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

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**APRIL 12, 2018  
CDP\_2017-0042**

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**SUMMARY**

**OWNER/APPLICANT:** KIRT & CORALIE MORSE  
PO BOX 154  
PHILO, CA 95466

**REQUEST:** An after the fact Coastal Development Administrative Permit request to remove an existing 288 square foot mobile home; install a 385 square foot manufactured home; construct a 220 square foot deck; and install a replacement leach field, well, and 125 amp panel for the existing pump house.

**DATE DEEMED COMPLETE:** 03/29/2018

**LOCATION:** The site is in the Coastal Zone, 1.4 miles northeast of the Albion town center, 1.2 miles northeast of Albion Ridge Road (CR 402), 0.2 miles north of the intersection of Albion Ridge Road and Road D located at 3550 Albion Ridge Road (CR 402), Albion (APN: 123-060-19).

**TOTAL ACREAGE:** 1 Acre

**GENERAL PLAN:** RURAL RESIDENTIAL (RR5PD:R)

**ZONING:** RURAL RESIDENTIAL (RR:5)

**SUPERVISORIAL DISTRICT:** 5

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt Section 15301 (Existing Facilities) and Section 15303 (New Construction)

**APPEALABLE:** NO

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** Juliana Cherry

**BACKGROUND**

**PROJECT DESCRIPTION:** An after the fact Coastal Development Administrative Permit request to remove an existing 288 square foot mobile home; install a 385 square foot manufactured home; construct a 220 square foot deck; and install a replacement leach field, well, and 125 amp panel for the existing pump house.

**APPLICANT'S STATEMENT:** "Remove and replace 1 bedroom mobile with 1 bedroom manufactured home. There is an existing well and septic system. Existing mobile home, well, and power were installed in 1969. Driveway is rock base. Construct a 10' x 22' deck not attached to the manufactured home (Coastal)."

**RELATED APPLICATIONS ON-SITE:**

- BV\_2017-0076 remove old trailer/replace w/new manufactured home w/deck
- BF\_2017-0169 replace and relocate 125 amp panel to pump storage building
- BF\_2003-0851 replace 100 amp with 200 amp
- IC\_2017-0121 placed motor home w/out permit, no septic on file per EH

**Neighboring Property:**

- 989-1093 (temp. electric), CDP 89-98 (SFR/guest cottage/temp. M.H.), 1332 (septic replace), 999-388 (SFR) (parcel bordering to the north and west); CDP 76-02 (major veg. removal), CDB 55-2001 (parcel to south); CE 50-98, CE 22-98 (test well), ST 22512 (septic), BF 2001-0326 (SFR/garage), BF 2001-0327 (storage) (parcel to east)

**SITE CHARACTERISTICS:** This previously developed site is located south of the Albion River on a fairly level coastal terrace with a small intermittent drainage along the north side of the parcel. The vegetation community at the site is redwood forest. The over story is dominated by Redwood, Douglas fir, and Grand fir. Mid-story includes huckleberry, rhododendron, and California wax myrtle. Understory plants are sword fern, yerba santa, woodland madia, and vanilla grass.

A riparian habitat is located at the northern edge of the parcel, formed by a neighbor's road crossing creating an impoundment of a small stream and small pond feature. Hydrophytic vegetation is limited to the pond's margin, approximately 130 feet slope distance from the closest area of proposed development. The parcel gradually slopes down to the pond to the north. A small expansion to the forest clearing was conducted several years ago. The proposed location of the replacement residence would provide for an equal protection to the riparian habitat that is more than 100 feet from areas that would be disturbed by development (NCRM, 2018).

Aerial imagery shows previous development located within approximately 160 feet of a riverine; property boundaries may be less than 100 feet from the riverine. Staff has reviewed USGS mapping, parcel map book page 123-06, LCP Land Use Map 18: *Albion*, and the Post LCP Certification Permit and Appeal Jurisdiction map and find that the parcel is potentially located with the Appeal Jurisdiction of the California Coastal Commission. The appeal jurisdiction would include development within 100 feet of streams and wetlands. Site survey's document that the proposed area of development would be more than 100 feet from areas of hydrophytic vegetation, streams, or wetlands (NCRM, 2018).

**SURROUNDING LAND USE AND ZONING:** As listed on Table 1 below, the surrounding lands are classified and zoned similarly to the project site, Rural Residential. The lot is situated facing a residential street and surrounding lots are developed with residential uses. The proposed residential use is compatible with the surrounding land uses and zoning.

Table 1: Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RR5:PD	RR5:PD	58.7 acres	Residential
EAST	RR5:PD	RR5:PD	1 acre	Residential
SOUTH	RR5:PD	RR5:PD	2 acres	Residential
WEST	RR5:PD	RR5:PD	58.7 acres	Residential

**LOCAL COASTAL PROGRAM CONSISTENCY**

**Land Use:** The parcel is classified as Rural Residential (RR5:U) by the Mendocino County General Plan. The Rural Residential classification is intended to encourage local small scale food production 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 (Coastal Element Chapter 2.2). The proposal is to replace a residential structure, which is a permitted use in the Rural Residential classification. Development within Mendocino County's Local Coastal Plan area is required to obtain a coastal development permit.

**Zoning:** The project site is located within a Rural Residential District, which is intended to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural

viability (Mendocino County Coastal Code Section 20.376.005). The proposed replacement 385 square foot manufactured home would have one bedroom and access to existing well water, septic, and other site development. The proposed project complies with building height, building setback, lot coverage, and other development standards of MCC Chapter 20.376.

Visual Resources: The site is not a Highly Scenic Area.

Hazards Management: Mapping does not associate the following with the subject site: faults, bluffs, landslides, erosion, or flood hazards.

MCC Section 20.500.025 *Fire Hazard* -- The parcel is located in an area classified as a "High Fire Hazard" (See exhibit Fire Hazard Zones & Responsibility Areas). Fire protection services are provided by the Albion Little River Fire Protection District (ALR-FPD). The project application was referred to ALR-FPD for input; however, no response has been received. The applicant applied for a preliminary clearance from CalFire; CalFire Permit 245-17 conditions include standards for address, driveway, defensible space and maintaining defensible space.

Habitats and Natural Resources: The northwest corner of the parcel is mapped as having riparian vegetation (See exhibit LCP Habitat and Resources). A biological site review was prepared (NCRM, 2018). The report found that the proposed development area would be more than 100 feet from sensitive coastal resources (see report section SITE CHARACTERISTICS). NCRM recommends that mitigation measures are not needed for biological resources and additional studies are not warranted. On March 8, 2018, the proposal was distributed to US Fish and Wildlife Services (and on March 30, 2018, California Department of Fish and Wildlife received same); no response has been received.

Archaeological/Cultural Resources: For small projects, such as replacing a single family home, Planning and Building Services' procedure is to not refer the projects to either California Historic Resource Information Center (CHRIS) or Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Archaeological Commission in 2005 and again in 2014. It was determined to be an appropriate guidance document for what projects would require archaeological review. Staff notes that a Condition advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. As conditioned, Staff recommends the project as consistent with Mendocino County policies for the protection of the paleontological and archaeological resource.

The project was referred to three local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians. On March 13, 2018, the Redwood Valley Little River Band of Pomo Indians replied that they would not request conditions for the proposed development.

Groundwater Resources: The project site is located within a mapped Critical Water Resources Area (See exhibit Ground Water Resources). The existing and proposed development would have access to an existing, on-site well. On March 13, 2018, MC Department of Environmental Health responded to a request for comments stating that the septic is okay, a demo permit is need and that purchasing a construction permit for the septic is needed.

Grading, Erosion, and Run-Off: No grading is proposed.

Transportation/Circulation: The project would contribute minimally to new sources of traffic on local and regional roadways. The cumulative effects of traffic resulting from residential land uses and its associated development were considered when the Coastal Element land use designations were assigned. Staff recommends the project would not impact transportation or circulation and would be provided with adequate access. On March 8, 2018, MC Department of Transportation responded to a request for comments stating that they have no comment at this time.

Public Access: The project site is located near the easterly edge of the Local Coastal Plan boundary. The site is not designated as a potential public access trail location. As shown on LCP Map 18 *Albion*, existing public access to the shore is located along Albion Ridge Road and west of Highway 1.

**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 and adopts the following findings and conditions.

**FINDINGS:**

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed residential development is in conformity with the certified Local Coastal Program, as the land use is intended for the district in which it is proposed; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed development would be provided with adequate utilities, access roads, drainage, and other necessary facilities. The site was previously developed with a single family home. The site has a well, electrical service, and other ancillary development; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed residential development is consistent with the purpose and intent of the Rural Residential District, as well as all other provisions of Division II of Title 20 of the Mendocino County Code, including building height, setback from property boundary, and lot coverage; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed residential development, if constructed in compliance with the conditions of approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. Pursuant with MCC Section 20.532.095(A)(5), the proposed residential development would not have any adverse impact on any known archaeological or paleontological resources and Condition 8 is in place when archaeological sites or artifacts are discovered; and
6. Pursuant with 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 site. The proposed residence would not affect demands on public services; and
7. Pursuant with MCC Section 20.532.095(B), the proposed residential development would not diminish public access to Mendocino County coastal areas and conforms to the goals and policies of the Coastal Element of the General Plan. The nearest coastal access point follows the east-west orientation of Albion Ridge Road; and

**CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and 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 building permits for the proposed project as required by the Building Inspection 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 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.

