

TO: Board of Supervisors

FROM: Planning and Building Services Choose an item.

MEETING DATE: June 21, 2022

DEPARTMENT CONTACT: Matt Goines

PHONE: 234-6650

DEPARTMENT CONTACT: Julia Krog

PHONE: 234-6650

ITEM TYPE: Consent Agenda

TIME ALLOCATED FOR ITEM: N/A

AGENDA TITLE:

Authorization of the Issuance of Administrative Coastal Development Permit CDP_2021-0037 to Construct a 3,400 Square Foot Single-Family Residence, with Attached Garage, and Associated Ancillary Developments, Located in Mendocino at 11980 Leafwood Drive; APN: 118-290-71

RECOMMENDED ACTION/MOTION:

Authorize the issuance of Administrative Coastal Development Permit CDP_2021-0037 to construct a 3,400 square foot single-family residence, with attached garage, and associated ancillary developments, located in Mendocino at 11980 Leafwood Drive; APN: 118-290-71 and authorize Chair to sign the same.

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:

None

SUMMARY OF REQUEST:

Request for a Administrative Coastal Development Permit to construct a 3,400 square foot single-family residence, with attached garage, decking, solar arrays, driveway encroachment from existing shared roadway, and install new septic system. The project was administratively approved by the Coastal Permit Administrator (CPA) on May 10, 2022 and requires the Board of Supervisors authorization for issuance of the permit. The CPA staff report is attached for review.

ALTERNATIVE ACTION/MOTION:

That the Coastal Development Permit CDP_2021-0037 (Speer), be scheduled for a public hearing and processed pursuant to Mendocino County Code Section 20.536.005.

DOES THIS ITEM SUPPORT THE GENERAL PLAN? Yes

SUPERVISORIAL DISTRICT: DISTRICT 5

VOTE REQUIREMENT: Majority

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-notices>

FISCAL DETAILS:

SOURCE OF FUNDING: N/A

BUDGETED IN CURRENT F/Y: N/A

CURRENT F/Y COST: N/A

IF NO, PLEASE DESCRIBE:

ANNUAL RECURRING COST: N/A

REVENUE AGREEMENT: N/A

BUDGET CLARIFICATION: N/A

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: N/A

CEO LIAISON: Judy Morris, Deputy CEO

CEO REVIEW: Choose an item.

CEO COMMENTS:

FOR COB USE ONLY

Executed By: Deputy Clerk
Date: Date Executed

Final Status:Item Status
Executed Item Type: item Number:



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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May 23, 2022

PUBLIC NOTICE OF PENDING ACTION
COASTAL DEVELOPMENT ADMINISTRATIVE PERMIT

The Mendocino County Coastal Permit Administrator will report proposed issuance of the below described project located in the Coastal Zone to the Board of Supervisors at its meeting to be held on June 21, 2022, at 9:00 a.m. or as soon thereafter as the item may be considered.

This meeting will be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, and virtual attendance will be available via Zoom (pursuant to Government Code section 54953(e)(1)(A)). Meetings are live streamed and available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

CASE#: CDP_2021-0037

DATE FILED: 7/15/2021

OWNER/APPLICANT: AARON & KIMBERLY SPEER

REQUEST: Administrative Coastal Development Permit to construct a 3,400 square foot single family residence with attached garage, decking, solar arrays, driveway encroachment from existing shared roadway, and install new septic system.

ENVIRONMENTAL DETERMINATION: CATEGORICALLY EXEMPT 15303(a)(d)(e)

LOCATION: In the Coastal Zone, 1.1± miles north of Mendocino town center, lying on the north side of Baywood Drive (private), 164.8± feet from its intersection with Rosewood Terrace (private), located at 11980 Leafwood Drive, Mendocino, APN: 118-290-71.

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: MATT GOINES

The staff report, notice, and related materials will be available for public review 10 days prior to the scheduled hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/public-notices>

As you are an adjacent property owner and/or interested party, you are invited to submit comments. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings in lieu of personal attendance. Comment may be made in any of the following ways: via written comment using our online eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, through voicemail messaging by calling 707-234-6333, or by telephone via telecomment. Information regarding telecomment participation can be found here: <https://www.mendocinocounty.org/government/board-of-supervisors/agendas-and-minutes>. All submitted eComments will be made available to the Supervisors, staff, and the general public immediately upon submittal.

For details and a complete list of the latest available options by which to engage with agenda items, please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

Coastal Development Administrative Permits are considered on the consent calendar, and the Board of Supervisors will not conduct a public hearing on this item.

If, at the meeting, at least one (1) member of the Board of Supervisors so requests, the permit shall not go into effect, and it shall be referred back to the Department of Planning and Building Services to be scheduled for a hearing by the Coastal Permit Administrator. Public notice for the time and place of the public hearing will be provided.

Action on this permit is not appealable to the Coastal Commission. Therefore, the permit will become effective and action will be final upon approval by the Board of Supervisors. If the permit is referred to the Coastal Permit Administrator the decision of the Administrator shall be final unless a written appeal is

submitted to the Board of Supervisors with a filing fee within ten calendar days of the Administrator's action.

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 Board of Supervisors or the Department of Planning and Building Services at, or prior to, any hearing. Additional information regarding the above noted case may be obtained prior to the Board of Supervisors meeting by calling the Department of Planning and Building Services at 964-5379, Monday through Friday.

The County of Mendocino complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department by calling 463-4441 at least five days prior to the meeting.

Additional information regarding the above noted item may be obtained by calling the Clerk of the Board of Supervisors at 707-463-4441, Monday through Friday, 8:00 a.m. through 5:00 p.m. or the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Board's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Clerk of the Board of Supervisors.

JULIA KROG, Director of Planning and Building Services



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

**June 3, 2022
CDP_2021-0037**

SUMMARY

OWNER/APPLICANT: AARON AND KIMBERLY SPEER
1965 MORELLO AVENUE
PLEASANT HILL, CA 94523

REQUEST: Administrative Coastal Development Permit to construct a 3,400 square foot single-family residence, with attached garage, decking, solar arrays, driveway encroachment from existing shared roadway, and install new septic system.

LOCATION: In the Coastal Zone, 1.1± miles north of the Mendocino town center, lying on the north side of Baywood Drive (private), accessed at the end of Leafwood Dr., 360± feet from its intersection with Driftwood Rd. (private), located at 11980 Leafwood Drive, Mendocino; APN: 118-290-71.

TOTAL ACREAGE: 0.95± Acres

GENERAL PLAN: Rural Residential 5-acre minimum with a variable density of 1 acre minimum (RR-5 [RR-1])
General Plan; Coastal Element Chapter 4.7

ZONING: Rural Residential 5-acre minimum with a variable density of 1-acre minimum (RR-5 [RR-1])
Mendocino Coastal Zoning Code; Division II

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: MATT GOINES

BACKGROUND

PROJECT DESCRIPTION: The proposed project is a new construction of a 3,400 square foot single-family residence with attached garage, decking, solar arrays, driveway encroachment from existing shared roadway, and install a new septic system.

APPLICANT'S STATEMENT: "This is to be a single-family residence in an existing subdivision of single-family residences. All streets are existing. Water, electrical, phone, cable, and internet are to property. No road construction will be needed. A driveway extension will be needed from existing shared driveway to new residence. Sewer will be a private septic system. No grading is needed."

RELATED APPLICATIONS: Major Subdivision, S_3-86: On February 5, 1987, the Planning Commission approved (by a 5-1 vote), a Major Subdivision of a 68± acre parcel to create 51 parcels of 40,000 sq. ft. or larger. The project was completed and the Final Map was signed August 22, 1989. The 'Surfwood Subdivision' is comprised of "estate" style homes with one acre plus sized parcels. Jack Peters Creek forms the southern boundary of the Surfwood development.

SITE CHARACTERISTICS: In the Coastal Zone, 1.1± miles north of the Mendocino town center, lying on

the north side of Baywood Drive (private), accessed at the end of Leafwood Dr., 360± feet from its intersection with Driftwood Rd. (private), located at 11980 Leafwood Drive, Mendocino; APN: 118-290-71.

This vacant lot is primarily grassland with three or four trees at the northeast corner of the property and four or five small, low-growing shrubs on the southeast corner as seen on the **Location Map** and **Aerial Imagery Map** in attachments. The building envelope is minimally sloped as can be seen on the **Estimated Slope** and **Topographic Maps** in attachments and minimal grading is required for the proposed driveway extension and dwelling-unit. No trees are located within the building envelope. The subject site is surrounded by mixture of developed and undeveloped parcels approximately the same size, with similar land features and similarly-sized residences as seen on the **Adjacent Parcels Map** in attachments. The site is also located within the service boundaries of the Surfwood Mutual Water Association.

SURROUNDING LAND USE AND ZONING: As listed on Table 1, the surrounding lands are zoned Rural Residential (RR) as shown on the attached **Zoning Display Map**. The intent of the single-family residence, garage, and associated utilities will be consistent with the surrounding land uses and development as the single-family residence, garage, and associated utilities are principle permitted and accessory uses.

TABLE 1: SURROUNDING LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR-5 [RR-1])	Rural Residential (RR-5 [RR-1])	0.86 ± Acres	Vacant Lot
EAST	Rural Residential (RR-5:PD [RR-1:PD])	Rural Residential (RR-5-PD [RR-1-PD])	1.33 ± Acres	Vacant Lot
SOUTH	Rural Residential (RR-5:PD [RR-1:PD])	Rural Residential (RR-5-PD [RR-1-PD])	0.92 ± Acres	Residential
WEST	Rural Residential (RR-5 [RR-1])	Rural Residential (RR-5 [RR-1])	0.96 ± Acres	Residential

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed single-family residence, appurtenant structures, and utilities are consistent and do not conflict with the goals and policies of the Local Coastal Program, General Plan, and Zoning Code, as detailed below.

Land Use: The project site is located within the boundaries of the Local Coastal Program (LCP) area, as shown on **LCP Land Use Map 15: Caspar** in attachments. The subject parcel is classified as Rural Residential (RR-5 [RR-1]) by the Mendocino County General Plan, as shown on the **General Plan Classifications Map** in attachments.

The Coastal Element Chapter 2.2 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, or other characteristics. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.”

Additionally, the Coastal Element Chapter 2.2 Rural Residential Classification details a Principal Permitted use as, “Residential and associated utilities, light agriculture, home occupation.”

The proposed project of a single-family residence with appurtenant structures and utilities and is a Principal Permitted Use for the Rural Residential Classification per Coastal Element Chapter 2.2, therefore the project as proposed is allowable under the Coastal Element Chapter 2.2. The proposed

project will provide additional newer and safer housing stock within the Coastal Zone. Additionally, the impacts to the agricultural viability of the property will be minimal as the property has approximately 0.95± acres of space for agricultural endeavors. However, a portion of the property will be utilized by a residents and appurtenant structures minimizing the footprint for agricultural use. This will not however be a degradation to the entirety of the land even with the proposed development as the remaining land remains in full sun, with minimal slopes, and still viable for agricultural operations; therefore, the proposed development is consistent with the intent and allowed use associated with residential development Per Mendocino County Coastal Element Chapter 2.2.

Zoning: The zoning district implements the intent of the land use classification that is designated by the General Plan. This project site is located within a Rural Residential district, as shown on the **Zoning Display Map**.

The Rural Residential district, per Mendocino County Code (MCC) Section 20.376.005,

"... 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.

