



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

JULIA KROG, 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

December 22, 2022

PUBLIC HEARING NOTICE OF PENDING ACTION
STANDARD COASTAL DEVELOPMENT PERMIT

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, January 12, 2023, at 11:00 a.m. or as soon thereafter as the item may be heard, will conduct a public hearing on the below described project that is located in the Coastal Zone. This meeting will be conducted virtually and not available for in person public participation in an effort to slow the spread of COVID-19 and pursuant to the recommendation of the Mendocino County Health Officer and the California Department of Industrial Relations. 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 or via telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page at, <https://www.youtube.com/MendocinoCountyVideo>

CASE#: CDPM_2022-0010

DATE FILED: 10/12/2022

OWNER: ROBERT VALLAS & KARA WEISIGER

APPLICANT: ROBERT VALLAS

AGENT: JEFF WALL

REQUEST: Amendment to CDP_2022-0010 which authorized development of a test well on the site. The amendment includes a request to convert the test well to a production well, construct a single-family residence and accessory structures, and connect to utility service per the original request of CDP_2022-0010.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 2± miles north of Mendocino, on the south side of Drifter's Reef Drive (private), 600± feet west of its intersection with Point Cabrillo Drive (CR 564), located at 45225 Drifter's Reef Drive, Mendocino; APN 118-200-17.

SUPERVISORIAL DISTRICT: 4 (Gjerde)

STAFF PLANNER: LIAM CROWLEY

The staff report, and notice, will be available 10 days before the 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 comments, at or prior to the hearing; all correspondence should contain reference to the above noted case number. 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, or by e-mail to pbscommissions@mendocinocounty.org no later than January 11, 2023. Individuals wishing to address the Coastal Permit Administrator during the public hearing under Public Expression are welcome to do so via e-mail at pbscommissions@mendocinocounty.org, or telecomment, in lieu of personal attendance.

All public comment will be made available 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 decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

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

JULIA KROG, Director of Planning and Building Services



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

**JANUARY 12, 2023
CDPM_2022-0010**

SUMMARY

OWNER/APPLICANT: ROBERT VALLAS & KARA WEISIGER
257 SAN FRANCISCO BLVD
SAN ANSELMO, CA 94960

AGENT: JEFF WALL
43605 LITTLE RIVER AIRPORT ROAD
LITTLE RIVER, CA 95456

REQUEST: Amendment to CDP_2022-0010 which authorized development of a test well on the site. The amendment includes a request to convert the test well to a production well, construct a single-family residence and accessory structures, and connect to utility service per the original request of CDP_2022-0010.

LOCATION: In the Coastal Zone, 2± miles north of Mendocino, on the south side of Drifter's Reef Drive (private), 600± feet west of its intersection with Point Cabrillo Drive (CR 564); located at 45225 Drifter's Reef Drive, Mendocino; APN 118-200-17.

TOTAL ACREAGE: 2.39± Acres

GENERAL PLAN: Rural Residential 5-Acre Minimum (RR:5)

ZONING: Rural Residential (RR)

SUPERVISORIAL DISTRICT: 4 (Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: LIAM CROWLEY

BACKGROUND

PROJECT DESCRIPTION: CDP_2022-0010 requested a Coastal Development Permit (CDP) to construct a single-family residence, accessory structures, well, and septic system. However, comments from the Coastal Commission identified that proof of adequate water supply had not been demonstrated prior to issuance of the CDP. Therefore, the scope of CDP_2022-0010 was reduced to authorize only development of a test well. Subsequently, the applicant proceeded with development of a test well and conducted a 17-hour Proof of Water test in compliance with Mendocino County Environmental Health guidelines to demonstrate adequate water supply. The applicant now requests an amendment to CDP_2022-0010 to allow development of the site in accordance with the scope of work originally proposed for CDP_2022-0010. The only change to the original scope of work is the clarification that the existing well will now be converted into a production well to serve the proposed single-family residential use. Therefore, much of staff's review of the proposed amendment has been completed and is contained in the staff report for CDP_2022-0010. This document will restate those portions that have been previously reviewed. Refer to the attached staff report prepared for CDP_2022-0010 for further information.

RELATED APPLICATIONS:

On-Site

- CDP_2022-0010 for a test well, finalized 08/15/2022

Adjacent

- APN 118-200-04: CE_1996-0061, test well
- APN 118-200-16: LCP_1992-099, single-family residence
- APN 118-200-16: LCP_1990-045, single-family residence

SITE CHARACTERISTICS: The project site is in a residential subdivision west of State Route 1 between Caspar and the Town of Mendocino. Russian Gulch State Park lies to the south of the subdivision. The site is accessed from the north via Drifter’s Reef Drive, a private road. The surrounding lots are either vacant or developed with single-family residences. The project site is 0.33± miles east of the bluff edge. A wetland is present on the southern edge of the lot (see attached *Wetlands*). The southeastern portion of the lot is heavily forested with primarily Monterey and Bishop Pine trees. The proposed development has been sited on the northwest portion of the lot to avoid impacts to the nearby forest and wetland (see attached *Application Materials*).

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR:5)	Rural Residential (RR)	1.85±, 1.75± Acres	Residential
EAST	RR:5	RR	2.74± Acres	Vacant
SOUTH	RR:5	RR	1.14±, 1.2±, 0.98± Acres	Residential
WEST	RR:5	RR	3.21± Acres	Vacant

PUBLIC SERVICES:

Access: Drifter’s Reef Drive (private) via Point Cabrillo Drive (CR 564)
 Fire District: Mendocino Fire Protection District
 Water District: None
 Sewer District: None
 School District: Mendocino Unified

AGENCY COMMENTS: On October 20, 2022, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project. Any comment that would trigger a project modification, denial, conditions of approval, or required permits are discussed in full in the following section.

REFERRAL AGENCIES	COMMENT
Air Quality Management District	No Response
Assessor’s Office	No Response
Building Division (Fort Bragg)	No Response
County Addresser	No Response
Department of Transportation (DOT)	No Comment
Environmental Health (Fort Bragg)	No Response
Planning Division (Fort Bragg)	No Comment
CALFIRE (Land Use)	No Response
California Coastal Commission	No Response
California Dept. of Fish & Wildlife	No Response
Regional Water Quality Control Board	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

LOCAL COASTAL PROGRAM CONSISTENCY

Land Use: The subject lot is classified as Rural Residential 5-Acre Minimum (RR:5) by the Mendocino County Coastal Element Chapter 2.2: Land Use Classifications (see attached *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 growth area and residences should be located as to create minimal impact on agricultural viability.

Principal Permitted Use: Residential and associated utilities, light agriculture, home occupation."

The proposed amendment would not change the land use from what was previously reviewed as part of the original scope of work for CDP_2022-0010. The single-family residence and accessory structures are principal permitted uses and the small scale of development in relation to total parcel size would adequately retain agricultural viability for the remaining portions of the lot (see attached *Application Materials*). The proposed amendment is therefore consistent with the intent of the Coastal Element RR:5 land use classification.

Zoning: The subject lot is within the Rural Residential (RR) zoning district as described in Mendocino County Coastal Zoning Code (MCC) Chapter 20.376 (see attached *Zoning*). The Rural Residential 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."*

The proposed amendment would not change the use or location of any structures beyond what was originally requested for CDP_2022-0010. Therefore, the project would include principal permitted and accessory uses which comply with the setback, height limit, lot coverage, and parking requirements of MCC Chapter 20.376. Due to setback requirements and environmental constraints, the most feasible building envelope is limited to the current proposal, and the site would therefore have minimal impact on agricultural viability (see attached *Application Materials* and *CDP_2022-0010 Staff Report*).

Jug Handle Creek Planning Area: As stated in the staff report prepared for CDP_2022-0010, the policies of Mendocino County Coastal Element Chapter 4.6 do not apply to the current request.

Visual Resources: The site is not mapped in a Highly Scenic or Conditionally Highly Scenic Area (see attached *CDP_2022-0010 Staff Report*). As stated in the staff report prepared for CDP_2022-0010, exterior lighting would be shielded, downcast, and would not exceed the height of any structure on which it would be placed. The project site is not within a Special Treatment Area. The proposed amendment is therefore consistent with the visual resource requirements of MCC Chapter 20.504.

Hazards Management: Mapping does not associate the project site with any of the following: faults, bluffs, landslides, erosion, or flood hazards (see attached *LCP Land Capabilities & Natural Hazards*). Per the staff report prepared for CDP_2022-0010, the site plan identified several stormwater and erosion control techniques to be implemented during construction (see attached *Application Materials*).

During review of CDP_2022-0010, the application was referred to both CALFIRE and the Mendocino Fire Protection District (MFPD). CALFIRE comments provided during this referral shall be incorporated into the current amendment request, and staff recommends the same conditions of approval. The current amendment request was also referred to CALFIRE and MFPD on October 20, 2022. No response was received from either agency. Therefore, the proposed amendment is likewise consistent with MCC Chapter 20.500.

Habitats and Natural Resources: The requested amendment does not propose any changes to the development reviewed in relation to the ESHA and wetland identified in the Wetland Delineation survey and Reduced Buffer Analysis prepared by Jacobszoon & Associates, Inc for CDP_2022-0010 (see *Biological Report & Reduced Buffer Analysis* available on file at Planning & Building Services). No site conditions are expected to have changed between the time of survey and the present. Therefore, the discussion, findings, and recommended conditions of approval contained in the staff report for CDP_2022-0010 are likewise recommended for the proposed amendment. The current amendment request was again referred to the California Department of Fish & Wildlife (CDFW). As yet, no response has been received.

Archaeological/Cultural Resources: The project was referred to the Northwest Information Center at Sonoma State University (NWIC), an archaeological survey was prepared and submitted, and the survey was accepted by the Mendocino County Archaeological Commission for CDP_2022-0010 on June 8, 2022. The requested amendment does not propose any changes to the development reviewed in relation to archaeological resources for CDP_2022-0010. No site conditions are expected to have changed between the time of survey and the present. Therefore, the discussion, findings, and recommended conditions of approval contained in the staff report for CDP_2022-0010 are likewise recommended for the proposed amendment. The current amendment request was again referred to the Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians on October 25, 2022. As yet, no response has been received.

Groundwater Resources: The project site is not within the jurisdictional boundaries of a local water district. The project site is mapped as Critical Water Resources (see attached *Coastal Ground Water Resource*).

Coastal Element Policy 3.8-1 states that “*Highway 1 capacity, **availability of water** and sewage disposal system and other known planning factors shall be considered when considering applications for development permits*” (emphasis added).

Coastal Element Policy 3.8-9 states that “*approval of the creation of any new parcels shall be contingent upon an adequate water supply during dry summer months which will accommodate the proposed parcels, and will not adversely affect the groundwater table of contiguous or surrounding areas. Demonstration of the proof of water supply shall be made in accordance with policies found in the Mendocino Coastal Groundwater Study dated June 1982, as revised from time to time and the Mendocino County Division of Environmental Health’s Land Division requirements as revised. (Appendix 6)...*”

Commercial developments and other potential major water users that could adversely affect existing surface or groundwater supplies shall be required to show proof of an adequate water supply, and evidence that the proposed use shall not adversely affect contiguous or surrounding water sources/supplies. Such required proof shall be demonstrated prior to approval of the proposed use.” MCC Section 20.516.015(B) codifies this policy.

Coastal Element Policy 3.9-1 states that “*one housing unit shall be authorized on every legal parcel existing on the date of adoption of this plan, provided that adequate access, water, and sewage disposal capacity exists and proposed development is consistent with all applicable policies of this Coastal Element and is in compliance with existing codes and health standards. Determination of service capacity shall be made prior to the issuance of a coastal development permit.*”

The proposed amendment is not a subdivision and would not create any new parcels. In addition, the proposed project is not commercial in nature, and the residential development is not expected to be a major water user. Therefore, Coastal Element Policy 3.8-9 does not apply to this project.

The 1982 Mendocino Coastal Ground Water Study, “*though not site specific, has identified coastal areas of differing ground water availability...from this information, general guidelines can be drawn to aid the planner in reviewing proposed development.*” The Study goes on to states that “*areas designated CWR (Critical Water Resources) shall have a minimum lot size of 5 ac[res] and demonstration of “proof of water”. All lots less than 5 ac[res] shall demonstrate “proof of water” and may require an environmental impact statement.*”

According to Coastal Element Policy 3.9-1, the proposed project shall be compliant with existing health standards. These standards are outlined in the County of Mendocino Coastal Groundwater Development Guidelines prepared for the Environmental Health division. This document contains *Table 1: Groundwater Investigation Requirements for Land Development*. This table states that for single-family residences on existing lots of record, no proof of water or groundwater investigation is necessary. The proposed project includes development of a single-family residence on an existing lot of record. If Proof of Water is required, these guidelines establish Professional Qualifications, Pump Testing Requirements, and Estimated Water Demand, Pump Testing Methods, Pump Test Procedures, Analysis of Data, and Report of Findings. According to the guidelines, “dry season conditions” are defined to be the period of August 20th to October 31st. According to the guidelines, minimum Estimated Water Demand requirements for a single-family residence utilizing at least 2,500 gallons of water storage capacity is **five tenths (0.5) gallons per minute** (gpm).

CDP_2022-0010 was referred to the Mendocino County Environmental Health Division (EH) on April 7, 2022. EH responded on April 26, 2022 that the project would require a septic system. EH did not comment on water supply. The requested amendment was referred to EH on October 20, 2022. EH has not yet responded to the current request.

Coastal Element Policy 3.9-1 goes on to state that the determination of adequate water service capacity shall be made prior to issuance of a Coastal Development Permit. Though EH standards do not require proof of water for the proposed development, Policy 3.9-1 and the location of the site within a Critical Water Resources area suggests that proof of water is necessary. This was not demonstrated within the original application for CDP_2022-0010. Therefore, at the request of the applicant, the scope of CDP_2022-0010 was reduced to authorize only a test well. In this way, water service capacity could be demonstrated and reviewed appropriately as part of the current amendment.

In reliance on approval of CDP_2022-0010, a test well was developed on the site. On November 9, 2022, the applicant provided a Proof of Water Certification prepared and stamped by a registered civil engineer (see *Proof of Water Report* available on file at Planning & Building Services). The report states that a 17 hour well test was conducted on October 25th. The report states that a minimum six tenths (0.6) gpm flow rate was achieved for the duration of the test. The estimated sustainable flow rate was thirty-six (36) gpm. However, the well itself is limited to **twelve (12) gallons per minute**. Therefore, the test meets the guidelines established by EH for Estimated Water Demand and Pump Testing Requirements because the applicant proposes to install a 2,500 gallon water storage tank. Staff reviewed the report and found that it followed other EH guidelines for Pump Testing Methods, Procedures, Analysis of Data, and Report of Findings. The report was sent to EH on November 9. No additional comments were received.

Staff therefore finds that adequate water supply for the proposed amendment has been demonstrated in accordance with the Coastal Element, Coastal Zoning Code, 1982 Coastal Ground Water Study, and Environmental Health standards.

