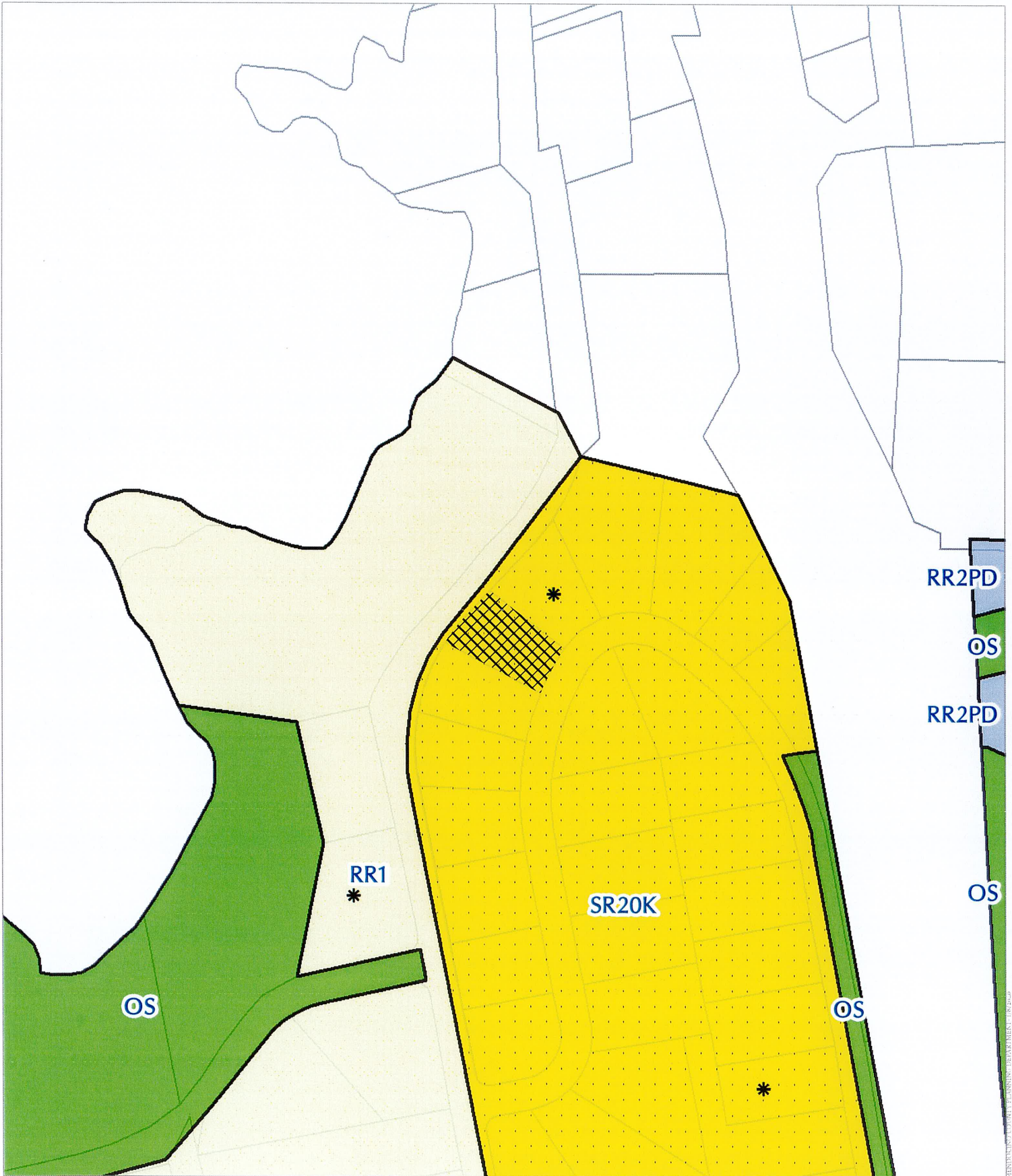
RENDERING COURTESY PLANNING & BUILDING SERV FORT BRAGG CA



CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino

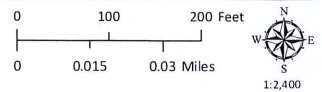
- * Visitor Serving Facilities
-  Zoning Districts
-  Assessor's Parcels





