JULIA KROG, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.gov/www.mendocinocounty.gov/pbs

February 5, 2024

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, February 22, 2024, at 10:00 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 take place at the Planning & Building Services Conference Room, located at 860 North Bush Street, Ukiah and virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at https://www.youtube.com/MendocinoCountyVideo. In lieu of personal attendance the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.gov or via Telecomment. The telecomment form may be found at: https://www.mendocinocounty.gov/government/planning-building-services/meeting-agendas.

CASE#: CDP_2023-0021 **DATE FILED**: 4/18/2023

OWNER/APPLICANT: SALLY BENSON & TERRY SURLES

AGENT: WYNN COASTAL PLANNING & BIOLOGY & MEGHAN DURBIN

REQUEST: Standard Coastal Development Permit to construct a garage and workshop building with porches and concrete apron at entrance, gravel driveway, walkways, and septic expansion.

Landscaping will include the planting of three (3) trees to improve view screening.

ENVIRONMENTAL DETERMINATION: CATEGORICALLY EXEMPT

LOCATION: In the Coastal Zone, 1± miles south of Albion town center, on the western side of State Route (SR) 1, 450± feet to the northwest of its intersection with Nonella Lane (private),

located at 2401 Nonella Ln, Albion; APN: 123-280-15.

SUPERVISORIAL DISTRICT: 5 (Williams) **STAFF PLANNER**: STEVEN SWITZER

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.gov/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 email to pbscommissions@mendocinocounty.gov no later than February 21, 2024. 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.gov, 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.gov/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 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m.

JULIA KROG, Director of Planning and Building Services



FEBRUARY 22, 2024 CDP_2023-0021

SUMMARY

BENSON & 7	ΓERRY SI	JRLES
	BENSON & 7	BENSON & TERRY SI

P.O. BOX 215 ALBION, CA 95410

AGENT: WYNN COASTAL PLANNING & BIOLOGY

MEGHAN DURBIN

703 NORTH MAIN STREET FORT BRAGG, CA 95437

REQUEST: Standard Coastal Development Permit to construct

garage and workshop buildings with porches and concrete apron at entrance, gravel driveway, walkways, and septic expansion. Landscaping will include the planting of three (3) trees to improve view screening.

LOCATION: In the Coastal Zone, 1± miles south of Albion town

center, on the western side of State Route (SR) 1, 450± feet to the northwest of its intersection with Nonella Lane (private), located at 2401 Nonella Ln, Albion; APN 123-

280-15.

TOTAL ACREAGE: 12.55± Acres

GENERAL PLAN: Rural Residential (RR10)

ZONING: Rural Residential (RR10)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: CATEGORICALLY EXEMPT

APPEALABLE: Yes, Appeal Jurisdiction

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: STEVEN SWITZER

BACKGROUND

PROJECT DESCRIPTION: Standard Coastal Development Permit to construct garage and workshop buildings with porches and concrete apron at entrance, and gravel driveway and walkways. Landscaping will include the planting of three (3) trees to improve view screening.

The original project referral was sent out on June 5, 2023. In response to one of the June 5th referral agency comments, the applicant revised their project request to include a septic expansion with a new replacement area located just north of the proposed garage and workshop building envelope. Considering that this revised project request increased the amount of development, the project was subsequently rereferred out on December 15, 2023, for review and comment.

RELATED APPLICATIONS ON-SITE:

- CDP 21-02: Standard Coastal Development Permit for Single-Family Residence
- BF 2003-1108: Building Permit for Single-Family Residence

- CDPM 21-02 (2012): Coastal Development Permit Modification for Guest Cottage
- BF_2018-0839: Building Permit for Guest Cottage

SITE CHARACTERISTICS: The parcel is 1± mile south of Albion town center, on the western side of State Route 1 (SR) 1), 450± feet to the northwest of its intersection with Nonella Lane (private). A 280-foot long 10-foot wide driveway connecting to Nonella Lane provides access to the site. The 12.55± parcel is classified as grazing land and currently developed with a single-family residence, guest cottage, decks/porches, septic tank, and well.¹ The proposed project site is located on a relatively level southwest portion of the parcel with slopes less than 10 degrees.² Coastal Ground Water Resources map the parcel as a Critical Water Area.³ LCP Land Capabilities and Natural Hazards map the area as Non-Prime Agricultural Land in Zone 3 with underlying beach deposits and stream alluvium subject to intermediate shaking.⁴ The entirety of the subject parcel is mapped in a highly scenic area subject to the standards in Chapter 20.504 for visual resource and special treatment areas.⁵ The subject parcel contains Western Soil Classifications 106 and 117.⁶ The parcel is mapped in a state fire responsibility area and in a high fire hazard severity zone.⁶ Albion Little River Fire Protection District provides fire protection, rescue, ambulance & emergency medical services for the property.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR5[RR1])	Rural Residential (RR5[RR1])	1± to 2.5± Acres	Residential
EAST	Range Lands (RL160)	Rangeland (RL160)	101± Acres	Residential
SOUTH	Rural Residential (RR10)	Rural Residential (RR10)	11± Acres	Residential
WEST	Rural Residential (RR5)	Rural Residential (RR5[RR1])	0.4± to 2± Acres	Agricultural, Residential

PUBLIC SERVICES:

Access: Nonella Lane (Private)

Fire District: Albion Little River Fire Protection District

Water District: NONE Sewer District: NONE

School District: Mendocino Unified School District

AGENCY COMMENTS: The project was originally referred out on June 5, 2023. Since that time the project request increased in intensity requiring a re-referral of the project. Subsequently, on December 15, 2023, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

REFERRAL AGENCIES	COMMENT
Air Quality Management	No Response
Albion Little River Fire District	No Response
Archaeological Commission	Comments
Assessor	No Response
Building Inspection - Fort Bragg	No Response
California Coastal Commission	No Response

¹ Farmlands Map

² Slopes Map

³ Critical Water Areas Map

⁴ LCP Land Capabilities & Natural Hazards Map

 $^{^{\}rm 5}$ Highly Scenic & Tree Removal Areas Map

⁶ Western Soil Classifications Map

⁷ Fire Hazards Map

REFERRAL AGENCIES	COMMENT
Cloverdale Rancheria	No Response
Department of Fish and Wildlife	Comments
Department of Forestry/ CalFire Land Use	No Response
Department of Transportation	No Response
Environmental Health - Fort Bragg	Comments
Pacific Reefs Water District	No Response
Planning – Fort Bragg	Comments
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Sonoma State University	Comments

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed project is consistent with the goals and policies of the Local Coastal Program, General Plan, and Zoning Codes as detailed below:

<u>Land Use</u>: The proposed development is located on a parcel within the boundaries of the Local Coastal Program (LCP).⁸ The parcel is designated under Mendocino County General Plan Chapter 7: Coastal Element, Chapter 2: The Land Use Plan, Section 2.2 –Rural Residential (RR10)⁹. The RR10 classification intends:

...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. (MCGP, Ch. 7 Coastal Element, Ch. 2.2 –Rural Residential)

The proposed development of the garage and workshop building with gravel driveway and landscaping is ancillary to the existing single-family residence and consistent with the principally permitted uses of the Rural Residential classification.

Zoning: The parcel is located within the Rural Residential (RR10) Zoning District¹⁰. Mendocino County Code, Title 20, Division II, Chapter 20.376 provides that the intent of the RR10 district is as follows:

... 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.

In addition, Section 20.456.015 prescribes the following regulations for accessory uses:

Subject to the restrictions and limitations of this Chapter, including the granting of a Coastal Development Permit, where applicable, the following accessory buildings and uses shall be permitted in all zoning districts which allow a single-family residence:

- (A) Private garages.
- (O) Other Necessary and Customary Uses. Accessory non-residential uses and non-

⁸ LCP Land Use Map 19: Navarro

⁹ General Plan Map

¹⁰ Zoning Display Map

residential structures, in addition to those identified above, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to a principal permitted use, as determined by the Director of Planning and Building Services.

As proposed, the project would permit a garage, workshop building with porches, walkways, and a gravel driveway in a manner consistent with the accessory residential uses permitted in the RR Zoning District. The project's compliance with the applicable provisions of Chapter 20.488 through Chapter 20.500 is discussed in the following sections of this report and included as conditions of approval for the project.

Archaeological/Cultural Resources: The proposed development was referred to Mendocino County Archaeological Commission (ARCH) and Northwest Information Center at Sonoma State University (NWIC). NWIC noted that their office had record of a previous cultural resource study covering 100% of the proposed project area that identified no cultural resources. Further study for cultural resources was not recommended. Condition 8 is included to ensure compliance with Section 22.12.090 and its procedures upon the discovery of any cultural resources during construction activities associated with the project.

The project was also referred to three local tribes for review and comment, including Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Rancheria. No response was received from the tribes. With the added condition, the proposed development is consistent with Mendocino County policies for protection of paleontological and archaeological resources.

Grading, Erosion, and Runoff: Much of the grading and site preparation with the associated project will occur in areas of existing development or previously disturbed areas. The project site topography is relatively flat and gently slopes away from the areas of existing and proposed development. 11 Best Management Practices (BMPs), such as straw bales, fiber rolls, and/or silt fencing structures will be incorporated into the project design to ensure the minimization of erosion resulting from construction and to avoid runoff into potentially sensitive habitat areas during and after construction activities. All work will be completed in compliance with permitting requirements. Condition 9 has been included to ensure compliance with BMPs.

As conditioned, staff finds the proposed project would not result in significant erosion or run-off impacts and is consistent with the policies of Coastal Element Section 3.4 and the requirements of Coastal Zoning Code Chapter 20.492.

