



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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January 7, 2019

Fort Bragg Planning & Building Services
Department of Transportation
Environmental Health - Fort Bragg
Native Plant Society
Caltrans

Department of Forestry/ CalFire
Department of Fish and Wildlife
Coastal Commission
RWQCB
Department of Parks & Recreation

US Fish & Wildlife Service
Army Corps of Engineers
Mendocino Fire District

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT MITIGATED NEGATIVE DECLARATION FOR PUBLIC REVIEW

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, February 7, 2019, at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project and the Draft Mitigated Negative Declaration at the time listed or as soon thereafter as the item may be heard.

CASE#: U_2016-0015/V_2017-0001

DATE FILED: 11/18/2016

OWNER/APPLICANT: CHRISTOPHER J HOUGIE

AGENT: KELLY B. GRIMES

REQUEST: Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretaker's residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

LOCATION: In the Coastal Zone, 0.5± mile south of the Town of Mendocino, located on the south side of Comptche-Ukiah Road (CR 223), 0.1± mile east of its intersection of State Route 1 (SR 1). Located at 9601 N HWY 1, Mendocino, CA. (APNs: 119-310-02, 119-310-03, 119-310-04, 119-310-05, 119-310-10, 119-320-07).

STAFF PLANNER: JULIA ACKER KROG

RESPONSE DUE DATE: February 6, 2019. If no response is received by this date, we will assume no recommendation or comments are forthcoming and that you are in agreement with the contents of the Draft Mitigated Negative Declaration. A copy of the Draft Mitigated Negative Declaration is attached for your review.

It should be noted that the decision making body may consider and approve modifications to the requested project(s). Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street Ukiah, California. Oral comments may be presented to the Planning Commission during the public hearing(s).

The Planning Commission's action regarding the item shall constitute final action by the County unless appealed to the Board of Supervisors. If appealed, the Board of Supervisors action shall be final except that an approved project may be appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee within 10 calendar days of the Planning Commission's decision. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

BRENT SCHULTZ, Director of Planning and Building Services



**PLANNING COMMISSION STAFF REPORT
COASTAL DEVELOPMENT
USE PERMIT AND VARIANCE**

**FEBRUARY 7, 2019
U_2016-0015/ V_2017-0001**

SUMMARY

OWNER/APPLICANT: CHRISTOPHER HOUGIE
1665 SPRING MOUNTAIN ROAD
ST. HELENA, CA 94574

AGENT: KELLY B. GRIMES
PO BOX 598
LITTLE RIVER, CA 95456

REQUEST: Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretakers residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel.

LOCATION: In the Coastal Zone, 0.5± mile south of the Town of Mendocino, located on the south side of Comptche-Ukiah Road (CR 223), 0.1± mile east of its intersection of State Route 1 (SR 1). Located at 9601 N HWY 1, Mendocino, CA. (APNs: 119-310-02, 119-310-03, 119-310-04, 119-310-05, 119-310-10, 119-320-07).

TOTAL ACREAGE: 35± acres

GENERAL PLAN: Rural Residential, 5-acre minimum (RR5)

ZONING: Rural Residential, 5-acre minimum and Resort (*5C)
Visitor Accommodations and Services combining district (RR5*5C)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: JULIA ACKER KROG

BACKGROUND

PROJECT DESCRIPTION: Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretakers residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel. This application is necessary due to repair/maintenance of existing

facilities greater than fifty (50) percent and construction of new structures associated with the existing visitor serving use.

APPLICANT'S STATEMENT:

- Reopen existing campground with sixty (60) refurbished campsites.
- Remodel existing bathhouse and construct two additional 800 sqft. bathhouses.
- Provide over sixty gravel parking spaces clustered away from campsites.
- Provide six (6) accessible campsites with individual bathing facilities.
- Construct several 425 sqft. covered BBQ areas and fire-pit areas for general use by campers.
- Construct a 2500 square foot Barn style building to be used for tent storage during the off season and camper use during the camp season.
- Refurbish existing water system; 20,000 gallon storage tank, on site wells and pumphouse.
- Refurbish, as needed, existing septic system; 8,000 gallon tank and leachfield.
- Construct new 800 sq.ft. caretaker's cottage over new bathhouse near barn.
- Construct a small 400sqft. screened breakfast preparation area.
- Install and repair path lights as shown on site plan.
- Install new double-sided sign perpendicular to the Highway at the existing encroachment and a single sided sign at base of hill, directing traffic up the hill to the campground.
- New Registration tent at top of hill
- New outdoor showers and trailer-toilet rooms in degraded area around centrally located, existing bathhouse.
- New open Yoga deck next to barn (within build-able envelope in main open space).

RELATED APPLICATIONS (On-Site):

- Preliminary Approval PA #85-28 allowed for construction of 35 cabin units and 45 camp sites on the property, but the implementation of the *5C designation (approved under GP #8-86) negates this previous approval.
- Use Permit U #35-86 was applied for to establish the use of the Brewery Gulch Ranch residence as a four-unit bed and breakfast inn, but was withdrawn to allow for the filing of Use Permit U#45-86.
- Use Permit U #45-86 was applied for to establish an inn consisting of ten individual cabin units. On February 5, 1987 the Planning Commission required an Environmental Impact Report be prepared for the project. The applicant subsequently withdrew the application.
- General Plan Amendment GP #8-86 changed the *1C and *3 designations on the property to an *5C designation.
- Use Permit U #10-88 was applied for to establish 48 individual cabin units (while reducing the number of existing camp sites from 60 to 45), dining pavilion, two tennis courts, swimming pool and accessory site improvements. The applicant withdrew the application.
- Administrative Appeal AA #10-90 was for an appeal by the applicant of staff's decision to require an Environmental Impact Report for the project (Use Permit U#14-90), which was reviewed by the Planning Commission on December 16, 1990. On January 17, 1991 the Planning Commission directed staff to circulate a Negative Declaration for the project upon making a preliminary finding that the identified environmental concerns could be adequately mitigated by conditions.
- Use Permit U#14-90 was applied for to establish 48 individual cabin units, reduce/relocate existing campsites from 60 to 45, dining pavilion, two tennis courts, swimming pool, and upgrade and remodel of the existing facilities. The Planning Commission approved the project; however, the application was appealed to the Board of Supervisors on November 25, 1991, appealing the Negative Declaration determination and issuance of the use permit. On January 13, 1992 the Board of Supervisors (3-2 vote) required the preparation of an Environmental Impact Report. After numerous hearings at both the Planning Commission and Board of Supervisors, U #14-90 was ultimately denied by the Board of Supervisors on April 5, 1994, overturning the Planning Commission's approval of the project.

SITE CHARACTERISTICS: The property is located approximately 0.5 miles south of the Town of Mendocino with State Route 1 bordering the western property boundary and Comptche-Ukiah Road (CR 223) bordering the northern property boundary. The sites primary access is off State Route 1 with an

emergency exit onto Comptche-Ukiah Road. There is an existing paved access road leading up to the top of the hill where the existing and proposed development is located. Existing gravel roads traverse the top of the hill leading to the various guest areas. The project site is an existing campground (visitor serving) facility with sixty (60) campsites operating only during a portion of the year. The site is nearly completely constrained by Northern Bishop Pine Forest and Grand Fir Forest but was developed prior to recognition of these natural plant communities as environmentally sensitive habitat areas. The parcel is located in an area classified with a "Very High Fire Hazard" severity rating. The site is designated on the Mendocino County Coastal Groundwater Study Maps as a Marginal Water Resource (MWR) area. Mapping does not associate the following with the subject site: faults, bluffs, landslides, erosion, or flood hazard.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR5)	Rural Residential (RR5)	4± acres	Residential/Commercial
EAST	Rural Residential (RR5) and Open Space (OS- DPR)	Rural Residential (RR5) and Open Space (OS)	0.3 - 105± acres	Residential/State Park
SOUTH	Open Space (OS-DPR)	Open Space (OS)	13.5± acres	State Park
WEST	Rural Residential (RR5)	Rural Residential (RR5)	3± acres	Residential

PUBLIC SERVICES:

Access: STATE ROUTE 1 (SR1)
 Fire District: MENDOCINO VOLUNTEER FIRE DISTRICT
 Water District: NONE
 Sewer District: NONE
 School District: MENDOCINO UNIFIED

AGENCY COMMENTS: On May 17, 2017 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. 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	COMMENT
Department of Transportation	Comments
Planning- Ukiah	No Comment
Environmental Health- FB	Comments
Building Services- Fort Bragg	Comments
Assessor	No Response
Air Quality Management District	Comments
Archaeological Commission	Comments
Native Plant Society	Comments
Caltrans	Comments
CalFire	Comments
California Department of Fish and Wildlife	Comments
California Coastal Commission	Comments
Regional Water Quality Control Board	No Response
California Highway Patrol	No Comment
Army Corps of Engineers	No Response
County Addresser	No Response
Sierra Club	No Response
Department of Parks and Recreation	No Response
Mendocino Fire District	Comments

KEY ISSUES

1. General Plan and Zoning Consistency:

The project is consistent with the Land Use Plan, Chapter 2.2 of the Coastal Element of the General Plan. The land use designation for the site is Rural Residential—5 acre minimum (RR5). The intent of the RR designation is *“...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, micro-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 principally permitted use designated for this land use classification is “residential and associated utilities, light agriculture, [and] home occupation.” The site is designated in the Coastal Element of the General Plan under Appendix 10 as an existing Visitor Accommodation as of August 1982 (as revised in 2005 by Resolution 05-065) with sixty (60) units. This application seeks to continue and expand the existing use of the site as a visitor serving facility.

The zoning district for the site is Rural Residential - 5 acre minimum (RR5) as described in Mendocino County Code (MCC). The intent of the RR District is *“to encourage and preserve local small scale farming in the Coastal Zone in lands which are not well-suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on agricultural viability.”* As described in the subsequent paragraphs, the proposed use type is appropriately located on RR zoned lands with the approval of a coastal development use permit. The site contained an existing visitor serving use at the time of certification of the Mendocino County Local Coastal Program and this application seeks to continue and expand that use.

The property is designated with a Resort (*5C) Visitor Accommodations and Services (VAS) combining district. The *5C designation allows establishment of a Resort use type with the issuance of a coastal development use permit. The Resort use type is defined in MCC Section 20.332.065 as follows:

Resort sites located within the Coastal Zone encompass a diverse type of Visitor Accommodations and services such as: dude ranches, dispersed overnight cabin accommodations, health spas and similar uses. New visitor Accommodations and Services in the “Resort” category shall not be allowed on resource lands in Agricultural, Forest Lands or Range Land classifications.

Per Note A on Map #17 of the Mendocino County Local Coastal Program, one resort facility is permissible on the various parcels subject to this application. Mendocino County Code (MCC) Section 20.436.025 (G) requires that *“...if a resort is proposed to be developed on more than one (1) legal lot, it shall be developed on contiguous lots held under one (1) ownership and will be considered one (1) legal lot for all purposes under the Coastal Element and this Division. Property developed with a resort shall not be allowed to be divided and/or sold from the remainder of the property unless all resort uses on the property are discontinued or a Local Coastal Program amendment and/or new use permits are processed and approved for the continuation of any visitor serving uses.”*

MCC Section 20.436.025 (D) states that *“Employee housing, other than Employee Caretaker Housing, may be allowed only with a Resort—*5 designation, consistent with all other regulations of this Division including density/intensity of the base zoning district.”* This application proposes one employee housing unit (caretaker cottage, as identified on the site plan), which is consistent with the density limitations of the base zoning district of Rural Residential with one dwelling permitted per five acres of lot area.

Within the VAS combining district, site development regulations of the base zone shall apply. Within the RR5 district yard setbacks for all proposed structures are thirty (30) feet from all property boundaries. Additionally, corridor preservation setbacks apply along State Route 1 (SR1) of an additional 45 feet from centerline and along Comptche-Ukiah Road (CR 223) of 35 feet. As shown on the site plan, all proposed structures, except for some parking spaces as described below, meet the required yard and corridor preservation setback requirements. The maximum permitted lot coverage of ten (10) percent applies to parcels of this size in the RR district. The site is already largely developed and minimal additional development is proposed as a result of this application. Total lot coverage at the site after completion of

the proposed project will be approximately three (3) percent. The height limit for all habitable structures is twenty-eight (28) feet above natural grade and thirty-five (35) feet above natural grade for uninhabited accessory structures not visible from State Route 1. All proposed structures comply with the height limitations for the district.

A total of eighty-five (85) gravel parking spaces are shown on the site plan including five (5) ADA spaces, most of which are existing spaces. The ADA spaces will require some improvements in order to be compliant with building code standards. Twenty-one (21) of the parking spaces are proposed to be located within the required yard setback area of thirty (30) feet. This proposal necessitates a variance be granted to allow the proposed twenty-one (21) parking spaces within the required yard setback. Discussion of the proposed variance and adherence to the findings required by MCC Chapter 20.540 are discussed in Section 3 of this staff report. Provided the Planning Commission approves the requested variance, the proposed parking is consistent with Mendocino County Code standards for off-street parking for this use.

The application includes proposal for several signs to be installed at the property that are required to meet the standards specified in MCC Section 20.476.025(H)(2) as they are considered "free-standing signs". Additionally, MCC Section 20.476.025(J) states that *"Except as permitted in Chapter 20.540 (Variance), Section 20.476.040 and Section 20.476.045 the total square footage of all signs on a lot may not exceed forty (40) square feet, provided however in the absence of both free-standing signs and roof signs the maximum total sign area allowed may be increased to eighty (80) square feet."* There's existing signage at the property that was a total of forty-eight (48) square feet in size. This existing sign on the south lawn is proposed to be replaced under this application with a new sign approximately thirty-five (35) square feet in size. The north sign will be thirty-five (35) square feet in size and the exit only sign near Comptche-Ukiah Road will be twenty-four (24) square feet in size. The proposed signage is not in conformance with the total allowed sign area standard for the parcel as proposed signage is ninety-four (94) square feet in total. As a result, a variance is requested pursuant to MCC Chapter 20.540 to allow the increase in total sign area for the parcel and is discussed in Section 3 of this staff report. Provided the Planning Commission approves the requested variance, the proposed signage is consistent with Mendocino County Code.

2. Local Coastal Program Consistency:

Hazards

Mendocino County Coastal Element Chapter 3.4 titled *Hazards Management*, addresses seismic, geologic, and natural forces within the Coastal Zone. Mapping does not associate the following with the subject site: faults, bluffs, landslides, erosion, or flood hazard.

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 3 miles west of the project site and is the nearest active fault. The site is designated on the Mendocino County Local Coastal Program Land Capabilities and Natural Hazards Map as having potential intermediate shaking levels in terms of seismicity. This project does not conflict with any state or local seismic hazard policy or plan.

Flooding: There are no mapped 100-year flood zones on the subject parcel, and no conditions are necessary to ensure consistency with flood policy.

Fire: The parcel is located in an area classified with a "Very High Fire Hazard" severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Volunteer Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #283-16). Mendocino Volunteer Fire District provided verbal comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire and Mendocino Volunteer Fire District.

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

Mendocino County Code (MCC) Chapter 20.504. The subject parcel is designated as Conditionally Highly Scenic, meaning anything within view easterly of State Route 1 is designated as a Highly Scenic Area and subject to all standards for development in Highly Scenic Areas. The site is largely not visible to State Route 1 given the expansive tree cover and topography. As a result, the bulk of the development proposed under this application is not subject to Highly Scenic Area standards.

Due to the fact that the property is adjacent to Mendocino Headlands State Park to the east, a two hundred (200) foot Special Treatment Area (STA) is required between all parcel boundaries bordering the Mendocino Headlands State Park. This STA applies to timber harvesting activities that may be proposed on the site and is intended to protect the area's special scenic and natural qualities. A condition is therefore recommended that any tree removal proposed within the two hundred foot STA to the State Park shall require either a new Coastal Development Permit or a modification to this permit.

Natural Resources

The property was previously surveyed during prior use permit applications for environmentally sensitive habitat areas (ESHA) in 1998, 1990 and 1991. For the current application, the applicant provided several studies prepared by Coast Range Biological, LLC including a Botanical Assessment (September 2017), Addendum to Botanical Assessment (January 2, 2018), Buffer Zone Analysis (January 8, 2018) and Special-Status Plant Survey (April 27, 2018). Various sensitive resources meeting the criteria of ESHA are found on the property. Documented ESHA consist of Northern Bishop Pine Forest, Grand Fir Forest, and an area noted to be a man-made wetland due to presence of a dog wash station and the septic leach field in the area of the wetland.

Many of the renovations to the existing campground will occur in and within the 50-foot buffer area of Grand Fir Forest and Northern Bishop Pine Forest due to the location of the existing tent sites and associated facilities that have been operating at these locations for decades. While there will be some temporary impacts to resources during installation of tent platforms and other renovations in and adjacent to these habitats, the impacts to ESHAs are expected to be minimal, and ecological functions and values for these habitats are anticipated to improve over the long term with the incorporation of mitigation measures discussed in the Botanical Assessment (Coast Range Biological, April 2018).

Coast Range Biological, LLC states that the project should meet the standards for uses within ESHA buffer areas for the following reasons:

- *New tent platforms replace existing tent sites that have been in use for decades, forcing campers into a smaller, more controlled area compared to past camping where tents and other disturbance occurred over a much wider area (campers were allowed to pitch tents in the surrounding forest, disturbing vegetation and habitat), leading to extensive areas covered with bare ground or non-native, disturbance adapted species.*
- *Mendocino Grove Campground allows fewer campers than in past decades. Each site only allows for one tent and there is no longer any group camping sites (which were allowed during previous campground operations).*
- *The previous campground operated year round, where Mendocino Grove Campground is only open May-November, allowing for natural re-vegetation to occur for five months each year.*
- *Prior to new ownership in 2016, the campground had fallen into disrepair, with a water tank leaking 2,000 gallons per day, homeless camps occurring outside of existing tent sites with extensive vegetation disturbance from camping and tree cutting for firewood, erosion from year round camping, and other ongoing disturbance resulting from unsupervised use (Chris Hougie, Mendocino Grove owner, pers. Comm. 2017). The renovation to the campground will result in fewer people using the campground for only a portion of the year, with impacts closely monitored by campground staff.*

The new building construction (barn-style building, caretaker's cottage over a new bathhouse near the barn-style structure, one additional bathhouse, several covered barbeque areas, and screened breakfast preparation area) will occur primarily in existing disturbed Ruderal Herbaceous habitat, greater than fifty

(50) feet from the Grand Fir Forest and Northern Bishop Pine Forest dripline. The proposed new registration tent, addition of four shower stalls and trailer toilet rooms near the existing bathhouse will occur within the buffer area to identified resources but in already disturbed areas and will not require tree removal to accommodate them. The Botanical studies concluded that while many of the campground renovations will occur within Grand Fir Forest and Northern Bishop Pine Forest and adjacent buffer zones, there is no feasible alternative to conducting the renovations in these locations since they occur within the historic campground footprint. However, due to the factors noted in the Botanical studies and with the incorporation of mitigation measures, the ecological functions and values of the ESHA on the project site and study area should be improved compared to existing conditions, which could also serve to enhance existing offsite undisturbed Grand Fir Forest and Northern Bishop Pine Forest in the area.