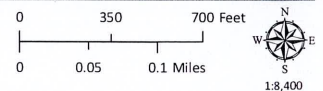
CASE: CDP 2019-0047
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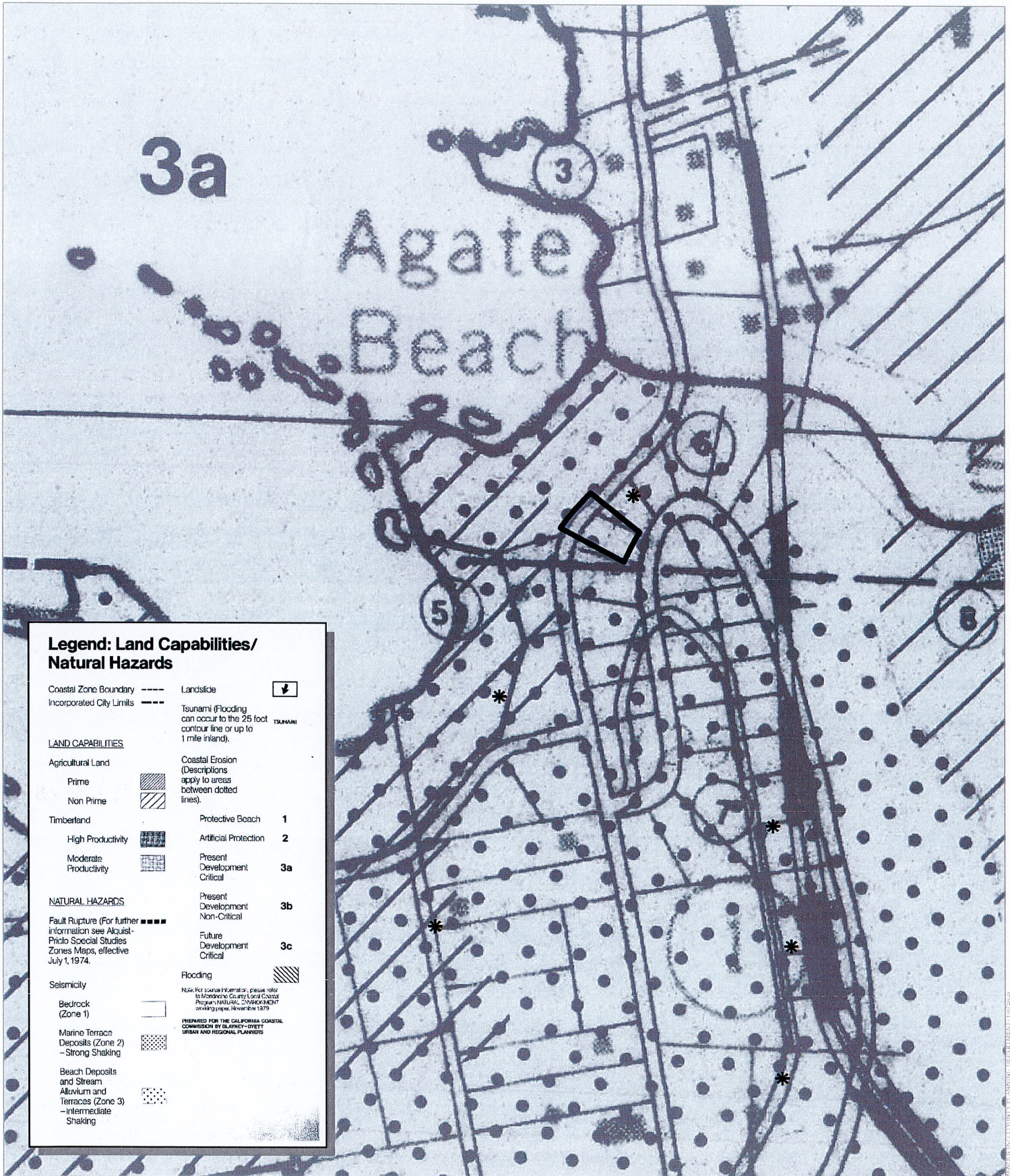
- * Visitor Serving Facilities
- Assessors Parcels



