



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

May 12, 2020

PUBLIC NOTICE OF PENDING ACTION STANDARD COASTAL DEVELOPMENT PERMIT

NOTICE IS HEREBY GIVEN THAT the Mendocino County Coastal Permit Administrator at its regular meeting on Thursday, May 28, 2020 at 10:00 a.m. will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: CDP_2017-0050

DATE FILED: 12/14/2017

OWNER/APPLICANT: CHRISTINE FEEHAN

AGENT: CHRISTOPHER WALKER

REQUEST: Standard Coastal Development Permit after-the-fact request to convert an existing pole barn structure into a family care unit and construct an additional attached greenhouse, storage and carport to the existing pole barn structure. Existing development on the parcel includes a single-family residence, shop, storage (book house), pool house, electricity, gas, well, and septic.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: Located in the Coastal Zone, 2.0± miles north of the Town of Mendocino, on the east side of State Route 1 (SR 1), 0.5± miles north of its intersection with Point Cabrillo Drive (CR 564), located at 13151 North Highway 1 (APN: 118-210-21).

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: JESSIE WALDMAN

The staff report and notice will be available 10 days before hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah or 120 W. Fir Street, Fort Bragg, California. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by May 27, 2020, or orally via telecomment in lieu of personal attendance. All public comment will be made immediately available to the Coastal Permit Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>.

To submit public comments via telecomment, a request form must be received by 8:00 a.m. the morning of the meeting. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

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 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.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

BRENT SCHULTZ, Director of Planning and Building Services



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT FOR STANDARD CDP**

**MAY 28, 2020
CDP_2017-0050**

SUMMARY

OWNER/APPLICANT: CHRISTINE FEEHAN
13151 N HWY 1
MENDOCINO, CA 95460

AGENT: CHRISTOPHER WALKER
32681 ATKINS WAY
FORT BRAGG, CA 95437

REQUEST: After-the-fact Standard Coastal Development Permit request to convert an existing pole barn structure into a family care unit and construct an additional attached greenhouse, storage and carport to the existing pole barn structure. Existing development on the parcel includes a single-family residence, shop, storage (book house), pool house, electricity, gas, well, and septic.

LOCATION: Located in the Coastal Zone, 2.0± miles north of the Town of Mendocino, on the east side of State Route 1 (SR 1), 0.5± miles north of its intersection with Point Cabrillo Drive (CR 564), located at 13151 North Highway 1 (APN: 118-210-21).

TOTAL ACREAGE: 20± Acres

GENERAL PLAN: Rural Residential & Planned Development Combining District (RR10PD:R)

ZONING: Mendocino County Division II: Rural Residential & Planned Development Combining District (RR10PD)

SUPERVISORIAL DISTRICT: 4th (Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Section 15303, Class 3(a)

APPEALBLE: NO

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: JESSIE WALDMAN

BACKGROUND

PROJECT DESCRIPTION: An after-the-fact Standard Coastal Development Permit request to convert an existing pole barn structure into a family care unit and construct an additional attached greenhouse, storage and carport to the existing pole barn structure. Existing development on the parcel includes a single-family residence, shop, storage (book house), pool house, electricity, gas, well, and septic.

APPLICANT'S STATEMENT: Family Care Unit for two (2) seventy year (70) old family members.

RELATED APPLICATIONS ON-SITE:

- IC_2017-0266 Unpermitted construction
- 1-88-200W Coastal Commission Waiver for construction of Single-Family Residence
- LCP_88-119 Single-Family Residence, Pole Barns, water storage tanks, propane/diesel tank, fence, septic, well and Driveway
- LCP_89-20 Boundary Line Adjustment
- MS 3-82 Subdivision of 2 parcels, Expired
- B_129-88 Boundary Line Adjustment, Expired

NEIGHBORING PROPERTIES:

- APN: 118-210-22 LCP-91-128 (Barn), CDP 11-97 (Garage/Storage), CDP 80-00 (Guest Cottage/Storage)
- APN: 118-210-24 CDP 60-97 (SFR)
- APN: 118-210-25 CDP 53-01 (SFR)
- APN: 118-210-27 MS_60-87 (Subdivision of 4 parcels and 1 remainder), CDP 37-05

SITE CHARACTERISTICS: The 20± acre subject parcel is located on the east side of State Route 1 (SR 1), on the south side of a private easement drive, 250± feet east of State Route 1 (SR 1), as shown on the *Aerial Map*. The site is surrounded by parcels of similar size which are greater than 5 acres, but less than 20 acres, with the exception of the adjacent parcel to the south, as shown on the *Adjacent Parcels Map*. To the north, east and south are developed residential parcels, as shown on the *Aerial Map*. To the west is State Route 1 (SR 1), and further west are additional developed residential parcels. The subject parcel is a developed parcel, which consists of a single family residence with an attached garage, accessory structures, including the subject pole barn, a shop, storage (book house), a pool house and ancillary development including, well and septic and utility infrastructure, as shown on the *Revised Site Plan*. The proposed development is located within already disturbed areas of the subject parcel. A *Biological Scoping Survey* was conducted, in October of 2019, by Wynn Coastal Planning & Biology (Wynn, 2019), which determined the proposed development is beyond 100 feet from any mapped wetlands (Wynn, pg. 1), while the proposed location is within 100 feet of two (2) presumed Environmentally Sensitive Habitat Areas (ESHA) (Wynn, pg. 2), as shown in the *Biological Scoping Survey* (Wynn, 2019).

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are classified and zoned Rural Residential (RR) with a Planned Unit Development Combining (PD) district, as shown on the *Zoning Display Map*, where the adjacent parcels to the north, west and south are developed with residential uses, and the adjacent parcel to the east is State Route 1 (SR 1), as shown on the *Aerial Imagery (Vicinity)* and *Aerial Imagery* maps. The proposed Family Care Unit development is consistent with the surrounding land uses and development.

Table 1: Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR10:PD)	Rural Residential (RR10:PD)	7.3± Acres; 10.6± Acres	Residential
EAST	Rural Residential (RR10:PD)	Rural Residential (RR10:PD)	10.9± Acres; 10± Acres	Residential
SOUTH	Rural Residential (RR10:PD)	Rural Residential (RR10:PD)	23.5± Acres	Residential

Table 1: Surrounding Land Use and Zoning				
	GENERAL PLAN	ZONING	LOT SIZES	USES
WEST	State Route 1 (SR 1)	State Route 1 (SR 1)	State Route 1 (SR 1)	State Route 1 (SR 1)

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed development is consistent with the goals and policies of the Local Coastal Program, General Plan, and Zoning Code as detailed below:

Land Use: The project site is located within the boundaries of the Local Coastal Program (LCP) area and is shown on the *LCP Land Use Map 15: Caspar* map. The subject parcel is classified as Rural Residential (RR) with Planned Unit Development (PD) by the Mendocino County General Plan, as shown on the *General Plan Classifications* map. The Coastal Element Chapter 2.2 Rural Residential classification states:

... is intended to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability.

The Coastal Element Chapter 2.2 Planned Unit Development classification states:

... is intended to be used only in conjunction with those designated areas on the land use map specifying Planned Unit Development unless requested by the property owner through a Land Use Plan Amendment. Planned Unit Development is intended to be used as a combining Land Use Classification with SR, RR-1 (40,000 sq. ft.), RR2, RR-5, RR-10, Industrial, Commercial, and in Agriculture where applicable and consistent with other policies of this plan. The use of Planned Unit Development is intended to require a site plan for new development so that a parcel will be reviewed to ensure maximum preservation of open space, protection of views from public roads, pygmy vegetation areas where the entire parcel is pygmy soil types and resource protection, while allowing residential, commercial and industrial uses on an existing parcel with site area per unit specified and the site plan for the parcel reviewed to ensure maximum preservation of open space and views from public roads. The Planned Unit Development designation is used in combination with other allowable land use listed here where the division of existing parcels into conventional subdivision lots of equal size accommodating the same total number of units would not be a satisfactory solution or the siting of commercial or industrial uses would conflict with other policies of this plan. The Planned Unit Development may provide for individual lot ownership, for joint ownership of an open space parcel, for condominium ownership, or for rental units with no land divisions. Each ownership may be developed separately under the Planned Unit Development combining district.

The proposed development is consistent with allowed residential development and allowed accessory uses associated with residential development per Mendocino County Coastal Element Chapter 2.2.

Zoning: The project site is located within a Rural Residential (RR) district with a Planned Unit Development Combining (PD) district, as shown on the *Zoning Display Map*. The RR district, per Mendocino County Code (MCC) Section 20.376.005, states:

... is intended to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well-suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability.

The PD district, per Mendocino County Code (MCC) Section 20.428.005, states:

... is intended to require sensitive development of selected sites where standard residential and commercial and industrial design would be inappropriate to the unique or highly visible nature of the site, and to encourage imaginative development incorporating cluster development and the maximization and preservation of open space and views from public roads. Development on parcels entirely within areas of pygmy vegetation shall be reviewed for mitigation measures to prevent impacts to this resource consistent with all applicable policies of the land use plan and development standards of this Division.

The parcel's zoning designation (RR) requires a 10 acre minimum parcel size; where the established parcel is 20± acres size and is considered consistent to lot size requirements. The proposed project will comply with the minimum property line setback requirements for the RR District for the parcel size, which are 50 feet for each front, rear and side yard. The subject parcel is accessed by a shared easement off of State Route 1 (SR 1) where the private drive serves as access to three (3) parcels. As currently proposed, the Family Care Unit will be consistent with the minimum setbacks, per MCC Chapter 20.376 and 20.444, as shown on the *Revised Site Plan*. The maximum building height allowed in the RR District is 28 feet above the natural grade for Non-Highly Scenic Areas, such as the project site. As currently proposed, the proposed development will be a maximum height of 22 feet, as shown on the *Elevations*.

The proposed development will add an additional 1,752 sq. ft. to the overall lot coverage and result in the increase of the overall lot coverage from 2.3 percent to 2.5 percent, which is consistent with the maximum 10 percent allowable lot coverage.

The Temporary Use Regulations, such as Family Care Units, per Mendocino County Code (MCC) Section 20.460.040, states:

... requires the temporary use of a building, structure or trailer coach, not to exceed one thousand (1,000) square feet in size, will be allowed, upon issuance of a Coastal Development Standard Permit, to provide housing for (a) not more than two (2) adult persons who are sixty (60) years of age or older, or (b) an immediate family member or members who requires daily supervision and care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.

The proposed Family Care Unit will be consistent the maximum square footage of 1,000 square feet as allowed for Family Care Units, per MCC Chapter 20.460.040. The existing pole barn structure is 864 sq. ft., where the proposed development includes an additional 2,520 sq. ft. to the existing pole barn. The proposed development includes the construction of an attached 1,086 sq. ft. carport, an attached 215 sq. ft. greenhouse, and 272 sq. ft. additional storage area at the main floor and 768 sq. ft. additional storage at the second level of the proposed development. The proposed development also includes the construction of the addition of 582 sq. ft. to the existing pole barn to allow for the conversion of the structure into a 1,000 sq. ft. Family Care Unit, as shown on the *Floor Plan*. **Condition 9 and 10 are recommended by Staff, requiring that an annual reveal of the Family Care Unit be submitted to Mendocino County Planning and Building Services, by the applicant, during the life of the Family Care Unit.**

A minimum of two off-street parking spaces are required for the Family Care Unit, where two additional spaces are proposed, and the site has adequate capacity for the required parking, per MCC Chapter 20.472.

With added conditions, the temporary use of a structure as a Family Care Unit will conform to development standards of MCC Chapters 20.376, 20.428 and 20.444 and 20.460, 20.472 and 20.532 and Division II of Title 20 of Mendocino County Code.

Visual Resources: The parcel is not located in a designated Highly Scenic Area; therefore, it is not subject to the policies within the Coastal Element relating to visual resources, except for the following regulations that apply to all parcels within the Coastal Zone. Policy 3.5-1 of the Coastal Element, which states:

...The scenic and visual qualities of Mendocino County coastal areas shall be considered and projected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas...

Without additional conditions, the proposed project would be consistent with the above mentioned policy.

Hazards Management: The property is in an area of "High Fire Hazard" severity rating, as shown on the *Fire Hazard Zones & Responsibility Areas* map. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire) and the Mendocino Volunteer Fire District (MVFD). The proposed project was referred to MVFD, where no response has been made as of this date. A State Fire Safe Regulations Application Form, CalFire File Number 253-17, was issued for the project.

