



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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MEMORANDUM

DATE: July 11, 2022
TO: Coastal Permit Administrator
FROM: Liam Crowley, Planner I
SUBJECT: Request to reduce the scope of CDP_2022-0010 (Vallas) to authorize only a test well at this time.

On July 5, staff received comments from the Coastal Commission expressing concerns about evidence of adequate water supply to serve the proposed development. A test well has not been completed on the project site. Coastal Commission comments state that “because there are *no supporting findings that the proposed development will be provided with adequate utilities, including water, there is no basis for granting this CDP.*”

Request: Due to these concerns and correspondence with the applicant, staff recommends that the scope of this CDP be reduced to authorize only a test well at this time. As such, staff recommends the following changes be made to the staff report, findings, and conditions of approval to reflect this reduced scope. That which would be removed is shown with a strikethrough and colored in red. That which would be added is shown in italics:

- A. On page CPA-1 of the staff report, amend the section titled “REQUEST” and “PROJECT DESCRIPTION” to reflect the following:

~~*REQUEST/PROJECT DESCRIPTION: Standard Coastal Development Permit to construct a 1,500± square foot single family residence, 375± square foot attached garage, well, pump house, water tank, and septic system. The project would also include minor grading and connection to utilities.*~~

REQUEST/PROJECT DESCRIPTION: Standard Coastal Development Permit to develop a test well on the project site.

- B. On page CPA-7 of the staff report, amend Finding #1 through #4 and #6 to reflect the following:

FINDINGS:

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified local coastal program. The project is located within the Rural Residential land use classification, which is outlined in Chapter 2.2 of the Mendocino County Coastal Element. The proposed project involves ~~principal permitted and~~ accessory uses that are intended for the Rural Residential classification, including a ~~single family residence, garage, well, pump house, water tank, septic system, and driveway~~ test well. The small size of the proposed development in relation to the parcel as a whole would not significantly detract from the small-scale agricultural potential of the lot; and

2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. ~~Residential use of the lot is not expected to result in major water extraction, and the proposed well, water tank, septic tank, and leach field are sufficient to provide water supply and sanitation to the project provided all necessary permits are obtained. The project would utilize roof mounted photovoltaic panels as well as a 500± foot extension of service from a utility company for electrical service. Gas would be provided through a utility company and/or tank. The proposed single family residence would be accessed via a proposed driveway extending from Drifter's Reef Drive, a private road. The proposed test well would provide the basis on which to determine if future development would be provided with adequate water supply and adequate access to the parcel is provided via Drifter's Reef Drive, a private road.~~ The project is conditioned to require Best Management Practices during construction to ensure adequate drainage; and
 3. Pursuant to MCC Section 20.532.095(A)(3), 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. ~~Single family residential use is a principal permitted use within the Rural Residential district. All other proposed development is considered a permitted accessory use.~~ *The test well is considered an accessory use encompassed by a principal permitted use and may be constructed prior to construction of a dwelling on site per MCC Section 20.456.010(B).* The project conforms to other standards within the Rural Residential district, including maximum dwelling density, yard setbacks, building height, and lot coverage. Physical and regulatory constraints resulted in the proposed building location, which nevertheless allows for future agricultural use of the remaining available land; and
 4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development will not have significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. The proposed ~~single family residence and accessory structures~~ *test well* meet[s] the criteria to be Categorically Exempt from further review under the California Environmental Quality Act and would therefore not have any significant adverse impacts on the environment within the meaning of the Act. *The proposed test well is an accessory structure and is exempt per California Code of Regulations Section 15303, Class 3(e), for New Construction or Conversion of Small Structures;* and
 5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource. An archaeological survey was prepared for the project and deemed adequate by the Mendocino County Archaeological Commission. No cultural resources were identified as a result of the survey. The project has been conditioned to require that any discovery of archaeological or paleontological resources during construction or other activities would be handled properly in accordance with State and local regulations; and
 6. Pursuant to 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. Construction of a ~~single family residence and accessory structures~~ *test well* is not expected to significantly affect demands on public services. The nearest solid waste facility is the Caspar Transfer Station. Incremental contributions to traffic volumes resulting from the proposed project were considered when the Rural Residential LCP land use designation was assigned to the site; and
- C. On Page CPA-8 and CPA-9, remove Condition of Approval #5 and #10 as follows. Condition #5 shall be removed due to redundancy with the existing Condition #4.

~~5. The applicant shall secure all required Building Permits for the proposed project as required by the Building Division of the Department of Planning and Building Services.~~

~~10. The applicant shall comply with those recommendations in the California Department of Forestry and Fire Protection Conditions of Approval (CAL FIRE file #170-21) or other alternatives acceptable to the Department of Forestry. Prior to final inspection of the building permit for the single family residence, written verification shall be submitted from the Department of Forestry and Fire Protection (CalFire) to the Department of Planning and Building Services that this condition has been met to their satisfaction.~~