



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

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September 3, 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, September 26, 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](mailto:pbscommissions@mendocinocounty.gov) or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

**CASE#:** CDP\_2024-0009

**DATE FILED:** 2/21/2024

**OWNER:** Richard McLellan

**APPLICANT/AGENT:** Kyle Malsom

**REQUEST:** Standard Coastal Development Permit to remove the single-family residence and septic system, as follow up to Emergency Permit, EM\_2023-0003.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** In the Coastal Zone, 0.5± miles south of the town of Albion center, within the Pacific Reefs subdivision, on the west side of Pacific Reefs Road (private), 0.5± miles west its interaction with State Route 1 (SR 1), located at 34301 Pacific Reefs Road, Albion; APN: 123-340-19.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** Jessie Waldman

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/departments/planning-building-services/public-hearing-bodies>

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](mailto:pbscommissions@mendocinocounty.gov) no later than September 25, 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](mailto: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/departments/planning-building-services/public-hearing-bodies> under the Coastal Permit Administrator tab.

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

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

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

JULIA KROG, Director of Planning and Building Services



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

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**SEPTEMBER 26, 2024  
CDP\_2024-0009**

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**SUMMARY**

**OWNER:** Richard McLellan  
2379 Panorama Terrace  
Los Angeles, CA 90039

**APPLICANT/AGENT:** Kyle Malsom  
420 N. Corry Street  
Fort Bragg, CA 95437

**REQUEST:** Standard Coastal Development Permit to remove the single-family residence and septic system, as follow up to Emergency Permit, EM\_2023-0003.

**LOCATION:** In the Coastal Zone, 0.5± miles south of the town of Albion center, within the Pacific Reefs subdivision, on the west side of Pacific Reefs Road (private), 0.5± miles west its interaction with State Route 1 (SR 1), located at 34301 Pacific Reefs Road, Albion; APN: 123-340-19.

**TOTAL ACREAGE:** 0.89± Acres

**GENERAL PLAN:** Rural Residential, 5-acre minimum with an alternate density of 1-acre minimum, Development Limitation Combining District, RR5(1)(DL)  
General Plan, Coastal Element Chapter 2.2

**ZONING:** Rural Residential, 5-acre minimum with an alternate density of 1-acre minimum, Development Limitation and Floodplain Combining Districts, RR5(1)(DL)(FP)  
Mendocino County Code Title 20, Division II

**CODE REFERENCE:** Single-Family Residence  
Mendocino County Code (MCC) Chapter 20.376 and Chapter 20.416

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Section 15301, Class 1 (I) (1)

**APPEALABLE:** YES (West of 1<sup>st</sup> Public Road)

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** Jessie Waldman

## BACKGROUND

**PROJECT DESCRIPTION:** Standard Coastal Development Permit to remove the single-family residence and septic system, as follow up to Emergency Permit, EM\_2023-0003. In the Spring of 2023, approximately twenty-two (22) feet of the ocean bluff collapsed, extending to the foundation of the single-family residence (SFR). A Geotechnical Investigation, prepared by Brunsing Associates, Inc. on June 28, 2023, determined the “ocean bluff collapsed, extended to the foundation of the residence and determined future development shall be located within a stable building site on the subject parcel further away from the existing failed bluff edge, no less than sixty-six (66) feet east of the bluff top edge.” Brunsing’s Geotechnical Investigation is kept on file with the Mendocino County Department of Planning & Building Services. EM\_2023-0003 was issued for the relocation of the single-family residence on August 2, 2023. Prior to issuance of Building Permit, BF\_2023-0611, for the demolition of the single-family residence, approval from Mendocino County Air Quality Management was required. BF\_2023-0611 was finalized on December 4, 2023. The owner applied for a septic tank destruction permit, SP24121, with the Division of Environmental Health (DEH), which was finalized on November 3, 2023. EM\_2023-0003 required a Coastal Development Permit be submitted to Mendocino County Planning and Building Services for the authorized work by the emergency permit. The proposed project does not request further development than that authorized by the emergency permit, EM\_2023-0003.

**APPLICANT’S STATEMENT:** CDP Application date received February 21, 2024, stating the following:

*De-Construction of Single-Family Residence and septic system. Grade and seed empty lot.*

### **RELATED APPLICATIONS ON-SITE:**

- Parcel 19 of Pacific Reefs Subdivision (Case 2 Drawer 3 Page 49 of Mendocino County Records)
- The parcel was originally developed in 1967, Pre-Coastal, with a 1,056 square foot (sf) Single-Family Residence (SFR).
- CDP 15-2009 – Standard Coastal Development Permit to replace the foundation on the existing single-family residence. Replace existing roof with copper roof, add solar panels on south side of roof, replace existing deck and add a four (4) foot walkway deck on north and west side of house, add skirting to all decks to cover framework. Enlarge north window from 4’ x 3’ to 6’ x 3’. Shingle siding over existing siding, replace single pane windows with thermal panes. Develop well as water source, separate from subdivision water source. (Approved on January 28, 2010)
- CDPR 15-2009(2012) – Renewal request of CDP 15-2009 (Approved on February 13, 2012)
- BF\_2012-0763 for the addition and maintenance of the SFR, securing CDP 15-2009 (Finalized on March 29, 2013)
- EM\_2023-0003 - An Emergency Coastal Development Permit request to relocate the single-family residence (Approved on August 2, 2023)
- BF\_2023-0611 – Removal of the single-family residence (Finalized on December 4, 2023)
- PR2023-0177 – On-Site Septic Destruction permit, SP24121 (Finalized on November 3, 2023)

### **NEIGHBORING PROPERTIES:**

**APN: 123-340-18** - CDP 78-2005/CDV 10-2005 – Standard Coastal Development Permit to construct a 985 square foot (sf) residence with 163 sf loft storage and a 285 sf attached garage for a total structure of 1,406 sf. The maximum average height of the structure would be 19 feet above average grade. Associated development includes installation of a septic system and enclosed propane tank, connection to Pacific Reefs Water District, and drainage and driveway development (Approved on August 24, 2006)

- CDPM 78-2005/2007 - A request to modify CDP 78-2005 by adding 160 sf to the approved 985 sf residence, 77 sf to the approved 163 sf loft, and 6 sf to the approved 258 sf attached garage; add 18 sf of deck and 260 sf of entry an walkway, add 64 sf of solar panels, four skylights and path and deck lighting; maximum height to remain 19 feet above natural grade; structure and roof eaves not to extend any further toward the ESHA than previously approved in CDP 78-2005. (Approved on December 21, 2007)

- CDPR\_2015-0016 - Renewal of CDP 78-2005/CDV 10-2005 as modified by CDPM 78-2005/2007. No changes since last renewal. Renewal will result in a new expiration date of September 22, 2016 (Approved on October 8, 2015)
- CDPM\_2019-0003 - A request to modify CDP 78-2005 by changing the siding, window type, color, certain exterior light fixtures, and some changes to the roof configuration. Additionally, to add a new walkway and expand the deck (Withdrawn on April 10, 2020)
- **APN: 123-340-20** – CDP\_2003-0079 - Standard Coastal Development Permit to construct a single-family residence with attached garage. Associated development consists of construction of a septic system, connection to the Pacific Reefs community water system, construction of a water storage tank, construction of a driveway and connection to utilities. The applicant also requests the probable future repair/replacement of the septic tank, installation of a new pump tank, trenching of septic line from said tank and associated infrastructure to secondary/replacement septic field (Approved on April 30, 2020)
  - CDPR\_2022-0003 - Standard Coastal Development Permit Renewal for CDP\_2003-0079 which approved construction of a 2-story single-family residence with attached garage. Associated development consisted of construction of a septic system, connection to the Pacific Reefs community water system, construction of a water storage tank, construction of a driveway and connection to utilities. The applicant also requested the probable future repair/replacement of the septic tank, installation of a new pump tank, trenching of septic line from said tank and associated infrastructure to secondary/replacement septic field. There are no proposed changes from the approved CDP\_2003-0079. The renewal would result in a new expiration date of April 30, 2023 (Approved on December 5, 2022)

**SITE CHARACTERISTICS:** With the exception of the existing driveway, the project site is currently vacant as the single-family residence and onsite septic was removed, consistent with Emergency Coastal Development Permit EM\_2023-0003. The project site is located within the Coastal Zone, 0.5± miles south of the Albion town center, within the Pacific Reefs Subdivision, as shown on the *Location & Aerial Maps*. The surrounding lands are classified and zoned Rural Residential, Development Limitations and Floodplain Combining (RR(DL)(FP)) and developed with residential uses, as shown on the *Aerial Imagery, Zoning Display* and *General Plan Classifications* maps. The subject site is situated approximately 90 feet above sea level and located on a bluff top to the Pacific Ocean, as shown on the *Topographical Map*. The project site is located within the boundaries of the Local Coastal Program (LCP) area, as shown on the *LCP Land Use Map 18: Albion* map. The project site is located on a bluff, with an expansive view of the Pacific Ocean to the west and south. The bulk of the parcel is mapped “Non-prime Agricultural Land” and “Beach Deposits and Stream Alluvium and Terraces (Zone 3) – Intermediate Shaking”, as shown on the attached *LCP Land Capabilities and Natural Hazards Map*. The *LCP Habitats and Resources Map* does not show any sensitive resources being located on the subject parcel and is mapped as “Barren”. The parcel is mapped within the appeal jurisdiction boundary, as shown on the *Appealable Areas* map. The site is mapped as a “High Fire Hazard” area and is located within a State Responsibility Area and Albion Little River Fire Protection District, as shown on the attached *Fire Hazard Zones and Responsibility Areas Map*. The site is designated as a Critical Water Resource Area, as shown on the *Ground Water Resources* map, however, the site is located within the Pacific Reefs Water District (PRWD). The attached *Estimated Slope* map shows estimated slopes between 0 and 86 degrees. Soils present on the parcel are Dingman-Beaughton complex (0-5% slopes), as shown on the attached *Local Soils Map*.

**SURROUNDING LAND USE AND ZONING:** As listed on Table 1 below, the surrounding lands are classified and zoned Rural Residential (RR) and Development Limitations Combining District (DL), and developed with residential uses, as shown on the *Aerial Imagery, Zoning Display* and *General Plan Classifications* maps.

Table 1: Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
<b>NORTH</b>	Rural Residential & Development Limitation RR5(1)(DL)	Rural Residential & Development Limitation RR5(1)(DL)	0.95± Acres	Residential
<b>EAST</b>	Rural Residential (RR5(1))	Rural Residential (RR5(1))	0.95± Acres	Residential
<b>SOUTH</b>	Rural Residential & Development Limitation RR5(1)(DL)	Rural Residential & Development Limitation RR5(1)(DL)	0.95± Acres	Residential
<b>WEST</b>	Pacific Ocean	Pacific Ocean	Pacific Ocean	Pacific Ocean

**PUBLIC SERVICES:**

Access: Pacific Reefs Road (Private)  
 Fire District: Albion Little River Fire Protection District (ALRFPD)  
 Water District: Pacific Reefs Water District (PRWD)  
 Sewer District: On-Site Septic System  
 School District: Mendocino Unified School District (MUSD)

**AGENCY COMMENTS:** On April 2, 2024, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project. Any comment that would trigger project modification, denial, conditions of approval or required permits are discussed in full in the following sections.

Table 2: Agency Responses	
REFERRAL AGENCIES	COMMENTS
Air Quality Management	No Response
Albion Little River Fire Protection District (ALRFPD)	No Response
Archaeological Commission (ARCH)	Comments
Assessor	No Response
Building Division (Fort Bragg)	No Comment
California Coastal Commission (CCC)	Comments
California Department of Fish & Wildlife (CDFW)	Comments
CAL FIRE	No Comment
Caltrans	No Response
Cloverdale Rancheria	No Response
Mendocino County Division of Environmental Health (Fort Bragg) (DEH)	Comments
Mendocino County Department of Transportation (MC DOT)	No Comment
Northwestern Information Center (NWIC)	Comments
Pacific Reefs Water District (PRWD)	No Response
Planning Division (Ukiah)	No Comment
Redwood Valley Tribe	No Response
Sherwood Valley Band of Pomo Indians	Comments

**Archaeological Commission (ARCH) Comments:** On April 4, 2024, the Mendocino County Archaeological Commission (ARCH) responded recommending the project be scheduled for the ARCH Hearing, depending on Comments provided by Northwest Information Center (NWIC). This is discussed further within the Archaeological/Cultural Resources section of this staff report.

**California Coastal Commission (CCC) Comments:** On May 20, 2024, CCC responded with “We support the complete removal of the existing single-family residence and septic system. We recommend the County ensure that the demolition and removal work is completed as carefully as possible to minimize disturbance to adjacent sensitive areas. We recommend that the County require a site restoration/revegetation plan for disturbed areas after demolition and removal is complete to minimize the potential for invasive species to colonize and take over disturbed areas. Disturbed areas should be revegetated with native species appropriate for the site and monitored and maintained for invasive

*species removal until native plant coverage is restored to a self-sustaining level of coverage.*” This is discussed further within the Grading, Erosion, and Run-Off, Hazards Management and Natural Resources sections of this staff report.

**California Department of Fish & Wildlife (CDFW) Comments:** On April 12, 2024, CDFW responded with *“The proposed remediation of the site includes ground cover and re-establishing vegetation for 1200-square feet at the location of removed structures. Using ground cover or seed mixtures that may introduce invasive plant species may negatively impact native flora and wildlife dependent on those plant species. Please provide a revegetation plan that considers a site appropriate native plant palette informed by plant surveys supporting prior site development (such as under CDP 15-2009) or by more recent surveys in the area. The revegetation plan should consider using seeding or planting native plants already present on the property (or non-native plants not likely to spread), include monitoring of the impacted area for the spread non-native species, identify a revegetation success criteria. Seeding should use regional native seed or non-native seed that is known not to persist or spread [e.g., barley (*Hordeum vulgare*), or wheat (*Triticum aestivum*)]. No known invasive grass seed such as annual or perennial ryegrass (*Lolium multiflorum* or *L. perenne*, which are now referred to as *Festuca perennis*), should be used.”* This is discussed further within the Grading, Erosion, and Run-Off, Hazards Management and Natural Resources sections of this staff report.

**Mendocino County Division of Environmental Health (Fort Bragg) (DEH) Comments:** On April 16, 2024, Mendocino County Division of Environmental Health (DEH) provided comment for the removal of the on-site septic tank. On October 27, 2023, Mendocino County Division of Environmental Health (DEH) approved an on-site septic permit (SP24121) to remove the septic tank, which was finalized on November 3, 2023. This is discussed further within the Groundwater Resources and Transportation, Utilities and Public Services section of this staff report.

**Northwestern Information Center (NWIC):** On April 15, 2024, Northwest Information Center (NWIC) responded with *“This office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian. The proposed project area has the possibility of containing unrecorded archaeological sites due to the proximity of known archaeological sites located in similar environments as the proposed project area. Given this sensitivity and lack of prior survey of the proposed project area, we therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources.”* This is discussed further within the Archaeological/Cultural Resources section of this staff report.

**Sherwood Valley Band of Pomo Indians Comments:** On April 16, 2024, Sherwood Valley Band of Pomo Indians requested a copy of comments received from Northwest Information Center (NWIC) and recommended a discovery clause. This is discussed further within the Archaeological/Cultural Resources section of this staff report.

#### **LOCAL COASTAL PROGRAM CONSISTENCY:**

The proposed demolition is consistent with the goals and policies of the Local Coastal Program (LCP), General Plan and Zoning Code as detailed below:

**Land Use:** The proposed project is located within the boundaries of the Local Coastal Program (LCP) area, as shown on the LCP Land Use Map 18: Albion Map. The project site is classified as Rural Residential (RR) by the Mendocino County General Plan, as shown on the General Plan Classifications map.

