



## COUNTY OF MENDOCINO

### DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482

120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

IGNACIO GONZALEZ, INTERIM DIRECTOR

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www.co.mendocino.ca.us/planning

May 25, 2017

#### **PUBLIC NOTICE OF PENDING ACTION COASTAL DEVELOPMENT ADMINISTRATIVE PERMIT**

The Mendocino County Coastal Permit Administrator will report proposed issuance of the below described project located in the Coastal Zone to the Board of Supervisors at its meeting to be held on Tuesday, June 20, 2017, in the Board of Supervisors Chambers, 501 Low Gap Road, Room 1070, Ukiah, California at 9:00 a.m. or as soon thereafter as the item may be considered.

**CASE#:** U\_2016-0016

**DATE FILED:** 11/29/2016

**OWNER/APPLICANT:** Ruth Schnell

**REQUEST:** A Coastal Development Minor Use Permit authorizing the conversion of a second floor 900 square foot residential use into use as a Single Unit Rental.

**ENVIRONMENTAL DETERMINATION:** Section 15303 of Article 19 (Class 3): The conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Categorically Exempt

**LOCATION:** The site is located in the Coastal Zone, within the Town of Mendocino, on the south side of Little Lake Street (CR 407A) approximately 150 feet west of its intersection with Lansing Street (CR 500) at 45021 Little Lake Street (APN 119-160-29).

**STAFF PLANNER:** MONIQUE GIL

As you are an adjacent property owner and/or interested party, you are invited to appear before the Board, or to direct written comments to this office at the above address or to the Board of Supervisors, 501 Low Gap Road, Room 1090, Ukiah, California, 95482. If you would like to be notified of the Board of Supervisor's action, please submit a written request to this office. All correspondence should contain reference to the above noted case number.

Coastal Development Administrative Permits are considered on the consent calendar, and the Board of Supervisors will not conduct a public hearing on this item.

If, at the meeting, at least one (1) member of the Board of Supervisors so requests, the permit shall not go into effect, and it shall be referred back to the Department of Planning and Building Services to be scheduled for a hearing by the Coastal Permit Administrator. Public notice for the time and place of the public hearing will be provided.

Action on this permit is not appealable to the Coastal Commission. Therefore, the permit will become effective and action will be final upon approval by the Board of Supervisors. If the permit is referred to the Coastal Permit Administrator the decision of the Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within ten calendar days of the Administrator's action.

If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Supervisors or the Department of Planning and Building Services at, or prior to, any hearing.

Additional information regarding the above noted case may be obtained prior to the Board of Supervisors meeting by calling the Department of Planning and Building Services at 964-5379, Monday through Friday.

IGNACIO GONZALEZ, Interim Director of Planning and Building Services



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**COASTAL PERMIT ADMINISTRATOR  
STAFF REPORT- MINOR UP**

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**MAY 2, 2017  
U\_2016-0016**

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**SUMMARY**

**OWNER:** Ruth Schnell  
PO Box 5354  
Eureka, CA 95502

**APPLICANT:** Ruth Schnell  
PO Box 5354  
Eureka, CA 95502

**REQUEST:** A Coastal Development Minor Use Permit authorizing the conversion of a second floor 900± square foot residential use into use as a Single Unit Rental.

**DATE DEEMED COMPLETE:** 12/21/2016

**LOCATION:** Within in the Coastal Zone, in the Town of Mendocino, on the south side of Little Lake Street (CR 407A) approximately 150 feet west of its intersection with Lansing Street (CR 500) at 45021 Little Lake Street (APN 119-160-29).

**TOTAL ACREAGE:** 6740 square feet

**GENERAL PLAN:** Commercial (C)

**ZONING:** Mendocino Commercial minimum 12k sqft (MC:12K)

**SUPERVISORIAL DISTRICT:** 5

**APPEALABLE AREA:** Yes

**PERMIT TYPE:** Coastal Development Minor Use Permit

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Section 15303 of Article 19 (Class 3): The conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

**RECOMMENDATION:** Approve with conditions.

**STAFF PLANNER:** MONIQUE GIL

**BACKGROUND**

**PROJECT DESCRIPTION:** Coastal Development Minor Use Permit authorizing the conversion of a second floor 900± square-foot residential space into a Single Unit Rental.

**SITE DESCRIPTION AND SETTING:** Within the town of Mendocino, on the South side of Little Lake Street (CR407A). The parcel contains one existing structure that has three commercial businesses on the first floor and a residential space on the second floor. A 250± square-foot deck is located in the southwest corner of the rear yard. The first floor would continue to be used as a commercial retail use. The second

floor is approximately 900± square feet and would contain the one bedroom Single Unit Rental (SUR). The second floor is accessed by two stairwells that are contained within the structure. Both stairwells are accessed by external doors. No exterior alterations or modifications to the property are required or proposed to accommodate the SUR.

The site is bordered by commercial zones to the north, east, and a Mixed Use zone to the west.

**SURROUNDING LAND USE AND ZONING:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	Commercial (C)	Mendocino Commercial 12K (MC)	17,961 ± square feet	Commercial: Office
<b>EAST</b>	Commercial (C)	Mendocino Commercial 12K (MC)	16,190 ± square feet	Commercial: Retail
<b>SOUTH</b>	Commercial (C)	Mendocino Commercial 12K (MC)	6,452 ± square feet	Residential: Single Family
<b>WEST</b>	Mixed Use (MU)	Mendocino Mixed Use 12K (MMU)	12,844 ± square feet	Commercial: Retail & Residential: Single

**PUBLIC SERVICES:**

Access: Little Lake Street (CR 407A)  
 Fire District: Mendocino F.P.D.  
 Water District: MCCSD  
 Sewer District: MCCSD  
 School District: Mendocino Unified

**AGENCY COMMENTS:** On January 5, 2017 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 Comment	January 12, 2017
Environmental Health - FB		No Response	
Building Inspector -FBPBS		No Response	
Planning – Ukiah	U_1993-23, BL_2005-0371, ABC Transfer 511408	Comments	January 12, 2017
County Assessor		No Response	
Coastal Commission		No Response	
CalFire		No Response	
Redwood Valley Little River Band of Pomo Indians		Comments	January 12, 2017
Sherwood Band of Pomo Indians		No Comment	January 11, 2017

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
MCCSD		Comments	March 28, 2017

### **KEY ISSUES**

Coastal Development Permit applications are subject to the findings enumerated in Section 20.720.035 of the Mendocino County Code (MCC). The ***Coastal Permit Checklist*** individually addresses each of the Required Findings for all Coastal Development Permits and any Supplemental Findings applicable to this project.

The issues listed below are drawn from the ***Coastal Permit Checklist*** and have been determined to be “key issues” because they either require special conditions for the findings to be made or they address matters of particular concern by referral agencies.

#### **Key Issue 1: Land Use and Zoning Consistency**

##### **General Plan Land Use:**

The subject parcel is classified by the Mendocino Town Plan with a designation of Commercial. The Commercial classification is intended “to provide an area within the town suitable for commercial development compatible with existing commercial uses” (Chapter 4.13 of the Mendocino Town Plan). The principally permitted uses designated for the Commercial land use classification include residential, civic and commercial uses.

The proposed use is a SUR, which is not expressly listed as a permitted or conditional use in any land use designation in the Town Plan. The Town Plan defines SUR as follows:

*Single unit rental means the use of an attached or detached structure which is used as a visitor serving unit and which is operated in conjunction with a residential use or commercial use, as a short term rental for transient occupancy, for a fee charged, and subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax of the Mendocino County Code.”*

The existing structure currently contains three commercial spaces on the first level. As proposed by the use permit application, the second floor of the building would be converted to a SUR. The SUR would be contained in the second floor and used as a visitor-serving unit operated in conjunction with the existing commercial use on the property for short-term transient occupancy, consistent with the Town Plan definition of SUR.

The proposed change from residential use to a SUR is consistent with the Town Plan.

##### **Zoning District:**

Intent: The parcel is zoned Mendocino Commercial (MC). MCC Section 20.664.005 states the intent of the Commercial zoning district is “to provide an area within the Town suitable for commercial development compatible with existing commercial uses.” The proposed combined use of a commercial use with a SUR is consistent with the intent of the MC zoning district.

