



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

March 16, 2020

Planning – Ukiah
Department of Transportation
Environmental Health - Fort Bragg
Building Inspection - Fort Bragg
County Addresser

Sonoma State University
CalFire - Prevention
Department of Fish and Wildlife
Coastal Commission
Gualala Municipal Advisory Council

South Coast Fire District
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: CDP_2020-0010

DATE FILED: 1/30/2020

OWNER: GREGORY & SANDRA MOORE

APPLICANT: GREG & SANDRA MOORE C/O CABLE MOORE, INC.

AGENT: DALL & ASSOCIATES / STEPHANIE DALL

REQUEST: Follow up to Emergency Permit EM 2019-0002, a Standard Coastal Development Permit request to remove trees from a site where the Commission has directed habitat restoration on adjacent lands.

LOCATION: In the Coastal Zone, 1± mile north of Gualala town center, on the west side of Old Coast Hwy (CR 513) and 0.25± miles south of its intersection with State Route 1 (SR 1), located at 37900 Old Coast Hwy, Gualala (APN: 145-121-03).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JULIANA CHERRY

RESPONSE DUE DATE: March 30, 2020

PROJECT INFORMATION CAN BE FOUND AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals>

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- ☐ No comment at this time.
- ☐ Recommend conditional approval (attached).
- ☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
- ☐ Recommend denial (Attach reasons for recommending denial).
- ☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
- ☐ Other comments (attach as necessary).

REVIEWED BY:

Signature _____ Department _____ Date _____

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APN/S: 145-121-03-00

PARCEL SIZE: 0.9 Acres

GENERAL PLAN: Coastal Element, Chapter 4.12 Rural Residential (RR5(1):U)

ZONING: Mendocino County Coastal Zoning Code, Rural Residential (RR:5)

EXISTING USES: Single-family Residential

DISTRICT: 5 (Williams)

RELATED CASES: U_2006-0009 Convert duplex to two dwelling units, TU_2010-0063 Encroachment Permit, BF_2009-0131 Demo duplex, BF_2009-0122 Guest Cottage, and several permits issued by the California Coastal Commission

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Rural Residential (RR5[RR1])	RR5[RR1]	0.9± acres	Residential
EAST:	Rural Residential (RR5[RR1])	RR5[RR1]	0.9± acres	Residential
SOUTH:	Rural Residential (RR5[RR1])	RR5[RR1]	0.9± acres	Residential
WEST:	Ocean	Ocean	Ocean	Ocean

REFERRAL AGENCIES

LOCAL

- ☒ Building Division Fort Bragg
- ☒ County Addresser
- ☒ Department of Transportation (DOT)
- ☒ Environmental Health (EH)
- ☒ South Coast Fire District

- ☒ Gualala MAC
 - ☒ Planning Division Ukiah
 - ☒ Sonoma State University
- #### STATE
- ☒ CALFIRE (Land Use)
 - ☒ California Coastal Commission

- ☒ California Dept. of Fish & Wildlife

TRIBAL

- ☒ Cloverdale Rancheria
 - ☒ Redwood Valley Rancheria
 - ☒ Sherwood Valley Band of Pomo Indians
-

ADDITIONAL INFORMATION:

- 2020 filed application, site plan, and questionnaire
- 2019 Update Notes & Observations Moore Property Distressed Trees prepared by David Kelley
- Summary of Coastal Commission actions presented via email from Destiny Preston
- Reference biological scoping survey report prepared for adjoining lot to the north (See CDP 2017-0030)

STAFF PLANNER: JULIANA CHERRY contact at cherryj@mendocinocounty.org

DATE: 3/17/2020

ENVIRONMENTAL DATA

1. MAC:

Gualala MAC. See MISC Map

2. FIRE HAZARD SEVERITY ZONE:

Moderate Fire Hazard. See Fire Hazard Zones & Responsibility Area Map

3. FIRE RESPONSIBILITY AREA:

South Coast Fire Protection District. See Fire Hazard Zones & Responsibility Area Map

4. FARMLAND CLASSIFICATION:

Urban and Built Up Land. See Farmland Classifications Map

5. FLOOD ZONE CLASSIFICATION:

Shore line flooding. See Special Flood Hazard Areas Map.

6. COASTAL GROUNDWATER RESOURCE AREA:

Critical Water Area. See Ground Water Resources

7. SOIL CLASSIFICATION:

Western Soils #225, Windy Hollow Loam

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

No

9. WILLIAMSON ACT CONTRACT:

No

10. TIMBER PRODUCTION ZONE:

No

11. WETLANDS CLASSIFICATION:

Shoreline area. See Wetlands Map

12. EARTHQUAKE FAULT ZONE:

No

13. AIRPORT LAND USE PLANNING AREA:

No

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

No

15. NATURAL DIVERSITY DATABASE:

Yes

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

No

17. LANDSLIDE HAZARD:

Coastal bluff. See Estimated Slope Map

18. WATER EFFICIENT LANDSCAPE REQUIRED:

No

19. WILD AND SCENIC RIVER:

No

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

No

21. STATE CLEARINGHOUSE REQUIRED:

22. OAK WOODLAND AREA:

CalFire, CDFW, Calif Coastal Commission

23. HARBOR DISTRICT:

No.

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION:

Rural Residential. See LCP Land Use Map 31: Gualala

25. LCP LAND CAPABILITIES & NATURAL HAZARDS:

Coastal Erosion - present development non critical. See LCP Land Capabilities & Natural Hazards

26. LCP HABITATS & RESOURCES:

Rocky Intertidal Areas. See LCP Habitats & Resources Map

27. COASTAL COMMISSION APPEALABLE AREA:

Appeal Jurisdiction. See Post LCP Certification & Appeal Jurisdiction Map

28. CDP EXCLUSION ZONE:

No

29. HIGHLY SCENIC AREA:

No

30. BIOLOGICAL RESOURCES & NATURAL AREAS:

Rocky intertidal areas, bluff and shore line environs

31. BLUFFTOP GEOLOGY:

Bluff top site. See Slope Map and LCP Land Capabilities & Natural Hazards

DAVID B. KELLEY**Consulting Plant and Soil Scientist • Certified Arborist****Notes and Observations: Moore Property Distressed Trees**

Update 2019

Below, I note each distressed tree inspected on the Moore property by species, its identification number as used in this survey and as shown on the accompanying map and photographs, its approximate diameter-at-breast-height (dbh) in inches (taken at 54" above ground level, if possible), and other pertinent location or condition information. All trees are outside the site's Restoration Zones 1 – 5, and mapped ESHA and ESHA buffer.

#1NE Bishop Pine near northeast corner of property, outside and north of restoration zone fencing on south side of driveway, west of Old Coast Highway roadway and ROW; previously mapped in 2013 survey, but not slated for removal

- 22" dbh, single trunk
- Dead—several failed branches were found near base of tree
- Lower branches stripped (the lowermost remaining branch is approximately 18' above ground level)
- High exposure to winds (no protective canopies nearby)
- Potential targets: utility lines, roadway, fence, propane tank, people in the vicinity

#2NE Monterey Cypress near northeast corner of property, near northern property line just north of driveway, west of Old Coast Highway roadway and ROW; mapped and slated for removal in 2013 survey

- 38" dbh, triple trunk
- Easternmost cypress in east-west row of previously topped cypress trunks along property line
- Dead—one branch (easternmost) resting on utility line
- High exposure to winds (no protective canopies on western side)
- Potential targets: utility lines, other trees, driveway, roadway, fence, people in the vicinity

#3NC Monterey Cypress in north-central portion of property, near northern property line along fenceline to the north of driveway, off northeast corner of garage, just west of recently failed cypress with tilted root plate; mapped in 2013 survey

- 32" dbh, double trunk, some apparent live-but-compromised branches in top of canopy
- Leaning to east; exhibits suspected root plate tilt; supports Tree #4NC (see below), which leans against it
- Moderate exposure to onshore winds (some protective canopies nearby)
- Potential targets: garage, fence, generator, residences, driveway, other trees, people in the vicinity