The Coastal Element Chapter 2.2 Rural Residential (RR) intends to,

*“... encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.”*

The Coastal Element Chapter 2.2 Development Limitations (DL) Combining District intends to:

*“...be used only in conjunction with another land use classification on parcels or portions of parcels that according to available data have serious constraints that may prevent or severely limit development including slope over 30 percent, erosion, or landslide. Many parcels with this designation have suffered severe bluff erosion and currently may have no feasible building site remaining. In each case on-site inspection and tests will be necessary to determine whether a building site exists. Wetlands, riparian vegetation, dunes, plant or animal habitats, pygmy soils, and areas subject to flooding are shown separately on the plan maps and are not designated DL.”*

The Coastal Element Chapter 3.4 Hazards Management classification states:

*“Six major hazards are critical in the coastal zone: Tsunami seismic activity, land sliding, shoreline and bluff erosion, flooding, and fire. The Coastal Act's mandate is to reduce potential risks and to avoid substantial alteration of natural landforms.”*

The Coastal Element Hazards Management 3.4-9 Policy states:

*“Any development landward of the blufftop setback shall be constructed so as to ensure that surface and subsurface drainage does not contribute to the erosion of the bluff face or to the instability of the bluff itself.”*

The Coastal Element Hazards Management 3.4-11 Policy states:

*“No development, except flood control projects, to protect existing structures, nonstructural agricultural uses, and seasonal uses shall be permitted in the 100-year floodway unless mitigation measures in accordance with FEMA regulations are provided.”*

The proposed demolition of the single-family residence and on-site septic system is consistent as no development or demolition will occur that prevents the parcel from the future reconstruction of a single-family residence or permitted use type.

As proposed, the land use would be consistent with the Rural Residential Land Use, Development Limitations Combining District and Hazards Management classifications, per Mendocino County Coastal Element Chapter 2.2 and Chapter 3.4.

**Zoning:** The entire project site is located within the Rural Residential (RR) zoning district. The western portion of the project site is designated with both a Development Limitation (DL) Combining District and Floodplain (FP) Combining District, due to the project site being located on a bluff top edge to the Pacific Ocean, as shown on the *Aerial, Topographical Map and Zoning* and the *Landslide Hazards and Estimated Slopes* maps. The RR district, per Mendocino County Code (MCC) Section 20.376.005, is intended to,

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

The Development Limitation (DL) Combining Districts, per MCC Section 20.416.005, is intended only to,

*“...to be used in conjunction with another land use classification on parcels or portions of parcels that according to available data have serious constraints that may prevent or seriously limit development. Such constraints include slopes over thirty (30) percent, erosion or landslide potential or other geophysical hazards.”*

The Floodplain (FP) Combining District, per MCC Section 20.420.005 is intended to:

*“... establish special requirements and regulations to be applied to those coastal areas of the County subject to inundation in order to prevent loss of life and property damage.”*



The proposed demolition of the single-family residence and on-site septic is considered development as defined in MCC Section 20.308.035(D) and requires a coastal development permit. The definition of development includes the following:

*“...demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility...”*

The parcel's zoning designation (RR5(1)(DL)(FP)) requires a 5 acre minimum parcel size which may be reduced to a 1-acre minimum with demonstration of adequate water for such a reduction. The established parcel is approximately 0.89 acres in size. The project, which consists of the demolition of the single-family residence and on-site septic system, is not subject to the RR District requirements as no new construction is proposed. However, any future development on this parcel will be required to show consistency with the Rural Residential zoning requirements. Any future development on this parcel will be required to obtain an issued Coastal Development Permit consistent with MCC Chapter 20.532.

Pursuant to 20.536.060(H), the applicant must submit a coastal development permit application for the development, or remove the development undertaken pursuant to the emergency permit in its entirety and the site restored to its previous condition. EM\_2023-0003 required a Coastal Development Permit be submitted to Mendocino County Planning and Building Services for the authorized work by the emergency permit. The proposed project does not request development than that authorized by the emergency permit, EM\_2023-0003.

Without added conditions, the proposed demolition is consistent with MCC Section 20.308.035 and MCC Chapters 20.376, 20.416 and 20.420, 20.532 and 20.536.

**Visual Resources:** The parcel is not located in a designated Highly Scenic Area; therefore, it is not subject to the policies within the Coastal Element relating to visual resources, except for the following policy that applies to all parcels within the Coastal Zone:

Policy 3.5-1 of the Coastal Element states:

*...The scenic and visual qualities of Mendocino County coastal areas shall be considered and projected as a resource of public importance. 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 land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas...*

As the proposed project consists of the demolition of a single-family residence and on-site septic system, and no new development is proposed, the project is found to be consistent with the above-mentioned policy.

Without added conditions, the proposed demolition will not increase view obstruction from nearby public areas and will be visually compatible with the character of surrounding areas and is consistent with the Local Coastal Program Policies 3.5-1 and the development standards of MCC Chapter 20.504 regulations related to parcels to be developed within Highly Scenic Areas.

**Grading, Erosion, and Run-Off:** The subject site and location for the proposed demolition is located on an elevated marine terrace, approximately 120 feet above sea level, and where CDP 15-2009 required a 25 foot bluff top setback for a 75 year economic lifespan, based on a 2001 Geotechnical Investigation, prepared by BACE Geotechnical. Brunsing Associates, Inc. prepared a Geotechnical Investigation, dated June 28, 2023, as a result of the ocean bluff collapse, which extended to the foundation of the existing residence in early March 2023. Brunsing's 2023 investigation recommended a 66 foot bluff top setback for a 75 year economic lifespan for a “moved” or replacement residence and states:

*Since a landslide “repair” is extremely difficult to nearly impossible to be permitted by coastal agency standards or performed economically, the house needs to be abandoned or moved back, away from the landslide.*

*The landslide/bluff toe may have been weakened by the exceptionally strong storm waves in early January 2023. Those storm waves hit the Point Cabrillo Light House and at least two bluff houses in Little River. BAI observed evidence of January storm wave debris (rock fragments, ice plant, etc.) thrown up from the bluff faces onto terraces at project locations ranging from Westport to The Sea Ranch in Sonoma County.*

*Based upon our observations and analyses, we have determined a further bluff retreat potential of 44 feet over the next 75 years. Adding a safety factor of 1.5, we recommend a bluff setback of 66 feet for a “moved” or replacement residence.*

The project site is located within the boundaries of the Local Coastal Program (LCP) area, as shown on the *LCP Land Use Map 18: Albion* map. The project site is located on a bluff top to the Pacific Ocean, with an expansive view of the Pacific Ocean to the west and south. The bulk of the parcel is mapped “Non-prime Agricultural Land” and “Beach Deposits and Stream Alluvium and Terraces (Zone 3) – Intermediate Shaking”, as shown on the attached *LCP Land Capabilities and Natural Hazards Map*. The *LCP Habitats and Resources Map* does not show any sensitive resources being located on the subject parcel and is mapped as “Barren”. The site is mapped as a “High Fire Hazard” area and is located within a State Responsibility Area and Albion Little River Fire Protection District, as shown on the attached *Fire Hazard Zones and Responsibility Areas Map*.

On May 20, 2024, the California Coastal Commission (CCC) responded with “*We support the complete removal of the existing single-family residence and septic system. We recommend the County ensure that the demolition and removal work is completed as carefully as possible to minimize disturbance to adjacent sensitive areas. We recommend that the County require a site restoration/revegetation plan for disturbed areas after demolition and removal is complete to minimize the potential for invasive species to colonize and take over disturbed areas. Disturbed areas should be revegetated with native species appropriate for the site and monitored and maintained for invasive species removal until native plant coverage is restored to a self-sustaining level of coverage.*”

**Condition 5** is recommended for the applicant to secure all necessary permits for the proposed demolition from County, State and Federal agencies having jurisdiction. This ensures any grading, erosion and runoff protection and hazard area policies or plans will be addressed. **Condition 10** is recommended to ensure Best Management Practices (BMP’s) will be implemented at the time of construction and protection measures for the adjacent ESHA, are adhered to. Grading activities, including establishing and maintaining the proposed driveway and parking areas, shall comply with MCC Chapters 20.492 and 20.500 regulations. **Condition 11** is recommended in order to minimize the potential colonization of invasive species over disturbed areas. Disturbed areas should be revegetated with native species appropriate for the site and monitored and maintained for invasive species removal until native plant coverage is restored to a self-sustaining level of coverage.

With added conditions, the proposed demolition is consistent with the Local Coastal Program policies related to grading, erosion and runoff protection policies of the Coastal Element Chapter 3.4 and will be consistent with MCC Section 18.70.027 and MCC Chapter 20.492 regulations.

**Hazards Management:** Chapter 3.4 of the Mendocino County Coastal Element addresses Hazards Management within the Coastal Zone. The proposed project includes the demolition of the single-family residence and on-site septic system. The proposed project does not request further development other than that authorized by the emergency permit, EM\_2023-0003.

The project site is located within the boundaries of the Local Coastal Program (LCP) area, as shown on the *LCP Land Use Map 18: Albion* map. The project site is located on a bluff top to the Pacific Ocean, with an expansive view of the Pacific Ocean to the west and south. The bulk of the parcel is mapped “Non-prime Agricultural Land” and “Beach Deposits and Stream Alluvium and Terraces (Zone 3) – Intermediate Shaking”, as shown on the attached *LCP Land Capabilities and Natural Hazards Map*. The site is mapped as a “High Fire Hazard” area and is located within a State Responsibility Area and the Albion Little River Fire Protection District, as shown on the attached *Fire Hazard Zones and Responsibility Areas Map*.

The original development, constructed in 1967, was located on an elevated marine terrace, approximately 120 feet above sea level. Standard Coastal Development Permit, CDP 15-2009, to replace the foundation and construct additions to the single-family residence, required a 25 foot bluff top setback for a 75 year economic lifespan, based on a 2001 Geotechnical Investigation, prepared by BACE Geotechnical. Brunsing Associates, Inc. prepared a Geotechnical Investigation, dated June 28, 2023, as a result of the ocean bluff collapse, which extended to the foundation of the existing residence in early March 2023. Brunsing's 2023 investigation states:

*Since a landslide "repair" is extremely difficult to nearly impossible to be permitted by coastal agency standards or performed economically, the house needs to be abandoned or moved back, away from the landslide.*

*The landslide/bluff toe may have been weakened by the exceptionally strong storm waves in early January 2023. Those storm waves hit the Point Cabrillo Light House and at least two bluff houses in Little River. BAI observed evidence of January storm wave debris (rock fragments, ice plant, etc.) thrown up from the bluff faces onto terraces at project locations ranging from Westport to The Sea Ranch in Sonoma County.*

*Based upon our observations and analyses, we have determined a further bluff retreat potential of 44 feet over the next 75 years. Adding a safety factor of 1.5, we recommend a bluff setback of 66 feet for a "moved" or replacement residence.*

Seawalls, breakwaters, and other structures altering natural shoreline processes or retaining walls are not proposed. It is the policy of the California Coastal Commission and Mendocino County to require recordation of a deed restriction as a condition of development on bluff top parcels, prohibiting the construction of seawalls and requiring that permitted improvements be removed from the property if threatened by bluff retreat. The restriction will require that the landowner be responsible for any clean-up associated with portions of the development that might fall onto a beach or into the ocean. A deed restriction, Record # 2012-02296, was completed on February 8, 2012, as part of the past Coastal Development Permit's (CDP 15-2009) conditions of approval required for this parcel.

**Condition 5** is recommended for the applicant to secure all necessary permits for the proposed demolition from County, State and Federal agencies having jurisdiction. This ensures any grading, erosion and runoff protection, and hazard area policies or plans will be addressed. **Condition 9** is recommended to ensure Best Management Practices (BMP's) will be implemented at the time of construction and protection measures, recommended for the adjacent ESHA, are adhered to. Grading activities, including establishing and maintaining the proposed driveway and parking areas, shall comply with MCC Chapters 20.492 and 20.500 regulations.

With added conditions, the proposed demolition is consistent with the Local Coastal Program policies related to Chapter 3.4 and MCC Chapter 20.500 regulations for hazard areas, including geologic hazards (faults, bluffs, tsunamis, landslides, and erosion), fire and flood hazards.

**Habitats and Natural Resources:** Both the LCP Coastal Element Chapter 3.1 policies and MCC Chapter 20.496 address protections granted to Environmentally Sensitive Habitat Areas (ESHA), determination of the extent of sensitive resources, documentation of potential negative impacts, and recommendations for appropriate mitigation and avoidance measures. The proposed project includes the demolition of the single-family residence and on-site septic system. The proposed project does not request development other than that authorized by the emergency permit, EM\_2023-0003.

The project site is located within the boundaries of the Local Coastal Program (LCP) area, as shown on the *LCP Land Use Map 18: Albion* map. The project site is located on a bluff top to the Pacific Ocean, with an expansive view of the Pacific Ocean to the west and south. The *LCP Habitats and Resources Map* does not show any sensitive resources being located on the subject parcel and is mapped as "Barren".

On May 20, 2024, CCC responded with “*We support the complete removal of the existing single-family residence and septic system. We recommend the County ensure that the demolition and removal work is completed as carefully as possible to minimize disturbance to adjacent sensitive areas. We recommend that the County require a site restoration/revegetation plan for disturbed areas after demolition and removal is complete to minimize the potential for invasive species to colonize and take over disturbed areas. Disturbed areas should be revegetated with native species appropriate for the site and monitored and maintained for invasive species removal until native plant coverage is restored to a self-sustaining level of coverage.*”

On April 12, 2024, California Department of Fish and Wildlife (CDFW) responded with “*The proposed remediation of the site includes ground cover and re-establishing vegetation for 1200-square feet at the location of removed structures. Using ground cover or seed mixtures that may introduce invasive plant species may negatively impact native flora and wildlife dependent on those plant species. Please provide a revegetation plan that considers a site appropriate native plant palette informed by plant surveys supporting prior site development (such as under CDP 15-2009) or by more recent surveys in the area. The revegetation plan should consider using seeding or planting native plants already present on the property (or non-native plants not likely to spread), include monitoring of the impacted area for the spread non-native species, identify a revegetation success criteria. Seeding should use regional native seed or non-native seed that is known not to persist or spread [e.g., barley (*Hordeum vulgare*), or wheat (*Triticum aestivum*)]. No known invasive grass seed such as annual or perennial ryegrass (*Lolium multiflorum* or *L. perenne*, which are now referred to as *Festuca perennis*), should be used.*”

**Condition 11** is recommended for the applicant to minimize the potential for invasive species to colonize and take over disturbed areas. Disturbed areas should be revegetated with native species appropriate for the site and monitored and maintained for invasive species removal until native plant coverage is restored to a self-sustaining level of coverage.

With added conditions, the proposed demolition does not significantly impact sensitive habitats or resources and is consistent with the Local Coastal Program policies related to Chapter 3.1 and MCC Chapter 20.496 regulations.

**Groundwater Resources:** The project site is designated as a Critical Water Resource Area, as shown on the *Ground Water Resources* map. The project was referred to the Mendocino County Division of Environmental Health (DEH) and Pacific Reefs Water District (PRWD). PRWD did not provide a response at time of drafting this staff report. On April 16, 2024, Mendocino County Division of Environmental Health (DEH) provided comment for the removal of the on-site septic tank. On October 27, 2023, Mendocino County Division of Environmental Health (DEH) approved an on-site septic permit (SP24121) to remove the septic tank, which was finalized on November 3, 2023. **Condition 5** is recommended to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction to ensure any groundwater protection policy or plan will be addressed.

Without added conditions, the proposed demolition is consistent with the Local Coastal Program Policies 3.8-1 and 3.9-1, MCC Chapter 20.516 and Section 20.532.095(A)(2) and DEH regulations related to groundwater resources.

**Transportation, Utilities and Public Services:** Coastal Element Policies 3.5-9, 3.8-1 and 3.8-2, as well as MCC Section 20.516.015 regulations, require availability of water and sewage disposal system and other known planning factors, including access, be considered when reviewing applications for development permits. The project would not contribute a significant amount of new traffic on local and regional roadways. Solid waste service is available either as curbside pick-up or at the Albion Transfer Station (several miles away). The proposed demolition was referred to Mendocino County Division of Environmental Health (DEH) and Department of Transportation (MC DOT), where DOT provided no comment and PRWD did not provide a response. On April 16, 2024, Mendocino County Division of Environmental Health (DEH) provided comment for the removal of the on-site septic tank. On October 27, 2023, Mendocino County Division of Environmental Health (DEH) approved an on-site septic permit (SP24121) to remove the septic tank, which was finalized on November 3, 2023. **Condition 5** is recommended to secure all necessary permits for the proposed development from County, State and

Federal agencies having jurisdiction to ensure any groundwater protection policy or plan will be addressed.

Without added conditions, the proposed demolition is consistent with the Local Coastal Program Policies 3.8-1 and 3.9-1 and MCC Sections 20.516.015(B), 20.516.015(A) and 20.532.095(A)(2) related to transportation, utilities, and public services protection.

