

## **ATTACHMENTS**

**CDP 2014-0044**

**ATTACHMENT A: COASTAL PERMIT APPROVAL CHECKLIST  
JUNE 25, 2015**

**PROJECT TITLE:** CDP\_2014-004

**PROJECT LOCATION:** 45452 GREENLING CIRCLE  
CASPAR, CALIFORNIA 95420  
(APN: 118-390-08)

**LEAD AGENCY NAME,  
ADDRESS AND CONTACT PERSON:** Bill Kinser  
Mendocino County Planning and Building Services  
120 West Fir Street, Fort Bragg, California 95437  
707-964-5379

**GENERAL PLAN DESIGNATION:** RR5(1) (Rural Residential)

**ZONING DISTRICT** RR:5 (Rural Residential)

**DESCRIPTION OF PROJECT:** Coastal Development Permit to add first and second floor decking to an existing single family residence.

**SITE DESCRIPTION AND SETTING:** The 0.66 acre subject parcel is situated on the west side of Highway 1 in the Caspar South subdivision. There is an existing single family residence, detached garage, landscaping and driveway. The partially wooded parcel is approximately 380 feet from the ocean and is surrounded by single family residences on all sides.

**DETERMINATION:** The proposed project **conditionally satisfies all required findings for approval of a Coastal Development Permit**, pursuant to Section 20.532.095 and 20.532.100 of the Mendocino County Zoning Code, as individually enumerated in this Coastal Permit Approval Checklist.

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
<b>(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:</b>				
(1) The proposed development is in conformity with the certified local coastal program.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
<b>(B) If the proposed development is located between the first public road and the sea or the shoreline of any body of water, the following additional finding must be made:</b>				
(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

➤ **20.532.095(A)(1) The proposed development is in conformity with the certified local coastal program.**

*Consistent (with conditions of approval)*

The Local Coastal Program sets goals and policies for managing resource protection and development activity in the Coastal Zone of Mendocino County, an area that extends from the Humboldt County line to the Gualala River. The Local Coastal Program addresses topics such as shoreline access and public trails; development in scenic areas, hazardous areas, and coastal bluffs; environmentally sensitive habitat areas; cultural resources; transportation; public services; and more. The Local Coastal Program serves as an element of the General Plan and includes the Mendocino County Code (MCC), and its policies must be consistent with the goals of the California Coastal Act.

Various aspects of the Local Coastal Program are specifically addressed by separate Required and Supplemental Findings for Coastal Development Permits, including utilities, transportation, zoning, CEQA, archaeological resources, public services, coastal access, and resource protection. The following is a discussion of elements of the Local Coastal Program not specifically addressed elsewhere in this checklist.

**General Plan Land Use – Rural Residential**

The subject parcel is classified as Rural Residential by the Coastal Element of the Mendocino County General Plan, which 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.” The principal permitted use for the Rural Residential land use classification is “Residential and associated utilities, light agriculture, home occupation.”<sup>1</sup>

A permitted single family residence currently exists on the parcel. This application proposes to add first and second floor decking to the existing single family residence. The proposed decking is an addition to the principally permitted single family residential use, and therefore consistent with the Rural Residential classification of the Coastal Element of the Mendocino County General Plan.

**Hazards**

Chapter 3.4 of the Mendocino County Coastal Element addresses Hazards Management within the Coastal Zone.

Seismic Activity: The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake fault zone.<sup>2</sup> The San Andreas fault is located offshore in this area and is the nearest active fault. The site, like the rest of Mendocino County, is subject to strong ground shaking. The site is shown in seismicity zone 3 ( beach deposits and stream alluvium and terraces – intermediate shaking) of the Mendocino County Coastal Zone Land Capabilities/Natural Hazards Map 15 (Caspar).<sup>3</sup>

<sup>1</sup> Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-General Plan*. 1991. Ukiah, CA.

<sup>2</sup> State of California Special Studies Zones, Department of Conservation, Division of Mines and Geology.

<sup>3</sup> County of Mendocino Coastal Zone Land Capabilities/Natural Hazards Map. Mendocino County Planning and Building Department.

Landslides: The subject property is located on a gently sloping parcel in an area. There are no landslides mapped on the subject parcel.<sup>4</sup>

Erosion: The existing single family house is located on a coastal terrace area approximately 380 feet from the coastal bluff edge. The distance of development from the bluff edge is such that no conditions are required for compliance with County bluff hazard policies.<sup>5</sup>

Flooding: There are no mapped 100-year flood zones on the subject parcel,<sup>6</sup> and no conditions are necessary to ensure consistency with flood policy.

Fire: The project is located in an area that has a moderate fire hazard severity rating. The project application was referred to the California Department of Forestry and Fire Protection for input. CalFire submitted recommended conditions of approval (CDF #329-14) on November 25, 2014, for address standards, driveway standards, defensible space standards and maintaining defensible space. **Condition 8** is recommended to achieve compliance with CalFire safety standards, which states:

**Condition 8:** The applicant shall comply with those recommendations in the California Department of Forestry Conditions of Approval (CDF 329-14) or other alternatives acceptable to the Department of Forestry. Prior to the final inspection of the building permit, written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.

### Visual Resources

Protection of visual resources is a specific mandate of Section 30251 of the Coastal Act, and is subsequently addressed in Chapter 3.5 of General Plan's Coastal Element and implemented by Chapter 20.504 of the MCC.

The project is not located in an area that is designated Highly Scenic by the Local Coastal Program. Consequently, the project is not subject to Local Coastal Program Visual Resource policies relating to Highly Scenic Areas.

MCC Section 20.504.035 provides exterior lighting regulations intended to protect coastal visual resources. Exterior lighting is required to be within the zoning district's height limit regulations, and requires exterior lighting to be shielded and positioned in a manner that light and glare does not exceed the boundaries of the parcel. No lighting is proposed.

- **20.532.095(A)(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.**

*Consistent (with conditions of approval)*

Utilities: The single family residence is served by an onsite well and septic system. The project was referred to the Mendocino County Division of Environmental Health (DEH) to review impacts to water and septic. In a response dated February 3, 2015, the Division stated that the decks should maintain minimum setbacks to septic systems of five feet from the septic tank and eight feet from the leach field.

No internal plumbing is proposed in the application, and DEH will have the opportunity to review a building permit application to ensure compliance with the request that no plumbing be installed. No conditions are necessary to ensure the development is provided with adequate utilities.

<sup>4</sup> County of Mendocino Coastal Zone Land Capabilities/Natural Hazards Map. Mendocino County Planning and Building Department.

