



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
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FAX: 707-463-5709
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pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

April 21, 2020

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

Air Quality Management
Sonoma State University
Department of Fish and Wildlife
Coastal Commission

Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: CDP_2020-0007

DATE FILED: 2/7/2020

OWNER: JOHN C & JANIS C PORTER

APPLICANT: JANIS PORTER

AGENT: REBECCA DALSKÉ

REQUEST: Standard Coastal Development Permit request for after-the-fact grading/removal of contaminated soil.

LOCATION: In the Coastal Zone, 2.3± miles south of the City of Fort Bragg center, lying on the south side of South Casper Drive (CR 450), 0.1± miles east of its intersection with Vega Drive (CR 557), located at 45351 South Casper Dr., Fort Bragg (APN: 118-350-02).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: MATT GOINES

RESPONSE DUE DATE: May 5, 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: 118-350-02

PARCEL SIZE: 0.28± Acres

GENERAL PLAN: Rural Residential [RR:5(1):R-Residential]

ZONING: Rural Residential RR:5

EXISTING USES: Residential

DISTRICT: 4

RELATED CASES: N/A

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Rural Residential (RR:5)(1)	Rural Residential (RR:5)	0.45±	Residential
EAST:	Rural Residential (RR:5)(1)	Rural Residential (RR:5)	0.25±	Residential
SOUTH:	Rural Residential (RR:5)(1)	Rural Residential (RR:5)	0.50±	Residential
WEST:	Rural Residential (RR:5)(1)	Rural Residential (RR:5)	0.25±	Residential

<u>REFERRAL AGENCIES</u>		
<u>LOCAL</u>	<input checked="" type="checkbox"/> Planning Division – Fort Bragg	<u>TRIBAL</u>
<input checked="" type="checkbox"/> Air Quality Management District	<input checked="" type="checkbox"/> Sonoma State University	<input checked="" type="checkbox"/> Cloverdale Rancheria
<input checked="" type="checkbox"/> Building Division - Fort Bragg	<u>STATE</u>	<input checked="" type="checkbox"/> Redwood Valley Rancheria
<input checked="" type="checkbox"/> Department of Transportation (DOT)	<input checked="" type="checkbox"/> California Coastal Commission	<input checked="" type="checkbox"/> Sherwood Valley Band of Pomo Indians
<input checked="" type="checkbox"/> Environmental Health - Fort Bragg	<input checked="" type="checkbox"/> California Dept. of Fish & Wildlife	

ADDITIONAL INFORMATION: The project includes the removal of 60± cubic yards of soil contaminated by heating oil (diesel) from an aboveground storage tank. Paulson Excavating Inc. performed the work under the supervision of a LACO Geologist. Paulson Excavation is aware of the discovery clause and did not find any remnants of historical or cultural significance. The replacement soil came from Paulson’s private stockpile located at 32700 Albion Ridge Rd. The contaminated soil was taken to Potrero Hills Landfill, in Suisun City, CA.

STAFF PLANNER: MATT GOINES **DATE:** 4/8/2020

ENVIRONMENTAL DATA

1. MAC:

GIS

NO

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

Moderate

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

State (Cal-Fire)

4. FARMLAND CLASSIFICATION:

GIS

Urban and Build-up Land (D)

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

Critical Water Area

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

117 Cabrillo-Heeser complex 0-5%

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

NO

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

N/A

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

NO

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

NO

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

NO

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

NO

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

NO

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

N/A

21. STATE CLEARINGHOUSE REQUIRED:

Policy

N/A

22. OAK WOODLAND AREA:

USDA

NO

23. HARBOR DISTRICT:

Sec. 20.512

NO

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION:

LCP Land Use maps/GIS

Casper

25. LCP LAND CAPABILITIES & NATURAL HAZARDS:

LCP Land Capabilities maps/GIS; 20.500

Bedrock (Zone 1)

26. LCP HABITATS & RESOURCES:

LCP Habitat maps/GIS; 20.496

Barren

27. COASTAL COMMISSION APPEALABLE AREA:

Post LCP Certification Permit and Appeal Jurisdiction maps/GIS; 20.544

Yes

28. CDP EXCLUSION ZONE:

CDP Exclusion Zone maps/GIS

YES

29. HIGHLY SCENIC AREA:

Highly Scenic & Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020

NO

30. BIOLOGICAL RESOURCES & NATURAL AREAS:

Biological Resources & Natural Area Map; GIS; General Plan 4-9

NO

31. BLUFFTOP GEOLOGY:

GIS; 20.500.020

NO

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Case No(s)	CDP_2020-0007
CDF No(s)	
Date Filed	February 7, 2020
Fee	\$3,194.00
Receipt No.	PRJ-033296
Received by	Vandy
Office Use Only	

COASTAL ZONE APPLICATION FORM

APPLICANT

Name Janis Porter
Mailing Address 45351 South Caspar Drive
City Mendocino State CA Zip Code 95460 Phone (707) 964-8884

PROPERTY OWNER

Name Same as Applicant
Mailing Address
City State Zip Code Phone

AGENT

Name LACO Associates - Rebecca Dalske
Mailing Address 776 South State St., Suite 103
City Ukiah State CA Zip Code 95482 Phone (707) 462-0222

PARCEL SIZE

0.8

☐ Square feet
☒ Acres

STREET ADDRESS OF PROJECT

45351 South Caspar Drive, Mendocino, CA

ASSESSOR'S PARCEL NUMBER(S)

118-350-02

I certify that the information submitted with this application is true and accurate.

Rebecca Dalske

01/24/20

Signature of Applicant/Agent

Date

Signature of Owner

Date

COASTAL ZONE - SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Planning and Building Services Department and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project, please indicate "Not Applicable" or "N/A".

THE PROJECT

1. Describe your project and include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

The project includes the after-the-fact permitting of the removal of 60 cubic yards of impacted soils contaminated by the August 2019 spill of heating oil from an aboveground storage tank (AST), the disposal of the impacted soils at an off-site disposal facility, and backfilling of the excavation pit on the site located at 45351 South Caspar Drive, Mendocino, CA. The remedial work was completed under the direction of a Geologist from LACO Associates (LACO) on October 21-22, 2019 under temporary authorization from Brent Schultz to address the emergency situation.

Please see attached Project Description for additional information on the nature of the emergency and the remedial work that was completed.

2. If the project is residential, please complete the following:

TYPE OF UNIT	NUMBER OF STRUCTURES	SQUARE FEET PER DWELLING UNIT
<input type="checkbox"/> Single Family	_____	_____
<input type="checkbox"/> Mobile Home	_____	_____
<input type="checkbox"/> Duplex	_____	_____
<input type="checkbox"/> Multifamily	_____	_____

If Multifamily, number of dwelling units per building: _____

3. If the project is commercial, industrial, or institutional, complete the following:

Total square footage of structures: _____
 Estimated employees per shift: _____
 Estimated shifts per day: _____
 Type of loading facilities proposed: _____

4. Will the proposed project be phased? ☐ Yes ☒ No
 If Yes, explain your plans for phasing.

5. Are there existing structures on the property? ☒ Yes ☐ No
If yes, describe below and identify the use of each structure on the plot plan.

An existing single family residence and paved driveway are located on the northern half of the property.

