



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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May 20, 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 June 13, 2024, 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 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_2023-0042

DATE FILED: 11/14/2023

OWNER: Jess Raphael

APPLICANT/AGENT: Katherine Haley & Mo Whiteside

REQUEST: Standard Coastal Development Permit to construct a new 2,110 square-foot one-story single-family residence with a detached, 672 square-foot 2 car garage (24 foot x 24 foot) with interior workshop (8 foot x 12 foot). Install a septic tank and septic field to service 2 bedrooms, perform grading, and install a new driveway and encroachment onto county road.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 3.9± miles north of the town of Manchester in the community of Irish Beach on the west side of Navarro Way (CR 553), 300± feet west of its intersection with State Route 1 (SR 1) at 14790 Navarro Way, Manchester; APN 132-020-03.

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: Russell Ford

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 e-mail to pbscommissions@mendocinocounty.gov no later than June 12, 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



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

**JUNE 13, 2024
CDP_2023-0042**

PROJECT PLANNER CONTACT

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PROJECT SUMMARY

OWNER: Jess Raphael
12 Maidu Court
Napa, CA 94558

APPLICANT/AGENT: Katherine Haley & Mo Whiteside
PO Box 2385
Fort Bragg, CA 95437

REQUEST: Standard Coastal Development Permit to construct a new 2,110 square-foot one-story single-family residence with a detached, 672 square-foot 2 car garage (24 foot x 24 foot) with interior workshop (8 foot x 12 foot). Install a septic tank and septic field to service 2 bedrooms, perform grading, and install a new driveway and encroachment onto county road.

LOCATION: In the Coastal Zone, 3.9± miles north of the town of Manchester in the community of Irish Beach on the west side of Navarro Way (CR 553), 300± feet west of its intersection with State Route 1 (SR 1) at 14790 Navarro Way, Manchester; APN 132-020-03.

TOTAL ACREAGE: 0.40± Acres

GENERAL PLAN: General Plan (Chapter 7 – Coastal Element) Rural Residential 5 acre minimum with a Planned Development Combining District, variable to Suburban Residential with a Planned Development Combining District (RR-5:PD[SR:PD])

ZONING: Mendocino County Code Title 20, Division II. Rural Residential 5 acre minimum with a Planned Development Combining District, variable to Suburban Residential with a Planned Development Combining District (RR-5:PD[SR:PD])

CODE REFERENCE: Family Residential: Single-family. Mendocino County Code (MCC) Section 20.376.010(A)

APPEALABLE Yes, by location

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: Approve with Conditions

PROJECT BACKGROUND & INFORMATION

PROJECT DESCRIPTION: Standard Coastal Development Permit to construct a new 2,110 square-foot one-story single-family residence with a detached, 672 square-foot 2 car garage (24' x 24') with interior workshop (8' x 12'). Install a septic tank and septic field to service 2 bedrooms, perform grading, and install a new driveway and encroachment onto county road.



Figure 1: Google Earth Aerial Imagery



Figure 2: Project Site Plan

SITE CHARACTERISTICS: The project site is located in the community of Irish Beach 3.8± miles north of the Town of Manchester on the west side of Navarro Way (CR 553). The parcel is approximately .40 acres

and is currently undeveloped. It sits at the top of a series of small terraces adjacent to the Pacific Ocean. The site is heavily vegetated with grasses, shrubs and trees. Access is provided by Navarro Way along the east boundary of the parcel, and access is limited along the south and western edges by vegetation and slope.



Public Services:

Access: Navarro Way (CR 553)
 Water District: Irish Beach Water District
 Sewer District: None
 Fire District: Redwood Coast Fire Protection District

RELATED APPLICATIONS: The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

Subject Parcel Projects:

- Unit 1 Mendocino Coast Subdivision, Tract 65 (Irish Beach) – Parcel Map recorded June 1, 1965. Major Subdivision creating 95 lots in the Manchester area, including the subject parcel (Lot 37).

Neighboring Projects:

- No relevant projects

AGENCY COMMENTS: On January 22, 2024, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions are discussed in this staff report and contained in Conditions of Approval. A summary of the submitted agency comments are listed below.

TABLE 1: Referral Agency Responses	
REFERRAL AGENCIES	COMMENT
Mendocino County Department of Transportation	Comments
Mendocino County Building Division – Fort Bragg	No Response
Mendocino County Environmental Health	No Comment
Redwood Coast Fire Protection District	No Response

Irish Beach Water District	No Response
California Coastal Commission	Comments
California Native Plant Society	No Response
California Department of Fish & Wildlife	Comments
Regional Water Quality Control Board	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo	No Response
Round Valley Tribe	No Response
Northwest Information Center at Sonoma State	Comments
CAL FIRE	Comments

CAL FIRE: CAL FIRE submitted comments on February 6, 2024, noting that the proposed project does not appear to be located within a timberland area and that no tree removal is proposed. Therefore, no permit would be required from the agency.

Northwest Information Center at Sonoma State: NWIC responded on February 5, 2024, noting that they had no record of previous cultural resources for the project area, and that the proposed project area has a low possibility of containing unrecorded archaeological sites. NWIC recommends contacting local tribes for comment, which was accomplished through the project referral on January 22.

Mendocino County Department of Transportation: MCDOT responded on February 1, 2024, with two conditions to be incorporated into project approval. The conditions require construction of a residential driveway approach onto Navarro Way, and a requirement that the applicant obtain an encroachment permit for any work within the County right-of-way. These conditions have been incorporated as **Conditions #13 and #14**.

California Department of Fish and Wildlife: CDFW staff performed a site view with County staff on March 25th, 2024. CDFW staff informally recommended the installation of symbolic fencing along the western boundary of the parcel to delineate both the legal property line and the beginning of sensitive habitat area for the Point Arena Mountain Beaver (PAMB). **Condition #12** has been added to incorporate this comment.

California Coastal Commission: On April 2, 2024, comments were received from Coastal Commission staff, touching on several items:

- 1) *Reports of unpermitted mowing and possible impacts to PAMB and coastal vegetation.* The Mendocino County Code Enforcement Division received a complaint about mowing and ground disturbance in February of 2022 when the parcel was listed for sale. Code Enforcement Agents investigated the complaints and closed the case in July of 2022. The *Biological Scoping Floristic Botanical & Point Arena Mountain Beaver Survey Report* (hereafter 'bio report') prepared by Wynn Coastal Planning and Biology in March of 2023 included evaluation of PAMB burrows, and no burrows were identified within 100 feet of the subject parcel.
- 2) *A condition prohibiting future 'armoring.'* Commission staff identified the subject parcel as adjacent to a coastal bluff, although the geotechnical investigation prepared by Brunsing and Associates in October of 2022 identifies the bluff edge as approximately 160 feet west-southwest of the project site (*page 8, section 6.1*) and bluff erosion was not identified as a threat within the next 75 years. Staff is recommending **Condition #15** requiring a deed restriction to prohibit shoreline protective devices and to advise current and future owners of development limitations on site.
- 3) *Protections for PAMB sites.* As indicated in the bio report, no burrow sites were identified within 100 feet of the parcel. Commission staff recommend a prohibition on the use of rodenticide on the parcel, which has been incorporated into the project as **Condition #11**.
- 4) *Incorporation of bio recommendations.* Avoidance measures specified in the bio report will be incorporated into the permit approval as **Condition #10**.

- 5) *Limitation on vesting the replacement leach field.* Commission staff had concerns about approving a replacement septic field location that may not be needed for decades, and having said location vested as part of the permit. Staff is recommending **Condition #16** noting that approval of the replacement field is not vested, and a Modification to this Coastal Development Permit may be required if installation of the backup field is proposed as a later date.
- 6) *Shielded lighting and native landscaping.* Recommendations regarding exterior lighting and landscaping materials have been incorporated into the permit approval as **Conditions #18 and #22**.

PROJECT ANALYSIS

LOCAL COASTAL PROGRAM CONSISTENCY:

Land Use: The project site is classified as Rural Residential 5 acre minimum (RR-5) with a variable density to Suburban Residential (SR). The Suburban Residential district has a minimum lot size of 12,000 square feet when within either a water or sewer district. This site is served by the Irish Beach Water District and is 0.40± acres and therefore already developed to the higher density option. For the purposes of the land use and zoning analysis, the regulations for the higher density Suburban Residential zone will be used.

The Mendocino County Coastal Element identifies the purpose of the Suburban Residential classification as:

“...to be applied on lands adjacent to existing develop communities on the urban side of the Urban/Rural boundary, or to lands which are appropriate to accommodate future residential growth. Land within the Suburban Residential classification should have moderate to light constraints for residential development, should be served by the publicly maintained road network, and should be located within utility service areas or the logical extensions thereof.”

Principally permitted uses within the SR classification include single family residential, vacation home rentals and passive recreation. The proposed development of a single-family residence and associated improvements is consistent with the land use policies of the SR classification. The project site falls within the *Mallo Pass Creek to Iversen Road Planning Area*, but it contains no policies relevant to the project.

Zoning: As discussed in the above section, the project site is zoned Rural Residential with a variable density to Suburban Residential. The site is also subject to a Planned Development combining district which requires a Use Permit for all development other than a single-family residence and accessory uses unless otherwise excepted. As the proposed development fits into the exceptions provided, no use permit is required for this project. The SR zone allows single-family residences and associated structures as a principally permitted use. The proposed construction of a single-family residence, garage and workshop is consistent with the SR district, per MCC §20.384.010(A).