A standard condition requiring the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan will be addressed. With the inclusion of these conditions, the proposal would be consistent with Mendocino County policies for fire protection.

Without additional conditions, the proposed project will be consistent with MCC Chapter 20.500 regulations for hazard areas, including geologic hazards (faults, bluffs, tsunamis, landslides, and erosion), fire and flood hazards.

Habitats and Natural Resources: Both the Coastal Element (MCCE) and the Coastal Zoning Code (MCC) address Environmentally Sensitive Habitat Areas (ESHA). MCC states that development having the potential to impact an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to determine the extent of sensitive resources, to document potential negative impacts, and to recommend appropriate mitigation measures. The site is primarily designated as barren, with no mapped riparian areas located within 100 feet the proposed development, as shown on the *LCP Habitats & Resources* and *Wetlands* maps.

A *Biological Scoping Survey* (Wynn, 2019) was completed for the proposed project. The survey found no presumed riparian ESHA within 100 feet of the proposed development, while the proposed location is within 100 feet of two (2) presumed Environmentally Sensitive Habitat Areas (ESHA) (Wynn, pg. 1), as shown in the *Biological Scoping Survey* (Wynn, 2019). The *Biological Scoping Survey* (Wynn, 2019) recommends mitigation and avoidance measures for the potential impact to Grand fir forest (*Abies grandis*) and Bishop pine forest (*Pinus Muricata*) (Wynn, 2019, pg. 2).

To prevent impact to ESHA's, **Condition 11** is recommended by Staff, requiring that Best Management Practices as described in the recommendations section of the *Biological Scoping Survey* (Wynn, 2019, pg. 2) are followed to prevent disturbance to all ESHA's, during construction of the proposed project.

With added conditions, Staff finds the proposed project will not significantly impact sensitive habitats or resources and is consistent with MCC Chapter 20.496 regulations.

Grading, Erosion, and Run Off: The area of the proposed Family Care Unit and ancillary development is relatively flat with a downward slope towards the southwest, as shown on the *Topographic Map*. The project will require minimal grading to accommodate the proposed development with no disruption to existing drainage or vegetation. The current development occupies a footprint of approximately 21,054 square feet. The proposed development will add an additional footprint of approximately 1,752 square feet. The existing paved driveway occupies a footprint of approximately 15,000 square feet, which will remain. If the amount of grading requires a permit from the Building Division, the Coastal Permit Administrator, or their designee, shall review and approve the grading permit to determine its consistency

with MCC Chapters 20.492 and 20.500 regulations. Grading activities, including maintaining driveway and parking areas, and any work associated with an Encroachment Permit, shall comply with MCC Chapters 20.492 and 20.500 regulations.

A standard condition requiring the applicant to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any grading, erosion and runoff protection and hazard area policies or plans will be addressed.

Groundwater Resources: The site is designated on the Mendocino County Coastal Groundwater Study Map as a Critical Water Resource Area, as shown on the *Ground Water Resources* map. The project was referred to the Department of Environmental Health (DEH) to review impacts to water and septic. DEH responded with recommendations requiring and proof of water and a Site Evaluation Report performed by a Qualified Site Evaluator be approved by DEH.

Condition 12 is recommended to ensure the proposed development has septage and leach field approval and adequate water supply which will be consistent with Chapter 20.516 of the Mendocino County Code and DEH regulations. Prior to issuance of associated Building Permits, approval of the Site Evaluation Report performed by a Qualified Site Evaluator shall be completed and proof of adequate water supply be established, per Department of Environment Health regulations.

With added condition, the proposed project will be consistent with the Local Coastal Program policies related to groundwater resources and DEH regulations.

Archaeological/Cultural Resources: For small projects, such as the construction of accessory structures and utilities, to support permitted uses, such as the existing single family residence, Mendocino County Department of Planning and Building Services' procedure is to not refer these types of projects to either California Historic Resource Information System (CHRIS) or the Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Mendocino County Archaeological Commission in 2005 and again in 2014 and was determined to be an appropriate guidance document for which projects require archaeological review and future development proposed on this parcel may be subject to archaeological review.

Staff notes that **Condition 8** advises the property owners of a "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project. As conditioned, Staff recommends that the project will be consistent with Mendocino County policies for the protection of the paleontological and archaeological resources.

The project was referred to three local tribes for review and comment, including Cloverdale Rancheria, Redwood Valley Rancheria, and Sherwood Valley Rancheria, where Redwood Valley Rancheria recommended the project be referred to Manchester Point Arena Tribe. The project was referred to Manchester Point Arena Tribe and no response from the tribes has been received by staff at this time.

Transportation/Circulation: The project will not contribute new sources of traffic on local and regional roadways. The cumulative effects of traffic resulting from development on this site were considered when the Coastal Element land use designations were assigned. The proposed project was referred to Mendocino County Department of Transportation (DOT) for input, where no response from CalFire has been received by staff at this time. As proposed, all development will occur on site and no development activity will occur within the County right-of-way.

Without additional conditions, Staff finds the project is consistent with Mendocino County policies for transportation, utilities and public services protection and will be consistent with Chapter 20.516 regulations.

Public Access: The site is not designated as a potential public access trail location. As shown on *LCP Map 15: Caspar*, existing public access to the shore is located at Russian Gulch Shoreline Access, to the south at the intersection of Point Cabrillo Drive (CR 564) and State Route (SR 1) of Jack Peters Gulch.

ENVIRONMENTAL DETERMINATION: The project meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Article 19, Section 15303, Class 3(a), conversion of small structures to temporary second dwelling unit.

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, the Coastal Permit Administrator approves the proposed Family Care Unit and accessory structures and adopts the following findings and conditions.

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed temporary Family Care Unit and accessory structures are in conformity with the certified Local Coastal Program. Temporary Family Care Units are allowed with an approved Coastal Development Standard Permit; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed temporary Family Care Unit and accessory structures will be provided with adequate utilities, access roads, drainage, and other necessary facilities. The site is currently developed with a single family home, accessory structures, well, electrical service, and other ancillary development. The proposed temporary use and accessory structures will have access to adequate utilities, access roads, and other necessary facilities as they are already on-site; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed temporary Family Care Unit and accessory structures are consistent with the purpose and intent of the Rural Residential District, as well as all other provisions of Division II of Title 20 of the Mendocino County Code, including building height, setback from property boundary, lot coverage, and temporary use regulations; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed temporary Family Care Unit and accessory structures, if completed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act and is determined to be Categorically Exempt from further environmental review; and
5. Pursuant with MCC Section 20.532.095(A)(5), the proposed temporary Family Care Unit and accessory structures will 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 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the site. The site is currently developed with a single family residence and the proposed temporary Family Care Unit and accessory structures will not affect demands on public services.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.
2. To remain valid, progress towards completion of the project must be continuous. The Applicants have the sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.

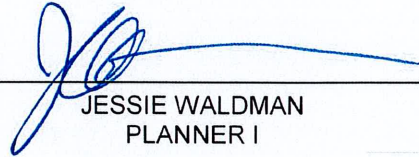
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The Applicants shall secure all required permits for the proposed temporary Family Care Unit and ancillary developments as required by the Building Inspection Division of the Department of Planning and Building Services and Department of Environment Health.
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. In the event that additional archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
9. The applicant shall have the sole responsibility of renewing the *Family Care Unit* permit each year, prior to the expiration date. Prior to the granting of the permit and yearly renewal, a statement must be submitted by the owner of the property and signed under penalty of perjury that the use of the *Family Care Unit* is to provide housing for either: (a) not more than two (2) adult persons who are sixty (60) years of age or older, or (b) an immediate family member or members who require daily supervision or care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.
10. Should the use or necessity of the temporary *Family Care Unit* cease, it shall be either removed from the premises or converted to an accessory structure as provided in Chapter 20.456. Should the occupants of the *Family Care Unit* or the main residence move to another off-site residence, the permits for the *Family Care Unit* shall become null and void.
11. In order to provide for the protection of **Grand fir and Bishop pine forests**, as described in the Recommendations of the *Biological Scoping Survey (Wynn, 2019, page 2)*, the following mitigation measures are recommended to minimize impacts to presumed ESHA within the study area:
 - a. Building materials will be located outside the proposed 100 foot buffer, and
 - b. If materials are placed within the 100 foot buffer, orange construction fencing shall be placed along the 50 foot buffer protect Environmentally Sensitive Habitat Areas are protected from Construction crews and materials.
12. Prior to issuance of associated Building Permits, approval of the Site Evaluation Report performed by a Qualified Site Evaluator shall be completed and proof of adequate water supply be established, per Department of Environment Health regulations.

COASTAL PERMIT ADMINISTRATOR STAFF REPORT FOR
STANDARD COASTAL DEVELOPMENT PERMIT

CDP_2017-0050
PAGE 9

5-12-2020

DATE


JESSIE WALDMAN
PLANNER I

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

ATTACHMENTS:

- | | |
|---------------------------------|---|
| A. Location Map | J. LCP Land Capabilities & Natural Hazards |
| B. Aerial Imagery | K. LCP Habitats & Resources |
| C. Topographic Map | L. Appealable Areas |
| D. Revised Site Plan | M. Adjacent Parcels |
| E. Floor Plan | N. Fire Hazard Zones & Responsibility Areas |
| F. Elevations | O. Wetlands |
| G. Zoning Display Map | P. Groundwater Resources |
| H. General Plan Classifications | Q. Biological Scoping Survey (Wynn, 2019) |
| I. LCP Land Use Map 15: Caspar | |

SUMMARY OF REFERRAL AGENCIES COMMENTS:

Building Division (FB)	Comments
California Coastal Commission	Comments
Cloverdale Rancheria	No Response
Department of Transportation (DOT)	Comments
Environmental Health (DEH)(FB)	Comments
Manchester Point Arena Tribe	No Response
Mendocino Fire District (MVFD)	No Response
Planning Division (Ukiah)	Comments
Redwood Valley Rancheria	Comments
Sherwood Valley Rancheria	No Response

REFERENCES:

(Coastal Element) Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan, Coastal Element. 1985. Accessed March 31, 2020, at: <https://www.mendocinocounty.org/government/planning-building-services/plans/coastal-element>

(MCC, 1991) Mendocino County Department of Planning and Building Services. October 1991. Mendocino County Zoning Code Coastal Zoning Code, Title 20 – Division II of the Mendocino County Code. Accessed March 31, 2020, at: https://library.municode.com/ca/mendocino_county/codes/code_of_ordinances?nodeId=MECOCO_TIT20_ZOOR_DIVIIMECOCOZOCO

Mendocino County Department of Planning & Building Services. County of Mendocino Coastal Zone. LCP Map 19 – Navarro [map]. 1985. Accessed March 31, 2020, at: <https://www.mendocinocounty.org/government/planning-building-services/county-maps/coastal-zone-local-coastal-program-lcp-maps>.

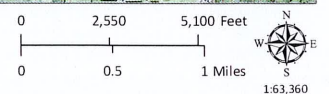
Mendocino County Department of Planning & Building Services. June 2011. Fire Hazard Zones & Fire Responsibility Areas [map]. Accessed March 31, 2020, at: https://www.mendocinocounty.org/government/planning/Fire_Hazard_Severity_Map.pdf.

