



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 14, 2020

**PUBLIC NOTICE OF PENDING ACTION  
STANDARD COASTAL DEVELOPMENT PERMIT**

NOTICE IS HEREBY GIVEN THAT the Mendocino County Coastal Permit Administrator at its regular meeting on Thursday, August 27, 2020 at 10:00 a.m. will conduct a public hearing on the following project and the Draft Negative Declaration 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 in meetings by sending comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>

**CASE#:** CDP\_2020-0009

**DATE FILED:** 2/11/2020

**OWNER:** ISHVI BENZVI AUM AND NANCY SUSAN LEBRUN

**APPLICANT:** ISHVI BENZVI AUM

**REQUEST:** Standard Coastal Development Permit to construct a new driveway encroachment with rolling gate, fencing along the northern parcel boundary, installation of a well, pump house, septic system and power to the site.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** In the Coastal Zone, 3.0± miles north of Mendocino, on the west side of State Highway 1 (SH 1), 1.0± mile north from intersection of Point Cabrillo Drive (CR 564) and Brest Road, located at 13501 Point Cabrillo Dr., Mendocino (APN: 118-160-36).

**SUPERVISORIAL DISTRICT:** 4

**STAFF PLANNER:** JULIA ACKER

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 telecomment 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](mailto: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 to the Coastal Permit Administrator, staff, and the general public as they are received and processed by the Clerk, and can be viewed as attachments under its respective case number listed at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

The Coastal Permit Administrator's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal is the 10th day after the Coastal Permit Administrator's

decision. To file an appeal of the Coastal Permit Administrator's decision, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. 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 project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Coastal Permit Administrator at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted case may be obtained by calling the Planning and Building Services Department at 234-6650, Monday through Friday.

**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.

**BRENT SCHULTZ, Director of Planning and Building Services**



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

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**AUGUST 27, 2020  
CDP\_2020-0009**

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**SUMMARY**

**OWNER:** ISHVI BENZVI AUM AND NANCY SUSAN  
LEBRUN  
PO BOX 1033  
MENDOCINO, CA 95460

**APPLICANT:** ISHVI BENZVI AUM  
PO BOX 1033  
MENDOCINO, CA 95460

**REQUEST:** Standard Coastal Development Permit to construct a new driveway encroachment with rolling gate, fencing along the northern parcel boundary, installation of a well, pump house, septic system and power to the site.

**LOCATION:** In the Coastal Zone, 3.0± miles north of Mendocino, on the west side of State Highway. 1 (SH 1), 1.0± mile north from intersection of Point Cabrillo Drive (CR 564) and Brest Road, located at 13501 Point Cabrillo Dr., Mendocino (APN: 118-160-36).

**TOTAL ACREAGE:** 10± Acres

**GENERAL PLAN:** Coastal Element, Mendocino County General Plan Rural Residential, 10 acre minimum parcel size, with a Planned Unit Development Combining District (RR10PD)

**ZONING:** Division II, Title 20, Mendocino County Code Rural Residential, 10 acre minimum parcel size, with a Planned Unit Development Combining District (RR10-PD)

**SUPERVISORIAL DISTRICT:** 4 (Gjerde)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**APPEALABLE:** Yes, mapped Highly Scenic Area

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** JULIA ACKER KROG

**BACKGROUND**

**PROJECT DESCRIPTION:** Standard Coastal Development Permit to construct a new driveway encroachment with rolling gate, fencing along the northern parcel boundary, installation of a well, pump house, septic system and power to the site.

CDP\_2016-0049 was approved over the previous full parcel (APN: 118-160-29, totaling 26.98± acres) that was subsequently recognized as two separate parcels under Certificate of Compliance #CC\_2018-0026. The recognized parcels were then adjusted into their present configuration through Boundary Line Adjustment #B\_2019-0012. The request under this permit is nearly identical to the request under CDP\_2016-0049 but now with the two separate legal parcels, an additional Coastal Development Permit

was required for the improvements on this lot and to create a clean record for future development of either parcel.

**APPLICANT'S STATEMENT:** "Install New Encroachment with Rolling Gate, Boundary Fencing on Northern Edge, Well, Pump House, PGE Power drop, and Septic System."

**RELATED APPLICATIONS:**

**On-Site:**

- Boundary Line Adjustment #B\_20-90 (APNs: 118-160-07 and 118-160-08)
- Coastal Development Permit #CDP\_2016-0049 over the previous full parcel (APN: 118-160-29, Totaling 26.98± acres) which authorized the addition of a paved encroachment off of Point Cabrillo Drive; construction of a sliding gate; repair and replacement of a picket fence along the west side of property and wire fence on the north, east, and south sides of the property; drilling of a water well; the supply of power to the site; and installation of a new septic system.
- Certificate of Compliance #CC\_2018-0026 recognized two separate legal parcels (APNs: 118-160-33 and -34).
- Boundary Line Adjustment #B\_2019-0012 adjusted the parcels recognized under CC\_2018-0026 to their present configuration (APNs: 118-160-35 and -36). The current Coastal Development Permit is proposed on APN 118-160-36 that resulted from the boundary line adjustment.

**Adjacent Parcels:**

- Boundary Line Adjustment #B\_104-85 (APNs: 118-160-19 and 118-180-04)
- Coastal Development Minor Subdivision #CDMS 10-02
- Coastal Development Minor Subdivision #CDMS 8-03
- Coastal Development Use Permit #CDU 30-04 Phase II of the Point Cabrillo Light Station Restoration Project
- Coastal Development Permit #CDP\_2014-0037 Standard Coastal Development Permit for Guest Cottage

**SITE CHARACTERISTICS:** The 10± acre site is mostly undeveloped, containing existing fencing around site's property boundaries with the exception of the northern boundary. Aerial photos of the property show an increase in vegetation growth over the past 20 years. In 1998, the property was predominantly pasture land whereas today there are patches of taller vegetation scattered over the property. It is the intent of the owner to raise cattle on the property.

The parcel is relatively flat. Elevations at the site range from 225 feet above mean sea level (amsl) at the northeastern corner of the site, to 191 feet amsl at the northwestern corner of the site, to 210 feet amsl at the site's westernmost portion and 235 feet amsl at the site's easternmost portion. The site is located within a mapped Highly Scenic Area<sup>1</sup> and is located west of Highway 1. The site is not located between the first public road and the sea. There is existing shoreline access on the western boundary of the site along Point Cabrillo Drive as shown on LCP Land Use Map 15 *Caspar*.<sup>2</sup>

The project site is located within a "Critical Water Areas"<sup>3</sup> and a mapped high fire hazard area<sup>4</sup>. The site does not contain important farmland and is classified as grazing land.<sup>5</sup> The site is primarily described as barren habitat<sup>6</sup> with non-prime agricultural land and is underlain by beach deposits and stream alluvium and terraces (Zone 3), which is subject to intermediate shaking<sup>7</sup>.

<sup>1</sup> Mendocino County Department of Planning & Building Services. 1991. *Highly Scenic & Tree Removal Areas* [map].

<sup>2</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Land Use Map 15: Caspar* [map].

<sup>3</sup> Mendocino County Department of Planning & Building Services. 1991. *Ground Water Resources* [map].

<sup>4</sup> Mendocino County Department of Planning & Building Services. 1991. *Fire Hazard Zones & Responsibility Areas* [map].

<sup>5</sup> Mendocino County Department of Planning & Building Services. 1991. *Important Farmland* [map].

<sup>6</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Habitat & Resources* [map].

<sup>7</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Capabilities & Hazards* [map].



Mapping does not associate the following with the subject site: faults, landslides, erosion, flood, or tsunami hazard.<sup>8</sup>

**SURROUNDING LAND USE AND ZONING:**

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RR10-PD	RR10-PD	2.1±, and 17.52±, Acres	Residential/Vacant
EAST	RR10-PD	RR10-PD	74±, 80.5±, and 1.5± Acres	Vacant
SOUTH	RR10-PD	RR10-PD	13.9± Acres	Residential
WEST	RR5-PD	RR5-PD	19.2±, 8±, 1±, and 15.44± Acres	Residential/Mobile Home Park/Vacant

**PUBLIC SERVICES:**

Access: Point Cabrillo Drive  
 Fire District: CalFire and Mendocino Volunteer Fire Department  
 Water District: NONE  
 Sewer District: NONE  
 School District: Mendocino Unified

**AGENCY COMMENTS:**

On July 22, 2020 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comments
Assessor's Office	No Response
Environmental Health-FB	Comments
Building Services-FB PBS	No Response
Mendocino Volunteer Fire District	No Response
Planning Division – Fort Bragg	No Response
CALFIRE (Land Use)	No Comment
California Coastal Commission	No Response
CALTRANS	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Comment
Sherwood Valley Band of Pomo Indians	No Response

**KEY ISSUES**

**LOCAL COASTAL PROGRAM CONSISTENCY:** The proposed project is consistent with the goals and policies of the Local Coastal Program as detailed below.

Land Use: The parcel is classified as Rural Residential with a 10 acre minimum parcel size and a Planned Unit Development Combining District (RR10PD) by the Mendocino County General Plan. The Rural Residential classification is intended to encourage local small scale food production (farming) in areas which are not well 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

<sup>8</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Capabilities & Hazards* [map].

growth area and residences should be located as to create minimal impact on agricultural viability.<sup>9</sup> It is the stated intent of the owner to raise cattle on the property. The proposed project, which would add an encroachment, build a sliding gate, install fencing on the northern parcel boundary, drill a water well, supply power, and install a new septic system, is consistent with the principally permitted uses identified for the Rural Residential Land Use classification (i.e., residential and associated utilities, light agriculture, home occupation).

Zoning: The project site is located within a Rural Residential District, which is intended to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability.<sup>10</sup> Residential and light agriculture are principally permitted uses allowed within the Rural Residential District, pursuant to Mendocino County Coastal (MCC) Zoning Code Chapter 20.376 RR -- *Rural Residential District*. As defined in Section 20.336.030 of the MCC, the "Light Agriculture" use type allows for the grazing of cattle, horses, sheep, goats, hop or other farm stock or animals, including the supplementary feeding thereof, provided not more than one (1) such animal per forty thousand (40,000) square feet shall be kept or maintained. The total number of all species shall not exceed four (4).

The Applicants would like to continue the former use of the property as pasture land to raise cattle. The paved encroachment, sliding gate, property boundary fencing, well, and supply power are accessory to the anticipated Light Agricultural use of the property. However, because no major structures (e.g., a residence or barn) are proposed as part of the request, the septic system would be accessory to a future use on the property. **Condition 10** is recommended by staff to allow construction of the septic system but not to allow hook up until further coastal development permits are approved.

The proposed project would install wire fencing along the northern parcel boundary consisting of a 4 foot wire fence topped by two (2) strands of barbed wire. The fence posts would be a combination of metal T-posts and wood posts and the fence would not exceed six (6) feet in height. The proposed fencing is consistent with fence height regulations for non-view obscuring fencing. Due to the fact that the fencing is proposed along the northern parcel boundary that does not have street frontage no corridor preservation or yard setbacks are required.