Groundwater Resources: The project site is mapped with Critical Water Resources, where groundwater is heavily developed or scarce. 12 Mendocino County Division of Environmental Health (DEH) received the proposed project to review impacts to water usage. On July 29, 2023, DEH provided comment on the proposed project and noted an approved on-site sewage system and water well permit currently on file for the parcel. However, the approved sewage system on file was determined inadequate to sustain the proposed development. Following this comment from DEH, the applicant secured a Site Evaluation Report prepared by Certified Professional Soil Scientist (CPSS) Carl Rittiman examining the property for an on-site sewage system. The Site Evaluation Report provided the following:

I request that the required 5 foot (60 inch) separation distance between the bottom of the leaching system and the highest level of groundwater be waived to 27 inches for the primary leach field area of this project. A seasonal water table is anticipated at 57 inches. All other site criteria are met on this parcel. No springs or seeps were noticed within 100 feet downslope of these proposed leach fields. The permeable, well-drained soils beneath the proposed leaching system will adequately treat the sewage effluent before it reaches the possible temporary water table. No wells or water sources are present within 100+ feet of the leach fields.

My experience in similar situations leads me to conclude that the granting of this waiver will not negatively impact usable groundwater nor give rise to a nuisance condition.

¹¹ Slopes Map

COASTAL PERMIT ADMINISTRATOR STAFF REPORT FOR STANDARD COASTAL DEVELOPMENT PERMIT

Following this Site Evaluation Report, the applicant revised their project description to include the proposed septic system expansion. On December 20, 2023, DEH provided no further comments, but did note that the applicant had applied for a septic system permit (SP24153) that is on hold pending the results of this Coastal Development Permit. Further, the proposed development would be served by the existing on-site water source. In compliance with DEH policies and regulations, the proposed garage and workshop would not adversely impact groundwater resources.

Conditions 10 and 11 are included to ensure that the applicant will secure and final all necessary permits for the proposed development from DEH for the proposed septic expansion. With the added conditions and existing septic system permit on hold with DEH, staff finds that the proposed project is consistent with the Local Coastal Program policies related to groundwater resources and DEH regulations.

<u>Habitats And Natural Resources</u>: Environmentally Sensitive Habitat Areas (ESHA) are addressed in both the Mendocino County General Plan's Coastal Element and Division II –Mendocino County Coastal Zoning Code. Chapter 20.496 of Mendocino County Coastal Zoning Code prescribes that any project having a potential impact to an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to determine the extent of the sensitive resource, to document potential negative impacts, and to recommend appropriate mitigation measures. The Local Coastal Program (LCP) Habitats and Resources Mapping designates the parcel as barren.¹³

The original project request was sent to California Fish and Wildlife (CDFW) for comment. On June 23, 2023, CDFW provided the following comment:

CDFW is not able to provide any recommendations or comments in its Trustee role to the Lead Agency as no biological information was provided. I saw the application from Wynn consulting did not include a biological report.

Following this comment, the applicant supplied a Habitat Assessment dated August 11, 2023, prepared by Wynn Coastal Planning and Biology (WCPB) Senior Biologist Asa Spade, to determine the extent of sensitive resources, document potential negative impacts, and, as appropriate, recommend mitigation measures. It is important to note that Trillium Botanical Consulting previously surveyed the entire subject parcel on June 6, 2002, for the related Coastal Development Permit (CDP 21-02) that permitted the single-family residence. Following this, Biologist Alison Gardner surveyed the site on multiple days throughout the floristic season in 2011 and 2012 for the related Coastal Development Permit Modification (CDPM 21-02 (2012)) that permitted the Guest Cottage. While some rare plants were observed on the subject parcel, no potential ESHAs were reported by Trillium or Gardner within the project site for the proposed garage/shop. The previously identified ESHAs, Blasdale's bentgrass (*Agrostis blasdaei*) and Pt. Reyes checkerbloom (*Sidalcea calycosa ssp. rhizomata*) are located well in advance of 100+ feet from the proposed project site. The Habitat Assessment dated August 11, 2023, concludes the following:

No rare plants or sensitive natural communities were present within 100ft of the proposed garage/shop location... The habitat within the study area does not reflect the type of native coastal terrace prairie favored by the Behrens' silverspot butterfly. In WCPB Senior Biologist Asa Spade's professional opinion the proposed garage/shop will not have any significant impact to Behrens' silverspot butterfly or any other sensitive natural resource.

The Habitat Assessment was distributed to CDFW for review and comment. On August 18, 2023, CDFW provided the following comment:

CDFW has no additional comments on this CDP and believes with the letter our initial comments have been addressed and resolved.

A re-referral of the project occurred on December 15, 2023, to capture the newly proposed septic expansion. In response to the second referral of the project, on January 9, 2024, CDFW provided the following updated comment:

¹³ LCP Habitats & Resources Map

COASTAL PERMIT ADMINISTRATOR STAFF REPORT FOR STANDARD COASTAL DEVELOPMENT PERMIT

CDFW provided comments in the past, most recently in August 2023. CDFW has reviewed the re-referral as per the changes identified in your December email and do not have additional comments.

Pursuant to County Code Section 20.496.020(A)(1), the applicant can demonstrate that the proposed development would observe a buffer width in advance of 100+ feet from previously identified ESHAs on the property. No special conditions or mitigations requirements have been included in the project to address these identified ESHAs due to their distance from the proposed development site. Further, based on the comments from fish and wildlife, the project is unlikely to result in a take of the Behrens' silverspot butterfly. Staff concurs with the findings contained in the Habitat Assessment prepared by WCPB and the comments provided by CDFW. As conditioned, the proposed project would be consistent with the policies of Coastal Element Section 3.1 and the requirements of County Code Chapters 20.496 and 20.532.

<u>Hazards Management</u>: The project site is located within the State Fire Responsibility Area and mapped as a High Fire Hazard.¹⁴ The local fire agency for the project site is the Albion Little River Fire Protection District. No comment was received from Calfire regarding the proposed development. A standard condition requires that the applicant secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction to ensure fire abatement and protection policies will be addressed.

Though the project site is located 3± miles to the east of the San Andreas Fault, it is not located immediately on any known "active" earthquake fault or within an Earthquake Fault Zone that would require further review pursuant with the Alquist-Priolo Earthquake Fault Zoning Act.

Staff finds the potential for ground rupture due to an on-site active faulting that could potentially impact the proposed project to be low. As proposed, the project is consistent with the policies of Coastal Element Chapter 3.4 and the requirements of Coastal Zoning Code Section 20.500 pertaining to hazard management.

<u>Public Access</u>: Though the property is located to the west of Highway 1, the property is not designated as a potential public access point on the Local Coastal Plan Land Use Maps.¹⁵ Therefore, the project is consistent with the policies of Coastal Element Section 3.6 and the requirements of Coastal Zoning Code Chapter 20.528 pertaining to Coastal Access.

<u>Transportation</u>, <u>Utilities</u>, <u>and Public Services</u>: The proposed project was referred to Mendocino County Department of Transportation (DOT) where no response was received. Considering that the proposed development would be ancillary to the existing single-family residence, staff finds the project will not significantly contribute to new sources of traffic on local and regional roadways. The project would not significantly impact transportation or circulation and subsequently will be provided adequate access by means of the existing 280 foot long 10 foot wide driveway connecting to Nonella Lane (Private).

An existing on-site well and septic system currently sustains the water and wastewater resources for the property. As detailed in the *Groundwater Resources* section of this report, DEH noted the applicant has applied for a septic system permit for the proposed expansion of the existing septic system. This permit is on hold pending the results of this Coastal Development Permit.

Conditions 10 and 11 ensures that the applicant will secure the necessary permits for on-site sewage disposal. As conditioned, the proposed project is consistent with the policies of Coastal Element Section 3.8 and the requirements of County Code Chapter 20.516.

<u>Visual Resources</u>: The project site is mapped within a Highly Scenic Area, see the *Highly Scenic and Tree Removal Zone Map* attachment. Mendocino County Code, Title 20, Division II, Section 20.504.010 provides that the purpose of Visual Resource and Special Treatment Areas are to:

¹⁴ Fire Hazard Zones & Responsibility Areas Map

¹⁵ LCP Land Use Map 18: Albion

...ensure that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas.

Views across the site from SR 1 are predominately obstructed by existing vegetation and topography. The proposed structures would be located near a grove of non-native trees that the applicant intends to expand to improve view screening. The proposed height of the structures, 14 feet and 6 inches as supplied on the application, complies with the maximum building height for RR districts as well as the development criteria for Highly Scenic Areas. Further, the exterior materials and finishes for the proposed garage and workshop buildings are to match the existing residence and guest cottage as follows:

- Roof: Composting Shingle Roofing to resemble existing roofing materials on single-family residence and cottage
- Siding: Vertical cedar select siding to match existing single-family residence and cottage
- Windows/Doors: Blue clad window frames to match single-family residence and cottage, wooden garage door finish to match wooden doors of single-family residence, and one set of fulllength glass doors on the western façade to match single-family residence (Glass doors would not be visible from any public viewing point. Views of said glass doors are limited to areas located on the property)

The proposed wooden siding would weather over time and blend in with the surrounding environment like many of the natural wood structures found along the Mendocino Coast. The proposed materials and finishes are consistent with the applicable sections of the zoning code for development in highly scenic areas. In addition, all proposed exterior lighting fixtures are downcast and shielded. **Condition 12** ensures compliance with the applicable Coastal Element Section 3.5 and Coastal Zoning Code Chapter 20.504. With the added condition, staff finds that the proposed project would be consistent with the policies of Coastal Element Chapter 3.5 and the requirements of Coastal Zoning Code Chapter 20.504 for visual resource areas.

ENVIRONMENTAL PROTECTION

Pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15303 of California Environmental Quality Act (CEQA) Guidelines, the Secretary for Resources has found that Class 3 consisting of the construction and location of a limited number of new, small facilities or structures; installation of small new equipment and facilities in small structures is categorically exempt from CEQA. Examples of this exemption include accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The proposed project would construct a garage, and workshop building with porches. Given the limited number of new structures on the subject parcel and that the proposed development would be appurtenant to the single-family residence, the project is categorically exempt within the meaning of Section 15303 of CEQA.

Pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15304 of California Environmental Quality Act (CEQA) Guidelines, the Secretary for Resources has found that Class 4 consisting of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of trees is categorically exempt from CEQA. Examples of this exemption include grading on land with a slope of less than 10 percent in areas that are not located in a waterway, wetland, or area of geologic hazard such as an Alquist-Priolo Earthquake Fault Zone. Considering the project request includes grading on land with a slope of less than 10 percent for the proposed gravel driveway extension, the project would qualify for this exemption. Therefore, Staff finds that the project would not have a significant effect on the environment and is declared to be categorically exempt from the further environmental review within the meaning of CEQA.

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code, the Coastal Permit Administrator approves CDP_2023-0021 and adopts the following findings and conditions.

FINDINGS:

- Pursuant with MCC Section 20.532.095(A)(1), the proposed development is in conformity with the
 certified Local Coastal Program. As evidenced in the staff report and supplemental materials, the
 proposed project is consistent with the relevant policies of the Mendocino County Coastal Element.
 The project is within the RR land use classification and involves the development of a garage and
 workshop, an accessory use encompassed by the principal permitted single-family residential use;
 and
- 2. Pursuant with MCC Section 20.532.095(A)(2), the proposed development would be provided with adequate utilities, access roads, drainage, and other necessary facilities. Access to the site is provided by Nonella Lane (private), an on-site well and septic system for water and wastewater resources, electricity provided by a utility company, and fire abatement as well as emergency medical services from Albion Little River Fire Protection District. The project proposes a septic expansion to support the requested development. The proposed project would include a garage and workshop building and compliance with the conditions of approval would ensure that adequate utilities, access roads, drainage, and other necessary facilities would continue to be provided for the subject parcel; and
- 3. Pursuant with MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the Rural Residential Zoning District. The proposed garage and workshop structures align with the principally permitted uses for the Rural Residential District as well as the accessory uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to, such principal permitted uses. The proposed development preserves the integrity of the Rural Residential Zoning District; and
- 4. Pursuant with MCC Section 20.532.095(A)(4), the proposed garage and workshop development, if constructed in compliance with the conditions of approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. Given the limited number of new structures on the subject parcel, that the proposed development would be appurtenant to the single-family residence, and that grading on a slope less than 10 percent for the gravel driveway, the project is determined to be Categorically Exempt from further environmental review pursuant to Section 15303 and 15304 of CEQA; and
- 5. Pursuant with MCC Section 20.532.095(A)(5), the proposed development is not anticipated to have any adverse impact on any known archaeological or paleontological resources. Standard Condition 8 is in place to ensure protection if archaeological sites or artifacts are discovered during ground disturbing activities associated with the project. As proposed, the project would be compliant with Sections 20.532.095 and 22.12 of the Mendocino County Code for the protection of archaeological or paleontological resources; 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 and are adequate to serve the proposed development. The site is currently developed with an existing single-family residence and associated ancillary structures. The proposed development of a detached garage and workshop are not anticipated to substantially affect demands on public services or contribute new sources of traffic on local and regional roadways. Further, the proposed development would not increase the dwelling density on the subject parcel. A septic expansion is proposed to support the requested development. Compliance with conditions of approval would ensure that the proposed septic expansion and development would not adversely affect demands on public services; and

7. Pursuant with MCC Section 20.532.095(B), the proposed project would not diminish access to Mendocino County coastal areas and conforms to the goals and policies of the Coastal Element of the General Plan. Though the property is located west of Highway 1, the property is not designated as a potential public access point on the Local Coastal Plan Land Use Maps. The proposed development would not restrict or alter public access to coastal waters.

CONDITIONS OF APPROVAL:

- 1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
- 2. To remain valid, progress towards completion of the project must be continuous. The Applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
- 3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
- 4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
- 5. Any Building Permit request shall include all conditions of approval of this Coastal Development Permit (CDP_2023-0021). Conditions shall be attached to or printed on the plans submitted.
- 6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
- 7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
- 8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100-feet of the discovery and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
- 9. In accordance with Mendocino County Code Chapter 20.492, all grading specifications and techniques shall follow the recommendations cited in the California Building Code.

- 10. The applicant(s) shall secure all required permits for the proposed project as required by the Division of Environmental Health.
- 11. Prior to the issuance of a building permit for the garage and workshop building, the property owner shall final the on-site sewage system permit no. SP24153 with the Division of Environmental Health.
- All lighting installed on any component of this project shall be downcast and shielded. Any building permit request associated with this Coastal Development Permit shall include exterior finish schedules on the building plans consistent with Mendocino County Coastal Element Policies 3.5 and Mendocino County Code of Ordinances Section 20.504.035 and shall be a part of on-site construction drawings.

Appeal Period: 10 Days Appeal Fee: \$2,674.00

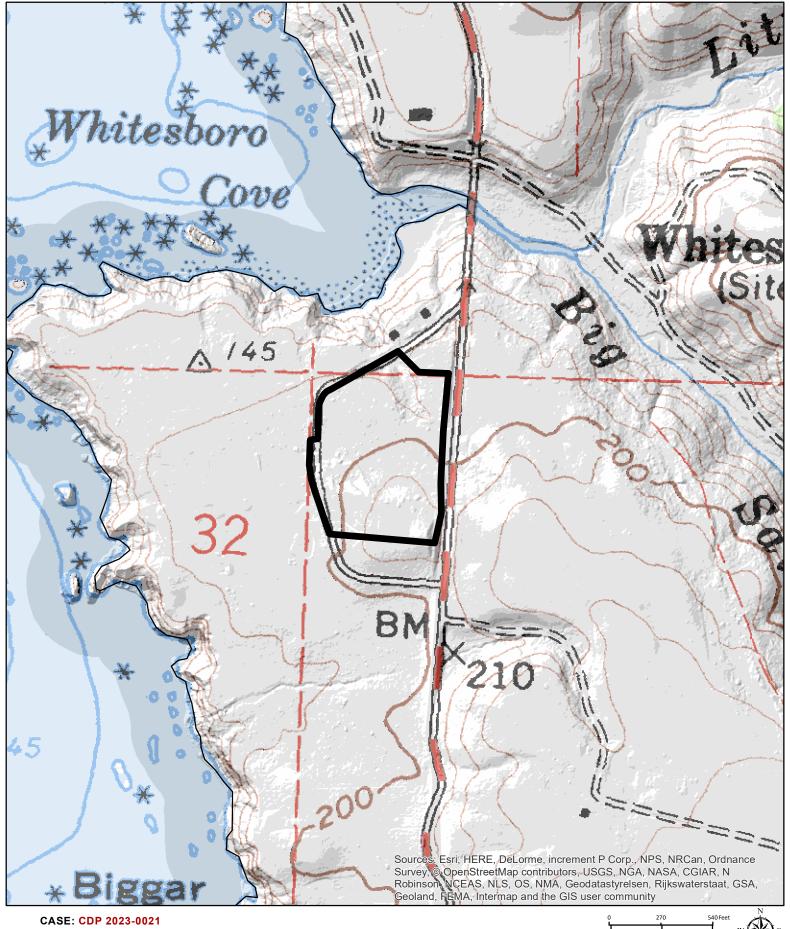
ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Topographical Map
- D. Site/Tentative Map
- E. Zoning MapF. General Plan/LCP Map
- G. LCP Land Use Map 18: Albion
- H. LCP Land Capabilities and Natural Hazards Map
- I. LCP Habitats and Resources Map
- J. Post LCP Certification and Appeal Jurisdiction Map
- K. Adjacent Owner Map
- L. Fire Hazard Map
- M. Wildlands-Urban Interface Map
- N. Flood and Tsunami Map
- O. Wetlands Map
- P. Coastal Groundwater Resources Map
- Q. Highly Scenic and Tree Removal Map
- R. Slopes Map
- S. Soil Classifications Map
- T. Williamson Act Map
- U. Important Farmland Map
- V. Crops MapW. Water District Map