The proposed single-family residence, appurtenant structures, and utilities are principally permitted uses within the Rural Residential District, pursuant to MCC Chapter 20.376.005. The project would comply with the minimum twenty (20) foot front, rear, and six (6) foot side yard setback requirements for the RR District for a parcel of this size. The maximum building height allowed in the RR District is twenty-eight (28) feet above the natural grade for Non-Highly Scenic Areas. The maximum height of the proposed project would not exceed the twenty-eight (28) foot height limit according to the elevation drawings submitted. The project, as proposed, would result in lot coverage of less than twenty (20) percent. A minimum of two off-street parking spaces are required for the residential unit; the site has adequate capacity for the required parking.

As currently proposed, the project will comply with the development standards of MCC Chapter 20.376 of Division II of Title 20 of the MCC.

Visual Resources: The project site is not mapped as a Highly Scenic Area and is not subject to the regulations of Chapter 20.504 *Visual Resource and Special Treatment Areas*.

Condition 9 requires exterior lighting to be kept to the minimum necessary for safety and security purposes, be downcast, shielded and positioned 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 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."*

Habitats and Natural Resources: The *LCP Habitats & Resources Map* does not identify sensitive resource areas within 100 feet of the proposed single-family residence location. The site is mapped as Barren for the entirety of the parcel and surrounding parcels. An agency referral was sent to California Department of Fish and Wildlife, where no response was received. On February 15, 2022, Wynn Coastal Planning and Biology staff conducted a field study to determine if any special plant or animals were present. The determination was made that at the time of the study no wetland, special plants or animals were present within 100 feet of the proposed development area. Conditions of approval are in place to ensure the safety and protection of any special status animals that have potential to be impacted depending on the time of year construction takes place. As proposed, the project would not negatively impact any environmentally sensitive habitats or other designated resources.

Hazards Management: The parcel is located in an area classified with a "Very 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 (MFPD.) Agency referrals were sent to CalFire and MFPD. CalFire responded with Conditions of Approval Fire Safe Regulation #208-21 detailing conditions for address standards, driveway standards, and defensible space and fuels modification standards. MFPD did not respond.

Coastal Element 3.4 and MCC 20.500 require that new development shall minimize risks to life and property and assure stability of the site and surrounding areas. Given the location and minimal potential for impact or being impacted by any of the hazards in MCC 20.500 and the provided fire protection service, the project as proposed will not conflict with Coastal Element 3.4, and complies with MCC Chapter 20.500 *Hazard Areas*, including geologic (faults, bluffs, tsunamis, landslides, and erosion), fire, and flood hazards.

Grading, Erosion, and Run-Off: The area of the proposed accessory structure is relatively flat, as shown on the *Topographic Map* in attachments. As proposed, no grading will occur at the time of construction of the proposed structure. Best Management Practices shall be implemented during construction to ensure minimal environmental impact. **Conditions 4 and 5** require the applicant to secure all necessary permits for the proposed development from County, State, and Federal agencies having jurisdiction; this ensures any, erosion, and runoff protection and hazard area policies or plans will be addressed through the appropriate agency or department. The proposed accessory structure will not significantly alter the original elevation, compaction, or the agricultural viability of the property. The proposed project complies with MCC Chapter 20.492 *Grading, Erosion, and Runoff* and MCC Section 18.70.027 *Grading as "Development" in the Coastal Zone*. An agency referral was sent to Mendocino County Air Quality Management District, where no comment was received.

Archaeological/Cultural Resources: The County of Mendocino regulates cultural resources under Chapter 22.12 of the County Code which requires projects to be reviewed by the Northwest Information Center at Sonoma State University (SSU). The proposed project was referred to California Historical Resources Information System (CHRIS) at Sonoma State University and the Archaeological Commission. The Archaeological Commission had no recommendation provided CHRIS does not recommend an archaeological survey. CHRIS recommended that due to the low possibility of the site containing unrecorded archaeological sites, no further study for archaeological resources is recommended.

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.

Groundwater Resources: The site is located within a mapped Critical Water Resources Area as seen on the *Ground Water Resources* map in attachments. The site is also located within the service boundaries of the Surfwood Mutual Water Association which provides community water. The project application included approved letters from Surfwood Mutual Water Corporation to connect water. A 4-bedroom residence has been approved for this project by Environmental Health on 05-13-2021, permit number ST27614.

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, there are surrounding parcels that have already been developed and have homes that are occupied; therefore, construction of a single-family residence 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 (DOT) for input, where no response was received. The proposed project complies with MCC Section 20.516.015(C)(2) *Transportation Systems*.

Public Access: The project site is located east of the first public road and 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 3, Section 15303 - (a) Single family residence, (d) utility connections, and (e) accessory structures.

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), as the proposed project is in conformity with the applicable sections of the certified Local Coastal Program. The construction of a residence and accessory improvements 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), as the proposed project would be provided with adequate utilities, access roads, drainage, and other necessary facilities. Under the proposed project, the residence received a clearance letter to connect to Surfwood Mutual Water Corporation, a septic permit has been approved by Environmental Health (permit number ST27614), Driveway improvements are proposed under the project and are adequate to serve the proposed development; and
3. Pursuant with MCC Section 20.532.095(A)(3), as the proposed development is a principally permitted use in the rural residential district per Mendocino County Code Section 20.376.010 and does not promote or create degradation to the agricultural viability of the property or the intent of the Rural Residential Zoning District, the proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this division and preserves the integrity of the zoning district; and
4. Pursuant with MCC Section 20.532.095(A)(4), as the proposed project is to be completed in compliance with the conditions of approval, it will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. Construction of a single-family residence and appurtenant developments are categorically exempt pursuant to Article 19, Section 15303, Class 3(a) and Class 3(e); and
5. Pursuant with MCC Section 20.532.095(A)(5), as the proposed project will have low possibility of adverse impact on any known archaeological sites, according to CHRIS and **Condition 8** advises the applicant of the County's "discovery clause" which establishes procedures to follow in the event that archaeological or cultural materials are discovered during site preparation or construction activities; and
6. Pursuant with MCC Section 20.532.095(A)(6), as 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 construction of a single-family and appurtenant developments are not anticipated to significantly affect demands on public services.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall 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, Department of Transportation, and Department of Environmental Health.
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 consistent with Mendocino County Code of Ordinances Section 20.504.035, for approval from the Coastal Permit Administrator or to the satisfaction of the Director of Planning and Building Services, or her/his designee.
10. In order to provide for the protection of **erosion control and run off**, standard Best Management Practices (BMPs) shall be employed to assure minimization of erosion resulting from construction. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as possible. If the weather forecast calls for rain at any time during the demolition process, hay wattles shall be placed in a 20 foot radius around the project site to prevent any runoff of hazardous materials outside of the project area. Any soil stockpiles shall be covered or otherwise stabilized to prevent dust impacts. Any bare soil created by the construction phase of the project shall be revegetated with native vegetation and/ or native seed mixes for soil stabilization
11. All conditions of approval shall either be printed on the building permit plans or attached as an additional document with the building plans at the time of submission for the building permit.
12. Potential Impact to Birds- Construction in the study area has the potential to disturb birds during the nesting season. Removal of vegetation and construction activity near trees and vegetated areas has

the potential to disturb birds' nesting process.

A. Avoidance Measure: Seasonal Avoidance

No nesting bird surveys are recommended if activity occurs in the non-breeding season (September to January). If development is to occur during the breeding season (February to August), a pre-construction survey is recommended within 14 days of the onset of construction to ensure that no nesting birds will be disturbed during development.

B. Avoidance Measure: Nest Avoidance

If active special status bird nests are observed, no activities with the potential to disturb nesting 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 should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

C. Avoidance Measure: Construction activities only during daylight hours

Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

13. Potential Impact to Bats- Construction in the study area has the potential to impact special status bat species. Bats are vulnerable when roosting for reproduction when young are not yet able to fly, and during hibernation because they can die of cold or malnutrition if hibernation is disturbed. No special features such as hollow trees, abandoned buildings, or other cave analogs, which could serve as roosting or hibernation refugium, are present; therefore, the potential for negative impacts to bats is minimal. Temperatures on the Mendocino Coast usually do not drop low enough to necessitate bat hibernation.

A. Avoidance Measure: Pre-construction surveys for bats

Construction will ideally begin between September 1st and October 31 after the young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be performed by a qualified biologist 14 days prior to the onset of development activities.

Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to construction for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied.

B. Avoidance Measure: Roost buffer

If active bat roosts are observed, no activities with the potential to disturb roosting shall occur within a minimum 50-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 roost until all young are no longer dependent upon the roost.

C. Avoidance measure: Construction activities only during daylight hours Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.

14. Potential Impact to Special Status Amphibians- Construction activities will involve walking across areas where amphibians may be traveling. Staging of materials and removal of construction debris could also disturb special status amphibians that may be hiding underneath these materials. To minimize impacts to amphibians, the following avoidance measures should be followed.

A. Avoidance Measure: Contractor education

Within two weeks prior to construction activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special

status amphibians are observed during construction.

- B. Avoidance Measure: Pre-construction search
During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.
- C. Avoidance Measure: Careful debris removal
During construction and debris removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.
- D. Avoidance Measure: No construction during rain event
If a rain event occurs during the ground disturbance period, all ground disturbing activities will cease for a period of 48 hours, starting after the rain stops.

Prior to resuming construction activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found during inspections, ground-disturbing activities may resume.

6/6/2022
DATE

Matt Goines
MATT GOINES
PLANNER II

6/6/2022
DATE

Julia Krog
JULIA KROG
COASTAL PERMIT ADMINISTRATOR

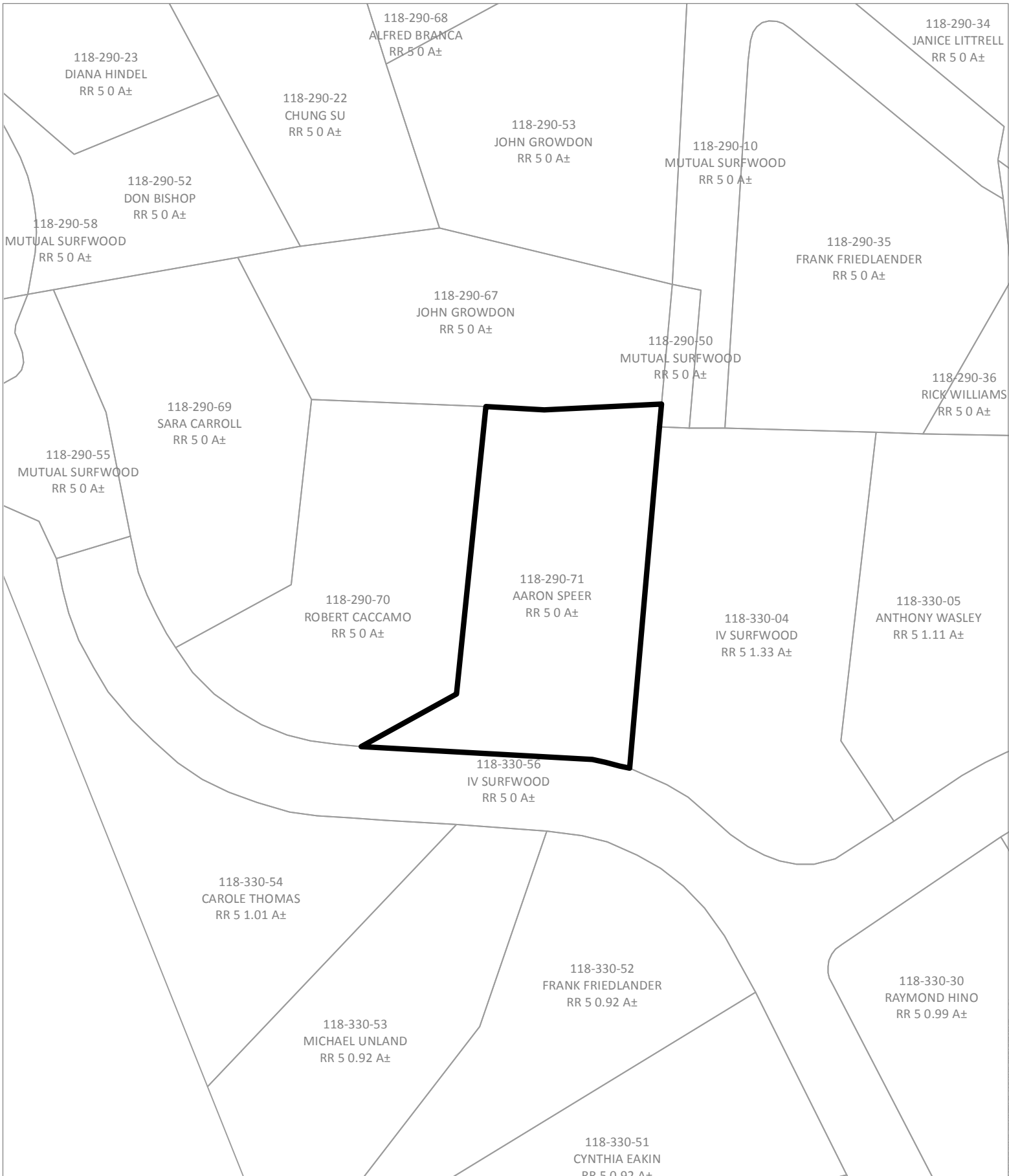
Appeal Period: 10 Days
Appeal Fee: \$2,620