Staff Report prepared by:

12 April 2018  
DATE

Juliana Cherry  
JULIANA CHERRY  
PLANNER III

4-23-2018  
DATE

Ignacio Gonzalez  
IGNACIO GONZALEZ  
COASTAL PERMIT ADMINISTRATOR

**ATTACHMENTS:**

- A. Location Map
- B. Aerial Imagery 1
- C. Aerial Imagery 2
- D. Site Plan
- E. Elevations
- F. Zoning Display Map
- G. General Plan Classifications
- H. LCP Land Use Map 18: Albion
- I. LCP Habitat & Resources
- J. LCP Land Capabilities & Natural Hazards
- K. Appealable Areas
- L. Adjacent Parcels
- M. Fire Hazard Zones & Responsibility Areas
- N. Ground Water Resources
- O. Local Soils
- P. Topographic Map
- Q. Important Farmland
- R. Wetlands
- S. Wildland-Urban Interface Zones

**SUMMARY OF REFERRAL AGENCY COMMENTS:**

Planning (Ukiah)	Comment
Department of Transportation	No Comment
Environmental Health (FB)	Comment
Building Inspection (FB)	No Comment
Assessors	No Response
US Fish & Wildlife Service	No Response
State Clearinghouse	No Response
Caltrans	No Response
Department of Forestry and Fire Protection	File Number 245-17
Department of Fish & Wildlife	No Response
Albion Little River Fire District	No Response
California Coastal Commission	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Comment

**REFERENCES:**

Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino General Plan*. 1991. Ukiah, CA.

Chapter 20. Mendocino County, Planning and Building Services, Planning Division. *Division II – Mendocino County Coastal Zoning Code*. 1991. Ukiah, CA.





Coastal Zone Application Form for CDP\_2017-0042. Filed October 18, 2017.

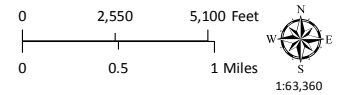
NCRM, Inc. Biological Site Review at 3550 Albion Ridge Road D. January 30, 2018.





CASE: CDP 2017-0042  
 OWNER: MORSE, Kirt & Coralie  
 APN: 123-060-19  
 APLCT: Kirt Morse  
 AGENT:  
 ADDRESS: 3550 Albion Ridge D Road, Albion

 Major Towns & Places  
  Major Roads  
 Major Rivers  
 Highways



LOCATION MAP

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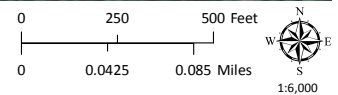




Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Major Rivers  
Named Rivers  
Public Roads  
Private Roads



AERIAL IMAGERY

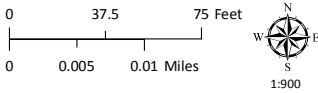
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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ADDRESS: 3550 Albion Ridge D Road, Albion



AERIAL IMAGERY

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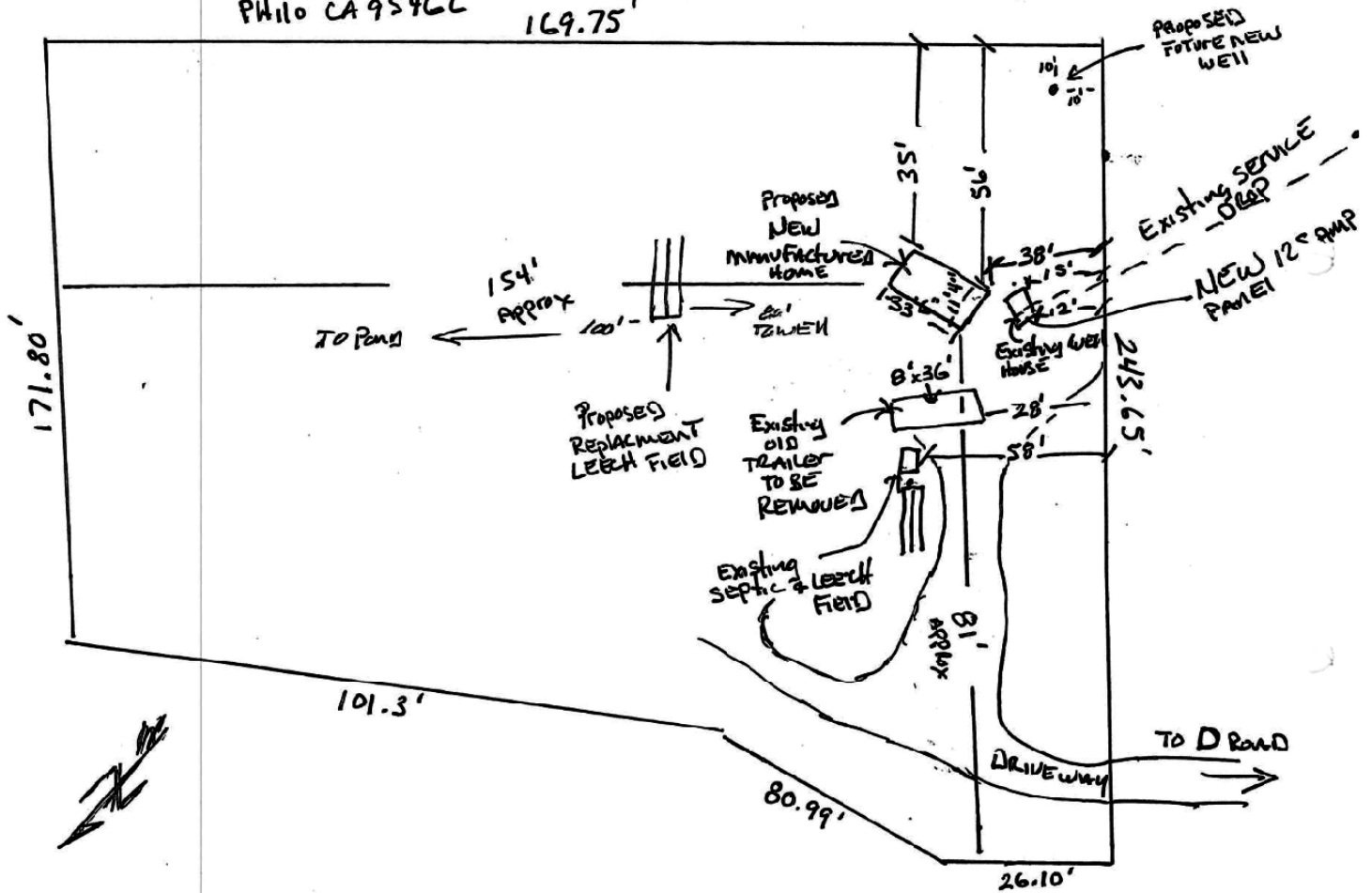


3550 D ROAD  
ALBION CA.

AP# 123-060-019

OWNERS: KIRT & CORALIE MORSE  
P.O. Box 154  
PHILO CA 95466

169.75'



CASE: CDP 2017-0042

OWNER: MORSE, Kirt & Coralie

APN: 123-060-19

APLCT: Kirt Morse

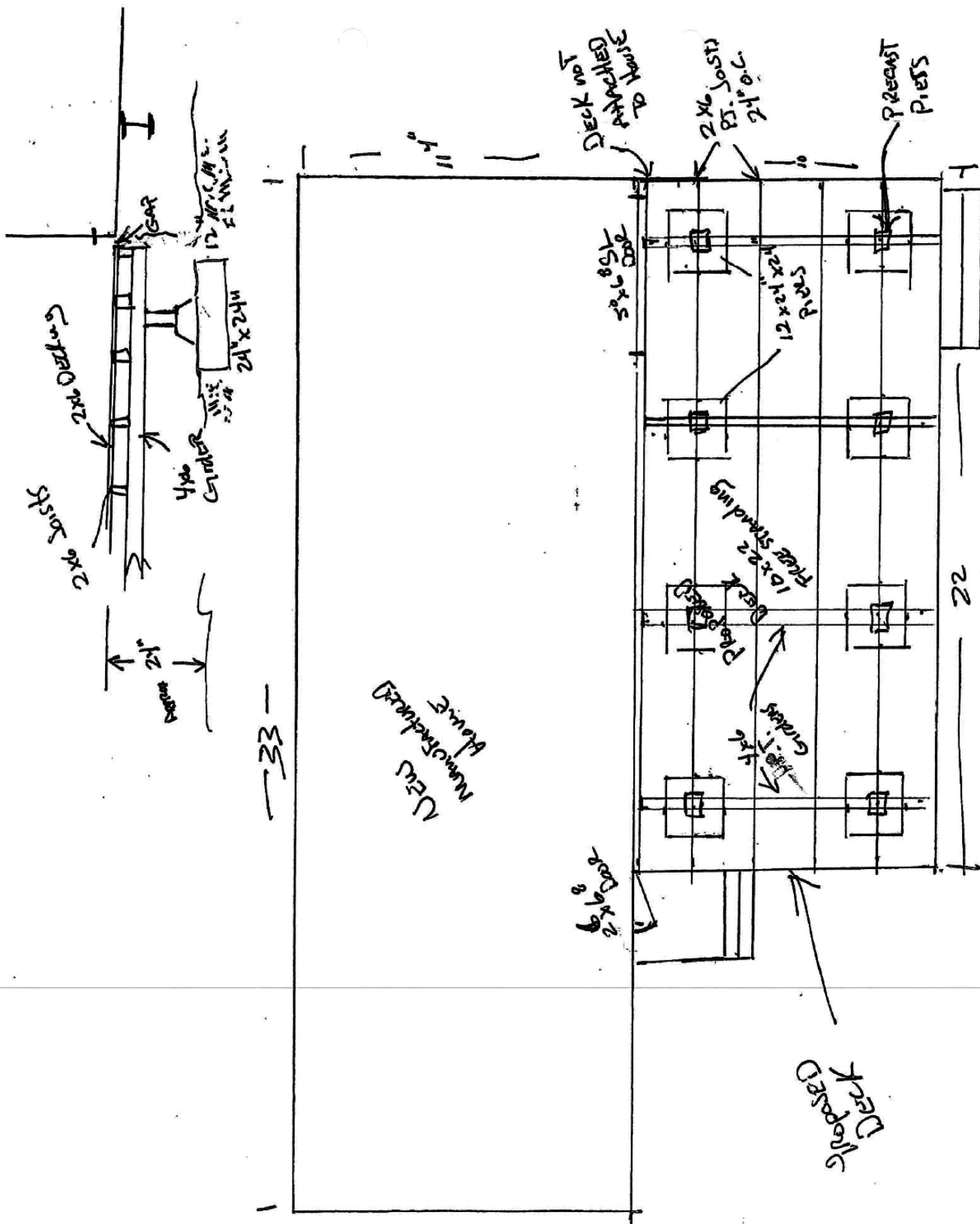
AGENT:

ADDRESS: 3550 Albion Ridge D Road, Albion

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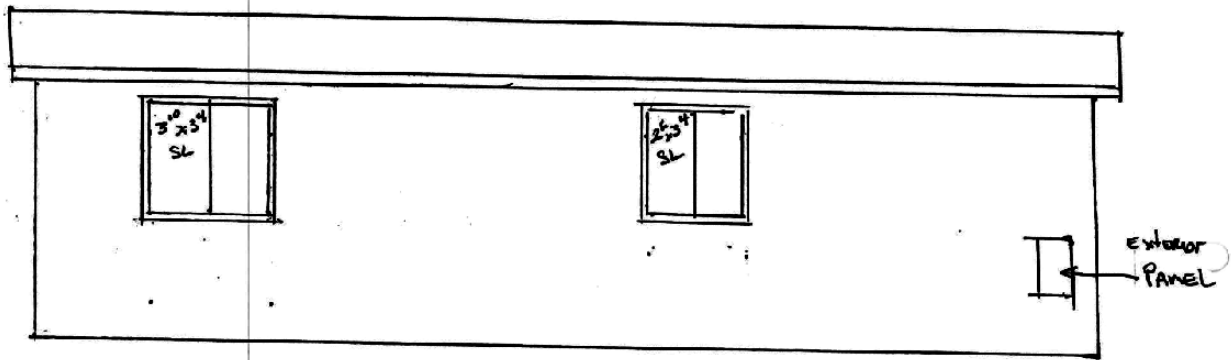
SITE PLAN

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Application Page 9

CDP\_2017-0042 Morse



SOUTH

CASE: CDP 2017-0042  
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NO SCALE

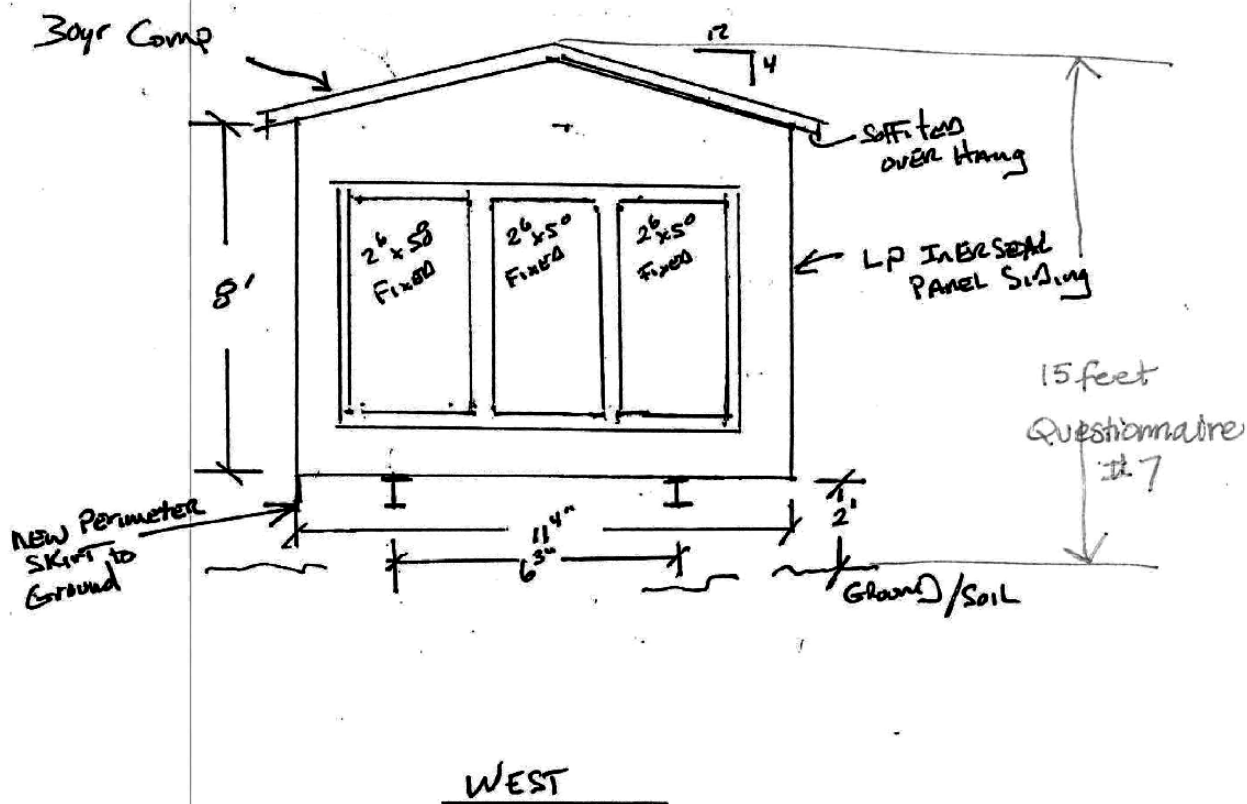
ELEVATIONS

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3550 Albion Ridge Road D  
OWNERS: Kirt and Coralie Morse  
Box 154  
Philo CA 95466

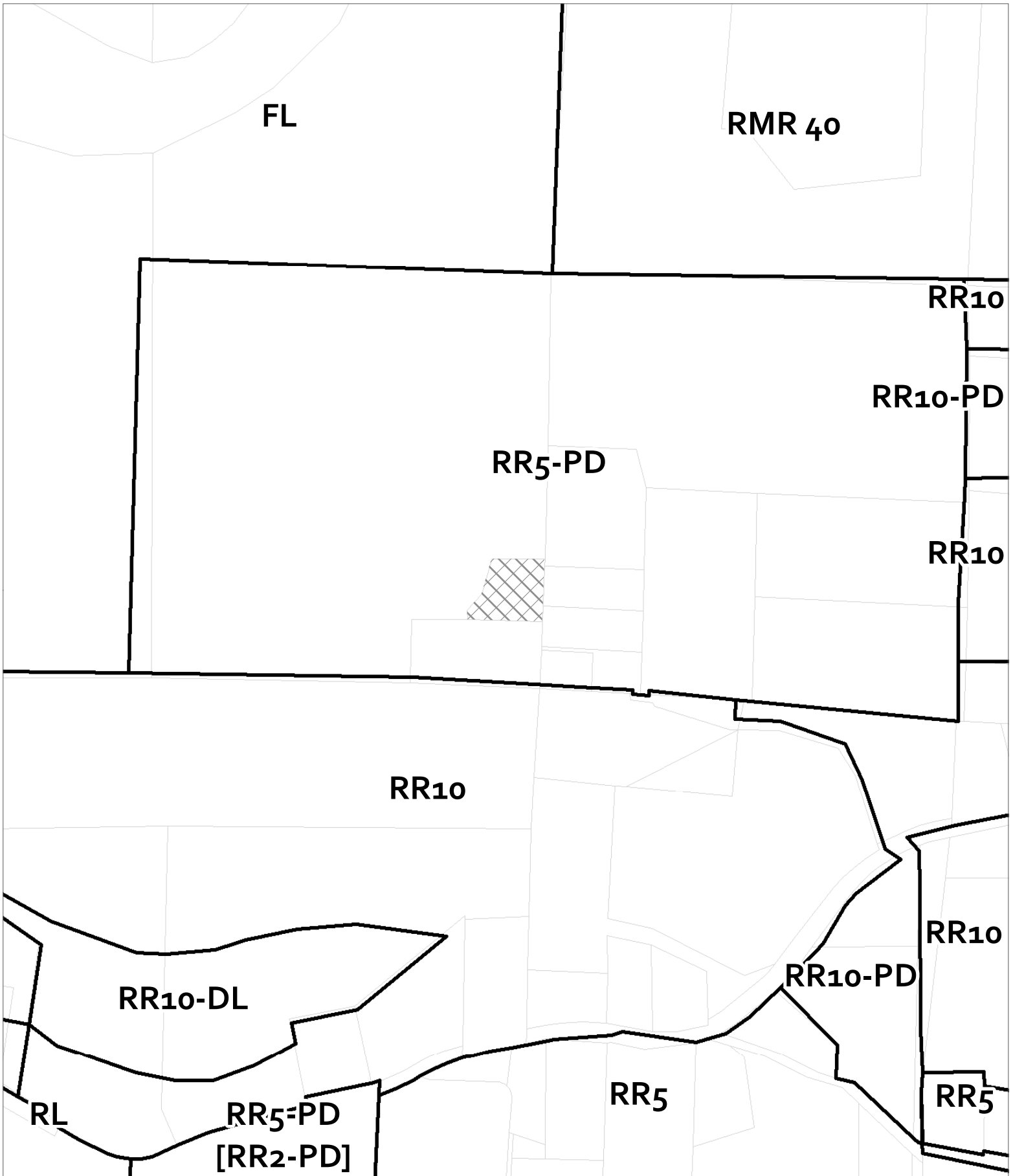
A.P. # 123-060-019  
BV2017-0076




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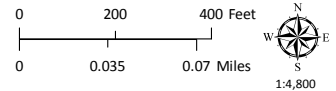
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ELEVATIONS