A Reduced Buffer Analysis was prepared for the project related to the development proposed beyond the fifty (50) foot ESHA buffer and also to provide statements of compliance with allowance for the other proposed renovation activities that are to be conducted within the ESHA buffer area. The California Department of Fish and Wildlife provided comments on the project and had initially requested additional information be provided but was able to clear the project on August 17, 2018. Additional findings are required to be made for a project that proposes activities within an identified resource area pursuant to MCC Section 20.532.100(A)(1) requiring that no development shall be allowed in an ESHA unless the resource as identified will not be significantly degraded by the proposed development, there is no feasible less environmentally damaging alternative, and all feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

MCC Section 20.496.050(B) for Other Resource Areas states that *"Any development within designated resource areas shall be reviewed and established in accord with conditions which could allow some development under mitigating conditions but which assures the continued protection of the resource area."* As stated in the paragraphs above, the Botanical consultant for the project found that the proposed improvements within the sensitive habitat area to existing facilities assure the continued protection of the resource area provided mitigation measures are implemented. There is no feasible less environmentally damaging alternative as the improvements at the site are existing in their present locations and are in need of maintenance and repair/upgrade. New development is proposed in existing disturbed areas near existing development and require no tree removal to accommodate them. All feasible mitigation measures are recommended for adoption in the proposed Resolution.

The California Native Plant Society performed a site visit to the parcel on June 29, 2017 and provided recommendations for the project in a letter dated July 10, 2017. These recommendations are incorporated in the recommended Conditions of Approval in order to provide for the maximum protection of sensitive resources on the parcel.

Utilities

The site is designated on the Mendocino County Coastal Groundwater Study Maps as a Marginal Water Resource (MWR) area. The site has existing water and sewer infrastructure serving the existing development. The application was referred to the Division of Environmental Health (DEH) for comment. DEH provided no concerns related to adequacy of water availability at the site, as the site has long been in operation and there are existing wells and water storage tanks at the site. DEH originally had several concerns with the existing septic system's capacity and location as there was minimal information available in the office about the existing septic infrastructure at the site. The applicant hired a consultant to provide additional information to DEH to satisfy concerns they had with the project. DEH cleared the application on November 16, 2017 stating their concerns were met provided the proposed repairs and enhancements contained in the letter from Carl Rittiman & Associates, Inc. dated August 25, 2017 are implemented. A Condition of Approval is recommended to ensure the applicant complies with DEH recommendations.

Access Roads

The parcel is currently accessed off of State Route 1. The Mendocino County Department of Transportation (MDOT) and California Department of Transportation (Caltrans) were invited to provide comment on the application. Both agencies responded providing recommended Conditions of Approval. MDOT commented that the applicants shall construct a commercial access onto Comptche-Ukiah Road (CR 223) in accordance with their standards through obtainment of an encroachment permit. The

commercial access would accommodate the emergency access route through the campground allowing two exit points (one on State Route 1 and one on Comptche-Ukiah Road) in case of emergencies. The emergency exit road already exists but will require upgrade at the encroachment onto the County Road as a result of this project. Caltrans provided comments regarding location of signs outside of the right-of-way and that any new access onto State Route 1 or vegetation/tree removal within the right-of-way will require an encroachment permit from their office.

The refurbishment and proposed expansion of associated uses would generate few additional vehicle trips per day than what presently exist. The State Route 1 Corridor Study Update provides traffic volume data for State Route 1. The subject property is located approximately 0.1 miles south of the intersection of Comptche-Ukiah Road (CR 223) and State Route 1, where the existing peak hour Level of Service is reported as "B" for the westbound approach and "C" for the eastbound approach. Both Level of Service "B" and "C" note only minor delays for traffic of 10 to 25 seconds but both are considered acceptable and no improvement recommendations were made in the Study. No change in service levels is anticipated as a result of the project.

Archaeological

The property was surveyed for archaeological resources in 1976 and again in 1990. The Mendocino County Archaeological Commission accepted the previous Archaeological Surveys on the property at its May 10, 2017 meeting and recommended that an archaeological monitor be present to monitor any ground disturbance associated with the footprint for the Barn style structure, 2 bathhouses/caretaker unit and parking areas. Staff has included this recommendation as a condition of approval. In addition to the recommended condition, a Standard Condition advises the property owner of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

Public Access

The site of the proposed project is located east of State Route 1 and is therefore not subject to the public access findings of the Local Coastal Program.

3. Variance:

The applicant has requested a variance for two different sections of Mendocino County Code – parking standards and signage standards. The applicant has stated the following with regard to the variance request:

"1. Parking within the rear yard setback. We are proposing parking within the thirty foot "rear" setback. This could also be viewed as parking within the side yard since this is a corner parcel with encroachments onto both Highway One and Comptche-Ukiah Road. If viewed as the rear, there is no development on the neighbor's parcel and this seems like a perfect spot to place the "overflow" parking. 2. Signs- see attached drawings showing sizes and locations of the requested signage. Basically, we are asking of one sign facing North and one facing South since we are unable to have a two side sign at our driveway entrance due to extremely large (140') setback from the highway to our property. This puts the entrance to our property in the woods and with poor or no visibility from the highway. The two signs we are proposing are similar in size and shape to our neighbors who have the same restrictions. We are also proposing a small sign at the Comptche-Ukiah encroachment to welcome pedestrian traffic and direct vehicular traffic to the entrance off the Highway. This will help with any mapping apps that direct visitors to this "entrance" to the campground."

Below is a discussion of the required findings in order to support approval of a variance request pursuant to MCC Section 20.540.020.

A. That there are special circumstances applicable to the property involved, including size, shape, topography, location, or surroundings; and

With regards to the proposed variance to allow parking spaces within the required yard setback, the property does have special circumstances since it is highly constrained due to presence of

environmentally sensitive habitat areas. The proposed parking spaces would be located within one of the few areas of the property that meets a fifty (50) foot buffer to identified environmentally sensitive habitat areas.

With regards to the proposed variance for the total sign area, the property does have special circumstances due to the topography of the site and the size of the California Department of Transportation (Caltrans) right-of-way, which eats up a large portion of the road frontage of the parcel. The site has a large topographical difference between State Route 1 and the bulk of the property, limiting areas for signage to be placed that would be visible to the traveling public.

B. That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in this Division and applicable policies of the Coastal Element; and

The special circumstances for the property are not due to any action by the applicant, as the special circumstances are the result of just the general topography of the parcel and the environmentally sensitive habitat areas that were identified after the property was initially developed with the visitor accommodation and service use and now limit future development on the parcel.

C. That such variance is necessary for the preservation and enjoyment of privileges possessed by other property in the same vicinity and zone and denied to the property in question because of the special circumstances identified in Subsection (A); and

The variance for the parking spaces is necessary due to the required parking standards for a use such as that which exists at the site today. The parcel was previously below the minimum standards for parking for the use that exists and with the proposed application the applicant seeks to provide additional parking for the existing use. The parcel is constrained in where these required spaces can be located and the reduced setback is necessary to accommodate the development at the site.

The variance for the sign area only increases the allowable sign area for the parcel by a minimal amount and the proposed size of signage is similar to the signage existing at similar visitor serving facilities located to the north and south of the project site. Due to the topography of the parcel and limited areas that signs can be located due to setbacks from State Route 1 and the property lines, the parcel has special circumstances that deny it signage similar to that at other existing visitor serving facilities nearby.

D. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located; and

The parking area is located at the rear of the property approximately 12 feet from the property line with an adjacent residential parcel. A gravel road is located between the parking area and the property line. Due to how close the proposed parking is to the neighboring parcel boundary, staff recommends a Condition of Approval requiring that a surveyor certify the distance between the neighboring property boundary and the parking area to provide the maximum setback from the parcel as possible. The recommended condition will reduce any potential impacts the variance may have on adjacent parcels.

The proposed variance for the signage will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone of the property. This is primarily due to the fact that the signs are similar in size and design to the "Stanford Inn" sign and "Brewery Gulch Inn" sign located to the north and south of the project site. Additionally, the signs are to be located outside of the State Route 1 right-of-way and meet zoning setback requirements.

E. That the variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning provisions governing the parcel; and

The proposed variance for locating parking spaces within the required yard setback and increasing the allowed sign area for the parcel will not authorize a use or activity that is not otherwise authorized by the zoning provisions governing the parcel. Variances to both the parking chapter and signage chapter are expressly allowed by the zoning code.

F. That the granting of such variance is in conformity with all other provisions of this Division and the Mendocino Coastal Element and applicable plans and policies of the Coastal Act.

The granting of the variance is in conformity with all other provisions of the Mendocino County Local Coastal Program. The parking area will be located such it does not encroach upon sensitive resources identified on the parcel. The proposed southern sign will be located in a similar location to the existing sign at the property. The northern sign will be located along the exit/emergency access road that traverses the parcel. The proposed small exit sign will be located at the Comptche-Ukiah Road encroachment to direct vehicular traffic to the entrance off State Route 1.

4. Environmental Protection:

Staff has completed an Initial Study for the proposed project in accordance with the California Environmental Quality Act (CEQA) and determined that the project could have some potential significant impacts on the environment, but can be considered less than significant with mitigation incorporated. As discussed in the Initial Study, conditions have been identified to mitigate impacts to the environment to a less than significant level. Staff recommends that the Planning Commission adopt a Mitigated Negative Declaration for the project.

RECOMMENDATION

By resolution, adopt a Mitigated Negative Declaration and grant Coastal Development Use Permit U_2016-0015 and Variance V_2017-0001, as proposed by the applicant, based on the facts and findings and subject to the Conditions of Approval.

1/3/2019

DATE

Julia Acker Krog
JULIA ACKER KROG
CHIEF PLANNER

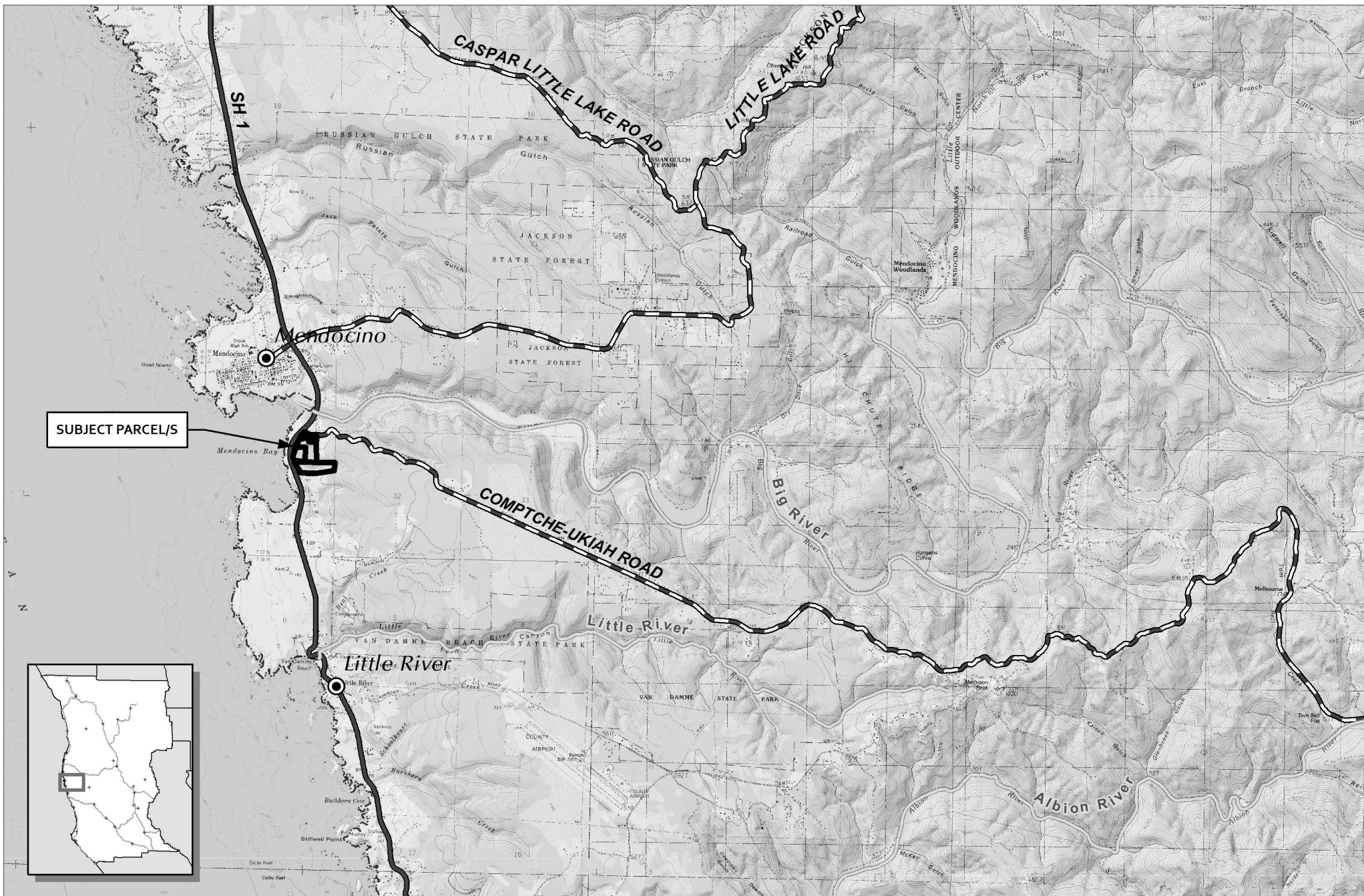
Appeal Period: 10 Days
Appeal Fee: \$1616.00

ATTACHMENTS:

- | | |
|--|---|
| A. Location Map | J. General Plan Classifications |
| B. Topographic Map | K. LCP Land Use Map 17: Mendocino |
| C. ESRI Imagery | L. LCP Habitats & Resources |
| D. Site Plan | M. LCP Land Capabilities & Natural Hazards |
| E. Site Plan Detail | N. Adjacent Parcels |
| F. Revised Sign Locations | O. Fire Hazard Zones & Responsibility Areas |
| G. Bathhouse & Caretaker Unit Elevations | P. Ground Water Resources |
| H. Barn Elevations | Q. Highly Scenic & Tree Removal Areas |
| I. Zoning Display Map | R. Important Farmland |

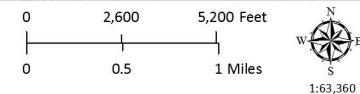
RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

Initial Study available online at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>



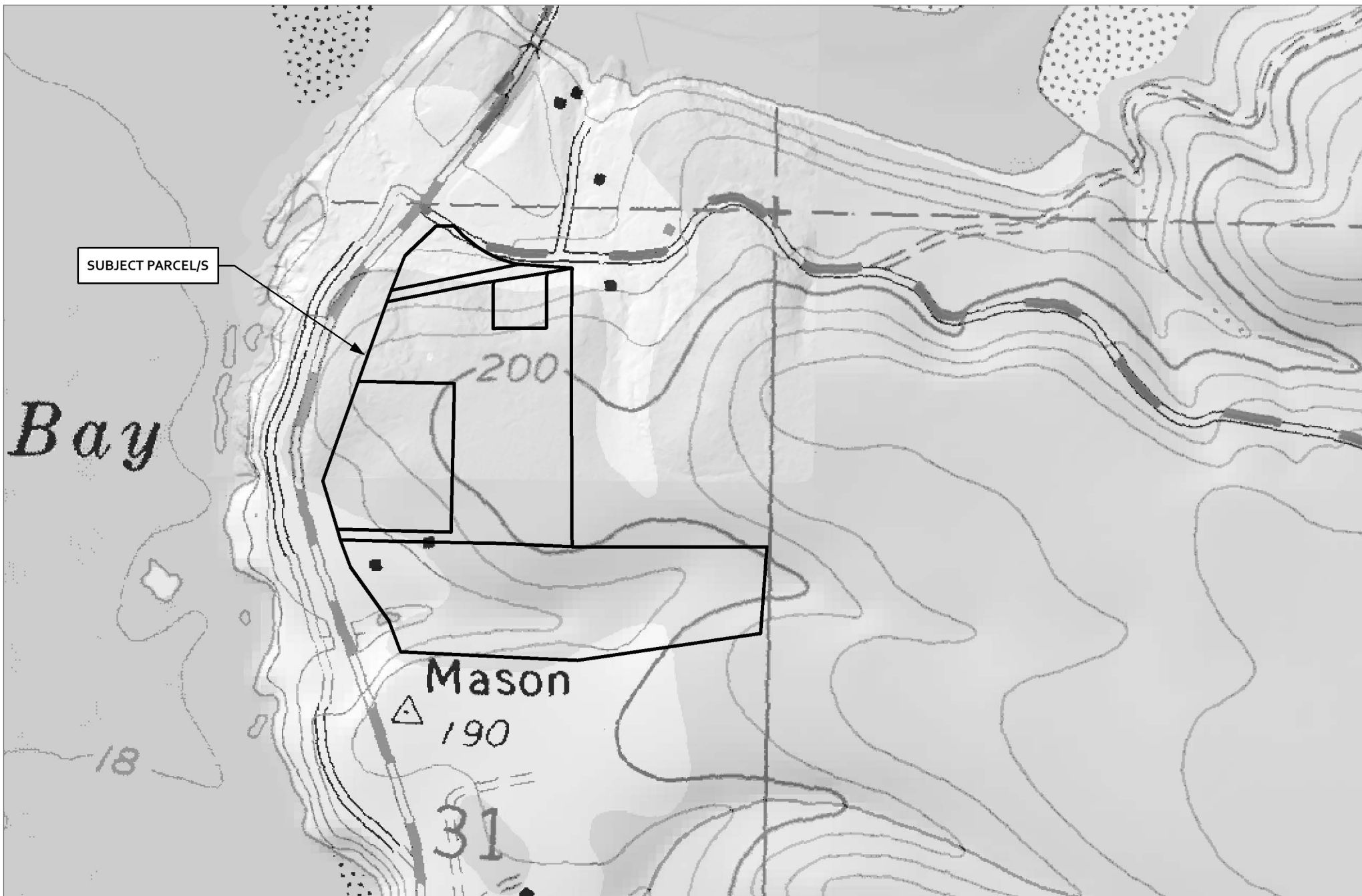
CASE: U 2016-0015
 OWNER: HOUGIE, Christopher
 APN: 119-320-07
 APLCT: Chris Hougie
 AGENT: Kelly Grimes
 ADDRESS: 9601 N. Hwy. 1, Mendocino

