



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT FOR ADMINISTRATIVE CDP**

**May 13, 2021
CDP_2020-0004**

SUMMARY

OWNER/APPLICANT: MIRA MOELLER
61 SQUARE ROAD
FAIRFAX, CA 94930

AGENT: CARL RITTIMAN ASSOCIATES, INC
P.O. BOX 590
MENDOCINO, CA 95460

REQUEST: Standard Coastal Development permit to reroof an existing single-family residence and repair the on-site septic system. There is no increase of septic system capacity proposed.

LOCATION: In the Coastal Zone, .8± miles north of the Town of Mendocino, on the west side of Road 500D (CR 500D), 400 feet from its intersection with Highway 1 (SR 1); located at 11700 Road 500D, Mendocino; APN: 118-320-03.

TOTAL ACREAGE: 0.2± Acres

GENERAL PLAN: Rural Residential, minimum parcel size five acres: Rural (RR5(2):R)

ZONING: Division II: Rural Residential, minimum parcel size five acres, (RR:5); Flood Plain Combining District (FP)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: TIA SAR

BACKGROUND

PROJECT DESCRIPTION: The proposed project is to reroof an existing residence and repair the failing septic system. The proposed development is outside of the identified Flood Zone. No new development is requested.

APPLICANT'S STATEMENT: "1). Remove and replace root filled pipes in existing leach field. Existing leach field is in driveway so no vegetation will be removed. No increase in septic system capacity repairs are only being made to return sewage disposal system to normal operating condition. 2). Reroof existing residence"

SITE CHARACTERISTICS: The site is located within the Coastal Zone, 0.8± miles north of the town of Mendocino, on Road 500D (500D Public), and .08± miles northwest of its intersection with Highway 1 (Public); located at 11700 Road 500D, Mendocino; APN: 118-320-03. The project site is a bluff top parcel adjacent to the ocean. The parcel is relatively flat around the existing residence with vegetation's surrounding the entire parcel. The (800 square foot) residence is the only structure onsite with connections to existing well and septic. The properties to the north, east, and south, all fall under the same land use designation (See attachment Topographic Map).

SURROUNDING LAND USE AND ZONING: As listed on Table 1, the surrounding lands are classified and zoned similarly to the project site, with the exception of the property immediately to the West (See attachments General Plan Classifications and Zoning Districts).

TABLE 1: SURROUNDING LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RR5[RR2]	Rural Residential	.4 ± Acres	Developed Residential
EAST	RR5[RR2]	Rural Residential	.5 ± Acres	Developed Residential
SOUTH	RR5[RR2]	Rural Residential	1.38 ± Acres	Developed Residential
WEST	Ocean	Ocean	Ocean	Ocean

PUBLIC SERVICES:

Access: Department Of Transportation
 Fire District: Mendocino Fire Protection District
 Water District: None (Well onsite)
 Sewer District: None (Septic system onsite)
 School District: Mendocino Unified

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 five (5) acre minimum parcel size. The Rural Residential classification is intended to,

“...encourage local small scale food production in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, or other characteristics. The RR classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.”

Since residences are a permitted land use in the Rural Residential classification, the proposed project to reroof an existing single-family residence and repair the on-site septic system is consistent with the Rural Residential Land Use classification. No new development is requested.

Zoning: The project site is located within the Rural Residential (RR) and Flood Plain Combining zoning districts (FP), as shown on Zoning Display Map. Mendocino County Code (MCC) Section 20.376.005, Section 20.500.010 and Section 20.500.030, states:

Section 20.376.005:

“... this district 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.”

Section 20.500.010:

“Hazard Areas, The purpose of this section is to insure that development in Mendocino County’s Coastal Zone shall:

- (1) Minimize risk to life and property in areas of high geologic, flood and fire hazard;*
- (2) Assure Structural integrity and stability; and*
- (3) Neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding areas, nor in any*

way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.”

Section 20.500.030:

“Flood Hazard—Development Standards.

(A) The flood hazard areas fall within the one hundred (100) year flood zone boundaries as mapped by the Federal Emergency Management Administration (FEMA).

(B) Land Use Restrictions.

(1) No new development, except flood control projects to protect existing structures, non-structural agricultural uses and seasonal uses shall be permitted in the one hundred (100) year floodway unless mitigation measures in accordance with FEMA regulations and Chapter 22.17 of the Mendocino County Code.”

Similar to the General Plan land use classification, the proposed project to reroof an existing single-family residence and repair the on-site septic system, are consistent uses with the Zoning Code as single-family residences are a principally permitted use in the Rural Residential District, pursuant to Mendocino County Code (MCC) Chapter 20.376. There's no increase to the proposed septic system.

Visual Resources: The proposed project site is mapped as a Highly Scenic Area and is subject to the regulations of Chapter 20.504 *Visual Resource and Special Treatment Areas*. As proposed, the reroof (natural color) project would be subordinate to the natural setting and would minimize reflective surfaces pursuant to the development criteria for Highly Scenic Areas outlined in MCC Section 20.504.015(C). (*Attached: Highly Scenic Map*).

Staff finds the proposed reroof of an existing single-family residence and repair of the on-site septic system is consistent with the development criteria in protecting the visual resources in a highly scenic area. There's no increase to the existing development.

With the inclusion of the recommended condition, the proposed project would be consistent with Coastal Element Policy 3.5-15, which reads, in part, “... *In any event no lights shall be installed so that they distract motorists and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.*” Staff recommends a condition of approval requiring the project to comply with the exterior lighting requirements of MCC Section 20.504.035.

Habitats and Natural Resources: LCP Habitats & Resources Map does not identify sensitive resource areas within 100 feet of the proposed project location. The site is mapped as Barren Land. As proposed, the project distance would ensure that environmentally sensitive habitat and other designated resources in that area are not impacted. (*See attachments LCP Habitats & Resources and Wetlands maps*)

Hazards Management: The parcel is located in an area classified with a “Moderate Fire Hazard” severity rating. Fire protection services are provided by the California Fire Protection (CalFire) and the Mendocino Fire Protection District (MFPD). The project application was referred to CalFire on May 13, 2020; our department received no comment.

Grading, Erosion, and Run-Off: Site preparation, including trenching in the area of the replaced septic system is required to accommodate the proposed development. On May 13, 2020, a referral was sent and no response was received from the Mendocino County Air Quality Management District (AQMD).

Archaeological/Cultural Resources: The County of Mendocino regulates cultural resources under Section 22.12 of the County Code which requires projects to be reviewed by the Northwest Information Center at Sonoma State University. The proposed project was referred to Sonoma State University, who responded with comments on May 15, 2020 and was scheduled for a hearing before the Mendocino County Archaeological Commission on August 12, 2020 where it was determined that no survey is required.