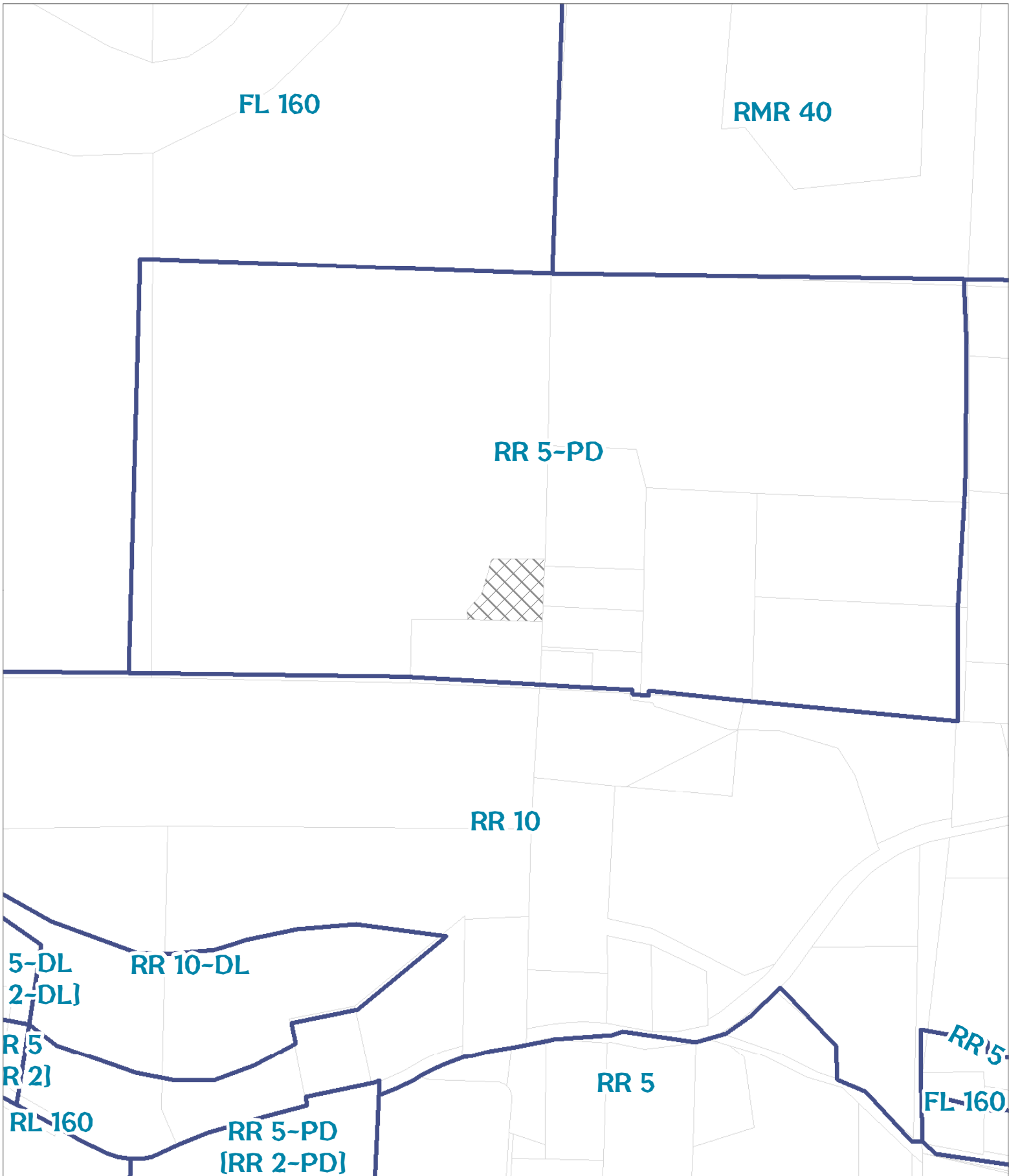
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 Zoning Districts




ZONING DISPLAY MAP

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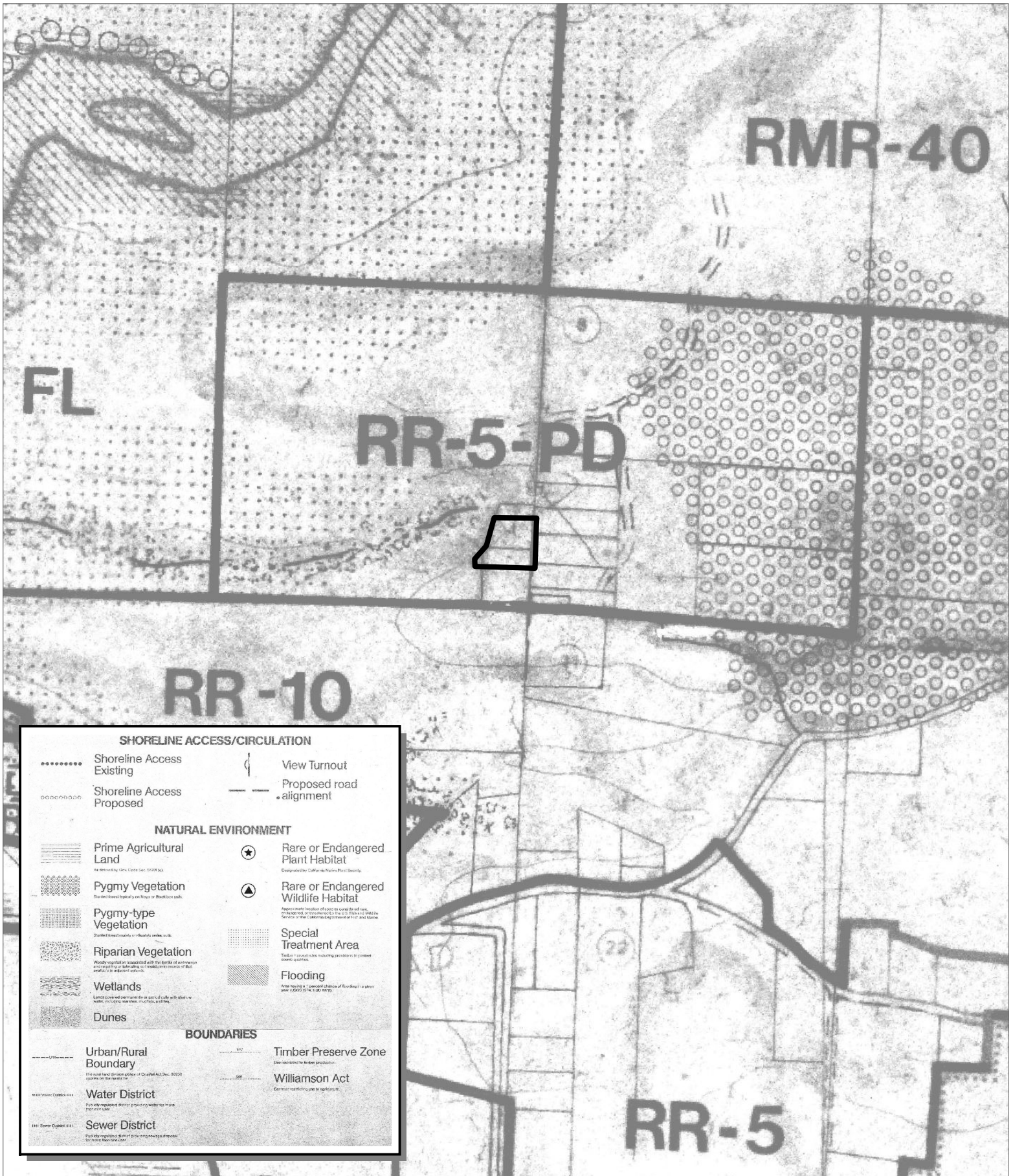
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 General Plan Classes

