

### COASTAL PERMIT ADMINISTRATOR STAFF REPORT - CDP STANDARD

### OCTOBER 25, 2018 CDP\_2013-0022

<u>SUMMARY</u>				
OWNER/APPLICANT:	CALIFORNIA DEPARTMENT OF TRANSPORTATION 703 B STREET MARYSVILLE, CA 95901			
AGENT:	LIZA WALKER 703 B STREET MARYSVILLE, CA 95901			
REQUEST:	Standard Coastal Development Permit to allow the Californ Department of Transportation (Caltrans) to install changeable message sign along State Route 1. The proje proposes a small model 520 Changeable Message Syste and traffic camera along the southbound lane. The syste requires trenching to a depth of 2.5 ft. for placement of 10 ft. of conduit.			
LOCATION:	In the Coastal Zone, $1\pm$ mile south of the City of Fort Bragg, just north of the intersection of State Route 1 (SR1) and Boice Ln. (CR 413), within the Caltrans right-of-way along the southbound lane of SR 1 at post mile 58.5.			
TOTAL ACREAGE:	N/A			
GENERAL PLAN:	Right-of-Way (ROW)			
ZONING:	Right-of-Way (ROW)			
SUPERVISORIAL DISTRICT:	4			
ENVIRONMENTAL DETERMINATION:	Categorically Exempt Class 1. A Categorical Exemption Determination form was filed by Caltrans on June 18, 2013. The Notice of Exemption was accepted by the State Clearinghouse on October 18, 2013.			
APPEABLE:	Yes, major public works			
RECOMMENDATION:	Approve with Conditions			
STAFF PLANNER:	Julia Acker Krog			
	BACKGROUND			

**PROJECT DESCRIPTION**: Standard Coastal Development Permit to allow the California Department of Transportation (Caltrans) to install a changeable message sign along State Route 1, south of the City of Fort Bragg, at post mile 58.5. The purpose of the sign is to alert southbound traffic of road conditions, such as closures along the highway due to flooding. The project proposes to install a small mode 520 Changeable Message System and traffic camera along the southbound lane just north of the intersection of State Route 1 (SR1) and Boice Lane (CR 413). The system requires trenching to a depth of 2.5 feet for placement of 100 feet of conduit. All work activities are confined to the existing Caltrans right-of-way.

<u>APPLICANTS' STATEMENT:</u> "The California Department of Transportation proposes to install a changeable message sign along State Route 1, south of the town of Fort Bragg, in Mendocino County. The purpose of the project is to install a changeable message sign at post mile 58.5. The sign is needed to alert southbound traffic of road conditions, such as closures along the highway due to flooding. The

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project proposes to install a small model 520 Changeable Message System and traffic camera along the southbound lane just north of the intersection of State Route 1 and Boice Lane. The system requires trenching to a depth of 2.50 feet for placement of 100 feet of conduit. All work activities will be confined to the existing Caltrans right-of-way."

### **RELATED APPLICATIONS:**

- CDP 94-00 Caltrans proposed the installation of two permanent changeable message signs: one sign at the intersection of State Route 20 and South Harbor Drive on the eastbound lane and the other sign on State Route 1 approximately one block north of Boice Lane along the southbound lane. The sign on State Route 20 was approved but the sign on State Route 1 was denied based upon inconsistency with visual resource policies in the Coastal Element and Division II of Title 20 of Mendocino County Code (MCC).
- CDP 49-01 Caltrans proposed the installation of a permanent changeable message sign approximately 187 feet north of the intersection of State Route 1 and Boice Lane (similar location to CDP 94-00). Staff had recommended approval of the project, as site conditions had changed (a storage facility was built behind the proposed sign location – providing visual screening), but the Coastal Permit Administrator denied the project based upon inconsistency with the intent of the Coastal Element to maintain State Route 1 as a scenic, rural, two-lane highway and with policies calling for protection of visual qualities and compatibility with the character of the area.

<u>SITE CHARACTERISTICS</u>: The project site is located on the west side of State Route 1 along the southbound lane. Commercial uses are located to the north, east and west of the project site with residential development to the south. The project area is highly disturbed due to the presence of State Route 1, with vegetation primarily consisting of many non-native species adapted to highly disturbed areas.

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Commercial (C)	Commercial (C)	1± Acre	Retail Store
EAST	Commercial (C)	Commercial (C)	1.8± Acres	Storage Facility
SOUTH	Rural Residential (RR5(1))	Rural Residential (RR5(1))	0.6± Acres	Residential
WEST	Commercial (C)	Commercial (C)	2.4± Acres	Storage Facility

### SURROUNDING LAND USE AND ZONING:

#### PUBLIC SERVICES:

Access:STATE ROUTE 1 (SR 1)Fire District:FORT BRAGG RURALWater District:NONESewer District:NONESchool District:FORT BRAGG UNIFIED

**Local Coastal Program Consistency:** The proposed project is consistent with the goals and policies of the Local Coastal Program as detailed below.

Land Use/Zoning: The proposed project is located within the existing State right-of-way. The land associated with this application is situated within the boundaries of Mendocino County's Local Coastal Program, but the land does not have a General Plan designation or Zoning district. The project site consists of right-of-way land. The site is currently developed with an existing two lane highway. The proposed project would add a changeable message sign to the southbound lane to alert motorists of road conditions and closures along the highway. Caltrans has indicated that this project is necessary to provide improved response time in notifying the public of flooding and highway closures south of the proposed project location and that installation of this changeable message sign would significantly improve response time. Special purpose signs such as directional, warning or information signs required or authorized by law which are erected by federal, state, county, municipal officials or special district

officials are exempt from the sign regulations set forth in MCC Chapter 20.476. The project is found to be consistent with the continuance of SR 1 as a two lane roadway. The Federal Highway Administration supports the use of changeable message sign systems to display safety and information messages to motorists (Section 2E.21 of the *Manual on Uniform Traffic Control Devices*).