Mendocino County Department of Planning & Building Services. March 2015. Coastal Ground Water Resources [map]. Accessed March 31, 2020, at: http://www.co.mendocino.ca.us/planning/pdf/12x36_Coastal_Groundwater_Areas.pdf



CASE: CDP 2017-0050
 OWNER: FEEHAN, Christine
 APN: 118-210-21
 APLCT: Christine Feehan
 AGENT: Christopher Walker
 ADDRESS: 13151 N. Hwy. 1, Mendocino

- | | | | |
|--|--------------------------|--|-------------|
| | Major Towns & Places | | Highways |
| | Incorporated City Limits | | Major Roads |
| | Major Rivers | | |



LOCATION MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

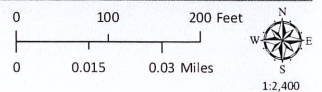
ATTACHMENT A



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

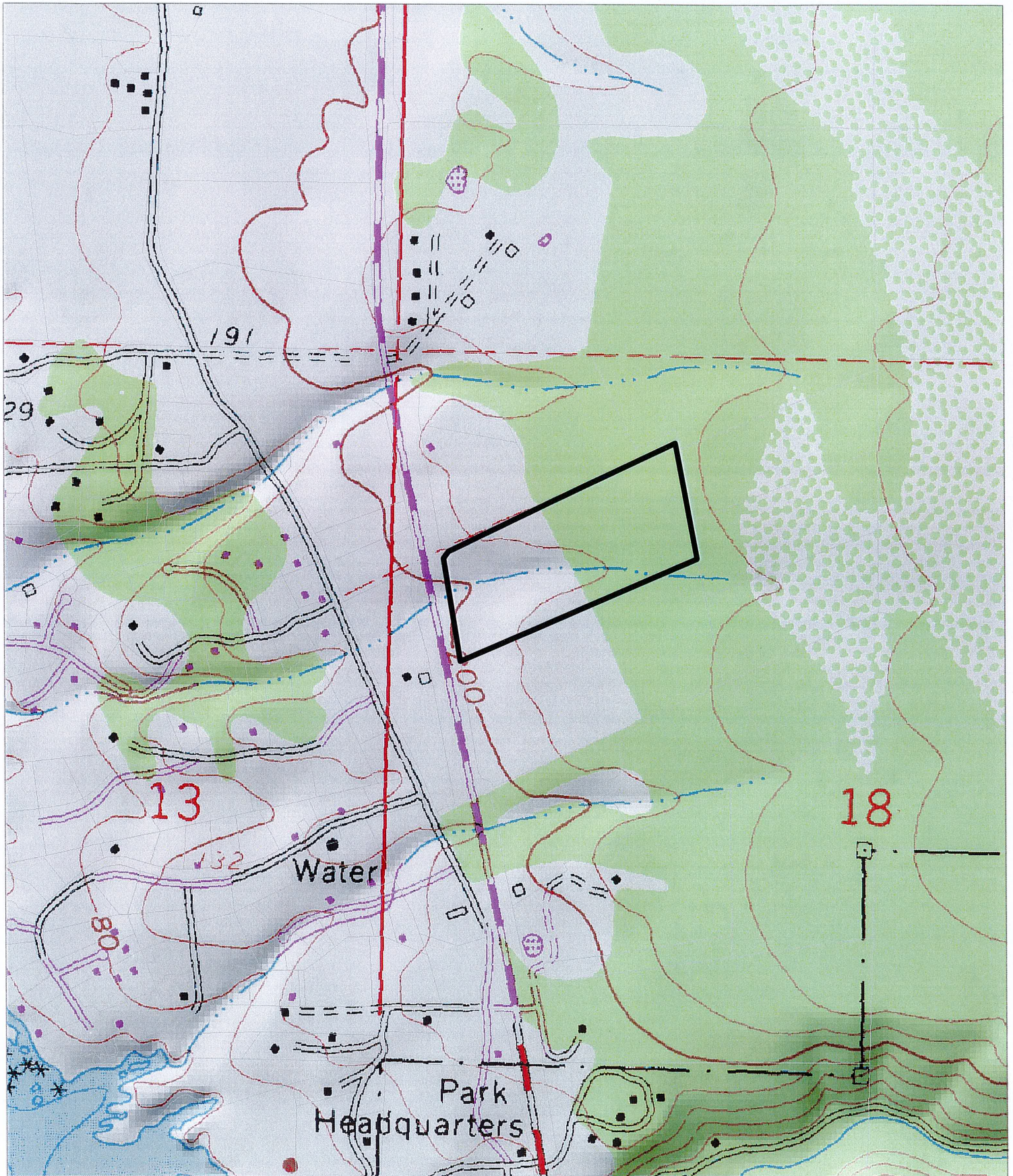
CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino

== Public Roads
== Private Roads

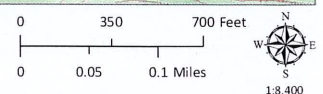


THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

AERIAL IMAGERY
ATTACHMENT B



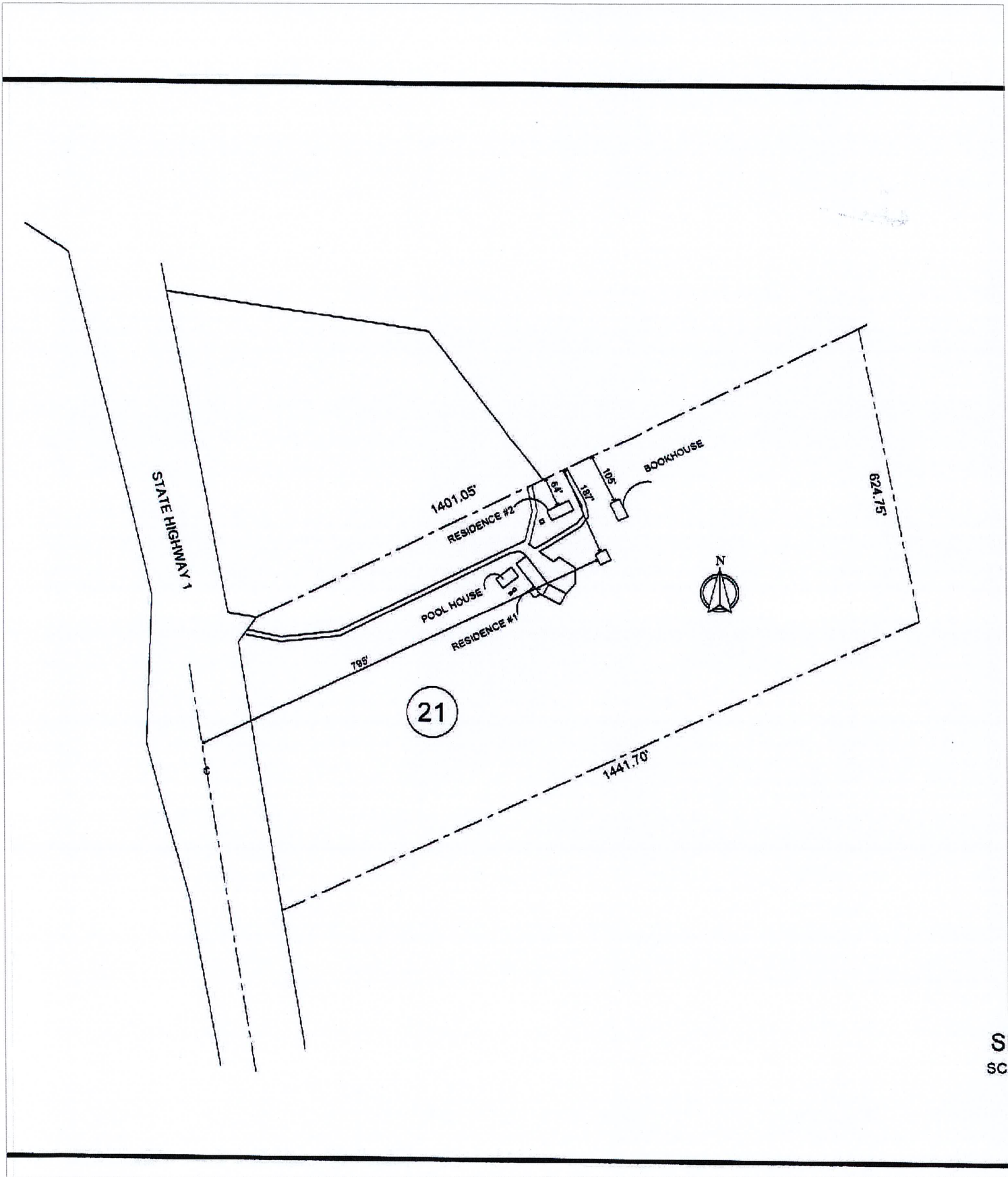
CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT C



