

MENDOCINO COUNTY DEPARTMENT OF PLANNING AND BUILDING SERVICES

STAFF REPORT FOR STANDARD COASTAL DEVELOPMENT PERMIT

**CDP_2014-0040
MAY 28, 2015
PAGE CPA-1**

OWNER: GARY & BARBARA DAVIDSON
1825 INDIANA ST
GRIDLEY, CA 95948

APPLICANT: GARY DAVIDSON
1825 INDIANA ST
GRIDLEY, CA 95948

AGENT: ANDY HARNEY
PO BOX 2833
FORT BRAGG, CA 95437

REQUEST: A request to renovate the existing residence and accessory structures, including: repairing exterior building materials on all existing structures (house, three barns, guest house, and green house); a 216 square foot addition and reconstruction of the guest house; constructing 128 square foot deck and a 24 square foot covered guest house entry; installing downcast exterior lamps; and replacing the guest house septic system.

DATE DEEMED COMPLETE: February 27, 2015

LOCATION: The site is located on the west side of north Highway 1 approximately 250 feet north of its intersection with Rosa Lane. 26800 N Highway 1, Fort Bragg (APN 069-060-07).

TOTAL ACREAGE: 5.8 acres

GENERAL PLAN: RR-10:R

ZONING: RR:10

SUPERVISORIAL DISTRICT: 4

ENVIRONMENTAL DETERMINATION: A Class 1(d) and Class 1(e) Categorical Exemption from CEQA, pursuant to Section 15301, for restoration or rehabilitation of existing structures and additions to existing structures provided that the addition will not result in an increase of more than fifty percent of the floor area of the structures before the addition.

RECOMMENDATION: Approve with conditions

OTHER RELATED APPLICATIONS: BF 2014-0022 (issued 1/10/14): siding and windows; BF 2014-0121 (issued 3/8/14): perimeter foundation under single family residence; BF 2014-0226 (issued 4/14/14): floor framing, siding, porch, windows; BF 2014-0498 (issued 7/28/14): repair of roof trusses; and BF 2014-0698 (applied

9/17/14): rebuild wall framing, siding, insulation, sheet rock, electrical and plumbing.

PROJECT DESCRIPTION: The applicant proposes to renovate and rehabilitate existing structures on their property and rebuild an existing 424 square foot guest house with a 216 square foot addition. A small change in lot coverage is proposed (because the reconstructed guest house will be 216 feet larger than before), but the scope of the proposal does not exceed 3.25 percent of the total 5.8-acre site. During 2014, the property owner applied for several building permits. On October 1, 2014, the property owner received a letter from Planning and Building Services that a Coastal Development Permit would be required because the scope of repairs and maintenance of the existing buildings exceeded fifty percent. They stopped work and filed CDP 2014-040 on November 5, 2014.

The existing *House* is 947 square feet in area and satisfies RR District development standards. The applicant has requested building permits to replace redwood siding with Hardy Plank and replace two windows in the front bedroom (BF 2014-0022); to repair existing floor framing, siding, porch, and windows (BF 2014-0226); to reroof with composite shingles and install new engineered trusses (BF 2014-0498); and to repair the existing foundation (BF 2014-0121). The applicant proposes a 20-foot wide porch with a 42 inch high railing.

The existing *Guest Cottage* is 424 square feet. The applicant proposes to remove the existing structure and build a new 640 square foot guest cottage, and two porches (one 4 by 6-foot; another 8 by 16 feet), in the approximate foot print of the previous guest house. The interior space will include a full bathroom and closet. Exterior lighting will be down cast and shielded. The proposal includes replacement of the existing guest house septic system and staff recommends a condition of approval that Environmental Health permits be finalized within two years of project approval. The guest house is located more than 100 feet northwards of a wetland.

Existing *Barn 1* is 480 square feet and 18 feet tall. Existing *Barn 2* is 360 square feet and 14.5 feet tall. Existing *Barn 3* is 432 square feet and 12 feet tall. The applicant proposes to rehabilitate the buildings' exterior. Each structure's dimensions will remain unchanged.

The existing *Greenhouse* is 432 square feet and 12 feet tall. The applicant wishes to similarly rehabilitate the building without changing the height or footprint of the existing structure.