6. Will any existing structures be demolished? ☐ Yes ☒ No
Will any existing structures be removed? ☐ Yes ☒ No

If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

7. Project Height. Maximum height of structure N/A feet.

8. Lot area (within property lines): 0.8 ☐ square feet ☒ acres

9. Lot Coverage:

	EXISTING	NEW PROPOSED	TOTAL
Building coverage	_____ square feet	_____ square feet	_____ square feet
Paved area	_____ square feet	_____ square feet	_____ square feet
Landscaped area	_____ square feet	_____ square feet	_____ square feet
Unimproved area	_____ square feet	_____ square feet	_____ square feet

GRAND TOTAL: N/A - existing lot coverage not impacted by project square feet
(Should equal gross area of parcel)

10. Gross floor area: N/A square feet (including covered parking and accessory buildings).

11. Parking will be provided as follows:

Number of Spaces	Existing _____	Proposed <u>N/A</u> _____	Total _____
Number of covered spaces	_____	Size _____	
Number of uncovered spaces	_____	Size _____	
Number of standard spaces	_____	Size _____	
Number of handicapped spaces	_____	Size _____	

12. Utilities will be supplied to the site as follows:

A. Electricity

- ☒ Utility Company (service exists to the parcel).
☐ Utility Company (requires extension of services to site: _____ feet _____ miles)
☐ On Site generation, Specify: _____
☐ None

B. Gas

- ☒ Utility Company/Tank
☐ On Site generation, Specify: _____
☐ None

C. Telephone: ☐ Yes ☐ No

13. Will there be any exterior lighting? ☐ Yes ☐ No

If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.

N/A

14. What will be the method of sewage disposal?

- ☐ Community sewage system, specify supplier _____
☐ Septic Tank
☐ Other, specify N/A - the remedial work does not require sewage disposal

15. What will be the domestic water source?

- ☐ Community water system, specify supplier _____
☐ Well
☐ Spring
☐ Other, specify N/A - the remedial work does not require use of domestic water

16. Is any grading or road construction planned? ☒ Yes ☐ No

If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

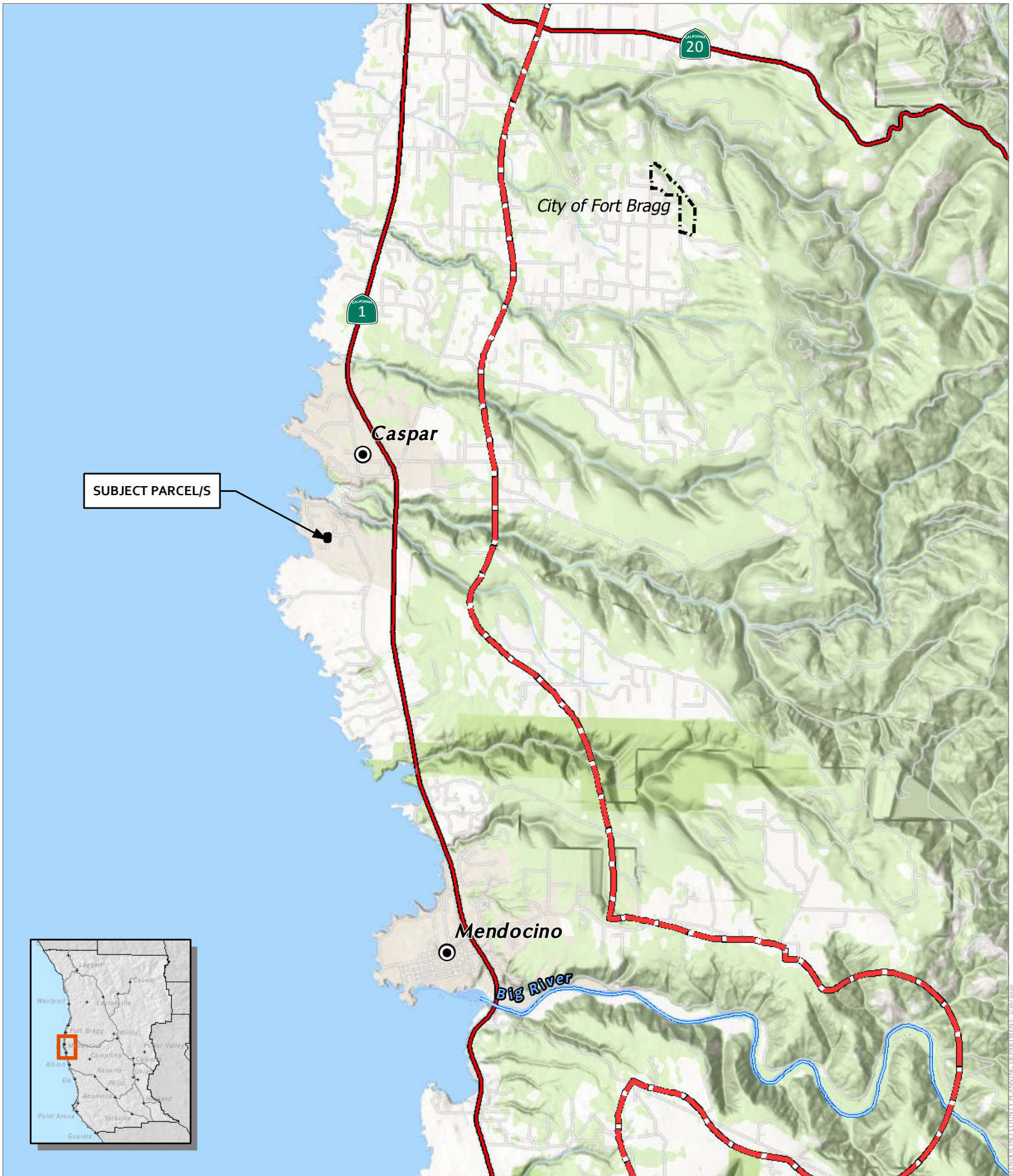
As described in the attached Project Description, following excavation and removal of impacted soils, the excavation pit was backfilled with clean imported fill. Per discussions with Mike Oliphant, this low-impact remedial work completed under the direction of a Geologist is exempt from a grading permit

For grading and road construction, complete the following:






- A. Amount of cut: 60 cubic yards
B. Amount of fill: 60 cubic yards
C. Maximum height of fill slope: _____ feet
D. Maximum height of cut slope: _____ feet
E. Amount of import or export: _____ cubic yards
F. Location of borrow or disposal site: _____

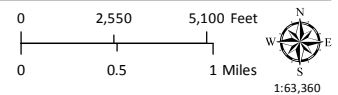
17.	Will vegetation be removed on areas other than the building sites and roads? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain: Some landscaping was removed during the course of the remedial activities within the footprint of the excavation; however, the excavation area was located entirely within the developed/landscaped area of the Site.
18.	Does the project involve sand removal, mining or gravel extraction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, detailed extraction, reclamation and monitoring may be required.
19.	Will the proposed development convert land currently or previously used for agriculture to another use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many acres will be converted? _____ acres (An agricultural economic feasibility study may be required.)
20.	Will the development provide public or private recreational opportunities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain:
21.	Is the proposed development visible from: A. State Highway 1 or other scenic route? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No B. Park, beach or recreation area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
22.	Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain: While the fuel-impacted soil excavated and disposed of is not formally defined as hazardous waste due to the levels of contamination expected, as described in the Project Description, all fuel-impacted soil were disposed of off-site at an approved disposal facility.
23.	Does the development involve diking, filling, dredging or placing structures in open coastal waters, wetlands, estuaries or lakes? A. Diking <input type="checkbox"/> Yes <input type="checkbox"/> No B. Filling <input type="checkbox"/> Yes <input type="checkbox"/> No C. Dredging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No D. Placement of structures in open coastal waters, wetlands, estuaries or lakes <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Amount of material to be dredged or filled? _____ cubic yards. Location of dredged material disposal site: _____ _____ Has a U.S. Army Corps of Engineers permit been applied for? <input type="checkbox"/> Yes <input type="checkbox"/> No

If you need additional room to answer any question, attach additional sheets.