SC
S

CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino

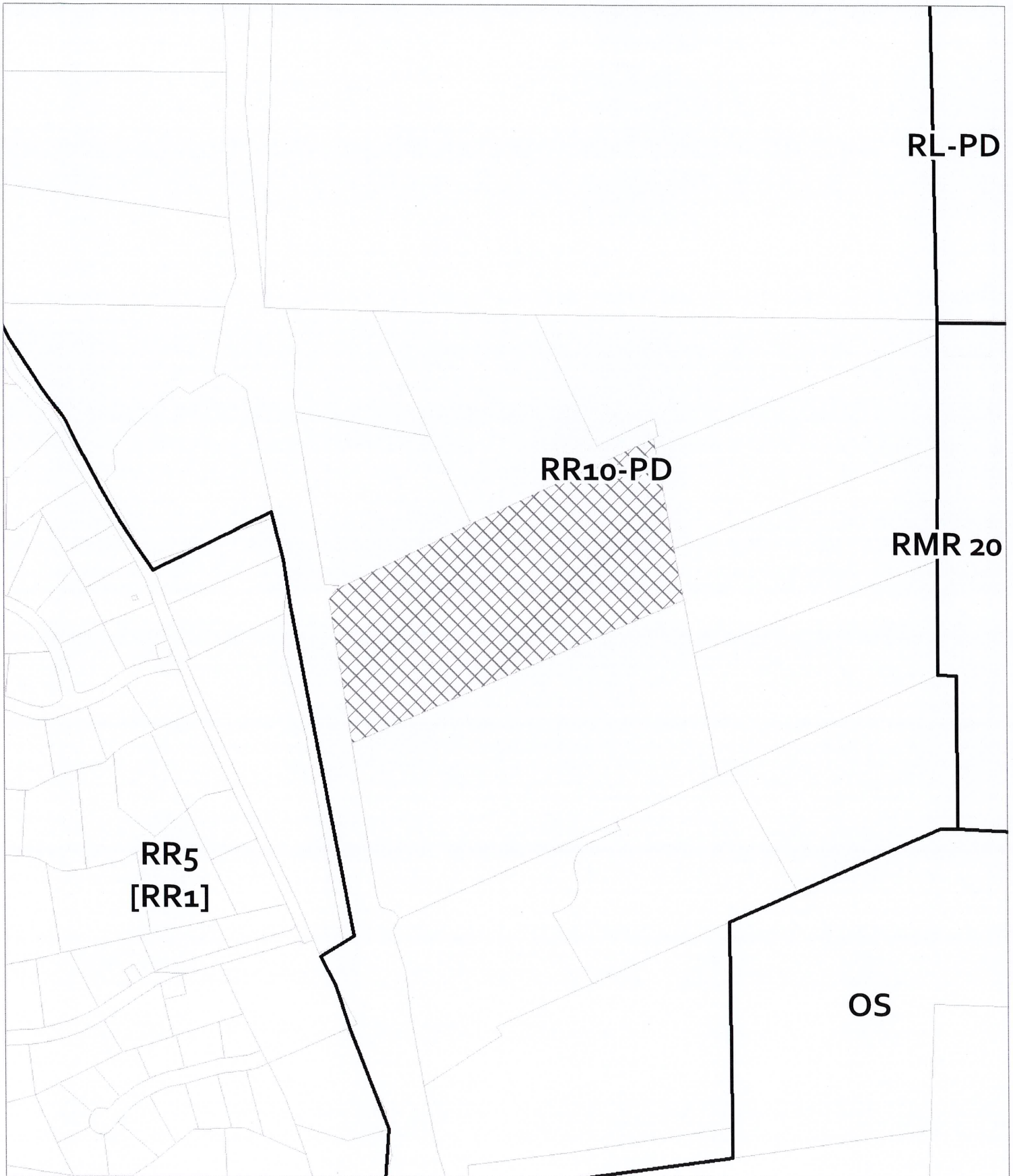
NO SCALE

REVISED SITE PLAN
ATTACHMENT D


CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino

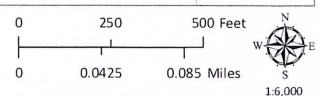
NO SCALE

ELEVATIONS
ATTACHMENT F



CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino

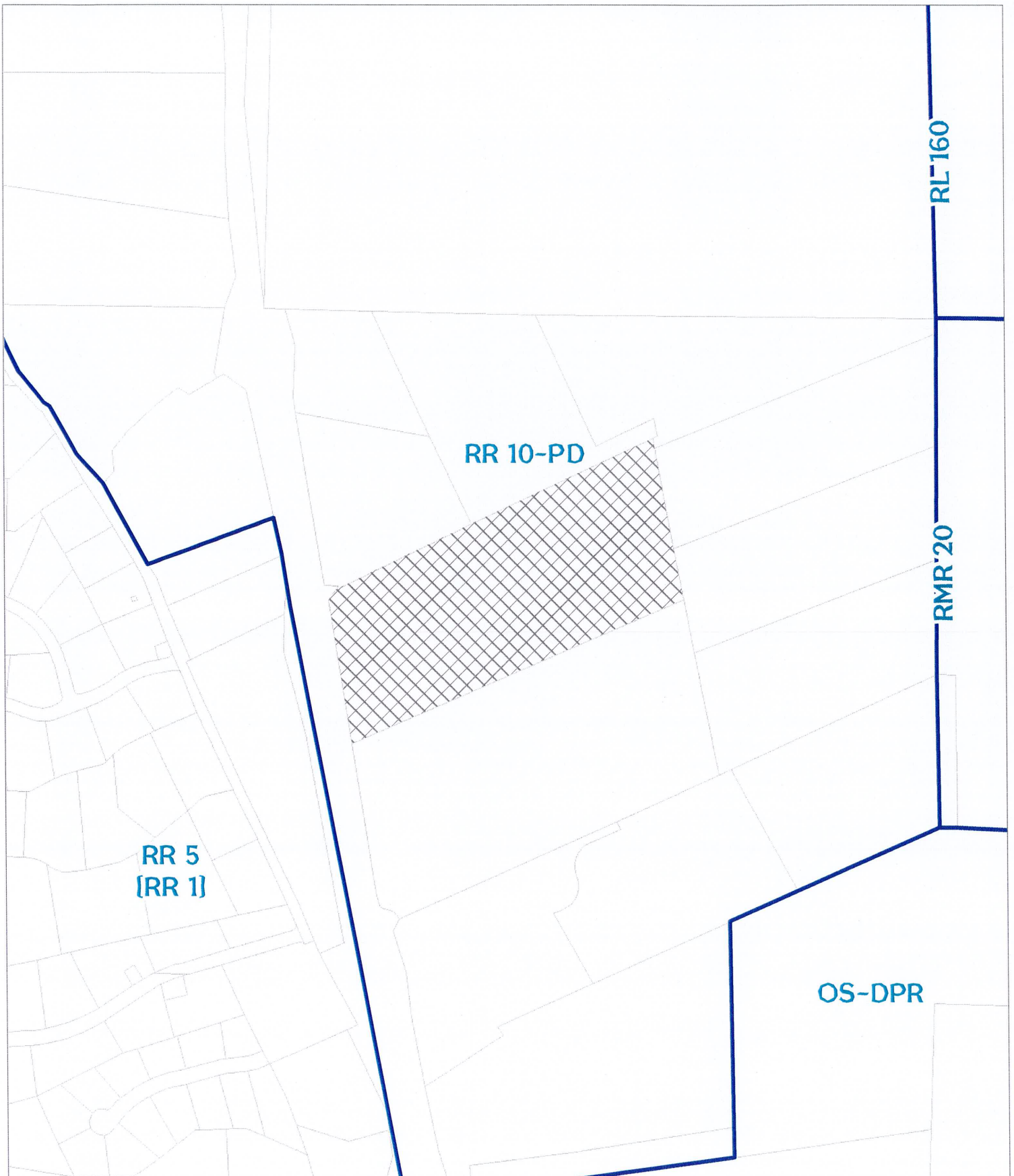
 Zoning Districts




ZONING DISPLAY MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT G



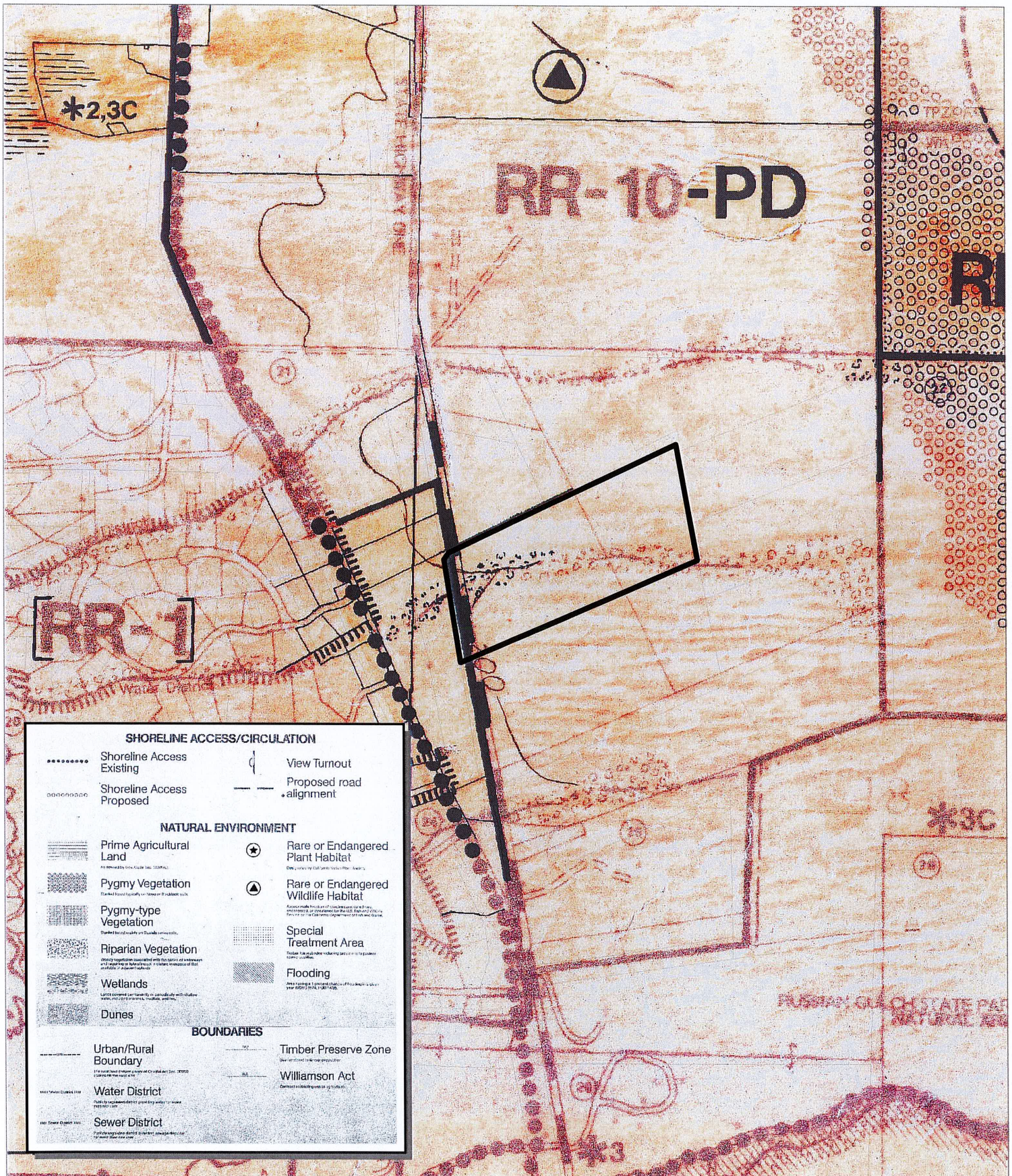
CASE: CDP 2017-0050
 OWNER: FEEHAN, Christine
 APN: 118-210-21
 APLCT: Christine Feehan
 AGENT: Christopher Walker
 ADDRESS: 13151 N. Hwy. 1, Mendocino

 General Plan Classes

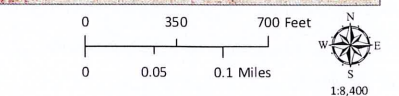
GENERAL PLAN CLASSIFICATIONS

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT H



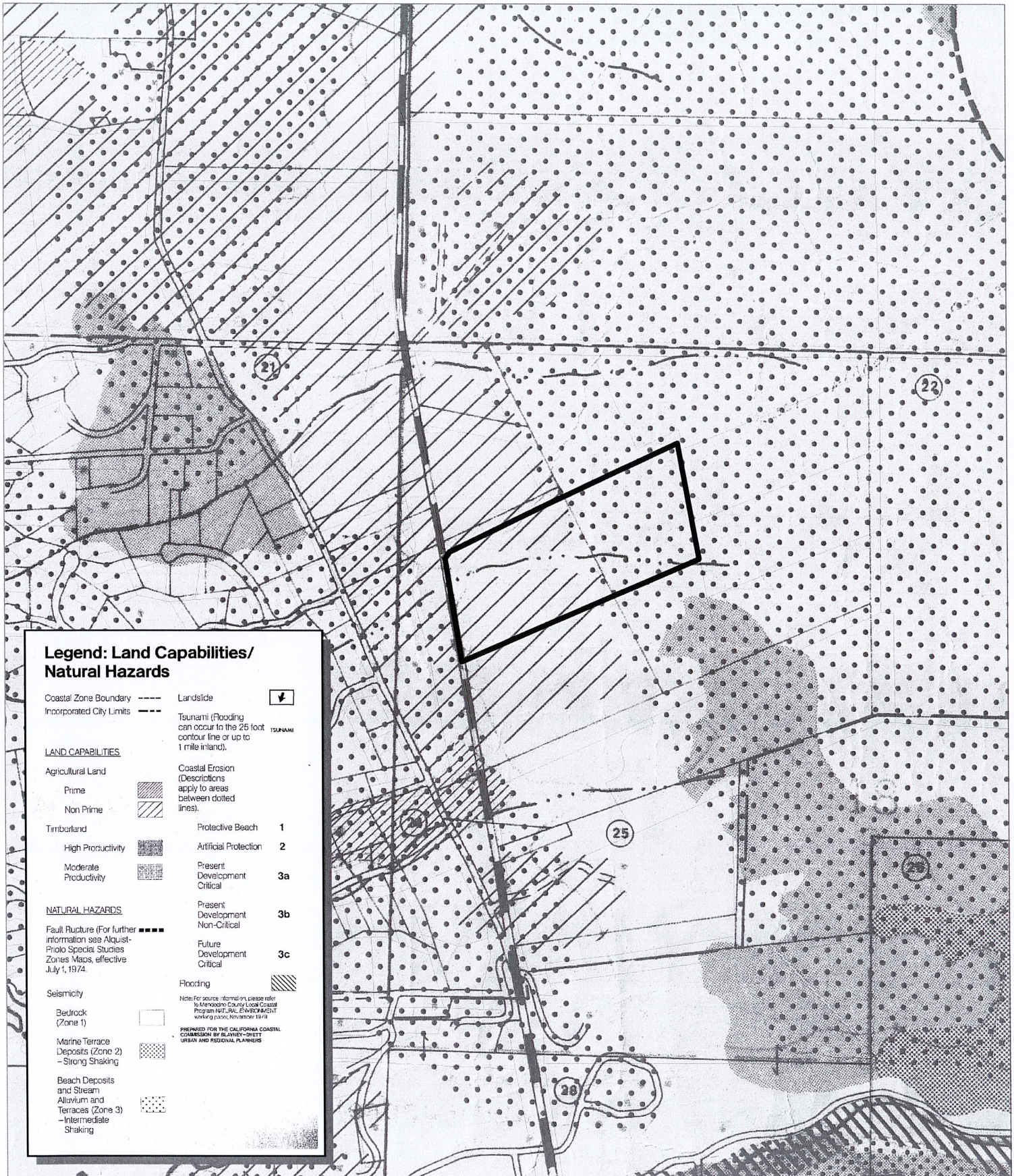
CASE: CDP 2017-0050
 OWNER: FEEHAN, Christine
 APN: 118-210-21
 AP/CT: Christine Feehan
 AGENT: Christopher Walker
 ADDRESS: 13151 N. Hwy. 1, Mendocino



