



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT FOR ADMINISTRATIVE CDP**

**ARRIL 5, 2022
CDP_2020-0025**

SUMMARY

OWNER/APPLICANT BRYAN PAULSON
PO BOX 339
ALBION, CA. 95410

AGENT: JOHN JOHANSON
PO BOX 490
ALBION, CA. 95410

REQUEST: Administrative Coastal Development Permit to construct a two-story, 3,200 square foot, single-family residence and connect to existing well and septic. Demolition of existing abandoned structure and the relocation of a modular home off-site. Construct a 640 square foot guest cottage over a four-car garage.

LOCATION: In the coastal zone, 1.15± miles southeast of Albion town center, lying on the south side of Albion Ridge Rd. (CR 204), 500± feet east of its intersection with Albion Ridge D Rd. (private); located at 32505 Albion Ridge Rd., Albion; APN: 123-210-28.

TOTAL ACREAGE: 21.8± Acres

GENERAL PLAN: Rural Residential (RR:10)
General Plan; Coastal Element Chapter 4.9

ZONING: Rural Residential (RR-10)
Mendocino Coastal Zoning Code; Division II

COMBINING DISTRICTS: None

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: MATT GOINES

BACKGROUND

PROJECT DESCRIPTION: Construct a 3,200 square foot, two-story, single-family residence and connect to existing well and septic. Demolition of existing, abandoned, dilapidated structure and the relocation of a modular home off site. Construct a 640 square foot guest cottage over a four-car garage.

APPLICANT'S STATEMENT: Three-bedroom, wood frame, two-story, single-family residence with existing well and septic system. Gravel driveway and parking area will be provided.

RELATED APPLICATIONS:

On-Site:

- CE 14-99 (Well Replacement)
- CDP_104-03 (Single-family Residence)

- BF_2003-1205 (Single-family Residence)
- ST23742 (Septic System, permit never issued, see **condition 11**)

SITE CHARACTERISTICS: In the coastal zone, 1.15± miles southeast of Albion town center, lying on the south side of Albion Ridge Rd. (CR 204), 500± feet east of its intersection with Albion Ridge D Rd. (private). The parcel is accessed via a private driveway off of Albion Ridge Rd. which has a Corridor Preservation Setback of 30 feet with a road classification of “Local Connector” per Mendocino County Code (MCC) Sec. 20.444.020 - Corridor Preservation Setback. There will be at least two designated parking areas for the residence, although the property can easily accommodate more if needed. Approximately 50 percent of the parcel is covered with wooded forests, the other 50 percent is open meadows. On the western side of the property there is a manmade pond approximately 0.37 acres in size. The above-mentioned site characteristics can be seen on the **Location Map** and **Aerial Imagery Map** in attachments. The subject site is surrounded by parcels that are mixed in size ranging from 0.8 acres to 10 acres as can be seen on the **Adjacent Parcels Map** in attachments. The parcel is developed with a single-family residence, accessory structure, well, septic system, and electrical utilities.

A Biological Scoping Survey was conducted May 5, May 31, July 9, July 20, and July 26 of 2018 by Wynn Coastal Planning & Biology (Wynn, 2020). The report found no special status plants within the designated building envelope. However, mitigation measures will be put in place to ensure that no degradation shall occur to any potential environmentally sensitive habitat areas. See **habitats and natural resources** below in this staff report for more information regarding the biological scoping survey.

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are mostly developed and zoned Rural Residential (RR). The intent of the single-family residence, guest cottage/garage, and associated utilities will be consistent with the surrounding land uses and development.

Table 1: Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR10)	Rural Residential (RR10:PD)	1.13±; 1.76± Acres; County Road	Residential
EAST	Rural Residential (RR10)	Rural Residential (RR10)	20.45±; 0.95± Acres	Residential
SOUTH	Rural Residential (RR5)	Rural Residential (RR5)	0.95±; 1.55±; 0.95±; 1.10± Acres	Residential
WEST	Rural Residential (RR10)	Rural Residential (RR10)	1.0± Acre	Residential

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed single-family residence and appurtenant structures and demolition are consistent with and do not conflict with the goals and policies of the Local Coastal Program, General Plan, and Zoning Code, as detailed below:

Land Use: The project site is located within the boundaries of the Local Coastal Program (LCP) area, as shown on **LCP Land Use Map 18: Albion map** in attachments. The subject parcel is classified as Rural Residential (RR:10) by the Mendocino County General Plan, as shown on the **General Plan Classifications Map** in attachments.

