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

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**FEBRUARY 03, 2026  
CDP\_2023-0040**

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**SUMMARY**

**OWNER/APPLICANT:** Jeremy & Miranda Weintraub  
831 Delaware Street  
Berkeley, Ca 94710

**AGENT:** Wynn Coastal Planning & Biology

**REQUEST:** Administrative Coastal Development Permit to construct a 624 sf Single Family Residence (SFR), Use of a Trailer Coach for Occupancy while Constructing a Dwelling, Temporary camping up to sixty (60) days in any six (6) month period, Septic Infrastructure, and Water Storage Tanks, convert existing test well to production; develop driveway, and connect to utilities. Phase 2: Construct 2,014 square foot SFR with attached 836 square foot Garage; convert existing 624 square foot SFR to Guest Cottage prior to final inspection of the SFR.

**LOCATION:** In the Coastal Zone, 3.5± miles northwest of Point Arena town center at the terminus of Bill Owens Road (private), 1.5± miles northeast of its intersection with State Route 1 (SR 1), located at 45400 Bill Owens Road, Point Arena; APN: 027-361-15.

**TOTAL ACREAGE:** 19.1± Acres

**GENERAL PLAN:** Rural Residential 10-Acre Minimum (RR:10)

**ZONING:** Rural Residential (RR)

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**RECOMMENDATION:** APPROVE WITH CONDITIONS

**STAFF PLANNER:** Mark Cliser

**BACKGROUND**

**PROJECT DESCRIPTION:** Coastal Development Permit to construct a 624 square foot Single Family Residence (SFR), Use of a Trailer Coach for Occupancy while Constructing a Dwelling, Temporary camping up to sixty (60) days in any six (6) month period, Septic Infrastructure, and Water Storage Tanks, convert existing test well to production; develop driveway, and connect to utilities. Phase 2: Construct 2,014 square foot SFR with attached 836 square foot Garage; convert existing 624 square foot SFR to Guest Cottage prior to final inspection of the SFR.

**RELATED APPLICATIONS:**

- CE\_2021-0014: Categorical Exclusion for test well

**SITE CHARACTERISTICS:** The project site is undeveloped and heavily forested by coastal redwoods. Slopes are between 2 to 15 percent in the vicinity of the development area. A watercourse traverses the northwest corner of the parcel and two ephemeral watercourses are located in the southeast corner. The property slopes downward to these watercourses. Access to the parcel is directly off Bill Owens Road (private), which bisects the property near the southeast corner. State Route 1 is approximately 1.5 miles west. Adjacent parcels are also heavily forested and vary in development.

**PUBLIC SERVICES:**

Access: Bill Owens Road (private)  
Fire District: Redwood Coast Fire Protection District  
Water District: None  
Sewer District: None  
School District: Arena Union Elementary

**AGENCY COMMENTS:** On December 11, 2023, project referrals were sent to the following agencies with jurisdiction over the project. No comments were provided that would trigger a project modification, denial, conditions of approval, or additional required permits.

REFERRAL AGENCIES	COMMENT
Air Quality Management District	No Response
Archaeological Commission	Comments
Assessor's Office	No Response
Building Division (Fort Bragg)	Comments
County Addresser	No Comment
Environmental Health (Fort Bragg)	No Response
Redwood Coast Fire Protection District	No Response
Planning Division (Fort Bragg)	Comments
Sonoma State University (CHRIS)	Comments
California Dept. of Fish & Wildlife	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Round Valley Tribe	No Response
US Fish and Wildlife	Comments

**LOCAL COASTAL PROGRAM CONSISTENCY**

**Land Use:** The subject lot is classified as Rural Residential 10-Acre Minimum (RR:10) as outlined by the Mendocino County Coastal Element Chapter 2.2: Land Use Classifications (see attached *General Plan Classifications*). The 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.*

*Principal Permitted Use: Residential and associated utilities, light agriculture, home occupation."*