#4NC Monterey Cypress near northern property line just west of Tree #3NC (see above); mapped in 2013 survey

- 14" dbh, single trunk
- Severe lean to east; failed root plate, tilted out of ground on west side
- Resting on and supported by Tree #3NC; no other support
- Moderate exposure to onshore winds (some protective canopies nearby)
- Potential targets: garage, fence, residences, other trees, generator, people in the vicinity

DAVID B. KELLEY**Consulting Plant and Soil Scientist • Certified Arborist****#5NC** Monterey Cypress just west of Tree #4NC; mapped in 2013 survey

- 16" dbh, single trunk
- Severe lean to east, possible root plate tilt
- Dead lower branches; upper branches with some green
- Moderate exposure to onshore winds (some protective canopies nearby)
- Potential Targets: garage, residences, generator, other trees, driveway, people in the vicinity

#6NC Monterey Cypress on property line west of Tree #5NC, mapped in 2013 survey

- 10" dbh, single trunk
- Pronounced lean toward residence, possible root plate tilt
- Most branches dead, a few possibly green in topmost canopy
- Moderate exposure to onshore winds (some protective canopies nearby)
- Potential targets: residence, fence, other trees, people in the vicinity

Site Notes

Some characteristics of the property are of concern, with respect to potential tree failure. These concerns include the following:

- All trees on the property are exposed to variable and turbulent winds during stormy periods, especially those trees surrounding the Moore residence.
- The soils in the vicinity of the residence are shallow above a strong lithic (bedrock) contact, which leads to shallow and poorly stabilized root plates.
- Most of the cypress trees have mulched or buried root crowns, an undesirable condition and arboricultural practice that can lead to decay problems at the root crown.
- Removal of other trees on the property over the last decade has led to the loss of protective canopies in the vicinity of the remaining trees, thus exposing the remaining trees to increased wind load.
- Most trees on the property (not just the six discussed here) show indications of previous branch losses or removals, an indication that further branch losses are possible; the remaining trees should be examined to assess needs for remedial pruning or removal.

Recommendations. The six trees identified and evaluated here are at high risk of imminent failure, and hazardous to people, property, and structures. For those reasons, I recommend that removals be undertaken immediately upon receipt of all required regulatory sign-offs.

Until such time as the trees can be removed, work or other activities near these trees should be avoided, parking near them should be restricted, and care should be taken when approaching them, especially at times when soil is soft or wet and when conditions are windy.

SUMMARY OF COASTAL COMMISSION ACTIONS

CDP_2020-0010
PAGE 1

From: "Preston, Destiny@Coastal"
To: Juliana Cherry
Date: 2/19/2020 4:42 PM
Subject: Commission actions - Moore - APN 145-121-03

Hi Juliana,

I wanted to assist Aurora with this research since the permit history here is fairly substantial. I am sharing what I have found so far from our permit tracking system (see attached). It is not an exhaustive search. We would need to double check our card catalogue, go through boxes of files stored in our office, and potentially order files from Sacramento. We may be able to do that in the next couple of weeks if the information included in this email does not suffice.

- * 1-86-018-W - garage (attached)
- * 1-MEN-06-118 - County permit to "convert existing legal non-conforming duplex to two single-family residences. Existing structure to remain 24+- feet in height. Remodel existing duplex, including removal of second kitchen, 530+- square foot addition, and 517+- square foot deck addition; construct a 605+- square foot detached second residential unit with a 528+- square foot garage below; and construct a 510+- square foot barn/shed with a maximum average height of 15+- feet. Associated development includes gravel driveway addition, fence, and connect to utilities."
- o I presume you can locate what you need from this file since it is a County permit (Local Permit # CDU_9-2006).
- * A-1-MEN-07-021 - An appeal of the above-mentioned County action. The files are very large and I don't think I can attach them via email. I recommend you refer to these links to access the applicable staff reports:
 - o SI staff report <https://documents.coastal.ca.gov/reports/2007/7/Th16a-7-2007.pdf>
 - o Addendum & De Novo SR <https://documents.coastal.ca.gov/reports/2008/5/F17a-5-2008.pdf>
 - o Adopted Findings are attached.
- * Two Violation Records - One is open and pending, my understanding is that the orders listed below have been resolved.
 - o Consent Cease and Desist Order No. CCC-12-CD-07 <https://documents.coastal.ca.gov/reports/2012/11/W6-s-11-2012.pdf>
 - o Consent Restoration Order No. CCC-12-RO-07 <https://documents.coastal.ca.gov/reports/2012/11/W6-s-11-2012.pdf>
- * A-1-MEN-07-021-A1 - CDP amendment for proposed driveway changes; removal of specified unpermitted developments; ATF authorization for specified developments; placement of pavers; and restoration of ESHA & ESHA buffers impacted by unpermitted development.
 - o We would need to locate these files in our storage room and scan them before they could be sent to you.
- * G-1-13-0228 - Emergency Permit for the removal of three large cypress trees along the down-coast property line.
 - o See pages 9-10 of attached document titled "W12-2-2014."
- * A-1-MEN-07-021-A2 - Removal of three trees that were previously removed pursuant to Coastal Commission Emergency Permit G-1-13-0228, dated December 20, 2013, and proposing to remove an additional 11 dead/dying trees and several trunks from the subject property.
 - o Our records show this application was filed incomplete. I would have to look into the file to see if I can find any additional information.
- * A-1-MEN-07-021-A3 - The requested amendment will relocate an existing unauthorized 250-gallon propane tank to the northern corner of the property. The relocated propane tank will be sited on a 10-foot-long by 4-foot wide concrete slab adjacent to the driveway entrance, as depicted on the "propane tank relocation" site plan prepared by Michael Barron-Wike, dated February 13, 2014 and with a revision date of April 16, 2014. Propane gas lines will be installed underneath the existing gravel driveway to deliver gas from the tank to the house. A 4-foot-tall wood "trash/tank enclosure" will surround the propane tank slab. Two 2-3-foot-tall stainless-steel bollards will be installed at either end of the enclosure and filled with concrete to protect the enclosure from vehicles.
 - o See page 6 of the attached document "W9-6-2014"
- * 1-MEN-19-2654 - County Emergency Permit (Local Permit # EM_2019-0002)
 - o I presume you already have what you need for this since it is a County permit.

I hope this is helpful.

Thanks,

Destiny Preston |
Associate Coastal Planner
CALIFORNIA COASTAL COMMISSION
North Coast District Office
1385 8th Street, Suite 130
Arcata, CA 95521
(707) 826-8950 ext. 3



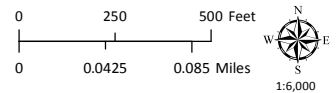
CASE: **CDP 2020-0010**
 OWNER: **MOORE, Gregory & Sandra**
 APN: **145-121-03**
 APLCT: **Greg & Sandra Moore**
 AGENT: **Dall & Associates**
 ADDRESS: **37900 Old Coast Highway, Gualala**

LOCATION MAP



CASE: CDP 2020-0010
OWNER: MOORE, Gregory & Sandra
APN: 145-121-03
APLCT: Greg & Sandra Moore
AGENT: Dall & Associates
ADDRESS: 37900 Old Coast Highway, Gualala