The standard front and rear yard setbacks within the SR zone are twenty (20) feet, with side yard setbacks at six (6) feet. As currently proposed, the single-family residence would reach within six feet of the rear (westernmost) property line. MCC §20.428.015 provides an allowance to reduce the setbacks for any lot within a planned development district provided the minimum setbacks be maintained at the perimeter of the planned development district. The project site is an interior portion of the PD area and does not share a boundary with the perimeter of the district. Staff finds that a reduced rear setback of six feet is consistent with Coastal Zoning Chapter 20.428 governing planned unit combining districts. As proposed, the project is also consistent with the regulations of the zoning district regarding maximum building height of 35 feet or less, and total lot coverage of 50% or less (approximately 21% proposed).

Grading, Erosion, and Runoff: The proposed development sits at the top of a sloping bluff and will require some grading to develop a suitable building area. Grading will occur at the time of construction and installation of the proposed septic and leach field. Total proposed grading is estimated at 50 cubic yards of cut and 50 cubic yards of fill, all from within the project site. **Condition #20** is recommended to ensure

compliance with applicable building regulations regarding grading, and consistency with MCC Chapters 20.492 and 20.500 at the time of development.

Environmentally Sensitive Habitat and Other Resource Areas: Per the bio report prepared in March of 2023, only one type of presumed ESHA was identified within the project site: potential habitat for the federally endangered Point Arena Mountain Beaver. Wynn Coastal Planning and Biology conducted a presence/absence survey for PAMB with the support of USFWS biologists, and no PAMB burrow sites were identified within 100 feet of the parcel boundary. Additional protective measures recommended in the bio report have been incorporated into the Conditions of Approval for this project, together with an additional condition prohibiting the use of any rodenticide on the parcel (**Condition #11**). On April 16, 2024, USFWS staff conducted a follow-up visit to the site to supplement the previous survey. Their conclusion was that PAMB that previously occupied the adjacent parcels have now moved further downslope to more hospitable habitat after many years of drought, and any indications of PAMB habitation are now further removed from the project site.

Hazards Areas: No mapped hazards were identified on the subject parcel with regard to faults, landslide, erosion or flooding. A geotechnical investigation was prepared by Brunsing Associates, Inc. (BAI) in October of 2022 and submitted alongside the project application. BAI estimates the bluff erosion rate as approximately 17 feet over the next 75 years, and identifies the bluff edge as approximately 160 feet west-southwest of the project and therefore not an immediate threat to the site. Additional analysis was done with regard to sea level rise, meteotsunami impacts, liquefaction and seismicity. The recommendations from the BAI report are incorporated as **Condition #19**. As discussed in the comment section above, **Condition #15** requiring a Deed Restriction prohibiting armoring devices is also recommended, as is **Condition #20** requiring the use of Best Management Practices for erosion control.



Figure 4: California Coastal Records Imagery (2013)

Visual Resources and Special Treatment Areas: Policy 3.5-1 of the Coastal Element requires protection of the scenic and visual qualities of the Mendocino County coastal areas through thoughtful siting of development and minimization of the alteration of natural landforms. Development should also be compatible with the character of surrounding areas. The project site does not fall within a mapped highly scenic or tree removal area and so is not subject to the requirements of that section. **Condition #18** is recommend to make the project compliant with §20.504.035 regarding exterior lighting regulations.

Due to the sloping terrain of the project site, the proposed buildings will sit partially below the natural grade by several feet. Given the limitations of the site, staff finds that the proposed development has been sited in such a way that balances the visual protections required by the LCP while still allowing the property owner the greatest flexibility possible for development. **Condition #21** is recommended to require an exterior finish schedule for proposed materials and colors which will be visually compatible with the character of the surrounding area, consistent with Mendocino County Coastal Element Policies 3.5-1 and MCC Section 20.488.015(C).

Transportation, Utilities, and Public Services: The project site is served by *Navarro Way*, a county-maintained road (CR 553). **Conditions #13 and #14** will ensure compliance with Mendocino County DOT requirements to construct a residential driveway approach onto Navarro Way, and that an encroachment permit is secured for any work within the County right-of-way.

The project site is within the Irish Beach Water District, and the applicant has provided a copy of a will-serve letter from the district dated November 5, 2023, confirming that the project site is connected to the district and that the district will provide water to the parcel upon request.

The site will require installation of an on-site septic system, and **Condition #5** is recommended to ensure that all necessary permits for development of the site are secured.

Archaeological and Cultural Resources: Project referrals were sent to the Northwest Information Center at Sonoma State (NWIC) for review through the California Historical Resources Information System (CHRIS). NWIC responded on February 5, 2024, that there was no record of any previous cultural resources on the site, and that the project site in particular has a low possibility of containing unrecorded archaeological sites and no further study was recommended. Consistent with the Mendocino County Archaeological Commission guidelines, the project was not referred to the Arch Commission for comment. Project referrals were also sent to the Cloverdale Rancheria, Redwood Valley Rancheria, Sherwood Valley Band of Pomo and the Round Valley Indian Tribes, but no responses were received. Staff recommends the standard 'discovery clause' in **Condition #8** to provide additional protection to any undiscovered cultural resources on the site.

Public Access: The project site is not immediately adjacent to the ocean or beach, and is not identified as a potential source of coastal access on the Mendocino County LCP maps.

ENVIRONMENTAL DETERMINATION: The Secretary for Resources has found that certain classes or projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. The proposed project to construct a new 2,110 square-foot one-story single-family residence with a detached, 672 square-foot 2 car garage with and interior workshop, and installation of a septic tank and septic field to service 2 bedrooms, perform grading, and install a new driveway and encroachment onto Navarro Way meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under California Code of Regulations Section 15303(a) and 15303(e) for the construction of a new a single-family residence and accessory structures.

PROJECT FINDINGS & CONDITIONS OF APPROVAL

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_2023-0042 finding the project Categorical Exempt from the California Environmental Quality Act, and adopts the following findings and conditions:

FINDINGS:

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed project to construct a new 2,110 square-foot one-story single-family residence with a detached, 672 square-foot 2 car garage with interior workshop and install a septic tank and septic field to service 2 bedrooms, perform grading, and install a new driveway and encroachment onto county road is in conformity with the certified local coastal program. The project site is classified and zoned Rural Residential variable to a higher density Suburban

Residential and a Planned Unit Development (PD) combining district. The construction of a single-family residence is a principally permitted use within the zoning district and is exempt from the Use Permit requirement of the PD combining district. The proposed residential use is consistent with the intent of §20.384.005 and §20.428.005; and

2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage, and other necessary facilities. The site is served by the Irish Beach Water District, which has provided a 'will serve' letter confirming connection to district infrastructure and the ability to supply domestic water to the site. The project description includes installation of an on-site septic system for management of domestic wastewater, and the site is served by a publicly maintained county road, Navarro Way (CR 553). Other existing utility infrastructure including electricity and broadband either already exist on site or are available through suppliers in the area; and
3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and will preserve the integrity of the zoning district. The proposal to construct a new single-family residence and garage, perform grading and install supporting infrastructure is a principally permitted use within the Suburban Residential zoning district. Reduction of the rear yard setback to six (6) feet is consistent with the regulations of the Planned Unit Development combining district as specified in §20.428.015(C); and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development to construct a new single-family residence, garage, perform grading and install supporting infrastructure, if completed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. Government Code §15303(a) provides an exemption for the construction of a new single-family residence, therefore a Categorical Exemption is recommended; and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource. Comments provided by NWIC indicate a low likelihood of undiscovered cultural resources within the project site and referrals sent to tribal authorities with interest in the project received no response. **Condition #8** is recommended to provide protection to any resources that may be discovered during construction; and
6. Pursuant to MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development. The construction of a new single-family residence will not have an impact on transportation or solid waste capacity. The proposed development would not increase the dwelling density on the subject parcel and would not adversely affect demands on public services; and
7. Pursuant to MCC Section 20.532.095(B)(1), the project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan. The project site is located between the first public road and the sea but does not provide direct access to the ocean or beach. The site is not identified on the Mendocino County LCP Land Use maps as a source of coastal access.

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 (2) years after the effective date except where construction and/or use of the property in reliance on such permit has been initiated prior to its expiration. Such permit vesting shall include approved permits associated with this project (i.e. building permits, septic permits, well permits, etc.) and physical construction in reliance of such permits, or a business license demonstrating establishment of a use proposed under this project.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. 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.
4. The application, along with supplemental exhibits and related materials, shall be considered elements of this permit and compliance therewith is mandatory unless an amendment has been approved by the Coastal Permit Administrator.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
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. Conditions approving this project shall be attached to or printed on any building permit application and shall be a part of on-site construction drawings.
10. As specified in the Biological Report, the following avoidance measures shall be adhered to:

- a. Seasonal Avoidance. No nesting bird surveys are recommended if activity occurs in the non-breeding season (September to January). If vegetation removal or development is to occur during the breeding season (February to August), a pre-construction survey is recommended within the 14 days before vegetation removal or construction to ensure that no nesting birds will be disturbed during development.
 - b. Nest Avoidance. If active native bird nests are observed, no vegetation removal or construction activities with the potential to disrupt nesting shall occur within a 100-foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around active nests until all young are no longer dependent upon the nest. A biologist should monitor the active nest weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.
 - c. Construction only during daylight hours. Construction should occur during daylight hours to limit disturbing construction noise and minimize artificial lights.
 - d. Contractor education. Within the two weeks prior to construction activities, project contractors will be trained by a qualified biologist in the identification of the frogs and salamanders that occur along the Mendocino County coast. Workers will be trained to differentiate between special status and common species and instructed on action and communications required to be conducted in the event that special status amphibians are observed during construction.
 - e. Pre-construction search. During ground disturbing activities, construction crews will begin each day with a visual search around the staging and impact area to detect the presence of amphibians.
 - f. Careful debris removal. During construction and debris removal, any wood stockpiles should be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians.
 - g. No construction during rain event. If a rain event occurs during the ground disturbance period, all ground disturbing activities will cease for a period of 48 hours, starting after the rain stops. Prior to resuming construction activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found during inspection, ground-disturbing activities may resume. If a special status amphibian is detected, construction crews will stop all ground disturbing work and will contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW will then be needed prior to reinitiating work. CDFW will need to be consulted and will need to be in agreement with protective measure needed for any potential special status amphibians.
 - h. PAMB avoidance buffers. A 100-foot buffer shall be established around habitat with active burrows. Potential PAMB habitat that has not been surveyed for PAMB presence/absence should be treated as if it is occupied habitat. No vegetation removal, construction, ground vibration or materials stockpiling shall occur within the buffer area.
 - i. Ground borne vibration buffers. No operation of mechanical equipment that is in direct contact with the ground, or below ground which causes severe ground vibrations (includes operation of log landings and soil compaction with vibrators) within 500 feet of active burrows or unsurveyed suitable habitat during the breeding season, and not within 100 feet during the remainder of the year. Very severe ground vibration disturbance (such as pile driving or blasting) should not occur within 500 feet at any time.
 - j. Minimize removal of potential PAMB habitat. Removal of brushy vegetation that is potential habitat for PAMB should be avoided if possible. Potential habitat removal should only occur if necessary for construction or fire safety.
11. Use of rodenticides on the property shall be prohibited at all times.

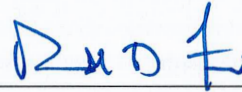
12. Low symbolic fencing (12 – 18 inches in height) shall be installed along the western property boundary to delineate the beginning of sensitive PAMB areas and prevent incidental encroachment into this habitat.
13. Prior to commencement of construction activities or issuance of a building permit, the applicant shall construct a residential driveway approach onto Navarro Way (CR 553), in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
14. The applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within the County right-of-way.
15. A Deed Restriction shall be recorded requiring removal of any structures on site threatened by bluff erosion and prohibiting the installation of any shoreline protection devices. The Deed Restriction shall run with the land and inform current and future property owners of the limitations and liability associated with development on this site.
16. Approval of the replacement septic field shall not be vested by construction activities associated with this permit. If the replacement field is not installed simultaneously with the primary field, a Modification to the Coastal Development Permit shall be required at such time that the replacement field is installed.
17. If construction activities are not undertaken within five (5) years of the approval date of this permit, an updated Point Arena Mountain Beaver (PAMB) survey shall be performed to assess possible habitat expansion onto the project site. If the updated survey positively identifies PAMB burrows or buffers within the project site, a Modification to the Coastal Development shall be required.
18. All exterior lighting shall be downcast, shielded and designed in such a manner that will prevent light from extending past the boundary of the site and affecting any sensitive ESHAs or ESHA buffers.
19. All recommendations listed in the geotechnical investigation prepared by Brunsing Associates, Inc. dated October 19, 2022 (beginning at section 6.0 on page 8) shall be adhered to.
20. Prior to issuance of the building permit, the applicant shall specify Best Management Practices (BMPs) to be implemented to reduce erosion and sedimentation from construction activities. If the amount of grading on the site exceeds fifty (50) cubic yards, the applicant shall cease construction activities and develop a Grading and Erosion Control Plan for the site and submit it to the Department of Planning and Building Services for review and approval.
21. Prior to building permit approval, an exterior finish schedule demonstrating that proposed materials and colors will be visually compatible with the character of the surrounding area and consistent with Mendocino County Coastal Element Policy 3.5-1 shall be submitted to the Coastal Permit Administrator for review and approval.
22. Site revegetation and landscaping should be comprised of local native grass and plant species.
23. To record a Notice of Exemption, the applicant shall pay a fee of \$50.00 for the filing of the Notice of Exemption which shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any project action.

PROJECT RECOMMENDATION

The Coastal Permit Administrator find the project to be Categorically Exempt under CEQA Sections 15303(a) and (e) for the construction of a new single-family residence and accessory structures, and grants approval of the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

4/22/24

Date

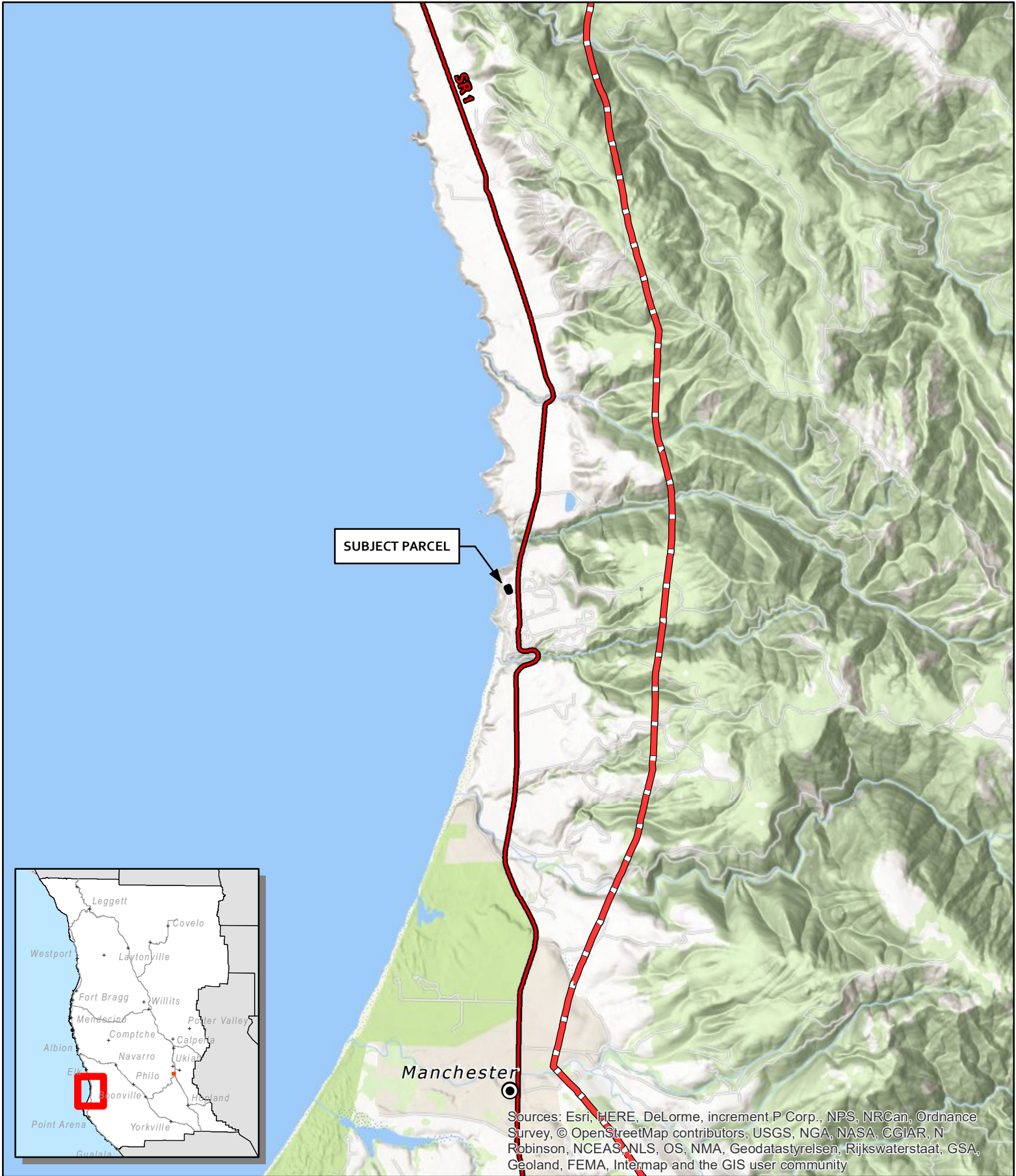


Russ Ford
Senior Planner

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

ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Topographical Map
- D. Site Plans
- E. General Plan Map
- F. Zoning Map
- G. LCP Maps
- H. Adjacent Owner Map
- I. Fire Hazards Map
- J. Slope Map
- K. Soils Map
- L. Ground Water Res.






