

Resolution Number CPA 2016-0002

County of Mendocino
Ukiah, California
JUNE 21, 2016

CDP_2015-0020 SEARS M R II & HELEN E

RESOLUTION OF THE COASTAL PERMIT ADMINISTRATOR, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CLASS 1(A) CATEGORICAL EXEMPTION FROM CEQA PURSUANT TO SECTION 15301 FOR MINOR ALTERATIONS TO A PRIVATE BUILDING, INCLUDING INTERIOR OR EXTERIOR ALTERATIONS INVOLVING SUCH THINGS AS INTERIOR PARTITIONS, PLUMBING, AND ELECTRICAL CONVEYANCES AND GRANTING 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.

WHEREAS, the applicant, SEARS M R II & HELEN E, filed an application for COASTAL DEVELOPMENT ADMINISTRATIVE PERMIT with the Mendocino County Department of Planning and Building Services 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 site is located on the north side of Comptche-Ukiah Road approximately 3 miles east of its intersection with Highway 1. APN 121-180-03., 41600 COMPTCHE UKIAH RD, MENDOCINO AREA; 12118003; General Plan RMR20:R; Zoning RMR:20/NONE; Supervisorial District 5; (the "Project"); and

WHEREAS, a Class 1(a) CATEGORICAL EXEMPTION was prepared for the Project and noticed and made available for agency and public review on June 17, 2016 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Coastal Permit Administrator administratively approves a Class 1(a) categorical exemption from CEQA and the Project. All interested persons were given an opportunity to hear and be heard regarding the Class 1(a) categorical exemption from CEQA 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 Board of Supervisors regarding the Class 1(a) categorical exemption from CEQA and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Coastal Permit Administrator makes the following findings;

1. The proposed conversion of an existing garage to an Accessory Living Unit, Utility Room, and Carport is in conformity with the Certified Local Coastal Program, including provisions for Highly Scenic Areas and Coastal Access Routes.
2. Existing on-site septic would be sufficient for the proposed accessory land uses to the Single-Family Residence.
3. The proposed land use is permitted within the Remote Residential District and is consistent with the intent of the Remote Residential District. Established coastal access follows the east-west public right-of-way along Comptche-Ukiah Road.
4. A biological scoping survey found that the proposed project would not impact sensitive species or habitat and that pygmy vegetation was not observed within 100-feet of the project area.

5. The proposed Accessory Living Unit, Utility Room, and Carport, which will be partitioned from an existing accessory structure without increasing the existing building footprint; would be accessory to a Single-Family Residence in a designated Remote Residential area within Mendocino County's Local Coastal Plan boundaries; and is not anticipated to have any adverse impacts on any known archaeological or paleontological resource.
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to service the proposed development.
7. The proposed conversion of an existing accessory structure 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.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby adopts the Class 1(a) categorical exemption from CEQA. The Coastal Permit Administrator certifies that the Class 1(a) categorical exemption from CEQA, pursuant to Section 15301 for minor alterations to a private building, including interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances, has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the categorical exemption from CEQA reflects the independent judgment and analysis of the Coastal Permit Administrator.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby grants the requested CDP_ADMIN, 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 be final on the 11th day after the date of the Resolution unless an appeal is taken.

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

ATTEST: ADRIENNE THOMPSON
Commission Services Supervisor

By: _____

BY: STEVE DUNNICLIFF
Director

ANDY GUSTAVSON
Coastal Permit Administrator

EXHIBIT A

CONDITIONS OF APPROVAL CDP_2015-0020 - SEARS June 21, 2016

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.

APPROVED PROJECT DESCRIPTION: A Coastal Development Administrative Permit proposing 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.

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.