ATTACHMENTS:

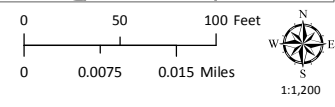
- A. Location Map
- B. Aerial Imagery (Vicinity)
- C. Aerial Imagery
- D. Site Plan
- E. Topographic Map
- F. Zoning Display Map
- G. General Plan Classifications
- H. LCP Land Use Map 15: Caspar
- I. LCP Land Capabilities & Natural Hazards
- J. LCP Habitats & Resources
- K. Post LCP Certification & Appeal Jurisdiction
- L. CDP Exclusion Zones
- M. Adjacent Parcels
- N. Fire Hazards Zones & Responsibility Areas
- O. Wildland-Urban Interface Zones
- P. Ground Water Resources
- Q. Estimated Slope
- R. Western Soil Classes
- S. Farmland Classifications
- T. CDF Conditions
- U. Floor Plan
- V. Elevations

REFERRAL AGENCIES	COMMENT
LOCAL	
Air Quality Management District	No Comment
Archaeological Commission	Comments
Assessor's Office	No Response
Building Division Fort Bragg	No Response
County Addresser	No Comment
Department of Transportation (DOT)	No Response
Environmental Health (EH)	No Response
Mendocino Fire District	No Response
Planning Division Fort Bragg	No Comment

Sonoma State University	Comments
Surfwood Mutual Water Corporation	No Response
STATE	
Calfire (Land Use)	Comments
California Coastal Commission	No Response
California Department of Fish and Wildlife	No Response
TRIBAL	
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response



CASE: CDP 2021-0037
 OWNER: SPEER, Aaron & Kimberly
 APN: 118-290-71
 APLCT: Aaron & Kimberly Speer
 AGENT:
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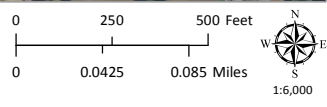
ADJACENT PARCELS

MENDOCINO COUNTY PLANNING DEPARTMENT - 7/28/2021



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- Named Rivers
- Public Roads
- - - Private Roads

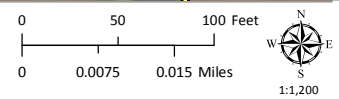


AERIAL IMAGERY

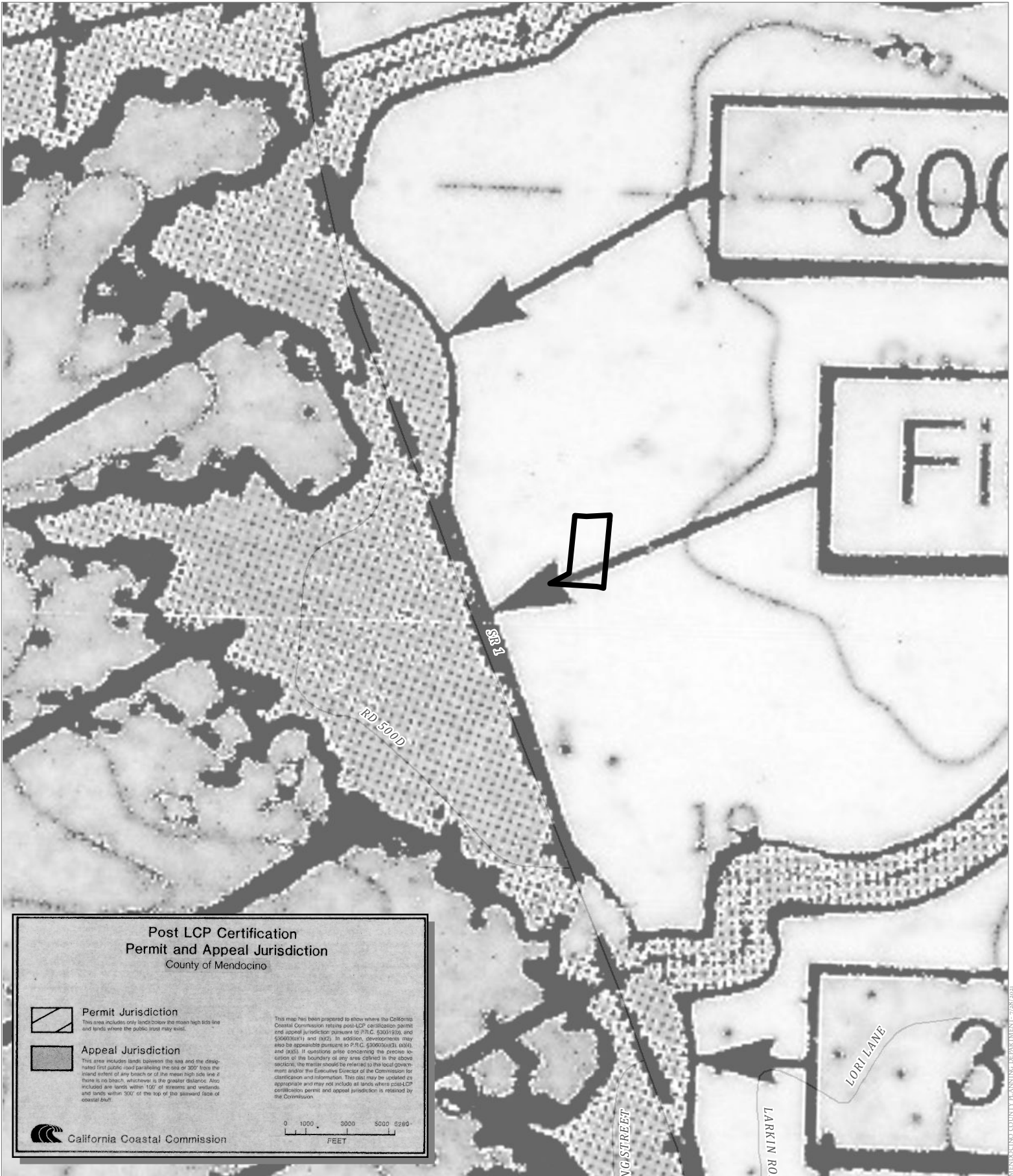


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-  Public Roads
-  Private Roads



AERIAL IMAGERY




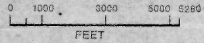
**Post LCP Certification
Permit and Appeal Jurisdiction
County of Mendocino**

 **Permit Jurisdiction**
This area includes only lands below the mean high tide line and lands where the public trust may exist.

 **Appeal Jurisdiction**
This area includes lands between the sea and the designated first public land paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 500' of the top of the seaward face of coastal bluff.

This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.L.C. §30512(b), and §30603(a)(1) and (a)(2). In addition, developments may also be appealable pursuant to P.L.C. §30603(a)(3), (a)(4), and (a)(5). If questions arise concerning the precise location of the boundary of any area defined in the above sections, the reader should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This map may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

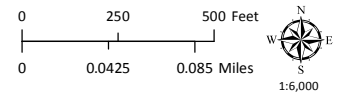


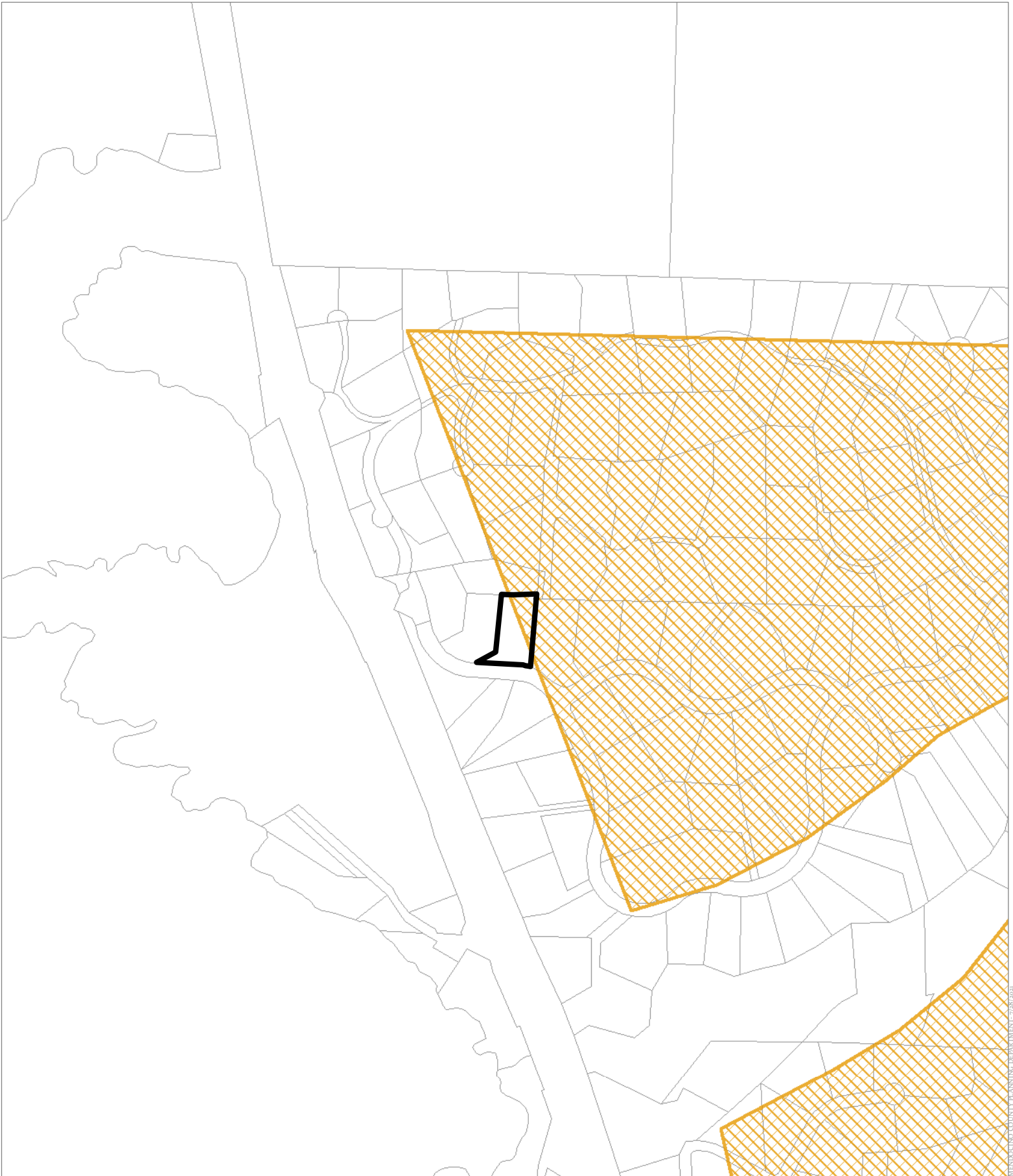


FEET

CASE: **CDP 2021-0037**
 OWNER: **SPEER, Aaron & Kimberly**
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Public Roads