Use: MCC Section 20.748 governs the establishment of SUR and VHR uses in the Town of Mendocino. Sections 20.748.015 and 20.748.020 detail permit requirements and standards for SURs. Section 20.748.25 provides exemptions for SUR permitting requirements for parcels in the MC district. The

applicable code sections are expressed below:

**Sec. 20.748.015 Permit**

*A single unit rental or vacation home rental may be permitted upon issuance of a minor use permit in any district only when all provisions of this Chapter are met.*

**Sec. 20.748.020 Standards**

*Single unit rentals and vacation home rentals shall meet all of the following requirements:*

- (A) To preserve town character and maintain the town as a residential community with limited commercial services, the County shall maintain, at all times, for new vacation home rentals or single unit rentals approved subsequent to the effective date of this section, a ratio of thirteen (13) long term residential dwelling units to either one (1) single unit rental or vacation home rental. The County shall not require any reduction in the number of vacation home rentals or single unit rentals in existence on the date of certification by the Coastal Commission of this section.*
- (B) No application for a new single unit rental or new vacation home rental shall be granted complete and no permit shall be granted until and unless thirteen (13) new residential dwelling units have been completed since approval of the last previous single unit rental or vacation home rental.*
- (C) Single unit rentals and vacation home rentals shall be subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax) of the Mendocino County Code.*
- (D) Permits for a single unit rental may be granted only in conjunction with an existing residential dwelling unit or commercial use on the same site.*
- (E) (Omitted – only applies to Vacation Home Rentals)*
- (F) Permits for a single unit rental or a vacation home rental shall not be transferable in any way.*
- (G) Applications for single unit rentals and vacation home rentals shall be considered and acted upon in chronological order from the date the application is received, except that permits for a vacation home rental shall be granted only when all pending applications for single unit rentals have been approved.*
- (H) A second residential dwelling unit may not be converted to a single unit rental.*

**Sec. 20.748.025 Exemption:**

*A single unit rental located in the MC District shall be exempt from meeting the standards of Section 20.748.020(A) and Section 20.748.020(B) (emphasis added).*

The proposed SUR may be permitted as a use on this parcel with approval of this minor use permit application.

An excessive number of transient occupants in SUR can result in overflow parking demands, excessive noise, and an overall activity level in excess of that typically associated with single-family residential use.

For this reason, staff recommends **CONDITION 8** to limit the number of overnight occupants based on the size of the structure. The limitation restricts occupancy to one occupant per 300 square feet, which is derived from Uniform Building Code dwelling occupant loads for establishment of egress requirements. The proposed SUR is ±900 square feet, allowing for a maximum overnight occupancy of three guests.

Recommended **CONDITION 9** clarifies that this permit may be subject to modification or revocation if operation of the SUR results in substantive and unresolved complaints from nearby property owners and/or residents. Additionally, recommended **CONDITIONS 10** through **13** establish requirements for the operation of a SUR in the Town of Mendocino.

Density: The proposed change of use will not alter the existing dwelling density on the parcel; an SUR is not considered a dwelling unit.

Yards: The MC zoning district requires no front, rear or side yard. The application is consistent with zoning setback standards.

Lot Coverage: The maximum permitted lot coverage in the MC zoning district is twenty-five percent. Lot coverage is defined in Sec. 20.608.031(13) as “the percentage of gross lot area covered by all buildings and structures on a lot, including decks, porches and walkways; excluding uncovered required parking areas, landscaping, patios and terracing.” The existing development covers approximately fifty-four percent of the property, within the maximum permitted lot coverage on the parcel. The proposed change in use proposes no expansion of the structures or exterior development.

With the conditions of approval met, the proposed use will be consistent with the purpose and intent as well as the regulations of the zoning district.

Parking: The MC zoning district requires one and one-half (1 ½) on-site parking spaces for each dwelling unit, and one (1) off-street parking space for each four hundred (400) square feet of non-residential gross floor area. The change in use of the 900± square-foot second floor from residential use to SUR, treated equivalent to a dwelling unit, would require one and one-half (1 ½) parking spaces. There are two (2) parking spaces provided. The change in use to SUR does not change the parking requirement and is compatible with adjacent land uses.

## **Key Issue 2: California Environmental Quality Act (CEQA)**

The project is Categorically Exempt from the provisions of CEQA, pursuant to Class 3 of Article 19 of the California Environmental Quality Act Guidelines. The Class 3 exemption finds that “the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure”, meeting the criteria of Section 15303, has “been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA.” The application proposes the conversion of a small structure from one use to another where no modifications are made in the exterior of the structure. The project will not have any adverse impacts on the environment within the meaning of CEQA.

## **Key Issue 3: Utilities: Water**

### Water Supply

Chapter 20.744 of the MCC establishes requirements for the evaluation of the adequacy of ground water resources for new developments in the Town of Mendocino.

The project site is located within the Mendocino City Community Services District (MCCSD), and is served by public sewer and an on-site well. The project was referred to MCCSD for comment. On November 21, 2016 MCCSD indicated the following:

"Administrative approval has been issued to Ruth Schnell for a Groundwater Extraction Permit to change the use on the second floor of the existing building from a one-bedroom residence to a one-bedroom Commercial Visitor Accommodation. A groundwater extraction allotment has been established to serve the current and present use on the parcel and the applicant has met all of the District's requirements for Groundwater Extraction Permit and sewer service."

On March 27, 2017 MCCSD provided stated the following:

"The District's Groundwater Extraction Permit Ordinance 07-1 outlines the Groundwater Extraction Permit process. I have attached page 27 of Appendix D (C) Water Use Standard Definitions, which define Single Family Residence, Single Unit Rental and Vacation Home Rental. I have also attached the District's Water Use Standards. Single Unit Rental and Vacation Home Rental are classified as a Visitor Accommodation under the Commercial Category, while a long term residence is considered Residential. The Water Demand, according to the Water Use Standard, is the same for a Single Family Residence and Commercial Visitor Accommodations: Vacation Home Rental or Single Unit Rental. With regard to 45021 Little Lake Street, the water demand is the same - 200 gallons per day for the change of use from a residence to a commercial visitor accommodation; single unit rental. I have also attached page 572 of the Mendocino County Zoning Code for the Town of Mendocino (April 12, 1995), which we used to establish the District's definitions of a Single Unit Rental and Vacation Home Rental." (Attachment J-L)

The proposed project remains at an allotment of 200 gallons of water per day and will not increase the demand for groundwater extraction. The parcel will be served with adequate services to support the proposed use.

#### **DETERMINATION**

By resolution, accept the Categorical Exemption and grant Use Permit U\_2016-0016 for the Project based on the approved project description and findings and subject to the conditions of approval.

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DATE

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MONIQUE GIL, PLANNER I

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DATE

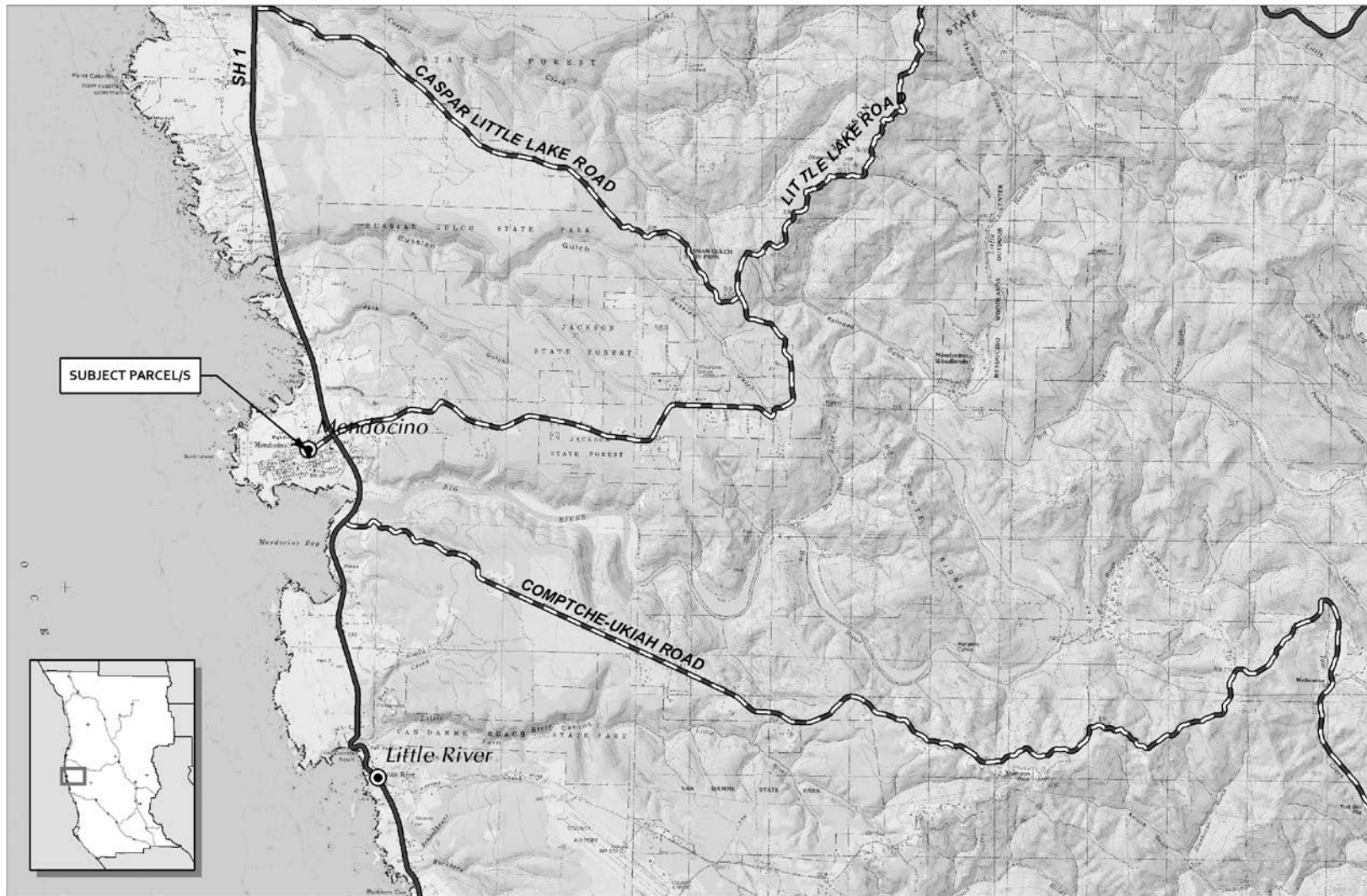
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COASTAL PERMIT ADMINISTRATOR