Caltrans has a published document *Changeable Message Sign Guidelines* which provides policy and guidance for the use of Changeable Message Signs (CMS) on the State's highway system (Wooster et. al 2013). The guidelines provide information on how to determine the appropriate location for a Changeable Message Sign based on visibility and safety policies. "The most appropriate locations for installing or placing a CMS are in advance of major decision points, such as interchanges or intersections where motorists can respond to specific information displayed on the CMS. The CMS should be located as close to the edge of the traveled way as possible to maximize visibility" (Wooster et. al 2013). The guidelines state that the sign should be located so motorists can: detect the sign, read and understand the sign, initiate a response, and make appropriate decisions based on the information gained from the message (Wooster et. al 2013). Permanent signs are given the following additional recommendations with regards to location: they should be upstream of locations which may experience severe weather conditions (fog, dust, wind, ice or snow), upstream of major special event facilities, and upstream of locations where information regarding travel times and delays are appropriate (for example, construction zones) (Wooster et. al 2013).

The California Manual on Uniform Traffic Control Devices- January 13, 2012 and Caltrans' Standard Specifications (Sec. 12-3.12) require a one thousand five hundred (1,500) foot visibility distance and a seven hundred and fifty (750) foot legibility distance for all Changeable Message Signs (Caltrans 2012). Therefore the selected location for the Changeable Message Sign is one of the few locations along Highway 1, north of the problem area that can provide the required visibility and legibility distances. To insure safety for maintenance staff and motorists the guidelines recommend installation of permanent Changeable Message Signs to the right of the traveled way because it allows maintenance personnel to use shoulder closures during inspection or repair rather than close a lane of traffic while performing maintenance tasks (Wooster et. al 2013). The appropriate location for a Changeable Message Sign should also be based upon the presence of a parking area for maintenance workers (Wooster et. al 2013). The selected location provides adequate site distance, shoulder space for maintenance and adequate parking area for maintenance workers.

<u>Habitats and Natural Resources</u>: A survey was conducted on May 2, 2017 by Caltrans Biologists to determine the extent of Environmentally Sensitive Habitat Areas in the vicinity of the selected project location. The vegetation composition within the project footprint is generally ruderal with many non-native species adapted to highly disturbed areas. No sensitive plant species were observed within the Environmental Study Limits (ESL).

No Viola adunca nor other potential nectar source plants for Behren's Silverspot Butterfly (BSSB) were observed within the project site or within 100 meters of the project location. The site is considered not to be BSSB habitat and the proposed project is not expected to disturb or interfere with essential lifecycle activities of the BSSB.

The proposed project is not anticipated to have any impacts on sensitive biological resources within the project limits as long as avoidance measures specified in the Natural Environment Study prepared for the original project location dated June 18, 2013 are incorporated.

<u>Public Access</u>: The proposed project will not impact any existing public access points as none are mapped or designated within the project vicinity that this project may interfere with.

<u>Hazards Management</u>: The proposed project is exempt from CalFire requirements and will not result in an increased fire danger in any of the project locations. The proposed structure would be located in a flat area, and the development does not present any hazard issues relative to slope failure. There are no known faults, landslides or other geologic hazards in close proximity to the proposed development. There are no other potential hazards associated with the proposed project.

<u>Grading, Erosion, and Run Off</u>: The project requires minimal earthwork, therefore impacts as a result of the project should be negligible. Trenching will be required to a depth of 2.5 feet in order to lay 100 feet of

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conduit to services the proposed changeable message sign and traffic camera. Due to the fact that the project location is located within the Municipal Separate Storm Sewer System (MS4) area of Fort Bragg and will be subject to the requirements of the County of Mendocino standards related to projects within the MS4 area, which are required typically at the time of building permit/construction. The submitted Natural Environment Study states that "Caltrans requires that the construction contractor implements a Water Pollution Control Plan (WPCP) or Storm Water Pollution Prevention Plan (SWPPP) designed to reduce the discharge of pollutants associated with storm water runoff (e.g. from vegetation removal, trenching activities in and adjacent to any affected drainages, petroleum products associated with heavy equipment and other sources). The WPCP or SWPPP must incorporate best management practices (BMPs) that provide pollution and sediment controls. The WPCP or SWPPP must meet the standards and objectives to minimize water pollution impacts set forth in section 13-1.01/13-2.01 of Caltrans' Standard Specifications" (Kunz 2013). A condition of approval is recommended to insure that Mendocino County Department of Planning and Building Services is provided a copy prior to commencement of operations.

<u>Archaeological/Cultural Resources</u>: For small projects such as remodels, additions, small outbuildings (projects with minimal earthwork) Mendocino County Department of Planning and Building Services (PBS) procedure is to not refer these types of projects to either California Historic Resource Information System (CHRIS) or the Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Mendocino County Archaeological Commission in 2005 and again in 2014 and was determined to be an appropriate guidance document for what projects should require archaeological review. The proposed project consists of installation of a small model changeable message sign, traffic camera and trenching to a depth of 2.5 feet and length of 100 feet. County staff determined that due to the small scale of the proposed development and minimal of ground disturbance in an already disturbed area, no archaeological review would be required.

