



**COASTAL PERMIT ADMINISTER
STAFF REPORT- CDP_STANDARD**

**FEBRUARY 23, 2017
CDP_2016-0008**

SUMMARY

OWNER: BONNIE WORTHINGTON
45180 HEADLANDS DRIVE
LITTLE RIVER, CA 95456

APPLICANT: BONNIE WORTHINGTON
VILLA MER PROPERTY MANAGEMENT INC.
702 MANGROVE AVENUE, SUITE 103
CHICO, CA 95926

AGENT: SCHLOSSER NEWBERGER ARCHITECTS
435 NORTH MAIN STREET
FORT BRAGG, CA 95437

REQUEST: A request for a Coastal Development Permit to: 1) Renovate existing 2nd story deck and ground floor entry and rear stairs; 2) Build new ground floor deck; and 3) Add new windows and French doors to existing residence.

DATE DEEMED COMPLETE: March 25, 2016

LOCATION: In the Coastal Zone, located at 45180 Headlands Drive, Little River (APN 121-260-18), +/- 400 feet west of the intersection of Peterson Lane and Highway 1, on the north side.

TOTAL ACREAGE: 0.25

GENERAL PLAN: Rural Residential RR5(1):R

ZONING: Rural Residential RR:5

APPEALABLE: Yes. West of the first public road, high scenic, and within 100 feet of an ESHA.

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: Approve with conditions

STAFF PLANNER: Bill Kinser

BACKGROUND

PROJECT DESCRIPTION: A request for a Coastal Development Permit for the construction of a 118-square-foot first-story deck to replace the existing 18-square-foot patio, construction of a 118-square-foot second-story deck to replace the existing 75-square-foot second-story deck, replacement of the existing entry and rear stairs, and the addition of new windows and french doors to the existing residence.

The subject parcel is 0.25 acres in size (or 11,096 square feet) in area and located west of Highway 1, approximately 2-miles south of the Town of Mendocino in the community of Little River. The site is currently developed with a 1,992-square-foot single-family residence, a 1,046-square-foot detached garage, a 116-square-

foot shed, and a 46-square-foot pump house. The property is located in a designated Highly Scenic Area and is visible from Van Damme State Park property. Environmentally Sensitive Habitat Areas (ESHAs) on or near the property include a wetland northeast of the property and a seasonal drainage course which is located approximately 40-feet from the single family residence.

APPLICANT'S STATEMENT: "Rebuild existing porches and stairs in footprint of existing porches and stairs. Add new windows and French doors to existing residence."

RELATED APPLICATIONS:

On-Site

- CDP-2007-46 (Giminez, Remodel). Demolish existing porch and add 242 square feet to existing single family residence.
- BF 2007-1118 (4/3/08). Remodel kitchen and stairway and add bathroom.
- Utility Permit 97900725 (8/29/97). Replace main electrical panel.
- BP 96900461 (6/21/96). Demolish fire place and add new fireplace, balcony, electric switch/lights.
- BP 95900783 (4/15/96). Foundation.
- Septic Permit 008430 (7/12/95).
- F-19484 (11/18/83). Rebuild garage and studio.
- F-2556 (4/14/76). Deck.

Neighboring Property

- CDP_2001-80
- CDP_2005-87
- CDP_2004-13
- CDP_2004-14
- CDP_2008-15

SITE CHARACTERISTICS: The 0.25-acre (or 11,096 square feet) site is located at 45180 Headlands Drive (APN 121-260-18) in Little River approximately 400-feet west of the intersection of Peterson Lane and Highway 1 in the community of Little River, approximately 2-miles south of the Town of Mendocino. The site is flat and primarily vegetated with grasses and small shrubs.

Uses surrounding and adjacent to the site include a single-family residence located immediately east, a State Park Administration Building located across Peterson Lane to the south, and by open space (State Park lands) to the north and west. The project site is located approximately 600-feet east of the Pacific Ocean and is in a designated Highly Scenic Area (HAS). Public access through Van Damme State Park is provided west and north of the subject site. The site is located within a Coastal Groundwater Study Zone in an area of "Marginal Water Resources."¹ 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	OSDPR	OS	80.6 ACRES	Open Space
EAST	RR5(1)	RR5	0.45 ACRES	Single-Family Residential
SOUTH	OSDPR	OS	5.5 ACRES	Open Space
WEST	OSDPR	OSDPR	80.6 ACRES	Open Space

The parcels along the north side of Peterson Lane have the same land use and zoning as the subject parcel. The parcels to the north, west and south are designated as open space; the open space parcel to the south has a State Park administration building. The proposed project is compatible with surrounding land uses and development.

¹ *Ground Water Resources* [map]. April 2016. 1:12,000. Mendocino County Planning and Building Services.

PUBLIC SERVICES:

ACCESS: PETERSON LANE
FIRE DISTRICT: ALBION LITTLE RIVER VOLUNTEER FIRE DEPARTMENT
WATER DISTRICT: NONE
SEWER DISTRICT: NONE
SCHOOL DISTRICT: MENDOCINO UNIFIED SCHOOL DISTRICT

AGENCY COMMENTS:

On March 30, 2016, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial is discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation		No Response	
Planning - Ukiah		Comments	4/5/2016
Environmental Health—FB		No Comment	4/4/2016
Building Inspection—Ukiah/Fort Bragg		No Comment	6/17/2016
Assessor		No Response	
California Department of Fish and Game		No Response	
Coastal Commission		No Response	
California Department of Parks and Recreation		No Response	
Mendocino Fire District		No Response	

KEY ISSUES

General Plan. 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 or alternate density of 1 acre minimum (RR5(1):R). 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.”² The principally permitted use designated for this land use classification is “residential and associated utilities, light agriculture, [and] home occupation.”³

The project includes the construction of a first-story and second-story decks, replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing residence on a parcel approximately 0.25 acres in area, which is consistent with the intent of the Rural Residential classification. Principally Permitted Uses include single family dwelling units and its associated utilities.

Coastal Zoning Ordinance. The project is consistent with the Mendocino County Coastal Zoning Ordinance. The zoning district for the site is Rural Residential - 5 acre minimum (RR:5) as described in the Mendocino County Coastal Zoning Regulations. The project has been reviewed for and found consistent with sections related to archeological and cultural resources, transportation and circulation, public access, hazards and grading and erosion control.

² Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino-General Plan. 1991. Ukiah, CA,

³ Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino-General Plan. 1991. Ukiah, CA.

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."*⁴ The proposed project includes the construction of a first-story and second-story decks, replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing residence. The project creates minimal impact on agricultural viability and complies with the development of lands not well-suited for agriculture intent of the RR District. Single family residences and accessory structures are principally permitted in the RR District.

Setbacks. The minimum required front and rear yards in the RR:5 [RR-1] District is twenty (20) feet and the minimum side yard setbacks are six (6) feet. The proposed project includes construction of a 118-square-foot first-story deck to replace the existing 18-square-foot deck/entryway, construction of a 118-square-foot second-story deck to replace the existing 75-square-foot second-story deck, replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing single family residence. The existing second floor deck was approved in 1996 (FB 96900461) and extends approximately three (3) feet into the front yard setback, or eleven (11) feet with the corridor preservation setback. The proposed first and second floor decking would not extend further into the front yard setback than the approved second floor decking, with the exception of the composition shingle skirt roofing at the base of the second floor deck and the entry stairs on the first floor. The proposed project does not conform to the front yard setback requirements; however, the proposed first and second decking does not extend further into the front yard setback than the previously approved decking and is consistent with previous approvals by Planning and Building Services for this particular property. The proposed development would not be within the corridor preservation setback.

Building Height. The maximum permitted building height in the RR District is 18-feet above the natural grade unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures. The existing single-family residence roofline is approximately 26.5 feet above natural grade with a cupola extending to 29.5-feet over an eastern portion of the house. A height for the existing single family residence of 28 feet was approved by CDP 2007-0046. The proposed project would not increase the height of the existing structure. The height of the proposed development is consistent with the maximum building height limits for the RR District.

Lot Coverage. The maximum permitted lot coverage in the RR District is 20 percent for parcels less than 2 acres in size.⁵ The parcel is approximately 0.25-acres (11,096 square feet). Maximum lot coverage is 2,219 square feet. The footprint of the existing single family residence and appurtenant structures is approximately 1,921 square feet or 17.8 percent of the property. The proposed project is under the maximum lot coverage allowed in the RR District.

Staff finds that the project is consistent with the development and land use standards for the RR:5 District and with previous permits issued by the PBS. The proposed project complies with standards for land use, building heights, parking and lot coverage. The proposed project does not conform to the front yard setback requirements; however, the proposed first and second decking does not extend further into the front yard setback than the previously approved decking and is consistent with previous approvals by Planning and Building Services for this particular property.