Appeal Fee - \$945.00 (For an appeal to the Mendocino County Board of Supervisors.)  
Appeal Period - Ten (10) calendar days for the Mendocino County Board of Supervisors.

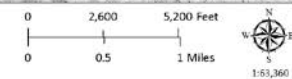
#### **ATTACHMENTS:**

- |   |  |
|---|--|
| A. Location Map                             | H. Ground Water Resources  |
| B. ESRI Imagery                             | I. Water Districts   |
| C. Plot Plan                                | J. Appendix C Water Use Standard Definitions                                   |
| D. Zoning Display Map                       | K. District's Water Use Standards  |
| E. General Plan Classifications Map         | L. Mendocino County Zoning Code, Town of Mendocino, page 572 (April 12, 1995), |
| F. Adjacent Parcels                         |  |
| G. Fire Hazard Zones & Responsibility Areas |  |



CASE: U 2016-0016  
 OWNER: SCHNELL, Ruth  
 APN: 119-160-29  
 APLCT: Ruth Schnell  
 AGENT:  
 ADDRESS: 45021 Little Lake Street, Mendocino

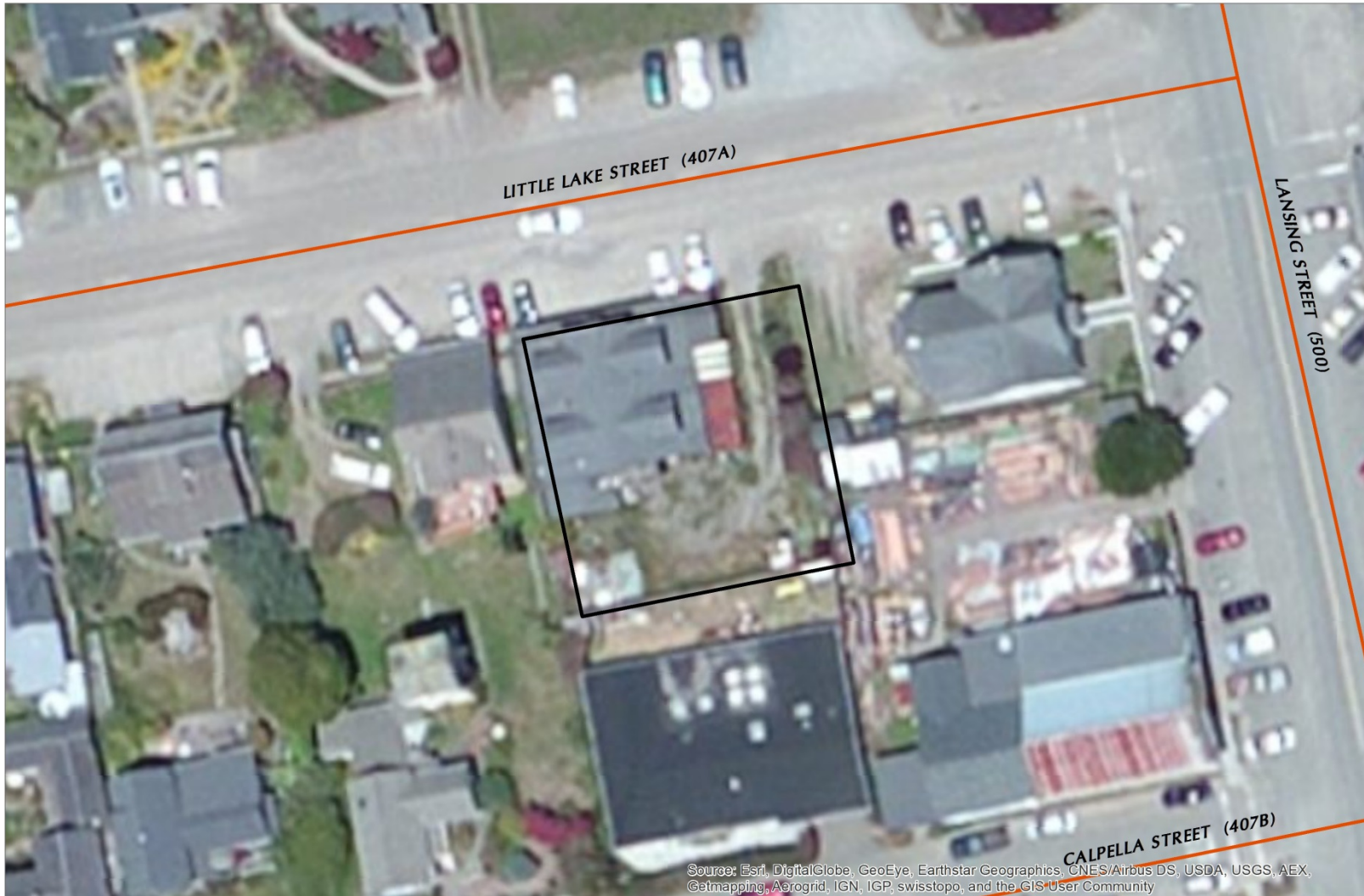
- Major Towns & Places
- Highways
- Major Roads



LOCATION MAP

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

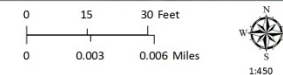




CASE: U 2016-0016  
OWNER: SCHNELL, Ruth  
APN: 119-160-29  
APLCT: Ruth Schnell  
AGENT:

ADDRESS: 45021 Little Lake Street, Mendocino

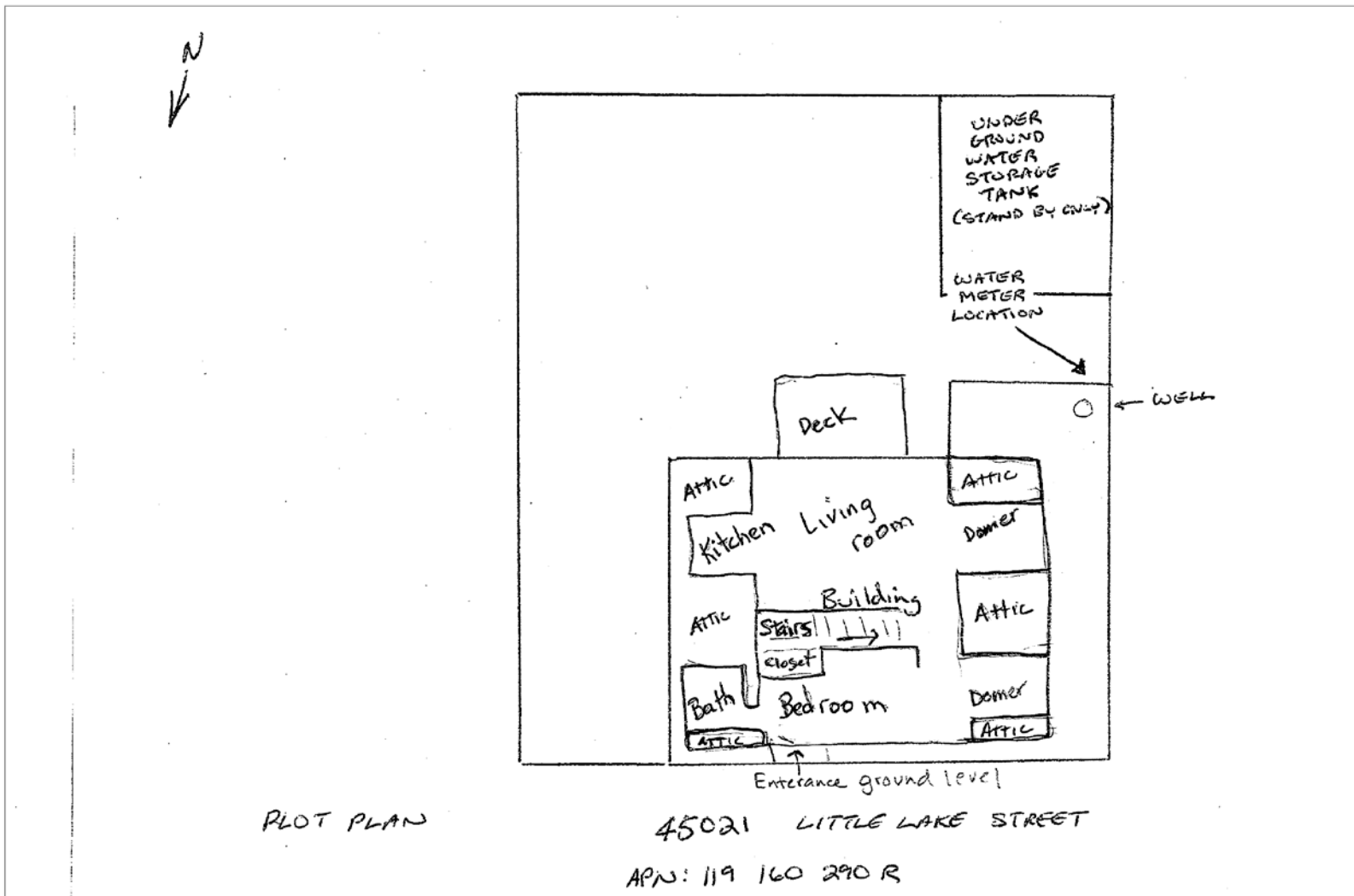
Public Roads



ESRI IMAGERY

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

ATTACHMENT B



CASE: U 2016-0016  
 OWNER: SCHNELL, Ruth  
 APN: 119-160-29  
 APLT: Ruth Schnell  
 AGENT:

ADDRESS: 45021 Little Lake Street, Mendocino

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

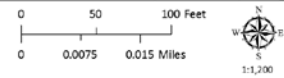
NO SCALE

PLOT PLAN



CASE: U 2016-0016  
OWNER: SCHNELL, Ruth  
APN: 119-160-29  
APPLICANT: Ruth Schnell  
AGENT:  
ADDRESS: 45021 Little Lake Street, Mendocino

Map produced by the Mendocino County Planning & Building Services, December, 2016  
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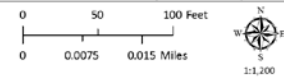


ZONING DISPLAY MAP



CASE: U 2016-0016  
 OWNER: SCHNELL, Ruth  
 APN: T19-160-29  
 APLCT: Ruth Schnell  
 AGENT:  
 ADDRESS: 45021 Little Lake Street, Mendocino

 General Plan Classes



GENERAL PLAN CLASSIFICATIONS

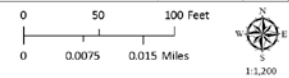
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 All spatial data is approximate. Map provided without warranty of any kind.



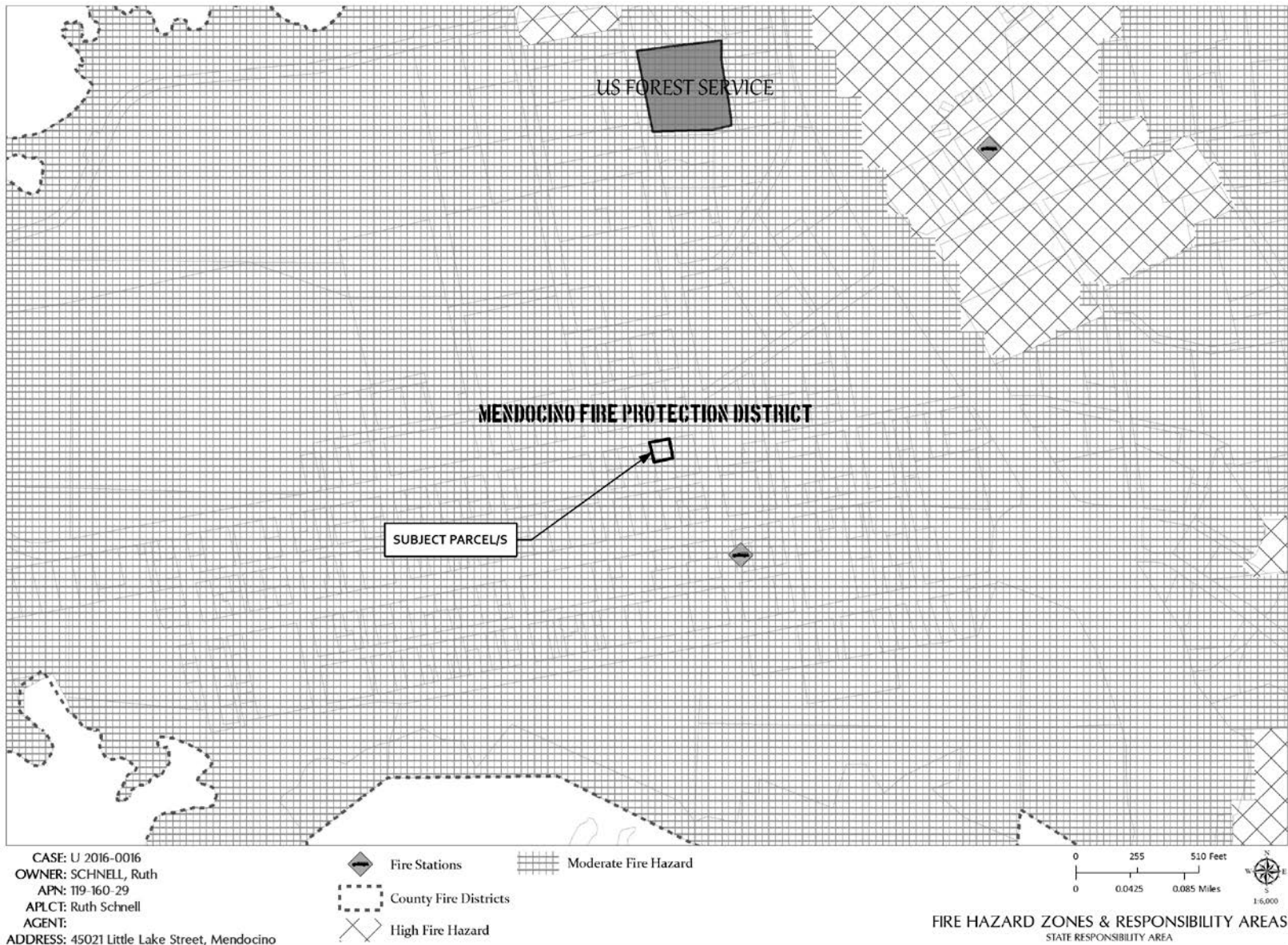
CASE: U 2016-0016  
OWNER: SCHNELL, Ruth  
APN: 119-160-29  
APLCT: Ruth Schnell  
AGENT:

ADDRESS: 45021 Little Lake Street, Mendocino

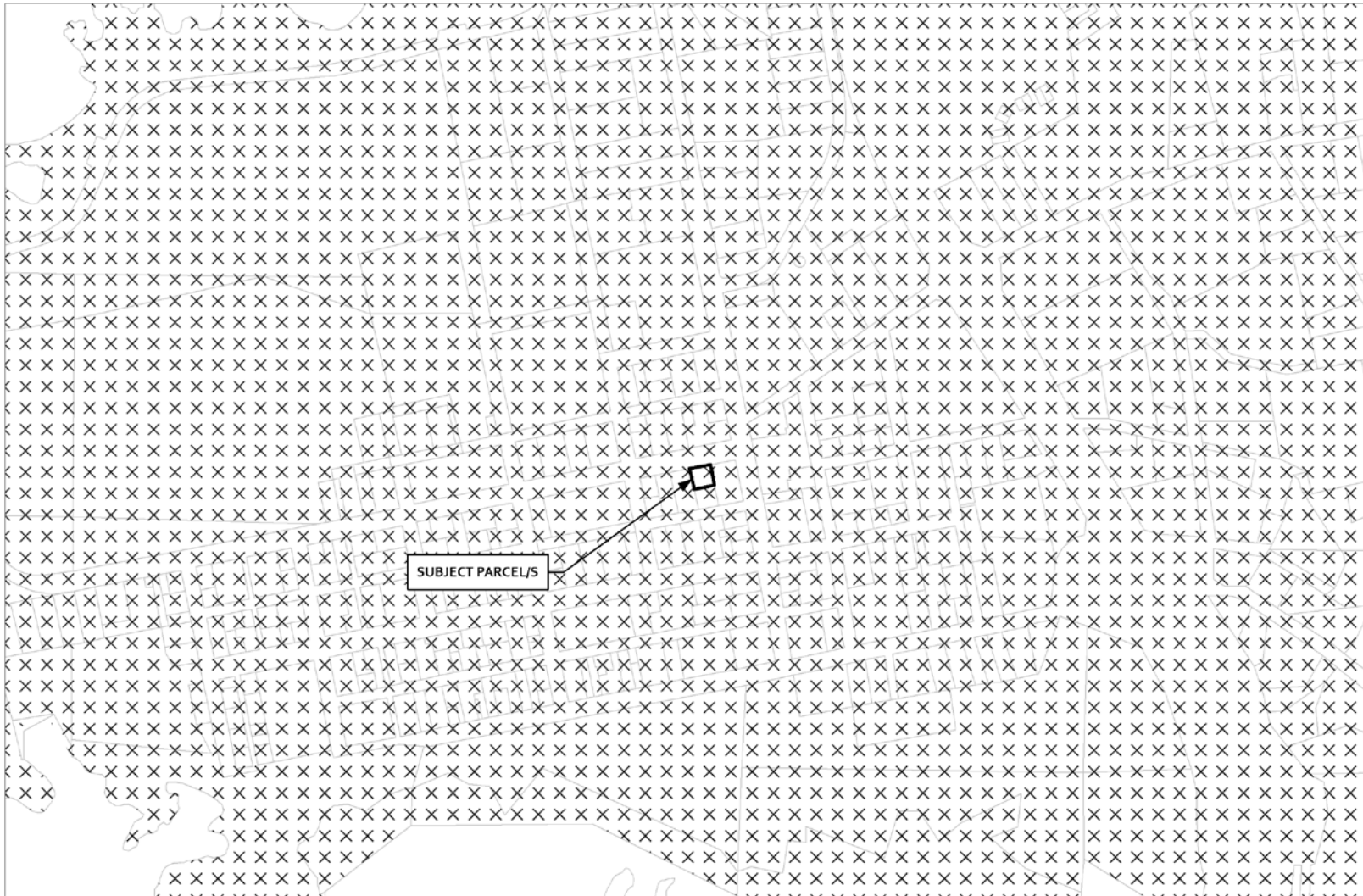
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All spatial data is approximate. Map provided without warranty of any kind.



ADJACENT PARCELS

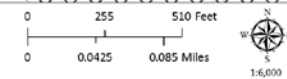


Map produced by the Mendocino County Planning & Building Services, December, 2005  
All spatial data is approximate. Map provided without warranty of any kind.



CASE: U 2016-0016  
 OWNER: SCHNELL, Ruth  
 APN: 119-160-29  
 APLCT: Ruth Schnell  
 AGENT:  
 ADDRESS: 45021 Little Lake Street, Mendocino

X X X : Critical Water Areas




GROUND WATER RESOURCES

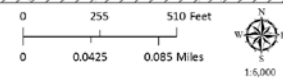
Map produced by the Mendocino County Planning & Building Services, December, 2015  
 All spatial data is approximate. Map provided without warranty of any kind.





CASE: U 2016-0016  
OWNER: SCHNELL, Ruth  
APN: 119-160-29  
APLC: Ruth Schnell  
AGENT:  
ADDRESS: 45021 Little Lake Street, Mendocino

 County Water Districts



WATER DISTRICTS

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



## Appendix C

### Water Use Standard

	Gallons/Day	Units
<b><u>Residential:</u></b>		
<b><u>Single Family Residence-</u></b>		
1) 1-2 Bedrooms	200 gal/ d	per unit
2) Each additional bedroom, attached or detached	60 gal/ d	each bedroom
<b><u>Additional Residence</u></b>		
1) Additional residence w/ 1 or 2 bedrooms	200 gal/ d	per unit
2) Each additional bedroom	60 gal/ d	per bedroom
<b><u>Guest Cottage</u></b>		
	100 gal/ d	per unit
<b><u>Commercial Visitor Accommodations:</u></b>		
<b><u>Bed and Breakfast, Hotel, Motel, Inn</u></b>		
1) Dwelling unit, w/ kitchen	160 gal/ d	per bedroom
2) Sleeping unit, w/o kitchen,	120 gal/ d	per bedroom
3) With on-site Laundry	40 gal/ d	per bedroom
<b><u>Vacation Home Rental</u></b>		
1) 1-2 bedrooms	200 gal/ d	per unit
2) Each additional bedroom	60 gal/ d	per bedroom
<b><u>Single Unit Rental</u></b>		
1) 1-2 bedrooms, w/ kit.	200 gal/ d	per unit
2) 1-2 bedroom, w/o kit.	140 gal/d	per unit
3) Each additional bedroom	60 gal/d	per bedroom
<b><u>Commercial Business:</u></b>		
<b><u>Cottage Industry/ Home Occupation</u></b>		
1) Residence w/ 1-2 bedrooms	200 gal/ d	per unit
2) Each additional bedroom	60 gal/d	per bedroom
3) Business portion of residence	.15 gal/d/ft <sup>2</sup>	business portion
<b><u>Retail Store/ Gallery/ Office</u></b>		
1) Retail store/Gallery	.15 gal/d/ft <sup>2</sup>	Display Area
2) Office	.15 gal/d/ft <sup>2</sup>	Work Area
<b><u>Food and Beverage Establishments</u></b>		
1) Full Service w/ bar	3.4 gal/d/ft <sup>2</sup>	dining area
2) Full Service w/o bar	2.9 gal/d/ft <sup>2</sup>	dining area
3) No Service, w/ seating, no dish washing	2.1 gal/d/ft <sup>2</sup>	dining area
4) No On-Premise Consumption	2.1 gal/ d/ ft <sup>2</sup>	work area

**Water Use Standard****Gallons/Day****Units****Bar**

- |                |                           |             |
|----------------|---------------------------|-------------|
| 1) Bar area    | 6.7 gal/d/linear ft.      | bar length  |
| 2) Patron area | 1.4 gal/d/ft <sup>2</sup> | patron area |

**Laundromat**

- |                |            |             |
|----------------|------------|-------------|
| 1) Per machine | 400 gal/ d | per machine |
|----------------|------------|-------------|

**Service Station**

1,000 gal/ d	per service station
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**Grocery Store**

.2 gal/d/ft <sup>2</sup>	work area
--------------------------	-----------

**Church**

- |                |          |                    |
|----------------|----------|--------------------|
| 1) w/ kitchen  | 5 gal/ d | per sanctuary seat |
| 2) w/o kitchen | 3 gal/ d | per sanctuary seat |

**Hall/Auditorium**

3 gal/ d	per seat
----------	----------

**Theater**

5 gal/ d	per seat
----------	----------

**School**

- |            |           |             |
|------------|-----------|-------------|
| 1) Public  | 15 gal/ d | per student |
| 2) Private | 15 gal/ d | per student |

**Government Office or Building**

.15 gal/d/ft <sup>2</sup>	work area
---------------------------	-----------

**Personal Services**

- |                             |                           |           |
|-----------------------------|---------------------------|-----------|
| 1) Beauty Salon/Barber Shop | 1 gal/d/ft <sup>2</sup>   | work area |
| 2) Spa Services             | 1.5 gal/d/ft <sup>2</sup> | work area |

The Board will handle types of establishments not listed here or special requests, on a case-by-case basis.