CASE: CDP 2020-0006
 OWNER: FIGUEROA, Juan
 APN: 123-190-05
 APLCT: Danielle Miller
 AGENT: Danielle Miller
 ADDRESS: 33350 Albion Ridge Road, Albion

-  Major Towns & Places
-  City Limits
-  Coastal Zone Boundary
-  Major Rivers
-  Highways



LOCATION MAP



CASE: **CDP 2020-0006**
OWNER: **FIGUEROA, Juan**
APN: **123-190-05**
APLCT: **Danielle Miller**
AGENT: **Danielle Miller**
ADDRESS: **33350 Albion Ridge Road, Albion**

Named Rivers Driveways/Unnamed Roads
 Public Roads
 Private Roads

0 250 500 Feet
0 0.0425 0.085 Miles

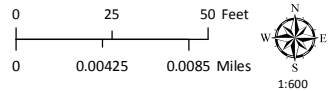
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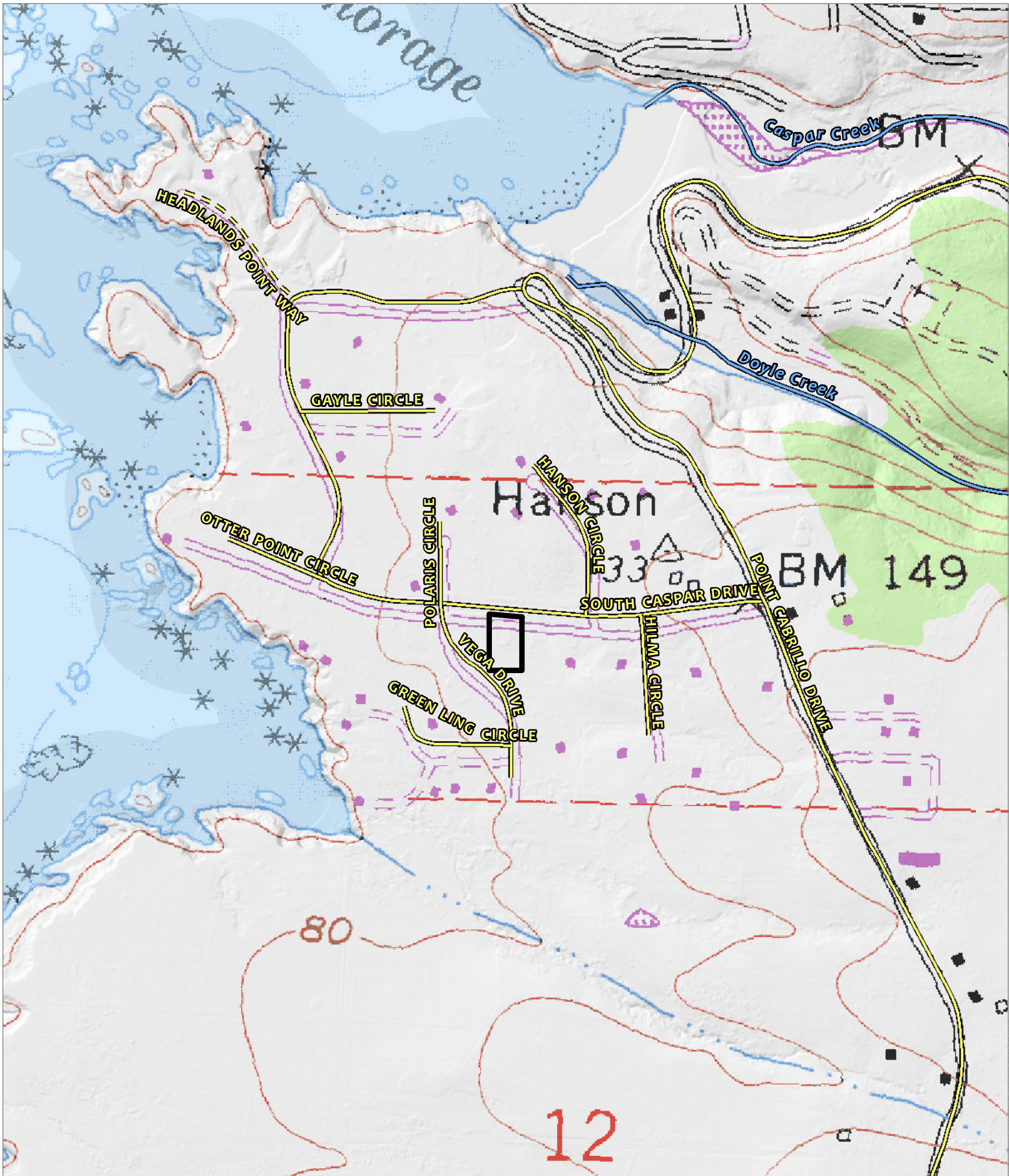


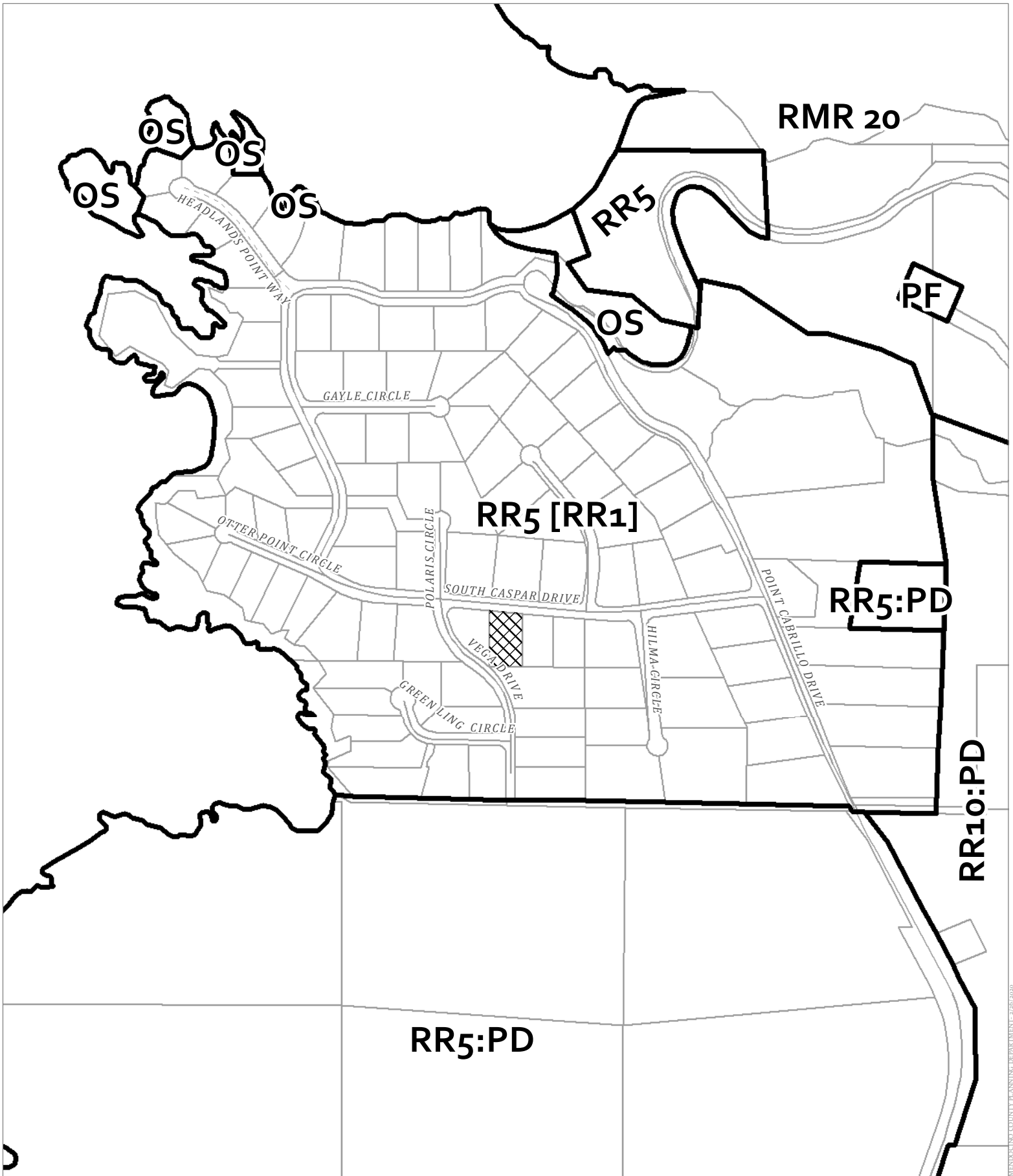
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Public Roads