The proposed project includes two phases. Phase 1 consists of development of the lot with a 624 square foot Single Family Residence (SFR), use of a trailer coach for occupancy while constructing the SFR,

temporary camping of up to sixty (60) days in any six (6) month period, installation of septic infrastructure and water storage tanks, conversion of an existing test well to a production well, construction of a driveway, and connection to utilities. Phase 2 includes the construction of a 2,014 square foot SFR with an attached 836 square foot garage, and conversion of the existing 624 square foot SFR to guest cottage, including removal of kitchen facilities, prior to final inspection of the SFR. This scope of work falls within the principal permitted use as residential and associated utilities. The site is dominated by redwood forest, and existing agricultural viability is low. There is no known agricultural use existing on the property. Based on the application materials, the total proposed lot coverage would be approximately 3,474 square feet on a parcel 808,579 square feet in size (0.4%). This indicates that the proposed project would have little impact on the agricultural viability of the lot. The site of the proposed development would likewise have minimal impact. Therefore, the project is consistent with the intent of the RR:10 classification.

**Zoning:** The subject lot is within the Rural Residential (RR) zoning district as outlined in Mendocino County Code (MCC) Chapter 20.376. The RR district 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 proposed project preserves the integrity of the zoning district for the same reasons mentioned above. The small size of development and low existing agricultural viability indicates there would be minimal impact on agricultural viability. The proposed single-family residence matches the definition of the "Family Residential: Single-family" use type, which is a permitted use in the RR district. The associated development (well, water tank, septic system) is considered an accessory use encompassed by the primary residential use per MCC Section 20.456.010. The guest cottage is a permitted use per MCC Section 20.308.050(l). The proposed project meets all other requirements of the Rural Residential zoning district, including dwelling density, setbacks, height limit, and lot coverage (see attached *Site Plan*). As such, the project is consistent with the intent and regulations of MCC Chapter 20.376.

**Visual Resources:** Mendocino County Coastal Element Policy 3.5-1 and 3.5-3 establish review criteria for visual resources and "highly scenic areas" in the Coastal Zone. In addition, MCC Section 20.504.015 mirrors language in the Coastal Element and establishes the extent of Highly Scenic Areas. The following description of a Highly Scenic Area appears in both the Coastal Element and MCC Section 20.504.015: *"portions of the coastal zone within the Highly Scenic Area west of Highway 1 between the Ten Mile River estuary south to the Navarro River as mapped with noted exceptions and inclusions of certain areas east of Highway 1."* These noted exceptions and inclusions east of Highway 1 are considered a "Highly Scenic Area (Conditional)." The project site is within this conditional area. Staff determined that Highway 1 could not be seen from the site, nor can the project site could not be seen from Highway 1 from a point near its intersection with Bill Owens Road. Therefore, staff determined that the project site is not within a Highly Scenic Area and the development criteria for Highly Scenic Areas within the Coastal Element and Coastal Zoning Code do not apply.

Plans submitted with the application include the installation of downcast and shielded lighting for the exterior of the structures. Additional limitations on external lighting are recommended as **Condition #16**. Exterior building materials and colors selected for the project include redwood-stained shingles, gray Hardie Board, and gray composition shingles on the roof. **Condition #17** is recommend to require that any changes to exterior materials be approved by Planning and Building Services.

The project site does not provide any views to the ocean, there would be little change in existing natural landforms, and the development would be compatible with the character of the surrounding area. The project involves construction of a single-family residence, a guest cottage, and associated utilities, which is in keeping with existing residential development in the surrounding area. Some vegetation removal would occur, but most of the forested site would remain. As such, the project is consistent with Coastal Element Policy 3.5-1 regarding protection of the scenic and visual qualities of Mendocino County coastal areas.

Staff finds the proposed project to be consistent with Coastal Element and Coastal Zoning Code policies and regulations regarding Visual Resources.