Natural Resources. The proposed development is for replacement of existing entry and rear stairs on the north side of the house and construction of first and second floor decking along the south face of the existing house. The decking along the south side of the house would be approximately 52 feet from an intermittent creek and no closer to the creek than the existing first floor porch and stairs that would be replaced. The site analysis provided by the applicant shows no new area added to porch areas on the north side of the house. Staff finds that no botanical survey is warranted because all development would take place within the existing developed area of the house and a reduced buffer analysis is unnecessary because the existing buffer would not be reduced by the proposed development. Condition 10 is recommended to ensure that construction activities have no impact on the creek or riparian area.

Archaeological/Cultural Resources. For small projects such as remodels, additions, small outbuildings (projects with minimal Earthwork), Mendocino County Department of Planning and Building Services (PBS) procedure is to not refer these types of projects to either California Historic Resource Information Center (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 it was determined to be an

⁴ Mendocino County Coastal Zoning Code, §20.376.005 (1995).

⁵ Mendocino County Coastal Zoning Code, § II-20.376.065 (1995).

appropriate guidance document for what projects would require archaeological review. A Standard Condition advises the applicant of the "Discovery Clause," which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project. With the inclusion of the standard condition of approval advising the Applicant about discovery of archaeological resources, staff finds the project to be consistent with Mendocino County policies for protection of paleontological and archaeological resource.

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 the General Plan Coastal Element and implemented by MCC Chapter 20.504. The subject parcel is within a mapped Highly Scenic Area (HSA), as depicted on the LCP Land Use Map 17 *Mendocino*. Mendocino Local Coastal Program Chapter 3.5-3 states, "...new development west of Highway One in designated "highly scenic areas" is limited to one-story (above natural grade) unless an increase in height would not affect public views to the ocean or be out of character with surrounding parcels."⁶ The proposed project includes construction and replacement of first- and second-story decks, construction of a replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing single family residence. The height of the existing single family residence roofline is approximately 26.5 feet with a cupola extending to 29.5-feet over an eastern section of the house. The project as proposed would not increase the height of the existing structure nor would it affect public views to the ocean or be out of character will surrounding parcels. Staff recommends Condition 9 to ensure that the project is constructed with the proposed materials and colors, and lighting submitted as part of the coastal development permit application.

Environmental Protection. A Class 1(e) Categorical Exemption from CEQA, pursuant to Section 15301, Existing Facilities. The proposed project includes a minor alteration of an existing structure, which will not increase the floor area by more than 50-percent, therefore, the proposed project involves negligible or no expansion of an existing use.

RECOMMENDATION

By resolution, approve the Categorical Exemption and grant the Coastal Development Permit for the Project, as proposed by the Applicant, based on the facts and findings and subject to the conditions of approval.

DATE

Bill Kinser

Appeal Period: 10 Days
Appeal Fee: \$910.00

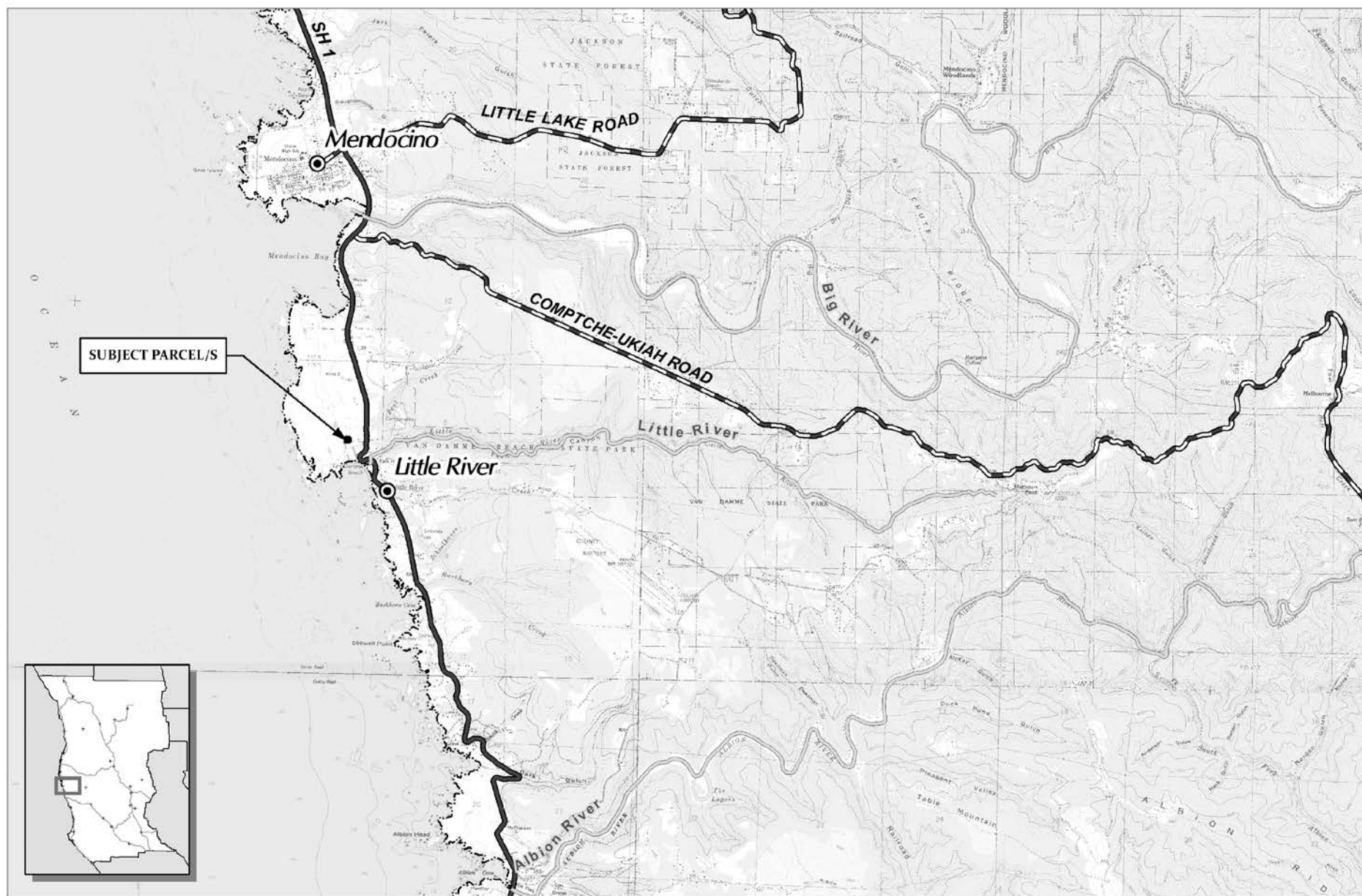
ATTACHMENTS:

- A. Location Map
- B. ESRI Imagery
- C. Zoning Display Map
- D. General Plan Classifications
- E. LCP Land Use Map 17: Mendocino
- F. LCP Land Capabilities
- G. LCP Habitats and Resources Map
- H. Appealable Resources
- I. Adjacent Parcels
- J. Fire Hazard Areas
- K. Ground Water Resources
- L. Highly Scenic Areas
- M. Site Plan
- N. Proposed Floor Plan

COASTAL PERMIT APPROVAL CHECKLIST

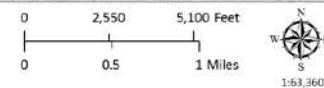
RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A)

⁶ Chapter 3.5. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan – Coastal Element. 1991. Ukiah, CA.



CASE: CDP 2016-0008
OWNER: WORTHINGTON, Bonnie
APN: 121-260-18
APLCT: Villa Mer Prop. Mgmt.
AGENT: Schlosser New Berger Arch.
ADDRESS: 45180 Headlands Dr, LR