<sup>5</sup> Section 20.500.020(B). Mendocino County, Planning and Building Services, Planning Division. *Mendocino County Code*. 1991. Ukiah, CA.

<sup>6</sup> *Mendocino County and Incorporated Areas* [map]. 2011. Flood Insurance Rate Map, Panel 1200F, Number 06045C1200F. Federal Emergency Management Agency.

Access Roads: The parcel is currently accessed by a short gravel driveway from Greenling Circle and no additional access is proposed. Mendocino Department of Transportation reviewed the application and recommend approval of the permit request as the proposed work would not directly impact Greenling Circle (CR 579).

Drainage: Drainage is subject to Section 20.492.025 of MCC, and provides regulations mitigating the impact of stormwater runoff and erosion. The proposed development consists of an 80 square foot second floor deck and a 300 square foot first floor deck. **Condition 8** is recommended to reduce impacts from altering land forms (grading) and redirecting stormwater flows, and to ensure the development is provided with adequate drainage, which states:

**Condition 8:** Prior to issuance of a building permit in reliance of this Coastal Development Permit, the applicant shall submit for approval by Planning and Building staff a drainage and erosion control plan. The plan shall detail erosion and sediment control Best Management Practices, including concrete wash out area, staging, stockpile locations, and tree protection areas, as necessary.

- **20.532.095(A)(3) 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.**

*Consistent (without conditions of approval)*

Intent: The subject parcel is zoned Rural Residential. The intent of the Rural Residential zoning district is “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.”<sup>7</sup> This application is to construct decking.

Use: The applicant proposes to add decking to the existing single family residence. The proposed decking is an addition to the single family residence, the principally permitted use on the property.

Density: The maximum dwelling density in the Rural Residential (RR:L-5(RR:1)) zoning district is one single family dwelling per forty thousand (40,000) square feet. The existing single family residence on the property is located on approximately two thirds of an acre and is a nonconforming lot.

The proposed decking does not conflict with the dwelling density standards of the Rural Residential zoning district since it proposes no additional dwelling units on the parcel.

Yards: The minimum required front and rear yards in the Rural Residential (RR:L-5(RR:1)) zoning district are twenty (20) feet front and rear yard and six (6) feet for side yards.<sup>8</sup> The proposed decking would be approximately thirty-six (36) feet from the front yard property line and over twenty-four feet (24) from the east side yard.

The proposed development is consistent with the minimum yard setback requirements of the Rural Residential zoning district.

Height: The maximum permitted building height in the Rural Residential zoning district is twenty-eight (28) feet above natural grade for non-Highly Scenic Areas.<sup>9</sup> The existing residence is twenty-five (25) feet in height and would not change.

The proposed development is consistent with the building height limits of the Rural Residential zoning district.

Lot Coverage: The maximum permitted lot coverage in the Rural Residential zoning district for parcels that are less than two (2) acres is twenty (20) percent.<sup>10</sup> The parcel is approximately 28,749 square feet, allowing for a

<sup>7</sup> Section 20.376.005, *Mendocino County Code*.

<sup>8</sup> Section 20.376.030 and 20.376.035, *Mendocino County Code*.

<sup>9</sup> Section 20.376.045, *Mendocino County Code*.

<sup>10</sup> Section 20.376.065, *Mendocino County Code*.

maximum permitted lot coverage of approximately 5,750 square feet. Including the proposed decking, the lot coverage on the parcel would be 2,740 square feet or approximately 9.5 percent of the lot area.

The proposed development is consistent with the lot coverage requirements of the Rural Residential zoning district.

- **20.532.095(A)(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.**

*Consistent (without conditions of approval)*

The proposed project is Categorical Exempt from the provisions of CEQA, pursuant to Class 3(e) of Article 19 of the California Environmental Quality Act Guidelines. The Class 3 exemption finds that construction and location of limited numbers of new, small facilities or structures", meeting the criteria of Section 15303, has "been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA." Class 3(e) provides exemptions for new construction and conversion of small structures including accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

The proposed development meets the criteria of Section 15303, and therefore will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

- **20.532.095(A)(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.**

*Consistent (with conditions of approval)*

The project would construct a 300 foot first floor deck in an already disturbed area of the property. The first floor deck is located in a landscaped area between the house and a walkway that links the driveway and the house. This decking would be located in an area where the ground has already been disturbed; therefore the proposed development was not referred to California Historic Resource Information System (CHRIS) or to the Mendocino County Archaeological Commission.

Recommended **Condition 9** advises the applicant of the Mendocino County Archaeological Resources Ordinance, and specifically Section 22.12, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project, and states:

**Condition 9:** 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 resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

- **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.**

*Consistent (without conditions of approval)*

Solid Waste: There would be no long term increase in solid waste generation associated with the proposed development. The Caspar Transfer Station is located approximately 2.5 miles from the project site, providing for the disposal of solid waste resulting from the existing residential uses on the parcel. Solid waste services are adequate to serve the existing residential use of the property.

Roadway Capacity: There would be no long term increase in traffic volume associated with the development proposed in the application. The existing roadways are adequate to serve the proposed development.

- **20.532.095(B)(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.**

*Consistent (without conditions of approval)*

The proposed development is located in an existing subdivision and is not adjacent to Highway 1 or situated on a blufftop. The parcel is not designated as a potential public access trail on the certified Local Coastal Program maps. There is no evidence of prescriptive access on the developed site. The project would have no effect on public access to the coast.

The proposed development is in conformity with the public access and public recreation policies of the Coastal Act and the Coastal Element of the General Plan.

20.532.100 (A) Resource Protection Impact Findings	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
<b>(1) Development in Environmentally Sensitive Habitat Areas. No development shall be allowed in an ESHA unless the following findings are made:</b>				
(a) The resource as identified will not be significantly degraded by the proposed development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) There is no feasible less environmentally damaging alternative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(2) Impact Finding For Resource Lands Designated AG, RL and FL. No permit shall be granted in these zoning districts until the following finding is made:</b>				
(a) The proposed use is compatible with the long-term protection of resource lands.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Findings**

➤ **20.532.100(A)(1), et. seq. No development shall be allowed in an ESHA unless the following findings are made...**