Grading, Erosion, and Runoff: No changes were made to the plans submitted under CDP_2022-0010. The submitted plans indicate several Best Management Practices (BMPs) to be implemented during construction to minimize the effect of grading, erosion, sedimentation, and runoff. As no changes to the previously proposed single-family residence and other structures were indicated, the same findings can be made as those contained in the staff report for CDP_2022-0010. Staff therefore recommends the same conditions of approval contained in CDP_2022-0010 to memorialize the proposed BMPs to be implemented during construction and finds that the proposed modification is consistent with MCC Chapter 20.492.

Transportation, Utilities, and Public Services: The project would have minimal impacts to traffic and regional roadways. The cumulative effects of traffic resulting from the single-family residence and its associated development were considered when the Coastal Element land use designations were assigned. The project site is accessed via Drifter’s Reef Drive, a private road. Drifter’s Reef Drive is accessed via Point Cabrillo Drive, a County-maintained road (CR 564). The proposed single-family residence and associated development is greater than twenty-five (25) feet from the center of Drifter’s Reef Drive. The proposed project includes a twelve (12) foot wide, ninety (90) foot long driveway of permeable gravel (see attached

Application Materials). The proposed project would not create any new parcels.

On October 20, 2022 the project was referred to the Mendocino County Department of Transportation (DOT). On November 1, 2022 DOT responded with no comment on the amendment. Therefore, staff finds the project to be consistent with MCC Chapter 20.516 with respect to transportation systems.

Public Access: LCP mapping does not associate the project site with any proposed shoreline access or other minimum access locations. Existing shoreline access is located along Point Cabrillo Drive (CR 564) 600± feet to the east (see attached *LCP Land Use Map 15: Caspar*). Therefore, staff finds that the proposed project does not conflict with MCC Chapter 20.528 or Local Coastal Program regulations with respect to public access.

ENVIRONMENTAL DETERMINATION

The California Natural Resources Secretary has found that certain classes of project 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 involves the construction of a 1,152 square foot single-family residence, 374 square foot attached garage, pump house, water tank, and septic system. The project would also involve installation of a hot tub, construction of an attached deck and gravel driveway, connection to utilities, and minor grading of less than fifty (50) cubic yards of material on two (2) to six (6) percent slopes. CCR Section 15303, *New Construction or Conversion of Small Structures*, outlines several examples of exemptions: Class 3(a) for one single-family residence, Class 3(d) for utility extensions and street improvements to serve construction, and Class 3(e) for appurtenant structures such as garages, patios, and swimming pools. CCR Section 15304, *Minor Alterations to Land*, includes the Class 4(a) exemption for grading on land with a slope of less than ten (10) percent. As proposed, the project features are consistent with these classes of exemption. Therefore, the project is exempt from further environmental review.

PROJECT FINDINGS AND CONDITIONS: Pursuant to the provision 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 to MCC Section 20.532.095(A)(1), the proposed amendment 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 amendment involves principal permitted and accessory uses that are consistent with the intentions of the Rural Residential classification, including a single-family residence, garage, pump house, water tank, septic system, and driveway. 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 amendment 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. The existing well, in addition to the proposed water tank, septic system, and leach field are sufficient to provide water supply and sanitation to the project provided all necessary permits are obtained. The applicant submitted a 17-Hour Proof of Water Test report which identified that the existing well has an estimated sustainable flow rate of 36 gallons per minute. The well itself has a flow rate of twelve (12) gallons per minute. The well was tested to meet the minimum 0.5 gallon per minute rate for project utilizing a 2,500 gallon water storage tank in compliance with County Environmental Health requirements. The project would utilize roof-mounted photovoltaic panels as well as a 500± foot extension of service from a utility company for electrical service. The proposed single-family residence would be accessed via a proposed driveway extending from Drifter's Reef Drive, a private road. The project is conditioned to require BMPs during construction to ensure adequate drainage; and

3. Pursuant to MCC Section 20.532095(A)(3), the proposed amendment 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 zoning district. All other proposed development is considered a permitted accessory use. 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 potential future agricultural use of the remaining available land; and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed amendment 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 meet the criteria to be Categorically Exempt from further review under CEQA and would therefore not have any significant adverse impacts on the environment within the meaning of the act; and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed amendment 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 be handled 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 amendment. Construction of a single-family residence and accessory structures 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 classification was assigned to the site; 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. LCP mapping does not associate the project site with any proposed shoreline access or other minimum access locations. Existing shoreline access is located along Point Cabrillo Drive (CR 564) 600± feet to the east. Therefore, adequate access exists nearby. The proposed development is accessed via a private road and would not interfere with the public's right of access to the sea.

CONDITIONS OF APPROVAL:

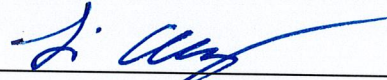
1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Coastal Code. The permit shall become effective after the 10th working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. This Coastal Development 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. 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 (MCC).
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 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.
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 judgement 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 Coastal Development 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 Coastal Code.
9. Conditions approving this Coastal Development Permit shall be attached to any building permit application and shall be a part of on-site construction drawings.
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.
11. The applicant shall adhere to the recommendations of the CCC Wetland Delineation, including Appendix D ("Reduced Buffer Analysis") prepared by Jacobszoon & Associates and dated October 29, 2020, in order to provide for the protection of identified Environmentally Sensitive Habitat Areas (ESHAs) and wetlands.
12. Standard erosion control Best Management Practices (BMPs) shall be employed during construction activities to avoid or minimize impacts to nearby wetlands. BMPs shall be shown on submitted site plans for all building permits associated with this project.
13. Prior to issuance of the building permit for the single-family residence, the applicant shall specify BMPs to be implemented to reduce erosion and sedimentation from construction activities. If the amount of grading on the site exceeds fifty (50) cubic yards, the applicant shall cease construction activities and develop a Grading and Erosion Control Plan for the site and submit it to the Department of Planning and Building Services for review and approval.
14. In accordance with MCC Chapter 20.492, a building permit, or grading permit exemption, shall be required for any grading, including but not limited to, any excavation or filling or combination thereof involving transfer of more than two (2) cubic yards of material. The Coastal Permit Administrator,

or their designee, shall review and approve grading permits to determine their consistency with MCC Chapters 20.492, 20.496, and 20.500 regulations. Grading activities, including maintaining driveway and parking areas, and any work associated with an Encroachment Permit, shall comply with MCC Chapters 20.492, 20.496, and 20.500 regulations.

12/20/22

DATE



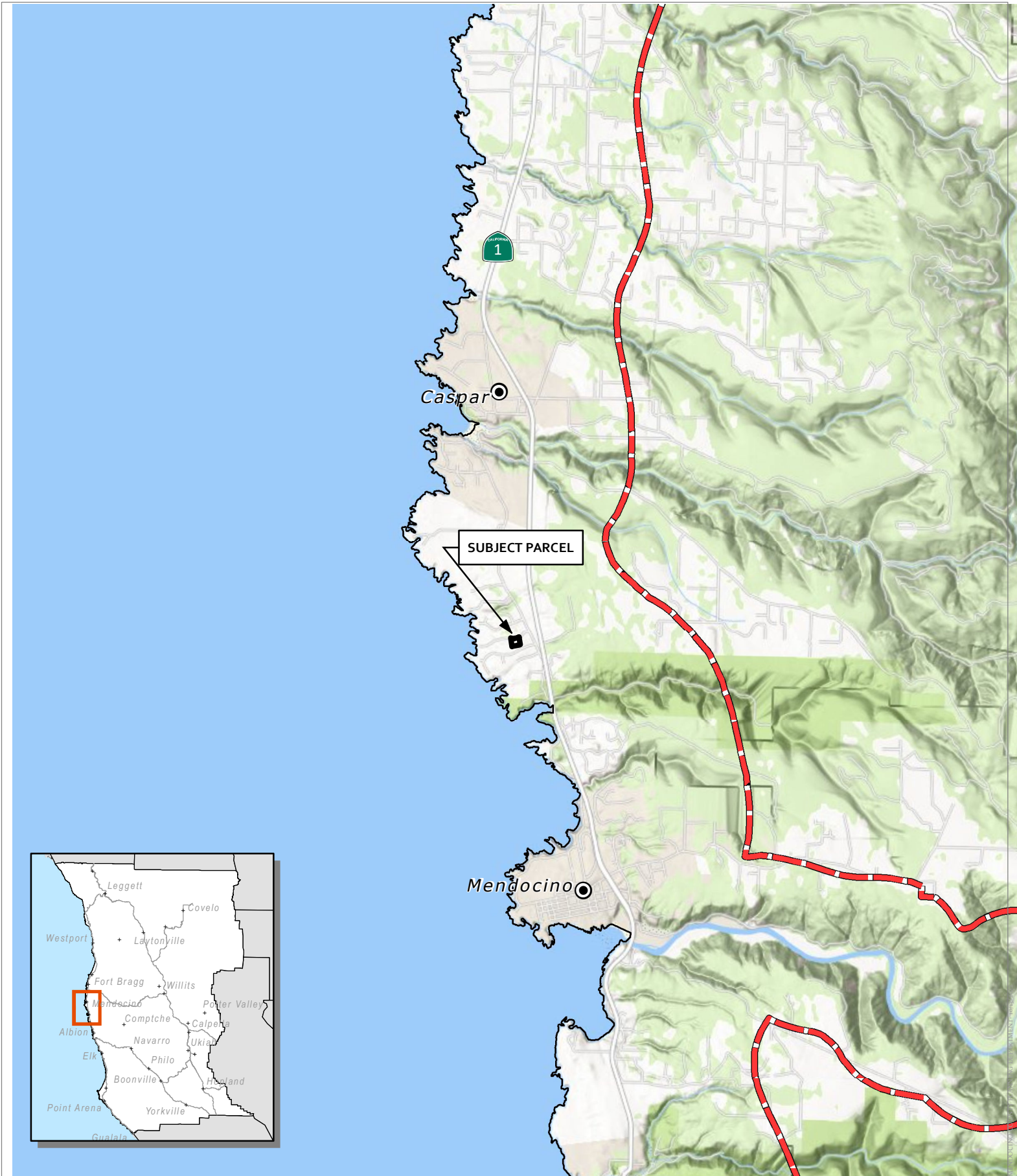
LIAM CROWLEY
PLANNER I

Appeal Period: 10 Days

Appeal Fee: \$2,620.00

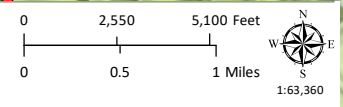
ATTACHMENTS:

- A. Location
- B. Aerial Imagery
- C. Zoning
- D. General Plan
- E. LCP Land Use Map 15: Caspar
- F. LCP Land Capabilities & Natural Hazards
- G. LCP Habitats & Resources
- H. Post LCP Certification & Appeal Jurisdiction
- I. Adjacent Parcels
- J. Fire Hazard Zones & Responsibility Areas
- K. Wildland-Urban Interface
- L. Wetlands
- M. Coastal Ground Water Resource
- N. Estimated Slope
- O. Western Soil Classifications
- P. Farmland
- Q. Application Materials
- R. CDP_2022-0010 Staff Report
- S. CDP_2022-0010 Memo
- T. CALFIRE Conditions of Approval



CASE: CDPM 2022-0010
OWNER: VALLAS, Robert
APN: 118-200-17
APLCT: Robert Vallas
AGENT: Jeff Wall
ADDRESS: 45225 Drifters Reef Dr., Mendocino

