



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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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#: CDP_2019-0018

DATE FILED: 4/29/2019

OWNER/APPLICANT: ANNA DENISE MOODY

REQUEST: Standard Coastal Development Permit, after the fact, request to remove and relocate a sixty-four (64) square foot playhouse and a hot tub. Permit one (1) 120 square foot storage buildings, remove 450 square foot out building, plumbing, electrical panel and line, a fence from inside the dunes, a greenhouse by the entrance and one (1) 120 square foot storage building. Less than 100 feet from sensitive habitat areas and adjacent to State Park. Mitigation plan included.

ENVIRONMENTAL DETERMINATION: Statutory Exempt

LOCATION: In the Coastal Zone, 3.2± miles north of Cleone, on the west side of Highway 1 (SR 1); located at 27730 N. Hwy 1; APN: 069-010-13.

SUPERVISORIAL DISTRICT: 4 (Gjerde)

STAFF PLANNER: TIA SAR

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.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at (707) 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m.

JULIA KROG, Director of Planning and Building Services



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

**JANUARY 26, 2023
CDP_2019-0018**

SUMMARY

OWNER/APPLICANT: ANNA DENISE MOODY
PO BOX 52
CLOVERDALE, CA 95425

REQUEST: Standard Coastal Development Permit, after the fact, request to remove and relocate a 64 square foot playhouse and a hot tub. Permit one (1) 120 square foot storage buildings, remove 450 square foot out building, plumbing, electrical panel and line, a fence from inside the dunes, a greenhouse by the entrance and one (1) 120 square foot storage building. Less than 100 feet from sensitive habitat areas and adjacent to State Park. Mitigation plan included.

LOCATION: In the Coastal Zone, 3.2± miles north of Cleone, on the west side of State Route 1 (SR 1), located at 27730 N. Hwy 1; APN 069-010-13.

TOTAL ACREAGE: 2.1± Acres

GENERAL PLAN: Rural Residential, 2 Acre Minimum (RR2):R) Coastal Element

ZONING: Rural Residential, 2 Acre Minimum (RR:2) Division II

SUPERVISORIAL DISTRICT: 4(Gjerde)

ENVIRONMENTAL DETERMINATION: Statutory Exemption pursuant to CEQA Guidelines Section 15270 of the California Code of Regulations

RECOMMENDATION: DENIAL

STAFF PLANNER: TIA SAR

BACKGROUND

PROJECT DESCRIPTION: An after the fact request to remove and relocate a sixty-four (64) square foot playhouse and a hot tub. Additionally, permit one (1) 120 square foot storage building; remove 450 square foot outbuilding, plumbing, electrical panel and line, a fence from inside the dunes; remove a greenhouse and one (1) 120 square feet storage building by the entrance. The unpermitted structures are less than 100 feet from sensitive habitat areas and adjacent to State Park. A mitigation plan prepared by Wildlife Research Associates is included.

As demonstrated in this staff report, the proposed project request and scope of work cannot be recommended for approval because staff is unable to find the project consistent with the Coastal Element and County Code. The applicant submitted this Coastal Development Permit as part of their efforts to address a Code Violation Inquiry that was opened on March 22, 2018.

On September 21, 2021, staff and California Department of Fish and Wildlife performed a site visit to identify the extent of environmental impacts. Staff noticed multiple unpermitted developments onsite. A sixty-four (64) square foot playhouse, a hot tub, plumbing, electrical panel and line, and a fence inside the dunes, a 450 square foot outbuilding located 10 feet from MacKerricher State Park, (2) 120 square-foot storage buildings by the well, and a greenhouse at the entrance of the property on Highway 1.

Staff attempted to contact applicant by phone and emails, requesting updated documents but no response was received from applicant. On June 23, 2022, and August 17, 2022, staff mailed out certified letters addressing the required documents and informed applicant our office will be moving forward on the project recommending denial. Our office received no updates or response from the applicant.

Components of the proposed project were determined to require an updated Biological Survey with Mitigation Plans for the new proposed building locations to restore the impact to the dunes, an Environmentally Sensitive Habitat Area (ESHA); an area of the dunes adjacent to the MacKerricher State Park was disturbed by the unpermitted development. The Coastal Element designates habitats and specific resource areas that are considered as Environmental Sensitive Habitat Areas (ESHAs) and thus subject to the requirements of MCC 20.496.020. This includes the sand dunes and all lands within the MacKerricher State Park.

The proposed project cannot be found to conform with the certified Local Coastal Program and Section 20.532.095 (A)(1) as it proposes structures within an environmentally sensitive habitat area buffer when feasible alternative locations exist. The project does not demonstrate that potential hazards are avoided; and has not demonstrated how Coastal Element goals and policies protecting habitats and natural resources, agriculture, hazards management, visual resources, shoreline access, and transportation, utilities, and public services would be satisfied.

APPLICANT'S STATEMENT: "1). Proposal to move existing playhouse, proposal to move hot tub and repairs to old outbuilding 2). None"

Amended Request and include in Project Description:

As amended by Staff, the proposed project after the fact, request to remove and relocate a 64 sqft playhouse, a hot tub, a 450 sqft outbuilding, a fence, and associated plumbing and electrical equipment from inside the dunes; remove a greenhouse and one 120 sqft storage buildings adjacent to parcel access; permit one 120 sqft storage building. Less than 100 feet from sensitive habitat areas and adjacent to State Park. Mitigation plan included.

RELATED CASES:

- IC_2018-0098 = Non-permitted construction & Squatters
- BC_2016-0003 = Non-permitted construction in the Dunes
- BC_2006-0040 = Unpermitted 2 Story Addition

SITE CHARACTERISTICS: The site is located within the Coastal Zone, 3.2± miles north of Cleone, on the west side of State Route 1 (SR 1), located at 27730 N. Highway 1, Mendocino; APN: 069-010-13. The project site is a designated as highly scenic and located on the hind dunes of the eastern portion of the MacKerricher State Park. The site is relatively flat and mapped as Agricultural Land Non-Prime, and Beach Deposits and Stream Alluvium and Terrace (Zone 3) intermediate shaking. The land use classification is designated as Dunes, shown on Land Use Map 11: Little Valley.

The subject parcel is adjacent to the MacKerricher State Park, with large eucalyptus growth throughout the parcel. There's an existing residence with multiple unpermitted accessory structures onsite. The site includes two (2) unpermitted 120 square foot storage buildings that face the main residence, next to the existing well. Multiple unpermitted development within the eucalyptus and sand dune area, including a 3-foot fence, an electrical wiring and box, a playhouse, a hot tub with plumbing and 450 square foot outbuilding that was rebuilt. A greenhouse is located at the entrance of the property, along State Route 1.

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

TABLE 1: SURROUNDING LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Open Space-Public Facilities	Open Space	118. & 64.5± Acres	Vacant
EAST	Rural Residential (2)	Rural Residential (2)	0.9, 1.8 & 1.5± Acres	Residential
SOUTH	Open Space	Rural Residential (2)	15.6 ± Acres	Vacant
WEST	Open Space	Open Space	15.6 ± Acres	Vacant

PUBLIC SERVICES:

Access: State Route 1 (SR 1)
 Fire District: Fort Bragg Rural Fire Protection District
 Water District: None (Well onsite)
 Sewer District: None (Septic system onsite)
 School District: Fort Bragg Unified

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed project is consistent with the goals and policies of the Local Coastal Program as detailed below.

Land Use: The parcel is classified as Rural Residential with a two (2) acre minimum parcel size. The Rural Residential classification is intended to,

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

The existing residence is a permitted land use in the Rural Residential Land Use classification, the proposed project to relocate and permit after the fact accessory structures, shall be considered as part of the existing residential use. The RR Land Use Designation, per Coastal Element Chapter 2.2, identifies one dwelling unit as a principally permitted use, thus the existing single-family residence conforms to this policy. Accessory uses, such as the electrical, plumbing, playhouse, out buildings, and hot tub are conditionally permitted in conjunction with an established principal use.

The Coastal Element designates habitats and specific resource areas that are considered as Environmental Sensitive Habitat Areas (ESHAs) and thus subject to the requirements of MCC 20.496.020. This includes the sand dunes and all lands within the MacKerricher State Park. Therefore, the ESHA buffers outlined in MCC 20.496.020(A) will apply to the proposed project and require a 100-foot setback from any property line shared with the MacKerricher State Park.

The project proposed to utilize the potential 50-foot buffer reduction provided by the California Department of Fish & Wildlife. In addition to this requirement, any development on portions of sand dune on the subject parcel will need to adhere to the requirements of MCC 20.496.040 regarding "Dunes". The 450 square foot outbuilding with unpermitted improvements, and multiple other unpermitted developments, do not meet the 50-foot buffer reduction. An updated Biological Survey with mitigation plan is required to reflect the buffer reduction.

Zoning: The project site is located within the Rural Residential (RR2) minimum parcel size two acres, as shown on Zoning Display Map. Mendocino County Code (MCC) Section 20.376.005, states:

Section 20.376.005:

“... this district is intended to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability.”

The proposed project to remove and relocate a 64 sqft playhouse, a hot tub, a 450 square foot outbuilding, a fence, and associated plumbing and electrical equipment from inside the dunes; remove a greenhouse and one 120 sqft storage buildings adjacent to parcel access; permit one 120 sqft storage building, would comply with the minimum 20 feet front, rear, and 6 feet side yard setback requirements for the RR Zoning District with a minimum parcel size two acres. The maximum accessory building height allowed in the RR District is 35 feet above the natural grade for Highly Scenic Areas. The maximum height of the proposed project components would be less than 18 feet. The project, as proposed, would result in lot coverage of less than 20 percent. There's no proposed expansion to the existing residential footprint or septic system.

Per the General Plan land use classification, the proposed project to remove, relocate and permit after the fact accessory structures are consistent uses within the Rural Residential Zoning Code. The propose after the fact project are accessory uses to the principally permitted residence use. Although it is consistent in the Rural Residential Zoning District, pursuant to Mendocino County Code (MCC) Chapter 20.376.

The Coastal Element designates habitats and specific resource areas to be considered as Environmental Sensitive Habitat Areas (ESHAs) and subject to the requirements of 20.496.020. This includes the sand dunes and all lands within the MacKerricher State Park. Therefore, the ESHA buffers outlined in MCC 20.496.020(A) will apply to the proposed project and require a 100-foot setback from any property line shared with the MacKerricher State Park.

The project proposed a 50-foot buffer reduction with California Department of Fish & Wildlife. In addition to these requirements, any portion of sand dunes on the subject parcel will need to adhere to the requirements of 20.496.040 regarding "Dunes". The 450 square foot outbuilding with unpermitted improvements and multiple unpermitted development does not meet the 50-foot buffer reduction. An updated Biological Survey with mitigation plan is required to reflect the buffer reduction. This is to ensure structures are not being relocated into other ESHA on the property.

Visual Resources: MCC Chapter 20.504 shall apply to those areas identified as highly scenic areas, special communities and special treatment areas as defined by the Mendocino Coastal Element and identified on the Coastal Land Use Maps. All development proposals shall be reviewed by the Coastal Permit Administrator to determine if the project is consistent with the standards. The property is mapped as a "Highly Scenic Area (attached)."

The unpermitted development can be viewed from the dunes at MacKerricher State Park. As proposed, the project has not established that it would be sited and designed to protect views to and along the ocean and scenic coastal areas; would minimize the alteration of natural landforms; would be visually compatible with the character of surrounding areas; or that it would restore and enhance visual quality in visually degraded areas. Although to relocate and permit after the fact accessory structure is consistent with 20.504. The applicant did not provide enough details of the proposed project, it is unknown to where the structures will be relocated. The project is inconsistent with MCC Section 20.504.015(C)(1) which state, "any development permitted in highly scenic areas shall provide for the protection of coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes."

There is no exterior lighting proposed on this project, Coastal Element Chapter 3.5-15 policies and MCC Chapter 20.504.035 are not applicable. Coastal Element Policy 3.5-15, which reads, in part, "*... In any event no lights shall be installed so that they distract motorists, and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.*"

Habitats and Natural Resources: MCC Chapter 20.496 shall apply to all development proposed in the Coastal Zone unless it can be demonstrated to the approving authority that the projects will not degrade an environmentally sensitive habitat or resource area and shall be compatible with the continuance of such areas. The project site is mapped with a variety of potential sensitive habitat areas, including dunes. On September 22, 2021, a referral was sent to California Coastal Commission (CCC) and California Department Fish and Wildlife. (See attachments LCP Habitats & Resources)

Planning and Building Service received comments from California Department Fish and Wildlife on

January 10, 2022. CDFW acknowledge that given the development constraints on this parcel, it appears that any activity would be within the 100-foot buffer of state parks land. However, CDFW has the comments and recommendations regarding the project.

1. Dune ESHA. CDFW feel that the hot tub, playhouse, and electrical line run out into the dunes are in violation of the ESHA boundary and agree that they should be removed from the dunes.
2. Outbuilding. It appears the development is not a direct development of the current landowner. Presence further degrades the resource.
 - a. However, the footprint of the outbuilding should not be expanded beyond its current constraints.
3. Playhouse relocation. The Biological report doesn't state that the playhouse will be moved, just the electrical box. CDFW support the CDP referral packets designs of relocating the playhouse on the property.
4. Mitigation and avoidance measures. CDFW agrees with the referral biological report's mitigation and avoidance measures.
 - a. Restoration activities should be focused on the interface of the mature eucalyptus grove and the dune vegetation. While the ESHA includes the mature eucalyptus trees. Removing them and destabilizing the dunes would not be beneficial in terms of damage avoidance and mitigation.

Comments received from California Coastal Commission on January 12, 2022.

1. According to the Habitat Assessment prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting on July 12, 2018, the electrical box and playhouse are located within the 50-foot buffer from dune ESHA. However, it is unclear from the application whether this is where the structures have been relocated or are proposed to be removed.
 - a. If the electrical box and playhouse have been relocated into the 50-foot buffer, Commission staff would recommend County staff request removal of the structures and restoration.
 - b. If the electrical box and playhouse are proposed to be relocated out of the 50-foot buffer, we recommend County staff ensure that the structures are not being relocated into other ESHA on the property and be relocated as close to the existing single-family residence as possible.
2. The above referenced Habitat Assessment outlines a mitigation measure to remove invasive species as compensation for impacts due to installation of the electrical box, however, this mitigation is not proposed in the CDP project description. We recommend that County staff request the applicant perform these restoration efforts.
3. According to the above referenced Habitat Assessment, the hot tub and associated structure was built in the eucalyptus grove. Although the assessment states that the eucalyptus grove is not dune habitat, is the hot tub located within the 50-foot dune ESHA buffer? Additionally, the site plan shows the proposed hot tub to be located next to the existing single-family residence. We recommend that County staff clarify where the hot tub is proposed to be permanently located and ensure that the hot tub would not be relocated to be within ESHA or the 50-foot buffer.