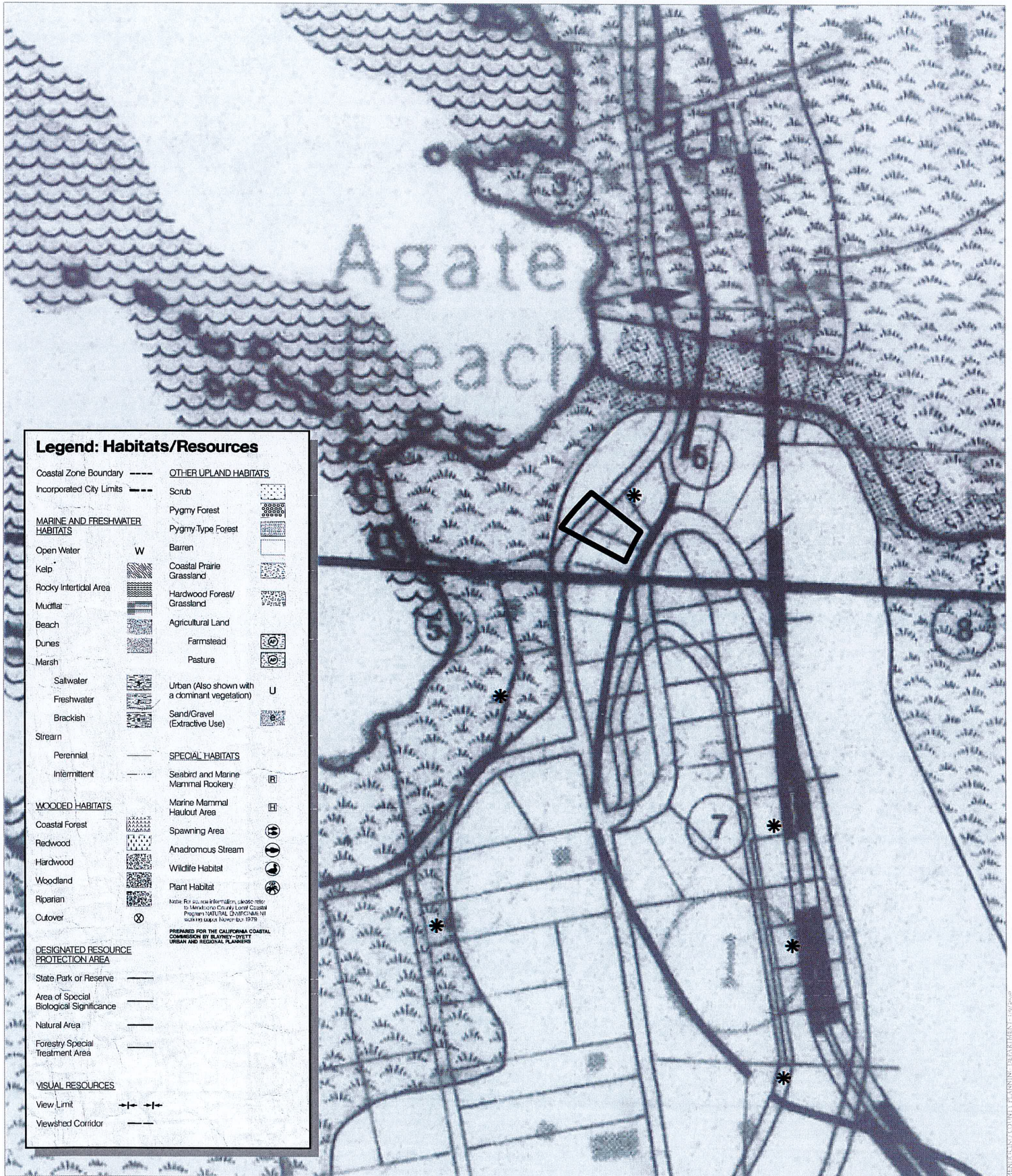


CASE: CDP 2019-0047
 OWNER: CORBY, Janet
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino



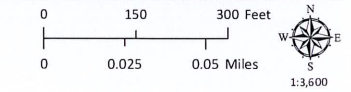


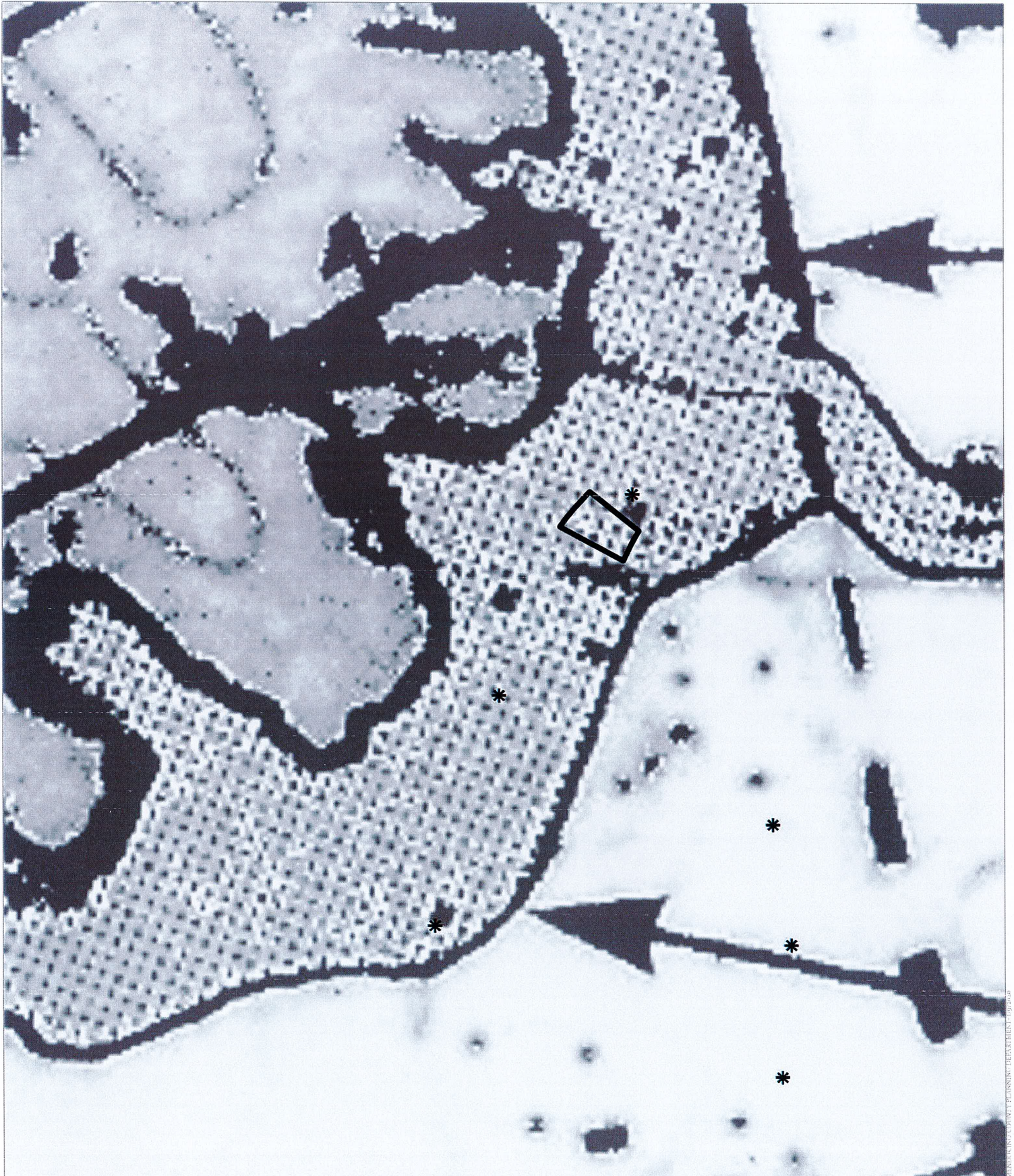
CASE: CDP 2019-0047
 OWNER: CORBY, Janett
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CASE: CDP 2019-0047
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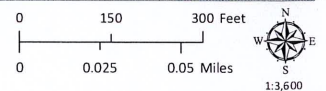
* Visitor Serving Facilities





