



SUMMARY

OWNER/APPLICANT: HILDEGARDE H. HEIDT, TRUSTEE
PO BOX 980
MENDOCINO, CA 95460

AGENT: TERESA R SPADE, AICP
703 NORTH MAIN STREET
FORT BRAGG, CA 95437

REQUEST: A Standard Coastal Development Permit request to: 1) Remodel existing single-family residence with 336 sqft dining room and entry additions and a 604 sqft attached greenhouse; 2) Replace a 1,440 sqft barn with a 2,688 sqft, 2-story accessory structure (maximum height 25.6 feet). The 1,728 sqft ground floor to contain a workshop and the 960-square-foot second floor to contain a Family Care Unit; and 3) Construct two concrete 10,000 gallon water storage tanks (9 feet in height, 15.5 feet in diameter), with a 400 sqft enclosure to surround one tank.

DATE DEEMED COMPLETE: 3/21/2016

LOCATION: In the Coastal Zone, on the south side of Caspar Point Road, 485± feet west of its intersection with Caspar Road at 45101 Caspar Point Road; APN 017-450-07 and 118-010-36.

TOTAL ACREAGE: 3.6

GENERAL PLAN: RR5(2):R

ZONING: RR:5

SUPERVISORIAL DISTRICT: 4

ENVIRONMENTAL DETERMINATION: Categorical Exemption.

RECOMMENDATION: Approve with conditions

STAFF PLANNER: Bill Kinser

BACKGROUND

PROJECT DESCRIPTION: A Standard Coastal Development Permit request to: 1) Remodel existing single-family residence with 336-square foot dining room and entry additions and a 604-square-foot attached greenhouse; 2) Replace a 1,440-square-foot barn into a 2,688-square-foot, two story accessory structure (maximum height 25.6 feet). The 1,728-square-foot ground floor to contain a workshop and the

960-square-foot second floor to contain a Family Care Unit; and 3) Construct two concrete 10,000-gallon water storage tanks (9 feet in height, 15.5 feet in diameter), with a 400-square-foot enclosure to surround one tank.

APPLICANT'S STATEMENT: Improvements to the existing residence including an addition of 336 sf dining room, and enclosed entry. Maximum height to remain the same (approximately 21 feet above natural grade). An attached greenhouse addition of 604 sf will facilitate the proposed agricultural use of the property (row and field crops are proposed). Approximately 255 sf of new porch and landing additions will result in a net decrease in exterior deck and landing improvements over the 475 sf that was previously approved. Remove existing 1,440 sq. foot barn (height 16 feet above grade) , and build in the same location a 2,688 square foot two story residential accessory structure (max height 25.6 feet above grade) consisting of a 1,728 sq. foot workshop/studio below and a 960 square foot family care unit above. Remove existing 120 square foot pump house. Install two new concrete above ground water 10,000 gallon water storage tanks, nine feet tall and 15'6" diameter. One of the tanks will be surrounded by a 400 square foot enclosure.

RELATED APPLICATIONS ON-SITE:

- CDP 70-00 approved with conditions an addition to a single family residence to increase the height by 3'4 ½ " for an overall height of 27'. Addition of 363 square feet to the building footprint; increase the living space from 2,290 to 2,708 square feet (a net gain in living space of 387 feet). Addition of 475 square feet of decking and a 45-foot long, -foot high wood fence around the exterior deck.
- B 2002-0064 approved a Coastal Development Boundary Line Adjustment to transfer 0.420+- acre from a 2.556+- acre parcel, AP# 118-010-28 (Schooley) into a 3.202+- acre parcel, AP# 017-450-07 (Lagomarsino).

SITE CHARACTERISTICS: The 3.22-acre site is situated on a relatively flat coastal terrace within an established subdivision. The site is currently developed with a single-family residence, barn, accessory buildings and associated utilities. The parcel is surrounded by residential lots to the north, south, east and west. Lots within this area are primarily developed with single-family residences and associated accessory structures. To the northeast is a parcel that is designated Open Space and is part of the Jug Handle State Natural Reserve.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RR-5(2)	RR-2	5.5	Undeveloped and Open Space
EAST	RR-5(2)	RR-2	5.5	Residential Single-Family
SOUTH	RR-5(2)	RR-2	2.1	Residential Single-Family
WEST	RR-5(2)	RR-2	1.0 – 2.0	Open Space

PUBLIC SERVICES:

Access: Private Road
 Fire District: Fort Bragg Rural Fire Protection District
 Water District: NA
 Sewer District: NA
 School District: Mendocino Unified

AGENCY COMMENTS: On March 17, 2016 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 comments 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		Comment	4/4/16
Environmental Health-FB/Ukiah		Comment	3/31/16
Building Services-Fort Bragg PBS		No Comment	6/17/16
Department of Forestry	CDF 256-15	Comment	3/20/16
Assessor		No Response	
USFWS		No Response	
California Coastal Commission		No Response	
CDFW		No Response	
CDPR		No Response	
Mendocino School District		No Response	
Mendocino Fire District		No Response	

KEY ISSUES

1. General Plan and Zoning Consistency:

General Plan.

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, a barn and accessory structures. The proposed development consists of additions to the single family residence, replacement of an existing barn with a workshop on the first floor and a Family Care Unit on the second floor, and construction of two 10,000 gallon water storage tanks. One of the objectives for the property is to develop a small organic farm (row and field crops are proposed). The shed roof greenhouse addition to the home on the property would allow year around food production. One of the water tanks would be devoted exclusively to agriculture use while the second tank would be primarily for domestic use with limited agricultural use. The proposed Family Care Unit is a temporary use, permitted through the issuance of a Coastal Development Permit (MCC Section 20.460.040) in any zoning district. The proposed project is consistent with the uses permitted in the Rural Residential land use designation.

Zoning.

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. The applicant’s require a Family Care Unit to provide care worker housing for the owners to allow them to age in place. The applicant has adequately demonstrated the need for the use to Planning and Building Services Staff. Conditions 12 and 13 are recommended to ensure that the Family Care Unit is used in a manner consistent with Mendocino County code.

The existing single-family residential use, proposed Family Care Unit, and accessory structures are in conformance with the permissible uses within the Rural Residential zoning district and allowable temporary uses, as provided in Mendocino County Code. The project is in conformance with the requirements for density, yards, and lot coverage. The proposed height of the Family Care Unit/workshop would not affect public views or be out of character with surrounding structures in the nearby area and is determined by PBS staff to be consistent with the policies for highly scenic areas.

2. Visual Resources

Existing development on the site is visible looking west from Highway 1 and also looking south from Jug Handle State Reserve. From Highway 1, the existing barn with its blue roof is the most noticeable feature; however, the barn does not block any coastal views because it is backdropped by trees to the west. From Jug Handle State Reserve, existing development on the site is visible from trails located approximately 1,000 feet from the site. The new Family Care Unit/workshop will be located in the same building footprint as the existing barn but will be approximately 11 feet taller (14.2 feet versus 25.6 feet). The Family Care Unit/workshop will still be well below the existing treeline. The proposed development on the site would not result in a degradation of coastal views from Highway 1 or from Jug Handle State Reserve.

The existing residence on the site is twenty-one (21) above natural grade and the proposed additions to the home would not result in a change of height (SNRC 2015a). The proposed Family Care Unit/workshop would be 25.6 feet above grade. The proposed structures would not affect public views. A windshield survey along Highway 1 in the vicinity of the proposed development found a number of two story structures to the west of Highway 1. The proposed Family Care Unit/workshop would not be out of character with surrounding structures in the nearby area.

MCC Section 20.504.015(C)(3) directs new development to be subordinate to the natural setting and to minimize reflective surfaces. The materials proposed by the applicant are listed in Table 1 of the Coastal Permit Approval Checklist. The applicant states that the materials have been selected to blend in with the natural environment and that natural wood and other neutral colors have been selected for siding and roof materials. Staff recommends Condition 12 requiring the project be constructed with the proposed materials and colors. The recommended conditions of approval will ensure the project is consistent with visual resource policies of the LCP.

3. Utilities

Utilities: The site has existing electrical service, propane tank and telephone service. There are two existing wells onsite (a dug well for agricultural use and a drilled well for domestic use).