The Coastal Element designates certain habitats and specific resource areas to be considered as Environmental Sensitive Habitat Areas (ESHAs) and thus subject to the requirements of MCC 20.496.020; this includes the sand dunes and all lands within the MacKerricher State Park. Therefore, the ESHA buffers outlined in MCC 20.496.020(A) will apply to the proposed project and require a 100-foot setback from any property line shared with the MacKerricher State Park. As this would eliminate most building locations on the parcel. Alternatively, development would have to be permitted as outlined in

MCC 20.496., the requirements of which have yet to be completed by the applicant upon request from staff. In addition to these requirements, any portion of sand dunes on the subject parcel will need to adhere to the requirements of 20.496.040 regarding “Dunes.”

Hazards Management: The parcel is in an area classified with a “Moderate Fire Hazard” severity rating. Fire protection services are provided by the California Fire Protection (CalFire) and the Fort Bragg Rural District (FPD). The project application was referred to CalFire on September 22, 2021; our department received no comment. The application has not established that the project would have adequate access to utilities, drainage, and other necessary facilities; site plans do not depict locations for leach fields, groundwater extraction, existing single family residence access existing driveway from Hwy 1. As proposed the project would not be consistent with MCC Chapter 20.528 Coastal Access Regulations.

Grading, Erosion, and Run-Off: The proposed accessory structures to remove, relocate and permit after the fact are located adjacent to a dune habitat and MacKerricher State Park. It is unknown whether there are potential erosion hazards that could be avoided by proper siting and grading. The applicant has not provided enough information that would assist in determining the extent of project related impacts due to grading erosion and runoff, as required by MCC Chapter 20.492. On September 22, 2021, a referral was sent, and no comment was received from, the Mendocino County Air Quality Management District (AQMD).

Archaeological/Cultural Resources: The County of Mendocino regulates cultural resources under Chapter 22.12 of the County Code which requires Coastal Development Permits to be reviewed by the Northwest Information Center at Sonoma State University. The proposed project was referred to Sonoma State University, who responded with comments on October 07, 2021, and was scheduled for a hearing before the Mendocino County Archaeological Commission on November 10, 2021, where it was determined that no survey is required. Therefore, the project is consistent with MCC Chapter 22.12.

Groundwater Resources: The project site is located within a mapped Sufficient Water Resources Area (see attached *Ground Water Resources*). The subject parcel has an existing well and septic system. On September 22, 2021, a referral was sent to Division of Environmental Health (EH). Planning and Building Services received comments from EH, on October 13, 2020. “*If any of these structures have plumbing, EH will need septic discovery.*”

Transportation/Circulation: The proposed project would be consistent and not contribute a significant amount of new traffic on local and regional roadways. The cumulative effects of traffic resulting from development on this site were considered when the Coastal Element land use designations were assigned. Additionally, the subject parcel and surrounding parcels are developed and have homes that are occupied; therefore, accessory structures are not anticipated to generate a significant amount of additional traffic beyond what presently exists. The project application was referred to the Mendocino County Department of Transportation (MCDOT) for input and received no response.

Public Access: The project site is located west of the first public road but is not specified or indicated as a location for public access to the shore (See attached *LCP Land Use Map 11: Little Valley*). As proposed the project would be consistent with MCC Chapter 20.528 *Coastal Access Regulations*

ENVIRONMENTAL DETERMINATION

The Project was determined to meet the criteria for a Statutory Exemption from the California Environmental Quality Act (CEQA) under California Code of Regulations Section 15270(a). CEQA does not apply to projects that a public agency rejects or disapproves. Staff is recommending that the Coastal Permit Administrator deny the request project as proposed. Alternatively, if the Coastal Permit Administrator chooses to take no action at this time, then staff recommends directing completion of the application forms, addressing the concerns identified within this report, and requesting staff either prepare an Initial Study or determine the project categorically exempt from CEQA.

RECOMMENDED FINDINGS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal

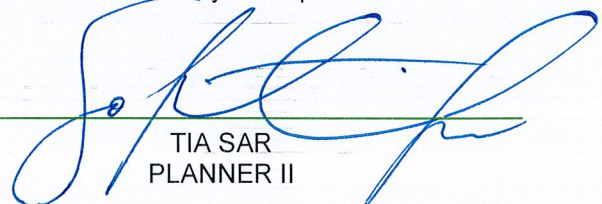
Zoning Code (MCC), the Coastal Permit Administrator denies without prejudice the project as proposed, adopts the following findings in support of this decision, and recommends Mendocino County Code Enforcement staff continue their investigation regarding unauthorized development at 27730 N. Hwy 1, Fort Bragg; APN 069-010-13.

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed project does not conform with the certified Local Coastal Program as it proposes structures within an environmentally sensitive habitat area buffer when feasible alternative locations exist; the proposed does not demonstrate that potential hazards are avoided; and the proposed project has not demonstrated how Coastal Element goals and policies protecting habitats and natural resources, agriculture, hazards management, visual resources, shoreline access, and transportation, utilities, and public services would be satisfied; and as filed; and
2. Pursuant with MCC Section 20.532.095(A)(2), the filed site plan does not depict locations for leach fields, groundwater extraction, and other utilities. The application proposes a hot tub where water is not connected to the septic system and drains into the ESHA. Electrical service would be trenched through an ESHA. The proposed project access to drainage, water, electrical and other utilities would require digging within a sensitive habitat area which is prohibited, and the applicant has not established alternative locations with a lesser impact on the habitat. As proposed, the hot tub's access to leach lines, water, and other utilities is not consistent with Coastal Element Policies 3.8-7, 3.8-11, and others. The existing single family residence access existing utilities and driveway from Hwy 1; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed project has not established how potential impact would be avoided or mitigated and does not satisfy the specified requirements of the MCC Chapter 20.500 *Hazards*; A mitigation plan prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting on July 12, 2018, is included. The mitigation plan is not acceptable as it does not demonstrate that potential hazards are avoided; and has not demonstrated how Coastal Element goals and policies protecting habitats and natural resources, agriculture, hazards management, visual resources, shoreline access, and transportation, utilities, and public services would be satisfied. The proposed building locations do not satisfy the purpose and intent of MCC Chapter 20.504 *Visual Resource and Special Treatment Areas*, and as proposed the project does not satisfy other provisions of Division II.; and
4. Pursuant with MCC Section 20.532.095(A)(4), the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves; and
5. Pursuant with MCC Section 20.532.095(A)(5), it is unknown whether cultural resources are associated with the site. The project was referred to the Northwest Information Center at Sonoma State University (SSU), who responded with comments on October 07, 2021, and was scheduled for a hearing before the Mendocino County Archaeological Commission on November 10, 2021, where it was determined that no survey is required; and
6. Pursuant with MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered to serve the existing site. The site is currently developed with a single-family residence and the after-the-after fact request to permit accessory structures is not anticipated to affect additional demands on public services. The proposed building locations do not satisfy the purpose and intent of MCC Chapter 20.504 *Visual Resource and Special Treatment Areas*, and as proposed the project does not satisfy other provisions of Division II.

12/20/2022

DATE



TIA SAR
PLANNER II

DATE

IGNACIO GONZALEZ
COASTAL PERMIT ADMINISTRATOR

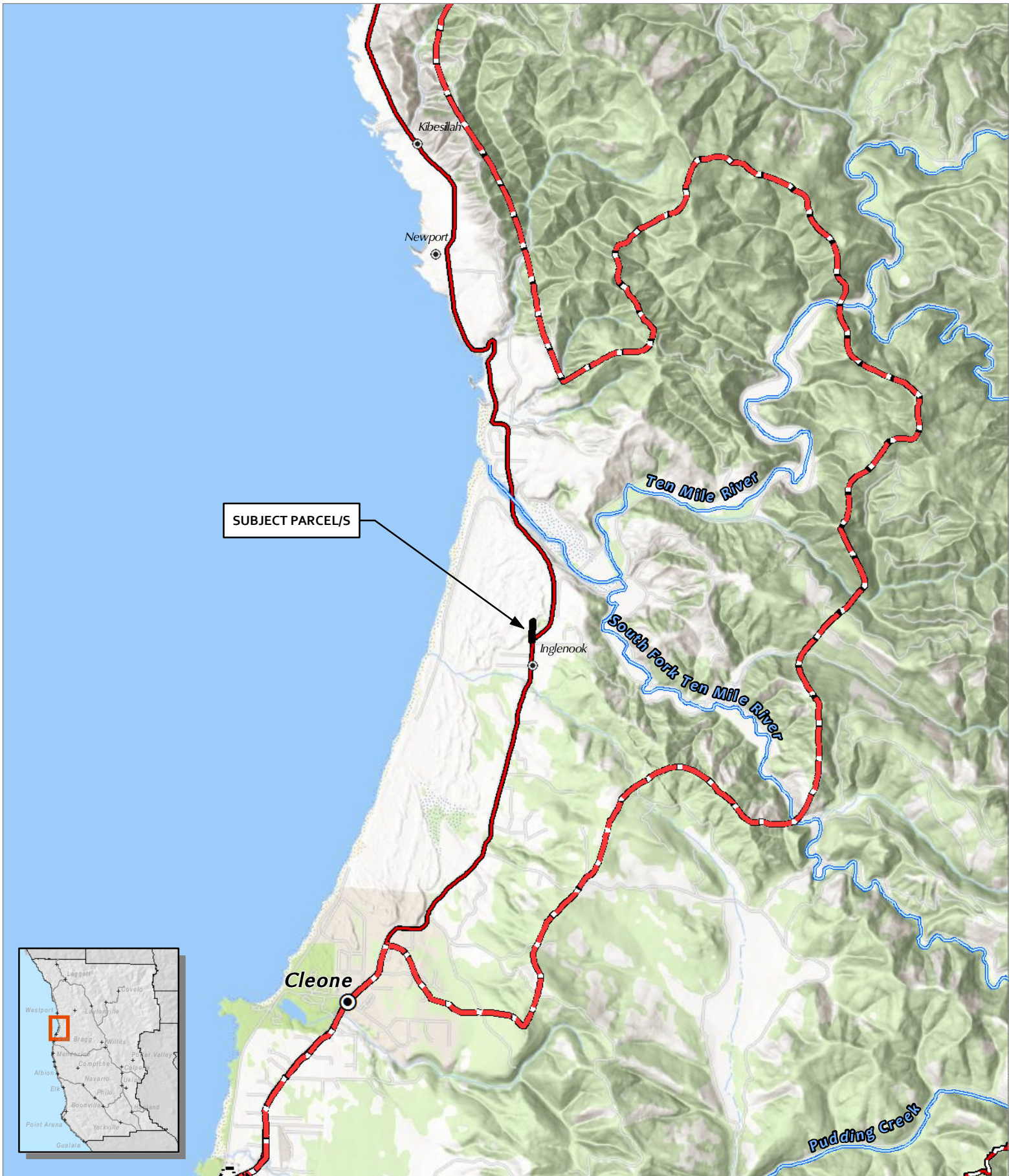
Appeal Period: 10 Days
Appeal Fee: \$2,620.00

ATTACHMENTS:

- | | |
|---------------------------------|---------------------------------------|
| a) Location Map | l) Appealable Areas |
| b) Aerial Vicinity | m) Adjacent Parcels |
| c) Aerial Imagery | n) Fire Hazard Zones |
| d) Topographic Map | o) Wild-Urban Interface |
| e) Site Plan | p) Classified Wetlands |
| f) Floor Plan & Elev | q) Coastal Ground Water Resource Area |
| g) Zoning Display Map | r) Highly Scenic & Tree Removal Area |
| h) General Plan Classifications | s) Slope |
| i) LCP Land Use Map 15: Casper | t) Local Soils |
| j) LCP Land Capabilities | u) Important Farmland |
| k) LCP Habitats & Resources | |

SUMMARY OF REFERRAL AGENCIES COMMENTS:

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

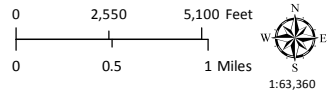


SUBJECT PARCEL/S

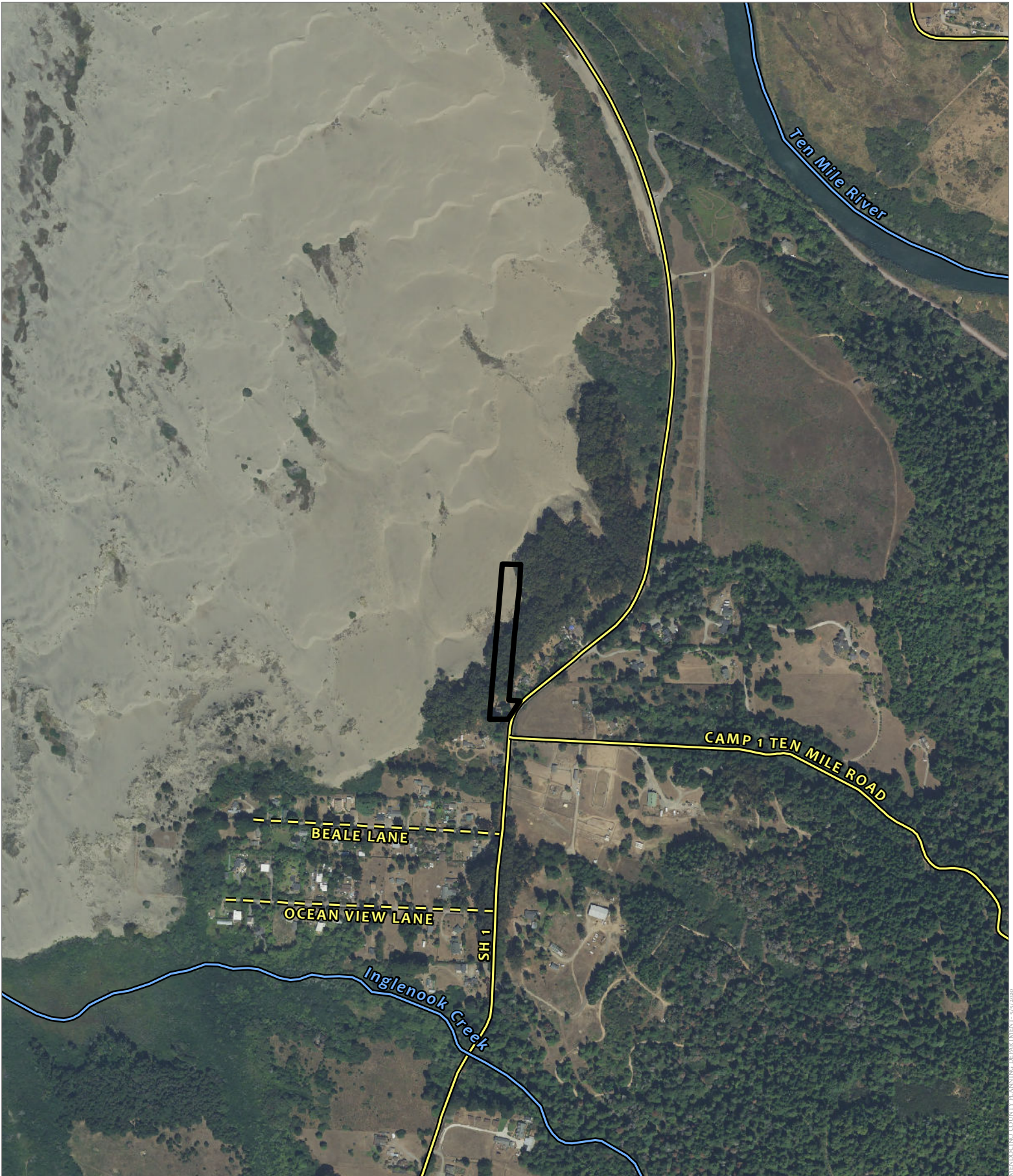


CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg




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

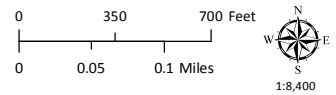


LOCATION MAP



CASE: CDP 2019-0018
OWNER: MOODY, Anna
APN: 069-010-13
APLCT: Anna Moody
AGENT:
ADDRESS: 27730 N. Highway 1, Fort Bragg