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, 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.”

Additionally, the Coastal Element Chapter 2.2 Rural Residential Classification details a Principal Permitted use as

“Residential and associated utilities, light agriculture, home occupation.”

The proposed single-family residence is a Principal Permitted use for the Rural Residential Classification and the appurtenant structures are accessory to the primary use, therefore the project as proposed is allowable under the Coastal Element Chapter 2.2. The lot coverage for the parcel will be minimal as the residence has a total square footage of 3,200 square feet and the guest cottage/garage will be approximately 2,736 square feet. Since the property is over 20 acres, the impacts to agricultural viability will be minimal, therefore, the proposed development is consistent with the intent and allowed use associated with residential development per Mendocino County Coastal Element Chapter 2.2.

Zoning: The zoning codes enforce the intent of the land use classification. This project site is located within a Rural Residential district, as shown on the **Zoning Display Map**.

The Rural Residential 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.”

Guest cottages are compatible with the RR district and designated as permitted accessory uses, per MCC Chapter 20.456.015, which states the following:

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

(A) Private garages.

(G) Accessory Living Unit. Not more than one accessory living unit for each legal parcel.”

An “Accessory Living Unit” is defined in MCC Section 20.308.020 as:

“...a detached bedroom as defined in Section 20.308.035(B) or a guest cottage as defined in Section 20.308.050(I).”

A “Guest Cottage” is defined, per MCC Section 20.308.050(I), as:

“...a detached building (not exceeding six hundred forty (640) square feet of gross floor area), of permanent construction, without kitchen, clearly subordinate and incidental to the primary dwelling on the same lot, and intended for use without compensation by guests of the occupants of the primary dwelling.”

A “Private Garage” is defined in MCC Section 20.308.050 (A), as:

“an accessory building or an accessory portion of the main building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the main building.”

The site is already developed with a single-family residence and supporting infrastructure. The applicant seeks to remove the old single-family residence and construct a new single-family residence and a guest cottage/garage. The project is found to be consistent with the Zoning classification and General Plan of

Rural Residential as it will allow for the continuance of the existing legal use on the parcel. The proposed project will further provide for the implementation of the County's Housing Element of the General Plan and provide additional newer and safer housing stock within the Coastal Zone. The impacts to the agricultural viability of the property will be minimal as the property is over 20 acres.

The project will not impact or encroach on any property line setback requirement for the RR District per MCC Sec. 20.376 as it meets the minimum requirements. The property is zoned RR:10, requiring a 50-foot setback per MCC Sec. 20.376.030 & 035. The maximum building height allowed in the RR District is 28 feet above the natural grade for Conditionally Highly Scenic Areas with the conditions found at this project site. As currently proposed, the proposed development will be a maximum height of 18-20 feet, as shown on the multiple *Elevations drawings* in attachments. The lot coverage for the parcel will be minimal as the residence has a total square footage of 3,200 square feet and the guest cottage/garage will be approximately 2,736 square feet. As the property is over 20 acres, the proposed structures will not impact the maximum 20 percent allowable lot coverage. A minimum of two off-street parking spaces are required for the residential unit; the site has adequate capacity for the required parking.

The guest cottage portion of the proposed guest cottage/garage is 640 square feet. **Condition 9** is in place to ensure the guest cottage will not have a kitchen or cooking facilities, will be clearly subordinate and incidental to the primary dwelling, and will not be separately rented, let, or leased whether compensation be direct or indirect. The garage portion of the guest cottage/garage and is accessory to the primary structure, and is therefore clearly subordinate and incidental to the primary dwelling.

Note: Air Quality Management District replied to the agency referral request with comments requesting an asbestos report for the demolition of the accessory structure. The accessory structure does not contain regular asbestos-containing material (RACM) Such as gypsum board, mastic glue, or any friable material that may potentially contain asbestos. The structure is made entirely out of wood and some metal. The structure was erected in the early 1900s before the use of asbestos in construction material. Therefore, no additional mitigation measures or report shall be required other than adherence to the best management practices mentioned in **Condition 17**.

As currently proposed, the project will comply with the development standards of MCC Chapters 20.376, 20.456, 20.472 and 20.532 of Division II of Title 20 of the MCC.