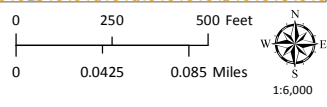




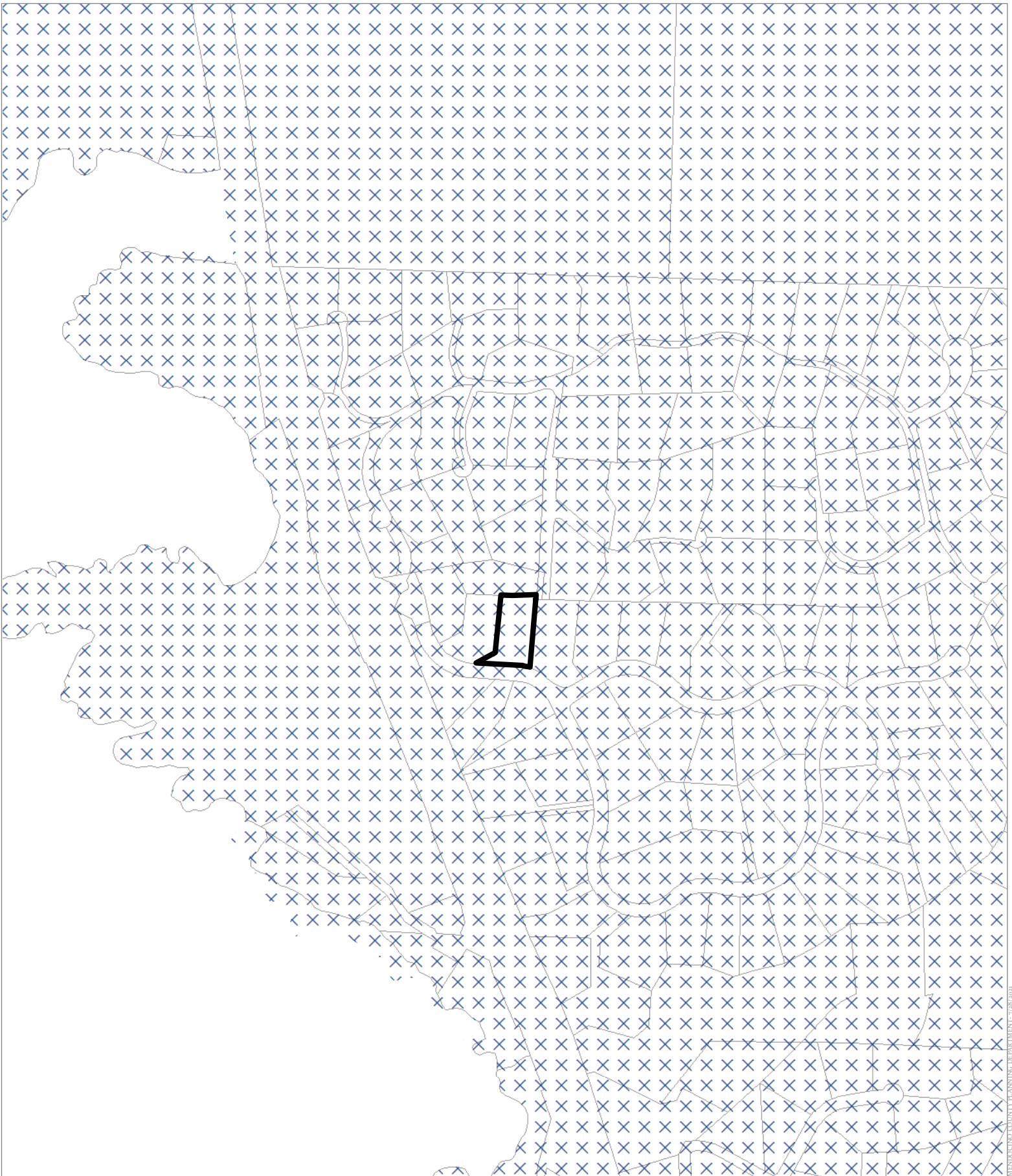
MENDOCINO COUNTY PLANNING DEPARTMENT 7/26/2021

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 CDP Exclusion Areas




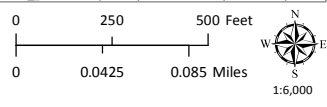
CDP EXCLUSION ZONES



MENDOCINO COUNTY PLANNING DEPARTMENT - 7/28/2021

CASE: CDP 2021-0037
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 Critical Water Areas



GROUND WATER RESOURCES

SWAMP
HAREBELL

CONFIDENTIAL

DO NOT DISTRIBUTE

COAST LILY

NORTHERN
RED-LEGGED
FROG


BLUFF
WALLFLOWER

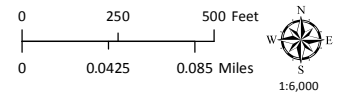
CNDDDB 010221

Common Name

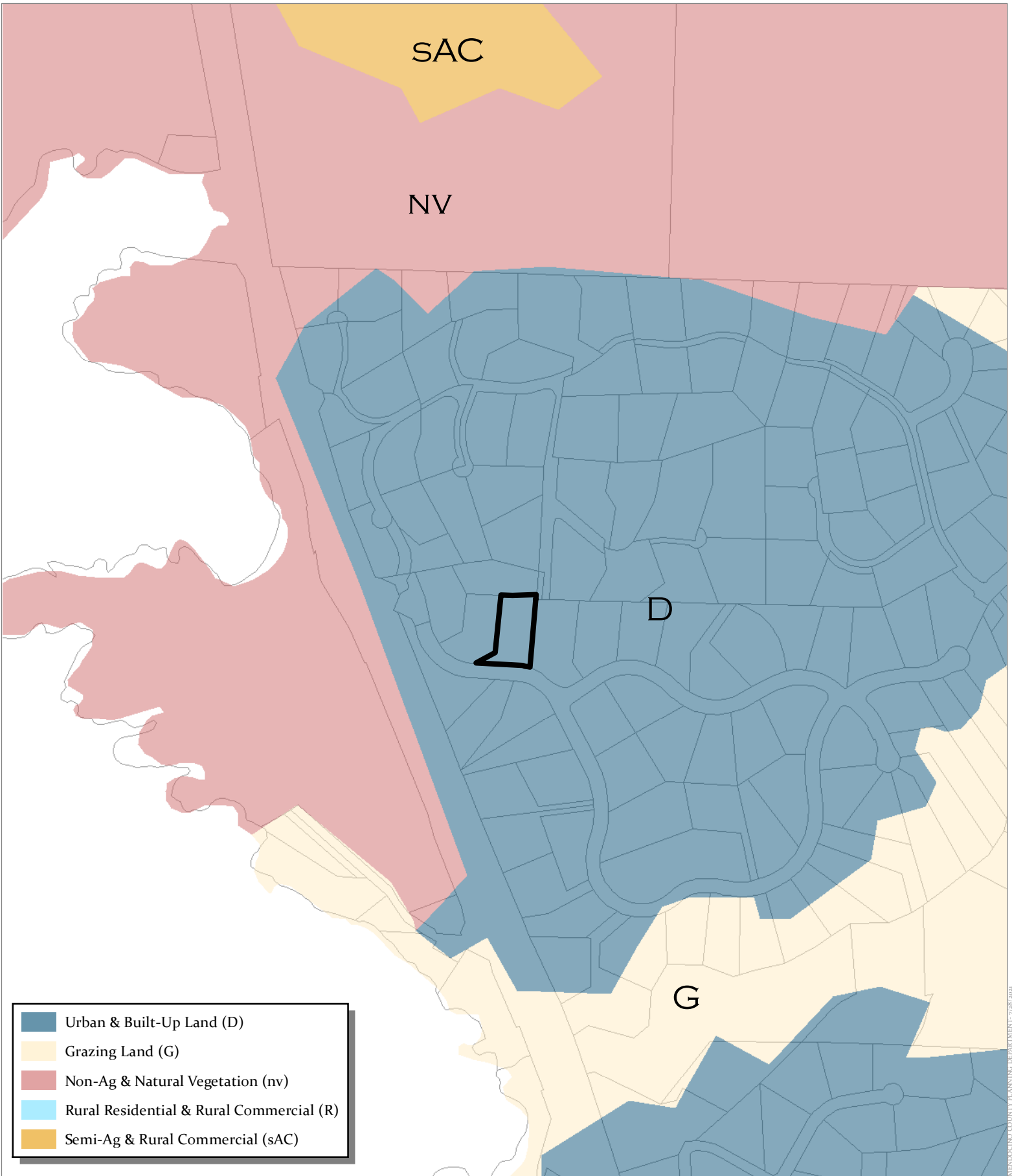
- Mendocino Coast paintbrush
- bluff wallflower
- coast lily
- great burnet
- hair-leaved rush
- livid sedge
- marsh pea
- northern red-legged frog
- red-bellied newt
- swamp harebell

CNDDDB version 01/2021. Please note: The occurrences shown on this map represent the known locations of the species listed here as of the date of this version. There may be additional occurrences or additional species within this area which have not yet been surveyed and/or mapped. Lack of information in the CNDDDB about a species or an area can never be used as proof that no special status species occur in an area.