The proposed gate on Point Cabrillo Drive along the west side of the property is subject to a corridor preservation setback of 25 feet from the roadway. In addition, the Mendocino County Department of Transportation has requested that there be sufficient space between the edge of the traveled way and the gate for a vehicle to pull off the roadway. **Condition 12(b)** is recommended to achieve compliance with the Mendocino County Department of Transportation comments.

The maximum building height allowed in the RR District is 18 feet above natural grade for Highly Scenic Areas west of Highway 1, such as the site. The maximum height of the proposed project is approximately 12 feet, which would comply with the maximum building height requirement. The project, as proposed, would result in a lot coverage of less than 1 percent, which would not exceed the maximum allowed lot coverage of 20 percent for parcels of this size located within an RR District.

Visual Resource and Special Treatment Areas: The project site is within a mapped Highly Scenic Area<sup>11</sup>; therefore, the proposed project is subject to the development criteria for projects located within a Highly Scenic Area, as enumerated in MCC Section 20.504. MCC Section 20.504.010 states that the purpose of the Visual Resources and Special Treatment Areas *"is to ensure that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas."* The views across the site from Highway 1 are partially obstructed by vegetation growth along the highway and the property's eastern edge.

The proposed fencing consists of 4 foot wire fence with 2-foot strands of barbed wire above. Wire fencing

<sup>9</sup> Mendocino County General Plan. Chapter 2.2 of the Coastal Element. 1991.

<sup>10</sup> Mendocino County Coastal Zoning Code, § II-20.376.005 (1991). Print.

<sup>11</sup> Mendocino County Department of Planning & Building Services. 1991. *Highly Scenic & Tree Removal Areas* [map].

for cattle is a common landscape feature along the coast and along Point Cabrillo Drive. In addition, due to the slope of the property, the gate, fencing and other proposed development would not obstruct views to the coast from Highway 1. The proposed fencing complies with the Highly Scenic Area development criteria and will not add to the existing obscured view.

To comply with the Highly Scenic Area development criteria west of Highway 1, Staff recommends **Condition 13** requiring the applicant to place power distribution lines underground. As conditioned, Staff finds the proposed power supply is in compliance with the development criteria for Highly Scenic Areas and would not have significant visual impacts.

Hazards Management: The project site is located in an area with a “High Fire Hazard” severity rating. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Volunteer Fire Protection District (MVFPD). The project application was referred to CalFire and the MVFPD for input; however, a no comment response was received from CalFire and no response from MVFPD. A standard condition requiring the Applicants to secure all necessary permits for the proposed development from County, State, and Federal agencies having jurisdiction ensures any fire protection policy or plan would be addressed. With the inclusion of the standard condition, Staff finds the project to be consistent with Mendocino County policies for fire protection.

The project site is located in Zone 3 for intermediate shaking. However, the San Andreas fault is located four to five miles offshore in this area. Mapping does not associate the following with the subject site: faults, landslides, erosion, flood, or tsunami hazards.<sup>12</sup>

Habitats and Natural Resources: As previously discussed, the site is primarily designated as barren habitat<sup>13</sup> with non-prime agricultural land and the entire property appears to have been previously grazed as have other nearby properties.<sup>14</sup> An Environmentally Sensitive Habitat Area (ESHA) has been identified on the adjacent parcel under the last Coastal Development Permit (CDP\_2016-0049) consisting of a freshwater emergent wetland, which traverses the adjacent parcel, spanning from the site’s eastern boundary to the site’s northwestern boundary. The freshwater wetland on the adjacent parcel does not impact the subject parcel. No potential ESHA are known to exist on the subject parcel.

Archaeological/Cultural Resources: For small scale projects such as the proposed action of replacing existing fencing, building a sliding gate, paving an encroachment, and installing utilities and associated infrastructure, Mendocino County Department of Planning and Building Services procedure is to not refer these types of projects to either California Historic Resource Information Center (CHRIS) or the Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Mendocino County Archaeological Commission in 2005 and again in 2014 and it was determined to be an appropriate guidance document for what projects would require archaeological review. Staff notes that **Condition 8** advises the applicant of the “Discovery Clause,” which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. With the inclusion of the standard condition of approval advising the Applicant about the discovery of archaeological resources, Staff finds the project to be consistent with Mendocino County policies for the protection of paleontological and archaeological resources.

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 Rancheria. A response was received from the Redwood Valley Rancheria stating they had no comment on the project. Neither of the other two tribes responded to the referral request.

Groundwater Resources: The project site is located within a mapped “Critical Water Area”<sup>15</sup>, but since no new parcels or building sites are proposed, additional water studies are not required per MCC Section 20.516.015(B).<sup>16</sup> Proposed well location is indicated on the plot plan with the proposed pump house to the south of it. Additionally, the proposed septic field and replacement area is shown on the plot plan.

<sup>12</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Capabilities & Hazards* [map].

<sup>13</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Habitat & Resources* [map].

<sup>14</sup> Mendocino County Department of Planning & Building Services. 1991. *Classified Wetlands* [map].

<sup>15</sup> Mendocino County Department of Planning & Building Services. 1991. *Ground Water Resources* [map].

<sup>16</sup> Mendocino County Coastal Zoning Code, §20.516.015(B) (2011).

The project was referred to the DEH for review and comment. DEH commented that the septic will require an archival review. Staff has added this as recommended **Condition 11**. In addition, **Condition 4** of the permit requires the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.

The current plot plan for this CDP indicates that the proposed septic system meets property line setbacks as well as setbacks from proposed wells. Because no major structures (e.g., a residence) are proposed as part of the request, the septic system would be accessory to a future use on the property. **Condition 10** is recommended by staff to allow construction of the septic system but not to allow hook up to any temporary or permanent structure or use of the septic system until further coastal development permits are approved. As conditioned, Staff finds the development would not adversely affect groundwater resources.

Grading, Erosion, and Run-Off: Site preparation, including grading, in the area of development would occur. Additionally, trenching would be required to install underground utilities and piping, which would extend to the proposed well and septic system. Installation of fencing would require minimal grading and site preparation. Staff recommends **Condition 9** to require the implementation of Best Management Practices (BMPs) to prevent erosion and runoff during project construction and revegetate any bare soils as soon as feasible after the construction phase is completed. As conditioned, Staff finds the project would not result in significant erosion or runoff impacts.

Transportation/Circulation and Other Public Services: Access to the site will be provided via the proposed encroachment off Point Cabrillo Drive.<sup>17</sup> The proposed project would not contribute new sources of traffic on local and regional roadways except as a temporary situation during the construction process. The cumulative effects of traffic resulting from development on this site were considered when the Coastal Element land use designations were assigned. The project was referred to Caltrans and MCDOT; however, a response from Caltrans was not received. A response was received from MCDOT recommending approval of the project under several conditions. These conditions are recommended as **Condition 12**.

As conditioned, Staff finds the proposed project would not have significant traffic impacts.

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. The Caspar Transfer Station is located approximately 4 miles from the project site, providing for the disposal of solid waste. Additionally, curbside pickup is available, should the owner choose to purchase the service. Solid waste disposal is adequate to serve the proposed development. As conditioned, Staff finds the proposed project would not have a significant impact to public services.

Public Access: The project site is located 600 feet south of the intersection of Lighthouse Road and Point Cabrillo Drive. Lighthouse Road is a direct access point to the lighthouse at Point Cabrillo Light Station State Historic Park. As shown on LCP Map 15 *Caspar*, existing public access to the shore is located along the western boundary of the subject parcel on Point Cabrillo Drive.<sup>18</sup> The project site will maintain a private encroachment using the proposed sliding gate on the western parcel boundary. Neither this encroachment nor any other part of the project site will hinder access to Lighthouse Road or public access to the coast. As conditioned, Staff finds the proposed project would not have a significant impact to public access.

**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 Project meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 3(d) and (e), Section 15303; which includes construction and location of a limited number of new small facilities and structures such as fences, utility extensions and street improvements.

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<sup>17</sup> Mendocino County Department of Planning & Building Services. Plot Plan. [map].

<sup>18</sup> Mendocino County Department of Planning & Building Services. 1991. *LCP Land Use Map 15: Caspar* [map].



**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 project to pave an encroachment, build a sliding gate, install fencing along the northern property boundary, drill a water well and construct associated pump house, supply power, and install a new septic system, is in conformity with the certified Local Coastal Program. The proposed improvements are accessory to principally permitted uses within the Rural Residential land use classification and consistent with the intent of the RR Classification; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed project would be provided with adequate utilities, access roads, drainage, and other necessary facilities. The site will be served, by an on-site well and septic disposal system; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed improvements are 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 Zoning District by allowing Light Agriculture, a principally permitted use in the Rural Residential District; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed improvements, 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. The proposed improvements are Categorically Exempt pursuant to Section 15303(d) and (e); and
5. Pursuant with MCC Section 20.532.095(A)(5), the proposed improvements would not have any adverse impact on any known archaeological or paleontological resources, as there are no known resources within the vicinity of the site and Standard Condition 8 is in place when archaeological sites or artifacts are discovered; 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. The site is currently undeveloped and the proposed improvements are not anticipated to affect demands on public services; and
7. Pursuant to MCC Section 20.532.095(B)(1), the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.

**CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11<sup>th</sup> 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 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 have 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.
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 Applicants shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
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 applicant shall cease and desist from all further excavation and disturbances within one hundred (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. Standard erosion control Best Management Practices (BMPs) shall be implemented to prevent erosion, such as straw wattles, silt fencing, coir mats, etc. No monofilament netting, which may entrap sensitive herpetofauna, shall be utilized. Where feasible, work, including ground-disturbing activities, shall be conducted during the dry season.
10. Construction of the septic system is allowed but hook-up to any temporary or permanent structure or use of the septic system is prohibited unless or until further coastal development permits are approved.
11. As requested by the Division of Environmental Health, the septic system design shall require an archival review.
12. As requested by the Mendocino County Department of Transportation, the following conditions shall be adhered to:
  - a. A residential driveway approach shall be constructed onto Point Cabrillo Dr. (CR 564) 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.
  - b. Gate shall be outside County right-of-way and set back far enough to allow for a vehicle to be in front of the gate without being in the traveled way.
  - c. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County right-of-way.
13. The Applicants shall comply with the Highly Scenic Area development criteria west of Highway 1, pursuant with MCC Section 20.504.015(C)(11) by placing the power distribution lines underground.