Visual Resources: The site is mapped as a Conditionally Highly Scenic Area, however, because the proposed residence would not be visible from State Route 1, or any park, beach or recreation area and would not be out of character with surrounding development, the proposed development is not subject to Policy 3.5-1 of the Coastal Element, which states:

"The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected 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..."

Condition 10 requires exterior lighting to be kept to the minimum necessary for safety and security purposes, be downcast, shielded and positioned in a manner that will not shine light or allow light glare to extend beyond the boundaries of the parcel in compliance with MCC Section 20.504.035.

Hazards Management: The property is not located on a bluff top, fault line, or landslide area. The property is relatively flat with varying degrees of slope throughout the property. The parcel is designated as having a "High Fire Hazard" severity rating, as shown on the *Fire Hazard Zones & Responsibility Areas* map in attachments. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire) and the Albion Little River Fire Protection District. The proposed project was referred to both fire protection agencies, neither of which responded. Coastal Element 3.4, Sec 30253 and MCC 20.500 require that new development shall minimize risks to life and property and assure stability of the site and surrounding areas. Given the location and minimal potential for impact or being impacted by any of the

hazards in MCC 20.500 and the provided fire protection services, the project as proposed will not conflict with Coastal Element 3.4, and complies with MCC Chapter 20.500 *Hazard Areas*, including geologic (faults, bluffs, tsunamis, landslides, and erosion), fire, and flood hazards.

Note: A State Fire Safe Regulations Application Form was supplied to staff at the time of application submission, however the CalFire application is from 2017. Regardless of the date supplied, the minimum standards for CalFire still apply for this project. CalFire File Number 378-17 was issued for the project where standard conditions for driveways, addresses, defensible space, and maintaining defensible space were part of the approval. **Conditions 4 and 5** require the applicant to secure all necessary permits for the proposed development from County, State, and Federal agencies having jurisdiction, which ensures any fire protection policy or plan will be addressed. With the inclusion of these conditions, the proposal would be consistent with Mendocino County policies for fire protection.

Habitats and Natural Resources: Both the Mendocino County Coastal Element and Mendocino County Code (MCC) address Environmentally Sensitive Habitat Areas (ESHA). MCC states that development having the potential to impact an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to determine the extent of sensitive resources, to document potential negative impacts, and to recommend appropriate mitigation measures. The site is designated as Barren, as shown on the *LCP Habitats & Resources* map in attachments.

As previously mentioned, Wynn Coastal Planning & Biology conducted a *Biological Scoping Survey* (Wynn, 2020). Wynn's survey recommends mitigation and avoidance measures for the potential impact to special status birds, bats, and amphibians, erosion and native landscaping, and invasive plants. While many species of flora and fauna were noted, none of them were considered "special status" and do not require any special considerations. All development maintains a greater than 100 foot buffer to any identified ESHA. The proposed project was referred to California Coastal Commission (CCC) and California Department of Fish and Wildlife (CDFW), where it was recommended by CCC to follow the measures outlined in the biological report to reduce potential impacts. CDFW has not responded to the agency referral request as of the completion of this report.

To prevent impacts to ESHA's, **Condition 12 through Condition 16** are in place requiring that the mitigation measures as described in Section 6, mitigation and avoidance measures of the *Biological Scoping Survey* (Wynn, 2020) be followed to prevent disturbance to all ESHA's during construction of the proposed project.

With adherence to said conditions, the proposed project will not conflict with Coastal Element 3.1, and complies with MCC Chapter 20.496 *Environmentally Sensitive Habitat and Other Resource Areas*.

Grading, Erosion, and Run-Off: The area of the proposed single-family residence and accessory structures is relatively flat, as shown on the *Topographic Map* in attachments. As proposed, grading will occur at the time of construction of the proposed single-family residence, accessory structures, and the connection to utilities, driveway upgrades, water, sewer and electricity. Best Management Practices shall be implemented during construction to prevent delivery of sediment over the bluff edge. **Conditions 4 and 5** require the applicant to secure all necessary permits for the proposed development 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 through the appropriate agency or department. The proposed single-family residence and accessory structures will not significantly alter the original elevation, compaction, or the agricultural viability of the property. The proposed project complies with MCC Chapter 20.492 *Grading, Erosion, and Runoff* and MCC Section 18.70.027 *Grading as "Development" in the Coastal Zone*.

