



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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June 10, 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 27, 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_2024-0002

DATE FILED: 1/5/2024

OWNER/ APPLICANT: April Mason

AGENT: Kelly Grimes

REQUEST: Standard Coastal Development Permit for after-the-fact replacement of a 123 square-foot deck with a 150 square-foot covered deck. In addition, the request includes the demolition of 95 square-feet of the after-the-fact deck.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 6± miles North of the City of Fort Bragg, 0.6± southwest of the intersection of Ten Mile Road (CR 1427) and State Route 1 (SR 1), located at 27100 North Highway 1, Fort Bragg; APN: 069-060-02.

SUPERVISORIAL DISTRICT: 4 (Gjerde)

STAFF PLANNER: Shelby Miller

The staff report, and notice, will be available 10 days before the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

As you are an adjacent property owner and/or interested party, you are invited to submit comments, at or prior to the hearing; all correspondence should contain reference to the above noted case number. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah or 120 W Fir Street, Fort Bragg, California, or by e-mail to pbscommissions@mendocinocounty.gov no later than June 26, 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.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

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

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

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 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 27, 2024
CDP_2024-0002**

OWNER/APPLICANT: April Mason
27100 N. Highway 1
Fort Bragg, CA 95437

AGENT: Kelly Grimes
P O Box 598
Little River, CA 95456

REQUEST: Standard Coastal Development Permit for after-the-fact replacement of a 123 square-foot deck with a 150 square-foot covered deck. In addition, the request includes the demolition of 95 square-feet of the after-the-fact deck.

LOCATION: In the Coastal Zone, 6± miles north of the City of Fort Bragg, 0.6± southwest of the intersection of Ten Mile Road (CR 1427) and State Route 1 (SR 1), located at 27100 North Highway 1, Fort Bragg; APN: 069-060-02.

TOTAL ACREAGE: 2.8± Acres

GENERAL PLAN: Rural Residential – 10 Acres Minimum (RR10)

ZONING: Rural Residential – 10 Acres Minimum (RR:10)

SUPERVISORIAL DISTRICT: 4th (Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Shelby Miller

BACKGROUND

PROJECT DESCRIPTION: Standard Coastal Development Permit for after-the-fact request to replace a 123 square-foot rotting deck with a 150 square-foot covered deck with concrete footings.

The applicant submitted this Coastal Development Permit as part of their efforts to address a Code Violation (IC_2017-0149) that was opened on June 5, 2017. The Notice of Violation (NOV) states that the applicant failed to obtain a Coastal Development Permit (CDP) for the erection of attached structure on the property and the failure to obtain a building permit for the patio structure. Corrective action includes obtaining a CDP within 30 days of service of this notice and obtaining a building permit within 30 days of CDP approval.

A building permit (FB86-687) was approved and inspected by the Mendocino County Planning and Building Services Department on September 16, 1988, to construct a 150 square-foot attached deck to the single-family residence. In 2017, the applicant replaced the permitted 150 square-foot deck with a 245 square-foot covered deck. Considering an environmentally sensitive habitat area is located 36 feet from the after-the-fact deck, County Staff determined that the applicant shall demolish 95 square-feet of the existing deck to be in compliance with the building permit (FB86-687), as it remains valid. In addition, the deck must be situated within the original footprint, including the concrete footings.

APPLICANT’S STATEMENT: “Replace rotten deck with slightly larger one that is screened”¹.

RELATED APPLICATIONS ON-SITE:

- FB86-687: Remodel addition of 150 square-foot rear deck. **Approved.**
- BF_2016-1063: Reroof SFR 19 square-foot, No Sheeting. **Finalled.**
- BV_2017-0106: Legalize SFR repairs to deck, stairs, and stem wall. **Pending Approval of CDP.**
- IC_2017-0149: Unpermitted addition to residence. **Closed.**
- BC_2017-0008: Unpermitted structure attached. **Closed.**
- ZC_2018-0009: Unpermitted structures. **Lien Recorded.**

SITE CHARACTERISTICS: The subject parcel is designated as a Highly Scenic Area and located in the Coastal Zone, 6± miles north of the City of Fort Bragg, 0.6± southwest of the intersection of Ten Mile Road (CR 1427) and State Route 1 (SR 1), located at 27100 North Highway 1, Fort Bragg; APN: 069-060-02. The parcel is accessed from a private shared driveway via State Route 1 (SR 1).

The property is currently developed with a single-family residence, garage, barn, workshop, greenhouse, landscaping, a storage shed, and a fence that surrounds the developed area. The landscaped area to the west of the residence includes native and non-native shrubs and bird feeders. The subject parcel contains two (2) covered parking spaces and four (4) uncovered parking spaces. Adjacent parcels are developed with single-family residences and range from 0.26± acre to 38± acres in size. The parcel is relatively flat with several Environmentally Sensitive Habitat Areas surrounding the structures. Including a wetland area that is dominated by an overstory of red alder to the southwest of the residence. The property contains one (1) well (Permit #7592) and one (1) septic system (Permit #1280-F). Electricity and gas services exist to the subject parcel. The subject parcel is mapped as a “Sufficient” Coastal Ground Water Resources area².

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are classified and zoned similarly to the project site.

Table 1: Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR10)	Rural Residential (RR:10)	10.3± Acres	Residential
SOUTH	Rural Residential (RR10)	Rural Residential (RR:10)	38.4± Acres	Residential
EAST	Rural Residential (RR10)	Rural Residential (RR:10)	0.26±, 11± Acres	Residential
WEST	Rural Residential (RR10)	Rural Residential (RR:10)	17.6±, 10.4± Acres	Residential

PUBLIC SERVICES:

Access: Private Driveway via SR 1
 Fire District: Fort Bragg Rural Fire Protection District
 Water District: None
 Sewer District: None

SUMMARY OF REFERRAL AGENCY COMMENTS: On January 22, 2024, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project. A comment response summary is listed below.

¹ Application.
² Coastal Ground Water Resources map.

REFERRAL AGENCIES	COMMENT
Building Division Fort Bragg	No Response
Archaeological Commission	No Comment
Department of Transportation	No Comment
Environmental Health	No Response
Fort Bragg Rural Protection Fire District	No Comment
Assessor's Office	No Response
Planning Division Fort Bragg	No Comment
Northwestern Information Center (NWIC)	Comments
CalFire (Land Use)	No Response
CALTRANS	No Response
California Coastal Commission (CCC)	Comments
California Dept of Fish & Wildlife (CDFW)	No Comment
California Native Plant Society	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

On February 9, 2024, CDFW offers the following informal comments and recommendations as a Trustee Agency role: "CDFW conducted a site visit on 01/23/2024 with the County. Staff examined the after-the-fact deck is situated within thirty-six (36) feet from the wetland and adjacent to non-native invasive species such as English Ivy, Cotoneaster, Scotch Broom, and Butterfly Bush. CDFW recommends targeting non-native species for removal within the wetland corridor, removing bird feeders, planting appropriate shrubs to the red alder forest natural community to improve the riparian habitat, and removing a large patch of periwinkle to the south of the landscaped garden area. In addition, CDFW recommends the removal of the after-the-fact deck."

On April 3, 2024, the CCC recommended that the County prohibit further encroachment into the ESHA and to require the rebuild of the deck to conform to the original footprint.

LOCAL COASTAL PROGRAM CONSISTENCY: The proposed project is consistent with the goals and policies of the Local Coastal Program (LCP) as detailed below.

Land Use: The project site is located within the boundaries of the LCP area, as shown on *LCP Land Use Map 12: Cleone*. The subject parcel is classified as Rural Residential in Mendocino Coastal Element Chapter 2.2³.

The Coastal Element Chapter 2.2 *Rural Residential* classification is intended to:

"...encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, microclimate, 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."

The subject parcel contains a single-family residence, a greenhouse, a barn, and landscaping. The project request to replace a rotten deck with a new deck is consistent with the principally permitted uses associated with residential development per Mendocino County Coastal Element Chapter 2.2.

Zoning: This project site is located within the Rural Residential (RR10) zoning district⁴. Mendocino County Code (MCC) Section 20.376.005 states it is intended:

³ General Plan Classifications (GP) Map.

⁴ Zoning Map.

“... 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. Principally Permitted Uses: Coastal Residential: Family-residential – Single-family, Coastal Agriculture, and Coastal Open Space.”

As proposed, the project would permit 150 square-feet of a newly rebuilt deck and demolish 95 square-feet to said deck. The project request does not have potential to impact the agricultural viability of the property or conflict with the uses within Rural Residential District (MCC Chapter 20.376 – RR – *Rural Residential District*). The after-the-fact deck rebuild is consistent with the principal permitted residential use. The project would not impact or encroach on any property line setback or building height requirement for the RR District per MCC Chapter 20.376.

Visual Resources: The purpose of MCC Chapter 20.504 is to:

“...insure 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.”

Pursuant to MCC Section 20.504.015(C) *Development Criteria*, the parcel is classified as highly scenic; however, the single-family residence and after-the-fact deck do not disrupt the views along the ocean, coastal streams, and SR 1. The deck replacement project does not exceed the height of the single-family residence and is located southwest of the residence. The deck is situated between the single-family residence and a protected environmentally sensitive habitat area that contains tall trees and shrubs. A tributary from Inglenook Creek is greater than 100 feet from the after-the-fact deck but is not considered water used for recreational purposes. Therefore, the deck addition will not change the visual impacts to the surrounding area or be out of character. In addition, there is no exterior lighting proposed at this time, Staff finds the proposed project consistent with the development criteria in protecting the visual resources in a highly scenic area.

Hazard Management: The LCP Land Capabilities/Natural Hazards map indicates the subject parcel contains Beach Deposits and Stream Alluvium and Terraces (Zone 3) which is associated with Intermediate Shaking, the northwestern portion of the parcel is associated with flooding.⁵ Considering the location of the after-the-fact deck, the project would have minimal to no impact on geologic, fire, and flood hazards. The site is rated as “Moderate Hazard”, and fire protection services are provided by Fort Bragg Rural Fire Protection District and CalFire⁶. The proposed project would not conflict with Coastal Element 3.4, and complies with MCC Chapter 20.500 *Hazard Areas*, including geologic, faults, bluffs, tsunamis, landslides, erosion fire, and flood hazards.

The proposed project was referred to the Fort Bragg Rural Fire Protection District and responded with “no comment.” As of May 30, 2024, CalFire has not responded.

Habitats and Natural Resources: LCP Habitats & Resources Map identified several sensitive resource areas on and within 100 feet of the project site.⁷ The site is mapped as Coastal Prairie Grassland and Riparian. A Biological Scoping Survey, prepared by Spade Natural Resources Consulting (Spade) was completed for the subject parcel after the completion of the deck replacement on November 8, 2018. The purpose of the survey was to address impacts on existing Environmentally Sensitive Habitat Areas (ESHA) due to the unpermitted development. During the October 19, 2018, site visit Spade biologists observed two ESHAs, including a stream that is associated with a tributary to Inglenook Creek and red alder forest. Measuring from the dripline of the nearest alder tree, the red alder forest (ESHA) is within thirty-six (36) feet from the constructed deck⁸. The red alder forest is dominated by an overstory of red alder, tan oak, and acacia. The understory is dominated by native and non-native shrubs such as small-fruited bulrush, giant

⁵ LCP Land Use Map.

⁶ Fire Hazard Zones (FHZ) & Responsibility Areas Map.

⁷ LCP Habitats and Resources Map.

⁸ Spade Natural Resources. Biological Scoping Survey. November 8, 2018.

periwinkle, sword and bracken ferns, English ivy, English holly, false Solomon's seal, etc.⁹ The stream ESHA is located greater than 100 feet from the deck construction.

On January 22, 2024, the proposed project was referred to CDFW and CCC. CDFW and County Staff conducted a site visit on January 23, 2024. Staff observed the new deck footings are situated five feet from the original deck footings. Following the site visit, CDFW provided informal comments that recommend the following:

- Remove birdfeeders
- Target non-native invasive species in the riparian corridor (such as: Cotoneaster, English Ivy, Scotch Broom, Butterfly Bush, etc. Trim them back using hand tools only outside of nesting bird season (February to August). Trim and monitor for a minimum of three years.
- Remove the deck.
- Plant appropriate plants to the red alder forest natural community that would improve the riparian habitat area.