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

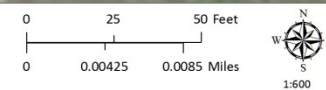


LOCATION MAP

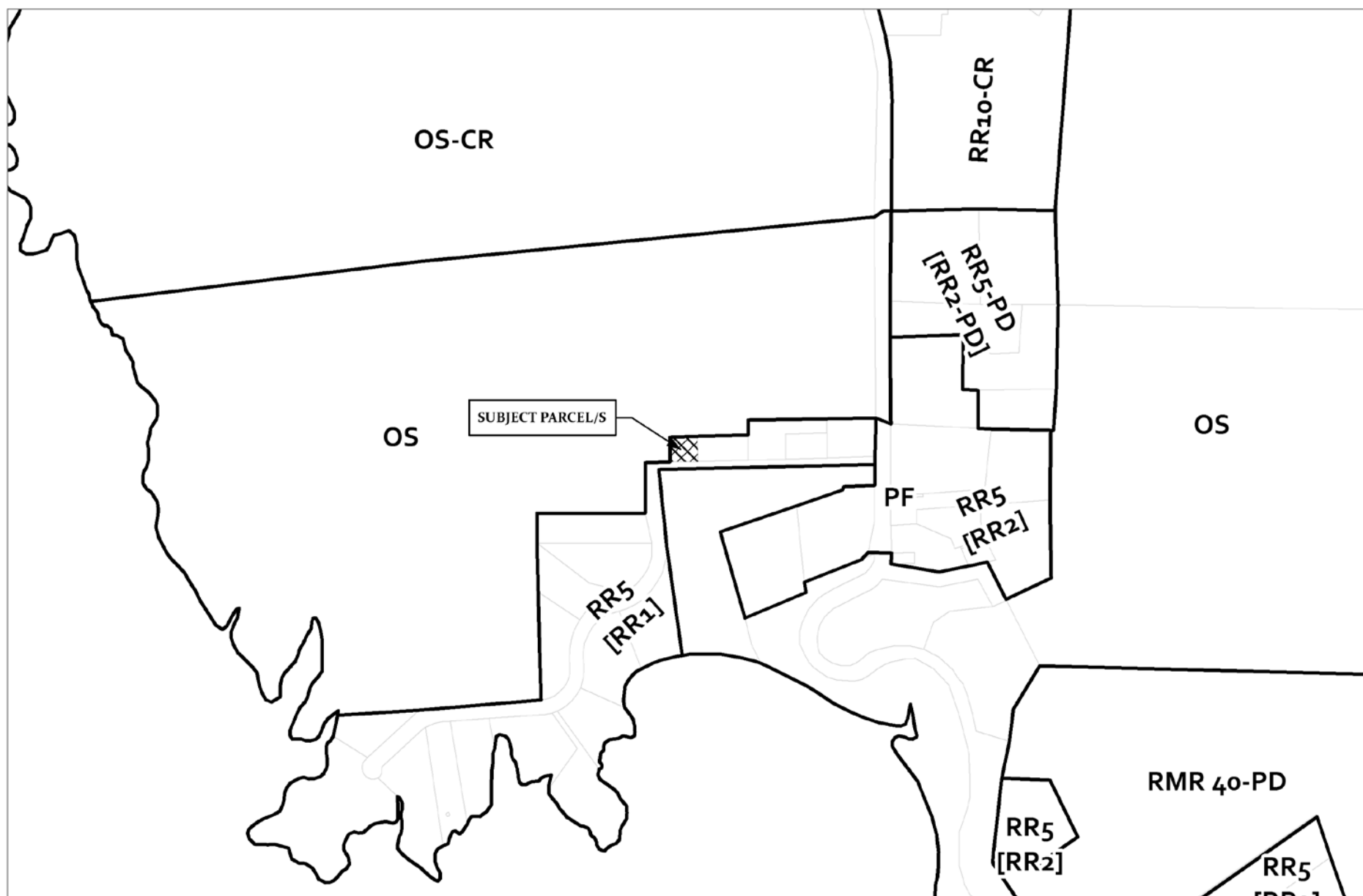


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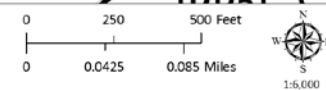
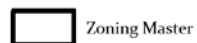
--- Private Roads



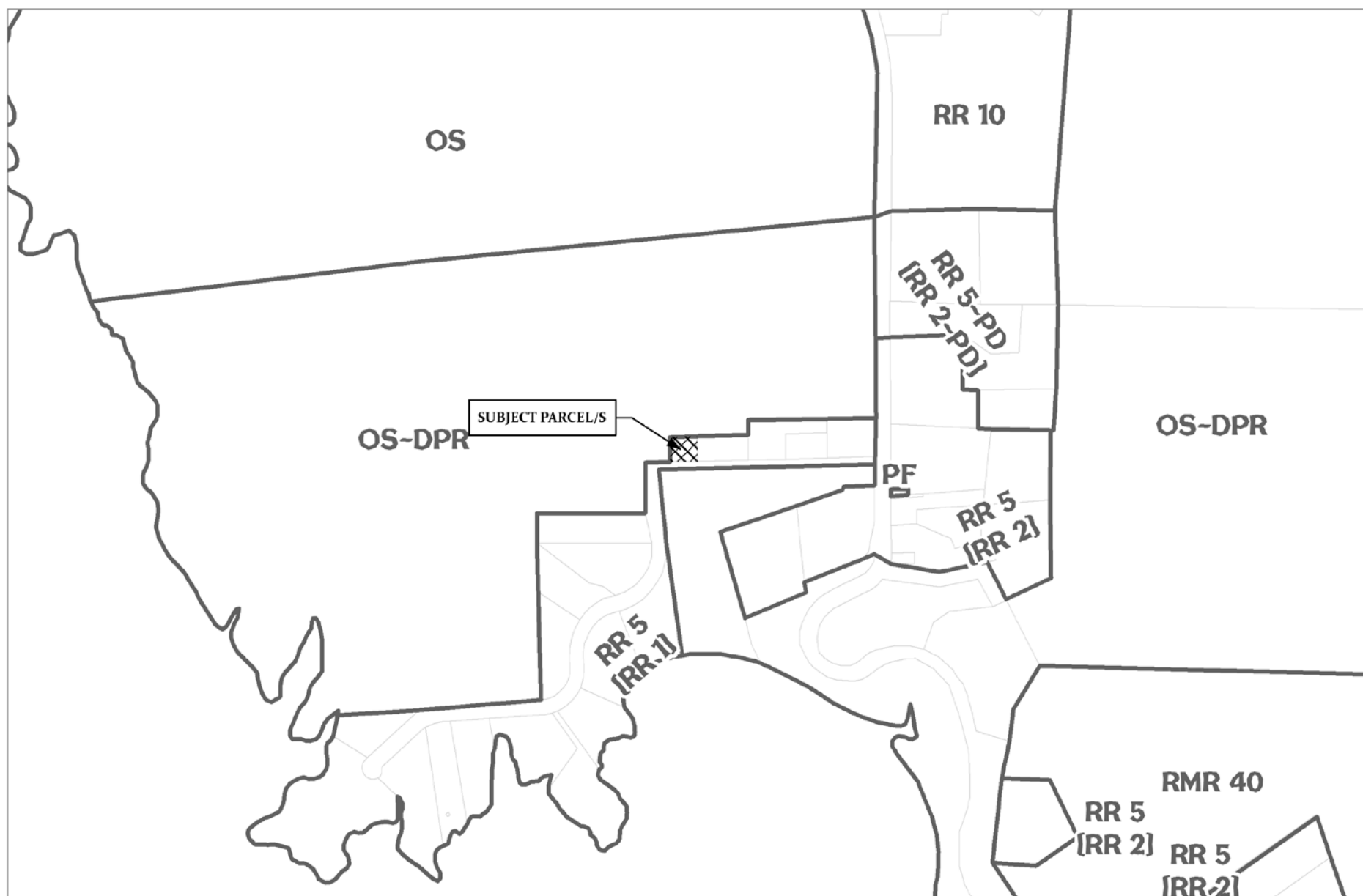
ESRI IMAGERY



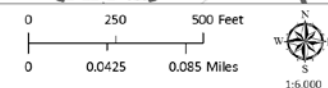
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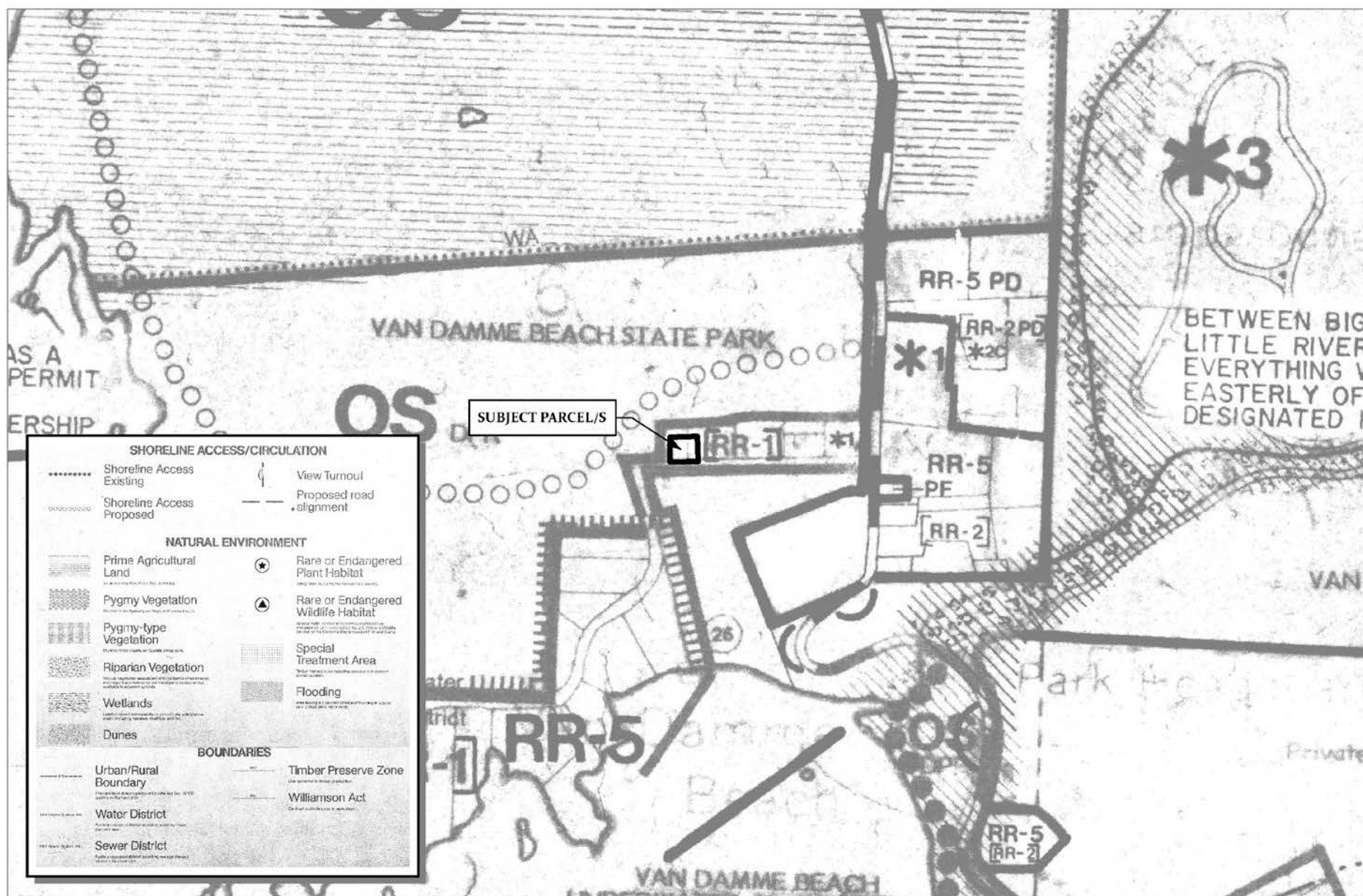
ZONING DISPLAY MAP