**Hazards Management:** The parcel is located in an area classified with a "High Fire Hazard" severity rating.

Fire protection services are provided by the California Department of Forestry and Fire Protection (CAL FIRE) and Redwood Coast Fire Protection District (RCFPD). The project application was referred to Redwood Coast Fire Protection District for input; however, no responses were received. The Applicant did submit CAL FIRE Conditions of Approval for the proposed project (see Attachment Z). Staff finds the project would not result in significant impacts as **Condition #4** requires the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction, including CAL FIRE and the local agency's defensible space requirements. Also, per the Local Coastal Natural Hazards map, the project parcel is not within an area identified as Tsunami Hazard or Flooding area. There is a low risk of landslides where development is to occur. The San Andreas Fault zone is located 2± miles northeast of the subject parcel.

Based on the minimal potential threats from and impacts to geologic hazards, staff recommends **Condition #s 10 & 11** requiring standard Best Management Practices (BMPs) be implemented during construction to minimize impacts. With these conditions implemented, staff finds the proposed project to be consistent with Coastal Element Chapter 3.4 and MCC Chapter 20.500 regarding hazards.

**Grading, Erosion, and Run-Off:** Site preparation, including grading, in the areas of development is required to accommodate the proposed development. Additionally, trenching would be required to install underground utilities and piping, which would extend to the new residence from the well and septic system.

The project would be required to implement standard Best Management Practices (BMPs), as noted above, to prevent erosion and run-off during project construction and revegetate any bare soil as soon as feasible after the construction phase is complete. As conditioned, staff finds the project would not result in significant erosion or run-off impacts and is compliant with MCC Section 20.492.010 grading standards, MCC Section 20.492.015 erosion standards, MCC Section 20.492.020 sedimentation standards.

**Habitats and Natural Resources:** The LCP Habitats & Resources Map does not identify sensitive resource areas within 100 feet of the proposed single-family residence location. The site is mapped as Barren, as are surrounding parcels.

As proposed, the project is 100 feet outside of an Environmentally Sensitive Habitat Area (ESHA), as demonstrated by the site map and the botanical scoping, wetland delineation, and biological scoping survey report prepared by Teresa R. Spade of Spade Natural Resources Consulting. The report, dated January 25, 2021, indicates riparian ESHAs in question are an ephemeral watercourse located in the southeast corner of the subject parcel and a watercourse which traverses the parcel in the northwest corner. Staff notes there is no need for a reduced buffer analysis as the proposed development is well outside the 100-foot buffer for both riparian areas.

Special status wildlife habitat within 100 feet of the project area include migrating habitat for California red legged frog, red bellied newt, California giant salamander, nesting birds, Townsend's big-eared bat and other special status bats.

Botanical surveys, including a wetland delineation, were conducted on November 6<sup>th</sup> and 20<sup>th</sup>, 2020, and an addendum letter was prepared on July 1, 2021 (Attachments V, W, & X). Survey results note no special status plant species were observed during scoping surveys.

Two tributaries are noted on the subject parcel: Galloway Creek to the southeast and Ross Creek to the northeast. Two wetland data points were included as part of the survey. Wetland data point 1 (SP 01) dug a soil pit of 17 inches and did not show any indicators of hydric soils. As such, this test location was determined to be in an upland area. Wetland data point 2 (SP 02) was taken northeast of the data point 1 using a 15-inch dig. No wetland soil or hydrology feature were observed and this data point was also determined to be in an upland area.

