



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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MEMORANDUM

DATE: NOVEMBER 15, 2023
TO: PLANNING DIVISION STAFF
FROM: JESSIE WALDMAN, PLANNER II
SUBJECT: **CDP_2022-0001 (HERTING)** – Revisions and Additions to Condition of Approval

SUMMARY: At the Coastal Permit Administrator (CPA) Hearing earlier today, November 15, 2023, the CPA continued the CPA Hearing to 2:00 pm and directed Planning Staff to the following:

1. Planning Staff to verify revisions proposed to Condition 17 be acceptable to Caltrans requirements.
 - a. Planning Staff contacted Mr. Jesse Robertson of Caltrans during the break of the CPA Hearing. Caltrans provided further revisions and accepted the revised Condition 17 as stated below. Attached is written documentation with Caltrans acceptance to modify Condition 17; and
2. Planning Staff to prepare this additional memorandum capturing the revisions to Conditions 15 and 17, and the inclusion of Condition 21 as outlined in the previous memorandum, dated November 15, 2023.

Planning Staff determined the recommended conditions of approval within the Staff Report did not include a standard condition regarding the request for the temporary occupancy of a travel trailer during construction, pursuant with MCC Sec. 20.460.035(C), thus planning Staff is recommending the inclusion of Condition 22, as stated below.

Note: Additions are red and underlined. Omissions are ~~red and struck through~~.

Revisions to Conditions of Approval:

The following revisions to Conditions of Approval #15 and #17 are recommended:

15. Prior to issuance of any Building Permit request associated with of this Coastal Development Permit ~~Prior to issuance of this Coastal Development Permit~~, the applicant shall provide a Grading and Erosion Plan, prepared by a qualified professional, in form and content acceptable to the Coastal Permit Administrator. The grading permit shall also account for any cuts and fills associated with the projects, including the use and installation of retaining walls.
17. Prior to issuance of any ground disturbance OR building permit associated with this Coastal Development Permit, the applicants shall ~~complete a driveway and encroachment to the satisfaction of the State Department of Transportation (CALTRANS), including obtaining~~ obtain an encroachment permit, to the satisfaction of the State Department of Transportation (CALTRANS), for any work within state right-of-way, consistent the CALTRANS a pre-application review, project Number, 1-MEN-1-6.995, for the proposed driveway development to access the parcel.

Additional Recommendations to Conditions of Approval:

The following additional of Conditions of Approval #21 and 22 are recommended:

21. Prior to issuance of a building permit in reliance on this Coastal Development Permit, the applicant shall submit evidence that a qualified geotechnical or civil engineer has reviewed the final building plans for consistency with the Geotechnical Investigation. All grading specifications and techniques will follow the recommendations cited in the Uniform Building Code; and

- a. The property owner shall comply with applicable recommendations contained in the *DRAFT Report Geotechnical Investigation*, dated April 19, 2022, prepared by Bauer Associates, Inc. prepared in association with this proposed project; and
- b. The property owner shall comply with applicable recommendations, including the Geotechnical Engineering Drainage recommendations contained in the *DRAFT Report Geotechnical Investigation*, dated April 19, 2022, prepared by Bauer Associates, Inc.; and
- c. Site preparation and grading shall be reviewed and approved by either a qualified geotechnical or civil engineer or Bauer Associates, Inc. for any grading planned, since site grading may have a negative impact on site stability; and
- d. Drilled pier foundations, retaining walls and concrete slab-on-grade foundations shall be reviewed and approved by either a qualified geotechnical or civil engineer or Bauer Associates, Inc.; and
- e. Periodic land maintenance will be required. Surface and subsurface drains should be checked frequently and cleaned and maintained as necessary. Sloughing or erosion that occurs should be repaired before it can enlarge. A dense growth of deep-rooted ground cover should be maintained on all exposed slopes.

22. The installation, use and occupancy of a trailer coach as a temporary dwelling by the owner of a lot or contiguous lot on which a dwelling is under construction or for which a building permit has been issued. Such administrative permit may be issued for the period required to complete construction of the facility, but not to exceed two (2) years unless renewed, pursuant with MCC Sec. 20.460.035(C).

Jessie Waldman

From: ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>
Sent: Wednesday, November 15, 2023 11:57 AM
To: Jessie Waldman
Cc: Quintrell, Heidi L@DOT; Twitchell, Amber@DOT
Subject: RE: CDP_2022-0001 Conditions Revision Request

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jessie,

That language satisfies our requirements.

Thanks for seeking our input.

Jesse Robertson
Transportation Planning
Caltrans District 1
(707) 684-6879 (mobile)

From: Jessie Waldman <waldmanj@mendocinocounty.gov>
Sent: Wednesday, November 15, 2023 11:49 AM
To: ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>
Subject: RE: CDP_2022-0001 Conditions Revision Request

EXTERNAL EMAIL. Links/attachments may not be safe.

Hi Jesse,

Thank you for your call today. Per our phone discussion, please review the further revised Condition 17:

17. Prior to issuance of any ground disturbance OR building permit associated with this Coastal Development Permit, the applicants shall ~~complete a driveway and encroachment to the satisfaction of the State Department of Transportation (CALTRANS), including obtaining~~ obtain an encroachment permit, to the satisfaction of the State Department of Transportation (CALTRANS), for any work within state right-of-way, consistent the CALTRANS a pre-application review, project Number, 1-MEN-1-6.995, for the proposed driveway development to access the parcel.

Thank you and looking forward,

Jessie Waldman
Planner II

From: Jessie Waldman
Sent: Wednesday, November 15, 2023 10:35 AM

To: ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>

Subject: CDP_2022-0001 Conditions Revision Request

Hello Jesse,

May I request a review and comments to revisions to the Condition of the CDP_2022-0001 (Herting)?

~~17.~~ Prior to issuance of any ground disturbance OR building permit associated with this Coastal Development Permit, the applicants shall ~~obtain safe access via an encroachment complete a driveway and encroachment~~ to the satisfaction of the State Department of Transportation (CALTRANS), including obtaining an encroachment permit for any work within state right-of-way, consistent the CALTRANS a pre-application review, project Number, 1-MEN-1-6.995, for the proposed driveway development to access the parcel.

Thank you,

Jessie Waldman

Planner II

County of Mendocino - Planning & Building Services

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Changing on 8/15/2023 to waldmanj@mendocinocounty.gov