Sewage disposal is by septic tank. The Division of Environmental Health provided the following comments on the request:

- 1) Should the studio or workshop be habitable space, DEH will require the applicant to follow the requirements for a bedroom addition;
- 2) The proposed porch and greenhouse additions must maintain a 5-foot setback from the nearby septic tank and 8 feet from the septic leach field;
- 3) Waste from the Family Care Unit (FCU) must flow by gravity to existing septic tank. If gravity flow cannot be achieved, further permits may be required by DEH; and
- 4) At the time the Family Care Unit is no longer required, it must be converted to non-habitable space. The Bedroom Addition policy may apply if the FCU is to become a detached bedroom.

Condition 10 establishes that the workshop and studio is not to be used as a habitable space and Condition 11 and 12 require renewal of the Family Care Unit permit annually and that at the time the Family Care Unit is no longer required it would be converted either removed from the premises or converted to an accessory structure. The septic tank and leach field meet DEH's setback requirements. A

determination of whether septic from the Family Care Unit/workshop meets DEH's gravity flow requirement would be evaluated at the building permit stage of development.

4. Environmental Protection:

The proposed project is Categorical Exempt from the provisions of CEQA, pursuant to Class 1 and 3 of Article 19 of the California Environmental Quality Act Guidelines. The Class 1 (e) exemption allows for additions to existing structures. The Class 3 (a) and 3(e) exemptions allow for a second dwelling in a residential zone and accessory structures, respectively. These exemptions have "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 15303, and therefore will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

RECOMMENDATION

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

DATE

BILL KINSER

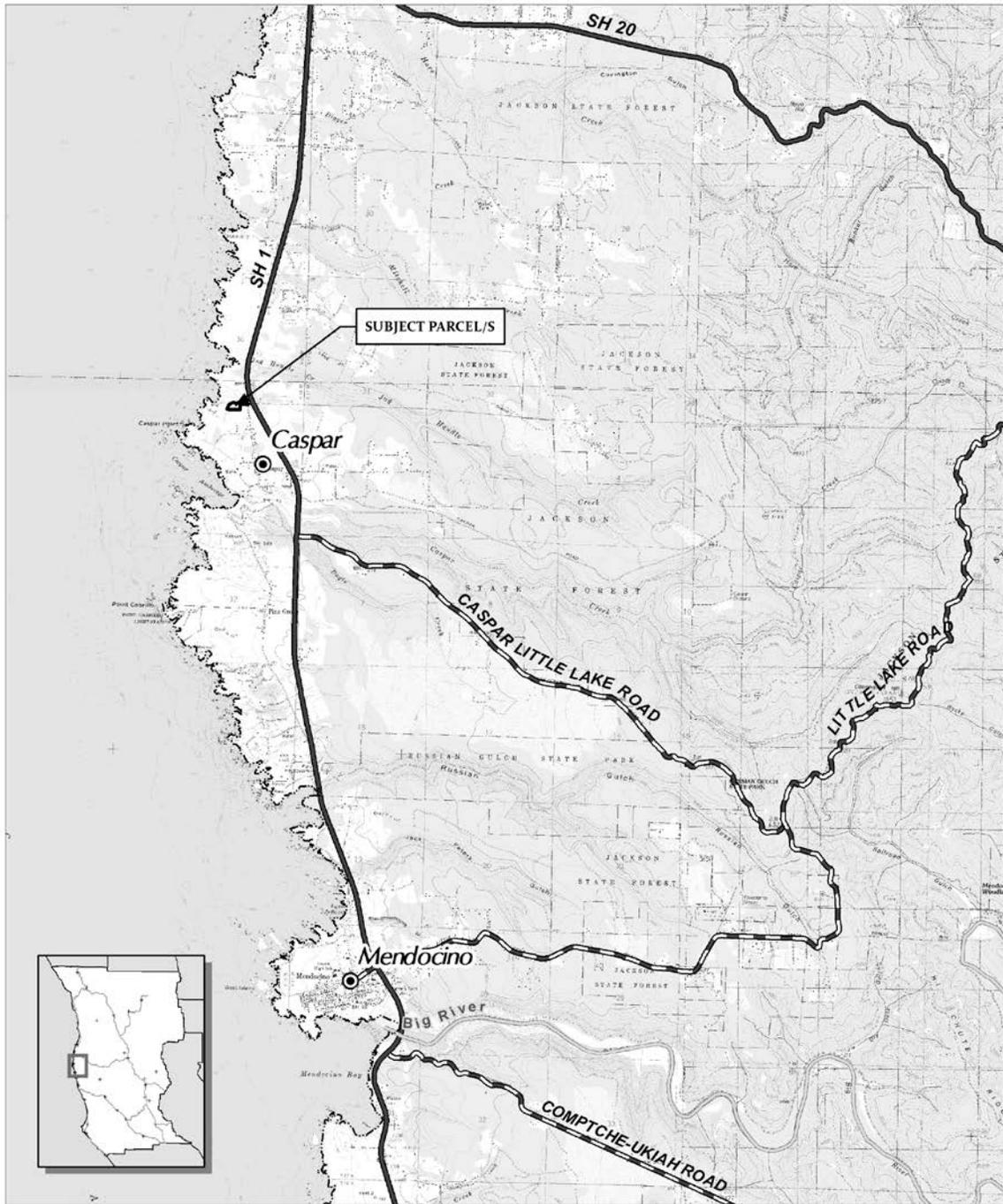
Appeal Period: 10 Days
Appeal Fee: \$1100.00

ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. General Plan Classifications
- D. Zoning Display Map
- E. LCP Map 15: Caspar
- F. Adjacent Parcels
- G. Fire Hazard Zones
- H. FEMA Flood Zone
- I. Ground Water Resources
- J. Highly Scenic Areas
- K. Classified Wetlands
- L. Site Plan
- M. SFR Elevations
- N. SFR Elevations
- O. Family Care Unit/workshop Floor Plan
- P. Family Care Unit/workshop Elevations
- Q. Tank Enclosure

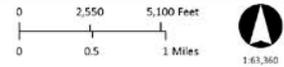
COASTAL APPROVAL CHECKLIST

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):



CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
APN: 017-450-017
APLCT: Hildegarde Heidt
ADDRESS: 45101 Caspar Point Rd., CS

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



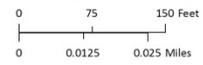
LOCATION MAP

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



CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
APN: 017-450-017
APLCT: Hildegarde Heidt
ADDRESS: 45101 Caspar Point Rd., CS