Additionally, Far Western Anthropological Research Group, Inc. recently completed a cultural resource inventory of District 1 rural conventional highways (the Transportation Enhancement Act survey). This inventory, which was conducted as part of the Transportation Enhancement Act (TEA) planning project, involved a records search at CHRIS, an intensive pedestrian survey of the existing right-of-way, Native American consultation, and ethnographic research. *Cultural Resources Inventory of Caltrans District 01 Rural Conventional Highways in Del Norte, Humboldt, Lake, and Mendocino Counties;* by L. Leach-Palm, P. Mikkelsen, P. Brady, J. King, L. Seil, D. Rice, B. Larson, J. Freeman, and J. Costello; May 2011.

The applicant is advised of the Mendocino County Archaeological Resources Ordinance, and specifically Section 22.12, commonly referred to as the "Discovery Clause." A condition of approval is recommended advising the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

<u>Groundwater Resources</u>: The Division of Environmental Health commented that the project can be approved by Environmental Health. No adverse impacts to groundwater resources are anticipated as the project does not consist of work that would impact groundwater.

<u>Transportation/Circulation</u>: The project would not contribute new sources of traffic on local and regional roadways. The proposed project is being undertaken to alert motorists to road conditions and closures along State Route 1 and State Route 128. Impacts to transportation/circulation may occur during construction of the Changeable Message Sign but would be negligible since there is adequate shoulder space for the construction work to be performed. Any impacts would likely be limited to temporary one-way controlled traffic during installation or slower traffic as a result of people gawking to see the construction activities. Transportation/circulation along State Route 1 may benefit from the proposed project because the installation of a Changeable Message Sign so far north of the problem area could reduce congestion due to highway closures in the identified problem area. No additional impacts to transportation/circulation are expected.

<u>Visual Resource and Special Treatment Areas</u>: Protection of visual resources is a specific mandate of Section 30251 of the Coastal Act, and is subsequently addressed in Chapter 3.5 of the General Plan Coastal Element and implemented by MCC Chapter 20.504. The proposed location of the sign is not within a designated Highly Scenic Area. While concern has previously been expressed in the previous coastal development permit attempts to locate a sign at this location, staff finds that the project site is the most suitable for this type of development of the locations reviewed throughout the history of this project

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that still meets the purpose and need of the project. The visual character of the area in which the sign would be located is already degraded by the presence of the commercial uses that surround it. Staff finds the sign to be the most appropriate in this area of all alternatives that have been reviewed throughout the history of this project.

**ENVIRONMENTAL DETERMINATION:** The Secretary for Resources 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, and the Project was determined to meet the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 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 development is in conformity with the certified Local Coastal Program. The site is currently developed with an existing two-lane highway. The proposed project would add a Changeable Message Sign to the southbound lane to alert motorists of road conditions and closures along the highway. Special purpose signs such as directional, warning or information signs required or authorized by law which are erected by federal, state, county, municipal officials or special district officials are exempt from the sign regulations set forth in MCC Chapter 20.476. The project is found to be consistent with the continuance of SR 1 as a two-lane roadway. No inconsistencies with the certified Local Coastal Program have been identified; 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. A trench will be dug to a depth of 2.5 feet and will extend 100 feet in order to provide conduit to the Changeable Message Sign and traffic camera. No other utilities or access roads are necessary; and
- 3. Pursuant with MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the Zoning District, as well as all other provisions of Division II of Title 20 of the Mendocino County Code. The project site consists of Right-of-Way land. The site is currently developed with an existing two-lane highway. Special purpose signs such as directional, warning or information signs required or authorized by law which are erected by federal, state, county, municipal officials or special district officials are exempt from the sign regulations set forth in MCC Chapter 20.476; and
- 4. Pursuant with MCC Section 20.532.095(A)(4), the proposed project, 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. The proposed development meets the criteria of Section 15301, and therefore will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. The proposed development meets the criteria of Section 15301, and therefore will 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 development would not have any adverse impact on any known archaeological or paleontological resources, as there are no known resources within the vicinity of the site and Standard 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 proposed development. The project would not contribute new sources of traffic on local and regional roadways. Impacts to transportation/circulation may occur during construction of the Changeable Message Sign but would be negligible since there is adequate shoulder space for the construction work to be performed. Transportation/circulation along State Route 1 may benefit from the proposed project

because the installation of a Changeable Message Sign so far north of the problem area could reduce congestion due to highway closures in the identified problem area; and

7. Pursuant with MCC Section 20.532.095(B), the proposed 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.

### **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.

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- 9. Prior to commencement of construction activities, the applicant shall submit a complete copy of either a Water Pollution Control Plan (WPCP) or a Storm Water Pollution Prevention Plan (SWPPP) that has been prepared for the project. The WPCP or SWPPP must incorporate best management practices (BMPs) that provide pollution and sediment controls. The WPCP or SWPPP shall meet the standards and objectives to minimize water pollution impacts as set forth in Section 13-1.01/1302.01 of Caltrans' Standard Specifications.
- 10. <u>Prior to commencement of construction activities</u>, the applicant shall submit documentation demonstrating that any excavated fill materials will be disposed of at an approved disposal facility.
- 11. All paintable equipment including the Changeable Message Sign pole, the electrical cabinets, and the CCTV pole, shall be painted a brown color such as Federal Standard Color 595B # 10059, or other acceptable colors as determined by the Coastal Permit Administrator, to help the elements recede into the landscape and reduce contrast.
- 12. Native vegetation shall be planted and maintained in perpetuity between the edge of the travel way and the equipment to provide a screen of the equipment without inhibiting the views of the Changeable Message Sign and to also reduce the effect of the added vertical elements. Caltrans shall provide a plan to the Planning Division as to which species will be planted to achieve compliance with this condition.