Groundwater Resources: The project site is located within a mapped Critical Water Resources Area (See attached *Ground Water Resources*). The subject parcel has an existing well and septic system. The

proposed project is to repair the failing septic system. On May 13, 2020, a referral was sent to Division of Environmental Health (EH), and our department received comments on May 30, 2020. A septic system replacement design has been received by EH; applicant must submit exact extent of work to determine if a permit is required for the repairs.

Transportation/Circulation: The project would 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 subject parcel and surrounding parcels are developed and have homes that are occupied; therefore, reroof of an existing single-family residence and repair on-site septic system is not anticipated to generate a significant amount of additional traffic beyond what presently exists. The project application was referred to the Mendocino County Department of Transportation (MCDOT) for input and our department received no comment.

Public Access: The project site is located west of the first public road, but is not specified or indicated as a location for public access to the shore (See attached *LCP Land Use Map 15: Caspar*). As proposed the project would be consistent with MCC Chapter 20.528 *Coastal Access Regulations and Open Space Easements*.

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. The Project meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 1, Section 15301 (b)(d).

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, staff recommends the Coastal Permit Administrator approve the proposed project and adopt the following findings and conditions.

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed reroof of an existing single-family residence and repair to the on-site septic system is in conformity with the entire certified Local Coastal Program. The construction of a residence is a permitted use within the Rural Residential land use classification and is consistent with the intent of the RR Classification; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed project to reroof an existing single-family residence and to repair the on-site septic system; would be provided with adequate utilities, access roads, drainage, and other necessary facilities; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed project to reroof an existing single-family residence and to repair the on-site septic system is consistent with the purpose and intent of the Rural Residential Zoning District, as well as all other provisions of District II of Title 20 of the Mendocino County Code, including development criteria for Environmentally Sensitive Habitat Areas and non-Highly Scenic Areas, and preserves the integrity of the Rural Residential Zoning District; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed project, 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 single family residence with an attached garage, a green house, and associated improvements are categorically exempt pursuant to Sections 15301(b)(d); and
5. Pursuant with MCC Section 20.532.095(A)(5), the proposed project would not have any adverse impact on any known archaeological or paleontological resources, because there are no known resources within the vicinity of the site and 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 reroof of an existing single-family residence and repair to the on-site septic system are not anticipated to significantly affect demands on public services because no new development is proposed beyond what currently exists.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Coastal Code. CDP_2020-0004 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. CDP_2020-0004 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 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 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. Ground disturbing activity within one hundred (100) feet of any cultural resource is prohibited.
10. A building permit shall be obtained to reroof the existing single family residence.

4-21-21

DATE

Vandy for Tia

TIA SAR
PLANNER II

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

ATTACHMENTS:

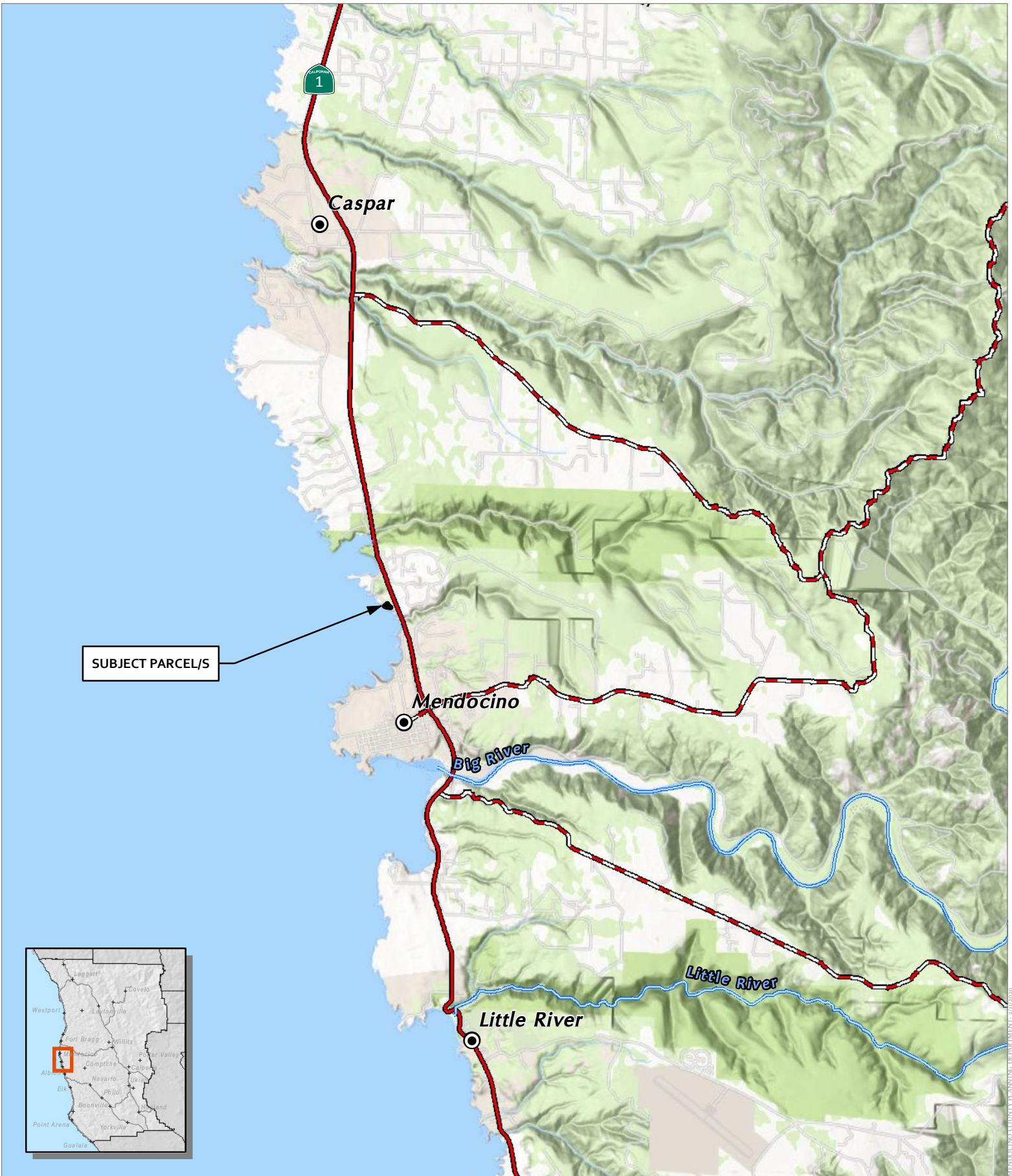
- | | |
|---------------------------------|---------------------------------------|
| A. Location Map | H. LCP Habitats & Resources |
| B. Aerial Vicinity | I. Wetlands |
| C. Aerial Imagery | J. Special Flood Hazard Area |
| D. Site Plan | K. Coastal Ground Water Resource Area |
| E. Zoning Display Map | L. Topographic Map |
| F. General Plan Classifications | M. Highly Scenic & Tree Removal Areas |
| G. LCP Land Use Map 15: Casper | |