-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads



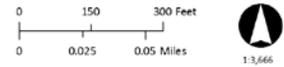
2014 NAIP IMAGERY

Map produced by the Mendocino County Planning & Building Services, January, 2016
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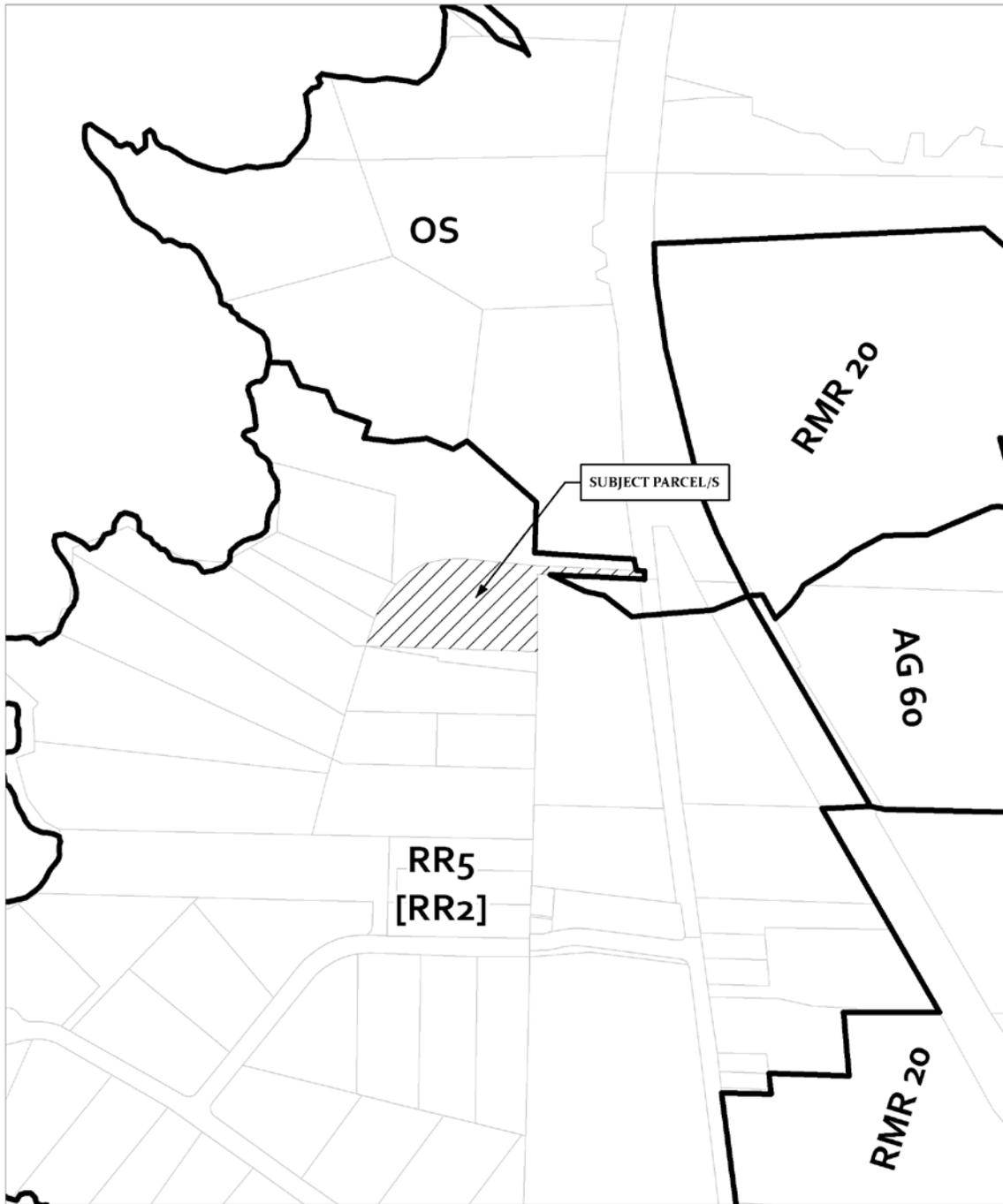
CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
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APLT: Hildegarde Heidt
ADDRESS: 45101 Caspar Point Rd., CS

 General Plan Master



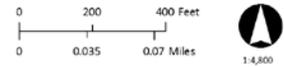
GENERAL PLAN CLASSIFICATIONS

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



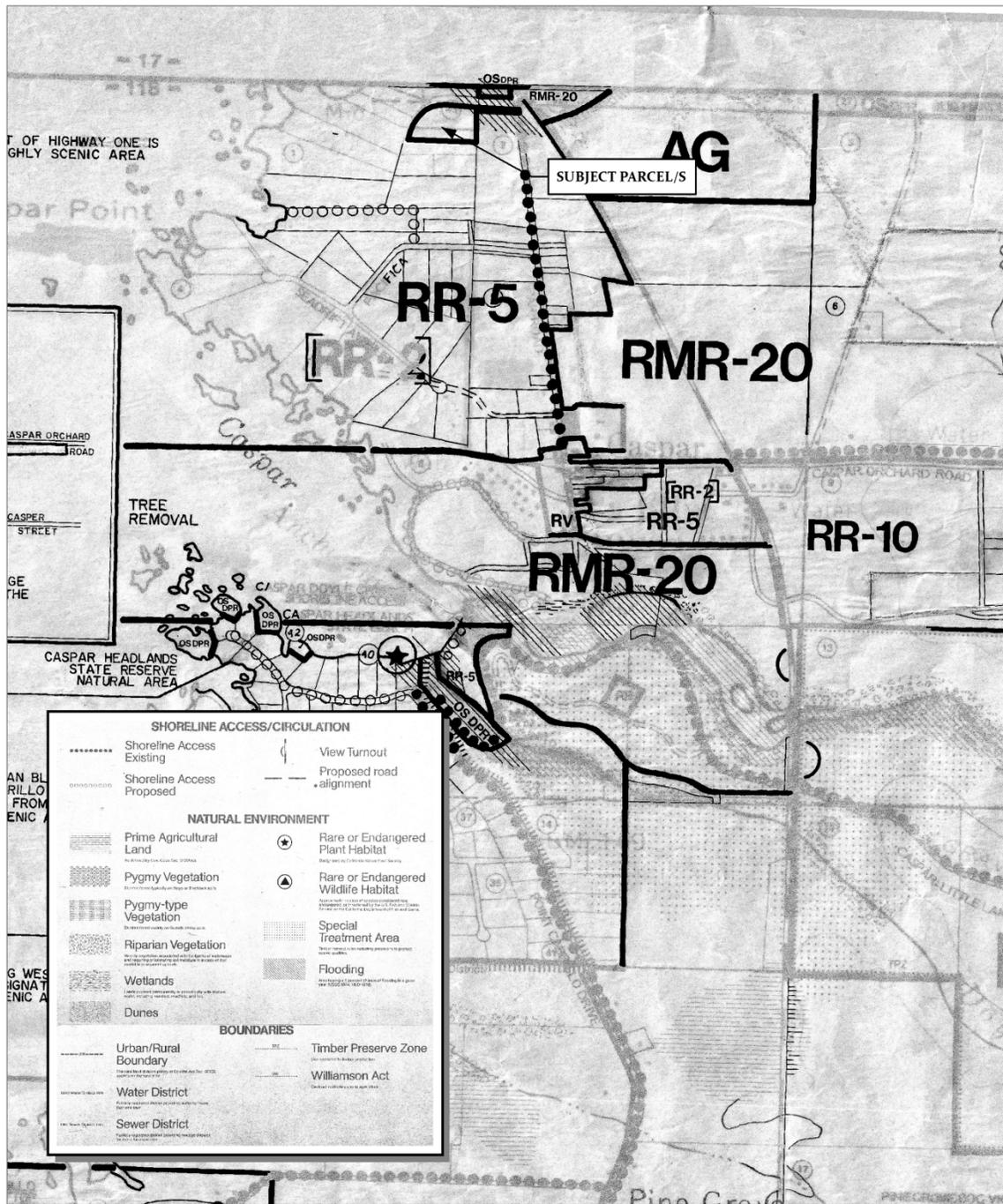
CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
APN: 017-450-017
APLCT: Hildegarde Heidt
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 Zoning Master

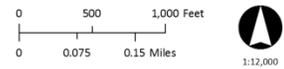


ZONING DISPLAY MAP

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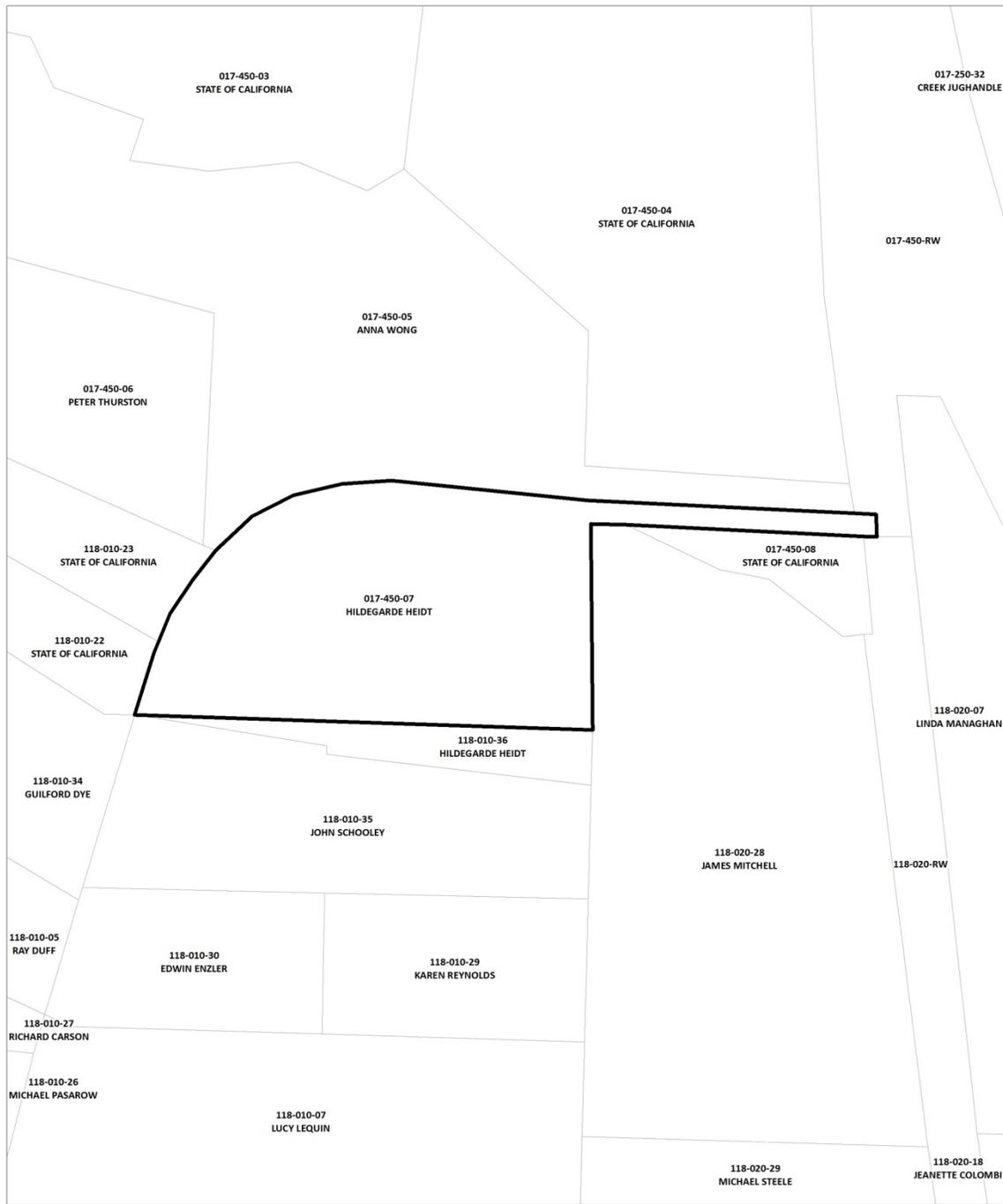