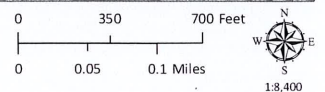
LCP LAND USE MAP 15: CASPAR

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT I



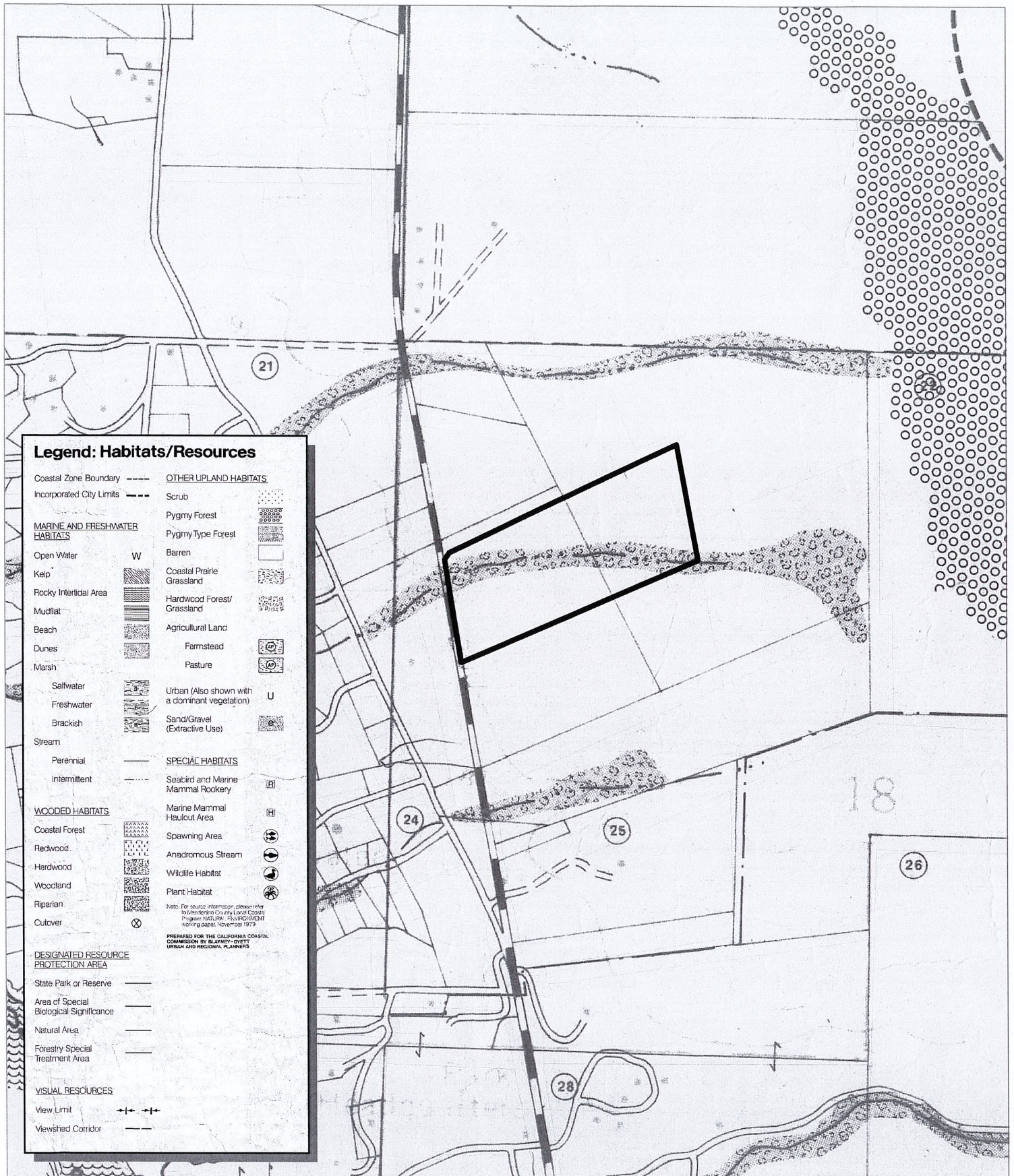
CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino



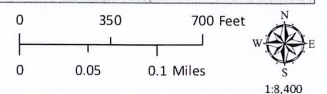
LCP LAND CAPABILITIES & NATURAL HAZARDS

ATTACHMENT J

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



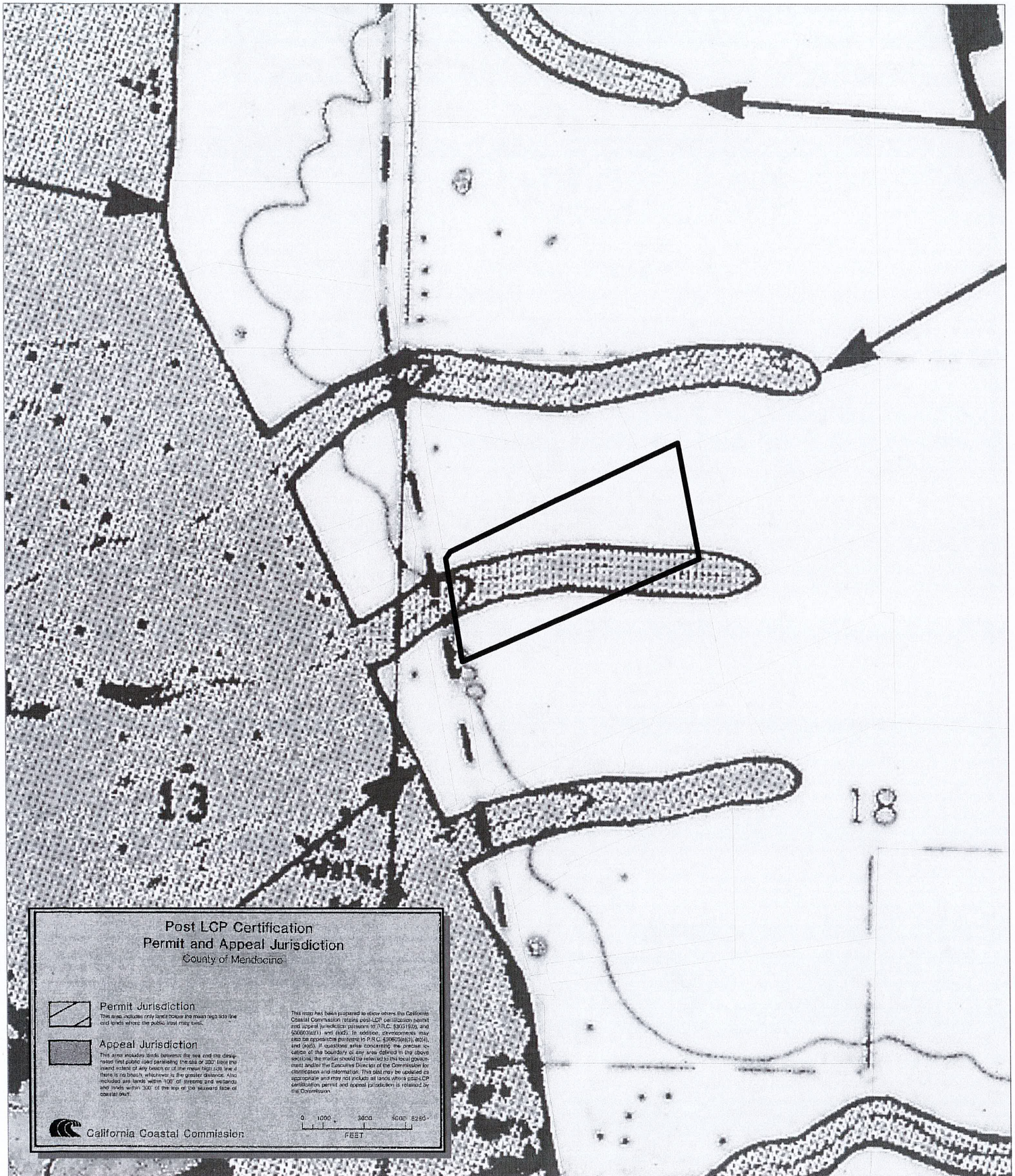
CASE: CDP 2017-0050
 OWNER: FEEHAN, Christine
 APN: 118-210-21
 APLCT: Christine Feehan
 AGENT: Christopher Walker
 ADDRESS: 13151 N. Hwy. 1, Mendocino



