



**SUMMARY**

**OWNER:** SHIRLEY LADELLE  
PO BOX 441  
HOPLAND, CA 95449

**APPLICANT:** SHIRLEY LADELLE  
PO BOX 441  
HOPLAND, CA 95449

**REQUEST:** Standard Coastal Development Permit for after-the-fact conversion of a detached garage and storage structure to a Family Care Unit and associated improvements.

**DATE DEEMED COMPLETE:** September 23, 2015

**LOCATION:** In the Coastal Zone, 3± miles south of the City of Fort Bragg, on the south side of Jefferson Way (CR 441), 0.25± miles west of its intersection with Highway 1, located at 33051 Jefferson Way; APN 017-370-14.

**TOTAL ACREAGE:** 1.22

**GENERAL PLAN:** Rural Residential- 5 acre minimum or alternate density of 1 acre minimum (RR5(1))

**ZONING:** Rural Residential- 5 acre minimum or alternate density of 1 acre minimum (RR5(1))

**SUPERVISORIAL DISTRICT:** 4

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt under Class 1 - Existing facilities - Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

**PERMIT TYPE:** Standard Coastal Development Permit, Appealable to California Coastal Commission (West of 1<sup>st</sup> Public Road)

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** JULIA ACKER

**BACKGROUND**

**PROJECT DESCRIPTION:** Standard Coastal Development Permit for after-the-fact conversion of a detached garage and storage structure to a Family Care Unit and associated improvements.

**APPLICANT'S STATEMENT:** Family Care Unit.

**RELATED APPLICATIONS:**

**On-Site**

- ZC#2013-0015: Violation case for unpermitted conversion of the upstairs of the garage to a residential unit.
- CCC#1-92-108: California Coastal Commission permit for construction of the garage.

**Neighboring Property**

- CDP\_2006-0013: Permitted construction of a residence, garage/shop, garden shed, dog pen, driveway, well, septic, propane tank, and water storage tank. CDP was renewed for the 2015 year.

**SITE CHARACTERISTICS:** The 1.22-acre site is situated on a relatively flat coastal terrace within an established subdivision. The site is currently developed with a single-family residence, garage and storage structure, and associated utilities. The parcel is surrounded by residential lots to the north, east and west. Lots within this area are primarily developed with single-family residences and associated accessory structures. The property is bordered on the south by Jughandle State Reserve.

**SURROUNDING LAND USE AND ZONING:**

	GENERAL PLAN	ZONING	LOT SIZES	USES
<b>NORTH</b>	RR5(RR1)	RR5(RR1)	1.54 Acres	Single-Family Residential
<b>EAST</b>	RR5(RR1)	RR5(RR1)	1.32 Acres	Vacant
<b>SOUTH</b>	OS-DPR	OS	5.29 Acres	State Park
<b>WEST</b>	RR5(RR1)	RR5(RR1)	1.15 Acres	Single-Family Residential

**PUBLIC SERVICES:**

Access: EXISTING DRIVEWAY OFF COUNTY ROAD  
 Fire District: FORT BRAGG RURAL  
 Water District: NONE  
 Sewer District: NONE  
 School District: FORT BRAGG

**AGENCY COMMENTS:** On September 23, 2015 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation	Encroachment Permit	Comment	9/24/2015
• Construct Standard Driveway Approach			
Environmental Health-FB	Septic Permit	Comment	2/5/2016
• Current septic system can accept the additional effluent.			
Building Services-Ukiah PBS	N/A	No Comment	9/24/2015

Building Services-FB PBS	Building Permit	No Comment	10/5/2015
Assessor	N/A	No Response	N/A
Calfire	CDF#191-15	Comment	9/29/2015
<ul style="list-style-type: none"> <li>Owner will be expected to adhere to CALFIRE 4290 Regulations.</li> </ul>			
California Coastal Commission	N/A	Comment	Prior to permit process
<ul style="list-style-type: none"> <li>Discussion with Coastal Commission staff had occurred around original violation case. Discussion of jurisdiction and what was approved.</li> </ul>			
CA Dept. of Parks and Recreation	N/A	No Response	N/A
Fort Bragg Rural Fire Protection District	N/A	No Response	N/A

**KEY ISSUES**

**1. General Plan and Zoning Consistency:**

The subject parcel is classified and zoned Rural Residential. Principally permitted uses include one dwelling unit per parcel with associated utilities, light agriculture and home occupations. Existing development on the site consists of a single-family residence and accessory structures. The proposed development consists of conversion of an existing garage and storage structure to a Family Care Unit. The proposed Family Care Unit is a temporary use, permitted through the issuance of a Standard Coastal Development Permit (MCC Section 20.460.040) in any zoning district. The proposed project is therefore consistent with the uses permitted in the Rural Residential land use and zoning designation. Conditions 11 and 12 are recommended to ensure appropriate protections for establishment and operation of a Family Care Unit on the parcel.

**2. Environmental Protection:**

The proposed project is considered to be Categorical Exempt from CEQA, as the proposed work is primarily an interior remodel to an existing structure. Staff finds the proposed development to meet the criteria for Class 1 (a) for "interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances" and meets the criteria of Section 15301. Therefore, the proposed development will not have any significant adverse impacts on the environment within the meaning of CEQA.

**RECOMMENDATION**

By resolution, adopt a Categorical Exemption and grant the Coastal Development Permit for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

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DATE

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JULIA ACKER, PLANNER III

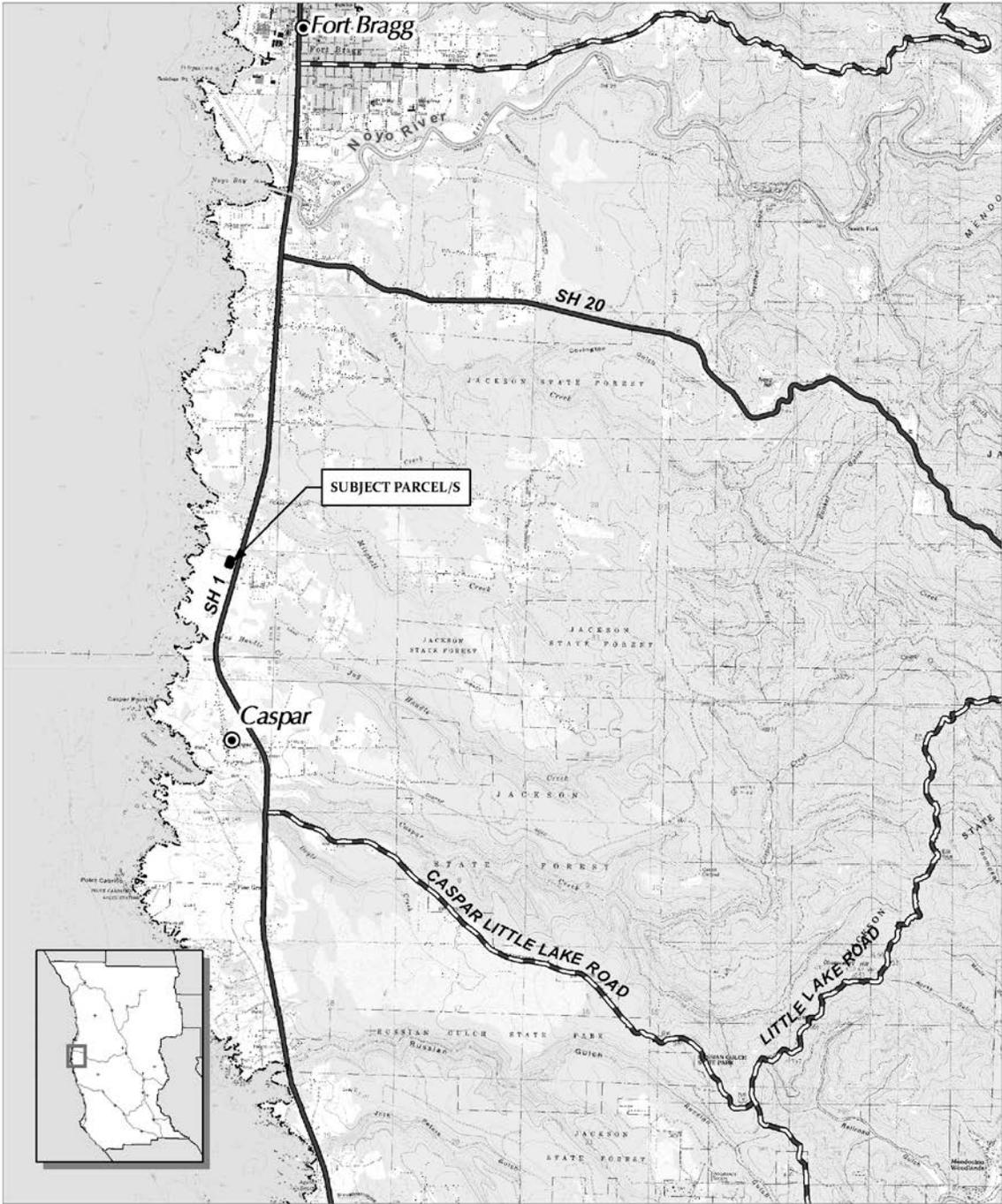
Appeal Period: 10 Days  
Appeal Fee: \$1100.00