The existing *Fence* is situated along the property boundary with Highway One. The applicant proposes to maintain the fence in its existing post and wire configuration. The applicant also proposes to install a 42 inch tall solid fence that would be setback a minimum of 60 feet from the centerline of Highway One. This arrangement satisfies corridor preservation setback requirements (Sec 20.44.020, MCC).

Overall, the proposal maintains any existing (non)conformity with the RR District development standards.

LOCAL COASTAL PROGRAM CONSISTENCY RECOMMENDATION: The proposed project is consistent with the applicable goals and policies of the Local Coastal Program as described below.

Land Use. The site and surrounding lands are designated Rural Residential (RR). The principal land use is residential. The RR classification 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. The existing land use includes out buildings and vegetation that are associated agricultural activities: greenhouse, three barns, and fruit trees. The principal land use is residential. The Agriculture Commissioner responded to staff's request for comments and recommended approval of this proposed project.

Public Access. Public access is provided along the shore, west of the subject site. Chapter 4 of Mendocino County Coastal Element, Section 4.2 Rockport to Little Valley Road Planning Area (which includes Inglenook) describes existing and potential future public access. The project site is situated along Highway One about three-quarters of a mile north of its intersection with Little Valley Road and adjacent to a creek

that feeds Inglenook Creek. While great detail is provided about public access between Rockport and Little Valley Road, this stretch of land along Highway One is not discussed; the object of public access goals are principally shore lands farther west of the project site.

Visual Resources. The site is mapped *Highly Scenic Area*. With the exception of the guest house, the proposal does not change building mass, area, or location. Development criteria for highly scenic lands are satisfied; the following list reviews project conformity with Section 20.504.015(C) *Highly Scenic Areas Development Criteria*:

- (1) The proposed rehabilitation of existing buildings will not alter view sheds from highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters use for recreational purposes, because the existing site is highly vegetated and lands westerly of the site are also developed.
- (2) The proposed reconstruction will maintain existing building heights, the majority of which are below 18feet tall. The exception is the existing single-family residence that is 19.5 feet tall. This height does not affect public views to the ocean and is characteristic of the surrounding properties.
- (3) The proposal is to replace exterior siding, roof materials, and windows. The existing exterior color, a red, will be applied to the restored buildings. The proposal does not include application of metallic or other reflective surfaces.
- (4) No land division is proposed and Section 20.504.015(C)(4) does not apply.
- (5) No alteration to the existing site development pattern is proposed; therefore, Section 20.504.015(C)(5) does not apply.
- (6) The site is not characterized by hillsides, terraces, or ridges. Sections 20.504.015(C)(6) through (8) are not applicable to the proposed work.
- (9) Mapping does not associate tree thinning requirements with this site. Therefore, Section 20.504.015(C)(9) does not apply to this proposal.
- (10) Landscaping is not proposed. Views will not be affected.
- (11) Power transmission lines shall be located along established corridors where possible and where the corridors are not visually intrusive. The proposal is to restore existing buildings. Section 20.504.015(C)(11) and (12) are not applicable to this proposal.
- (13) The driveway is setback from Highway One and the access gate is 60 feet from the centerline of the roadway. Opaque fencing is similarly setback from the roadway. Siting does not cause a visual disturbance and Highway One provides direct access to the site.

Archaeological/Cultural Resources. The project site is developed. The proposed work is principally renovation of existing structures. Condition #8 advises the applicant of the County's "discovery clause" which establishes procedures to follow in the event that archaeological or cultural materials are unearthed during site preparation or construction activities. The Archaeological Commission determined that no survey would be required at its March 11, 2015 meeting.

Zoning Requirements. As demonstrated in Table 1, the project complies with the zoning requirements for the RR-10 District set forth in Chapter 20.376 *RR Rural Residential District*, et. seq., and with all other zoning requirements of Division II of Title 20 of the Mendocino County Code. Building heights remain below the 28-foot maximum allowed. Lot coverage would be 3.25 percent and a maximum of 15 percent is permitted. Existing buildings do not project into required front, side, or rear yards or the additional 60-foot setback along the highway corridor.

Section 20.480.010 *Continuance and Maintenance [of Nonconforming Uses and Structures]* allows the property owner to maintain the existing structures on site. The property owner has requested building permits

for the proposed buildings' restoration. The guest house is proposed to be 34 percent larger and is subject to a new building permit and Coastal Development Permit. All other structures are to be restored to their existing dimensions and arrangement. All buildings will be utilized in a manner known prior to their restoration.