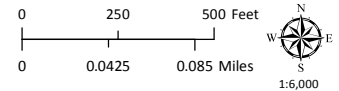
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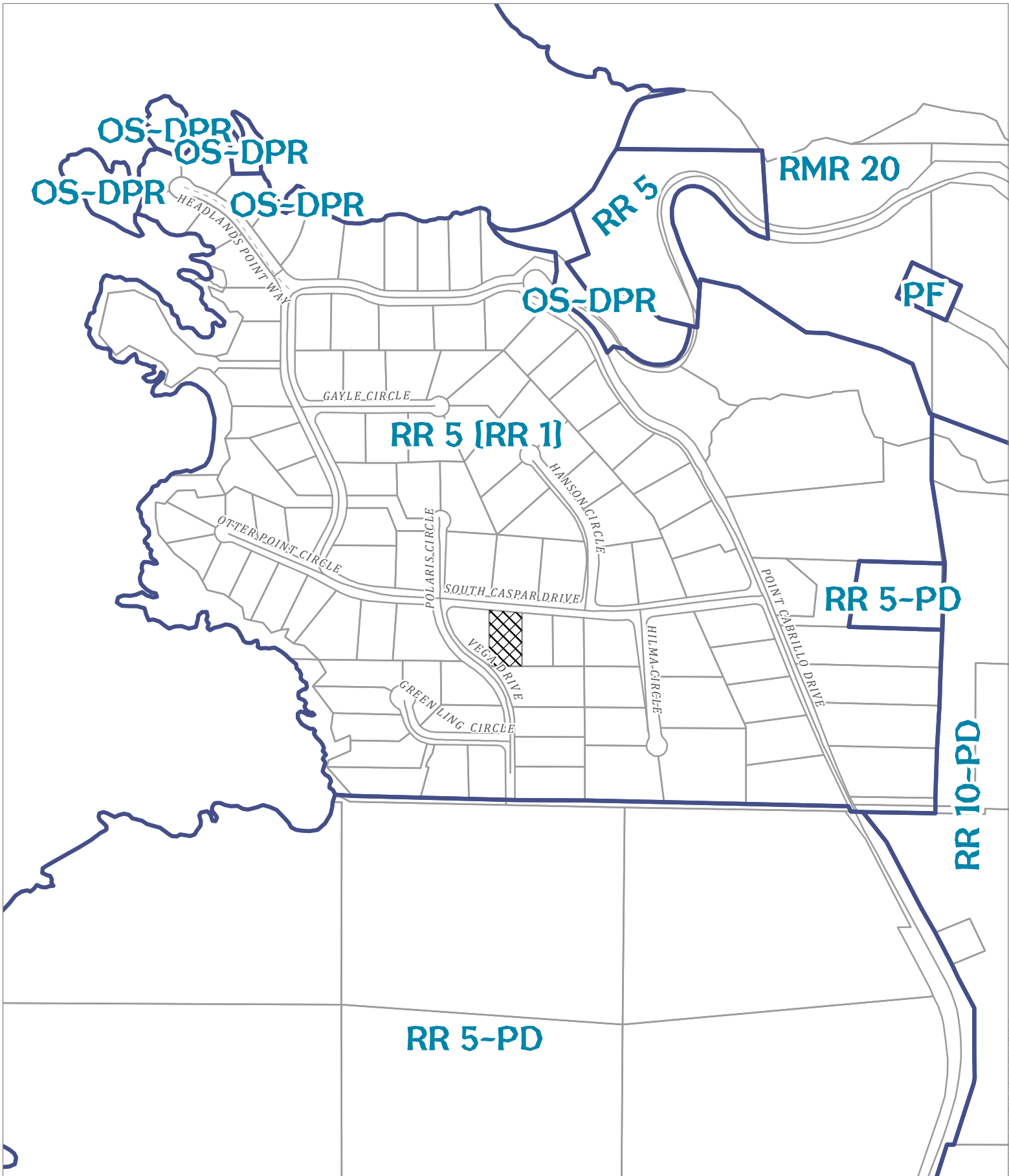


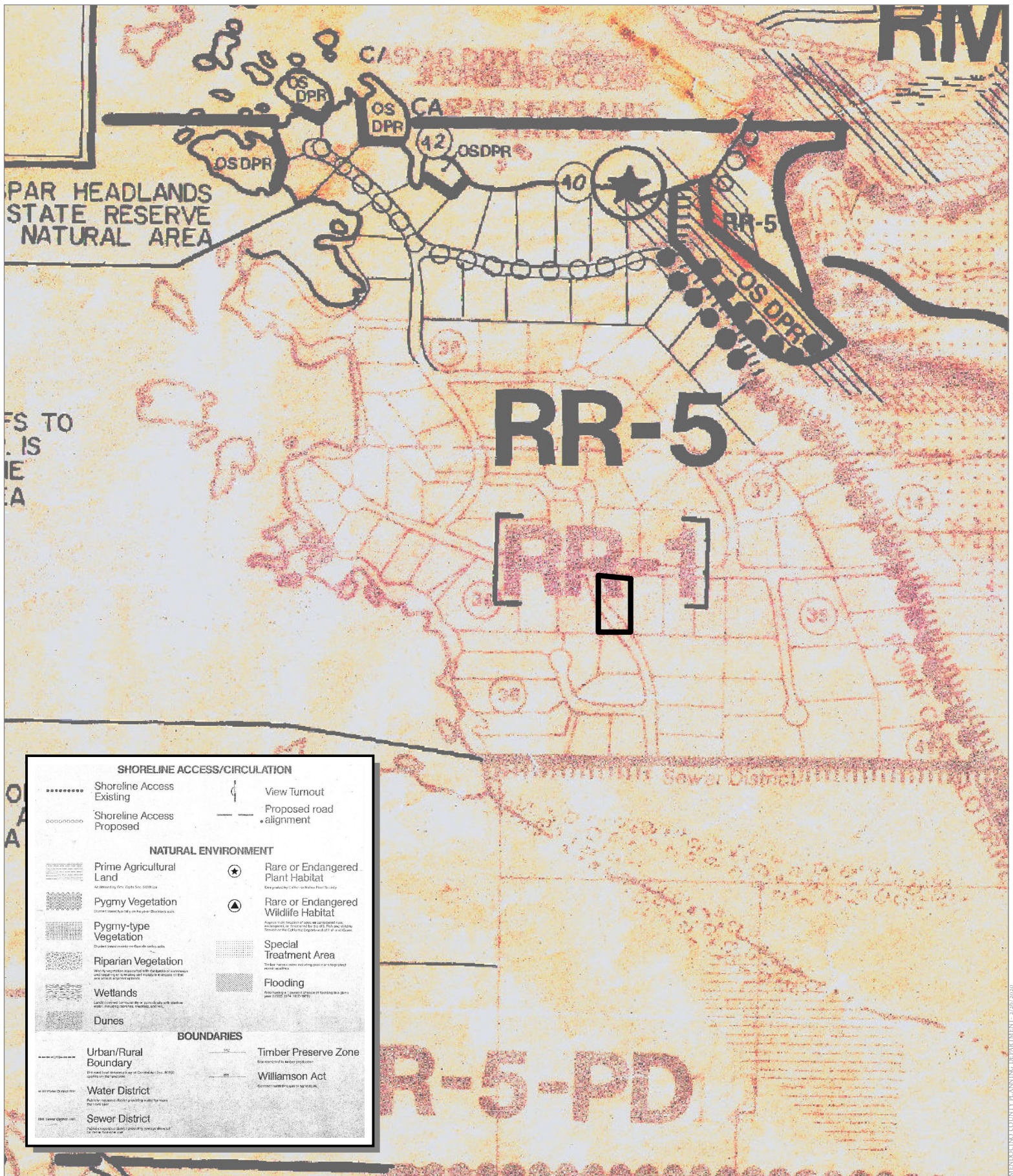
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-  Zoning Districts
-  Public Roads
-  Assessors Parcels