Groundwater Resources: The site is designated on the Mendocino County Coastal Groundwater Study Map as a Critical Water Resource area, as shown on the *Ground Water Resources* map in attachments. A Categorical Exclusion Permit (CE 14-99) for a well replacement was issued and completed. The well has been in use ever since. A septic permit (ST23742) has been approved but not issued, to support three bedrooms. The proposed development includes 3 bedrooms, plus one additional bedroom for the future guest cottage. The project was referred to the Mendocino County Division of Environmental Health (DEH) to review impacts to water and septic, where DEH responded with recommendations requiring the

aforementioned septic permit be finalized prior to final of associated building permits for the proposed development. Additionally the septic system proposed for this development is shown in the wrong location and as a result, according to DEH, a new site plan will need to be submitted. After the new site plan is submitted, an archival review will need to be performed to satisfy DEH. **Conditions 4, 5, and 11** are in place requiring the applicant to secure all necessary permits for the proposed development from County, State, and Federal agencies having jurisdiction which ensures any groundwater and DEH regulations will be addressed through the appropriate agency or department. With adherence to said conditions, the proposed project will be consistent with the Local Coastal Program policies related to groundwater resources and DEH regulations and MCC Section 20.516.015 (B)(1) *Water Supply*.

Archaeological/Cultural Resources: The proposed development was referred to Mendocino County Archaeological Commission (ARCH) and Northwest Information Center at Sonoma State University (SSU). A reply was received from SSU with a recommendation that a cultural resources survey be conducted.

Staff notes that **Condition 8** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project. On November 3, 2021, an archaeological survey was completed by Alta Archaeological Consulting. The project area and surrounding lands totaling approximately 4.9 acres was surveyed with the conclusion that no cultural resources were identified. According to the survey the project as presently designed and located does not anticipate having any adverse effect on significant cultural resources.

The project was referred to the following local tribes for review and comment: Sherwood Valley Rancheria, Redwood Valley Rancheria, and Cloverdale Rancheria. As of this date, no response has been received.

With adherence to said conditions, The proposed project complies with 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 as there already exists a residence, utilities, and a driveway. The cumulative effects of traffic resulting from development on this site were considered when the Coastal Element land use designations were assigned. The project was referred to Mendocino County Department of Transportation (DOT) for input, where comments were received. DOT requested that an encroachment permit be obtained and construct a private road approach in accordance with County Road and Development Standards. However, since there already exists a single-family residence on the property and the applicant simply seeks to demolish and upgrade the residence, the project therefore is not expanding the use or intensity in regard to a principally permitted single-family residence. As such, this request from DOT exceeds Nexus and Proportionality for the requested permit conditions, as there must be "rough proportionality" between the condition's requirements and the impacts of the development. The proposed project complies with MCC Section 20.516.015 (C)(2) *Transportation Systems*.

Appealable Area: This property is not located in the California Coastal Commission Appealable Area.

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 to be Categorically Exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15303, Class 3(a) and Class 3(e), new construction.

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, the Coastal Permit Administrator approves the proposed project to construct a single-family residence, guest cottage/garage, and utility connections and adopts the following findings and conditions.

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), as the proposed development is a principal permitted use in the rural residential district per Mendocino County code chapter 20.376.010 (A) and the guest

cottage/garage is an accessory use to the principal permitted use Per Mendocino County code section 20.456.015 (A) and (G), with the previously mentioned Mendocino County codes along with Coastal Element chapter 2.2 and policy 3.2-11, the proposed project is in conformity with the certified local coastal program; and