**Retail Store** shall mean a business that is engaged in the sale or rental of commonly used goods and merchandise for personal or household use.

**Single Family Residence** shall mean the occupancy of the primary residential unit of a parcel on a non-transient basis, and the dwelling unit shall provide provisions for sleeping, eating, cooking, and sanitation.

**Single Unit Rental** shall mean the rental of an attached or detached structure (not the primary residence or business) on a parcel for Visitor Accommodations for transient guests for compensation or profit (30 days or less), and shall provide provisions for sleeping, sanitation, and with or without eating and cooking.

**Sleeping Unit** shall mean a living space, which provides living facilities for one or more persons, but does not include provisions for cooking and eating within the unit.

**Vacation Home Rental** shall mean the rental of Single Family Residence, that the only use on the property is for Visitor Accommodations, to be let or hired as an entire unit for occupancy by transient guests for compensation or profit, and limited to one unit per parcel (30 days or less).

**Visitor Accommodations** shall mean establishments engaged in the provision of lodging services on a less than monthly basis, which may provide incidental food and drink intended for the convenience of the guests.

# MENDOCINO COUNTY ZONING CODE

## Town of Mendocino

Title 20 - Division III  
of the Mendocino County Code



April 12, 1995

Attachment L

**CHAPTER 20.628****VISITOR ACCOMMODATION USE TYPES****Sec. 20.628.005 General Description of  
Visitor Accommodation Use  
Types.**

Visitor Accommodation use types refer to establishments engaged in the provision of lodging services on a less than monthly basis with incidental food and drink intended for the convenience of guests. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.010 Bed and Breakfast  
Accommodations.**

Any building or portion thereof or group of buildings containing two but no more than four (4) guest rooms each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, wherein breakfast may be provided for compensation or profit. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.015 Hostel.**

Any building or portion thereof or group of buildings containing five (5) or more guest rooms or suites, or providing dormitory sleeping accommodations for five (5) or more transient guests for the purpose of providing low cost public travel accommodations to recreational travelers. The hostel shall provide a kitchen and sanitary facilities for use by the transient guests. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.020 Hotel.**

Any building or portion thereof containing five (5) or more guest rooms each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit wherein meals may be provided for compensation or profit. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.025 Inn.**

Any building or portion thereof or group of

buildings containing five (5) or more guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where regular meals may be provided for compensation or profit. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.030 Motel.**

Any building or portion thereof or group of buildings containing five (5) or more guest rooms or suites where such rooms or suites are directly accessible from an outdoor parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.035 Single Unit Rental.**

An attached or detached structure, operated as a Visitor Serving Unit, in conjunction with a dwelling unit or commercial use, as a short term rental for transient occupancy, for a fee charged, and subject to Chapter 20.520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Chapter) of the Mendocino County Code. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.040 Student/Instructor  
Temporary Housing Facility.**

Existing Student/Instructor Temporary Housing Facility is identified on Table 4.13-1 of the Town Plan. (Ord. No. 3915 (part), adopted 1995.)

**Sec. 20.628.045 Vacation Home Rental.**

A dwelling unit that is the only use on the property, which may be rented short term, for a fee charged, for transient occupancy, subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Chapter) of the Mendocino County Code. Vacation Home Rentals are listed on Table 4.13-3 of the Mendocino Town Plan. (Ord. No. 3915 (part), adopted 1995.)

**COASTAL PERMIT CHECKLIST**  
**APRIL 17, 2017**

**PROJECT TITLE:** U\_2016-0016 (Schnell, Single Unit Rental)

**PROJECT LOCATION:** The site is within the Coastal Zone, within the Town of Mendocino, on the south side of Little Lake Street (CR407A) approximately 150 feet west of its intersection with Lansing Street (CR500) at 45021 Little Lake Street (APN 119-160-29).

**LEAD AGENCY NAME,  
ADDRESS AND CONTACT PERSON:** MONIQUE GIL  
Mendocino County Planning and Building Services  
860 North Bush Street  
Ukiah, California 95482  
707-234-6650

**GENERAL PLAN DESIGNATION:** Commercial (C)

**ZONING DISTRICT:** Mendocino Commercial 12K (MC12K)

**APPEALABLE AREA:** Yes

**PERMIT TYPE:** Coastal Development Minor Use Permit

**TOTAL ACREAGE:** 6,740± square feet

**EXISTING USES:** Commercial and Residential: Single Family

**ADJACENT ZONING:** North: Mendocino Commercial (MC)  
East: Mendocino Commercial (MC)  
South: Mendocino Commercial (MC)  
West: Mendocino Mixed Use (MMU)

**SURROUNDING LAND USES:** North: Office  
East: Retail  
South: Residential: Single Family  
West: Retail and Residential: Single

**SUPERVISORIAL DISTRICT:** 5

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Section 15303 of Article 19 (Class 3):  
The conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

**RELATED APPLICATIONS ON-SITE:** N/A

**OTHER RELATED APPLICATIONS IN VICINITY:** N/A

**DESCRIPTION OF PROJECT:** A Coastal Development Minor Use Permit authorizing the conversion of a second floor 900± square-foot residential use into use as a Single Unit Rental.

**SITE DESCRIPTION AND SETTING:** The site is located within the Coastal Zone, within the town of Mendocino, on the South side of Little Lake Street (CR407A) 150± feet west of its intersection with Lansing Street (CR 500) at 45021 Little Lake Street (APN 119-160-29). The parcel contains one existing structure that has three commercial businesses on the first floor and a residential space on the second floor. A 250± square-foot deck is located in the southwest corner of the rear yard.

The subject building contains three (3) commercial businesses on the first floor and a residential unit on the second floor. The first floor would continue to be used as a commercial retail use. The second floor is approximately 900± square-feet and would contain the one bedroom Single Unit Rental (SUR). The second floor is accessed by two stairwells that are contained within the structure. Both stairwells are accessed by external doors. No exterior alterations or modifications to the property are required or proposed to accommodate the SUR.

The site is bordered by Commercial zoning to the north, east, and south and Mixed Use zoning to the west.

**DETERMINATION:** The proposed project satisfies all required findings for approval of a Coastal Development Permit, pursuant to Sections 20.720.035 of the Mendocino County Code, as individually enumerated in this Coastal Permit Approval Checklist.

<b>20.720.035 Required Findings for All Coastal Development Permits</b>	<b>Inconsistent</b>	<b>Consistent (With Conditions of Approval)</b>	<b>Consistent (Without Conditions of Approval)</b>	<b>Not Applicable</b>
<b>(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:</b>				
(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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(6) Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.744 have been considered and are adequate to serve the proposed development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(7) That the proposed development is in conformance with the design standards of Section 20.760.050.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(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:</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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Findings:**

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

☒ *Consistent (without conditions of approval)*

The Local Coastal Program 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 Local Coastal Program serves as an element of the General Plan and includes Division III of Title 20, the Mendocino Town Plan, of the Mendocino County Code (MCC), and its policies must be consistent with the goals of the California Coastal Act.

Various aspects of the Local Coastal Program 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.

**Hazards:** The Coastal Act mandates that new development shall reduce potential risks and avoid substantial alteration of natural landforms. Chapter 3.4 of the Mendocino County Coastal Element addresses Hazards Management within the Coastal Zone and MCC Section 20.500 (Hazard Areas) provides regulations for those areas. The following is a discussion of the major environmental hazards in the Coastal Zone and potential impacts with the subject project.

Seismic Activity: The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake fault zone. The San Andreas Fault is located approximately 4 miles to the west of the project site and is the nearest active fault. There is no evidence to suggest there is an unrecognized fault on the site. The site, like the rest of Mendocino County, is subject to strong ground shaking. Figure 3-12 of the Mendocino County General Plan indicates that the subject parcel is located in an area with soil that may have conditions conducive to liquefaction. The proposed use is located in an existing building and does not propose any structural alterations and therefore would not increase exposure to the potential liquefaction hazard. The project is consistent with the seismic standards of the General Plan.

Landslides: According to California Department of Conservation Division of Mines and Geology maps, the subject property is not located on or near any known geologic or geomorphic features related to Landsliding (Kilbourne, R.T., 1983, *DMG Open-File Report 83-15, Geology and Geomorphic Features Related to Landsliding, Mendocino 7.5' Quadrangle, Mendocino County, California, Scale 1:24,000.*). The project does not propose any physical alterations to the property and would not increase any potential for landslides.