-  Named Rivers
-  Public Roads
-  Private Roads

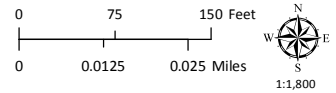


AERIAL IMAGERY



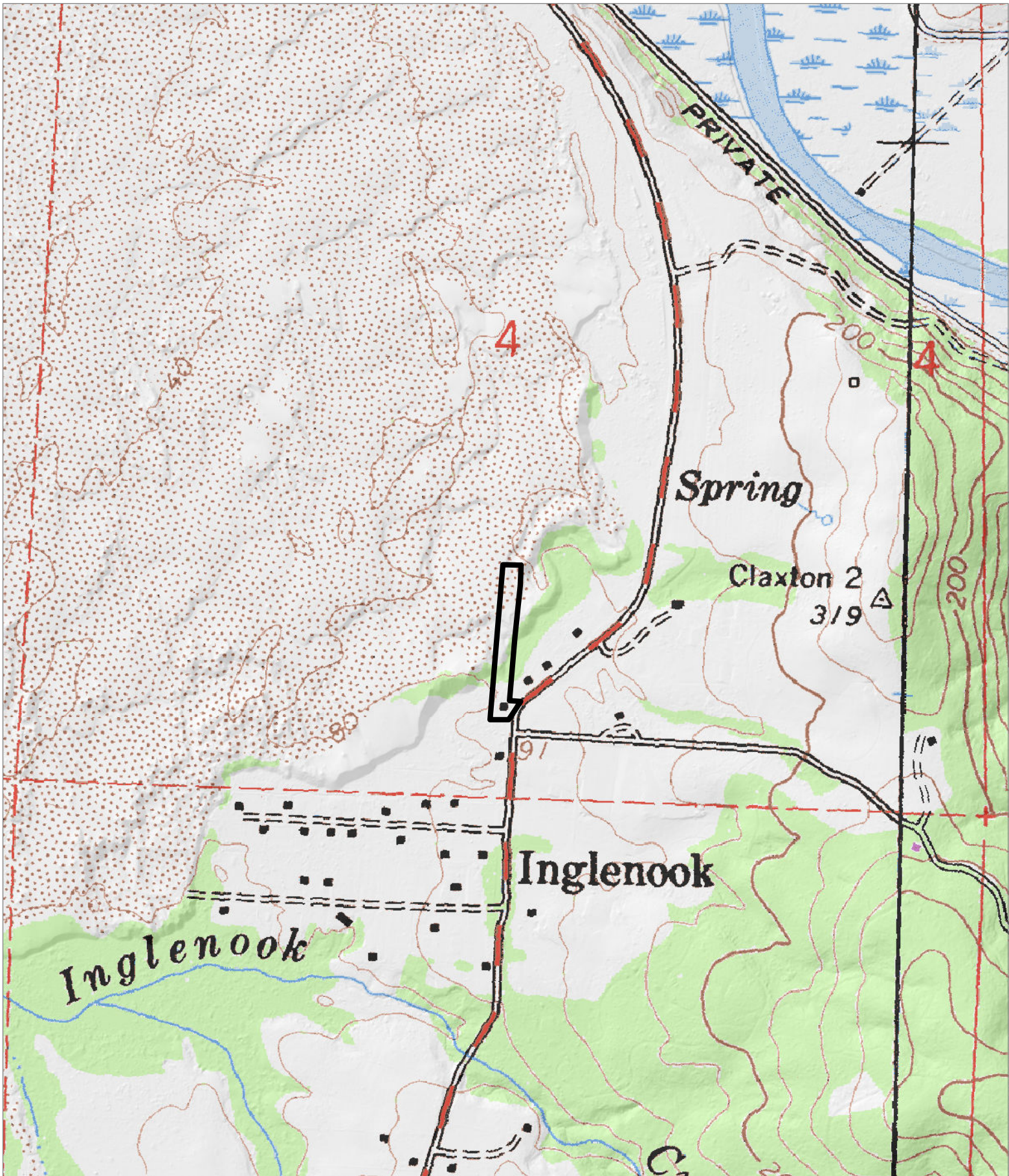
CASE: CDP 2019-0018
OWNER: MOODY, Anna
APN: 069-010-13
APLCT: Anna Moody
AGENT:
ADDRESS: 27730 N. Highway 1, Fort Bragg

Public Roads

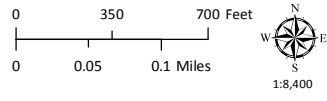


AERIAL IMAGERY

MENDOCINO COUNTY PLANNING DEPARTMENT 7/5/2019



CASE: CDP 2019-0018
OWNER: MOODY, Anna
APN: 069-010-13
APLCT: Anna Moody
AGENT:
ADDRESS: 27730 N. Highway 1, Fort Bragg



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

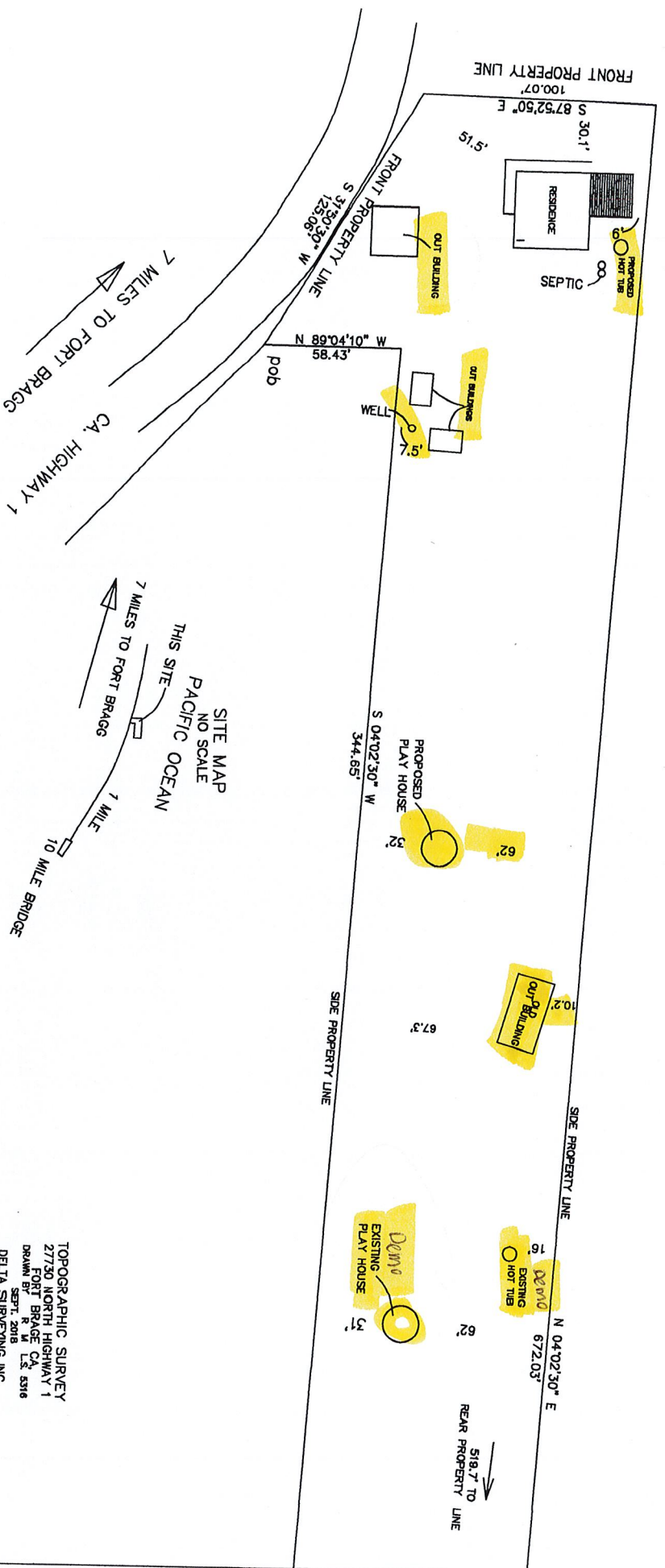
INGLENOOK COUNTY PLANNING DEPARTMENT - 9/5/2019



STATE OF CALIF.



GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.
REDUCED NO SCALE



7 MILES TO FORT BRAAG
CA. HIGHWAY 1

SITE MAP
NO SCALE
PACIFIC OCEAN
7 MILES TO FORT BRAAG
1 MILE
10 MILE BRIDGE

TOPOGRAPHIC SURVEY
27730 NORTH HIGHWAY 1
FORT BRAAG, CA 95916
DRAWN BY R. CA. 5316
SEPT. 2018
DELTA SURVEYING INC.
(707)575-0346

DELTA SURVEYING INC. * LAND SURVEYORS

69-010-13

MISCELLANEOUS STRUCTURES

Structure Found	Cons.	Ext.	Roof	Floor	Int.	Size, etc.
VARIOUS	OUT	BL	NTV			72 X 16
Removal	Conc	FR	Grp	HD	200mp	14 x 14

1959 Q.F. COMPUTATIONS

RES. 1ST
 $32 \times 26 = 832$
 $22 \times 6 = 132$
 $18,260 = 4168$
 $6 \times 10 = 60$

 1492

PUMP HOUSE (14 x 14)
 $14 \times 14 = 196$

WOOD 5 x 21 = 105
 $20 \times 18 = 360$
 $10 \times 5 = 50$
 $5 \times 4 = 20$

 586

W-EP
 $6 \times 26 = 156$

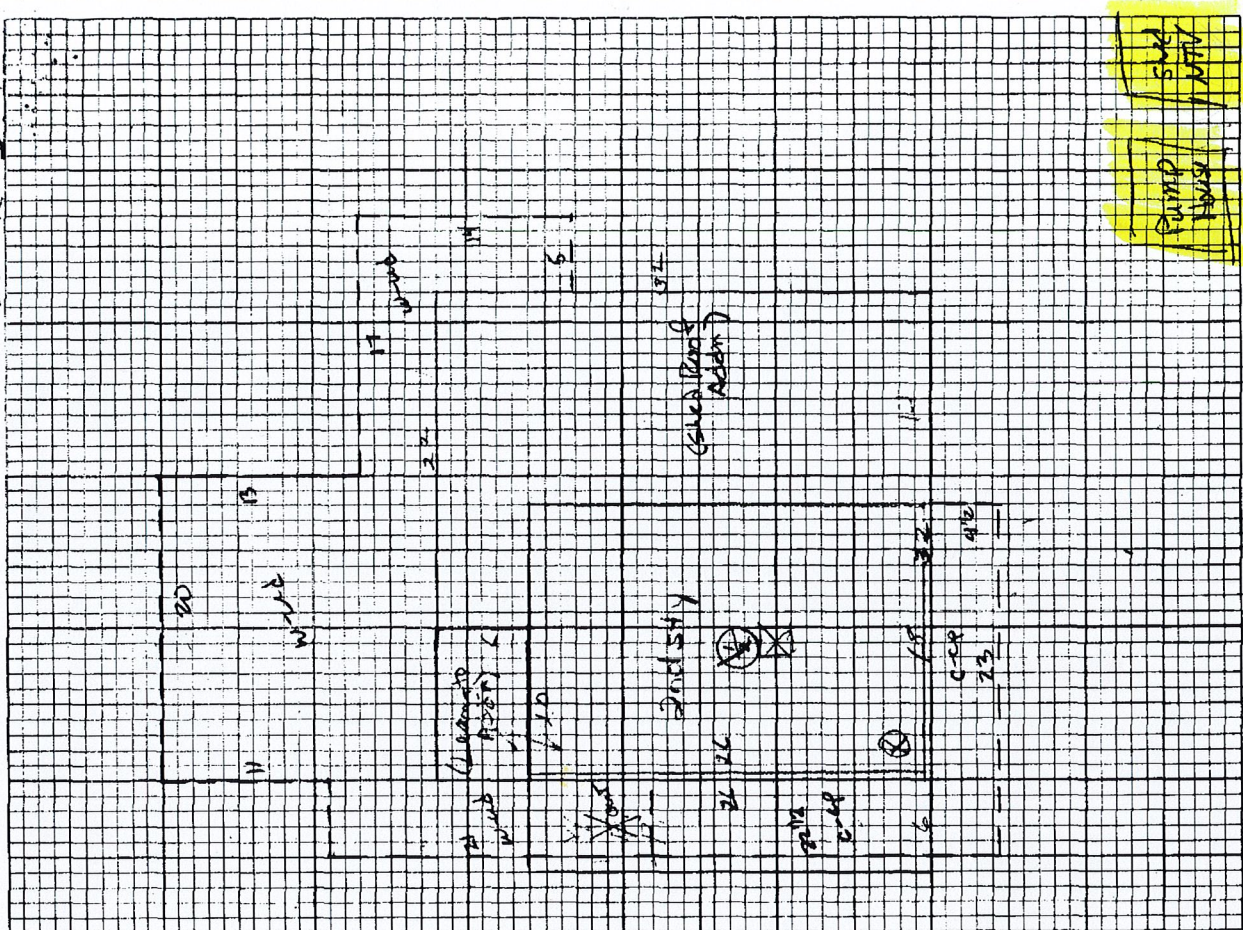
C-CP
 $4 \times 12 \times 25 = 1075$
 $5 \times 18 = 90$

 194

Remarks: 7-20-60: NO ONE HOME, NO INT.