- Major Towns & Places
- ▬ Coastal Zone Boundary

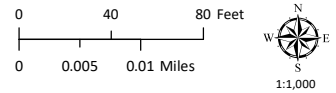


LOCATION

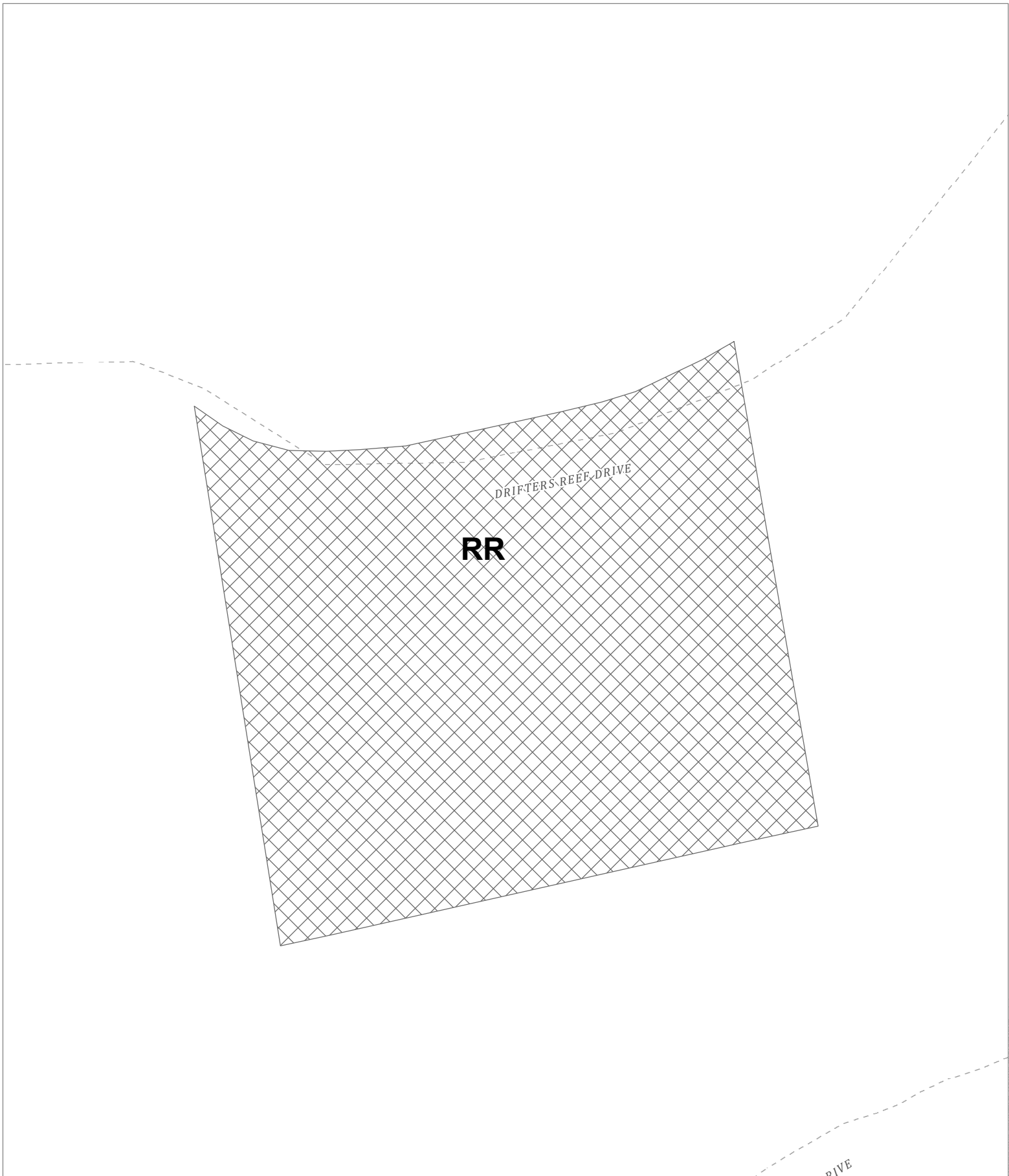


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== Private Roads

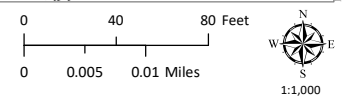


AERIAL IMAGERY

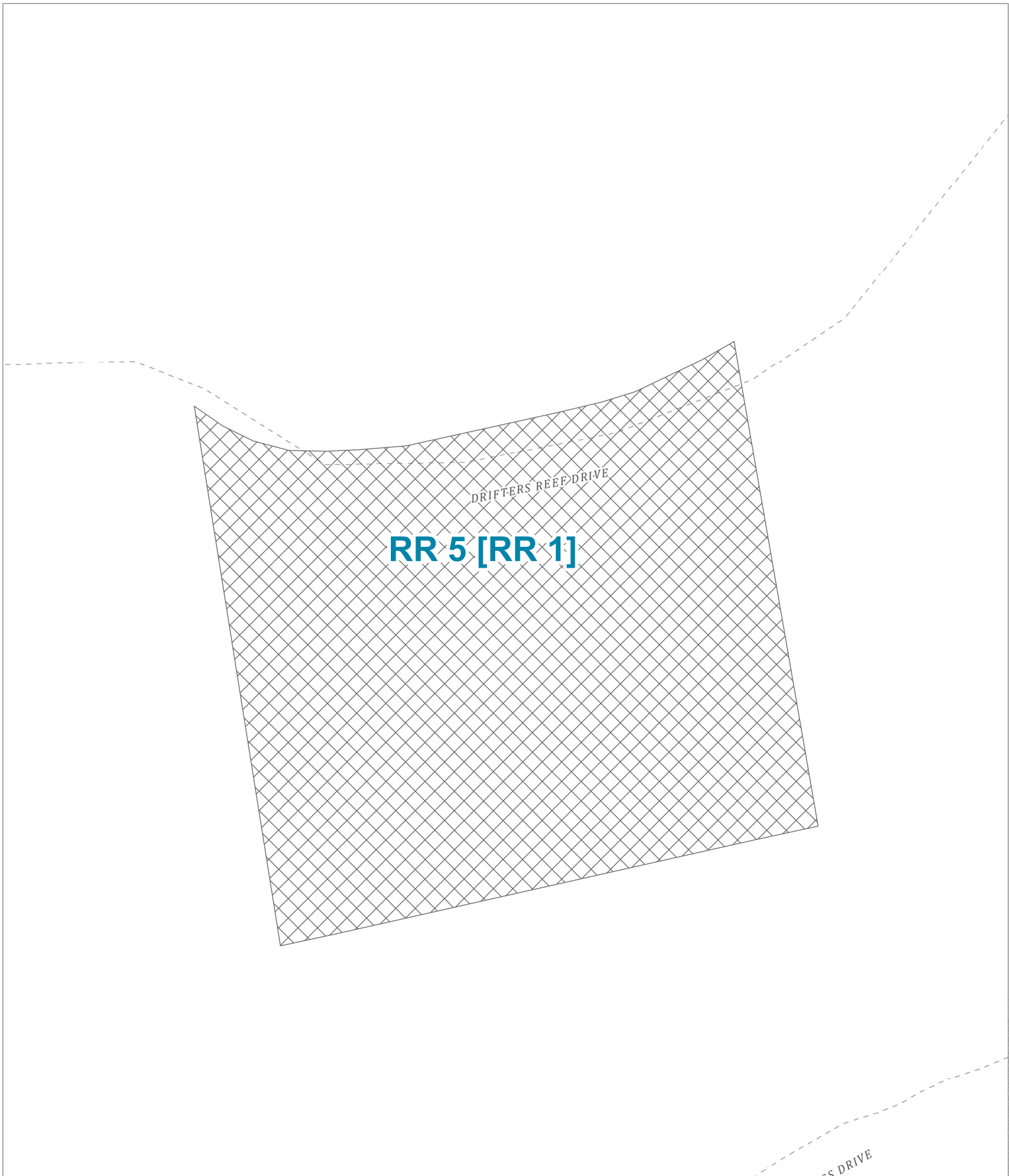


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 Zoning Districts

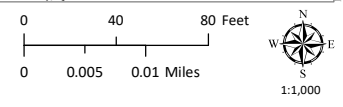


ZONING

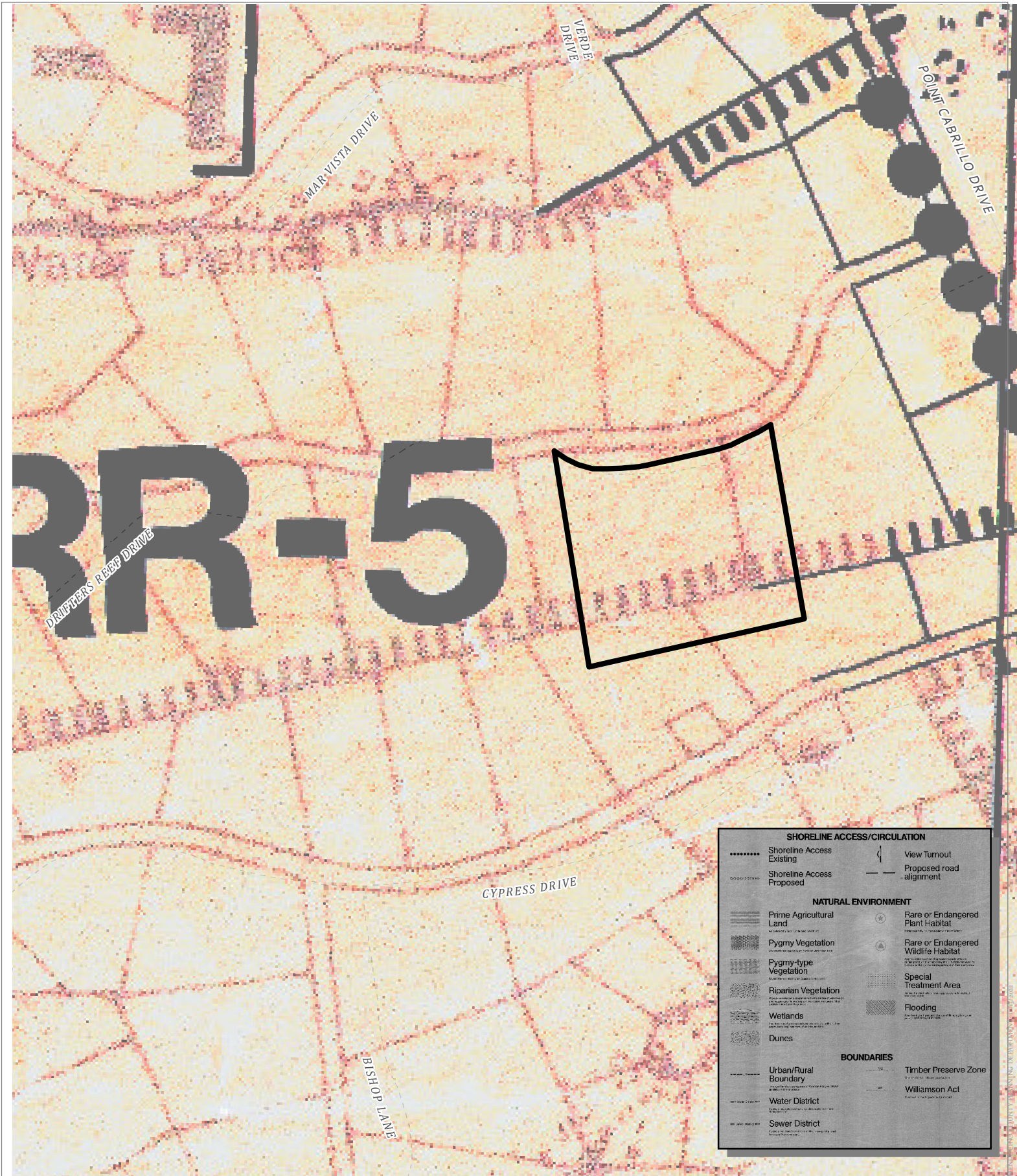


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 General Plan Classes



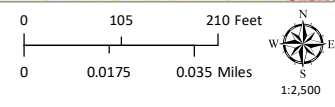
GENERAL PLAN

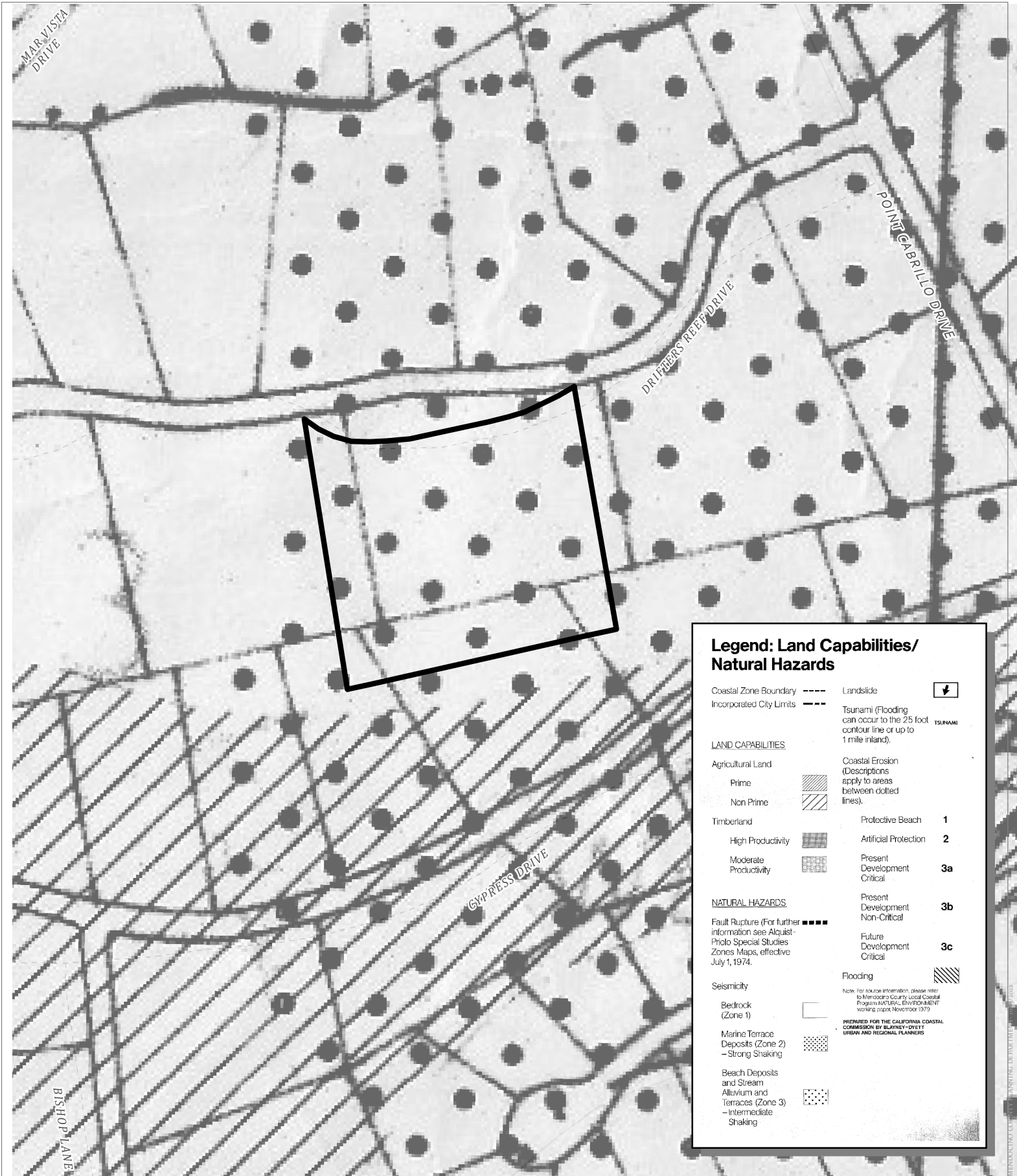


SHORELINE ACCESS/CIRCULATION	
.....	Shoreline Access Existing
-----	Shoreline Access Proposed
⌋	View Turnout
---	Proposed road alignment
NATURAL ENVIRONMENT	
[Pattern]	Prime Agricultural Land
[Pattern]	Pygmy Vegetation
[Pattern]	Pygmy-type Vegetation
[Pattern]	Riparian Vegetation
[Pattern]	Wetlands
[Pattern]	Dunes
[Symbol]	Rare or Endangered Plant Habitat
[Symbol]	Rare or Endangered Wildlife Habitat
[Pattern]	Special Treatment Area
[Pattern]	Flooding
BOUNDARIES	
[Line]	Urban/Rural Boundary
[Line]	Water District
[Line]	Sewer District
[Line]	Timber Preserve Zone
[Line]	Williamson Act

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Public Roads



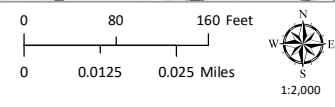


Legend: Land Capabilities/ Natural Hazards

Coastal Zone Boundary	---	Landslide	
Incorporated City Limits	---	Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).	
LAND CAPABILITIES			
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
NATURAL HAZARDS			
Fault Rupture (For further information see Alquist-Prilo Special Studies Zones Maps, effective July 1, 1974.		Flooding	
Seismicity		<small>Note: For source information, please refer to Mendocino County Local Coastal Program (LCP) - ENVIRONMENTAL WORKING PAPER, November 1979.</small>	
Bedrock (Zone 1)		<small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAVNEY-DWETT URBAN AND REGIONAL PLANNERS</small>	
Marine Terrace Deposits (Zone 2) - Strong Shaking			
Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking			

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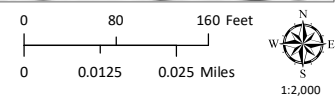