2. Pursuant with MCC Section 20.532.095(A)(2), as the property is already adequately developed and the proposed development will not be removing any of the necessary standard development features, only potentially upgrading to current Mendocino County standards, with adherence of **Conditions 4, 5, and 11** the proposed project will not detract from the adequate utilities, access roads, drainage and other necessary facilities; and
3. Pursuant with MCC Section 20.532.095(A)(3), as the proposed development is a principal permitted use in the rural residential district per Mendocino County code chapter 20.376.010(A) and the guest cottage/garage is an accessory use to the principal permitted use per Mendocino County code section 20.456.015(A) and (G), and does not promote or create degradation to the agricultural viability of the property or the intent of the Rural Residential Zoning District, the proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this division and preserves the integrity of the zoning district; and
4. Pursuant with MCC Section 20.532.095(A)(4), as the proposed development is to be completed in compliance with the conditions of approval, it will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. Construction of a single-family residence, a guest cottage/garage, accessory structures, and accessory developments are categorically exempt pursuant to Article 19, Section 15303, Class 3(a) and Class 3(e); and
5. Pursuant with MCC Section 20.532.095(A)(5), as the archeological survey provided by Alta Archaeological Consulting conducted on November 3, 2021, shows no cultural resources located within the surveyed area, the proposed development will not have any adverse impact on any known archaeological or paleontological resources. **Condition 8** advises the applicant of the County's "discovery clause" which establishes procedures to follow in the event that archaeological or cultural materials are discovered during site preparation or construction activities; and
6. Pursuant with MCC Section 20.532.095(A)(6), as the property is currently developed, public services, including but not limited to solid waste and public roadway capacity, have been found to be adequate to serve the proposed development, therefore the proposed development is not anticipated to significantly affect demands on public services.

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 expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. To remain valid, progress towards completion of the project must be continuous. The applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State, and Federal agencies having jurisdiction.
5. The Applicants shall secure all required permits for the proposed development as required by the Building Inspection Division of the Department of Planning and Building Services, Department of Transportation and Department of Environment Health.

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. Prior to issuance of a building permit for the guest cottage in reliance of this Coastal Development Permit, the applicants shall execute and record a deed restriction stating that the guest cottage shall not contain facilities, either permanent or temporary and portable, for the cooking or preparation of food, shall not be used as an independent dwelling unit until such time as appropriate permits are obtained, shall be clearly incidental and subordinate to the primary dwelling on the parcel, and shall not be separately rented, let, or leased whether compensation be direct or indirect as defined by MCC Section 20.308.050(I). The property owner has the ability to convert the guest cottage for use as a second residence when regulations are adopted in the future to permit second residences within the Coastal Zone. Such a conversion shall only be allowed after securing all required permits to allow such a use.
10. Prior to issuance of a Building Permit, the property owner shall furnish exterior lighting details consistent with Mendocino County Code of Ordinances Section 20.504.035, for approval from the Coastal Permit Administrator or to the satisfaction of the Director of Planning and Building Services.
11. Prior to finalization of a Building Permit, final approval of the aforementioned septic permit shall be completed, per Division of Environmental Health regulations.
12. In order to provide for the protection of **special status birds**, as described in Section 6 Recommended Avoidance Measures of the *Biological Scoping Survey (Wynn, 2020, 6.1.3)*, the following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
 - a. Tree removal shall be done during the non-breeding season (between September and January). If tree removal is to occur during the breeding season (February to August), a pre-construction survey is to be performed within 14 days of the onset of construction to ensure that no nesting birds will be disturbed during development, and
 - b. If active special status bird nests are observed, no ground disturbance activities shall occur within a 100 foot exclusion zone. These exclusion zones may vary depending on species, habitat and level of disturbance. The exclusion zone shall remain in place around the active nest until all young are no longer dependent upon the nest. A biologist should monitor the nest site weekly during the breeding season to ensure the buffer is sufficient to protect the nest site from potential disturbance, and