- Named Rivers
- Driveways/Unnamed Roads
- Public Roads
- Private Roads

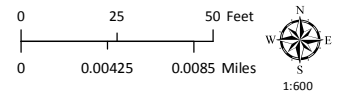


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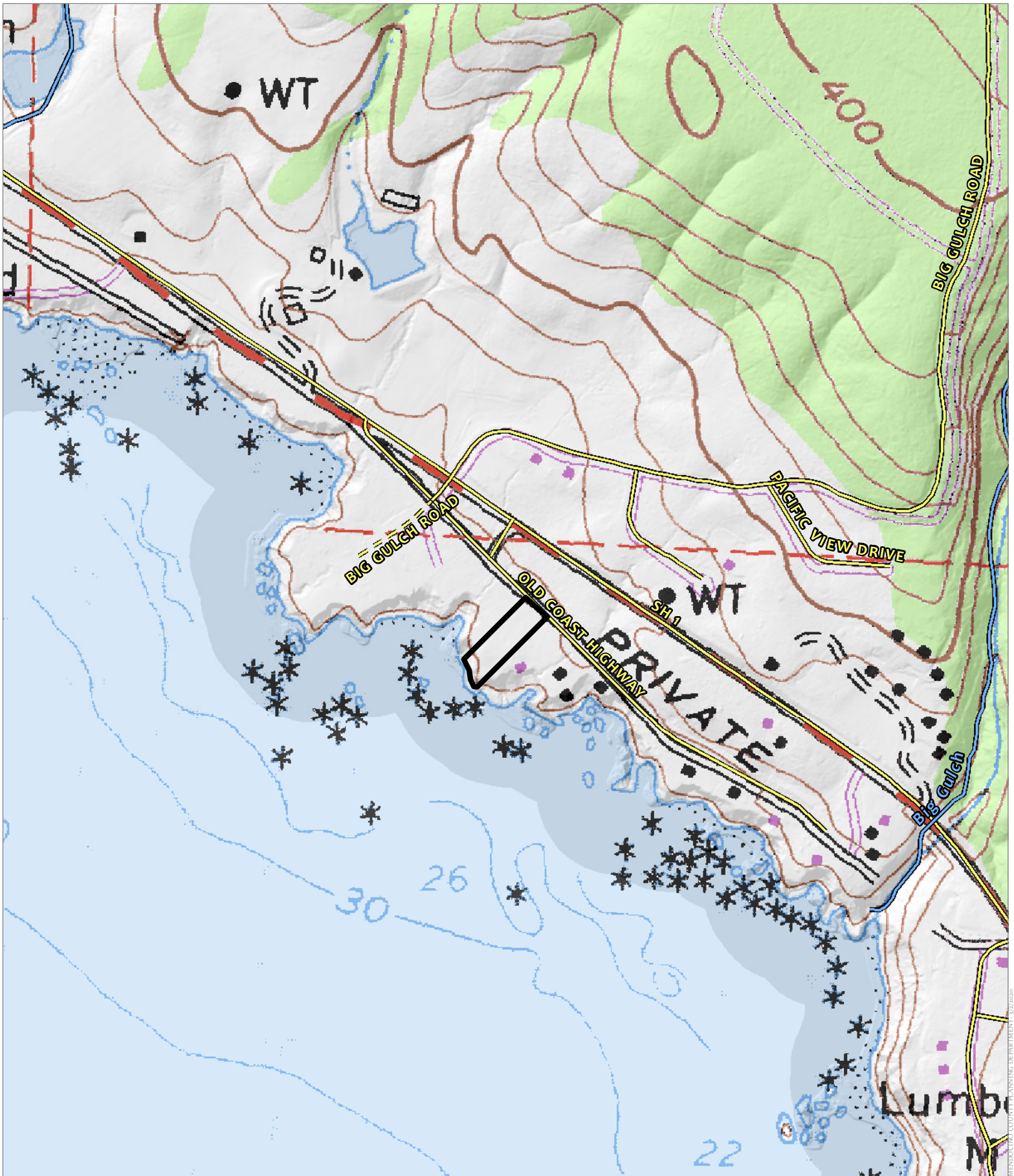


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Public Roads



AERIAL IMAGERY



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Named Rivers
Public Roads
Private Roads

Driveways/Unnamed Roads
SH 1

0 250 500 Feet
0 0.0425 0.085 Miles
1:6,000

TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

Moore Storm Damage Clearing & Repair

Pacific Ocean

Root Plates and Remnants of
Uprooted Trees To Be Cleared

#1 NC Cypress #3 NC

Fence To Be
Repaired

Driveway

APN 145-121-02 (Ubell)
37800 Old Coast Highway

North

Not To Scale

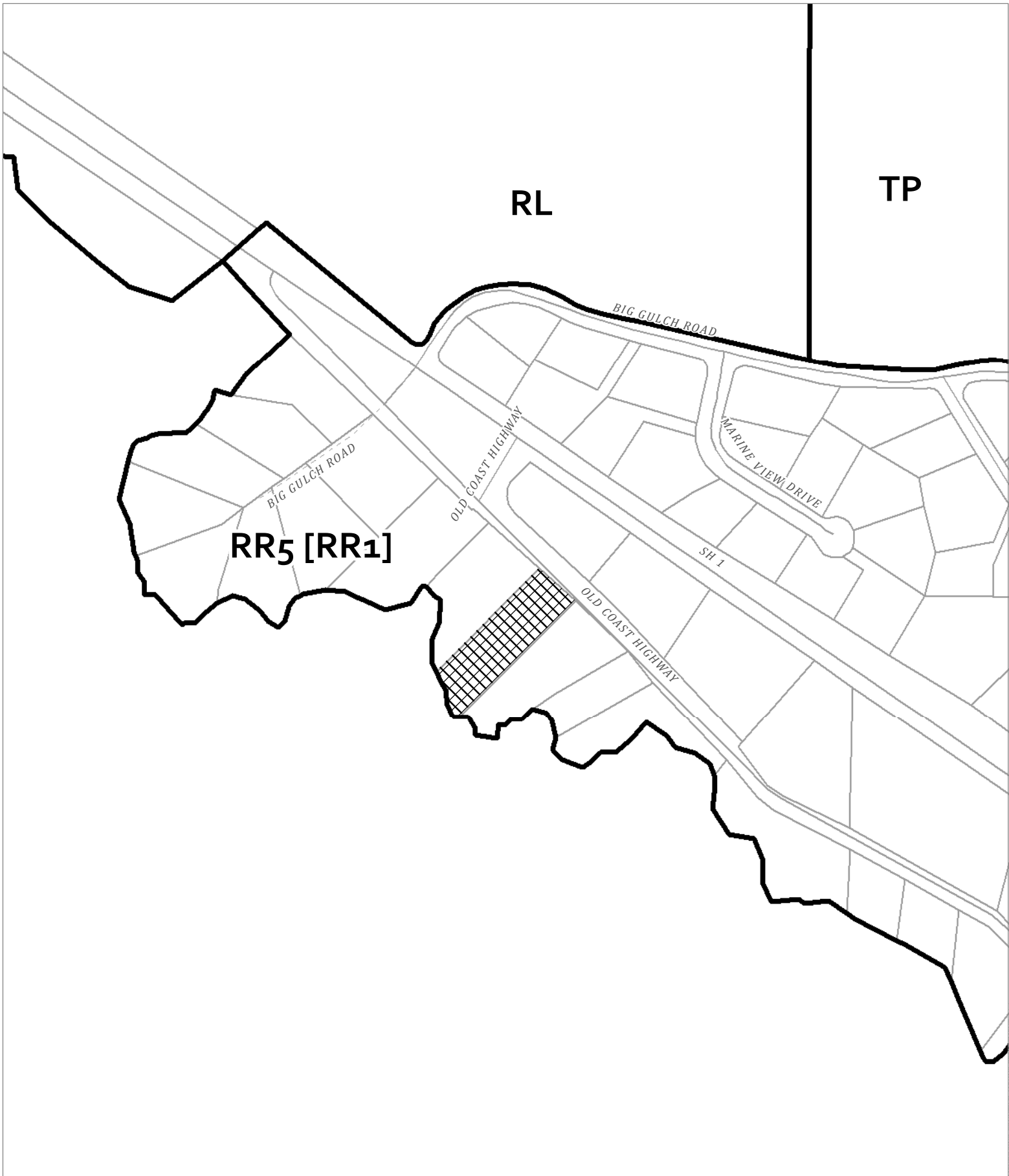
Moore - 37900 Old Coast Highway
APN 145-121-03