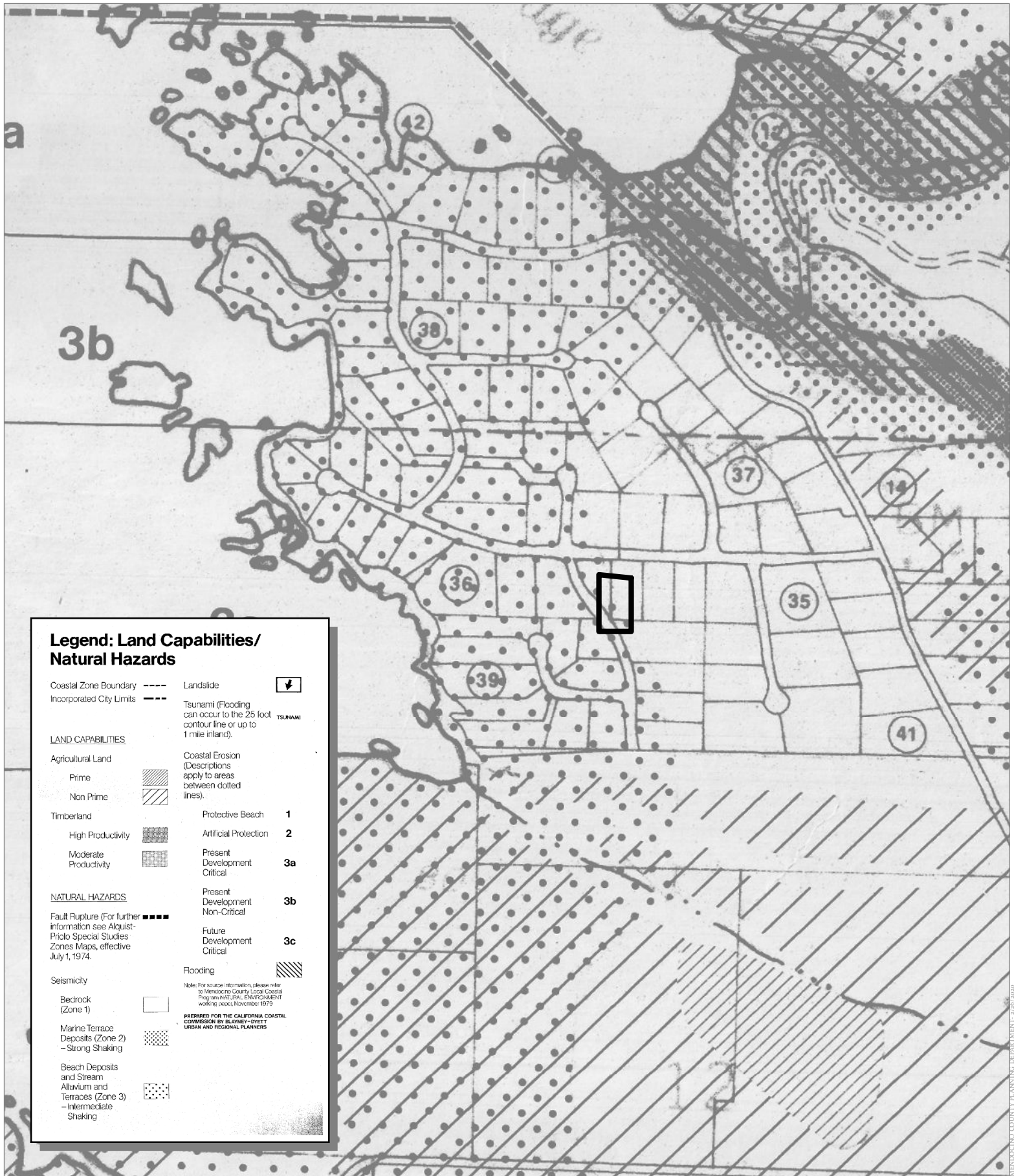
ZONING DISPLAY MAP





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0 250 500 Feet
 0 0.0425 0.085 Miles
 1:6,000
 N
 W
 S
 E
 LCP LAND USE MAP 15: CASPAR