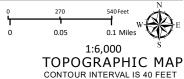


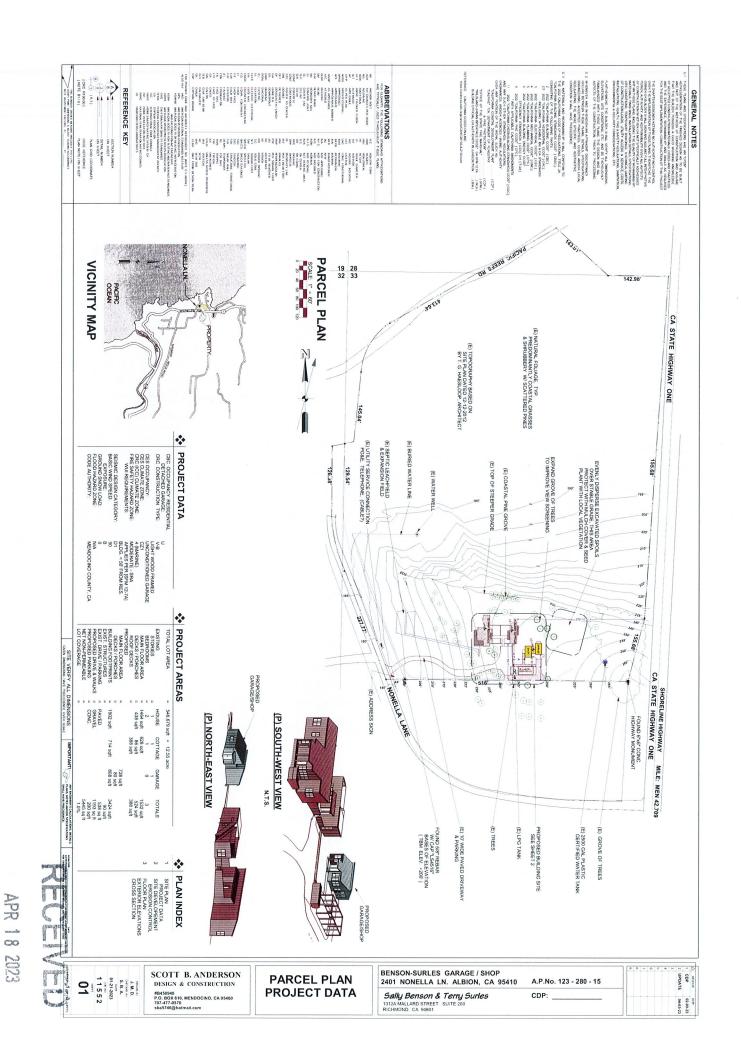




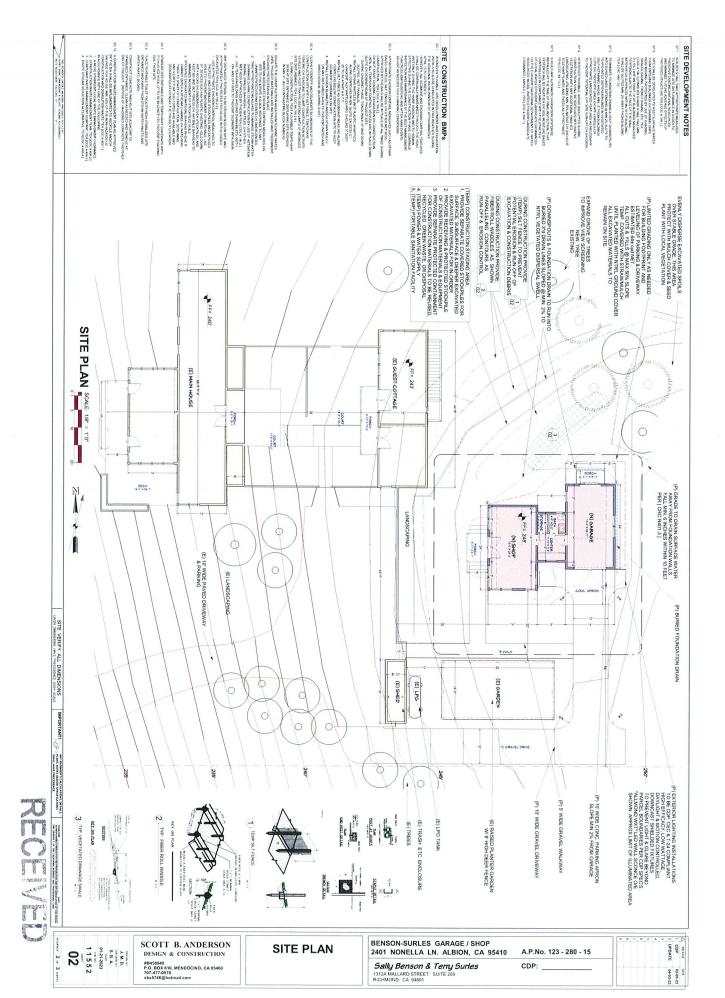
CASE: CDP 2023-0021 OWNER: BENSON, Sally APN: 123-280-15

APLCT: Sally Benson & Terry Surles AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion





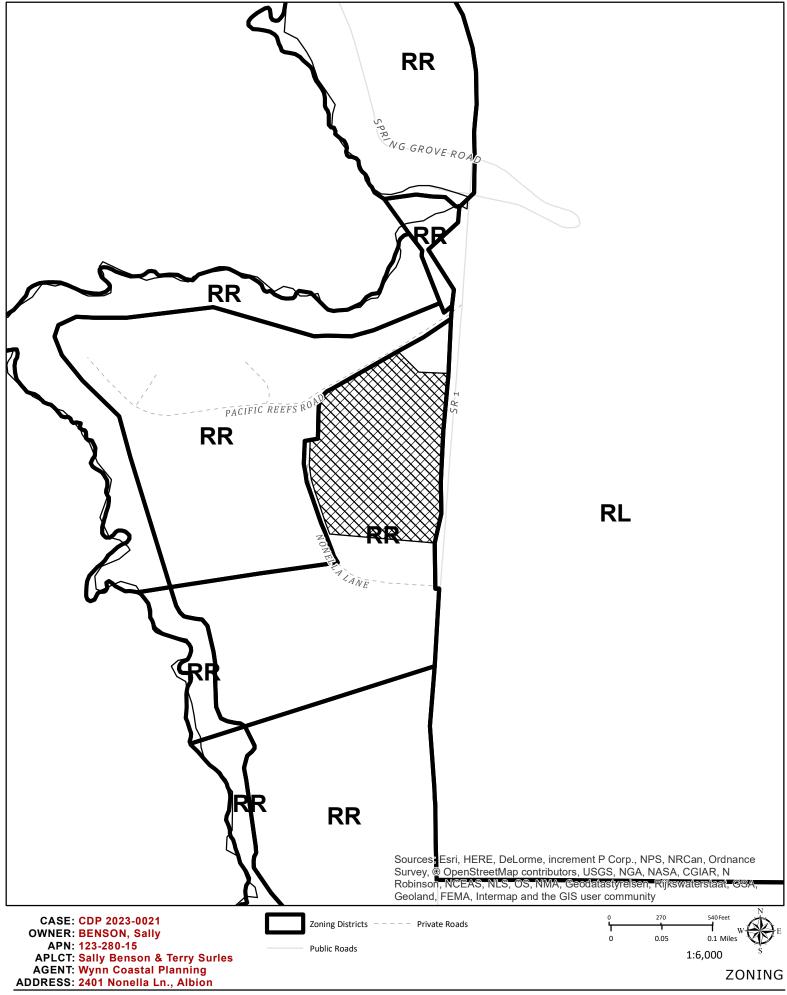
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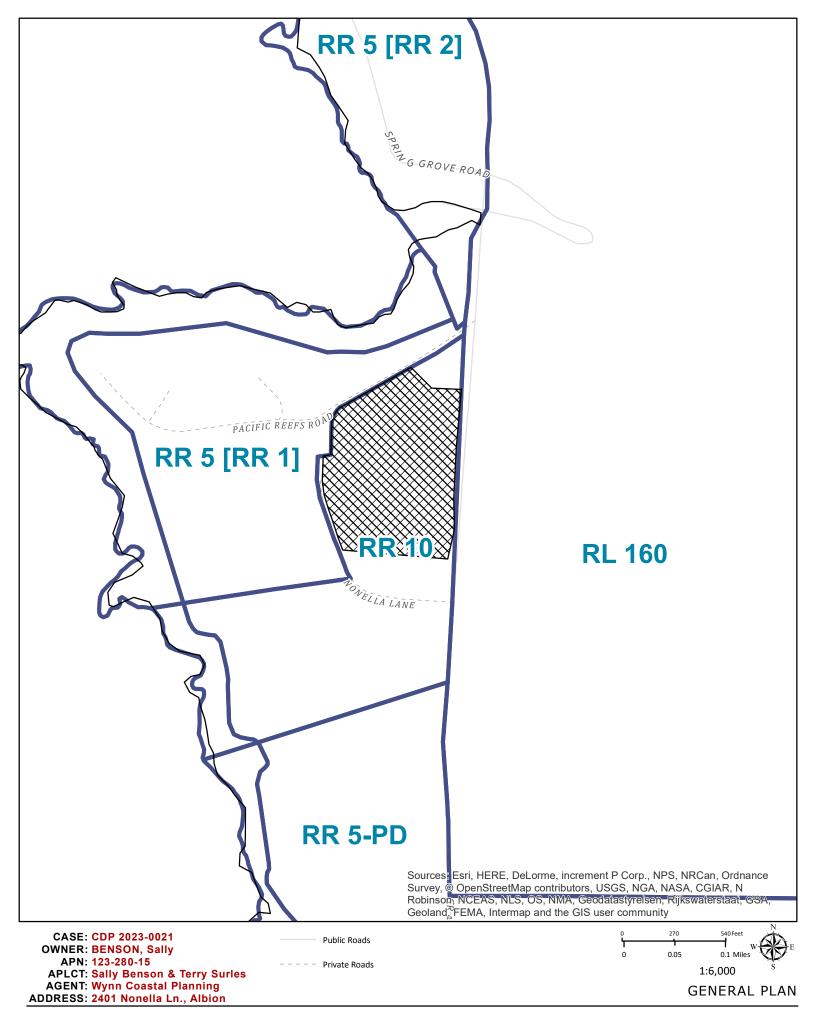