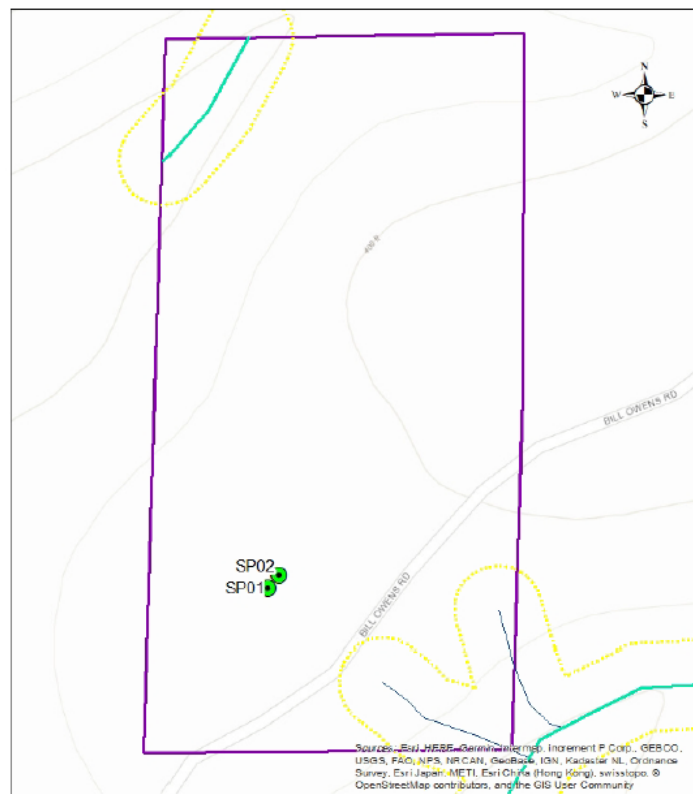
Amphibian species that may be present in the survey area include Red-bellied newts (*Taricha rivularis*), California Red Legged Frog (*Rana draytonii*) (during seasonal migration), and a low potential presence for the California giant salamander (*Dicamptodon ensatus*).

The project site does not contain adequate nesting habitat for northern spotted owl. However, there are spotted owl sightings near the project area along Bill Ownes Road, approximately one mile south of the property near Schooner Gulch.

The survey also noted potential presence of special status mammals, including Townsend's big-eared bat (*Corynorhinus townsendii*), Point Arena mountain beaver (*Aplodontia rufa nigra*) (PAMB), and Sonoma tree vole (*Arborimus pomo*). There is potential for the presence of Townsend's big-eared bat within the wooded areas of the property, especially in redwoods on the property. However, the study noted that no PAMB habitat was observed, there is no identified PAMB habitat on the subject property, and that the project is not expected to result in detrimental impacts to PAMB. No nests or other sign of tree vole were observed, as noted in the study, and it is unlikely that Sonoma tree vole is present on site.

Coast redwood (*Sequoia sempervirens*) dominates the overstory of the subject parcel, with tanoak (*Notholithocarpus densiflorus*) prominent in the understory, and Douglas fir (*Pseudotsuga menziesii*) also present. In general, the forest floor is littered with redwood needles, with little vegetation under the thick canopy of redwood, tanoak and Douglas fir. Other overstory trees present include bishop pine (*Pinus muricata*) and madrone (*Arbutus menziesii*). Understory species that are typically associated with this alliance that are present include bracken (*Pteridium aquilinum* var. *pubescens*) and huckleberry (*Vaccinium ovatum*) most prominent, with manzanita (*Arctostaphylos columbiana*), wax myrtle (*Morella californica*), salal (*Gaultheria shallon*), redwood violet (*Viola sempervirens*), sword fern (*Polystichum munitum*), California blackberry (*Rubus ursinus*), wood strawberry (*Fragaria vesca*), and Douglas iris (*Iris douglasiana*). It is the professional opinion of the Applicant's biologist, Spade Natural Resources Consulting, that the redwood forest association type found at the site is common in Mendocino County and should not be considered special status. Three redwoods will be removed in the area of development. **Condition #14** requires the applicant replace them at a minimum ratio of 1:1 and/or flag naturally regenerating redwoods.