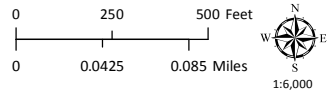


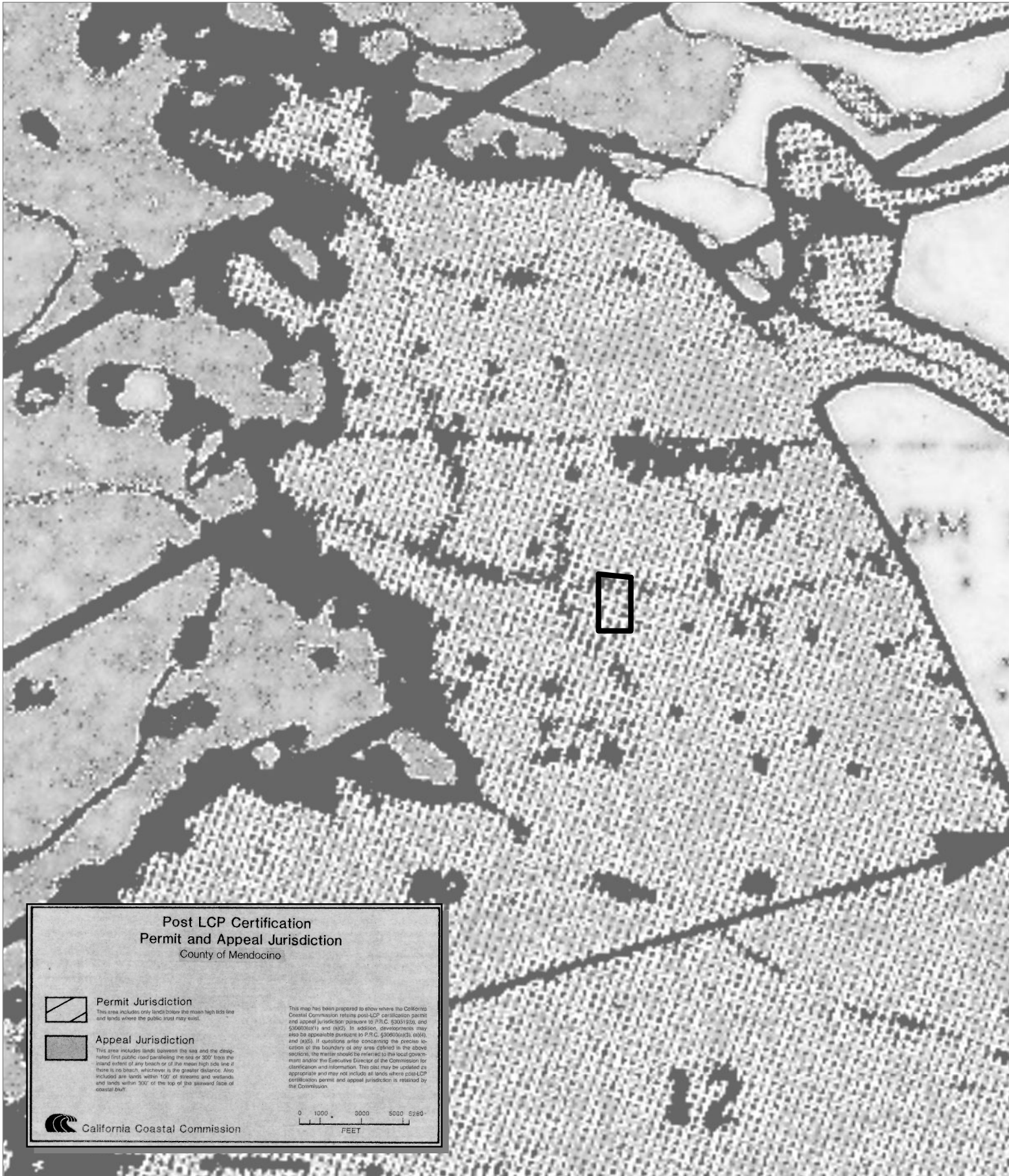
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LCP LAND CAPABILITIES & NATURAL HAZARDS



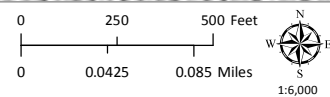
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MENDOCINO COUNTY PLANNING DEPARTMENT 2/26/2020

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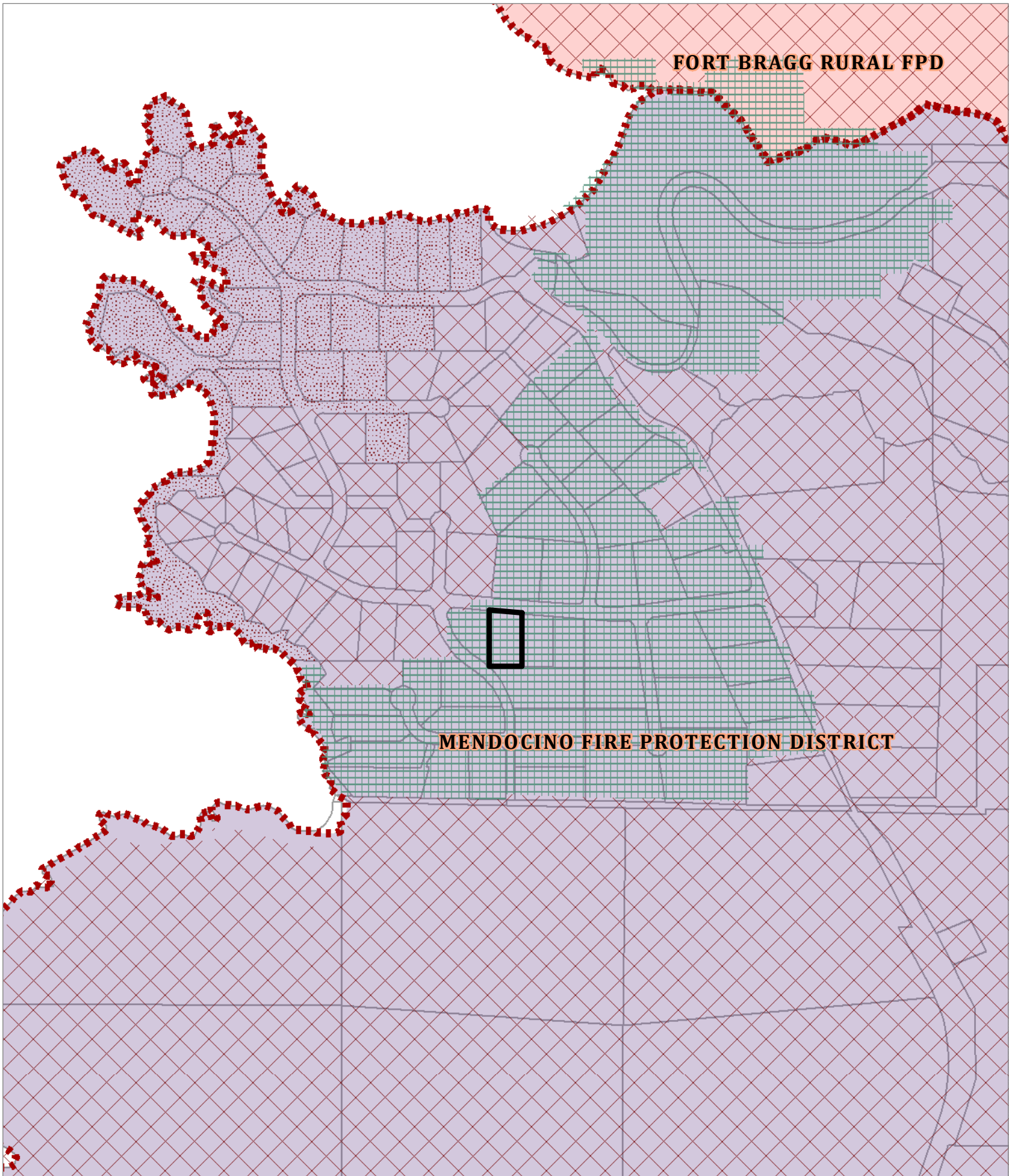