CASE: CDP 2015-0036
 OWNER: HEIDT, Hildegard
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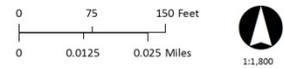


LCP MAP 15: CASPAR

Map produced by the Mendocino County Planning & Building Services, January, 2016
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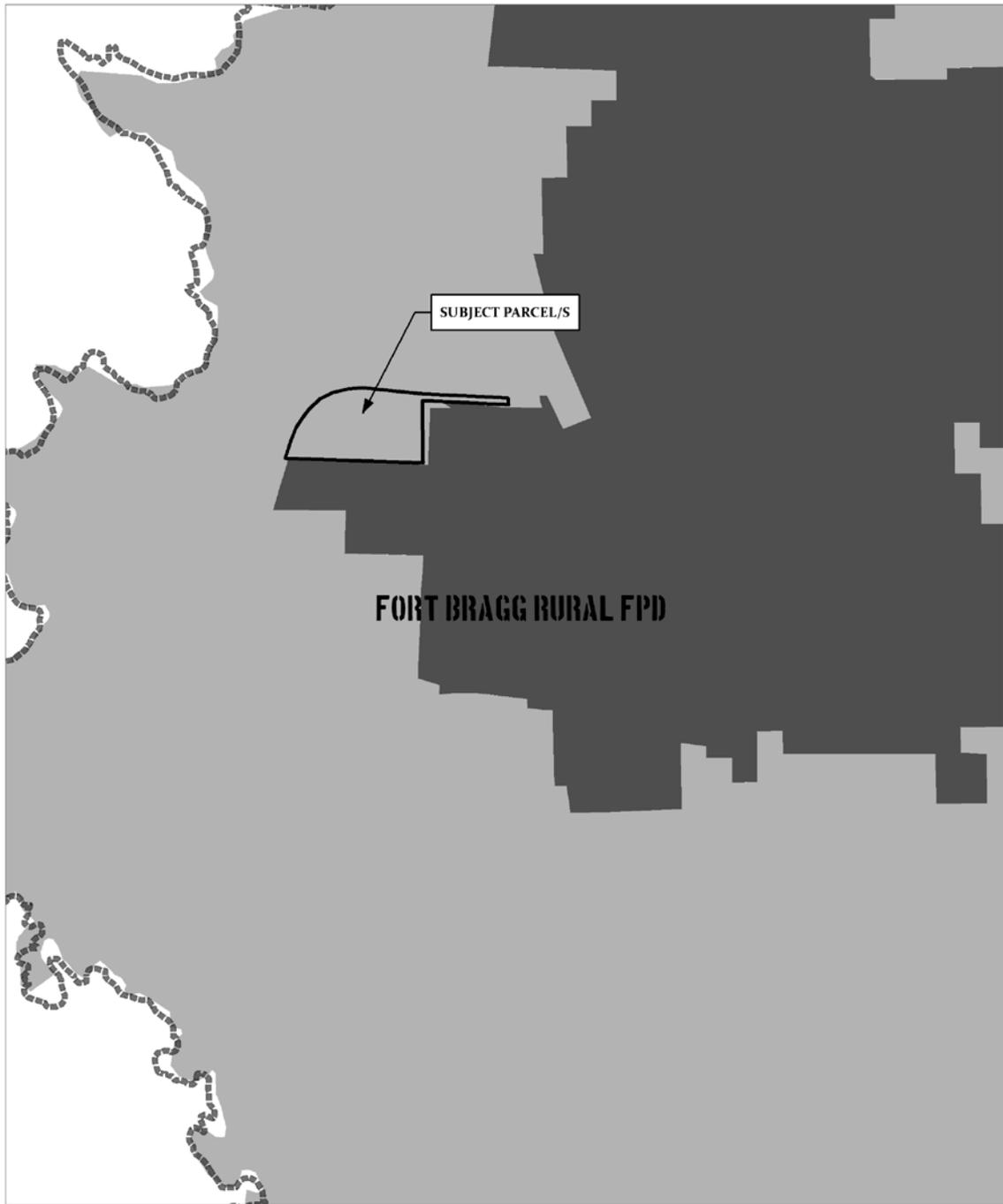


CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
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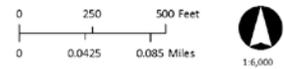
ADJACENT PARCELS

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



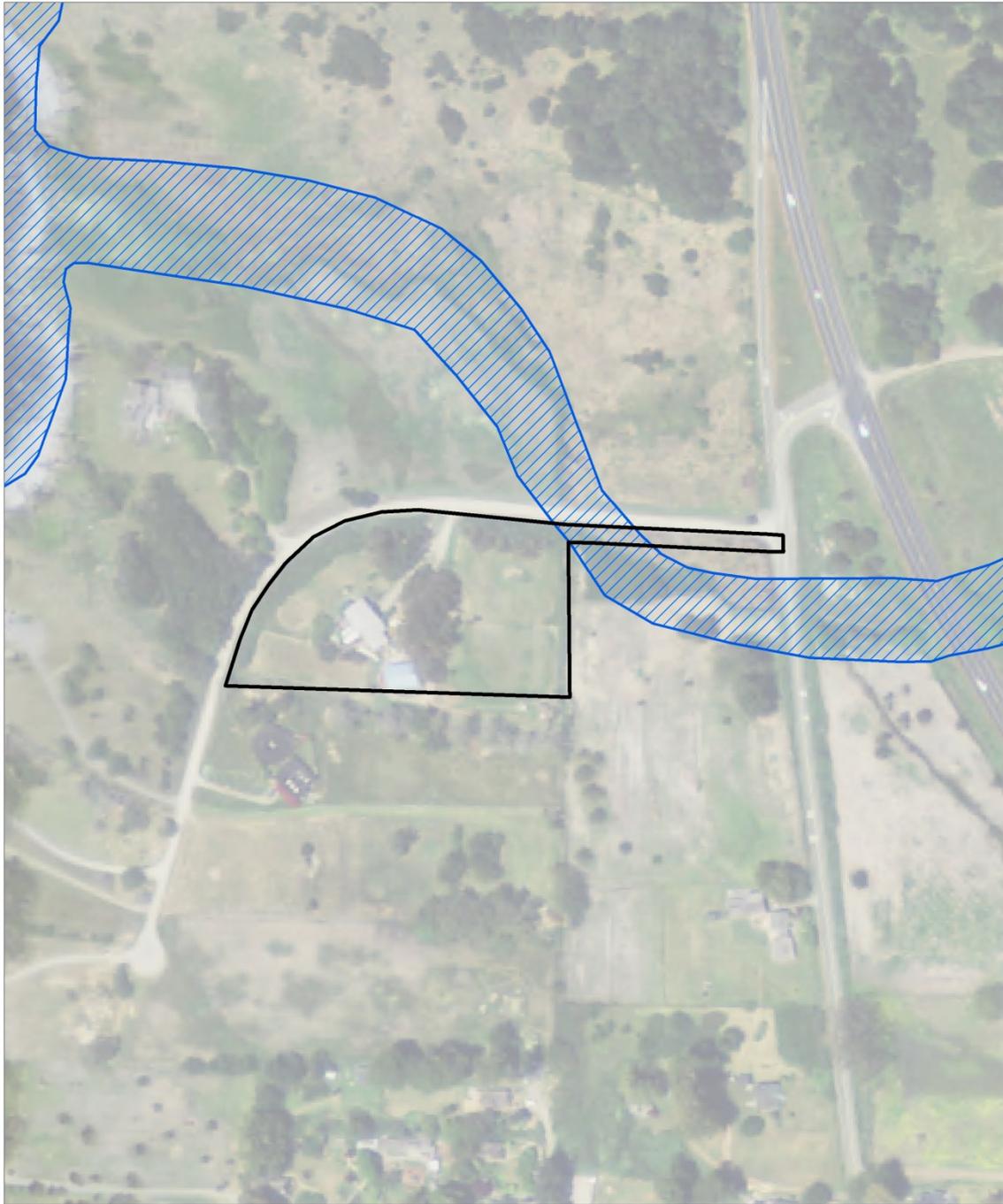
CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
APN: 017-450-017
APLCT: Hildegarde Heidt
ADDRESS: 45101 Caspar Point Rd., CS