Spade Natural Resources stated that the project site was not surveyed during blooming season to properly assess the impacts to the lotis blue butterfly (ESHA) and recommended that the U.S Fish and Wildlife should be consulted to determine whether a habitat assessment is warranted for the after-the-fact development in conjunction with this study. In addition, Spade Natural Resources stated that it is unlikely that the deck construction impacted any special status plant or animal species. Avoidance measures were included in the Biological Survey for future development and shall. The Biological Scoping Report included Avoidance Measures for future development or demolition.

On March 8, 2024, County Staff consulted the U.S Fish and Wildlife Service (USFWS) to determine whether a habitat assessment is warranted. An additional botanical assessment was requested to survey the property for reference sites, specifically *Hosackia gracilis* and other *Fabaceae* plants that serve as host sites for the lotis blue butterfly. The applicant provided said botanical assessment and on May 13, 2024, the USFWS determined that the property does not contain the resources to support the lotis blue butterfly and the botanical assessment satisfied their request.

Considering an environmentally sensitive habitat area is located 36 feet from the after-the-fact deck, County Staff determined that the applicant shall demolish 95 square-feet of the existing deck to be in compliance with the building permit (FB86-687), as it remains valid. In addition, the deck must be situated within the original footprint, including the concrete footings. On April 3, 2024, the CCC recommended preventing further encroachment into the ESHA to require the rebuild of the deck to conform to the original footprint.

Conditions of approval shall include targeting non-native invasive species for removal within the riparian corridor, planting appropriate plants to the red alder forest natural community to improve the riparian habitat, removing bird feeders, and remove large patch of periwinkle to the south of the landscaped garden area. Avoidance Measures shall also be included in the conditions of approval for demolition of ninety-five (95) square feet of the existing deck and its footings. In addition, a condition of approval has been included to prevent further encroachment into the ESHA. The proposed project complies with MCC 20.496 and the Mendocino County General Plan Coastal Element Chapter 3.1 policies.

Grading, Erosion and Run Off: The project site topography is relatively flat. There was no grading proposed for the construction of the deck replacement. Best Management Practices (BMPs) shall be implemented in the conditions of approval to control sedimentation runoff for the demolition of 95 square-feet of the deck. With added conditions of approval, the proposed project complies with MCC Chapter 20.492 *Grading, Erosion, and Runoff*.

Groundwater Resources: The site is designated as having "Sufficient" Groundwater Resources by the Mendocino County *Coastal Groundwater Study*¹⁰. The project was referred to the Mendocino County Division of Environmental Health (DEH) – Fort Bragg for input on water and septic developments. Division of Environmental Health determined that water resources will not be impacted with the proposed project. The after-the-fact deck replacement project would not impact groundwater resources; therefore, the project

⁹ Ibid.

¹⁰ Coastal Ground Water Resources

is consistent with the policies of Coastal Element Section 3.8—Transportation, Utilities, and Public Services and the requirements of Coastal Zoning Code Chapter 20.516.

Archaeological/Cultural Resources: The proposed development was referred to Northwest Information Center (NWIC) and the Archaeological Commission. On the February 6, 2024, response, NWIC indicated that the proposed project has a low potential for impacting any unrecorded archaeological sites and that no further studies for archaeological resources is recommended. The Archaeological Commission responded with “schedule for archaeological commission depending on comments from NWIC”. Considering additional studies are not required, the after-the-fact project would not be subject to an Archaeological Commission hearing.

The project was also referred to three local tribes on January 22, 2024, including Cloverdale Rancheria, Redwood Valley Rancheria and Sherwood Valley Band of Pomo Indians. As yet, no response has been received from these tribes. Staff therefore finds that the proposed project is consistent with Coastal Element Policy 3.5-10 and MCC Sections 22.12.090 *Discoveries* and 22.12.100 *Discoveries of Human Remains*.

Transportation/Circulation: The project would not contribute new sources of traffic on local and regional roadways. The project would not impact transportation or circulation and adequate access for residential use of the parcel is already in place, consisting of an existing dirt driveway on the property. The project was referred to Mendocino County Department of Transportation (DOT) and California Department of Transportation (Caltrans) for input. DOT responded with “no comment” and no response has been received from Caltrans. The proposed project complies with MCC Section 20.516.015(C)(2) *Transportation Systems*.

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 Project meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Section 15301, Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Given the after-the-fact deck was replacing a deteriorating patio that was attached to a single-family residence and a portion of the deck would be demolished, the project is categorically exempt within the meaning of Section 15301 of CEQA.

PROJECT FINDINGS AND CONDITIONS: Pursuant to the provisions of Chapter 20.532 of the Mendocino County Code, the Coastal Permit Administrator approves the proposed project and adopts the following findings and conditions:

FINDINGS:

1. Pursuant to MCC Section 20.532.095(A)(1), the after-the-fact development to replace a deteriorating deck with a new deck is consistent with the certified Local Coastal Program. A building permit (FB86-687) was approved in 1988 to construct a 150 square-foot deck addition to the single-family residence. The proposed project allows for continued residential use of the site, which is consistent with the intent of the Rural Residential Classification; and
2. Pursuant to MCC Section 20.532.095(A)(2), the project site is provided with adequate utilities, access roads, drainage, and other necessary facilities. The subject parcel contains an existing single-family residence, existing well, and septic system. Additionally, the parcel gains access from a private shared driveway easement via State Route 1. The after-the-fact project for the replacement of a deck does not modify existing utilities or roads; and
3. Pursuant to MCC Section 20.532.095(A)(3), the project is consistent with the purpose and intent of the Rural Residential District, as well as all other provisions of Division II of Title 20 of the Mendocino County Code. The proposed project entails the replacement of an existing deck, which is a principally permitted use in the Rural Residential District; and
4. Pursuant to MCC Section 20.532.095(A)(4), the project, 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 and is determined to be Categorically Exempt from further

environmental review. The Secretary for Resources has found that certain classes or projects have been determined not to have a significant impact on the environment and are therefore exempt from the requirement for the preparation of environmental documents. The project meets the criteria to be Categorically Exempt from the California Environmental Quality Act, per CEQA Guidelines Section 15301(d); and

5. Pursuant to MCC Section 20.532.095(A)(5), an archaeology study was conducted previously on portions of the subject parcel and the study identified no cultural resources within those portions of the parcel. NWIC does not recommend any further studies for the project site. However, the Discovery Clause will be included in the conditions of approval; 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 site. The site is currently developed with a single-family residence, and the deck replacement will not affect demands on public services; and
7. Pursuant to MCC Section 20.532.095(B)(1), the project site is located between the first public road and the shoreline of the Pacific Ocean. The nearest designated access point from the subject property is approximately three miles south located at MacKerricher State Park. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.

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 Applicant has 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 trenching from County, State, and Federal agencies having jurisdiction.
5. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code (MCC).
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 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. All lighting installed on any component of this project shall be shielded or shall be positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the subject parcel. 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.
9. Staging of all building materials and construction vehicles shall be located in previously impacted areas outside of presumed ESHA habitat.
10. The property owner agrees that any adverse impacts to the property caused by the permitted project shall be fully the responsibility of the property owner.
11. The property owner understands that the site may be subject to extraordinary geologic, fire, flood, and other hazards and the property owner assumes the risk from such hazards.
12. Construction activities shall only occur between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.
13. Prior to building permit issuance all required CDP_2024-0002 conditions of approval shall be placed/printed on building plans and submitted for review to the Mendocino County Building Division.
14. Avoidance Measure 5.1.1 Special Status Birds and Bats. Bird breeding season occurs from February to August. Proposed ground disturbance or demolition or vegetation clearance must be done between September and January. No ground disturbance activities shall occur within a minimum of 100-foot exclusion zone if active breeding birds are observed. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist shall monitor the nest weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance.

As with birds, bat roost sites can change from year to year, so pre-construction or demolition surveys are usually necessary to determine the presence or absence of bat roost sites in a given area. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. However, if it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolition for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost. In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year.

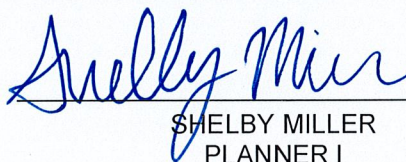
15. Avoidance Measure 5.1.2 Northern Red-Legged Frog. Within two weeks prior to construction or demolition, project contractors will be trained by a qualified biologist in the identification of the northern red-legged frog. Construction crews will begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of frogs. If a northern red-legged frog is detected, construction or demolition crews will contact the US Fish and Wildlife Service or a qualified biologist, and gain clearance prior to re-initiating work. If a rain event occurs during the construction period, all construction-related activities will cease for a period of 48 hours after the rain

stops. Prior to resuming construction or demolition activities, trained construction crew member(s) will examine the site for the presence of frogs. If no special status frogs are found, construction activities may resume.

16. Target non-native invasive species in the riparian corridor (such as: Cotoneaster, English Ivy, Scotch Broom, Butterfly Bush, etc. Trim them back using hand tools only outside of nesting bird season (February to August). Trim and monitor for a minimum of three years.
17. Remove birdfeeders.
18. Plant appropriate plants to the red alder forest natural community that would improve the riparian habitat area.
19. No future developments shall be permitted within 100 feet of any environmentally sensitive habitat areas on the property.
20. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities of the find shall cease and desist from all other 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. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, shell artifacts, or features including hearths, structural remains, or historic dumpsites.

May 31, 2024

DATE

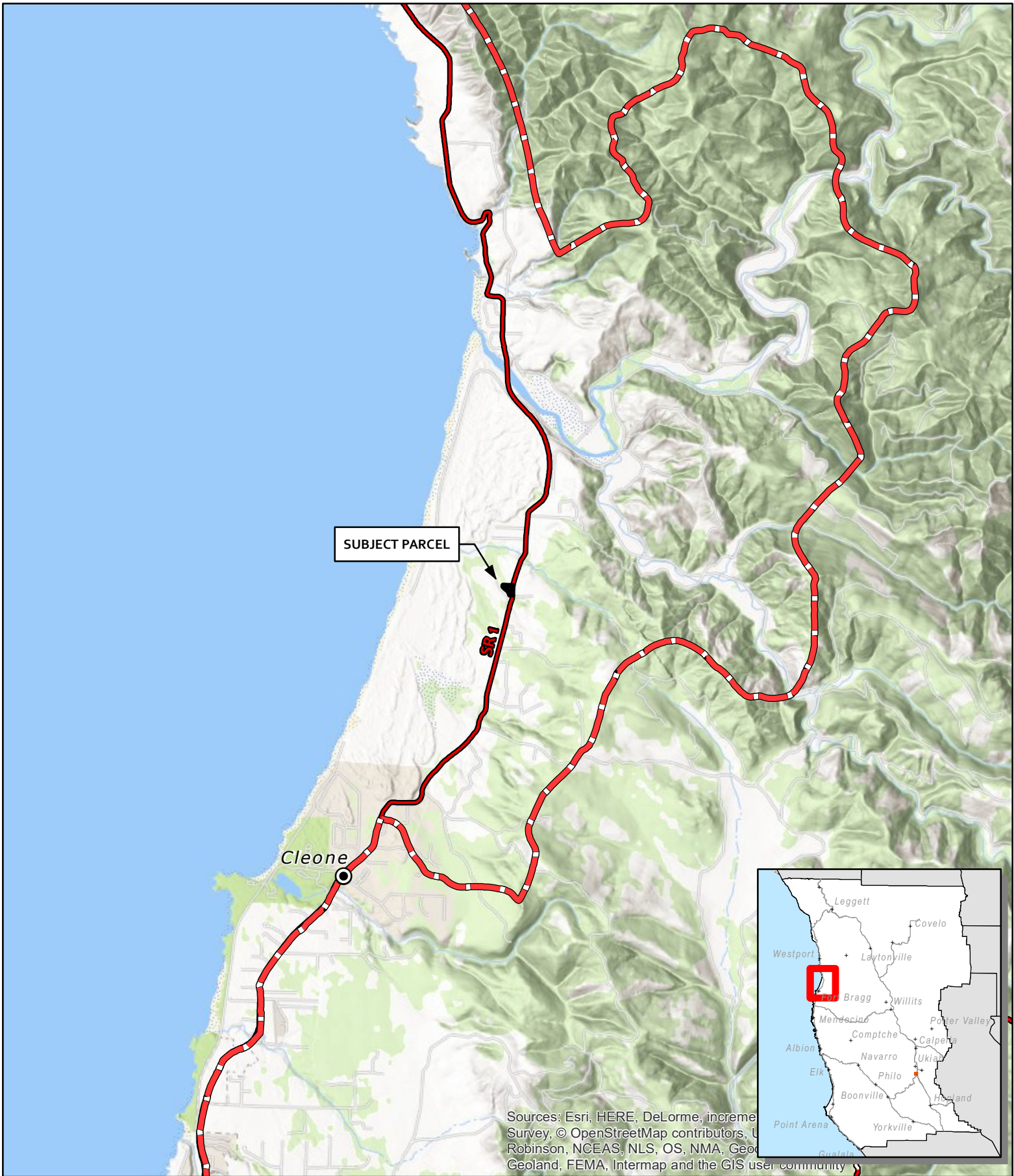


SHELBY MILLER
PLANNER I





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

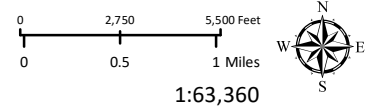
ATTACHMENTS:

- | | |
|--|---|
| A. Location Map | L. Coastal Groundwater Resources |
| B. Aerial Map Imagery | M. Flood and Tsunami Zones |
| C. Aerial Map (Vicinity) | N. Wetlands |
| D. Site Plan | O. Fire Hazard Zones & Responsibility Areas |
| E. Elevations | P. Wildland Urban Interface |
| F. Zoning Display Map | Q. Estimated Slope |
| G. General Plan Classifications | R. Topographic Map |
| H. LCP Land Use Map 12: Cleone | S. Western Soil Classifications |
| I. LCP Land Capabilities & Natural Hazards | T. Adjacent Parcels |
| J. LCP Habitats & Resources | |
| K. LCP Appeal Jurisdiction | |



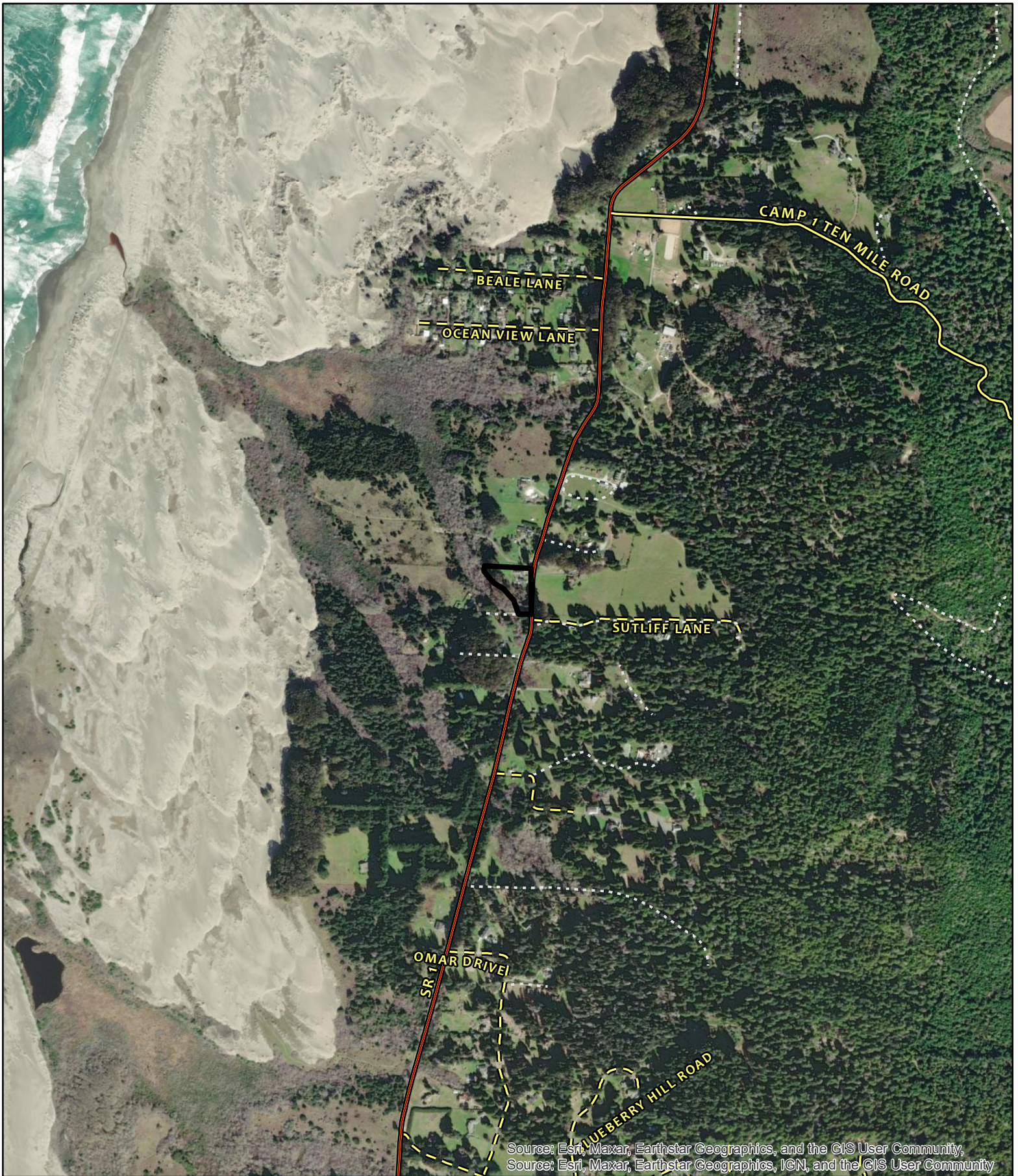
CASE: CDP 2024-0002
OWNER: MASON, April
APN: 069-060-02
APLCT: April Mason
AGENT: Kelly B Grimes, Architect
ADDRESS: 27100 N Hwy 1, Fort Bragg

-  Major Towns & Places
-  Coastal Zone Boundary
-  Highways
-  Major Roads



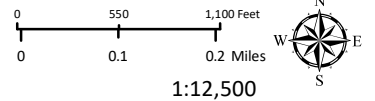
LOCATION

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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: CDP 2024-0002
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- Highways (2017)
- — Public Roads
- - - Private Roads
- - - - Driveways/Unnamed Roads



1:12,500




AERIAL IMAGERY

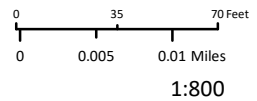
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Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

CASE: CDP 2024-0002
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-  Highways (2017)
-  Driveways/Unnamed Roads
-  Public Roads
-  Private Roads



AERIAL IMAGERY

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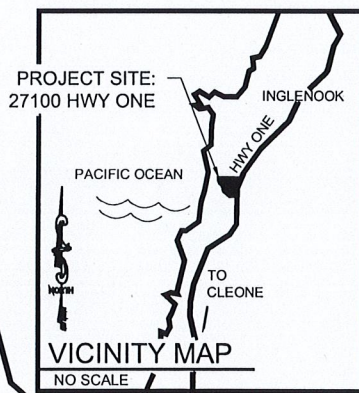
A Deck rebuild for:

April Mason
27100 Hwy One
Fort Bragg, Ca. 95437

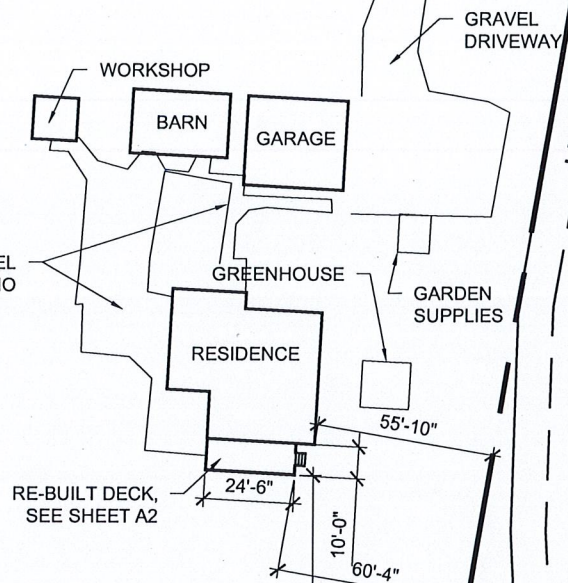
PROJECT DATA:

R-3 OCCUPANCY, SINGLE FAMILY HOME
 CONSTRUCTION TYPE V-B, LIGHT WOOD FRAMED

ASSESSOR'S PARCEL # 069-060-02
 LOT SIZE 2.8 ACRES (121,968 sq.ft.)



PROPERTY LINE, TYPICAL



SITE PLAN

SCALE: 1" = 40'-0"

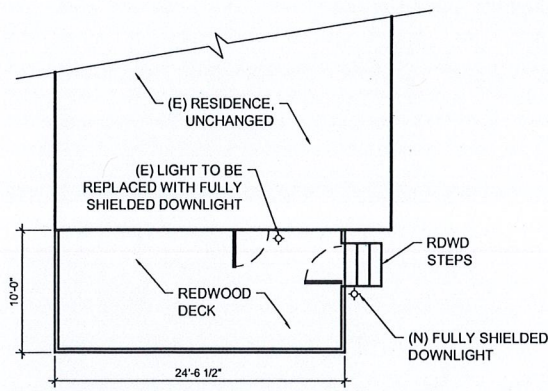


PLEASE NOTE:

- NOT ALL LANDSCAPING SHOWN, FOR SIMPLIFICATION.
- PROPERTY LINES ARE DIAGRAMMATIC ONLY.

RECEIVED
 JAN 05 2024

Planning & Building Services



(N) FLOOR PLAN

SCALE: 1/10" = 1'-0"

ARCHITECTURAL DRAWINGS:

- A1 EXISTING SITE PLAN, FLOOR PLAN & VICINITY MAP
- A2 EXISTING & NEW EXTERIOR ELEVATIONS

REBUILT DECK FOR:

APRIL MASON
 27100 N. HIGHWAY ONE
 FORT BRAGG, CA 95437

A.P. #069-060-02-00

SHEET NAME:

**EXISTING SITE PLAN
 AND VICINITY MAP**

DATE: JANUARY 5, 2024

SCALE: AS NOTED

DRAWN BY: KBO

JOB: MASON

SHEET No: A1 of -

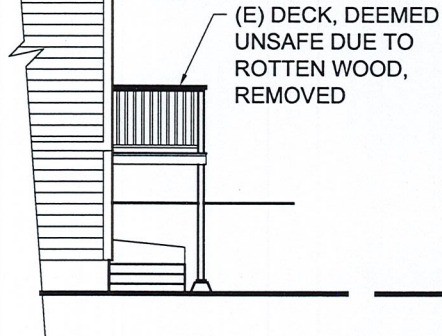
Kelly B. Grimes, Architect

P.O. Box 598
 Little River, CA 95456
 707-937-2904

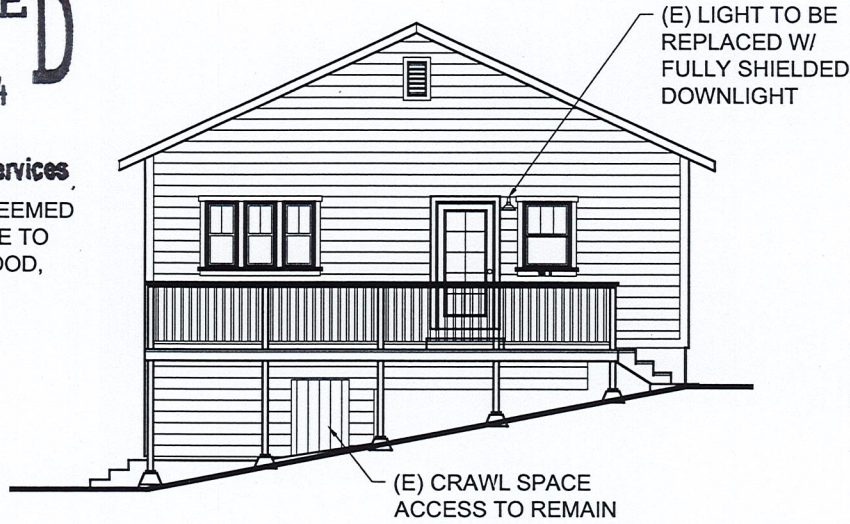


RECEIVED
JAN 05 2024

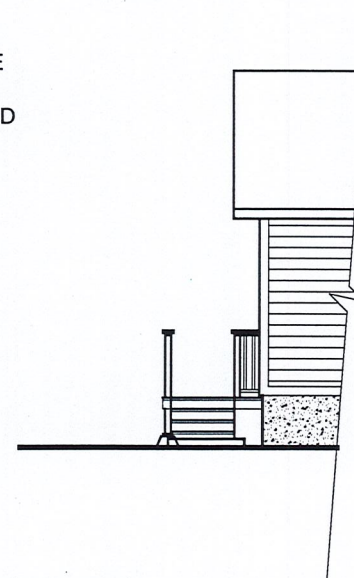
Planning & Building Services



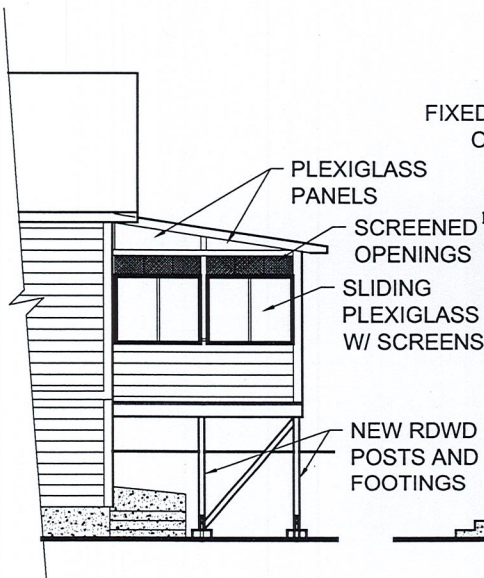
(E) WEST ELEVATION
 SCALE: 1/10" = 1'-0"