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

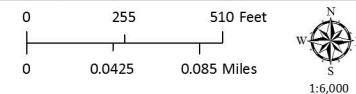


LOCATION MAP

ATTACHMENT A



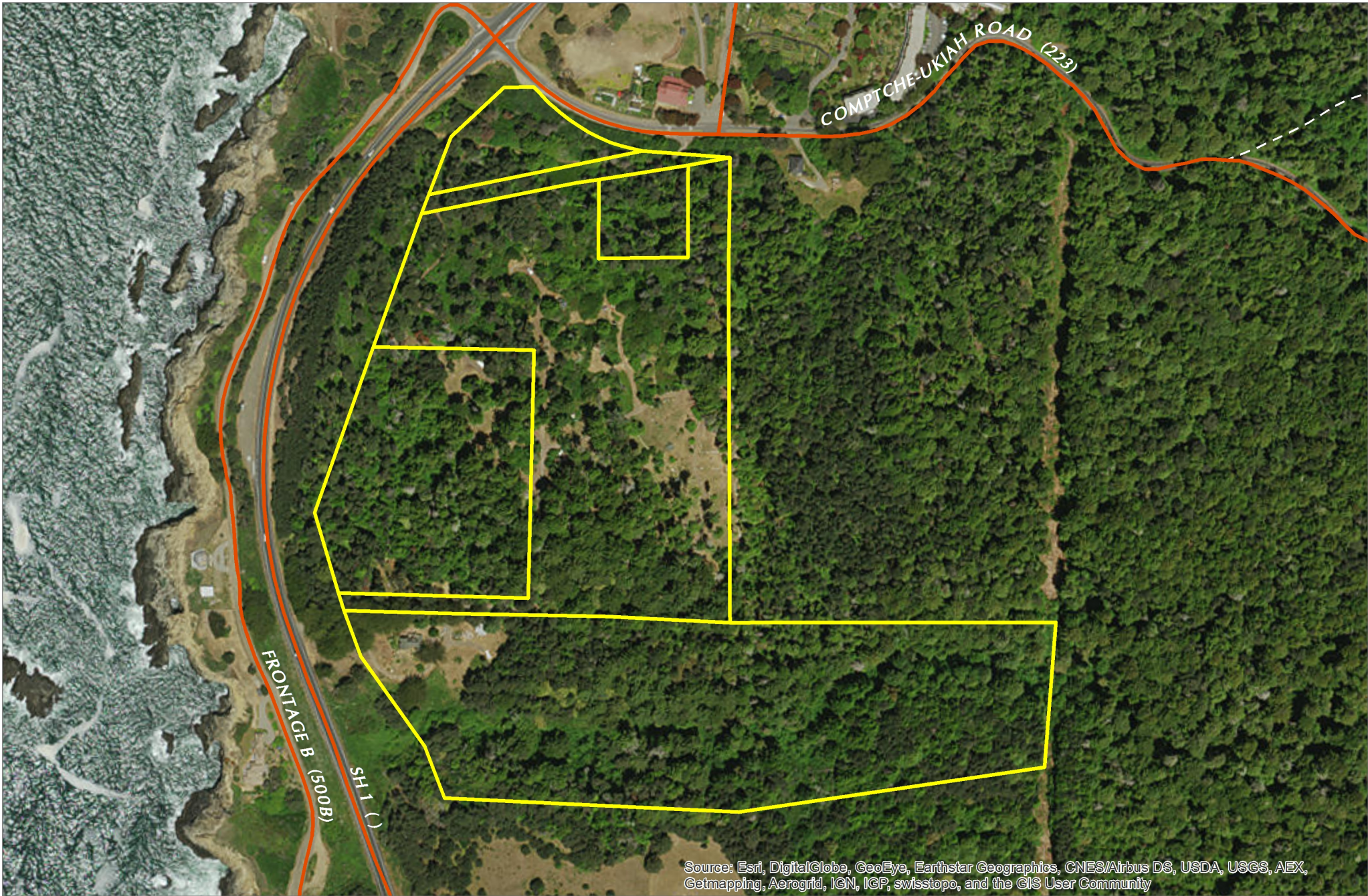
CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

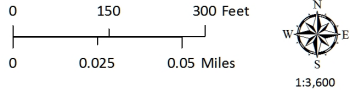
Map produced by the Mendocino County Planning & Building Services, December, 2016
All spatial data is approximate. Map provided without warranty of any kind.

ATTACHMENT B



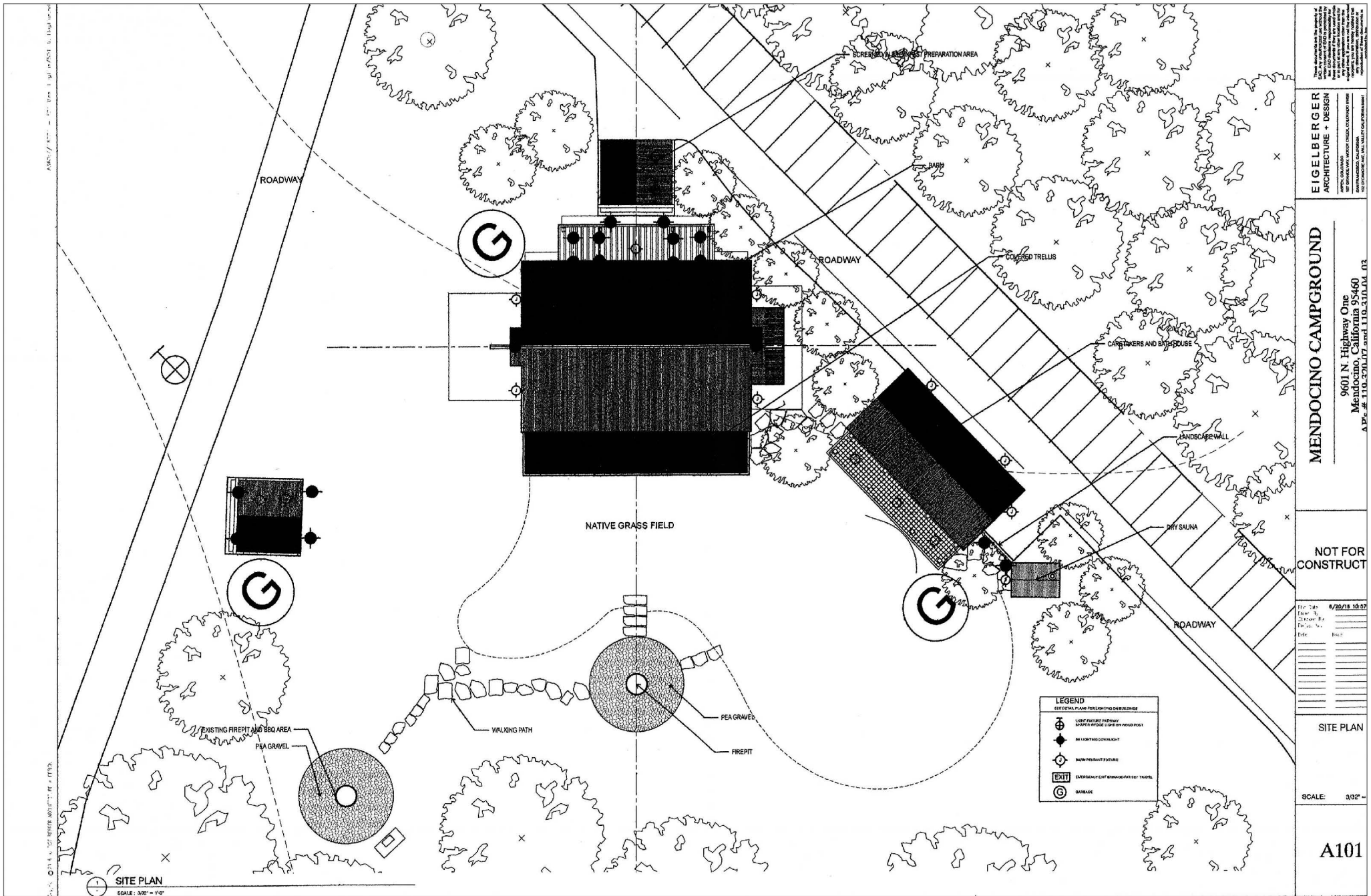
CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

Public Roads
Driveways/Unnamed Roads



ESRI IMAGERY

ATTACHMENT C

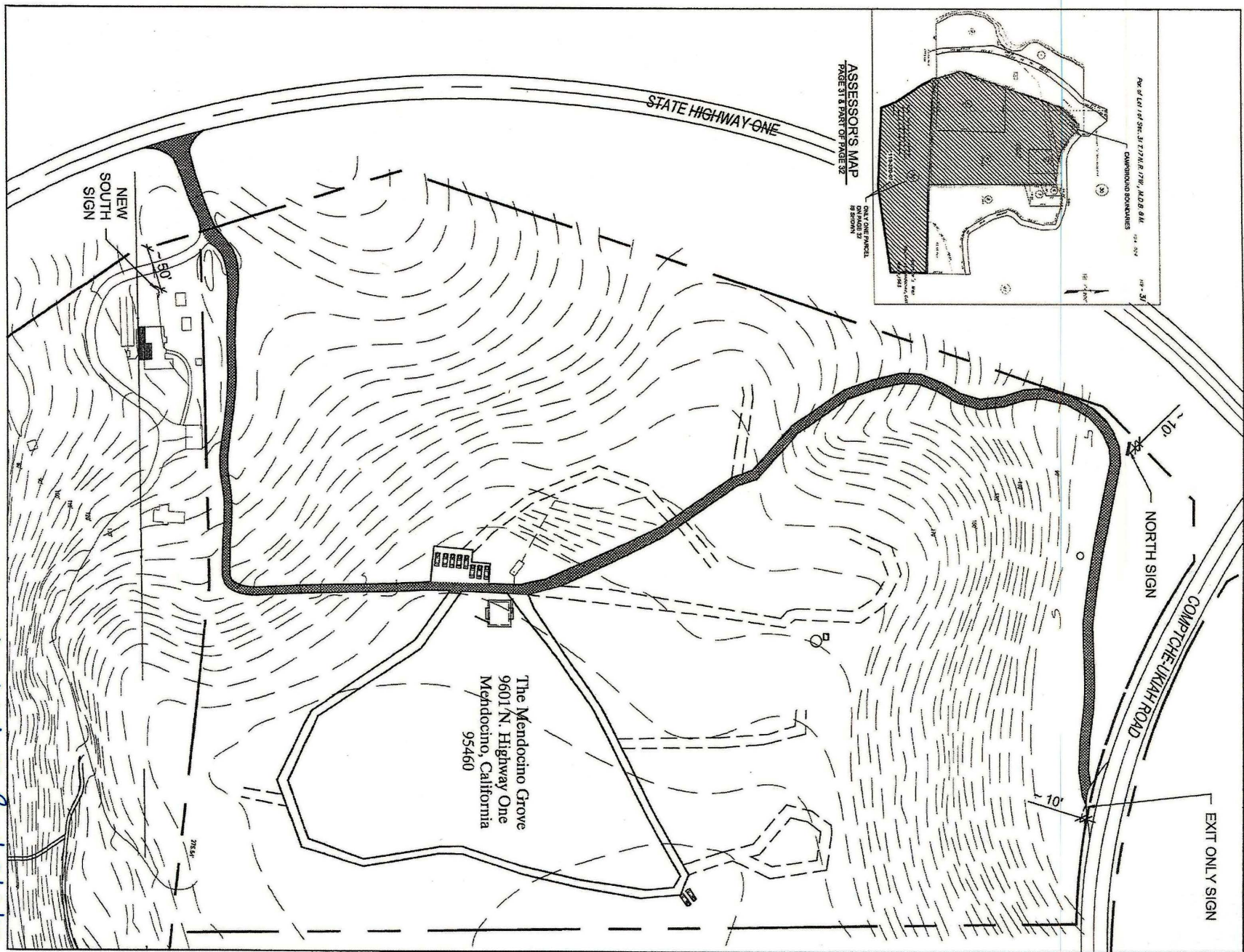


CASE: U 2016-0015
 OWNER: HOUGIE, Christopher
 APN: 119-320-07
 APLCT: Chris Hougie
 AGENT: Kelly Grimes
 ADDRESS: 9601 N. Hwy. 1, Mendocino

NO SCALE

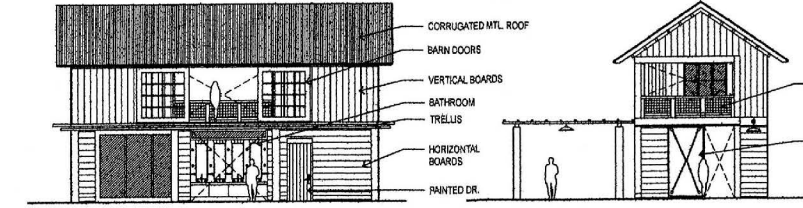
SITE PLAN DETAIL

ATTACHMENT E



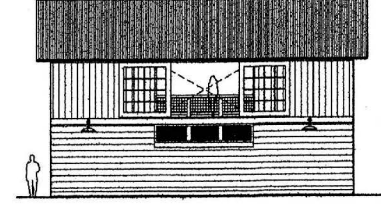


NORTH ELEVATION
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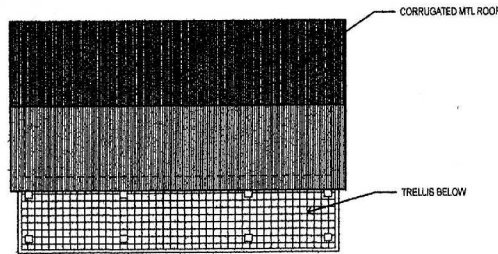


WEST ELEVATION
SCALE: 1/8" = 1'-0"

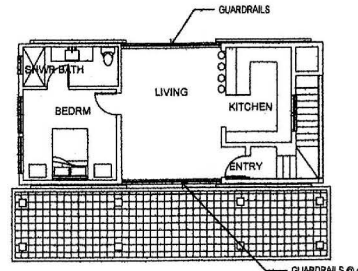
SOUTH ELEVATION
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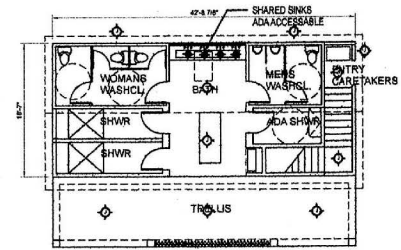
EAST ELEVATION
SCALE: 1/8" = 1'-0"



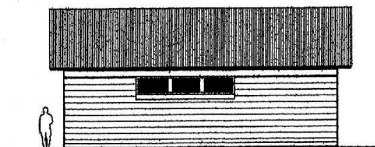
ROOF PLAN
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN - CARETAKERS
SCALE: 1/8" = 1'-0"



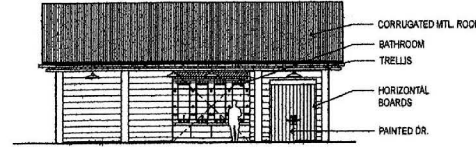
FIRST FLOOR PLAN BATHROOM @ CARETAKERS
SCALE: 1/8" = 1'-0"



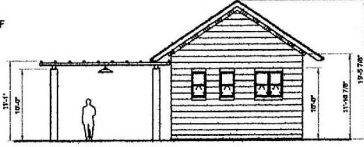
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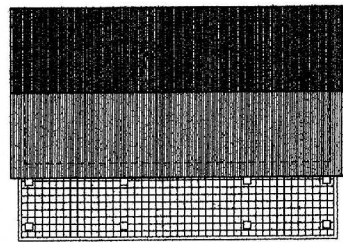
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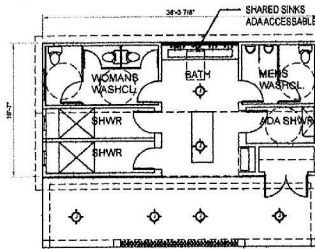
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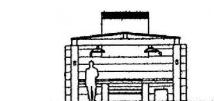
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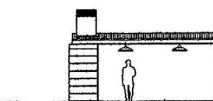
ROOF PLAN BATHROOM
SCALE: 1/8" = 1'-0"



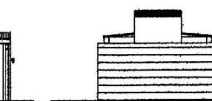
FIRST FLOOR PLAN BATHROOM
SCALE: 1/8" = 1'-0"



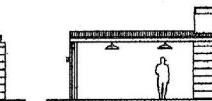
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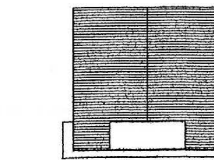
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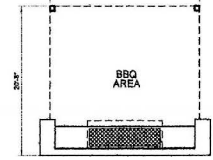
SOUTH ELEVATION
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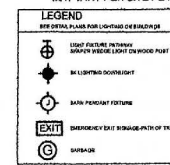
EAST ELEVATION
SCALE: 1/8" = 1'-0"



ROOF PLAN BBQ
SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN BBQ
SCALE: 1/8" = 1'-0"



EIGELBERGER
ARCHITECTURE + DESIGN

MENDOCINO CAMPGROUND

NOT FOR CONSTRUCTION

BATHHOUSE AND CARETAKER PLANS ELEVATIONS

SCALE: 1/8" = 1'-0"