Erosion: The project site is relatively level and located approximately 1,415 feet from the edge of an ocean bluff. No physical alterations, including grading, are proposed as a result of this project, and the project is therefore consistent with General Plan erosion standards.

Flooding: There are no mapped 100-year flood zones on the subject parcel, as mapped by the Federal Emergency Management Administration (FEMA). The project would not expose people or structures to a significant risk involving flooding, including flooding as a result of the failure of a levee or dam.

Fire: The project is located in an area that has a "moderate" fire hazard severity rating, as determined by the California Department of Forestry and Fire Prevention (CalFire). Both CalFire and Mendocino Fire Protection District (MFPD) received referrals of the application. CalFire and the MFPD did not return comments. The proposed project does not propose any physical alterations to the property and is consistent with the General Plan fire safety standards.



**Visual Resources:** Protection of visual resources is a specific mandate of Section 30251 of the Coastal Act, and subsequently addressed in Chapter 3.5 of General Plan's Coastal Element and Section 20.504 of the Mendocino County Coastal Zoning Code.

The subject property lies within the Town of Mendocino, and is not located in an area that is designated Highly Scenic by the Local Coastal Program. Consequently, the project is not subject to Local Coastal Program Visual Resource policies relating to Highly Scenic Areas. The change in use, which lacks any exterior alterations to the structure, would not have any effect on visual resources.

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

☒ *Consistent (without conditions of approval)*

Chapter 3.8 of the Mendocino County General Plan Coastal Element addresses Transportation, Utilities and Public Services within the Coastal Zone. Coastal Element Policy 3.8-1 provides general guidelines for all development in the coastal zone, requiring that:

*Highway 1 capacity, availability of water and sewage disposal system and other known planning factors shall be considered when considering applications for development permits.*

**Utilities:** The project site is located within the Mendocino City Community Services District (MCCSD), and is served by public sewer and a well. The project was referred to MCCSD for comment. On November 21, 2016 MCCSD indicated the following:

"Administrative approval has been issued to Ruth Schnell for a Groundwater Extraction Permit to change the use on the second floor of the existing building from a one-bedroom residence to a one-bedroom Commercial Visitor Accommodation. A groundwater extraction allotment has been established to serve the current and present use on the parcel and the applicant has met all of the District's requirements for Groundwater Extraction Permit and sewer service."

The parcel will be served with adequate services to support the proposed use.

**Access Roads:** Mendocino County Department of Transportation (DOT) had the opportunity to comment on the application concerning access. DOT provided no comment to the application referral. The proposed change of use will not result in an increase in traffic volumes or a discernible change in circulation patterns on local or regional roadways.

**Drainage:** Drainage is subject to Section 20.492.025 of the MCC. The proposed development would not increase the amount of impervious surfaces on this parcel, as no exterior development is proposed.

- **20.720.035(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 (with conditions of approval)*

**General Plan Land Use:** The subject parcel is classified by the Mendocino Town Plan with a designation of Commercial. The Commercial classification is intended "to provide an area within the town suitable for commercial development compatible with existing commercial uses" (Chapter 4.13 of the Mendocino Town Plan). The principally permitted uses designated for the Commercial land use classification include residential, civic and commercial uses. The proposed use is a SUR, which is not expressly listed as a permitted or conditional use in any land use designation in the Town Plan. The Town Plan defines SUR as follows:

*Single unit rental means the use of an attached or detached structure which is used as a visitor serving unit and which is operated in conjunction with a residential use or commercial use, as a short term rental for transient occupancy, for a fee charged, and subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax of the Mendocino County Code.”*

The existing structure currently contains three commercial spaces on the first level and residential use on the second floor. As proposed by the use permit application, the second floor of the building would be converted from residential use to a SUR. The SUR would be contained in the second floor and used as a visitor-serving unit operated in conjunction with the existing commercial use on the property for short-term transient occupancy, consistent with the Town Plan definition of SUR. The proposed change from residential use to a SUR is consistent with the Town Plan.

**Zoning District:**

Intent: The parcel is zoned Mendocino Commercial (MC). MCC Section 20.664.005 states the intent of the MC zoning district is “to provide an area within the Town suitable for commercial development compatible with existing commercial uses.” The proposed combined use of a Commercial use with a SUR is consistent with the intent of the MC zoning district.

Use: MCC Section 20.748 governs the establishment of SUR and Vacation Home Rental (VHR) uses in the Town of Mendocino. Sections 20.748.015 and 20.748.020 detail permit requirements and standards for SURs. Section 20.748.25 provides exemptions for SUR permitting requirements for parcels in the MC district. The applicable code sections are expressed below:

**Sec. 20.748.015 Permit**

*A single unit rental or vacation home rental may be permitted upon issuance of a minor use permit in any district only when all provisions of this Chapter are met.*

**Sec. 20.748.020 Standards**

*Single unit rentals and vacation home rentals shall meet all of the following requirements:*

- (A) To preserve town character and maintain the town as a residential community with limited commercial services, the County shall maintain, at all times, for new vacation home rentals or single unit rentals approved subsequent to the effective date of this section, a ratio of thirteen (13) long term residential dwelling units to either one (1) single unit rental or vacation home rental. The County shall not require any reduction in the number of vacation home rentals or single unit rentals in existence on the date of certification by the Coastal Commission of this section.*
- (B) No application for a new single unit rental or new vacation home rental shall be granted complete and no permit shall be granted until and unless thirteen (13) new residential dwelling units have been completed since approval of the last previous single unit rental or vacation home rental.*
- (C) Single unit rentals and vacation home rentals shall be subject to Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Tax) of the Mendocino County Code.*
- (D) Permits for a single unit rental may be granted only in conjunction with an existing residential dwelling unit or commercial use on the same site.*
- (E) (Omitted – only applies to Vacation Home Rentals)*
- (F) Permits for a single unit rental or a vacation home rental shall not be transferable in any way.*

(G) *Applications for single unit rentals and vacation home rentals shall be considered and acted upon in chronological order from the date the application is received, except that permits for a vacation home rental shall be granted only when all pending applications for single unit rentals have been approved.*

(H) *A second residential dwelling unit may not be converted to a single unit rental.*

**Sec. 20.748.025 Exemption**

*A single unit rental located in the MC District shall be exempt from meeting the standards of Section 20.748.020(A) and Section 20.748.020(B) (emphasis added).*

The proposed SUR may be permitted as a use on this parcel with approval of this Minor Use Permit application.

An excessive number of transient occupants in SUR can result in overflow parking demands, excessive noise, and an overall activity level in excess of that typically associated with single-family residential use. For this reason, staff recommends **CONDITION 8** to limit the number of overnight occupants based on the size of the structure. The limitation restricts occupancy to one occupant per 300 square feet, which is derived from Uniform Building Code dwelling occupant loads for establishment of egress requirements. The proposed SUR is 900± square-feet, allowing for a maximum overnight occupancy of three guests.

Recommended **CONDITION 9** clarifies that this permit may be subject to modification or revocation if operation of the SUR results in substantive and unresolved complaints from nearby property owners and/or residents. Additionally, recommended **CONDITIONS 10** through **13** establish requirements for the operation of a SUR in the Town of Mendocino.

Density: The proposed change of use would not alter the existing dwelling density on the parcel, an SUR is not considered a dwelling unit.

Yards: The MC zoning district requires no front, rear or side yard. The application is consistent with zoning setback standards.

Lot Coverage: The maximum permitted lot coverage in the MC zoning district is twenty-five percent. Lot coverage is defined in Sec. 20.608.031(13) as “the percentage of gross lot area covered by all buildings and structures on a lot, including decks, porches and walkways; excluding uncovered required parking areas, landscaping, patios and terracing.” The existing development covers approximately fifty-four percent of the property which exceeds the maximum permitted lot coverage on the parcel. The proposed change in use proposes no expansion of the structures or exterior development and therefore would not increase the level of non-conformity.

With the conditions of approval met, the proposed use would be consistent with the purpose and intent as well as the regulations of the zoning district.

Parking: The MC zoning district requires one and one-half (1 ½) on-site parking spaces for each dwelling unit, and one (1) off-street parking space for each four hundred (400) square feet of non-residential gross floor area. The change in use of the 900± square-foot second floor from residential use to SUR, treated equivalent to a dwelling unit, would require one and one-half (1 ½) parking spaces. There are two (2) parking spaces provided. The change in use to SUR does not change the parking requirement and is compatible with adjacent land uses.