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 ADDRESS: 45180 Headlands Dr., LR



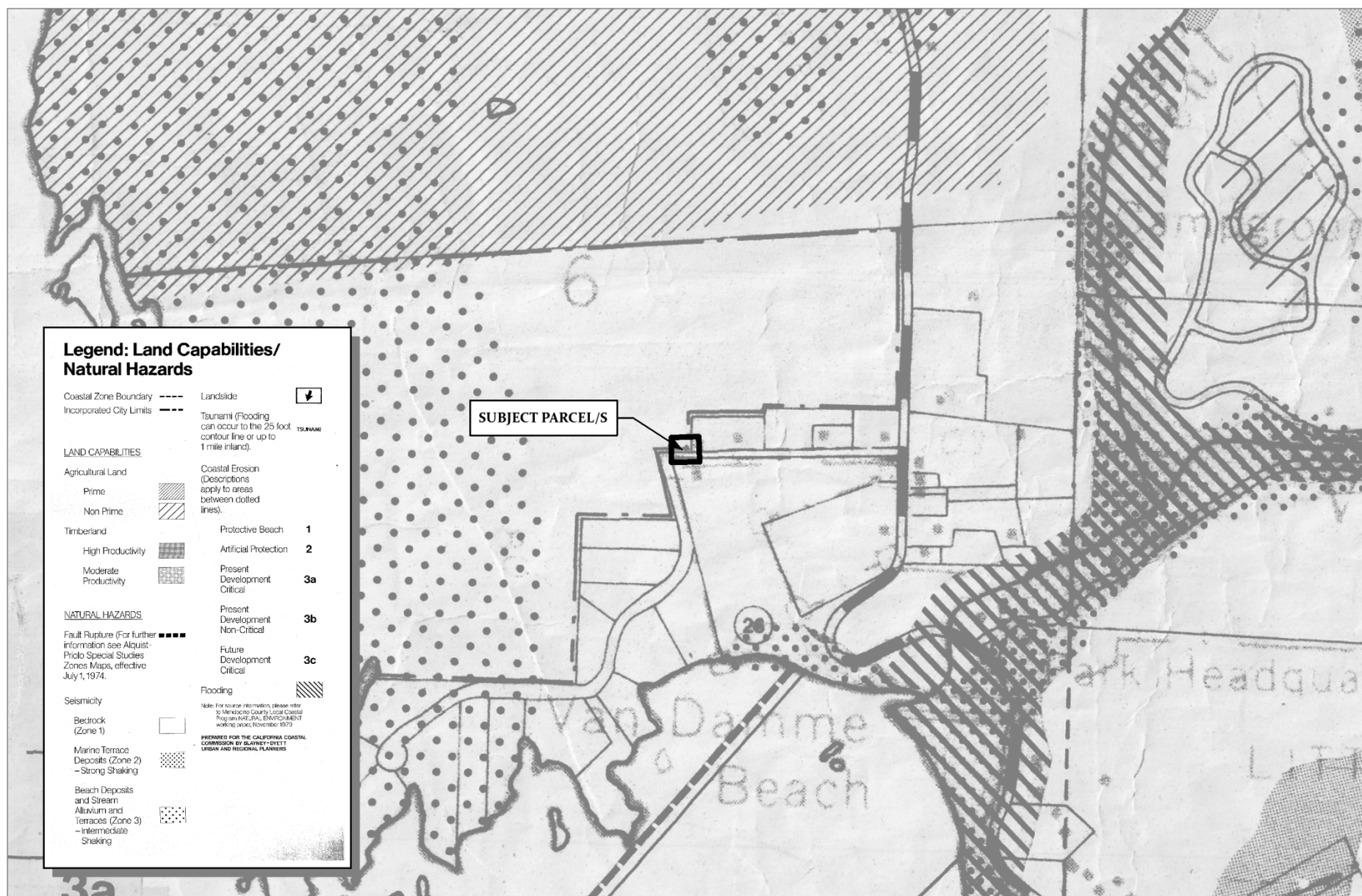
GENERAL PLAN CLASSIFICATIONS



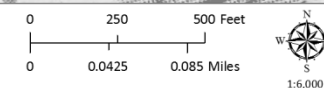
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0 250 500 Feet
0 0.0425 0.085 Miles
1:6,000
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W
E
S