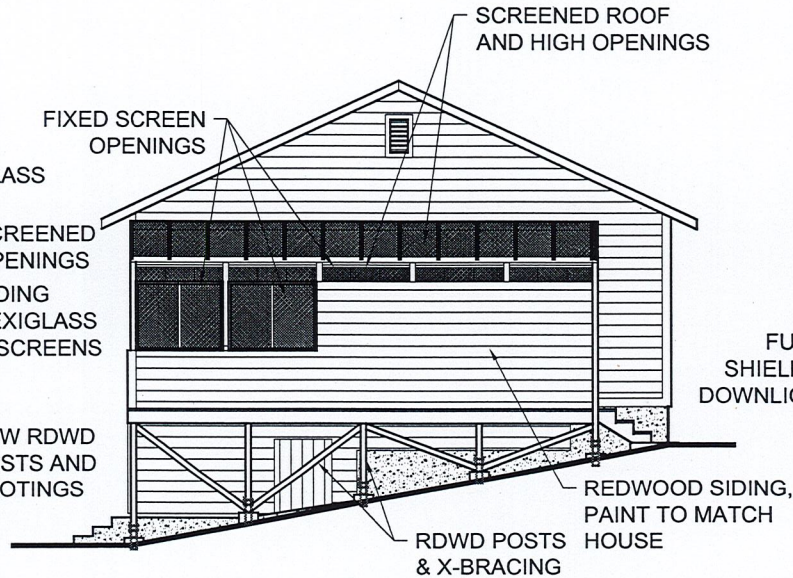
(E) SOUTH ELEVATION
 SCALE: 1/10" = 1'-0"



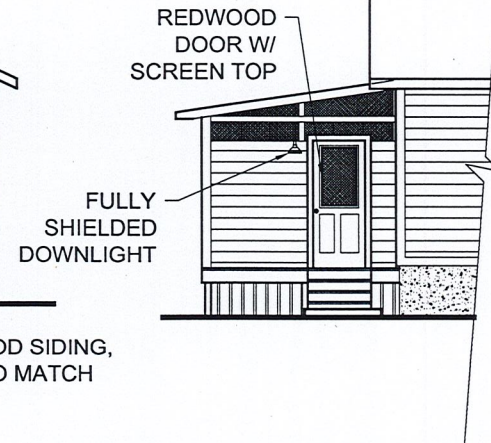
(E) EAST ELEVATION
 SCALE: 1/10" = 1'-0"



(N) WEST ELEVATION
 SCALE: 1/10" = 1'-0"



(N) SOUTH ELEVATION
 SCALE: 1/10" = 1'-0"



(N) EAST ELEVATION
 SCALE: 1/10" = 1'-0"

Kelly B. Grimes, Architect
 P.O. Box 508
 Little River, CA 95456
 707-937-2904



DATE: JANUARY 5, 2024
 SCALE: AS NOTED
 DRAWN BY: KBO
 FOR: MASON
 SHEET NO. A2 of -

**EXISTING AND NEW
 EXTERIOR ELEVATIONS**





SHEET NAME

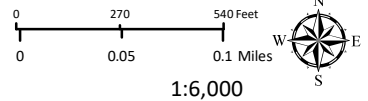
A.P. #069-060-02-00

REBUILT DECK FOR:
APRIL MASON
 27100 N. HIGHWAY ONE
 FORT BRAGG, CA 95437



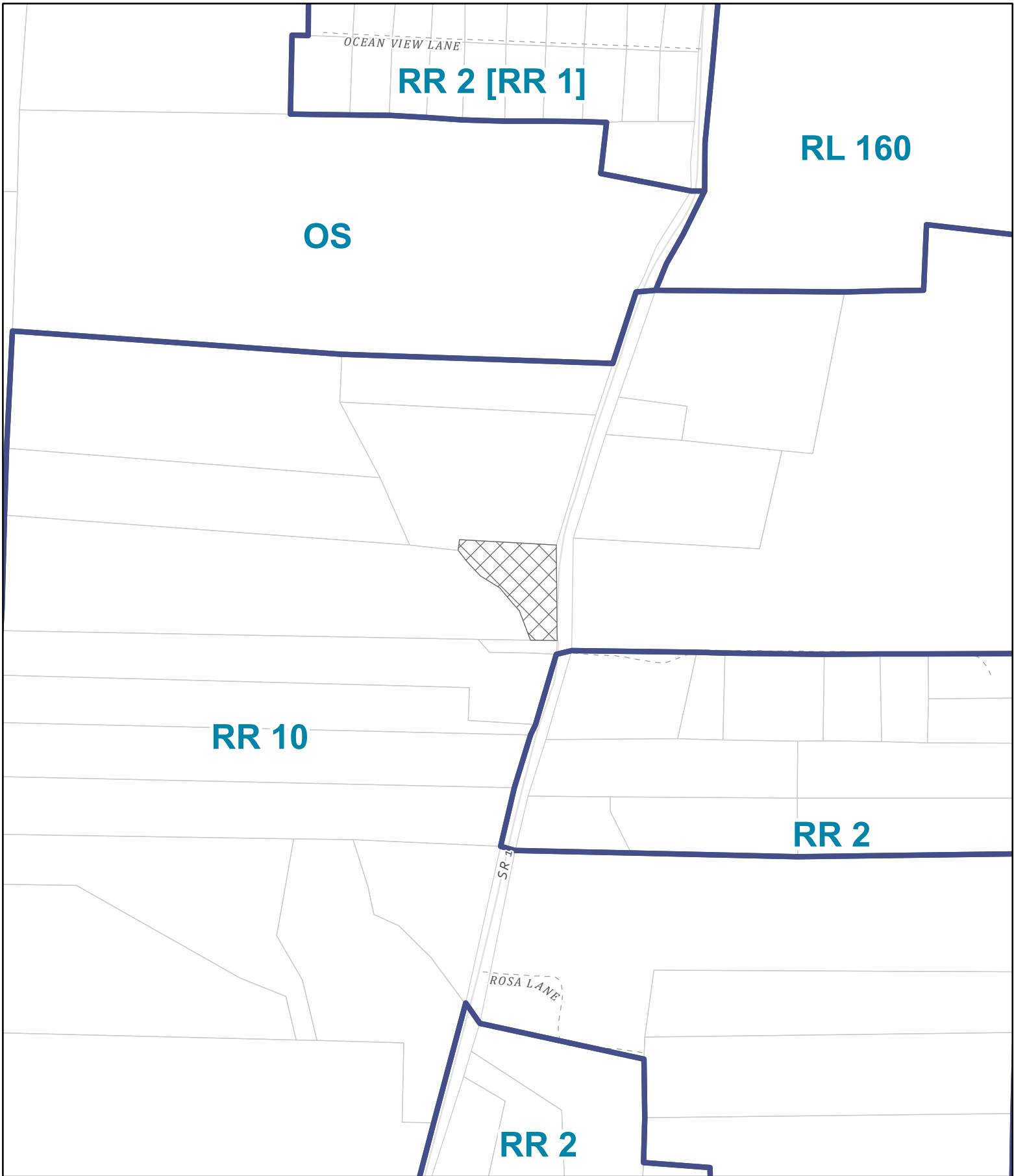
CASE: CDP 2024-0002
OWNER: MASON, April
APN: 069-060-02
APLCT: April Mason
AGENT: Kelly B Grimes, Architect
ADDRESS: 27100 N Hwy 1, Fort Bragg

-  Zoning Districts
-  Assessors Parcels
-  Public Roads
-  Private Roads






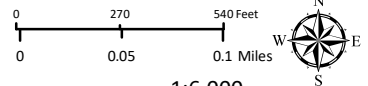
ZONING

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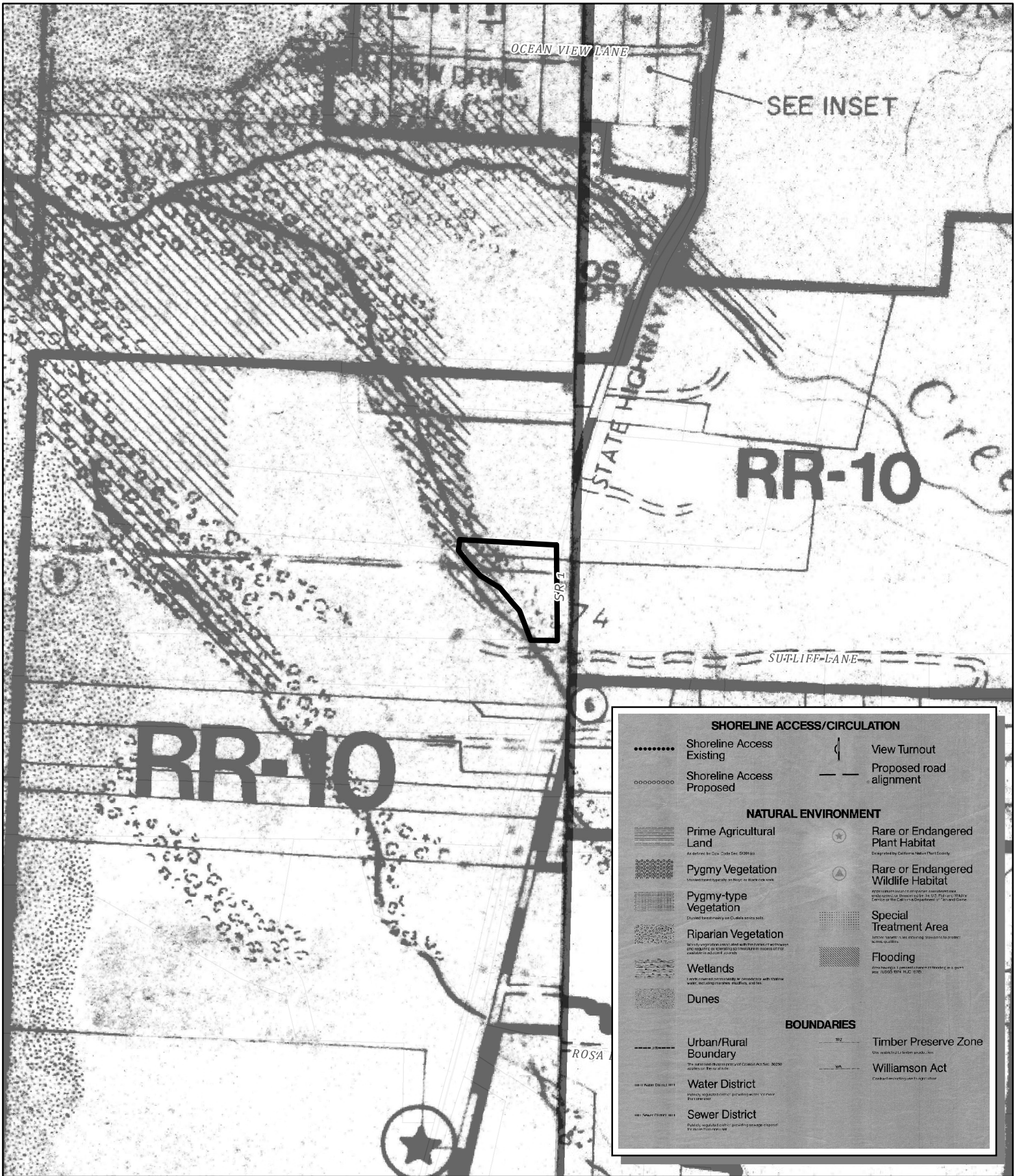
CASE: CDP 2024-0002
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-  Public Roads
-  Private Roads
-  Assessors Parcels