0 200 400 Feet  
0 0.035 0.07 Miles  
N  
W  
E  
S  
1:4,800  
GENERAL PLAN CLASSIFICATIONS

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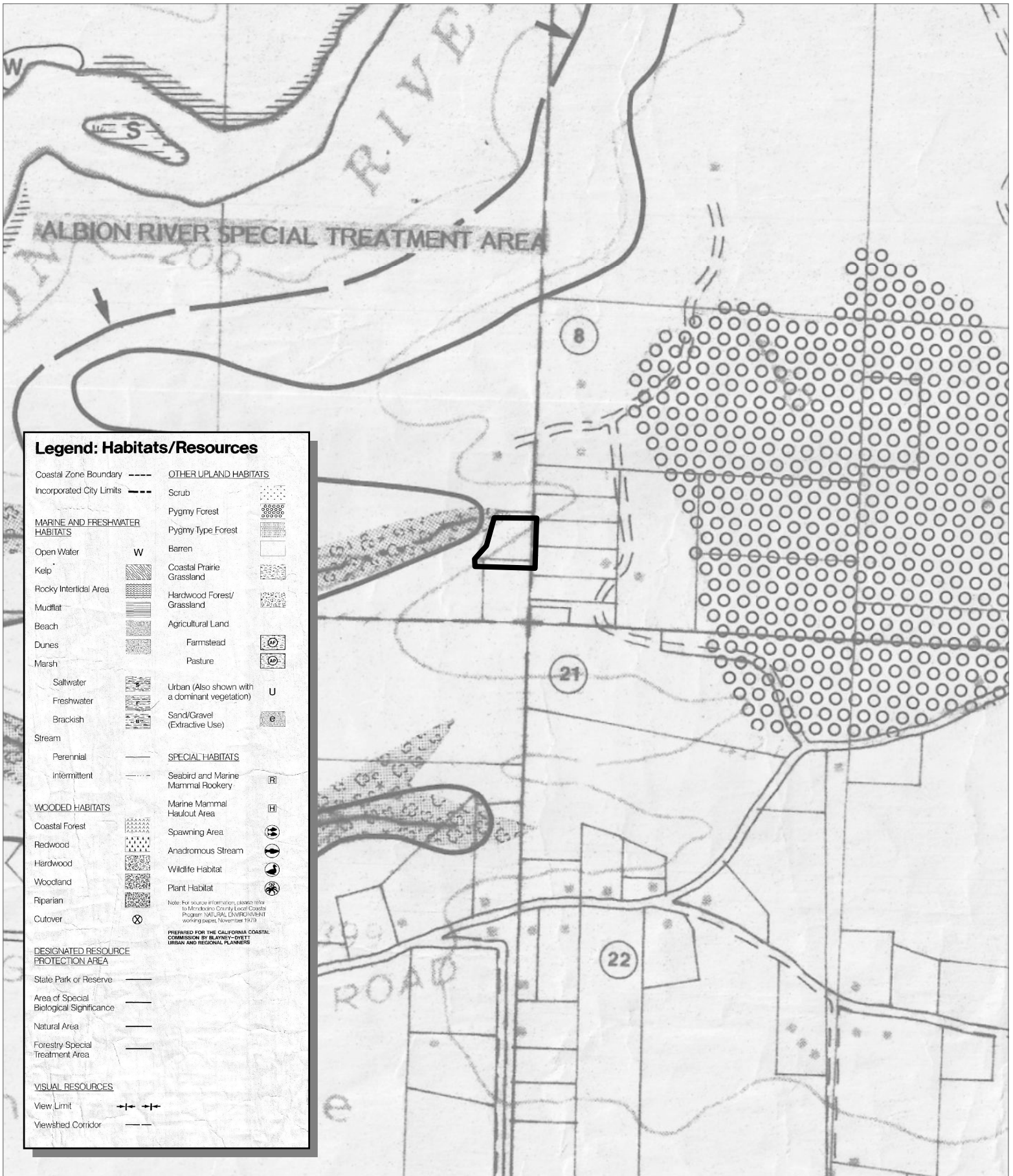


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LCP LAND USE MAP 18: ALBION

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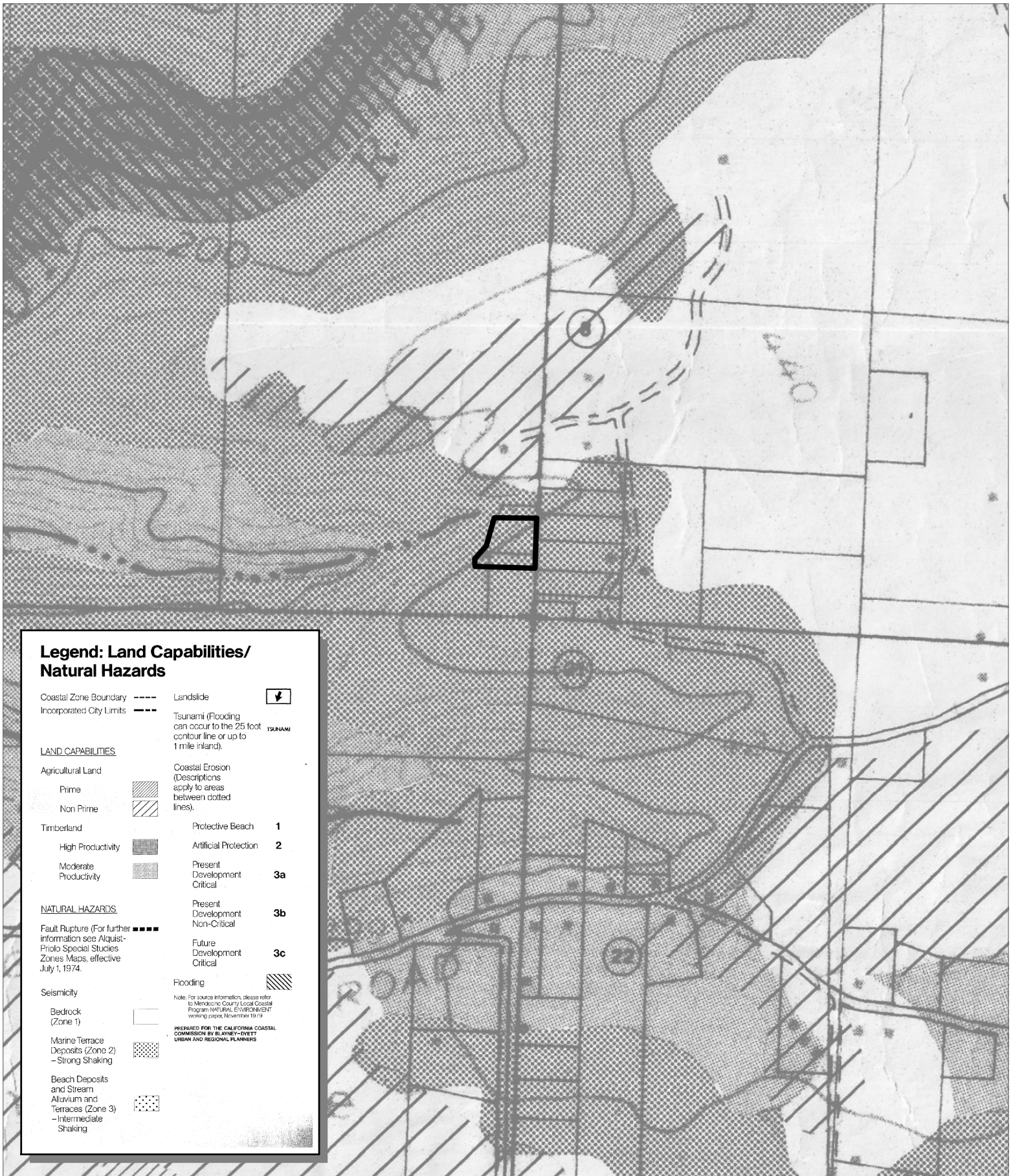
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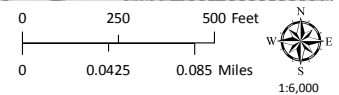
LCP HABITATS & RESOURCES

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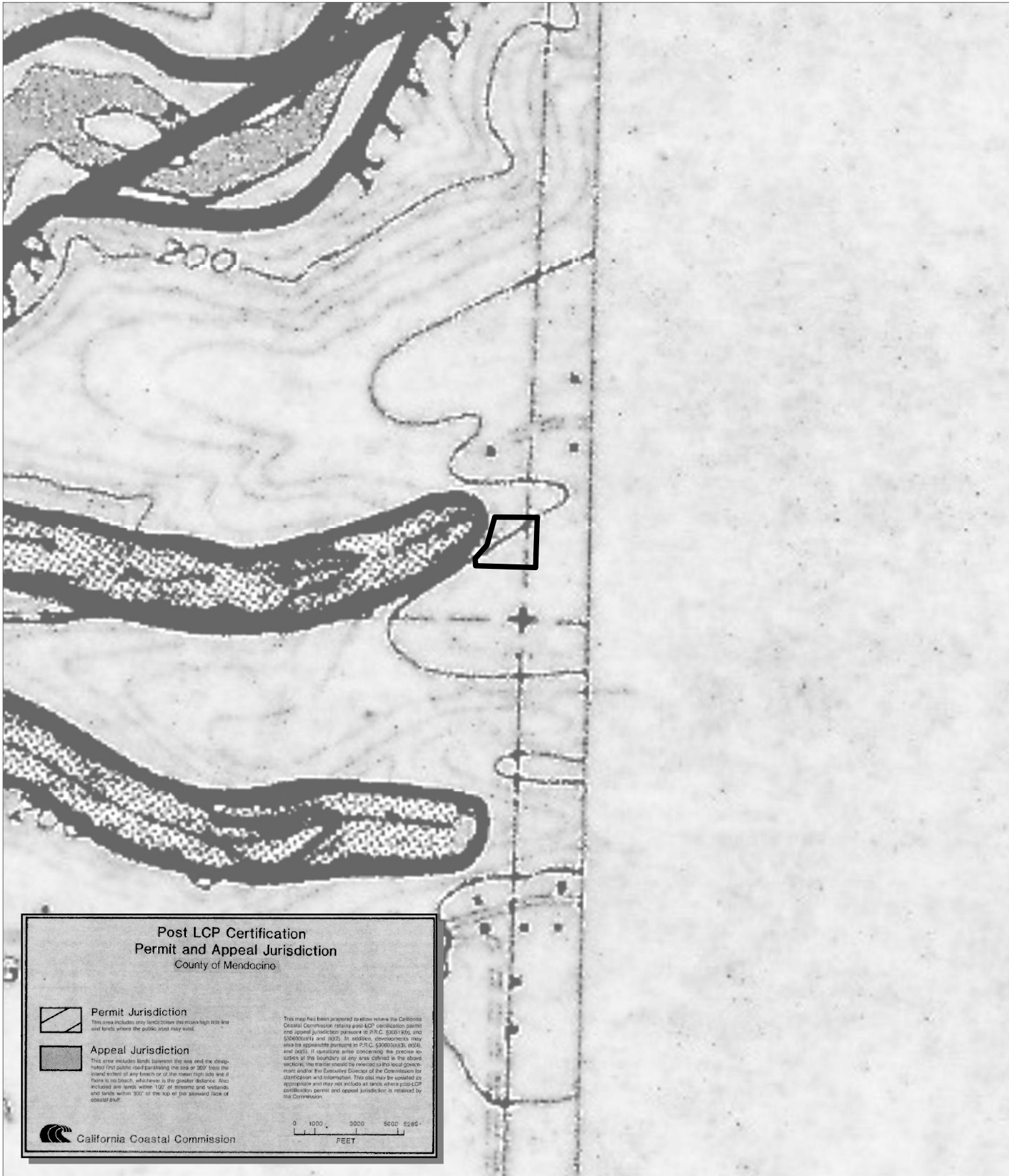
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LCP LAND CAPABILITIES & NATURAL HAZARDS