**Public Access:** The site is located on the west side of Pacific Reefs Road (Private), west of SR 1, the parcel is mapped as an appeal jurisdiction boundary. The project site is not designated as a potential public access point on the certified LCP maps. There are no proposed or existing public accesses to the shore within 0.5 miles of the subject parcel; as shown on the *LCP Land Use Map 18: Albion* map.

Without additional conditions, the proposed demolition is consistent with Mendocino County policies for Coastal Shoreline Access Element Chapters 3.6 and Chapter 4.6 (Dark Gulch to Navarro River) and is consistent with MCC Chapter 20.528 regulations.

**Archaeological/Cultural Resources:** The proposed project was referred to the Northwest Information Center (NWIC) and the Archaeological Commission (ARCH) on April 2, 2024. On April 4, 2024, the Mendocino County Archaeological Commission (ARCH) responded recommending the project be scheduled for the ARCH Hearing, depending on Comments provided by Northwest Information Center (NWIC). On April 15, 2024, Northwest Information Center (NWIC) responded with *"This office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian. The proposed project area has the possibility of containing unrecorded archaeological sites due to the proximity of known archaeological sites located in similar environments as the proposed project area. Given this sensitivity and lack of prior survey of the proposed project area, we therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources."*

The project was referred to three local tribes for review and comment, including the Sherwood Valley Rancheria, Redwood Valley Rancheria, and the Cloverdale Rancheria. On April 16, 2024, Sherwood Valley Band of Pomo Indians requested a copy of comments received from Northwest Information Center (NWIC) and recommended a discovery clause. As of drafting this staff report, no response has been received from Redwood Valley and Cloverdale Rancheria local tribes.

EM\_2023-0003 was issued for the relocation of the single-family residence on August 2, 2023. Prior to issuance of Building Permit, BF\_2023-0611, for the demolition of the single-family residence approval from Mendocino County Air Quality Management was required. BF\_2023-0611 was finalized on December 4, 2023. The owner applied for a septic tank destruction permit, SP24121, with the Division of Environmental Health (DEH), which was finalized on November 3, 2023.

For projects such as the removal of a structure originally permitted under an issued development permit, Mendocino County Department of Planning and Building Services (PBS) procedure is to not refer these types of projects to either the Northwest Information Center (NWIC) or the Mendocino County Archaeological Commission. Mendocino County Planning and Building Services procedures (as detailed in a Staff Memorandum, dated October 16, 2019) were reviewed by the Mendocino County Archaeological Commission and it was determined projects that do not require NWIC and/or ARCH Commission review include Coastal Development Permits with absolutely no ground disturbance.

No additional ground disturbance will occur on the project site, therefore the proposed demolition was not heard before the ARCH Commission. The proposed project is not permitting additional ground disturbance other than that allowed under the Emergency Permit, EM\_2023-0003, the proposed demolition was not heard before the ARCH Commission. Any future development on this parcel will be required to obtain an issued Coastal Development Permit consistent with MCC Chapter 20.532, therefore be required to be heard before the ARCH Commission. **Condition 8** is recommended, which advises the applicant of the "Discovery Clause." The "Discovery Clause" prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. **Condition 9** is recommended, which advises the applicant that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources.

With added conditions, the proposed project is consistent with is consistent with Coastal Element Policy 3.5-10 and MCC Chapter 22.12 for the protection of the paleontological and archaeological resources.

### **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 demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under California Code of Regulations under Title 14, Division 6, Chapter 3, Article 19, Section 15301, Class 1 (I) (1): *demolition and removal of small structures such as one single-family residence*.

### **PROJECT FINDINGS AND CONDITIONS**

Staff recommends, pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, that the Coastal Permit Administrator approves the proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, and adopts the following findings and conditions.

#### **FINDINGS:**

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, where demolition of the single-family residence on-site septic system as defined by MCC Section 20.308.035(D) is allowed with an approved Standard Coastal Development Permit, and is consistent with the Mendocino County Coastal Element Rural Residential Land Use classifications and Mendocino County Coastal Element Chapter 2.2 and Chapter 4.6; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, will be provided with adequate utilities, access roads, drainage and other necessary facilities. The site is accessed via Pacific Reefs Road (Private). Adherence to Best Management Practices would ensure that demolition would not create adverse conditions, including storm water pollution, erosion, and sedimentation. The project is not expected to make use of other utilities; and
3. Pursuant to MCC Section 20.532.095(A)(3), the proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, is consistent with the purpose and intent of the Rural Residential (RR), Development Limitation (DL) and Floodplain Combining Districts (FP) zoning districts, as well as all other provisions of Division II of Title 20 of the Mendocino County Code and preserves the integrity of the RR(DL)(FP) zoning districts. The proposed demolition would involve a minimal area of ground disturbance and the land would be available for possible agricultural use. Demolition of the single-family residence on-site septic system as defined by MCC Section 20.308.035(D) is allowed with an approved Standard Coastal Development Permit. Removal of the single-family residence and on-site septic system would not significantly impact agricultural viability of the lot and conforms to all other applicable regulations for the Rural Residential zoning district, including setbacks, height limit, and lot coverage; and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, 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. The proposed project is categorically exempt pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15301, Class 1 (I) (1): *demolition and removal of small structures such as one single-family residence ... from CEQA*; and

5. Pursuant to MCC Section 20.532.095(A)(5), proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, does not have any adverse impact on any known archaeological or paleontological resources. EM\_2023-0003 was issued for the relocation of the single-family residence on August 2, 2023. Prior to issuance of Building Permit, BF\_2023-0611, for the demolition of the single-family residence approval from Mendocino County Air Quality Management was required. BF\_2023-0611 was finalized on December 4, 2023. The owner applied for a septic tank destruction permit, SP24121, with the Division of Environmental Health (DEH), which was finalized on November 3, 2023. No additional ground disturbance will occur on the project site, therefore the proposed demolition was not heard before the ARCH Commission. As the parcel is located on a bluff top and the request is not proposing additional ground disturbance other than that allowed under the Emergency Permit, EM\_2023-0003, the proposed demolition was not heard before the ARCH Commission. The project was referred to three local tribes for review and comment, Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Rancheria. As of this date, no response was received from Cloverdale Rancheria and the Redwood Valley Rancheria tribes. On April 16, 2024, Sherwood Valley Band of Pomo Indians requested a copy of comments received from Northwest Information Center (NWIC) and recommended **Condition 8**, which advises the applicant of the "Discovery Clause." The "Discovery Clause" prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. Sherwood Valley Band of Pomo Indians has not provided further comments at time of this staff report; 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. Solid waste service is available either as curbside pick-up or at the Albion Transfer Station (several miles away). The proposed demolition of the single-family residence and on-site septic system, as follow up to Emergency Permit, EM\_2023-0003, are not expected to generate any solid waste. Prior to issuance of Building Permit, BF\_2023-0611, for the demolition of the single-family residence approval from Mendocino County Air Quality Management was required. BF\_2023-0611 was finalized on December 4, 2023. Therefore, existing solid waste facilities would be adequate to serve the project. The project is not expected to contribute to traffic volumes because the intensity of land use will not change.
7. Pursuant with MCC Section 20.532.095(B), the proposed demolition would not diminish public access to Mendocino County coastal areas and conforms to the goals and policies of the Coastal Element of the General Plan. The project site is located between the first public road and the sea; and is not designated as a potential public access point.

**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/or use of the property in reliance on such permit has been initiated prior to its expiration.
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 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.

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. Future Coastal Development Permits involving ground disturbance on this parcel, beyond this Coastal Development Permit (CDP\_2024-0009), shall submit an Archaeological Survey to the Mendocino County Archaeological Commission for approval.
10. Standard Best Management Practices (BMPs) shall be employed to assure minimization of erosion resulting from construction. Ground disturbance shall be limited to the minimum necessary and disturbed soil areas shall be stabilized as soon as feasible. Any soil stockpiles shall be covered or otherwise stabilized to prevent dust impacts. Any bare soil created by the construction phase of the project shall be revegetated with native vegetation and/or native seed mixes for soil stabilization. Construction activities within 500 feet of residential uses shall be limited to the hours of 7:00 a.m. and 7:00 p.m. weekdays, using quiet models of air compressors and other stationary noise sources where technology exists, use of mufflers on all internal combustion engine-driven equipment, and locating staging areas as far away as possible from noise-sensitive land use areas.
11. Prior to issuance of this Coastal Development Permit, the applicant shall provide to Mendocino County Planning and Building Services a site restoration/revegetation plan for disturbed areas after demolition and removal is complete to minimize the potential for invasive species to colonize and take over disturbed areas. Disturbed areas should be revegetated with native species appropriate for the site and monitored and maintained for invasive species removal until native plant coverage is restored to a self-sustaining level of coverage.
12. To record the 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.



08/22/2024

DATE

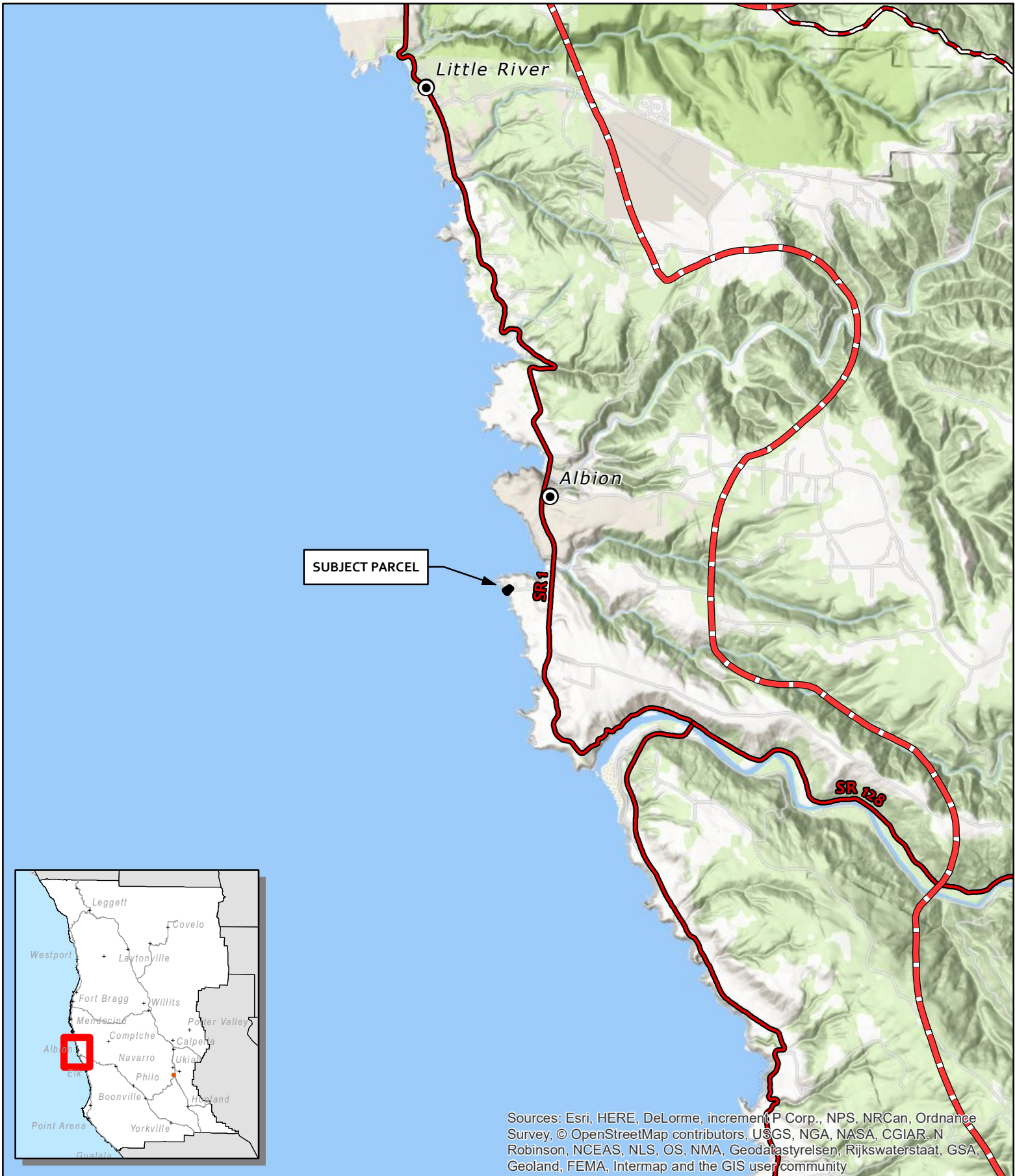
*@WALDMANJ*

JESSIE WALDMAN  
PLANNER II

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

**ATTACHMENTS:**

- |  |   |
|--|---|
| A. Location Map                            | M. Adjacent Parcels                         |
| B. Aerial Map (Vicinity)                   | N. Fire Hazard Zones & Responsibility Areas |
| C. Aerial Map                              | O. Flood Zone                               |
| D. Topographical Map                       | P. Wetlands                                 |
| E. Site Plan                               | Q. Ground Water Resource Area               |
| F. Zoning Display Map                      | R. Landslide                                |
| G. General Plan Classifications            | S. Slope Map                                |
| H. LCP Land Use Map 18: Albion             | T. Soils Map                                |
| I. LCP Land Capabilities & Natural Hazards | U. Farmlands                                |
| J. LCP Habitats & Resources                | V. School District                          |
| K. Appealable Areas                        | W. Water District                           |
| L. CDP Exclusion                           |   |



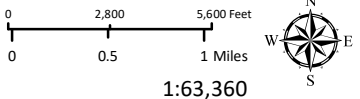
SUBJECT PARCEL



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

**CASE: CDP 2024-0009**  
**OWNER: MCLELLAN, Richard**  
**APN: 123-340-19**  
**APLCT: Kyle Malsom**  
**AGENT: Malsom Construction**  
**ADDRESS: 34301 Pacific Reefs Rd., Albion**

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



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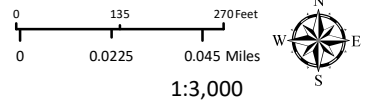
LOCATION

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== Private Roads



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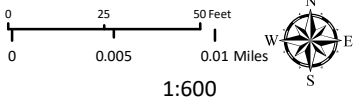
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Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

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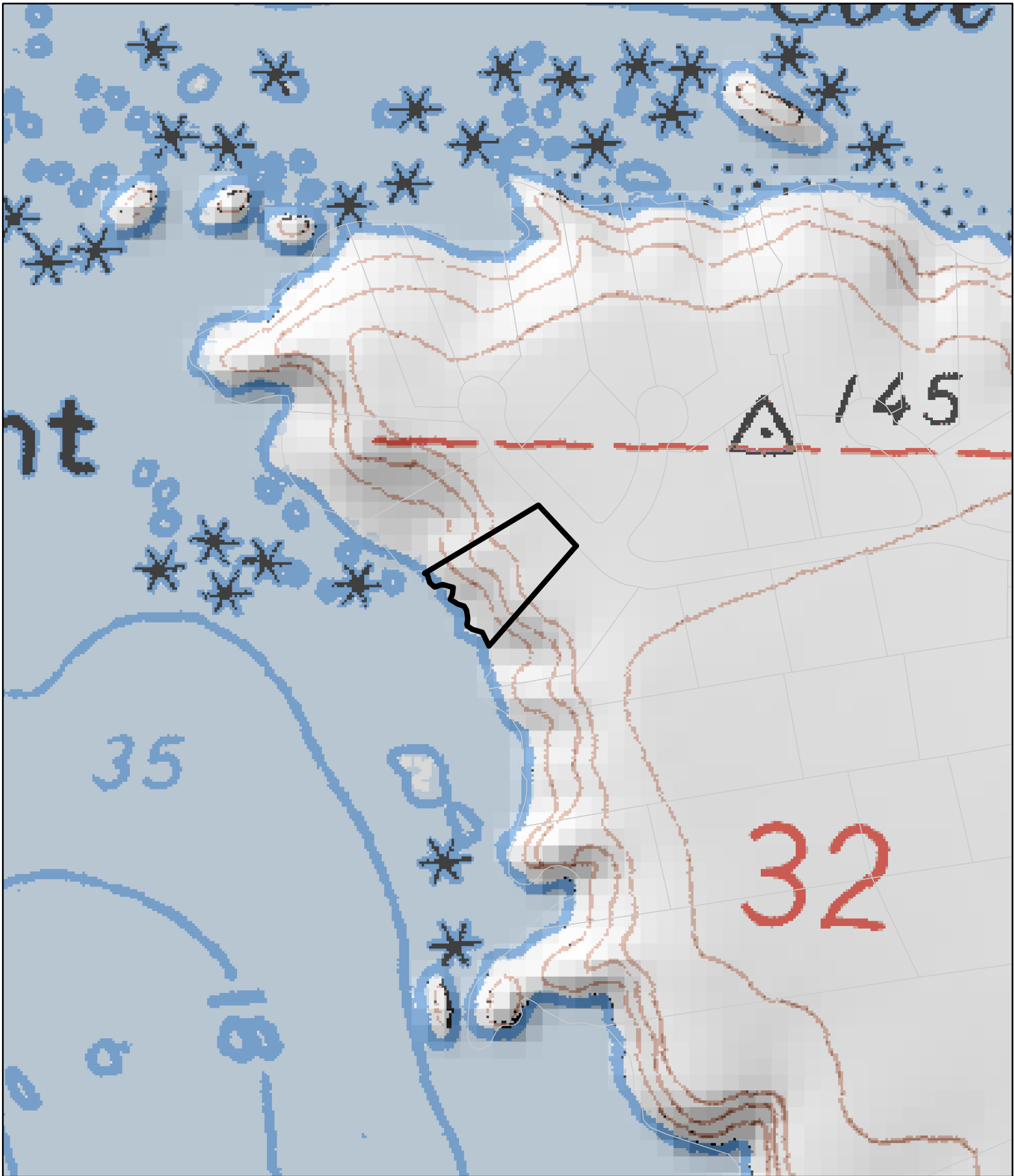
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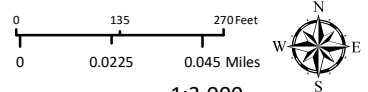
AERIAL IMAGERY