POST LCP CERTIFICATION & APPEAL JURISDICTION



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ADJACENT PARCELS



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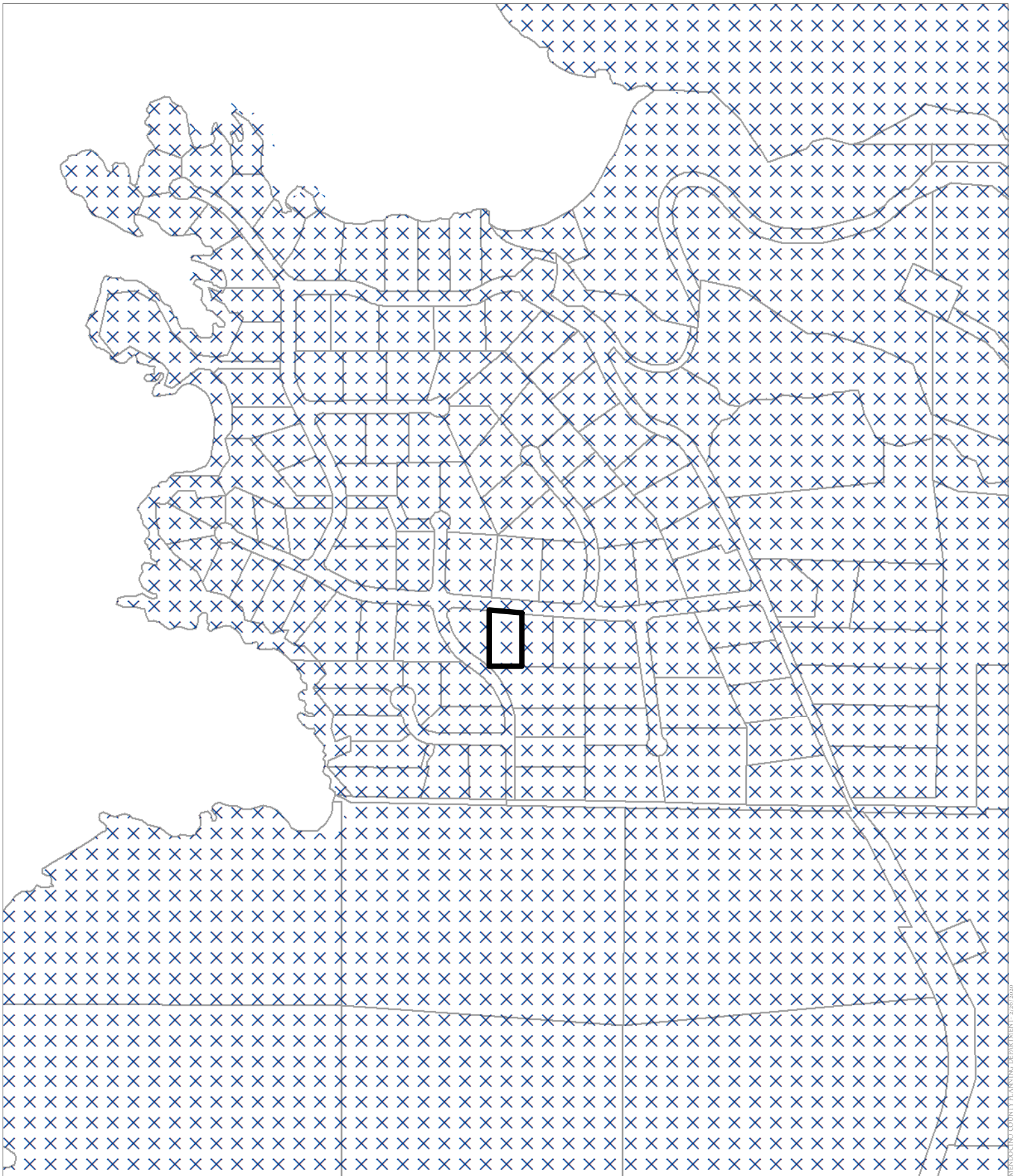
Very High Fire Hazard
High Fire Hazard
Moderate Fire Hazard

County Fire Districts
Assessors Parcels




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

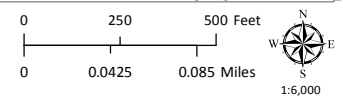
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FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

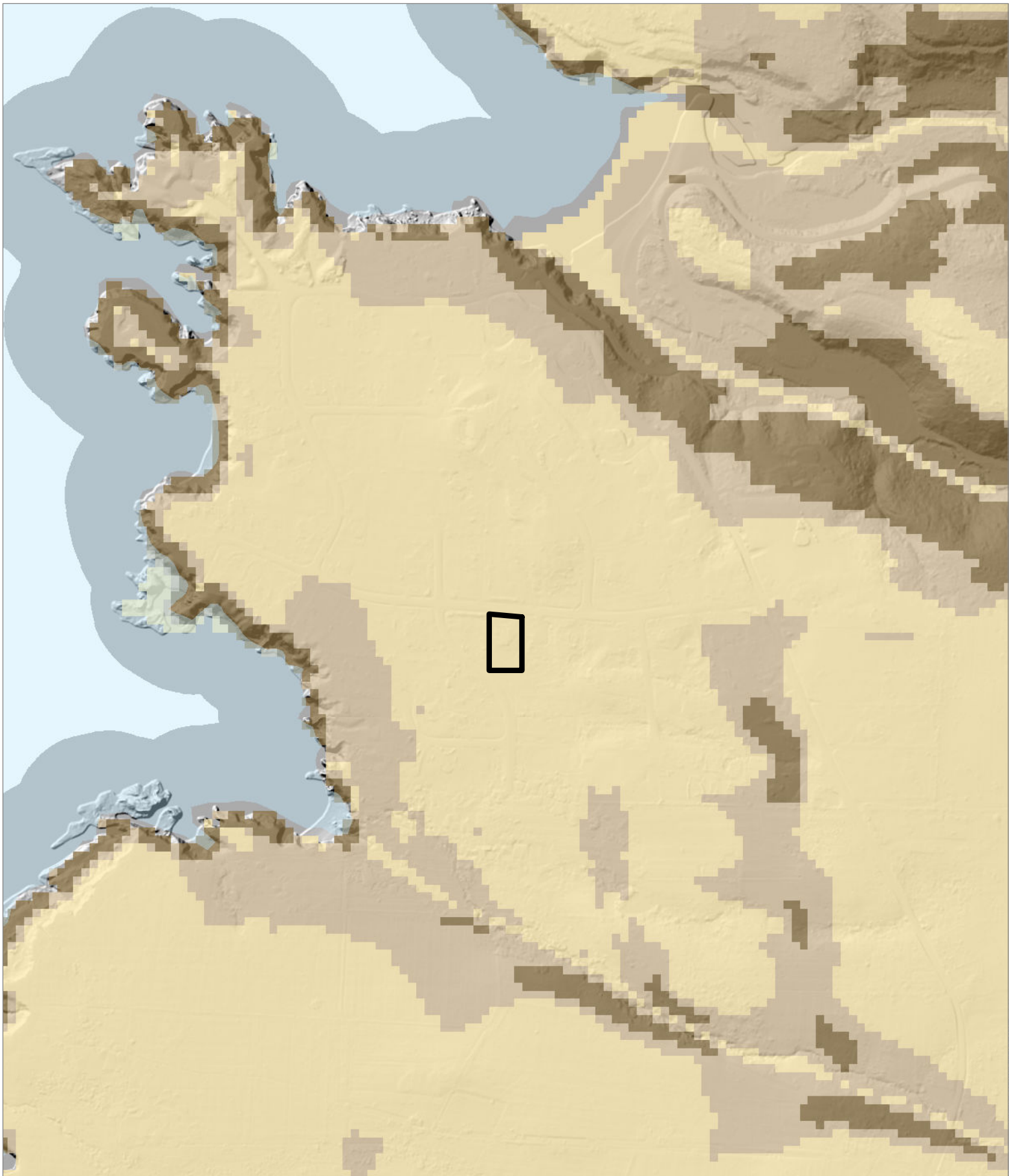


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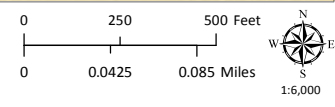
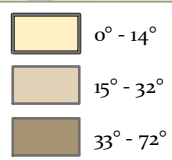
  Critical Water Areas
 Assessors Parcels