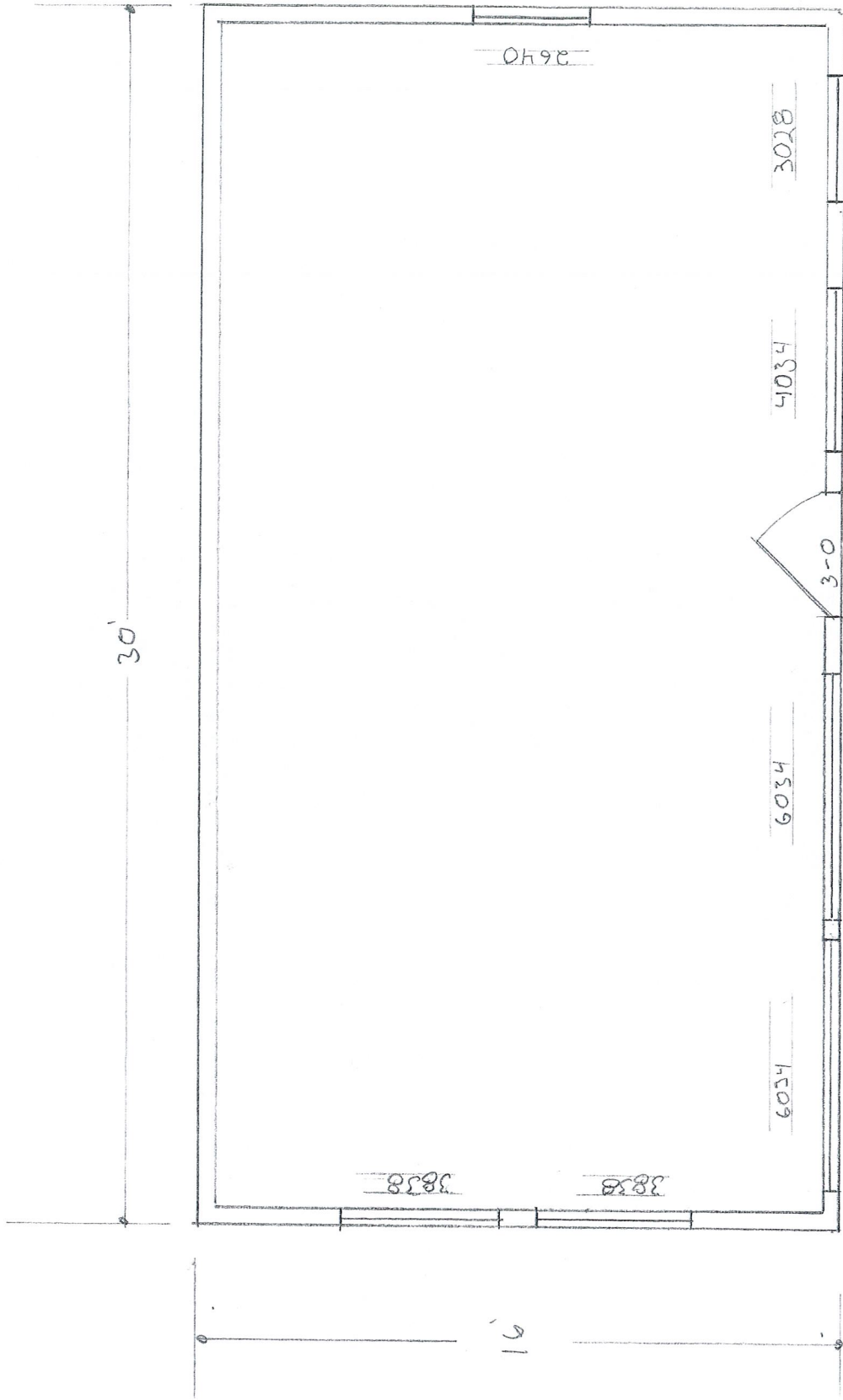
DETAIL AVAIL

9-18-70 D-3 Series of...
 10... occupied BY A...
 PAYING \$150.00 PER MO. REPT. ADDED
 PUMP HOUSE 1160...
 9...
 CONC. 15...
 IN...
 1...
 Measured depth of hole. No steel reinforcement over concrete - new steel needs work on



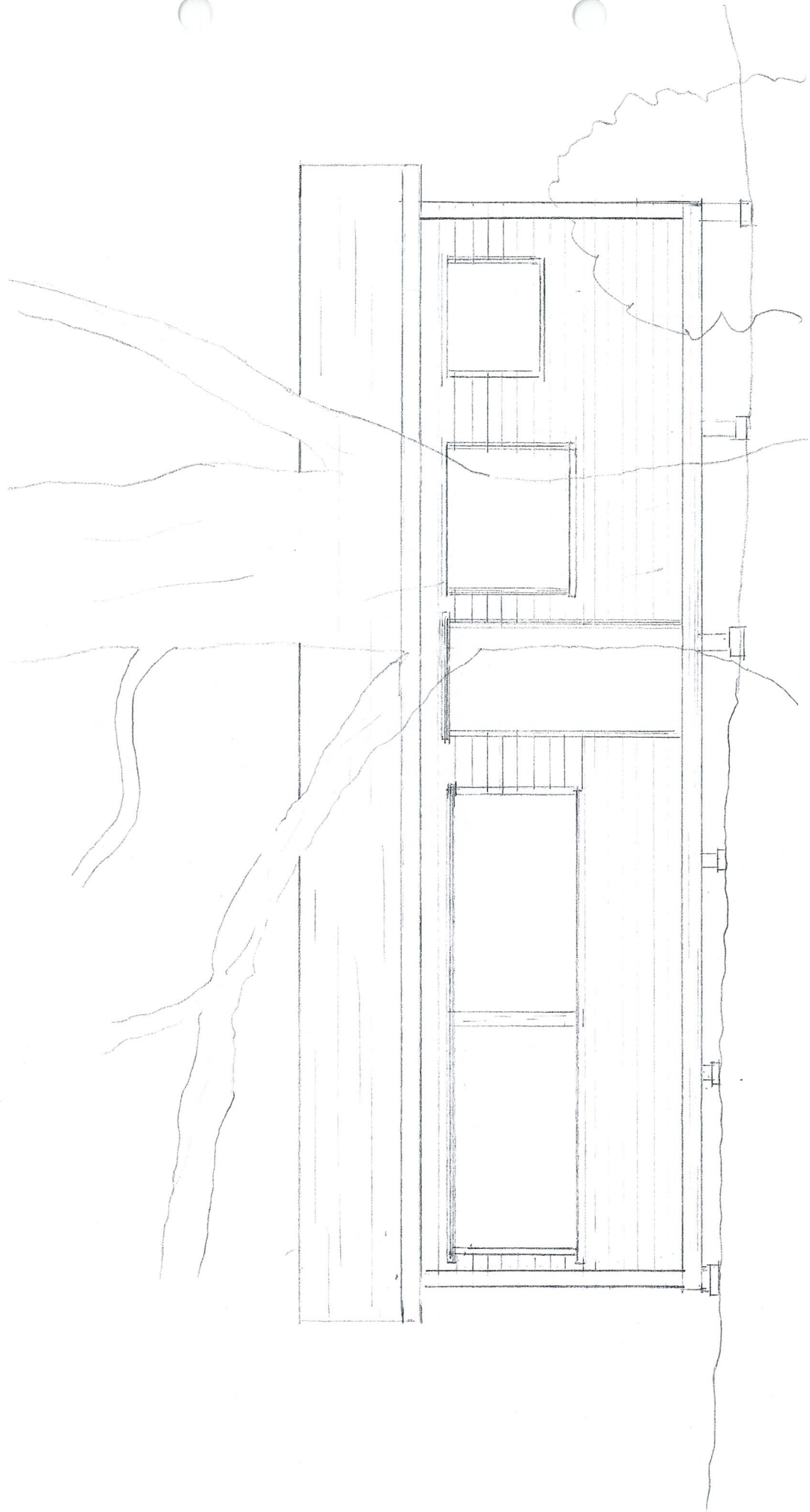
PUMP HOUSE
 14 X 14
 NTV

Anna Moody Project Number 2019-0018



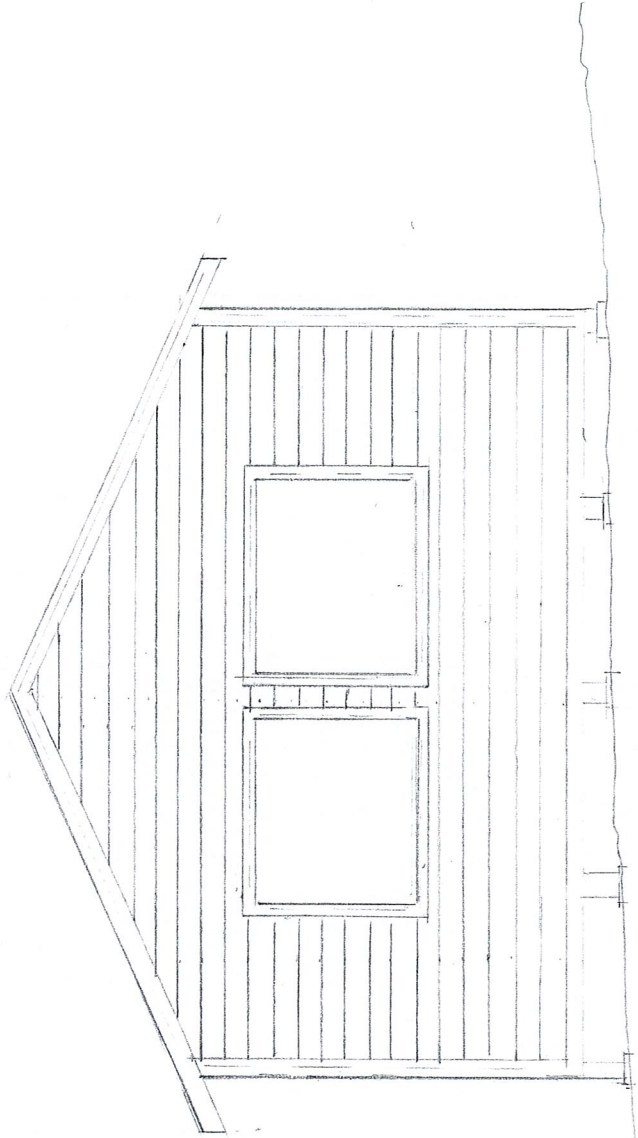
Scale 1/4" = 1'