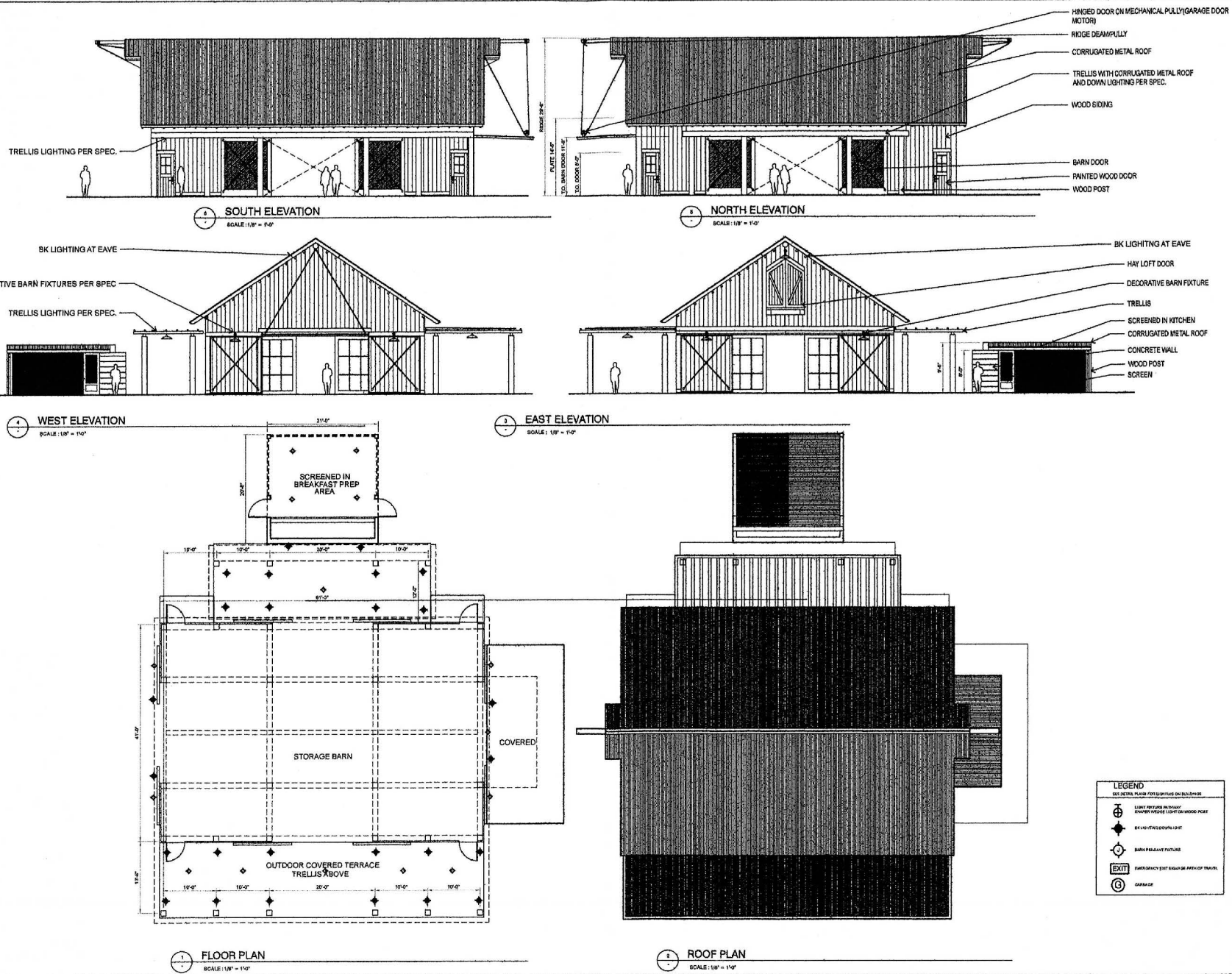
A103

CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

NO SCALE

BATHHOUSE & CARETAKER UNIT ELEVATIONS

ATTACHMENT G



EIGELBERGER ARCHITECTURE + DESIGN

MENDOCINO CAMPGROUND

9601 N. Highway One
Mendocino, Calif 95460
AP's # 119-320-07 and 119-310-04, 03, 05

NOT FOR CONSTRUCTION

BARN PLANS ELEVATIONS

SCALE: 1/8" = 1'-0"

A102

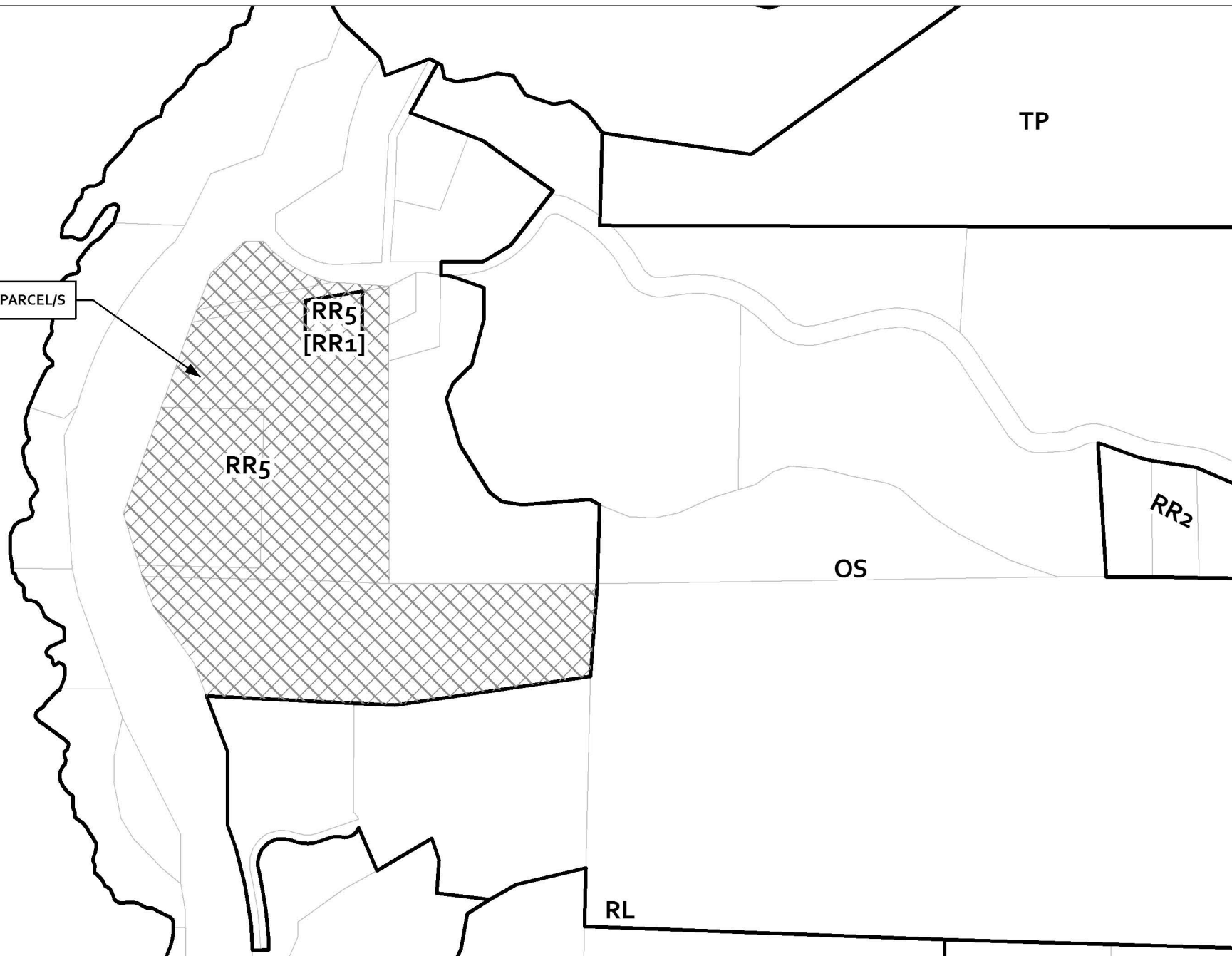
CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

NO SCALE

BARN ELEVATIONS

ATTACHMENT H

SUBJECT PARCEL/S



CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

 Zoning Districts

0 255 510 Feet
0 0.0425 0.085 Miles



ZONING DISPLAY MAP

ATTACHMENT I

SUBJECT PARCEL/S

RR 5
[RR 1]

RR 5

FL 160

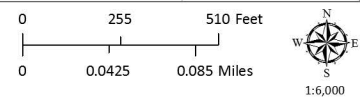
OS-DPR

RR 2

RL 160

CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

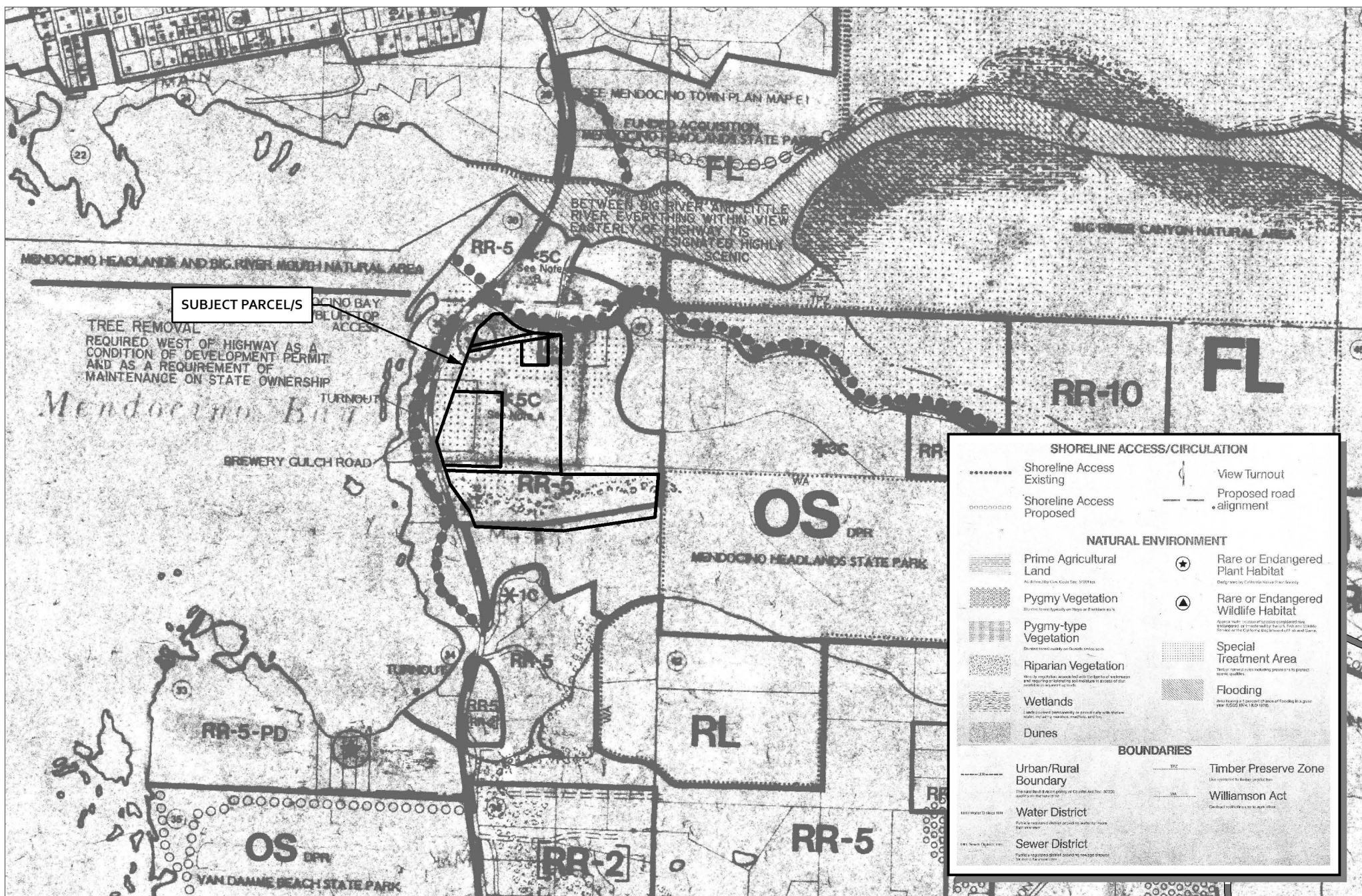
General Plan Classes



GENERAL PLAN CLASSIFICATIONS

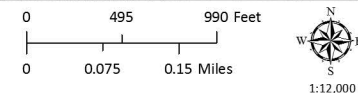
ATTACHMENT J

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



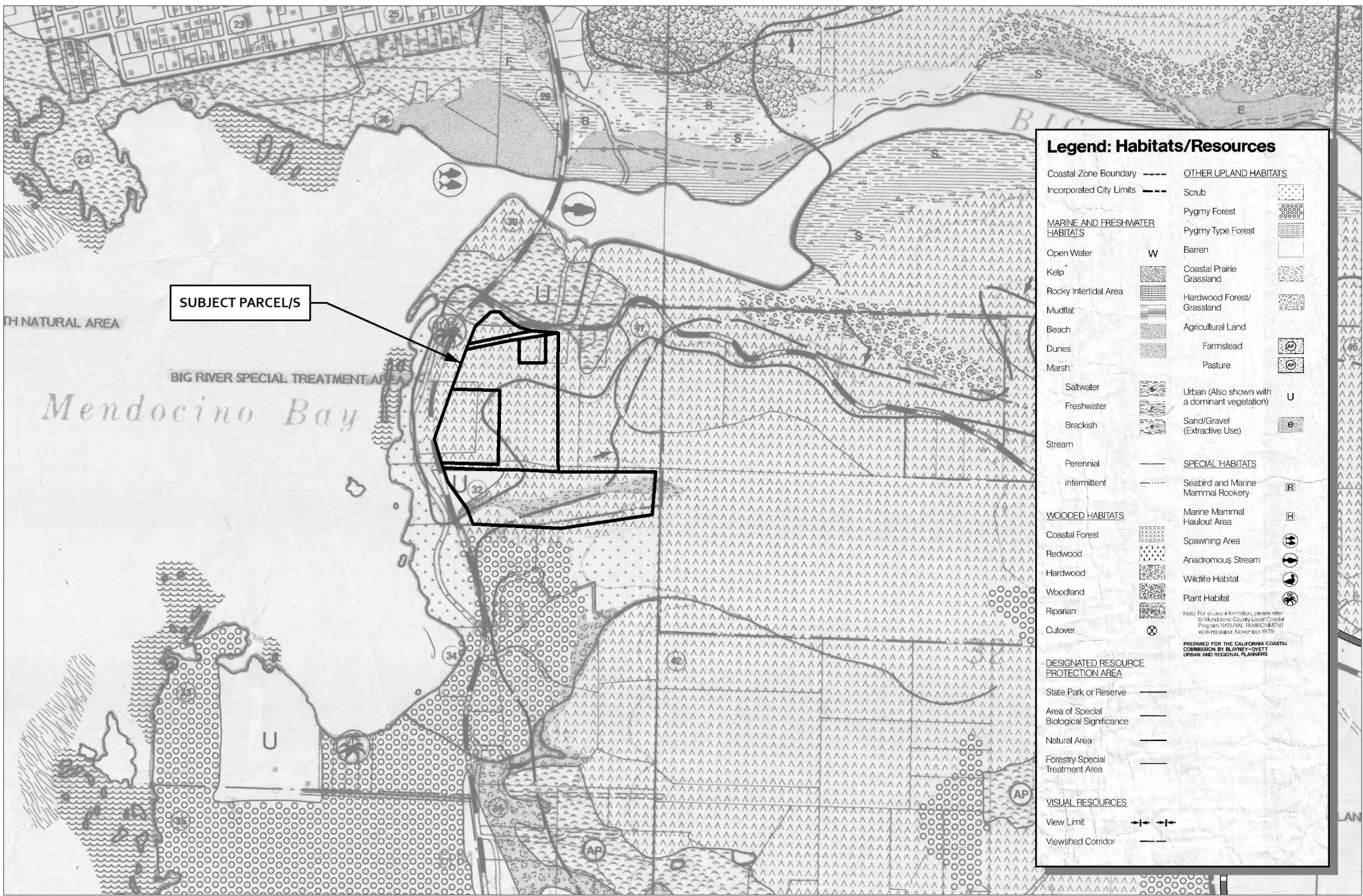
CASE: U 2016-0015
 OWNER: HOUGIE, Christopher
 APN: 119-320-07
 APLCT: Chris Hougie
 AGENT: Kelly Grimes
 ADDRESS: 9601 N. Hwy. 1, Mendocino