SUMMARY OF REFERRAL AGENCIES COMMENTS:

Air Quality Management District	No Comment
Archaeological Commission	Comment
Assessor's Office	No Response
Building Division (FB)	Comment
County Addresser	No Response
Department of Transportation (DOT)	No Comments
Environmental Health (FB)	Comments
Planning Division (Ukiah)	No Comment
Sonoma State University	Comment
CALFIRE (Land Use)	No Comment
California Coastal Commission	No Response
California Dept. of Fish & Wildlife	No Response
California Dept. of Parks and Recreation	No Response
CALTRANS	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

JASON

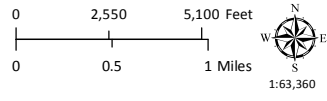
JASON



SUBJECT PARCEL/S

CASE: CDP 2020-0004
 OWNER: MOELLER, Mira
 APN: 118-320-03
 APLCT: Mira Moeller
 AGENT: Carl Rittiman
 ADDRESS: 11700 Road 500 D, Mendocino

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






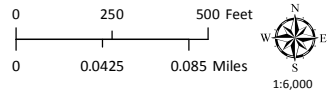
LOCATION MAP

ATTCHMENT A



CASE: CDP 2020-0004
 OWNER: MOELLER, Mira
 APN: 118-320-03
 APLCT: Mira Moeller
 AGENT: Carl Rittiman
 ADDRESS: 11700 Road 500 D, Mendocino



-  Named Rivers
-  Public Roads
-  Private Roads

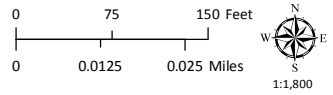


AERIAL IMAGERY



CASE: CDP 2020-0004
OWNER: MOELLER, Mira
APN: 118-320-03
APLCT: Mira Moeller
AGENT: Carl Rittiman
ADDRESS: 11700 Road 500 D, Mendocino

-  Named Rivers
-  Public Roads



AERIAL IMAGERY

A →
1" = 20'

11700 ROAD 500D
APN 118-320-03

(E) TWO WALKWAY
SINGLE ENTRY
REAR DOOR
TO BE RE-ROOFED

(E) DECK

BUFF FACE

(E) 125' NK 204' MO
TRAIL WISE

EXISTING
WALKWAY



EXISTING
PRE-CAST
CONCRETE
LATERAL PIPES
TO BE REMOVED
AND REPLACED

← SPG PIPES (SEE PLAN) →

(E) FENCE

(E) FENCE /
PROPERTY
LINE

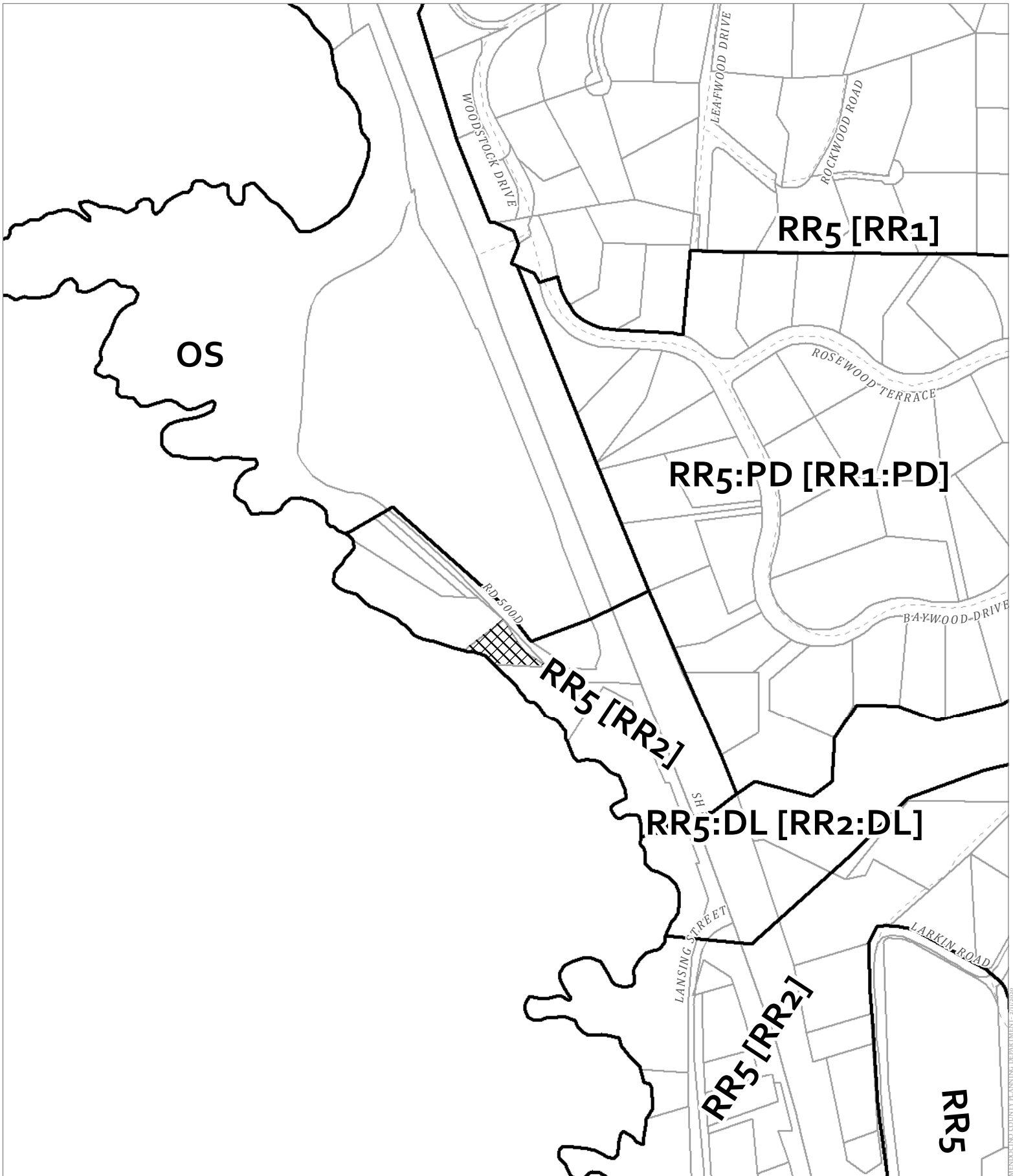
(E) 1200 GROUND
WATER ROOF GARAGE
EXISTING TRAIL / ROAD
DRAINAGE

CASE: CDP 2020-0004
OWNER: MOELLER, Mira
APN: 118-320-03
APLCT: Mira Moeller
AGENT: Carl Rittiman
ADDRESS: 11700 Road 500 D, Mendocino