Legend: Habitats/Resources

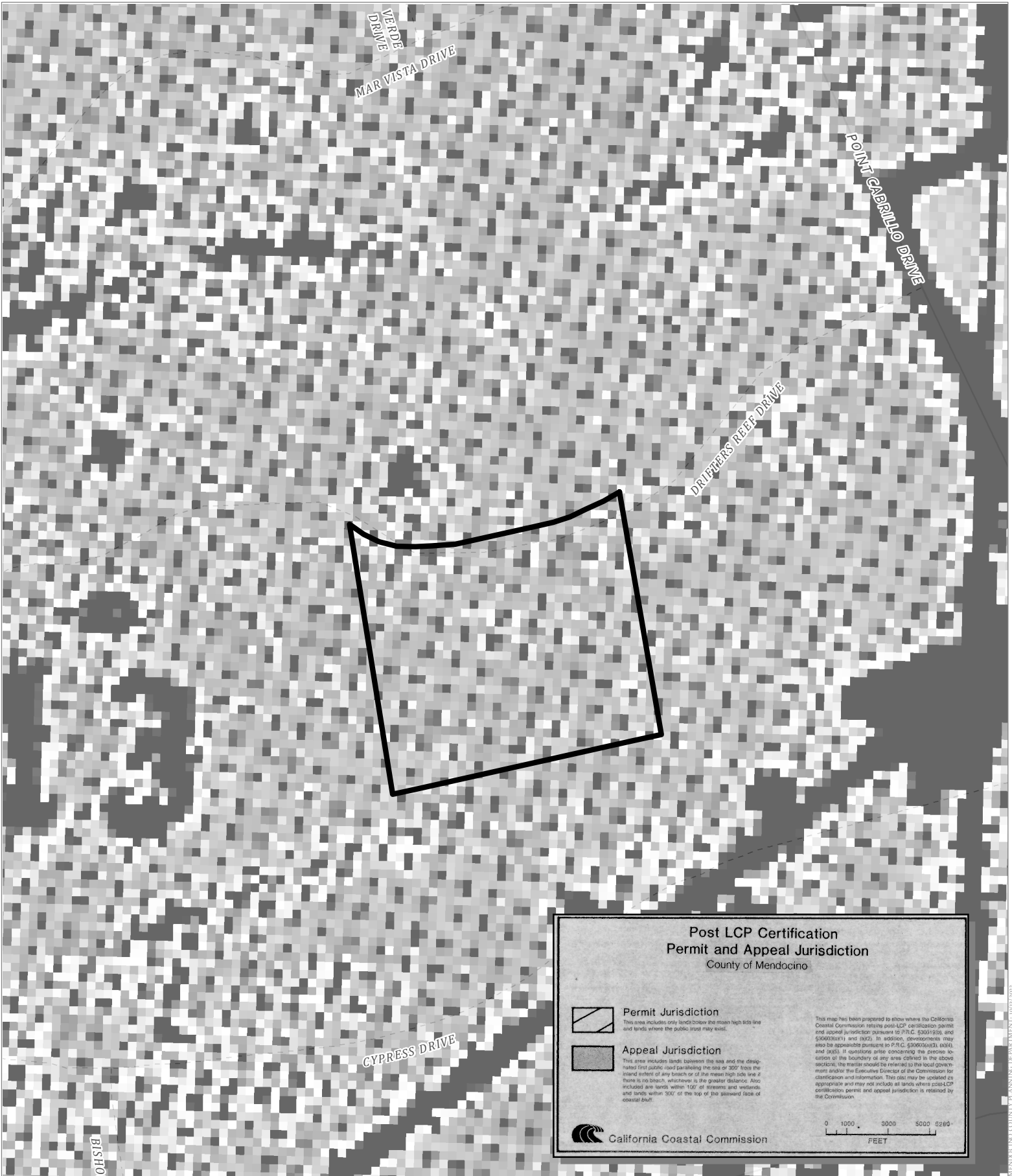
Class Zone Boundary	--- (dashed line)	OTHER UPLAND HABITATS	
Incorporated City Limits	--- (dashed line)	Scrub	[Symbol]
MARINE AND FRESHWATER HABITATS		Pinyon Forest	[Symbol]
Open Water	W	Pinyon Type Forest	[Symbol]
Kelp	[Symbol]	Barren	[Symbol]
Highly Intertidal Area	[Symbol]	Coastal Prairie Grassland	[Symbol]
Mudflat	[Symbol]	Hardwood Forest/Grassland	[Symbol]
Shrub	[Symbol]	Agricultural Land	[Symbol]
Dunes	[Symbol]	Farmed/Leased	[Symbol]
Marsh	[Symbol]	Pasture	[Symbol]
Saltwater	[Symbol]	Urban (Also shown with a dominant vegetation)	U
Freshwater	[Symbol]	Semi-Crystal (if applicable)	[Symbol]
Intertidal	[Symbol]		
		SPECIAL LIMITS	
		Sage and Kiwano Mammal Recovery	MR
		WATER HABITATS	
		Water Mammal Habitat Area	WH
		Swimming Area	[Symbol]
		Arctic/Alpine Stream	[Symbol]
		Wildlife Habitat	[Symbol]
		Plant Habitat	[Symbol]
		Hot Springs/Geothermal	[Symbol]
		Historic Sites, including Archeological Resources	[Symbol]
		DESIGNATED RESOURCE PROTECTION AREA	
		State Park or Reserve	[Symbol]
		Area of Special Biological Significance	[Symbol]
		Nature Area	[Symbol]
		Forestry Special Treatment Area	[Symbol]
		VISUAL RESOURCES	
		View Limit	[Symbol]
		Viewshed Corridor	[Symbol]

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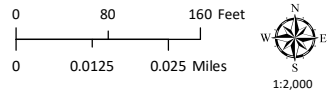


MENDOCINO COUNTY PLANNING DEPARTMENT - 10/17/2022



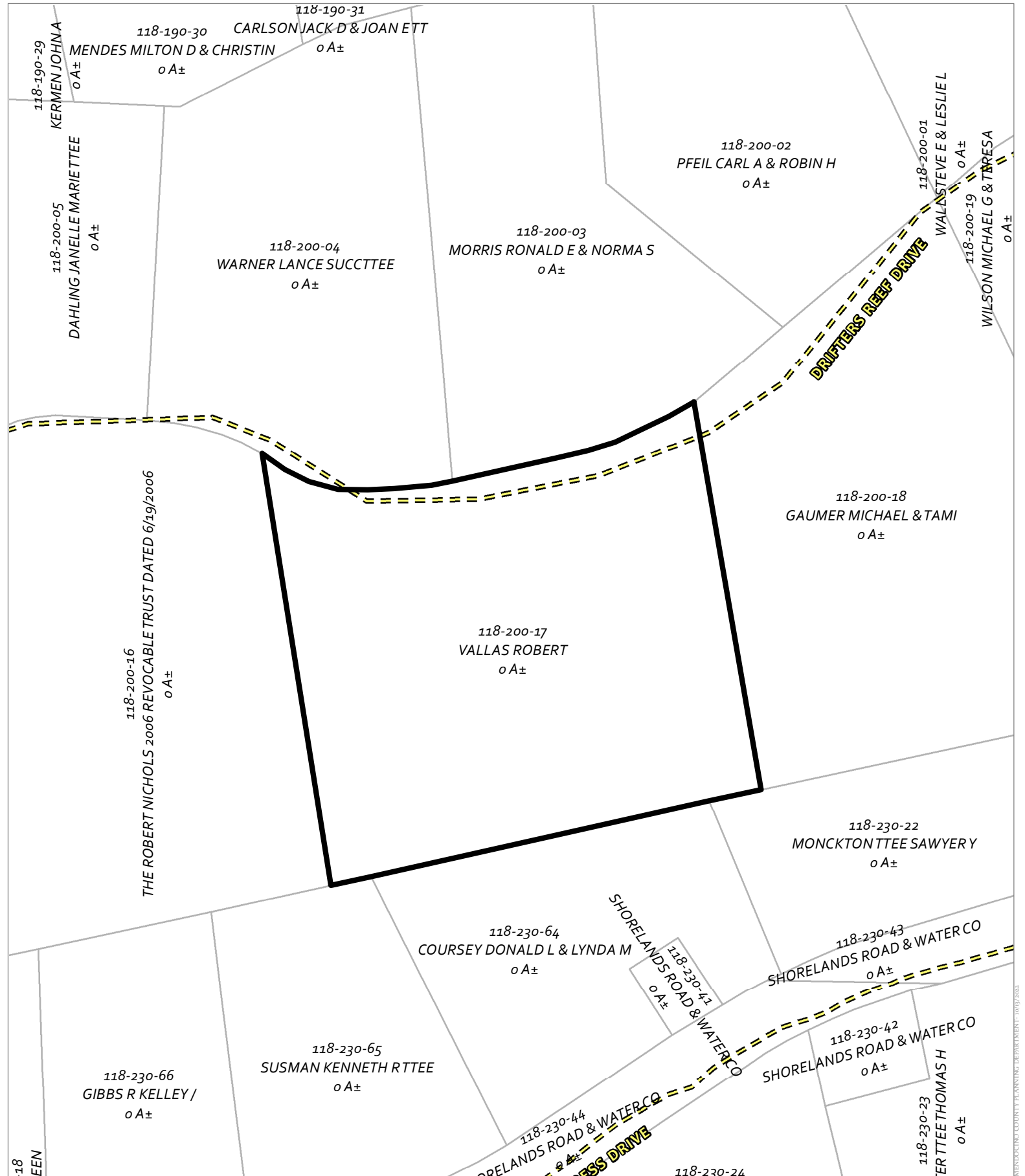
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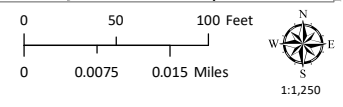
POST LCP CERTIFICATION & APPEAL JURISDICTION

MENDOCINO COUNTY PLANNING DEPARTMENT 10/17/2022

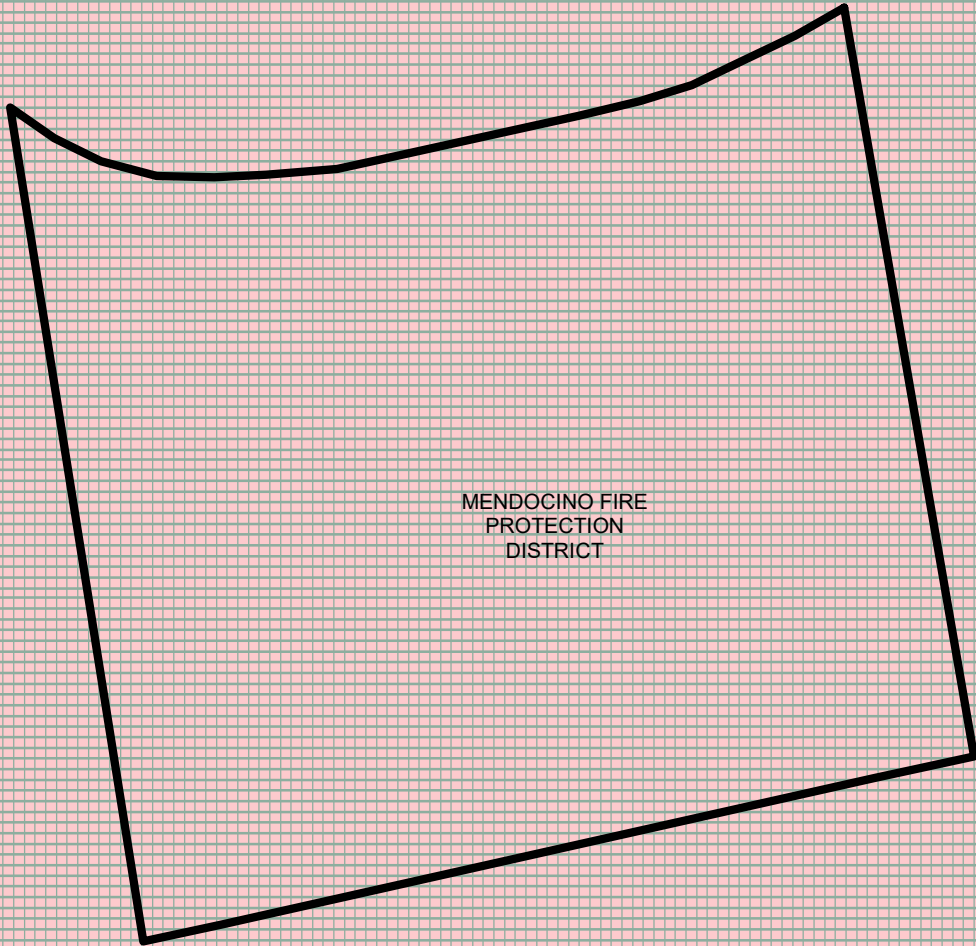


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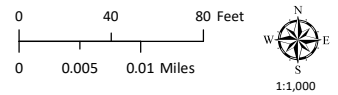
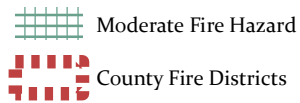


ADJACENT PARCELS

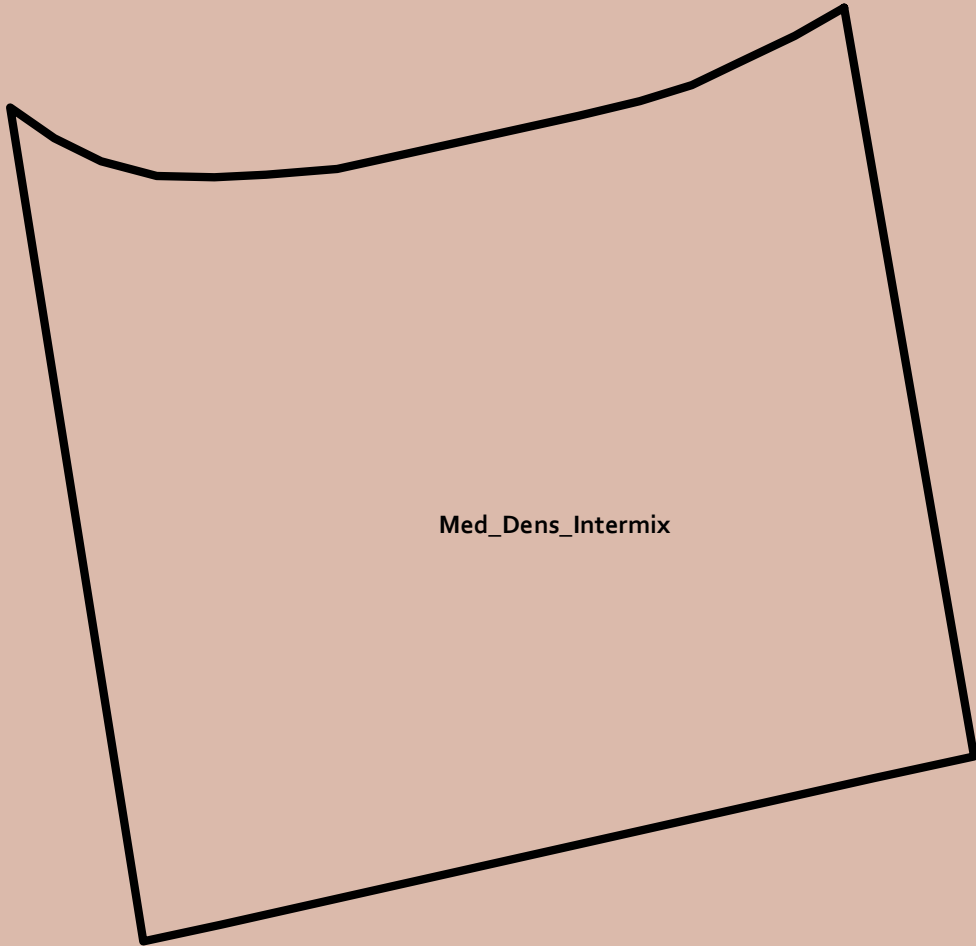


MENDOCINO FIRE
PROTECTION
DISTRICT

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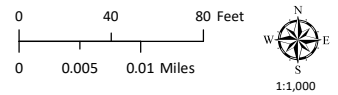