**ATTACHMENTS:**

- A. Location Map
- B. Topographical Map
- C. Aerial Map
- D. Site/Tentative Map
- E. Adjacent Owner Map
- F. Zoning Map
- G. General Plan/LCP Map
- H. Fire Hazards Map
- I. Existing and Proposed Elevation
- J. Existing First Floor Plan
- K. Existing Second Floor Plan
- L. Proposed Second Floor Plan

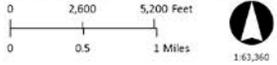
**COASTAL PERMIT APPROVAL CHECKLIST**

**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):**



CASE: CDP 2015-0021  
OWNER: LADELLE, Shirley  
APN: 017-370-14  
APLCT: Shirley LaDelle  
ADDRESS: 33051 Jefferson Way, FB

-  Major Towns & Places
-  Major Roads
-  Major Rivers
-  Highways



LOCATION MAP

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



**CASE: CDP 2015-0021**  
**OWNER: LADELLE, Shirley**  
**APN: 017-370-14**  
**APLT: Shirley LaDelle**  
**ADDRESS: 33051 Jefferson Way, FB**

— Public Roads

0 25 50 Feet  
 0 0.00425 0.0085 Miles  
 1:600

**GOOGLE EARTH IMAGERY**  
 IMAGERY DATE: 8-17-2013

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



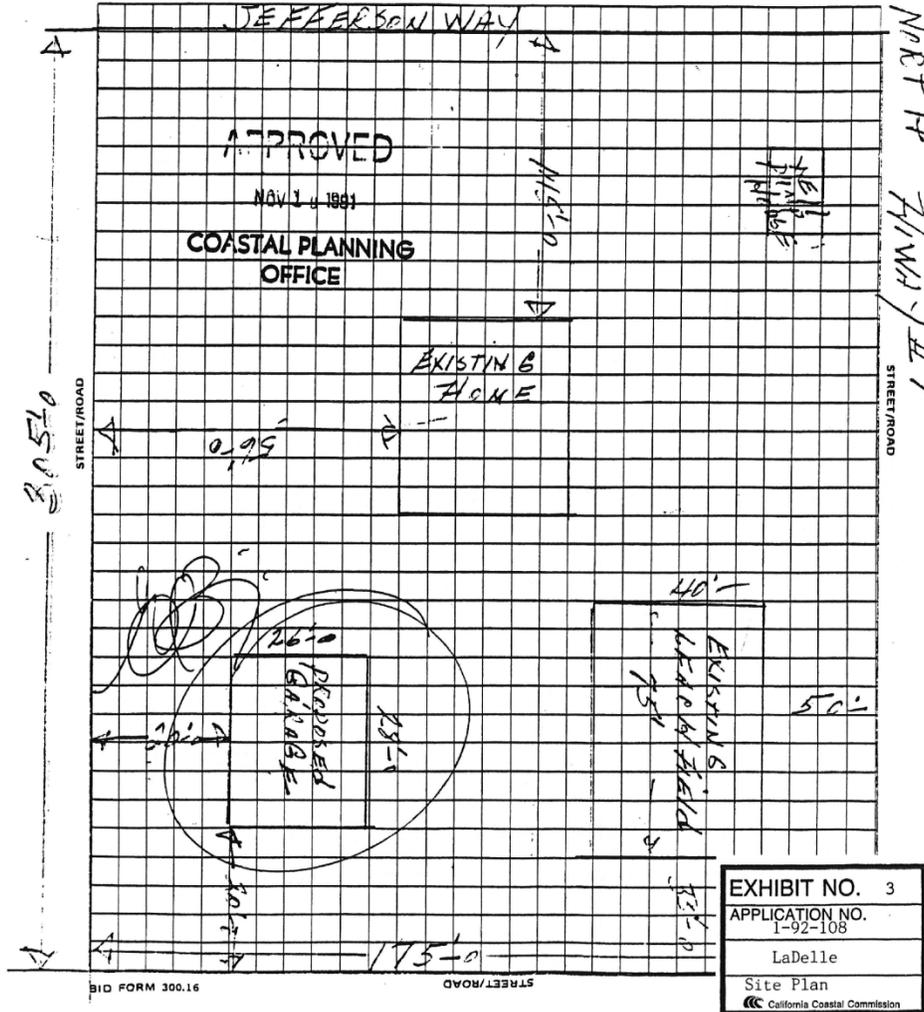
COUNTY OF MENDOCINO  
 C/O COURTHOUSE, UKIAH, CA 95482  
 PHONE (707) 483-4281

PLOT PLAN  
 BUILDING INSPECTION DIVISION  
 153 W. SPRUCE ST., FORT BRAGG, CA 95437  
 PHONE (707) 964-5379

JOB ADDRESS 33051 JEFFERSON WAY ASSESSOR'S PARCEL NO. \_\_\_\_\_ APPLICATION NO. 9192803

TOWN or COMMUNITY FB 447 OWNER'S (LEGAL) NAME LaDelle, Shirley

Show all buildings, structures, mobile homes, septic tanks and leach fields, wells, streams, lakes, roads, streets, alleys, retaining walls, fences, easements, electrical power poles, and any other improvements and indicate all distances between. Specify whether existing or proposed. Draw to and show scale. Indicate orientation with a North Arrow.



CASE: CDP 2015-0021  
 OWNER: LADELLE, Shirley  
 APN: 017-370-14  
 APLCT: Shirley LaDelle  
 ADDRESS: 33051 Jefferson Way, FB

NO SCALE

SITE PLAN

Map produced by the Mendocino County Planning & Building Services, July, 2006  
 All spatial data is approximate. Map provided without warranty of any kind.