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**AGENT:** Malsom Construction  
**ADDRESS:** 34301 Pacific Reefs Rd., Albion

 Assessors Parcels



1:3,000  
**TOPOGRAPHIC MAP**  
CONTOUR INTERVAL IS 40 FEET

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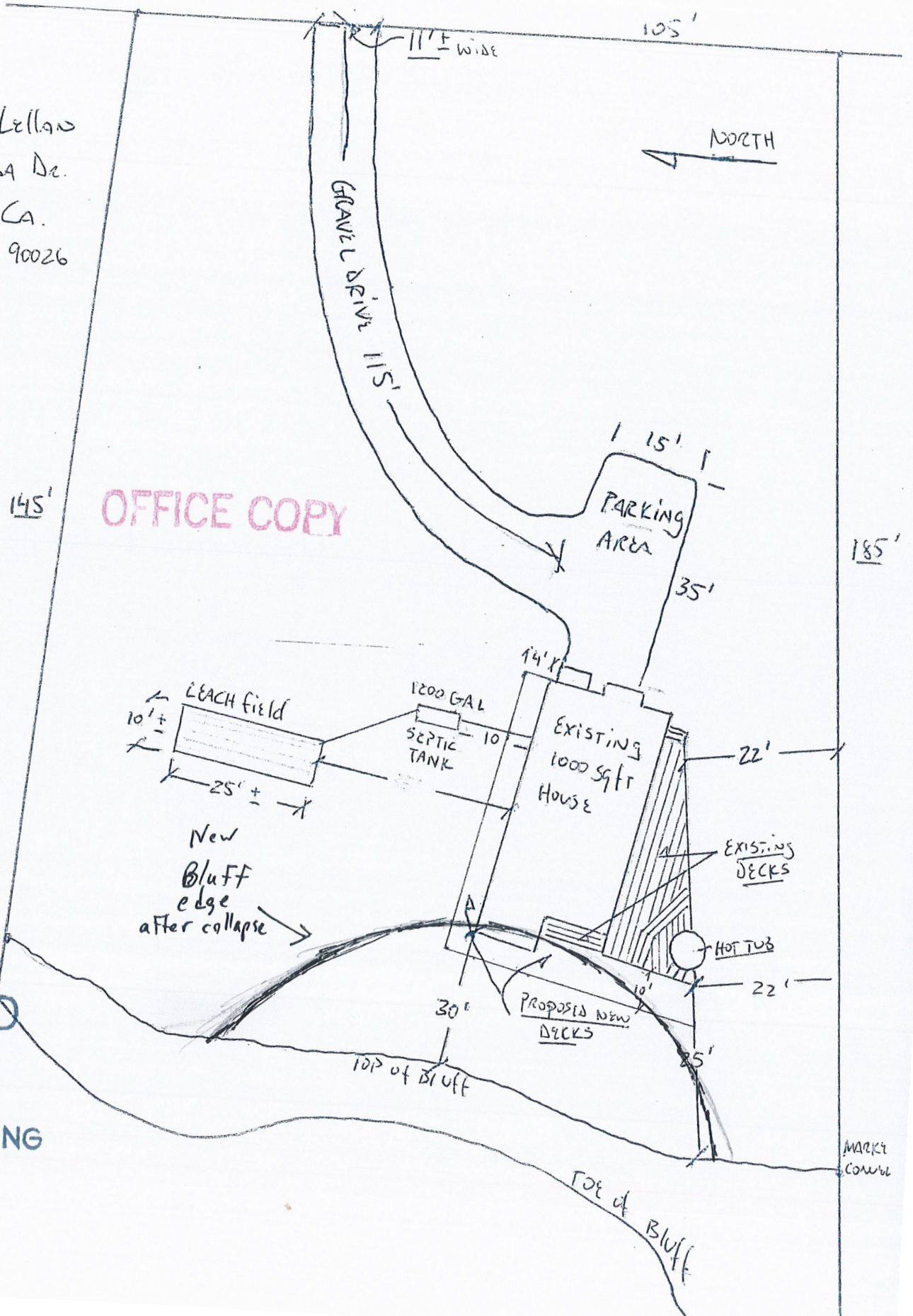
# SITE PLAN

BF. 2012.4

AP # 123-540-19  
110 ACCESS

← Pacific Reefs Rd

OWNER  
Richard McLellan  
834 1/4 Tularosa Dr.  
Los Angeles, CA.  
90026



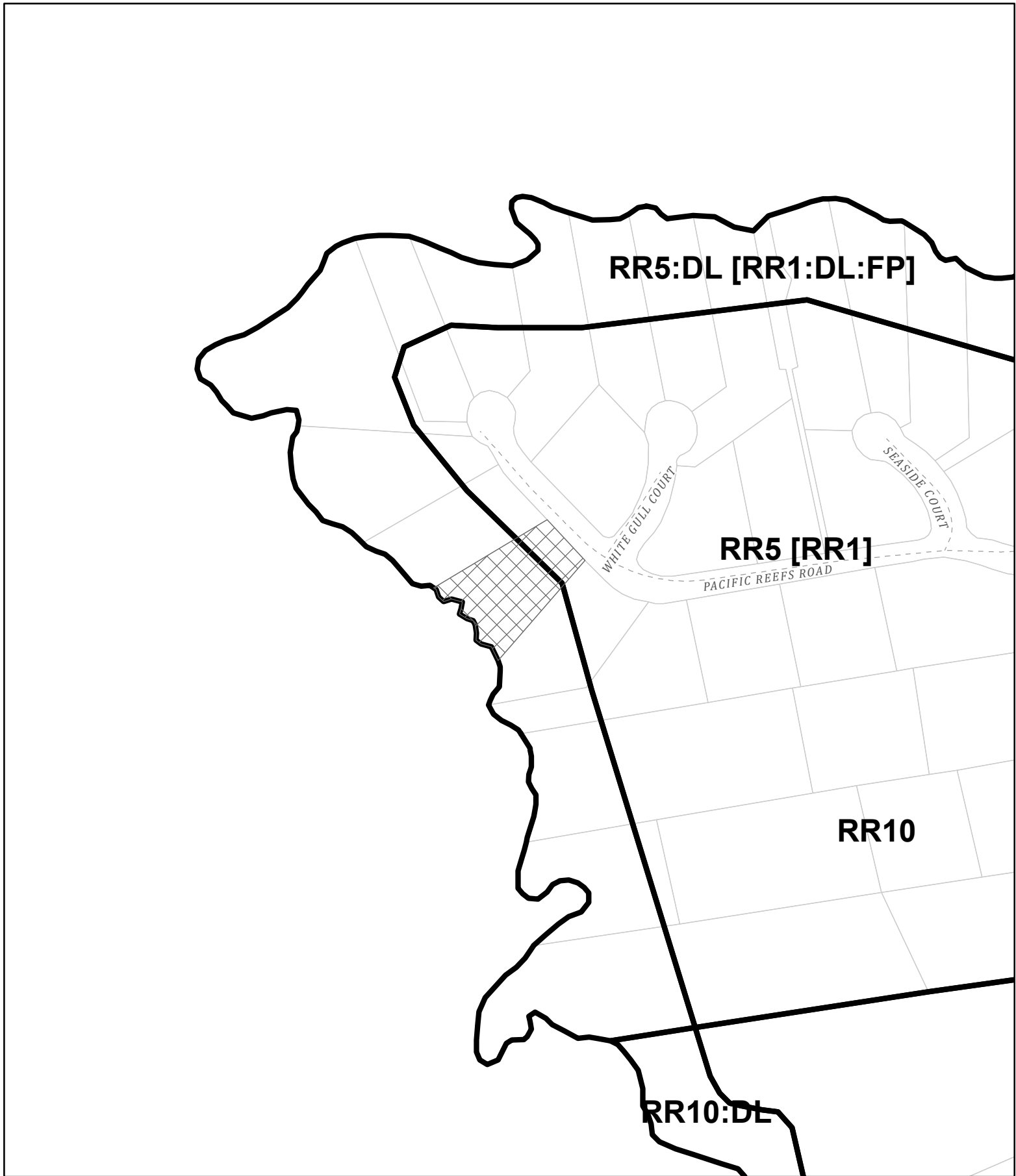
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APPROVED


11/19/12 *MC*

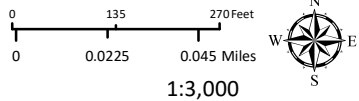
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OFFICE

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CORNER



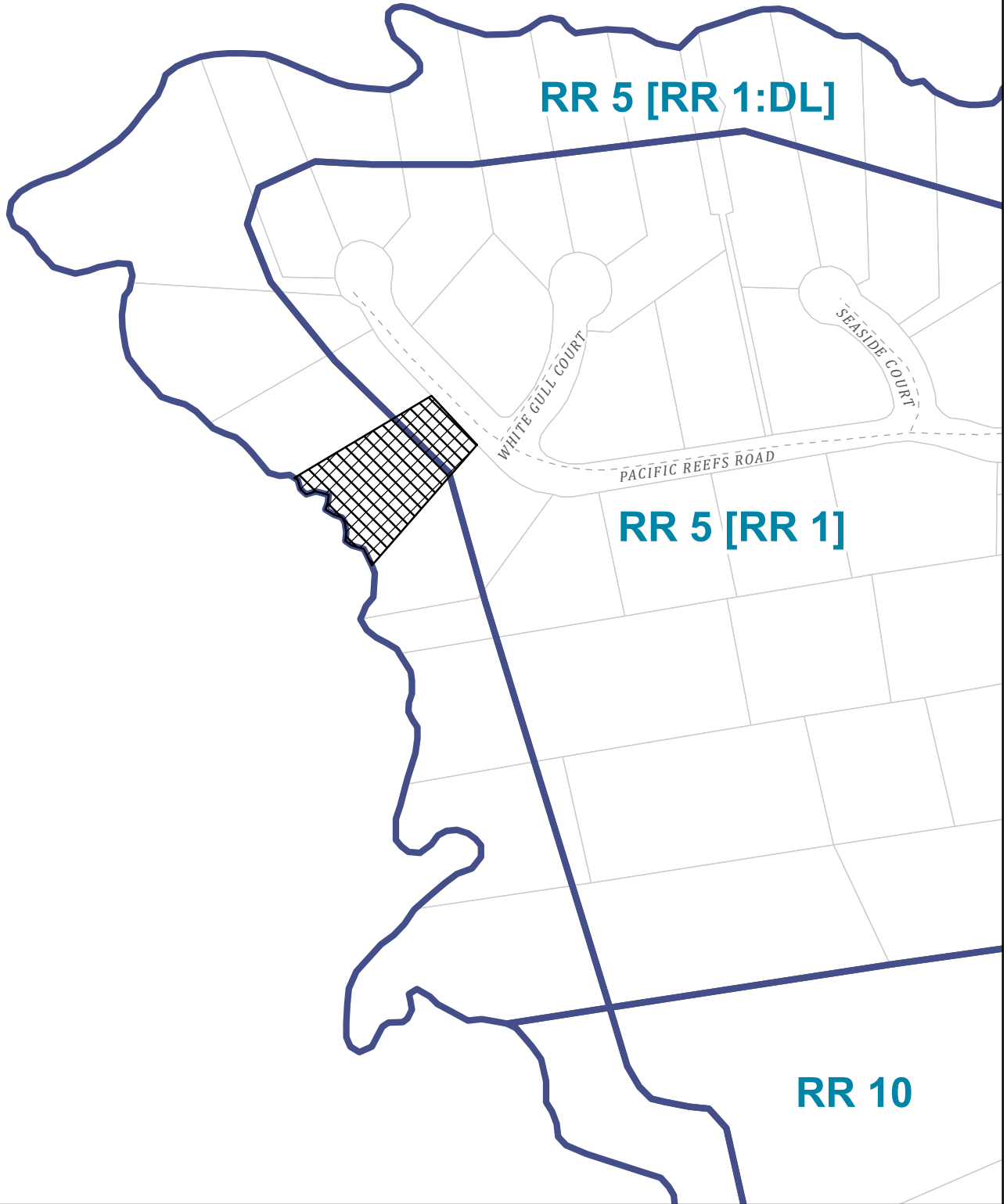
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**APN:** 123-340-19  
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-  Zoning Districts
-  Private Roads
-  Assessors Parcels



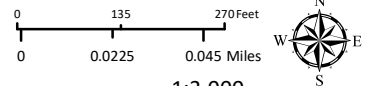
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**ZONING**

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- - - - Private Roads  
 □ Assessors Parcels

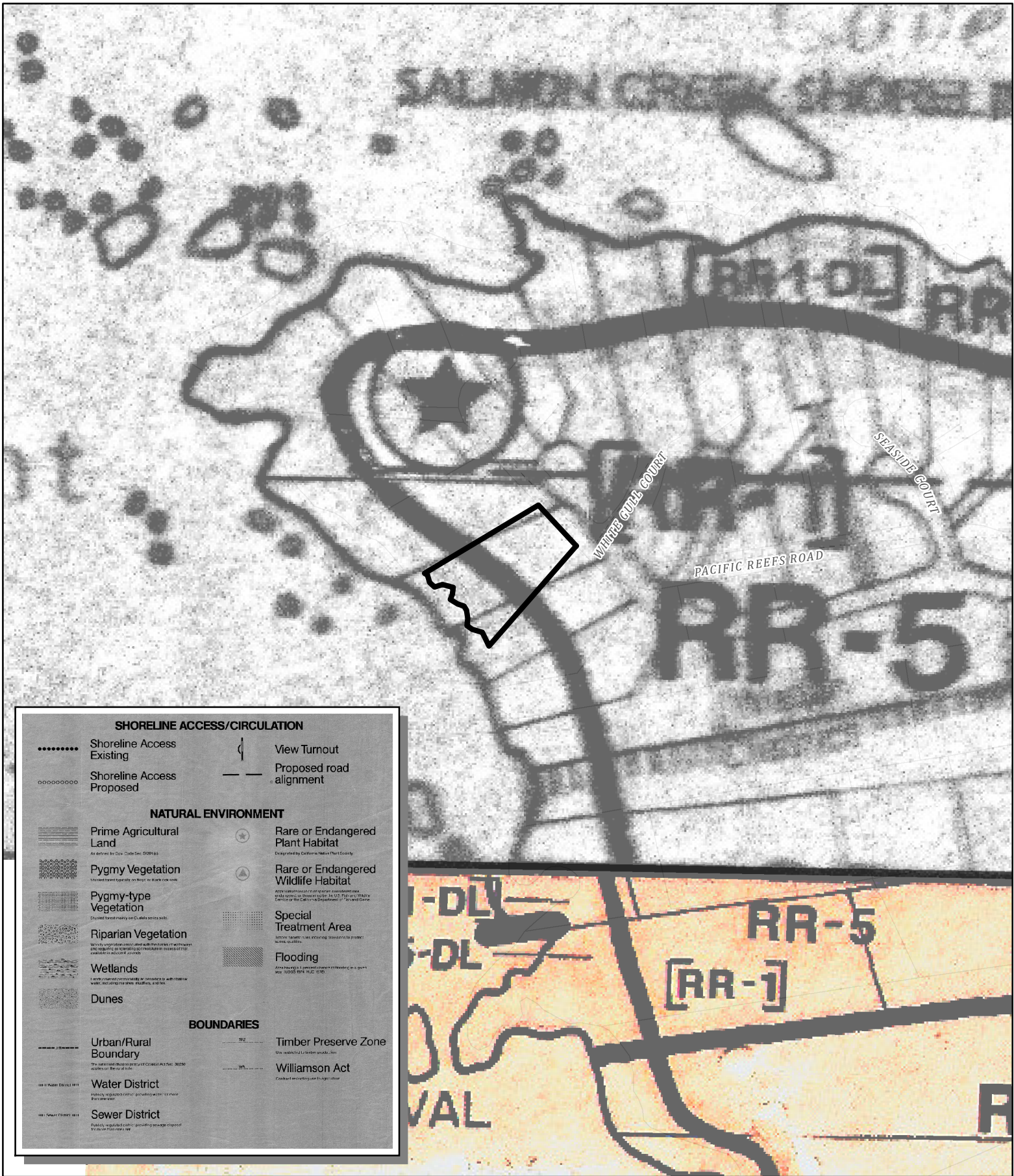


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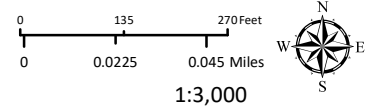
GENERAL PLAN