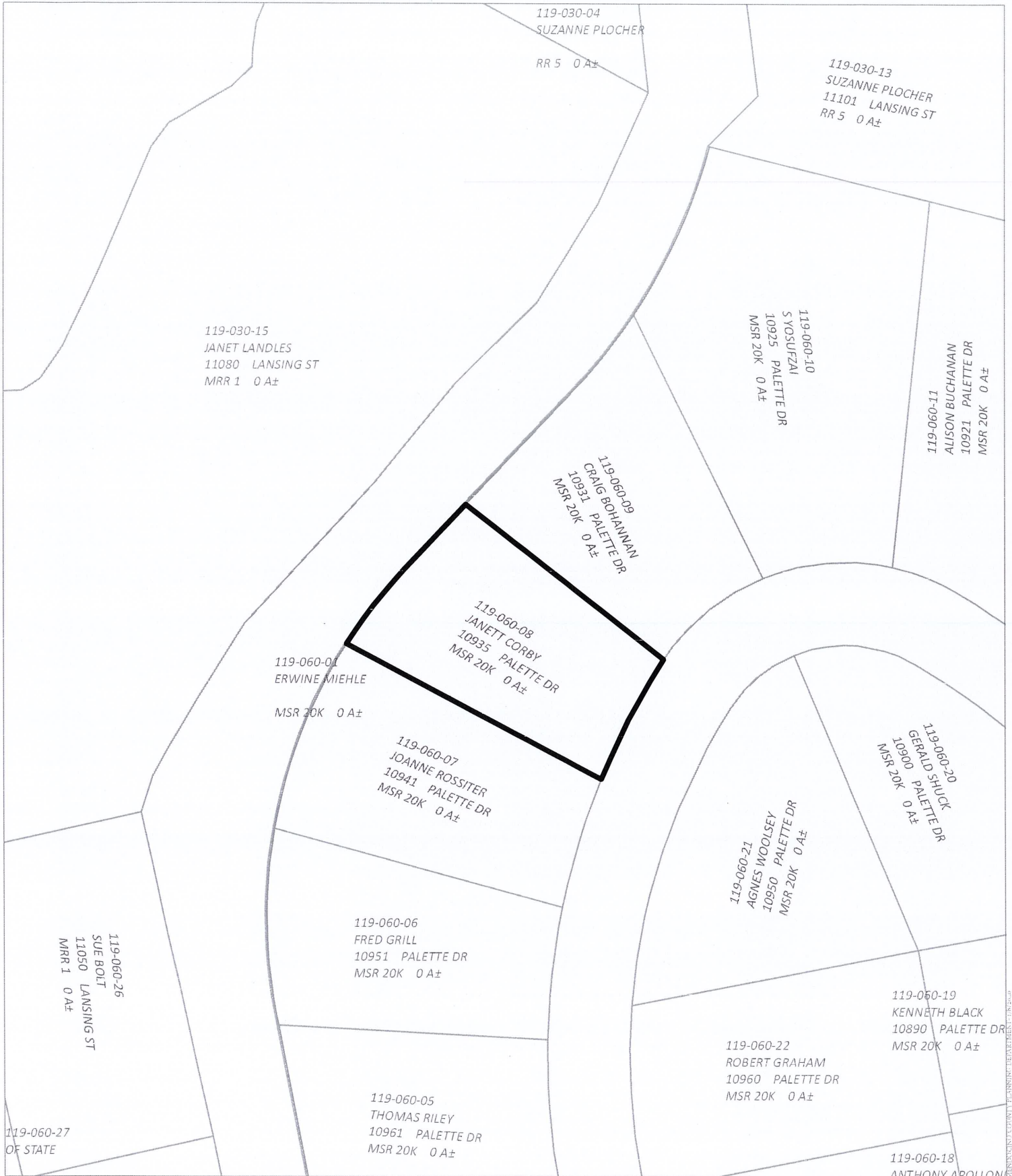
CASE: CDP 2019-0047
OWNER: CORBY, Janett
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AGENT: David Springer
ADDRESS: 10935 Palette Drive, Mendocino

