

**COASTAL PERMIT APPROVAL CHECKLIST
JULY 12, 2016**

PROJECT TITLE: CDP_2015-0020

PROJECT LOCATION: 41600 Comptche-Ukiah Road
Mendocino, CA 95460
APN: 121-180-03

**LEAD AGENCY NAME,
ADDRESS AND CONTACT PERSON:** Juliana Cherry
Mendocino County
Planning and Building Services
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GENERAL PLAN DESIGNATION: Mendocino County General Plan – Coastal Element
RMR20:R Remote Residential (20 acre lot sizes)

ZONING DISTRICT Mendocino County Code – Division II
RMR:20 Remote Residential (20 acre min. lot sizes)

DESCRIPTION OF PROJECT: A Coastal Development Administrative Permit to partition the interior of an existing detached 598-square-foot structure into an 85-square-foot utility room, 208-square-foot a single car garage, and 305-square-foot Accessory Living Unit. The existing footprint will remain 598 square-feet.

SITE DESCRIPTION AND SETTING: The project site is a parcel 3 miles east of Highway 1, westerly of the Local Coastal Plan boundary, and located at 41600 Comptche-Ukiah Road, Mendocino Area. A biological survey was completed in March 2016 and pygmy vegetation was not evident within 100-feet of the project area. Site elevation is about 490-feet above sea level and the site is relative flat. The site includes residential development and accessory structures (home, garage, paved driveway, and landscaping). Vegetation includes second growth redwood forest mixed with Douglas fir and Bishop pine. Mapped soils are Shinglemill-Gibney Complex, with 2-to-9 percent slopes.

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

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:				
(1) The proposed development is in conformity with the certified local coastal program.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 (without 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 LCP addresses topics such as shoreline access and public trails; development in scenic areas, hazardous areas, and coastal bluff tops; environmentally sensitive habitat areas; cultural resources; transportation; public services; and more. The LCP serves as an element of the General Plan and includes the Mendocino County Code (MCC), and its policies have been found 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, California Environmental Quality Act (CEQA) consistency, archaeological resources, public services, coastal access, and resource protection.

The following is a discussion of elements of the LCP *not* specifically addressed elsewhere in this checklist.

General Plan Land Use – Remote Residential

The subject parcel is classified as Remote Residential (RMR20:R) by the Coastal Element of the Mendocino County General Plan, which is intended “to be applied to lands having constraints for commercial agriculture, timber production or grazing, which are well suited for small scale farming and low density agricultural/residential uses by the absence of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resources land uses. The classification is also applied to some areas which might not otherwise qualify except for the fact that the land has been divided and substantial development has occurred.”

The existing parcel density is non-conforming; pursuant to Section 20.380.025(A) the allowable density is one dwelling unit per twenty acres. A single-family residence is permitted on this 3-acre parcel. The proposed use is consistent with the RMR classification of the Coastal Element of the Mendocino County General Plan. An Accessory Living Unit (or guest cottage) is allowed as an accessory use with a Coastal Development Permit in all zoning districts which allow a single-family residence.

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.¹ The San Andreas Fault is located offshore approximately eight (8) miles to the 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.²

Fire: The parcel is located in an area characterized by a moderate fire hazard severity rating.³ The project application was referred to the California Department of Forestry and Fire Prevention (CalFire) for input. California Department of Forestry and Fire Prevention responded that the property owner would be expected to adhere to CalFire 4290 Regulations and referenced CalFire Permit 189-15. A Standard Condition will support CalFire recommendations:

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 General Plan's Coastal Element and implemented by Chapter 20.504 of the MCC. The subject parcel is located within a mapped Conditional Highly Scenic Area, but the site is not visible from coastal waters and the proposal will retain the existing building's mass.

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

Consistent (without conditions of approval)

Utilities

The developed site currently includes a primary residence and an existing septic system. Environmental Health was invited to comment on the proposed garage conversion. Staff commented on December 10, 2015, writing that Environmental Health recommends approval based on a submitted site evaluation report prepared by a septic system designer.