ESHA Buffer Boundary

Gregory & Sandra Moore
37900 Old Coast Highway
Gualala, CA 95445
APN 145-121-03 (0.9 acres)




Pacific Ocean

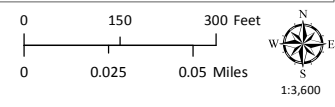
Dall & Associates
930 Florin Road,
Suite 200
Sacramento, CA 95831
(916)392-0283



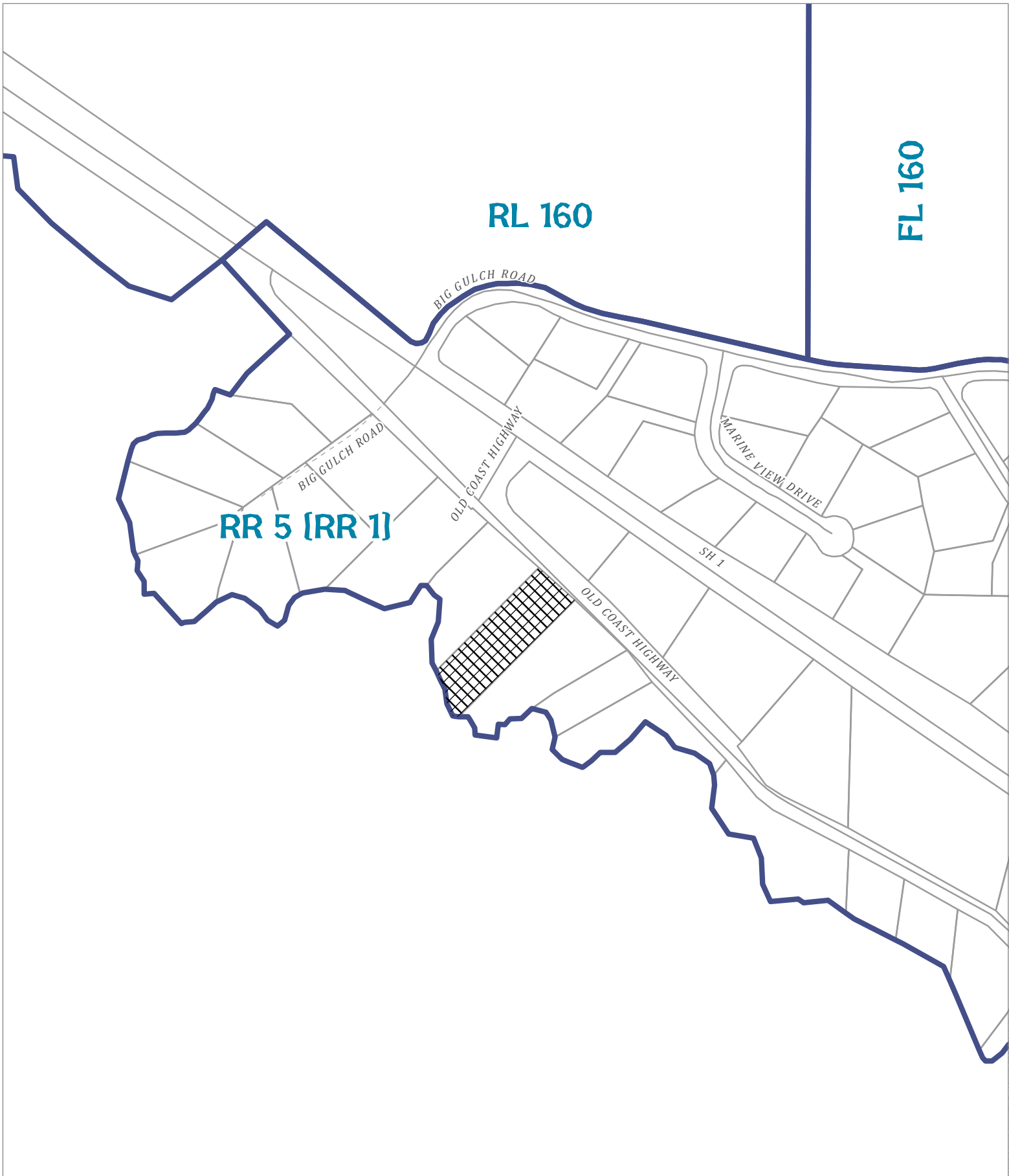
MENDOCINO COUNTY PLANNING DEPARTMENT - 3/12/2020

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APLCT: Greg & Sandra Moore
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-  Zoning Districts
-  Public Roads
-  Assessors Parcels





ZONING DISPLAY MAP




MENDOCINO COUNTY PLANNING DEPARTMENT - 3/17/2020


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 General Plan Classes

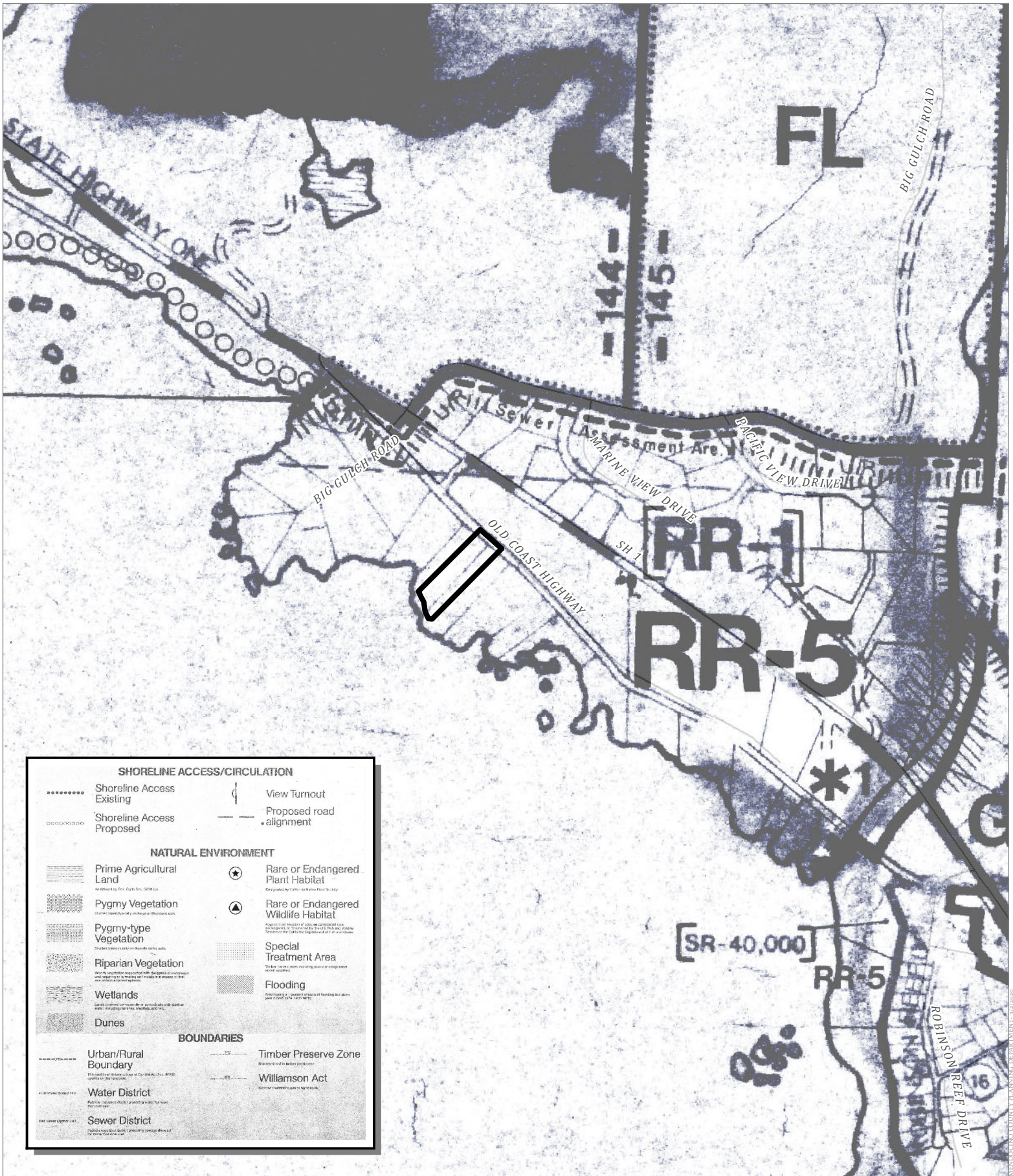
 Public Roads

 Assessors Parcels

0 150 300 Feet
0 0.025 0.05 Miles

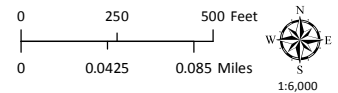

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GENERAL PLAN CLASSIFICATIONS