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123-060-16  
REDWOOD MENDOCINO  
FL 160 8 A±

123-070-21  
KAREN RAKOFSKY  
RMR 40 9 A±

123-070-20  
CARMEN GOODYEAR  
RMR 40 30.6 A±

123-080-32  
NANCY FISH  
RR 5 19 A±

123-060-17  
INVESTMENT SANCTUARY  
FL 160 46.8 A±

123-060-24  
CHARLES HASTY  
FL 160 58.7 A±

123-080-14  
ERIC LEEDS  
RR 5 5 A±

123-060-19  
KIRT MORSE  
RR 5 0 A±

123-080-34  
TOBY ROBBINS  
RR 5 2.85 A±

123-080-25  
MARIO ABREU  
RR 5 1 A±

123-080-10  
MARIO ABREU  
RR 5 1 A±

123-080-13  
MICHAEL MEEK  
RR 5 5 A±

123-060-25  
WER4U  
RR 5 2 A±

123-080-11  
ALAN TAEGER  
RR 5 0 A±

123-080-12  
GRADY GAUTHIER  
RR 5 0 A±

123-210-35  
GAIL DANKBAR  
RR 10 9.9 A±

123-210-29  
MICHAEL MEEK  
RR 10 0.24 A±

123-210-42  
BRYAN PAULSON  
RR 10 3.1 A±

123-210-39  
AMY WHITELEY  
RR 10 0.9 A±

123-190-01  
NANCY WRIGHT  
RR 10 0 A±

123-210-33  
AMY WHITELEY  
RR 10 10.4 A±

123-210-32  
AMY WHITELEY  
RR 10 4.71 A±

123-210-14  
JOSEPH SAFER  
RR 10 1.7 A±

123-190-24  
EARL LATHAM  
RR 10 16.5 A±

123-190-25  
GENE FRAZELL  
RR 10 10.73 A±

123-190-23  
EARL LATHAM  
RR 10 1.35 A±

123-190-08  
NORMAN LAWLER  
RR 10 1.9 A±

123-210-02  
PHILLIP LIVINGSTON  
RR 10 1.03 A±

123-210-15  
JUDITH MANGINI  
RR 10 0 A±

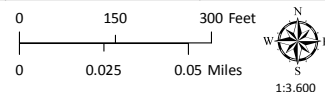
123-210-34  
DAVID KIGHT  
RR 10 0 A±

123-210-17  
SCOTT GIENGER  
RR 5 1.13 A±

123-210-16  
DEREK MAGDALIK  
RR 10 3.87 A±

123-190-22  
EARL LATHAM  
RR 10 1.2 A±

CASE: CDP 2017-0042  
OWNER: MORSE, Kirt & Coralie  
APN: 123-060-19  
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ADJACENT PARCELS

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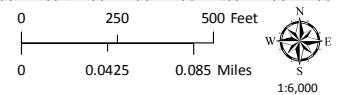


**ALBION LITTLE RIVER FIRE PROTECTION DISTRICT**



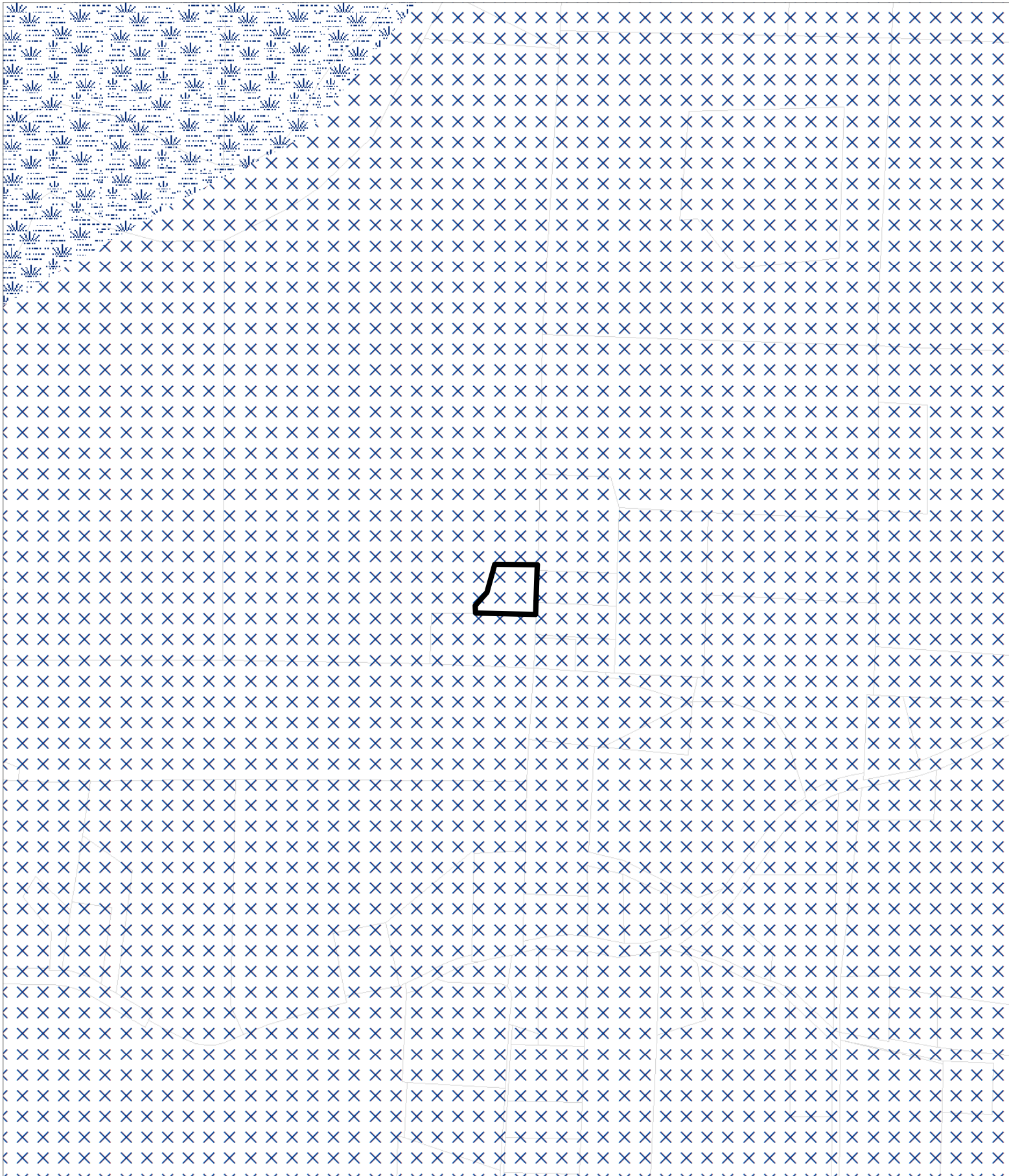
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APLCT: Kirt Morse  
AGENT:  
ADDRESS: 3550 Albion Ridge D Road, Albion

-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard





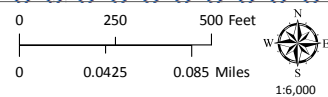
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
STATE RESPONSIBILITY AREA

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DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: CDP 2017-0042  
OWNER: MORSE, Kirt & Coralie  
APN: 123-060-19  
APLCT: Kirt Morse  
AGENT:  
ADDRESS: 3550 Albion Ridge D Road, Albion