MCC SECTION	STANDARD	PROPOSAL
20.376.030 Minimum Front and Rear Yards	50 feet	35 feet nonconforming
20.376.035 Minimum Side Yard	50 feet	50 feet or more
20.504015(C)(2) Building Height Limit	18 feet	19.5 feet nonconforming
20.376.065 Maximum Lot Coverage	10%	3.25%
20.444.020 Corridor Preservation Setback	60 feet from road centerline	60 feet from road centerline

The proposal maintains the existing site development pattern and the distribution of buildings on-site. Building height, mass, and area substantially remain unchanged.

The Guest House septic system requires replacement. At the request of the Department of Environmental Health, Staff recommends a condition of project approval requiring that all septic permits be finalized prior to May 14, 2017.

Mendocino County Code states that Guest Houses are subordinate to the primary residence, limited to 640 square feet, and lack a kitchen. Staff from the California Coastal Commission requested that a condition of project approval reflect the land use limitations regarding guest houses.

Environmental Determination. Pursuant to Section 15301, A Class 1(d) and Class 1(e) Categorical Exemption from CEQA for restoration or rehabilitation of existing structures and additions to existing structures provided that the addition will not result in an increase of more than fifty percent of the floor area of the structures before the addition.

PROJECT FINDINGS AND CONDITIONS: Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, staff recommends that the Coastal Permit Administrator approve the proposed project, and adopt the following findings and conditions.

FINDINGS:

1. The proposed development is in conformity with the certified Local Coastal Program. The intent of the RR Land Use designation is small scale farming with residential land uses. The site includes a variety of accessory structures commonly identified with farming activities and a single-family home.
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The existing development has adequate utilities, access roads, and drainage. The proposal includes replacement of the guest house septic.
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 existing buildings are to be rehabilitated and restored and are consistent with the purpose and intent of the RR District. The 640 square foot replacement guest house 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 exemption pursuant to Section 15301, Title 14, Chapter 3 of the California Code of Regulations.

5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource and a standard condition directs the applicant to cease and desist from all further excavation if archaeological sites or artifacts are discovered during excavation.
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 applicant is required to replace the guest house septic as a condition of approval.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan. Public access to the shore is provided on lands westerly of the project site.

CONDITIONS OF APPROVALS:

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 Coastal Permit Administrator.
4. That this permit 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 (1) or more of the following:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one (1) or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one (1) 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 resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. The Guest Cottage shall be a detached building, not exceeding 640 square feet of gross floor area, of permanent construction, without kitchen, subordinate and incidental to the primary dwelling on the same lot, and intended for use without compensation.
10. On-site septic systems, including systems used by the Guest Cottage, shall be permitted by the Department of Environmental Health. All permits, including replacement permits, shall be finalized prior to May 14, 2017.
11. The property owner shall adhere to CalFire 4290 Regulations.

Staff Report Prepared By:

Date

JULIANA CHERRY
PLANNER III

JC/at
April 20, 2015

Categorically Exempt
Appeal Period: 10 days
Appeal Fee: \$945.00

REFERRAL AGENCIES	REFERRAL NOT RETURNED	REFERRAL RECEIVED "NO COMMENT"	COMMENTS RECEIVED
Planning- Ukiah	x		
Department of Transportation		x	
Environmental Health			x
Building Inspection (FB)		x	
Assessor	x		
Farm Advisor	x		
Agriculture Commissioner			x
Forestry Advisor	x		
Air Quality Management District		x	
US Fish & Wildlife Service	x		
Native Plant Society	x		
Caltrans	x		
CalFire			x
Department of Fish and Wildlife	x		
California Coastal Commission			x
RWQCB	x		
Army Corps of Engineers	x		
Fort Bragg School District	x		
Fort Bragg Fire District		x	

ATTACHMENTS

- A - Location Map
- B - Topographic Map
- C - Google Earth Imagery
- D - Site Plan
- E - Main House Elevations
- F - Main House Floor Plan
- G - Guest House Floor Plan
- H - Guest House Elevations
- I - Barn Elevations
- J - Barn Elevations 2
- K - Barn Elevations 3
- L - Greenhouse Elevations
- M - Zoning Display Map
- N - General Plan Classification
- O - LCP Maps 11 & 12
- P - Adjacent Parcels
- Q - Fire Hazard Zones & Responsibility Areas
- R - Coastal Ground Water Resource Areas
- S - Highly Scenic & Tree Removal Areas