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

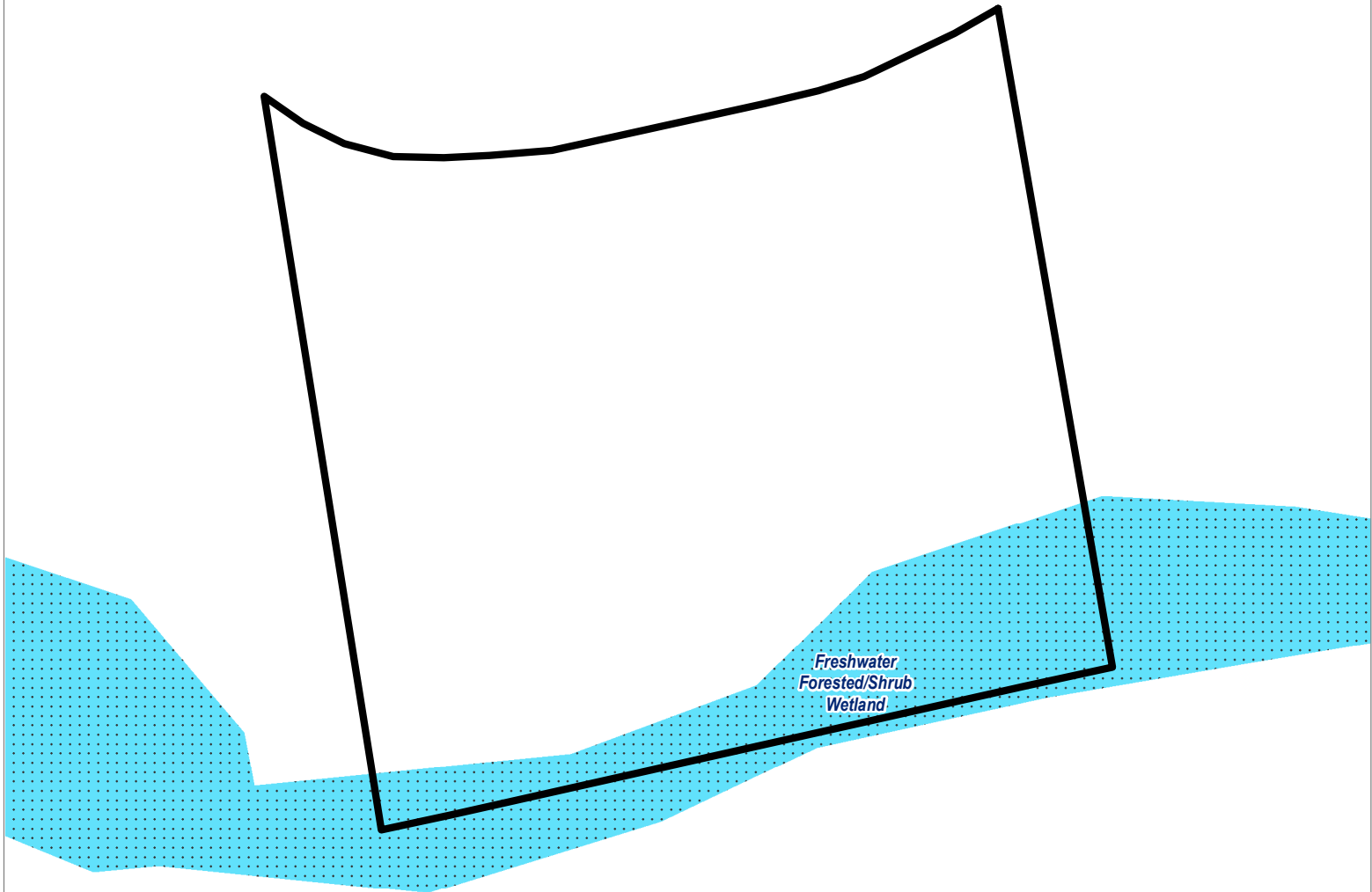


Med_Dens_Intermix

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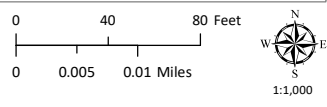
WILDLAND-URBAN INTERFACE



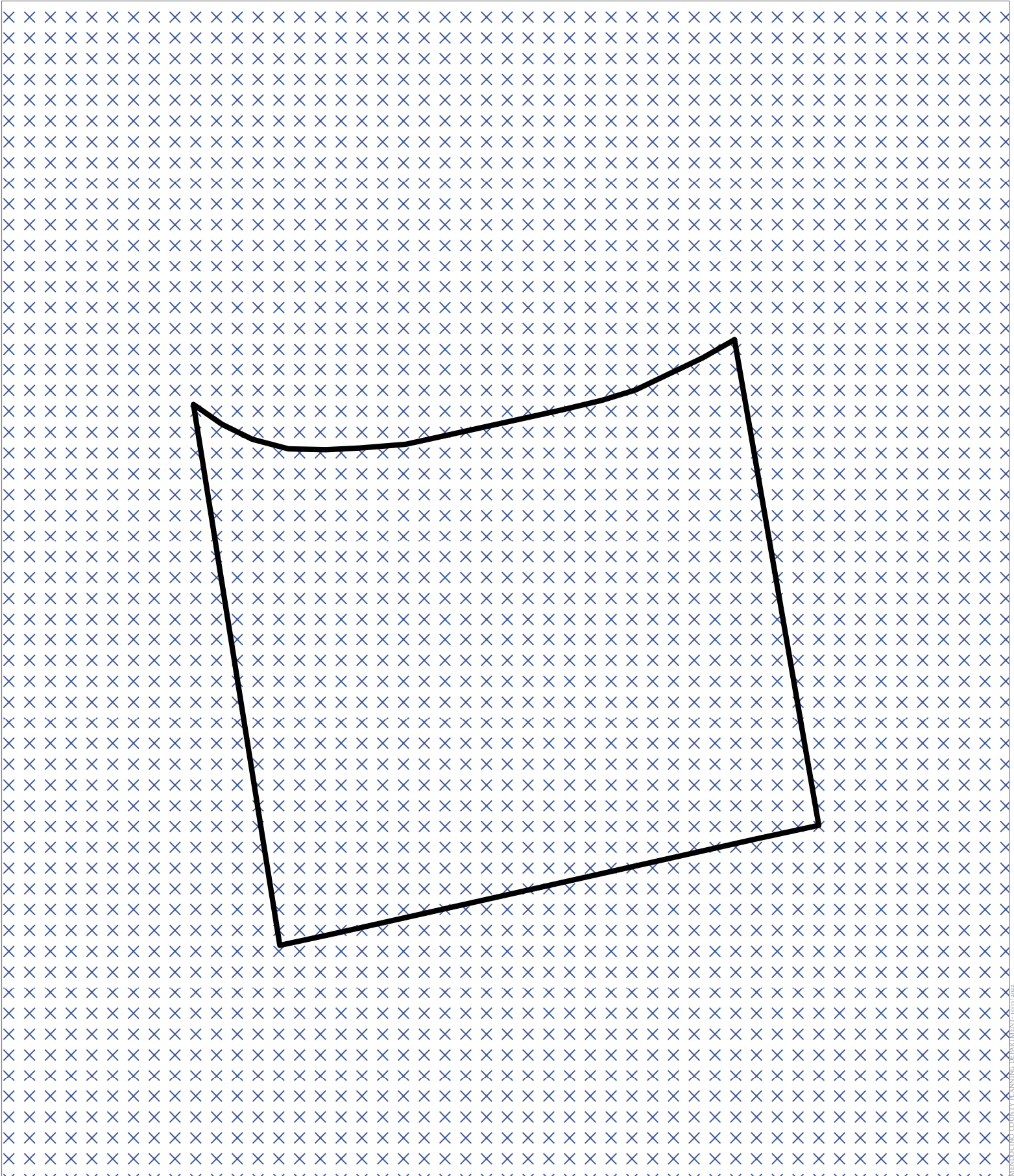
NATIONAL WETLANDS INVENTORY

 **Freshwater Forested/Shrub Wetland**

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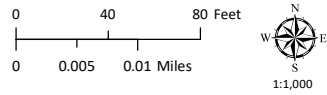
WETLANDS



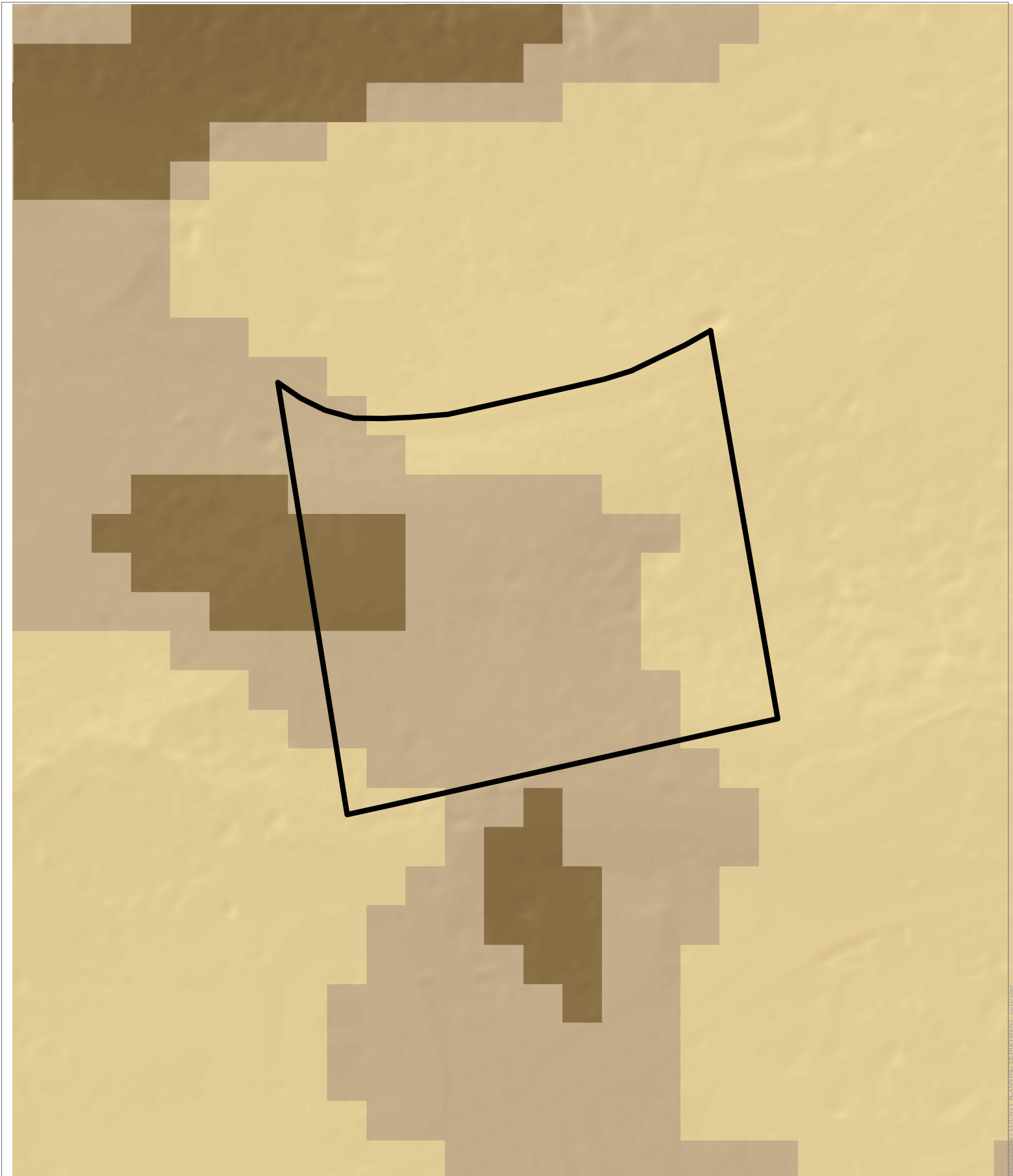
MENDOCINO COUNTY PLANNING DEPARTMENT (4/10/2022)

CASE: CDPM 2022-0010
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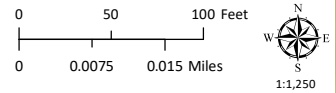
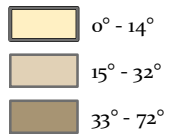
⊗ Critical Water Resources



COASTAL GROUND WATER RESOURCE



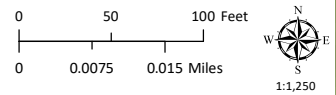
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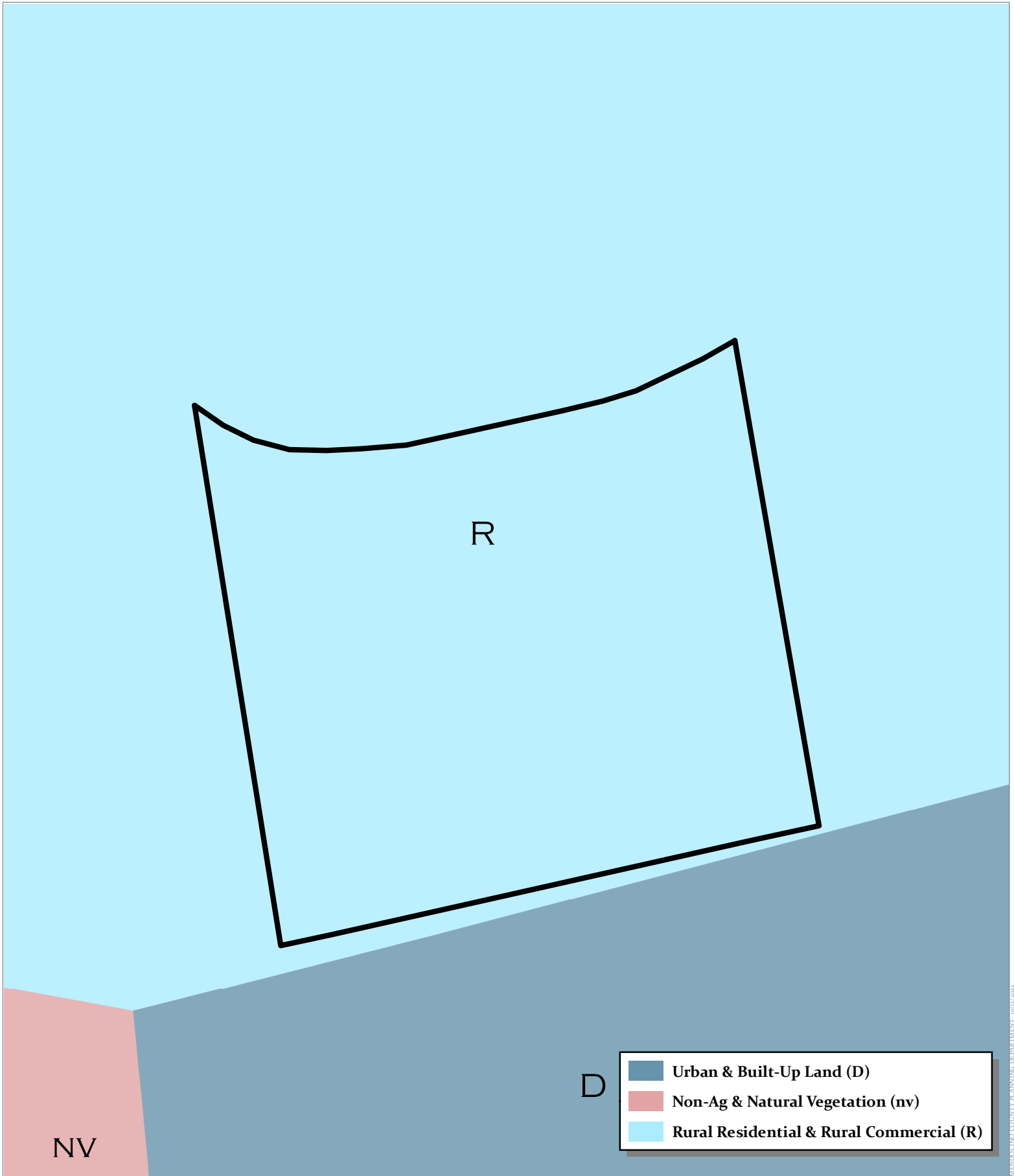
ESTIMATED SLOPE



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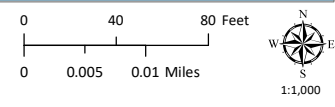


WESTERN SOIL CLASSIFICATIONS



MENDOCINO COUNTY PLANNING DEPARTMENT - 10/07/2023

CASE: CDPM 2022-0010
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APN: 118-200-17
APLCT: Robert Vallas
AGENT: Jeff Wall
ADDRESS: 45225 Drifters Reef Dr., Mendocino



FARMLAND



PLANNING & BUILDING SERVICES

CASE NO:	CDPM 2022-0010
DATE FILED:	10/12/22
FEE:	\$4,646
RECEIPT NO:	PRJ-052558
RECEIVED BY:	LGR

Office Use Only

COASTAL ZONE APPLICATION FORM

APPLICANT

Name: Robert Vallas Phone: 415-515-7527

Mailing Address: 257 San Francisco Blvd.