Weintraub  
APN 027-361-15



Legend

- Wetland Data Points
- Watercourse

Figure 1

- Subject Parcel

The project application was referred to US Fish and Wildlife, California Department Fish and Wildlife (CDFW) and California Coastal Commission (CCC) for input. The standard conditions of approval are sufficient to address the CCC comments. CDFW responded on August 5, 2024, with comments and recommendations. It was noted that development is sited in the least environmentally damaging place. Comments received from US Fish and Wildlife on March 26, 2025, concur with the study's assessment of PAMB. Recommended conditions for targeted removal of non-native invasive species and replacement and/or replanting of native trees have been included.

With the included Conditions of Approval, staff finds the proposed project to be consistent with Coastal Element Chapter 3.1 and MCC Chapter 20.496.

**Archaeological/Cultural Resources:** In accordance with Coastal Element Policy 3.5-10 and MCC Chapter 22.12, the applicant provided an Archaeological Survey Report prepared by ALTA Archaeological Consulting dated April 24, 2024. The survey report notes that a field survey was conducted on April 1, 2024. No cultural resources were identified as a result of the archaeological field survey. Despite the negative results of the investigation, the report notes the existing potential for unanticipated discovery of cultural resources and identifies management recommendations should any resources be discovered during project activities, incorporated as **Condition #8**.

The survey report was presented at the Mendocino County Archaeological Commission meeting on June 12, 2024. The survey was accepted on the condition that the Discovery Clause shall be adhered to per MCC Section 22.12.090 for any unanticipated discoveries. The project was also referred to local tribes on December 11, 2023, including Cloverdale Rancheria, Redwood Valley Rancheria, Round Valley Tribe, and Sherwood Valley Band of Pomo Indians. No response has been received from these tribes.

Staff therefore finds that the proposed project, as conditioned, is consistent with Coastal Element Policy 3.5-10 and MCC Chapter 22.12 regarding protection of archaeological resources.

**Groundwater Resources:** The project site is not within the jurisdictional boundaries of a local water district. The project site mapped as Critical Water Resources (see attached *Ground Water Resources*).

Coastal Element Policy 3.8-1 states that *"Highway 1 capacity, **availability of water** and sewage disposal system and other known planning factors shall be considered when considering applications for development permits."*

Coastal Element Policy 3.9-1 states that *"one housing unit shall be authorized on every legal parcel existing on the date of adoption of this plan, provided that adequate access, water, and sewage disposal capacity exists and proposed development is consistent with all applicable policies of this Coastal Element and is in compliance with existing codes and health standards. Determination of service capacity shall be made prior to the issuance of a coastal development permit."*

The 1982 Mendocino Coastal Ground Water Study, *"though not site specific, has identified coastal areas of differing ground water availability...from this information, general guidelines can be drawn to aid the planner in reviewing proposed development."* The Study goes on to state that *"areas designated SWR (Sufficient Water Resources) shall have a minimum lot size of 2 acres (ac); "proof of water" not required."*

The project was referred to the Mendocino County Environmental Health Division (EH) on December 11, 2023. EH responded on December 21, 2023, but did not provide any comments regarding water supply.

Coastal Element Policy 3.9-1 states that the determination of adequate water service capacity shall be made prior to issuance of a Coastal Development Permit. To demonstrate adequate water service capacity, the applicant provided a Well Test Report which included information on the recovery rate of the existing well. The report noted a recovery rate of 0.5 Gallons per minute. Staff finds that this production rate is adequate to support the proposed project. Given the referral response from EH and compliance with applicable Coastal Groundwater Development Guidelines, staff finds that the proposed project is consistent with Policy 3.9-1. **Condition #4** ensures that further development of the well shall comply with EH

standards.

Staff finds that the demonstration of adequate water service capacity in compliance with Coastal Element Policy 3.9-1 is likewise sufficient to demonstrate that availability of water has been considered for this Coastal Development Permit in compliance with Coastal Element Policy 3.8-1.