*Not Applicable*

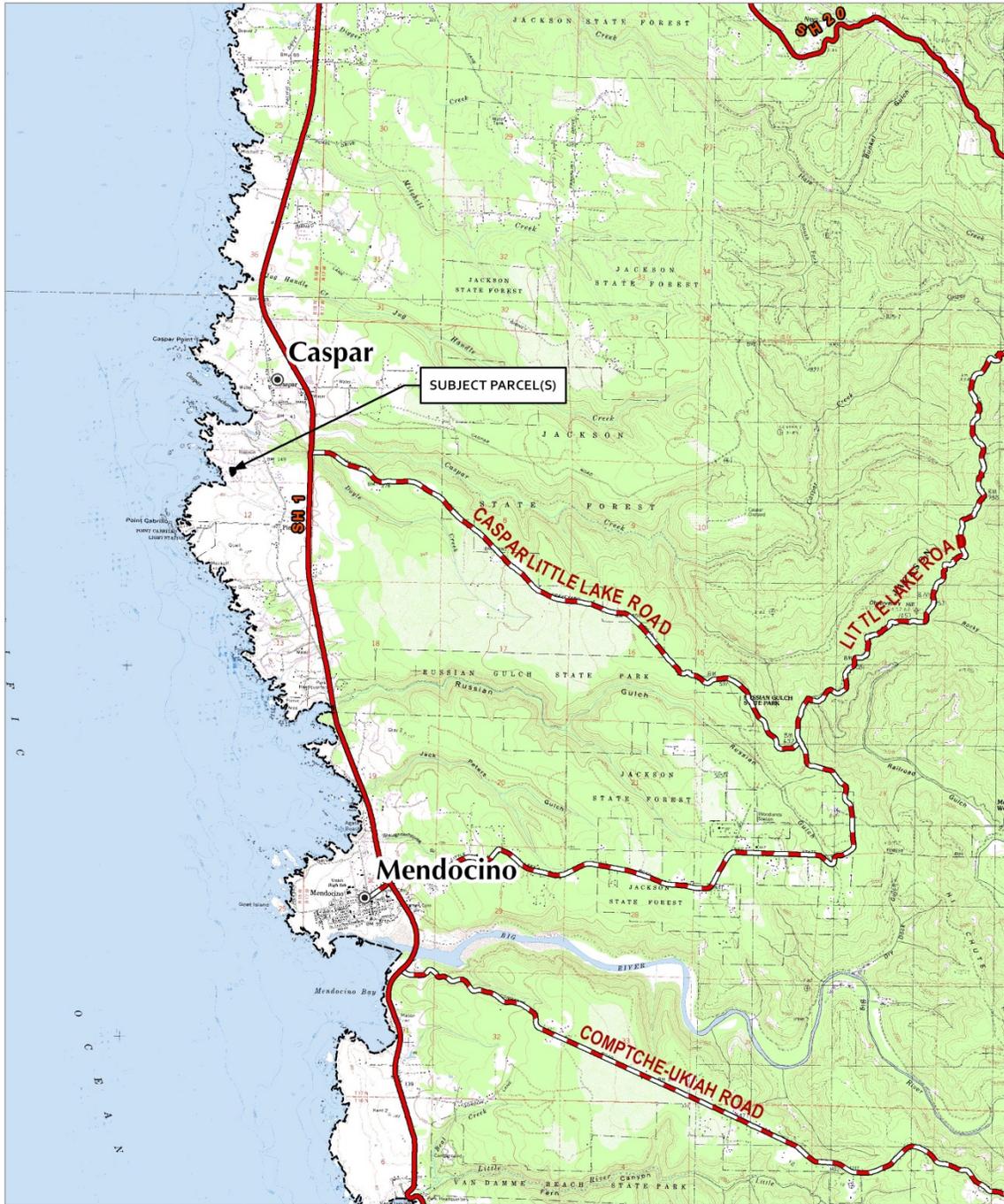
The proposed 300 square feet of first floor decking would be attached to the west and south side of the existing residence and located in already disturbed areas adjacent to the house. No trees would be removed in the area where the work would be conducted (see photo below). No rare or endangered plant or wildlife habitat, pygmy vegetation or pygmy-type vegetation, dunes, wetlands or riparian habitats are identified on the property on the Local Coastal Plan Map (LCP Map 15). The California Natural Diversity Data Base (CNDDDB) shows no ESHAs within one hundred (100) feet of the work area. The nearest ESHA shown on the CNDDDB is an occurrence of the Bluff Wallflower, located to the south of the subdivision on the Point Cabrillo Light Station property owned by the State of California. The subject parcel (and much of the Caspar South Subdivision) is located in a single family residential categorical exclusion area established by the California Coastal Commission (Categorical Exclusion Order No. E-91-2). In certifying the Mendocino LCP, the California Coastal Commission found that adoption and implementation of the LCP would have no significant adverse individual or cumulative impacts on the environment and the lots proposed for the exclusion are appropriate for the construction of a single family residence.<sup>11</sup>

<sup>11</sup> California Coastal Commission. June 12, 1992. Categorical Exclusion Order No. E-91-2

Photo of the west side (front) of 45452 Greenling Circle (taken from the street).

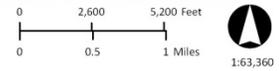


Based on the already developed and disturbed character of the area where the decking would be constructed, the limited extent of development, and existing resource information about the area, it can be concluded that no development would occur in an environmentally sensitive habitat area. Resource Protection Impact Findings, enumerated in Section 20.532.100(A), are not applicable to this application.



**CASE:** CDP 2014-0044  
**OWNER:** CISNEY, Jesse  
**APN:** 118-390-08  
**APLCT:**  
**ADDRESS:** 45452 Greenling Circle, ME

- Major Towns & Places
- Highways
- Major Roads



LOCATION MAP

Map produced by the Mendocino County Planning & Building Services, January, 2015  
 All spatial data is approximate. Map provided without warranty of any kind.



CASE: CDP 2014-0044  
OWNER: CISNEY, Jesse  
APN: 118-390-08  
APLCT:  
ADDRESS: 45452 Greenling Circle, ME