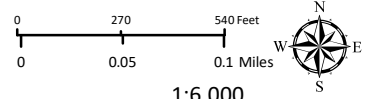
1:6,000
GENERAL PLAN

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CASE: CDP 2024-0002
OWNER: MASON, April
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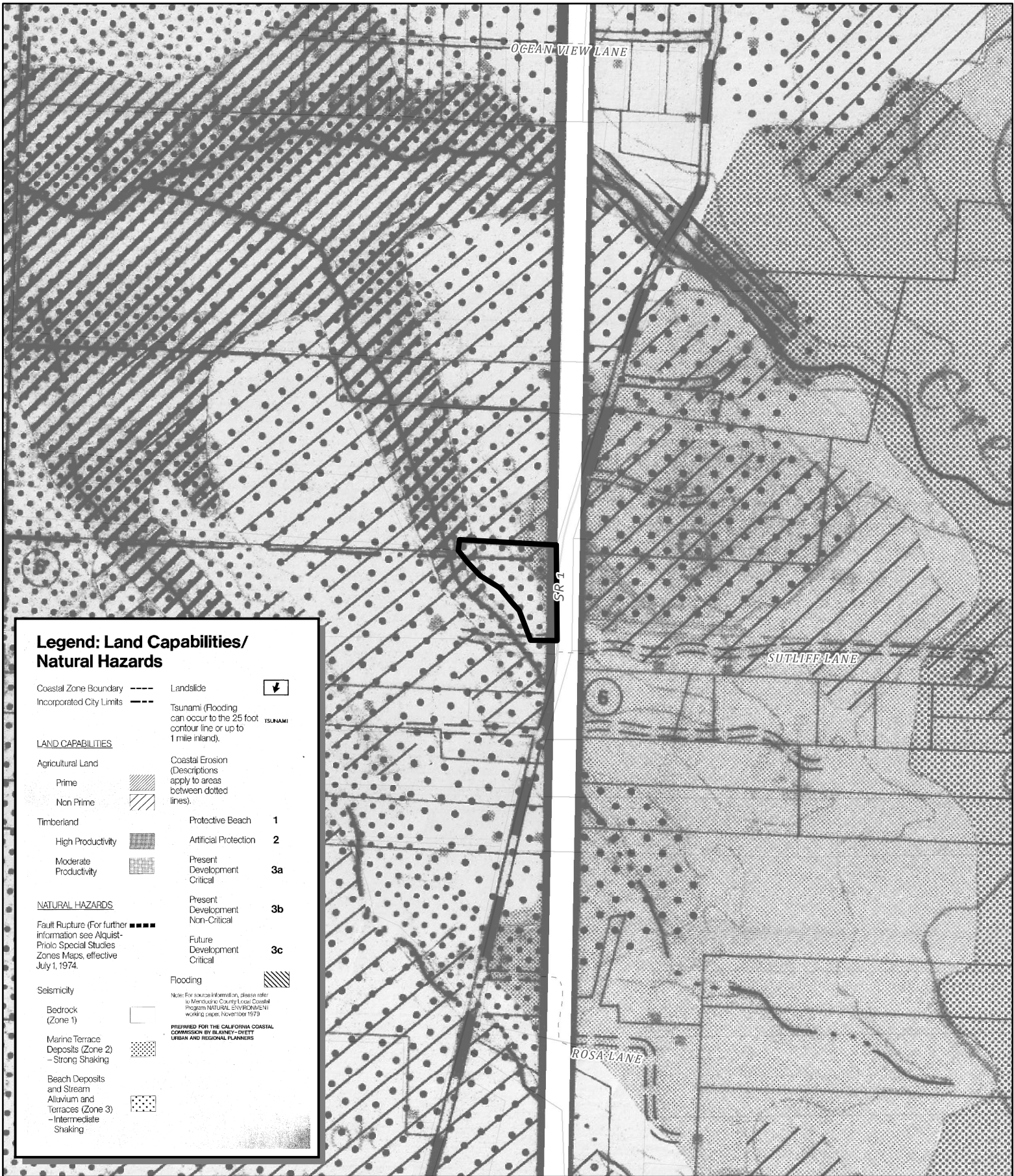
-  Public Roads
-  Private Roads
-  Assessors Parcels



1:6,000

LCP LAND USE MAP 12: CLEONE

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**Legend: Land Capabilities/
Natural Hazards**

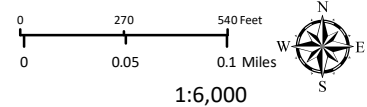
- Coastal Zone Boundary - - - - -
 - Incorporated City Limits - - - - -
- LAND CAPABILITIES**
- Agricultural Land
 - Prime [diagonal lines]
 - Non Prime [diagonal lines]
 - Timberland
 - High Productivity [cross-hatch]
 - Moderate Productivity [cross-hatch]
- NATURAL HAZARDS**
- Fault Rupture (For further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

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

PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAINEY-DYETT URBAN AND REGIONAL PLANNERS

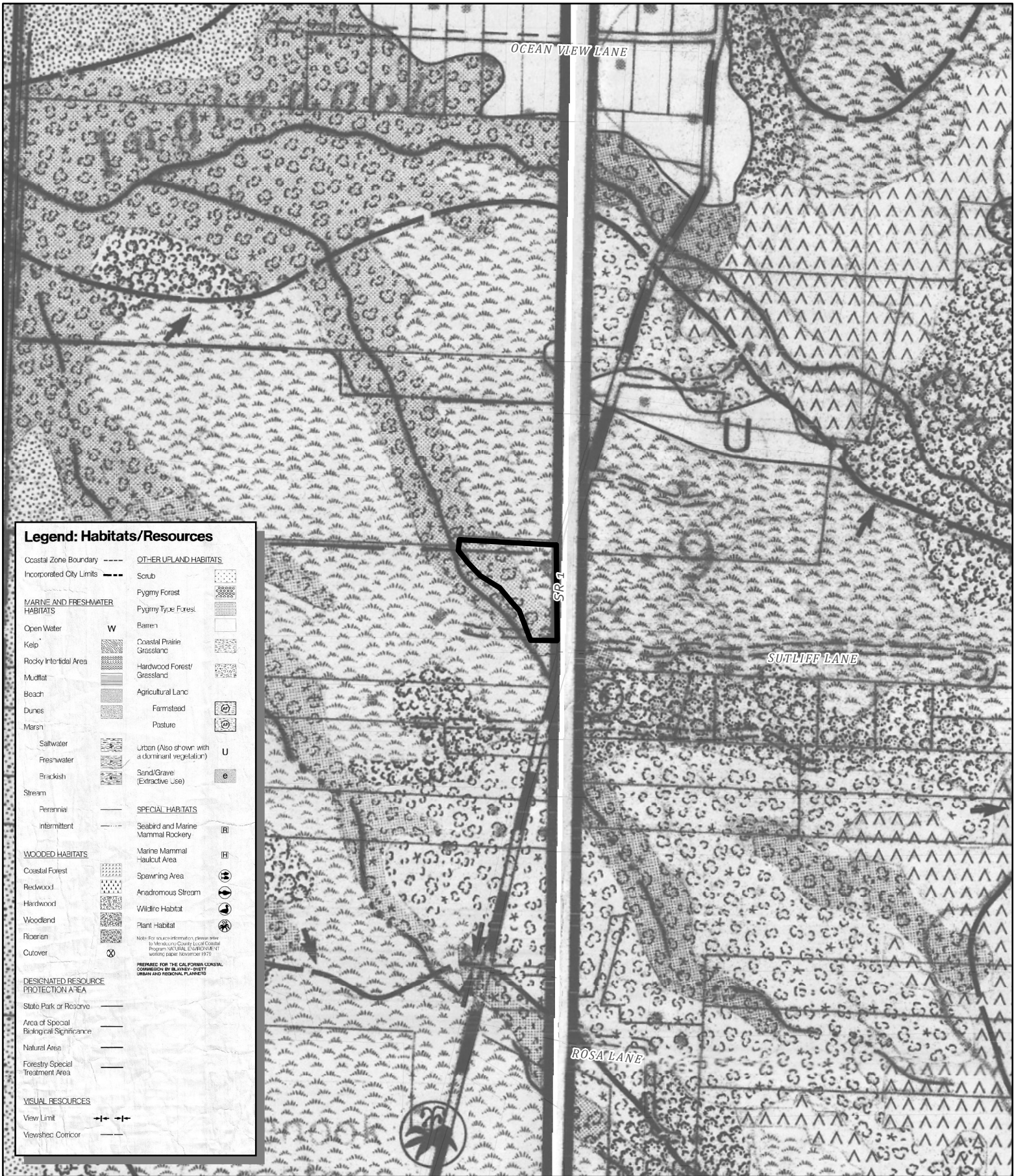
CASE: CDP 2024-0002
OWNER: MASON, April
APN: 069-060-02
APLCT: April Mason
AGENT: Kelly B Grimes, Architect
ADDRESS: 27100 N Hwy 1, Fort Bragg

- Public Roads [solid line]
- Private Roads [dashed line]
- Assessors Parcels [white box]



LCP LAND CAPABILITIES & NATURAL HAZARDS

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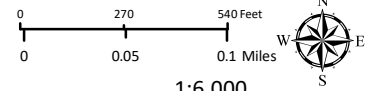