SUBJECT PARCEL

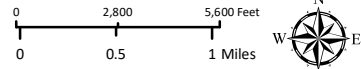
Manchester

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CASE: CDP 2023-0042
OWNER: RAPHAEL, Jess
APN: 132-020-03
APLCT: Katherine Haley
AGENT: Haley & Whiteside
ADDRESS: 14790 Navarro Way

-  Major Towns & Places
-  Coastal Zone Boundary
-  Highways



1:63,360


LOCATION

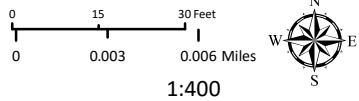
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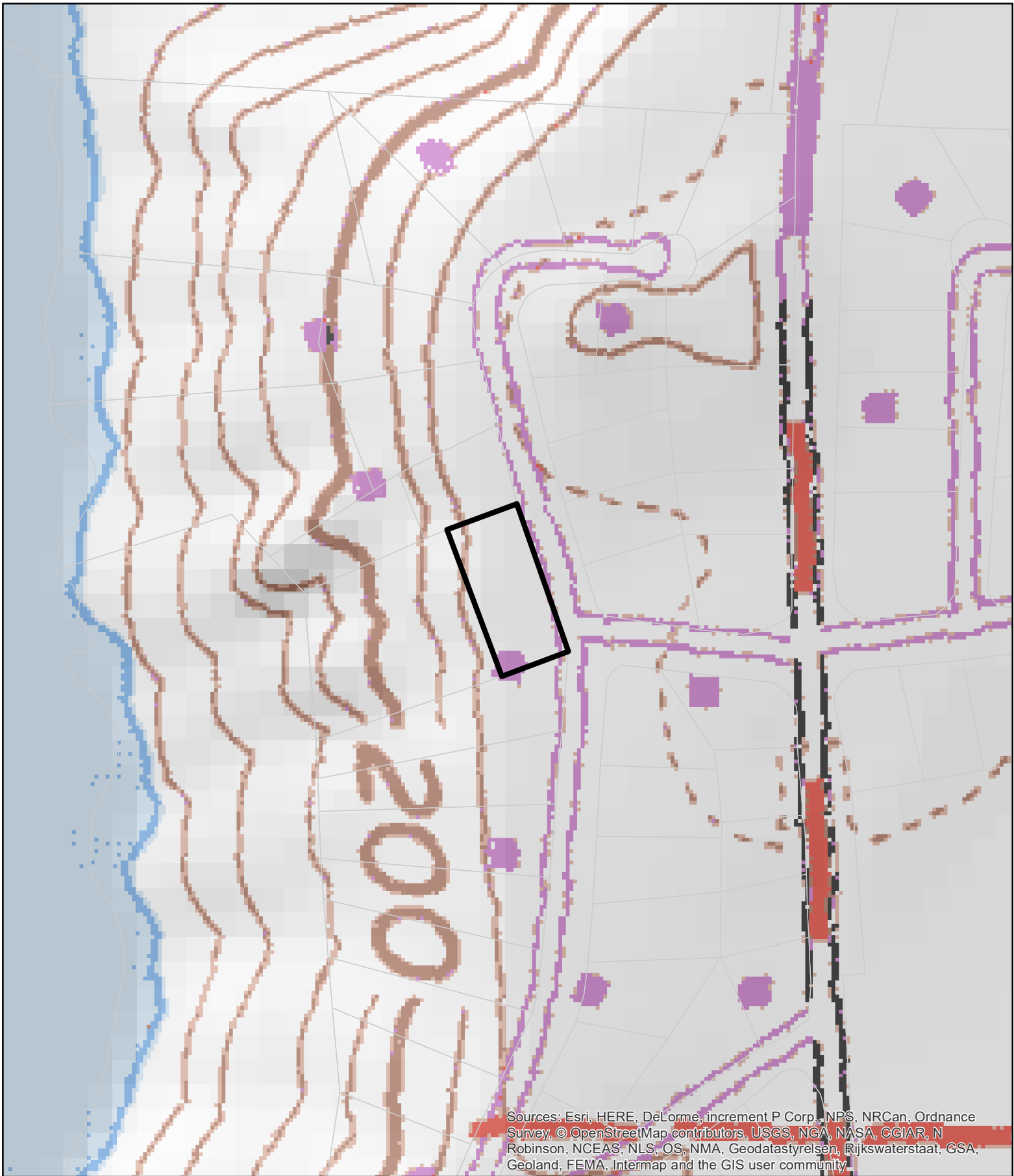
 Public Roads



1:400


AERIAL IMAGERY

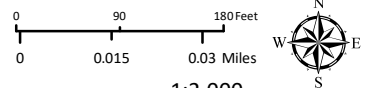
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APLCT: Katherine Haley
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 Assessors Parcels



1:2,000
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

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2
A1 VICINITY MAP
NO SCALE



LIGHT FIXTURE LEGEND

- ▽ GRID, MTD, PAGODA (DOWNCAST)
- WALL MTD, DOWNLIGHT (DOWNCAST) (SEE SHT. A2/A3)

Haley Whiteside Design
P.O. Box 288
Fort Bragg, CA 94707
707.768.8419

RAPHAEL RESIDENCE
SITE PLAN
14730 NAVARRO WAY, MANCHESTER, CA 95459
APN 132-020-0300

DATE: 11-07-2023
REVISION:
DRAWN BY: MK
SHEET NUMBER:

A1



1
A1 **SITE PLAN**
SCALE: 1/8" = 1'-0"

RL 160

RR 5-PD [SR-PD]