* Visitor Serving Facilities




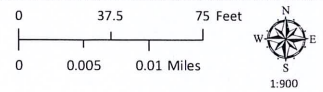
APPEALABLE AREAS
ATTACHMENT Q

MAP PREPARED BY COURTESY TECHNOLOGY DEPARTMENT 7/20/2019

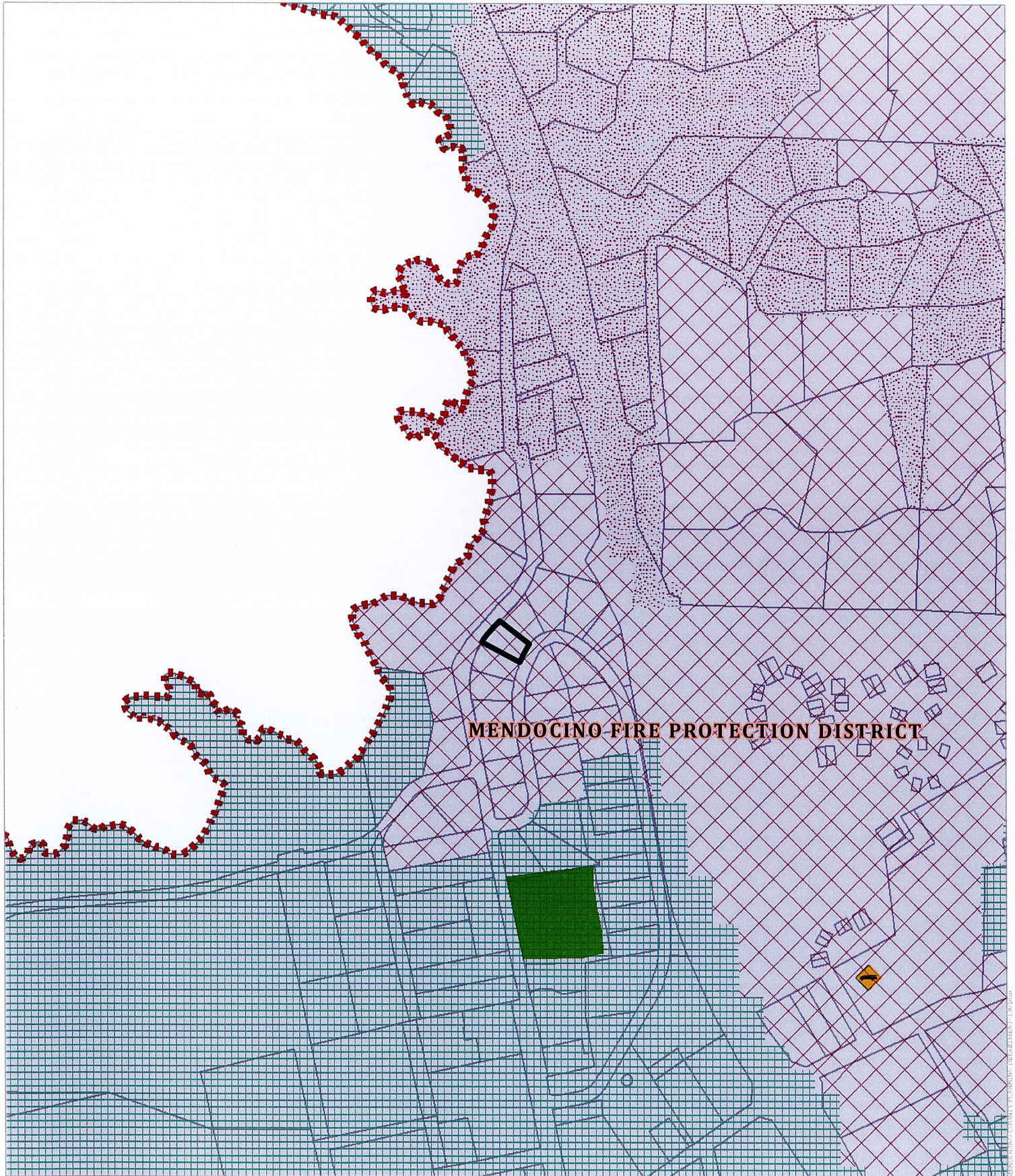


CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino







 Assessor's Parcels