Therefore, staff finds that the proposed project is consistent with relevant Coastal Element Policies regarding water supply in addition to MCC Section 20.516.015(B).

**Transportation, Utilities, and Public Services:** Coastal Element Policy 3.8-1 requires Highway 1 capacity and availability of sewage disposal systems to be considered when reviewing applications for development permits. Policy 3.8-8 states that new or expanded sewage disposal systems should be designed to serve development consistent with that permitted by the Land Use Plan. The proposed project involves a principal permitted use and accessory uses. The site is accessed sufficiently by State Route 1, a publicly maintained road (SR 1) and then from Bill Owens Road (Private). The project may have minor incremental impacts on Highway 1. However, these impacts were considered when a land use classification was assigned to the site.

The project was referred to EH on December 11, 2023. EH responded on December 21, 2023, with the following comment: "ST27670 (5 BR)" This comment indicates that there is an existing permit for a septic system at this site and that there is an adequate sewage disposal system on the site to serve the proposed development. No other comments were received from EH.

The project would contribute minimally to new sources of traffic on local and regional roadways. The project was referred to California Department of Transportation (Caltrans) on May 10, 2025, as access to Bill Owens Road (Private) is taken directly from State Route 1. No comments were received. Staff therefore finds the proposed project, as conditioned, consistent with Coastal Element Chapter 3.8 and MCC Chapter 20.516.

### **ENVIRONMENTAL DETERMINATION**

The California Natural Resources Secretary has found that certain classes of 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. Staff finds that the project is categorically exempt from the California Environmental Quality Act (CEQA) per California Code of Regulations (CCR) Section 15303 and 15304, Class 3(a), and Class 3(d). Class 3(a) involves *"one single-family residence, or a second dwelling unit in a residential zone."* Class 3(d) involves *"water main, sewage, electrical, gas, and other utility extension, including street improvements, of reasonable length to serve such construction."*

### **PROJECT FINDINGS AND CONDITIONS**

#### **FINDINGS:**

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed project to construct a 624 square foot SFR, install septic infrastructure and water storage tanks and connect to utilities, convert an existing test well to a production well, develop a driveway, permit the use of a trailer coach for occupancy while constructing a dwelling, permit temporary camping up to sixty (60) days in any six (6) month period, and construct a 2,014 square foot SFR with attached 836 square foot garage and convert the previous SFR to a guest cottage as part of a second phase is in conformity with the certified local coastal program. The project is within the RR land use classification which allows residential uses and uses accessory to residences as principally permitted. As analyzed in the staff report, the project is consistent with all relevant Coastal Element policies; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development to construct a 624 square foot SFR, install septic infrastructure and water storage tanks and connect to utilities, convert an existing test well to a production well, develop a driveway, permit the use of a trailer coach for occupancy while constructing a dwelling, permit temporary camping up to sixty (60) days in any six

(6) month period, and construct a 2,014 square foot SFR with attached 836 square foot garage and convert the previous SFR to a guest cottage as part of a second phase will be provided with adequate utilities, access roads, drainage, and other necessary facilities. The proposed project would be served by a septic system for which there is an existing permit issued by the division of Environmental Health. The proposed project would be served by a well that has been demonstrated to have a production rate of 0.5 gallons per minute. Adequate access to the project site exists via Bill Owens Road, and conditions of approval would ensure that the project is consistent with health standards, and will utilize Best Management Practices to ensure adequate drainage; and