OS

OS

NAVARRO WAY

SEA CYPRESS DRIVE

CYPRESS POINT ROAD

SR 1

NAVARRO WAY

NOYO WAY

CASE: CDP 2023-0042

OWNER: RAPHAEL, Jess

APN: 132-020-03

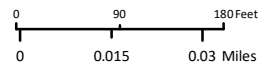
APLCT: Katherine Haley

AGENT: Haley & Whiteside

ADDRESS: 14790 Navarro Way

Public Roads

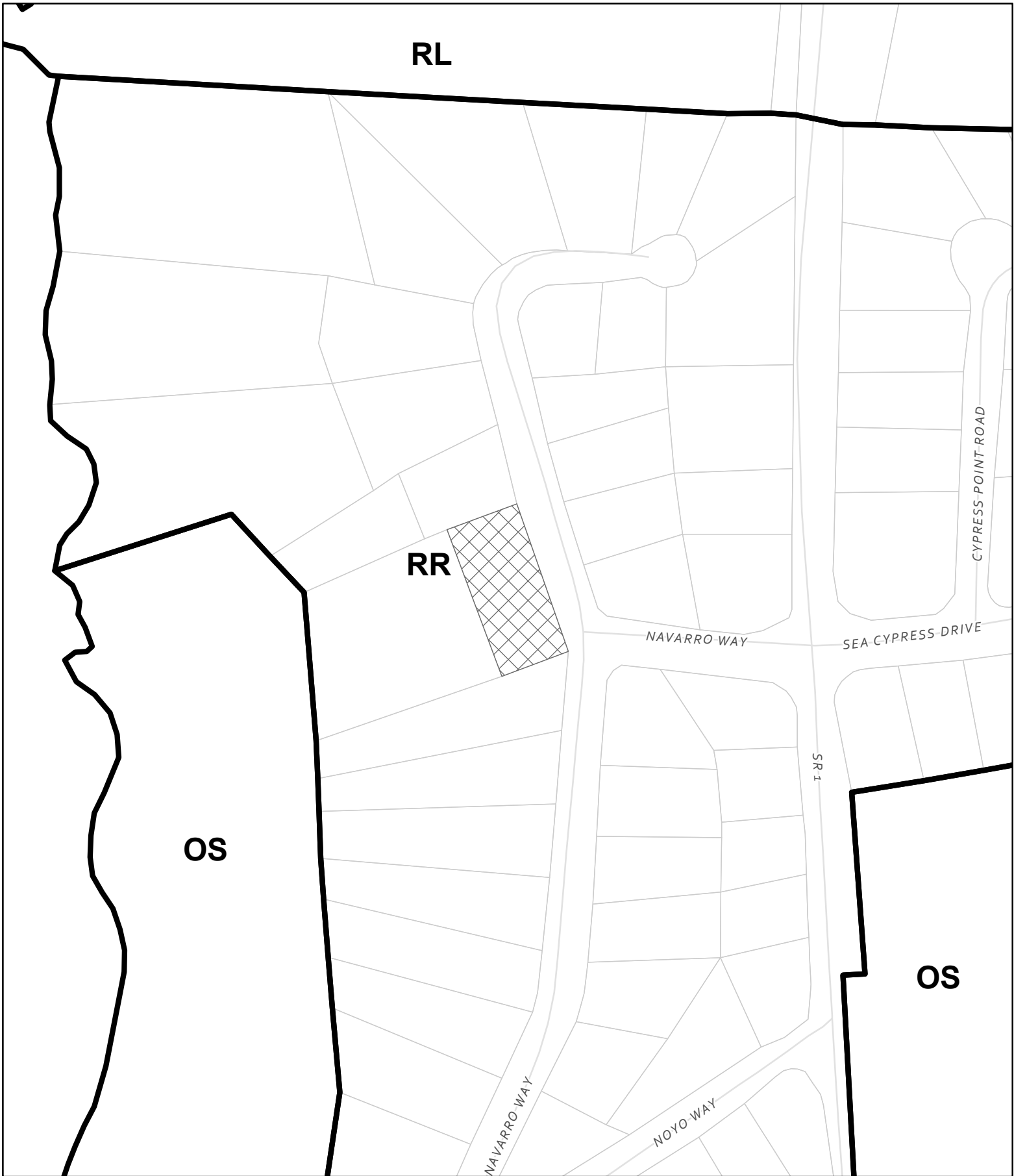
Assessors Parcels






1:2,000

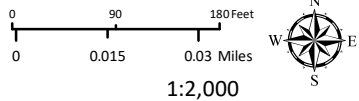
GENERAL PLAN

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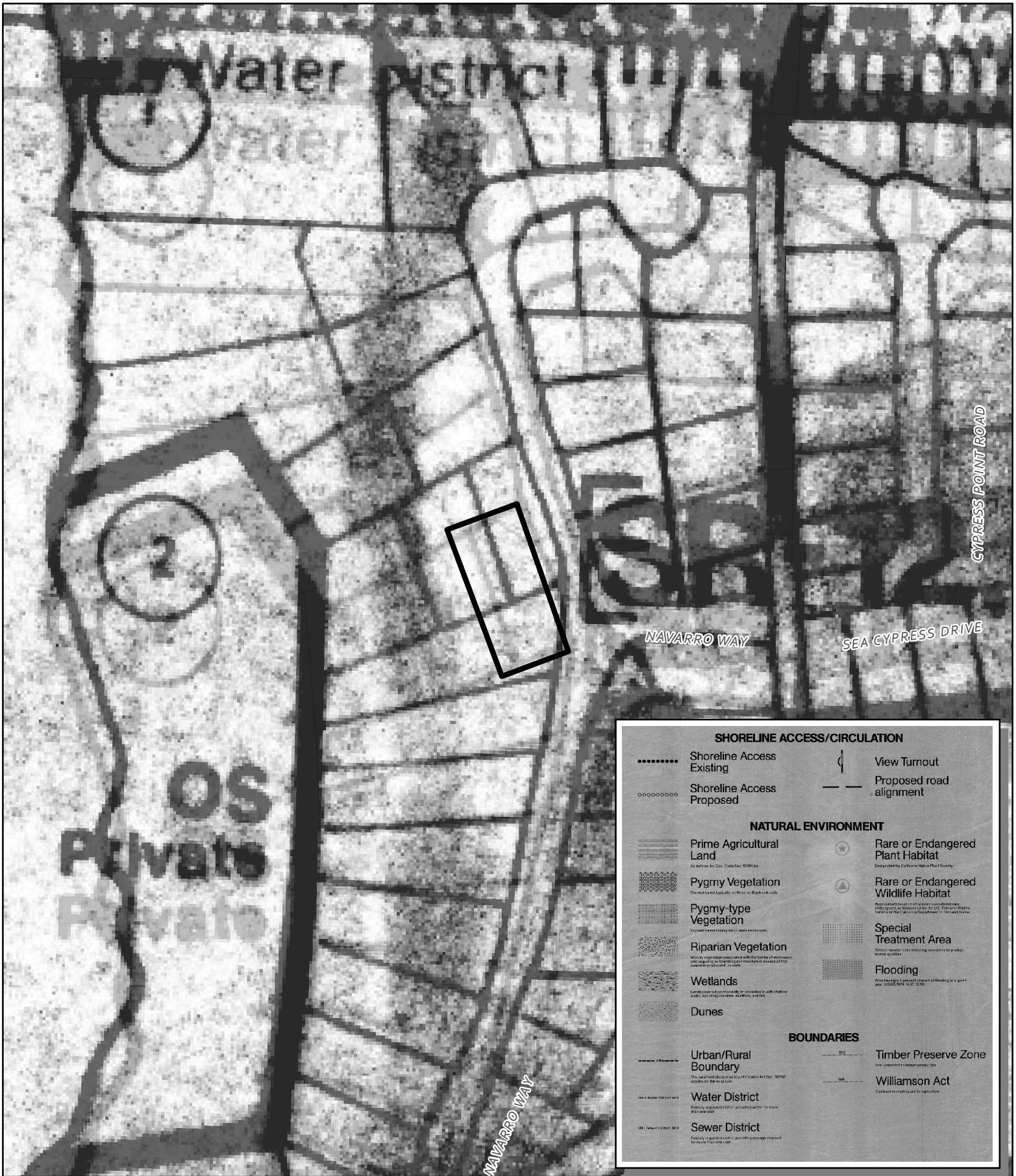
CASE: CDP 2023-0042
OWNER: RAPHAEL, Jess
APN: 132-020-03
APLCT: Katherine Haley
AGENT: Haley & Whiteside
ADDRESS: 14790 Navarro Way

-  Zoning Districts
-  Public Roads
-  Assessors Parcels



ZONING

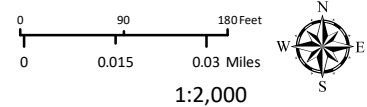
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SHORELINE ACCESS/CIRCULATION			
.....	Shoreline Access Existing		View Turnout
o-o-o-o-o-o-o-o	Shoreline Access Proposed		Proposed road alignment
NATURAL ENVIRONMENT			
	Prime Agricultural Land <small>As defined by Gov. Code Sec. 50091 (a)</small>		Rare or Endangered Plant Habitat <small>Designated by California Native Plant Society</small>
	Pygmy Vegetation <small>Classified Land Use Code in Title 23, Public Resources Code</small>		Rare or Endangered Wildlife Habitat <small>Appropriate level of concern considered rare, endangered, or threatened by the U.S. Fish and Wildlife Service in the California Threatened and Endangered Species Act</small>
	Pygmy-type Vegetation <small>Classified Land Use Code in Title 23, Public Resources Code</small>		Special Treatment Area <small>Special management rules including provisions to protect natural resources</small>
	Riparian Vegetation <small>Wetlands and riparian areas that are subject to federal, state, and local regulations, including riparian area protection measures, and riparian area protection measures</small>		Flooding <small>Area having a 1 percent chance of flooding in a year (100-year flood)</small>
	Wetlands <small>Lands covered or periodically or periodically with shallow water and saturated soils, swamps, and bays</small>		
	Dunes		
BOUNDARIES			
	Urban/Rural Boundary <small>The natural boundary between the City of Malibu and the County of Los Angeles</small>		Timber Preserve Zone <small>Area subject to timber preservation</small>
	Water District <small>Publicly regulated water providers within the county</small>		Williamson Act <small>Contract farming and agriculture</small>
	Sewer District <small>Publicly regulated water providers providing sewerage disposal to the county</small>		

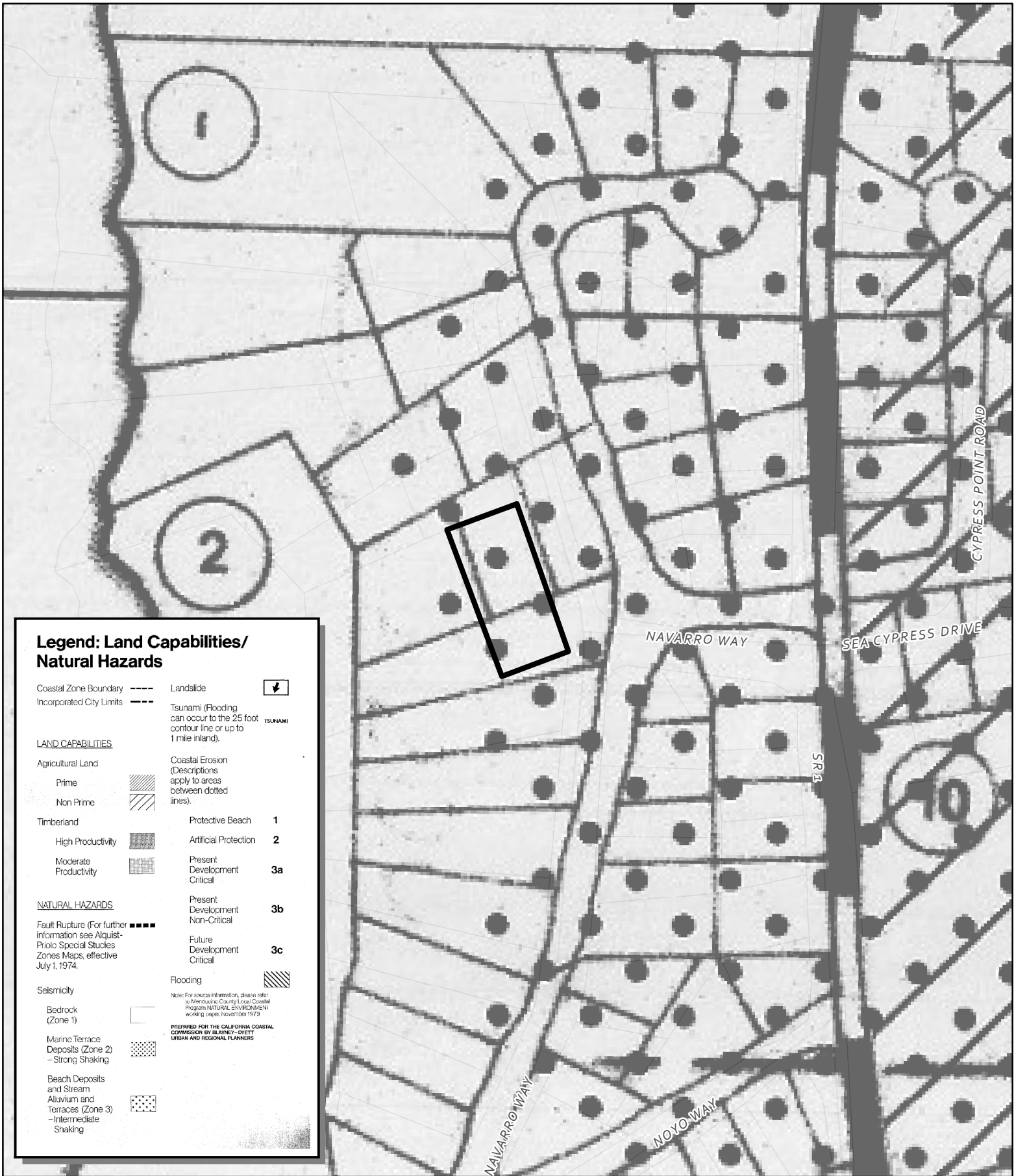
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Public Roads
 Assessors Parcels



LCP LAND USE MAP 22: MALLO PASS CREEK

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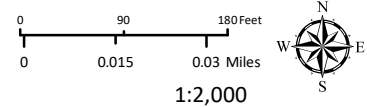