NO SCALE

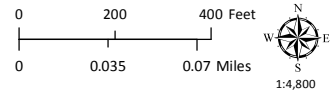
SITE PLAN

ATTACHMENT D

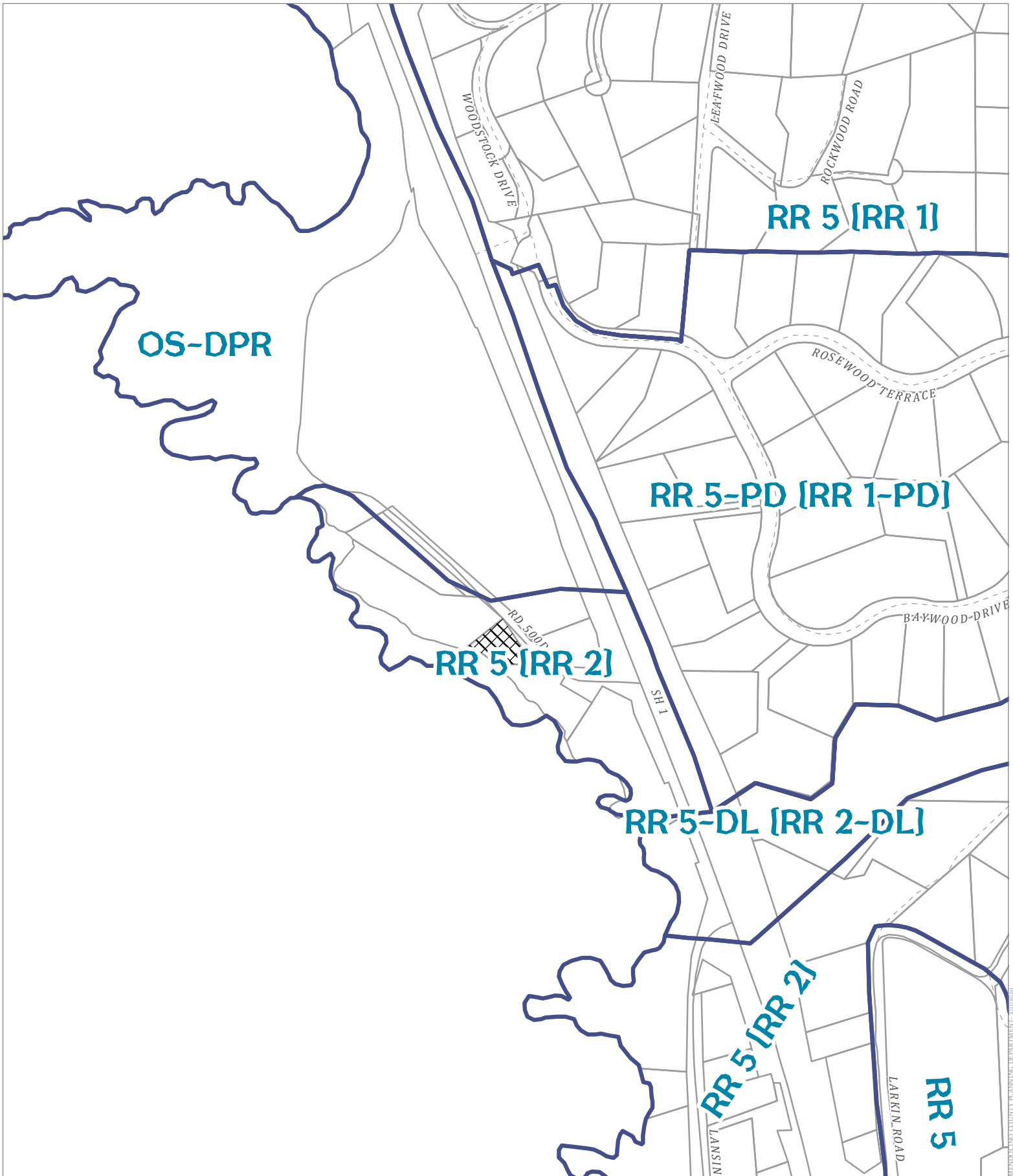


CASE: **CDP 2020-0004**
 OWNER: **MOELLER, Mira**
 APN: **118-320-03**
 APLCT: **Mira Moeller**
 AGENT: **Carl Rittiman**
 ADDRESS: **11700 Road 500 D, Mendocino**




-  Zoning Districts
-  Public Roads
-  Assessors Parcels

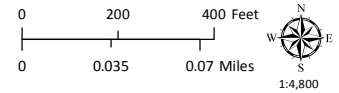


ZONING DISPLAY MAP



CASE: CDP 2020-0004
 OWNER: MOELLER, Mira
 APN: 118-320-03
 APLCT: Mira Moeller
 AGENT: Carl Rittiman
 ADDRESS: 11700 Road 500 D, Mendocino