3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development to construct a 624 square foot SFR, install septic infrastructure and water storage tanks and connect to utilities, convert an existing test well to a production well, develop a driveway, permit the use of a trailer coach for occupancy while constructing a dwelling, permit temporary camping up to sixty (60) days in any six (6) month period, and construct a 2,014 square foot SFR with attached 836 square foot garage and convert the previous SFR to a guest cottage as part of a second phase is consistent with the purpose and intent of the Rural Residential zoning district with regard to setbacks, lot coverage, building height, and allowed uses. The small size of the proposed project in relation to the total size of the parcel indicates minimal impact to agricultural viability, and the proposed single-family residence is a principal permitted use. The associated utilities are permitted accessory uses within the RR zoning district; and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. The project is categorically exempt from the California Environmental Quality Act (CEQA) per California Code of Regulations (CCR) Section 15303 and 15304, Class 3(a), Class 3(d), and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource. An archaeological survey was conducted on the project site which found no evidence of cultural resources. This survey was accepted by Mendocino County Archaeological Commission with the application of the Discovery Clause should any unanticipated discovery of cultural resources occur; and
6. Pursuant to MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development. The project involves a principal permitted use and accessory uses, the incremental impacts of which were considered when the RR land use classification was applied to the project site. There are no operating solid waste landfills within Mendocino County, and the nearest transfer station (South Coast) is considered adequate to serve the proposed project.

**CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Coastal Code. This Coastal Development 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. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code (MCC).
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 Local, State and Federal agencies having jurisdiction.



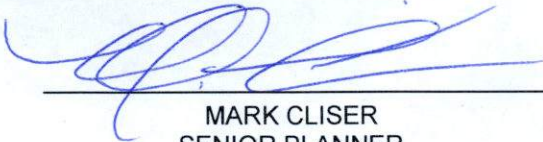
5. The applicant shall secure all required Building Permits for the proposed project as required by the Building Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. The permit 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 nuisance.
  - d. A final judgement 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 Coastal Development 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 applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. Conditions approving this Coastal Development Permit shall be attached to any building permit application and shall be a part of on-site construction drawings.
10. Standard erosion control Best Management Practices (BMPs) shall be employed during construction activities to avoid or minimize erosion and sedimentation from construction activities. BMPs shall be shown on submitted site plans for all building permits associated with the project.
11. Prior to issuance of the building permit, the applicant shall specify BMPs to be implemented to reduce erosion and sedimentation from construction activities. If the amount of grading on the site exceeds fifty (50) cubic yards, the applicant shall cease construction activities and develop a Grading and Erosion Control Plan for the site and submit it to the Department of Planning & Building Services for review and approval.
12. In accordance with MCC Chapter 20.492, a building permit, or grading permit exemption, shall be required for any grading, including but not limited to, any excavation or filling or combination thereof involving transfer of more than two (2) cubic yards of material. The Coastal Permit Administrator, or their designee, shall review and approve grading permits to determine their consistency with MCC Chapters 20.492, 20.496, and 20.500 regulations. Grading activities, including maintaining driveway and parking areas, and any work associated with an Encroachment Permit, shall comply with MCC Chapters 20.492, 20.496, and 20.500 regulations.
13. The applicant shall adhere to the recommendations of the Botanical Scoping, Wetland Delineation, and Biological Scoping Survey Report prepared for the project and dated January 25, 2021, in order to minimize impacts from development to species that may be seasonally or temporarily present within the study area. These recommendations include:
  - a. Within two weeks prior to construction, project contractors shall be trained by a qualified

biologist in the identification of the California red-legged frog, re-bellied newt, and California giant salamander. Crews will begin each day with a visual search around all stacked or stored materials, as well as along any silt fences to detect the presence of special status amphibians. If a special status amphibian is detected, construction or demolition crews will contact the US Fish and Wildlife (for California red-legged frog) and/or California Department of Fish and Wildlife or a qualified biologist (red-bellied newt or California giant salamander), and gain clearance prior to re-initiating work.