**Legend: Land Capabilities/
Natural Hazards**

Coastal Zone Boundary	---	Landslide	
Incorporated City Limits	---	Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).	
LAND CAPABILITIES			
Agricultural Land		Coastal Erosion (Descriptions apply to areas between dotted lines).	
Prime		Protective Beach	1
Non Prime		Artificial Protection	2
Timberland		Present Development Critical	3a
High Productivity		Present Development Non-Critical	3b
Moderate Productivity		Future Development Critical	3c
NATURAL HAZARDS			
Fault Rupture (For further information see Alquist-Priolo Special Studies Zones Maps, effective July 1, 1974.	---	Flooding	
Seismicity		<small>Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENTAL working paper, November 1979.</small>	
Bedrock (Zone 1)		<small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANEY-OYETT URBAN AND REGIONAL PLANNERS</small>	
Marine Terrace Deposits (Zone 2) - Strong Shaking			
Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking			

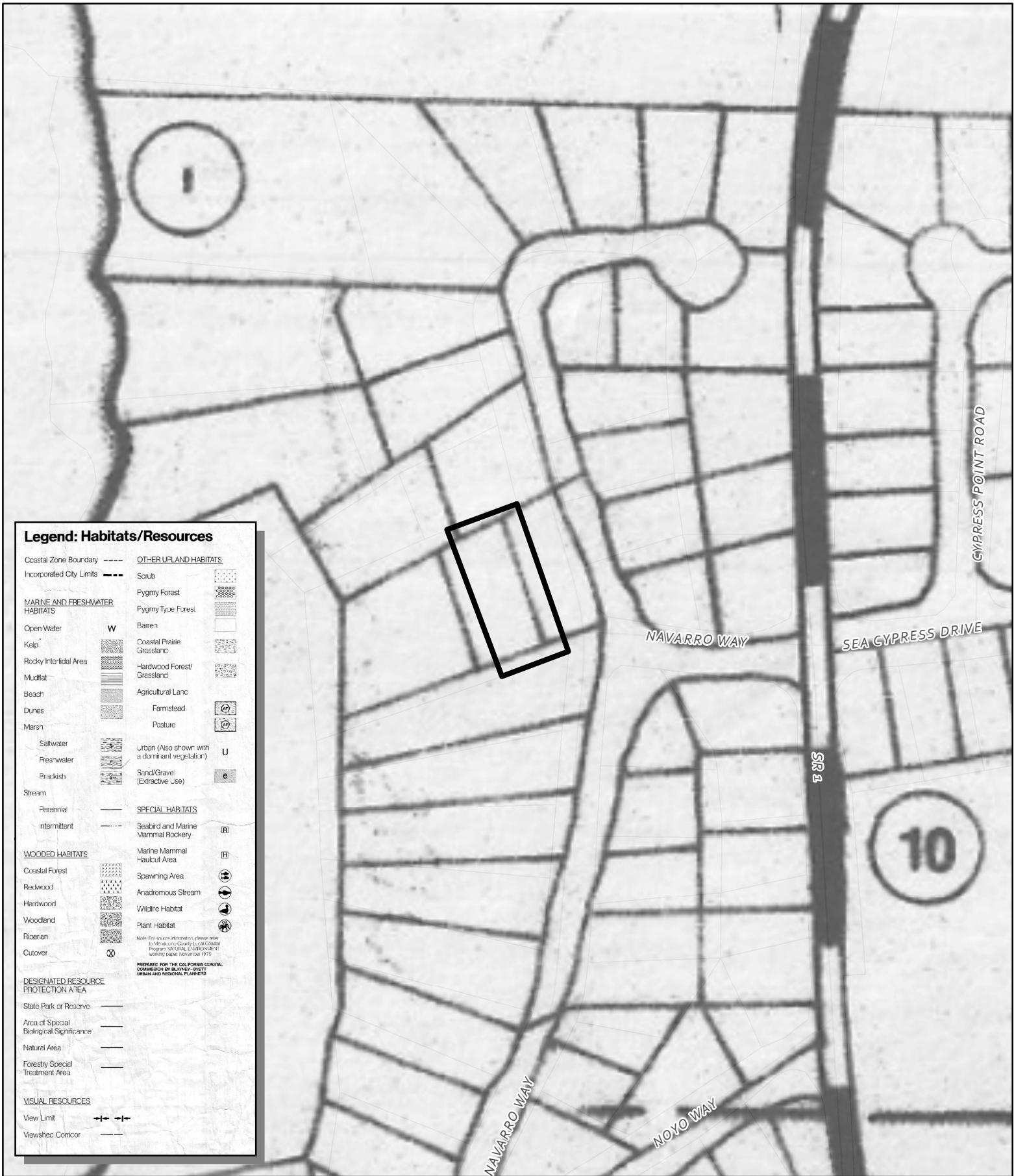
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Public Roads
 Assessors Parcels



LCP LAND CAPABILITIES & NATURAL HAZARDS

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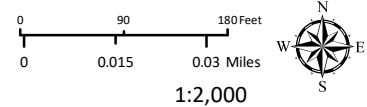


Legend: Habitats/Resources

Coastal Zone Boundary	---	OT-HER UPLAND HABITATS	
Incorporated City Limits	---	Scrub	[Pattern]
MARINE AND FRESHWATER HABITATS		Pygmy Forest	[Pattern]
Open Water	W	Pygmy Tree Forest	[Pattern]
Kelp	[Pattern]	Barren	[Pattern]
Rocky Intertidal Area	[Pattern]	Coastal Prairie	[Pattern]
Mudflat	[Pattern]	Grossland	[Pattern]
Beach	[Pattern]	Hardwood Forest/	[Pattern]
Dunes	[Pattern]	Grossland	[Pattern]
Marsh	[Pattern]	Agricultural Land	[Pattern]
Saltwater	[Pattern]	Farmstead	[Symbol]
Freshwater	[Pattern]	Pasture	[Symbol]
Brackish	[Pattern]	Urban (Also shown with a	U
Stream		dominant vegetation)	
Perennial	---	Sand/Grave	e
Intermittent	---	(Extractive Use)	
WOODED HABITATS		SPECIAL HABITATS	
Coastal Forest	[Pattern]	Seabird and Marine	[Symbol]
Redwood	[Pattern]	Mammal Rockery	[Symbol]
Hardwood	[Pattern]	Marine Mammal	[Symbol]
Woodland	[Pattern]	Haulcut Area	[Symbol]
Roanoke	[Pattern]	Spawning Area	[Symbol]
Cuover	[Symbol]	Anadromous Stream	[Symbol]
		Wildfire Habitat	[Symbol]
		Plant Habitat	[Symbol]
<small>Note: For more information, please refer to Marin County Local Coastal Program NATURAL ENVIRONMENT working paper November 1992.</small>			
<small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANNEY-BYETT URBAN AND REGIONAL PLANNERS</small>			
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	---		

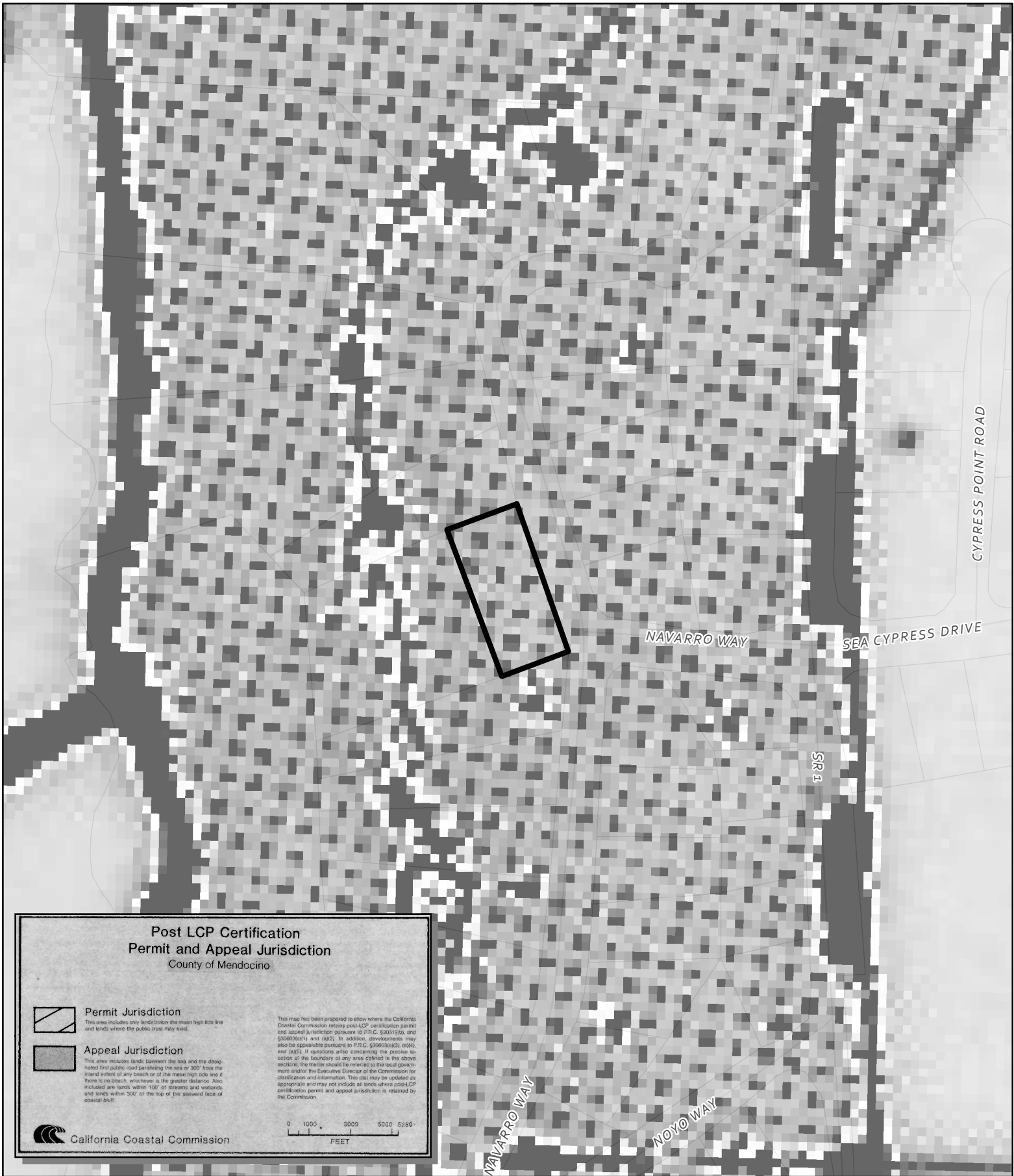
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Public Roads
 Assessors Parcels