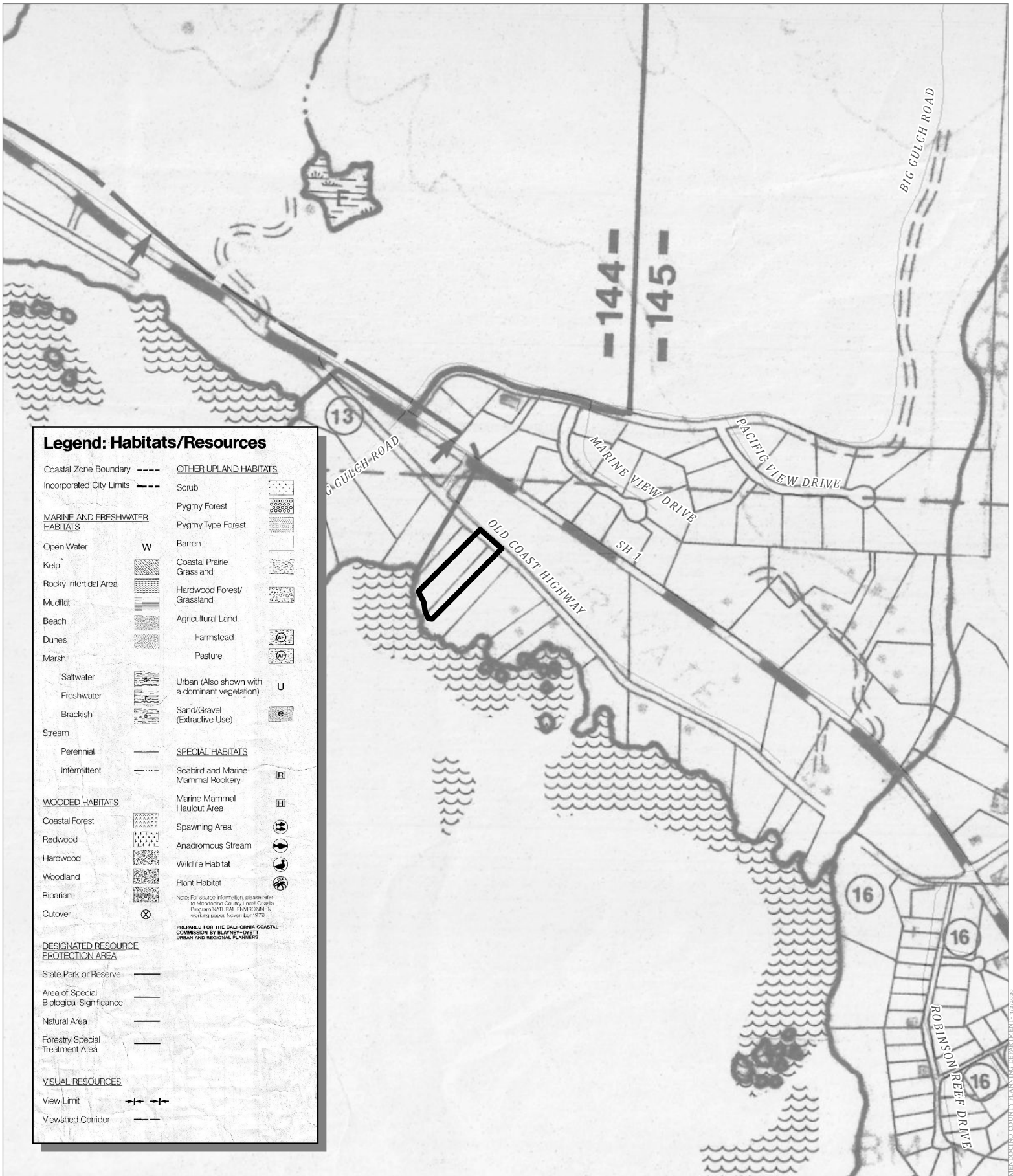


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Public Roads

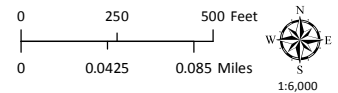


LCP LAND USE MAP 31: GUALALA



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Public Roads



LCP HABITATS & RESOURCES



Post LCP Certification
Permit and Appeal Jurisdiction
County of Mendocino



Permit Jurisdiction
This area includes only lands border the mean high tide line and lands where the public trust may exist.

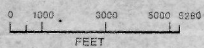


Appeal Jurisdiction
This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 500' of the top of the seaward face of coastal bluff.

This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.S.C. §30015(a), and §30005(a)(1) and (a)(2). In addition, developments may also be appealable pursuant to P.S.C. §30005(a)(3), (a)(4), and (a)(5). If questions arise concerning the precise location of the boundaries of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This map may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