Legend: Habitats/Resources

Coastal Zone Boundary	----	OT-HER UPLAND HABITATS
Incorporated City Limits	----	Scrub
MARINE AND FRESHWATER HABITATS		Pygmy Forest
Open Water	W	Pygmy Tree Forest
Keel		Barren
Rocky Intertidal Area		Coastal Prairie
Mudflat		Gressland
Beach		Hardwood Forest/
Dunes		Gressland
Marsh		Agricultural Land
Saltwater		Farmstead
Freshwater		Pasture
Brackish		Urban (Also shown with
Stream		a dominant vegetation)
Perennial		Sand/Grave
Intermittent		(Extractive use)
WOODED HABITATS		U
Coastal Forest		e
Redwood		SPECIAL HABITATS
Hardwood		Seabird and Marine
Woodland		Mammal Rockery
Rice		Marine Mammal
Crover		Haulout Area
		Spawning Area
		Anadromous Stream
		Wildfire Habitat
		Plant Habitat
		<small>Note: For more information, please refer to Marin County Local Coastal Program NATURAL ENVIRONMENT working paper November 1972.</small>
		<small>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANNEY-SCHETT 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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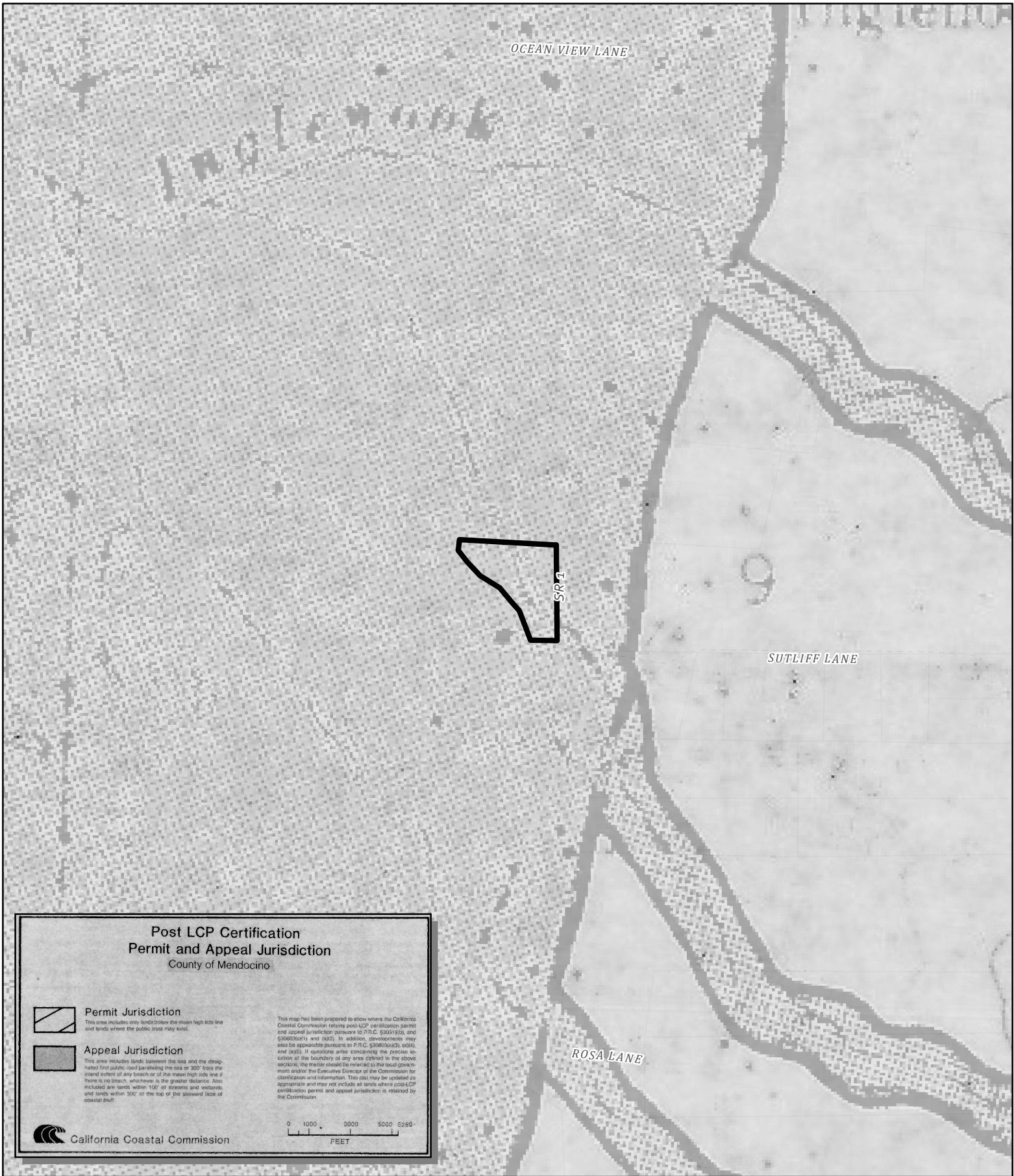
- Public Roads
- Private Roads
- Assessors Parcels






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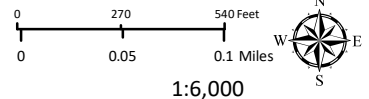
LCP HABITATS & RESOURCES

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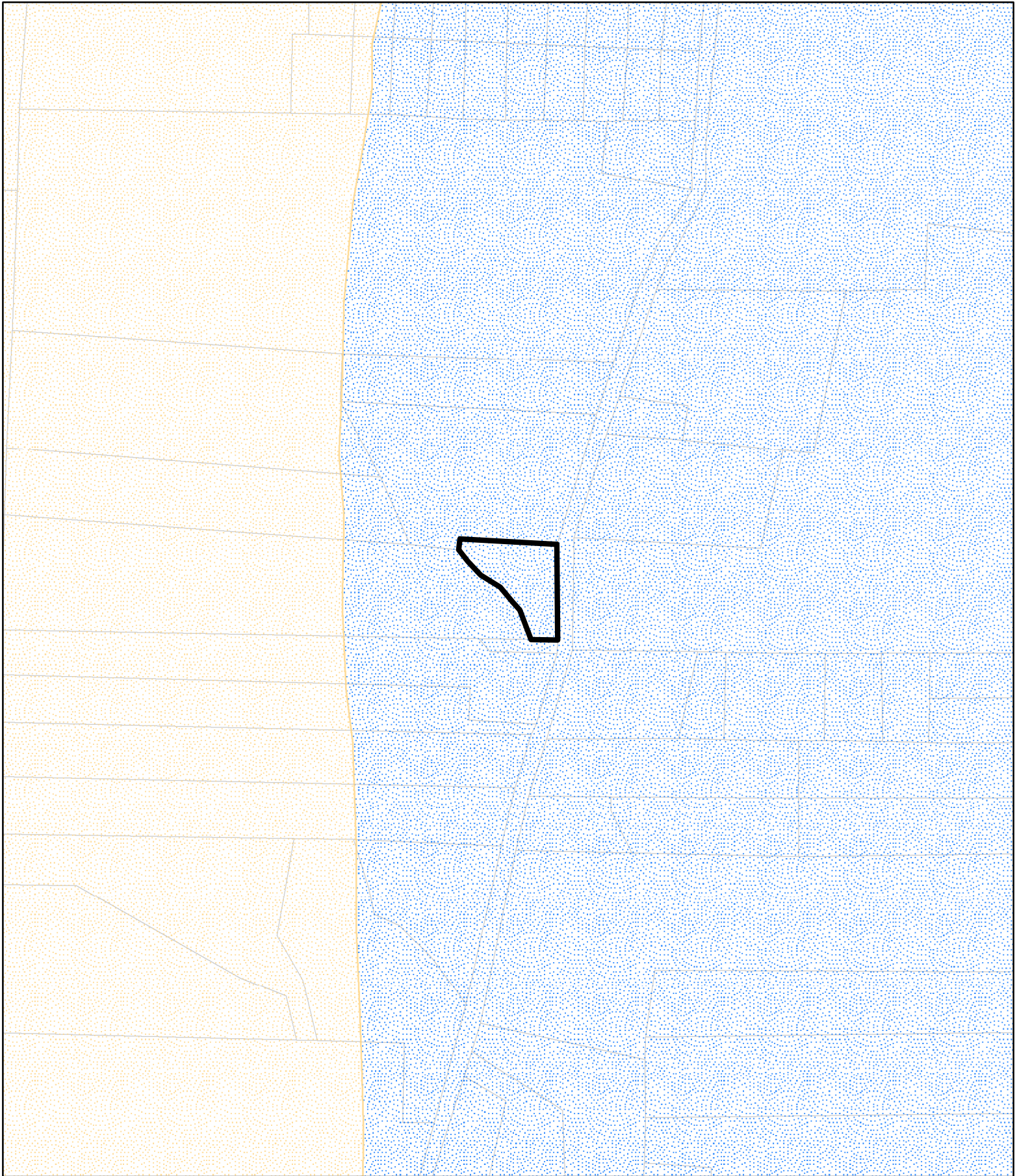
CASE: CDP 2024-0002
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-  Public Roads
-  Private Roads
-  Assessors Parcels






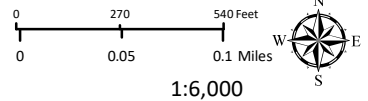
POST LCP CERTIFICATION & APPEAL JURISDICTION

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CASE: CDP 2024-0002
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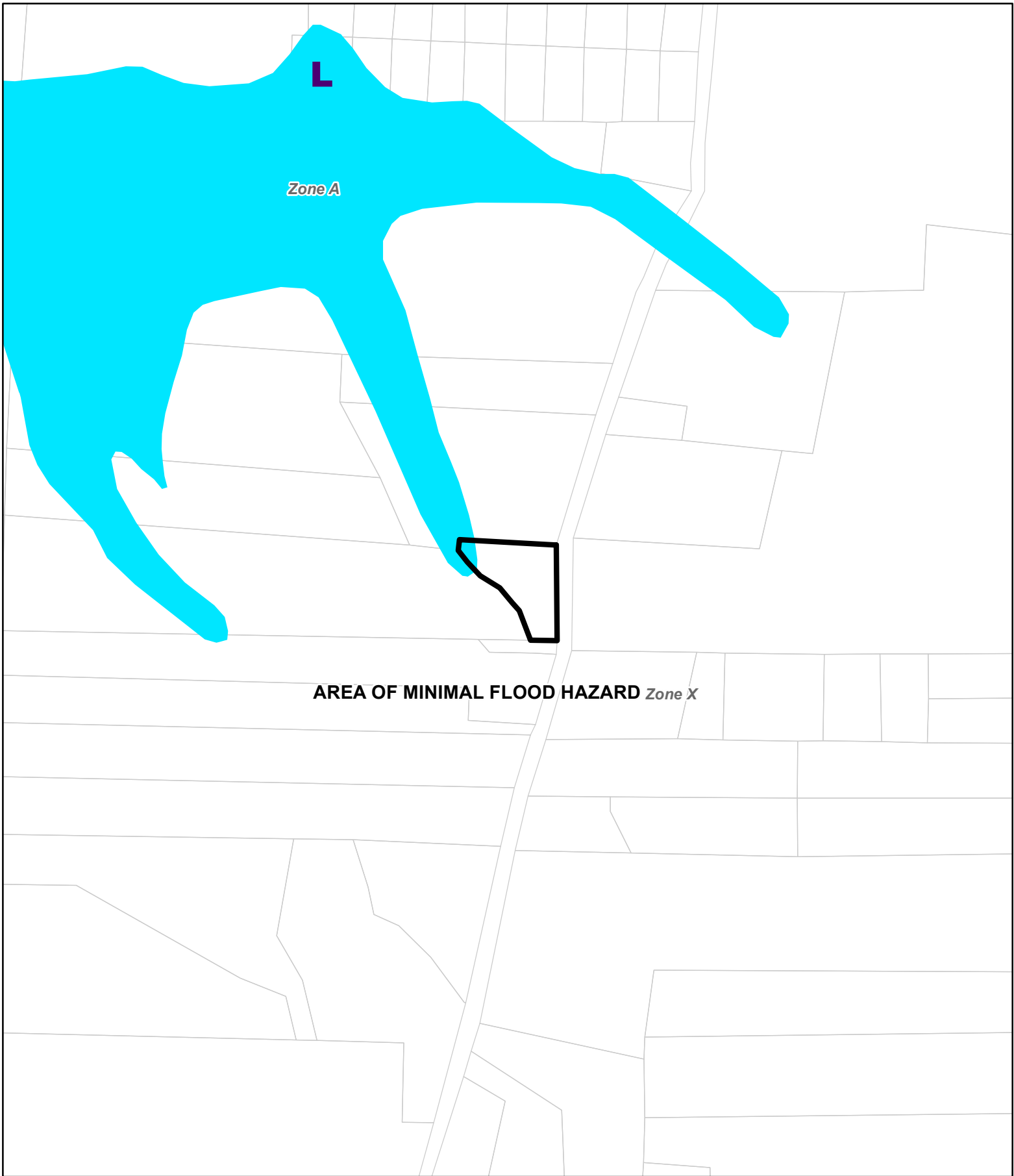
-  Dunes
-  Sufficient Water Resources
-  Assessors Parcels





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
COASTAL GROUND WATER RESOURCES