City: San Anselmo State/Zip: CA Email: robertvallas@gmail.com

PROPERTY OWNER

Name: Robert Vallas Phone: 415-515-7527

Mailing Address: 257 San Francisco Blvd.

City: San Anselmo State/Zip: CA Email: robertvallas@gmail.com

AGENT

Name: ~~Robert Vallas~~ JEFF WALL Phone: 707-357-2723

Mailing Address: 43605 Little River Airport Rd

City: Little River State/Zip: 95456 Email: jwall.wc@gmail.com

PARCEL SIZE

2.69

Square Feet
 Acres

STREET ADDRESS OF PROJECT

45225 Drifters Reef Dr. Mendocino, CA 95460

ASSESSOR'S PARCEL NUMBER(S)

118-200-17

I certify that the information submitted with this application is true and accurate.

[Signature]
Signature of Applicant/Agent

10-6-22
Date

[Signature]
Signature of Owner

10-6-22
Date

COASTAL ZONE – SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to provide additional information related to the Coastal Zone concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer the picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. For those questions that do not pertain to your project, please indicate as “Not Applicable” or “N/A”.

THE PROJECT

1) Describe your project and include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

- _____ -New home construction (single story with Hardie Panel siding and standing metal seam roof) with attached deck (Trex) and attached garage
- _____ -New pump house, water tank, and septic system (2 bedroom)
- _____ -Grading for 90 foot driveway and slight downslope foundation
- _____ -No tree or shrub removal for home, driveway, and accessory structures
- _____ -Hot tub
- _____
- _____

2) If the project is residential, please complete the following:

Type of Unit	Number of Structures	Square Feet per Dwelling Unit
<input checked="" type="checkbox"/> Single Family	House _____	1512 _____
<input type="checkbox"/> Mobile Home	Attached garage _____	374 _____
<input type="checkbox"/> Duplex	Pump house _____	64 _____
<input type="checkbox"/> Multifamily	Water tank _____	44 _____

If Multifamily, number of dwelling units per building: _____

3) If the project is commercial, industrial or institutional, complete the following:

- Total square footage of structures: _____
- Estimated employees per shift: _____
- Estimated shifts per day: _____
- Type of loading facilities proposed: _____

4) Will the project be phased? No Yes. If yes, explain your plans for phasing.

5) Are there existing structures on the property? No Yes. If yes, describe and identify the use of each structure on the plot plan.

6) Will any existing structures be demolished? No Yes
Will any existing structures be removed? No Yes If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

7) What is the maximum height of the structure? Front=20' Rear=22'6" Feet.

8) Total lot area (within property lines): 2.69 square feet acres

9) Lot Coverage:

	EXISTING	NEW PROPOSED	TOTAL
Building Coverage:	<u> </u> square feet	<u>1950</u> square feet	<u>1950</u> square feet
Paved Area:	<u> </u> square feet	<u>1785</u> square feet	<u>1785</u> square feet
Landscaped Area:	<u> </u> square feet	<u>0</u> square feet	<u>0</u> square feet
Unimproved Area:	<u> </u> square feet	<u>0</u> square feet	<u>0</u> square feet

GRAND TOTAL: 3735 square feet

10) Gross floor area: 1950 square feet (including covered parking and accessory buildings)

11) Parking will be provided as follows:

Number of Spaces: Existing: Proposed: 2 Total: 2

Number of Covered Spaces:	<u>1</u>	Size: <u>9x19</u>
Number of Uncovered Spaces:	<u>1</u>	Size: <u>15x20</u>
Number of Standard Spaces:	<u>1</u>	Size: <u>9x19</u>
Number of Handicapped Spaces:	<u>1</u>	Size: <u>15x20</u>

12) Utilities will be supplied to the site as follows:

A. Electricity

- Utility Company (service exists to the parcel)
 Utility Company (requires extension of services to the site: 300 feet miles)
 On Site generation, Specify: Photo-voltaic panels on roof
 None

B. Gas

- Utility Company/Tank
 On Site generation, Specify:
 None

C. Telephone: Yes No

13) Will there be any exterior lighting? No Yes If yes, describe and identify the location of all exterior lighting on the plot plan and building plans.

Hubbardton Forge dark sky light fixtures: 4 sconces (2 on deck, 1 on front of house left of garage, 1 on side of house next to exit door from garage)

Hubbardton Forge dark sky light fixture: 1 downlight (front entry)

Low voltage LED strip lighting under treads on deck stairs

14) What will be the method of sewage disposal?

- Community sewage system, specify supplier:
 Septic Tank
 Other, specify:

15) What will be the domestic water source?

- Community water system, specify supplier: _____
- Well
- Spring
- Other, specify: _____

16) Is any grading or road construction planned? No Yes If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.)

Moderate downslope (6% to 2%) driveway @ 12x90'

Moderate downslope (front of house to back) house 2%

For grading and road construction, complete the following:

- A. Amount of cut: 50 cu. yards
- B. Amount of fill: 50 cu. yards
- C. Maximum height of fill slope: 8"
- D. Maximum height of cut slope: 8"
- E. Amount of import or export: 40 cu. yards
- F. Location of borrow/disposal site: Fill materials - local rock supplier, Ft. Bragg. Disposal - Wall construction yard, Little River, CA.

17) Will vegetation be removed on areas other than the building sites and roads? No Yes If yes, explain:

18) Does the project involve sand removal, mining or gravel extraction? No Yes If yes, detailed extraction, reclamation and monitoring may be required.

19) Will the proposed development convert land currently or previously used for agriculture to another use? No Yes

If yes, how many acres will be converted? _____ Acres (An agricultural economic feasibility study may be required)

20) Will the development provide public or private recreational opportunities? No Yes If yes, explain:

21) Is the proposed development visible from:

- A. State Highway 1 or other scenic route? Yes No
- B. A park, beach or recreation area? Yes No

22) Will the project involve the use or disposal of potential hazardous materials such as toxic substances, flammables, or explosives? No Yes If yes, explain:

23) Does the development involve diking, filling, dredging or placing structures in open coastal waters, wetlands, estuaries or lakes?

- A. Diking Yes No
- B. Filling Yes No
- C. Dredging Yes No

24) Placement of structures in open coastal waters, wetlands, estuaries or lakes: Yes No

Amount of material to be dredge or filled? _____ cubic yards

Location of dredged material disposal site: _____

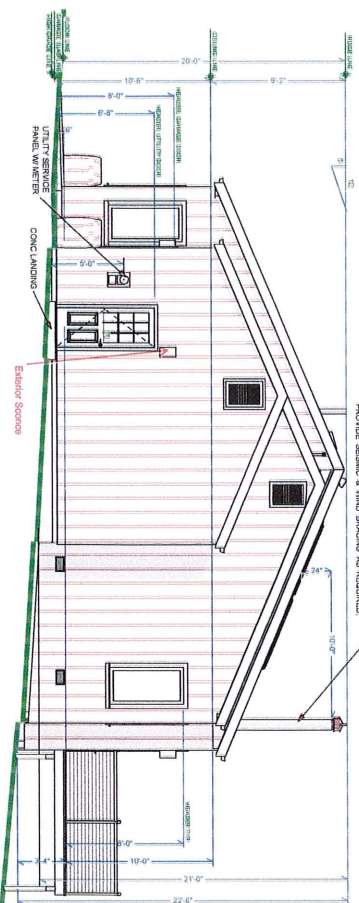
Has a U.S. Army Corps of Engineers permit been applied for? Yes No

If you need more room to answer any question, please attach additional sheets.

WUI SUMMARY

- W1: HOUSEWORK INCLUDING TO BE CLEANED AND MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W2: ROOF AND GUTTERS TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W3: LEAF SCREENS TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W4: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W5: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W6: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W7: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W8: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W9: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER
- W10: TO BE MAINTAINED PERIODICALLY BY THE HOMEOWNER

WEST ELEVATION
SCALE: 1/4" = 1'-0"

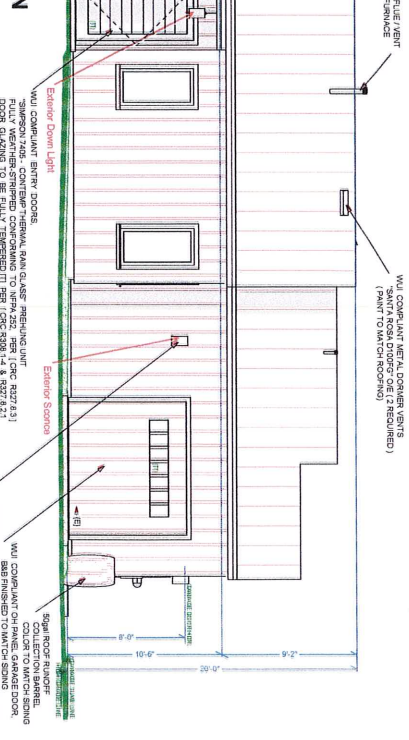


FEENSTRATION NOTES:

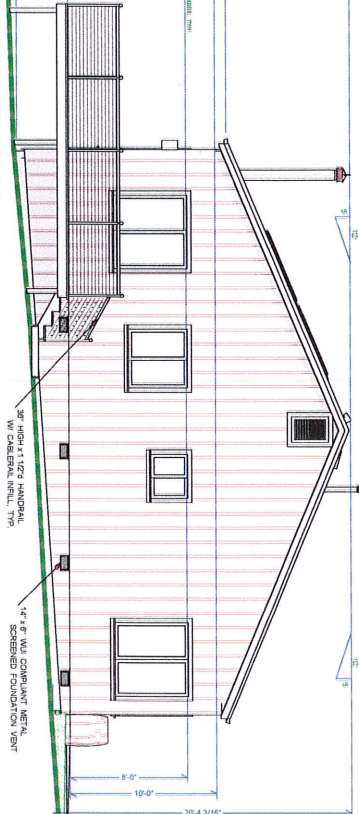
- 1. WINDOW SIZES AS SHOWN ON PLAN ARE NOMINAL
- 2. WINDOW SIZES AS SHOWN ON PLAN ARE NOMINAL
- 3. WINDOW SIZES AS SHOWN ON PLAN ARE NOMINAL
- 4. WINDOW SIZES AS SHOWN ON PLAN ARE NOMINAL
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- 9. WINDOW SIZES AS SHOWN ON PLAN ARE NOMINAL
- 10. WINDOW SIZES AS SHOWN ON PLAN ARE NOMINAL

- W1: COMPLIANT STANDING SEAM METAL ROOFING
- W2: COMPLIANT STANDING SEAM METAL ROOFING
- W3: COMPLIANT STANDING SEAM METAL ROOFING
- W4: COMPLIANT STANDING SEAM METAL ROOFING
- W5: COMPLIANT STANDING SEAM METAL ROOFING
- W6: COMPLIANT STANDING SEAM METAL ROOFING
- W7: COMPLIANT STANDING SEAM METAL ROOFING
- W8: COMPLIANT STANDING SEAM METAL ROOFING
- W9: COMPLIANT STANDING SEAM METAL ROOFING
- W10: COMPLIANT STANDING SEAM METAL ROOFING

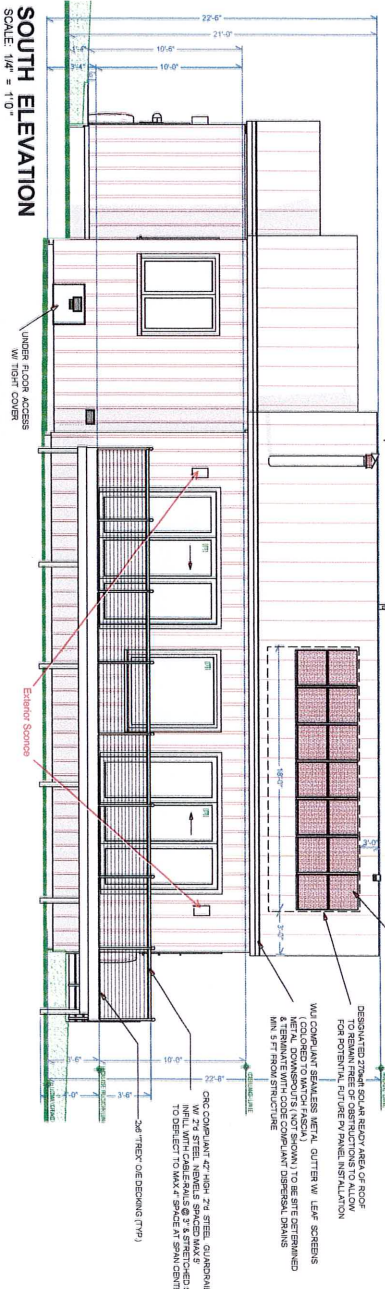
NORTH ELEVATION
FRONT ORIENTATION: N27E
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



DATE	03-25-2021
BY	J.M.D.
CHECKED	J.M.D.
SCALE	AS SHOWN
PROJECT	NEW MENDOCINO HOUSE
CLIENT	DRIFTERS REEF DRIVE
ADDRESS	MENDOCINO, CA 95460
PHONE	(415) 515-7827
FAX	(415) 515-7827
EMAIL	info@customdrafting.com
WEBSITE	www.customdrafting.com
PROJECT NO.	94301
DATE	03-25-2021
BY	J.M.D.
CHECKED	J.M.D.
SCALE	AS SHOWN
PROJECT	NEW MENDOCINO HOUSE
CLIENT	DRIFTERS REEF DRIVE
ADDRESS	MENDOCINO, CA 95460
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PROJECT NO.	94301

Custom Drafting & Design
by John M. Duncan

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EXTERIOR ELEVATIONS

NEW MENDOCINO HOUSE
45225 DRIFTERS REEF DRIVE
MENDOCINO, CA 95460

Robert W. Vallas
257 SanFrancisco Blvd. SanAnselmo, CA 94960
(415) 515-7827

NO.	DATE	DESCRIPTION
1	03-25-2021	ISSUED FOR PERMITS
2	03-25-2021	ISSUED FOR PERMITS
3	03-25-2021	ISSUED FOR PERMITS
4	03-25-2021	ISSUED FOR PERMITS
5	03-25-2021	ISSUED FOR PERMITS
6	03-25-2021	ISSUED FOR PERMITS
7	03-25-2021	ISSUED FOR PERMITS
8	03-25-2021	ISSUED FOR PERMITS
9	03-25-2021	ISSUED FOR PERMITS
10	03-25-2021	ISSUED FOR PERMITS
11	03-25-2021	ISSUED FOR PERMITS
12	03-25-2021	ISSUED FOR PERMITS
13	03-25-2021	ISSUED FOR PERMITS
14	03-25-2021	ISSUED FOR PERMITS
15	03-25-2021	ISSUED FOR PERMITS
16	03-25-2021	ISSUED FOR PERMITS
17	03-25-2021	ISSUED FOR PERMITS
18	03-25-2021	ISSUED FOR PERMITS
19	03-25-2021	ISSUED FOR PERMITS
20	03-25-2021	ISSUED FOR PERMITS



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

**JULY 14, 2022
CDP_2022-0010**

SUMMARY

OWNER/APPLICANT: ROBERT VALLAS & KARA WEISIGER
257 SAN FRANCISCO BLVD
SAN ANSELMO, CA 94960

AGENT: JEFF WALL
43605 LITTLE RIVER AIRPORT ROAD
LITTLE RIVER, CA 95456

REQUEST: 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.