1:2,000
LCP HABITATS & RESOURCES

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

Permit Jurisdiction
This area includes only lands below the mean high tide 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.

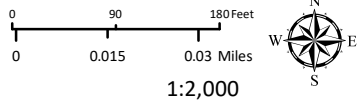
This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.R.C. §30519.05, and §30603(a)(1) and (a)(2). In addition, developments may also be appealable pursuant to P.R.C. §30605(a)(3), (a)(4), and (a)(5). If questions arise concerning the precise location of the boundary of any area depicted 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 plot may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

0 1000 3000 5000 9260

FEET

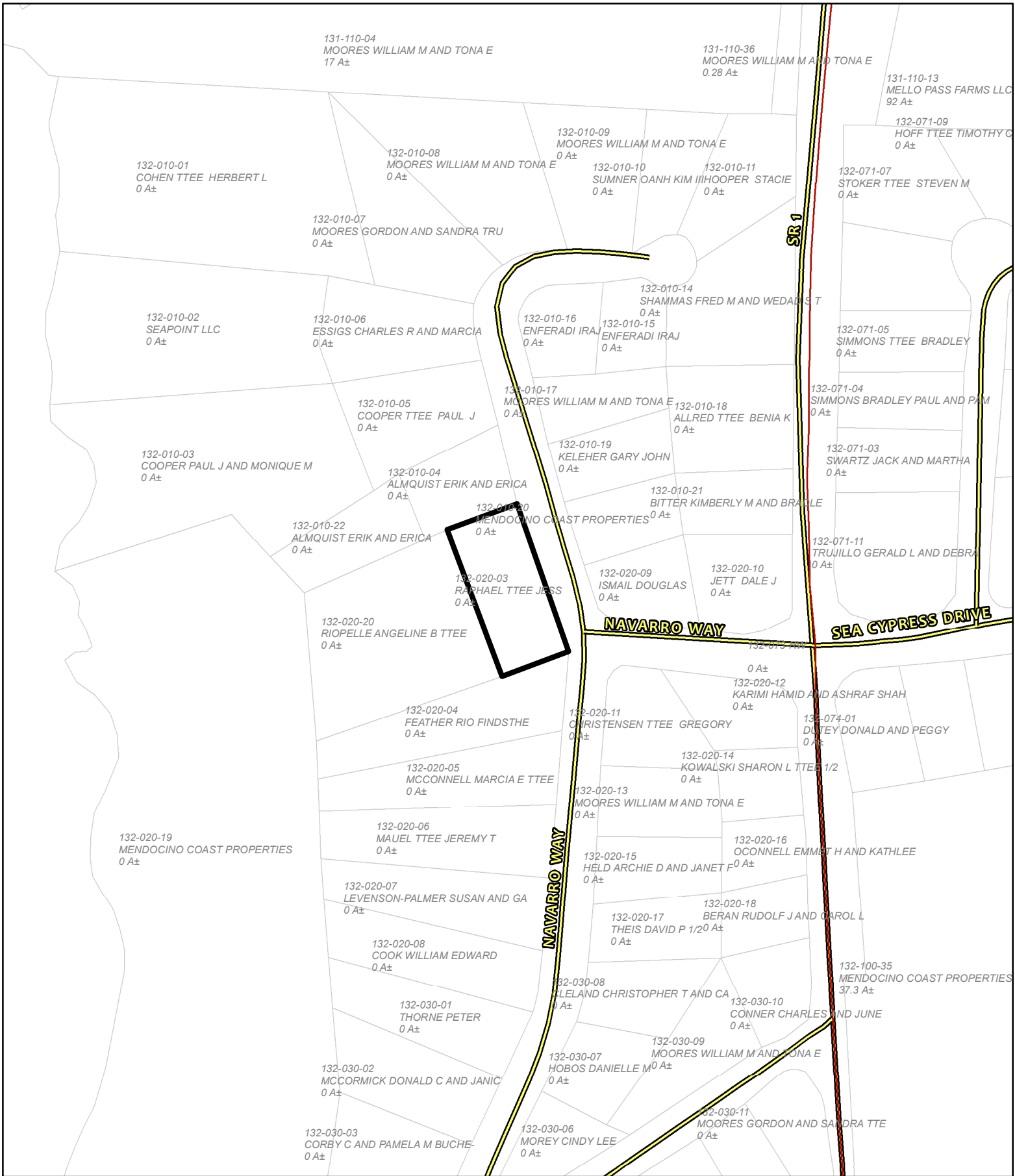
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Public Roads
 Assessors Parcels






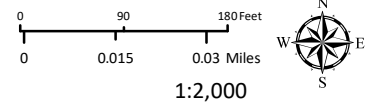
POST LCP CERTIFICATION & APPEAL JURISDICTION

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-  Highways (2017)
-  Public Roads
-  Assessor's Parcels



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ADJACENT PARCELS

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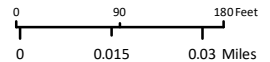
ELK COMMUNITY SERVICES DISTRICT

REDWOOD COAST FIRE PROTECTION DISTRICT



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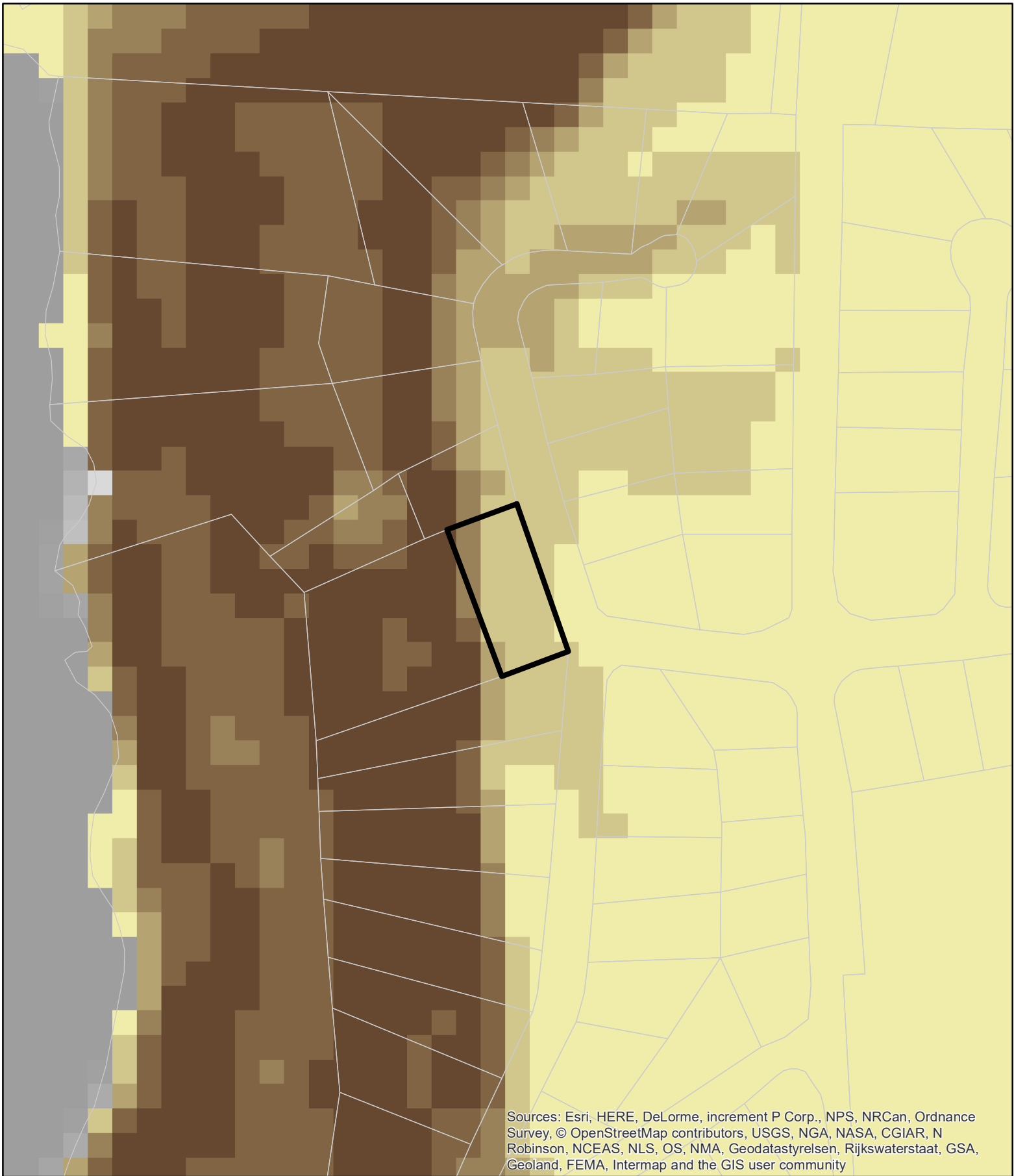
-  High Fire Hazard
-  County Fire Districts
-  Assessors Parcels