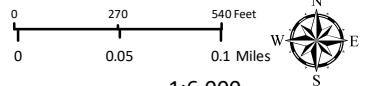
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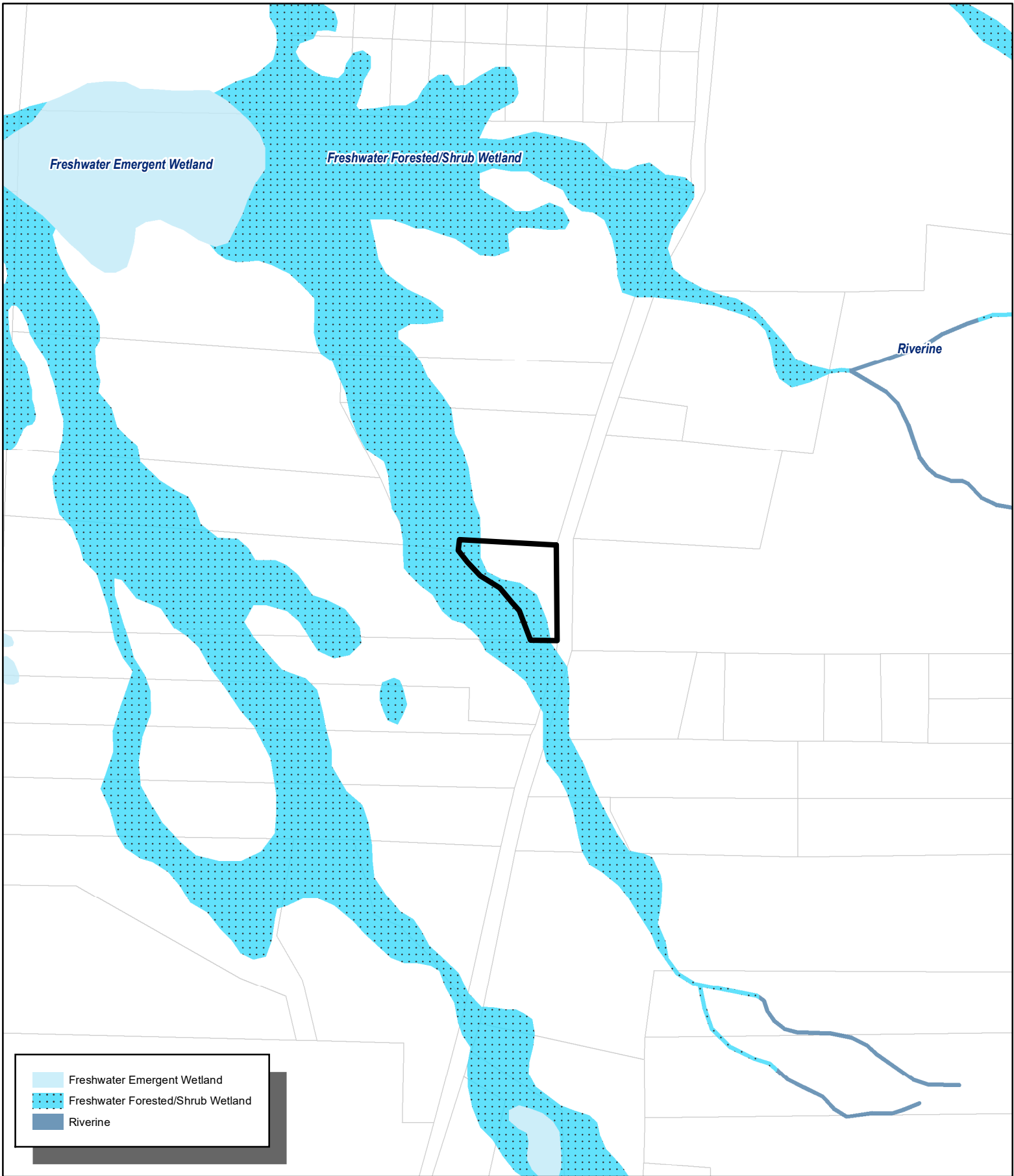
 LOMA Letters
 1% Annual Chance Flood Hazard

 Assessors Parcels




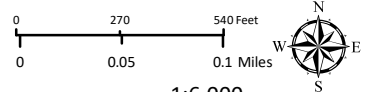
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FLOOD ZONE

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 Assessors Parcels

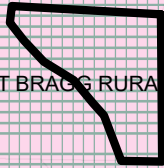


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WETLANDS

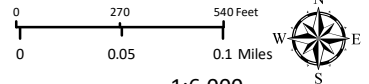
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FORT BRAGG RURAL FPD



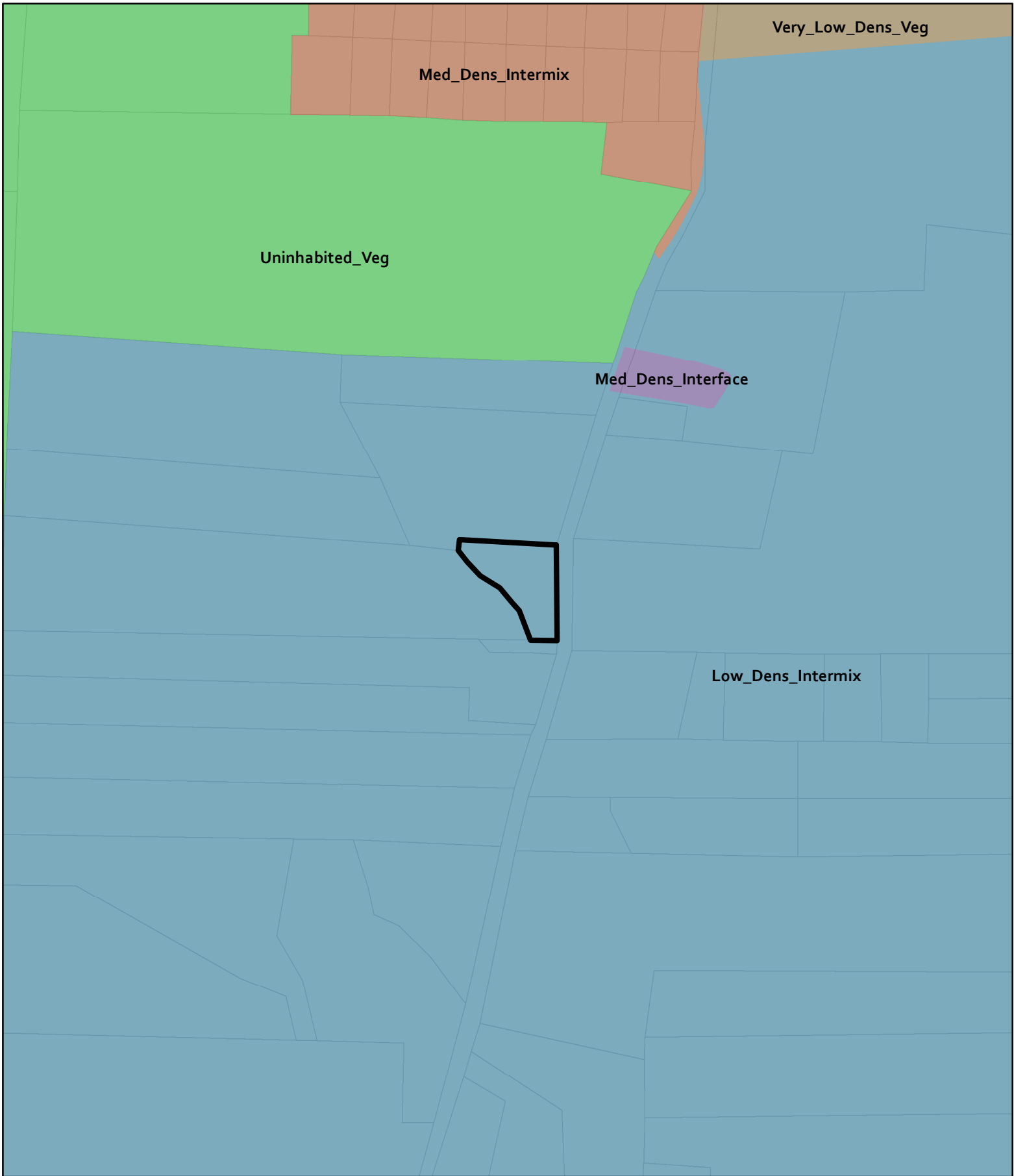
CASE: CDP 2024-0002
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-  Moderate Fire Hazard
-  County Fire Districts
-  Assessors Parcels




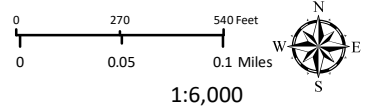
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FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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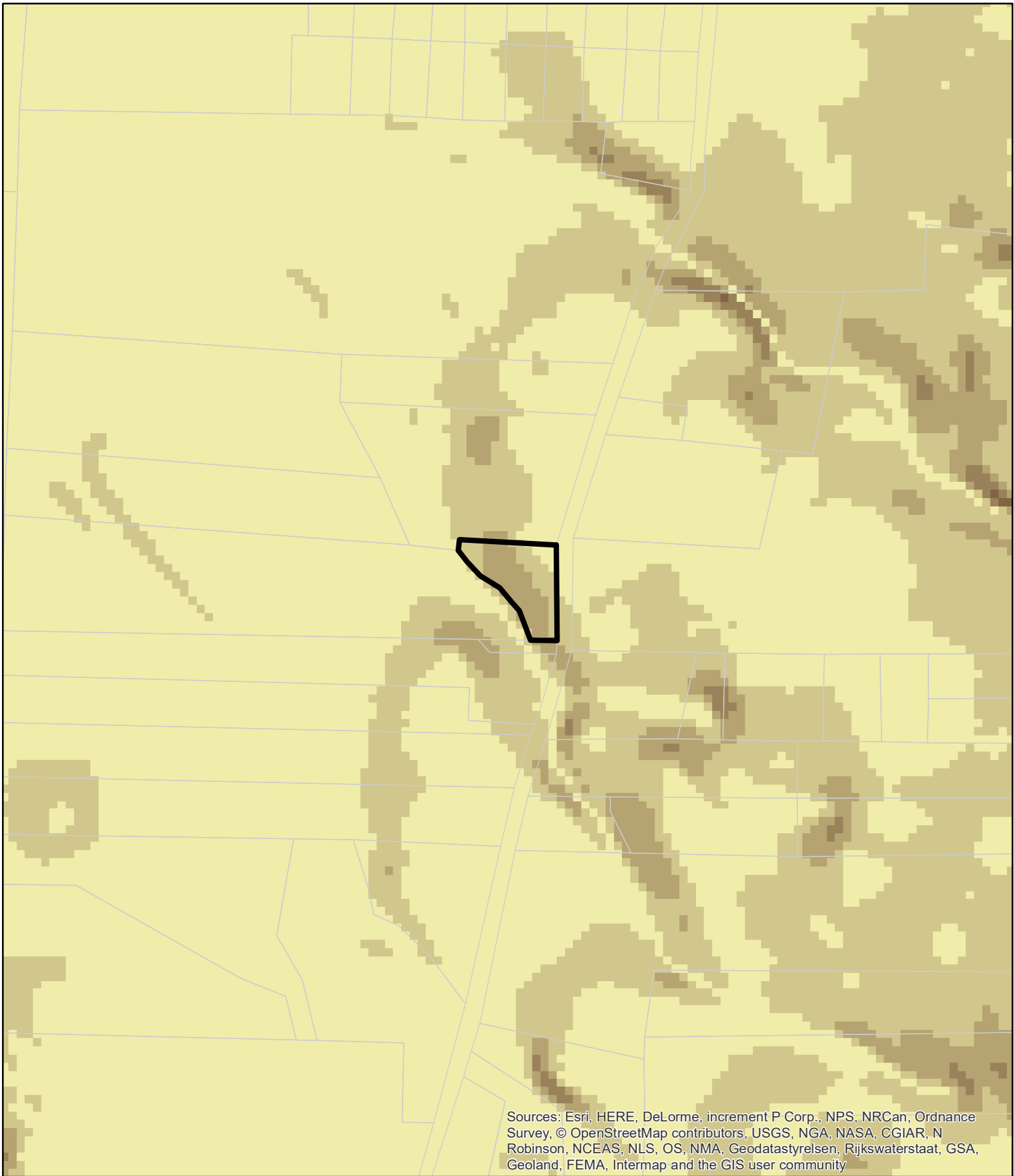
 Assessors Parcels



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



WILDLAND-URBAN INTERFACE

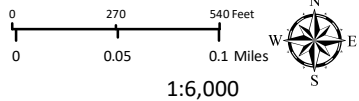
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Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCan, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