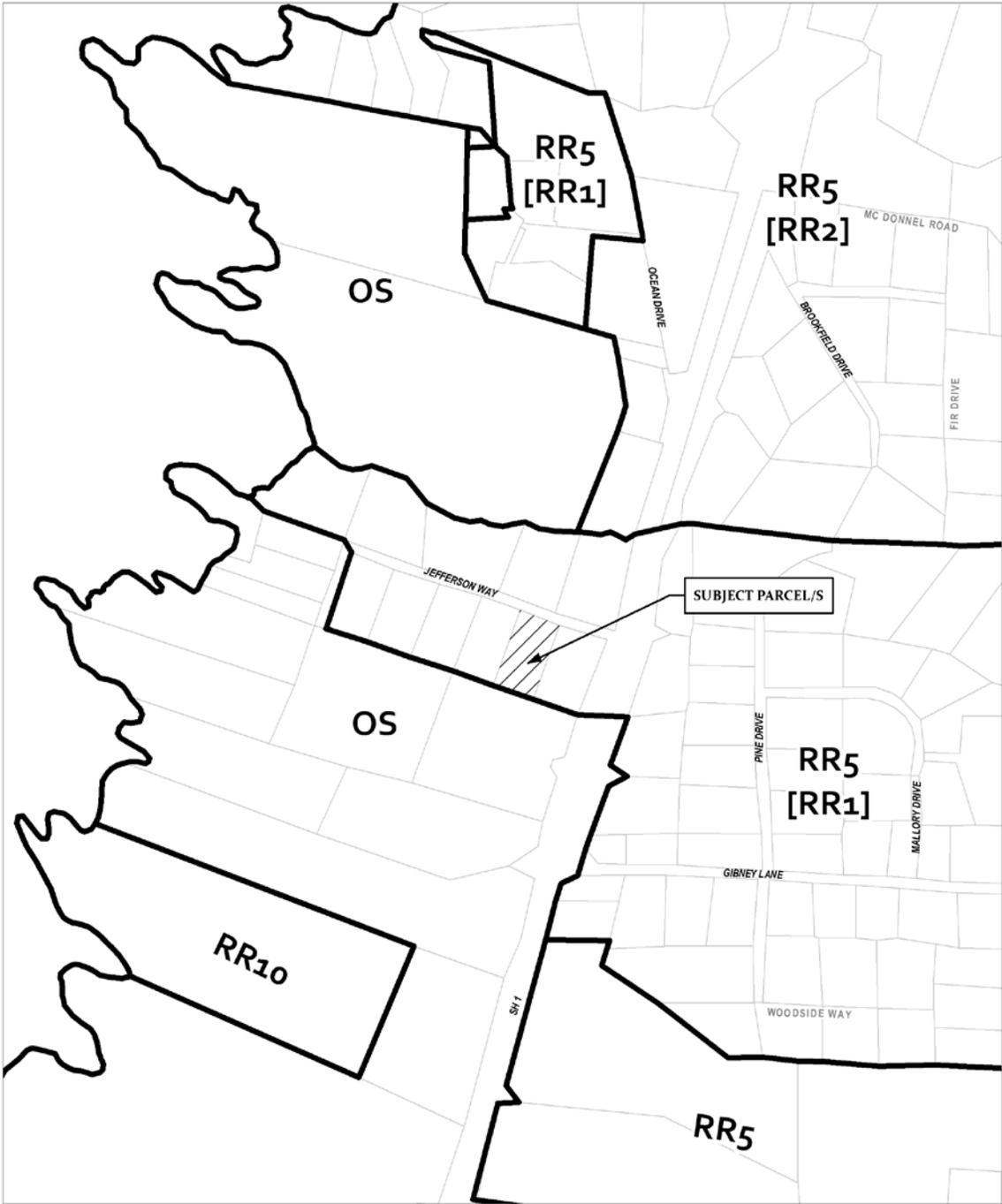


CASE: CDP 2015 0021  
OWNER: LADELLE, Shirley  
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APLCT: Shirley LaDelle  
ADDRESS: 33051 Jefferson Way, FB



ADJACENT PARCELS

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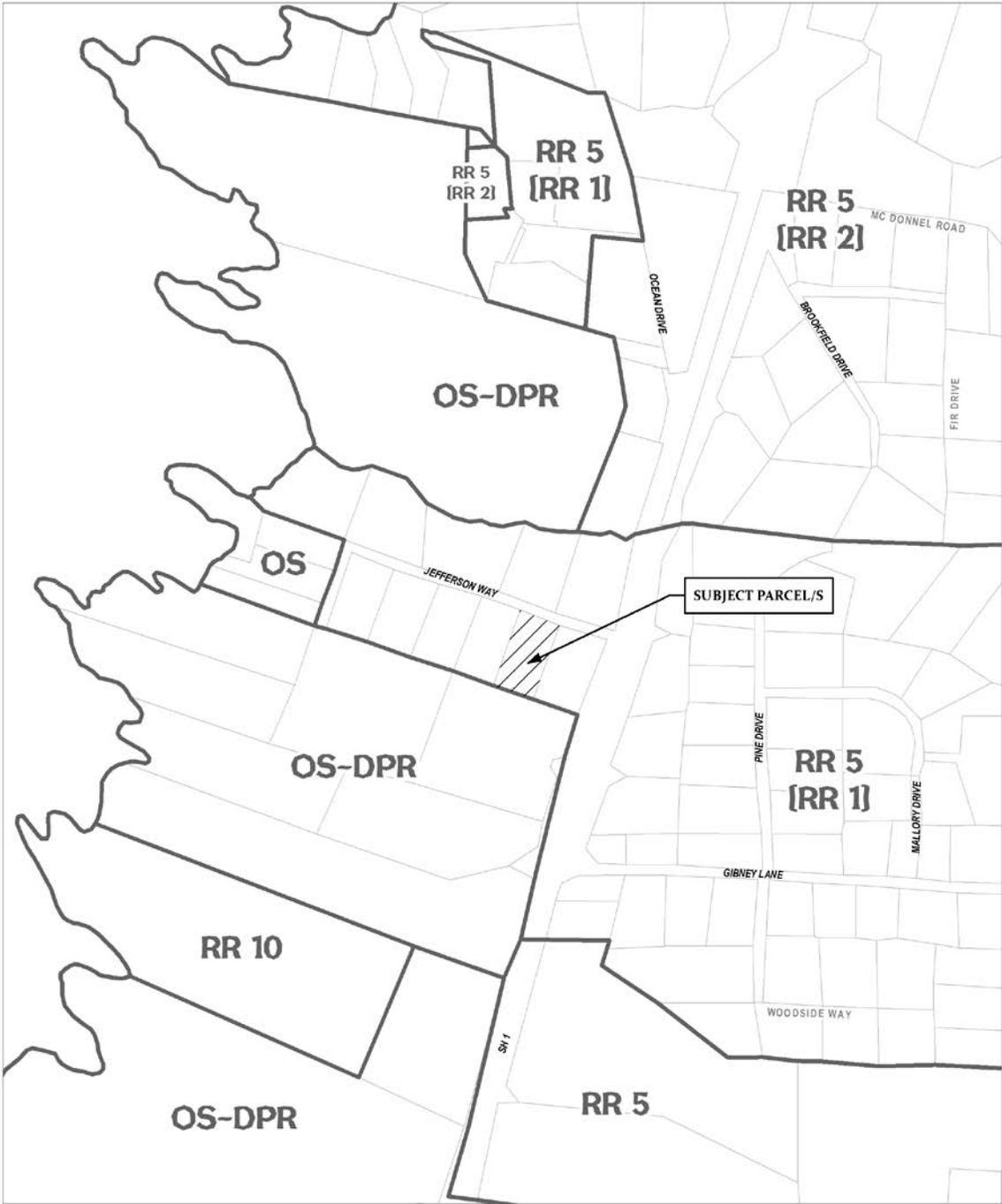
CASE: CDP 2015-0021  
 OWNER: LADELLE, Shirley  
 APN: 017-370-14  
 APLT: Shirley LaDelle  
 ADDRESS: 33051 Jefferson Way, FB