Anna Moody Project Number CDP_2019-0018



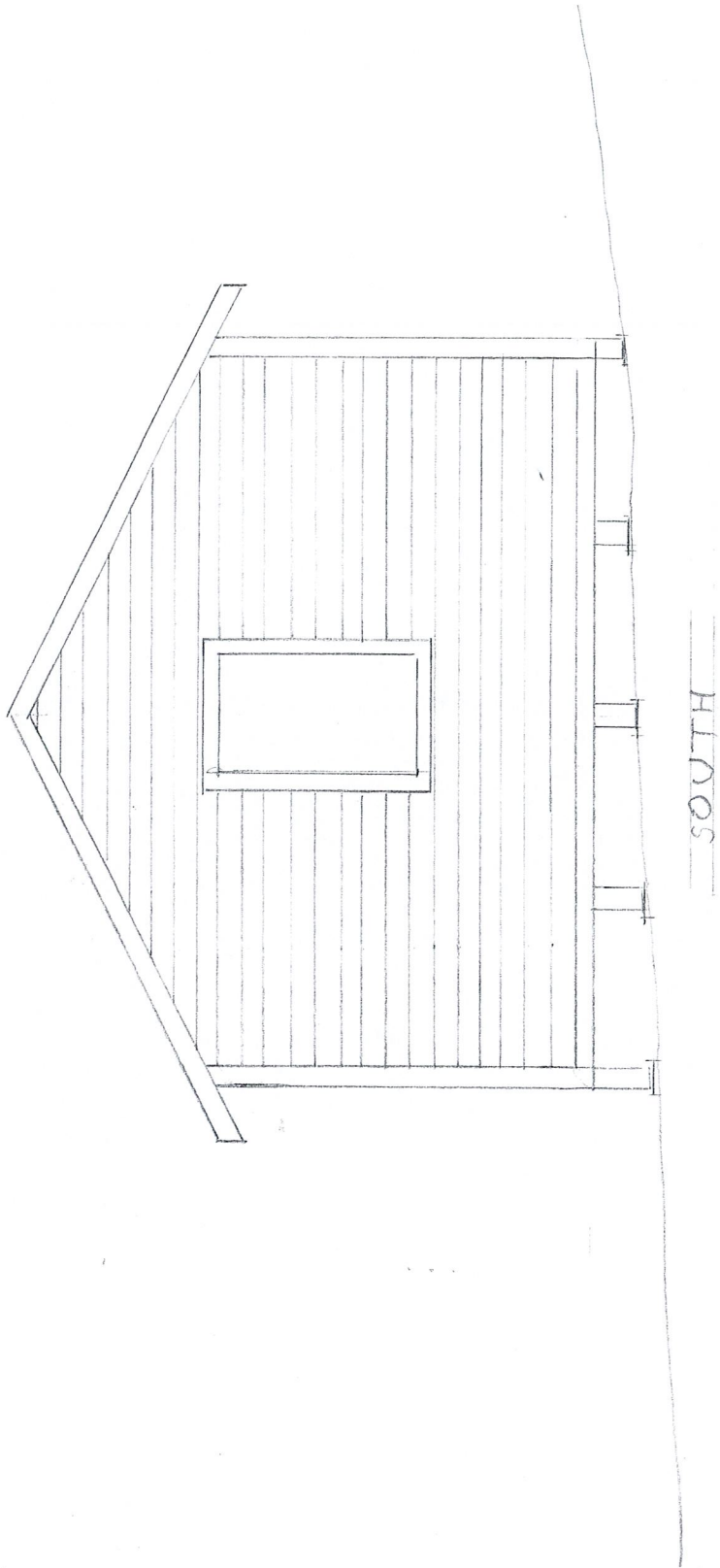
WEST

Anna Moody Project Number 2019-0018

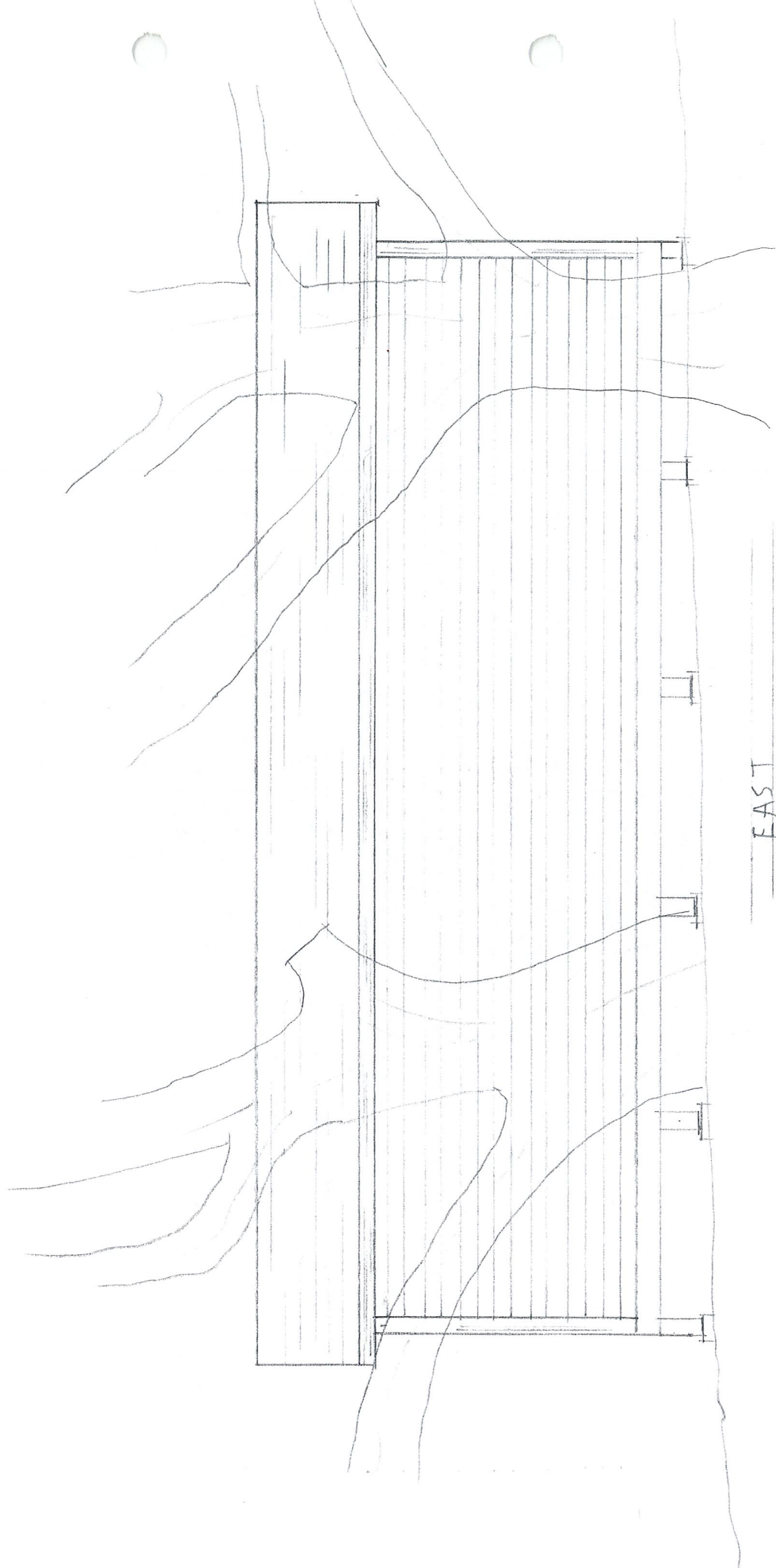


NORTH

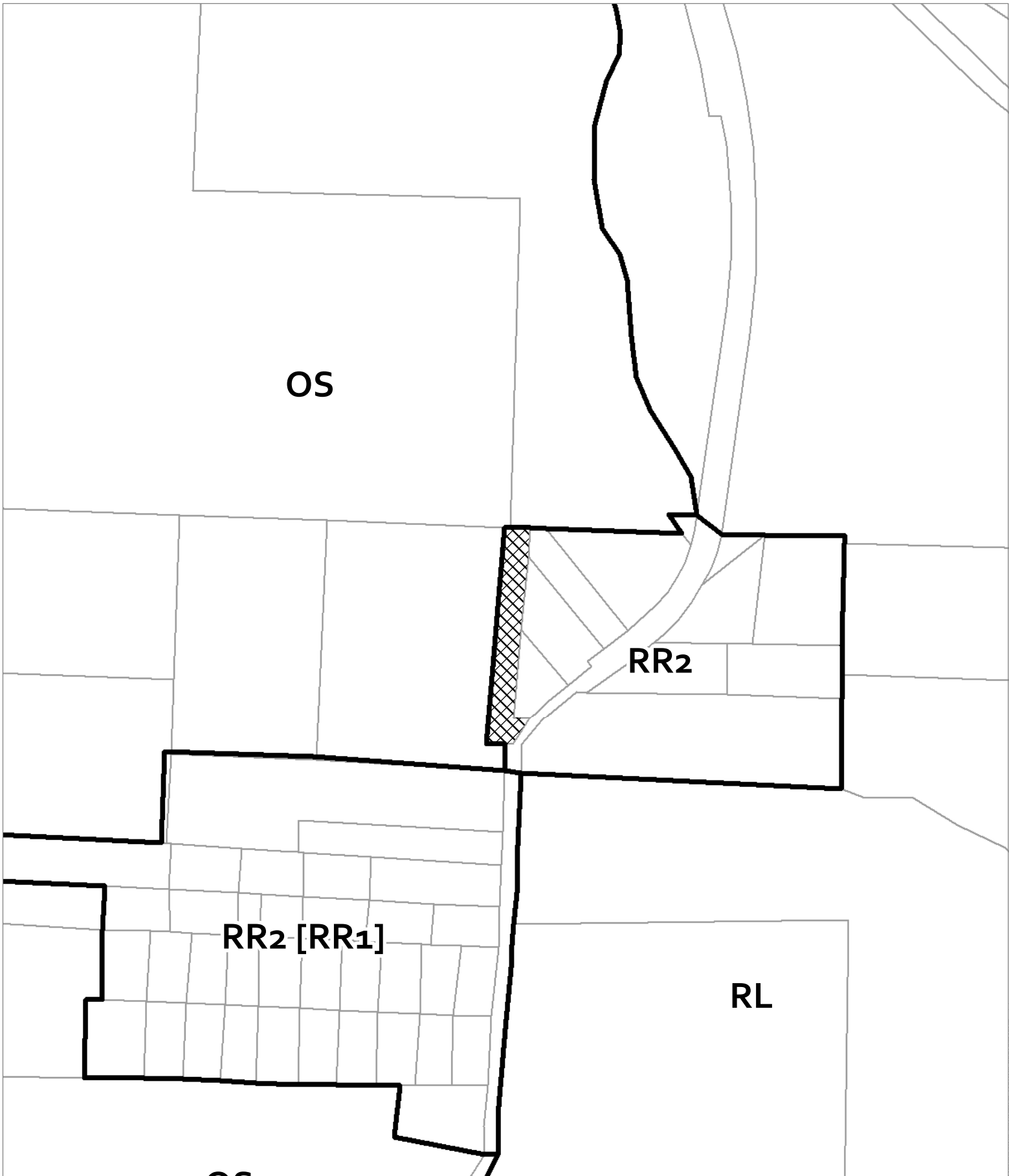
Anna Moody Project Number - 2019-0018



Anna Moody Project Number - 2019-0018

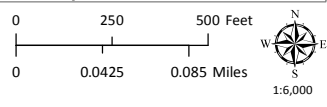


EAST

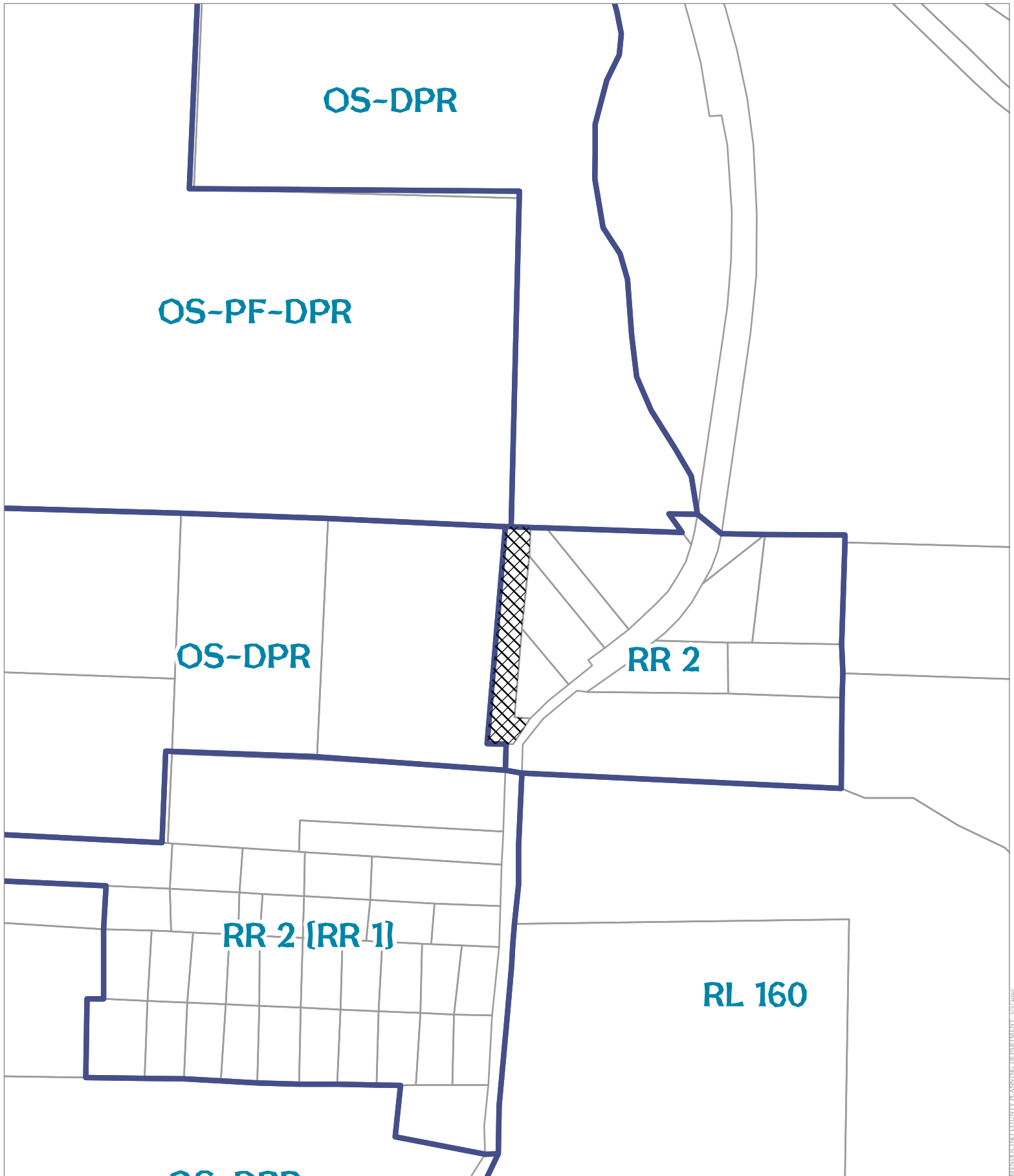


CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

-  Zoning Districts
-  Assessors Parcels



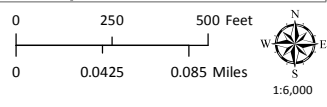
MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019



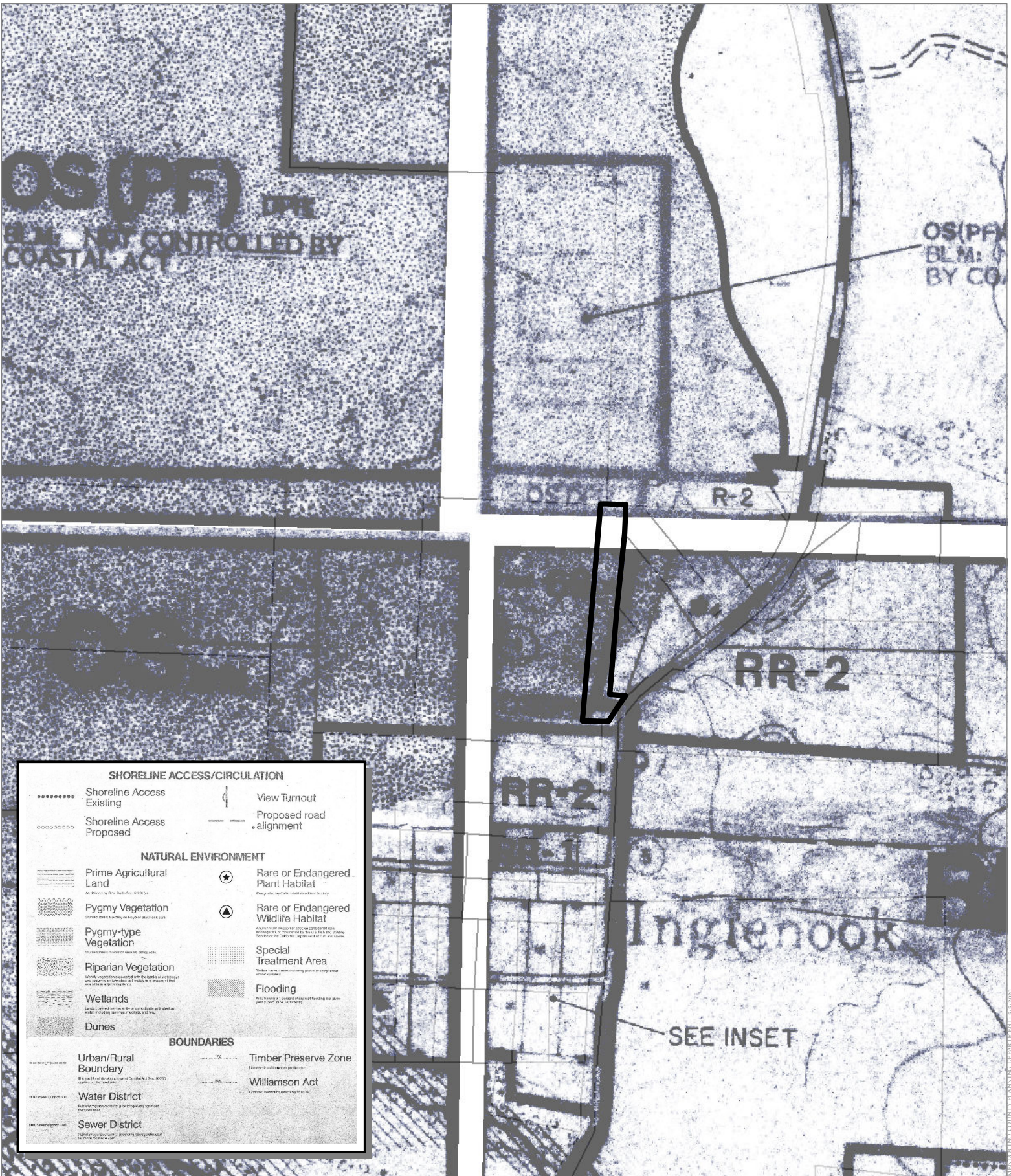
MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019

CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

- General Plan Classes
- Assessor's Parcels



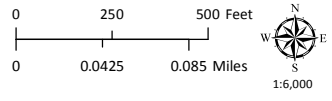
GENERAL PLAN CLASSIFICATIONS



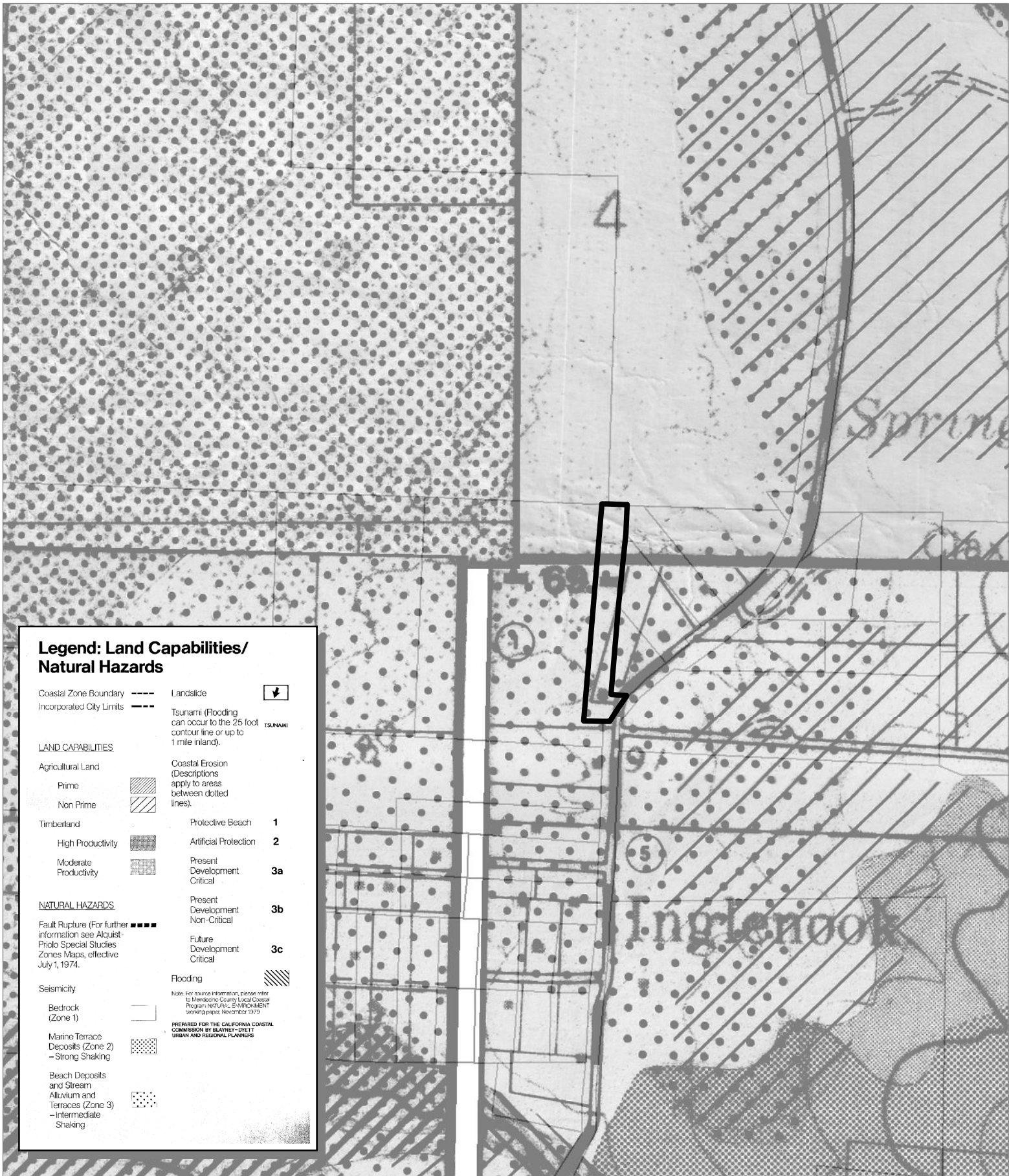
CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:

ADDRESS: 27730 N. Highway 1, Fort Bragg











Assessors Parcels



MENDOCINO COUNTY PLANNING DEPARTMENT 5/5/2020



**Legend: Land Capabilities/
Natural Hazards**


- Coastal Zone Boundary Landslide 
- Incorporated City Limits Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland). TSUNAMI
- LAND CAPABILITIES**
- Agricultural Land
- Prime 
- Non Prime 
- Timberland 
- High Productivity 
- Moderate Productivity 
- NATURAL HAZARDS**
- Fault Rupture (For further information see Alquist-Priolo Special Studies Zones Maps, effective July 1, 1974.)
- Seismicity
- Bedrock (Zone 1) 
- Marine Terrace Deposits (Zone 2) - Strong Shaking 
- Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking 
- Coastal Erosion (Descriptions apply to areas between dotted lines).
- Protective Beach **1**
- Artificial Protection **2**
- Present Development Critical **3a**
- Present Development Non-Critical **3b**
- Future Development Critical **3c**
- Flooding 

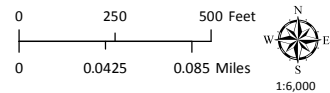
Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT working paper, November 1979.

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

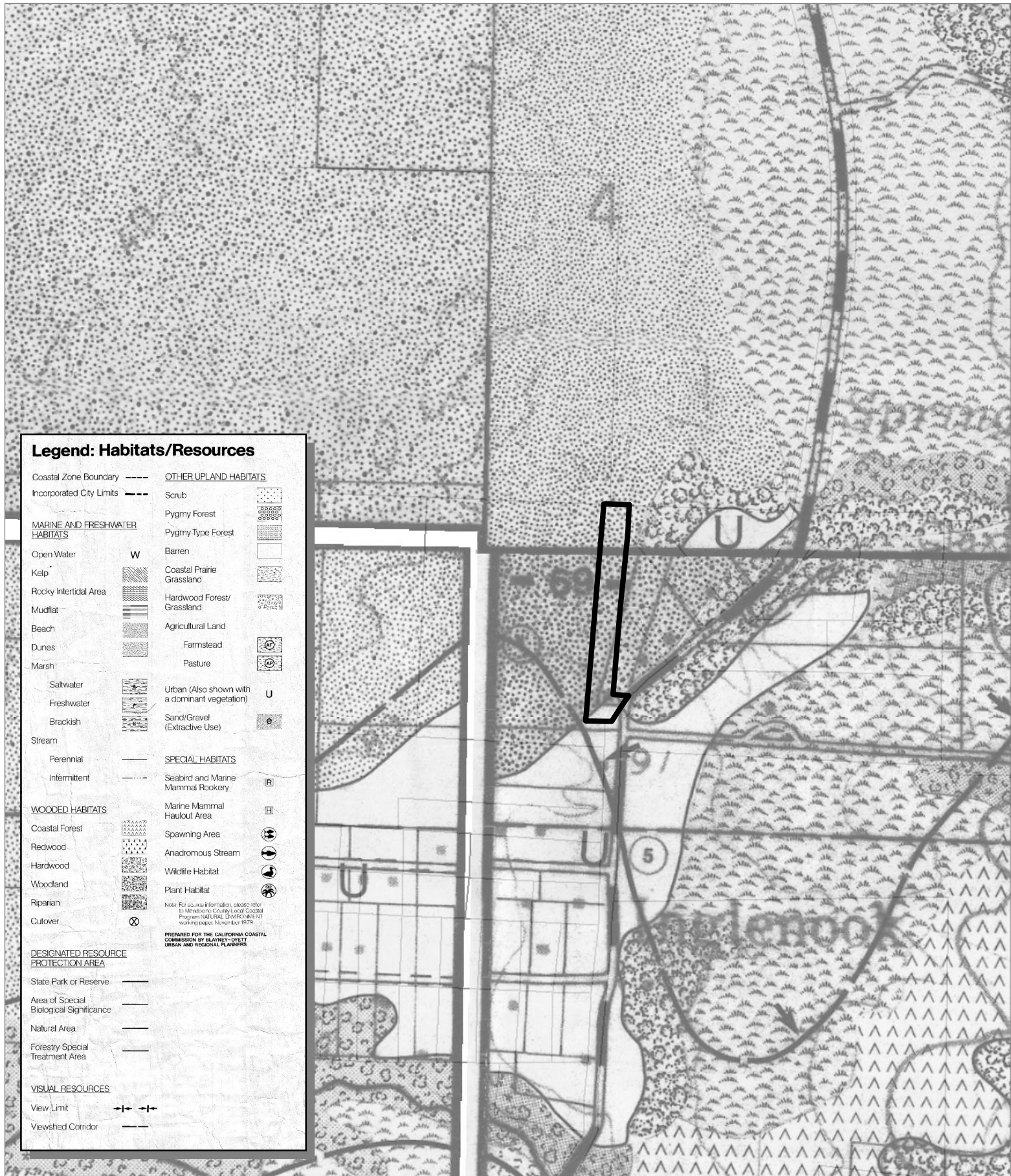
CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:

ADDRESS: 27730 N. Highway 1, Fort Bragg

 Assessors Parcels



LCP LAND CAPABILITIES & NATURAL HAZARDS



Legend: Habitats/Resources

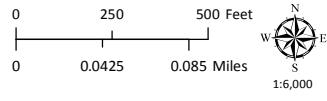
Coastal Zone Boundary	---	OTHER UPLAND HABITATS
Incorporated City Limits	---	Scrub
MARINE AND FRESHWATER HABITATS		Pygmy Forest
Open Water	W	Pygmy Type Forest
Kelp	[Pattern]	Barren
Rocky Intertidal Area	[Pattern]	Coastal Prairie Grassland
Mudflat	[Pattern]	Hardwood Forest/Grassland
Beach	[Pattern]	Agricultural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

Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT working paper November 1979.

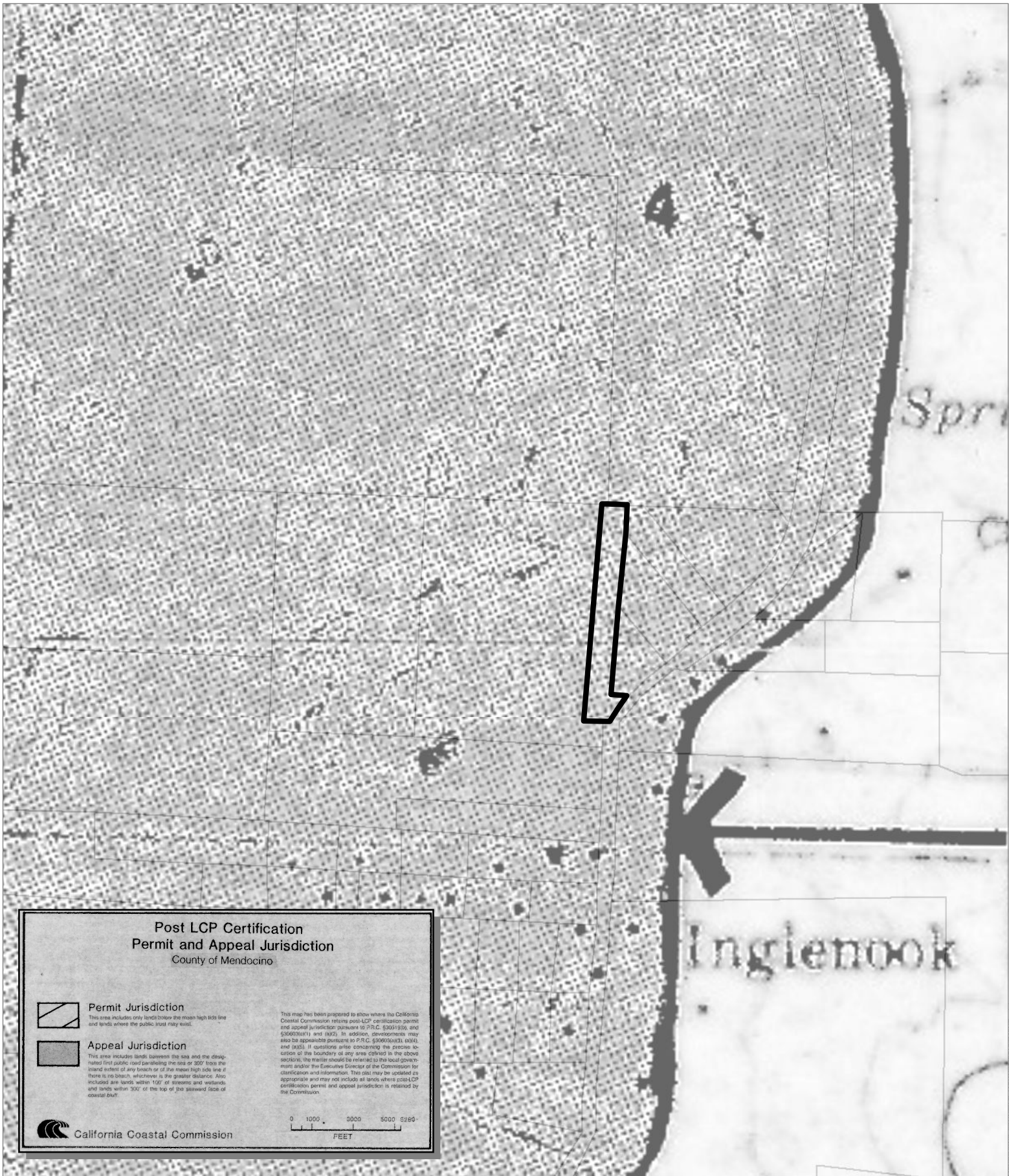
PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY SLAYNEY, SWETT URBAN AND REGIONAL PLANNERS

CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

Assessor's Parcels



MENDOCINO COUNTY PLANNING DEPARTMENT 7/5/2019



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

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

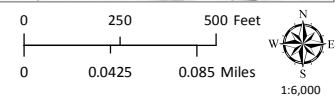
Appeal Jurisdiction
This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands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

This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.R.C. §30019(b), and §30000(a)(1) and (a)(2). In addition, developments may also be appealable pursuant to P.R.C. §30003(a)(3), (a)(4), and (a)(5). If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

FEET

CASE: **CDP 2019-0018**
 OWNER: **MOODY, Anna**
 APN: **069-010-13**
 APLCT: **Anna Moody**
 AGENT:
 ADDRESS: **27730 N. Highway 1, Fort Bragg**