— Public Roads

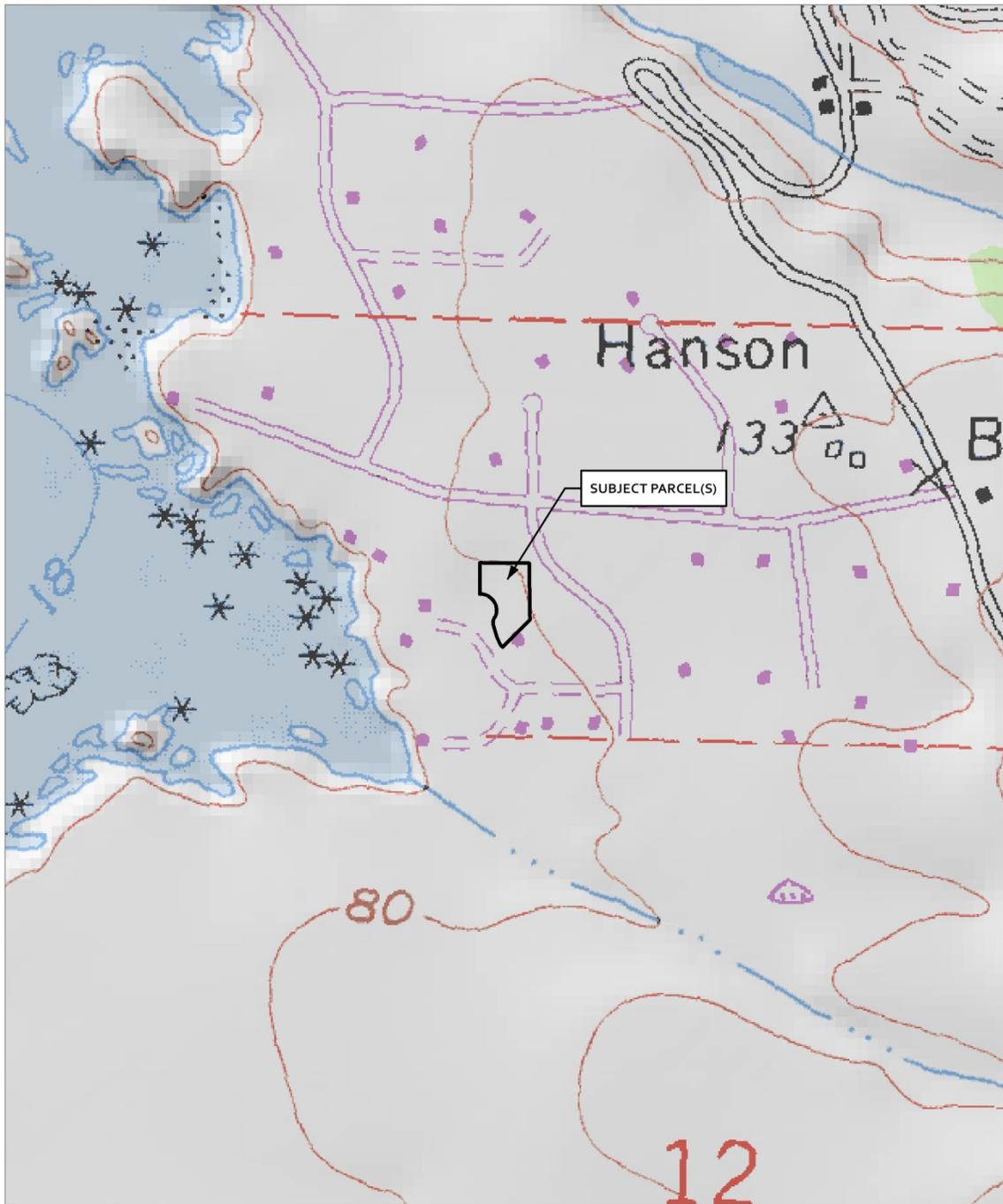
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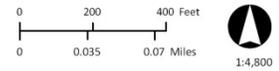
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GOOGLE EARTH IMAGERY  
IMAGERY DATE: 5-31-2012

Map produced by the Mendocino County Planning & Building Services, January, 2015  
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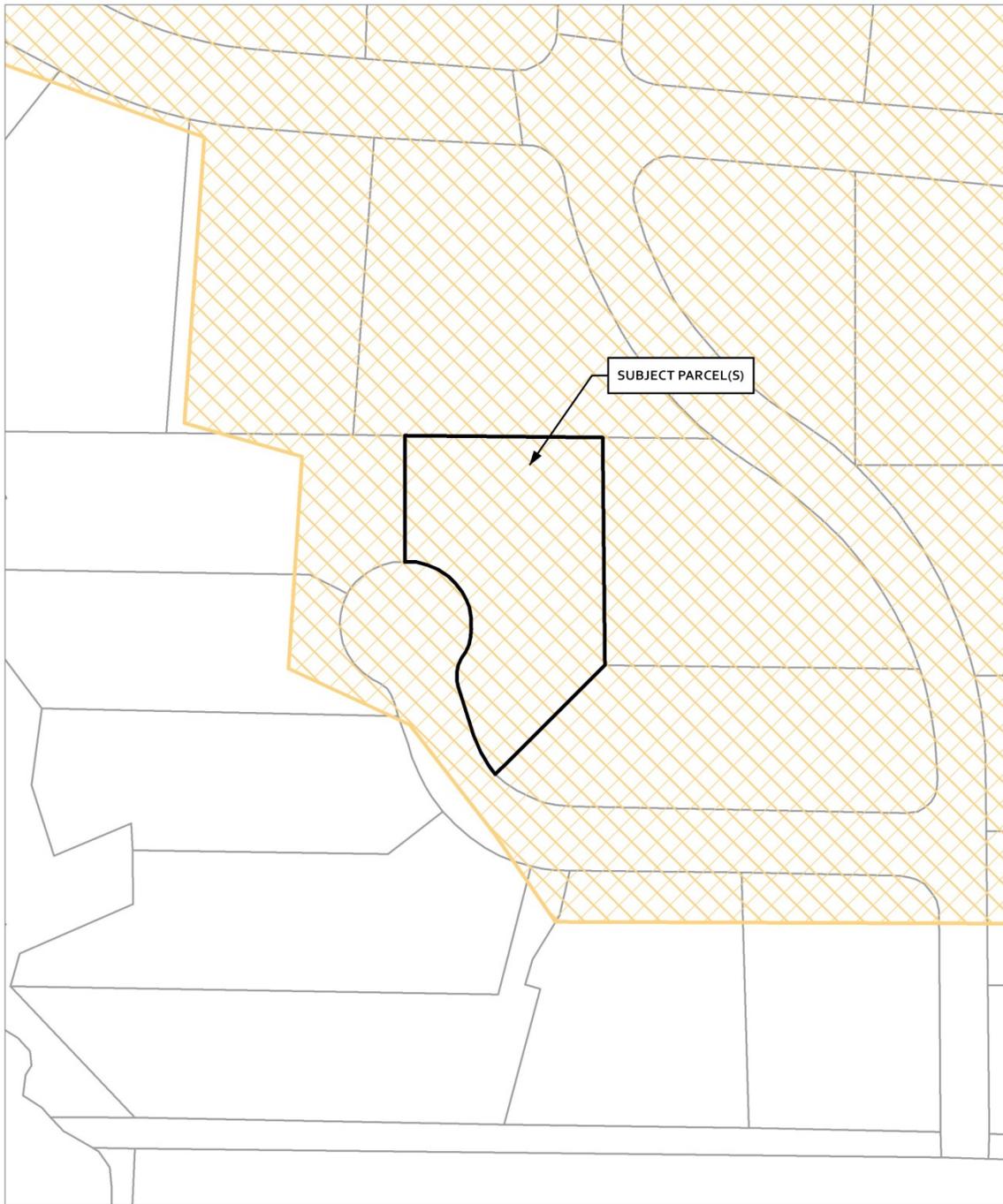