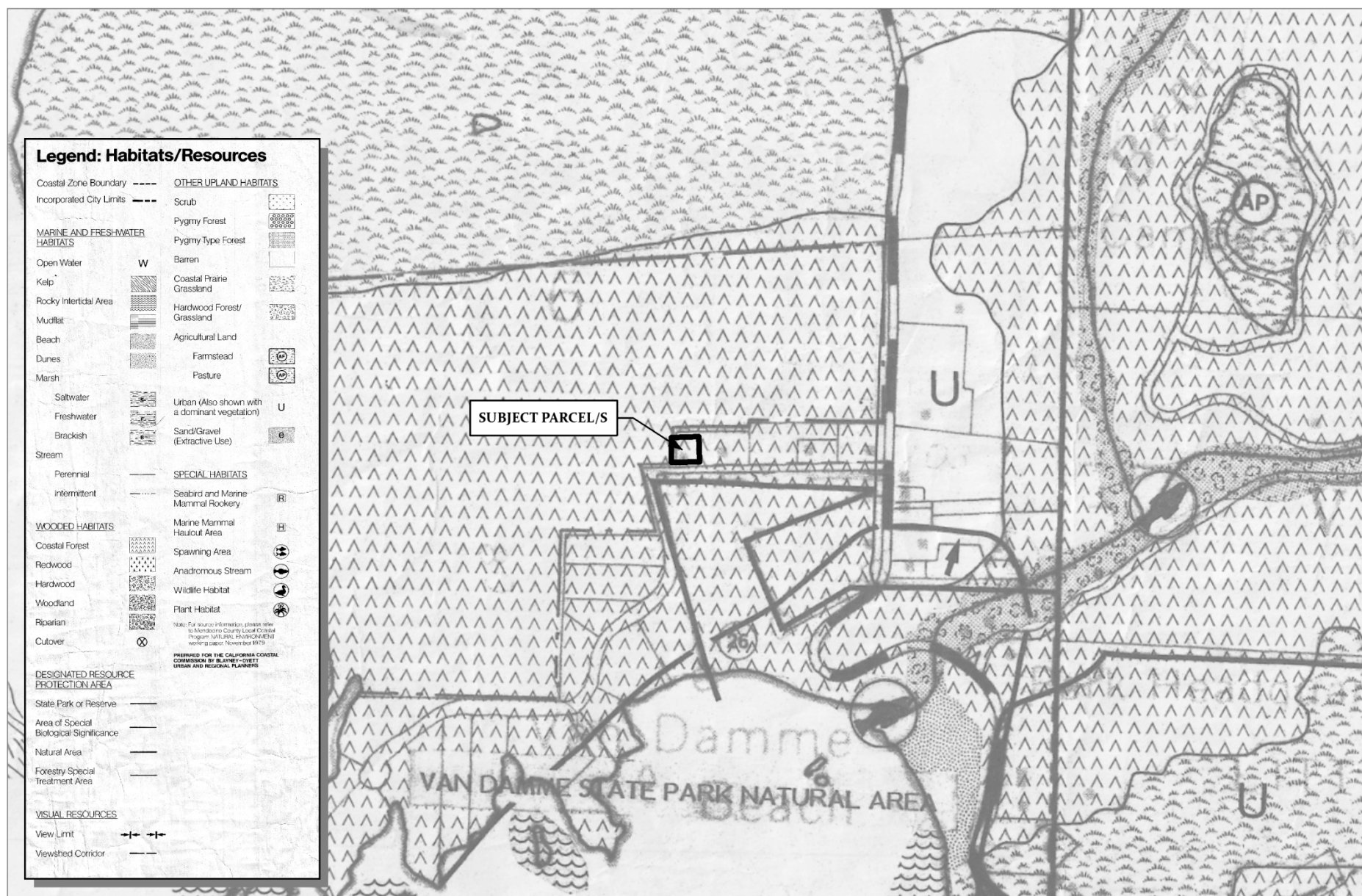
LCP LAND USE MAP 17: MENDOCINO



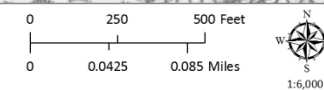
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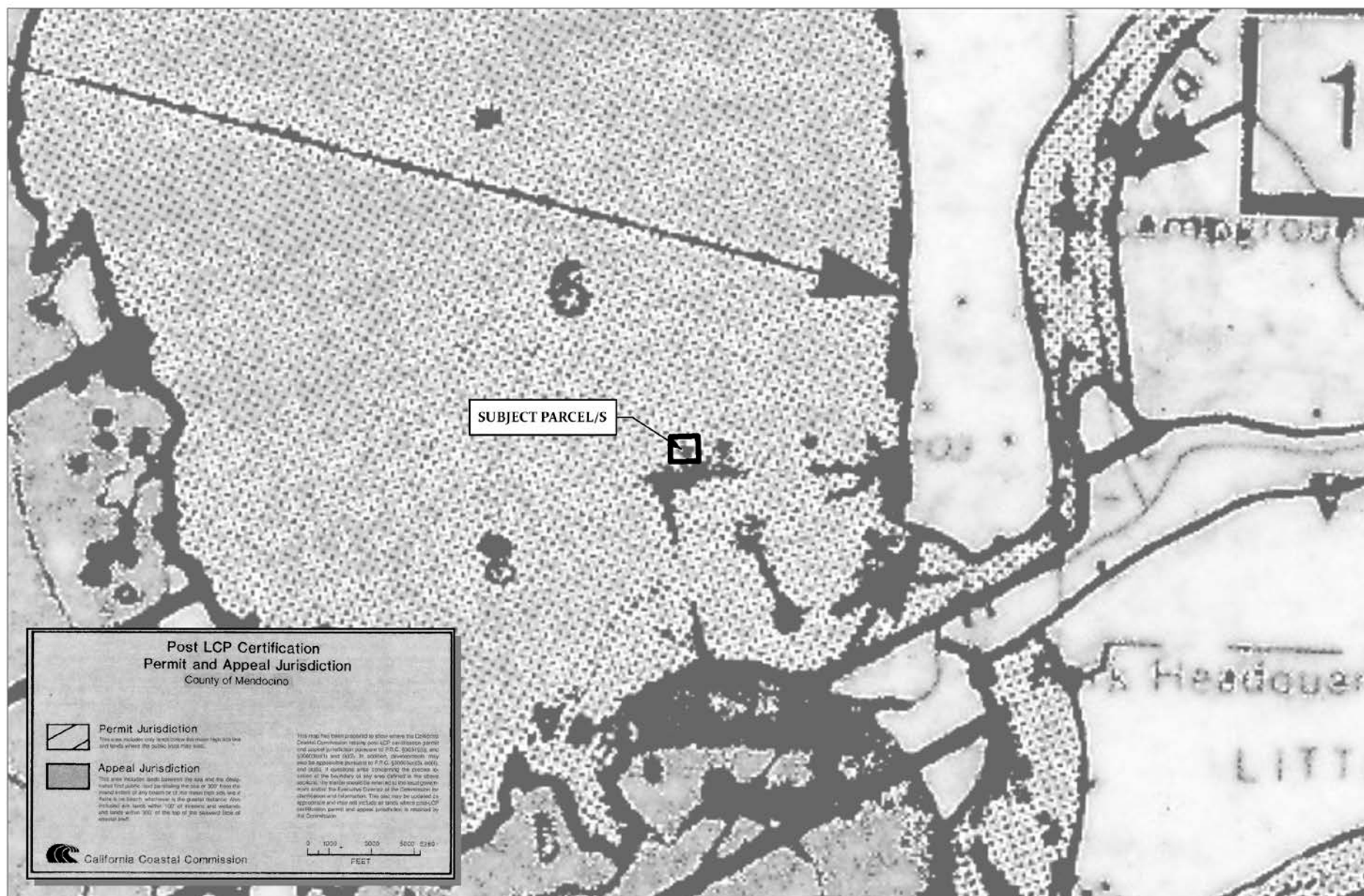
LCP LAND CAPABILITIES



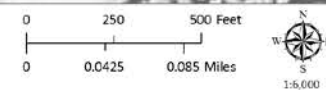
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LCP HABITATS & RESOURCES



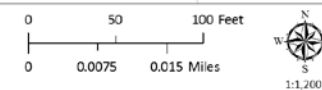
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APPEALABLE AREAS



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ADJACENT PARCELS

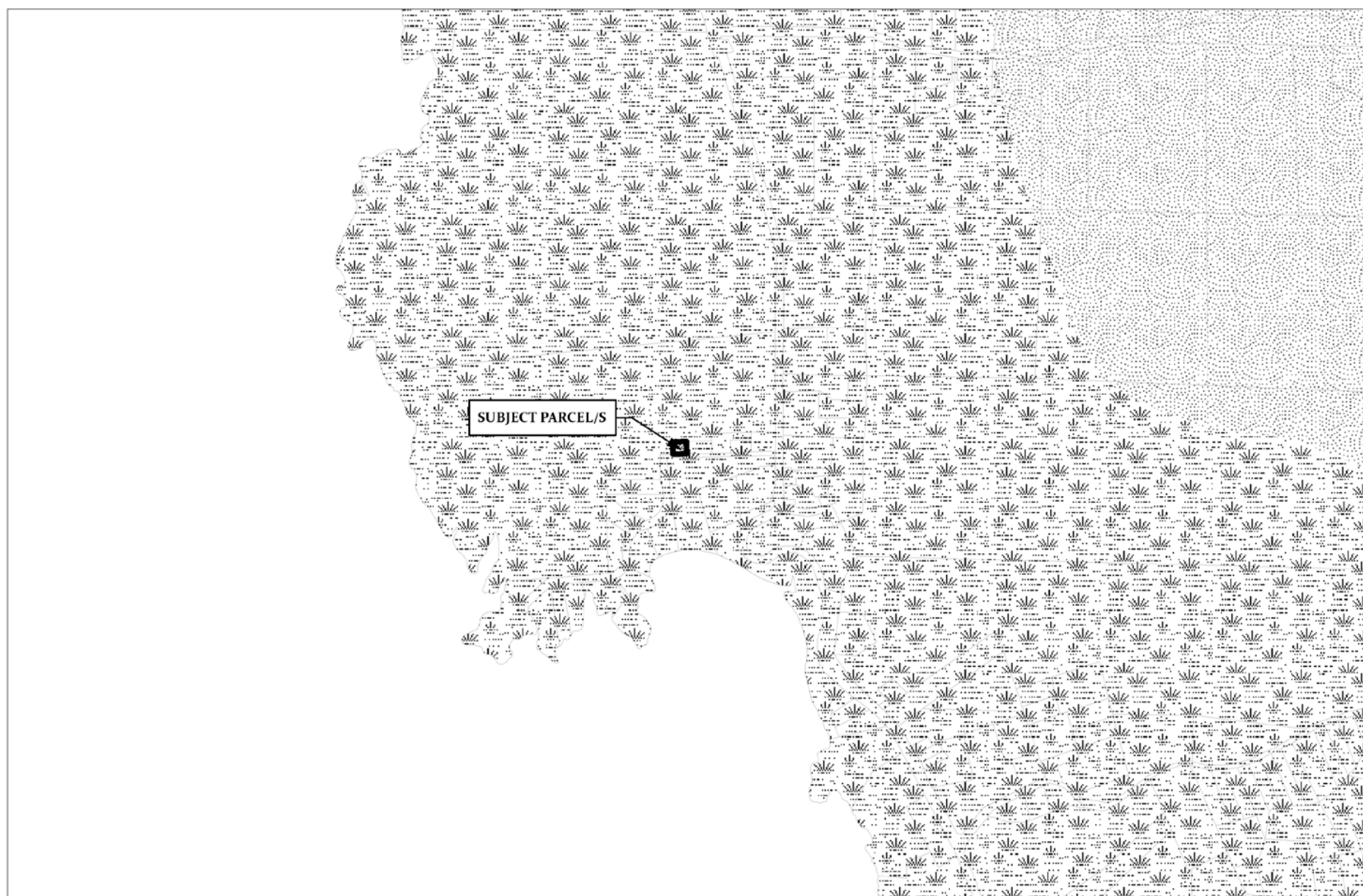


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County Fire Districts
Parcels 10-15
High Fire Hazard
Moderate Fire Hazard