 Zoning Master



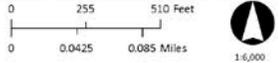
ZONING DISPLAY MAP

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



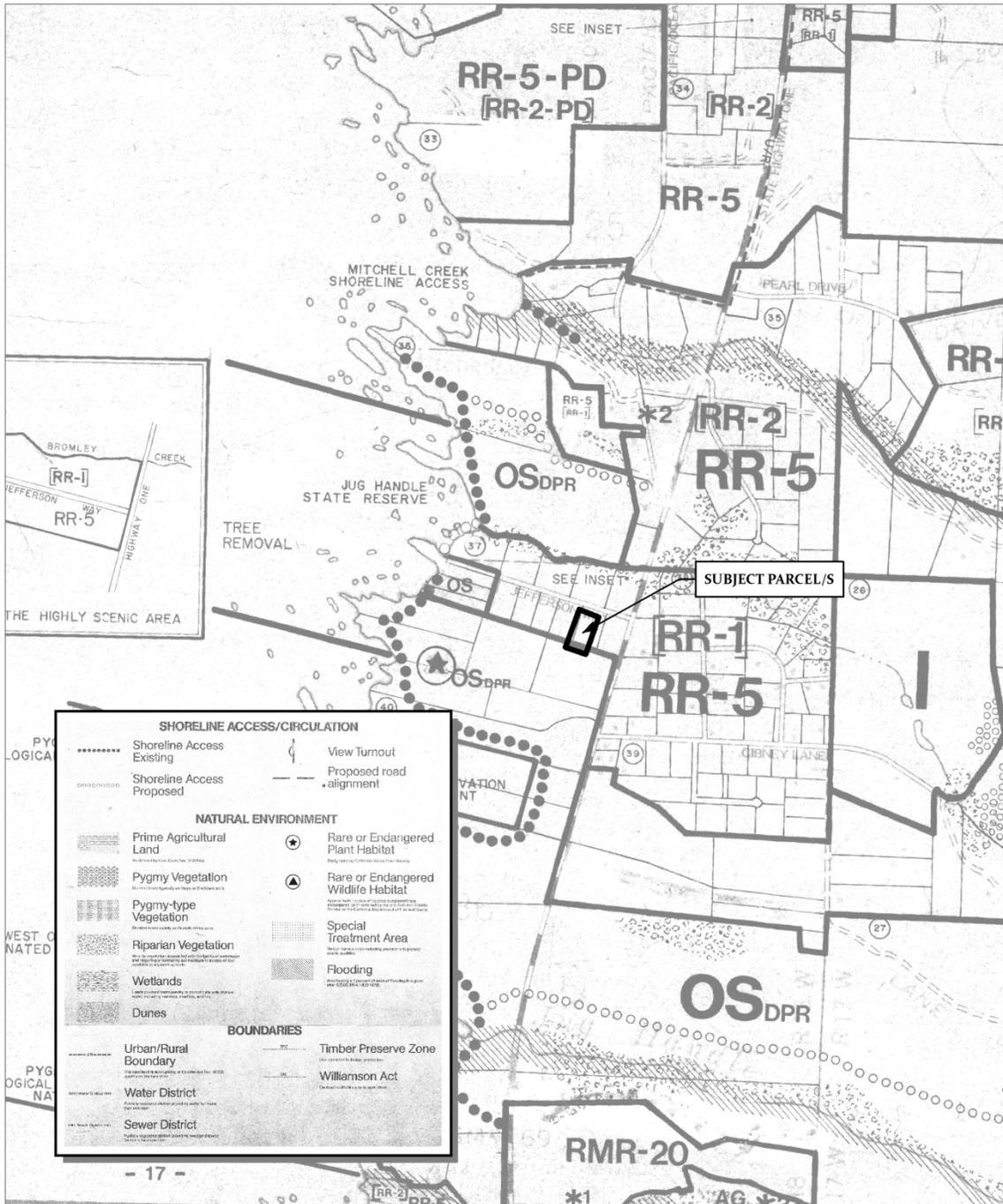
CASE: CDP 2015-0021  
 OWNER: LADELLE, Shirley  
 APN: 017-370-14  
 APLT: Shirley LaDelle  
 ADDRESS: 33051 Jefferson Way, FB

 General Plan Master

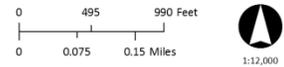


GENERAL PLAN CLASSIFICATIONS

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

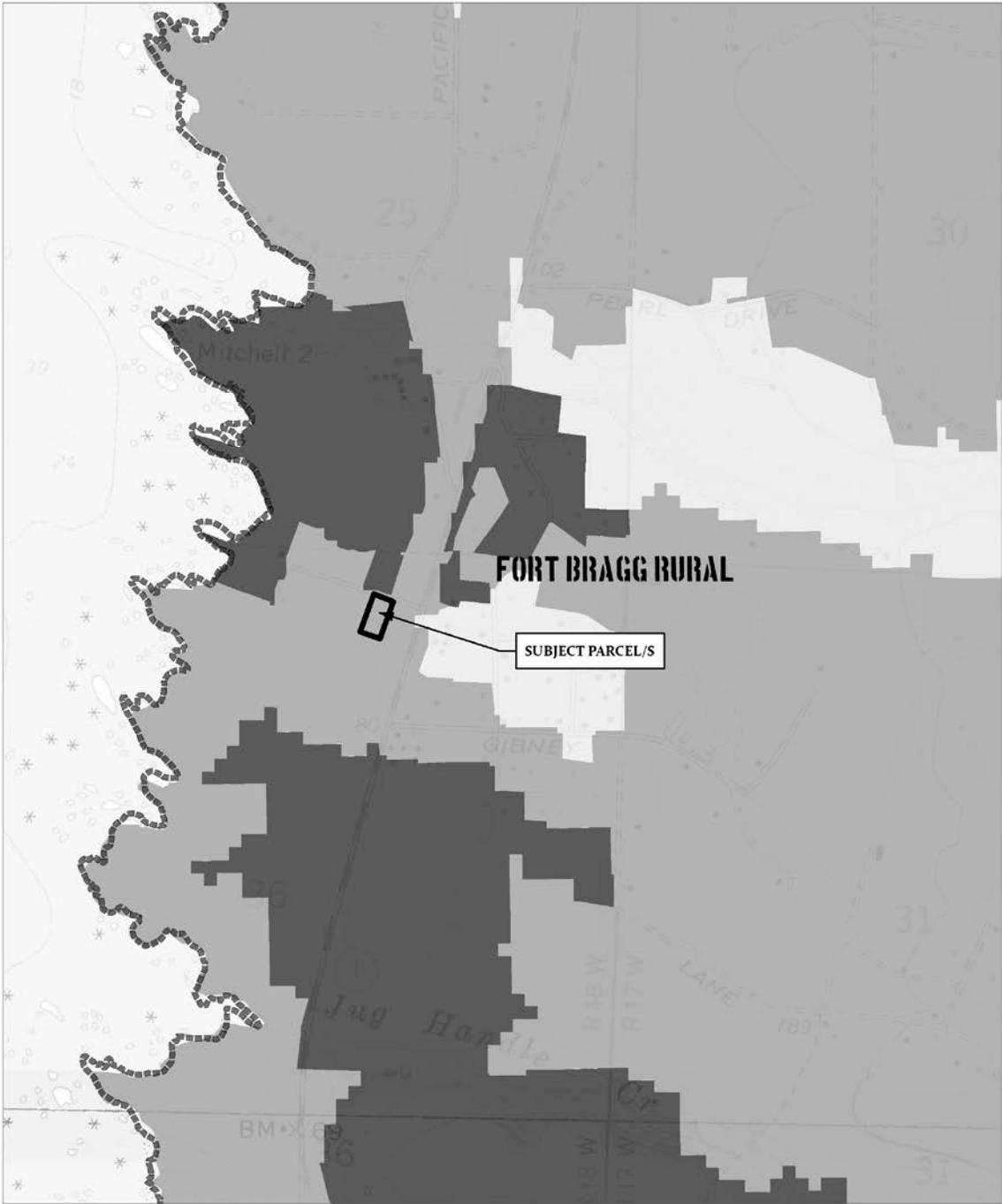


CASE: CDP 2015-0021  
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 APLCT: Shirley LaDelle  
 ADDRESS: 33051 Jefferson Way, FB