Coastal Zone Boundary



LCP LAND USE MAP 17: MENDOCINO

ATTACHMENT K

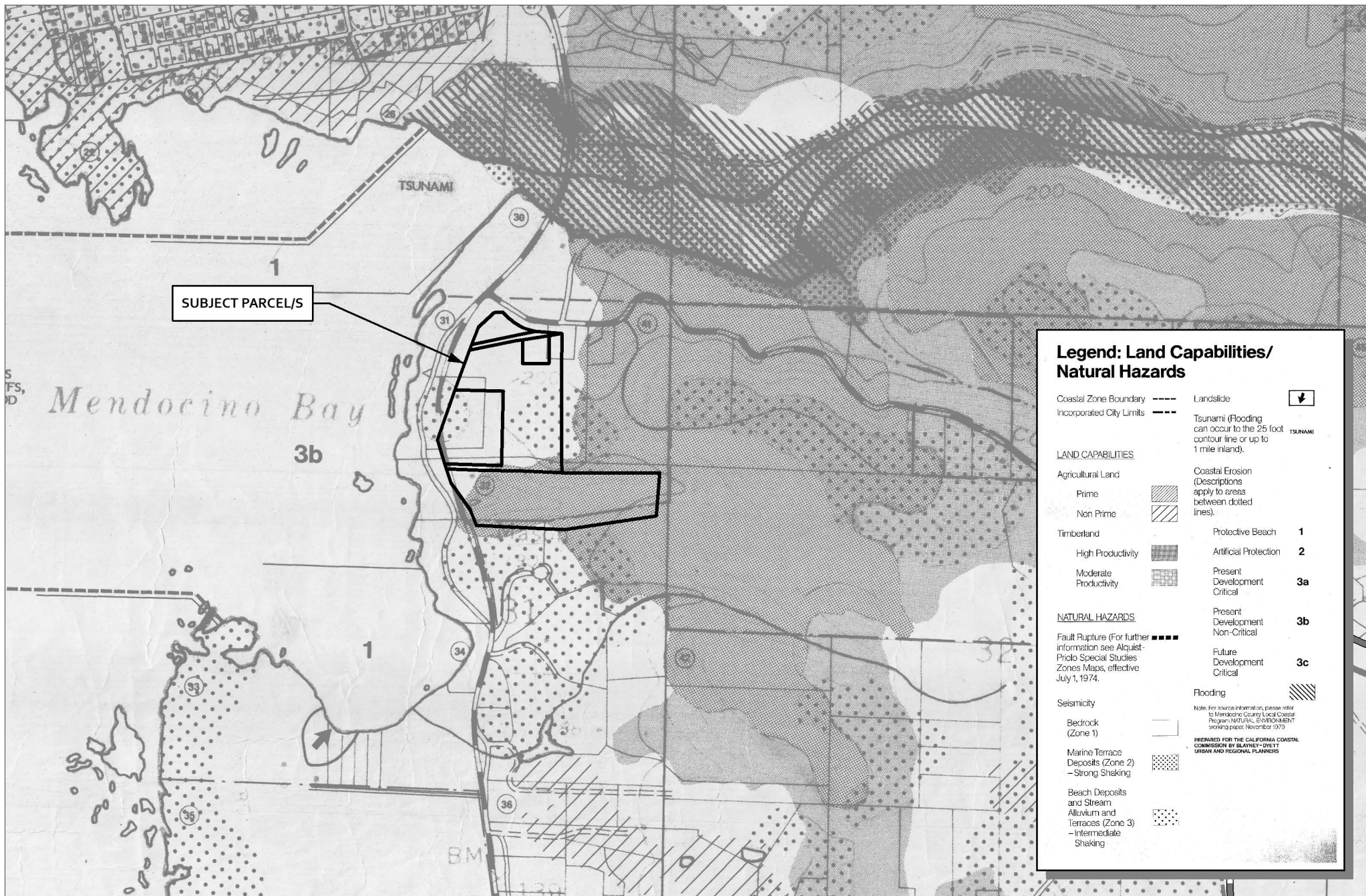


Legend: Habitats/Resources

Coastal Zone Boundary	---	OTHER UPLAND HABITATS
Incorporated City Limits	---	Scrub
MARINE AND FRESHWATER HABITATS		Pygmy Forest
Open Water	W	Pygmy Type Forest
Kelp	[Pattern]	Barren
Rocky Intertidal Area	[Pattern]	Coastal Prairie
Mudflat	[Pattern]	Grassland
Beach	[Pattern]	Hardwood Forest/Grassland
Dunes	[Pattern]	Agricultural Land
Marsh	[Pattern]	Farmstead
Saltwater	[Pattern]	Pasture
Freshwater	[Pattern]	Urban (Also shown with a dominant vegetation)
Brackish	[Pattern]	Sand/Gravel (Extractive Use)
Stream	[Pattern]	
Perennial	—	SPECIAL HABITATS
Intermittent	---	Seabird and Marine Mammal Rookery
WOODED HABITATS		Marine Mammal Haulout Area
Coastal Forest	[Pattern]	Spawning Area
Redwood	[Pattern]	Anadromous Stream
Hardwood	[Pattern]	Wildlife Habitat
Woodland	[Pattern]	Plant Habitat
Riparian	[Pattern]	
Cutover	[Pattern]	
DESIGNATED RESOURCE PROTECTION AREA		
State Park or Reserve	—	
Area of Special Biological Significance	—	
Natural Area	—	
Forestry Special Treatment Area	—	
VISUAL RESOURCES		
View Limit	==+==	
Viewshed Corridor	---	

Note: For additional information, please refer to Mendocino County Local Coastal Program Natural Environment workbooks November 1979.

PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAYNEY-OVETT URBAN AND REGIONAL PLANNERS

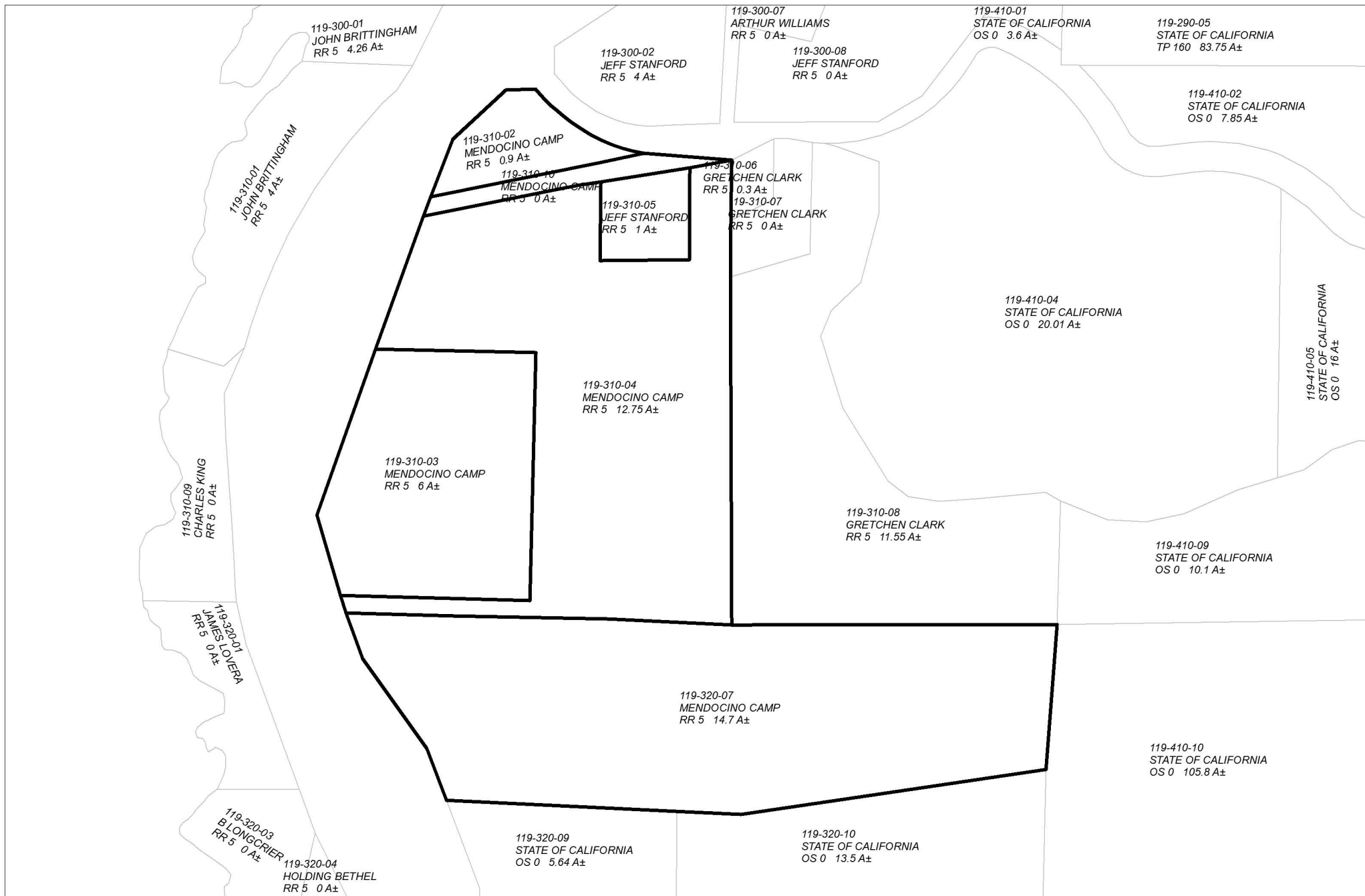


CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

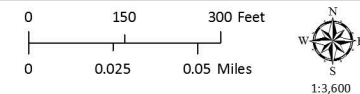
Coastal Zone Boundary

LCP LAND CAPABILITIES & NATURAL HAZARDS

ATTACHMENT M

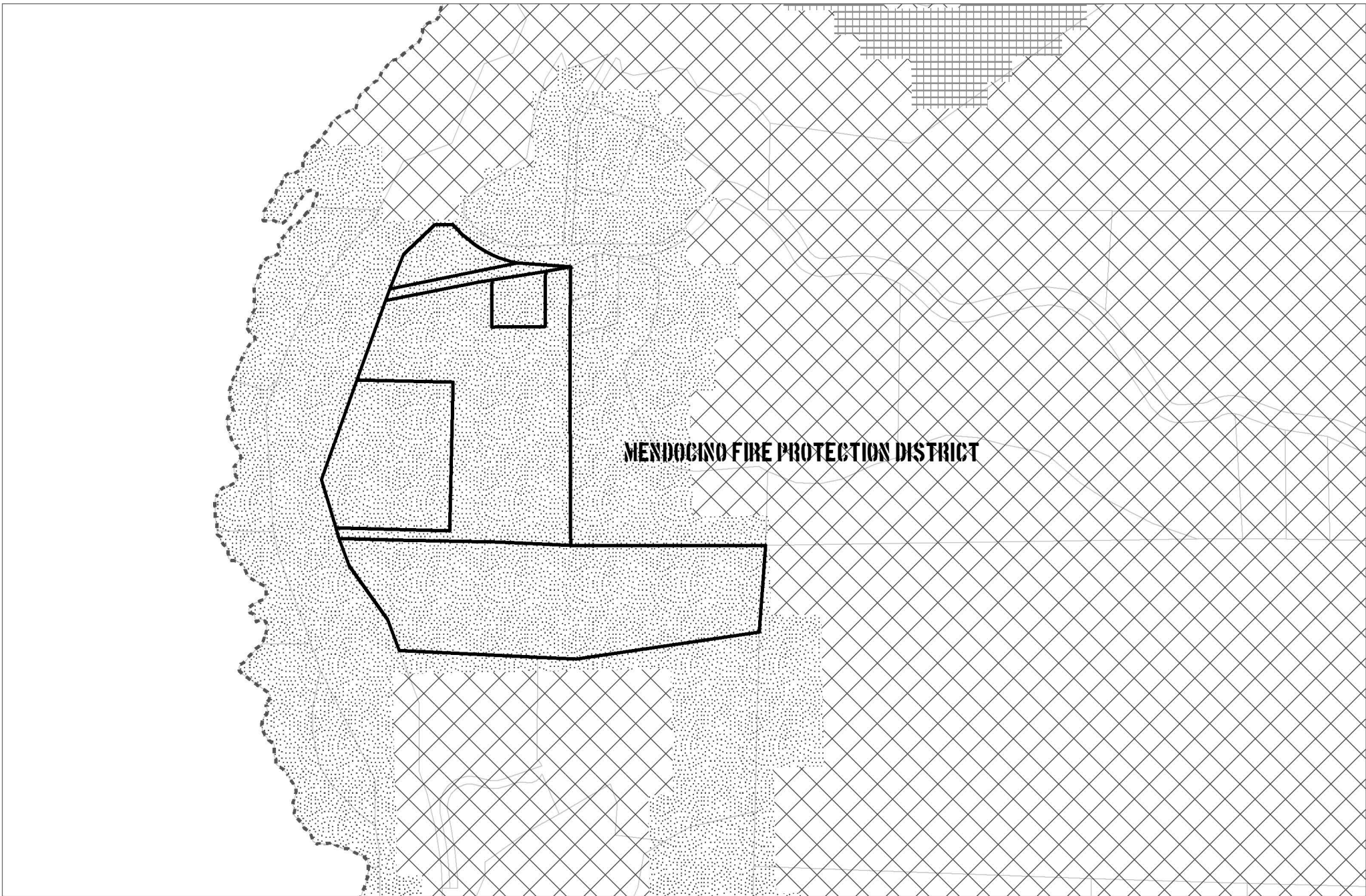


CASE: U 2016-0015
 OWNER: HOUGIE, Christopher
 APN: 119-320-07
 APLCT: Chris Hougie
 AGENT: Kelly Grimes
 ADDRESS: 9601 N. Hwy. 1, Mendocino







ADJACENT PARCELS

ATTACHMENT N

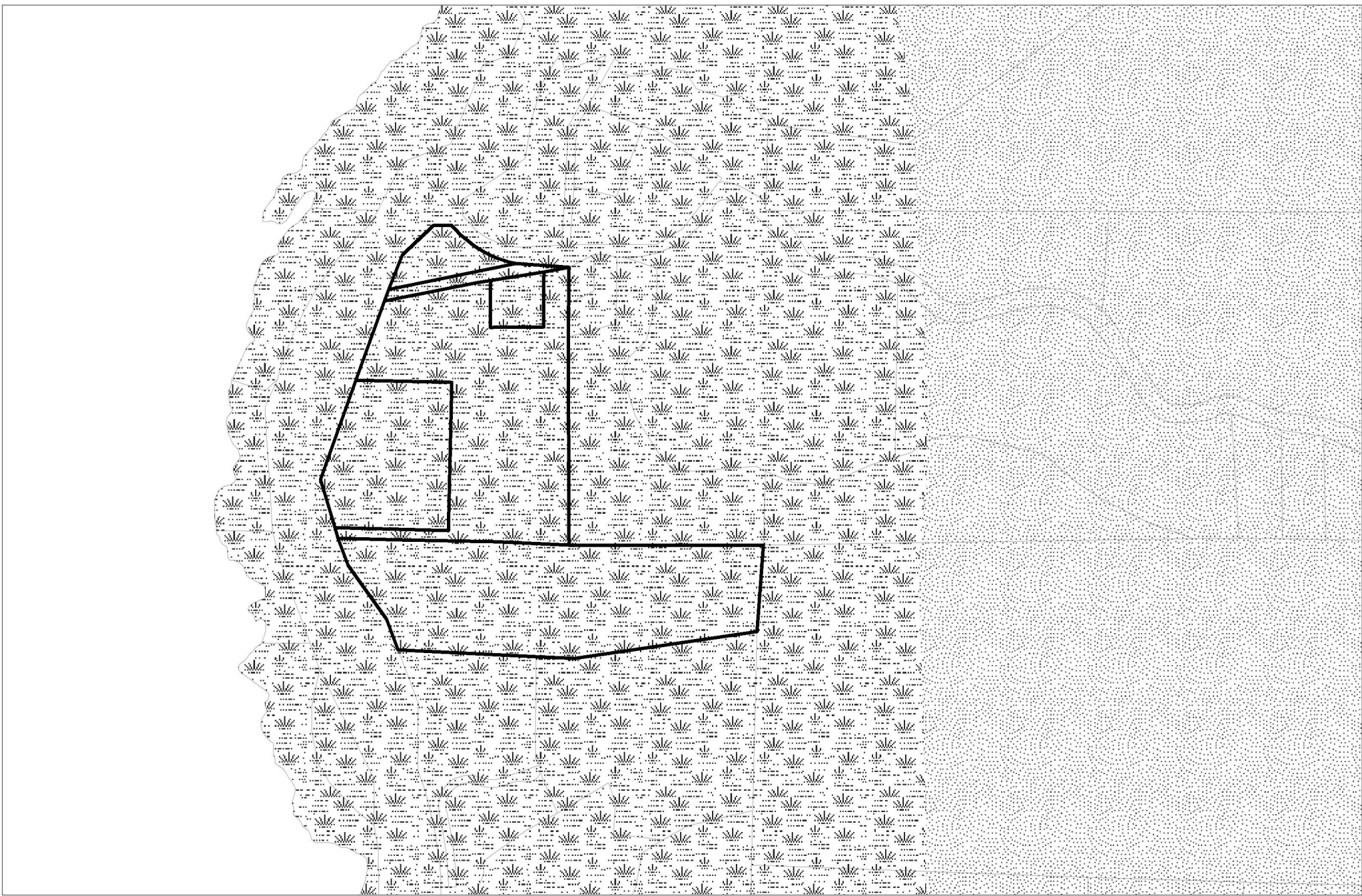


CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino



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



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA



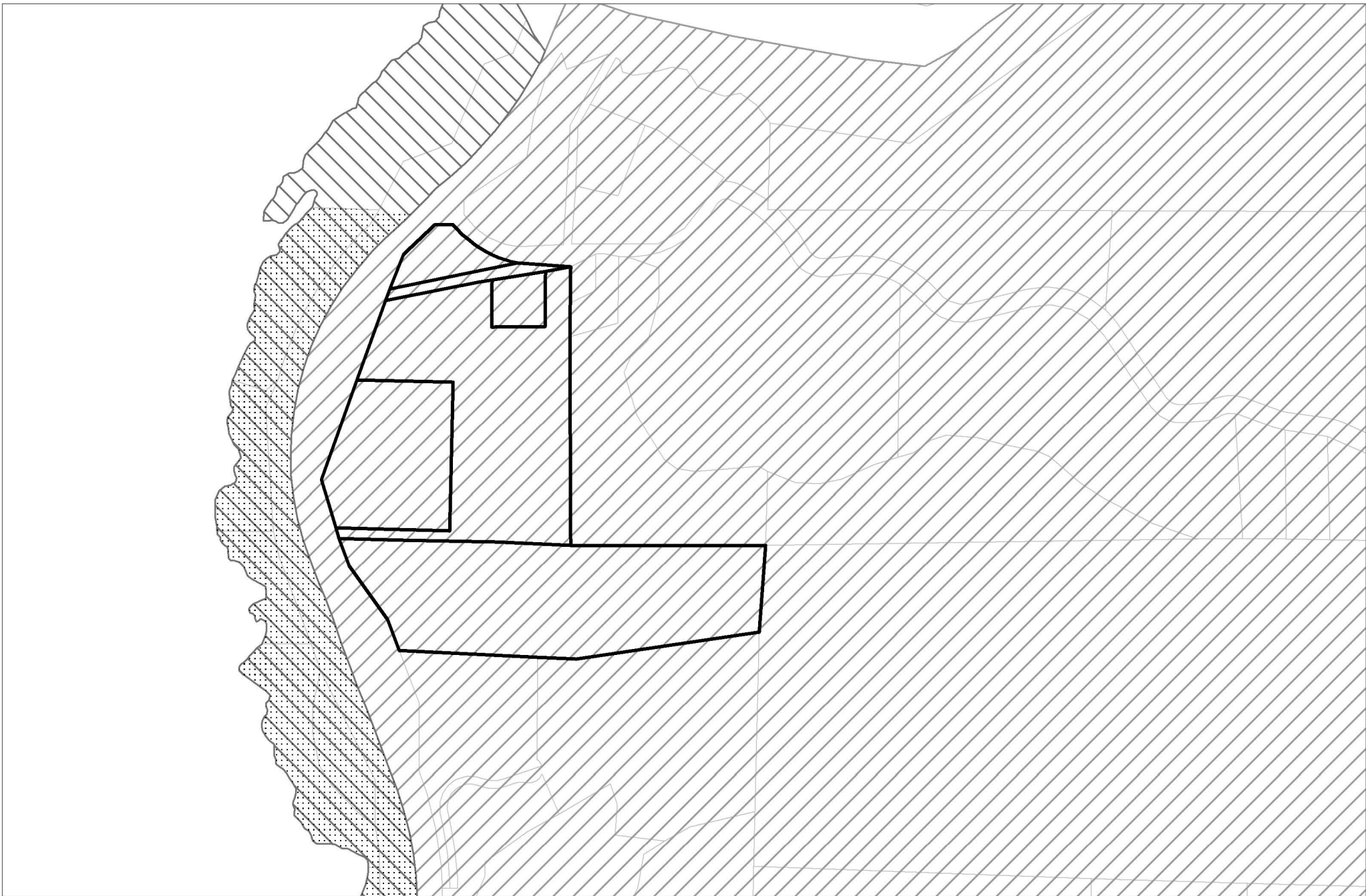
CASE: U 2016-0015
OWNER: HOUIGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