0 250 500 Feet
0 0.0425 0.085 Miles
N
W S E
1:6,000

FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA






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 Sufficient Water Resources
 Marginal Water Resources

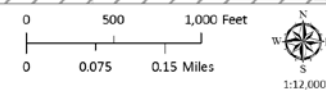
GROUND WATER RESOURCES



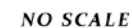
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-  Tree Removal Area
-  Highly Scenic Area
-  Highly Scenic Area (Conditional)

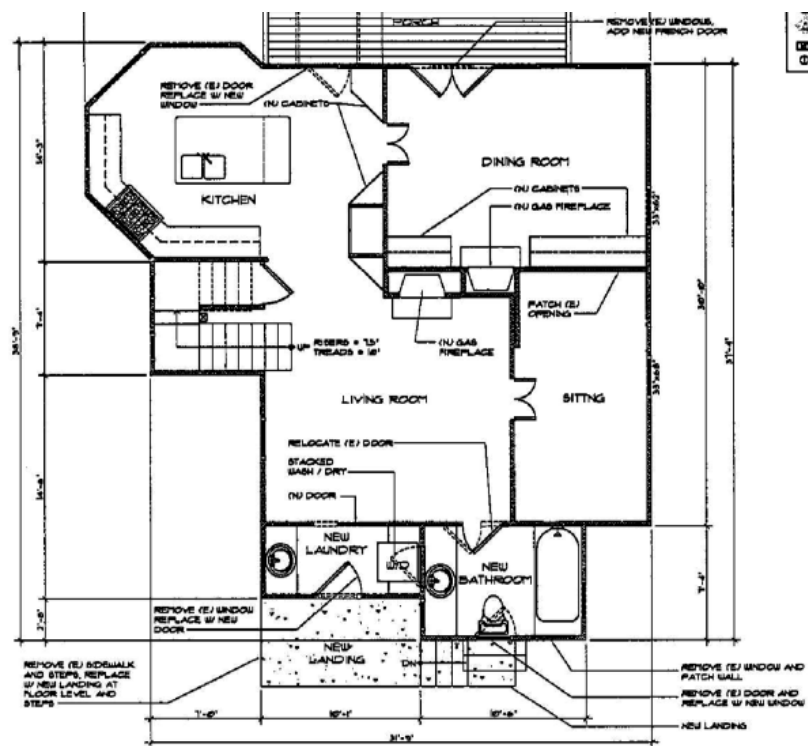
 Highways



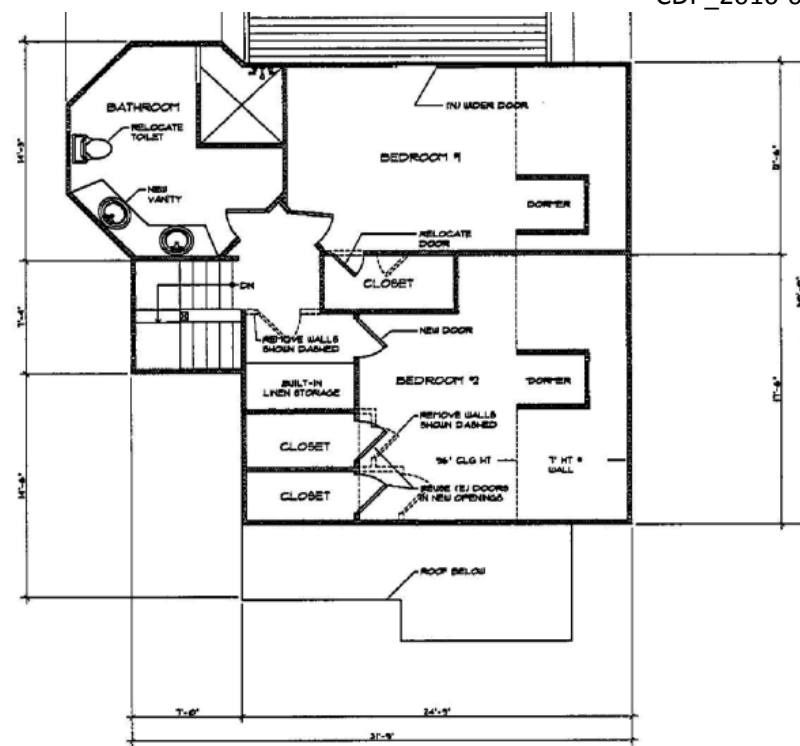
HIGHLY SCENIC & TREE REMOVAL AREAS



SITE PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

CASE: CDP 2016-0008

OWNER: WORTHINGTON, Bonnie

APN: 121-260-18

APLCT: Villa Mer Prop. Mgmt.

AGENT: Schlosser New Berger Arch.

ADDRESS: 45180 Headlands Dr., LR

NO SCALE

PROPOSED FLOOR PLANS



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

EXTERIOR MATERIALS

COASTAL PERMIT APPROVAL CHECKLIST
CDP_2016-0008 (WORTHINGTON)
February 23, 2017

PROJECT TITLE: CDP_2016-0008 (WORTHINGTON)

PROJECT LOCATION: In the Coastal Zone, located at 45180 Headlands Drive, Little River (APN 121-260-18), +/- 400 feet west of the intersection of Peterson Lane and Highway 1, on the north side.

**LEAD AGENCY NAME,
ADDRESS AND CONTACT PERSON:** Bill Kinser
Mendocino County Planning and Building Services
120 West Fir Street, Fort Bragg, California 95437
707-964-5379

GENERAL PLAN DESIGNATION: Mendocino County General Plan—Coastal Element
Rural Residential, 5 acre min. lot sizes, (alternative density 1
acre min) RR5(1):R

ZONING DISTRICT: Mendocino County Coastal Zoning Code—Division II
RR:5 (Rural Residential—5 acre minimum lot sizes)

DESCRIPTION OF PROJECT: A request for a Coastal Development Permit to: 1) Renovate existing 2nd story deck and ground floor entry and rear stairs; 2) Build new ground floor deck; and 3) Add new windows and French doors to existing residence.

The subject parcel is 0.25-acres in size (or 11,096 square-feet in area) and located west of Highway 1, approximately 2-miles south of the Town of Mendocino in the community of Little River. The site is currently developed with a 1,992-square-foot single-family residence, a 1,046-square-foot detached garage, a 116-square-foot shed, and a 46-square-foot pump house. The property is located in a designated Highly Scenic Area (HSA)¹ and is visible from Van Damme State Park property. Environmentally Sensitive Habitat Areas (ESHAs) on or near the property include a wetland northeast of the property and a seasonal drainage course which is located approximately 50-feet from the single family residence.

SITE DESCRIPTION AND SETTING: The 0.25-acre (or 11,096 square-feet) site is located at 45180 Headlands Drive (APN 121-260-18) in Little River approximately 400-feet west of the intersection of Peterson Lane and Highway 1, approximately 2-miles south of the Town of Mendocino. The site is flat and primarily vegetated with grasses and small shrubs.

Uses surrounding and adjacent to the site include a single-family residence located immediately east, a State Park Administration Building located across Peterson Lane to the south, and by open space (State Park lands) to the north and west. The project site is located approximately 600-feet east of the Pacific Ocean and is in a designated Highly Scenic Area (HAS). Public access through Van Damme State Park is provided west and north of the subject site. The site is located within a Coastal Groundwater Study Zone in an area of "Marginal Water Resources."²

DETERMINATION: The proposed project **conditionally satisfies all required findings for approval of a Coastal Development Permit**, pursuant to Section 20.532.095 and 20.532.100 of the Mendocino County Code, as individually enumerated in this Coastal Permit Approval Checklist.

¹ LCP Map 17 – Mendocino [map]. 1985. County of Mendocino Coastal Zone. County of Mendocino Planning and Building Services. http://www.co.mendocino.ca.us/planning/pdf/Map_17_Mendocino.pdf

² *Ground Water Resources* [map]. April 2016. 1:12,000. Mendocino County Planning and Building Services.

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:				
(1) The proposed development is in conformity with the certified local coastal program.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(B) If the proposed development is located between the first public road and the sea or the shoreline of any body of water, the following additional finding must be made:				
(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20.532.095(A)(1) The proposed development is in conformity with the certified local coastal program.

☒ *Consistent (with conditions of approval)*

The Local Coastal Program (LCP) sets goals and policies for managing resource protection and development activity in the Coastal Zone of Mendocino County, an area that extends from the Humboldt County line to the Gualala River. The Local Coastal Program addresses topics such as shoreline access and public trails; development in scenic areas, hazardous areas, and coastal bluffs; environmentally sensitive habitat areas; cultural resources; transportation; public services; and more. The LCP serves as an element of the General Plan and includes Division II of Title 20 of the Mendocino County Code (MCC), and its policies must be consistent with the goals of the California Coastal Act.