-  General Plan Classes
-  Public Roads
-  Assessors Parcels



GENERAL PLAN CLASSIFICATIONS



SHORELINE ACCESS/CIRCULATION

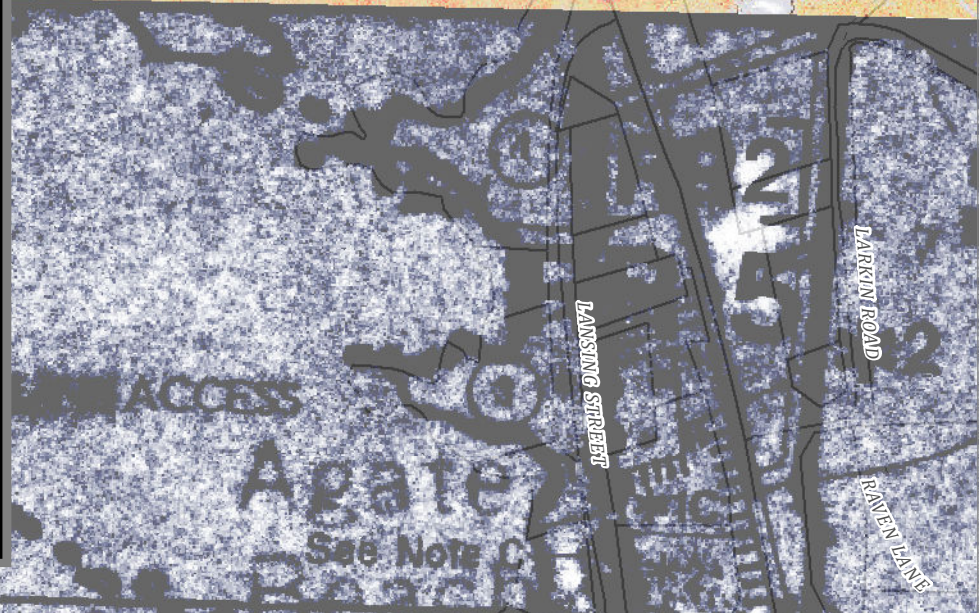
- Shoreline Access Existing
- Shoreline Access Proposed
- View Turnout
- Proposed road alignment

NATURAL ENVIRONMENT

- Prime Agricultural Land
- Pygmy Vegetation
- Pygmy-type Vegetation
- Riparian Vegetation
- Wetlands
- Dunes
- Rare or Endangered Plant Habitat
- Rare or Endangered Wildlife Habitat
- Special Treatment Area
- Flooding

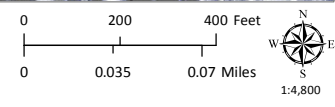
BOUNDARIES

- Urban/Rural Boundary
- Water District
- Sewer District
- Timber Preserve Zone
- Williamson Act

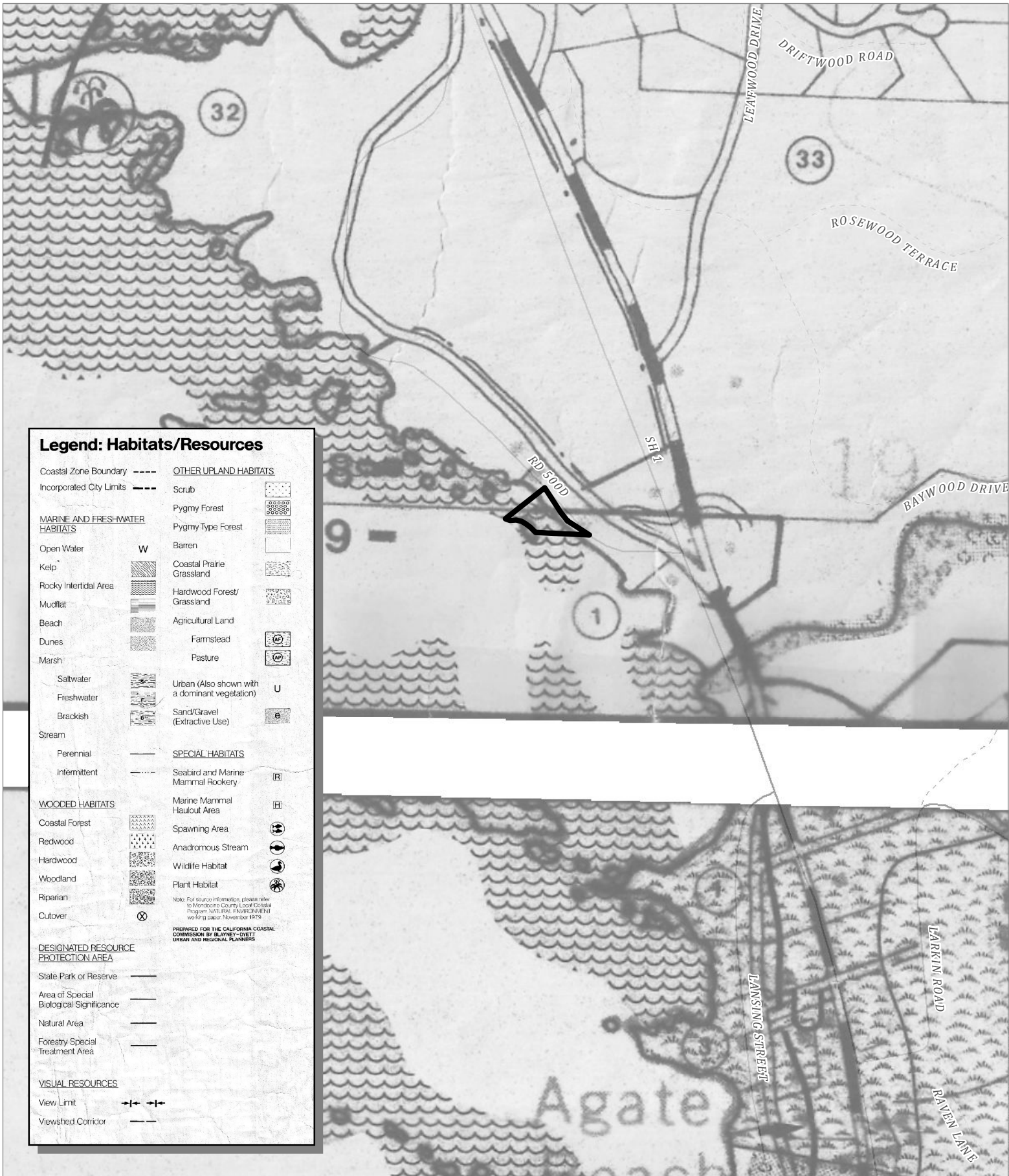


CASE: CDP 2020-0004
 OWNER: MOELLER, Mira
 APN: 118-320-03
 APLCT: Mira Moeller
 AGENT: Carl Rittiman
 ADDRESS: 11700 Road 500 D, Mendocino