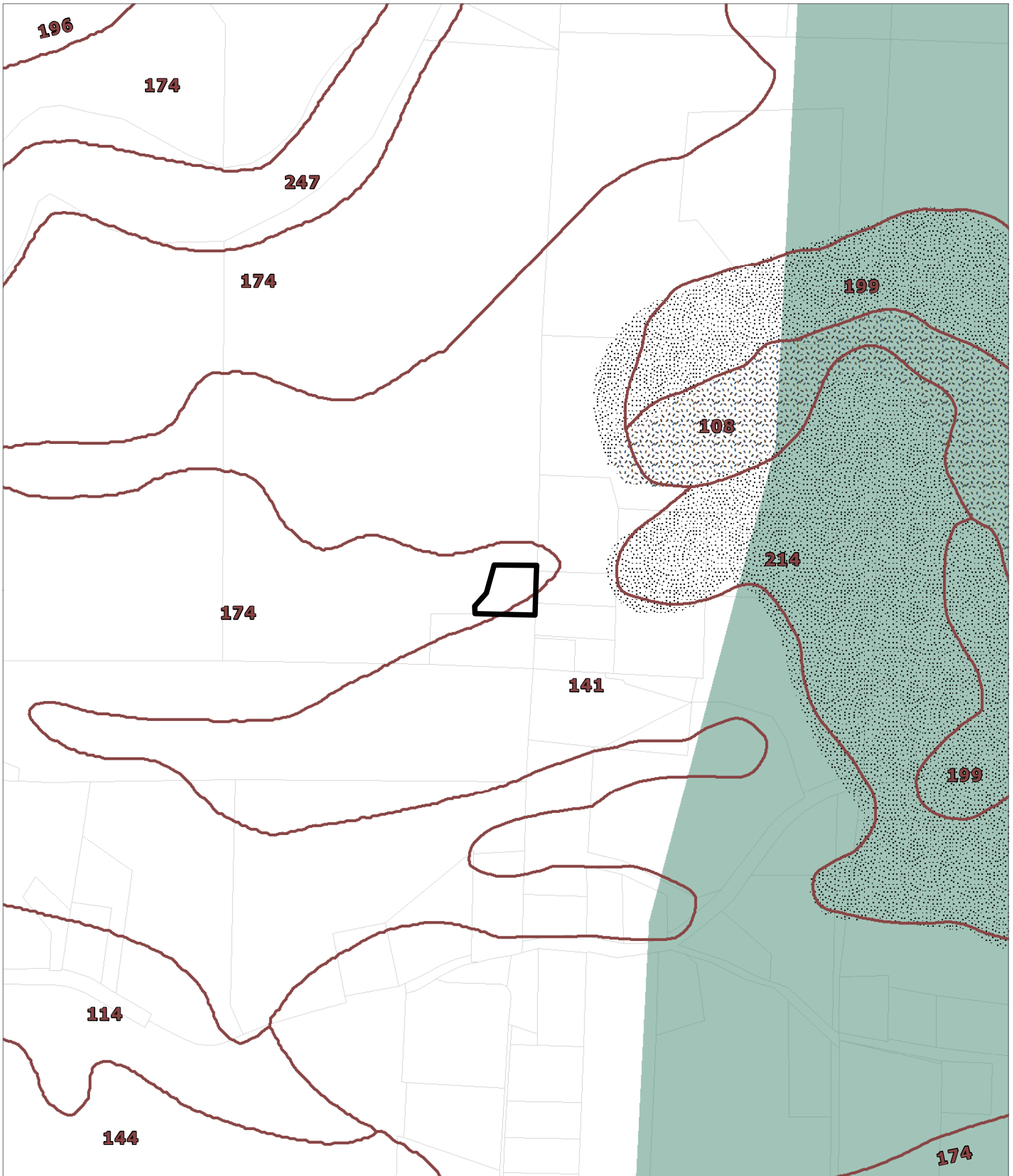
 Critical Water Areas  
 Marginal Water Resources






GROUND WATER RESOURCES

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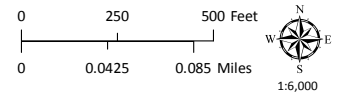




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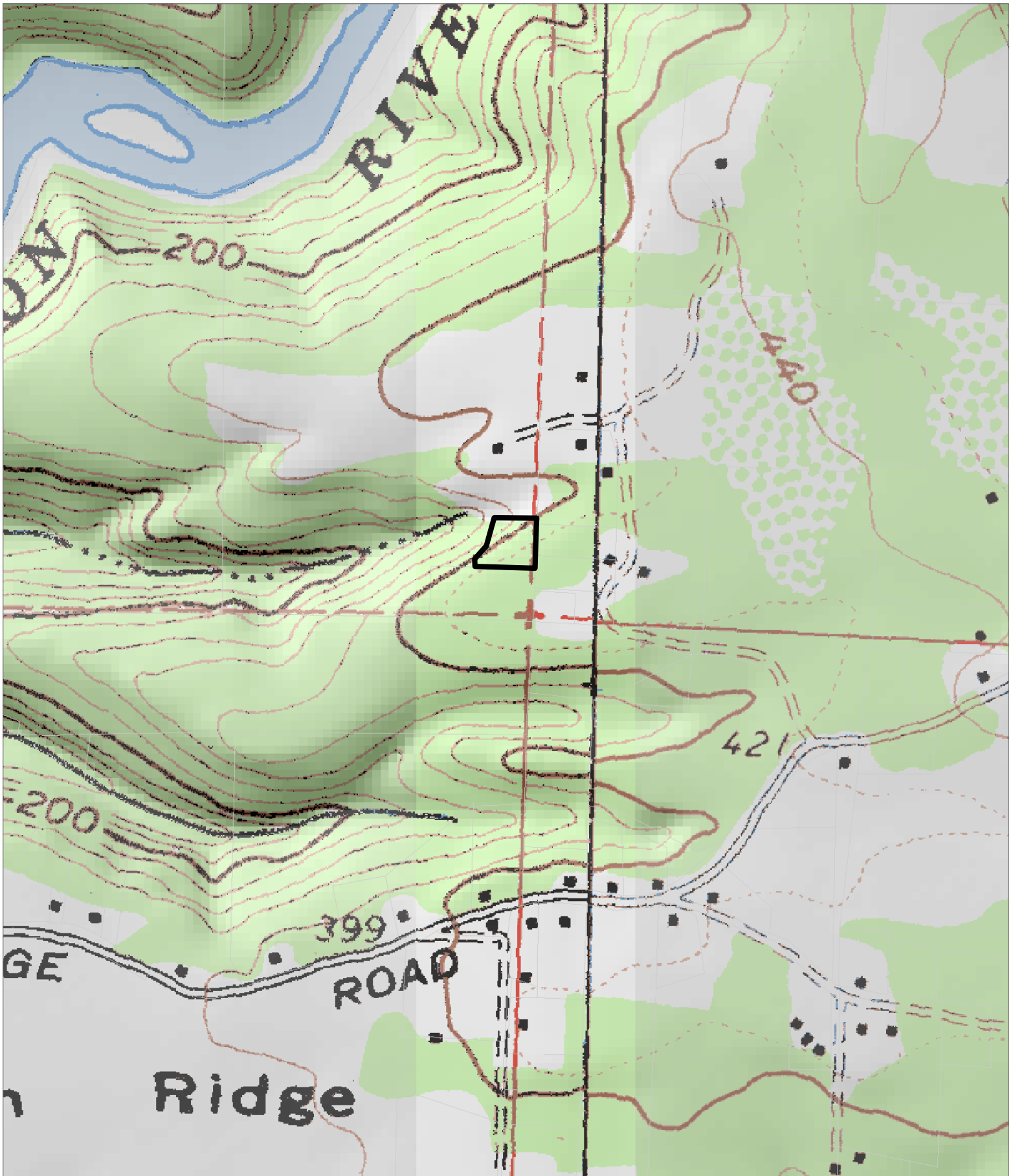
-  Western Soil Classes
-  Blacklock & Aborigine
-  Shinglemill-Gibney Complex

 Bishop Pine

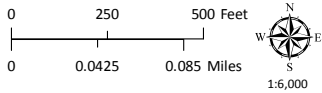


LOCAL SOILS

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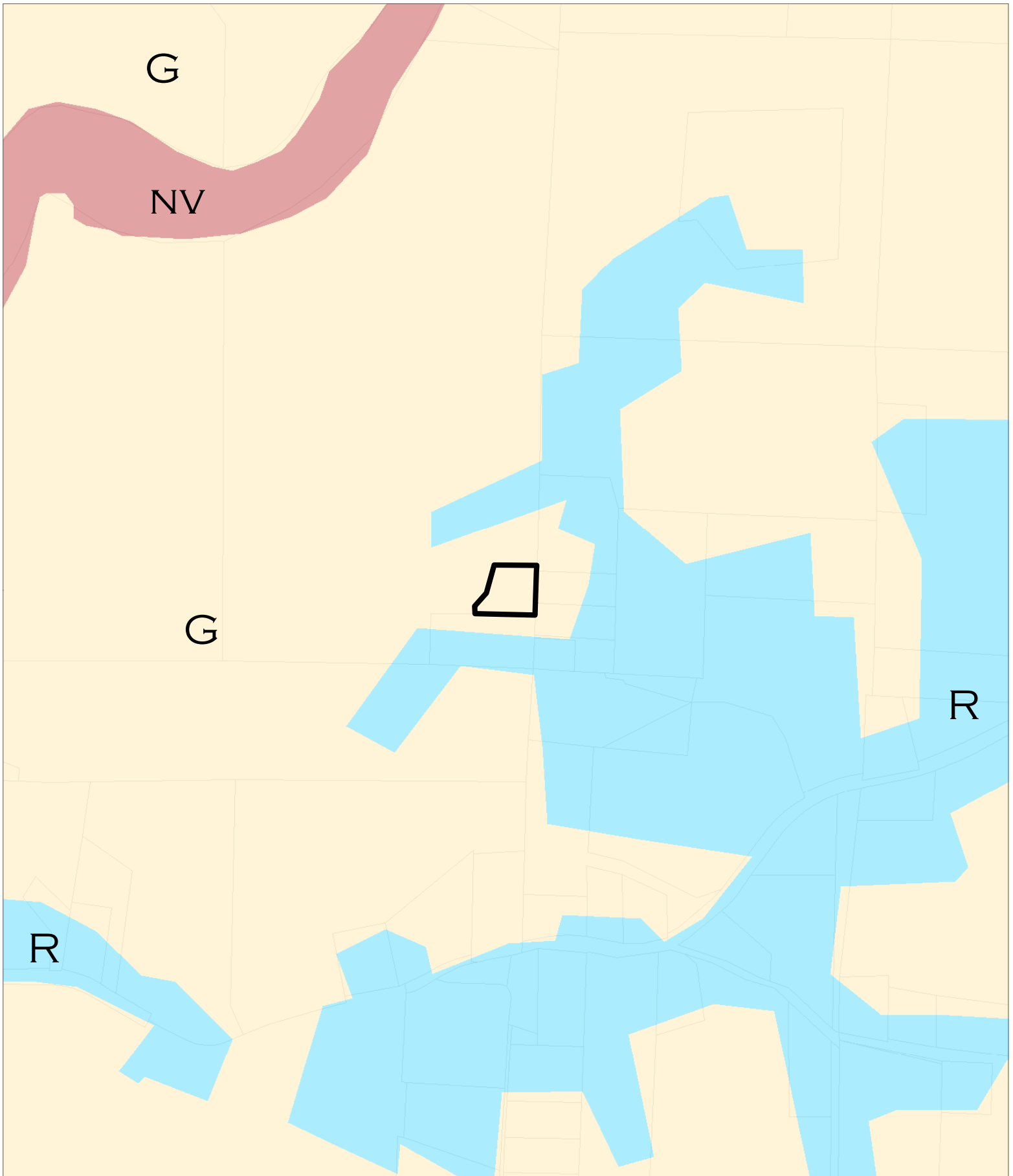