CASE: CDP 2014-0044  
OWNER: CISNEY, Jesse  
APN: 118-390-08  
APLCT:  
ADDRESS: 45452 Greenling Circle, ME



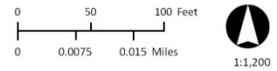
TOPOGRAPHIC MAP  
CONTOUR INTERVAL IS 40 FEET

Map produced by the Mendocino County Planning & Building Services, January, 2015  
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CASE: CDP 2014-0044  
OWNER: CISNEY, Jesse  
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ADDRESS: 45452 Greenling Circle, ME

 CDP Exclusion Areas

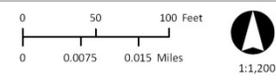


CDP EXCLUSION ZONES

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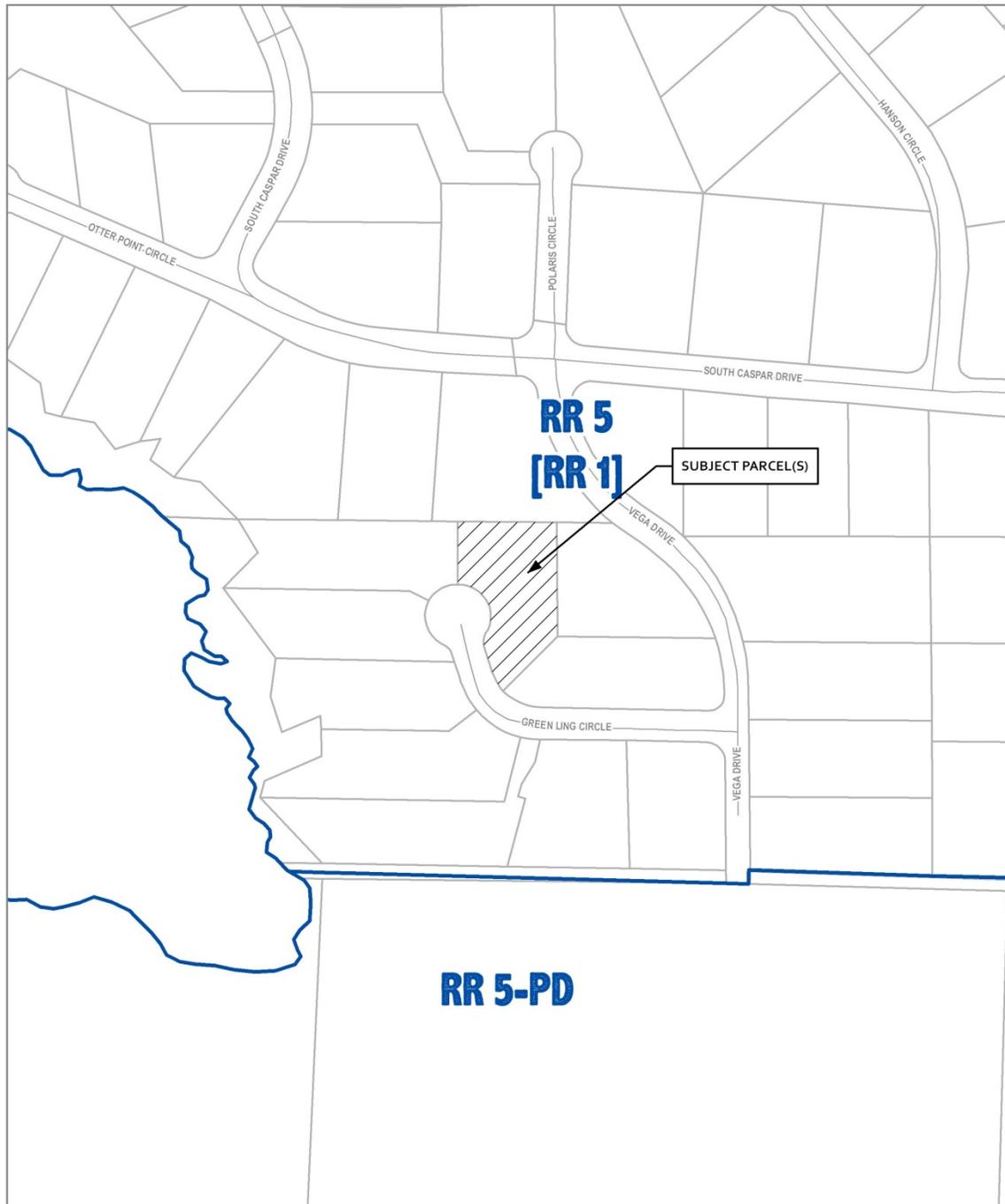


CASE: CDP 2014-0044  
 OWNER: CISNEY, Jesse  
 APN: 118-390-08  
 APLCT:  
 ADDRESS: 45452 Greenling Circle, ME