LOCATION: In the Coastal Zone, 2± miles north of Mendocino, on the south side of Drifters Reef Drive, (private), 600± feet west of its intersection with Point Cabrillo Drive (CR 564); located at 45225 Drifters Reef Drive, Mendocino; APN: 118-200-17.

TOTAL ACREAGE: 2.39± Acres

GENERAL PLAN: Rural Residential 5-Acre Minimum (RR:5)

ZONING: Rural Residential (RR)

SUPERVISORIAL DISTRICT: 4 (Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: LIAM CROWLEY

BACKGROUND

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.

RELATED APPLICATIONS:

On-Site

- None:

Adjacent

- APN 118-200-04: CE_1996-0061, test well
- APN 118-200-16: LCP_1992-099, single-family residence
- APN 118-200-16: LCP_1990-045, single-family residence

SITE CHARACTERISTICS: The project site is in a residential subdivision west of State Route 1 between Caspar and the Town of Mendocino. Russian Gulch State Park lies to the south of the subdivision. The site is accessed from the north via Drifter's Reef Drive, a private road. The surrounding lots are either

vacant or developed with single-family homes. The project site is 0.33± miles east of the bluff edge. A wetland is present on the southern edge of the lot (see attached *Wetlands*). The southeastern portion of the lot is heavily forested with primarily Monterey and Bishop Pine trees. The proposed development has been sited on the northwest portion of the lot in order to avoid impacts to the nearby forest and wetland (see attached *Site Plan*).

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RR:5	RR	1.85±, 1.75± Acres	Residential
EAST	RR:5	RR	2.74± Acres	Vacant
SOUTH	RR:5	RR	1.14±, 1.2±, 0.98± Acres	Residential
WEST	RR:5	RR	3.21± Acres	Vacant

PUBLIC SERVICES:

Access: Drifters Reef Drive (Private Road), Point Cabrillo Drive (CR 564)
 Fire District: Mendocino Fire Protection District
 Water District: NONE
 Sewer District: NONE
 School District: Mendocino Unified

AGENCY COMMENTS: On April 7, 2022 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project. Any comment that would trigger a project modification, denial, conditions of approval, or required permits are discussed in full in the following section.

REFERRAL AGENCIES	COMMENT
Air Quality Management District	No Response
Archaeological Commission	No Response
Assessor's Office	No Response
Building Division (Fort Bragg)	No Comment
County Addresser	No Response
Department of Transportation (DOT)	No Comment
Environmental Health (Fort Bragg)	Comments
Mendocino Fire Protection District	No Response
Planning Division (Fort Bragg)	No Comment
Sonoma State University	Comments
CALFIRE (Land Use)	Comments
California Coastal Commission	No Response
California Dept. of Fish and Wildlife	No Response
Regional Water Quality Control Board	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

LOCAL COASTAL PROGRAM CONSISTENCY

Land Use: The subject lot is classified as Rural Residential (RR) by the Mendocino County Coastal Element Chapter 2.2: Land Use Classifications (see attached *General Plan Classifications*). 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 growth area and residences should be located as to create minimal impact on agricultural viability.

Principal Permitted Use: Residential and associated utilities, light agriculture, home occupation.”

The proposed project includes a single-family residence and appurtenant structures, including a septic tank, leach field, water tank, pump house, attached garage, and deck. These uses are all associated with the principal permitted single-family residence. The size of the lot is similar to surrounding lots (1-3± acres), and surrounding uses include other single-family residences. Environmental constraints such as the wetland and forested areas on site limit feasible building locations. The location of the lot in a subdivision with relatively small parcels and primarily residential uses indicates that future agricultural use is unlikely. Lot coverage requirements outlined in the Mendocino County Coastal Zoning Code ensure that the building envelope would not inhibit the potential of the lot for agricultural use. Indeed, the proposed building envelope would not cover all potential agricultural land (see attached *Site Plan*). The proposed project, as a permitted use, is therefore consistent with the intent of the Coastal Element RR land use classification.

Zoning: The subject lot is within the Rural Residential (RR) zoning district as outlined in Mendocino County Coastal Zoning Code (MCC) Chapter 20.376 (see attached *Zoning Display Map*). The Rural Residential 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.”

The proposed single-family residence is considered a “Family Residential: Single Family” use type as defined in MCC Section 20.316.010. Pursuant to MCC Section 20.376.010(A), this is a principal permitted use in the RR district. MCC Chapter 20.456 establishes accessory use types that are encompassed by principal permitted uses. The proposed garage, deck, and hot tub are all accessory uses which are specifically identified in Section 20.456.015(A), (B), and (F). The proposed septic tank, leach field, water tank, well, and pump house are all customarily associated with a single-family residence. These accessory uses are allowable pursuant to MCC Section 20.456.015(O).

All proposed structures for the project are sited greater than twenty (20) feet from any property boundary (see attached *Site Plan*). In addition, the single-family residence has a maximum height of twenty two (22) feet (see attached *Floor Plans & Elevations*). The proposed project is not mapped within a Highly Scenic Area (see attached *Highly Scenic & Tree Removal Areas*). The subject lot has an area of 2.39± acres. The gross floor area of the proposed project is 2,511± square feet. This renders a lot coverage of about 2.4%. Pursuant to MCC Chapter 20.376, minimum setbacks for a nonconforming parcel which is less than five (5) acres and which is zoned RR:5 are twenty (20) feet. The building height limit in this district is twenty-eight (28) feet above natural grade in non-Highly Scenic Areas, and maximum lot coverage is fifteen (15) percent for parcels between two (2) and five (5) acres in size. As proposed, all structures for the project meet the requirements for setbacks, height limits, and lot coverage for the Rural Residential district.

The proposed project includes two (2) parking spaces, one (1) covered and one (1) uncovered. The uncovered parking space would be fifteen (15) by twenty (20) feet to meet accessibility requirements. Per MCC Section 20.472.015, a single-family detached dwelling requires two (2) parking space. As such, the proposed project is consistent with off-street parking requirements.

Jug Handle Creek Planning Area: The project site is within the Jug Handle Creek to Russian Gulch Planning Area as described in Mendocino County Coastal Element Chapter 4.6. However, the project site is not located within Caspar Village, and therefore policy 4.6-1, 2, and 3 do not apply. In addition, the site is not located on or adjacent to any designated access points, trails, or recreation areas outlined in Chapter 4.6. Policy 4.6-12 notes that sufficient access is present in the Russian Gulch Headlands area south of the project site.

Visual Resources: The project is not mapped within a Highly Scenic or Conditionally Highly Scenic Area (see attached *Highly Scenic & Tree Removal Areas*). The eastern property boundary for the parcel is 850± feet from State Route 1 (see attached *Aerial Imagery*). All proposed exterior lighting will be shielded and downcast (see attached *Lighting Specs*). In addition, proposed lighting would not exceed the height of any

structure on which it would be placed (see attached *Floor Plans & Elevations*). Per MCC Section 20.504.025, the designated scenic corridor along State Route 1 extends a maximum of three hundred fifty (350) feet from the shoulder of the road. This is known as a Special Treatment Area. Per MCC Section 20.504.035, no light shall exceed the height limit for the zoning district in which the light is located, and where possible, all lights shall be shielded in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel on which it is placed. In addition, no lights shall be installed so that they distract motorists. Staff finds that the proposed project is not within a Special Treatment Area, and that the proposed exterior lighting would not conflict with the standards of MCC Section 20.504.035. Therefore, the project is consistent with the visual resource requirements of MCC Chapter 20.504.

Hazards Management: Mapping does not associate the project site with any of the following: faults, bluffs, landslides, erosion, or flood hazards (see attached *LCP Land Capabilities & Natural Hazards*). The project site plan contains several notes identifying stormwater and erosion control techniques to be implemented during construction, including a silt fence and fiber roll waddles (see attached *Site Plan notes SP3-SP6 and SW1-SW6*). In addition, the site plan notes that the project will conform to the 2019 California Building Standards Code (see attached *Site Plan general note G3*).

MCC Section 20.500.025 states that all new development shall be sited, taking into consideration the fire hazard severity of the site, the type of development and the risk added by the development to the fire hazard risk. The project site is located in an area classified as Moderate Fire Hazard (see attached *Fire Hazard Zones & Responsibility Areas*). Fire protection services are provided by the Mendocino Fire Protection District (MFPD) and the California Department of Forestry and Fire Protection (CalFire). The applicant provided CalFire document #406-21 showing conditional of approval for State Fire Safe Regulations, including driveway standards, address standards, and defensible space standards (see attached *CalFire Conditions of Approval*).

On April 7, 2022, the application was referred to MFPD and CalFire for input. On April 14, 2022 CalFire responded with comments, stating that “the CAL FIRE Mendocino Unit has made a preliminary review of this project. The project will be required to adhere to the applicable sections off the SRA/VHFHSZ Fire Safe Regulations.” Staff recommends that a condition of approval be added requiring the applicant to conform to these standards in order to align the project with State Fire Safe Regulations.

Staff finds that due to the lack of mapped hazards, the planned use of stormwater and erosion control techniques, and the inclusion of CalFire conditions of approval, the proposed project does not conflict with MCC Chapter 20.500 – Hazard Areas.

Habitats and Natural Resources: Local Coastal Program mapping does not associate the lot with rare or endangered plant or wildlife habitat, and classifies the habitat as ‘barren’ (see attached *LCP Land Use Map 15: Casper and LCP Habitats and Resources*). The nearest record of special status species contained in the California Natural Diversity Database (CNDDDB) occurs 300± feet south of the parcel (*Campanula californica*). National Wetlands Inventory mapping shows a Freshwater Forested/Shrub Wetland along the southern boundary of the parcel (see attached *Wetlands*).

A Wetland Delineation survey and Reduced Buffer Analysis was prepared by Jacobszoon & Associates, Inc. for the subject lot and submitted as part of the initial application. These studies identify potential Environmentally Sensitive Habitat Areas (ESHAs) and establish the boundary of the wetland within the project area in accordance with California Coastal Commission (CCC) guidelines. In addition, the Reduced Buffer Analysis attempts to demonstrate that a fifty (50) foot buffer is sufficient to protect the resources of an identified ESHA in the project area from impacts of the proposed development.

MCC Chapter 20.496 establishes regulations for ESHAs and other resource areas. Upon identification of any ESHA, MCC Section 20.496.020 requires a buffer to be established adjacent to all ESHA to protect the habitat from impacts of future development. Per MCC Section 20.496.020(A)(1), this buffer shall be a minimum of one hundred (100) feet unless the applicant can adequately demonstrate that a one hundred (100) foot buffer is not necessary. MCC Section 20.496.020(A)(1)(a-g) established standards for determining the appropriate width of the buffer area.

The results of the Wetland Delineation survey found that the CCC wetland boundary extends beyond the previously mapped National Wetlands Inventory (NWI) wetland boundary within the parcel. The CCC wetland was found to comprise 0.53± acres of the southern portion of the lot (see attached *Buffer Analysis Map*). Based on the identified wetland, a buffer of one hundred (100) feet was established adjacent to the wetland. The proposed project was sited outside of the wetland buffer (see attached *Site Plan*).

The Reduced Buffer Analysis (“analysis”) identifies a Bishop pine/Monterey pine forest ESHA in the southeast portion of the lot. The Buffer Analysis contains discussion relating to the appropriate size of ESHA buffers as outlined in MCC Section 20.496.020. The analysis concludes that a fifty (50) foot buffer from the edge of the Bishop pine/Monterey pine forest is sufficient to address these requirements, and includes recommended avoidance measures to ensure consistency with MCC Chapter 20.496 (see attached *Reduced Buffer Analysis*). In concluding that a fifty (50) foot buffer is adequate, the analysis notes that no special status plant or animal species were observed during field surveys. However, it notes that the grassland on site may provide nesting habitat for special-status bird species, and that the adjacent upland areas do not provide any known specific habitat value for amphibians. These potential impacts can be avoided through the avoidance measures presented in the analysis. Further justification within the analysis states that surrounding development suggests wildlife in the area is reasonably adapted to human disturbance. The proposed residential use of the site is similar to existing uses, and construction of the single family residence would require minimal vegetation removal. The analysis recommends that straw wattles be placed along the 50-foot ESHA buffer boundary to prevent sediment from entering the Bishop pine/Monterey pine forest ESHA. In addition, the 50-foot buffer would protect erosion from entering the downhill portion of the parcel and towards the wetland.

The analysis notes that septic leach fields and lines would be installed outside of the 50-foot buffer area, and that “the proposed underground utility lines are not expected to have a detrimental short or long term impact to the ESHA or buffers.” The location of development was chosen to minimize removal of healthy native trees and 100 feet from the wetland. Additional mitigation measures noted in the analysis include provisions to allow young bishop pine, Monterey pine and grand fir trees to become re-established wherever they are present outside the construction site, and that landscaping on the parcel should only include native plants compatible with existing plant communities.

There are no established mature trees that would be removed as a result of the project. Six (6) immature Bishop pine trees under one inch (1”) diameter at breast height may be removed for driveway development. These trees are not within the 50-foot buffer.

The analysis provides responses to each ESHA development criteria outlined in MCC Section 20.496.020. Upon reviewing the analysis, staff concurs that the proposed location of development is the most feasible to minimize ESHA impacts, and that a reduced buffer of fifty (50) feet is sufficient to protect the identified Bishop pine/Monterey pine forest. Staff recommends that the avoidance measures included in the Reduced Buffer Analysis be incorporated as a condition of approval in order to minimize any potential impacts to the wetland and ESHA identified on the site.

