



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
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September 10, 2019

PUBLIC NOTICE OF PENDING ACTION STANDARD COASTAL DEVELOPMENT PERMIT

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, September 26, 2019, in the Fort Bragg Public Library, 499 East Laurel Street, Fort Bragg, California, at 10:00 a.m. or as soon thereafter as the item may be heard, will hear the below described project that is located in the Coastal Zone.

CASE#: CDP_2018-0033

DATE FILED: 12/28/2018

OWNER: JUDITH BROWN

APPLICANT/AGENT: HANK McCUSKER

REQUEST: Standard Coastal Development Permit request, pursuant with MCC Section 20.684.030(H)(1) Visitor Serving Facilities Combining District Lodging Unit Allocation Procedures, to allow 7 Visitor Serving Units at the Nicholson House Inn and a request to allow 3 residential units in the Mendocino Mixed Use District.

ENVIRONMENTAL DETERMINATION: 15303 Class 3(e) exemption for an inn or similar structure in a commercial district. Categorically Exempt

LOCATION: In the Coastal Zone and the Town of Mendocino, on the east side of Ukiah Street (CR 407C) between School Street (CR 407O) and Howard Street (CR 407N), located at 44861 Ukiah St., Mendocino (APN: 119-250-12).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JULIANA CHERRY

As you are an adjacent property owner and/or interested party, you are invited to appear at the hearing, or to direct written comments to Planning and Building, Services 860 N Bush Street, Ukiah, CA 95482, attention Commission Staff. If you would like to be notified of the Coastal Permit Administrator's action, please submit a written request to this office. All correspondence should contain reference to the above noted case number.

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project.

If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

Additional information regarding the above noted case may be obtained by calling the Planning and Building Services Department at 964-5379, Monday through Friday.

BRENT SCHULTZ, Director of Planning and Building Services



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MEMORANDUM

DATE: SEPTEMBER 26, 2019

TO: BRENT SCHULTZ, COASTAL PERMIT ADMINISTRATOR

FROM: JULIANA CHERRY, PLANNER III

SUBJECT: CDP 2018-0033 BROWN PROJECT DESCRIPTION & STAFF REPORT CLARIFICATIONS

On August 20, 2019, Staff met with Hank McCusker, agent for Judith Brown, to review the Report and its recommendations. Discussions identified that in addition to the seven lodging units, there are three unpermitted residential units at 44861 Ukiah Street. The agent submitted a request to amend the application to include the three *Multi-Family Residential* units.

- Request to amend application and clarifications to the **PROJECT DESCRIPTION**.

The property owner requests to amend their application to include after-the-fact authorization of seven lodging units and three residential units. In filing this request, the property owner notes that there is sufficient on-site parking for the residential and visitor serving land uses; and that on May 9, 2019, Mendocino City Community Services District affirmed that the District has no objections (See correspondence).

- Clarification to **TRANSPORTATION/CIRCULATION AND MCC CHAPTER 20.714** and on-site parking spaces.

The project site, APN 119-250-32, and three additional, adjoining or adjacent lots, including APNs 119-250-15, 37, and 44, are owned by the applicant. There is sufficient land available to meet the off-street parking requirement for seven lodging units and three residences. Table 4 compares the parking standard to the proposed project (below).

Table 4. Mendocino Town Zoning Code Off-Street Parking Requirements		
MCC SECTION	RATIO OF SPACES TO LAND USE	NUMBER REQUIRED
20.684.030(E)	1 space for each lodging unit	7 off-street spaces
20.660.055	1.5 spaces for each dwelling unit	5 off-street spaces
Total Number of Spaces		12 off-street spaces

Staff does not recommend any changes to recommended Condition #10, which reads:

10. To the satisfaction of the Director and prior to the expiration date of CDP_2018-0026, and pursuant with MCC Section 20.714.015(A) and (B), the development may meet the parking requirements through project design, recorded off-site parking agreements with third parties, or participation in an in-lieu fee parking program. Where no off-street parking is feasible in otherwise permitted development, the applicant shall pay an in-lieu fee to the County, or to an entity acceptable to the County, provided that such fees shall be proportionate to the cost of parking construction and maintenance, and shall be used solely in the Town of Mendocino for street and public parking improvements within existing public street rights-of-way or on other publicly owned land.