- × × : Critical Water Areas
-  Sufficient Water Resources
-  Marginal Water Resources






GROUND WATER RESOURCES

ATTACHMENT P

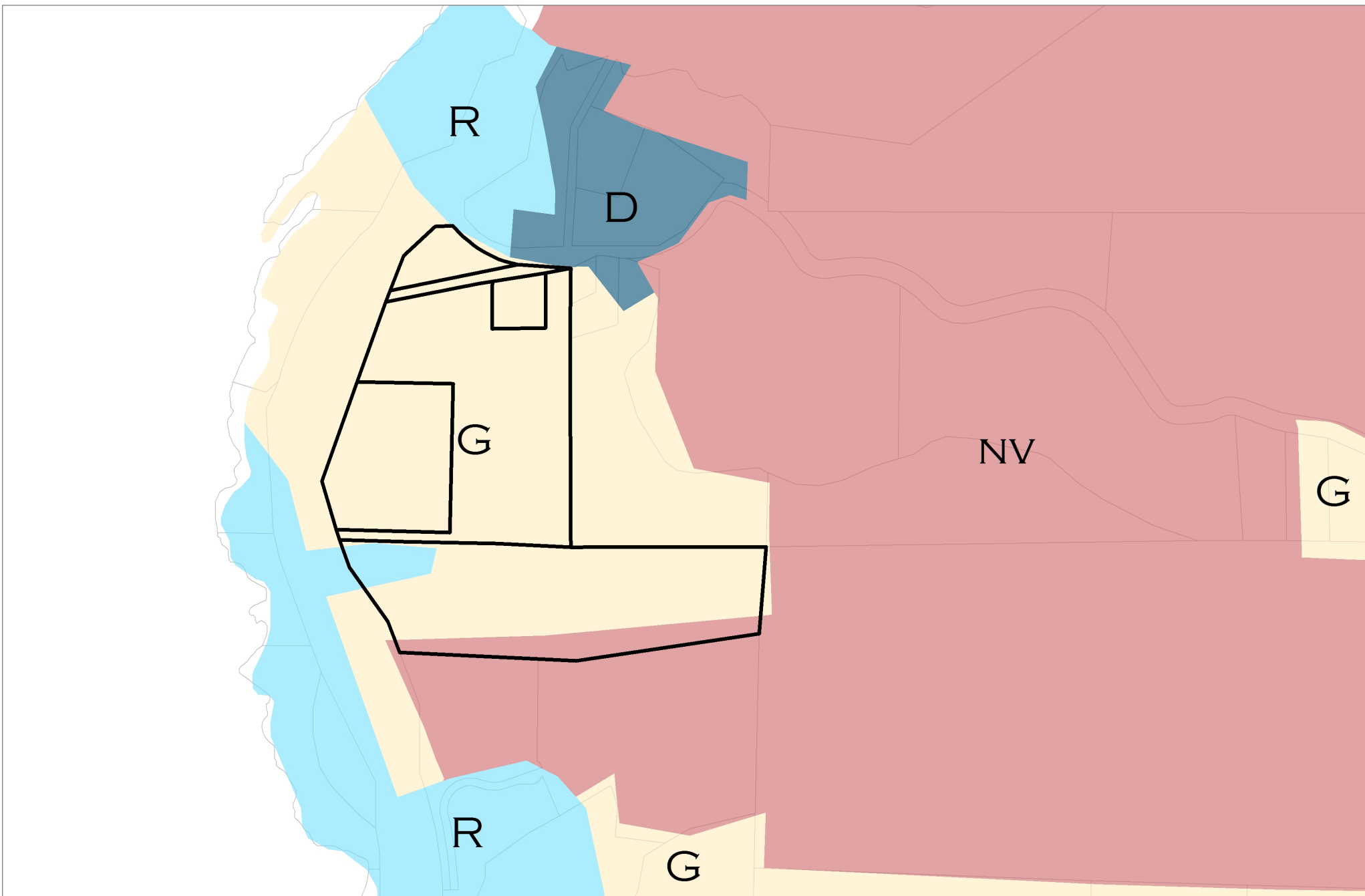


CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino





-  Tree Removal Area
-  Highly Scenic Area
-  Highly Scenic Area (Conditional)

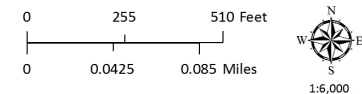


HIGHLY SCENIC & TREE REMOVAL AREAS



CASE: U 2016-0015
OWNER: HOUGIE, Christopher
APN: 119-320-07
APLCT: Chris Hougie
AGENT: Kelly Grimes
ADDRESS: 9601 N. Hwy. 1, Mendocino

- | | |
|--|---|
|  Urban & Built-Up Land (D) |  Rural Residential & Rural Commercial (R) |
|  Grazing Land (G) | |
|  Non-Ag & Natural Vegetation (nv) | |



IMPORTANT FARMLAND

ATTACHMENT R

Section I	Description Of Project.
	<p>DATE: December 30, 2018 CASE#: U_2016-0015/V_2017-0001 DATE FILED: November 18, 2016 OWNER/APPLICANT: CHRISTOPHER HOUGIE AGENT: KELLY B. GRIMES REQUEST: Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretaker's residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel. ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration LOCATION: In the Coastal Zone, 0.5± mile south of the Town of Mendocino, located on the south side of Comptche-Ukiah Road (CR 223), 0.1± mile east of its intersection of State Route 1 (SR 1). Located at 9601 N HWY 1, Mendocino, CA. (APNs: 119-310-02, 119-310-03, 119-310-04, 119-310-05, 119-310-10, 119-320-07). STAFF PLANNER: JULIA ACKER KROG</p>
Section II	Environmental Checklist.
	<p><i>"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.</i></p>

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input checked="" type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities / Service Systems
	<input checked="" type="checkbox"/> Mandatory Findings of Significance	

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off site as well as on-site; cumulative as well as project level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

“No Impact” means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<u>I. AESTHETICS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The site is not designated as a scenic vista and due to the fact that the site is already a developed parcel and most of the parcel is not visible from public vantage points there will be no impact on any scenic vistas as a result of the project.
- b) Discussion: State Route 1, upon which the property is located, is not designated as a state scenic highway. Scenic resources such as trees and rock outcroppings will not be damaged as a result of the project given that the site is already developed and proposed new development will not require tree removal. Future tree removal at the parcel within the Special Treatment Area, which extends two hundred (200) feet from the property boundaries that border Mendocino Headlands State Park, will be subject to a Coastal Development Permit or modification of this Coastal Development Use Permit. Therefore, there will be no impact on scenic resources as a result of the project.
- c) Discussion: The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings due to the fact that the parcel is already developed and proposed new development will not be visible from public vantage points.
- d) Discussion: The proposed project includes upgrade and replacement of path lighting throughout the property and downcast and shielded lighting on proposed new structures. The proposed new lighting will not create a new source of substantial light as the property is already developed with the existing use. The proposed lighting is in conformance with Mendocino County's Local Coastal Program policies related to exterior lighting. Therefore, there will be no impact as a result of the project.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will take place on land that is not designated as Prime or Unique Farmland. The site is designated as Grazing Land (G), as shown on the Important Farmland Map in the attachments to the Staff Report for this case. The site is already developed with the existing visitor accommodations and services facility and this application seeks to refurbish the existing facilities and construct additional support facilities within already disturbed areas of the parcel. Therefore, there will be no impact in terms of conversion of Important Farmland.
- b) Discussion: The site is zoned Rural Residential and there is no agricultural use or Williamson Act contracted lands adjacent to the project site. Therefore there will be no impact as a result of the project.
- c) Discussion: The site is zoned Rural Residential and there is no timberland or forest land zoned properties adjacent to the project site. The Mendocino Headlands State Park is located adjacent to the southern and eastern property boundaries and zoning regulations designate a Special Treatment Area (STA) within two hundred (200) feet of the State Park. This STA applies to timber harvesting activities that may be proposed on the site and is intended to protect the area's special scenic and natural qualities. A condition is therefore recommended that any tree removal proposed within the two hundred foot STA to the State Park shall require either a new Coastal Development Permit or a modification to this permit. This application does not conflict with any existing zoning or cause rezoning of any forest land, timberland or timberland production zoned property; therefore, there will be no impact.
- d) Discussion: The site is zoned Rural Residential, contains an existing visitor accommodations and services use, and is not considered forest land; therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest use.
- e) Discussion: As noted in the above answers to a) through d) the project will not result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. The site has an existing visitor accommodations and services use, is zoned Rural Residential and this application will not encroach upon any resource designated lands.

<u>III. AIR QUALITY.</u> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The project will not conflict with or obstruct implementation of any air quality plan as there are no components of the project that would conflict with any existing air quality plans. Additionally, Conditions of approval are recommended that will ensure that the project will achieve compliance with Mendocino County Air Quality Management District (AQMD) standards.
- b) – c) Discussion: The AQMD is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM10 attainment plan was finalized in 2005 that provides regulations for construction and grading activities and unpaved roads. The proposed project has the potential to increase PM10 in the immediate vicinity of the site if new roadwork is to occur. The application does propose a BBQ area with fire pit, but this is not expected to contribute substantially to PM10 levels such that a significant impact would result. Local impacts to the area during construction would be less than significant using standard dust control measures. Conditions of Approval are recommended that will ensure that the project will achieve compliance with AQMD standards.
- d) – e) Discussion: Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The project is located within a primarily residential area with other visitor serving facilities in close proximity. The project will not result in substantial pollutant concentrations and will not generate objectionable odors that would affect a substantial number of people.

<u>IV. BIOLOGICAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) – b) Discussion: The property was previously surveyed during prior use permit applications for environmentally sensitive habitat areas (ESHA) in 1998, 1990 and 1991. For the current application, the applicant provided several studies prepared by Coast Range Biological, LLC including a Botanical Assessment (September 2017), Addendum to Botanical Assessment (January 2, 2018), Buffer Zone Analysis (January 8, 2018) and Special-Status Plant Survey (April 27, 2018) of the project area. Various sensitive resources meeting the criteria of ESHA are found on the property. Documented ESHA consist of Northern Bishop Pine Forest, Grand Fir Forest, and an area noted to be a man-made wetland due to presence of a dog wash station and the septic leach field in the area of the wetland.

Many of the renovations to the existing campground will occur in and within the 50-foot buffer area of Grand Fir Forest and Northern Bishop Pine Forest due to the location of the existing tent sites and associated facilities that have been operating at these locations for decades. While there will be some temporary impacts to resources during installation of tent platforms and other renovations in and adjacent to these habitats, the impacts to ESHAs are expected to be minimal, and ecological functions and values for these habitats are anticipated to improve over the long term with the incorporation of mitigation measures discussed in the Botanical Assessment (Coast Range Biological, April 2018).

Coast Range Biological, LLC states that the project should meet the standards for uses within ESHA buffer areas for the following reasons:

- *New tent platforms replace existing tent sites that have been in use for decades, forcing campers into a smaller, more controlled area compared to past camping where tents and other disturbance occurred over a much wider area (campers were allowed to pitch tents in the surrounding forest, disturbing vegetation and habitat), leading to extensive areas covered with bare ground or non-native, disturbance adapted species.*
- *Mendocino Grove Campground allows fewer campers than in past decades. Each site only allows for one tent and there is no longer any group camping sites (which were allowed during previous campground operations).*
- *The previous campground operated year round, where Mendocino Grove Campground is only open May-November, allowing for natural re-vegetation to occur for five months each year.*
- *Prior to new ownership in 2016, the campground had fallen into disrepair, with a water tank leaking 2,000 gallons per day, homeless camps occurring outside of existing tent sites with extensive vegetation disturbance from camping and tree cutting for firewood, erosion from year round camping, and other ongoing disturbance resulting from unsupervised use (Chris Hougie, Mendocino Grove owner, pers. Comm. 2017). The renovation to the campground will result in fewer people using the campground for only a portion of the year, with impacts closely monitored by campground staff.*

The new building construction (barn-style building, caretaker's cottage over a new bathhouse near the barn-style structure, one additional bathhouse, several covered barbeque areas, and screened breakfast preparation area) will occur primarily in existing disturbed Ruderal Herbaceous habitat, greater than fifty (50) feet from the Grand Fir Forest and Northern Bishop Pine Forest dripline. The proposed new registration tent, addition of four shower stalls and trailer toilet rooms near the existing bathhouse will occur within the buffer area to identified resources but in already disturbed areas and will not require tree

removal to accommodate them. The Botanical studies concluded that while many of the campground renovations will occur within Grand Fir Forest and Northern Bishop Pine Forest and adjacent buffer zones, there is no feasible alternative to conducting the renovations in these locations since they occur within the historic campground footprint. However, due to the factors noted in the Botanical studies and with the incorporation of mitigation measures, the ecological functions and values of the ESHA on the project site and study area should be improved compared to existing conditions, which could also serve to enhance existing offsite undisturbed Grand Fir Forest and Northern Bishop Pine Forest in the area.

A Reduced Buffer Analysis was prepared for the project related to the development proposed beyond the fifty (50) foot ESHA buffer and also to provide statements of compliance with allowance for the other proposed renovation activities that are to be conducted within the ESHA buffer area. The California Department of Fish and Wildlife provided comments on the project and had initially requested additional information be provided but was able to clear the project on August 17, 2018.

MCC Section 20.496.050(B) for Other Resource Areas states that *"Any development within designated resource areas shall be reviewed and established in accord with conditions which could allow some development under mitigating conditions but which assures the continued protection of the resource area."* As stated in the paragraphs above, the Botanical consultant for the project found that the proposed improvements within the sensitive habitat area to existing facilities assure the continued protection of the resource area provided mitigation measures are implemented. There is no feasible less environmentally damaging alternative as the improvements at the site are existing in their present locations and are in need of maintenance and repair/upgrade. New development is proposed in existing disturbed areas near existing development and requires no tree removal to accommodate them. All feasible mitigation measures are recommended for adoption in the proposed Resolution.

Mitigation Measure 1: No campground disturbance (such as new platform tent sites, parking areas or storage areas) shall extend beyond the existing campground footprint in order to protect Northern Bishop Pine Forest and Grand Fir Forest. New platform tents shall only be installed within existing campsites (e.g., sites that have been historically used for tent camping), with the remainder of the historic tent camping area allowed to naturally revegetate. During installation of platform tents, native vegetation disturbance shall be minimized, while non-native species shall be removed. In order to protect existing trees, platform tents shall be located as far from tree trunks as practicable within the existing site, and mulch applied to limit root compaction. Gravel parking spaces shall be located along existing roads in areas already used for parking or in otherwise disturbed areas which will not result in any impacts to native vegetation.

Mitigation Measure 2: Natural barriers such as logs and vegetation shall be placed around campsites and across unofficial trails to limit habitat impacts and route campers through areas outside of sensitive habitats so understory vegetation can recover.

Mitigation Measure 3: New construction of the barn-style building, caretaker's cottage over a new bathhouse near the barn, covered barbeque areas, and the screened breakfast preparation area shall retain a minimum fifty (50) foot buffer from Northern Bishop Pine Forest and Grand Fir Forest. The location of one of the new bathhouses is limited by the need to place it in a specific area of the campground to serve surrounding campsites. This new bathhouse shall maintain as great a buffer as possible from surrounding Grand Fir Forest and Northern Bishop Pine Forest as practicable, and only be constructed in existing disturbed habitat.

Mitigation Measure 4: Whenever ground disturbance is proposed adjacent to ESHAs, the work limits shall be clearly identified by flagging or other methods which clearly identify the work limits but which do not result in additional ground disturbance. No ground disturbance shall occur beyond these limits.

Mitigation Measure 5: Educational signage shall be placed throughout the campground to educate campers of sensitive habitats in the area and the importance of remaining outside these areas to protect sensitive habitats.

Mitigation Measure 6: Invasive plant removal shall occur in and adjacent to the campground. Mowing of Ruderal Herbaceous habitat shall continue, with patches of native species (such as swordfern and salal) avoided to allow for these areas to naturally revegetate. In addition to

regular mowing, the invasive plant removal effort shall focus on removing species that are colonizing in adjacent Northern Bishop Pine Forest and Grand Fir Forest, which can threaten existing undisturbed habitat surrounding the campground. In particular, English ivy (*Hedera helix*), cape ivy (*Delairea odorata*), bull thistle (*Cirsium vulgare*), English holly (*Ilex aquifolium*), and tansy ragwort (*Senecio jacobaea*) shall be removed by mechanical means along the forest edge and interior, and the forest monitored annually to identify new occurrences and target them for removal.

Mitigation Measure 7: To mitigate for reduced ESHA buffers, native plant species suitable to the habitat – including but not limited to grand fir, bishop pine, wax myrtle, red elderberry, evergreen huckleberry, red huckleberry, salal, and swordfern – shall be planted in the understory of existing disturbed Grand Fir Forest and Northern Bishop Pine Forest. Planting shall take place in conjunction with weed removal, signage, and natural barrier placement discussed above to restore forest understories from low structure, non-native herbaceous habitats to multilayered tree, shrub and herbaceous habitat dominated by native species which would improve ecological functions and values for plants and wildlife and provide screening of the adjacent forest from campground disturbance. IN particular, Grand Fir Forest south of the large meadow with a heavily disturbed understory (Appendix D-5 of Botanical Assessment dated September 2017) and portions of the Northern Bishop Pine Forest within the northwestern portion of the campground (Appendix D-3 of Botanical Assessment dated September 2017) shall be targeted for these efforts.