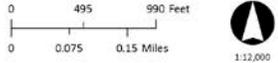
LCP MAP 14: BEAVER

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



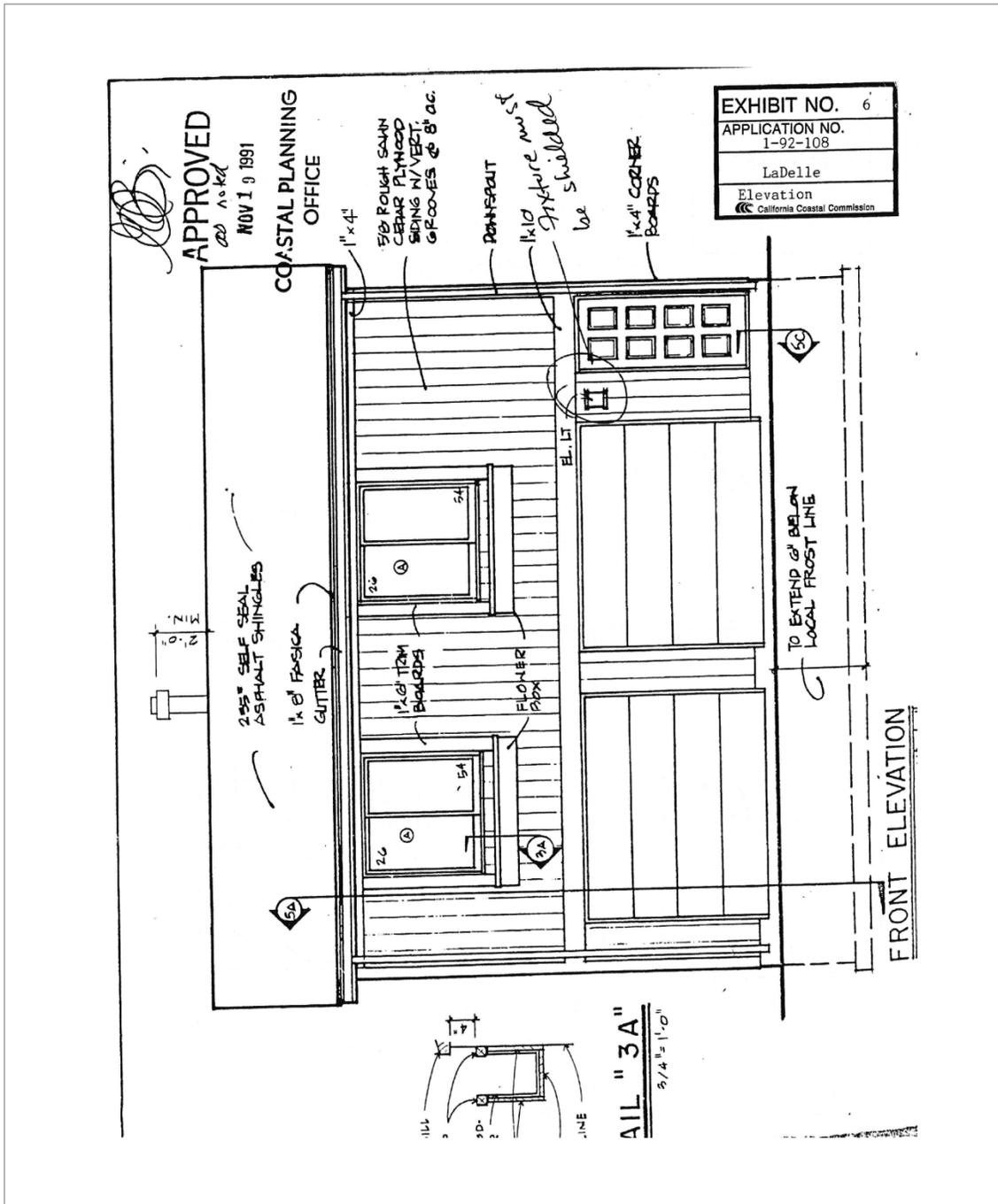
CASE: CDP 2015 0021  
OWNER: LADELLE, Shirley  
APN: 017-370-14  
APLT: Shirley LaDelle  
ADDRESS: 33051 Jefferson Way, FB

-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard



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

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



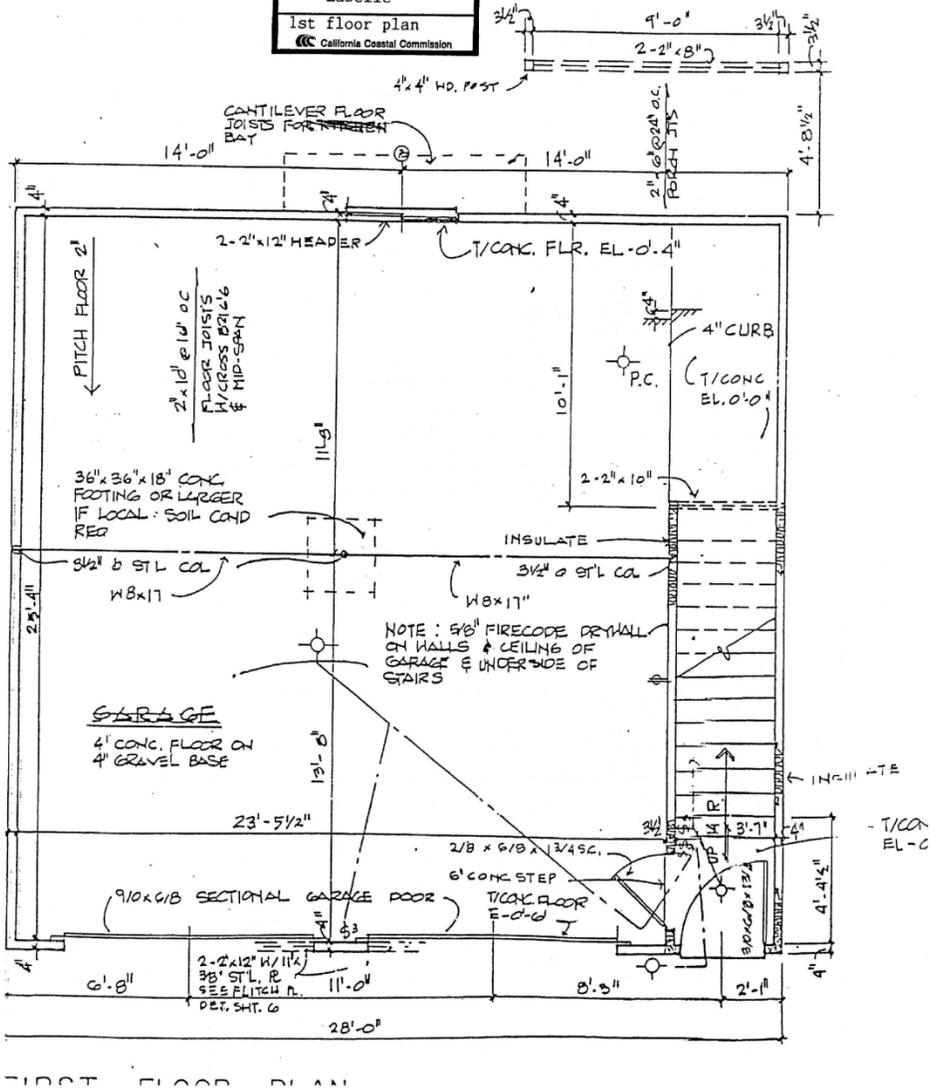
CASE: CDP 2015-0021  
 OWNER: LADELLE, Shirley  
 APN: 017-370-14  
 APLCT: Shirley LaDelle  
 ADDRESS: 33051 Jefferson Way, FB

NO SCALE

ELEVATION

Map produced by the Mendocino County Planning & Building Services, July, 2006  
 All spatial data is approximate. Map provided without warranty of any kind.