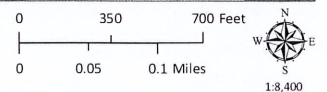
LCP HABITATS & RESOURCES

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT K

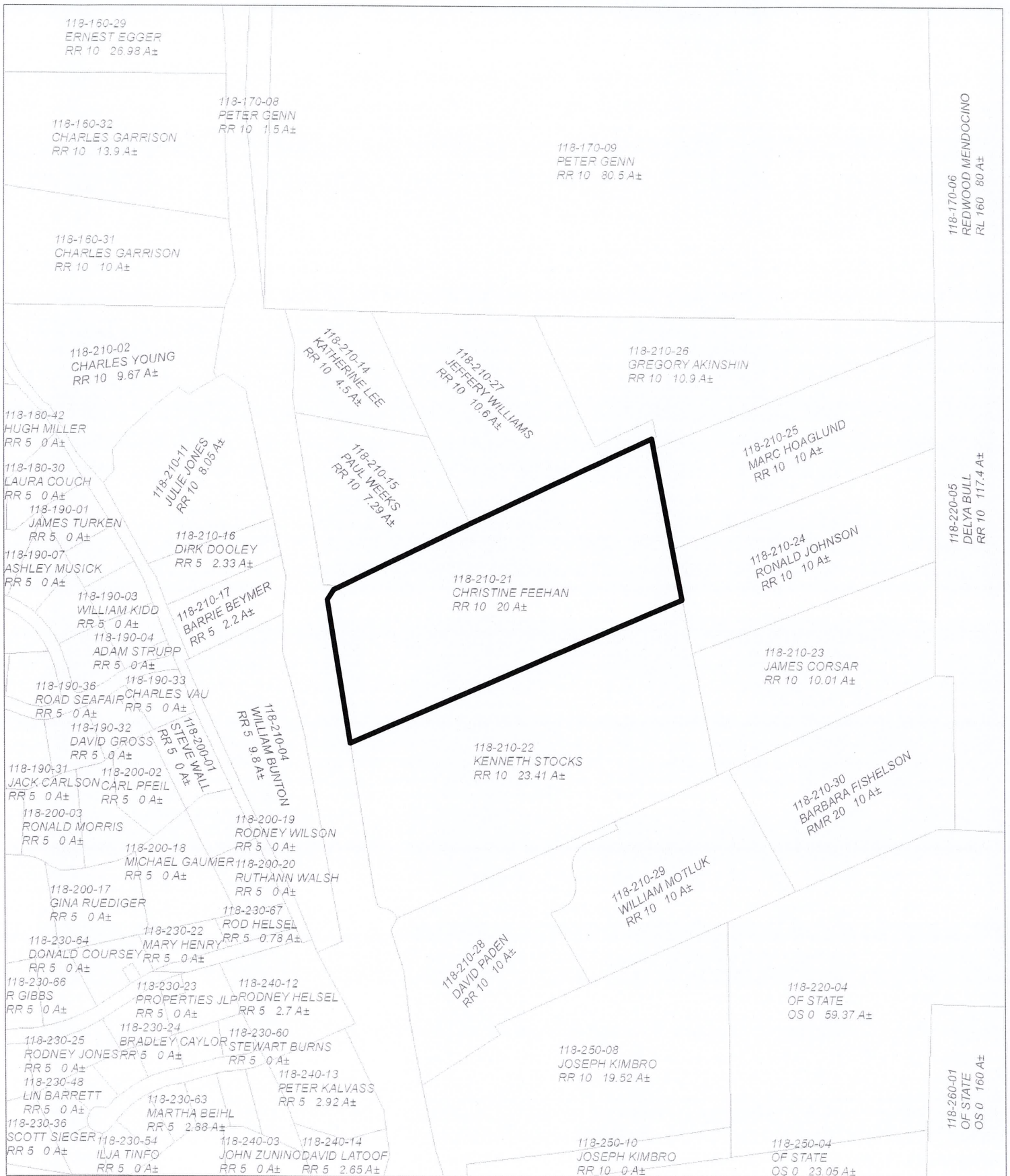


CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino

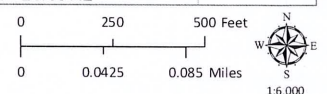


APPEALABLE AREAS
ATTACHMENT L

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

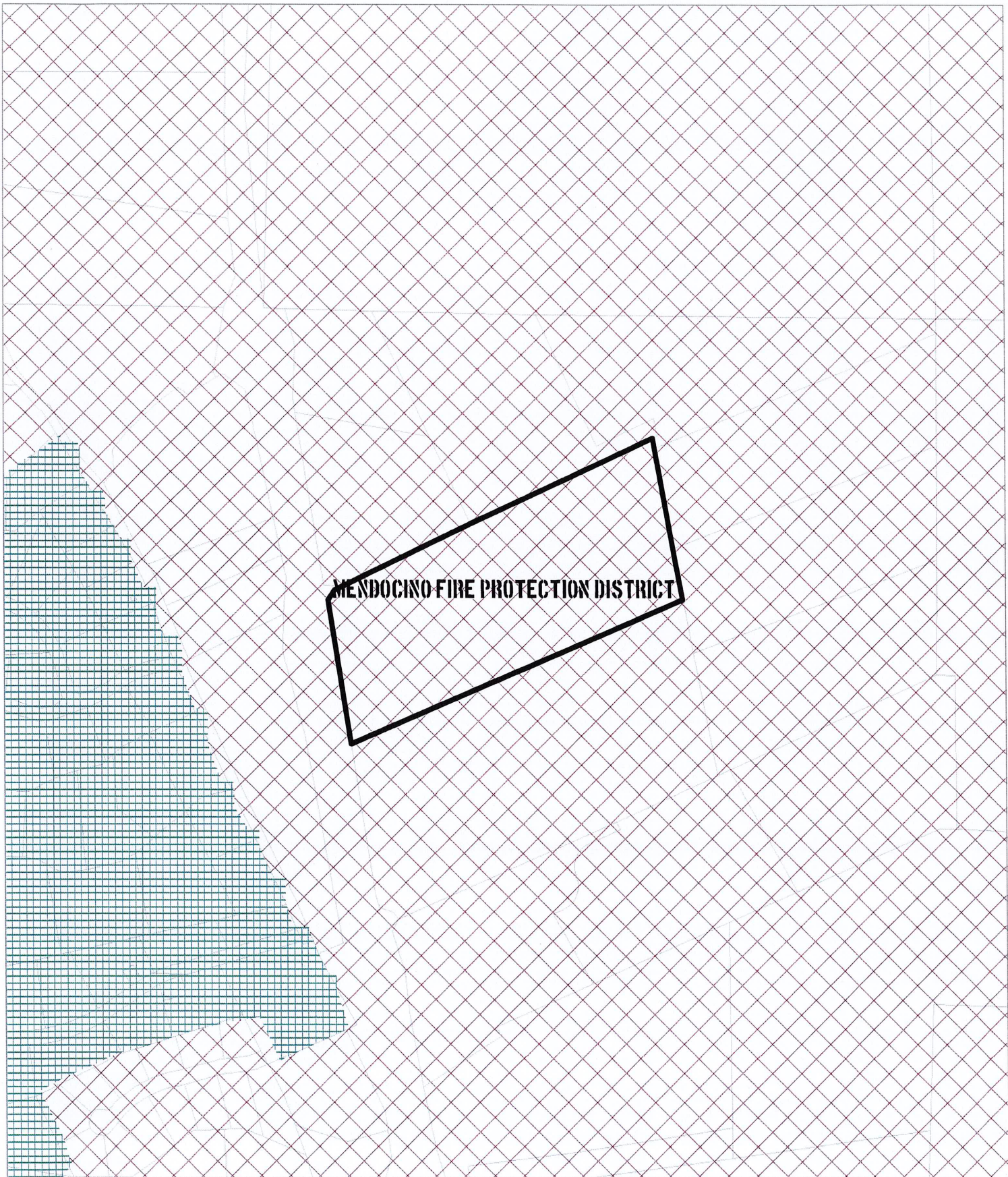


CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino






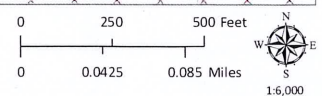
ADJACENT PARCELS
ATTACHMENT M

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: CDP 2017-0050
OWNER: FEEHAN, Christine
APN: 118-210-21
APLCT: Christine Feehan
AGENT: Christopher Walker
ADDRESS: 13151 N. Hwy. 1, Mendocino

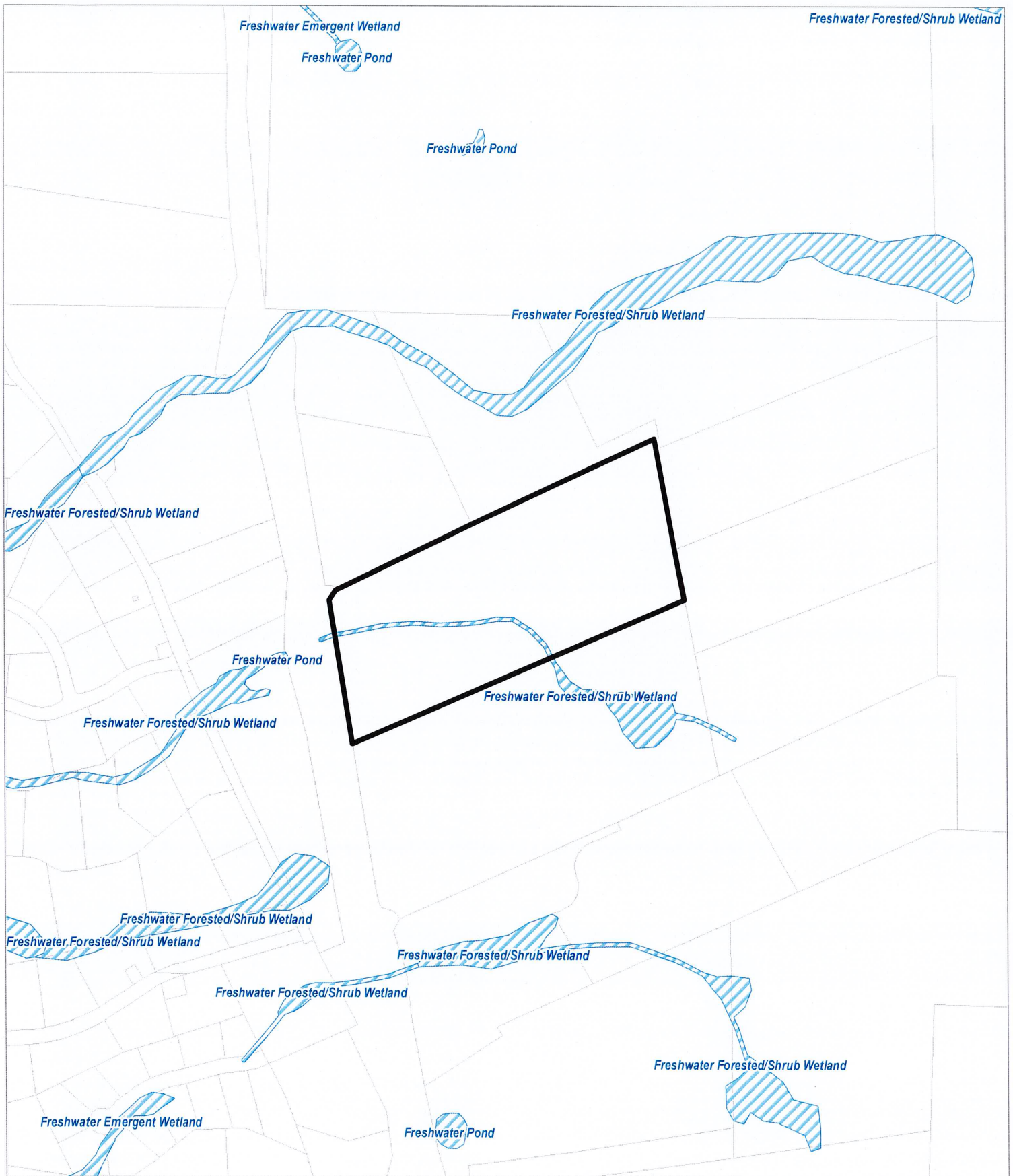
-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard




FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

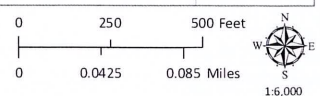
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT N



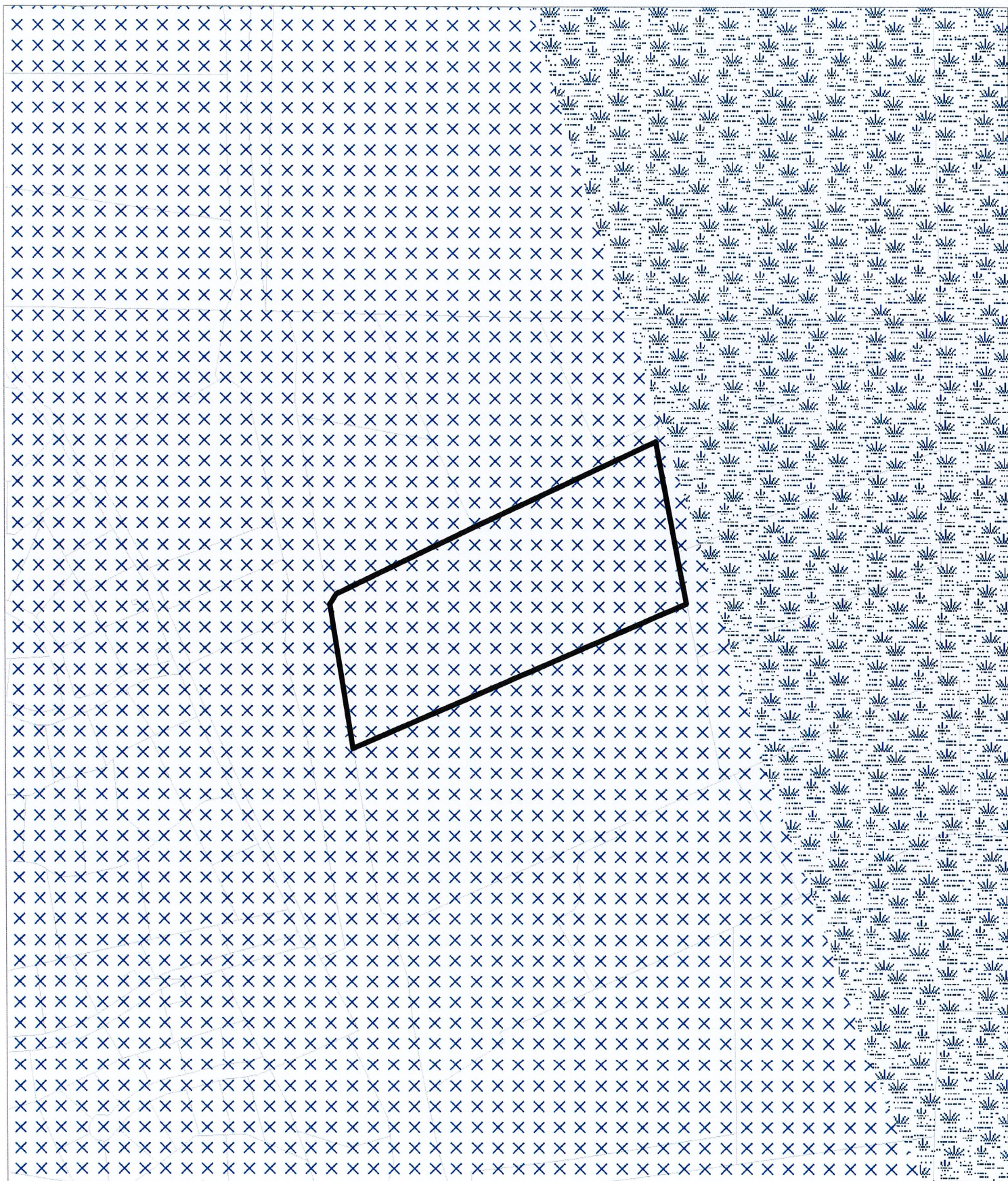
CASE: CDP 2017-0050
 OWNER: FEEHAN, Christine
 APN: 118-210-21
 APLCT: Christine Feehan
 AGENT: Christopher Walker
 ADDRESS: 13151 N. Hwy. 1, Mendocino

 National Wetlands Inventory





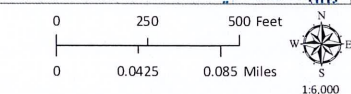
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

WETLANDS
 ATTACHMENT O



CASE: CDP 2017-0050
 OWNER: FEEHAN, Christine
 APN: 118-210-21
 APLCT: Christine Feehan
 AGENT: Christopher Walker
 ADDRESS: 13151 N. Hwy. 1, Mendocino

 Critical Water Areas
 Marginal Water Resources



GROUND WATER RESOURCES

ATTACHMENT P

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



703 North Main Street, Fort Bragg CA 95437
ph: 707-964-2537 fx: 707-964-2622
www.WCPlan.com

September 17, 2019

Christopher Walker
32681 Atkins Way
Fort Bragg CA 95437

RE: Lands of Christine Feehan – Biological Scoping Survey
13151 North Highway One
Mendocino CA 95460
APN: 118-210-21

Dear Mr. Walker,

Thank you for the opportunity to assist you with your natural resources needs for the proposed family care unit at 13151 North Highway One, Mendocino CA.