Staff Report Prepared By:

CHIEF PLANNER

Appeal Period: 10 Days Appeal Fee: \$1,610.00

#### **ATTACHMENTS:**

- A. Location Map
- B. Topographic Map
- C. Aerial Imagery
- D. Site Plan
- E. Zoning Display Map
- F. General Plan Classifications
- G. LCP Land Use Map 14: Beaver

- H. LCP Land Capabilities & Natural Hazards
- I. LCP Habitats & Resources
- J. Adjacent Parcels
- K. Fire Hazard Zones & Responsibility Areas
- L. Ground Water Resources
- M. Stormwater Permitting Zones

### SUMMARY OF REFERRAL AGENCY COMMENTS:

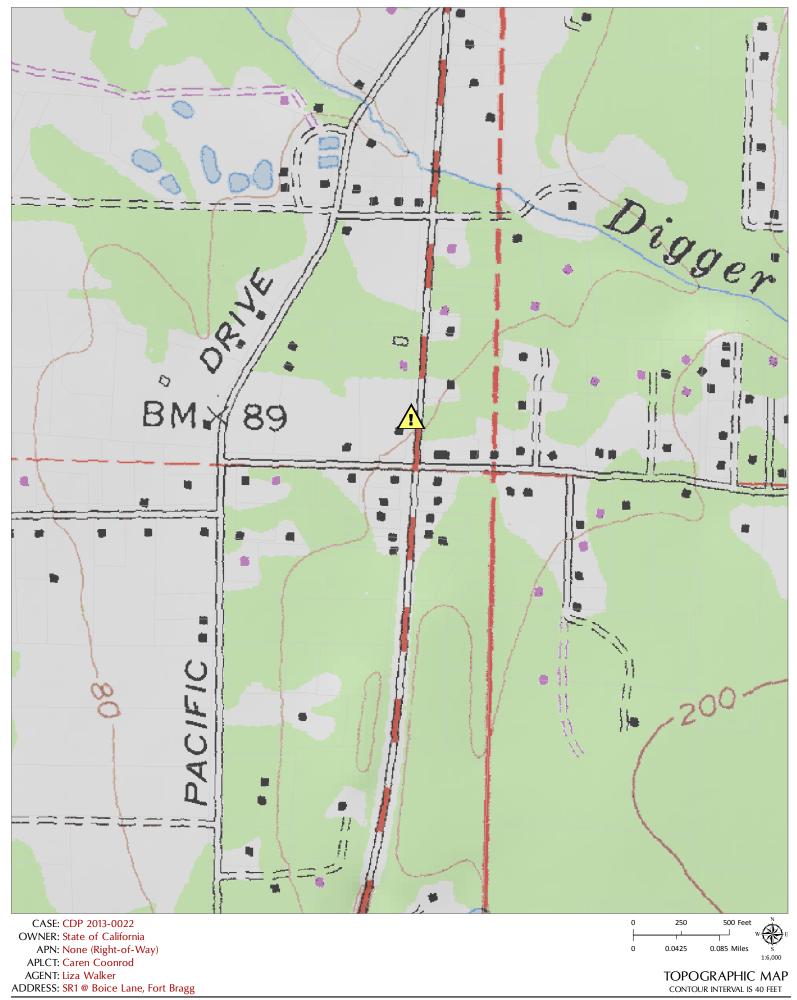
Department of Transportation

Recommends approval of this permit request as the proposed work does not directly impact a County road.

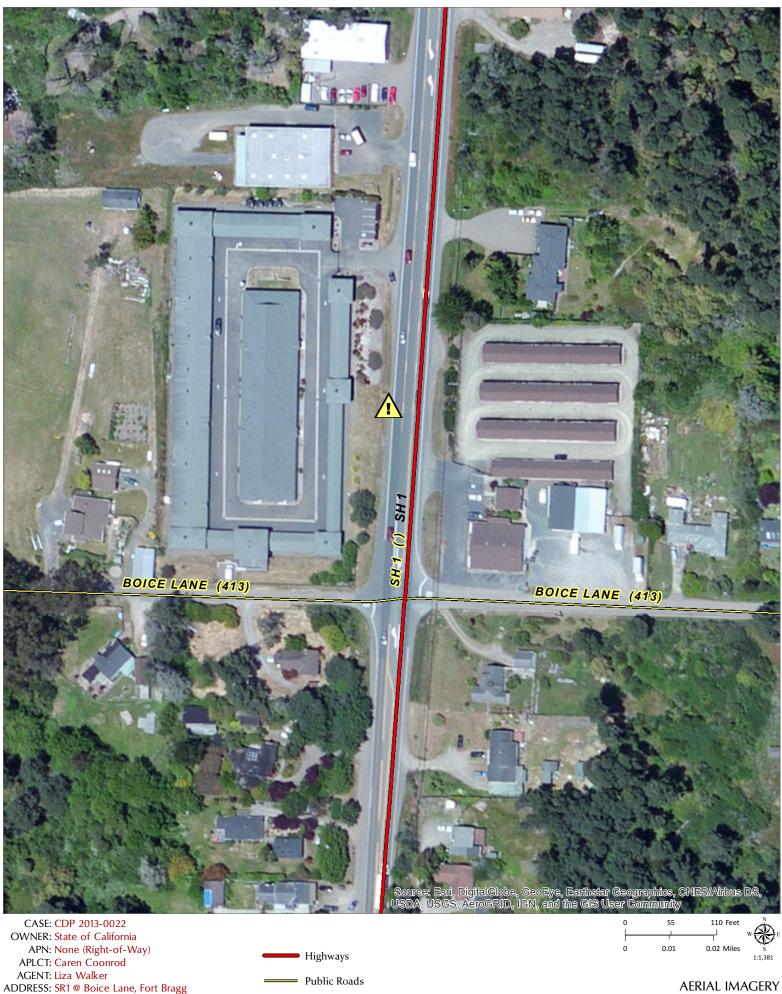
Environmental Health - Fort Bragg No comment. Building Inspection – Fort Bragg No comment. **Emergency Services** No comment. California Highway Patrol No comment. Assessor No response. Department of Fish & Wildlife No response. Coastal Commission Comments. CalFire No response. Fort Bragg Rural Fire Protection District No response.