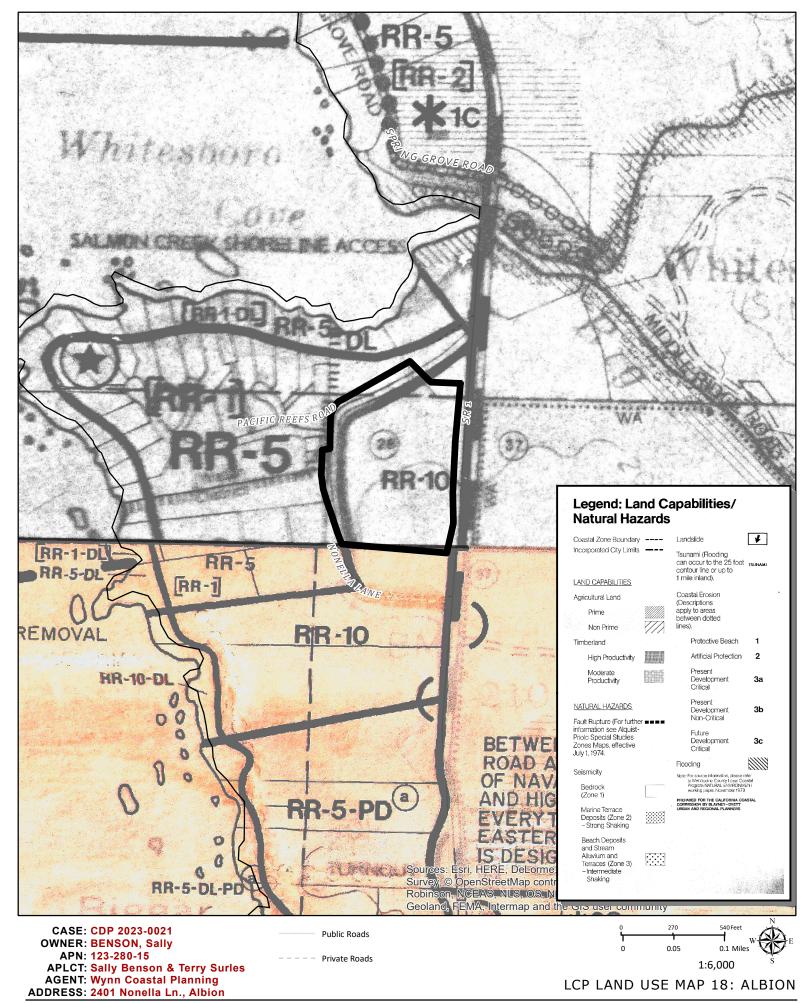
APR 18 2023

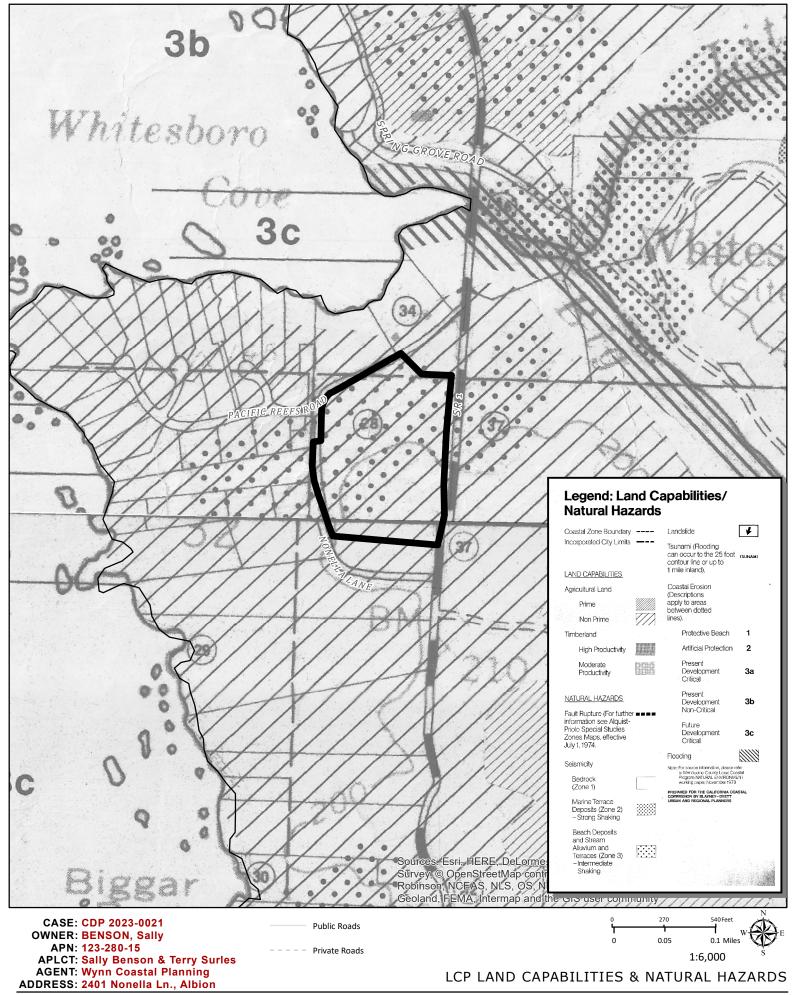
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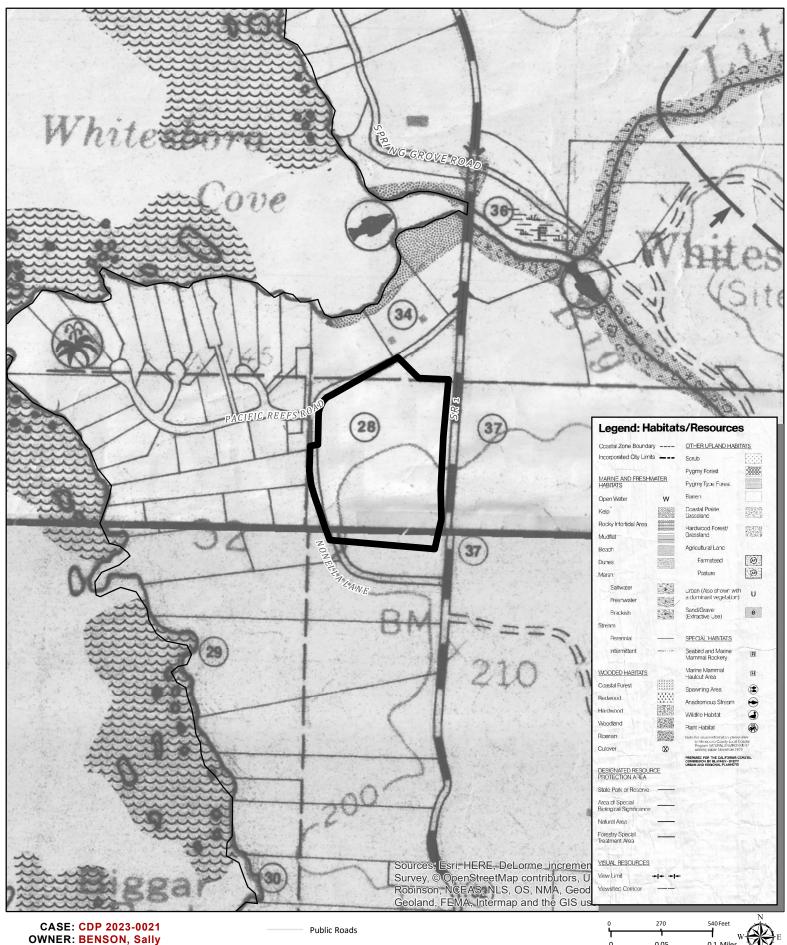
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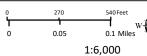






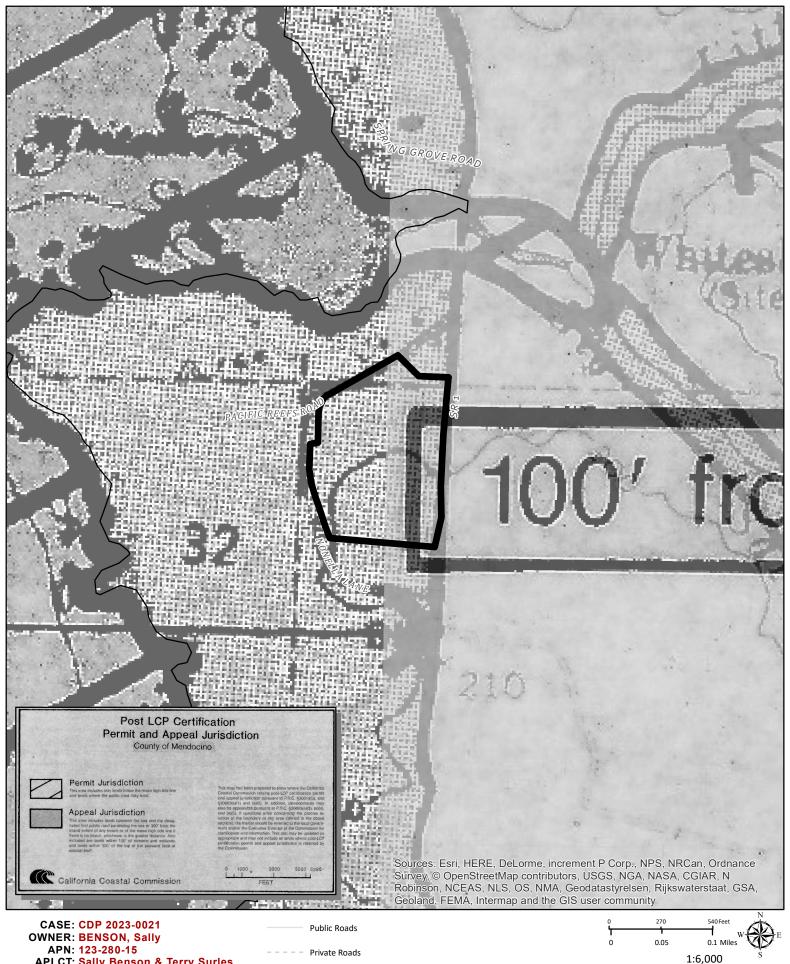
APN: 123-280-15 **APLCT: Sally Benson & Terry Surles**

AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion



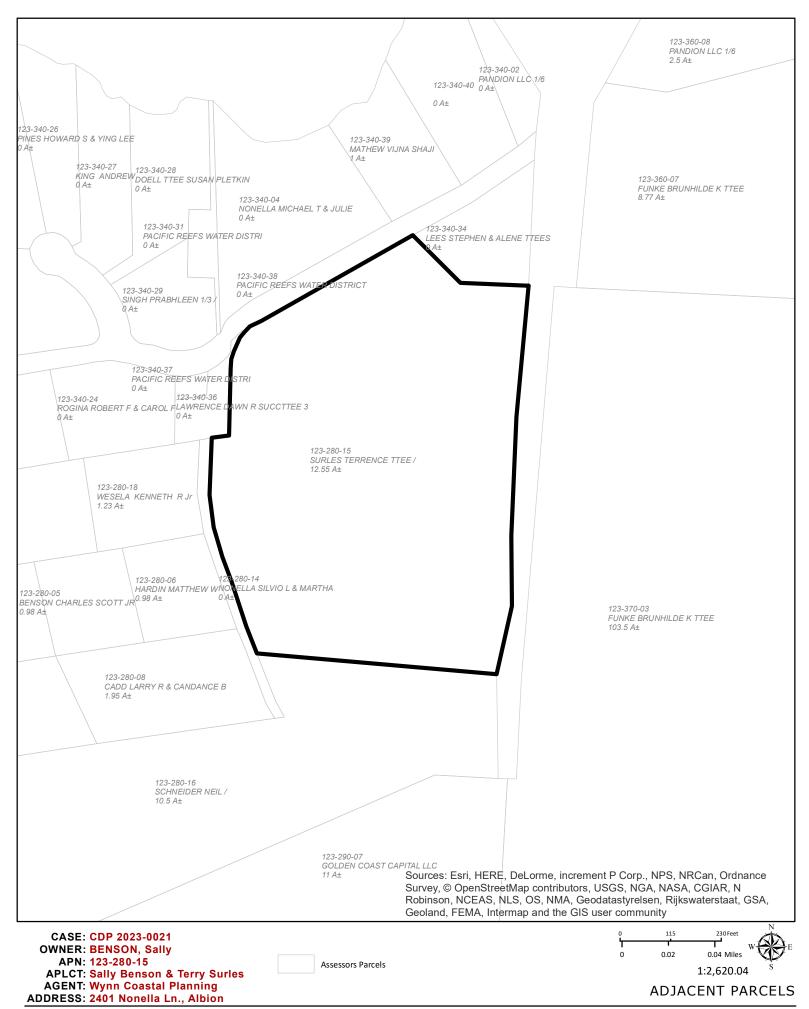
LCP HABITATS & RESOURCES

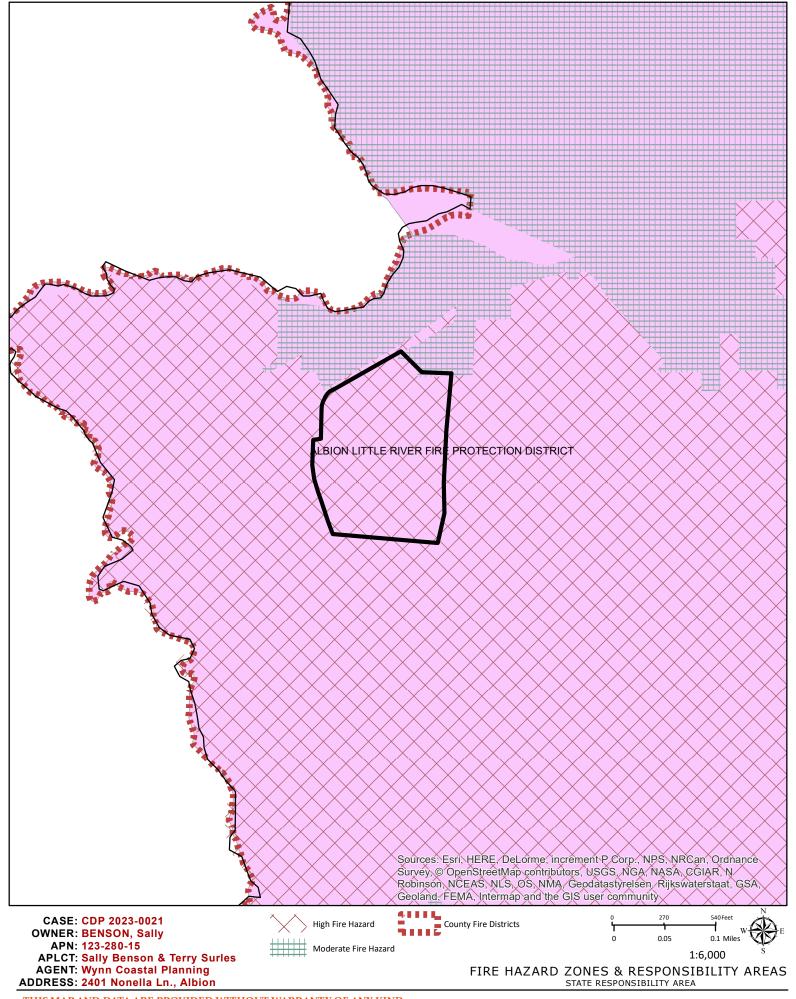
Private Roads

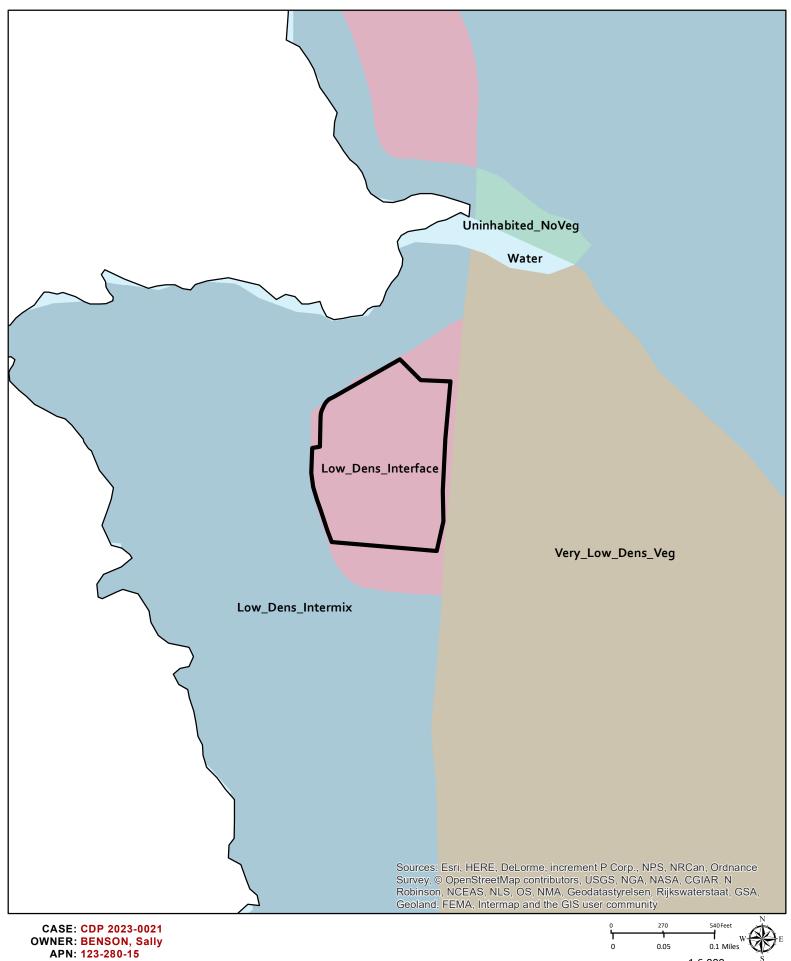


APLCT: Sally Benson & Terry Surles AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion

POST LCP CERTIFICATION & APPEAL JURISDICTION



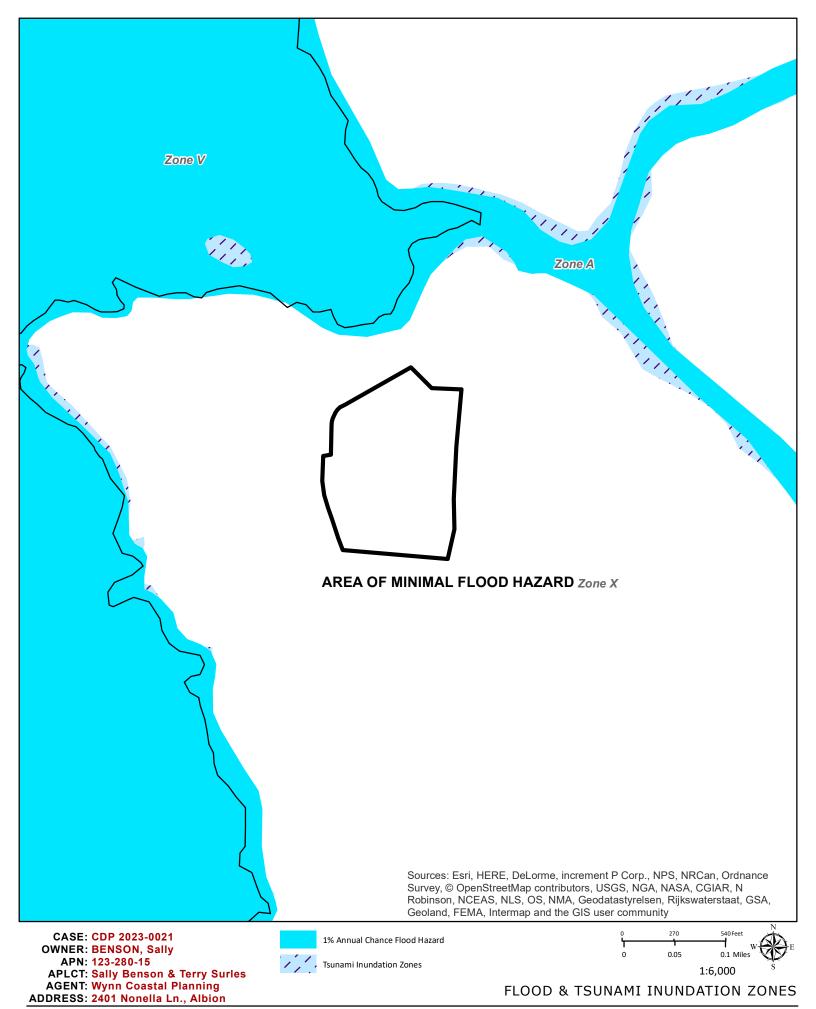


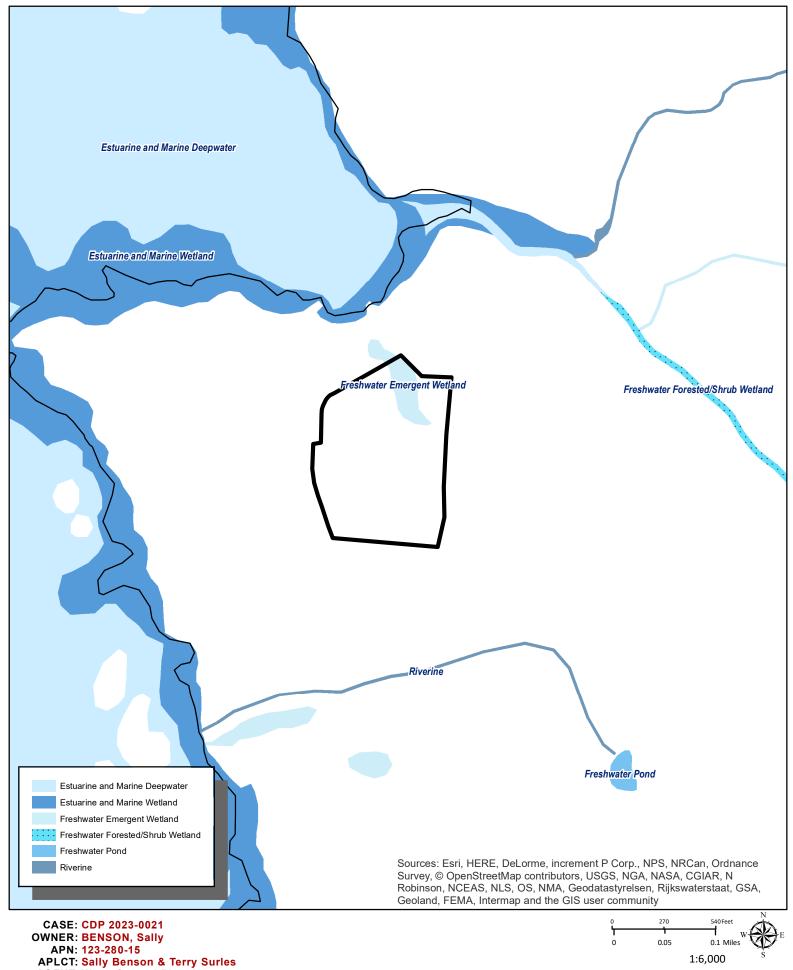


APLCT: Sally Benson & Terry Surles AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion

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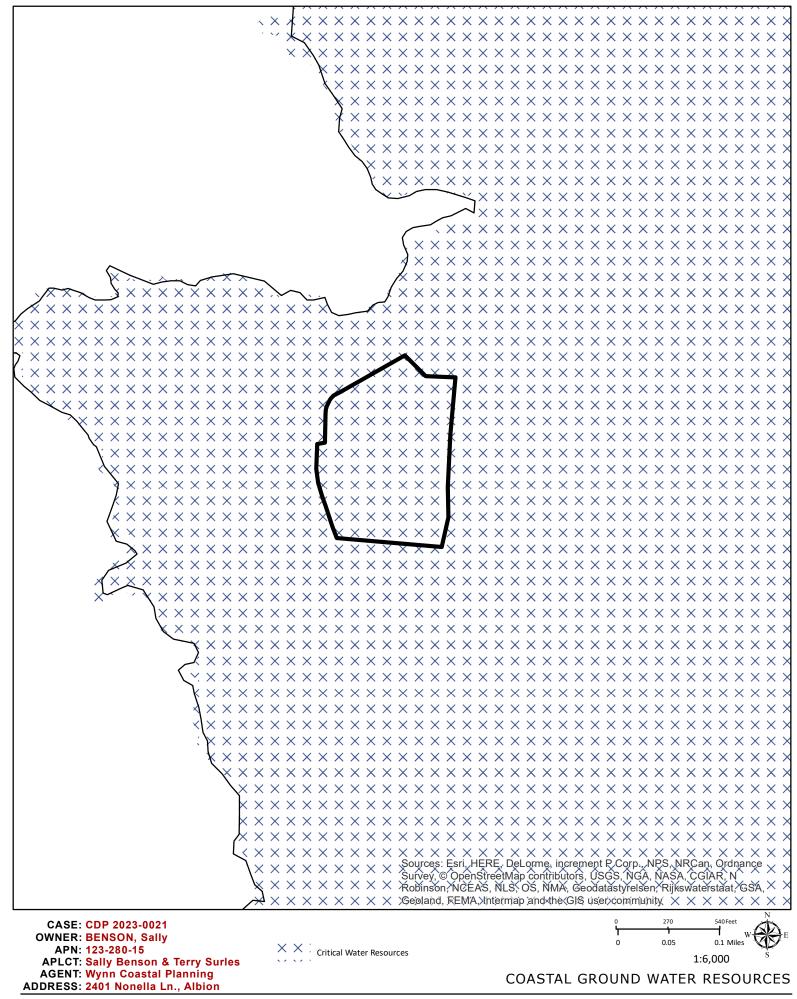
WILDLANDS-URBAN INTERFACE