 Spotted Owl Locations 010221

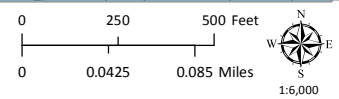


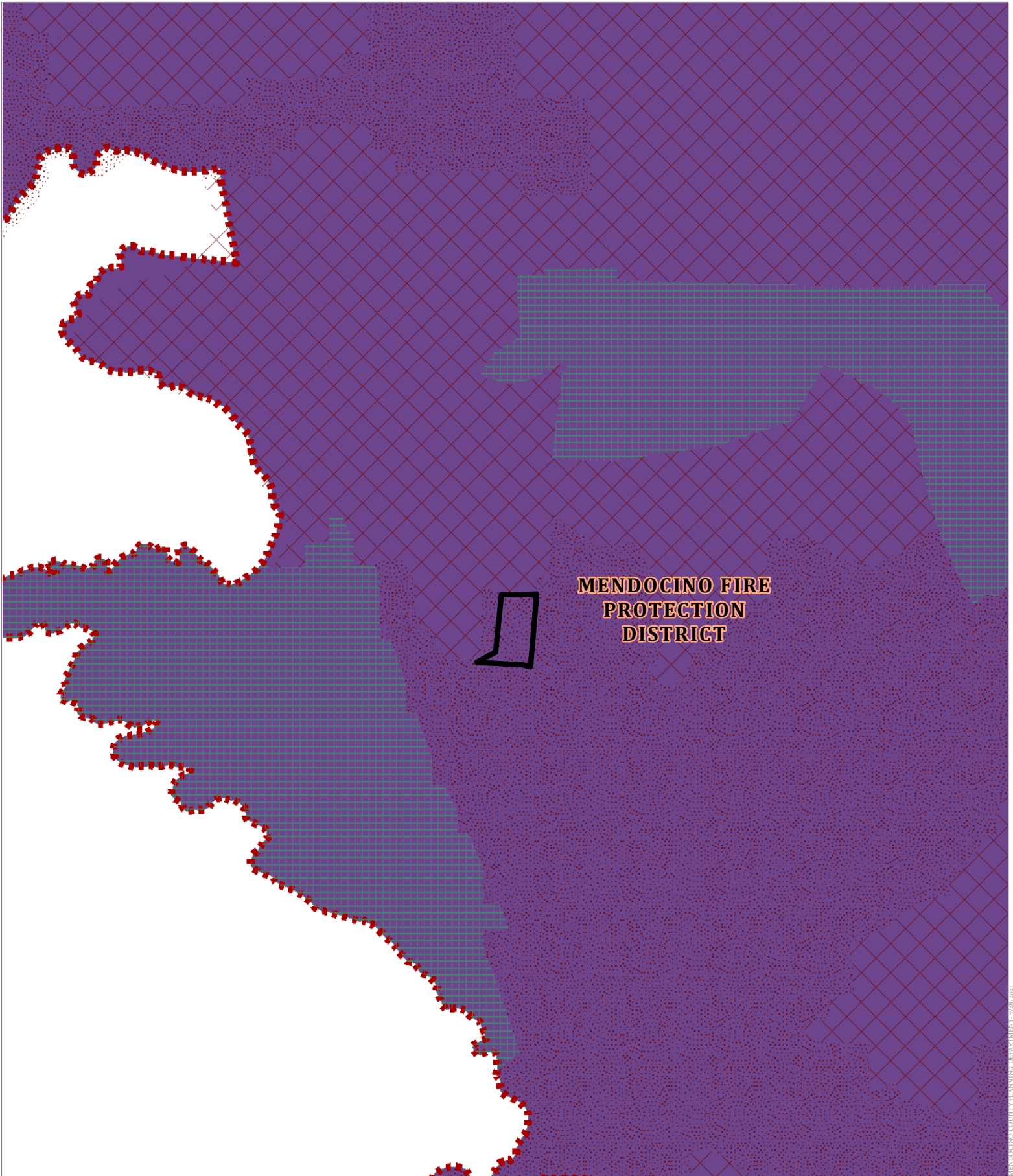
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- Urban & Built-Up Land (D)
- Grazing Land (G)
- Non-Ag & Natural Vegetation (nv)
- Rural Residential & Rural Commercial (R)
- Semi-Ag & Rural Commercial (sAC)

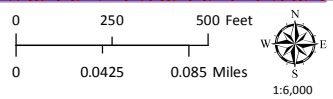
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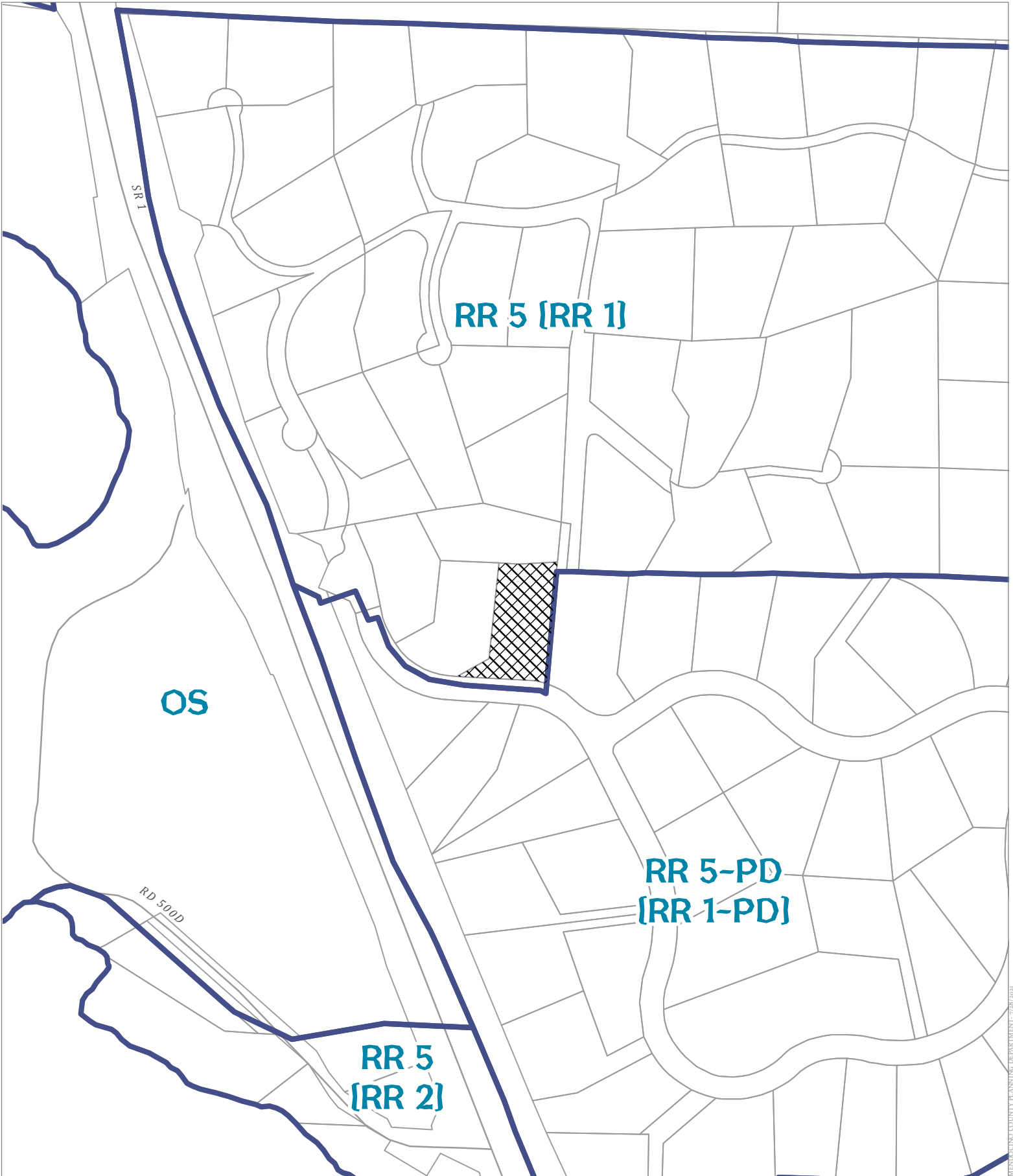
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-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts





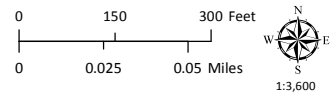
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

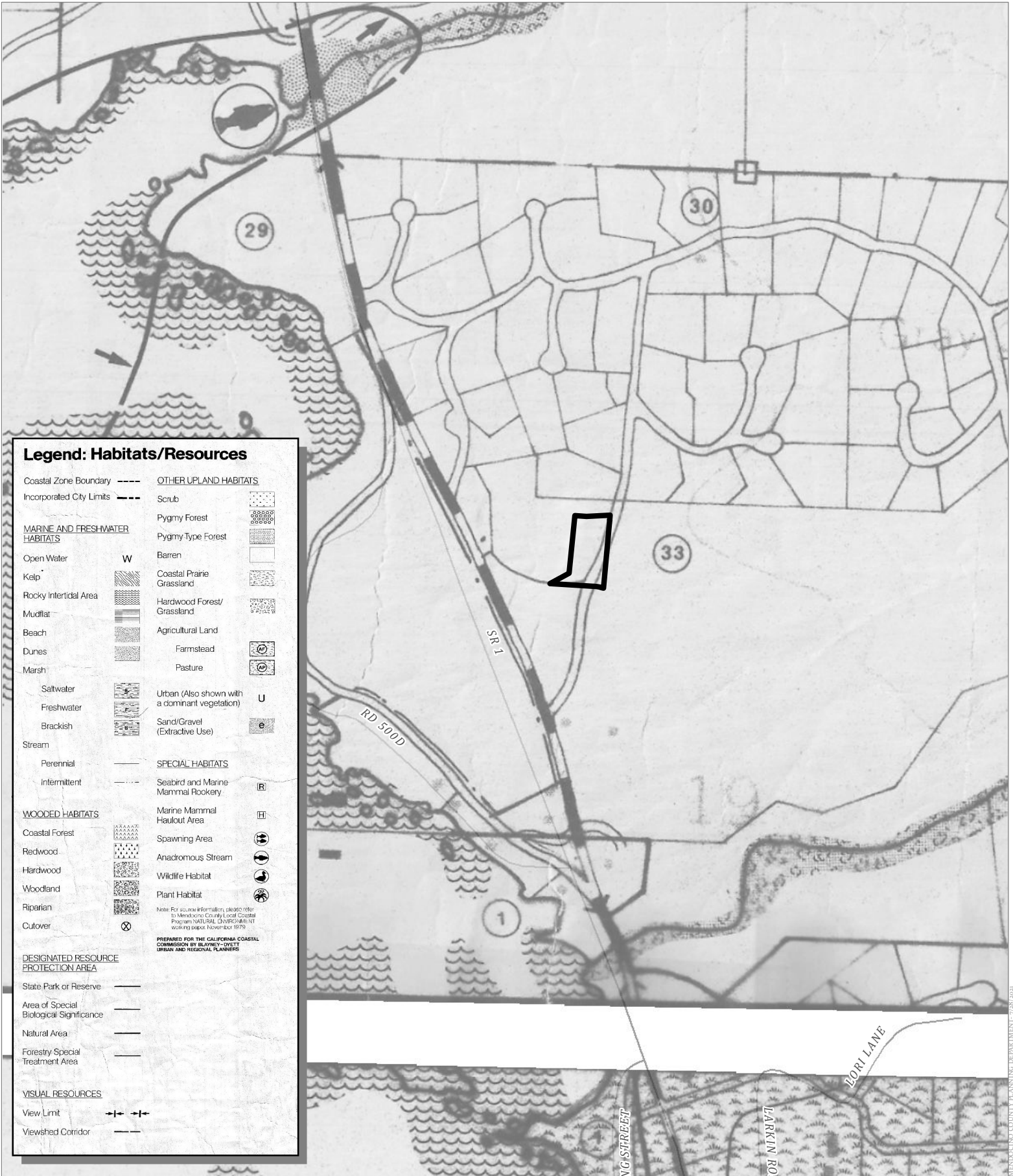
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/28/2021



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 General Plan Classes
 Public Roads





Legend: Habitats/Resources

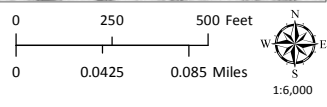
Coastal Zone Boundary	---	OTHER UPLAND HABITATS	
Incorporated City Limits	---	Scrub	[Symbol]
MARINE AND FRESHWATER HABITATS		Pygmy Forest	[Symbol]
Open Water	W	Pygmy Type Forest	[Symbol]
Kelp	[Symbol]	Barren	[Symbol]
Rocky Intertidal Area	[Symbol]	Coastal Prairie Grassland	[Symbol]
Mudflat	[Symbol]	Hardwood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

Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL CHARACTER ELEMENT work by paper November 1979.