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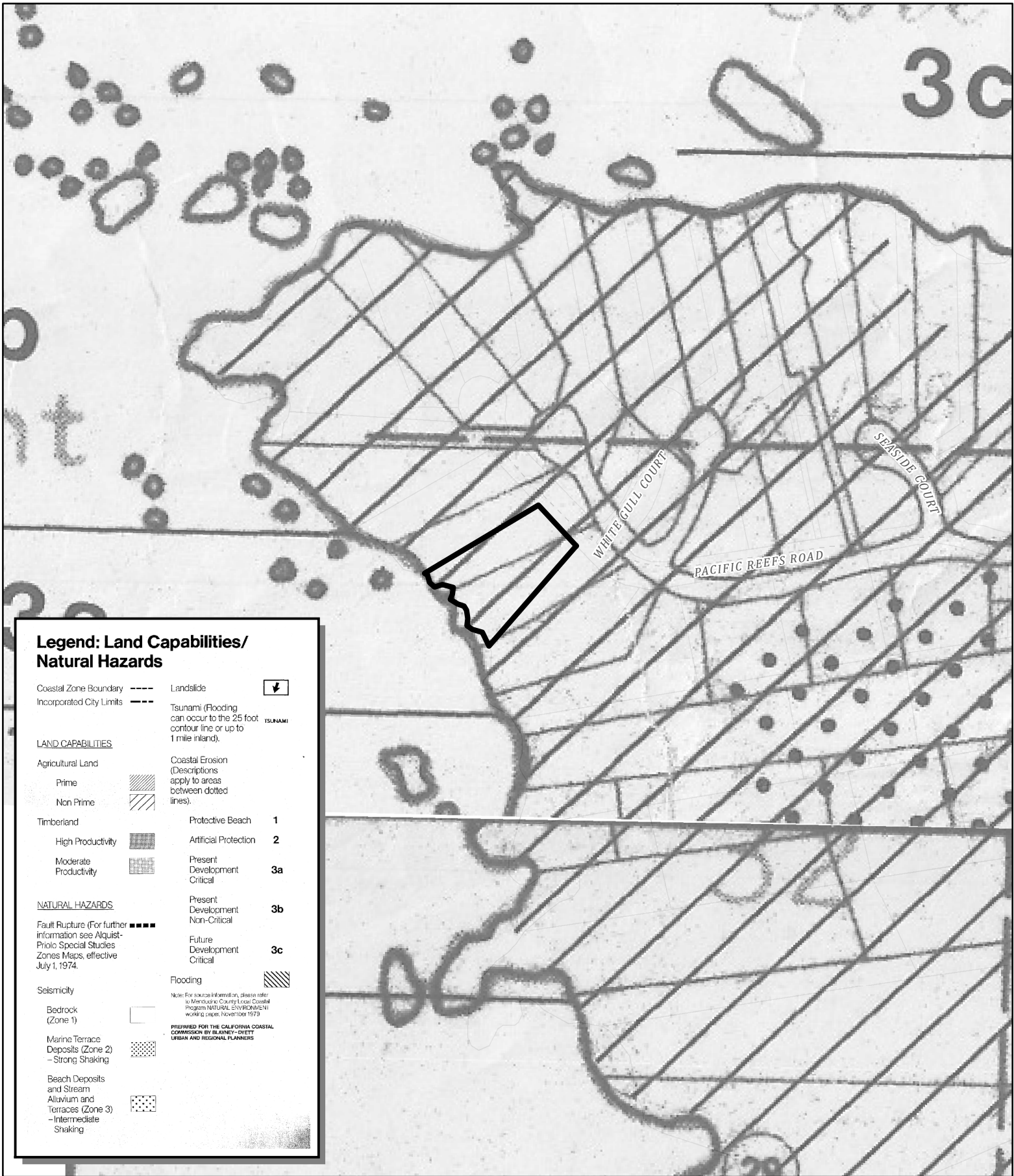


**CASE: CDP 2024-0009**  
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**ADDRESS: 34301 Pacific Reefs Rd., Albion**



LCP LAND USE MAP 18: ALBION

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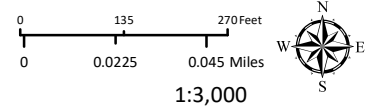


**Legend: Land Capabilities/  
Natural Hazards**

Coastal Zone Boundary	---	Landslide	
Incorporated City Limits	---	Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland).	
<b>LAND CAPABILITIES</b>			
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
<b>NATURAL HAZARDS</b>			
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> <b>PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLANEY-DYETT URBAN AND REGIONAL PLANNERS</b>	
Bedrock (Zone 1)			
Marine Terrace Deposits (Zone 2) - Strong Shaking			
Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking			

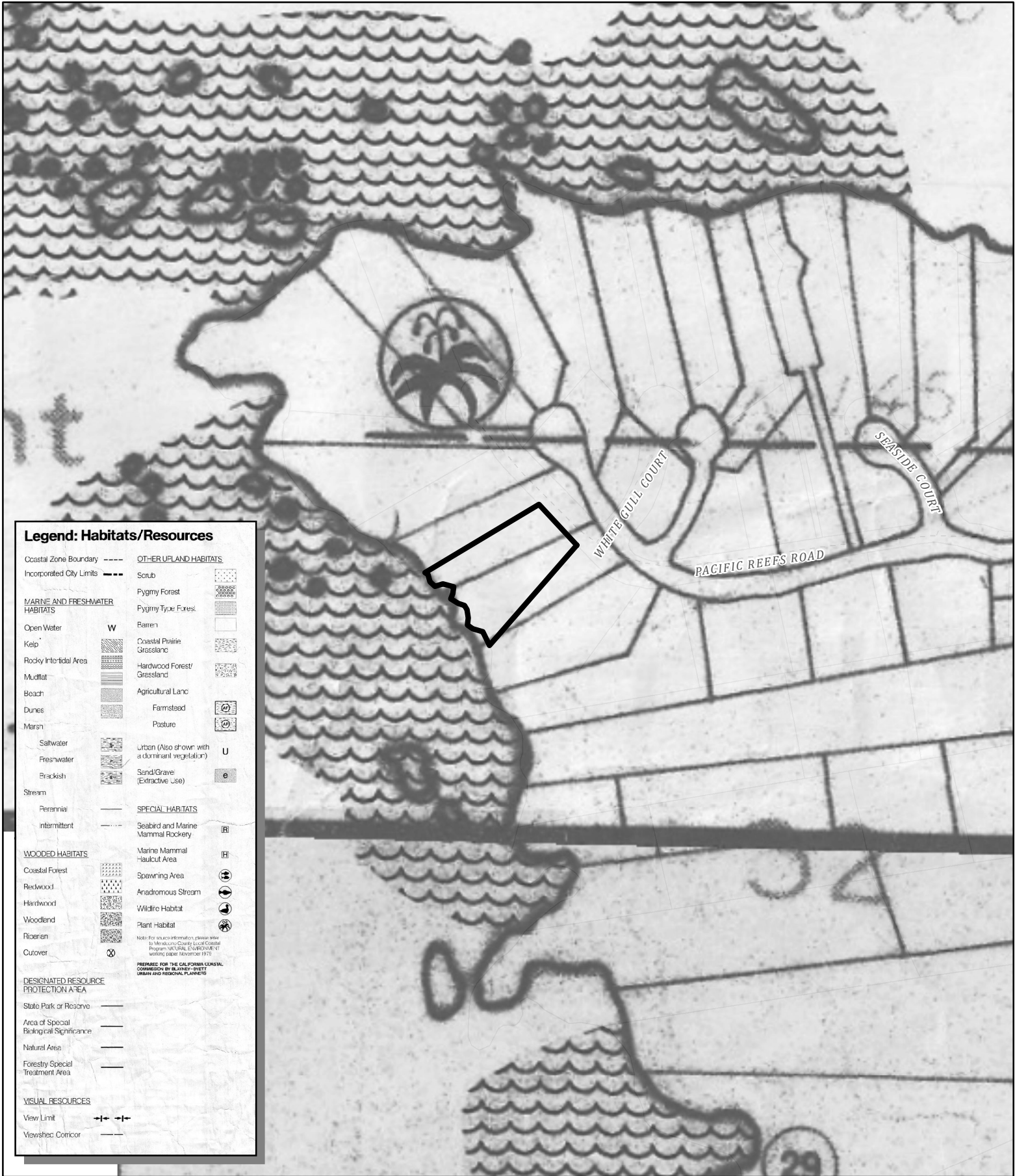
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----- Private Roads  
 Assessors Parcels



**LCP LAND CAPABILITIES & NATURAL HAZARDS**

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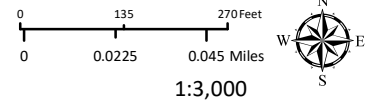


**Legend: Habitats/Resources**

Coastal Zone Boundary	----	OT-HER UPLAND HABITATS	
Incorporated City Limits	----	Scrub	[Pattern]
<b>MARINE AND FRESHWATER HABITATS</b>		Pygmy Forest	[Pattern]
Open Water	W	Pygmy Tree Forest	[Pattern]
Kelp	[Pattern]	Barren	[Pattern]
Rocky Intertidal Area	[Pattern]	Coastal Prairie	[Pattern]
Mudflat	[Pattern]	Gressland	[Pattern]
Beach	[Pattern]	Hardwood Forest/	[Pattern]
Dunes	[Pattern]	Gressland	[Pattern]
Marsh	[Pattern]	Agricultural Land	[Pattern]
Saltwater	[Pattern]	Farmstead	[Symbol]
Freshwater	[Pattern]	Pasture	[Symbol]
Brackish	[Pattern]	Urban (Also shown with	U
Stream		a dominant vegetation)	
Perennial	---	Sand/Grave	e
Intermittent	---	(Extractive Use)	
<b>WOODED HABITATS</b>		<b>SPECIAL HABITATS</b>	
Coastal Forest	[Pattern]	Seabird and Marine	[Symbol]
Redwood	[Pattern]	Mammal Rockery	[Symbol]
Hardwood	[Pattern]	Marine Mammal	[Symbol]
Woodland	[Pattern]	Haulcut Area	[Symbol]
Riparian	[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 BLAINY-BYETT URBAN AND REGIONAL PLANNERS</small>			
<b>DESIGNATED RESOURCE PROTECTION AREA</b>			
State Park or Reserve	---		
Area of Special Biological Significance	---		
Natural Area	---		
Forestry Special Treatment Area	---		
<b>VISUAL RESOURCES</b>			
View Limit	--- ---		
Viewshed Corridor	---		

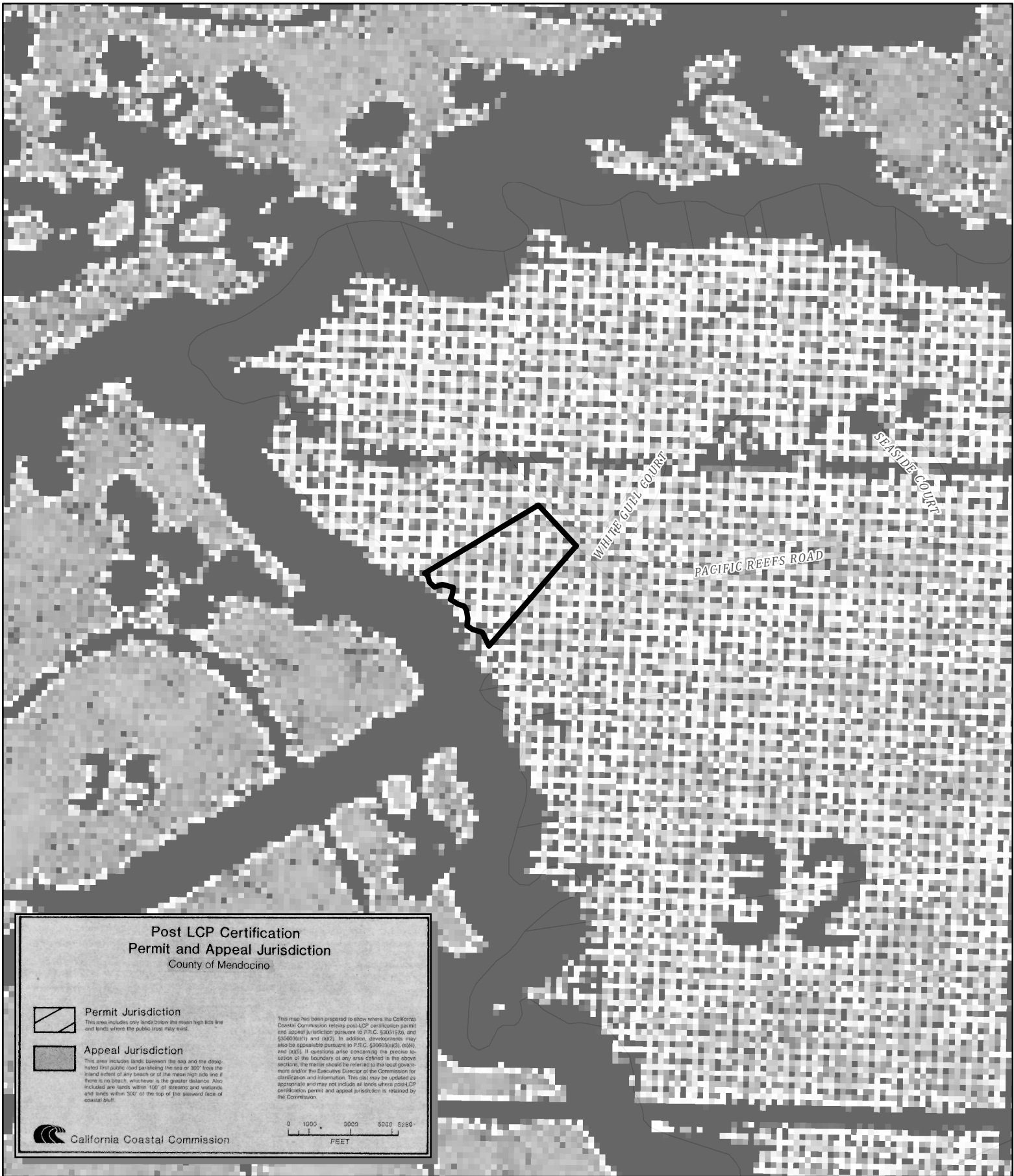
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----- Private Roads  
 [Box] Assessors Parcels