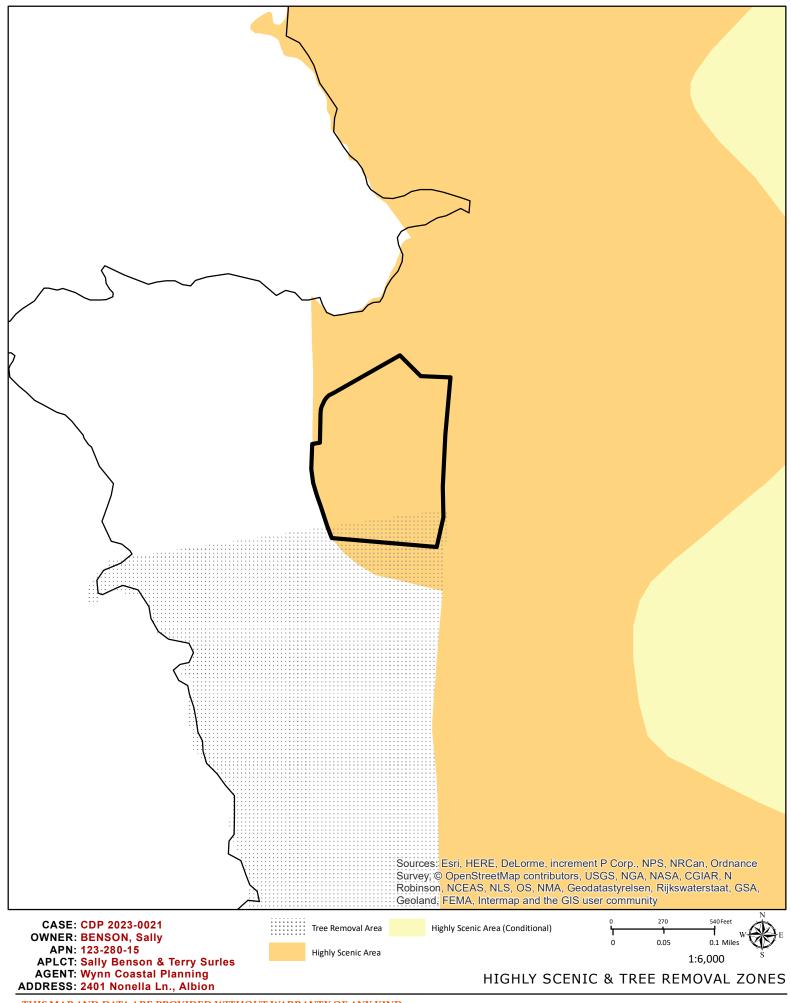


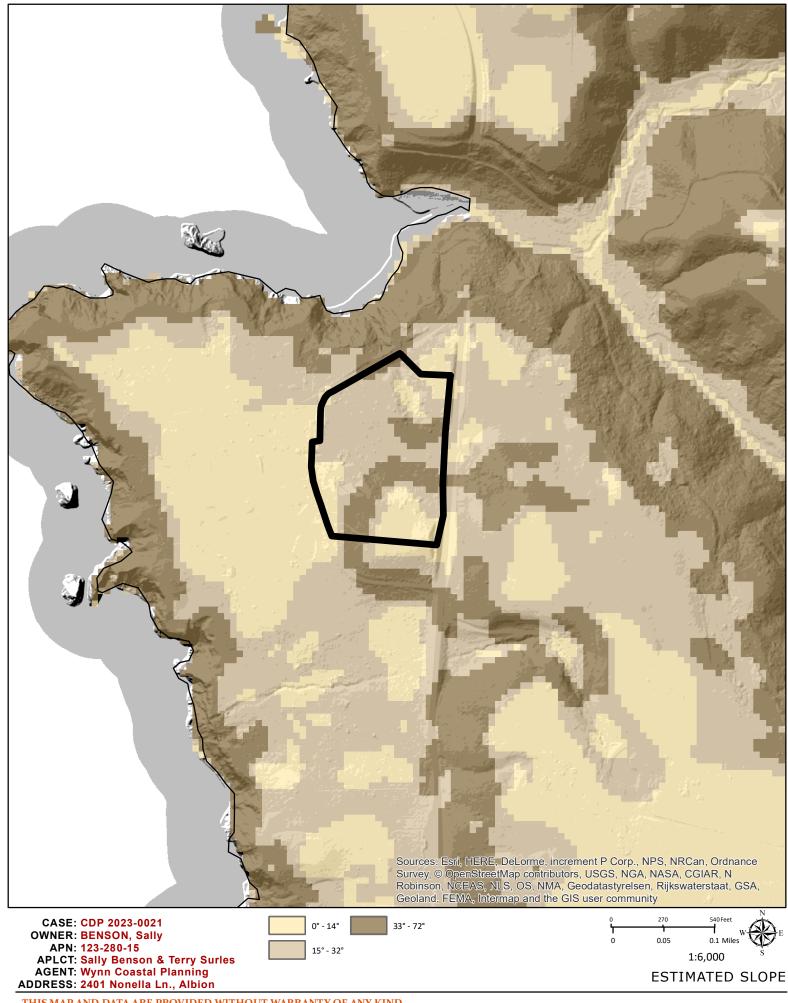


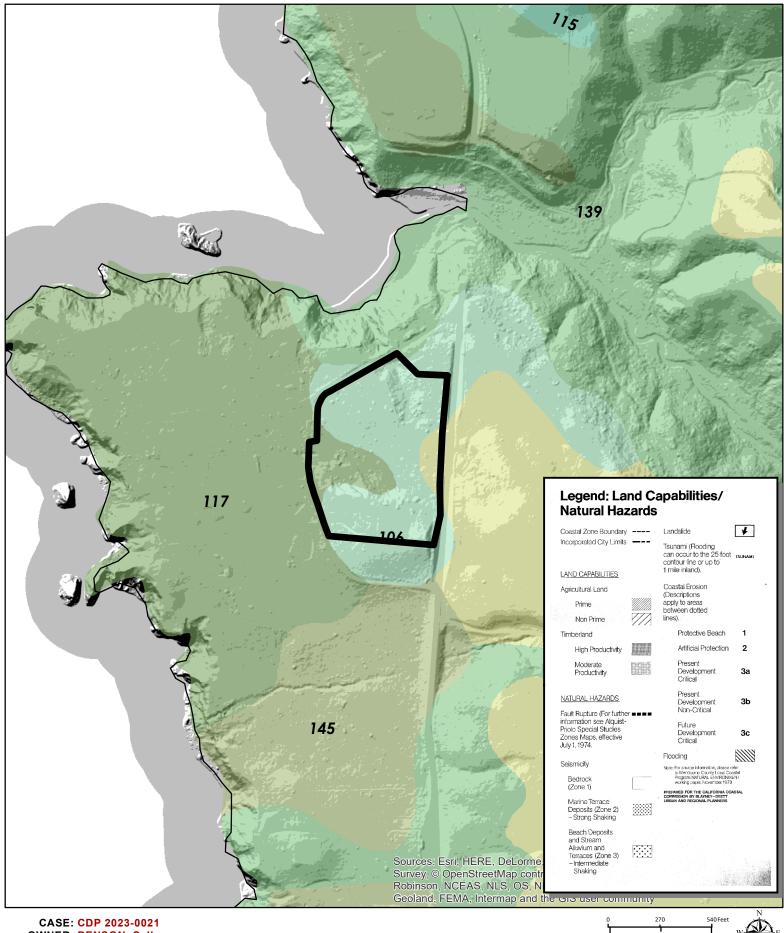
AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion

WETLANDS





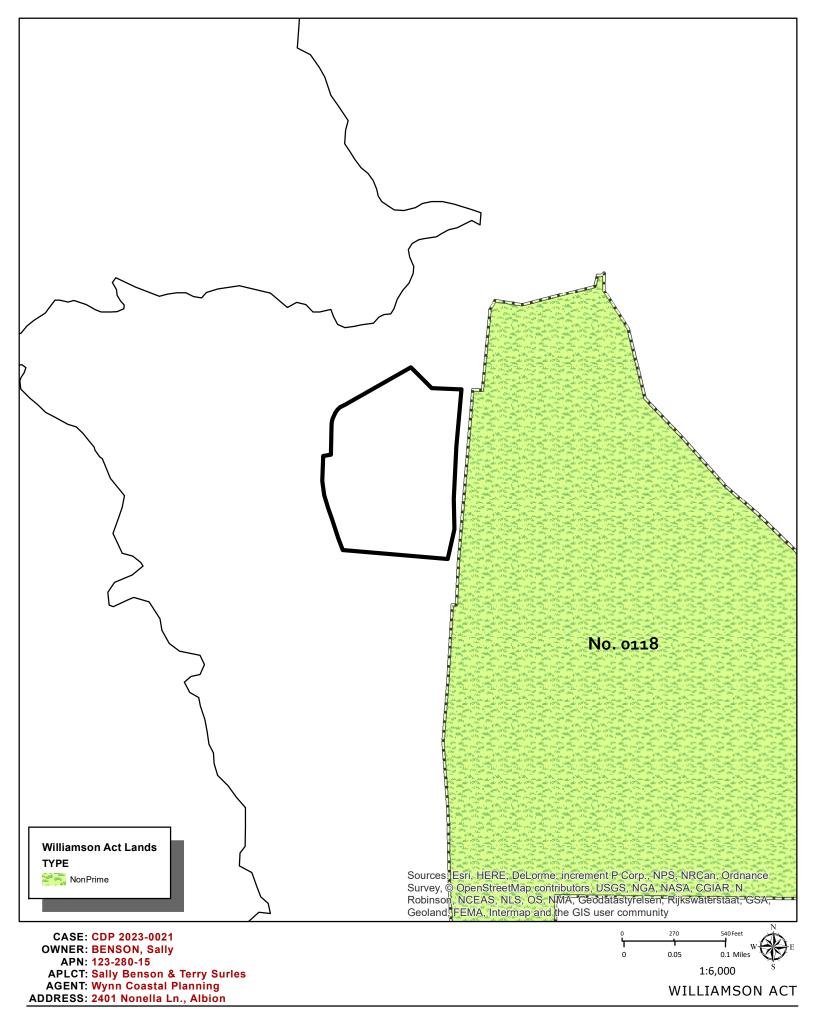


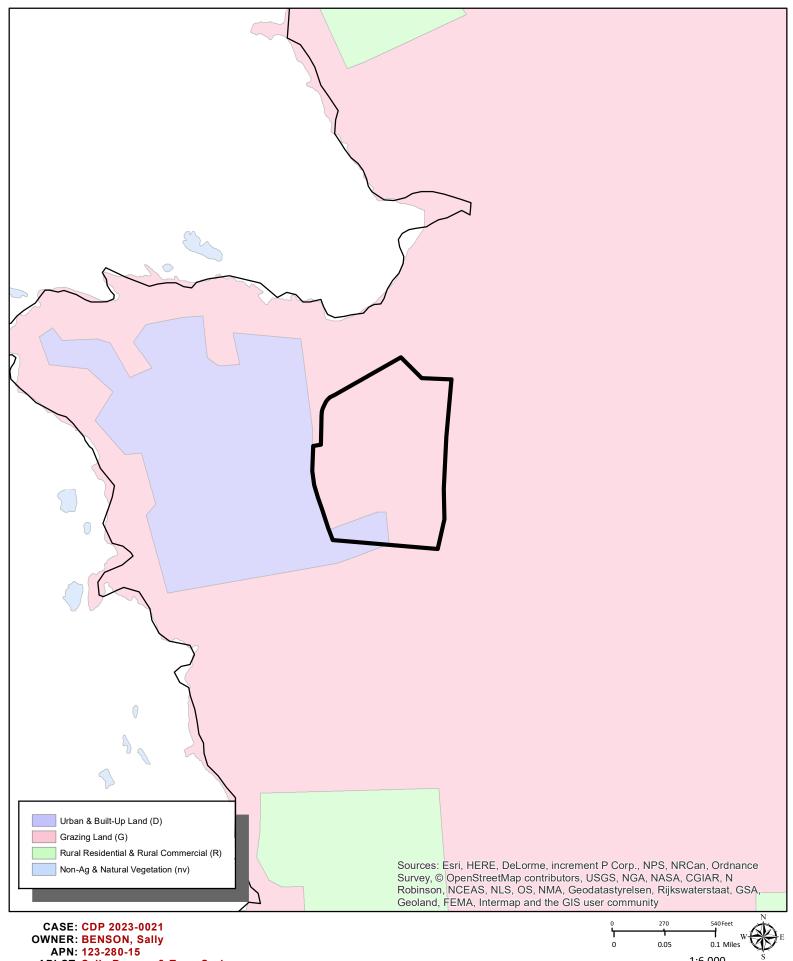


CASE: CDP 2023-0021 OWNER: BENSON, Sally APN: 123-280-15

APLCT: Sally Benson & Terry Surles AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion 0 270 540Feet 1 1 1 W 0 0.05 0.1 Miles 1:6,000

WESTERN SOIL CLASSIFICAITONS



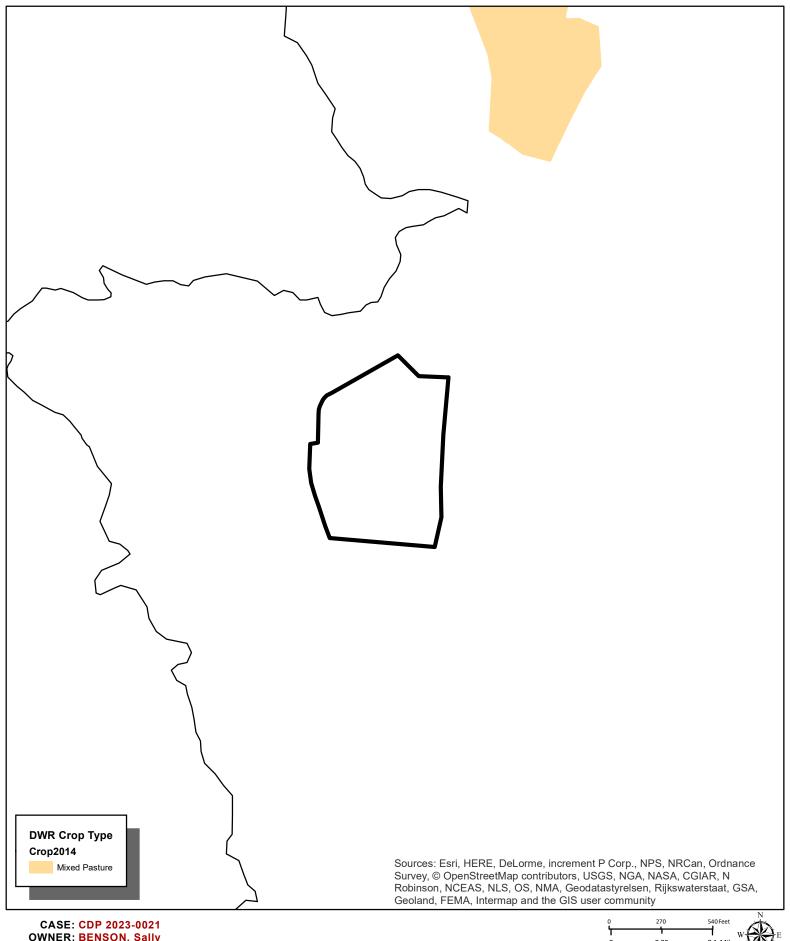


APLCT: Sally Benson & Terry Surles AGENT: Wynn Coastal Planning

ADDRESS: 2401 Nonella Ln., Albion

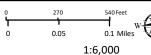
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IMPORTANT FARMLANDS



OWNER: BENSON, Sally APN: 123-280-15

APLCT: Sally Benson & Terry Surles AGENT: Wynn Coastal Planning ADDRESS: 2401 Nonella Ln., Albion



DWR CROP TYPE