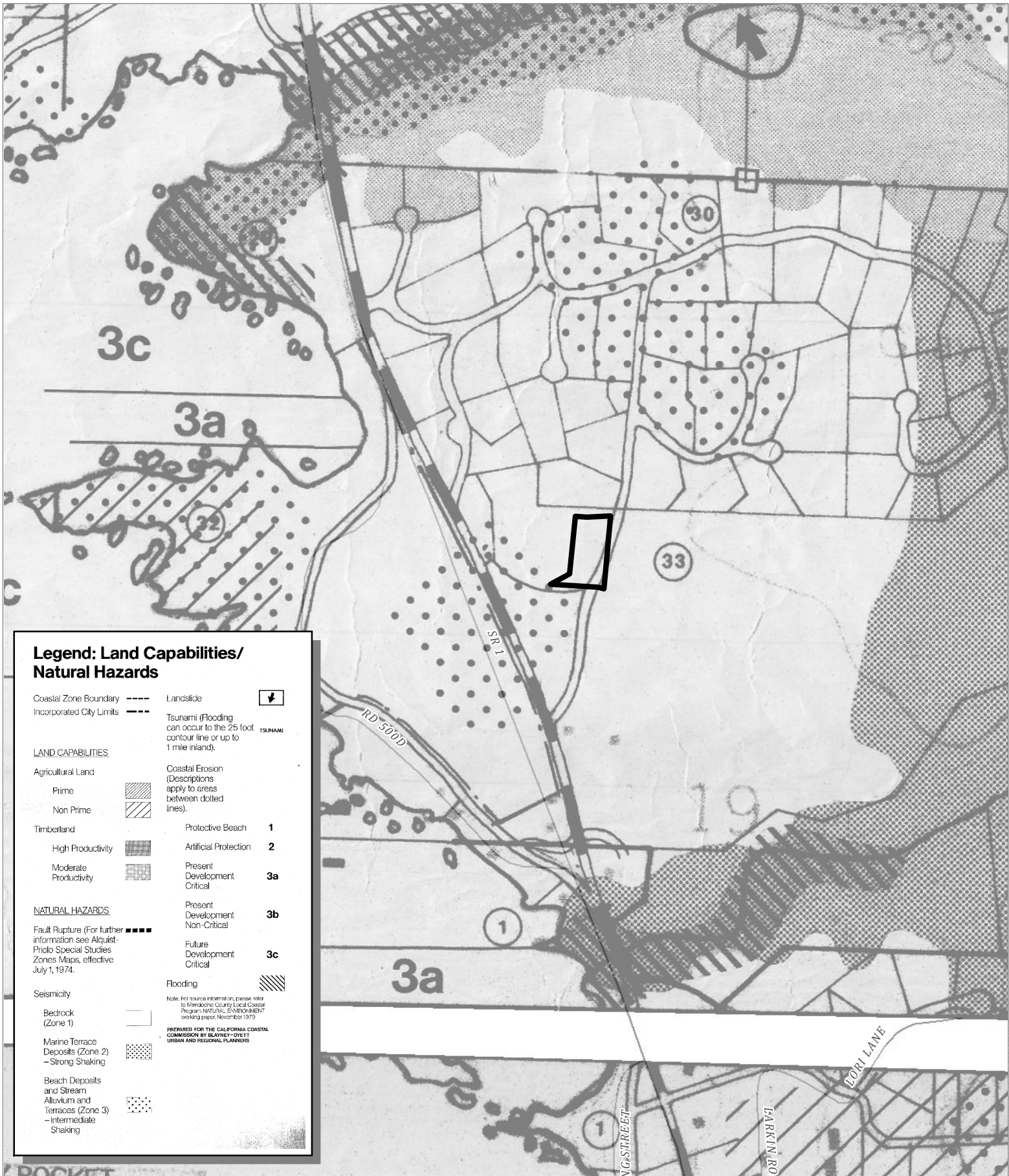
PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAVNEY-DWETT URBAN AND REGIONAL PLANNERS

CASE: CDP 2021-0037
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Public Roads



MENDOCINO COUNTY PLANNING DEPARTMENT - 7/28/2021

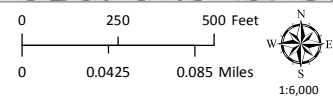


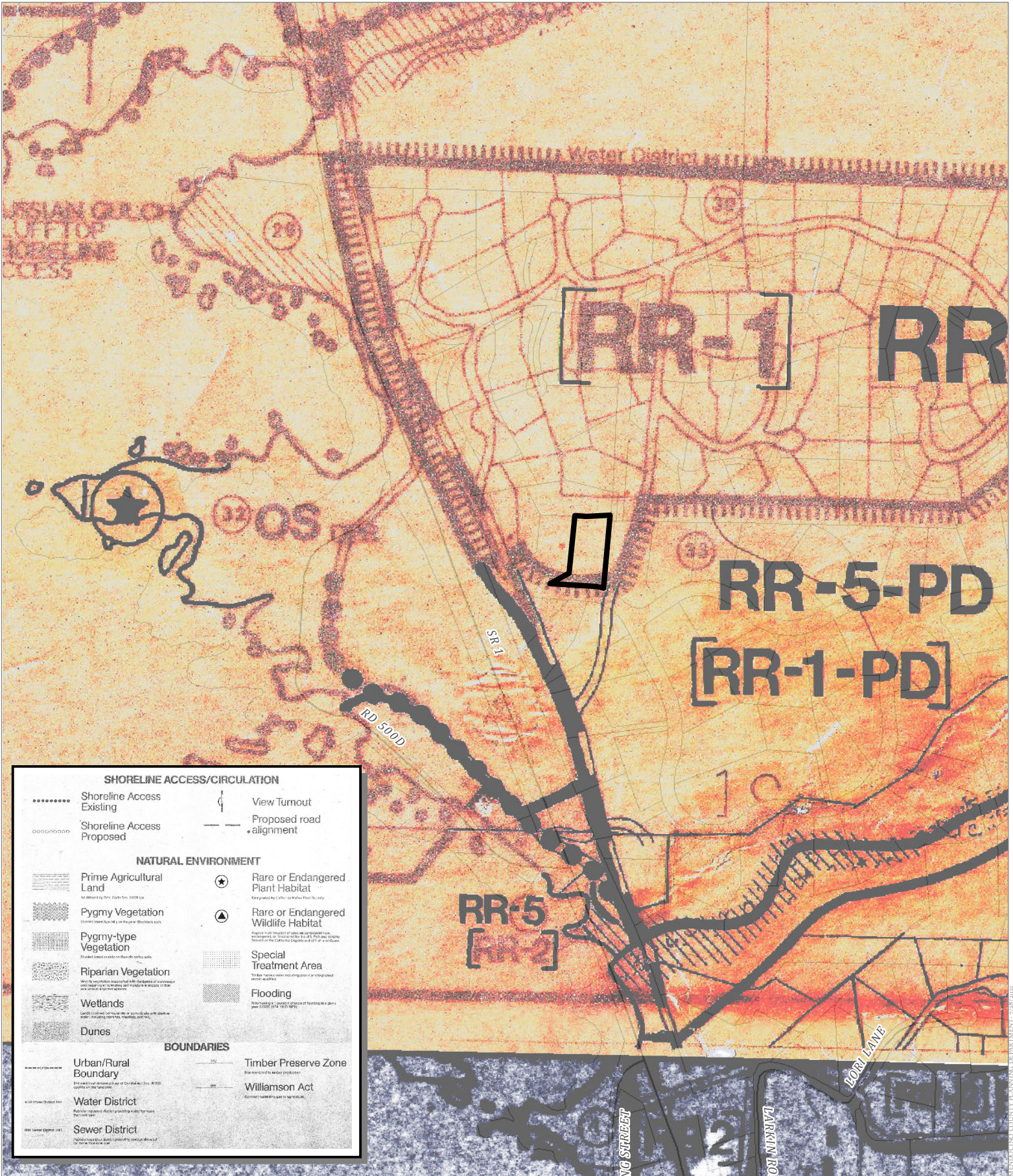
**Legend: Land Capabilities/
Natural Hazards**

- | | | | |
|---|------------------|--|------------------|
| Coastal Zone Boundary | --- | Landslide | ↓ |
| Incorporated City Limits | --- | Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland). | TSUNAMI |
| LAND CAPABILITIES | | | |
| Agricultural Land | | Coastal Erosion (Descriptions apply to areas between dotted lines). | |
| Prime | [diagonal lines] | Protective Beach | 1 |
| Non Prime | [diagonal lines] | Artificial Protection | 2 |
| Timberland | | Present Development Critical | 3a |
| High Productivity | [cross-hatch] | Present Development Non-Critical | 3b |
| Moderate Productivity | [cross-hatch] | Future Development Critical | 3c |
| NATURAL HAZARDS | | | |
| Fault Rupture (For further information see Alquist-Prilo Special Studies Zones Maps, effective July 1, 1974). | ---- | Flooding | [diagonal lines] |
| Seismicity | | <small>Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT working paper, November 1979.</small>
<small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY SILVENEY-CRITT URBAN AND REGIONAL PLANNERS</small> | |
| Bedrock (Zone 1) | [dotted] | | |
| Marine Terrace Deposits (Zone 2) - Strong Shaking | [dotted] | | |
| Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking | [dotted] | | |