Wynn Coastal Planning & Biology has conducted a Biological Scoping Survey within 100ft of the previously approved structure which is now being converted to a family care unit. The Biological Scoping Survey addresses presumed ESHAs within 100ft of the proposed project that could be identified at the time of the site visit. It is our professional opinion that the project will not impact any special status resources as the building footprint is not changing.

Please let us know if you have any questions or comments.

All the best,

A handwritten signature in blue ink that reads "Wyatt Dooley".

Wyatt Dooley
Biologist

Encl: Feehan – Family Care Unit Biological Scoping Survey

CC: Christopher Walker, agent; file

Biological Scoping Survey

Investigators: Wyatt Dooley (B.S. Environmental Studies Minor Geology, UC Santa Barbara)
Property Address: Lands of Christine Feehan – 13151 North Highway One, Mendocino California
APN: 118-210-21
Survey Date: July 24, 2019
Study Area Size: ≈1.2 acres
Parcel Size: ≈ 20.7 acres

Proposed Development: The parcel has been previously developed with buildings and landscaping. The Study Area focused on the area within 100ft of the proposed family care unit. The proposed family care unit was a previously approved accessory structure. The accessory structure has since been converted to a family care unit without benefit of permit; a permit is being requested to bring the unit into compliance with County codes.

Methodology: Wyatt Dooley visited the site and examined plant communities and vegetation within 100ft of the proposed development. The focus of the study area was to determine if, and to what extent, plant communities, rare plants, wetlands, and/or special status wildlife habitat that could be considered Environmentally Sensitive Habitat Area (ESHA) occur within 100ft of the proposed development.

Site Description: The subject parcel is located at 13151 North Highway One, Mendocino, California. The parcel can be accessed from Highway One and is approximately 2 miles north of the village of Mendocino (**Figure 1**). The study area is located within the Coastal Zone and east of Highway One. The driveway is enclosed by Monterey cypress (*Hesperocyparis macrocarpa*) trees before opening up to a clearing where the development occurs. Areas beyond the clearing and existing development were forested (**Figure 2 & Figure 3**).

Wetlands: The NWI map was consulted and does not show any mapped wetlands within 100ft of the project area (**Figure 4**).

Survey Results: The area directly surrounding the proposed family care unit was landscaping and mowed lawn (**Figure 5 & Figure 6**). The dominant grass species were a mosaic of common velvet grass (*Holcus lanatus*), creeping bent grass (*Agrostis stolonifera*), and sweet vernal grass (*Anthoxanthum odoratum*). Other species present were perennial ryegrass (*Festuca perennis*), white clover (*Trifolium repens*), rough cat's ear (*Hypochaeris radicata*), prickly sowthistle (*Sonchus asper*), English plantain (*Plantago lanceolata*), cherry (*Prunus* sp.) and rattlesnake grass (*Briza maxima*), cotoneaster (*Cotoneaster* sp.), planted azalea cultivars (*Azalea* sp.), fox glove (*Digitalis purpurea*), rhododendron cultivars (*Rhododendron* sp.), Matilija poppy (*Romneya coulteri*), New Zealand flax (*Phormium tenax*), and ornamental grasses.

The areas beyond the mowed lawn were forested with areas of native and non-native trees. Along the northern property boundary Monterey cypress trees were planted and contained the same understory as the mowed lawn. North west of the residence on the neighboring parcel was **Bishop pine forest (Pinus muricata forest alliance [G3 S3.2]) (Figure 7)**. These Bishop pine trees were mature with some beginning to senesce. The trees were approximately 60 to 80ft tall, and they were limbed up to allow mowing underneath them. While observing from the property boundary, the understory species present were similar to the species observed within the mowed lawn onsite.

Northeast of the proposed development was a young **grand fir forest (Abies grandis [G4 S2.1])**. Other trees present were Bishop pine saplings, huckleberry (*Vaccinium ovatum*), rhododendron (*Rhododendron macrophyllum*), sweet vernal grass, common velvet grass, bracken fern (*Pteridium aquilinum*), and rough cat's ear.

The grand fir forest northeast of the proposed development transitioned to a mixed forest of grand fir and Bishop pines east of the proposed development (**Figure 8**). Areas closer to the proposed development contained a dense canopy cover of approximately 50% grand fir and

50% Bishop pines in the canopy (**Figure 9**). Areas further east transitioned to dominant Bishop pine forest. Because the overall area of the forest was predominantly Bishop pine trees, it was mapped as **Bishop pine forest**. Other trees present were tan oaks (*Notholithocarpus densiflorus*), Douglas fir (*Pseudotsuga menziesii*), and redwoods (*Sequoia sempervirens*). The understory was typical of an intact Bishop pine forest and contained species such as: sword fern (*Polystichum munitum*), Oregon grape (*Berberis nervosa*), huckleberry, red huckleberry (*Vaccinium parvifolium*), vanilla grass (*Anthoxanthum odoratum*), hairy honeysuckle (*Lonicera hispidula*), salal (*Gaultheria shallon*), common velvet grass, sweet vernal grass, chinook brome, rhododendron, redwood violet (*Viola sempervirens*), cape ivy (*Delairea odorata*), chick weed (*Stellaria media*), and woodland madia (*Anisocarpus madioides*).

Recommendations: Two presumed ESHAs were identified within 100ft of the proposed family care unit: **grand fir forest (*Abies grandis* [G4 S2.1])** and **Bishop pine forest (*Pinus muricata* forest alliance [G3 S3.2])**. The family care unit was a previously permitted building that is changing uses. There are no new impacts to the presumed ESHAs as the building footprint is not changing. If interior remodel work will occur and building materials will need to be staged outside of the proposed development, ideally the building materials will be located outside of the proposed 100ft buffer. If materials need to be placed between the proposed 50ft and 100ft buffer, it is recommended that orange construction fencing is placed along the 50ft buffer to keep construction crew and materials away from presumed ESHAs.

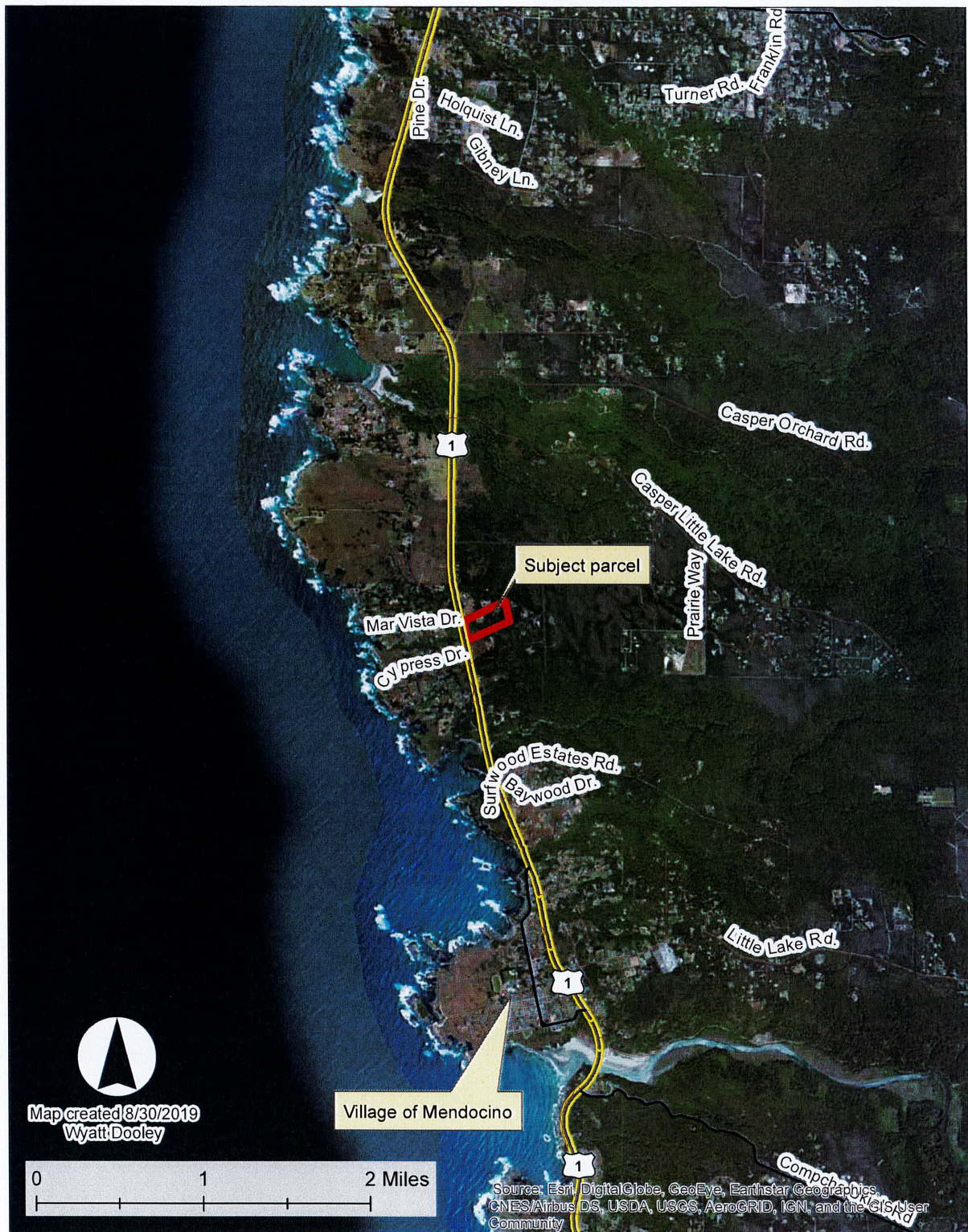
If the scope of work changes for the proposed development and exterior work such as and not limited to trenching and/or expansion of the building footprint occurs, additional Mitigation Measures and a Reduced Buffer Analysis may be necessary for the new scope of work.

It should be noted that Monterey cypress trees have a CNPS ranking of 1B.2 and are considered rare in its natural range of the Monterey peninsula. Monterey cypress trees located outside of the Monterey peninsula are considered non-native and not naturally occurring. Therefore, Monterey cypress do not warrant protection in Mendocino County.

No further surveys are recommended for the proposed development.