08/12/2020

DATE



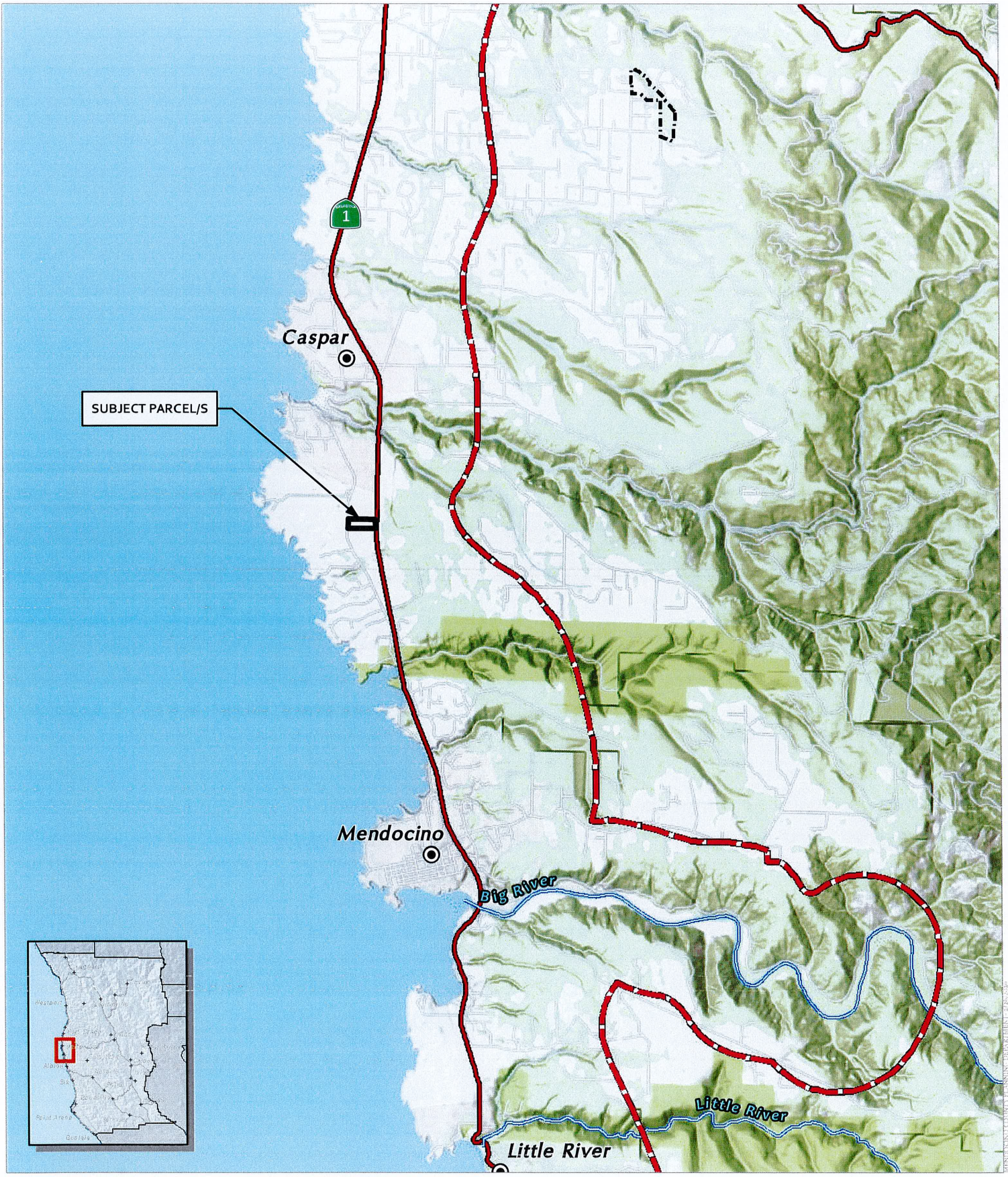
JULIA ACKER KROG  
CHIEF PLANNER

Appeal Period: 10 Days  
Appeal Fee: \$1616.00






**ATTACHMENTS:**

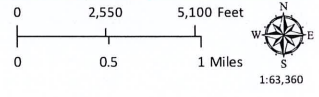
- A. Location Map
- B. Aerial Imagery (Vicinity)
- C. Aerial Imagery
- D. Topographic Map
- E. Site Plan (Received February 11, 2020)
- F. Pump House Floorplan
- G. Pump House Elevations
- H. Fencing and Gate Details
- I. Zoning Display Map
- J. General Plan Classifications
- K. LCP Land Use Map 15: Caspar
- L. LCP Land Capabilities and Natural Hazards
- M. LCP Habitats and Resources
- N. Adjacent Parcels
- O. Fire Hazard Zones & Responsibility Areas
- P. Ground Water Resources
- Q. Highly Scenic & Tree Removal Areas
- R. Western Soil Classes
- S. Farmland Classifications





CASE: **CDP 2020-0009**  
 OWNER: **AUM, Ishvi & Nancy Lebrun**  
 APN: **118-160-34**  
 APLCT: **Ishvi Aum**  
 AGENT:  
 ADDRESS: **None Assigned, Mendocino**

-  Major Towns & Places
-  Major Rivers
-  City Limits
-  Highways
-  Coastal Zone Boundary







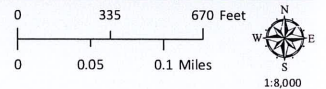
**LOCATION MAP**  
**ATTACHMENT A**





CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

-  Named Rivers
-  Driveways/Unnamed Roads
-  Public Roads
-  Private Roads



AERIAL IMAGERY

ATTACHMENT B



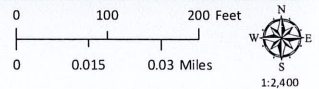


POINT CABRILLO DRIVE

SH 1

CASE: CDP 2020-0009  
OWNER: AUM, Ishvi & Nancy Lebrun  
APN: 118-160-34  
APLCT: Ishvi Aum  
AGENT:  
ADDRESS: None Assigned, Mendocino