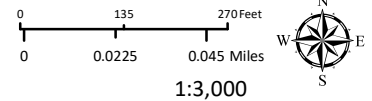
**LCP HABITATS & RESOURCES**

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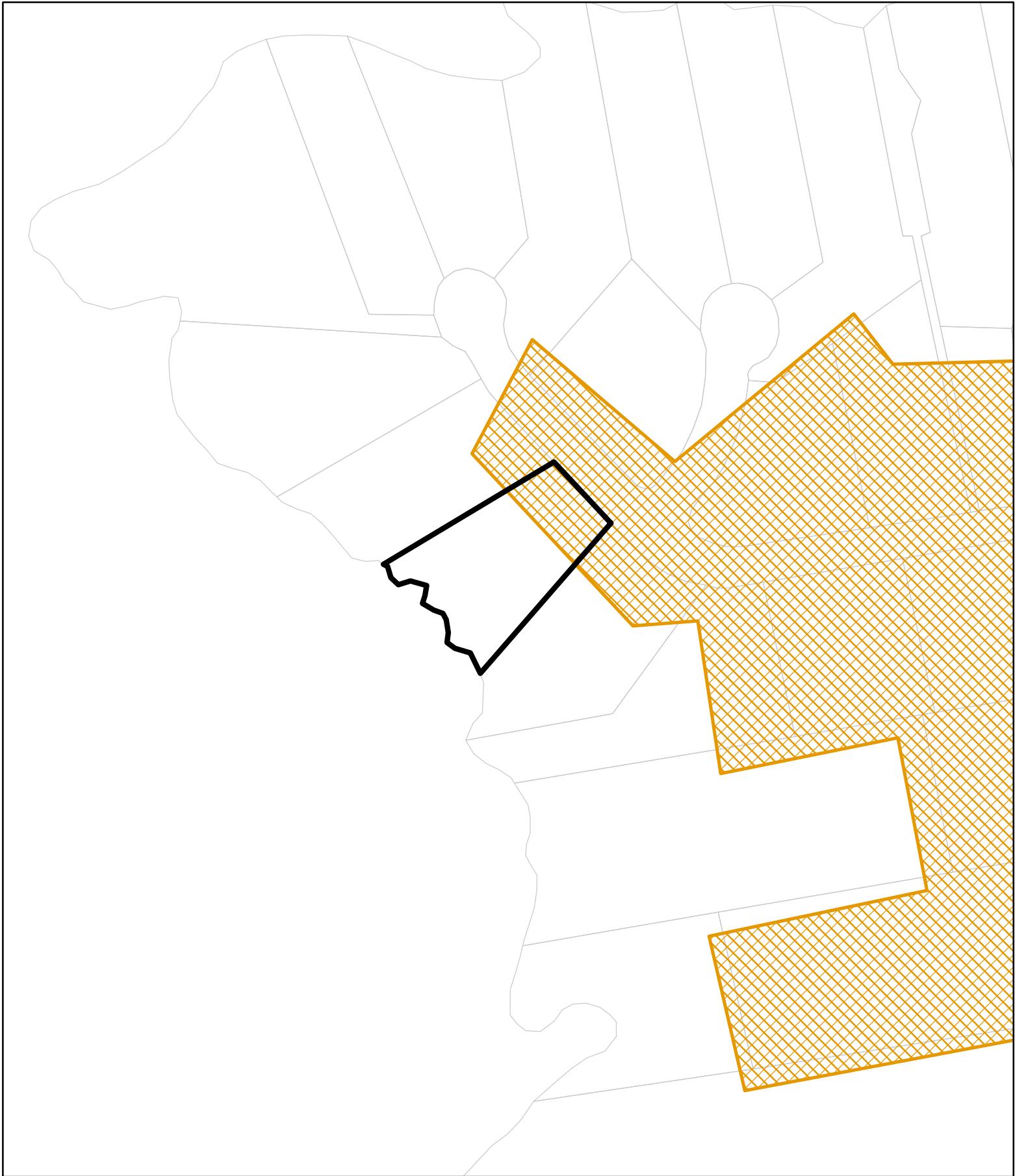
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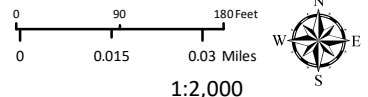
**POST LCP CERTIFICATION & APPEAL JURISDICTION**

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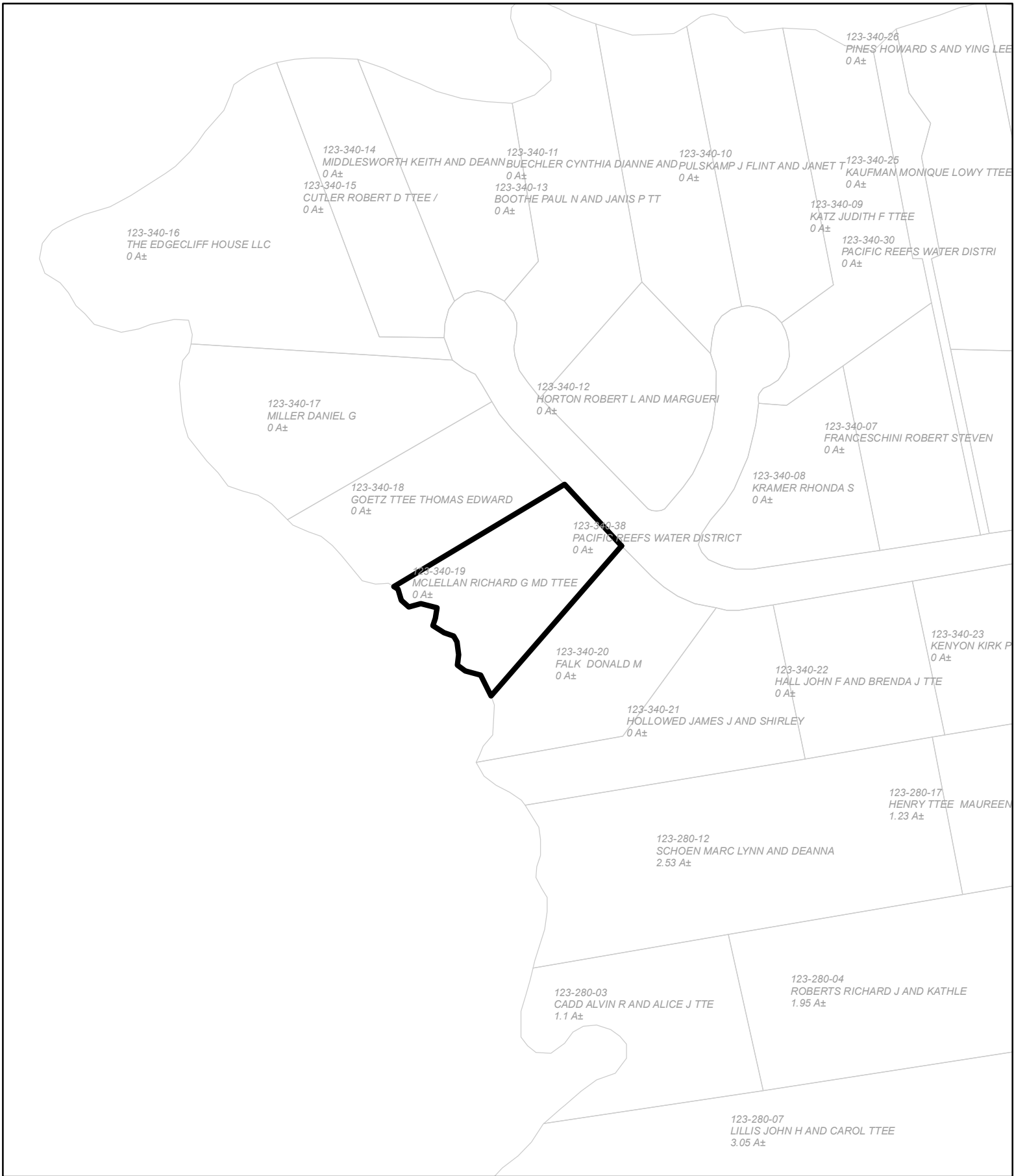
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 CDP Exclusion Areas  
 Assessors Parcels




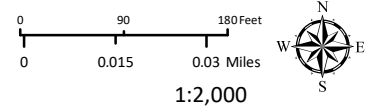
**CDP EXCLUSION AREAS**

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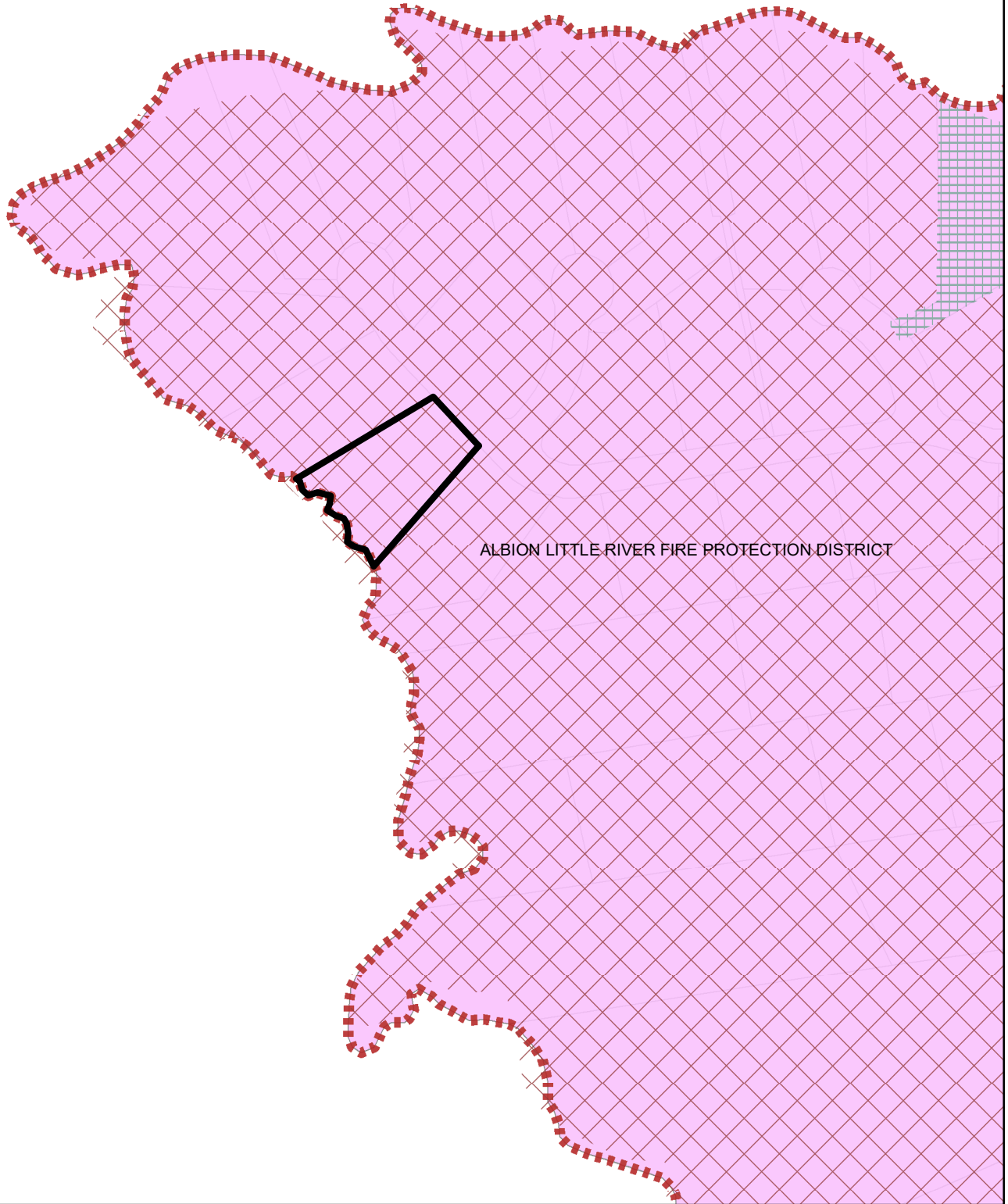
 Assessors Parcels



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**ADJACENT PARCELS**

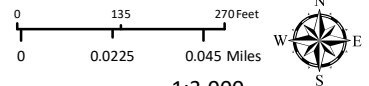
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ALBION LITTLE RIVER FIRE PROTECTION DISTRICT

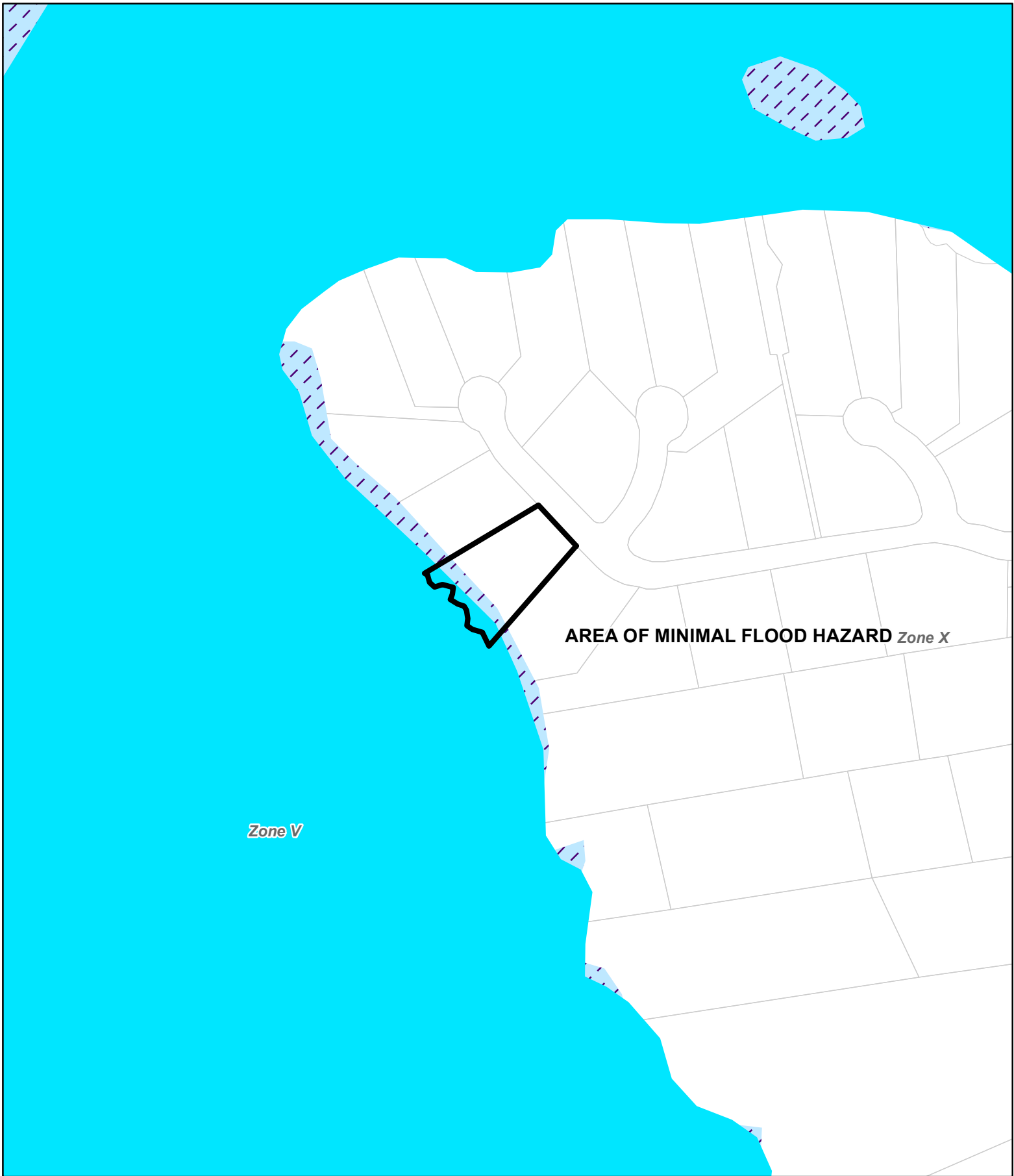
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-  High Fire Hazard
-  Assessor's Parcels
-  Moderate Fire Hazard
-  County Fire Districts



1:3,000  
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

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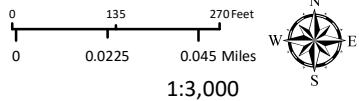


AREA OF MINIMAL FLOOD HAZARD *Zone X*

*Zone V*

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- 1% Annual Chance Flood Hazard
- Tsunami Inundation Zones
- Assessors Parcels