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


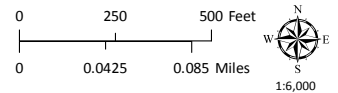
TOPOGRAPHIC MAP  
CONTOUR INTERVAL IS 40 FEET

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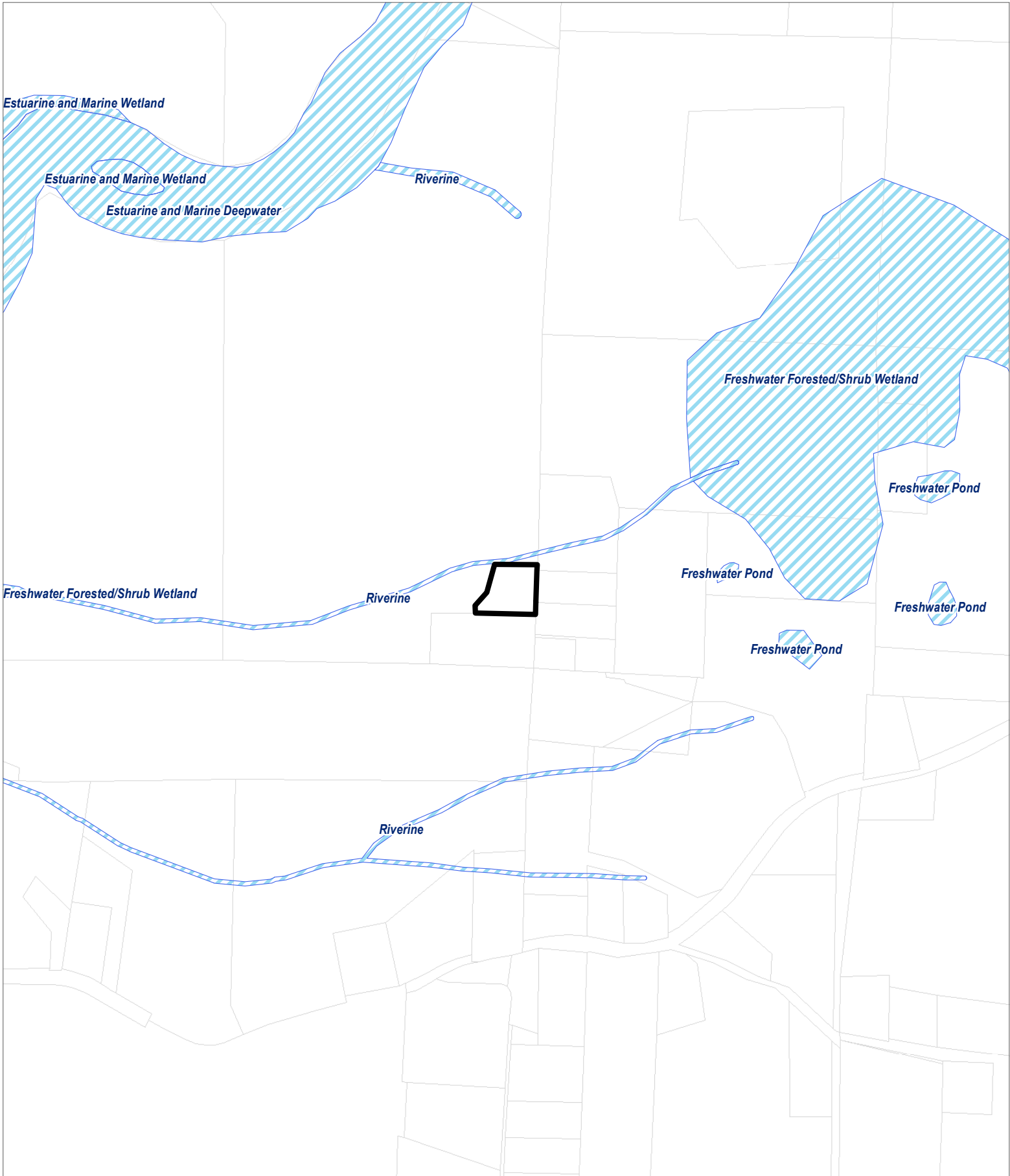
CASE: CDP 2017-0042  
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-  Grazing Land (G)
-  Non-Ag & Natural Vegetation (nv)
-  Rural Residential & Rural Commercial (R)



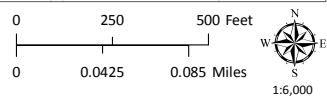
IMPORTANT FARMLAND

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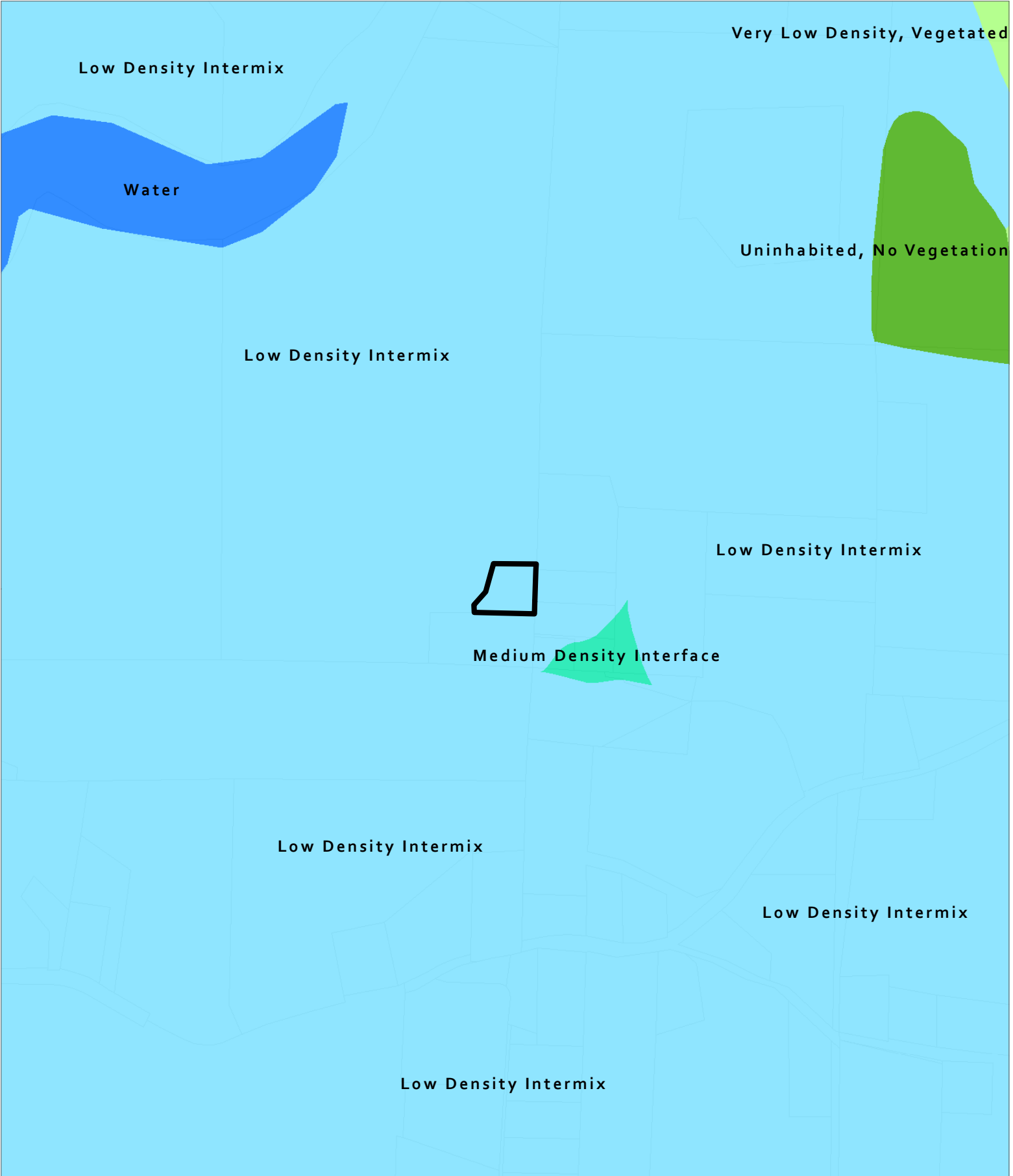
CASE: CDP 2017-0042  
OWNER: MORSE, Kirt & Coralie  
APN: 123-060-19  
APLCT: Kirt Morse  
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 National Wetlands Inventory



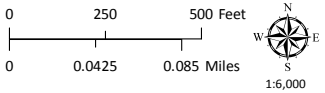
WETLANDS

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 Water



**WILDLAND-URBAN INTERFACE ZONES**

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