Various aspects of the LCP are specifically addressed by separate Required and Supplemental Findings for Coastal Development Permits, including utilities, transportation, zoning, CEQA, archaeological resources, public services, coastal access, and resource protection. The following is a discussion of elements of the Local Coastal Program not specifically addressed elsewhere in this checklist.

General Plan Land Use—Rural Residential

The subject parcel is classified as Rural Residential by the Coastal Element of the Mendocino County General Plan which specifies a minimum parcel size of 5-acres which may be reduced to 1-acre when adequate water and sewer services exist (RR5(1):R). The RR5(1):R classification is intended to "...encourage local small scale food

*production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc.*³ Principally permitted uses include “...one dwelling unit per existing parcel and associated utilities, light agriculture and home occupation.”⁴ The minimum parcel size for the RR land use classification is variable, as designated on the Land Use Map. LCP Land Use Map 17 *Mendocino* designates the minimum parcel size as RR-1.⁵ The use of the parcel is consistent with the RR5(1) designation.

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, fire hazard, or flood hazard.

Seismic Activity: The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake Fault Zone.⁶ The San Andreas fault is located approximately four 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.

Flooding: There are no mapped 100-year flood zones on the subject parcel, and no conditions are necessary to ensure consistency with flood policy.⁷

Fire: The parcel is located in an area classified with a “High Fire Hazard” severity rating.⁸ Fire protection services are provided by CAL FIRE and the Albion-Little River Volunteer Fire Department. The project application was referred to the California Department of Forestry and Fire Protection (CAL FIRE) for input. Although no response was received from CAL FIRE, consistency with any fire protection policy or plan would be addressed by the following standard condition:

Standard condition: That this permit be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.

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 the General Plan Coastal Element and implemented by MCC Chapter 20.504. The subject parcel is within a mapped Highly Scenic Area (HSA), as depicted on the LCP Land Use Map 17 *Mendocino*. Mendocino Local Coastal Program Chapter 3.5-3 states, “...new development west of Highway One in designated “highly scenic areas” is limited to one-story (above natural grade) unless an increase in height would not affect public views to the ocean or be out of character with surrounding parcels.”⁹ The proposed project includes construction and replacement of first- and second-story decks, construction of a replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing single family residence. The height of the existing single family residence roofline is approximately 26.5 feet with a cupola extending to 29.5-feet over an eastern section of the house. The project as proposed would not increase the height of the existing structure nor would it affect public views to the ocean or be out of character will surrounding parcels.

The proposed exterior finish for the addition are detailed in the site plans for the project and listed in Table 1. The application includes details for exterior lighting on the south porch and north porch. As proposed, the exterior

³ Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan. 1991. Ukiah, CA.

⁴ Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan. 1991. Ukiah, CA.

⁵ LCP Map 17 – Mendocino [map]. 1985. County of Mendocino Coastal Zone. County of Mendocino Planning and Building Services. http://www.co.mendocino.ca.us/planning/pdf/Map_17_Mendocino.pdf

⁶ State of California Special Studies Zones, Department of Conservation, Division of Mines and Geology.

⁷ *Mendocino County and Incorporated Areas* [map]. 2011. Flood Insurance Rate Map, Panel 1200F, Number 06045C1200F. Federal Emergency Management Agency.

⁸ *Fire Hazard Severity Zones in SRA* [map]. 2007. 1:150,000. Fire and Resource Assessment Program, California Department of Forestry and Fire Protection.

⁹ Chapter 3.5. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan – Coastal Element. 1991. Ukiah, CA.

colors and materials and lighting would be compatible with the existing residence and surrounding development and conforms to visual resource policies as outlined in the LCP.

Table 1. Proposed Exterior Materials and Colors

Feature	Material	Color
Walls, casings, and fascias	Redwood lap siding with decorative redwood shingle courses	Tan body/white trim
Windows	Marvin or equal clad wood sash	White
French Doors	Marvin or equal clad wood sash	White
Roofing	Fifty year composition shingles	Match existing
Railings	Redwood	White
Flashing, gutters and downspouts	Copper	Copper
Decks	Redwood	

Staff recommends Condition 9 requiring the project be constructed with the proposed materials and colors, and lighting.

Condition 9: Prior to final inspection of a building permit in reliance on this Coastal Development Permit, Planning and Building Services shall inspect the construction of the proposed development to ensure the utilized materials and colors, and lighting are consistent with the proposed project materials and colors in Table 1 and the submitted site plans.

20.532.095(A)(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.

Utilities

The proposed project includes construction of a 118-square-foot first-story deck to replace the existing 18-square-foot deck/entryway, construction of a 118-square-foot second-story deck to replace the existing 75-square-foot second-story deck, replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing single family residence. Electric service is available. Propane gas is provided by a local fuel company. The property is served by an on-site well and septic system. The Department of Environmental Health reviewed the proposed project and had no additional comments or conditions of approval.

The parcel is located within a Critical Water Area¹⁰ as established by the Mendocino County Coastal Groundwater Study. The existing residence would continue to be served by an on-site well. However, because the proposal does not involve subdivision or increasing residential density at the parcel, additional studies regarding water supply are not required.

Access Roads

Although the parcel has a Headlands Drive address, it is accessed off of Peterson Lane. The Mendocino County Department of Transportation (MDOT) was invited to provide comment on the application. The MDOT did not respond to the request for comments. The existing development is served by adequate access roads that would not be altered under the applicant's proposal.

20.532.095(A)(3) The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district.

☒ *Consistent (without conditions of approval)*

Intent: The subject parcel is zoned Rural Residential. The intent of the Rural Residential District is "...to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well-suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability."¹¹ The small size of the parcel (0.25-acres) makes agriculture less viable. The property is currently

¹⁰ *Ground Water Resources* [map]. April 2016. 1:12,000. Mendocino County Planning and Building Services.

¹¹ Mendocino County Coastal Zoning Code, §20.376.005 (1995).

developed with a single-family residence and accessory structures including a garage, shed, and pump house. The proposed project is found to be consistent with the intent of the RR District.

Use: The site is currently developed with a single-family residence, detached garage, shed, and pump house. Single family residences and accessory structures are principally permitted in the RR District.

Yards: The minimum required front and rear yards in the RR:5 [RR-1] District are twenty (20) feet and the minimum side yard setbacks are six (6) feet. The proposed project includes construction of a 118-square-foot first-story deck to replace the existing 18-square-foot deck/entryway, construction of a 118-square-foot second-story deck to replace the existing 75-square-foot second-story deck, replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing single family residence. The existing second floor deck was approved in 1996 (FB 96900461) and extends approximately three (3) feet into the front yard setback or eleven (11) feet with the corridor preservation setback. The proposed first and second floor decking would not extend further into the front yard setback than the approved second floor decking, with the exception of the composition shingle skirt roofing at the base of the second floor deck and the entry stairs on the first floor. The proposed project does not conform to the front yard setback requirements; however, the proposed first and second decking does not extend further into the front yard setback than the previously approved decking and is consistent with previous approvals by Planning and Building Services for this particular property.

Corridor Preservation Setback. Peterson Lane is a narrow one land road with a paved roadway width of approximately thirteen (feet) and overall width of approximately thirty-three feet. Peterson Lane is not a county maintained road. There are six parcels located on Peterson Lane and five of the six parcels have access to Peterson Lane. Division II of the Mendocino County Coastal Zoning Code (MCCZC) Section 20.444.020 (Corridor Preservation Setback) establishes a corridor preservation setback for parcels that abut a publicly maintained street or highway; the setback for Peterson Lane would be 25 feet. MCCZC Section 20.444.015(C) (Yards) establishes that if a roadway easement or access easement serves, or has the potential to serve, more than for lots or parcels, it is considered a street for the purpose of establishing a front yard or corridor preservation setback. The proposed development would not be within the corridor preservation setback.

Height: The maximum permitted building height in the RR District is 18-feet above the natural grade unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures. The existing single-family residence roofline is approximately 26.5 feet above natural grade with a cupola extending to 29.5-feet over an eastern portion of the house. A height for the existing single family residence of 28 feet was approved by CDP 2007-0046. The proposed project would not increase the height of the existing structure. The height of the proposed development is consistent with the maximum building height limits for the RR District.

Lot Coverage: The maximum permitted lot coverage in the RR District is 20 percent for parcels less than 2 acres in size.¹² The parcel is approximately 0.25-acres (11,096 square feet). Maximum lot coverage is 2,219 square feet. The footprint of the existing single family residence and appurtenant structures is approximately 1,921 square feet or 17.8 percent of the property. The proposed project is under the maximum lot coverage allowed in the RR District.

20.532.095(A)(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

☒ *Consistent (without conditions of approval)*

A Class 1(e) Categorical Exemption from CEQA, pursuant to Section 15301, Existing Facilities. The proposed project includes a minor alteration of an existing structure, which will not increase the floor area by more than 50-percent, therefore, the proposed project involves negligible or no expansion of an existing use.

20.532.095(A)(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.

☒ *Consistent (with conditions of approval)*

¹² Mendocino County Coastal Zoning Code, § II-20.376.065 (1995).