-  County Fire Districts
-  Very High Fire Hazard
-  High Fire Hazard



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

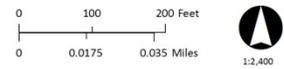
Map produced by the Mendocino County Planning & Building Services, January, 2016
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CASE: CDP 2015-0036
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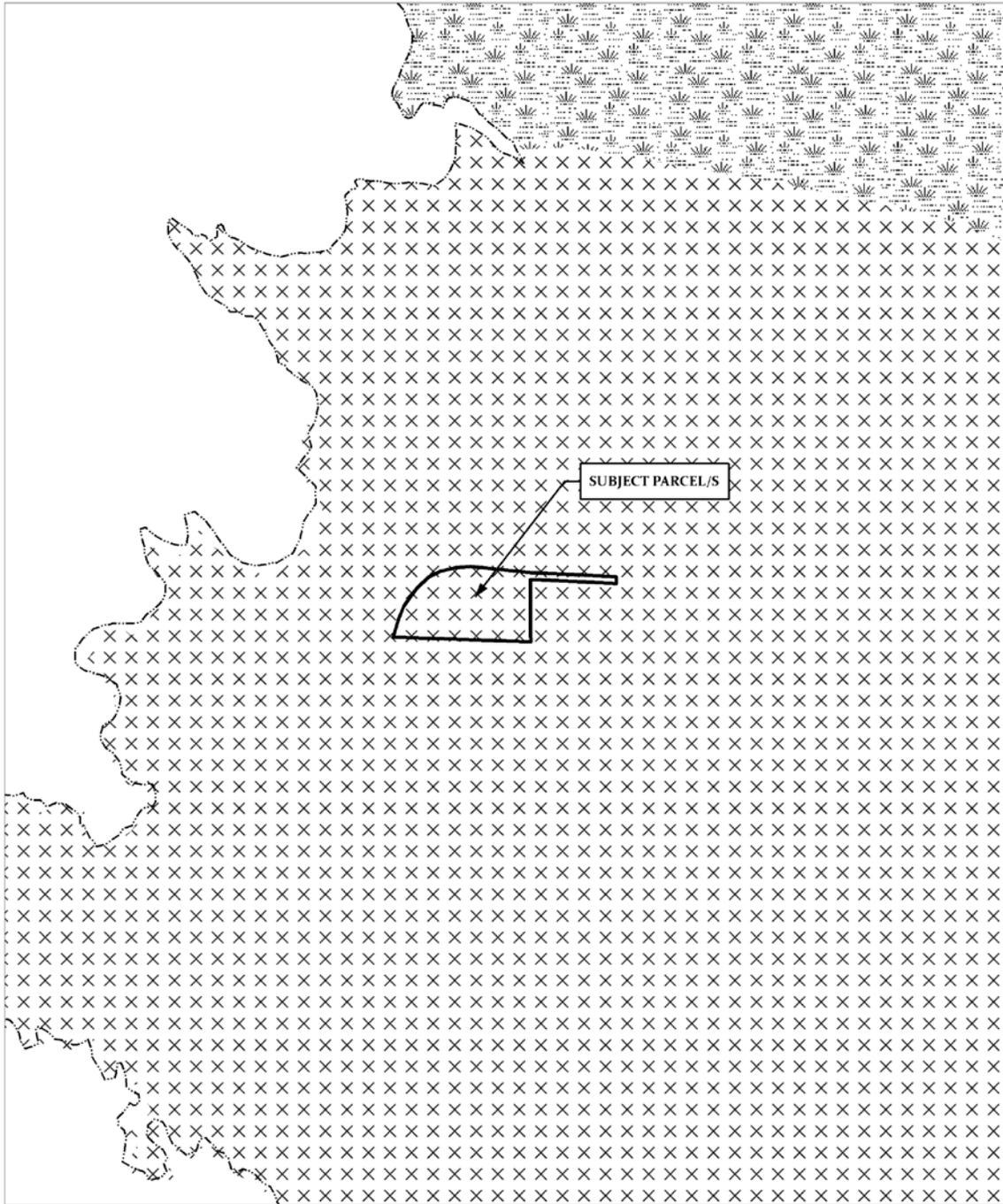


Flood Zone



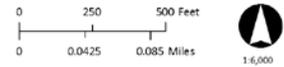
FEMA FLOOD ZONE
NFIP MAPS, JUNE 21st, 2011

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



CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
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 Critical Water Areas
 Marginal Water Resources



GROUND WATER RESOURCES

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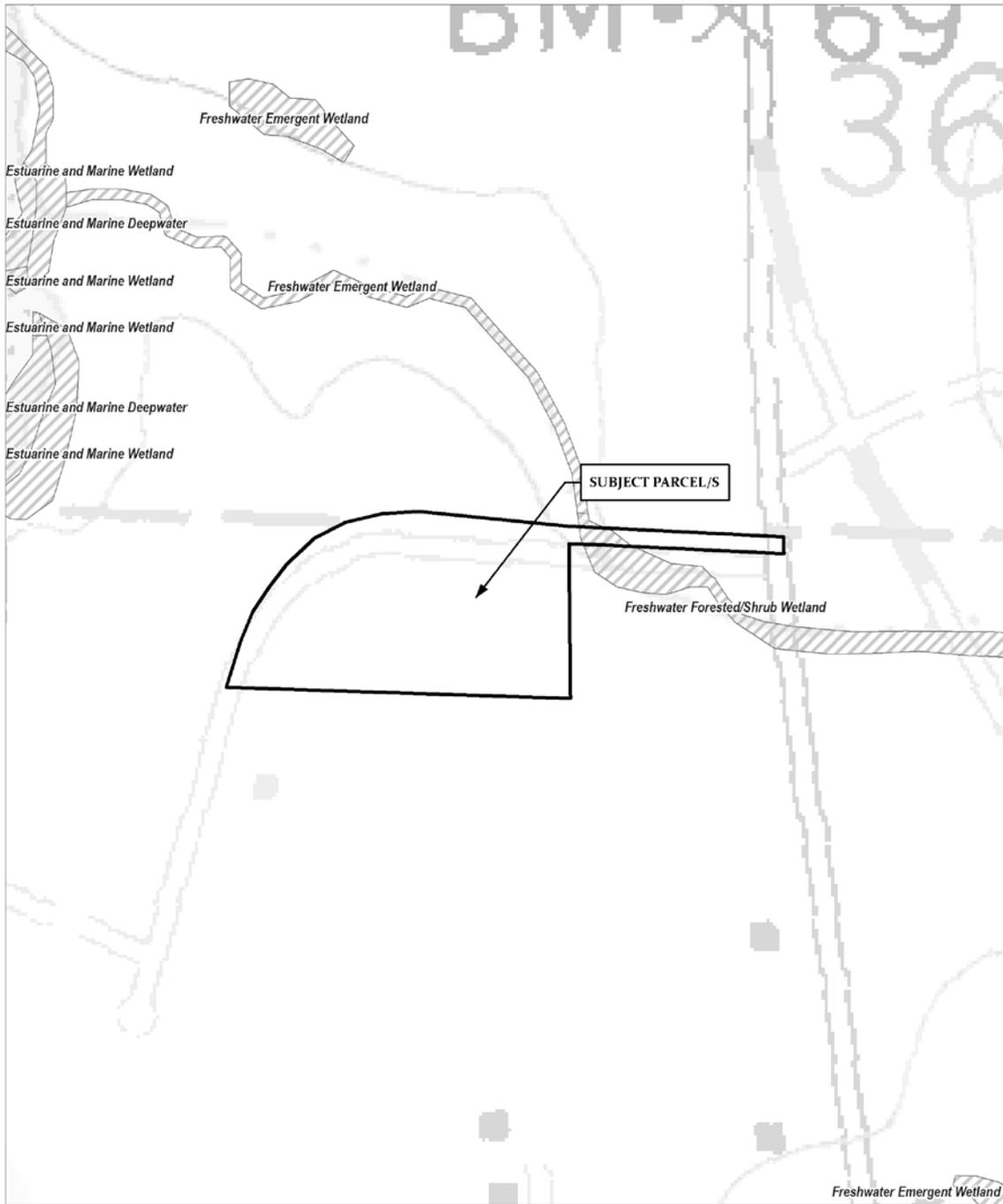
CASE: CDP 2015-0036
 OWNER: HEIDT, Hildegarde
 APN: 017-450-017
 APLT: Hildegarde Heidt
 ADDRESS: 45101 Caspar Point Rd., CS