- **GROUNDWATER RESOURCES** and access to sufficient groundwater.

The property owner requests to amend their application by adding after-the-fact approval for three residential units. This is in addition to the seven lodging units proposed. On Report page 6, MCCSD established that the property has demonstrated access to sufficient groundwater and sewer connection. As proposed, the amended project would satisfy County policies for groundwater resources as implemented by MCC Chapter 20.744 *Ground Water Evaluation*. No changes to the recommended conditions are suggested.

- Include the requested three residential units as clarifications to the recommended **FINDINGS**.

The following are revisions to the recommended findings. Suggested additional information is underlined; ~~strikeouts~~ show information that could be deleted.

“Pursuant to the provisions of Chapter 20.720 of the Mendocino Town Zoning Code, the Coastal Permit Administrator approves ~~the proposed project~~ seven Visitor Serving Facility lodging units and three Multi-Family Residential units located at 44861 Ukiah Street and adopts the following findings and conditions.

1. Pursuant with MCC Section 20.720.035(A)(1), a seven-unit Visitor Serving Facility located at 44861 Ukiah St., Mendocino (APN: 119-250-12) and known as “the Nicholson House Inn” satisfies the goals and policies of the Coastal Element Chapter 4.13 Mendocino Town Plan (including GM-12, GM-14, GM-15, GM-22) and Visitor Serving Facilities are intended for the classification in which the project is proposed; and pursuant with MCC Section 20.660.010(A)(1), Multi-Family Residential Land Uses are principally permitted land uses in the Mixed Use Classification; and
2. Pursuant with MCC Section 20.720.035(A)(2), a seven-unit Visitor Serving Facility and three Multi-Family Residential units located at 44861 Ukiah Street ~~has~~ have access to adequate utilities, access roads, drainage, and other necessary facilities, including access to sufficient ground water and a sewer connection; and
3. Pursuant with MCC Section 20.720.035(A)(3), a seven-unit Visitor Serving Facility and three Multi-Family Residential units located at 44861 Ukiah Street ~~is~~ are consistent with the purpose and intent of the Mendocino Mixed Use District, as well as all other provisions of the Mendocino Town Zoning Code, including MCC Section 20.684.030(H) Visitor Serving Facilities (VSF) Combining District Lodging Unit Allocation Procedures; and
4. Pursuant with MCC Section 20.720.035(A)(4), a seven-unit Visitor Serving Facility and three Multi-Family Residential units located at 44861 Ukiah Street would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. Pursuant with MCC Section 20.720.035(A)(5), a seven-unit Visitor Serving Facility and three Multi-Family Residential units located at 44861 Ukiah Street would not have any adverse impact on any known archaeological or paleontological resources and Condition 8 is in place when archaeological sites or artifacts are discovered; and
6. Pursuant with MCC Section 20.720.035(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the site. A seven-unit Visitor Serving Facility and three Multi-Family Residential units located at 44861 Ukiah Street would not affect demands on public services; and
7. Pursuant with MCC Section 20.720.035(A)(7), a seven-unit Visitor Serving Facility and three Multi-Family Residential units located at 44861 Ukiah Street conforms with the design standards of Section 20.760.050 and the Mendocino Historical Review Board stated they had no comment on this project.”

ATTACHMENT:

Letter from Michael Kelly, Mendocino City Community Services District, to Juliana Cherry. Subject: CDP_2018-0033, Request to allow 7 Visitor Servicing Units at 44861 Ukiah Street. Dated Ma6 9, 2019.