- **20.720.035(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)*

The project is Categorical Exempt from the provisions of CEQA, pursuant to Class 3 of Article 19 of the California Environmental Quality Act Guidelines. The Class 3 exemption finds that “the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure”, meeting the criteria of Section 15303, has “been determined not to have a significant

effect on the environment and which shall, therefore, be exempt from the provisions of CEQA." The application proposes the conversion of a small structure from one use to another where no modifications are made in the exterior of the structure. The project would not have any adverse impacts on the environment within the meaning of CEQA.

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

☒ *Consistent (without conditions of approval)*

The proposed use occurs only within the confines of the existing structure. No archaeological or paleontological resources would be affected by the proposed change of use.

- **20.720.035(A)(6) Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.744 have been considered and are adequate to serve the proposed development.**

☒ *Consistent (without conditions of approval)*

Chapter 3.8 of the Mendocino County General Plan Coastal Element addresses Transportation, Utilities and Public Services within the Coastal Zone. Coastal Element Policy 3.8-1 provides general guidelines for all development in the coastal zone, requiring that:

*Highway 1 capacity, availability of water and sewage disposal system and other known planning factors shall be considered when considering applications for development permits.*

Solid Waste: The Caspar Transfer Station is approximately six miles from the project site, providing for the disposal of solid waste resulting from the uses on the parcel. 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 site has access to Main Street. DOT had the opportunity to comment on the application concerning access, and replied with no comment. The existing public roadway capacity is sufficient to serve the proposed SUR.

Water Supply: Chapter 20.744 of the MCC establishes requirements for the evaluation of the adequacy of ground water resources for new developments in the Town of Mendocino.

The project site is located within the Mendocino City Community Services District (MCCSD), and is served by public sewer and a well. On November 21, 2016 MCCSD indicated the following:

"Administrative approval has been issued to Ruth Schnell for a Groundwater Extraction Permit to change the use on the second floor of the existing building from a one-bedroom residence to a one-bedroom Commercial Visitor Accommodation. A groundwater extraction allotment has been established to serve the current and present use on the parcel and the applicant has met all of the District's requirements for Groundwater Extraction Permit and sewer service."

On March 27, 2017 MCCSD provided further clarification stating the following:

"The District's Groundwater Extraction Permit Ordinance 07-1 outlines the Groundwater Extraction Permit process. I have attached page 27 of Appendix D Water Use Standard Definitions, which define Single Family Residence, Single Unit Rental and Vacation Home Rental. I have also attached the District's Water Use Standards. Single Unit Rental and Vacation Home Rental are classified as a Visitor Accommodation under the Commercial Category, while a long term residence is considered Residential. The Water Demand,

according to the Water Use Standard, is the same for a Single Family Residence and Commercial Visitor Accommodations: Vacation Home Rental or Single Unit Rental. With regard to 45021 Little Lake Street, the water demand is the same - 200 gallons per day for the change of use from a residence to a commercial visitor accommodation; single unit rental. I have also attached page 572 of the Mendocino County Zoning Code for the Town of Mendocino (April 12, 1995), which we used to establish the District's definitions of a Single Unit Rental and Vacation Home Rental."

The proposed project remains at an allotment of 200 gallons of water per day and will not increase the demand for groundwater extraction. The parcel would be served with adequate services to support the proposed use.

**20.720.035(A)(7) The proposed development is in conformance with the design standards of Section 20.760.050.**

☒ *Consistent (without conditions of approval)*

MMC Section 20.760 designates the Mendocino Historical Districts as well as design criteria ensuring development is compatible with surrounding development.

The subject property is located in Historical Zone A. The proposed change in use proposes no expansion of the structures or exterior development. The proposed project is therefore exempt from Mendocino Historical Review Board approval and is consistent with the design standards of the Historical District. The project was presented to the Mendocino Historic Review Board on February 6, 2017 as 'matters from staff' however no comments were provided on the exterior design of the building because no alterations were proposed.

**References:**

Kilbourne, R.T., 1983, *DMG Open-File Report 83-15, Geology and Geomorphic Features Related to Landsliding, Mendocino 7.5' Quadrangle, Mendocino County, California, Scale 1:24,000.*

Mendocino County, Planning and Building Services, Planning Division. *Mendocino County Coastal Zoning Code.* 1992. Ukiah, CA.

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

Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-Coastal Element.* 1985. Ukiah, CA.

Mendocino County, Planning and Building Services, Planning Division. *The Mendocino Town Plan.* 1992. Ukiah, CA.

Mendocino County, Planning and Building Services, Planning Division. *Mendocino Town Zoning Code Division III.* 1995. Ukiah, CA.

Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California  
April 17, 2017

U\_2016-0016 – SCHNELL

RESOLUTION OF THE COASTAL PERMIT ADMINISTRATOR,  
COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A  
CLASS 3 CATEGORICAL EXEMPTION AND GRANTING U\_2016-0016  
FOR A SINGLE UNIT RENTAL.

WHEREAS, the applicant, Ruth Schnell, filed an application for a Coastal Development Minor Use Permit with the Mendocino County Department of Planning and Building Services to convert the use of the second floor of an existing building from a residential use to a Single Unit Rental. The site is within the Coastal Zone, within the Town of Mendocino, on the south side of Little Lake Street (CR407A) approximately 150 feet west of its intersection with Lansing Street (CR500) at 45021 Little Lake Street (APN 119-160-29); General Plan - Commercial; Zoning – Mendocino Commercial; Supervisorial District 5; (the “Project”); and

WHEREAS, the subject property is developed with an existing commercial building; 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 May 2, 2017; 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 Single Unit Rental is consistent with the purpose and intent of the Mendocino Commercial zoning district applicable to the property located at 45021 Little Lake Street; APN#119-160-29, as well as the provisions of the MCC and preserves the integrity of the Mendocino Commercial 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, and proof of an adequate water supply pursuant to Chapter 20.744 approved by Mendocino City Community Services District, have been considered and are adequate to serve the proposed development. The proposed project remains at an allotment of 200 gallons of water per day and will not increase the demand for groundwater extraction; and
7. That the proposed Single Unit Rental is in conformance with the design standards of Section 20.760.050. There are no proposed external modifications.

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 Minor Use 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: VICTORIA DAVIS  
Commission Services Supervisor

By: \_\_\_\_\_

BY: IGNACIO GONZALEZ  
Interim Director

MARY LYNN HUNT  
Coastal Permit Administrator

\_\_\_\_\_

\_\_\_\_\_

## EXHIBIT A

### CONDITIONS OF APPROVAL U\_2016-0016 - SCHNELL April 17, 2017

A Coastal Development Minor Use Permit authorizing the conversion of a second floor 900± square foot residential use into use as a Single Unit Rental.

**APPROVED PROJECT DESCRIPTION:** A Coastal Development Minor Use Permit authorizing the conversion of a second floor 900± square foot residential use into use as a Single Unit Rental.

#### **CONDITIONS OF APPROVAL:**

1. The permit shall become effective on the 11<sup>th</sup> day after the proposed issuance of the Coastal Development Minor Use 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. The maximum overnight occupancy of the SUR is limited to a maximum of one person per every 300 square feet. The use of the SUR for "special events" or other large gatherings is limited to that which is necessarily and customarily associated with, and appropriate, incidental, and subordinate to, the principal uses of the property.



9. The use of the structure as a SUR shall not be so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance. An action to revoke or modify this minor use permit may be initiated by order of the Coastal Permit Administrator or the Board of Supervisors.
10. This permit authorizing the use of the structure for short-term transient occupancy as a SUR is not transferable in any way.
11. The applicant shall apply for and receive a business license for operation of the SUR in accordance with Chapter 6.04 of the Mendocino County Code. The business license shall not be transferable. Failure to maintain a valid business license shall result in the expiration of this permit. The applicant shall submit to Planning and Building Services, a copy of the business license and evidence of the annual renewal(s) within 30 days of issuance of the business license and renewal(s).
12. The applicant shall pay all required Uniform Transient Occupancy taxes in accordance with Chapter 520 of the Mendocino County Code.
13. The applicant shall submit to Planning and Building Services, on an annual basis, a signed statement which indicates the dates during which the SUR was rented to transient guests during the previous year. At a minimum, in any 24 month period, the SUR shall be rented for short-term transient occupancy for at least 60 days.