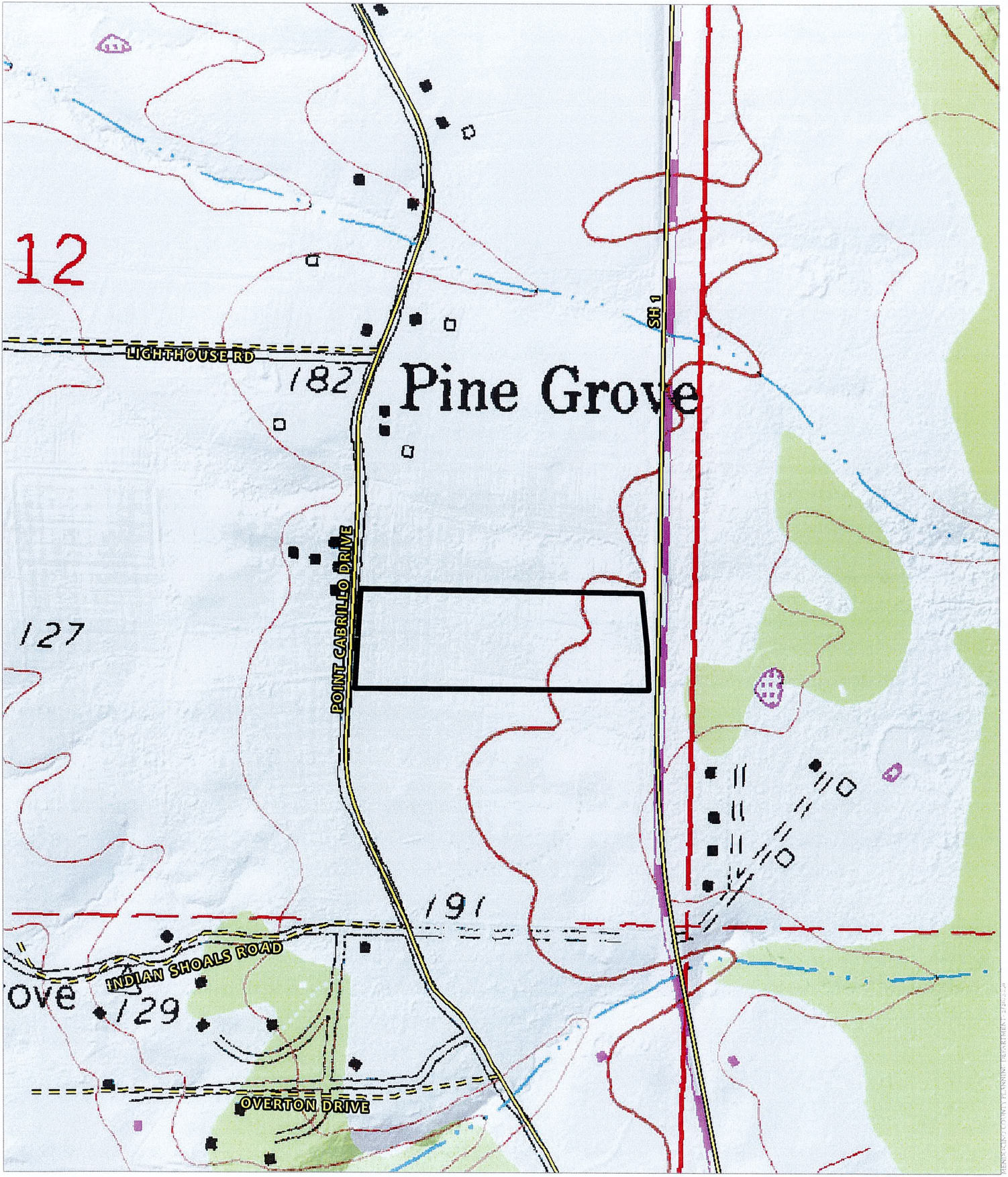
Public Roads  
Driveways/Unnamed Roads






AERIAL IMAGERY

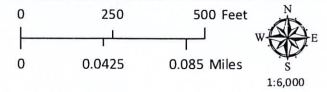
ATTACHMENT C





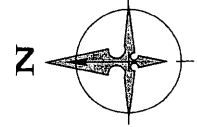
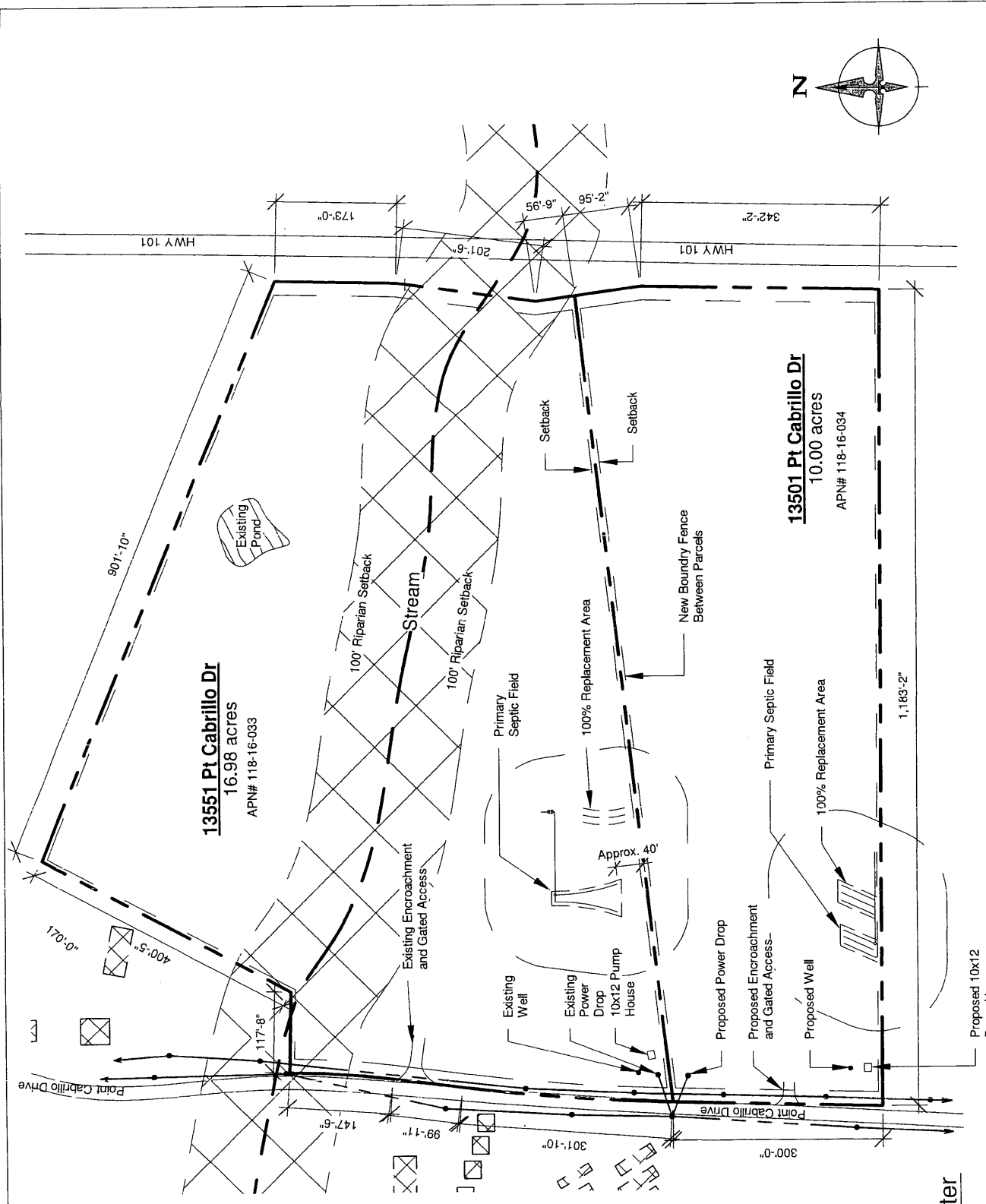
CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads



TOPOGRAPHIC MAP  
 CONTOUR INTERVAL IS 40 FEET





**RECEIVED**

FEB 11 2020

PLANNING & BUILDING SERV  
FORTY...

1 Site - CDP Letter  
1" = 200'-0"



**AUM CONSTRUCTION INC.**  
General Contractor Lic. # 817115  
www.aumconstruction.com

Ishvi Aum

CDP Minor Use

13501 Point Cabrillo Dr, Mendocino CA 95460

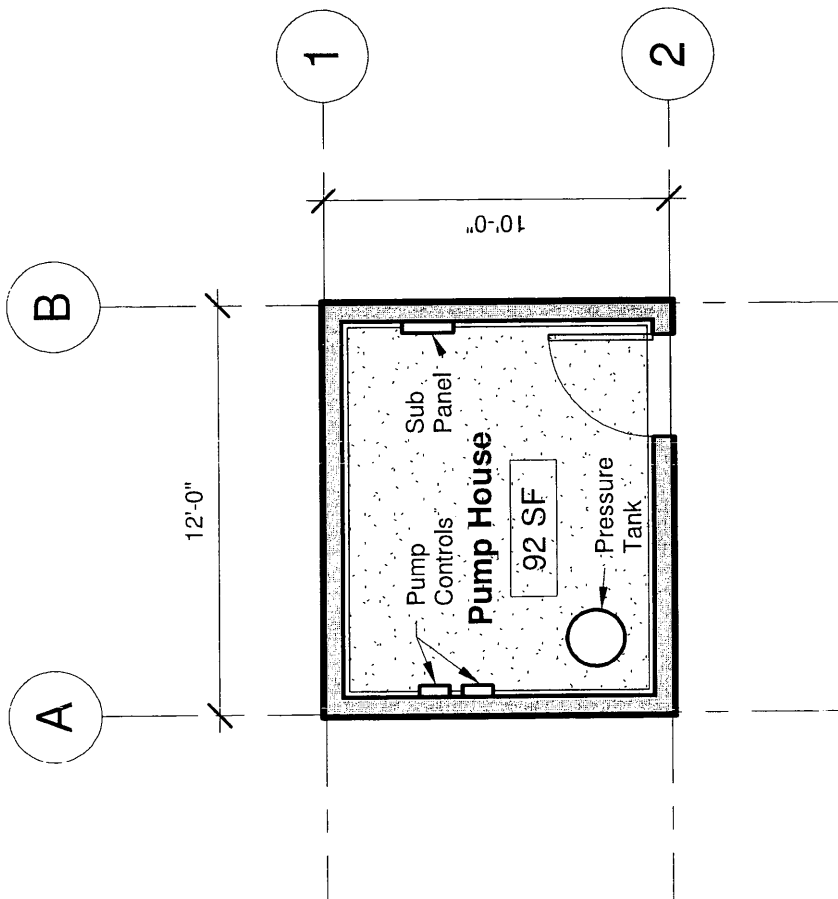
APN # : 118-16-034

DATE : 02/10/2020

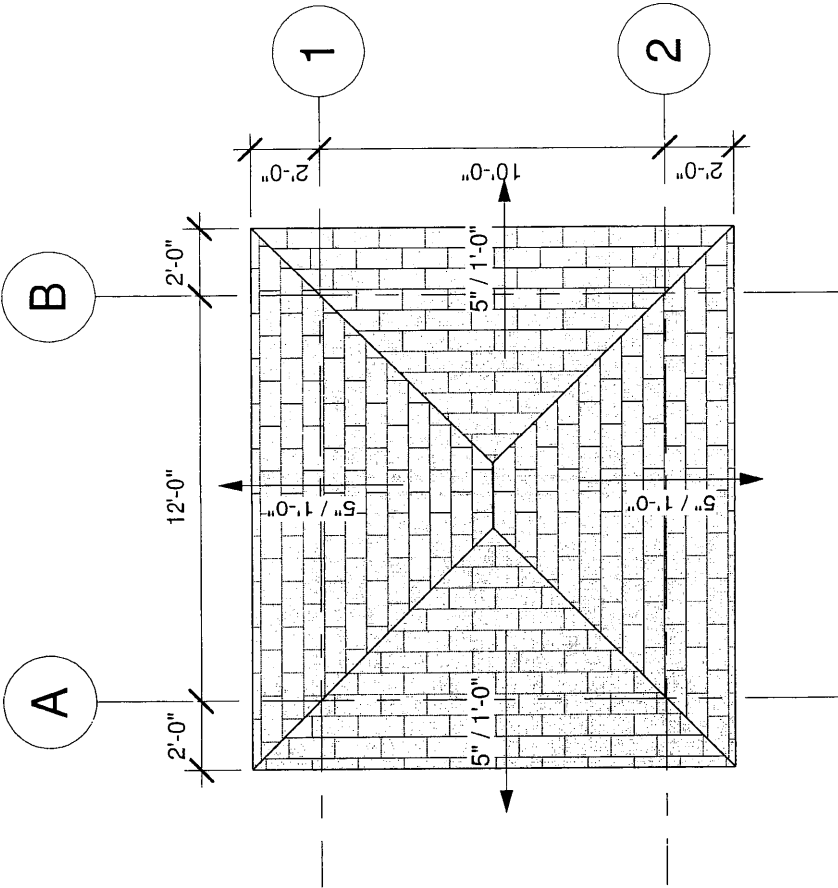
SCALE : 1" = 200'-0"

DRAWN BY : SLLC

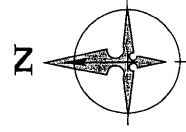




1 Main  
3/16" = 1'-0"



2 Roof  
3/16" = 1'-0"



Ishvi Aum

CDP Minor Use

13501 Point Cabrillo Drive, Mendocino, CA 95460

APN # : 118-16-034

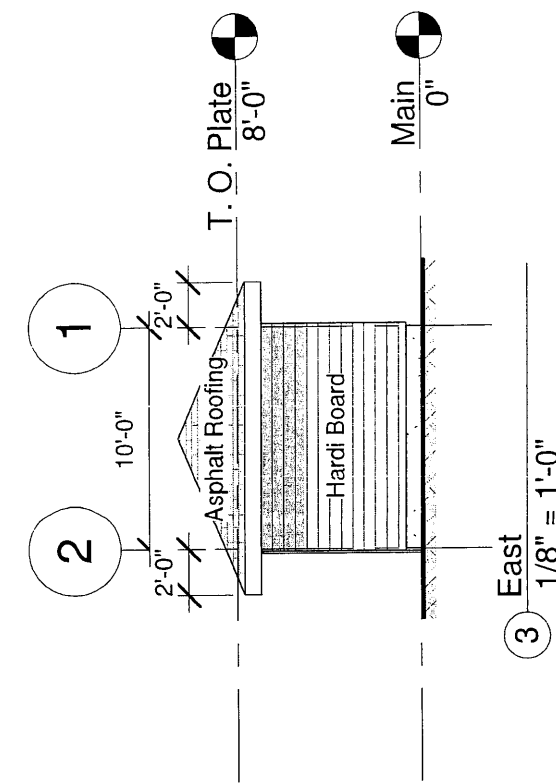
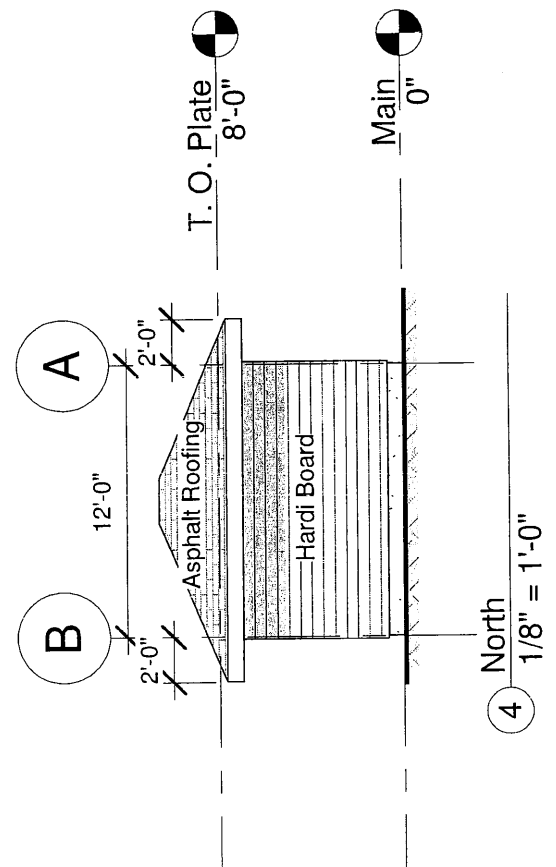
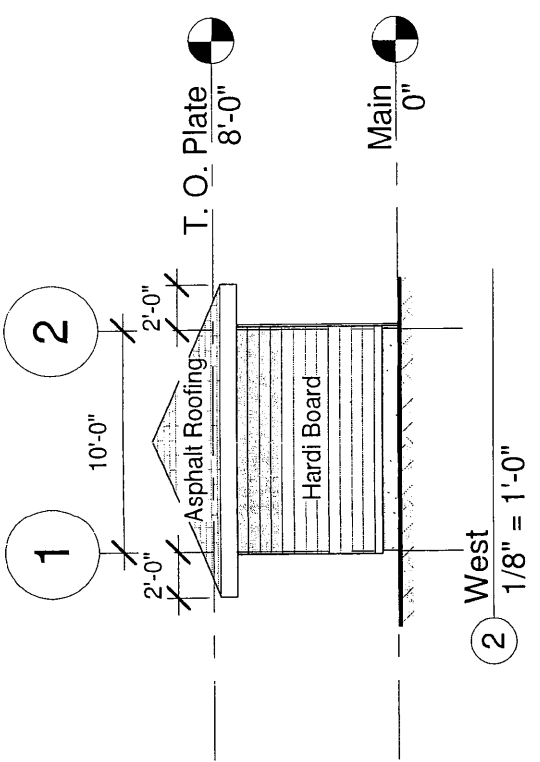
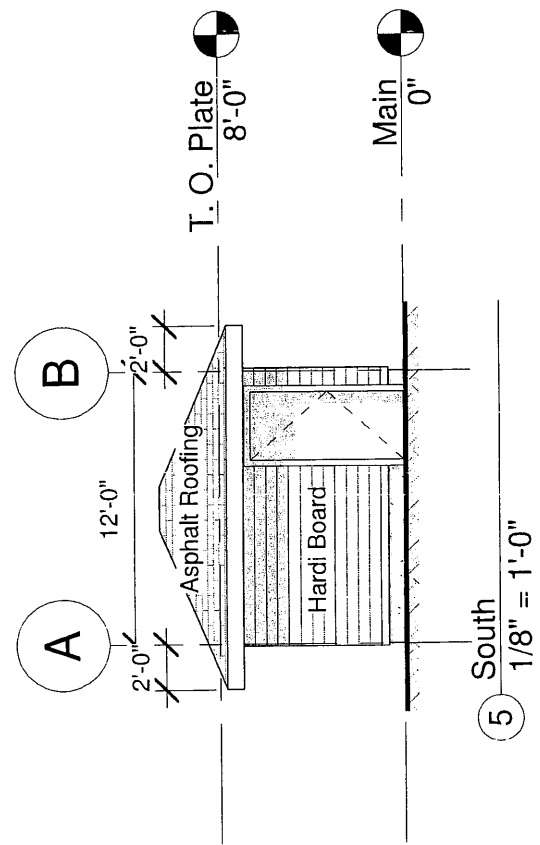
SCALE : 3/16" = 1'-0"