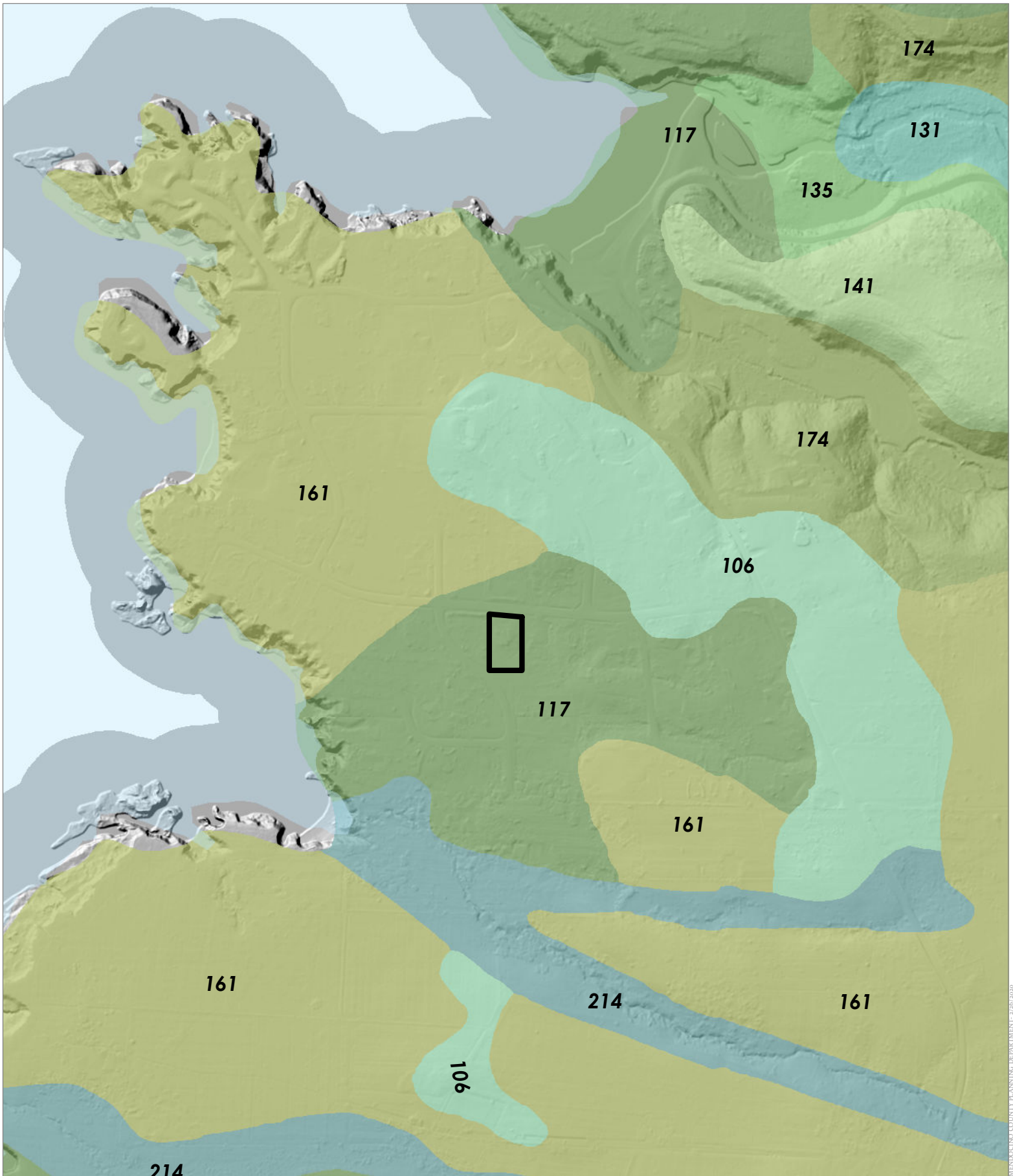
GROUND WATER RESOURCES



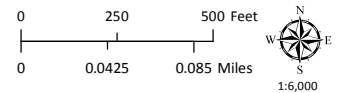
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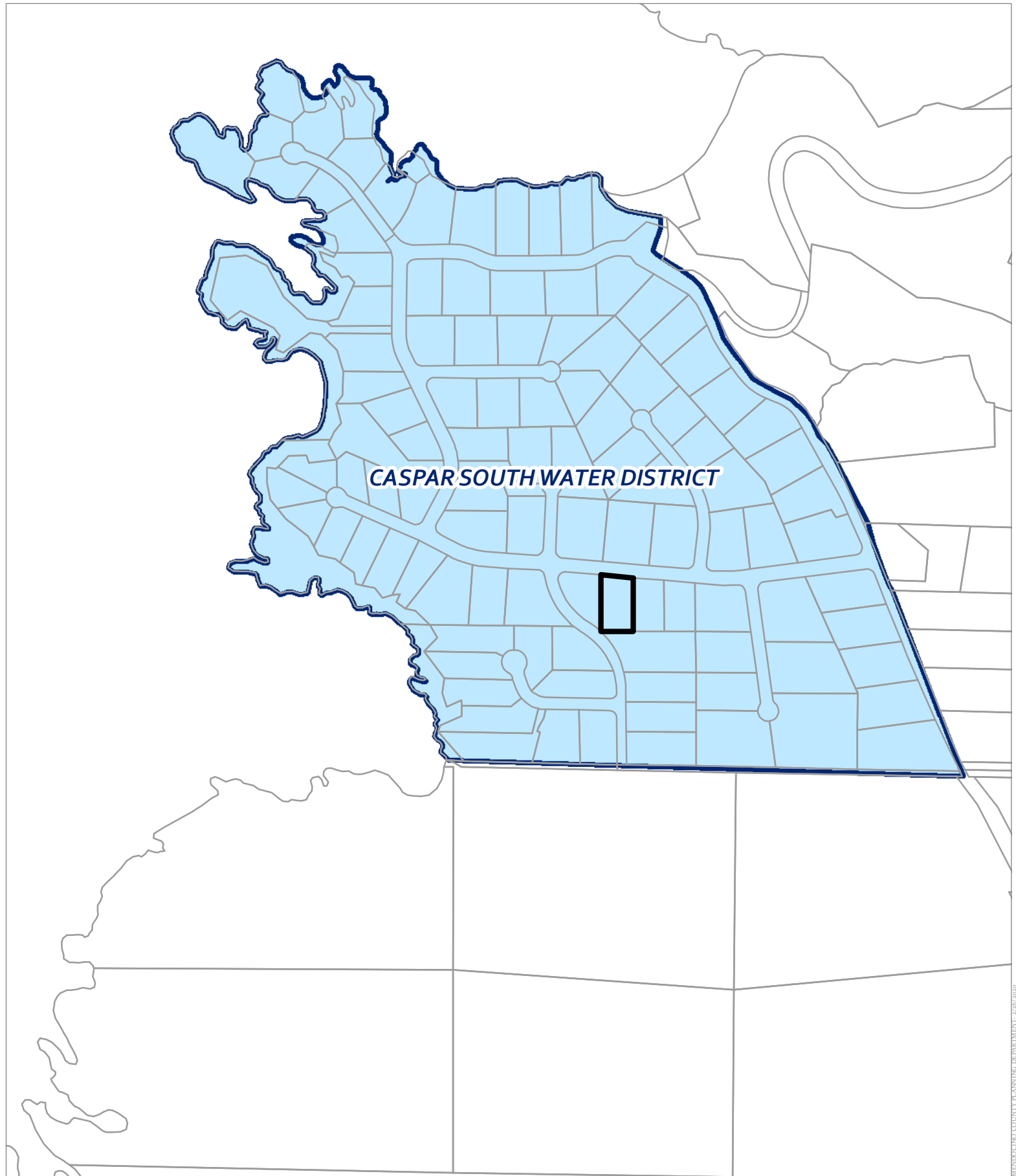
ESTIMATED SLOPE



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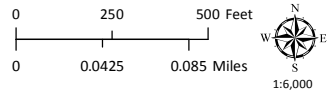
WESTERN SOIL CLASSES



MENDOCINO COUNTY PLANNING DEPARTMENT - 2/26/2020

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 Assessors Parcels
 County Water Districts



WATER DISTRICTS