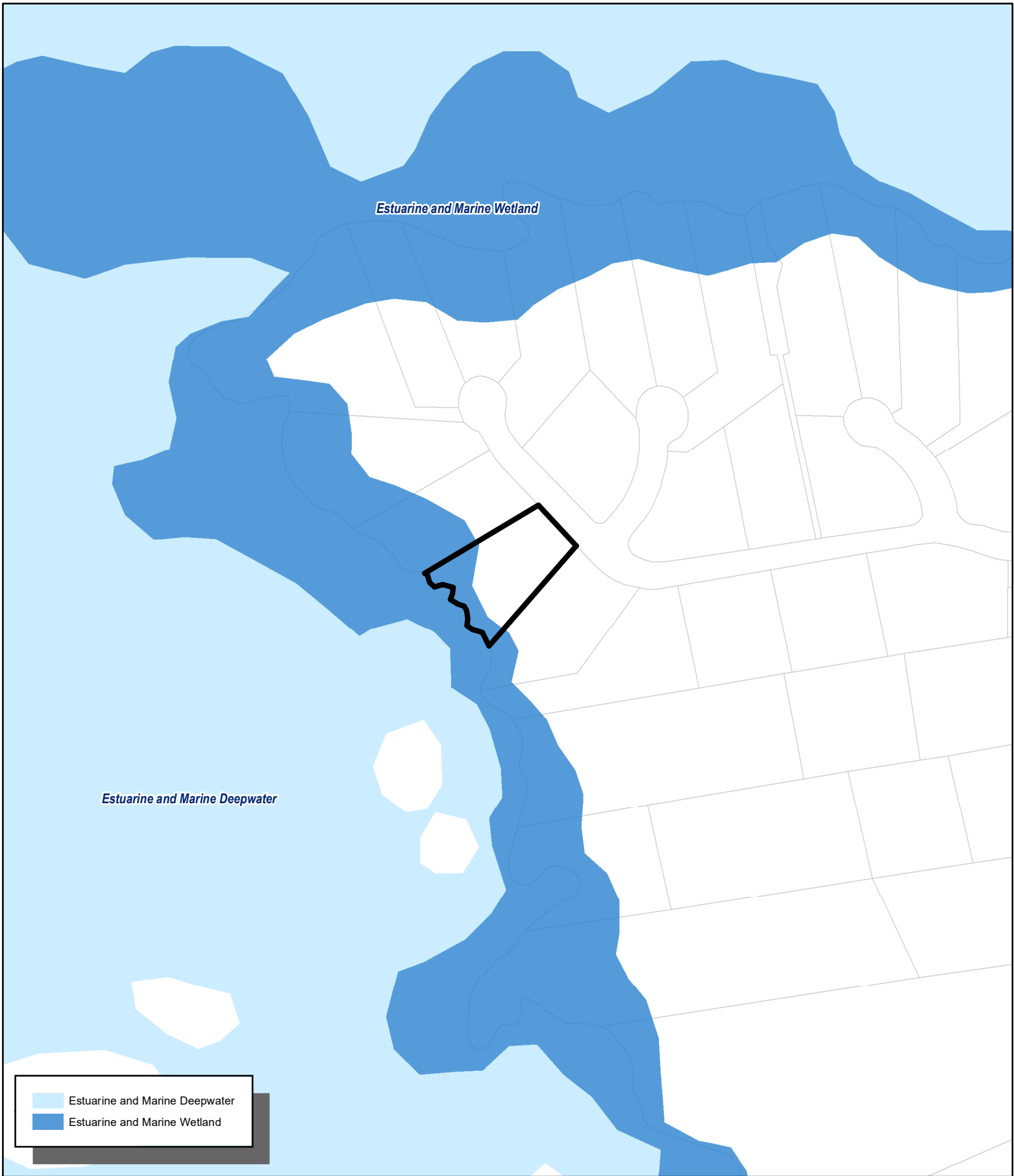


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**FLOOD & TSUNAMI INUNDATION ZONES**



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*Estuarine and Marine Wetland*


*Estuarine and Marine Deepwater*

	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland

0 135 270 Feet  
 0 0.0225 0.045 Miles

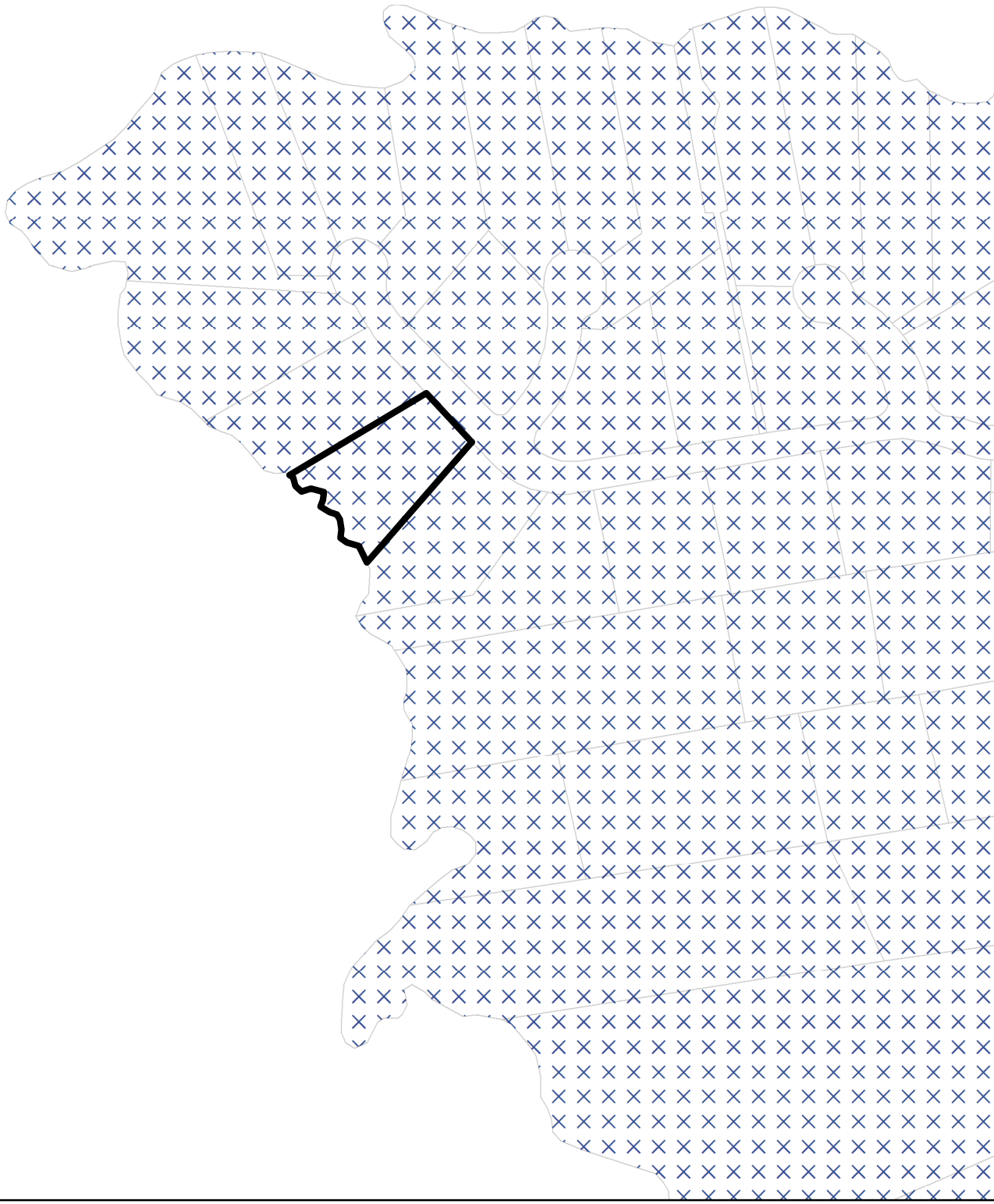


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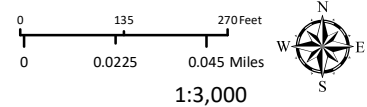
**WETLANDS**

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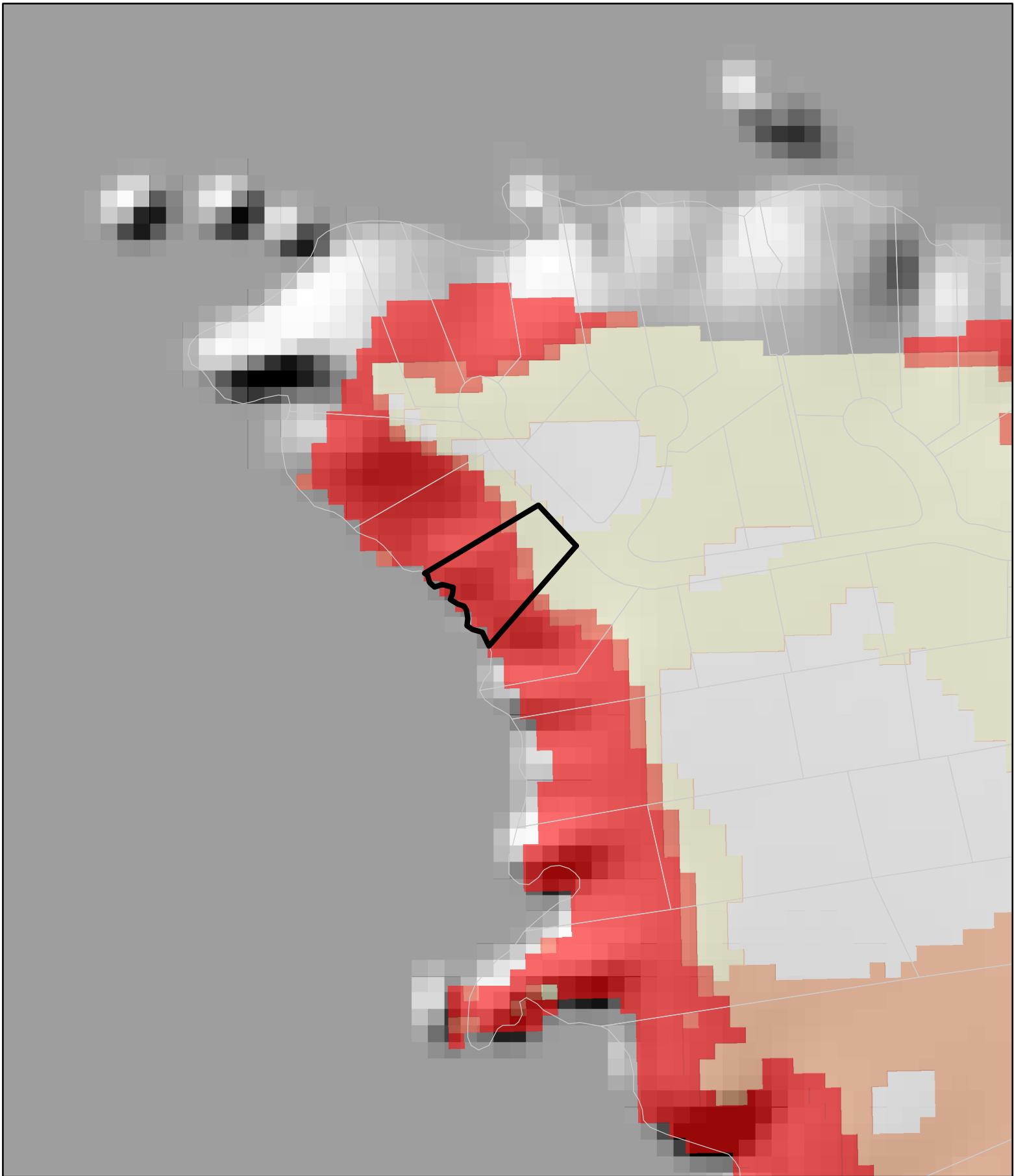
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 Critical Water Resources  
 Assessors Parcels

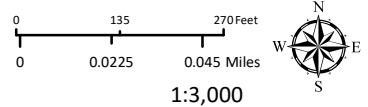
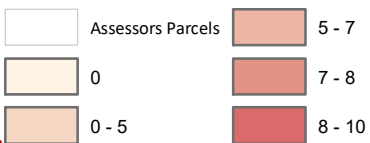


**1:3,000**  
**COASTAL GROUND WATER RESOURCES**

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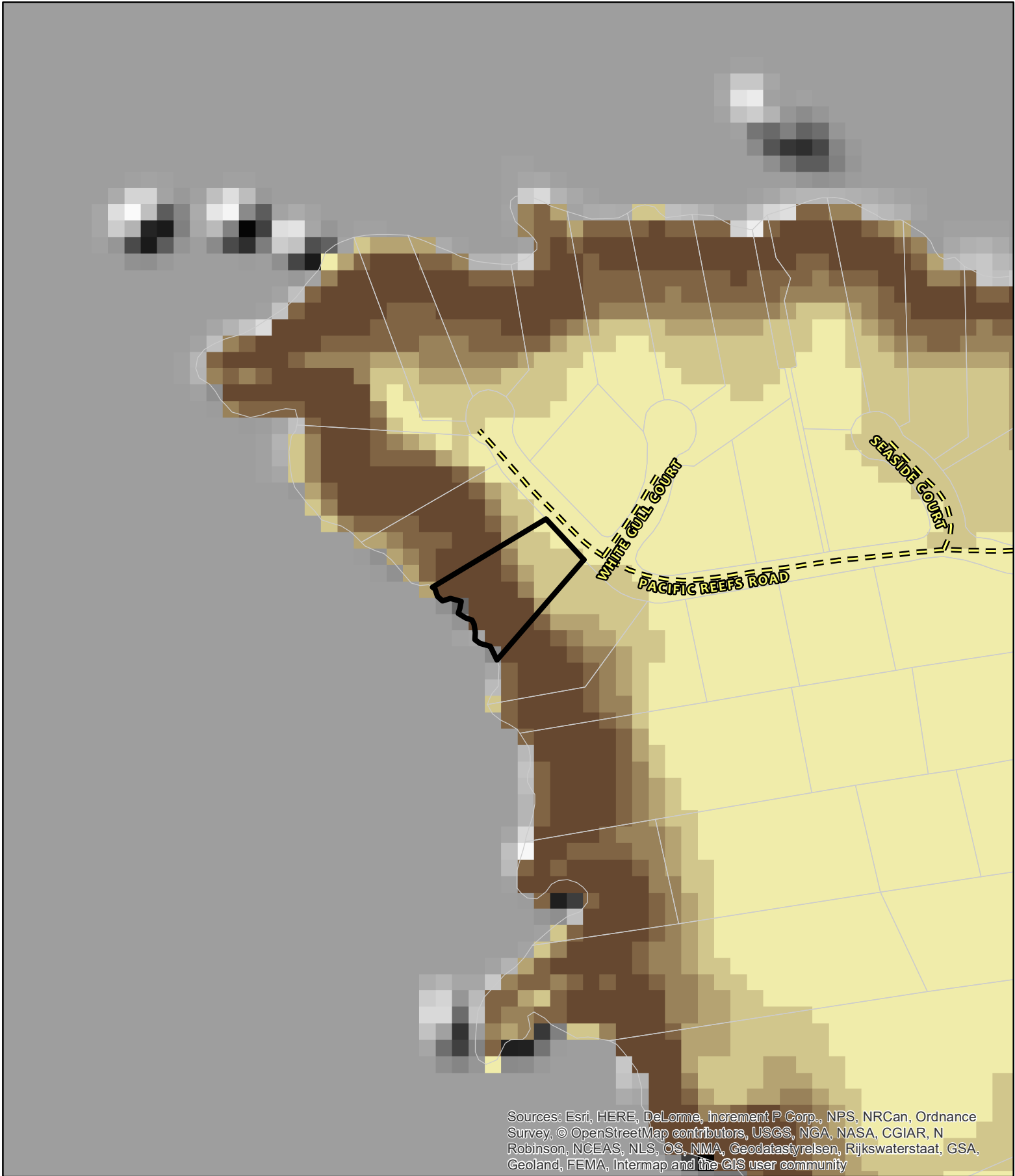


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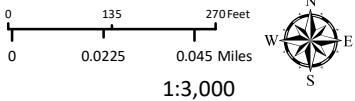
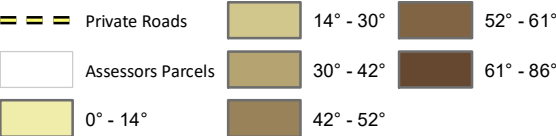
**LANDSLIDE HAZARDS**