 Highly Scenic Area
 Highways



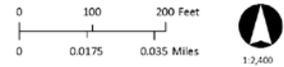
HIGHLY SCENIC AREAS

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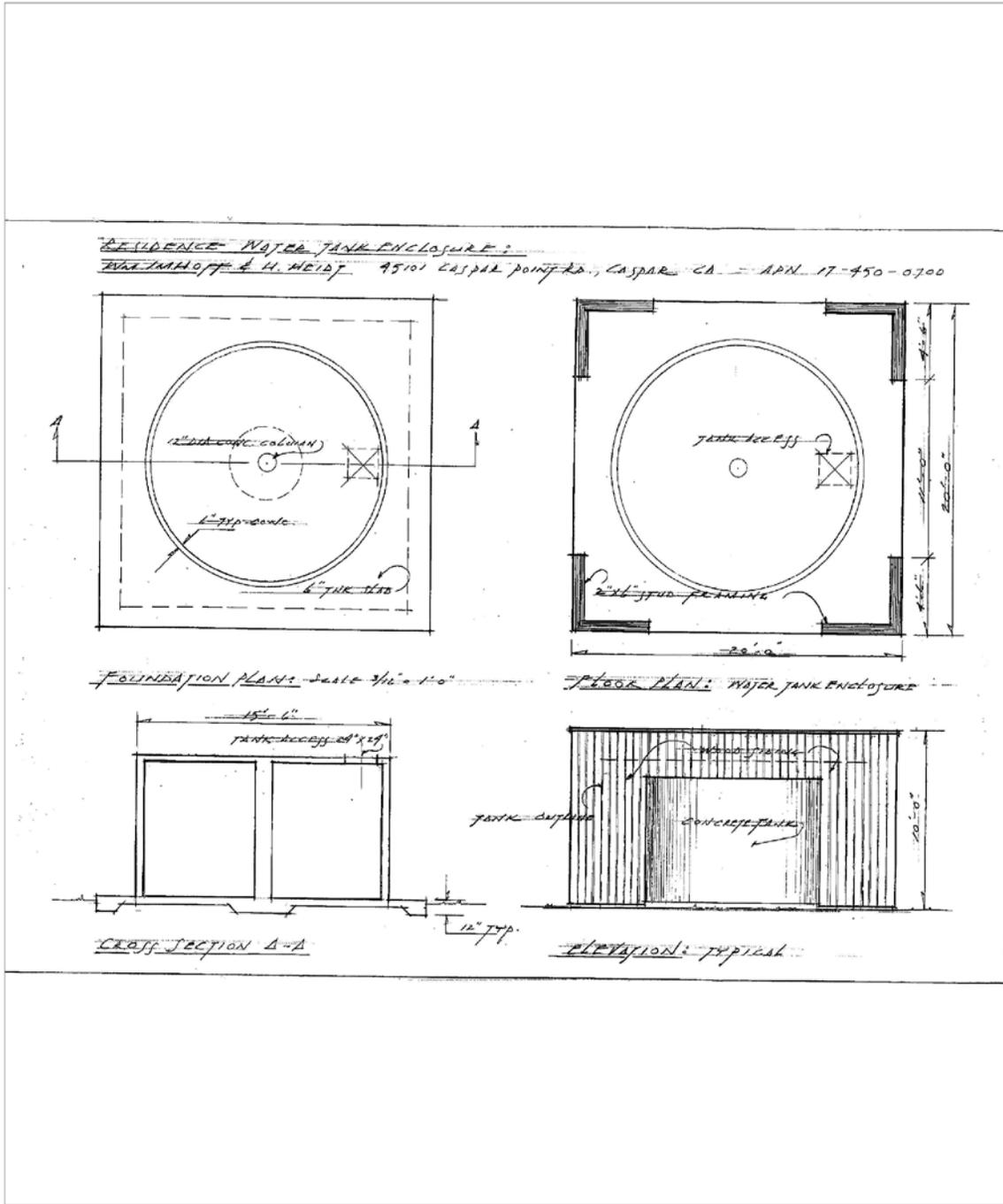
CASE: CDP 2015-0036
OWNER: HEIDT, Hildegarde
APN: 017-450-017
APLT: Hildegarde Heidt
ADDRESS: 45101 Caspar Point Rd., CS

 Wetlands



CLASSIFIED WETLANDS

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CASE: CDP 2015 0036
 OWNER: HEIDT, Hildegarde
 APN: 017-450-017
 APLT: Hildegarde Heidt
 ADDRESS: 45101 Caspar Point Rd., CS

NO SCALE

ELEVATIONS

**COASTAL PERMIT APPROVAL CHECKLIST
CDP_2015-0036 (IMHOFF & HEIDT)
NOVEMBER 16, 2016**

PROJECT TITLE: CDP_2015-0036 (IMHOFF & HEIDT)

PROJECT LOCATION: In the Coastal Zone, on the south side of Caspar Point Road approximately 485 feet west of its intersection with Caspar Road at 45101 Caspar Point Road (APN 017-450-07)

LEAD AGENCY NAME, ADDRESS AND CONTACT PERSON: Bill Kinser, Senior Planner
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 2 acre minimum (RR5(2))

ZONING DISTRICT Rural Residential- 5 acre minimum or alternate density of 2 acre minimum (RR5(2))

DESCRIPTION OF PROJECT: A Standard Coastal Development Permit request to: 1) Remodel existing single-family residence with 336-square foot dining room and entry additions and a 604-square-foot attached greenhouse; 2) Replace a 1,440-square-foot barn with a 2,688-square-foot, two story accessory structure (maximum height 25.6 feet). The 1,728-square-foot ground floor to contain a workshop and the 960-square-foot second floor to contain a Family Care Unit; and 3) Construct two concrete 10,000-gallon water storage tanks (9 feet in height, 15.5 feet in diameter), with a 400-square-foot enclosure to surround one tank.

SITE DESCRIPTION AND SETTING: The 3.22-acre site is situated on a relatively flat coastal terrace within an established subdivision. The site is currently developed with a single-family residence, barn, accessory buildings and associated utilities. The parcel is surrounded by residential lots to the north, south, east and west. Lots within this area are primarily developed with single-family residences and associated accessory structures. To the northeast is a parcel that is designated Open Space and is part of the Jug Handle State Natural 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.