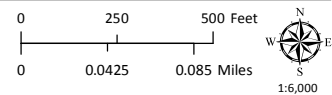


California Coastal Commission

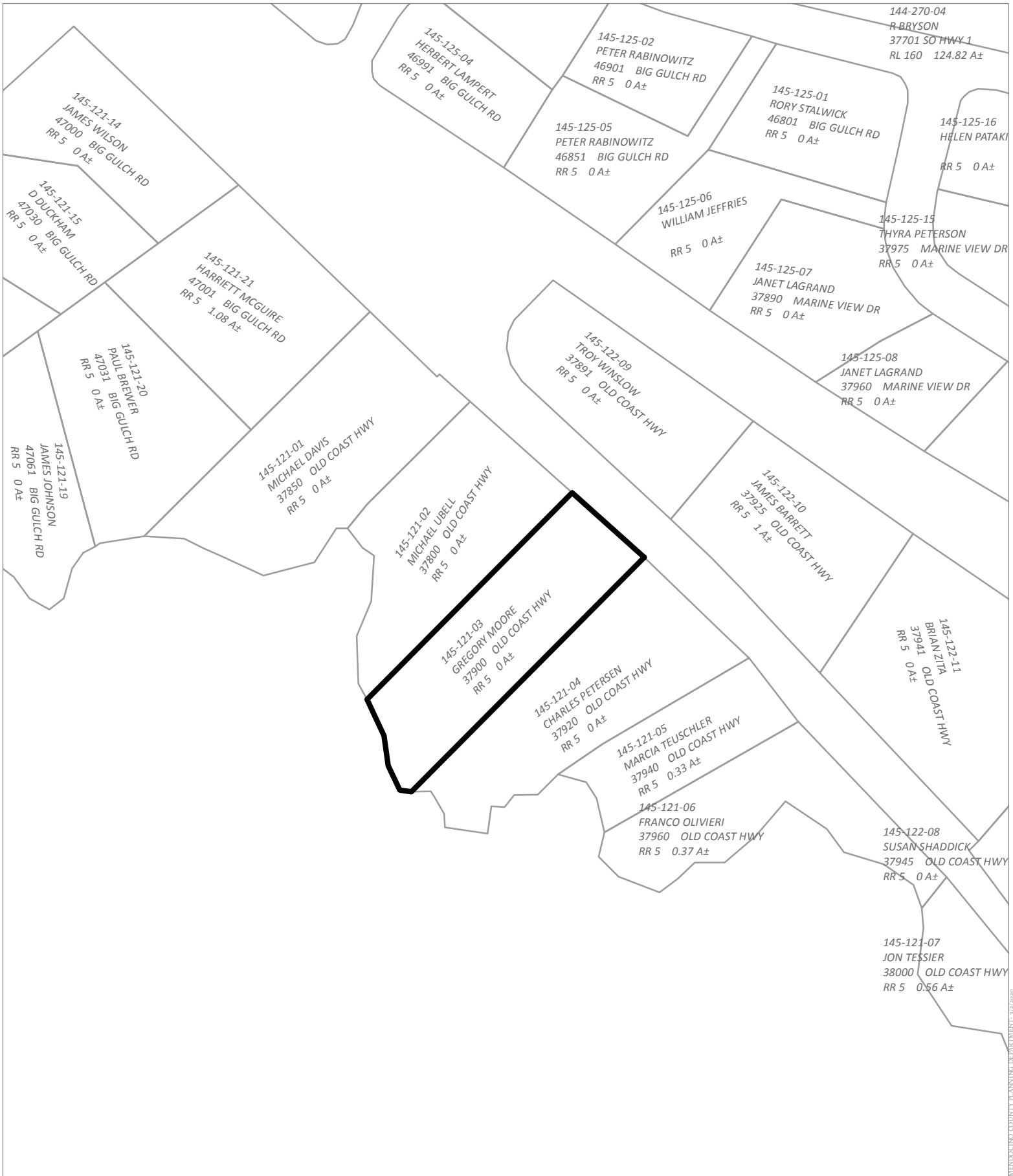


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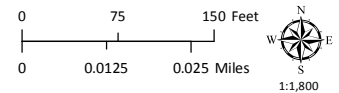


POST LCP CERTIFICATION & APPEAL JURISDICTION

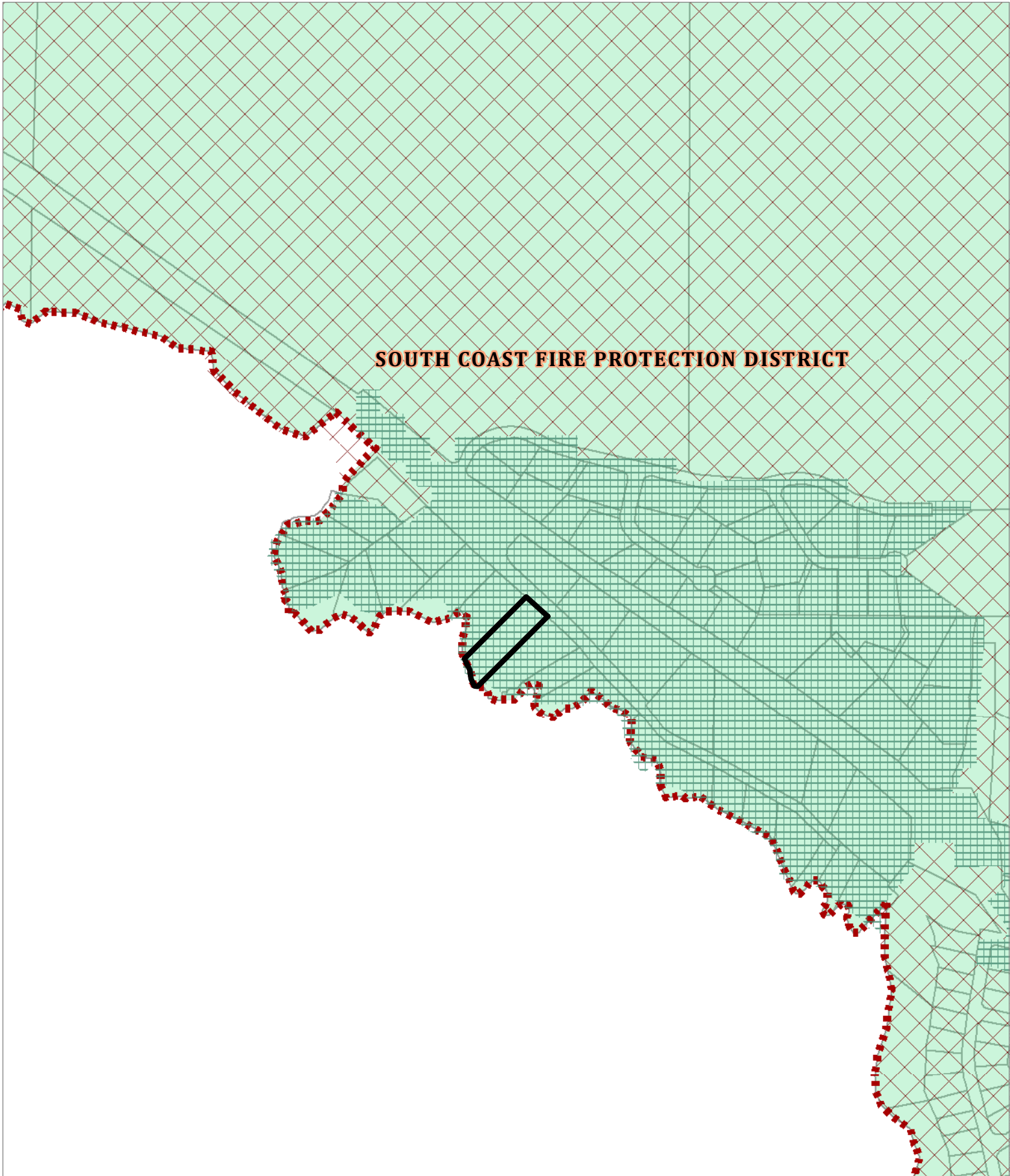


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Assessors Parcels




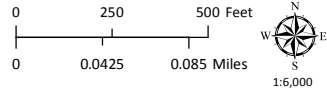
ADJACENT PARCELS



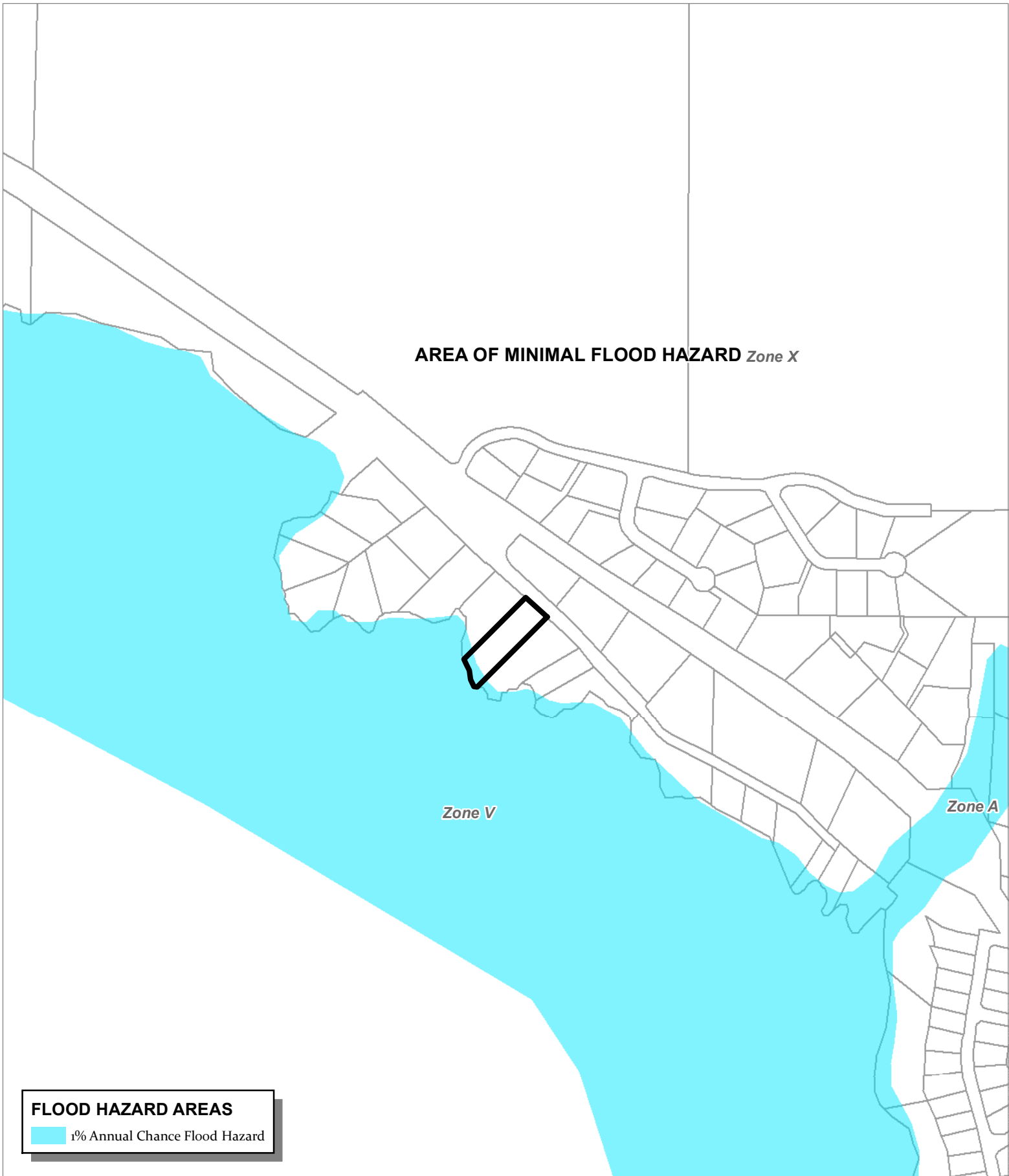
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-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts

 Assessors Parcels



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

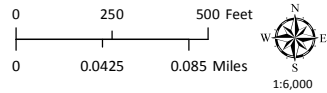


FLOOD HAZARD AREAS

1% Annual Chance Flood Hazard

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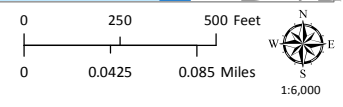


SPECIAL FLOOD HAZARD AREAS

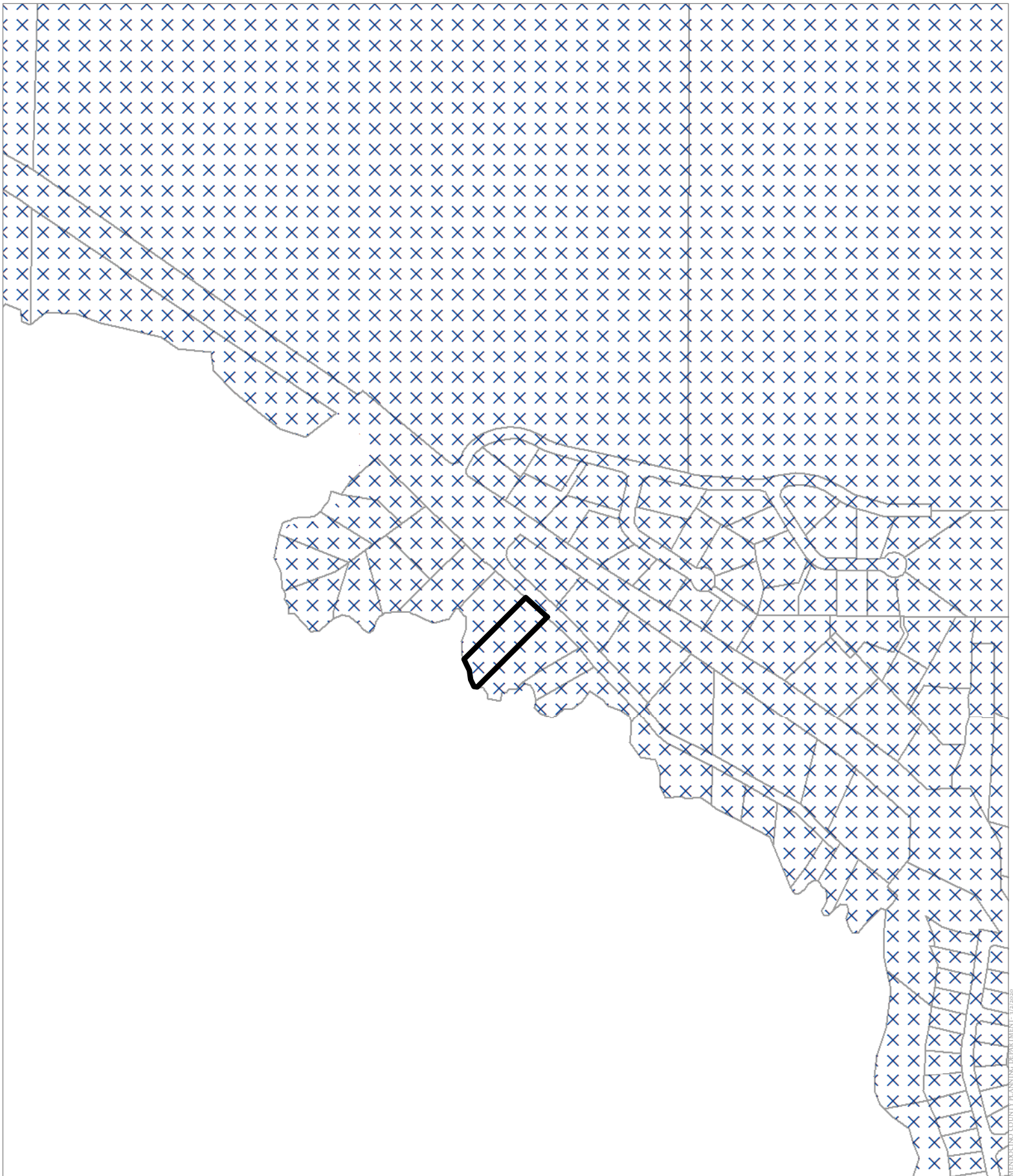


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WETLANDS



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 APLCT: Greg & Sandra Moore
 AGENT: Dall & Associates
 ADDRESS: 37900 Old Coast Highway, Gualala

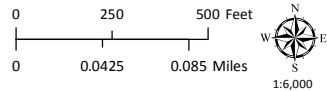
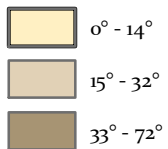
 Critical Water Areas
 Assessors Parcels