Access Roads

The project site has direct access to Comptche-Ukiah Road. Since the application is to convert an existing building to another use in a residentially zoned area, PBS did not request comments from California Department of Transportation or Mendocino County Department of Transportation.

- **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)

¹ State of California Special Studies Zones, Department of Conservation, Division of Mines and Geology.

² *Mendocino County and Incorporated Areas* [map]. 2011. Flood Insurance Rate Map, Panel 1200F, Number 06045C1200F. Federal Emergency Management Agency.

³ *Fire Hazard Severity Zones in SRA* [map]. 2007. 1:150,000. Fire and Resource Assessment Program, California Department of Forestry and Fire Protection.

Intent: The subject parcel is zoned Remote Residential (RMR). The intent of the RMR zoning district is “to be applied to lands within the Coastal Zone which have constraints for commercial agriculture, timber production or grazing, but which are well-suited for small scale farming, light agriculture and low density residential uses, or where land has already been divided and substantial development has occurred.”⁴

Use: The existing land use is consistent with the RMR District principal permitted uses and the proposed garage conversion would establish new accessory uses that are permitted when associated with a single-family home. The conversion of the garage to an Accessory Living Unit, Utility Room, and Carport meets the requirements for accessory uses in the Remote Residential District.

Yards: The proposed conversion of the existing carport would not alter the location of the structure, which conforms to Remote Residential minimum front, rear and side yard requirements.

Height: The proposed work does not exceed district height limitations.

Lot Coverage: The proposed development does not increase existing lot coverage or exceed district requirements.

- **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(a) Categorical Exemption from CEQA, pursuant to Section 15301, for minor alterations to a private building, including interior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

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

Consistent (without conditions of approval)

The Archaeological Commission was not contacted as the site has been previously developed. A standard condition will protect cultural resources if any are uncovered during the course of construction.

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 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.

- **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.**

Not applicable

Solid Waste: The Caspar Transfer Station is located approximately nine miles from 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.

Roadway Capacity: The State Route 1 Corridor Study Update provides traffic volume data for State Highway 1. The subject property is located at 41600 Comptche-Ukiah Road, which is approximately 3-miles east of its intersection with Highway 1. Conversion of an existing garage to an Accessory Living

⁴ Mendocino County Coastal Zoning Code, § II-20.380.005 (1991).

Unit is unlikely to substantially increase vehicle trips per day. The nearest vehicle trips data breakpoint in the study is located at the intersection of Comptche-Ukiah Road and State Route 1. The existing level of service at peak hour conditions at this location is considered Level of Service B (westbound) and Level of Service C (eastbound approach).⁵ No change in service levels is anticipated.

- **20.532.095(B)(1) 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: 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 project site is located east of Highway 1, but is not designated as a potential public access trail location on the *Van Damme* LCP Map 16. Coastal access is provided along the east-west route of Comptche-Ukiah Road. The project site has direct access to Comptche-Ukiah Road. The project would have no effect on public access to the coast.

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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...**

Not Applicable

The Mendocino County LCP includes sections of both the MCC and the Coastal Element of the General Plan addressing Environmentally Sensitive Habitat Areas (ESHA). The MCC states that development having the potential to impact an ESHA shall be subject to a biological survey, prepared by a qualified biologist, to determine the extent of sensitive resources, to document potential negative impacts, and to recommend appropriate mitigation measures.

To determine jurisdictional authority, a Biological Scoping for Pygmy Forest report was prepared on March 9, 2016 (Spade Natural Resources Consulting). No pygmy forest occurs within 100-feet of the proposed garage conversion location. The report further clarifies that there are no aquatic plant communities, wetlands, or streams within 100-feet of the proposed garage conversion. No additional surveys are recommended.

⁵ *State Route 1 Corridor Study Update for the County of Mendocino*. Rep. Santa Rosa: Whitlock & Weinberger Transportation, 2008. Print and <http://www.mendocinocog.org/pdf/SR%201%20Corridor%20Study%20Update.9-18-08.pdf>