



MEMORANDUM

DATE: JULY 18, 2016
TO: MENDOCINO COUNTY BOARD OF SUPERVISORS
FROM: JULIANA CHERRY, PLANNER III, PLANNING AND BUILDING SERVICES
RE: APPEAL OF MHRB_2015-0022, SEEKING APPROVAL OF AN ADDITION TO A TOOL SHED

On April 13, 2016, Kelly Grimes filed an appeal, on behalf of the property owners Kelly and Michael Barrett, of the Mendocino Historical Review Board's decision to *exclude a 93-square-foot addition to an existing Tool Shed* from the approval of MHRB Permit 2015-0022. The approved permit allows for a variety of site improvements to existing historic structures including the Tool Shed, Pump House, and Residence (See attached MHRB Permit 2015-0022). The project site is located at 45141 Calpella Street, Mendocino (APN 119-232-03). The General Plan lists the site, known as the Noia House, as a Category IIa Historic Resource.

CHRONOLOGY AND MENDOCINO HISTORICAL REVIEW BOARD (MHRB) ACTIONS

On October 16, 2015, PBS found the MHRB 2015-0022 application complete (and agreed to defer to MHRB's deliberation, their requested assessment of the historical structures on site).

The applicants requested a hearing date on February 1, 2016,¹ and on that date, the MHRB considered six components of the project separately (See attached February 1, 2016 Staff Report Items 1 through 6). MHRB approved Items 2 and 3: relocating and burying a water storage tank and 152-square-foot addition to an existing Pump House. MHRB considered, provided direction to the applicant, and continued Items 1, 4, 5, and 6 to April 4, 2016: a proposed Concurrent Variance, 182-square-foot addition to the existing Tool Shed (Item 4), 100-square-foot addition to the south-side of the existing house, and various renovations to existing structures.

Review Board Members discussed the historical setting; the suitability of the proposed additions to the Tool Shed, Pump House, and Residence; and the Secretary of the Interior Standards for renovation and additions to historic structures. MHRB found the Tool Shed to be a significant contributor to the Mendocino Historical Preservation District, while also establishing that the proposed modifications to the Residence and Pump House did not diminish the Category IIa status of the site. (A Category IIa structure is historically important, the construction date is known or closely estimated, research is in progress, and the original architecture was previously modified). In adopting the motion to continue the Tool Shed addition to their April meeting, MHRB stated the proposed addition to the historical Tool Shed would be out of scale (mass, area) with the historic setting, the proposed cross-gable roofline was poorly oriented to its location, and essential features (horizontal siding, existing window) and materials would not be preserved.

On February 17, 2016, revised plans were submitted to PBS in response to Review Board comments. The revised plans included the subject 93-square-foot addition to the Tool Shed with a simple gable roof and four casement windows. The orientation of the addition to the original structure changed from a cross-gabled roofline to a gable in-line with the existing roofline. The addition would be slightly shorter than the existing Tool Shed. The existing Tool Shed's south-facing, exterior wall would be removed to provide interior access to the proposed addition.

¹ Note: February and April 2016 Review Board Meeting Minutes have not been adopted. On July 11, 2016, all three of the attending Review Board Members will be present to approve draft-meeting minutes.

On April 4, 2016, MHRB considered five project components separately (See attached April Staff Report Items a through e). MHRB approved (Item c) the renovation to the existing Tool Shed *with a modification that the proposed 93-square-foot addition be excluded from the project*. They also approved Items a, b, d and e. In a 3-to-1 (Lamb) vote, approving a motion made by Review Board Member Potash, MHRB found that the proposed 93-square-foot addition to the Tool Shed is a significant alteration to an existing historic structure where the design of the proposed work is not compatible with surrounding historic setting, does not harmonize with other structures within the district, and would detract from the appearance of a District where out-buildings, such as pump houses, carriage houses, tool sheds, and others, contribute to the cultural significance of the Mendocino Historical Preservation District. The addition could establish a false sense of history regarding location and size of accessory structures.