**EXHIBIT NO. 4**  
**APPLICATION NO.**  
 1-92-108  
 LaDelle  
 1st floor plan  
 California Coastal Commission



CASE: CDP 2015-0021  
 OWNER: LADELLE, Shirley  
 APN: 017-370-14  
 APLCT: Shirley LaDelle  
 ADDRESS: 33051 Jefferson Way, FB

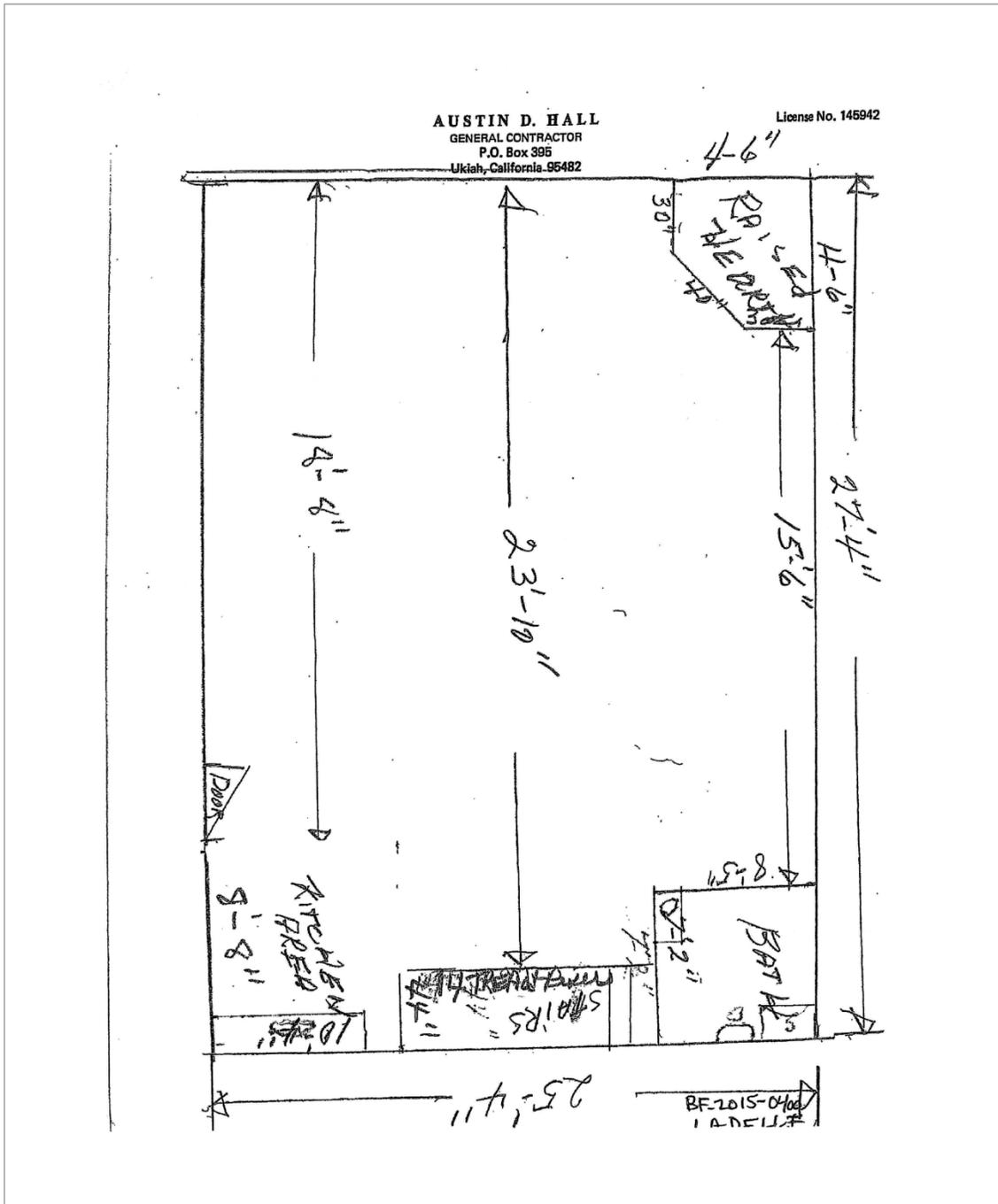
**EXISTING**

NO SCALE

FIRST FLOOR PLAN

Map produced by the Mendocino County Planning & Building Services, July, 2006  
 All spatial data is approximate. Map provided without warranty of any kind.





AUSTIN D. HALL  
GENERAL CONTRACTOR  
P.O. Box 395  
Ukiah, California 95482

License No. 145942

CASE: CDP 2015-0021  
OWNER: LADELLE, Shirley  
APN: 017-370-14  
APLCT: Shirley LaDelle  
ADDRESS: 33051 Jefferson Way, FB

**PROPOSED**

NO SCALE

FLOOR PLAN

Map produced by the Mendocino County Planning & Building Services, July, 2016  
All spatial data is approximate. Map provided without warranty of any kind.

**COASTAL PERMIT APPROVAL CHECKLIST  
CDP\_2015-0021 (LADELLE)  
SEPTEMBER 22, 2016**

**PROJECT TITLE:** CDP\_2015-0021 (LADELLE)

**PROJECT LOCATION:** In the Coastal Zone, 3+/- miles south of the City of Fort Bragg, on the south side of Jefferson Way (CR 441), 0.25+- miles west of its intersection with Highway 1. Located at 33051 Jefferson Way; APN 017-370-14.

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

**GENERAL PLAN DESIGNATION:** Rural Residential- 5 acre minimum or alternate density of 1 acre minimum (RR5(1))

**ZONING DISTRICT** Rural Residential- 5 acre minimum or alternate density of 1 acre minimum (RR5(1))

**DESCRIPTION OF PROJECT:** Standard Coastal Development Permit for after-the-fact conversion of a detached garage and storage structure to a Family Care Unit and associated improvements.

In 2013, County Staff was contacted regarding unpermitted conversion of an existing garage into living space. Subsequently, Mendocino County Code Enforcement opened a violation case for the unpermitted use of a garage as a dwelling unit (ZC\_2013-0015). Staff has been working with the owner/applicant to resolve the violation on the parcel. The subject permit seeks to legalize the unpermitted Family Care Unit currently present on the parcel.

**SITE DESCRIPTION AND SETTING:** The 1.22-acre site is situated on a relatively flat coastal terrace within an established subdivision. The site is currently developed with a single-family residence, garage and storage structure, and associated utilities. The parcel is surrounded by residential lots to the north, east and west. Lots within this area are primarily developed with single-family residences and associated accessory structures. The property is bordered on the south by Jughandle State Reserve.

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

<b>20.532.095 Required Findings for All Coastal Development Permits</b>	<b>Inconsistent</b>	<b>Consistent (With Conditions of Approval)</b>	<b>Consistent (Without Conditions of Approval)</b>	<b>Not Applicable</b>
<b>(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:</b>				
(1) The proposed development is in conformity with the certified local coastal program.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(B) If the proposed development is located between the first public road and the sea or the shoreline of any body of water, the following additional finding must be made:</b>				
(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

*Consistent (with conditions of approval)*

The Local Coastal Program (LCP) sets goals and policies for managing resource protection and development activity in the Coastal Zone of Mendocino County, an area that extends from the Humboldt County line to the Gualala River. The Local Coastal Program addresses topics such as shoreline access and public trails; development in scenic areas, hazardous areas, and coastal bluffs; environmentally sensitive habitat areas; cultural resources; transportation; public services; and more. The LCP serves as an element of the General Plan and includes Division II of Title 20 of the Mendocino County Code (MCC), and its policies must be consistent with the goals of the California Coastal Act.

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

**General Plan Land Use – Rural Residential**

The subject parcel is classified as Rural Residential by the Coastal Element of the Mendocino County General Plan, which is intended “to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.” (Chapter 2.2 of the County of Mendocino General Plan Coastal Element). The principally permitted use designated for the Rural Residential land use classification is “one dwelling unit per existing parcel and associated utilities, light agriculture and home occupation” (Chapter 2.2 of the County of Mendocino General Plan Coastal Element).

Existing development on the site consists of a single-family residence and accessory structures. The proposed development consists of conversion of an existing garage and storage structure to a Family Care Unit. The proposed Family Care Unit is a temporary use, permitted through the issuance of a Standard Coastal Development Permit (MCC Section 20.460.040) in any zoning district. The proposed project is therefore consistent with the uses permitted in the Rural Residential land use designation.

**Hazards**

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

Seismic Activity: The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake fault zone. The San Andreas fault is located approximately five (5) miles offshore of the project site and is the nearest active fault. The site, like the rest of Mendocino County, is subject to strong ground shaking. Figure 3-12 of the Mendocino County General Plan indicates that the subject parcel is located in a known area of soil liquefaction; however, due to the fact that no additional development is proposed on the site and the proposed project is to convert the garage structure to a Family Care Unit, no geologic investigation was required.