Biologist Biographies:

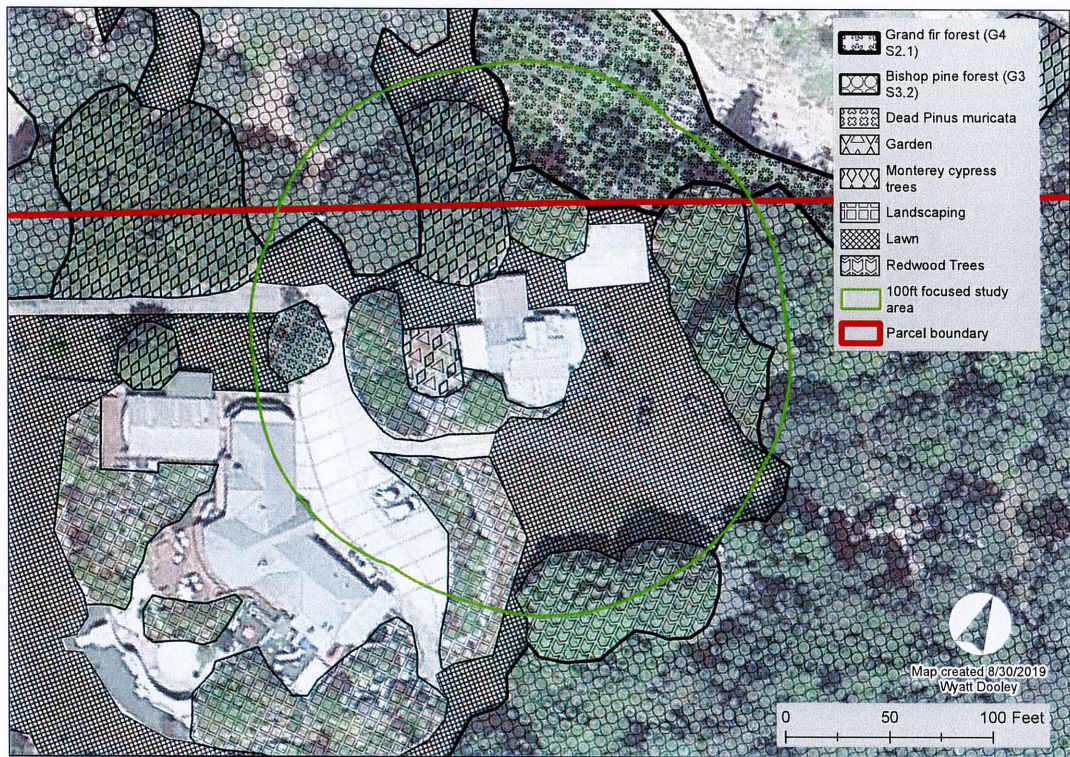
Wyatt Dooley graduated from University of California Santa Barbara with a Bachelor's of Science in Environmental Studies and a minor in Geology. After graduating, he worked for Fish and Wildlife and Pacific States Marine Fisheries as a technician researching salmon. He has also worked abroad in New Zealand as a conservation ranger helping on restoration projects and controlling invasive species. Additionally, he has received training in Army Corp wetland delineation by San Francisco State University and the Wetland Science and Coastal Training Program, training from CNPS-CDFW on vegetation rapid assessment and relevé methods, is on the US Fish and Wildlife Service's approved list for Point Arena Mountain Beaver Surveys, and received a specialization in ArcGIS through University of California Davis. He has also received training in *Carex* keying and identification through CNPS taught by CA Fish and Wildlife staff biologist Gordon Leppig (March 2019).



OWNER: Christine Feehan
AGENT: Walker Enterprises
APN: 118-210--21
ADDRESS: 13151 N HWY 1 Mendocino

Location Map

Figure 1. Location of project area in relation to Mendocino California..

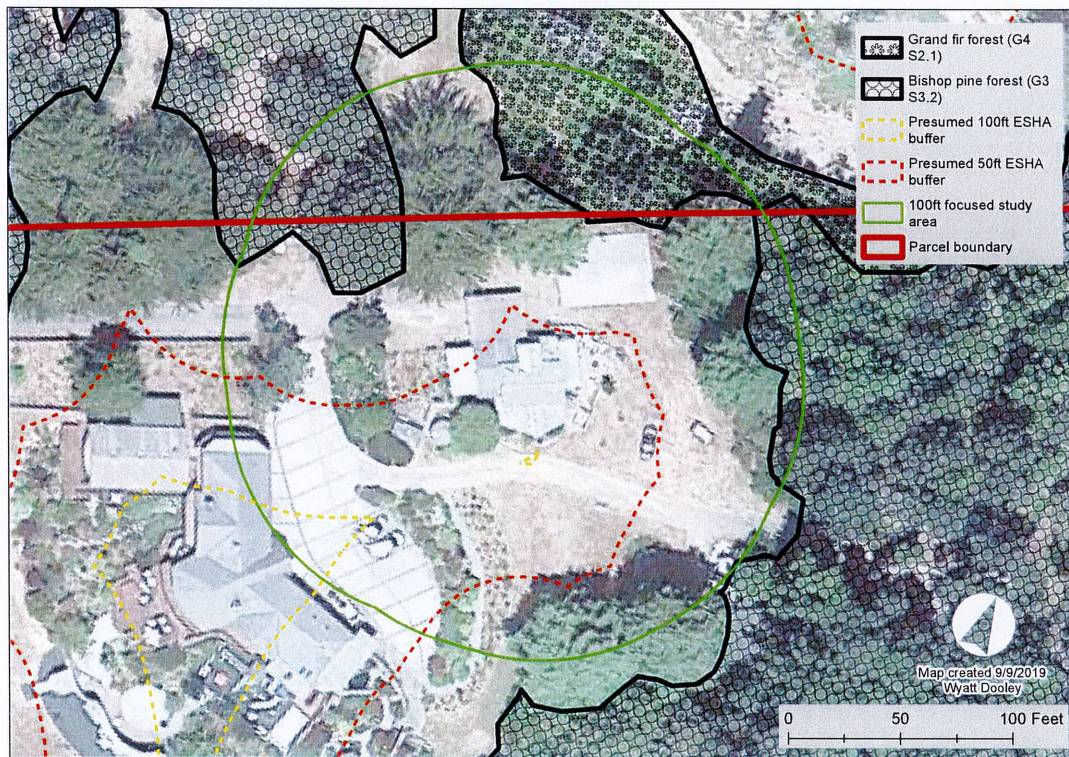


OWNER: Christine Feehan
AGENT: Walker Enterprises
APN: 118-210-21
ADDRESS: 13151 N HWY 1 Mendocino

Plant Community & Vegetation Map

Parcel boundary is approximate

Figure 2. Vegetation and plant communities surrounding proposed family care unit.



OWNER: Christine Feehan
AGENT: Walker Enterprises
APN: 118-210-21
ADDRESS: 13151 N HWY 1 Mendocino

Presumed ESHA Map

Parcel boundary is approximate

Figure 3. Presumed ESHAs observed during site visit.

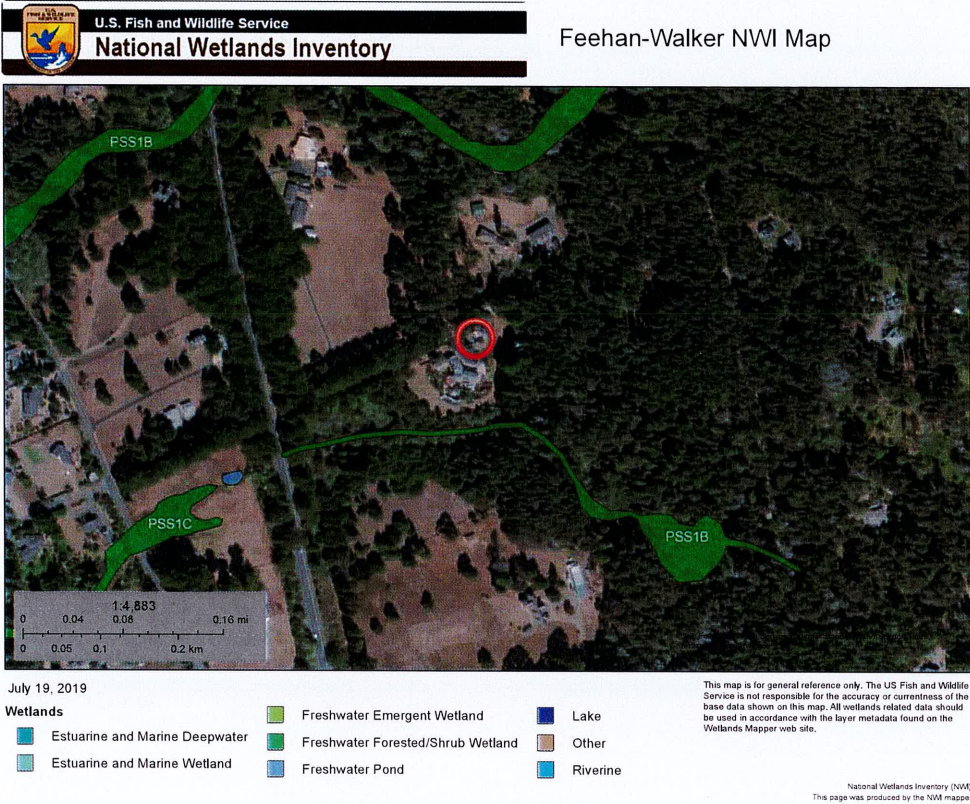


Figure 4. National Wetlands Inventory (NWI) map generated for project area. The red circle is the project area.



Figure 5. The previously permitted structure that is changing use to a family care unit.



Figure 6. Single family residence and landscaping west of the proposed family care unit.



Figure 7. The Bishop pine forest and mowed understory northwest of the proposed development.



Figure 8. Redwood trees and Bishop pine forest mapped east of the proposed development.

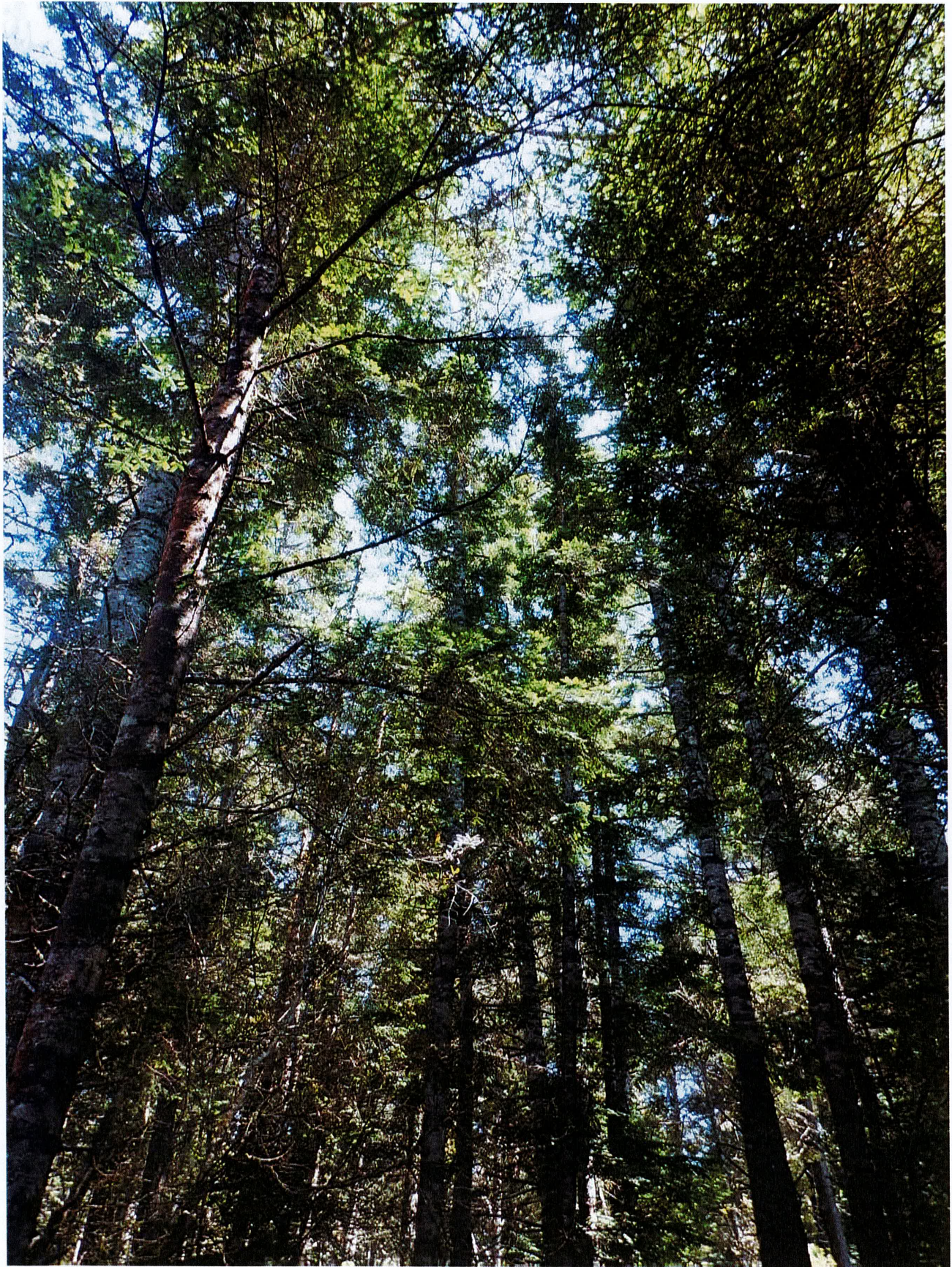


Figure 9. Photo taken within Bishop pine forest east of the proposed development. Taken in area dominated with grand firs.