DATE : 02/10/2020

DRAWN BY : SLLC



**AUM CONSTRUCTION INC.**  
General Contractor Lic. # 817115  
www.aumconstruction.com

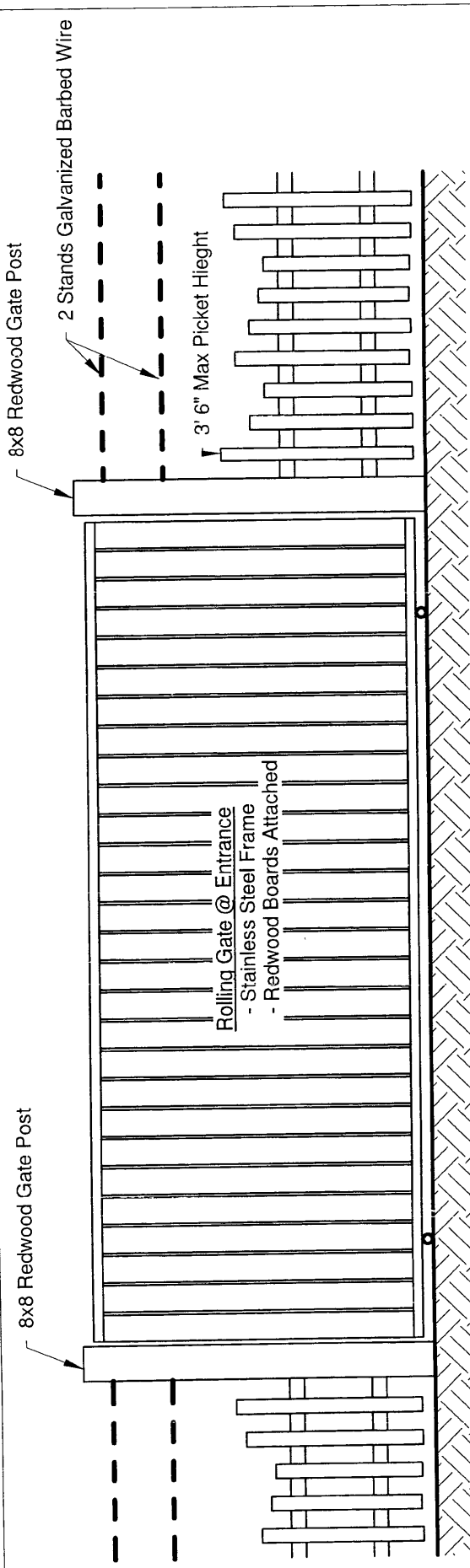


**AUM CONSTRUCTION INC.**  
 General Contractor Lic. #817115  
 www.aumconstruction.com

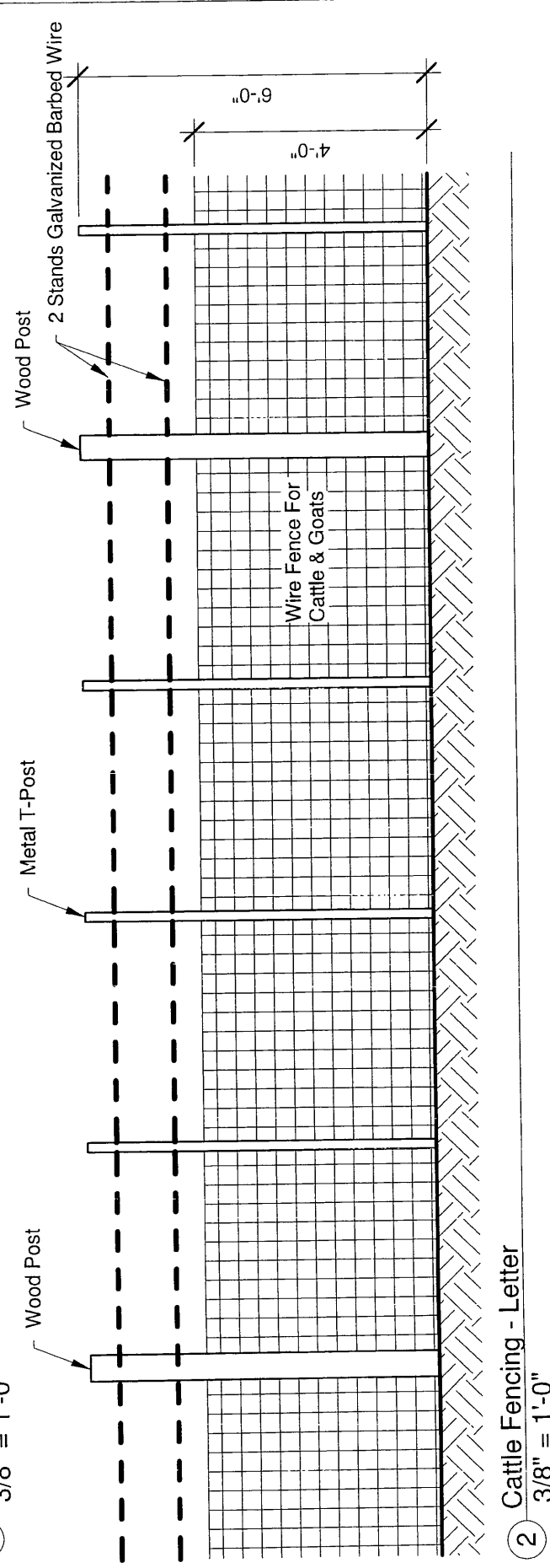
Ishvi Aum  
 CDP Minor Use  
 13501 Point Cabrillo Drive, Mendocino, CA 95460

APN # : 118-16-034  
 DATE : 02/10/2020

SCALE : 1/8" = 1'-0"  
 DRAWN BY : SLLC



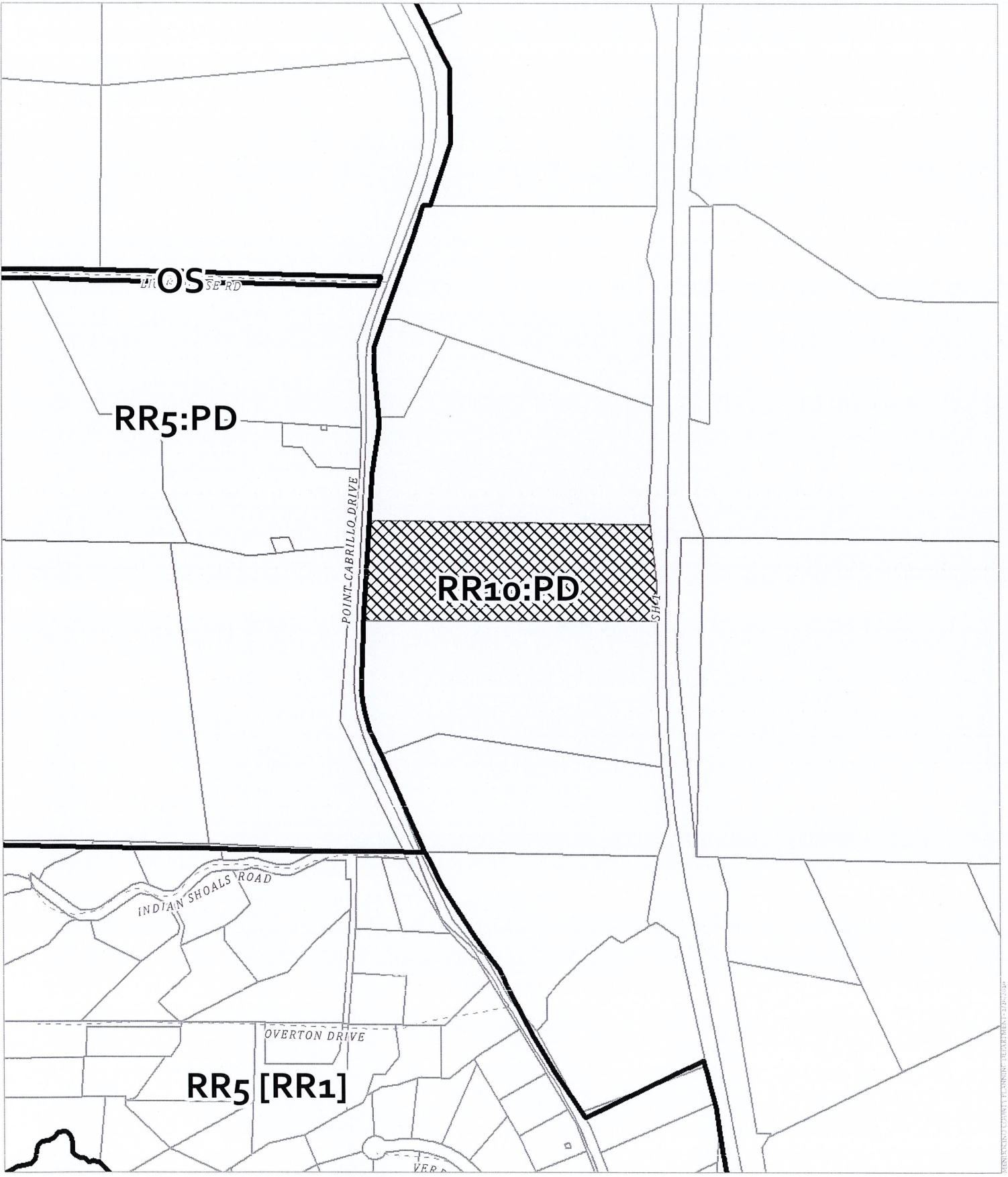
1 Rolling Gate - Letter  
 3/8" = 1'-0"