Public Roads
 Assessors Parcels



LCP LAND USE MAP 15: CASPAR

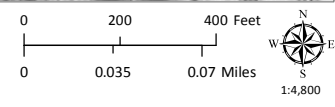


Legend: Habitats/Resources

Coastal Zone Boundary	----	OTHER UPLAND HABITATS	
Incorporated City Limits	----	Scrub	
MARINE AND FRESHWATER HABITATS		Pygmy Forest	
Open Water	W	Pygmy Type Forest	
Kelp		Barren	
Rocky Intertidal Area		Coastal Prairie Grassland	
Mudflat		Hardwood Forest/Grassland	
Beach		Agricultural Land	
Dunes		Farmstead	
Marsh		Pasture	
Saltwater		Urban (Also shown with a dominant vegetation)	U
Freshwater		Sand/Gravel (Extractive Use)	e
Brackish			
Stream		SPECIAL HABITATS	
Perennial	—	Seabird and Marine Mammal Rookery	
Intermittent	- - -	Marine Mammal Haulout Area	
WOODED HABITATS		Spawning Area	
Coastal Forest		Anadromous Stream	
Redwood		Wildlife Habitat	
Hardwood		Plant Habitat	
Woodland			
Riparian			
Cutover			
DESIGNATED RESOURCE PROTECTION AREA		<small>Note: For source information, please refer to Mendocino County Local Coastal Program Number: HWB0004-0111 working paper, November 1979.</small>	
Slate Park or Reserve	—	<small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAYNEY-DYETT URBAN AND REGIONAL PLANNERS</small>	
Area of Special Biological Significance	—		
Natural Area	—		
Forestry Special Treatment Area	—		
VISUAL RESOURCES			
View Limit	—+—+—		
Viewshed Corridor	—		

CASE: CDP 2020-0004
 OWNER: MOELLER, Mira
 APN: 118-320-03
 APLCT: Mira Moeller
 AGENT: Carl Rittiman
 ADDRESS: 11700 Road 500 D, Mendocino

— Public Roads



LCP HABITATS & RESOURCES

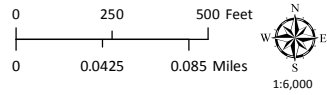


NATIONAL WETLANDS INVENTORY

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland

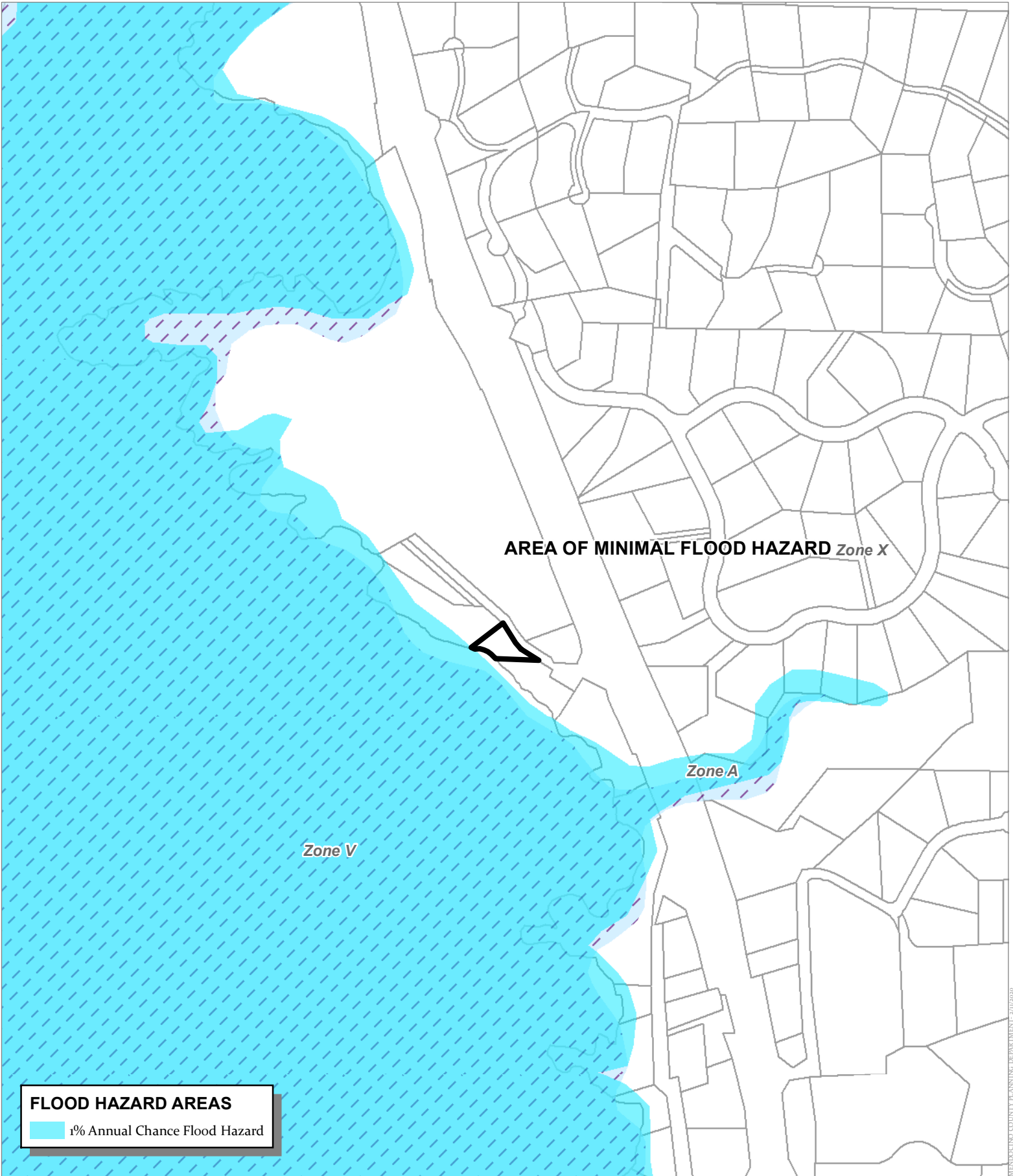
CASE: **CDP 2020-0004**
 OWNER: **MOELLER, Mira**
 APN: **118-320-03**
 APLCT: **Mira Moeller**
 AGENT: **Carl Rittiman**
 ADDRESS: **11700 Road 500 D, Mendocino**