ADJACENT PARCELS

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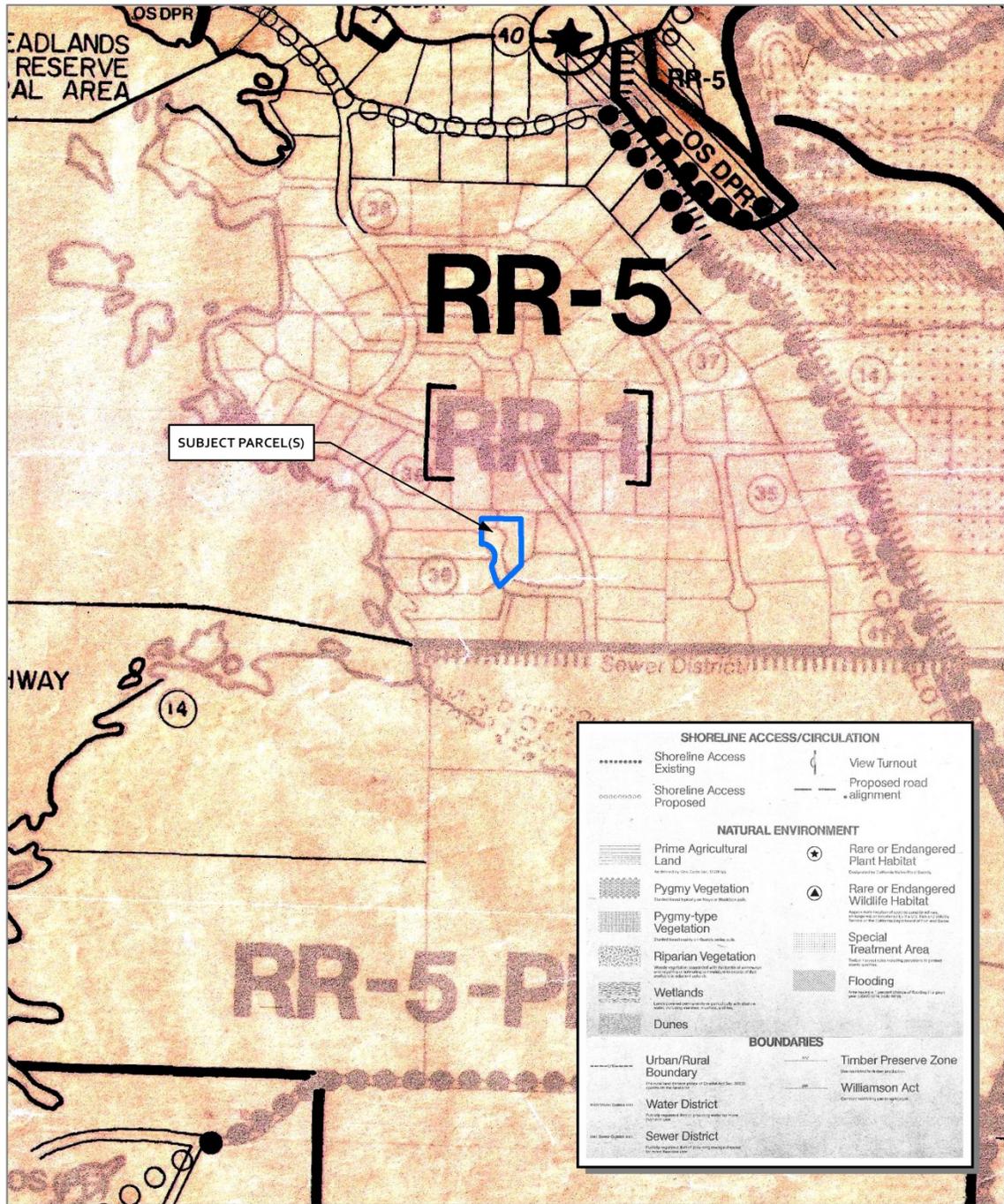
CASE: CDP 2014-0044  
OWNER: CISNEY, Jesse  
APN: 118-390-08  
GP/BZ: RR5 [RR1] / RR5 [RR1]  
ADDRESS: 45452 Greenline Circle, ME

Public Roads



GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, January, 2015  
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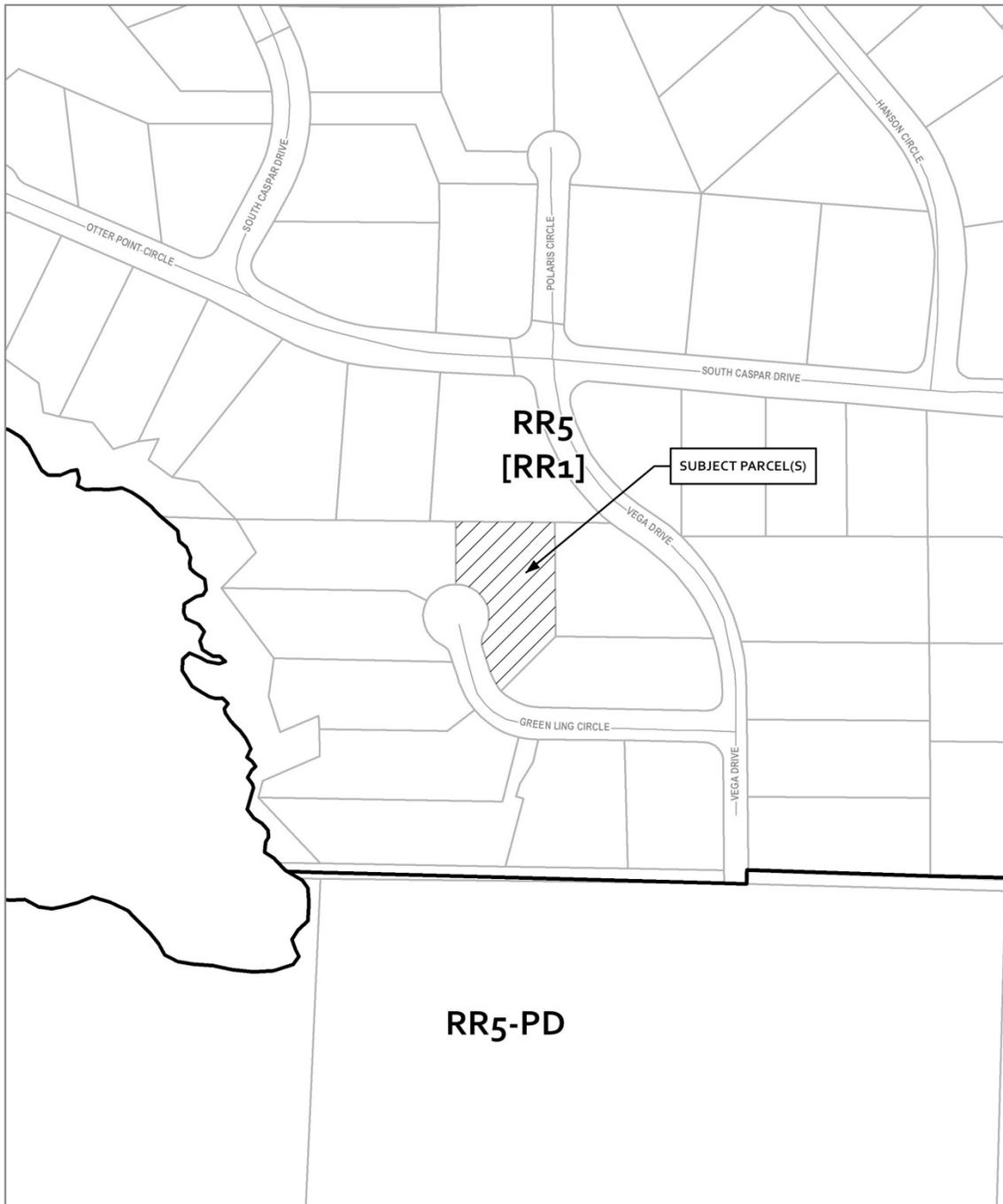