2 Cattle Fencing - Letter  
 3/8" = 1'-0"

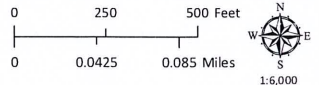
APN # : 118-16-034	SCALE : 3/8" = 1'-0"
Ishvi Aum CDP Minor Use 13501 Point Cabrillo Dr, Mendocino CA 95460	DATE : 02/10/2020 DRAWN BY : SLLC

**AUM CONSTRUCTION INC.**  
 General Contractor Lic. # 817115  
 www.aumconstruction.com



CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino




-  Zoning Districts
-  Public Roads
-  Assessors Parcels

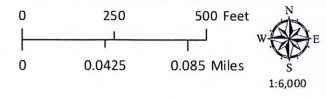






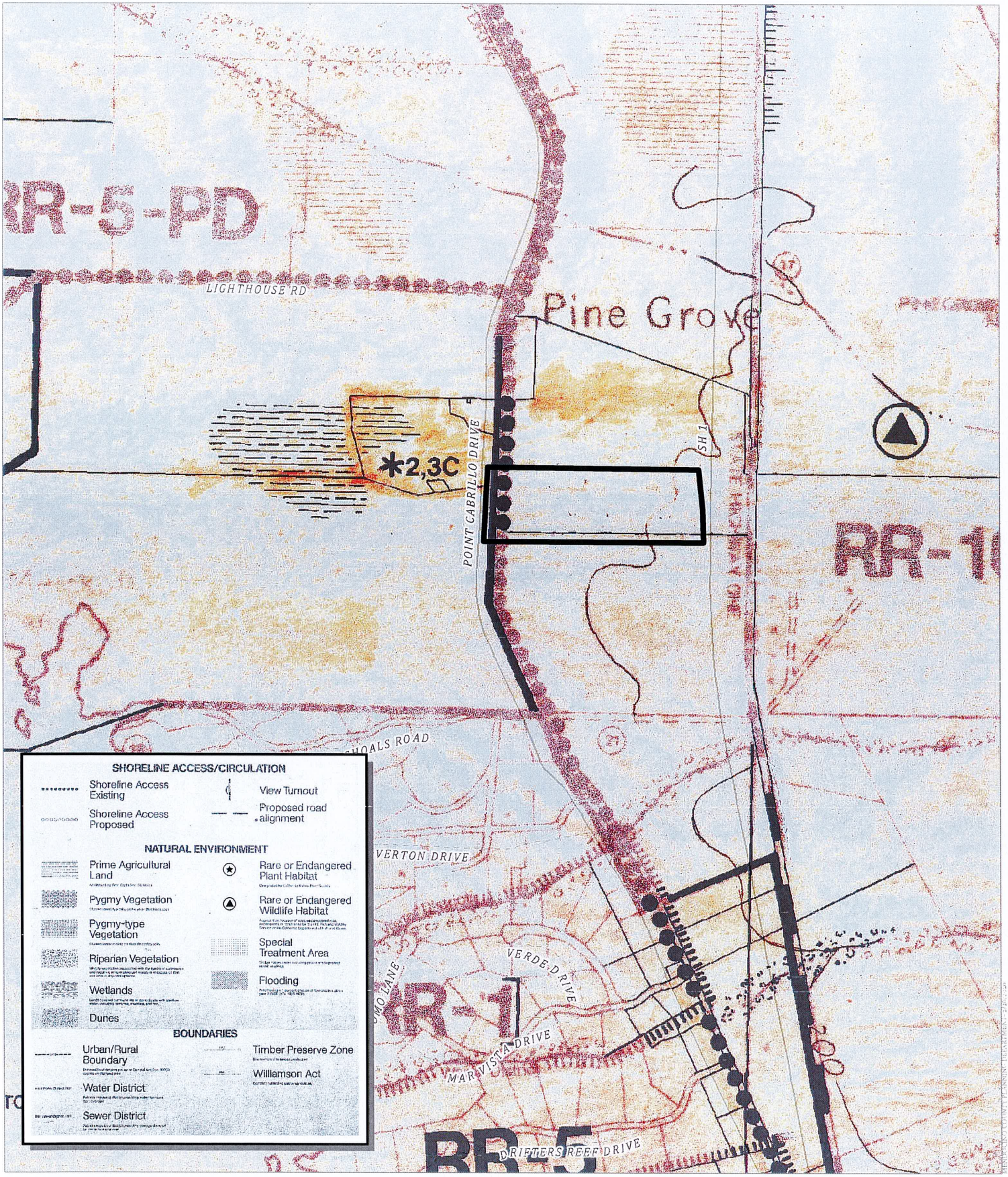
CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