0 250 500 Feet
 0 0.0425 0.085 Miles
 N
 W
 S
 E
 1:6,000
GROUND WATER RESOURCES

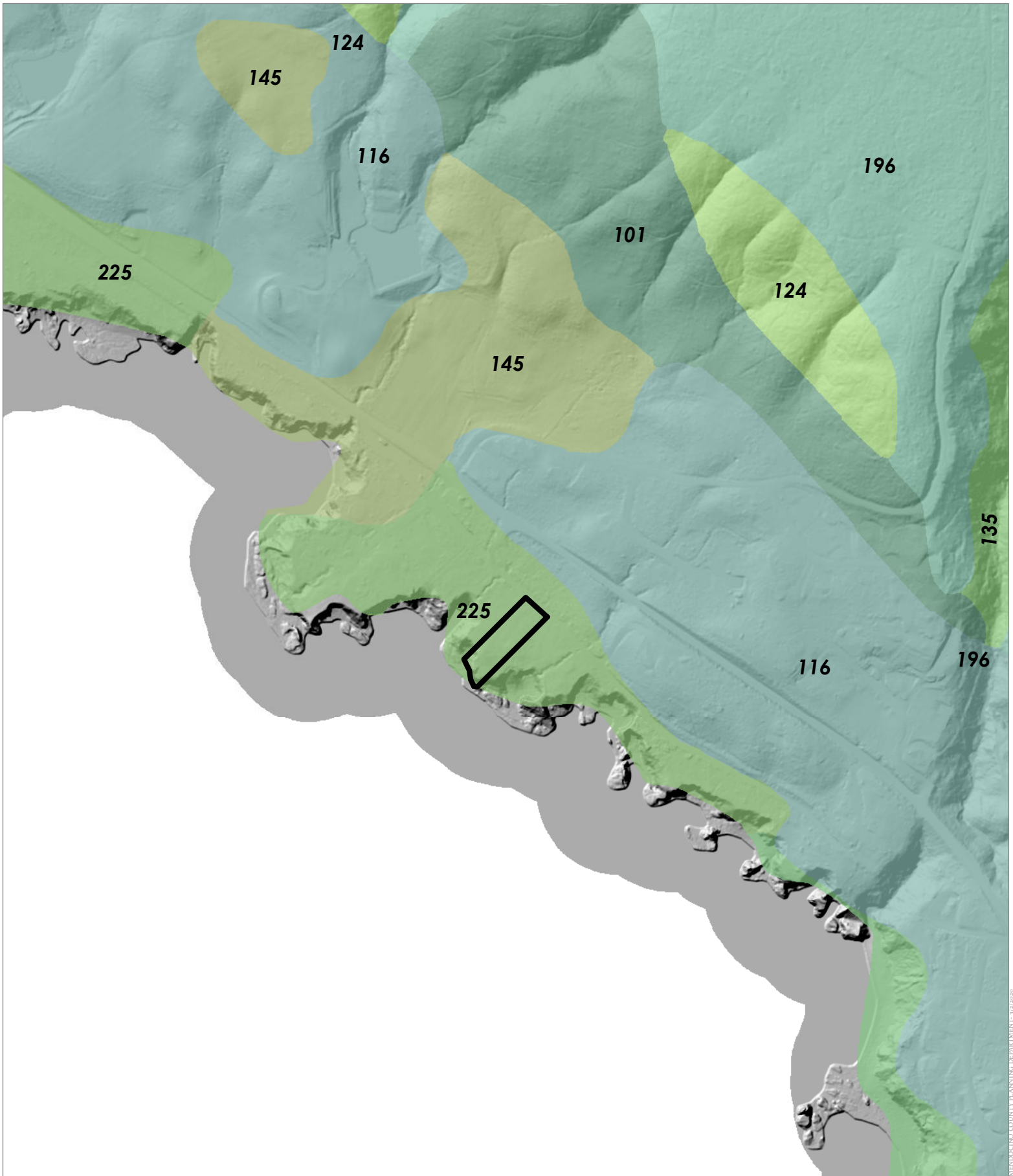


MENDOCINO COUNTY PLANNING DEPARTMENT - 3/3/2020

CASE: CDP 2020-0010
OWNER: MOORE, Gregory & Sandra
APN: 145-121-03
APLCT: Greg & Sandra Moore
AGENT: Dall & Associates
ADDRESS: 37900 Old Coast Highway, Gualala

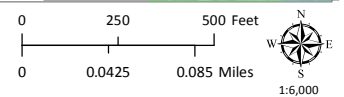


ESTIMATED SLOPE

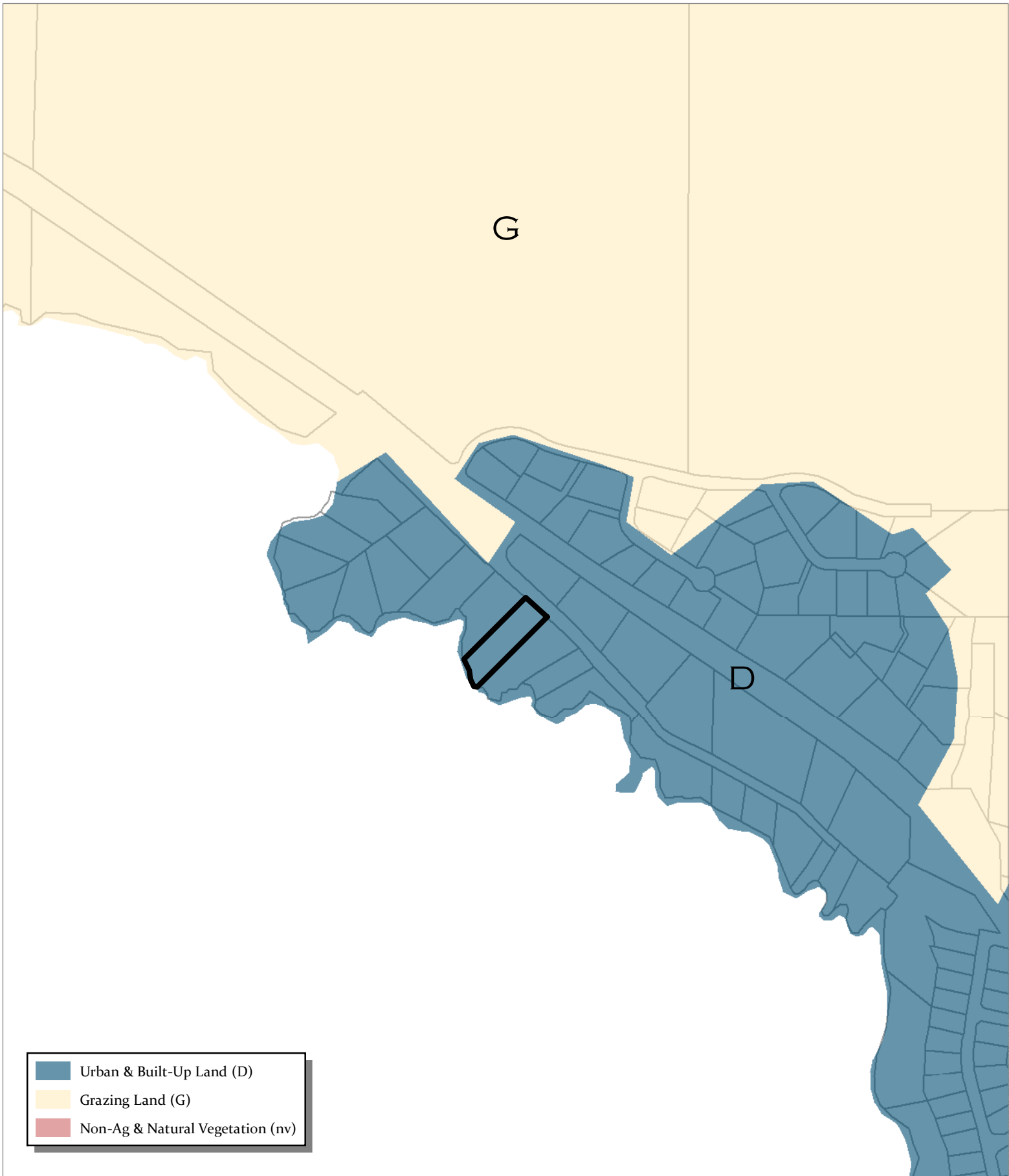


MENDOCINO COUNTY PLANNING DEPARTMENT - 3/3/2020


CASE: CDP 2020-0010
OWNER: MOORE, Gregory & Sandra
APN: 145-121-03
APLCT: Greg & Sandra Moore
AGENT: Dall & Associates
ADDRESS: 37900 Old Coast Highway, Gualala

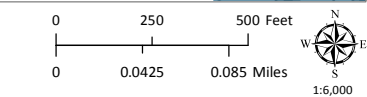


WESTERN SOIL CLASSES



CASE: CDP 2020-0010
OWNER: MOORE, Gregory & Sandra
APN: 145-121-03
APLCT: Greg & Sandra Moore
AGENT: Dall & Associates
ADDRESS: 37900 Old Coast Highway, Gualala

 Assessor's Parcels



FARMLAND CLASSIFICATIONS