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Public Roads

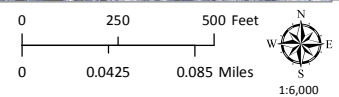


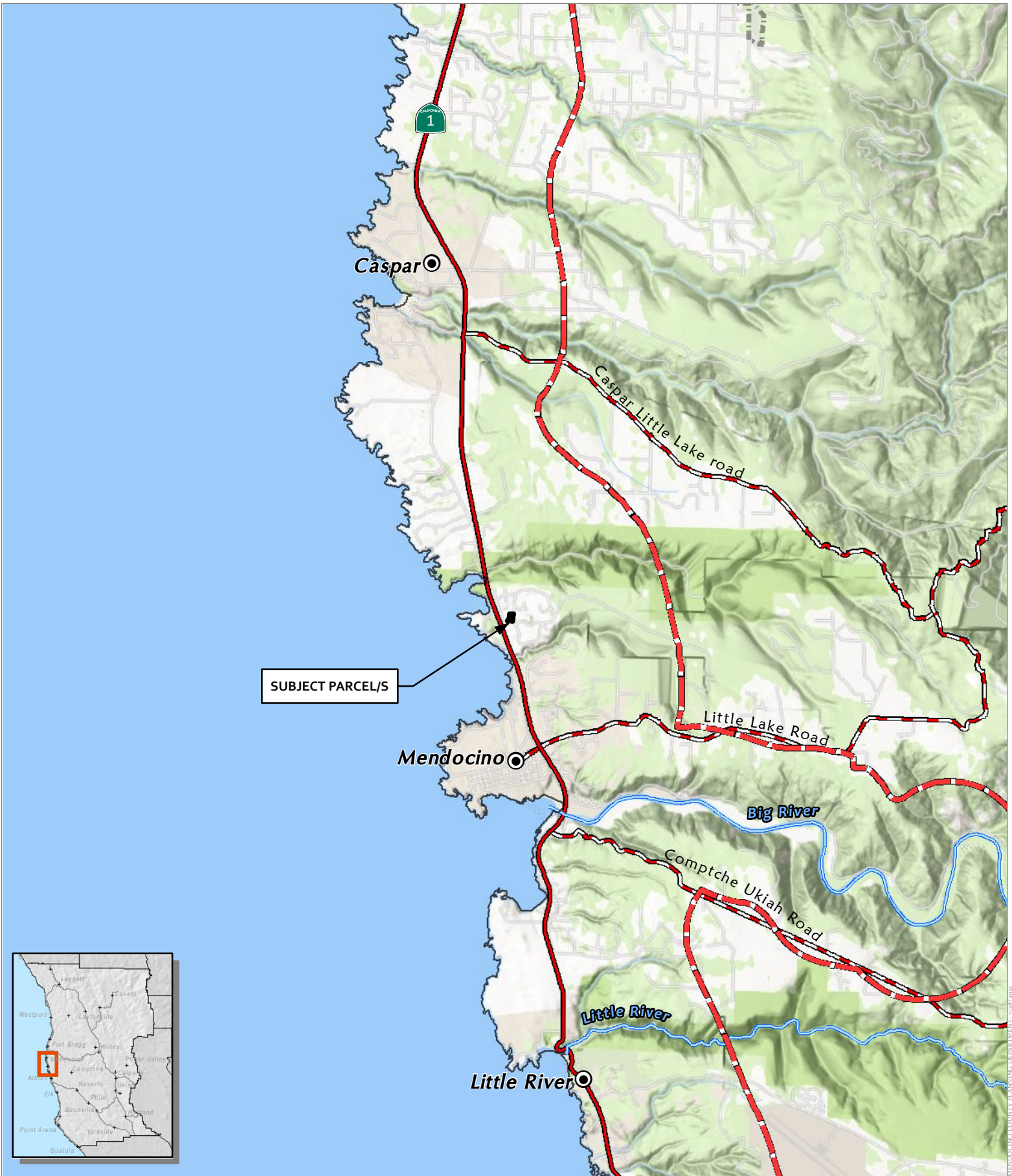


SHORELINE ACCESS/CIRCULATION	
	Shoreline Access Existing
	Shoreline Access Proposed
	View Turnout
	Proposed road alignment
NATURAL ENVIRONMENT	
	Prime Agricultural Land <small>As defined by Gov. Code Sec. 56001.0(a)</small>
	Pygmy Vegetation <small>Shrubland/scrubland with a higher shrub/scrub canopy</small>
	Pygmy-type Vegetation <small>Shrubland/scrubland with a lower shrub/scrub canopy</small>
	Riparian Vegetation <small>Where vegetation associated with the banks of waterways and other riparian features</small>
	Wetlands <small>Lands covered or saturated or periodically with shallow water (including marshes, meadows, and so on)</small>
	Dunes
	Rare or Endangered Plant Habitat <small>Designated by California Native Plant Society</small>
	Rare or Endangered Wildlife Habitat <small>Regions that support or are important to the maintenance or recovery of the state's fish and wildlife resources</small>
	Special Treatment Area <small>Tracts that contain an archaeological or historical resource</small>
	Flooding <small>As having a 1 percent chance of flooding in a year (see 50002 (P.A. 100-107))</small>
BOUNDARIES	
	Urban/Rural Boundary <small>Established under Chapter 4 of Division 1 of the State Water Resources Control Act (Division 100)</small>
	Water District <small>Publicly organized district providing water for rural lands</small>
	Sewer District <small>Publicly organized district providing sewerage service for rural lands</small>
	Timber Preserve Zone <small>Use restricted to timber production</small>
	Williamson Act <small>Contract lands preserved for agricultural use</small>

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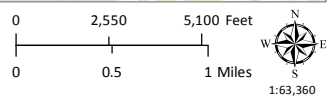




SUBJECT PARCEL/S

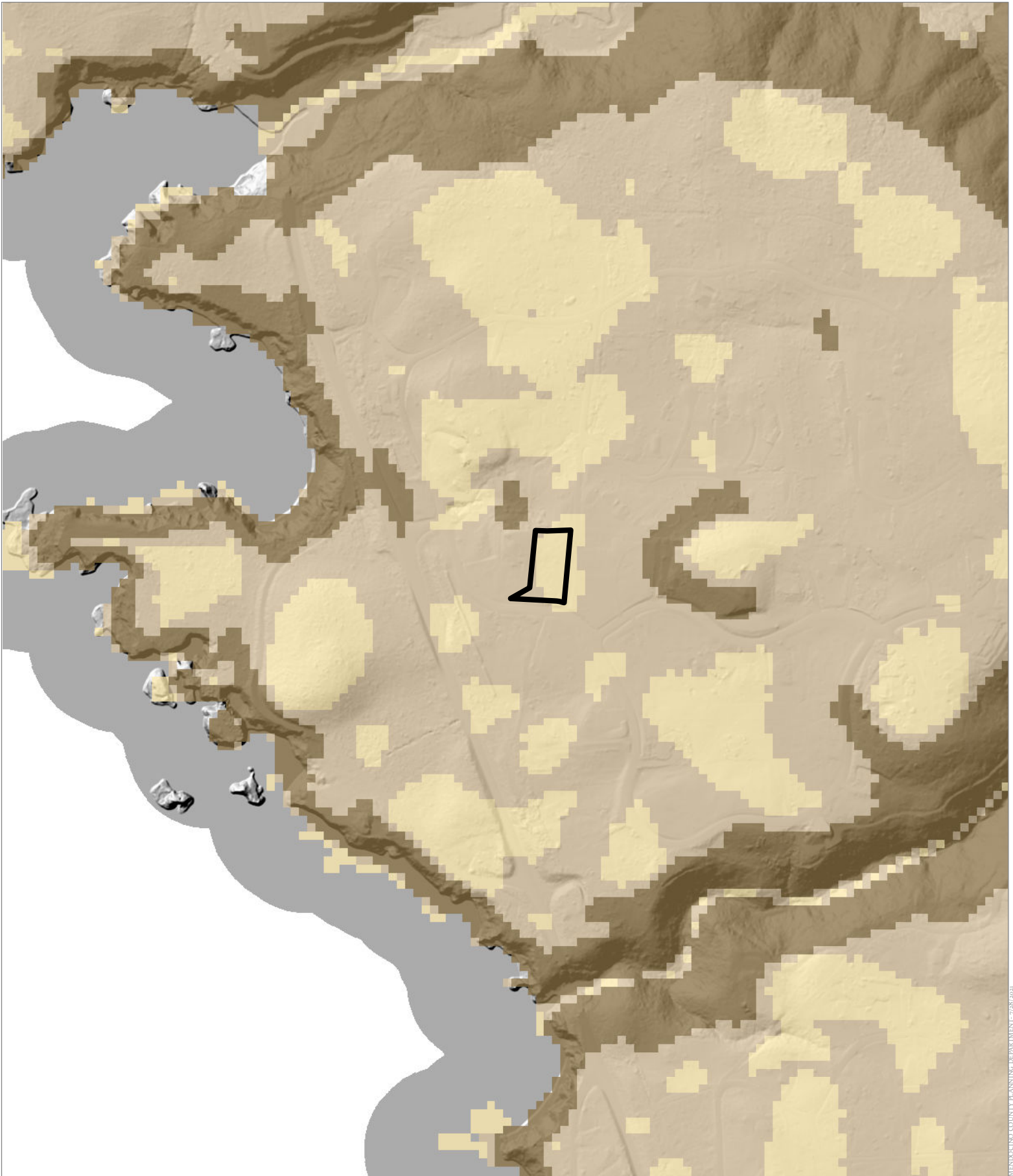
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- Major Towns & Places
- Highways
- City Limits
- Major Roads
- Coastal Zone Boundary

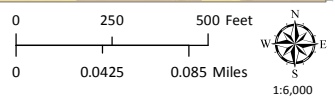
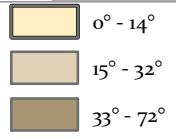


LOCATION MAP

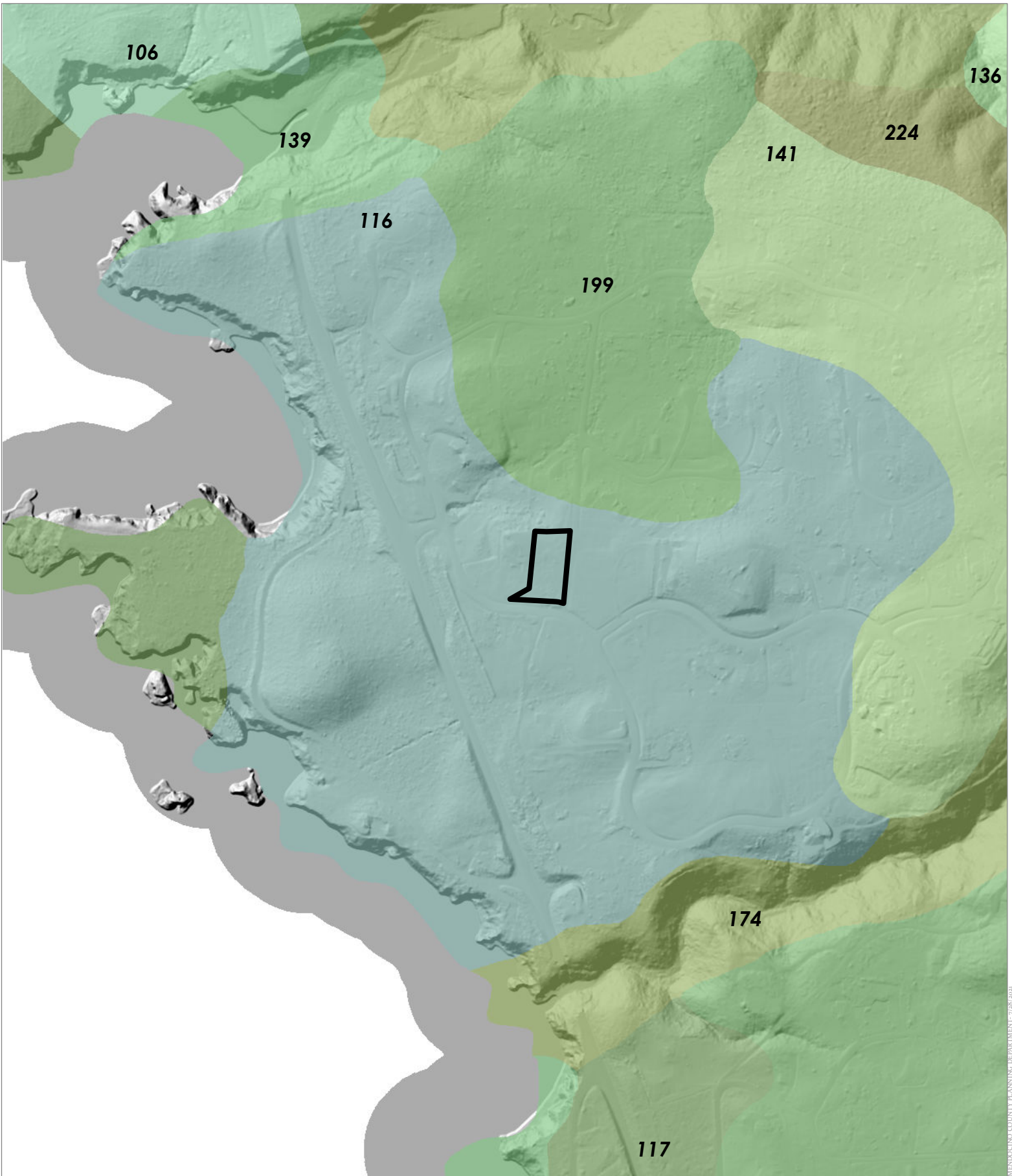
MENDOCINO COUNTY PLANNING DEPARTMENT 7/28/2021



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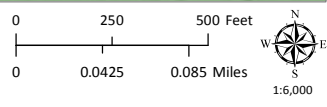
ESTIMATED SLOPE