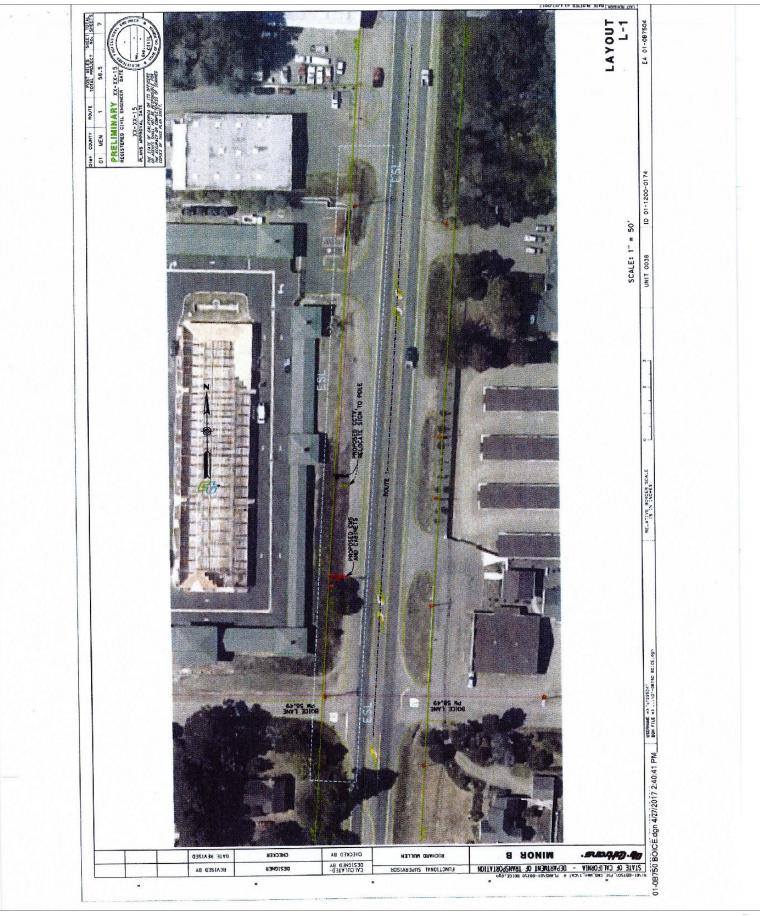


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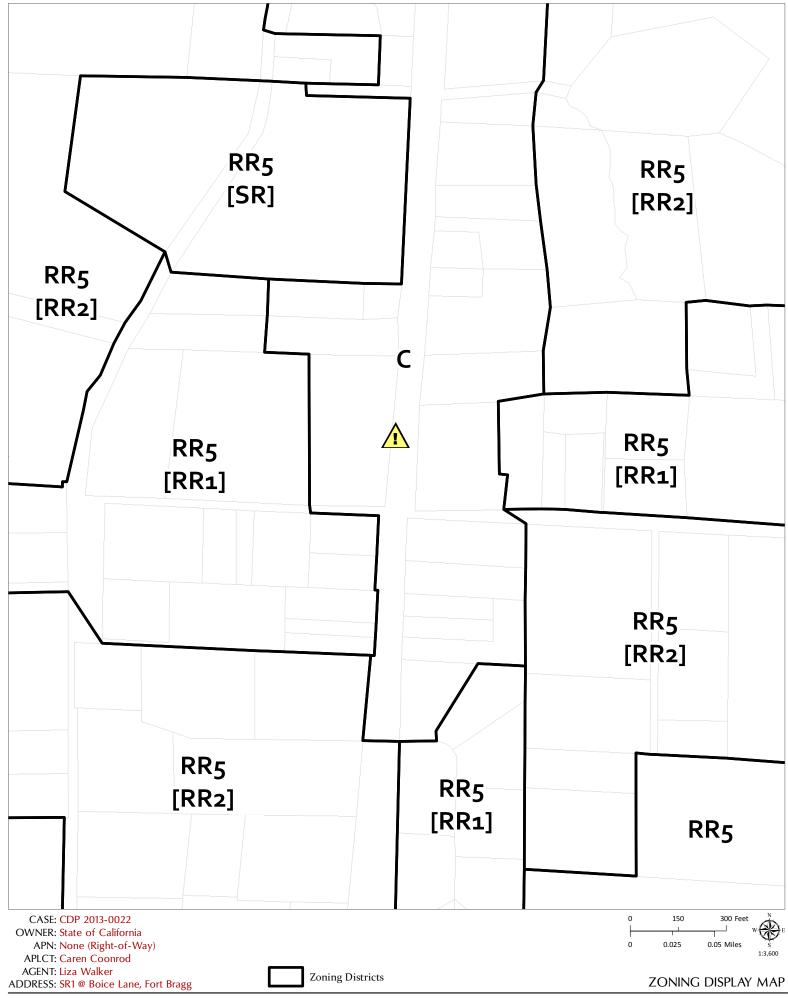