- b. If a rain event occurs during the construction period, all construction-related activities will cease for a period of 48 hours after the rain stops. Prior to resuming construction or demolition activities, trained construction crew member(s) will examine the site for the presence of special status amphibians. If no special status amphibians are found, construction activities may resume.
  - c. The clearing of vegetation and the initiation of construction or demolition will be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform preconstruction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If active breeding bird nests are observed, no ground disturbance activities shall occur within a minimum 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 disturbances.
  - d. Pre-construction bat surveys do not need to be performed if work or vegetation removal is conducted between September 1 and October 31, after young have matured and prior to the bat hibernation period. If it is necessary to disturb potential bat roost sites between November 1 and August 31, pre-construction surveys should be conducted. Pre-construction bat surveys involve surveying trees, rock outcrops, and buildings subject to removal or demolitions for evidence of bat use (guano accumulation, or acoustic or visual detections). If evidence of bat use is found, then biologists shall conduct acoustic surveys under appropriate conditions using an acoustic detector, to determine whether a site is occupied. If bats are found, a minimum 50-foot buffer should be implemented around the roost tree. Removal of roost trees should occur in September and October, or after the bats have left the roost. In summary, no impacts would be expected and therefore no preconstruction surveys would be required for the species above if vegetation removal (including standing dead trees) is scheduled for the months of September or October. The months of November through August would require a bird and/or bat survey dependent on the time of year.
14. Removal of any native tree greater than 6 inches diameter at breast height (dbh) or shrub (greater than 2 feet in height) shall be replaced at a minimum of 1:1. Species naturally re-generating on the property may be flagged and used in lieu of plantings.
15. The Applicant shall remove common non-native invasive species including, but not limited to, broom (Spanish, scotch, French), yellow oxalis, pampas grass, and purple bull thistles for a period of three to five years.
16. Exterior lighting installed as part of the project shall conform to the following standards:
- a. No light or light standard shall be erected in a manner that exceeds either the height limit designated in this Division for the zoning district in which the light is located or the height of the closest building on the subject property whichever is the lesser.

- b. Where possible, all lights, whether installed for security, safety or landscape design purposes, shall be shielded or shall be positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel on which it is placed.
  - c. Security lighting and flood lighting for occasional and/or emergency use shall be permitted in all areas.
  - d. Minor additions to existing night lighting for safety purposes shall be exempt from a coastal development permit.
  - e. No lights shall be installed so that they distract motorists.
17. The project shall utilize building materials and paint colors which have been selected to blend in hue and brightness with their surroundings. This includes the proposed redwood-stained shingles and gray Hardi Board siding, and gray composition shingles on the roof. Any changes to the proposed materials and colors shall be approved by Planning and Building Services.
18. Prior to final inspection of the Phase 2 single family residence, the applicant shall remove kitchen facilities from the Phase 1 single family residence.

1/13/2024  
DATE

  
MARK CLISER  
SENIOR PLANNER

1/13/2024  
DATE

  
JULIA KROG  
COASTAL PERMIT ADMINISTRATOR

Appeal Period: 10 Days  
Appeal Fee: \$2,354.00

**ATTACHMENTS:**

- |   |   |
|---|---|
| A. Location Map                                 | R. Western Soil Classes                       |
| B. Adjacent Map                                 | S. Farmlands                                  |
| C. Aerial Imagery (Vicinity)                    | T. School District                            |
| D. Aerial Imagery (Detail)                      | U. Landslide Map                              |
| E. Topographic Map                              | V. Biological Report                          |
| F. Site Plan                                    | W. Addendum to Biological Report              |
| G. Zoning Display Map                           | X. Addendum to Biological Report (Plant List) |
| H. General Plan Classification                  | Y. Tree Removal Mitigation                    |
| I. LCP Land Use Map                             | Z. CAL FIRE Conditions of Approval            |
| J. LCP Land Capabilities & Natural Hazards      |   |
| K. LCP Habitats & Resources                     |   |
| L. Post LCP Certification & Appeal Jurisdiction |   |
| M. Fire Hazard Zones & Responsibility Areas     |   |
| N. Wildland-Urban Interface Zones               |   |
| O. Wetlands                                     |   |
| P. Ground Water Resources                       |   |
| Q. Estimated Slope                              |   |