1:2,000

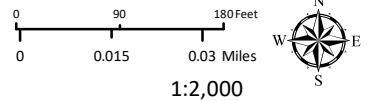
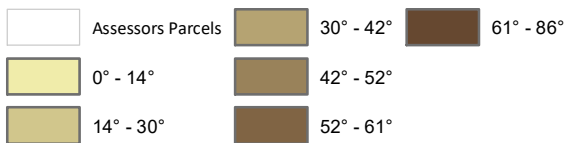
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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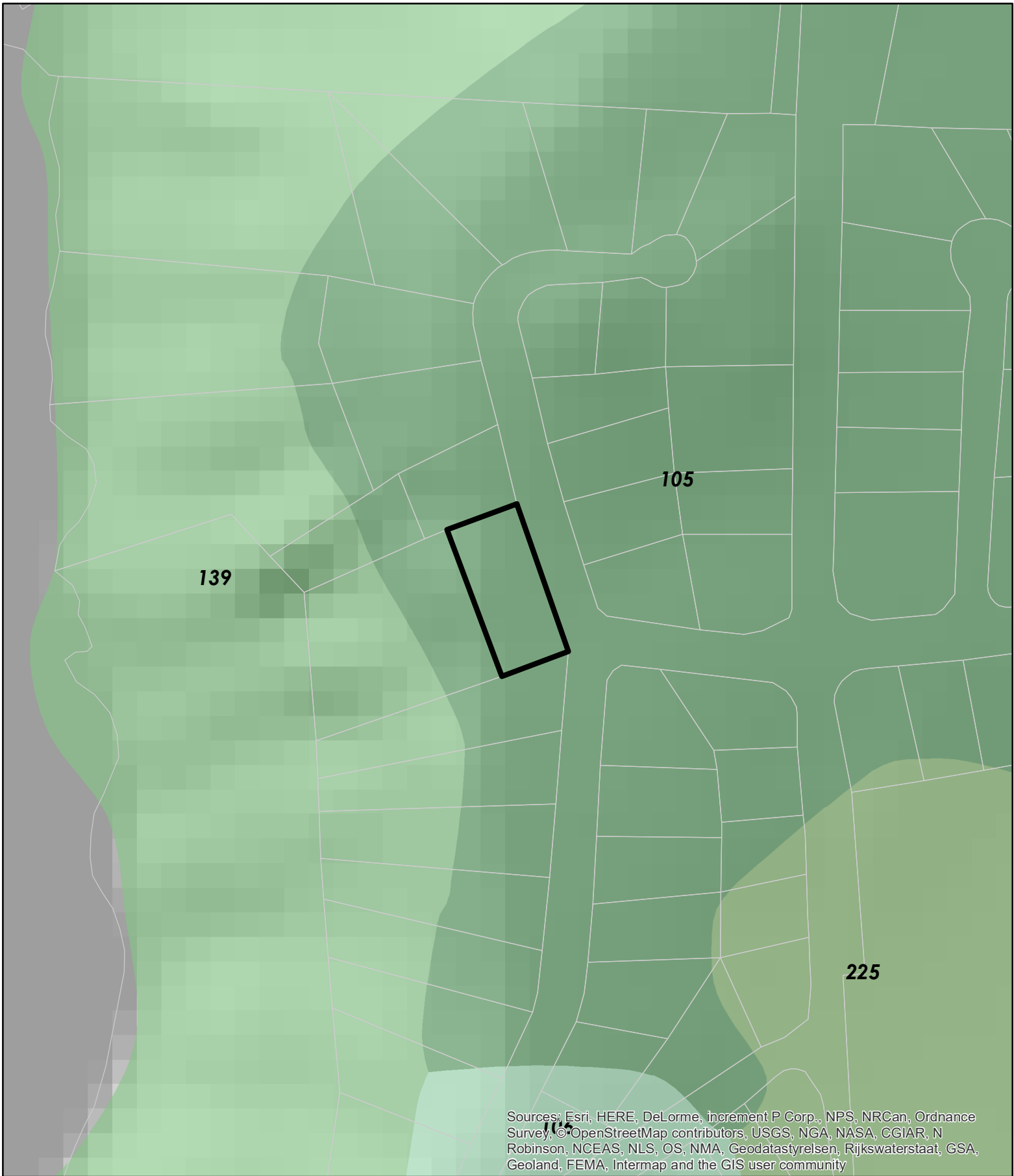
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ESTIMATED SLOPE

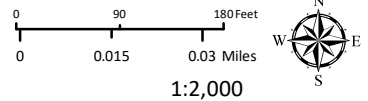
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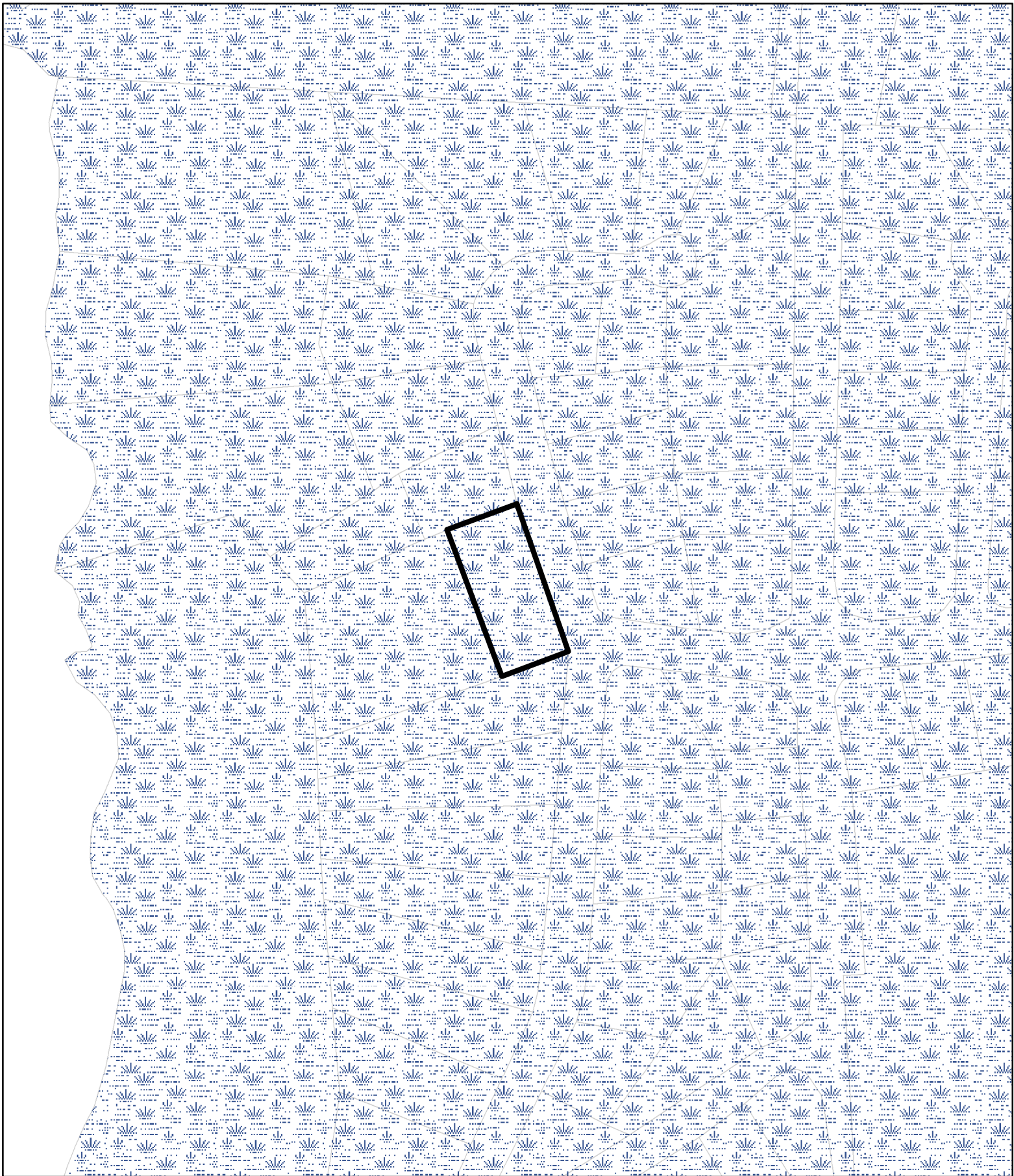
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 Assessors Parcels





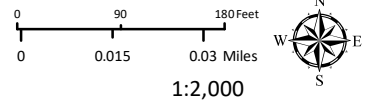
WESTERN SOIL CLASSIFICATIONS

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ADDRESS: 14790 Navarro Way

 Marginal Water Resources
 Assessor's Parcels



1:2,000

COASTAL GROUND WATER RESOURCES

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