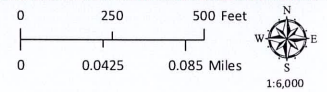


ADJACENT PARCELS
 ATTACHMENT R

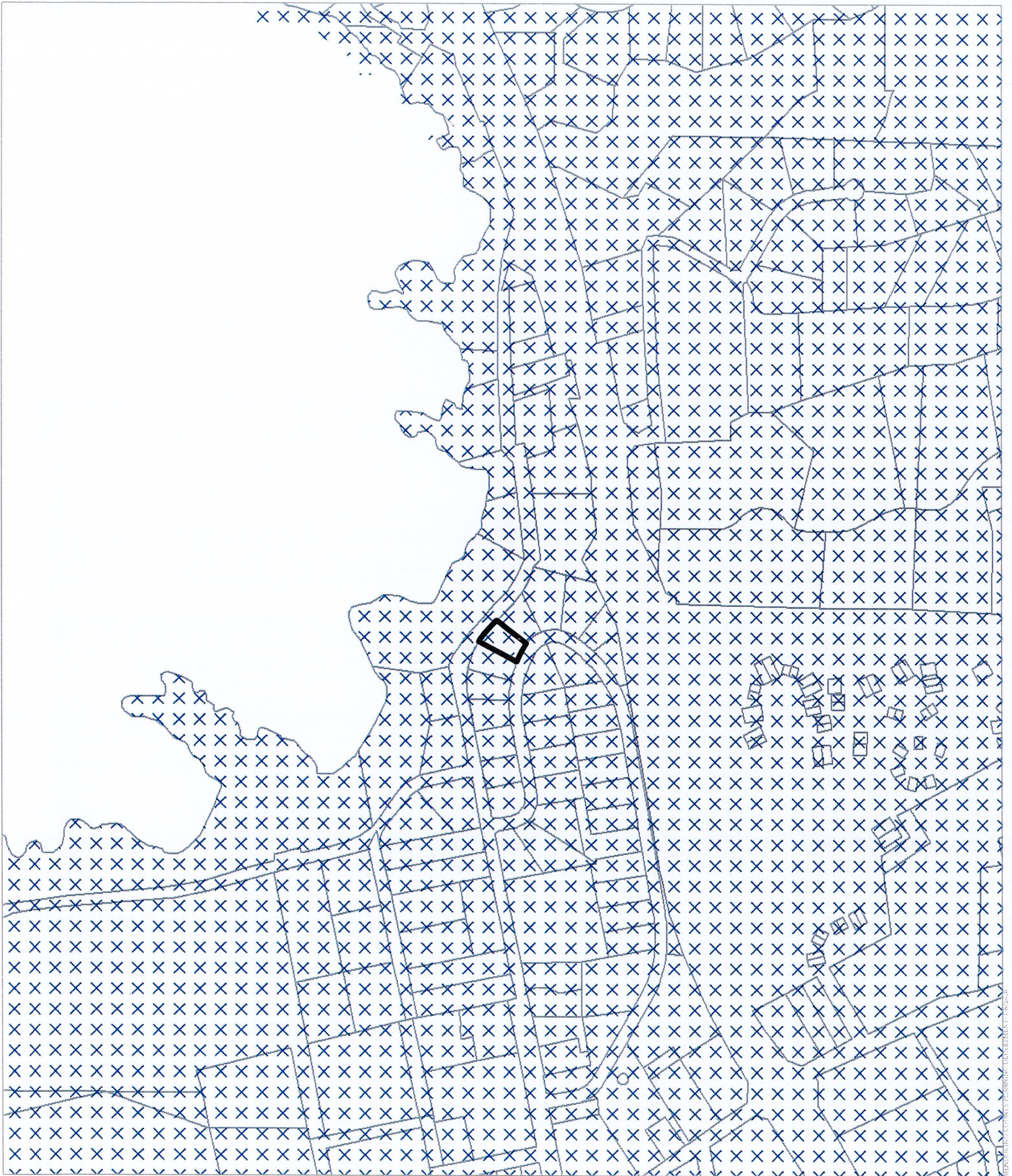


CASE: CDP 2019-0047
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-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  Fire Stations
-  County Fire Districts
-  Assessors Parcels

