

Resolution Number CPA\_2016

County of Mendocino  
Ukiah, California  
October 17, 2016

CDP\_2016-0022 – HEID & MALINA

RESOLUTION OF THE COASTAL PERMIT ADMINISTRATOR,  
COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A  
CLASS 3 CATEGORICAL EXEMPTION AND GRANTING CDP\_2016-  
0022 FOR A GUEST COTTAGE.

WHEREAS, the applicant, JAMES HEID and TOBY MALINA, filed an application for a Coastal Development Permit with the Mendocino County Department of Planning and Building Services to construct a two story accessory structure, with a 522 square-foot guest cottage on first floor and a 489 square-foot office on second floor; tie in plumbing and electric utilities to existing system; install a french drain. The site is located in the Coastal Zone, located on the south side of Navarro Ridge Road approximately 0.5 mile east of its intersection with Highway 1 at 33801 Navarro Ridge Road, Albion (APN 123-320-07); General Plan–Rural Residential/Planned Development; Zoning–Rural Residential/Planned Development; Supervisorial District 5; (the “Project”); and

WHEREAS, the subject property is developed with an existing single family residence; and

WHEREAS, the Secretary for Resources has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and the Project was determined to meet the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 3; and

WHEREAS, in accordance with applicable provisions of law, the Coastal Permit Administrator received all relevant evidence presented in writing regarding the Class 3 Categorical Exemption and the Project and administratively approved the Class 3 Categorical Exemption and the Project on September 30, 2016; 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 Coastal Permit Administrator regarding the Class 3 Categorical Exemption and the Project.

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

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 services, including but not limited to, solid waste, public roadway capacity have been considered and are adequate to serve the proposed development.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby adopts the Class 3 Categorical Exemption. The Coastal Permit Administrator certifies that the Class 3 Categorical Exemption 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 Class 3 Categorical Exemption reflects the independent judgment and analysis of the Coastal Permit Administrator.

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.

NOW, THEREFORE, BE IT RESOLVED that the Coastal Permit Administrator action shall be final on the 11<sup>th</sup> day after the proposed issuance of the Coastal Development Permit is reported to the Mendocino County Board of Supervisors.

*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

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## EXHIBIT A

### CONDITIONS OF APPROVAL CDP\_2016-0022 - HEID & MALINA October 17, 2016

Coastal Development Permit to construct a two story accessory structure, with a 522 square-foot guest cottage on first floor and a 489 square-foot office on second floor; tie in plumbing and electric utilities to existing system; install a french drain. The site is located in the Coastal Zone, located on the south side of Navarro Ridge Road approximately 0.5 mile east of its intersection with Highway 1 at 33801 Navarro Ridge Road, Albion (APN 123-320-07).

**APPROVED PROJECT DESCRIPTION:** Coastal Development Permit to: construct a two story accessory structure, with a 522 square-foot guest cottage on first floor with a 489 square-foot office on second floor; tie in plumbing and electric utilities to existing system; install a french drain. This new structure will be accessory to an existing single family residence and will be located in the rear yard approximately 100 feet northeast of the existing residence.

#### **CONDITIONS OF APPROVAL**

1. The permit shall become effective on the 11<sup>th</sup> day after the proposed issuance of the Coastal Development Permit is reported to the Mendocino County Board of Supervisors and shall expire and become null and void at the expiration of two years after the effective date except where use of the property in reliance on such permit has been initiated prior to its expiration.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division III 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. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The 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 or more of the following:
  - a. The permit was obtained or extended by fraud.
  - b. One or more of the conditions upon which the permit was granted have been violated.
  - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal

determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

8. Prior to issuance of the Coastal Development Permit, the applicants shall execute and record a deed restriction with the following conditions:
  - a. Any proposed modification of the guest cottage shall require an amendment to the coastal development permit.
  - b. The accessory structure shall not contain facilities, either permanent or temporary and portable, for the cooking or preparation of food, and shall not be used as an independent dwelling unit until such a time as appropriate permits are obtained.
9. 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 resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.