CASE: CDP 2014-0044  
 OWNER: CISNEY, Jesse  
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 GP/BZ: RR5 [RR1] / RR5 [RR1]  
 ADDRESS: 45452 Greenline Circle, ME



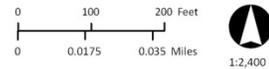
LCP MAP 15: CASPAR

Map produced by the Mendocino County Planning & Building Services, January, 2015  
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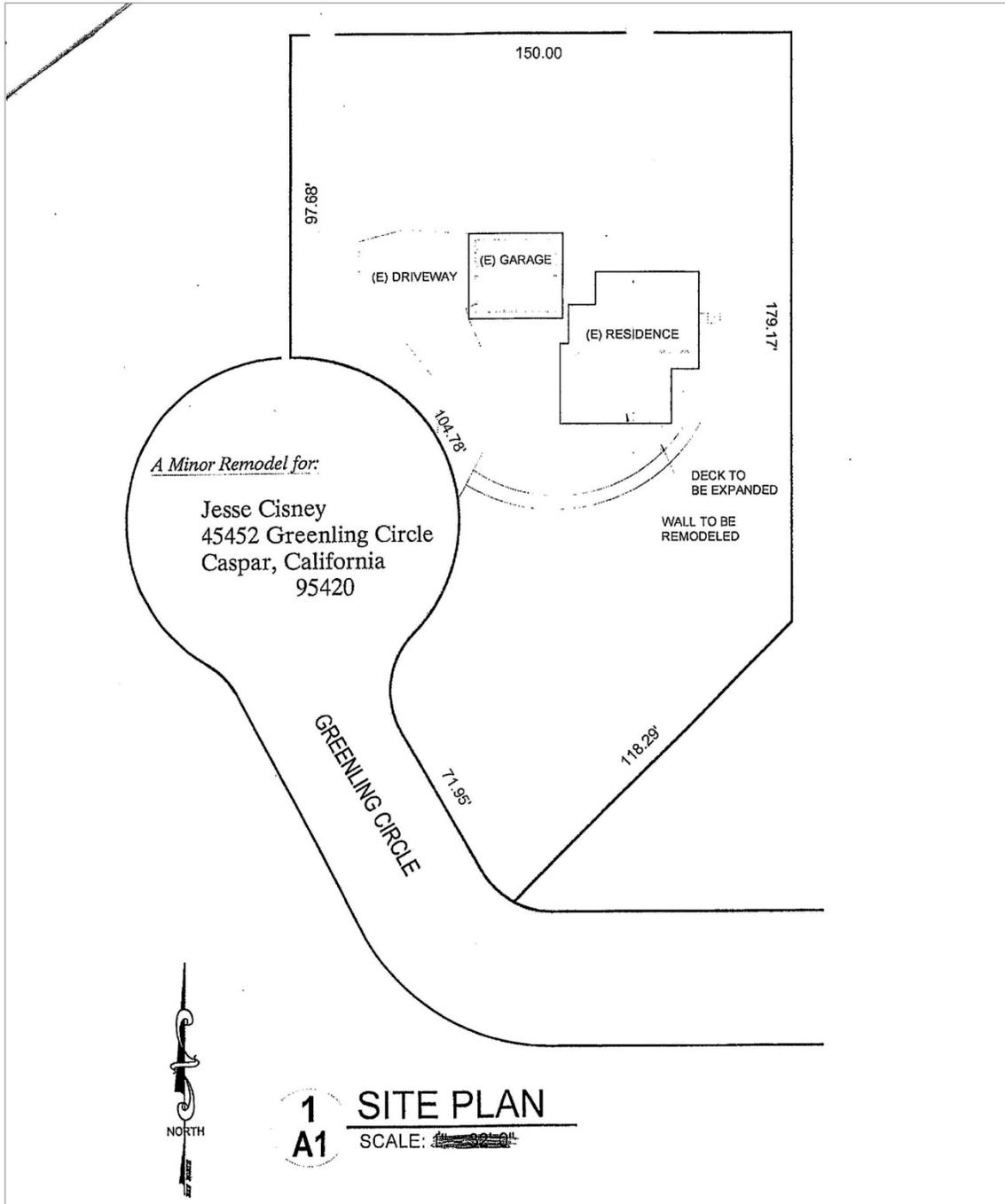
CASE: CDP 2014-0044  
OWNER: CISNEY, Jesse  
APN: 118-390-08  
GP/BZ: RR5 [RR1] / RR5 [RR1]  
ADDRESS: 45452 Greenline Circle, ME