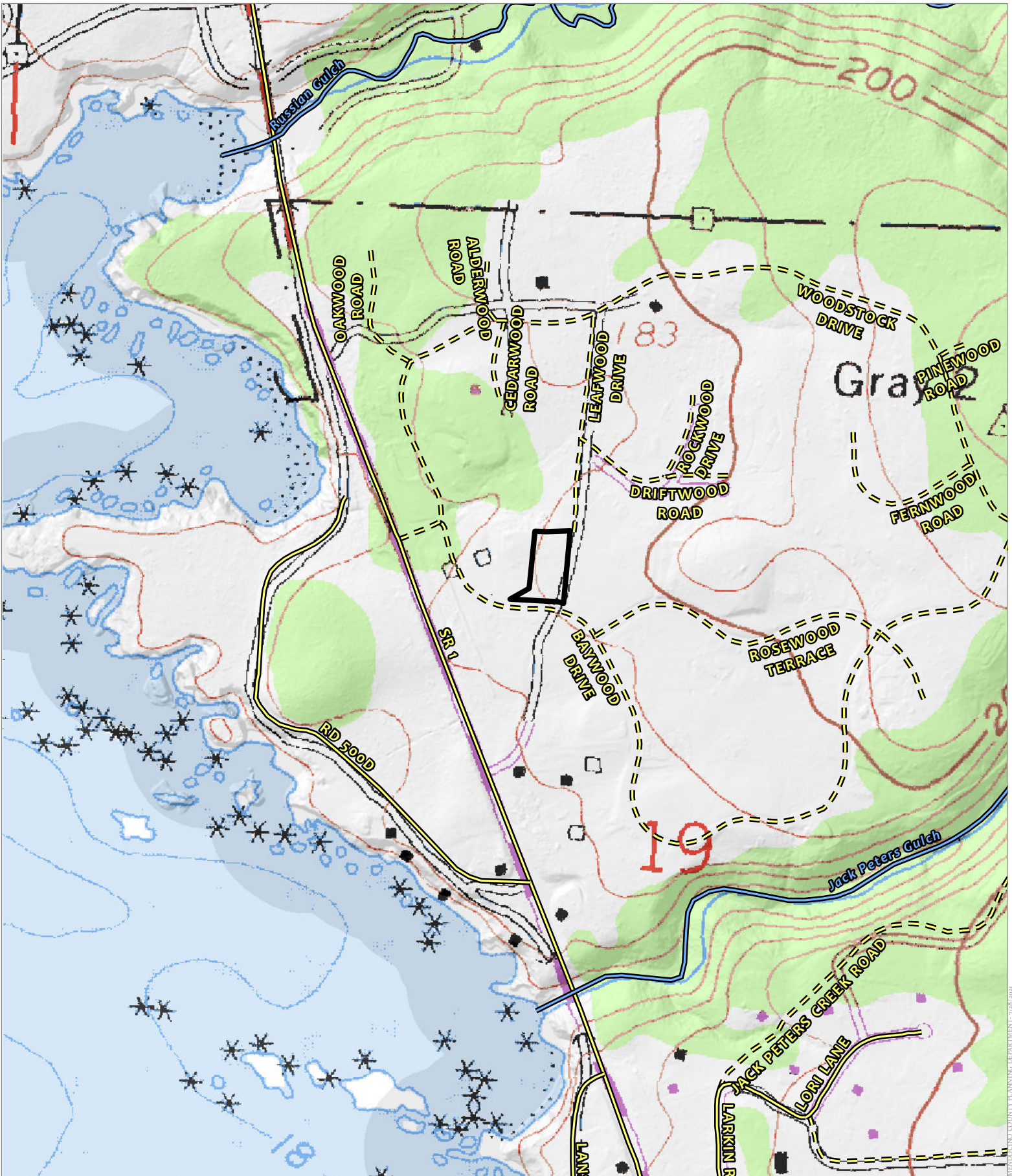
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/28/2021

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 Shinglemill-Gibney Complex

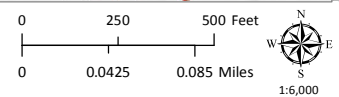


WESTERN SOIL CLASSES



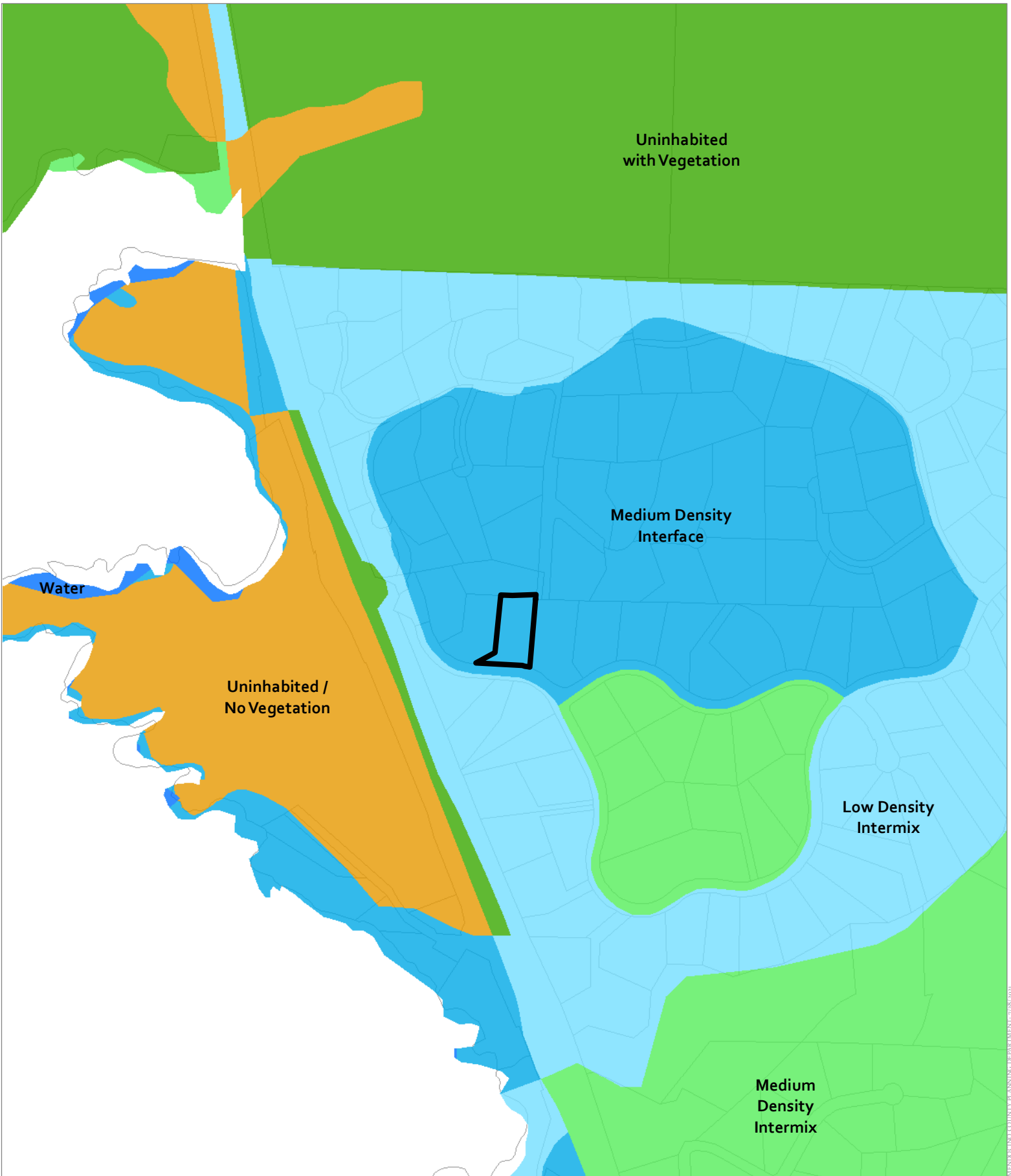
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-  Named Rivers
-  Public Roads
-  Private Roads

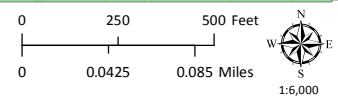


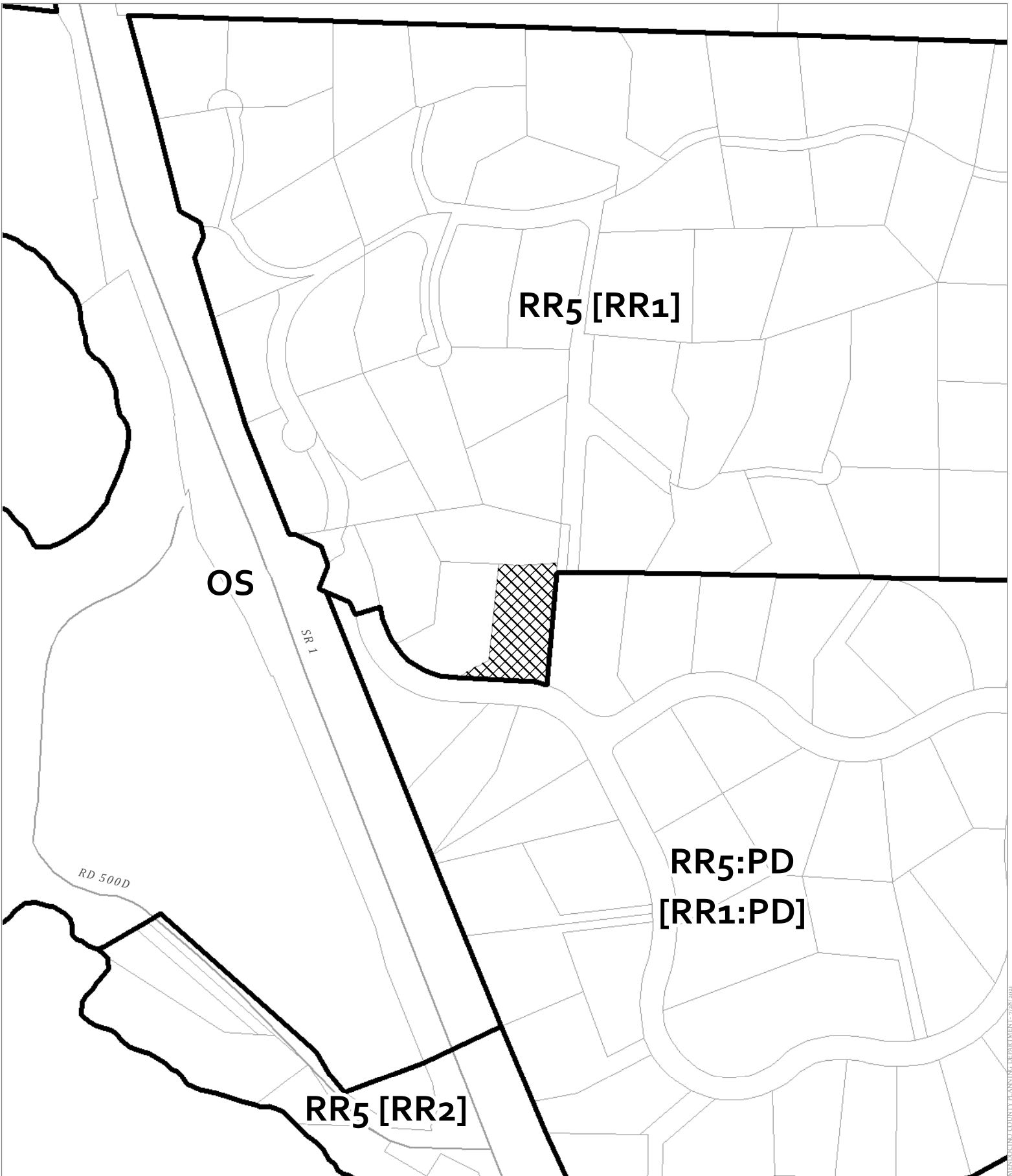
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

MENDOCINO COUNTY PLANNING DEPARTMENT 7/28/2021



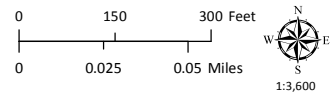
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 Zoning Districts
 Public Roads



MENDOCINO COUNTY PLANNING DEPARTMENT - 7/28/2021