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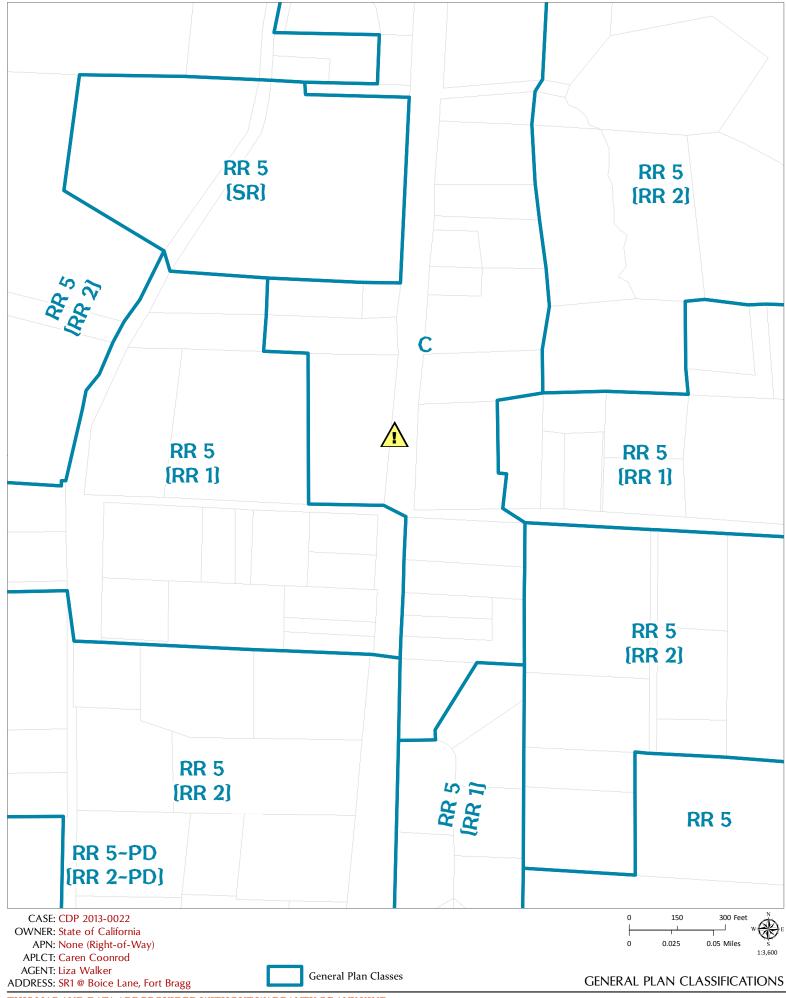




CASE: CDP 2013-0022 OWNER: State of California APN: None (Right-of-Way) APLCT: Caren Coonrod AGENT: Liza Walker ADDRESS: SR1 @ Boice Lane, Fort Bragg