Mitigation Measure 8: During the winter season when the campground is closed (approximately December through April), vehicle or pedestrian use in vegetated areas shall be minimized to allow for natural revegetation to occur.

Mitigation Measure 9: Additional measures, such as removing hammocks from trees and other measures described in the letter from the California Native Plant Society dated July 10, 2017 shall be incorporated (see Mitigation Measures 10 through 16).

The California Native Plant Society performed a site visit to the parcel on June 29, 2017 and provided recommendations for the project in a letter dated July 10, 2017. These recommendations are incorporated in the recommended Mitigation Measures in order to provide for the maximum protection of sensitive resources on the parcel.

Mitigation Measure 10: Non-native invasive plant species, including English ivy, bull thistle, and Canadian thistle shall be removed on a regular basis for adequate control and to facilitate recolonization by natives.

Mitigation Measure 11: To better protect the health of existing trees, tree roots shall be protected by moving use activities away from the base of the trees and by applying a heavy mulch of wood chips where use and soil compaction may be a problem. Free standing hammocks shall replace hammocks that are currently attached to the trees.

Mitigation Measure 12: Non-native grasses shall continue to be mowed, but native shrubs and ferns shall be avoided during mowing.

Mitigation Measure 13: Native plant reestablishment is best accomplished through the removal of non-native species and protection of native seedlings. However, if landscaping is to be applied, plant species native to the site shall be used. No invasive non-native plants, or natives that are not indigenous to the existing habitats (including redwoods) shall be planted.

Mitigation Measure 14: Exclusionary tape shall be used during construction to prevent inadvertent expansion and use of areas not planned for actual development.

Mitigation Measure 15: The footprint of new development shall be minimized and confined to the actual building envelopes. Site disturbance expansion or “creep” shall be avoided by siting trails and maintenance corridors along existing roads where possible, by not discarding vegetation waste in native habitats, and by discouraging placement of utility items, equipment, etc. outside of the development footprint. New trail development should be sited away from special status

natural communities, ideally between an existing road and the new development, rather than between the development and the forest. Logs or similar barriers shall be installed to further reduce unplanned expansion of use areas and to minimize impacts to native habitats. Native plant establishment can be encouraged and used as barriers by simply removing non-native species and preventing encroachment from foot traffic and vehicles. This is especially important for the proposed restroom building which is already planned to be built within the buffer zone. No trails or development of any kind shall occur to the west of the building within the already small buffer zone that remains.

Mitigation Measure 16: Educational signage and interpretive panels shall be installed to encourage nature appreciation and an understanding of native plants and natural communities. Signage shall only be installed along already disturbed areas.

- c) Discussion: There is a man-made wetland that exists on the parcel within the area of existing development. This wetland does not meet the criteria of a Section 404 of the Clean Water Act wetland but is considered a wetland under the California Coastal Act. Other than continued maintenance of existing facilities no new development is proposed within close proximity to the identified man-made wetland on the parcel. Given that the existing man-made wetland is not a Section 404 of the Clean Water Act wetland, there will be no impact.
- d) Discussion: The proposed project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species as the site is already developed with the existing use and the proposed application proposes limited new development in disturbed areas. No wildlife species of concern have been identified within the project area. Therefore, there will be no impact.
- e) Discussion: Additional findings are required to be made for a project that proposes activities within an identified resource area pursuant to MCC Section 20.532.100(A)(1) requiring that no development shall be allowed in an ESHA unless the resource as identified will not be significantly degraded by the proposed development, there is no feasible less environmentally damaging alternative, and all feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

MCC Section 20.496.050(B) for Other Resource Areas states that *"Any development within designated resource areas shall be reviewed and established in accord with conditions which could allow some development under mitigating conditions but which assures the continued protection of the resource area."* As stated in the paragraphs above, the Botanical consultant for the project found that the proposed improvements within the sensitive habitat area to existing facilities assure the continued protection of the resource area provided mitigation measures are implemented. There is no feasible less environmentally damaging alternative as the improvements at the site are existing in their present locations and are in need of maintenance and repair/upgrade. New development is proposed in existing disturbed areas near existing development and requires no tree removal to accommodate them. All feasible mitigation measures are recommended for adoption in the proposed Resolution.

- f) Discussion: The proposed project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved habitat conservation plan as there are none that exist that would be applicable to the resources identified on the project site. Therefore, there will be no impact.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) – c) Discussion: The property was surveyed for archaeological resources in 1976 and again in 1990. The Mendocino County Archaeological Commission accepted the previous Archaeological Surveys on the property at its May 10, 2017 meeting and recommended that an archaeological monitor be present to monitor any ground disturbance associated with the footprint for the Barn style structure, 2 bathhouses/caretaker unit and parking areas. Staff has included this recommendation as a condition of approval. In addition to the recommended condition, a Standard Condition advises the property owner of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. Therefore, the project will have a less than significant impact on any known archaeological, historical, or paleontological resource.

d) Discussion: The proposed project will not disturb any known human remains as no remains or cemeteries have been documented on the project site. Therefore, there will be no impact.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Discussion: The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake Fault Zone. The San Andreas fault is located approximately 3 miles west of the project site and is the nearest active fault. This project does not conflict with any state or local seismic hazard policy or plan. The site is designated on the Mendocino County Local Coastal Program Land Capabilities and Natural Hazards Map as having potential intermediate shaking levels in terms of seismicity. Mapping does not associate the following with the subject site: faults, bluffs, landslides, liquefaction, erosion, or flood hazard.

- b) Discussion: No new development is being proposed that would result in any impacts to geology and soils. Displacement of soil within the project area resulting from future earth movement is expected to be minimal as the area of new development is relatively level. Significant erosion from site is unlikely as the site is already developed and the proposed application seeks to build a limited number of new structures in relatively level areas of the property. Potential development impacts will be kept to a minimum with the uniform application of standard construction site erosion control requirements recommended in the conditions of approval, and those regulations found in MCC Chapter 16.30 Stormwater Runoff Pollution Prevention Procedure.
- c) Discussion: The soils present on the property do not comprise of soils that are unstable or would become unstable and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse as a result of the project. The site contains existing development and proposed additional development under this application is proposed to be located in relatively level areas. The site is not designated as an area with potential for liquefaction and is not located on an active fault.
- d) Discussion: The proposed site does not contain soils meeting the criteria of expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, there will be no impact as a result of the project.
- e) Discussion: The site contains an existing septic system that has been determined by the Mendocino County Division of Environmental Health to be adequate to serve the existing and proposed development. Therefore, the soils at the site are capable of supporting on-site sewage disposal.

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The property already exists as a visitor accommodation and service facility and the proposed project does not include an increase in guest units therefore greenhouse gas emissions as a result of the project will not increase.
- b) Discussion: There is no applicable plan or policy that this project will conflict with as the project will not result in an increase in greenhouse gas emissions given that there is no expansion of the existing use.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) – b) Discussion: The project will continue as an existing visitor accommodations and services use involving the routine transport, use and disposal of hazardous materials in small or limited quantities. These materials include construction materials, household cleaning supplies, and other materials including but not limited to fuel, cleaning solvents, lubricants, and power tools. Storage of these materials in the open may result in contaminated stormwater runoff being discharged into nearby water bodies, including the Pacific Ocean.

This potential hazard is not significant if these materials, particularly construction debris, are properly stored on the project site and then disposed at an approved collection facility. Cleaning supplies and other household hazardous materials are less of a concern as they are routinely collected with the household waste and transported by waste haulers to approved disposal facilities. Therefore, potential impacts involving the transport, use or disposal of hazardous materials is less than significant.

- c) Discussion: The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Additionally the site is located approximately 0.5 miles south of the Town of Mendocino, which is the location of the nearest school. Therefore, there will be no impact as a result of the project.
- d) Discussion: The project site is not listed as a hazardous materials site on any list compiled pursuant to Government Code Section 65962.5; therefore, there will be no impact as a result of the project.
- e) Discussion: The project site is not located within an airport zone and there are no airports within close proximity; therefore, there will be no impact to safety for people residing or working in the project area.
- f) Discussion: The project site is not near any private airstrips; therefore, there will be no impact to safety for people residing or working in the project area.
- g) – h) Discussion: The proposed project will not impair the implementation nor physically interfere with an adopted emergency response plan or emergency evacuation plan. The parcel is located in an area classified with a "Very High Fire Hazard" severity rating. The property has an emergency exit access route that provides for two potential exit points from the property (one on Comptche-Ukiah Road and the other on State Route 1). Fire protection services for wildland areas is provided by the California

Department of Forestry and Fire Protection (CalFire) and the Mendocino Volunteer Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #283-16). Mendocino Volunteer Fire District provided verbal comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire and Mendocino Volunteer Fire District.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) Discussion: The proposed project will not violate any water quality standards or waste discharge requirements. The project application was referred to pertinent agencies for comment and no response as received expressing concerns with violation of water quality or waste discharge requirements. Therefore, there will be no impact as a result of the project.
- b) Discussion: The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The site has existing water facilities and no concern was expressed by the Mendocino County Division of Environmental Health as to potential for interference or depletion of groundwater supplies.
- c) – d) Discussion: The proposed project will not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation or flooding on- or off-site. The property is already developed with the existing visitor accommodations and services use and the proposed new development under this application will require minimal grading to accommodate it due to the relatively flat nature of the area of the proposed development and will not alter existing drainage patterns. Therefore, there will be no impact.
- e) – f) Discussion: The proposed project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. There are no existing or planned storm drainage systems that the proposed project would impact. Runoff from the site will not be significantly increased no be polluted as there is minimal additional areas of development proposed under the project. The proposed project would not result in any degradation of water quality within the vicinity of the project.
- g) – j) Discussion: The project site is not mapped to be located within a Flood Hazard zone and as such there would be no impact from the project in terms of placement of housing or other structures within a Flood Hazard zone. There is no levee or dam within proximity to the project site; therefore, the proposed project will not expose people or structures to any hazard associated with the failure of a levee or dam. The site is not mapped to be located within a seiche, tsunami, or mudflow hazard area.
- k) Discussion: The proposed project is not anticipated to create any pollutant discharges beyond those of existing use of the parcel. Therefore, the proposed project will not result in an increase in pollutant discharges to receiving waters.
- l) Discussion: The existing and proposed development at the site is served by existing septic facilities that are in conformance with the Mendocino County Division of Environmental Health standards. The proposed project does not include any development that could substantially impact groundwater quality.
- m) Discussion: There is a small man-made wetland located on the parcel within the area of existing development. No development is proposed within close proximity to this man-made wetland; therefore, impacts to the man-made wetland will be less than significant.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will not divide an established community due to the fact that the project is to repair existing improvements for an existing visitor accommodation and service facility. Also included in the application is construction of additional supportive infrastructure but this additional construction will also not divide an established community.
- b) Discussion: The project site contains an existing visitor serving use and under this application it was determined that the site contains extensive environmentally sensitive habitat areas as detailed in the Biological Resources Section of this Initial Study. The project conflicts with environmentally sensitive habitat area buffer related policies but is permissible if certain findings are made including adoption of all feasible mitigation measures. Additionally, a variance is requested from parking standards and signage standards to allow parking within the required yard setback and additional signage area beyond that permissible under the zoning code. A Condition of Approval has been recommended for the variance for the parking area to ensure the variance does not cause encroachment onto the adjacent parcel (not under the same ownership).
- c) Discussion: The proposed project will not conflict with any habitat conservation plan or natural community conservation plan as there are none that exist that would be applicable to the resources identified on the project site. Therefore, there will be no impact.

<u>XI. MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: There are no known mineral resources within the project area; therefore, there will be no loss of availability of a known mineral resource as a result of the project.
- b) Discussion: There are no delineated locally-important mineral resources within the project boundaries; therefore, there will be no loss in locally-important mineral resource recovery sites.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) – b) Discussion: Only limited new development is proposed with minimal grading proposed to accommodate the improvements. As a result, no excessive noise or excessive groundborne vibration will result from the project and no mitigation is required. All development within the Mendocino County Coastal Zone is subject to Exterior Noise Limit Standards specified in Appendix B of Title 20, Division II of Mendocino County Code.
- c) – d) Discussion: The site is already developed with an existing visitor accommodations and services use and this application seeks to refurbish the existing site and construct limited additional development to support the existing use of the site. Noise levels at the project site are not anticipated to permanently increase as a result of the proposed project. Noise during construction of new development may result in temporary impacts but will not be substantial as all development within the Mendocino County Coastal Zone is subject to Exterior Noise Limit Standards specified in Appendix B of Title 20, Division II of Mendocino County Code. Therefore there will be no impact as a result of the project.
- e) – f) Discussion: The site is not located within an airport zone and there are no private airstrips within close proximity to the project that would subject people residing or working in the project area to excessive noise levels; therefore, there will be no impact.

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The site is an already developed parcel with an existing use of sixty (60) guest units. The proposed project seeks to refurbish the site and construct additional supportive development to continue the operation of the site as a visitor accommodation and service facility. Since the existing use of the site is not a residential use and the application solely seeks to continue the existing use of the parcel as a visitor accommodation and service facility, the project will result in no impact to population growth directly or indirectly.
- b) Discussion: The proposed project will not displace any existing housing as the site is already developed as a visitor accommodation and service facility and this application seeks to continue the use of the site. Therefore, there will be no impact as a result of the project on housing stock.
- c) Discussion: The proposed project will not displace substantial numbers of people as the site is already developed as a visitor accommodation and service facility and this application seeks to continue the use of the site. Therefore, there will be no displacement of people as a result of the project.

<u>XIV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will not result in adverse impacts associated with provision of governmental facilities or need for new or physically altered governmental facilities that may result in environmental impacts in order to maintain acceptable service ratios and response times for public services. This is primarily due to the fact that the property already contains an existing visitor accommodations and services use type that has existed for many years and the proposed application will not result in an increase in use of the facility beyond existing levels; therefore, there will be no impact to public services.

The parcel is located in an area classified with a "Very High Fire Hazard" severity rating. The property has an emergency exit access route that provides for two potential exit points from the property (one on Comptche-Ukiah Road and the other on State Route 1). Fire protection services for wildland areas is provided by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Volunteer Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #283-16). Mendocino Volunteer Fire District provided verbal comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire and Mendocino Volunteer Fire District.

The project was referred to the California Highway Patrol for comments and a "no comment" response was received from their office on May 22, 2017.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The site is already developed with the existing visitor accommodation and service use and this application seeks to refurbish the site and existing development, without expanding the number of guest units at the site. Therefore, there will be no increase in the use of existing neighborhood and regional parks and recreational facilities as a result of the project.

- b) Discussion: The site is already developed with the existing visitor accommodation and service use and this application seeks to refurbish the site and existing development, without expanding the number of guest units at the site. The project does not propose construction of recreational facilities that would have a physical effect on the environment. A yoga deck and BBQ fire pit areas are proposed for the use of guests of the facility but will not cause an adverse physical effect on the environment.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) – b) Discussion: The proposed project, which consists of continued use of an existing visitor accommodations and services facility, will not conflict with any plan, ordinance or policy that establishes measures of effectiveness for the performance of the circulation system. Additionally, the proposed project will not conflict with any applicable congestion management program. The refurbishment and proposed expansion of associated uses would generate few additional vehicle trips per day than what presently exist. The State Route 1 Corridor Study Update provides traffic volume data for State Route 1. The subject property is located approximately 0.3 miles south of the intersection of Comptche-Ukiah Road (CR# 223) and State Route 1, where the existing peak hour Level of Service is reported as “B” for the westbound approach and “C” for the eastbound approach. Both Level of Service “B” and “C” note only minor delays for traffic of 10 to 25 seconds but both are considered acceptable and no improvement recommendations were made in the Study. No change in service levels is anticipated as a result of the project.
- c) Discussion: The project site contains an existing use which does not impact air traffic patterns, the site is not located within an airport zone nor in close proximity to a private airstrip. As a result, the proposed project will not result in a change in air traffic patterns.

- d) Discussion: The proposed project will not increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, as the site is already developed with the existing use and this application proposes minimal additional development, none of which will create a hazard.
- e) Discussion: Mendocino County Department of Transportation commented that the applicants shall construct a commercial access onto Comptche-Ukiah Road (CR# 223) in accordance with their standards through obtainment of an encroachment permit. The commercial access would accommodate the emergency access route through the campground allowing two exit points (one on State Route 1 and one on Comptche-Ukiah Road) in case of emergencies. The emergency exit road already exists but will require upgrade at the encroachment onto the County Road as a result of this project. Fire protection services for wildland areas is provided by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Volunteer Fire District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #283-16). Mendocino Volunteer Fire District provided verbal comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire and Mendocino Volunteer Fire District. The project was referred to the California Highway Patrol for comments and a "no comment" response was received from their office on May 22, 2017.
- f) Discussion: The proposed project will not conflict with any adopted policies, plans or programs related to transportation and traffic or otherwise decrease the performance or safety of transportation facilities. The Mendocino County Department of Transportation provided no concerns or comments related to potential conflict of the project with any adopted policies, plans or programs.

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) – b) Discussion: The property was surveyed for archaeological resources in 1976 and again in 1990. The Mendocino County Archaeological Commission accepted the previous Archaeological Surveys on the property at its May 10, 2017 meeting and recommended that an archaeological monitor be present to

monitor any ground disturbance associated with the footprint for the Barn style structure, 2 bathhouses/caretaker unit and parking areas. Staff has included this recommendation as a condition of approval. In addition to the recommended condition, a Standard Condition advises the property owner of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) – b) Discussion: The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The project application was referred to the Regional Water Quality Control Board for comment, but no response was received. The site is not served by a sewer district and contains existing septic infrastructure that services the existing development on the parcel. The application was referred to the Mendocino County Division of Environmental Health (DEH) for comment. DEH originally had several concerns with the existing septic system's capacity and location as there was minimal information available in the office about the existing septic infrastructure at the site. The applicant hired a consultant to provide additional information to DEH to satisfy concerns they had with the project. No significant environmental effects will result from proposed repairs to the existing septic infrastructure serving the existing and proposed development.
- c) Discussion: Storm water drainage is handled on-site and is generally just natural drainage of the site without improved storm water facilities. No new or expanded storm water drainage facilities are required as a result of the project that could cause a significant environmental effect.
- d) Discussion: The application was referred to the Mendocino County Division of Environmental Health (DEH) for comment. DEH expressed no concerns related to the adequacy of the water facilities, as the infrastructure is existing and has been repaired by the current owner to reduce loss of water through leaks within the distribution system. No new or expanded facilities or entitlements are necessary; therefore, there will be no impact as a result of the project.