Public Roads



ZONING DISPLAY MAP

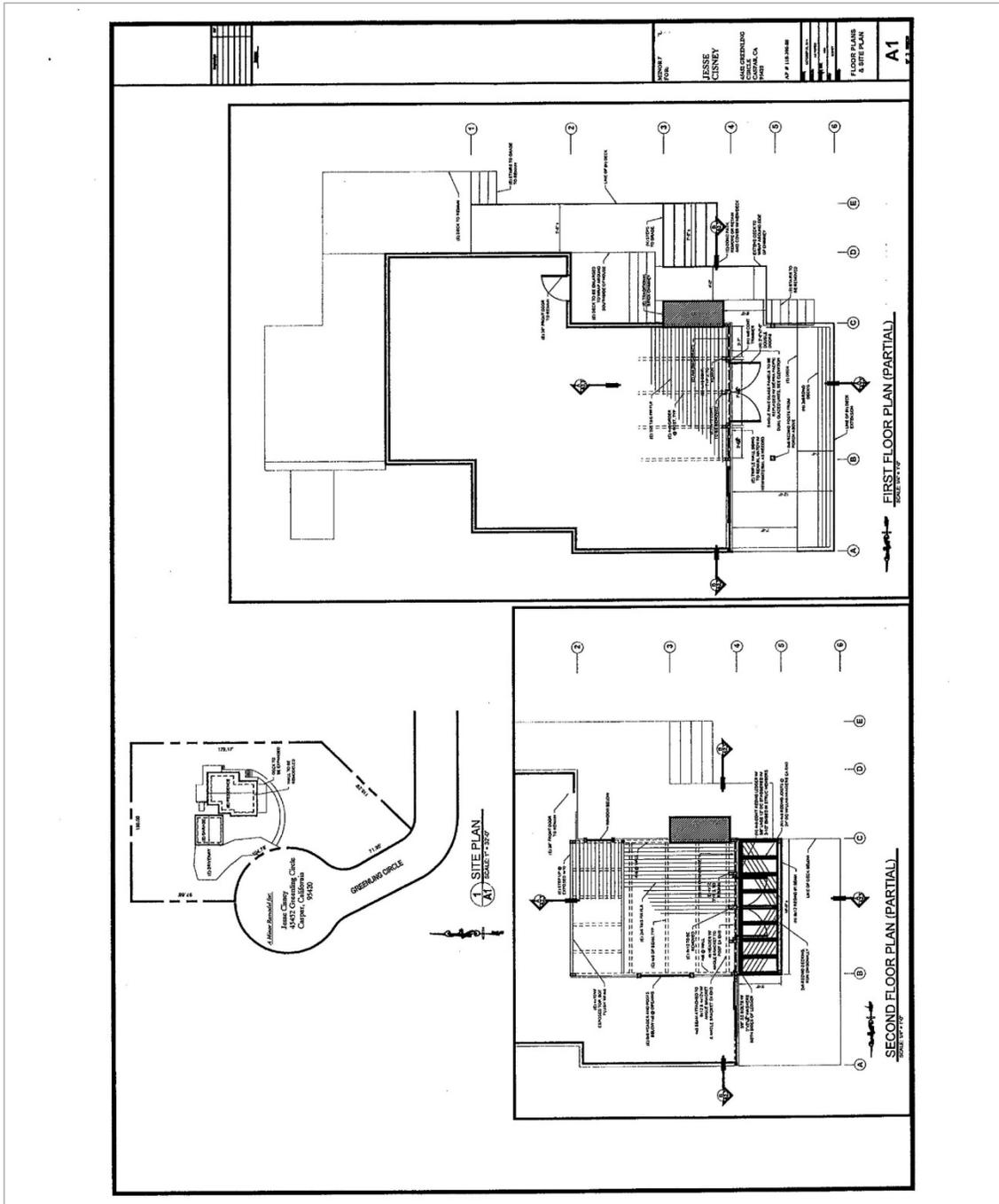
Map produced by the Mendocino County Planning & Building Services, January, 2015  
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CASE: CDP 2014-0044  
OWNER: CISNEY, Jesse  
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ADDRESS: 45452 Greenling Circle, ME

NO SCALE

SITE PLAN

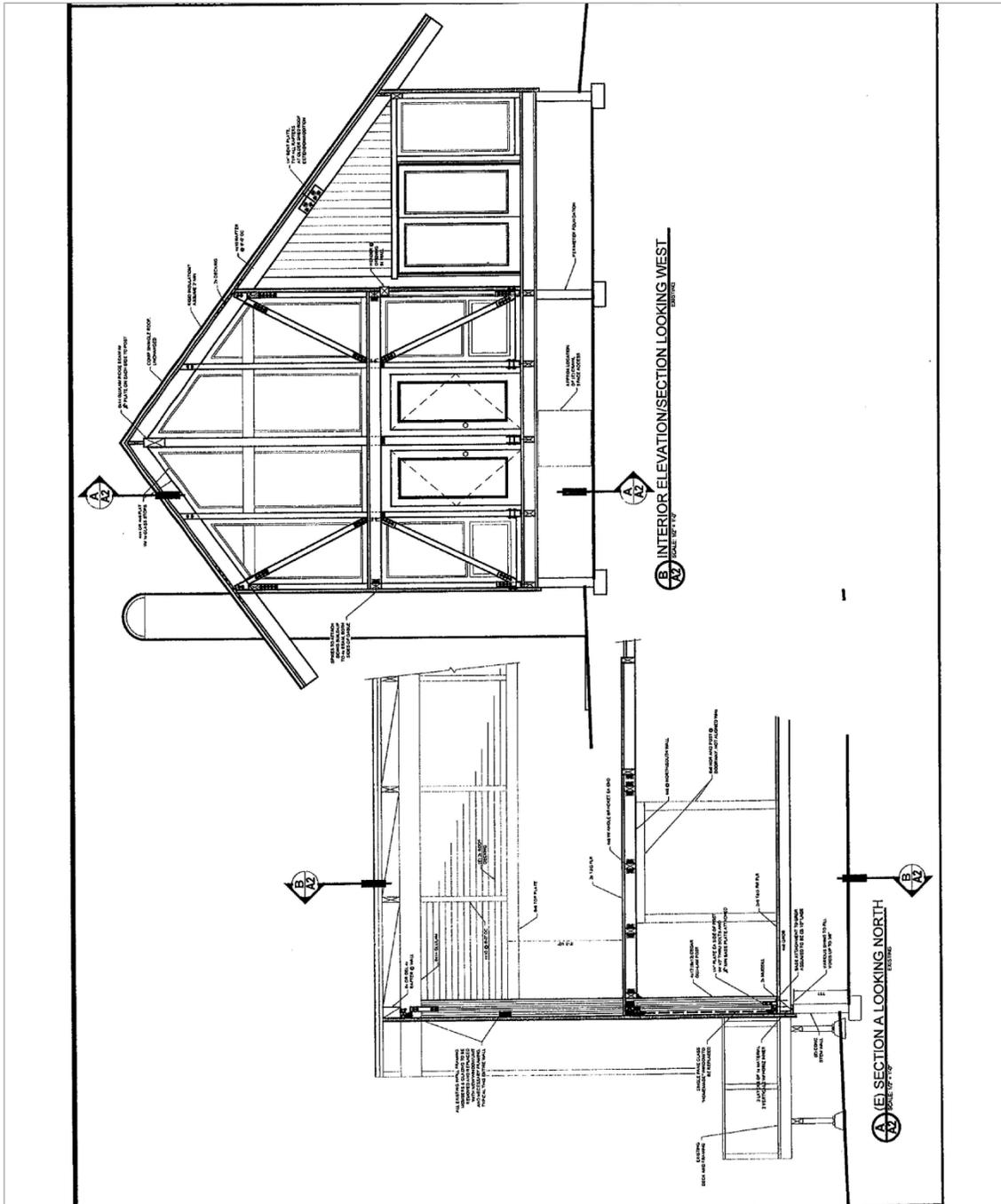


CASE: CDP 2014-0044  
 OWNER: CISNEY, Jesse  
 APN: 118-390-08  
 APLCT:  
 ADDRESS: 45452 Greenling Circle, ME

NO SCALE

FLOOR PLAN

Map produced by the Mendocino County Planning & Building Services, January, 2015  
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CASE: CDP 2014-0044  
 OWNER: CISNEY, Jessee  
 APN: 118-390-08  
 APLCT:  
 ADDRESS: 45452 Greenline Circle, ME

NO SCALE

EXISTING CONSTRUCTION

Map produced by the Mendocino County Planning & Building Services, May, 2015  
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