Assessors Parcels



WETLANDS

MENDOCINO COUNTY PLANNING DEPARTMENT - 2/17/2020



FLOOD HAZARD AREAS

1% Annual Chance Flood Hazard

CASE: CDP 2020-0004

OWNER: MOELLER, Mira

APN: 118-320-03

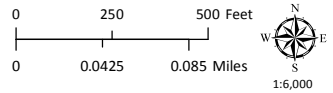
APLCT: Mira Moeller

AGENT: Carl Rittiman

ADDRESS: 11700 Road 500 D, Mendocino

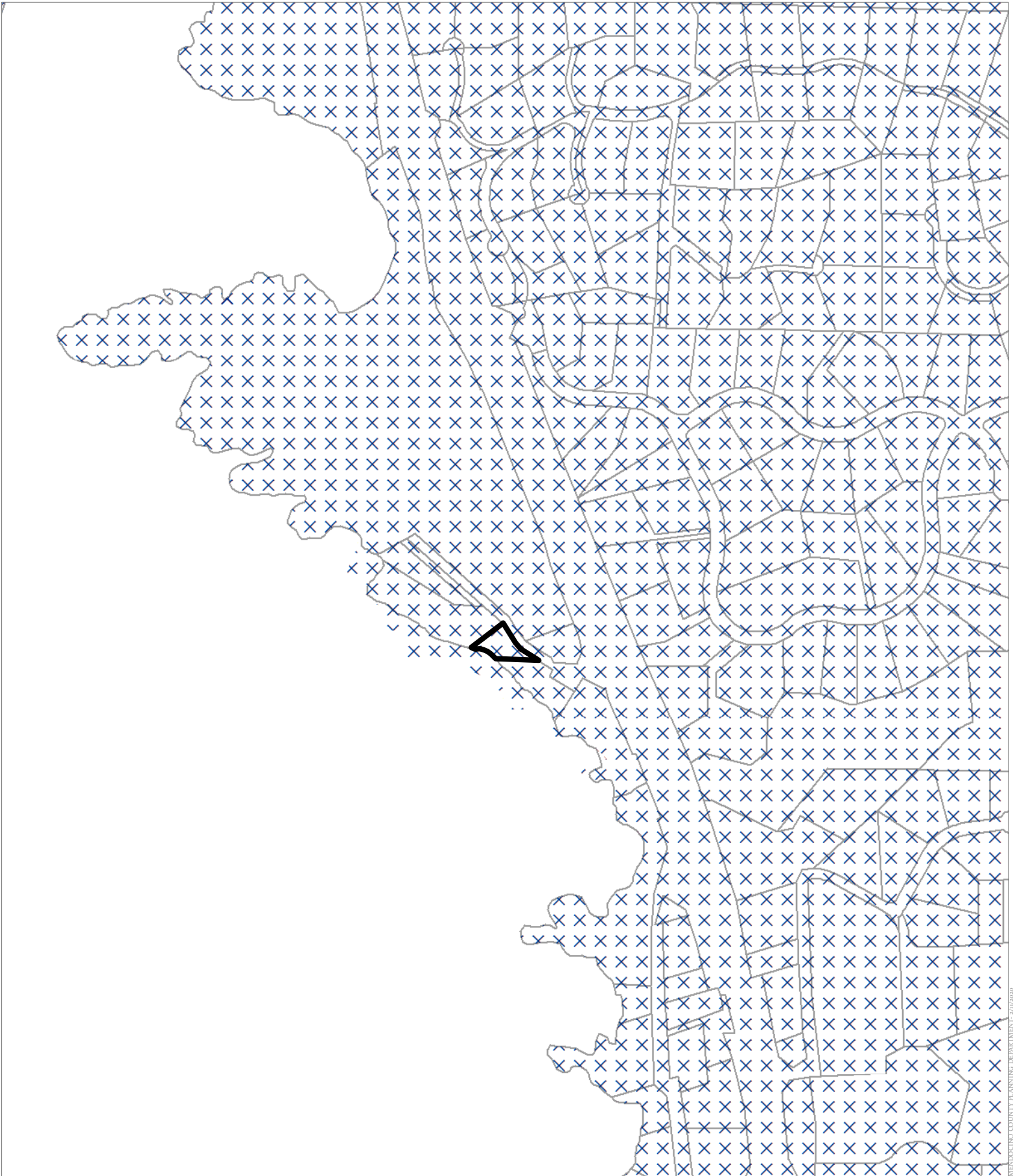
Tsunami Inundation Zones

Assessors Parcels



SPECIAL FLOOD HAZARD AREAS

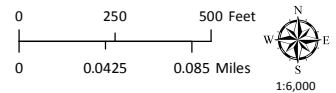
MENDOCINO COUNTY PLANNING DEPARTMENT - 2/17/2020



MENDOCINO COUNTY PLANNING DEPARTMENT - 2/17/2020

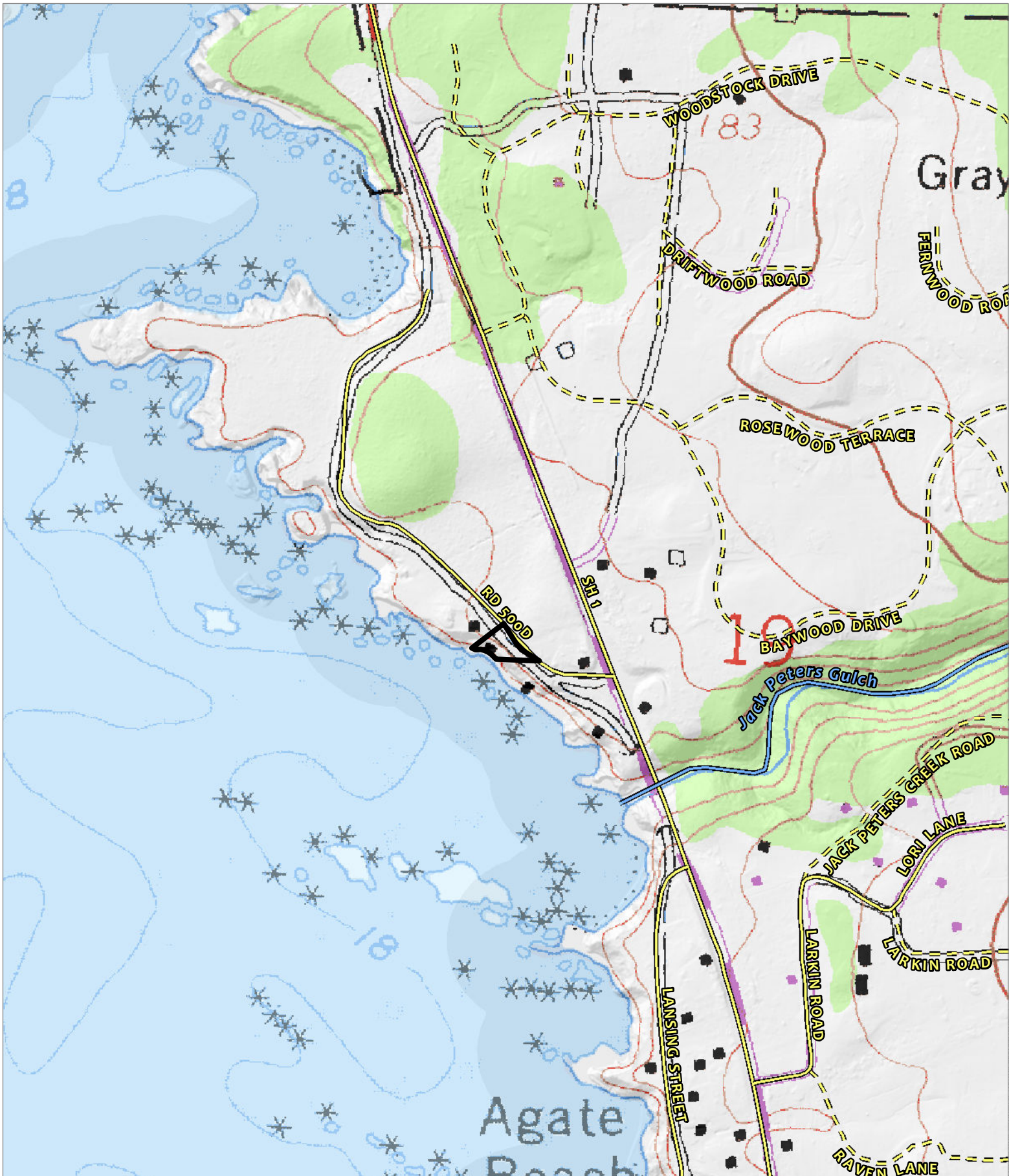
CASE: **CDP 2020-0004**
 OWNER: **MOELLER, Mira**
 APN: **118-320-03**
 APLCT: **Mira Moeller**
 AGENT: **Carl Rittiman**
 ADDRESS: **11700 Road 500 D, Mendocino**