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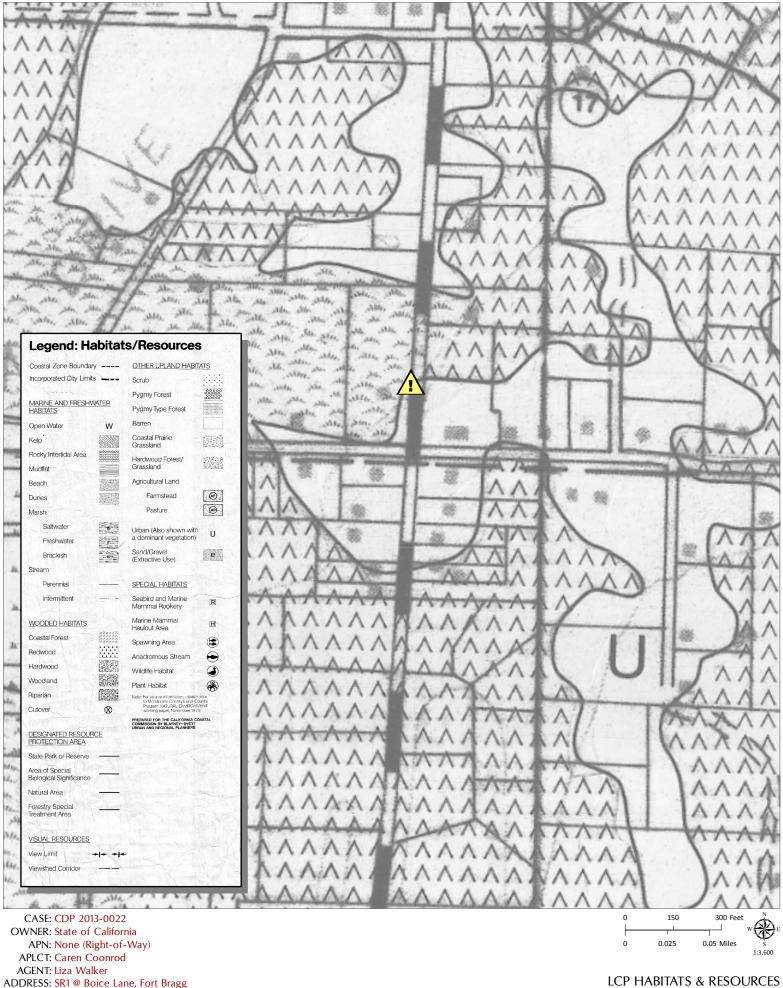
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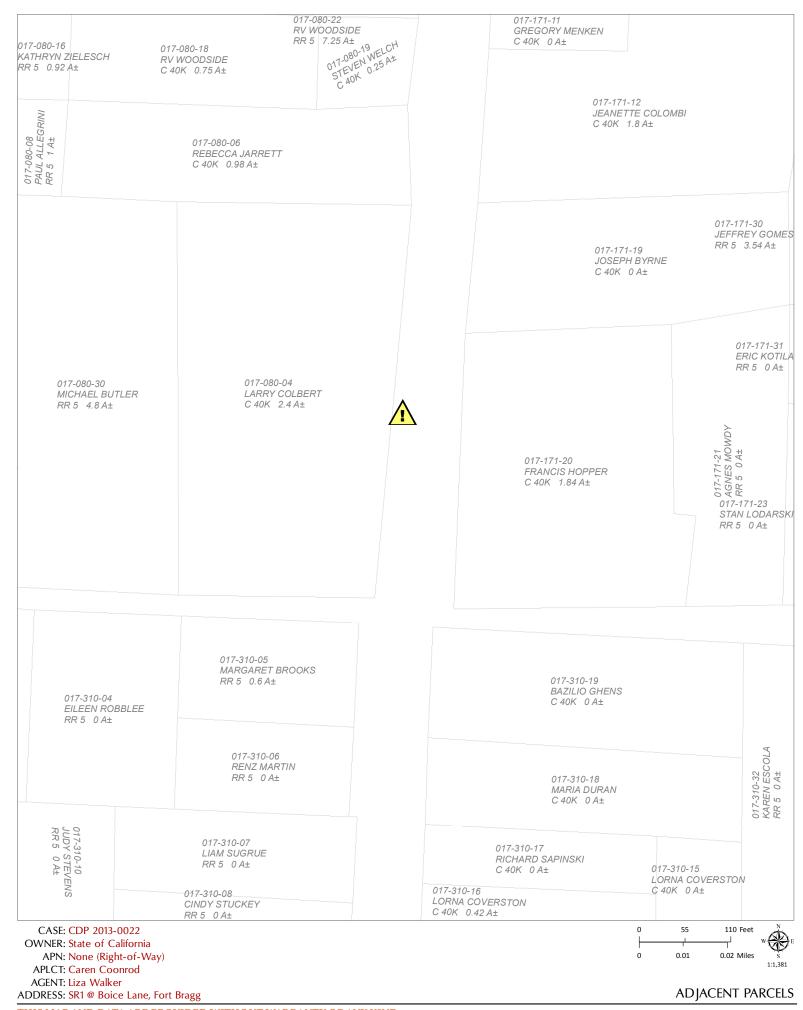
LCP LAND USE MAP 14: BEAVER

