



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT (BOS)- CDP_ADMIN**

**JUNE 21, 2016
CDP_2014-0035**

SUMMARY

OWNER/APPLICANT: ROBERT & PAMELA YAZELL
PO BOX 2390
NEVADA CITY, CA 95959

AGENT: CYNTHIA SHARON
16312 OLD CASPER RR RD
FORT BRAGG, CA 95437

REQUEST: An Administrative Coastal Development Permit for a 1,752-square-foot one-story single-family residence, 600-square-foot garage, and 1,360 square feet of decking. The proposed would be a three-bedroom, two-bath home. Associated development includes septic, a propane tank, and improving an existing dirt road with gravel paving.

DATE DEEMED COMPLETE: January 15, 2016

LOCATION: Approximately six miles north of Manchester, lying west of Alta Mesa Road, approximately 200 feet north of its intersection with Sea Cypress Drive in the Irish Beach subdivision. Located at 43750 Alta Mesa Road, Manchester; APN 132-072-09.

TOTAL ACREAGE: 2.0

GENERAL PLAN: RR5-PD

ZONING: RR:5

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Approve with conditions and mitigation measures

STAFF PLANNER: JULIANA CHERRY

BACKGROUND

PROJECT DESCRIPTION: An Administrative Coastal Development Permit for a 1,752 square foot one-story single-family residence, 600 square foot garage, and 1,360 square foot of decking. The proposed would be a three-bedroom, two-bath home. Floor plans include a utility room, and open floor plan for the kitchen, dining, and living room areas. The majority of the 1,360 square feet of decking are west-facing. Associated development includes septic, a propane tank, and paving an existing dirt road with gravel. The building site was previously disturbed. A Mitigated Negative Declaration has been prepared; buffers are recommended between the proposed development and Point Arena Mountain Beaver habitats. Mitigation measures and avoidance measures are listed as recommended conditions of approval and California Department of Fish and Wildlife concur with these recommendations.

APPLICANT'S STATEMENT: "This two acre site is a gentle sloping hill with a flat top, due to the fact that it was an old open-pit gravel- borrow. The new 1,800-square-foot [residence] and 600-square-foot garage will be located in this flat area. The two buildings and an accompanying 6-foot high fence will enclose a landscaped courtyard. The existing dirt road will be [improved with] gravel. The top of the site has few trees or large vegetation, so minimal [vegetation] removal will be required. There will be septic tank, leach-field, and propane tank [on-site]" (Project statement, September 26, 2015).

RELATED APPLICATIONS:

On-Site

- None

Neighboring Property

- APN 132-072-03 Approved CDP 2007-20 for a single-family residence
- APN 132-072-07 Approved CE 2001-25 for a single-family residence
- APN 131-111-01-3 92-acre site under Williamson Act Contract

SITE CHARACTERISTICS: The site is located in Manchester and is accessed from Alta Mesa Drive. The two acre site is an old, open-pit gravel borrow recognized by the Bureau of Mines. The topography of the parcel is mound shaped with relatively flattened top that is about one acre in area. An old road spirals from the mound beginning at Alta Mesa Drive (easterly side of the parcel), and then reaches a terraced top near its northerly boundary. The project site is approximately half a mile from the coast. The elevation of the site ranges from 360 to 405 feet.

"Vegetation at the terrace top where the house will be built is ruderal grassland and rocky bare soil with some emergent stunted trees. Northern coastal scrub occurs in the steep areas of the parcel ringing the terrace. A relatively flat area to the northeast of the mound, the most likely possibility for locating leach fields, is vegetated with Northern coastal scrub, non-native grassland and Monterey pine trees with sparse understory vegetation" (Spade Natural Resources Consulting, August 18, 2014, page 3).

Point Arena mountain beaver (PAMB) burrows were identified on the property in 2014 (Spade, September 14, 2014, page 6). An estimated thirty burrow openings were present during the October 2012 survey. These openings were located within the coastal scrub with friable soils. Additional burrows were located in areas to the north. Suitable vegetation is present in all areas mapped as Northern coastal scrub and PAMB may create above-ground runs and forage for food.

SURROUNDING LAND USE AND ZONING: The adjacent lands to the east, south, and west are designated Rural Residential. Three of the six adjacent lots are vacant. The others are developed with single-family residential structures. One lot to the north of the project site is approximately 92 acres and is under contract through the Williamson Act. Generally, the project location is similar to the surrounding residential lots in size and developed area.