Landslides: The site is not located in an area where landslides have been documented or are likely to occur. The site is a relatively level, flat, and developed parcel within an established subdivision.

Erosion: The site is a relatively level, flat parcel, with existing development. The proposed project seeks to convert an existing garage structure to a Family Care Unit. Therefore, potential for erosion from the proposed project is unlikely.

Flooding: The project is located outside all mapped 100-year flood hazard areas, and therefore will not impede or redirect flood flows, and will not expose people or structures to a significant risk involving flooding, including flooding as a result of the failure of a levee or dam.

Fire: The project is located in an area that has a high fire hazard severity rating, as shown on the Fire Hazard Zones and Responsibility Areas map. The proposed project seeks to convert an existing garage structure to a Family Care Unit, no new structures are proposed. The project application was referred to the California Department of Forestry and Fire Protection (Calfire) for comment. Calfire stated that the applicant is expected to adhere to the Calfire 4290 Regulations as stated in the CDF#191-15 Fire Safety Application, and specifically the requirements stated in the letter of August 13, 2015, which provided an exception to the setback distance on the proposed Family Care Unit structure. The recommendations of Calfire are included as **Condition 9**.

**Condition 9:** The applicant shall comply with those recommendations in the California Department of Forestry Conditions of Approval (CDF#191-15) and letter of August 13, 2015 or other alternatives acceptable to the Department of Forestry. Prior to the final inspection of the building permit, written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.

With the inclusion of the recommended condition, the site is determined to not create a hazard relative to fire protection and adequate services exist to service the proposed development.

### **Visual Resources**

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

The project is not located in an area that is designated Highly Scenic by the Local Coastal Program and is therefore not subject to Local Coastal Program Visual Resource policies relating to Highly Scenic Areas. The site is located in a designated Tree Removal Area, where tree removal may be required as a condition of approval on a coastal development permit to enhance views of the coastline. Staff did not find a nexus to require tree removal as a condition of approval on this permit, as this permit seeks to change the interior use of a portion of a structure. Tree removal may be required on future Coastal Development Permits on this parcel, where there may be a nexus between tree removal and proposed development. Therefore, the proposed project is found to be consistent with the criteria for visual resource protection.

### **Natural Resources**

The certified Mendocino County LCP includes sections of both the MCC and the Coastal Element of the General Plan addressing Environmentally Sensitive Habitat Areas (ESHA). The MCC states that development having the potential to impact an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to determine the extent of sensitive resources, to document potential negative impacts, and to recommend appropriate mitigation measures.

Due to the fact that the proposed project is for after-the-fact conversion of an existing structure to a Family Care Unit and no exterior work is involved, Staff finds that there is no potential for environmentally sensitive habitat areas to be damaged by the proposed interior conversion. No conditions are necessary to achieve compliance with Mendocino County Code regulations for the protection of natural resources.

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

*Consistent (with conditions of approval)*

Utilities: The site has existing electrical service, propane tank and telephone service. A water well exists on the parcel, as does on-site sewage disposal. The Division of Environmental Health has provided clearance on this permit stating that "a letter was received from Carl Rittiman, a Qualified Site Evaluator, discussing the current septic system being able to accept the additional effluent from the one bedroom, temporary Family Care Unit." The proposed project is therefore determined to be provided with adequate utilities to support the development.

Access Roads: The parcel is currently provided access off Jefferson Way (CR 441). The proposed project was referred to the Mendocino County Department of Transportation for comment. Their office stated that the applicant shall obtain an encroachment permit for a Standard Private Driveway approach onto Jefferson Way (CR 441) for improvement to current standards. **Condition 10** is recommended requiring compliance with the comments provided by the Mendocino County Department of Transportation.

**Condition 10:** The applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation. In conformance with encroachment permit procedures administered by the Mendocino County Department of Transportation, applicant shall construct a Standard Private Driveway onto Jefferson Way (CR 441), to be surfaced with asphalt concrete, with a minimum width of ten (10) feet and length of fifteen (15) feet from the edge of the County road.

With the inclusion of the recommended condition, the project is determined to be provided with adequate access roads to support the proposed development.

Drainage: Drainage is subject to MCC Chapter 20.492, and provides regulations mitigating the impact of stormwater runoff and erosion. The proposed project consists of approval for the after-the-fact conversion of an existing garage to a Family Care Unit. No additional exterior work is proposed that would alter drainage. Upgrade of the driveway approach is the only required improvement that may alter drainage in the area and Mendocino County Department of Transportation has specific procedures that would prevent impacts from the proposed work.

**20.532.095(A)(3) The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district.**

*Consistent (with conditions of approval)*

Intent: The parcel subject to the application is zoned Rural Residential. The intent of the Rural Residential zoning district is "to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well-suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability" (MCC Section 20.376.005). The subject parcel and existing residence were created prior to the current zoning designation having been applied to the parcel. The size of the parcel (slightly larger than 1-acre) makes the parcel less agriculturally viable. The property is currently developed with a single-family residence and garage. The proposed project is for the after-the-fact conversion of the existing garage to a Family Care Unit. The proposed project is not expected to have an adverse impact on the potential agricultural viability of the lot and is found to be consistent with the intent of the zoning district.

Use: The parcel subject to the application is zoned Rural Residential as shown on the Zoning Display Map. The Family Care Unit is permissible as a temporary use under MCC Section 20.460.040, with the issuance of a Standard Coastal Development Permit, provided the applicant meets the provisions of the section for eligibility. Currently, the applicant requires a Family Care Unit to care for one of the owners and has adequately demonstrated the need for the use to Planning and Building Services Staff. **Conditions 11** and **12** are recommended to ensure that the Family Care Unit is used in a manner consistent with Mendocino County code.

**Condition 11:** The applicant shall have the sole responsibility of renewing the Family Care Unit permit each year, prior to the expiration date. Prior to the granting of the permit and yearly renewal, a statement

must be submitted by the owner of the property and signed under penalty of perjury that the use of the Family Care Unit is to provide housing for either: (a) not more than two (2) adult persons who are sixty (60) years of age or older, or (b) an immediate family member or members who require daily supervision or care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.

**Condition 12:** Should the use or necessity of the temporary Family Care Unit cease, it shall be either removed from the premises or converted to an accessory structure as provided in Chapter 20.456. Should the occupants of the Family Care Unit or the main residence move to another off-site residence, the permits for the Family Care Unit shall become null and void.

The existing single-family residential use and proposed Family Care Unit are in conformance with the permissible uses within the Rural Residential zoning district and allowable temporary uses, as provided in Mendocino County Code.

Density: The maximum dwelling density in the Rural Residential zoning district in this location is one single-family residence per acre (MCC Section 20.376.025 (A)). The parcel is currently developed with a single-family residence and is 1.22-acres in size. Family Care Units are specifically exempted from the maximum dwelling density standards for the Rural Residential zoning district (MCC Section 20.376.025 (A)). The proposed development does not conflict with the dwelling density standards of the Rural Residential zoning district.

Yards: The minimum required front, side, and rear yards in the Rural Residential zoning district for a parcel of this size are twenty (20) feet in the front and rear yards and six (6) feet in the side yards (MCC Section 20.376.030 and MCC Section 20.376.035). Due to the fact that the parcel is over 1 acre in size, Calfire setback standards apply, requiring thirty (30) foot setbacks from all property boundaries. The proposed project is located in an existing structure and the structure is located twenty (20) feet from the nearest property line. An exception to Calfire standards was requested and was subsequently granted by Calfire in their letter of August 13, 2015 reducing required yard setbacks to twenty (20) feet. The project is therefore consistent with yard setback requirements for the Rural Residential district.

Height: The maximum permitted building height for structures in the Rural Residential zoning district and non-Highly Scenic Area is twenty-eight (28) feet (MCC Section 20.376.045). The height of the existing garage is twenty-two (22) feet, and no change in the height is proposed; therefore, the proposed project is consistent with the permitted maximum height in the Rural Residential zoning district and for development within a non-Highly Scenic Area.