Assessors Parcels



POST LCP CERTIFICATION & APPEAL JURISDICTION

MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019

069-010-05
OF STATE
OS 0 118.4 A±

069-010-36
OF STATE
28300 NO HWY 1
OS 0 64.5 A±

069-010-17
JAMES KRAUSE
27850 NO HWY 1
RR 2 0 A±

069-010-16
SUSAN STEVER
27832 NO HWY 1
RR 2 1.5 A±

069-010-15
STEVE UNGER
27800 HWY 1
RR 2 1.8 A±

069-010-30
LEE RIDER
27811 NO HWY 1
RR 2 2.08 A±

069-010-10
OF STATE
27700 SHORELINE HWY 1
OS 0 15.6 A±

069-010-13
ANNA MOODY
27730 NO HWY 1
RR 2 2.1 A±

069-010-29
CHARLES MACHER
27781 NO HWY 1
RR 2 2.01 A±

069-010-14
JASON DITZIAN
27760 NO HWY 1
RR 2 0 A±

069-010-25
MATTHEW HUBER
32900 CAMP 1 TEN MILE RD
RR 2 9.5 A±

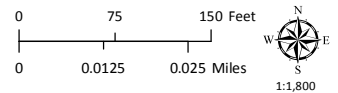
069-010-11
CHERIE YEKIN
27650 NO HWY 1

069-052-15
ROCHELLE MCMANUS

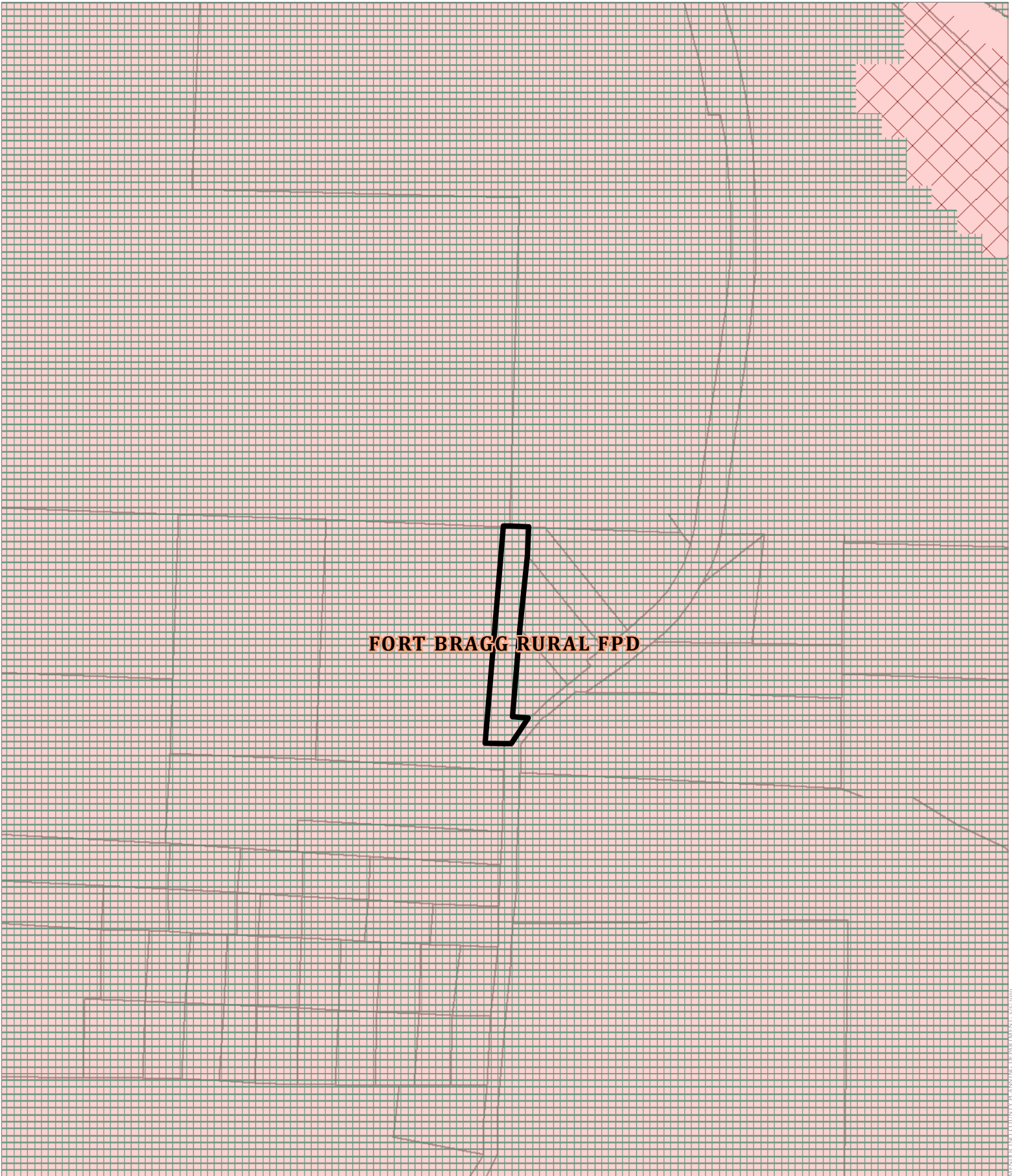
CASE: CDP 2019-0018
OWNER: MOODY, Anna
APN: 069-010-13
APLCT: Anna Moody
AGENT:

ADDRESS: 27730 N. Highway 1, Fort Bragg

Assessors Parcels






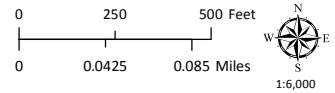
ADJACENT PARCELS



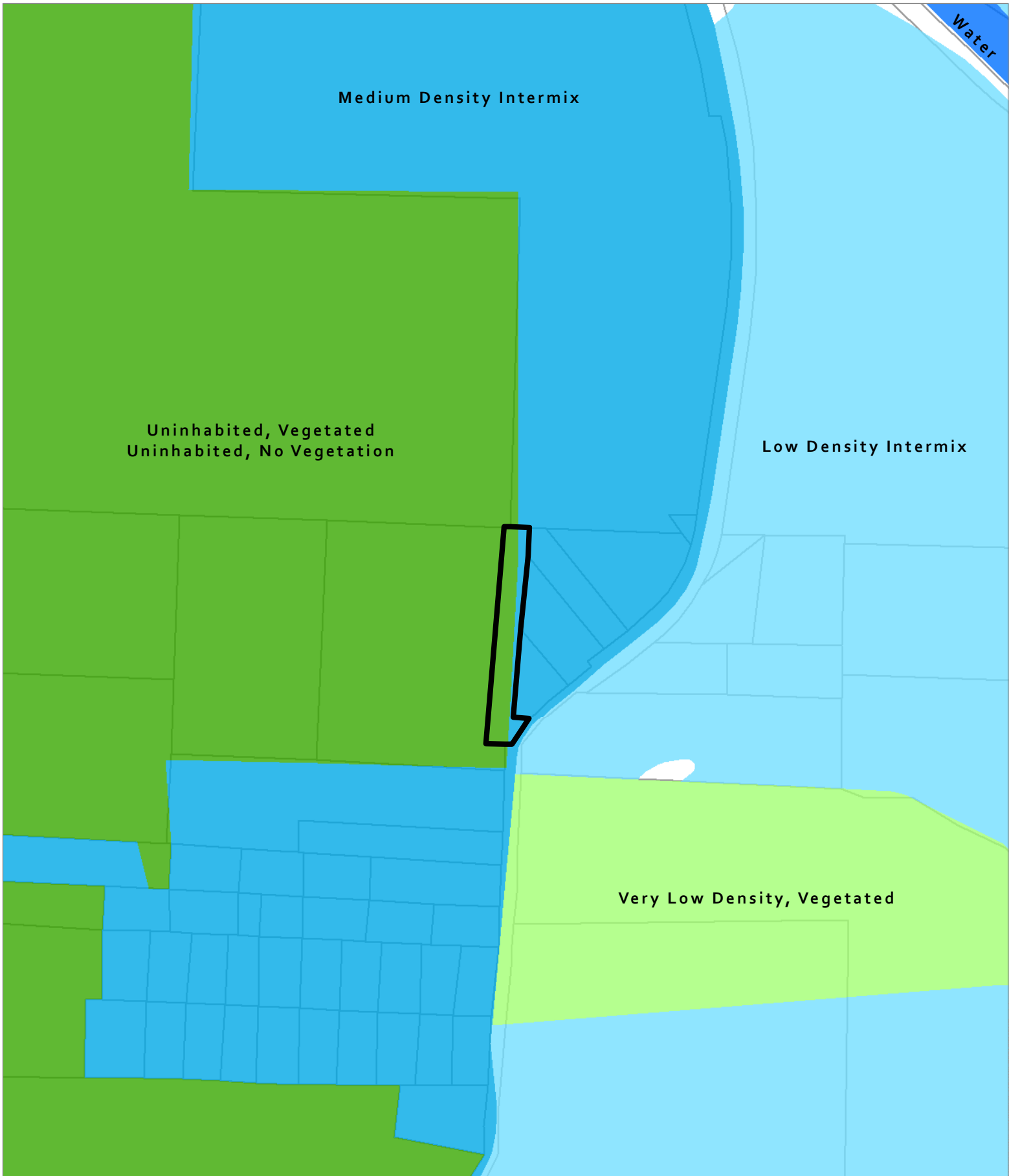
FORT BRAGG RURAL FPD

CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts
-  Assessors Parcels

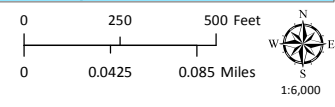


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA



CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

- Water
- Assessors Parcels



MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019

Estuarine and Marine Wetland
Estuarine and Marine Deepwater

Freshwater Pond

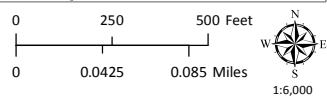
Freshwater Emergent Wetland

NATIONAL WETLANDS INVENTORY

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

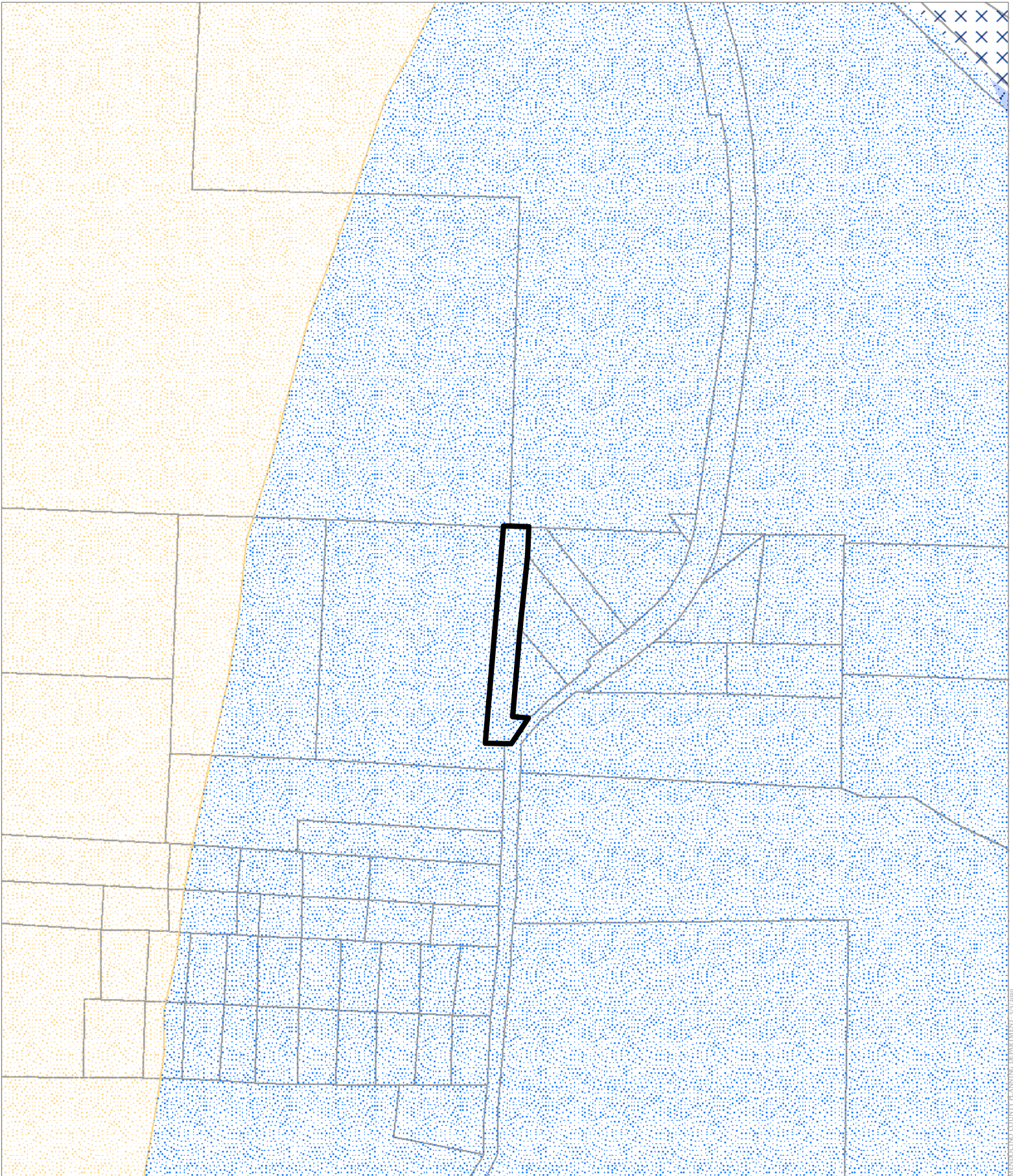
CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

Assessors Parcels



WETLANDS

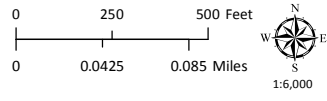
MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019



CASE: CDP 2019-0018
 OWNER: MOODY, Anna
 APN: 069-010-13
 APLCT: Anna Moody
 AGENT:
 ADDRESS: 27730 N. Highway 1, Fort Bragg

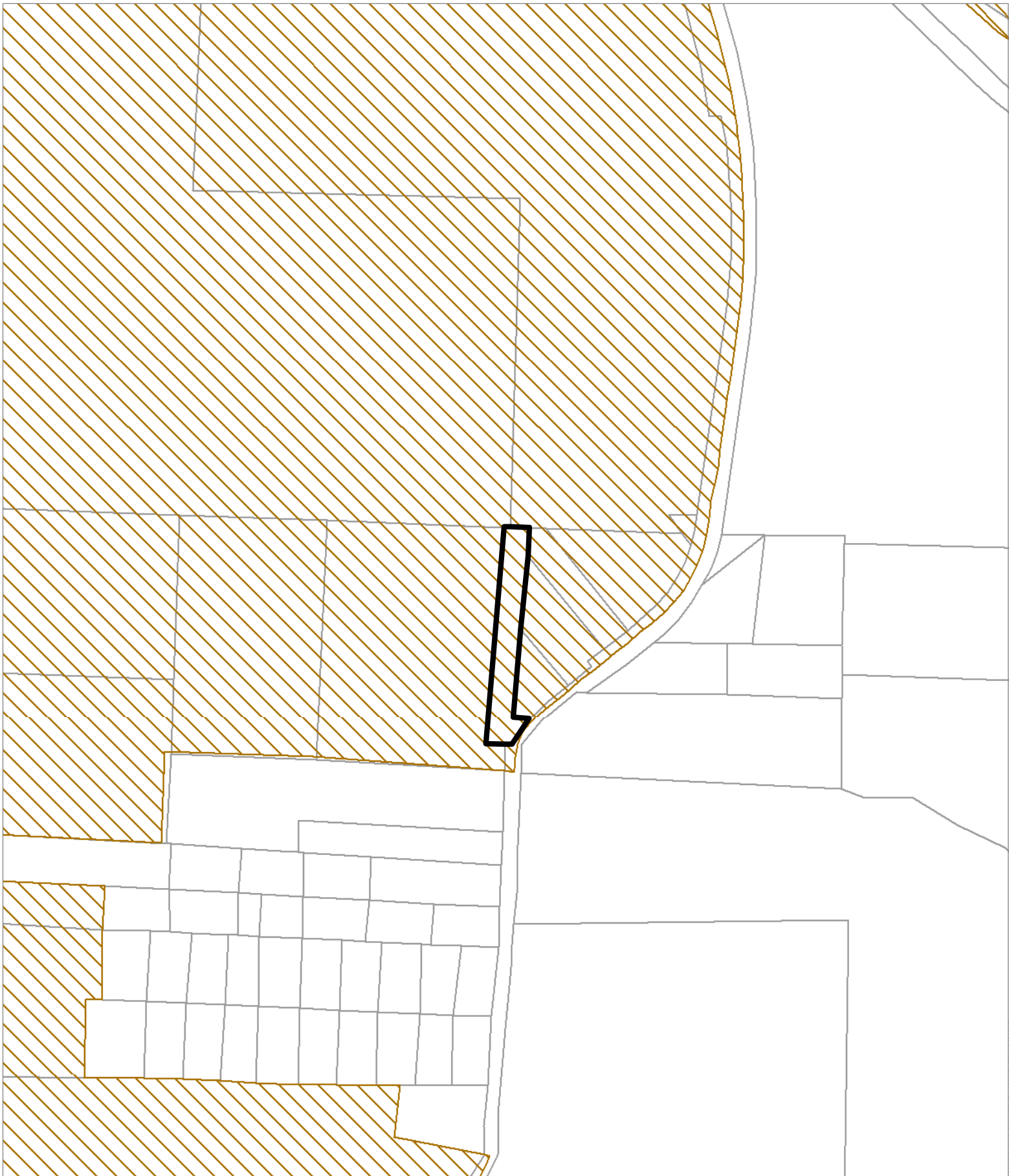
- Critical Water Areas
- Sufficient Water Resources
- Critical Water Resources Bedrock