ORIENTATION TO PROJECT SITE	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RL 10	RL 160	+/- 92 acres	Agricultural-Williamson Act
EAST	RR 5	RR	+/- 3 acres	Vacant
SOUTH	RR 5	RR	+/- 1 acre	Residential
WEST	RR 5	RR	+/- 0.5 acres	Residential

PUBLIC SERVICES:

Fire District: REDWOOD COAST
 Water District: IRISH BEAC
 Sewer District: NONE
 School District: POINT ARENA

AGENCY COMMENTS: On January 15, 2015, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval, where appropriate, are contained in Exhibit A of the attached resolution. Any comment that would trigger a project modification or denial is discussed as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
PBS Planning, Ukiah		No Comment	1-23-2015
Department of Transportation		Comment	2-9-2015
Environmental Health, Fort Bragg		Comment	1-23-2015
PBS Building Inspection, Fort Bragg		No Comment	1-23-2015
County Addresser		No response	
Archaeological Commission		No response	
Sonoma State University		Comment	1-27-2015
US Fish and Wildlife Service		Comment	2-9-2015
CalFire		Comments	1-27-2015
Cal Dept. Fish and Wildlife		Comments	12-15-2015
Coastal Commission		No response	
Irish Beach Water District		No response	

KEY ISSUES

1. General Plan and Zoning Consistency:

The subject parcel is classified as Rural Residential with a Planned Development combining designation (RR5-PD) by the Coastal Element of the Mendocino County General Plan, which 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 minimum parcel size for the RR-5 land use classification within water and sewer districts is 5-acres for standard single-family residential lots. The proposed use, Single-Family Residential, is consistent with the RR5-PD classification of the Coastal Element of the Mendocino County General Plan.

The proposed project satisfies the density, yard, lot coverage, and structural height requirements of Chapter 20.376 Rural Residential Districts. One single-family home is proposed on a 2-acre site. Structures will be located to reduce impact to Point Arena mountain beaver habitat and are proposed to be setback more than 30-feet from any property line. The residential structure will have a maximum height of 22-feet and the gabled roof over the garage is proposed to be 16.75-feet above grade.

2. Mendocino County Local Coastal Program:

The proposed project is located within the boundaries of Mendocino County Local Coastal Program area and is partially bisected by the E-91-2A Categorical Exclusion mapped area for single-family residences. The site provides habitat for the Point Arena mountain beaver (PAMB). The presence of a protected species, and the recommended mitigation measures to limit significant impacts to their habitat, means that findings for a Categorical Exclusion cannot be established. There is the potential for a significant adverse effect on coastal resources.

The attached Coastal Permit Approval Checklist details how the uniform application of standard conditions of approval will help to ensure the proposed project can satisfy all required findings for an Administrative Coastal Development Permit, pursuant to Chapters 20.532 of the Mendocino County Code. These standard permit conditions fully address Coastal Permit requirements regarding Hazards (fire safety), Utilities (leach field locations), Access Roads (encroachments), Archaeological and paleontological resources. The following key issue section (section 3) describes the how the project will fulfill the environmental protection.

3. Environmental Protection:

In conformance with CEQA Guidelines Section 15070 et seq, an Initial Study was prepared. Forty-three (43) mitigation measures are recommended to reduce the impacts on PAMB habitat, as specified by the special study prepared for the project, and two (2) mitigation measures are added in response to comments from the California Department of Fish and Wildlife (CDFW). The report findings and CDFW comments are discussed below. The Initial Study and Mitigated Negative Declaration were posted on **March 24, 2016**, 35-days prior to the scheduled Coastal Permit Administrator Determination.

An *environmentally sensitive habitat area report of compliance* was prepared for the project (Maslach, July 2015). The report states, "The purpose of the study was to determine if the proposed project was the least environmentally impacting alternative. Point Arena mountain beaver (PAMB) burrows and their habitat were previously identified on the parcel. Because 99.2% of the parcel is within the fifty-foot ESHA buffer, an analysis of alternatives was conducted to determine the least environmentally impacting location for siting a residence. The proposed project affords the greatest protection of PAMB habitat through the use of a previously cleared building site and the implementation of mitigation, namely PAMB habitat creation through the removal of Monterey pines and a deed restriction on the parcel." The report recommends several mitigation measures which are listed in Exhibit A to this report.

On December 15, 2015, California Department of Fish and Wildlife concurred with this report, and provided two recommendations: (1) Avoidance and mitigation measures, as detailed in the Updated ESHA Report, should be incorporated as enforceable conditions for approval of CDP 2014-0035; and (2) In order to prevent accidental human-caused disturbance or rushing of Point Arena mountain beaver burrows on the project site, sensitive habitat signage or other visual markers should be installed, if fencing will not be used. These two comments are added to the 43-recommended mitigation measures.

Consequently, the certification of a Mitigation Negative Declaration and Mitigation Monitoring and Reporting Program is recommended.

DETERMINATION

The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program is certified and Administrative Coastal Development Permit is granted for the Project, as proposed by the applicant and recommended by staff, based on the facts and findings contained in this report and subject to the conditions of approval in Exhibit A.

DATE

Juliana Cherry
Planner III

DATE

Andy Gustavson
Chief Planner

ATTACHMENTS:

- A. Location Map
- B. Topographical Map
- C. Aerial Map
- D. Site Plan
- E. Plot Plan
- F. North & South Elevations
- G. East & West Elevations
- H. Floor Plan
- I. Adjacent Owner Map
- J. Zoning Map
- K. General Plan Map
- L. LCP Map
- M. Fire Hazards Map
- N. Slope Map
- O. Soils Map

Coastal Permit Approval Checklist

Initial Study and Mitigated Negative Declaration available online at:
<http://www.co.mendocino.ca.us/planning/meetings.htm>

Conditions of Approval, Mitigation Measures and Monitoring Program (Exhibit A)