- e) Discussion: The site is not served by a sewer district and contains existing on-site septic infrastructure that services the existing development on the parcel. Therefore, there will be no impact to capacity of a wastewater treatment provider as a result of the project.
- f) – g) Discussion: Curbside pick-up is available to the parcel, additionally several Solid Waste Transfer Stations are located within 15 miles of the project site and can accommodate the solid waste disposal needs of the site. No projected long-term increase in solid waste generation is anticipated as a result of the project, but there will be short-term increases associated with construction materials during construction of the proposed new development. Construction debris will be properly disposed of after completion of the proposed development. There will be no impact to capacity as a result of the project and the proposed project is in compliance with federal, state, and local statutes for solid waste disposal.

<u>XIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: Given the extent of sensitive resources documented on the property, the project does have the potential to degrade the Northern Bishop Pine Forest and Grand Fir forest plant communities, but mitigation measures have been recommended by qualified professionals to reduce potentially significant impacts to less than significant levels. The proposed project does not propose any tree removal activities at this time and with incorporation of mitigation measures the consulting botanist stated that the rare plant communities would benefit in the long term.
- b) Discussion: The site contains the existing visitor serving use and the proposed application does not seek to expand that use significantly. The impacts associated with the project are short term impacts and are not cumulatively considerable as resources will not be significantly impacted by the proposed development.
- c) Discussion: The proposed project will not have any environmental effects associated with it that would cause substantial adverse effects on human beings. Any potential impacts from the project are primarily associated with environmentally sensitive habitat areas that will not damage human beings either directly or indirectly; therefore, there will be no impact.

DETERMINATION: On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

1/3/2019
DATE


JULIA ACKER KROG

Resolution Number _____

County of Mendocino
Ukiah, California

FEBRUARY 7, 2019

U_2016-0015/V_2017-0001 - CHRISTOPHER J HOUGIE

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND GRANTING A COASTAL DEVELOPMENT USE PERMIT AND VARIANCE FOR THE REFURBISHMENT AND CONSTRUCTION OF ADDITIONAL SUPPORTING INFRASTRUCTURE FOR AN EXISTING VISITOR ACCOMMODATION AND SERVICE FACILITY AND VARIANCE TO PARKING AND SIGNAGE STANDARDS

WHEREAS, the applicant, Christopher J. Hougie, filed an application for Coastal Development Use Permit and Variance with the Mendocino County Department of Planning and Building Services to refurbish and construct additional supporting infrastructure for an existing visitor accommodation and service facility (Mendocino Campground) and a variance to parking and signage standards, in the Coastal Zone, 0.5± mile south of the Town of Mendocino, located on the south side of Comptche-Ukiah Road (CR 223), 0.1± mile east of its intersection of State Route 1 (SR 1). Located at 9601 N Hwy 1, Mendocino, CA. (APNs: 119-310-02, 119-310-03, 119-310-04, 119-310-05, 119-310-10, 119-320-07); General Plan RR5:R; Zoning RR:5/*5C; Supervisorial District 5; (the "Project"); and

WHEREAS, a Mitigated Negative Declaration was prepared for the Project and noticed and made available for agency and public review on January 10, 2019 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 Planning Commission held a public hearing on, February 7, 2019, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Mitigated Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record, makes the following findings;

1. The proposed development is in conformity with the certified local coastal program. A variance is requested for proposed deviations from County Code requirements for parking and signage areas. Additionally, development is proposed within the buffer to an identified Environmentally Sensitive Habitat area; however, findings can be made to support approval of these activities; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The site is accessed by an existing encroachment off State Route 1 and has been found to be adequate to serve the proposed development. An additional emergency exit encroachment will be installed on the Comptche-Ukiah Road side of the property to provide enhanced circulation. Adequate septic and water facilities exist to serve the proposed development; and
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. Other than the deviations noted in Finding 1 above from parking and signage requirements, the project is consistent with the purpose and intent of the Rural Residential and Visitor

Accommodations and Services combining district as it is for continuance of an existing visitor serving use; and

4. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. An Initial Study has been prepared which identified potentially significant impacts, which can be reduced to less than significant levels with the incorporation of several mitigation measures. As a result, a Mitigated Negative Declaration has been prepared; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource. An archaeological monitor is required be present to monitor any ground disturbance associated with the footprint for the Barn style structure, 2 bathhouses/caretaker unit and parking areas. Additionally, the standard discovery clause is recommended which prescribes the procedures subsequent to the discovery of any cultural or archaeological resources during construction of the project; and
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 refurbishment and proposed expansion of associated uses would generate few additional vehicle trips per day than what presently exist. The subject property is located approximately 0.3 miles south of the intersection of Comptche-Ukiah Road (CR 223) and State Route 1, where the existing peak hour Level of Service is reported as "B" for the westbound approach and "C" for the eastbound approach. No change in service levels is anticipated as a result of the project. Curbside pick-up is available to the parcel, additionally several Solid Waste Transfer Stations are located within 15 miles of the project site and can accommodate the solid waste disposal needs of the site; and
7. The resource as identified will not be significantly degraded by the proposed development. There is no feasible less environmentally damaging alternative as the improvements at the site are existing in their present locations and are in need of maintenance and repair/upgrade. New development is proposed in existing disturbed areas near existing development and require no tree removal to accommodate them. All feasible mitigation measures are included.
8. That there are special circumstances applicable to the property involved, including size, shape, topography, location, or surroundings. As detailed in the staff report, the property does have special circumstances since it is highly constrained due to presence of environmentally sensitive habitat areas and the topography of the site and the size of the California Department of Transportation (Caltrans) right-of-way, which eats up a large portion of the road frontage of the parcel; and
9. That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in this Division and applicable policies of the Coastal Element. The special circumstances for the property are not due to any action by the applicant, as the special circumstances are the result of just the general topography of the parcel and the environmentally sensitive habitat areas that were identified after the property was initially developed with the visitor accommodation and service use and now limit future development on the parcel; and
10. That such variance is necessary for the preservation and enjoyment of privileges possessed by other property in the same vicinity and zone and denied to the property in question because of the special circumstances identified in Subsection (A). The parcel is constrained in where these required parking spaces can be located and the reduced setback is necessary to accommodate the development at the site. The variance for the sign area only increases the allowable sign area for the parcel by a minimal amount and the proposed size of signage is similar to the signage existing at similar visitor serving facilities located to the north and south of the project site. Due to the topography of the parcel and limited areas that signs can be located due to setbacks from State Route 1 and the property lines, the parcel has special circumstances that deny it signage similar to that at other existing visitor serving facilities nearby; and
11. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located. A gravel road is located between the parking area and the property line. Due to how close the proposed parking is to the neighboring parcel boundary, staff recommends a Condition of Approval requiring that a

surveyor certify the distance between the neighboring property boundary and the parking area to provide the maximum setback from the parcel as possible. The recommended condition will reduce any potential impacts the variance may have on adjacent parcels. The signs are similar in size and design to the "Stanford Inn" sign and "Brewery Gulch Inn" sign located to the north and south of the project site. Additionally, the signs are to be located outside of the State Route 1 right-of-way and meet zoning setback requirements; and

12. That the variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning provisions governing the parcel. Variances to both the parking chapter and signage chapter are expressly allowed by the zoning code; and
13. That the granting of such variance is in conformity with all other provisions of this Division and the Mendocino Coastal Element and applicable plans and policies of the Coastal Act. The granting of the variance is in conformity with all other provisions of the Mendocino County Local Coastal Program. The parking area will be located such it does not encroach upon sensitive resources identified on the parcel. The proposed south sign will be located in a similar location to the existing sign at the property. The northern sign will be located along the exit/emergency access road that traverses the parcel. The proposed small sign will be located at the Comptche-Ukiah Road encroachment to direct vehicular traffic to the entrance off State Route 1.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program set forth in the Conditions of Approval. The Planning Commission certifies that the Mitigated Negative Declaration 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 Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Coastal Development Use Permit and Variance, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material, which constitutes the record of proceedings upon which the Planning Commission 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 Planning Commission action shall be final on the 11th day after the date of the Resolution 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.

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

ATTEST: ADRIENNE M. THOMPSON
Secretary to the Planning Commission

By: _____

BY: BRENT SCHULTZ
Director

CHAIR
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

U_2016-0015/V_2017-0001 (HOUGIE)

Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretakers residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel.

APPROVED PROJECT DESCRIPTION: Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretakers residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel.

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. 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, studies, surveys, reports 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 resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. During construction of the barn-style structure, two bathhouses/caretaker unit and parking areas, an archaeological monitor shall be present to monitor any ground disturbance.
10. The applicant shall adhere to all recommendations of CalFire and the Mendocino Volunteer Fire District. Where there is conflict between these requirements, CalFire's requirements shall take precedence.
11. Any future tree removal proposed within the two hundred foot Special Treatment Area to the State Park or identified Environmentally Sensitive Habitat Areas shall require either a new Coastal Development Permit or a modification to this permit. In the case of a verified emergency, an Emergency Permit may be granted but only with consultation having been performed with both California Department of Fish and Wildlife and California State Parks on the proposed removal activities and appropriate protective measures implemented to avoid impacts to the sensitive resources.
- 12.** No campground disturbance (such as new platform tent sites, parking areas or storage areas) shall extend beyond the existing campground footprint in order to protect Northern Bishop Pine Forest and Grand Fir Forest. New platform tents shall only be installed within existing campsites (e.g., sites that have been historically used for tent camping), with the remainder of the historic tent camping area allowed to naturally revegetate. During installation of platform tents, native vegetation disturbance shall be minimized, while non-native species shall be removed. In order to protect existing trees, platform tents shall be located as far from tree trunks as practicable within the existing site, and mulch applied to limit root compaction. Gravel parking spaces shall be located along existing roads in areas already used for parking or in otherwise disturbed areas which will not result in any impacts to native vegetation.
- 13.** Natural barriers such as logs and vegetation shall be placed around campsites and across unofficial trails to limit habitat impacts and route campers through areas outside of sensitive habitats so understory vegetation can recover.
- 14.** New construction of the barn-style building, caretaker's cottage over a new bathhouse near the barn, covered barbeque areas, and the screened breakfast preparation area shall retain a minimum fifty (50) foot buffer from Northern Bishop Pine Forest and Grand Fir Forest. The location of one of the new bathhouses is limited by the need to place it in a specific area of the campground to serve surrounding campsites. This new bathhouse shall maintain as great as a buffer as possible from surrounding Grand Fir Forest and Northern Bishop Pine Forest as practicable, and only be constructed in existing disturbed habitat.
- 15.** Whenever ground disturbance is proposed adjacent to ESHAs, the work limits shall be clearly identified by flagging or other methods which clearly identify the work limits but which do not result in additional ground disturbance. No ground disturbance shall occur beyond these limits.
- 16.** Educational signage shall be placed throughout the campground to educate campers of sensitive habitats in the area and the importance of remaining outside these areas to protect sensitive habitats.
- 17.** Invasive plant removal shall occur in and adjacent to the campground. Mowing of Ruderal Herbaceous habitat shall continue, with patches of native species (such as swordfern and salal)

avoided to allow for these areas to naturally revegetate. In addition to regular mowing, the invasive plant removal effort shall focus on removing species that are colonizing in adjacent Northern Bishop Pine Forest and Grand Fir Forest, which can threaten existing undisturbed habitat surrounding the campground. In particular, English ivy (*Hedera helix*), cape ivy (*Delairea odorata*), bull thistle (*Cirsium vulgare*), English holly (*Ilex aquifolium*), and tansy ragwort (*Senecio jacobaea*) shall be removed by mechanical means along the forest edge and interior, and the forest monitored annually to identify new occurrences and target them for removal.

- 18.** To mitigate for reduced ESHA buffers, native plant species suitable to the habitat – including but not limited to grand fir, bishop pine, wax myrtle, red elderberry, evergreen huckleberry, red huckleberry, salal, and swordfern – shall be planted in the understory of existing disturbed Grand Fir Forest and Northern Bishop Pine Forest. Planting shall take place in conjunction with weed removal, signage, and natural barrier placement discussed above to restore forest understories from low structure, non-native herbaceous habitats to multilayered tree, shrub and herbaceous habitat dominated by native species which would improve ecological functions and values for plants and wildlife and provide screening of the adjacent forest from campground disturbance. IN particular, Grand Fir Forest south of the large meadow with a heavily disturbed understory (Appendix D-5 of Botanical Assessment dated September 2017) and portions of the Northern Bishop Pine Forest within the northwestern portion of the campground (Appendix D-3 of Botanical Assessment dated September 2017) shall be targeted for these efforts.
- 19.** During the winter season when the campground is closed (approximately December through April), vehicle or pedestrian use in vegetated areas shall be minimized to allow for natural revegetation to occur.
- 20.** Additional measures, such as removing hammocks from trees and other measures described in the letter from the California Native Plant Society dated July 10, 2017 shall be incorporated (see Mitigation Measures 10 through 16).
- 21.** Non-native invasive plant species, including English ivy, bull thistle, and Canadian thistle shall be removed on a regular basis for adequate control and to facilitate recolonization by natives.
- 22.** To better protect the health of existing trees, tree roots shall be protected by moving use activities away from the base of the trees and by applying a heavy mulch of wood chips where use and soil compaction may be a problem. Free standing hammocks shall replace hammocks that are currently attached to the trees.
- 23.** Non-native grasses shall continue to be mowed, but native shrubs and ferns shall be avoided during mowing.
- 24.** Native plant reestablishment is best accomplished through the removal of non-native species and protection of native seedlings. However, if landscaping is to be applied, plant species native to the site shall be used. No invasive non-native plants, or natives that are not indigenous to the existing habitats (including redwoods) shall be planted.
- 25.** Exclusionary tape shall be used during construction to prevent inadvertent expansion and use of areas not planned for actual development.
- 26.** The footprint of new development shall be minimized and confined to the actual building envelopes. Site disturbance expansion or “creep” shall be avoided by siting trails and maintenance corridors along existing roads where possible, by not discarding vegetation waste in native habitats, and by discouraging placement of utility items, equipment, etc. outside of the development footprint. New trail development should be sited away from special status natural communities, ideally between an existing road and the new development, rather than between the development and the forest. Logs or similar barriers shall be installed to further reduce unplanned expansion of use areas and to minimize impacts to native habitats. Native plant establishment can be encouraged and used as barriers by simply removing non-native species and preventing encroachment from foot traffic and vehicles. This is especially important for the proposed restroom building which is already planned to be built within the buffer zone. No trails or development of any kind shall occur to the west of the building within the already small buffer zone that remains.

- 27.** Educational signage and interpretive panels shall be installed to encourage nature appreciation and an understanding of native plants and natural communities. Signage shall only be installed along already disturbed areas.
- 28.** This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of **\$2,404.75** shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the final action on the project. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**
29. The repairs and enhancements to existing septic infrastructure contained in the letter from Carl Rittiman & Associates, Inc. dated August 25, 2017 shall be implemented prior to final inspection on newly proposed structures (i.e., bathhouse, caretaker's cottage, barn-style structure).
30. A commercial driveway approach shall be constructed at the property access point onto Comptche-Ukiah Road (CR 223), with a minimum width of twenty-two (22) feet, and length of improvement twenty (20) feet from the edge of the County road, to be surfaced with asphalt concrete (AC). Contact Mendocino County Department of Transportation at 707-234-2824 for an encroachment permit.
31. Any additional requests for new access onto State Route 1 shall require additional permits from the California Department of Transportation as this area is designated as “controlled access right of way”.
32. No signage shall be allowed within the California Department of Transportation right-of-way.
33. An encroachment permit shall be required from the California Department of Transportation for any vegetation removal, including the trimming of trees, if work is to be conducted within the right-of-way. Applications are reviewed for consistency with State standards and are subject to Department approval.
34. A map shall be provided to Planning and Building Services, prepared by a licensed land surveyor, certifying the distance between the neighboring property boundary to the east and the proposed parking area in the required yard setback to provide the maximum setback from the parcel as possible and ensure compliance with the submitted site plan.
35. A permit may be required from the Mendocino County Air Quality Management District if grading is to exceed one acre, asbestos survey for demolition and for generators greater than 50 hp. Prior to issuance of any building permits in reliance of this use permit, the applicant shall provide a clearance letter from the Mendocino County Air Quality Management District stating that all requirements of their agency have been met for the proposed project.

Notice of Determination

To:

☒ Office of Planning and Research
U.S. Mail: Street Address:
PO Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95812

☒ County Clerk:
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

From:

Mendocino County Planning & Building
860 North Bush Street
Ukiah, CA 95482
Contact: JULIA ACKER
Phone: 707-234-6650

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

State Clearinghouse Number (if submitted to State Clearinghouse): N/A

Project Title: U_2016-0015/V_2017-0001

Project Applicant: CHRISTOPHER J HOUGIE

Project Location (include county): In the Coastal Zone, 0.5± mile south of the Town of Mendocino, located on the south side of Comptche-Ukiah Road (CR 223), 0.1± mile east of its intersection of State Route 1 (SR 1). Located at 9601 N HWY 1, Mendocino, CA. (APNs: 119-310-02, 119-310-03, 119-310-04, 119-310-05, 119-310-10, 119-320-07).

Project Description: Coastal Development Use Permit to refurbish 60 existing campsites at the Mendocino Campground, construction of a new barn, a new caretakers residence, a registration tent, remodel and expansion of the existing bathhouse and construction of two new bathhouses. Associated work consists of construction of additional parking, BBQ area with fire pit, Yoga deck, breakfast preparation screened area, installation and repair of path lights, and two new signs. A Variance is requested to allow 21 parking spaces within the required yard setback and additionally to increase the allowed sign area for the parcel.

This is to advise that the County of Mendocino (Lead Agency) has approved the above described project on February 7, 2019 and has made the following determinations regarding the above described project.

1. The project [☐will ☒will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative declaration is available to the General Public at: www.mendocinocounty.org/pbs, 860 N. Bush Street, Ukiah CA 95482, and 120 W. Fir Street Ft. Bragg, CA 95437.

Signature (Public Agency): _____ Title: _____

Date: _____ Date Received for filing at OPR: _____