On April 7, 2022, the project application (including the biological report and reduced buffer analysis) was referred to CDFW for comments. As yet, no response has been received.

Archaeological/Cultural Resources: On April 7, 2022, the project was referred to the Northwest Information Center at Sonoma State University (NWIC) to determine if the project could adversely affect cultural resources. NWIC responded with comments on April 19, 2022 with recommendations that further archival and field study of the project area be performed to identify any cultural resources. On May 4, 2022 the applicant provided an Archaeological Survey Report prepared by Alta Archaeological Consulting for the subject parcel. The report is dated May 3, 2022, and notes that no cultural resources were identified as a result of archaeological field survey. The report states that the project, as presently designed, is not anticipated to have an adverse effect on significant cultural resources.

On June 8, 2022 the Archaeological Survey Report was presented to the Mendocino County Archaeological Commission, who determined that the survey was acceptable, and that the project shall adhere to the ‘Discovery Clause’. The Discovery Clause requires that, upon any discovery of cultural resources during construction or other project activities, those activities shall cease and notification of the discovery shall be

made to the Director of Planning and Building Services. The Discovery Clause has been added as a condition of approval to ensure consistency with MCC Section 22.12.090.

The project was also referred to three local tribes on April 7, including the Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Band of Pomo Indians. As yet, no response has been received from these tribes.

Groundwater Resources: The project site is not located within the jurisdiction of a district that provides water supply or sanitation services. The project site is located in an area mapped Critical Water Area (see attached *Ground Water Resources*). The proposed project would include construction of a well, pump house, water tank, and septic system. On April 7, 2022, the project was referred to the Mendocino County Division of Environmental Health (EH). EH responded on April 26, 2022 with comments stating that the proposed project will need a septic system. Staff recommends adoption of conditions of approval which would require the applicant to secure all necessary permits for the proposed water and sewer facilities. The proposed project is not commercial in nature, and is not expected to be a major water user.

As conditioned, the project would be consistent with EH regulations and would not conflict with the Local Coastal Program policies related to groundwater resources found in Chapter 3.8 and MCC Section 20.516.015.

Grading, Erosion, and Runoff: The proposed project would involve grading for the driveway on a moderate downslope (6% to 2%), and grading for the single-family residence on a moderate downslope (2%). The application states that a total of 50 cubic yards of cut and fill would occur, both with a maximum height of eight inches (8"). 40 cubic yards would be imported or exported, with fill materials being provided by a local rock supplier in Fort Bragg, and materials being disposed of at a construction yard in the Little River area.

The application and site plan note several mitigation measures and Best Management Practices (BMPs) to be implemented during project construction in order to minimize effects of grading. General Notes G1-G4, Site Plan Notes SP1-SP8, and SW1-SW6 relate to grading, erosion, sedimentation, and runoff. Also included are plans to install (1): a silt fence adjoining the 100-foot wetland buffer line to prevent potential erosion and runoff of excavation and construction debris into the wetland, and (2): fiber roll waddles perpendicular to the grade slope to prevent potential surface erosion and runoff.

MCC Chapter 20.492 regulates impacts of grading, erosion, and runoff in the Coastal Zone. Section 20.492.005 states that *"the approving authority shall determine the extent to which the following standards should apply to specific projects, and the extent to which additional studies and/or mitigation are required..."*

Staff finds that the proposed erosion control measures, along with standard and proposed BMPs, are sufficient to address grading, erosion, and runoff concerns for construction and operation of the project. Staff recommends a condition of approval memorializing these measures in order to ensure consistency with MCC Chapter 20.492.

Transportation, Utilities, and Public Services: The project would have minimal impacts to traffic and regional roadways. The cumulative effects of traffic resulting from the single-family residence and its associated development were considered when the Coastal Element land use designations were assigned. The project site is accessed via Drifter's Reef Drive, a private road. Drifter's Reef Drive is accessed via Point Cabrillo Drive, a County-maintained road (CR 564). The proposed single-family residence and associated development is greater than twenty five (25) feet from the center of Drifter's Reef Drive. The proposed project includes a twelve (12) foot wide, ninety (90) foot long driveway of permeable gravel (see attached *Site Plan*). The proposed project would not create any new parcels.

On April 7, 2022 the project application was referred to the Mendocino County Department of Transportation (DOT). On April 18, 2022 DOT responded with no comment on the project. As proposed, the project is consistent with MCC Section 20.516.015(C) regarding transportation systems.

Public Access: LCP mapping does not associate the project site with any proposed shoreline access or other minimum access locations. Existing shoreline access is located along Point Cabrillo Drive (CR 564) 600± feet to the east (see attached *LCP Land Use Map 15: Caspar*). As proposed, the project does not conflict with MCC Chapter 20.528.

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 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. 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 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 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 meet 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; 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 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

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. LCP mapping does not associate the project site with any proposed shoreline access or other minimum access locations. Existing shoreline access is located along Point Cabrillo Drive (CR 564) 600± feet to the east. Therefore, adequate access exists nearby. The proposed development is accessed via a private road and would not interfere with the public's right of access to the sea.

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. The permit shall become effective after the 10th working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. This Coastal Development 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. 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 (MCC).
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 all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
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.
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 Coastal Development 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 Coastal Code.
9. Conditions approving this Coastal Development Permit shall be attached to any building permit application and shall be a part of on-site construction drawings.

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.
11. The applicant shall adhere to the recommendations of the CCC Wetland Delineation, including Appendix D ("Reduced Buffer Analysis") prepared by Jacobszoon & Associates and dated October 29, 2020, in order to provide for the protection of identified Environmentally Sensitive Habitat Areas (ESHAs) and wetlands.
12. Standard erosion control Best Management Practices (BMPs) shall be employed during construction activities to avoid or minimize impacts to nearby wetlands. BMPs shall be shown on submitted site plans for all building permits associated with this project.
13. Prior to issuance of the building permit, the applicant shall specify BMPs to be implemented to reduce erosion and sedimentation from construction activities. If the amount of grading on the site exceeds fifty (50) cubic yards, the applicant shall cease construction activities and develop a Grading and Erosion Control Plan for the site and submit it to the Department of Planning & Building Services for review and approval.
14. In accordance with MCC Chapter 20.492, a building permit, or grading permit exemption, shall be required for any grading, including but not limited to, any excavation or filling or combination thereof involving transfer of more than two (2) cubic yards of material. The Coastal Permit Administrator, or their designee, shall review and approve grading permits to determine their consistency with MCC Chapters 20.492, 20.496, and 20.500 regulations. Grading activities, including maintaining driveway and parking areas, and any work associated with an Encroachment Permit, shall comply with MCC Chapters 20.492, 20.496, and 20.500 regulations.

ENVIRONMENTAL DETERMINATION

The California Natural Resources Secretary has found that certain classes of 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. This project involves the construction of a 1,512 square foot single-family residence, 374 square foot attached garage, well, pump house, water tank, and septic system. The project would also involve installation of a hot tub, construction of an attached deck and gravel driveway, connection to utilities, and minor grading of less than fifty (50) cubic yards of material on two (2) to six (6) percent slopes. CCR Section 15303, *New Construction or Conversion of Small Structures*, outlines several examples of exemptions: Class 3(a) for one single-family residence, Class 3(d) for utility extensions and street improvements to serve construction, and Class 3(e) for appurtenant structures such as garages, patios, and swimming pools. CCR Section 15304, *Minor Alterations to Land*, includes the Class 4(a) exemption for grading on land with a slope of less than ten (10) percent. As proposed, the project features are consistent with these classes of exemption. Therefore, the project is exempt from further environmental review.

6/22/22

DATE



LIAM CROWLEY
PLANNER I

Appeal Period: 10 Days
Appeal Fee: \$2,620.00

ATTACHMENTS:

- A. Location Map
- B. Aerial Imagery (Vicinity)
- C. Aerial Imagery (Detail)
- D. Topographic Map
- E. Site Plan
- F. Buffer Analysis Map
- G. Zoning Display Map
- H. General Plan Classifications
- I. LCP Land Use Map 15: Casper
- J. LCP Land Capabilities & Natural Hazards
- K. LCP Habitats & Resources
- L. Adjacent Parcels
- M. Fire Hazard Zones & Responsibility Areas
- N. Wetlands
- O. Ground Water Resources
- P. Estimated Slope
- Q. Western Soil Classes
- R. Farmland Classifications
- S. Floor Plans & Elevations
- T. Lighting Specs
- U. CalFire Conditions of Approval
- V. Reduced Buffer Analysis



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 though #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.~~



STATE FIRE SAFE REGULATIONS

CONDITIONS OF APPROVAL

Applicant Name:	Robert Vallas		
Review Date:	12/22/2021	APN:	11-200-17
CAL FIRE #:	406-21	Building Permit #:	Enter Permit Number

The CAL FIRE Mendocino Unit has reviewed this Building Permit application. Based upon the Unit's review, the following conditions shall be incorporated prior to approval of permit issuance as required by Title 14 of the California Code of Regulations, Division 1.5, Chapter 7, Sub-chapter 2, Article 1, §1270.03

You must comply with the following marked (X) standards below to obtain FINAL CLEARANCE

ROAD STANDARD §1273.01-§1273.06, §1273.08 - §1273.09

- All roads shall be constructed to provide two 10' traffic lanes, not including shoulder and striping.
- Roadway shall be designed and maintained to support 75,000lb and provide an aggregate base. Project applicant shall provide engineering specifications to support design if requested.
- The grades for all roads, streets, private lanes, and driveways shall not exceed 16%.
- No roadway shall have an inside radius curvature of less than 50' and additional width of 4' shall be added to curves of 50-100'.
- Turnarounds are required on driveways and dead-end roads. The minimum turning radius shall be 40 feet not including parking. If a hammerhead "T" is used the top of the "T" shall be a minimum of 60' in length.
- Turnouts shall be a minimum of 12' wide by 30' long and 25' tapers on each end.
- All one-way roads shall provide a minimum 12' traffic lane, not including shoulders. All one-way roads shall connect to a two-lane road at both ends. In no case shall it exceed 2640' in length and a turnout shall be placed at the approximate mid-point.



Maximum lengths for dead end roads:

- Parcels zoned less than 1 acre- 800'
- Parcels zoned 1-4.99 acres-1320'
- Parcels zoned 5-19.99 acres-2640'
- Parcels zoned 20 acres or larger- 5280'.
- Where parcels are zoned 5 acres or larger turnarounds shall be provided at maximum 1320' intervals.
- Each dead-end road shall have turn around constructed at its a terminus.

DRIVEWAY STANDARD §1273.01(c), §1273.02(b), §1273.03, §1273.05, §1273.06, §1273.09

- Minimum 10' wide with 14' unobstructed horizontal clearance and 15' unobstructed vertical clearance.
- Driveway shall have an all-weather surface, with no more than 16% grade, and minimum 50' radius inside curvature on all turns.
- Driveways exceeding 150' but less than 800' require a turnout near the midpoint, driveways exceeding 800' shall provide turnouts no more than 400' apart. Turnout shall be a minimum of 12' wide, 30' long with 25' tapers on each end.
- A turnaround shall be provided to all building sites on driveways more than 300' in length and shall be within 50' of the building, a 40' radius turnaround or 60' hammerhead "T" shall be utilized.
- Gates shall be a minimum 14' wide, all gates providing access shall be located at least 30' from the roadway. Security gates shall have an approved means of emergency operation.

ROADWAY STRUCTURE/BRIDGE STANDARD §1273.07

- All roadway structures shall be constructed to carry at least the maximum load and minimum vertical clearance as required by Vehicle Code Sections 35250, 35550, and 35750.
- The bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.
- Vehicle load limits shall be posted at both entrances to bridges.
- A bridge with only one lane shall provide for unobstructed view from one end to the other with turnouts at both ends.



SIGN STANDARD §1274.01- §1274.02

- Size of letters, numbers, and symbols for street and road signs shall be a minimum 4" letter height, ½" stroke, reflectorized, and contrasting with background color of sign. Visible from both directions of travel for at least 100'.
- Height of street and road signs shall be uniform county wide, newly constructed, or approved public and private roads must be identified by a name or number through a consistent countywide system. Signs shall be placed at the intersection of those roads, streets, or private lanes.
- A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead end road, one way road, or single lane conditions shall be placed at the intersection preceding the access limitation and no more than 100' before such access limitation.

ADDRESS STANDARD §1274.03- §1274.04

- Address must be posted at beginning of construction and maintained thereafter.
- Minimum 4" letter height, ½" stroke, reflectorized with contrasting background, visible from both directions of travel.
- Multiple addresses on a single driveway shall be mounted on a single post.
- Address shall be placed at each driveway entrance

EMERGENCY WATER STANDARD §1275.01- §1275.04

Not Required

- Water systems equaling or exceeding the National Fire Protection Association (NFPA) 1142, 2012 Edition and California Fire Code CCR 24 part 9, shall be accepted as meeting the requirements of this article.
- The hydrant or fire valve shall be 18" above grade, 8' from flammable vegetation, no closer than 4' and no further than 12' from roadway, and in a location apparatus using it will not block the roadway.
- The hydrant shall be not less than 50' nor more than ½ mile from the building it is to serve, shall be located at a turnout or turnaround along the driveway to that building or along a road that intersects with driveway.
- The hydrant head shall be 2 ½" National Hose male thread with cap for pressure and gravity flow systems, and 4 ½" for draft systems. They shall have suitable crash protection.
- A reflectorized blue marker minimum of 3" diameter shall be mounted on a fire-retardant post within 3' of the hydrant. The marker shall be no less than 3 'or more than 5' above grade.



MAINTAIN DEFENSIBLE SPACE AND FUELS MODIFICATION STANDARD §1276.01- §1276.04

- All parcels shall provide a minimum 30’ setback for all buildings from property lines and/ or the center of the road.
- Fuel modification and disposal of flammable vegetation and fuels caused by site development and construction, shall be completed prior to road construction or final inspection of building permit.
- Maintain defensible space 100’ from each side and front and rear of the structure(s), but not beyond the property line. The intensity of fuels management may vary within the 100’ perimeter of the structure, the most intense being within 30’ of the structure.
- Remove that portion of a tree that extends within 10 feet of a chimney or stovepipe.
- Maintain a tree, shrub, or other plant adjacent to or overhanging a structure.
- Maintain the roof structure free of leaves, needles, or other vegetative materials.

EXCEPTION REQUEST GRANTED

- See attached letter

EXCEPTION REQUEST DENIED

- See attached letter

Application Reviewed By:

Chris A. Vallergera, Fire Captain Mendocino Unit

Please note that the comments noted above are based on a CAL FIRE State Fire Safe Regulation review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Should you have any questions, you may contact the CAL FIRE Mendocino Unit at (707) 459-7414 or email at Mendocino4290@fire.ca.gov.

For current State Fire Regulations, please visit <https://govt.westlaw.com/calregs>.

**California Code of Regulations
 Title 14- Natural Resources
 Division 1.5- Department of Forestry
 Chapter 7- Fire Protection
 Subchapter 2- SRA/VHFHSZ Fire Safe Regulations**