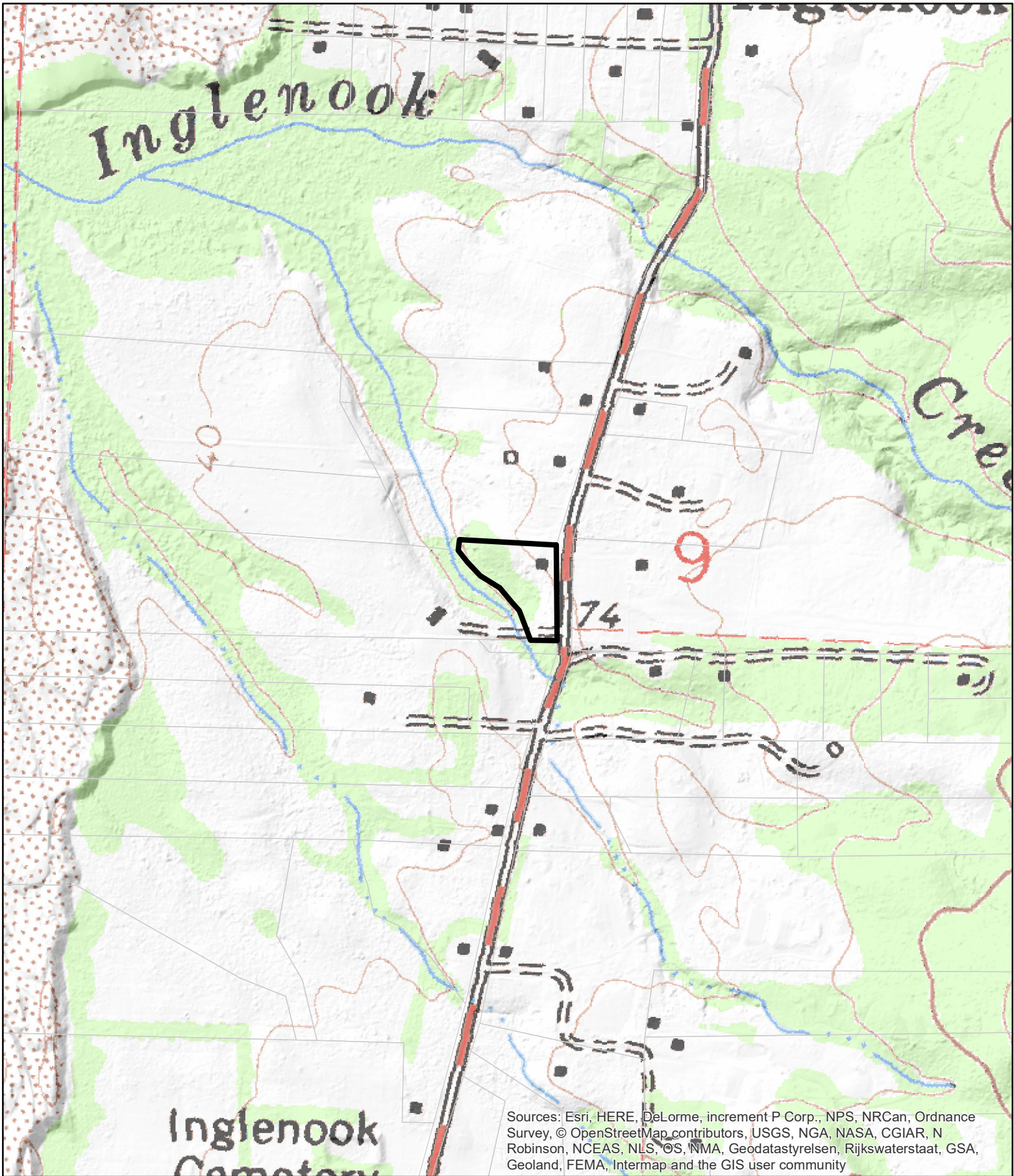
CASE: CDP 2024-0002
OWNER: MASON, April
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AGENT: Kelly B Grimes, Architect
ADDRESS: 27100 N Hwy 1, Fort Bragg

 Assessors Parcels	 30° - 42°
 0° - 14°	 42° - 52°
 14° - 30°	 52° - 61°




1:6,000
ESTIMATED SLOPE

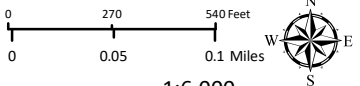
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Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

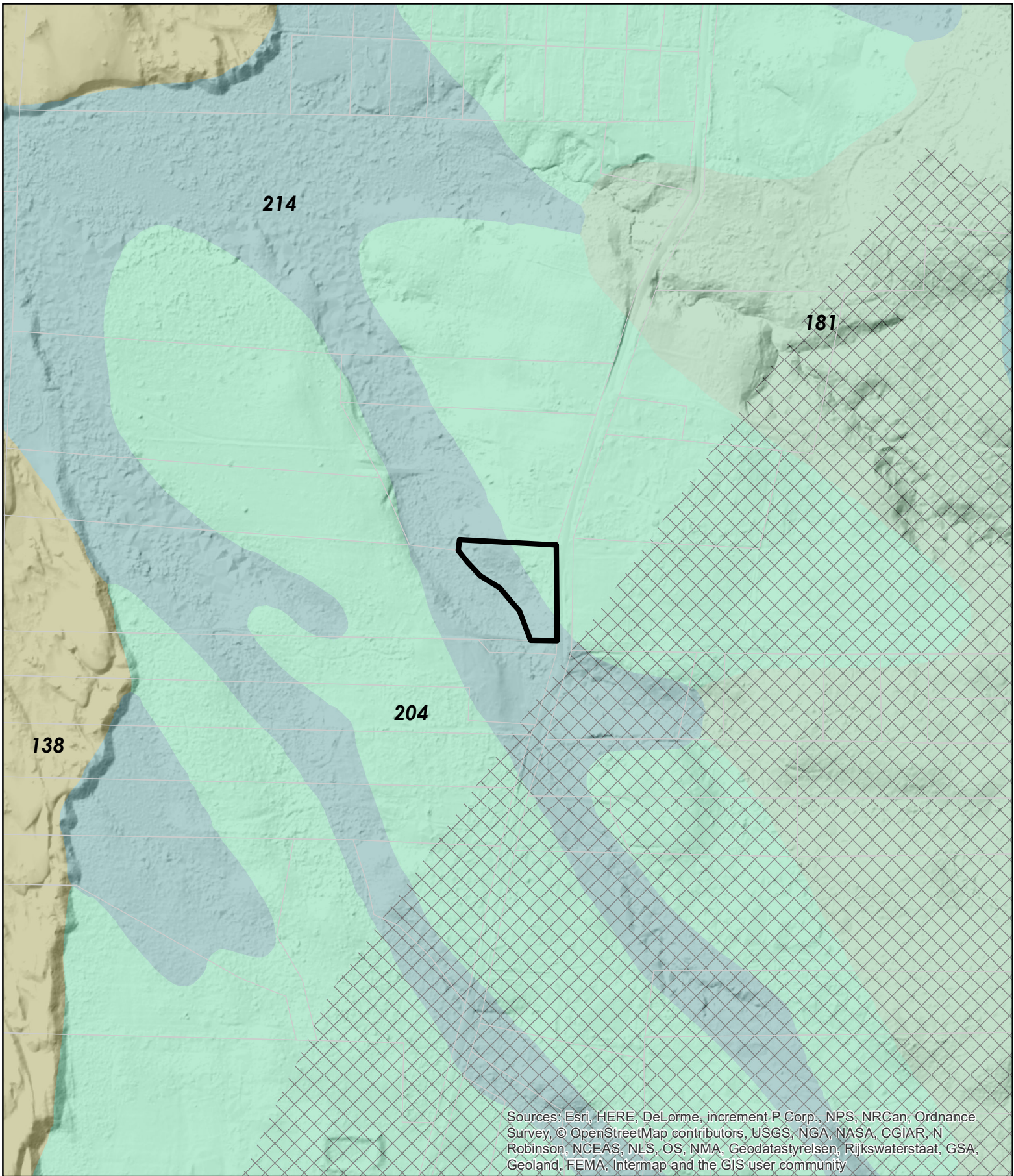
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ADDRESS: 27100 N Hwy 1, Fort Bragg

 Assessors Parcels





1:6,000
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

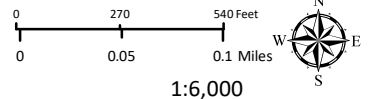
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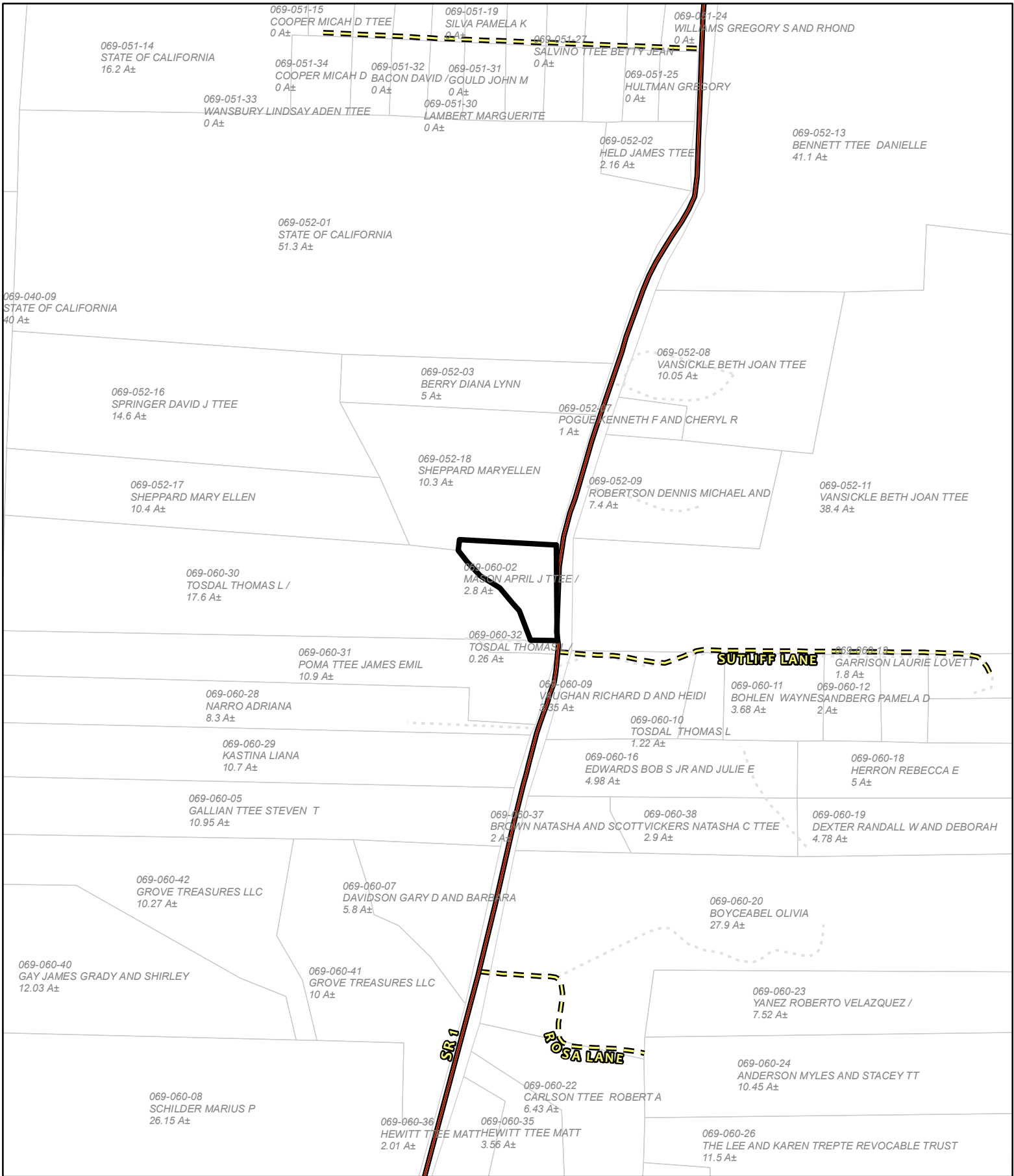
CASE: CDP 2024-0002
OWNER: MASON, April
APN: 069-060-02
APLCT: April Mason
AGENT: Kelly B Grimes, Architect
ADDRESS: 27100 N Hwy 1, Fort Bragg

-  Assessors Parcels
-  Bishop Pine



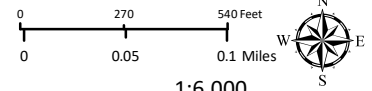
WESTERN SOIL CLASSIFICATIONS

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CASE: CDP 2024-0002
OWNER: MASON, April
APN: 069-060-02
APLCT: April Mason
AGENT: Kelly B Grimes, Architect
ADDRESS: 27100 N Hwy 1, Fort Bragg

- Highways (2017)
- - - - - Driveways/Unnamed Roads
- Public Roads
- Assessors Parcels
- Private Roads



1:6,000

ADJACENT PARCELS

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