Lot Coverage: The maximum permitted lot coverage in the Rural Residential zoning district is twenty (20) percent for a parcel of this size (MCC Section 20.376.065). The parcel is approximately 1.22 acres (53,143 square-feet) in size, allowing for a maximum permitted lot coverage of approximately 10,620 square-feet. The existing and proposed development consists of approximately 3,000 square-feet of development for a lot coverage percentage of approximately five (5) percent. The proposed development is consistent with the lot coverage requirements of the Rural Residential zoning district.

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

*Consistent (without conditions of approval)*

The proposed project is Categorically Exempt from the provisions of CEQA, pursuant to Class 1 of Article 19 of the California Environmental Quality Act Guidelines. The Class 1 (a) exemption finds that "interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances", meeting the criteria of Section 15301, has "been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA."

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.

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

*Consistent (with conditions of approval)*

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 is for the after-the-fact conversion of an existing garage and storage structure to a Family Care Unit. No exterior work is proposed that may have the potential to impact any known resources. Recommended **Condition 8** advises the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project, and states:

**Condition 8:** If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

With the inclusion of the recommended conditions of approval, the project is found consistent with Mendocino County policies for protection of paleontological and archaeological resources.

**20.532.095(A)(6) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.**

*Consistent (without conditions of approval)*

Solid Waste: The proposed project is for the after-the-fact conversion of an existing garage to a Family Care Unit. A single-family residence already exists at the site and is provided with solid waste service. Solid waste service is adequate to support the proposed development.

Roadway Capacity: The State Route 1 Corridor Study Update provides traffic volume data for State Highway 1. The subject property is located on Highway 1. The nearest data breakpoint in the study is located approximately 0.5-miles south of the property at the intersection of Gibney Lane and Highway 1. The existing level of service at peak hour conditions at this location is Level of Service B. While the project would contribute incrementally to traffic volumes on local and regional roadways, such incremental increases were considered when the LCP land use designations were assigned to the site.

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

*Consistent (without conditions of approval)*

The proposed development is located west of the first public road and is not designated as a potential public access trail on the certified Local Coastal Program map (Map# 14 Beaver). Public access exists to the west of this site on California State Park lands and also to the north of the project site over private property. The proposed project will have no effect on existing public access and public recreation.

#### References:

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

Chapter 2 Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-Coastal Element*. 1985. Ukiah, CA.

Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California  
September 22, 2016

CDP\_2015-0021 SHIRLEY LADELLE

RESOLUTION OF THE COASTAL PERMIT ADMINISTRATOR,  
COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A  
CLASS 1 CATEGORICAL EXEMPTION FROM CEQA AND GRANTING  
A COASTAL DEVELOPMENT STANDARD PERMIT FOR A FAMILY  
CARE UNIT.

WHEREAS, the applicant, Shirley LaDelle, filed an application for a Coastal Development Standard Permit with the Mendocino County Department of Planning and Building Services to legalize the conversion of an existing garage and storage structure into a Family Care Unit. The site is located in the Coastal Zone, 3+/- miles south of the City of Fort Bragg, on the south side of Jefferson Way (CR 441), 0.25+/- miles west of its intersection with Highway 1, at 33051 Jefferson Way; APN 017-370-14. General Plan RR5(1); Zoning RR5(1); Supervisorial District 4; (the "Project"); and

WHEREAS, 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; and

WHEREAS, in accordance with applicable provisions of law, the Coastal Permit Administrator held a public hearing on, 09/22/2015, at which time the Coastal Permit Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Class 1 Categorical Exemption and the Project. All interested persons were given an opportunity to hear and be heard regarding the Class 1 Categorical Exemption and the Project; and

WHEREAS, the Coastal Permit Administrator has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Coastal Permit Administrator regarding the Class 1 Categorical Exemption and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Coastal Permit Administrator makes the following findings;

1. The proposed development is in conformity with the certified Local Coastal Program. The intent of the RR Land Use designation is to promote small scale farming and residential land uses. The site has existing residence and the proposed improvements will improve the residential use of the parcel by providing necessary appurtenant structures to allow the owners to maintain the existing use of the parcel. Fire hazard concerns are addressed by Condition 9 of this permit and there are no other potential hazards, visual resource or environmentally sensitive habitat area issues affecting the conformity of the proposed project with the certified Local Coastal Program.
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The structure is served by existing utilities. There is an existing well serving the parcel and the existing septic system is able to handle the additional effluent. There is existing access to the parcel; however, Mendocino County Department of Transportation has requested an encroachment permit for the driveway and improvement to current standards, which will provide adequate access to the site.

3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district. The proposed Family Care Unit is consistent with the existing residential use on the parcel. The Family Care Unit is a temporary use, permitted through the issuance of a Standard Coastal Development Permit, and is consistent with the intent of the RR district.
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment, within the meaning of the California Environmental Quality Act and is found categorically exempt pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15301 of the California Code of Regulations.
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource. 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. No exterior work is proposed that may have the potential to impact any known resources. The standard discovery clause is recommended as a condition of approval directing the applicant to cease work and contact the Director of Planning and Building Services if archaeological sites or artifacts are discovered during construction.
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 proposed improvements will not increase the amount of travel on the public roadway, as the proposed improvements solely enhance the continuance of the existing residential use on the site. The site is provided with adequate solid waste facilities, as curbside pick-up is available as well as there is a transfer station nearby.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan. The proposed development is located west of the first public road and is not designated as a potential public access trail on the certified Local Coastal Program map (Map# 14 Beaver). Public access exists to the west of this site on California State Park lands and also to the north of the project site over private property. The proposed project will have no effect on existing public access and public recreation.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby adopts the Class 1 Categorical Exemption. The Coastal Permit Administrator certifies that the Class 1 Categorical Exemption has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Class 1 Categorical Exemption reflects the independent judgment and analysis of the Coastal Permit Administrator.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby grants the requested Coastal Development Standard Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which

the Coastal Permit Administrator decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken. 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.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: ADRIENNE M. THOMPSON  
Commission Services Supervisor

By: \_\_\_\_\_

BY: STEVE DUNNICLIFF  
Director

ANDY GUSTAVSON  
Coastal Permit Administrator

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## EXHIBIT A

### CONDITIONS OF APPROVAL CDP\_2015-0021 - LaDelle September 22, 2016

Standard Coastal Development Permit for after-the-fact conversion of a detached garage and storage structure to a Family Care Unit and associated improvements.

**APPROVED PROJECT DESCRIPTION:** Standard Coastal Development Permit for after-the-fact conversion of a detached garage and storage structure to a Family Care Unit and associated improvements.

#### **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.

To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
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 Planning Commission.
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 applicant 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 applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.
9. The applicant shall comply with those recommendations in the California Department of Forestry Conditions of Approval (CDF#191-15) and letter of August 13, 2015 or other alternatives acceptable to the Department of Forestry. Prior to the final inspection of the building permit, written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.
10. The applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation. In conformance with encroachment permit procedures administered by the Mendocino County Department of Transportation, applicant shall construct a Standard Private Driveway onto Jefferson Way (CR 441), to be surfaced with asphalt concrete, with a minimum width of ten (10) feet and length of fifteen (15) feet from the edge of the County road.
11. The applicant shall have the sole responsibility of renewing the Family Care Unit permit each year, prior to the expiration date. Prior to the granting of the permit and yearly renewal, a statement must be submitted by the owner of the property and signed under penalty of perjury that the use of the Family Care Unit is to provide housing for either: (a) not more than two (2) adult persons who are sixty (60) years of age or older, or (b) an immediate family member or members who require daily supervision or care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.
12. Should the use or necessity of the temporary Family Care Unit cease, it shall be either removed from the premises or converted to an accessory structure as provided in Chapter 20.456. Should the occupants of the Family Care Unit or the main residence move to another off-site residence, the permits for the Family Care Unit shall become null and void.