- c. Construction shall occur during daylight hours to limit disturbing construction noise and minimize disturbance.
13. In order to provide for the protection of **special status bats**, as described in Section 6 Recommended Avoidance Measures of the *Biological Scoping Survey (Wynn, 2020, 6.1.3)*, the following mitigation measures shall be followed to minimize impacts to presumed ESHA within the study area:
 - a. Removal of vegetation removal and initiation of construction shall be done during non-roosting season (between September 1st and October 31st). If development is to occur during the roosting season (November 1st to August 31st), a pre-construction survey is to be done with 14 days of the onset of construction to ensure that no roosts will be disturbed during development, and
 - b. If evidence of bats use is observed, 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, and
 - c. Construction shall occur during daylight hours to limit disturbing construction noise and minimize disturbance.
14. In order to provide for the protection of **special status amphibians**, as described in Section 6 Recommended Avoidance Measures of the *Biological Scoping Survey (Wynn, 2020, 6.4)*, the following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
 - a. Within 2 weeks prior to construction activities, construction personnel shall be trained by a qualified biologist in the identification of **special status amphibians** that occur along the Mendocino County Coast. Workers shall be trained to differentiate between special status and common species and instructed on actions and communications required to be conducted in the event that special status amphibians are observed during construction; and
 - b. During ground disturbing activities, construction crews shall begin each day with a visual search around the staging and impact area to detect the presence of amphibians; and
 - c. During construction and debris removal, any wood stockpiles shall be moved carefully by hand in order to avoid accidental crushing or other damage to amphibians; and
 - d. Construction shall occur during daylight hours to minimize disturbing construction noise and artificial lights, and
 - e. Ground disturbing construction shall occur during the dry season, which is generally April 1st to October 31st of any year, and
 - f. If a rain event occurs during the construction period, all activities shall cease for 48 hours after the rain stops. Prior to resuming construction activities, trained construction crews shall examine the site for the presence of special status amphibians. If no amphibians are observed, normal construction activities may resume. If a special status amphibian is detected, construction crews will stop all ground disturbing work and will contact the California Department of Fish and Wildlife (CDFW) or a qualified biologist. Clearance from CDFW shall then be in agreement with protective measures needed for any potential special status amphibians.
15. In order to provide for the protection of **Sonoma Tree Vole**, as described in Section 6 Recommended Avoidance Measures of the *Biological Scoping Survey (Wynn, 2020, 6.5)*, a Sonoma tree vole survey shall occur prior to tree removal activities. If tree voles are observed, the California Department of Fish and Wildlife (CDFW) shall be immediately notified and steps shall be taken to protect identified tree vole nests per California Department of Fish and Wildlife (CDFW) requirements. Positive survey results are valid for 10 years and negative survey results are valid for 5 years.
16. In order to provide for the protection of **native flora and habitat of native fauna**, as described in

Section 6 Recommended Avoidance Measures of the *Biological Scoping Survey* (Wynn, 2020, 6.6), landscaping shall not include any invasive plants and shall consist of native plants to California and the project site's environment.

17. In order to provide for the protection of **erosion control and run off**, 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 possible. If the weather forecast calls for rain at any time during the demolition process, hay wattles shall be placed in a 20 foot radius around the project site to prevent any runoff of hazardous materials outside of the project area. 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.
18. The conditions of approval shall either be printed on the building permit plans or attached as an additional document with the building plans at the time of submission for the building permit.

3/23/22
DATE

Vandy for M.G.
MATT GOINES
PLANNER II

3-23-2022
DATE

[Signature]
IGNACIO "NASH" GONZALEZ
COASTAL PERMIT ADMINISTRATION

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

ATTACHMENTS:

- | | |
|---|---------------------------------------|
| A. Location Map | N. Wildland-Urban Interface Zones |
| B. Aerial Imagery (Vicinity) | O. Ground Water Resources |
| C. Aerial Imagery | P. Highly Scenic & Tree Removal Areas |
| D. Site Plan | Q. Estimated Slope |
| E. Topographic Map | R. Western Soil Classes |
| F. Zoning Display Map | S. Important Farmland |
| G. General Plan Classifications | T. Mendocino Cypress |
| H. LCP Land Use Map 18:Albion | U. Floor plan 1 |
| I. LCP Land Capabilities & Natural Hazards | V. Floor plan 2 |
| J. LCP Habitats & Resources | W. Elevations 1 |
| K. Post LCP Certification and Appealable Jurisdiction | X. Elevations 2 |
| L. Adjacent Parcels | Y. Elevations 3 |
| M. Fire Hazards Zones and Responsibilities Areas | Z. Cal Fire Application |
| | AA. Wynn Biological Scoping Survey |

AGENCY COMMENTS: On June 24, 2021 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project. A comment response summary is listed below.

REFERRAL AGENCIES	COMMENT
LOCAL	
Air Quality Management District	No Response
Albion Little River Fire Protection District	No Response
Archaeological Commission	Comments
Assessor	No Response
Building Division Ukiah	No Comment

County Addressor	No Comment
Department of Transportation (DOT)	No Comment
Environmental Health	Comments
Planning Division Ukiah	No Comment
STATE	
Calfire (Land Use)	No Response
California Coastal Commission	Comments
California Department of Fish and Wildlife	Comments
California Native Plant Society	No Response
TRIBAL	
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response