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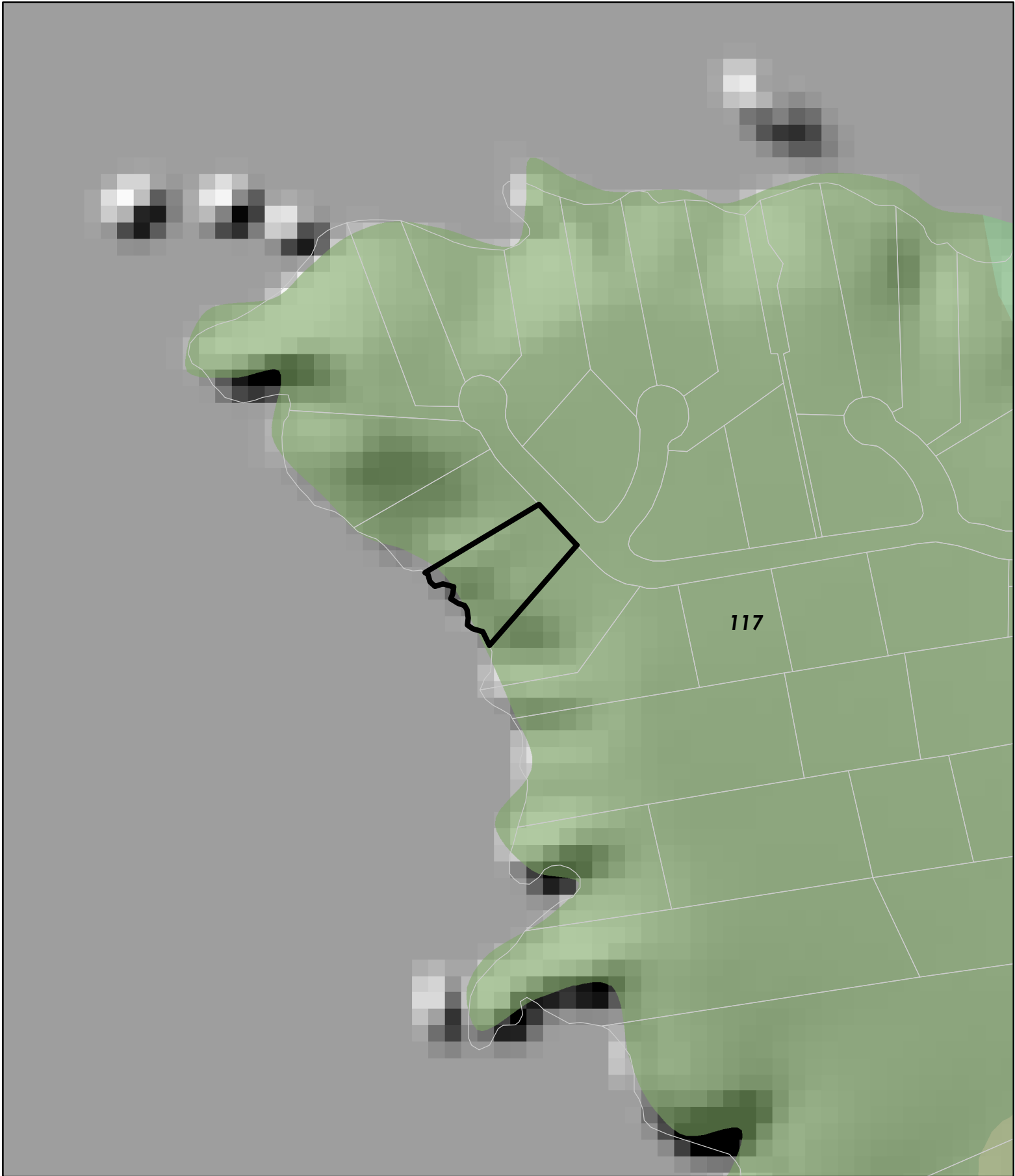
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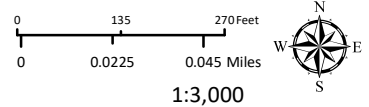
**ESTIMATED SLOPE**

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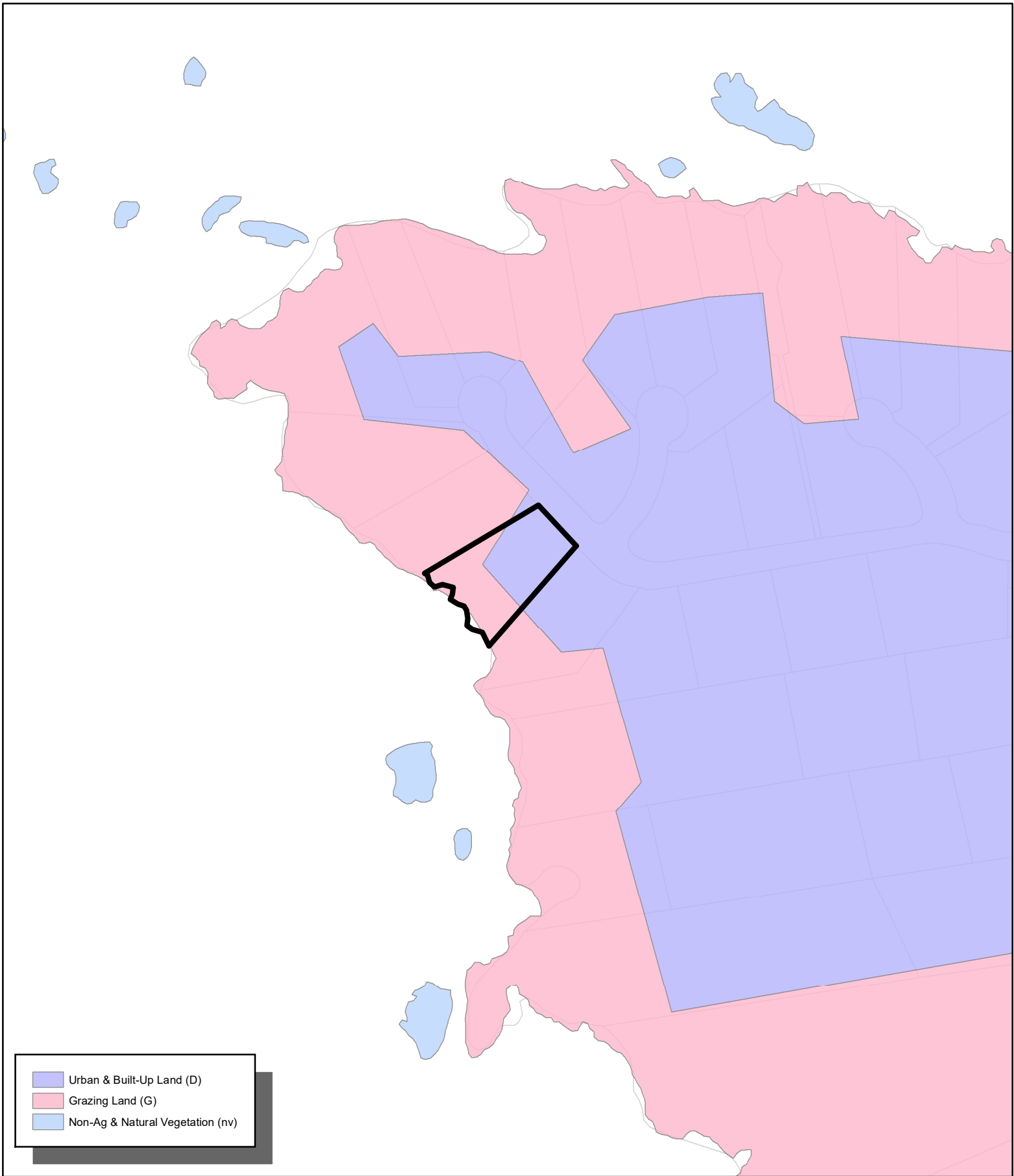
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 Assessors Parcels




**WESTERN SOIL CLASSIFICATIONS**

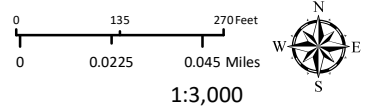
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	Urban & Built-Up Land (D)
	Grazing Land (G)
	Non-Ag & Natural Vegetation (nv)

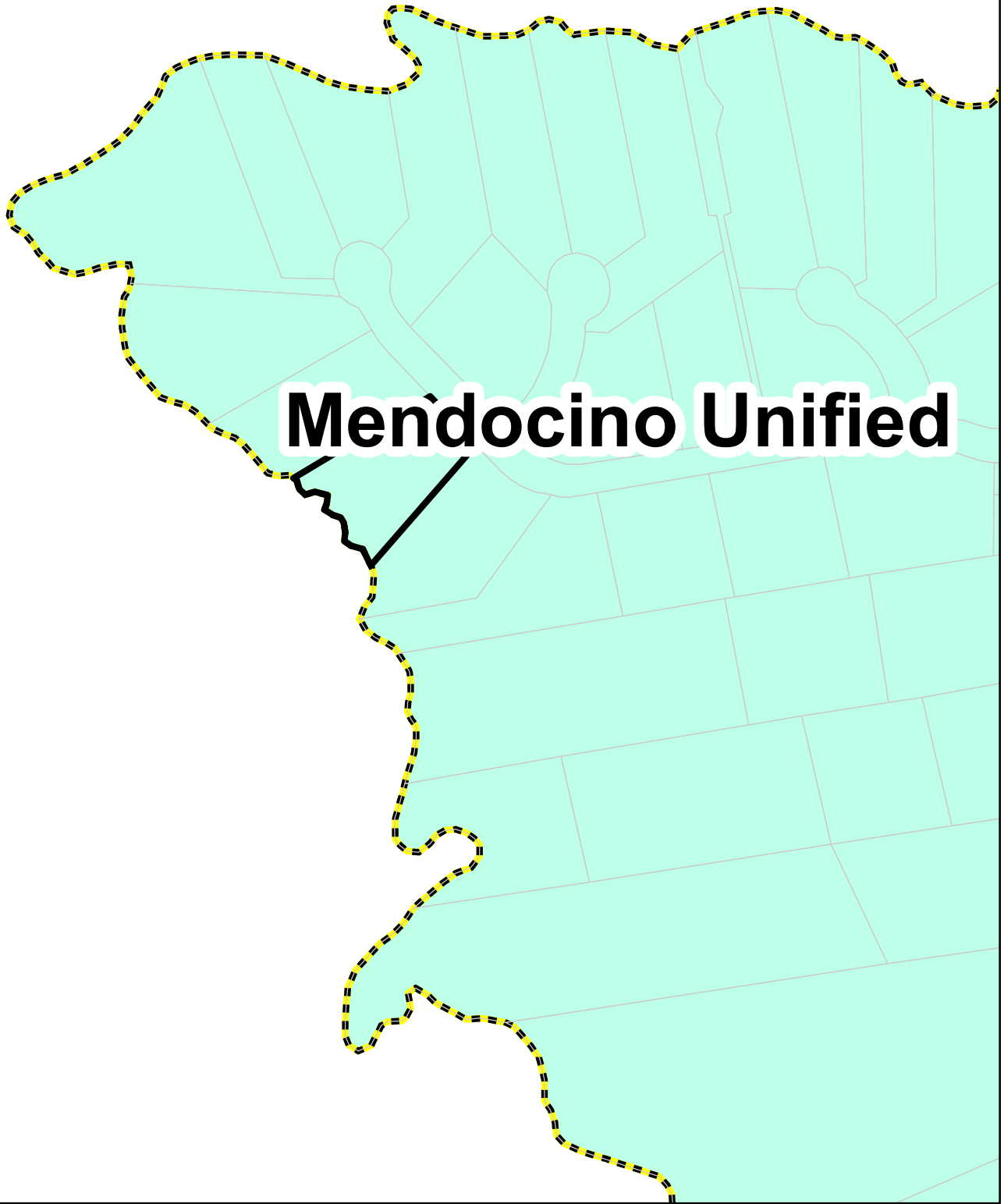
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**IMPORTANT FARMLANDS**

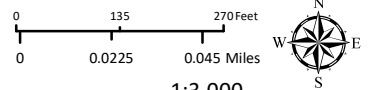
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# Mendocino Unified

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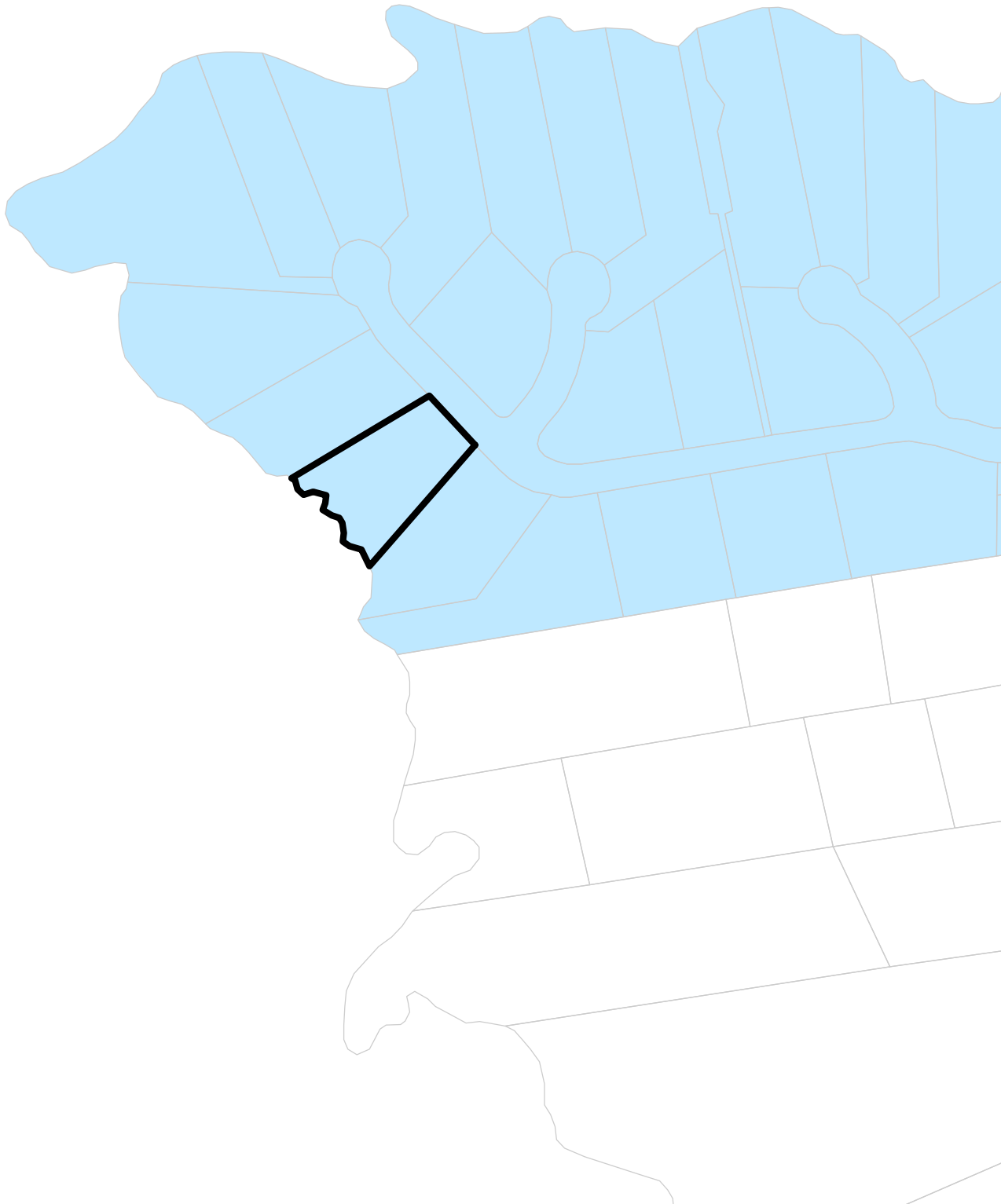
 Assessors Parcels





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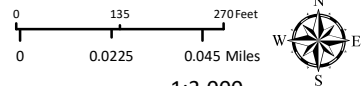
SCHOOL DISTRICT

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 Assessors Parcels  
 County Water Districts



1:3,000  
**WATER DISTRICT**

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