-  General Plan Classes
-  Public Roads
-  Assessors Parcels



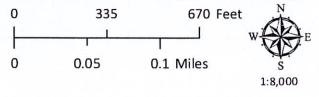
GENERAL PLAN CLASSIFICATIONS  
 ATTACHMENT J



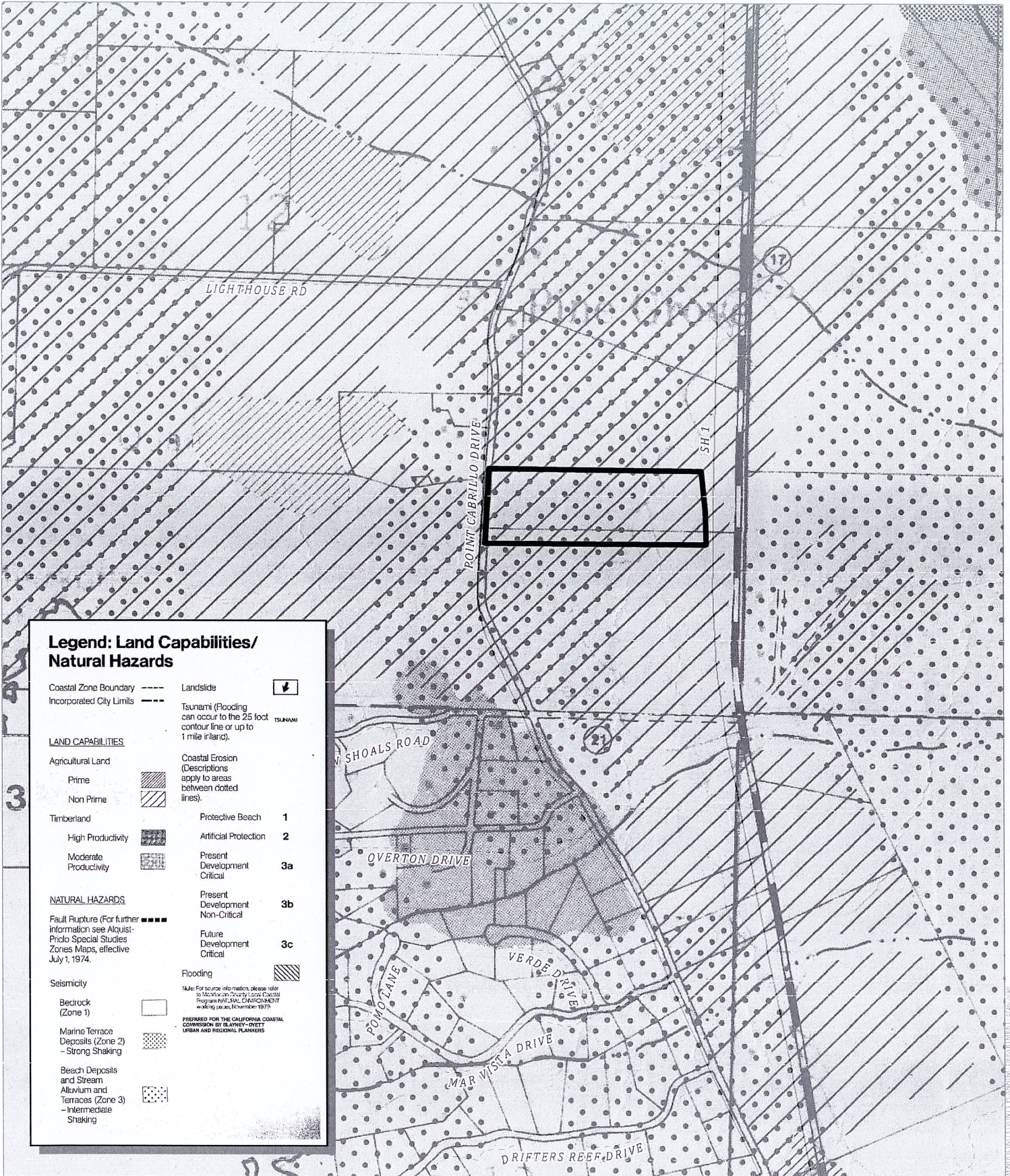


CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

Public Roads





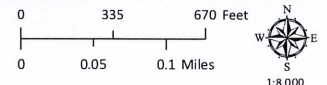


**Legend: Land Capabilities/  
Natural Hazards**

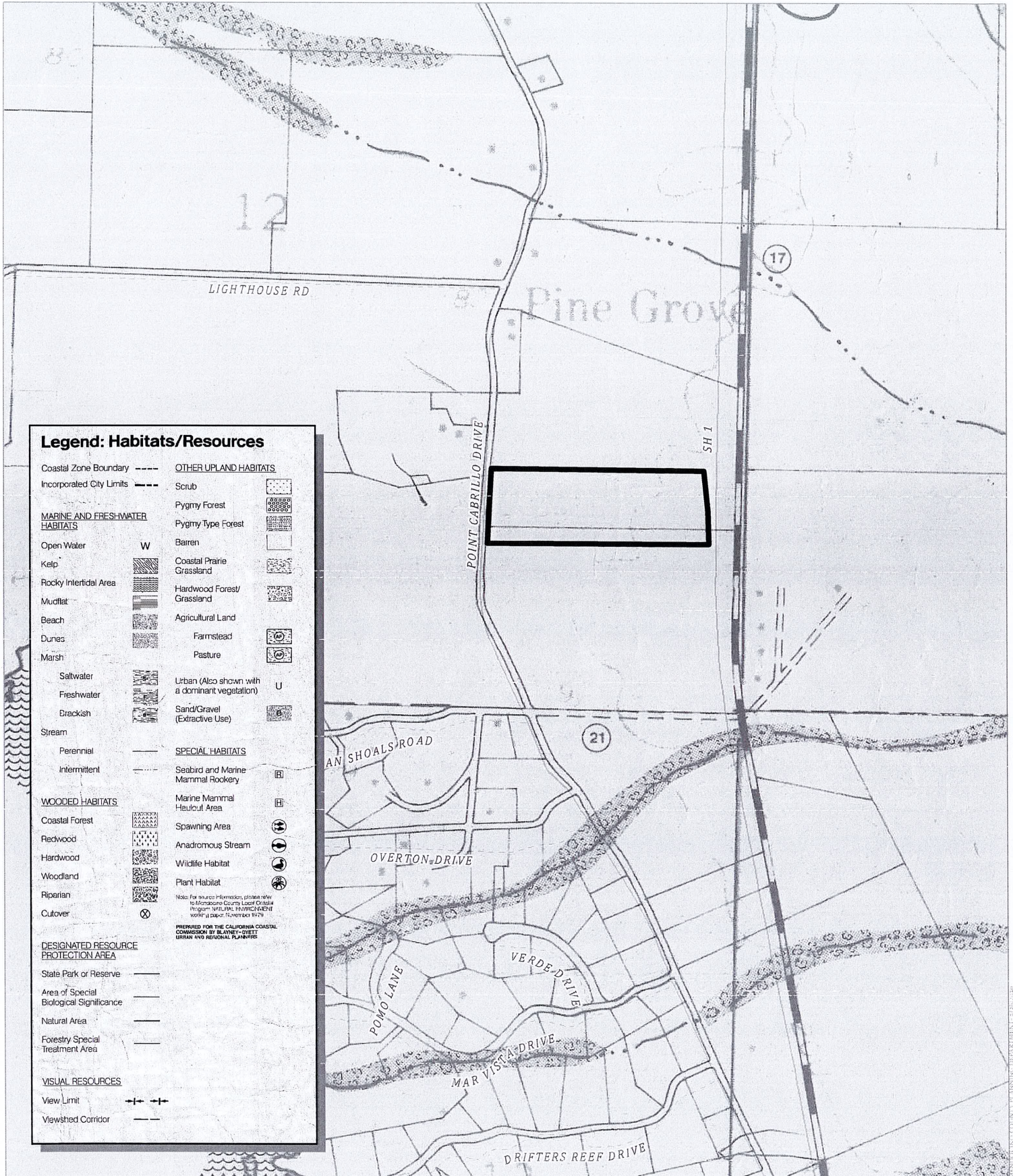
- |   |     |  |    |
|---|-----|--|----|
| Coastal Zone Boundary   | --- | Landslide  |    |
| Incorporated City Limits  | --- | Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).   |    |
| <b>LAND CAPABILITIES</b>  |     |  |    |
| Agricultural Land   |     | Coastal Erosion (Descriptions apply to areas between dotted lines).  |    |
| Prime   |     | Protective Beach   | 1  |
| Non Prime   |     | Artificial Protection  | 2  |
| Timberland  |     | Present Development Critical   | 3a |
| High Productivity   |     | Present Development Non-Critical   | 3b |
| Moderate Productivity   |     | Future Development Critical  | 3c |
| <b>NATURAL HAZARDS</b>  |     |  |    |
| Fault Rupture (For further information see Alquist-Picolo Special Studies Zones Maps, effective July 1, 1974. |     | Flooding   |    |
| Seismicity  |     | <small>Note: For source information, please refer to Mendocino County Local Coastal Program Final EIR, CATCHMENT Working Paper, November 1977.</small> |    |
| Bedrock (Zone 1)  |     | <small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANNEY-BRETT URBAN AND REGIONAL PLANNERS</small>   |    |
| Marine Terrace Deposits (Zone 2) - Strong Shaking   |     |  |    |
| Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking                               |     |  |    |

CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

Public Roads







**Legend: Habitats/Resources**

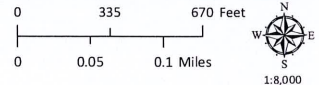
- Coastal Zone Boundary - - - -
- Incorporated City Limits - - - -
- MARINE AND FRESHWATER HABITATS**
- Open Water W
- Kelp
- Rocky Intertidal Area
- Mudflat
- Beach
- Dunes
- Marsh
- Saltwater
- Freshwater
- Brackish
- Stream
- Perennial
- Intermittent
- WOODED HABITATS**
- Coastal Forest
- Redwood
- Hardwood
- Woodland
- Riparian
- Cutover
- 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
- OTHER UPLAND HABITATS**
- Scrub
- Pygmy Forest
- Pygmy Type Forest
- Barren
- Coastal Prairie Grassland
- Hardwood Forest/Grassland
- Agricultural Land
- Farmstead
- Pasture
- Urban (Also shown with a dominant vegetation) U
- Sand/Gravel (Extractive Use)
- SPECIAL HABITATS**
- Seabird and Marine Mammal Rockery
- Marine Mammal Haulout Area
- Spawning Area
- Anadromous Stream
- Wildlife Habitat
- Plant Habitat

Note: For further information, please refer to Mendocino County Local Coastal Program (LCP) MAPS. INFORMATION specific to cases: 1/1/2020 10:29 AM

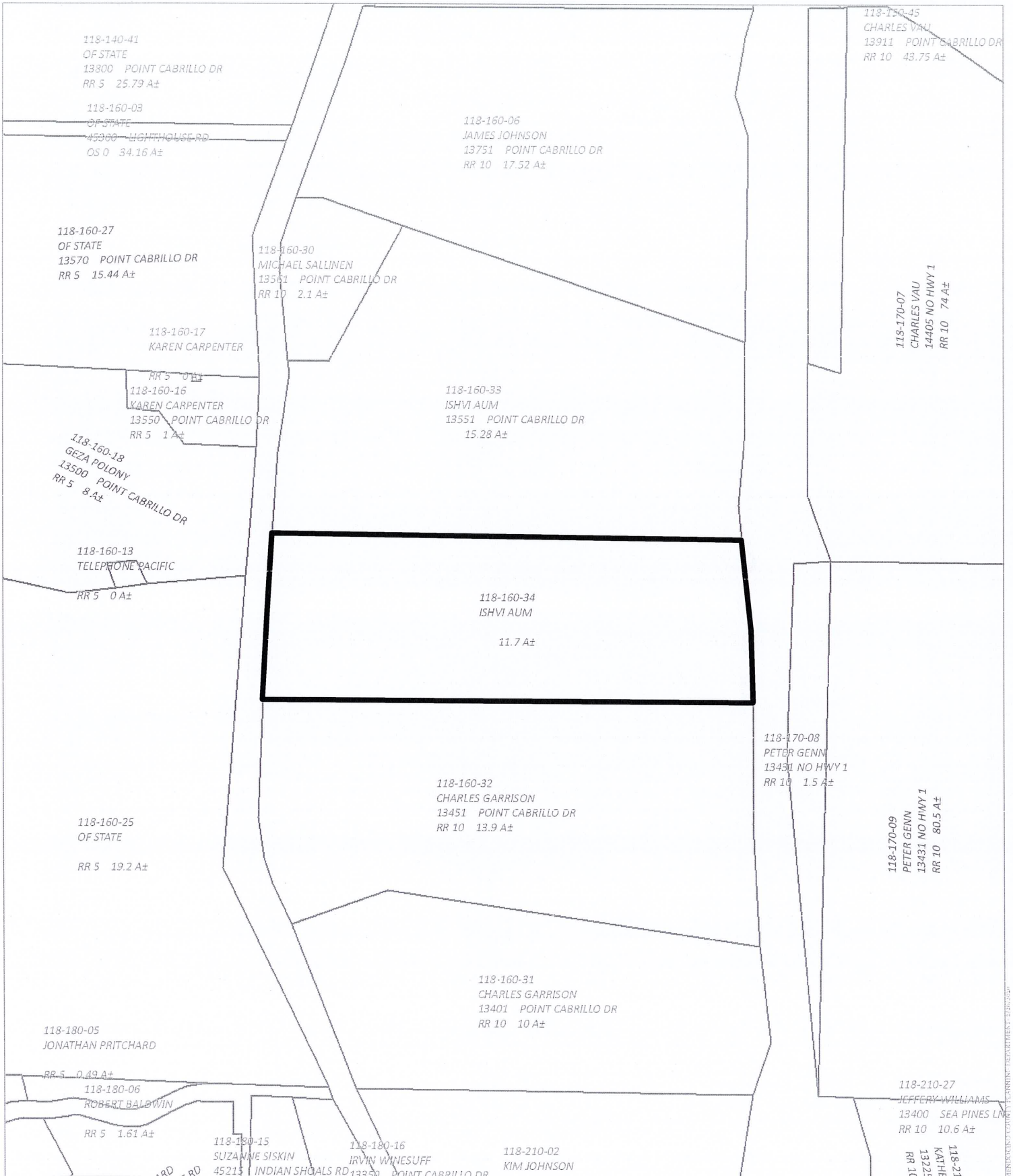
PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANEY-DYETT URBAN AND REGIONAL PLANNERS

CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

Public Roads

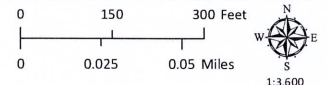






CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

 Assessors Parcels







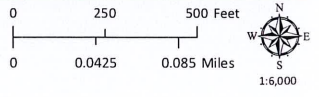




**MENDOCINO FIRE PROTECTION DISTRICT**

CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

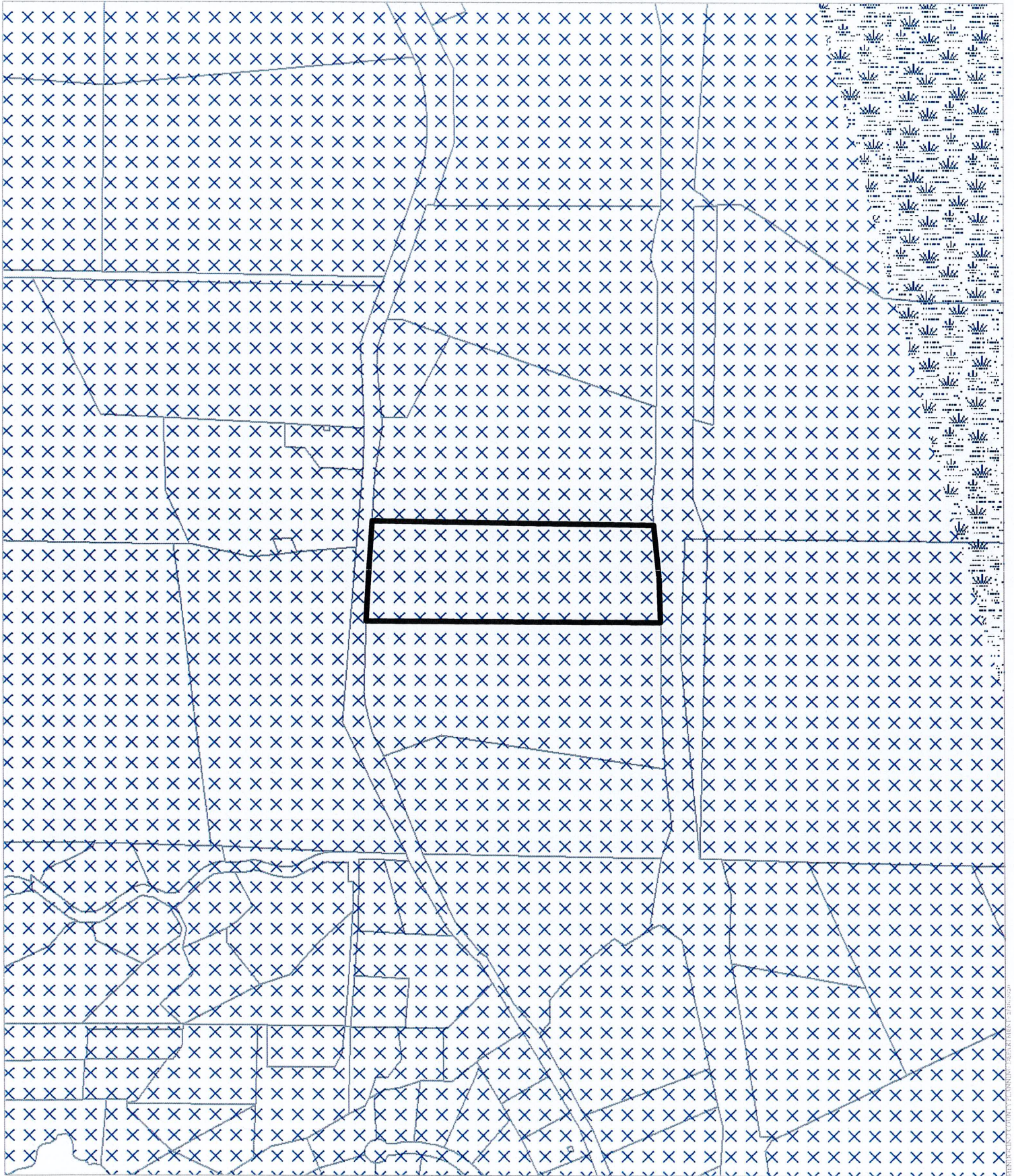
	High Fire Hazard		Assessors Parcels
	Moderate Fire Hazard		County Fire Districts






FIRE HAZARD ZONES & RESPONSIBILITY AREAS  
 STATE RESPONSIBILITY AREA

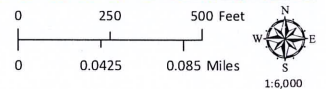
**ATTACHMENT O**





CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

-  Critical Water Areas
-  Marginal Water Resources
-  Assessor's Parcels






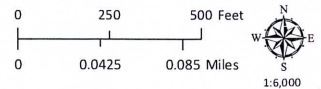
GROUND WATER RESOURCES  
 ATTACHMENT P





CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

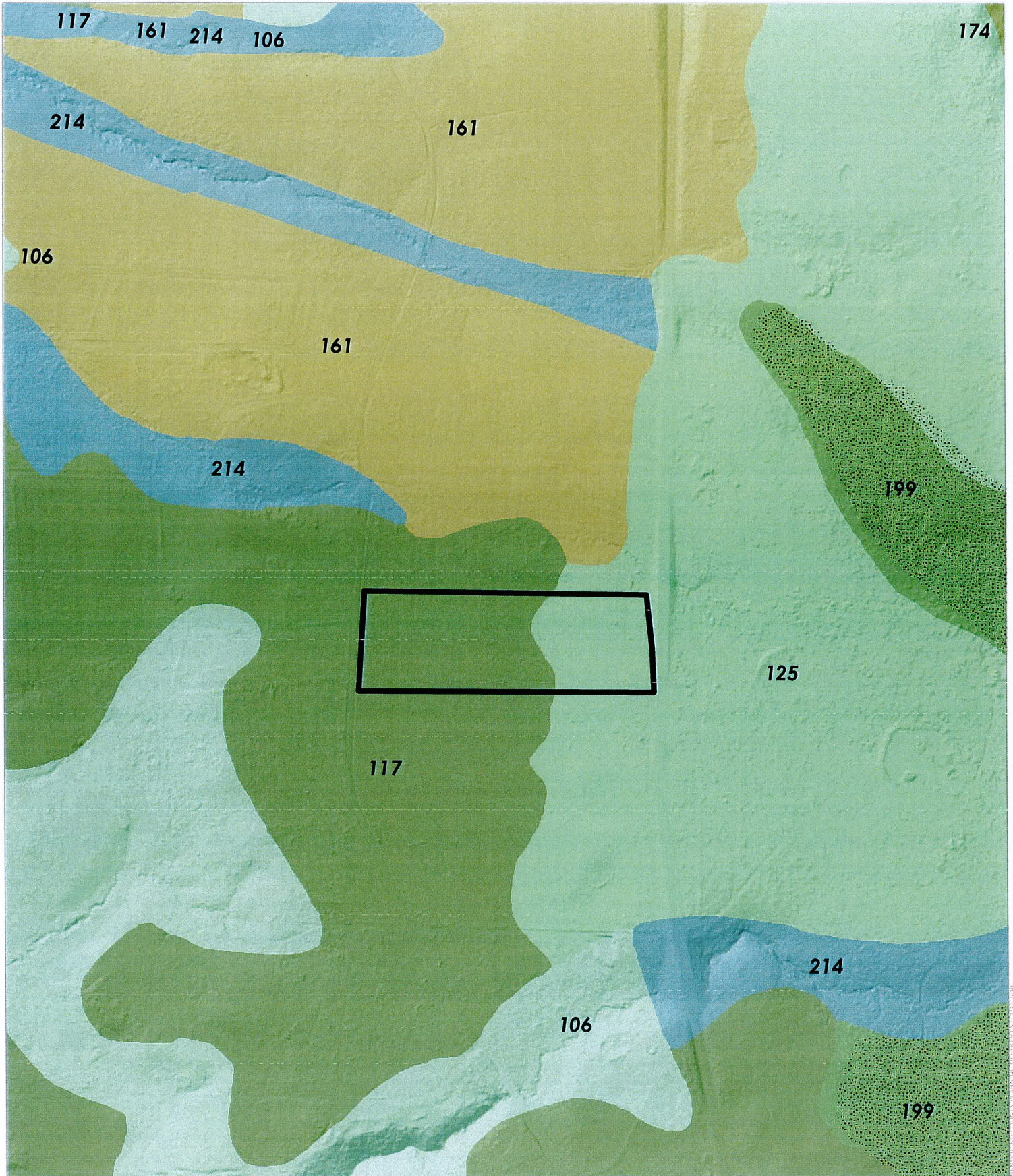
-  Tree Removal Area
-  Highly Scenic Area
-  Assessors Parcels




HIGHLY SCENIC & TREE REMOVAL AREAS  
 ATTACHMENT Q

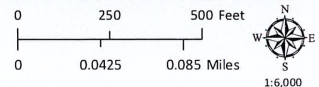
HERRINGTON SECURITY TECHNOLOGY SERVICES, INC.



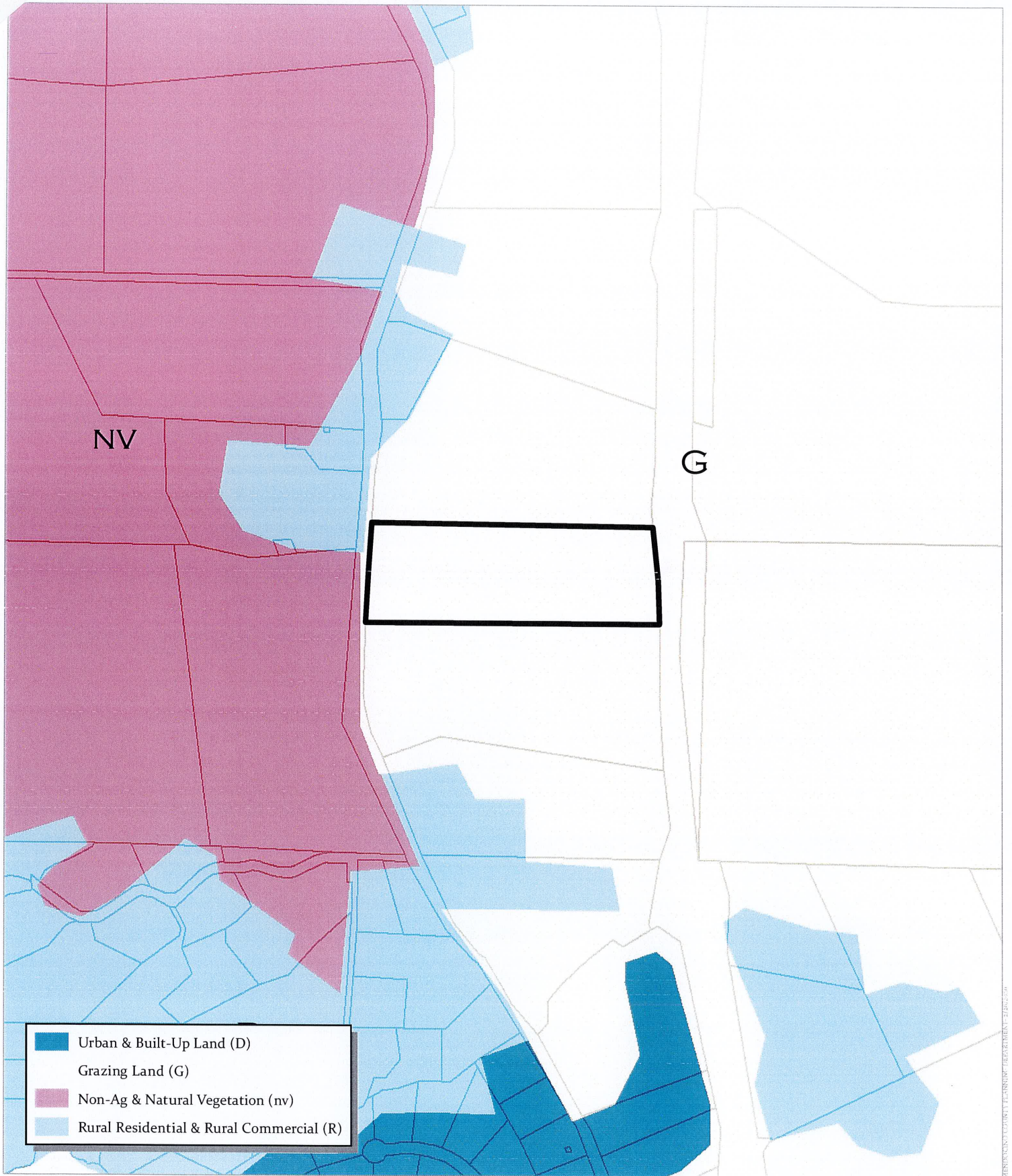


CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino


 Shinglemill-Gibney Complex







CASE: CDP 2020-0009  
 OWNER: AUM, Ishvi & Nancy Lebrun  
 APN: 118-160-34  
 APLCT: Ishvi Aum  
 AGENT:  
 ADDRESS: None Assigned, Mendocino

 Assessors Parcels