For small projects such as remodels, additions, small outbuildings (projects with minimal earthwork), County Department of Planning and Building Services (PBS) procedure is to not refer these types of projects to either California Historic Resource Information System (CHRIS) or the Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Mendocino County Archaeological Commission in 2005 and again in 2014 and was determined to be an appropriate guidance document for which projects should require archaeological review. A Standard Condition advises the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project, and states:

Standard Condition: 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 100-feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

20.532.095(A)(6) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.

☒ *Consistent (without conditions of approval)*

Solid Waste: The Caspar Transfer Station is located approximately 7.9-miles northeast of the project site, providing for the disposal of solid waste resulting from the residential use. Additionally, curbside pickup is available, should the owner choose to purchase the service. Solid waste disposal is adequate to serve the proposed development and there would be no anticipated increase in solid waste with the proposed project.

Roadway Capacity: The site of the proposed project is located on Peterson Lane, a paved residential roadway, approximately 13 feet in width. Construction of improvements to the existing single family residence (decks, porches, stairs, windows, and French doors) would generate a few additional vehicle trips per day during construction but no long term increase in trips. The State Route 1 Corridor Study Update provides traffic volume data for State Highway 1. The subject property is located approximately 0.75-miles north of the intersection of Little River Airport Road and Highway 1, where the existing peak hour Level of Service is reported as "B".¹³ No change in service levels is anticipated.

➤ **20.532.095(B)(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.**

☒ *Consistent (without conditions of approval)*

The site of the proposed project is located west of Highway 1, south of Van Damme Beach State Park and is within is mapped within a Highly Scenic Area as depicted on LCP Map 17 *Mendocino*.¹⁴ Coastal access is provided via the Van Damme State Park Trail, which is located north of the subject parcel. The Mendocino Coastal Element Section 4.7-12, *Van Damme State Park Trail*, requires an easement be obtained from intervening private property,¹⁵ however, the proposed trail does not cross the subject parcel, therefore, no easement is required.

¹³ *State Route 1 Corridor Study Update for the County of Mendocino*. Rep. Santa Rosa: Whitlock & Weinberger Transportation, 2008. Print. URL accessed December 19, 2016.
<http://www.mendocinocog.org/pdf/SR%201%20Corridor%20Study%20Update.9-18-08.pdf>.

¹⁴ LCP Map 17 – Mendocino [map]. 1985. County of Mendocino Coastal Zone. County of Mendocino Planning and Building Services. http://www.co.mendocino.ca.us/planning/pdf/Map_17_Mendocino.pdf

¹⁵ Chapter 4.7. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan – Coastal Element. 1991. Ukiah, CA.

20.532.100 (A) Resource Protection Impact Findings	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(1) Development in Environmentally Sensitive Habitat Areas. No development shall be allowed in an ESHA unless the following findings are made:				
(a) The resource as identified will not be significantly degraded by the proposed development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) There is no feasible less environmentally damaging alternative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

➤ **20.532.100(A)(1), et. seq. No development shall be allowed in an ESHA unless the following findings are made...**

☒ Consistent (With Conditions of Approval)

The proposed project is for construction of a 118-square-foot first-story deck to replace the existing 18-square-foot deck/entryway, construction of a 118-square-foot second-story deck to replace the existing 75-square-foot second-story deck, replacement of the existing entry and rear stairs, and the addition of new windows and French doors to the existing single family residence. There is a creek that runs through the property from the northwest to southeast. At the north end of the property, the creek is within ten feet of an existing shed and pump house. CDP 2007-0046 approved an addition to the east side (creek side) of the house within the footprint of an existing porch that was located approximately 40 feet from the riparian edge associated with the creek. The staff report for CDP 2007-0046 noted that "...the addition would not encroach any closer to the creek or riparian edge than existing development is already located. The vegetation between the creek/riparian area and the structure consists of a relatively flat, manicured lawn, lacking biological connectivity to the creek/riparian area. The riparian area consists of calla lilies, low growing non-native species providing limited shading and cooling to the unnamed small drainage (CDP 2007-0046 Staff Report)." Staff determined that the proposed improvements for CDP 2007-0046 did not warrant a biological survey or a reduced buffer analysis as "the existing buffer will not be reduced by the proposed development (CDP 2007-0046 Staff Report)."

Similarly, the proposed development is for replacement of existing entry and rear stairs on the north side of the house and construction of first and second floor decking along the south face of the existing house. The decking along the south side of the house would be approximately 52 feet from the creek and no closer to the creek than the existing first floor porch and stairs that would be replaced. The site analysis provided by the applicant shows no new area added to porch areas on the north side of the house. Staff finds that no botanical survey is warranted because all development would take place within the existing developed area of the house and a reduced buffer analysis is unnecessary because the existing buffer would not be reduced by the proposed development. Condition 10 is recommended to ensure that construction activities have no impact on the creek or riparian area.

Condition 10. Prior to issuance of the building permit, the applicant shall install temporary fencing at a distance of 35 feet from the edge of the riparian habitat along the east side of the concrete sidewalk. No development of disturbance shall occur between the fencing and the creek/riparian area. The applicant shall ensure that all construction materials and impacts occur outside of the fenced area. A copy of the staff report and coastal permit for CDP 2016-0008 shall be provided to the contractor and all subcontractors conducting the work, and must be in their possession at the work site. The building plans submitted for the building permit for the project shall contain on the cover sheet the conditions for CDP 2016-0008.

Resolution Number _____

County of Mendocino
Ukiah, California
February 23, 2017

CDP_2016-0008 Bonnie Worthington

RESOLUTION of the Coastal Permit Administrator, County of Mendocino, State of California, adopting Categorical Exemption from CEQA and granting a Standard Coastal Development Permit for renovation and construction of decking and patios at an existing single family residence.

WHEREAS, the applicant, Bonnie Worthington, filed an application for CDP_STANDARD with the Mendocino County Department of Planning and Building Services for renovation and construction of decking and patios at an existing single family residence at 45180 Headlands Drive, Little River , California. The site is located on the north side of Peterson Lane approximately 400 feet west of its intersection with Highway 1 (APN 121-260-18), General Plan RR5(1):R; Zoning RR:5/NONE; Supervisorial District 5; (the "Project"); and

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State and County CEQA Guidelines thereto, this project has been found to be Categorically Exempt from environmental review; and

WHEREAS, in accordance with applicable provisions of law, the Coastal Permit Administrator held a public hearing on February 23, 2017, at which time the Coastal Permit Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Class 1(e) Categorical Exemption from CEQA, pursuant to Section 15301, Existing Facilities and the Project. All interested persons were given an opportunity to hear and be heard regarding Class 1 Categorical Exemption from California Environmental Quality Act and the Project; and

WHEREAS, the Coastal Permit Administrator has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Local Coastal Program and the Board of Supervisors regarding the Class 1(e) Categorical Exemption from CEQA and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Coastal Permit Administrator finds that the application and supporting documents contain information and conditions sufficient to establish as required by the MCC, that:

1. The proposed development is in conformity with the certified local coastal program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; 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 the MCC and preserves the integrity of the zoning district; and
4. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; 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; and
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan; and
8. The proposed development as conditioned will avoid impacts of development on ESHA.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby adopts the Class 1(e) Categorical Exemption from CEQA, pursuant to Section 15301, Existing Facilities.

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

BE IT FURTHER RESOLVED that the Coastal Permit Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Coastal Permit Administrator decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator action shall become 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 (10) 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 THOMPSON
Secretary to the Planning Commission

By: _____

BY: STEVE DUNNICLIFF
Director

BY: STEVE DUNNICLIFF
Coastal Permit Administrator

EXHIBIT A

CONDITIONS OF APPROVAL

CDP_2016-0008

February 23, 2017

Coastal Development Permit request to: 1) Renovate existing 2nd story deck and ground floor entry and rear stairs; 2) Build new ground floor deck; and 3) Add new windows and French doors to existing residence.

APPROVED PROJECT DESCRIPTION: Coastal Development Permit request to: 1) Renovate existing 2nd story deck and ground floor entry and rear stairs; 2) Build new ground floor deck; and 3) Add new windows and French doors to existing residence.

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 (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration. To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. That this permit be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one (1) or more of the following:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one 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. Prior to final inspection of a building permit in reliance on this Coastal Development Permit, Planning and Building Services shall inspect the construction of the proposed development to ensure the utilized materials and colors, and lighting are consistent with the proposed project materials and colors in Table 1 and the submitted site plans.
10. Prior to issuance of the building permit, the applicant shall install temporary fencing at a distance of 35 feet from the edge of the riparian habitat along the east side of the concrete sidewalk. No development or disturbance shall occur between the fencing and the creek/riparian area. The applicant shall ensure that all construction materials and impacts occur outside of the fenced area. A copy of the staff report and coastal permit for CDP 2016-0008 shall be provided to the contractor and all subcontractors conducting the work, and must be in their possession at the work site. The building plans submitted for the building permit for the project shall contain on the cover sheet the conditions for CDP 2016-0008.