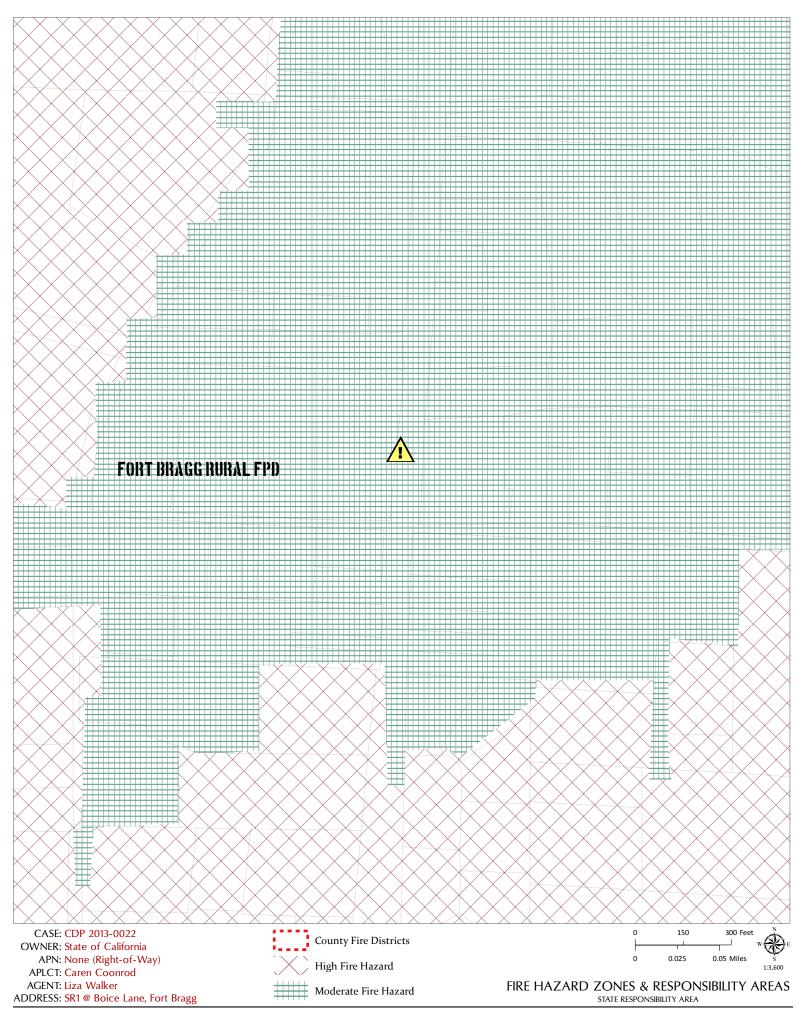


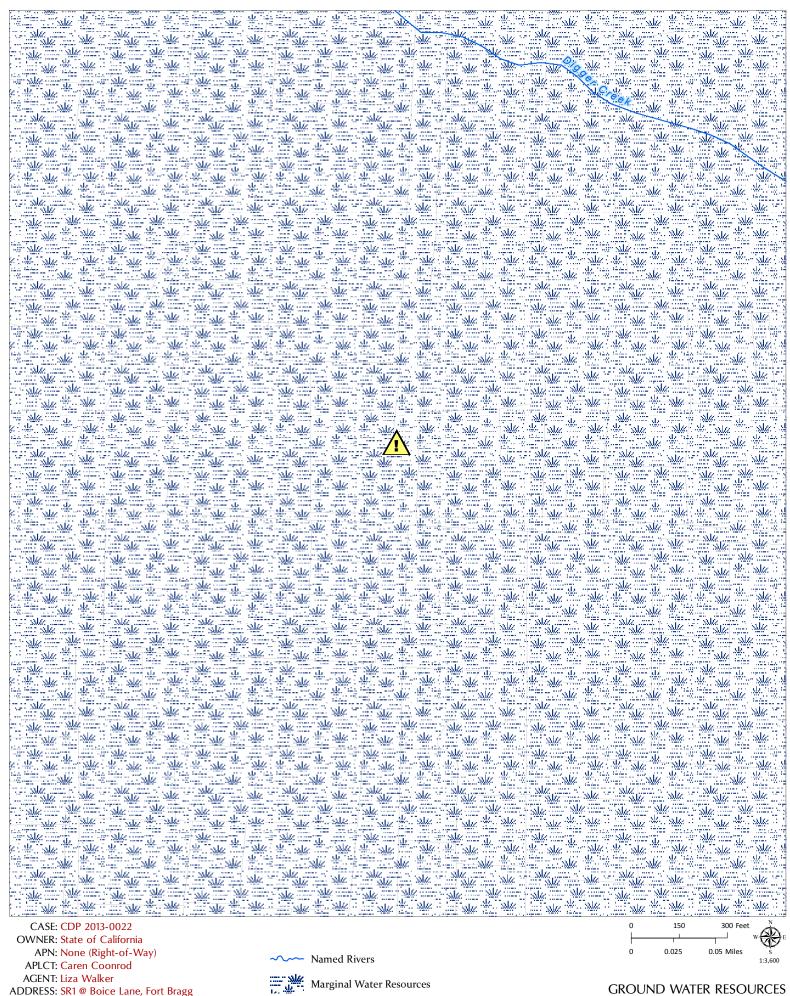
LCP LAND CAPABILITIES & NATURAL HAZARDS

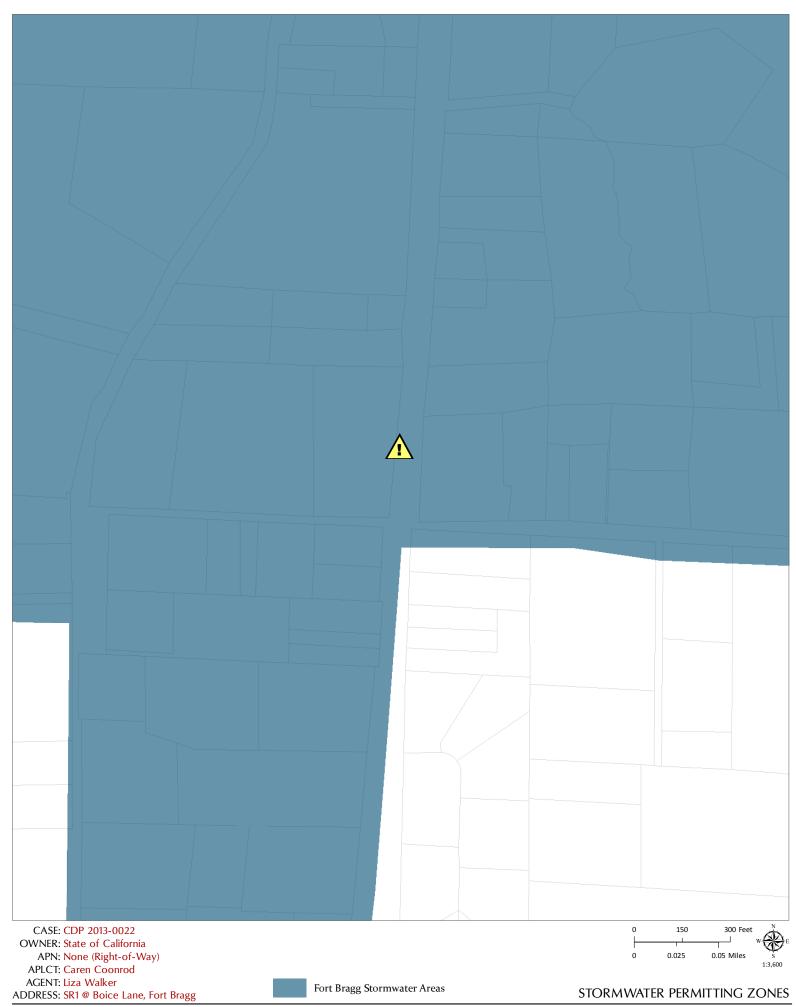


LCP HABITATS & RESOURCES









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