- Dunes
- Assessors Parcels





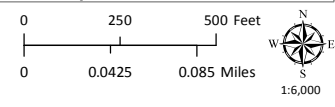
GROUND WATER RESOURCES

HERNANDO COUNTY PLANNING DEPARTMENT - 5/2/2019



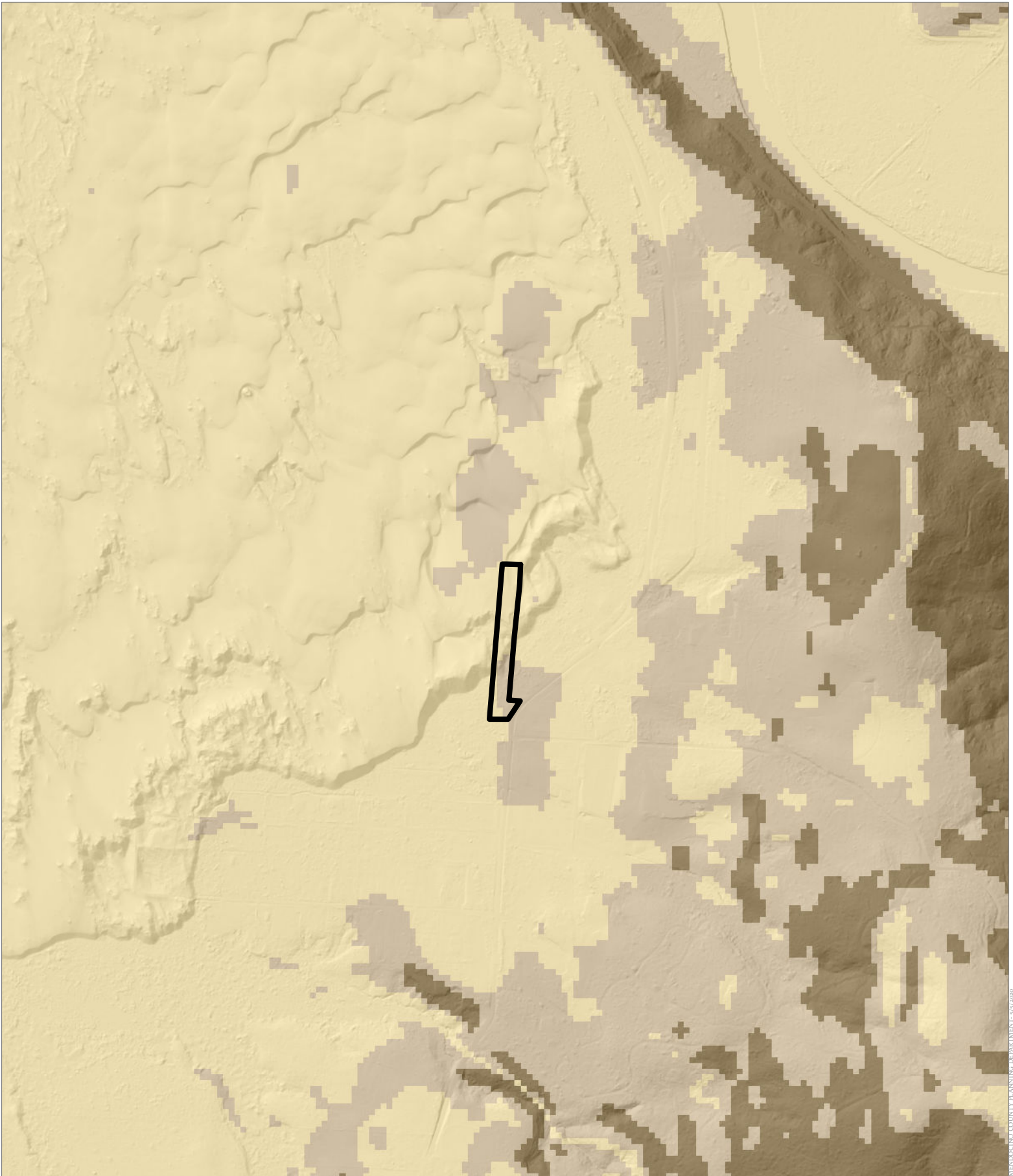
CASE: CDP 2019-0018
OWNER: MOODY, Anna
APN: 069-010-13
APLCT: Anna Moody
AGENT:
ADDRESS: 27730 N. Highway 1, Fort Bragg

-  Highly Scenic Area
-  Assessor's Parcels

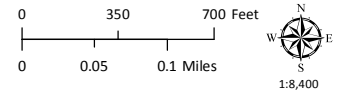
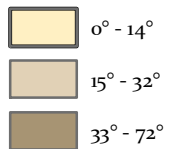


HIGHLY SCENIC & TREE REMOVAL AREAS

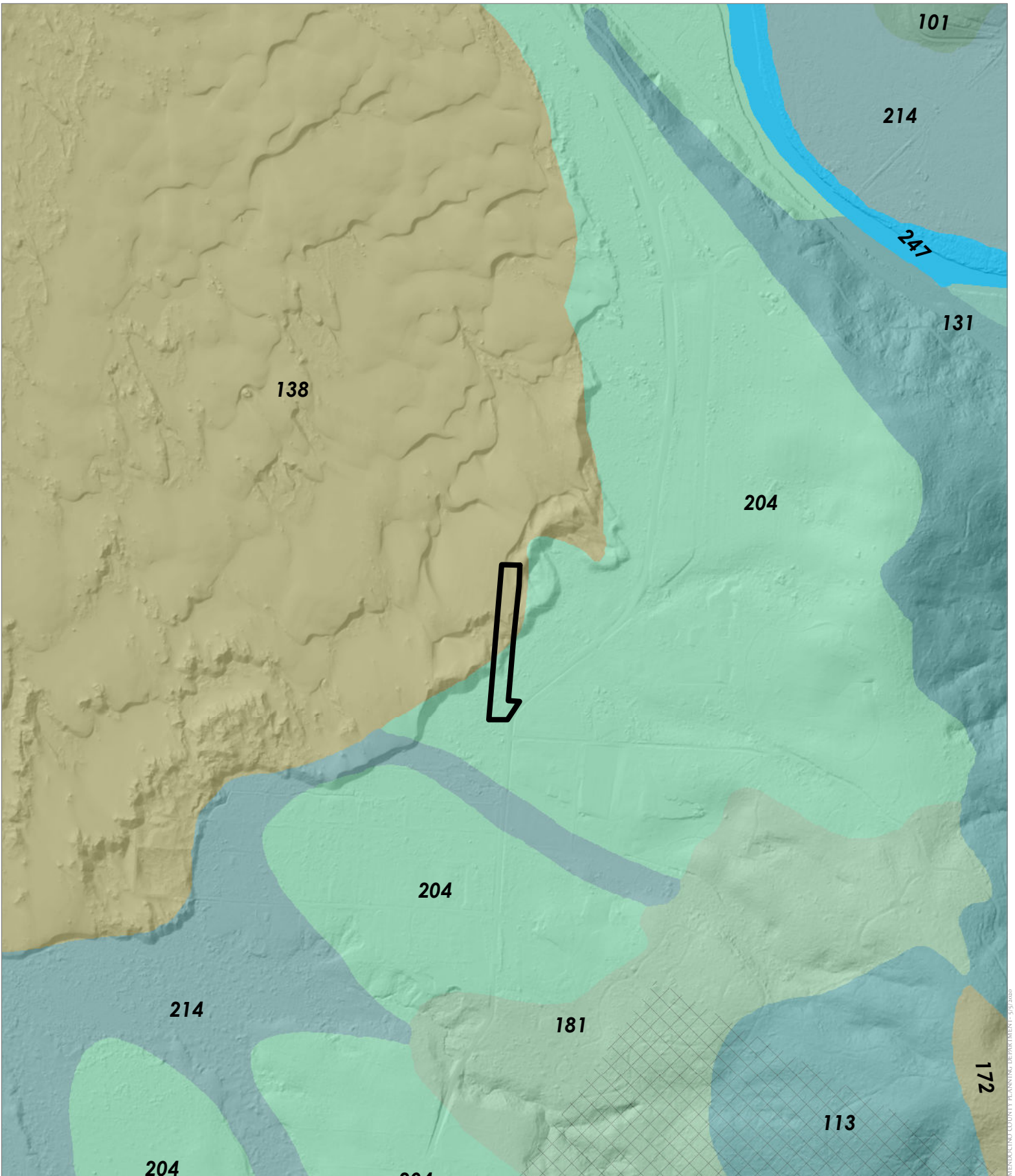
MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019




CASE: CDP 2019-0018
OWNER: MOODY, Anna
APN: 069-010-13
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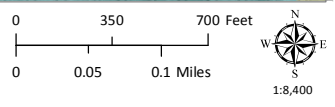


ESTIMATED SLOPE

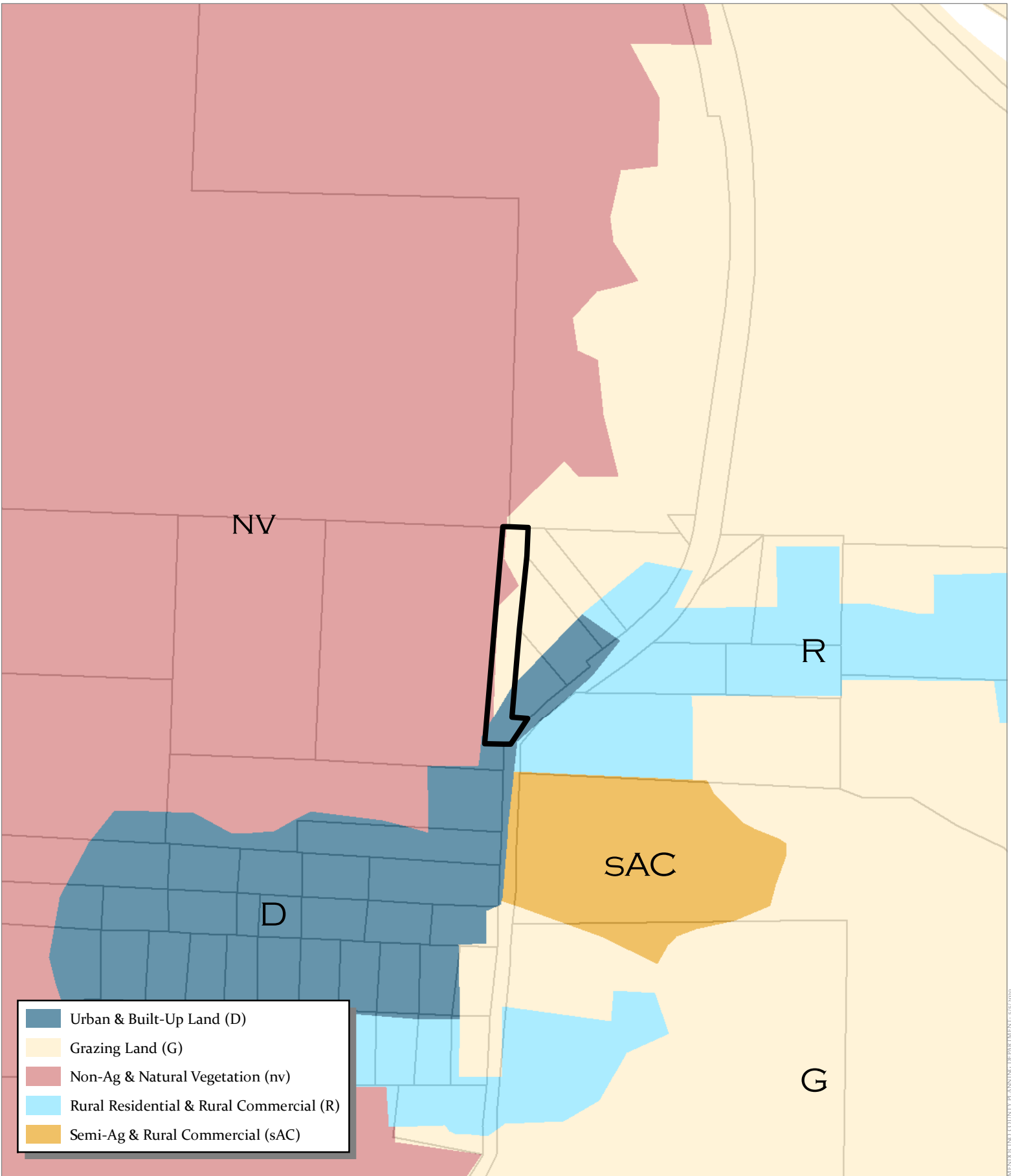


CASE: CDP 2019-0018
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 APN: 069-010-13
 APLCT: Anna Moody
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 Bishop Pine



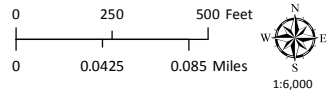
WESTERN SOIL CLASSES



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

CASE: **CDP 2019-0018**
 OWNER: **MOODY, Anna**
 APN: **069-010-13**
 APLCT: **Anna Moody**
 AGENT:
 ADDRESS: **27730 N. Highway 1, Fort Bragg**

Assessors Parcels



FARMLAND CLASSIFICATIONS

MENDOCINO COUNTY PLANNING DEPARTMENT - 5/5/2019