Critical Water Areas
 Assessors Parcels






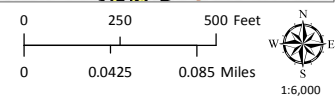
GROUND WATER RESOURCES

ATTACHMENT K

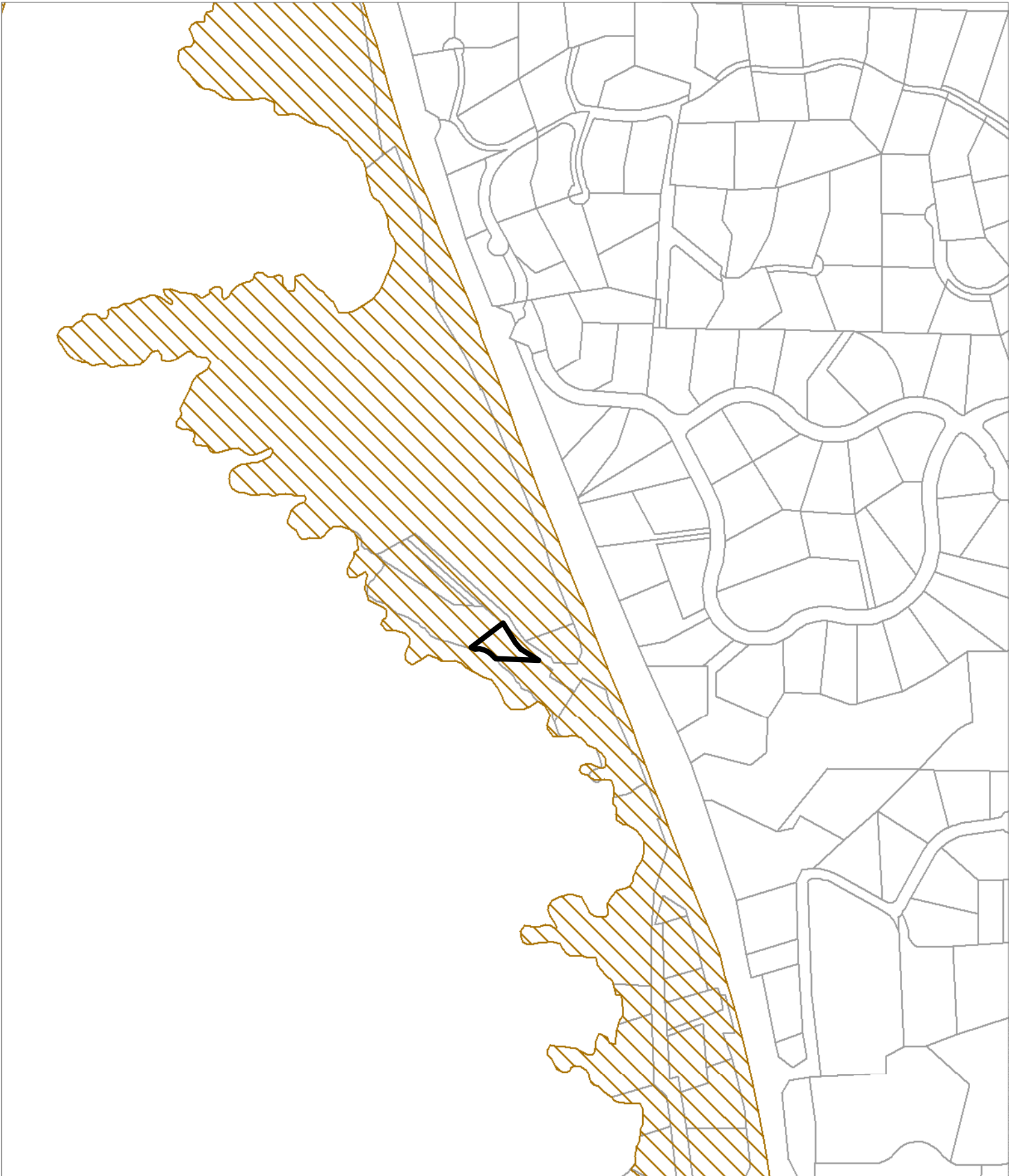


CASE: **CDP 2020-0004**
 OWNER: **MOELLER, Mira**
 APN: **118-320-03**
 APLCT: **Mira Moeller**
 AGENT: **Carl Rittiman**
 ADDRESS: **11700 Road 500 D, Mendocino**

-  Named Rivers
-  Public Roads
-  Private Roads





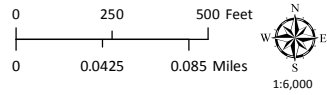
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET



MENDOCINO COUNTY PLANNING DEPARTMENT - 2/17/2020

CASE: CDP 2020-0004
 OWNER: MOELLER, Mira
 APN: 118-320-03
 APLCT: Mira Moeller
 AGENT: Carl Rittiman
 ADDRESS: 11700 Road 500 D, Mendocino

-  Highly Scenic Area
-  Assessors Parcels



HIGHLY SCENIC & TREE REMOVAL AREAS