BARRETT APPEAL

The applicants are requesting reconsideration of a proposed 93-square-foot addition to an existing 176-square-foot Tool Shed (see attachments). The appellant cites MCC Section 20.760.065 *Findings*² and states that the 93-square-foot addition conforms to the three required Review Board Findings without providing additional information to support their assertion.

The MHRB's decision to exclude the tool shed addition from the approved project is based on their deliberation of the following findings contained in Section 20.760.065.

- (A) *The exterior appearance and design of the proposed work is in harmony with the exterior appearance and design of existing structures within the District and with that of the existing subject structure.*

MHRB found the proposed addition to the Tool Shed, a historic resource in its own right, significantly alters the historic setting and character of the site; and mitigation measures have not been established that would significantly reduce the impact to the Historical Preservation District and local historically important resources.

- (B) *The appearance of the proposed work will not detract from the appearance of other property within the District.*

MHRB found the proposed addition to the Tool Shed would significantly alter the appearance of the accessory structure and would establish a false sense of history regarding the size, exterior finish, and location of accessory structures that can be seen within the Historical Preservation District.

- (C) *Where the proposed work consists of alteration or demolition of an existing structure, that such work will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance.*

MHRB found the Tool Shed has acquired historic significance in its own right and this shall be retained and preserved. The Tool Shed's exterior features shall not be damaged by an addition that would obscure wood siding, remove windows, and permanently alter or remove other architectural features.

To approve a project, MHRB would need to determine whether the proposal significantly impacts the Mendocino Historical Preservation District (and satisfies the guidelines for a Categorical Exemption from CEQA³); and establish facts to support their approval.⁴ Lacking a current assessment of the historical structures on site, including the tool shed, MHRB deliberated and determined that the Tool Shed,

² Chapter 20.760 *Historical Preservation District for the Town of Mendocino*, Division III of Title 20 of Mendocino County Code. 1995.

³ Section 15331, Article 19 *Categorical Exemptions*, State CEQA Guidelines, delineates that a Class 31 Categorical Exemption from CEQA is for work limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in the manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (1995), Weeks and Grimmer.

⁴ *ibid*, Chapter 20.760 *Historical Preservation District for the Town of Mendocino*.

especially its south facing facade, is historically important. In February and April, PBS recommended a Class 31 Categorical Exemption from CEQA and provided analysis to support their recommendation.⁵ PBS found the proposed project met many, but not all of the ten standards. MHRB found that the Tool Shed addition did not meet the standards for a Class 31 Categorical Exemption from CEQA nor did it exemplify the findings in Chapter 20.760. MHRB found the proposed addition to the Tool Shed, a historic resource in its own right, significantly alters the historic setting and character of the site; and mitigation measures have not been established that would significantly reduce the impact to the Historical Preservation District and local historically important resources.

RECOMMENDED ACTION/MOTION

Deny the appeal and affirm MHRB's determination to exclude the proposed addition to the Tool Shed from MHRB Permit 2015-0022.

ATTACHMENTS

- A. Mendocino County Board of Supervisors Planning Appeal Form
- B. MHRB Permit 2015-0022
- C. April 4, 2016 Staff Report for MHRB Permit MHRB 2015-0022 Barrett
- D. February 1, 2016 Staff Report for MHRB Permit MHRB 2015-0022 Barrett
- E. Action Items for Mendocino Historical Review Board Meeting, February 1, 2016
- F. Action Items for Mendocino Historical Review Board Meeting, April 4, 2016

⁵ The February and April Staff Report Appendices include analysis of the project, or the revised project, and possible compliance with CEQA guidelines. (Note, the Secretary of the Interior's Standards are similar to the standards set forth in the 1987 *MHRB Design Guidelines*, pages 25-26). MHRB Agenda Items, including staff reports, are available via <http://www.co.mendocino.ca.us/planning/meetings.htm?type=4>