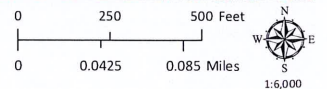


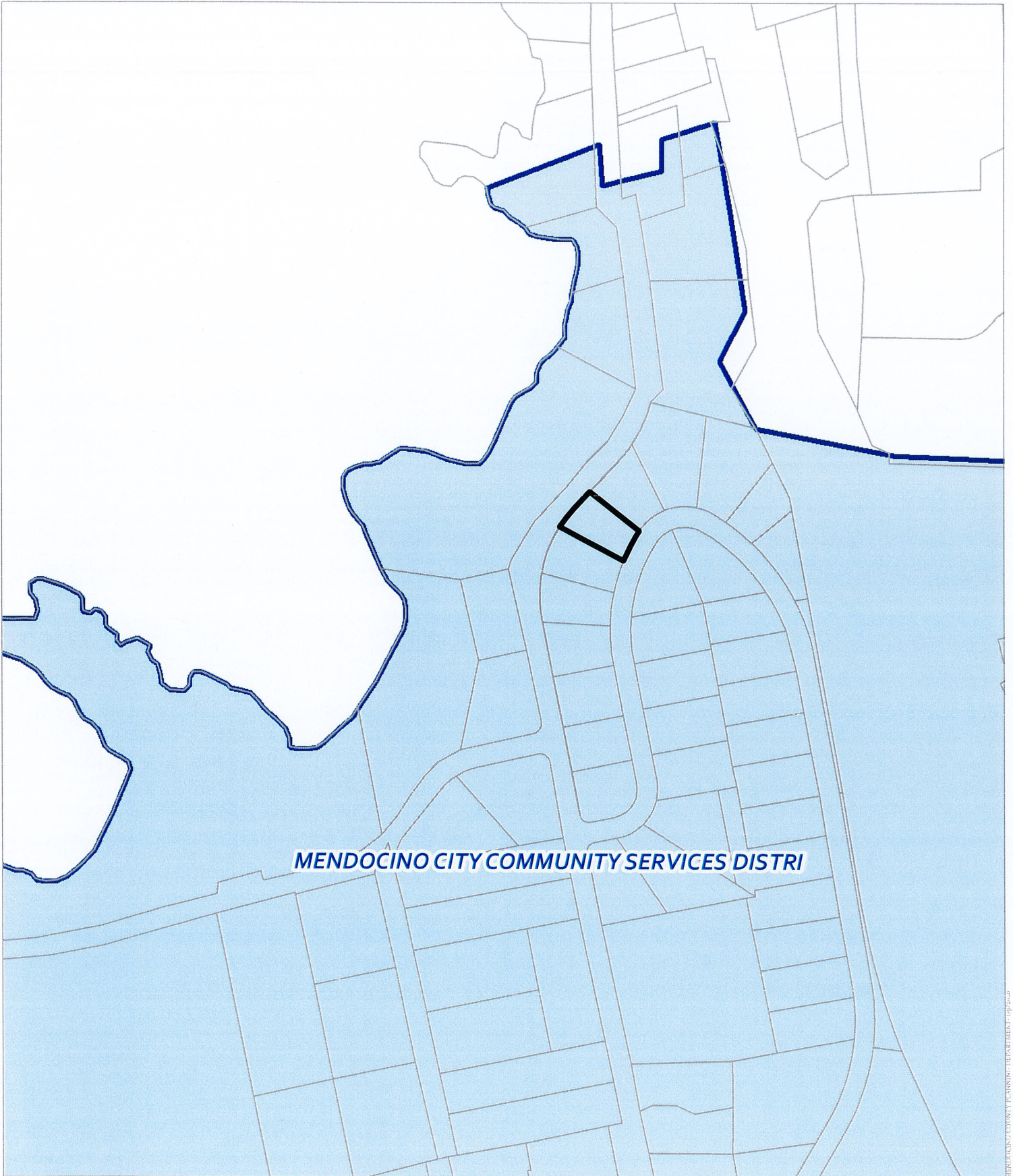
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA



CASE: CDP 2019-0047
 OWNER: CORBY, Janett
 APN: 119-060-08
 APLCT: Kate Sculti & Janette Corby
 AGENT: David Springer
 ADDRESS: 10935 Palette Drive, Mendocino



-  Critical Water Areas
-  Assessor's Parcels





MENDOCINO CITY COMMUNITY SERVICES DISTRI

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-  Assessors Parcels
-  County Water Districts