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:				
(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"/>
(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"/>

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(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) 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:				
(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, a barn and accessory structures. The proposed development consists of additions to the single family residence, replacement of an existing barn with a workshop on the first floor and a Family Care Unit on the second floor, and construction of two 10,000 gallon water storage tanks. One of the objectives for the property is to develop a small organic farm. The shed roof greenhouse addition to the home on the property would allow year around food production. One of the water tanks would be devoted exclusively to agriculture while the second tank would be primarily for domestic use with limited agricultural use. The proposed Family Care Unit is a temporary use, permitted through the issuance of a Coastal Development Permit (MCC Section 20.460.040) in any zoning district. The proposed project is 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, since the proposed development consists primarily of additions to existing development and accessory structures 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 additions to a single family residence and to replace an existing barn with a Family Care Unit/workshop and construct two 10,000 gallon water storage tanks. **Condition 15** is recommended to reduce stormwater runoff impacts, and to provide the development with drainage consistent with MCC Section 20.492.025:

Condition 14: Prior to issuance of a building permit in reliance on this Coastal Development Permit, the applicant shall submit for approval by Planning and Building staff a drainage and erosion control plan. The plan shall detail erosion and sediment control Best Management Practices, including concrete wash out area, staging, stockpile locations, and tree protection areas, as necessary.

Flooding: The project improvements are 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. There is a flood zone located approximately 300 feet northeast of the residence that crosses the property and Caspar Point Road.

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 would entail additions to the single family residence, replacement of an existing barn with a Family Care Unit/workshop, and construction of two 10,000 gallon water storage tanks. The project application was referred to the California Department of Forestry and Fire Protection (CalFire) for comment. CalFire submitted recommended conditions of approval (CDF#256-15) for address and driveway standards. **Condition 8** is recommended to achieve compliance with CalFire safety standards, which states:

Condition 8: The applicant shall comply with those recommendations in the California Department of Forestry Conditions of Approval (CDF #256-15) 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.

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. MCC Section 20.504.015(C)(1) addresses development criteria for highly scenic areas and states:

Any development permitted in highly scenic areas shall provide for the protection of coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.

Existing development on the site is visible looking west from Highway 1 and also looking south from Jug Handle State Reserve. From Highway 1, the existing barn with its blue roof is the most noticeable feature; however, the barn does not block any coastal views because it is backdropped by trees to the west. From Jug Handle State Reserve, existing development on the site is visible from trails located approximately 1,000 feet from the site. The new Family Care Unit/workshop will be located in the same building footprint as the existing barn but will be approximately 11 feet taller (14.2 feet versus 25.6 feet). The Family Care Unit/workshop will still be well below the

existing treeline. The proposed development on the site would not result in a degradation of coastal views from Highway 1 or from Jug Handle State Reserve.

The height of new development in highly scenic areas west of Highway 1 is addressed in MCC Section 20.504.015(C)(2), which states:

In highly scenic areas west of Highway 1 as identified in the Coastal Element land use plan maps, new development shall be limited to eighteen (18) feet above natural grade, unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures.

The existing residence on the site is twenty-one (21) above natural grade and the proposed additions to the home would not result in a change of height (SNRC 2015a). The proposed Family Care Unit/workshop would be 25.6 feet above grade. As discussed above, the proposed structures would not affect public views. A windshield survey along Highway 1 in the vicinity of the proposed development found a number of two story structures to the west of Highway 1. The proposed Family Care Unit/workshop would not be out of character with surrounding structures in the nearby area.

MCC Section 20.504.015(C)(3) directs new development to be subordinate to the natural setting and to minimize reflective surfaces. It states:

New development shall be subordinate to the natural setting and minimize reflective surfaces. In highly scenic areas, building materials including siding and roof materials shall be selected to blend in hue and brightness with their surroundings.

The materials proposed by the applicant are listed in Table 1. The applicant states that the materials have been selected to blend in with the natural environment and that natural wood and other neutral colors have been selected for siding and roof materials. Staff recommends **Condition 12** requiring the project be constructed with the proposed materials and colors.

Condition 10: Prior to final inspection of a building permit in reliance on this Coastal Development Permit, Planning and Building Services shall inspect the construction of the single-family residence and associated development to ensure the utilized materials and colors are consistent with the proposed project materials and colors in **Table 1**.

Component	Material	Color
Siding material	Natural wood or corten steel	Natural wood to match existing
Trim material	Natural wood or metal	Stained natural wood or metal
Chimney material	NA	NA
Roofing material	Metal standing seam	Dark bronze or dark gray
Window frame material	Wood or steel	Dark bronze or stained wood
Door material	Steel frame with wood panel	Dark gray and natural wood
Fencing material	NA	NA
Retaining wall material	NA	NA
Other exterior materials	Concrete water storage tanks	Medium gray

Source: Imhoff & Heidt CDP Application Form, 12/3/15

The MCC provides exterior lighting regulations intended to protect coastal visual resources. Exterior lighting is required to be within the zoning district’s height limit regulations, and also must be shielded and positioned in a manner that light and glare does not extend beyond the boundaries of the parcel. Staff recommends Condition 13 to ensure that exterior lighting will comply with lighting policies.

Condition 11: Prior to issuance of a building permit in reliance on this Coastal Development Permit, the applicant shall submit an exterior lighting plan and design details or manufacturer’s specifications for all exterior lighting fixtures. Exterior lighting shall be kept to the minimum necessary for safety and security purposes and shall be downcast and shielded, and shall be positioned in a manner that will not shine light

or allow light glare to extend beyond the boundaries of the parcel in compliance with Section 20.504.035 of the Mendocino County Code.

The recommended conditions of approval will ensure the project is consistent with visual resource policies of the LCP.

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.

The areas of the project site where development would occur are already developed with a single family residence, barn and accessory structures. The new Family Care Unit/workshop would be built on approximately the same building footprint as the existing barn. The additions to the single family residence would expand the residence into an already cleared and landscaped area. The water storage tanks are also located in developed areas, near existing structures. The agent for the applicant stated that they have been on the property numerous times over the past year and it is their professional opinion that due to the existing level of disturbance, there is no rare plant habitat in or near the area of the proposed development and that other than the drainage located approximately 300 feet northeast of the project area, no streams, wetlands or special wildlife habitat were observed (SNRC, 2015b). Staff finds that 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. There are two existing wells onsite (a dug well for agricultural use and a drilled well for domestic use).

Sewage disposal is by septic tank. The Division of Environmental Health provided the following comments on the request:

- 1) Should the studio or workshop be habitable space, DEH will require the applicant to follow the requirements for a bedroom addition;
- 2) The proposed porch and greenhouse additions must maintain a 5-foot setback from the nearby septic tank and 8 feet from the septic leach field;
- 3) Waste from the Family Care Unit (FCU) must flow by gravity to existing septic tank. If gravity flow cannot be achieved, further permits may be required by DEH; and
- 4) At the time the Family Care Unit is no longer required, it must be converted to non-habitable space. The Bedroom Addition policy may apply if the FCU is to become a detached bedroom.

Condition 10 establishes that the workshop and studio is not to be used as a habitable space and Condition 11 and 12 require renewal of the Family Care Unit permit annually and that at the time the Family Care Unit is no longer required it would be converted either removed from the premises or converted to an accessory structure. The septic tank and leach field meet DEH's setback requirements. A determination of whether septic from the Family Care Unit/workshop meets DEH's gravity flow requirement would be evaluated at the building permit stage of development.

Access Roads: The parcel is located on the south side of Caspar Point Road (private) approximately 485 feet west of its intersection with Caspar Road. Mendocino County Department of Transportation reviewed the request and recommended approval.

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 an approximately 940 square foot addition to the

single family residence, a 2,688 square foot Family Care Unit/workshop, a 10,000 gallon water storage tank in a 400 square foot wood enclosure and a 10,0000 gallon water storage tank (192 square foot footprint). The footprint of the Family Care Unit/workshop would be 288 feet larger than the existing barn.

The following condition is recommended to reduce stormwater runoff impacts, and to provide the development with drainage consistent with MCC Section 20.492.025:

Condition 14: Prior to issuance of a building permit in reliance on this Coastal Development Permit, the applicant shall submit for approval by Planning and Building staff a drainage and erosion control plan. The plan shall detail erosion and sediment control Best Management Practices, including concrete wash out area, staging, stockpile locations, and tree protection areas, as necessary.

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 applicant has stated that the shed roof greenhouse would provide space for year around food production and that one of the water storage tanks will be to provide water for crops. One of the objectives of the owners is also to establish a small organic farm. The proposed project is not expected to have an adverse impact on the potential agricultural viability of the property and is 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. The applicant’s require a Family Care Unit to provide care worker housing for the owners to allow them to age in place. The applicant has adequately demonstrated the need for the use to Planning and Building Services Staff. **Conditions 12 and 13** are recommended to ensure that the Family Care Unit is used in a manner consistent with Mendocino County code.

Condition 12: 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 13: 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 3.6-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, rear yards and side yards (MCC Section 20.376.040). 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 satisfies the setback requirements and is 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 the highly scenic areas west of Highway 1 is eighteen (18) feet unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures (MCC 20.376.045). As discussed in The existing residence on the site is twenty-one (21) above natural grade and the proposed additions to the home would not result in a change of height (SNRC 2015a). The proposed Family Care Unit/workshop would be 25.6 feet above grade. As discussed above, the proposed structures would not affect public views. A windshield survey along Highway 1 in the vicinity of the proposed development found a number of two story structures to the west of Highway 1. The proposed Family Care Unit/workshop would not be out of character with surrounding structures in the nearby area.

Lot Coverage: The maximum permitted lot coverage in the Rural Residential zoning district is twenty (15) percent for a parcel of this size (MCC Section 20.376.065). The parcel is approximately 3.6 acres (156,816 square-feet) in size, allowing for a maximum permitted lot coverage of approximately 23,822 square-feet. The existing and proposed development consists of approximately 13,000 square-feet of development (including driveways) for a lot coverage percentage of approximately five (8.2) 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 and 3 of Article 19 of the California Environmental Quality Act Guidelines. The Class 1 (e) exemption allows for additions to existing structures. The Class 3 (a) and 3(e) exemptions allow for a second dwelling in a residential zone and accessory structures, respectively. These exemptions have "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 15303, 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 additions to an existing single family residence, development of a Family Care Unit/workshop on the previous foot print of a barn, and two water storage tanks. 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 9: 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 additions to an existing single family residence, development of a Family Care Unit/workshop on the previous foot print of a barn, and two water storage tanks. A single-family residence already exists at the site; the Family Care Unit would result in a minor increase in solid waste generated on the property. and is provided with solid waste service. Solid waste service is adequate to support the proposed development.

Roadway Capacity: 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.

Geomorphic Features Related to Landsliding Mendocino 7.5' Quadrangle, December 3, 1998, California Division of Mines and Geology, Department of Conservation

(SNRC 2015a). Spade Natural Resources and Consulting. December 3, 2015. Highly Scenic Area Visual Resources Analysis for 45101 Caspar Point Road (APN 017-450-07, 118-010-36).

(SNRC 2015b). Spade Natural Resources and Consulting. December 3, 2015. Letter by Teresa R. Spade discussing CDP application for 45101 Caspar Point Road.

County of Mendocino
Ukiah, California
November 16, 2016

CDP_2015-0036 HEIDT HILDEGARDE H TTEE

RESOLUTION OF THE COASTAL PERMIT ADMINISTRATOR, COUNTY OF MENDOCINO, STATE OF CALIFORNIA ADOPTING A CATEGORICAL EXCLUSION AND GRANTING A STANDARD COASTAL DEVELOPMENT PERMIT REQUEST TO: 1) REMODEL EXISTING SINGLE-FAMILY RESIDENCE WITH 336 SQUARE FOOT DINING ROOM AND ENTRY ADDITIONS AND A 604 SQUARE FOOT ATTACHED GREENHOUSE; 2) REPLACE A 1,440 SQUARE FOOT BARN WITH A 2,688 SQUARE FOOT, TWO STORY ACCESSORY STRUCTURE (MAXIMUM HEIGHT 25.6 FEET). THE 1,728 SQUARE FOOT GROUND FLOOR TO CONTAIN A WORKSHOP AND THE 960 SQUARE FOOT SECOND FLOOR TO CONTAIN A FAMILY CARE UNIT; AND 3) CONSTRUCT TWO CONCRETE 10,000 GALLON WATER STORAGE TANKS (9 FEET IN HEIGHT, 15.5 FEET IN DIAMETER), WITH A 400 SQUARE FOOT ENCLOSURE TO SURROUND ONE TANK.

WHEREAS, the applicants, BILL IMHOFF and HILDEGARDE HEIDT, filed an application for a Standard Coastal Development Permit with the Mendocino County Department of Planning and Building Services to: 1) Remodel existing single-family residence with 336-square foot dining room and entry additions and a 604-square-foot attached greenhouse; 2) Replace a 1,440-square-foot barn with a 2,688-square-foot, two story accessory structure (maximum height 25.6 feet). The 1,728-square-foot ground floor to contain a workshop and the 960-square-foot second floor to contain a Family Care Unit; and 3) Construct two concrete 10,000-gallon water storage tanks (9 feet in height, 15.5 feet in diameter), with a 400-square-foot enclosure to surround one tank in the Coastal Zone, on the south side of Caspar Point Road approximately 485 feet west of its intersection with Caspar Road at 45101 Caspar Point Road (APN 017-450-07 and 118-010-36); General Plan RR5(2):R; Zoning RR:5/ ; Supervisorial District 4 ; (the "Project"); and

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State and County Guidelines thereto, this project has been found to be Categorically Exempt from environmental review and a Categorical Exemption was prepared for the Project and noticed and made available for agency and public review on October 14, 2016 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Coastal Permit Administrator held a public hearing on, November 16, 2016, at which time the Coastal Permit Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Class 1 and Class 3 Categorical Exemption from the California Environmental Quality Act pursuant to PRC Sections 15301 and 15303 and the Project. All interested parties were given an opportunity to hear and to be heard regarding the Class 1 and 3 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 certified Local Coastal Program and the Class 1 and 3 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 and enhance the agricultural use of the property.
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The structure is served by existing utilities consisting electric, gas, and on-site well and septic. The proposed development would increase the water storage capacity on the property for both domestic and agricultural use. There is existing access to the parcel, which is adequate to serve the proposed improvements.

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. Similarly, the additions to the single family residence will enhance residential use and the greenhouse and water storage tanks will augment both residential and agricultural use of the property. 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 Sections 15301 and 15303, 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. 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 and future agricultural uses 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 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 and 3 Categorical Exemption from the California Environmental Quality Act pursuant to Guidelines Sections 15301 and 15303.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby grants the requested Standard Coastal Development 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 11th day after the date of the Resolution unless an appeal is taken.

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

ATTEST: ADRIENNE THOMPSON
Commission Services Supervisor

By: _____

BY: STEVE DUNNICLIFF
Director

ANDY GUSTAVSON
Coastal Permit Administrator

EXHIBIT A

CONDITIONS OF APPROVAL CDP_2015-0036 NOVEMBER 16, 2016

Standard Coastal Development Permit to construct additions to a single family residence, a Family Care Unit/workshop, and two water storage tanks.

APPROVED PROJECT DESCRIPTION: A Standard Coastal Development Permit request to: 1) Remodel existing single-family residence with 336-square foot dining room and entry additions and a 604-square-foot attached greenhouse; 2) Replace a 1,440-square-foot barn with a 2,688-square-foot, two story accessory structures (maximum height 25.6 feet). The 1,728-square-foot ground floor to contain a workshop and the 960-square-foot second floor to contain a Family Care Unit; and 3) Construct two concrete 10,000-gallon water storage tanks (9 feet in height, 15.5 feet in diameter), with a 400-square-foot enclosure to surround one tank.

CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by **):

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 working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
3. 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.
4. 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.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
6. 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.
7. 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.

8. 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.
9. The applicant shall comply with those recommendations in the California Department of Forestry Conditions of Approval (CDF #256-15) 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. 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.
11. Prior to final inspection of a building permit in reliance on this Coastal Development Permit, Planning and Building Services shall inspect the construction of the single-family residence and associated development to ensure the utilized materials and colors are consistent with the proposed project materials and colors in Table 1.
12. Prior to issuance of a building permit in reliance on this Coastal Development Permit, the applicant shall submit an exterior lighting plan and design details or manufacturer's specifications for all exterior lighting fixtures. Exterior lighting shall be kept to the minimum necessary for safety and security purposes and shall be downcast and shielded, and shall be positioned in a manner that will not shine light or allow light glare to extend beyond the boundaries of the parcel in compliance with Section 20.504.035 of the Mendocino County Code.
13. 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.
14. 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.
15. Prior to issuance of a building permit in reliance on this Coastal Development Permit, the applicant shall submit for approval by Planning and Building staff a drainage and erosion control plan. The plan shall detail erosion and sediment control Best Management Practices, including concrete wash out area, staging, stockpile locations, and tree protection areas, as necessary.