



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT- ADMINISTRATIVE CDP**

**APRIL 20, 2020
CDP_2019-0037**

SUMMARY:

OWNER/APPLICANT	COREY WELCH 2365 COLBALT LANE BRENTWOOD, CA. 94513
AGENT	DANIEL GRUBAUGH (BAUGHN & CAMERON) 2450 NORTH STATE STREET. UKIAH, CA. 95482
REQUEST	Administrative Coastal Development Permit to replace a manufactured home with one of similar size on a permanent foundation in the same location. The existing manufactured home is to be demolished and removed.
LOCATION	In the Coastal Zone, 2.2± miles south of Fort Bragg City center, located on the southeast corner of the intersection of Rhoda Lane (Private) and George's Lane (CR 414C), located at 32501 Rhoda Ln. Fort Bragg, (APN: 017-150-55).
TOTAL ACREAGE	2.05± Acres
GENERAL PLAN	Rural Residential, five-acre minimum with an alternate density of one (1) acre minimum (RR:5)(1):Urban (U)
ZONING	Mendocino County Division II: Rural Residential, five-acre minimum with an alternate density of one (1) acre minimum (RR-5 [RR1])
SUPERVISORIAL DISTRICT	4 th (Gjerde)
ENVIRONMENTAL DETERMINATION	Categorically Exempt: Section 15303, Class 3(a), one single family residence, unit in a residential zone. And section 15301 (L). Existing Facilities, demolition of an existing residence.
APPEALABLE	No
RECOMMENDATION	APPROVE WITH CONDITIONS
STAFF PLANNER	MATT GOINES

BACKGROUND

PROJECT DESCRIPTION: An Administrative Coastal Development Permit request to replace an existing manufactured home with one of similar size on a permanent foundation in the same location. The existing manufactured home is to be demolished and removed as part of this request. The proposed replacement home would occupy a similar area, but is approximately 64 sq. ft. smaller than the existing manufactured home, thereby featuring a slightly different footprint.

SITE CHARACTERISTICS: The project site is located within the boundaries of an existing residential subdivision, located on the east side of George's Lane (CR 414 C) and south of Rhoda Lane (Private). The site elevation is 200± feet above sea level and is relatively flat. The land classification and zoning district is Rural Residential, five-acre minimum with an alternate density of one (1) acre minimum (See attachments *Zoning Display Map* and *General Plan Classifications*). The surrounding lands are mapped non-prime

agricultural lands with a ‘Zone 3’ natural hazard, e.g. beach deposits, stream alluvium, and terraces subject to intermediate shaking (See attachment *LCP Land Capabilities & Natural Hazards*). The provided mapping describes the surrounding lands as “barren” (See *LCP Habitats and Resources*). The property is considered developed and takes access onto Rhoda Lane (Private).

The site is predominantly under a Moderate Fire Hazard”, but portions of the subject property are considered under a “Very High Fire Hazard”. While within the Fort Bragg Rural Fire Protection District, the property is under the responsibility of CalFire (See attached *Fire Hazard Zones & Responsibility Areas*). A Preliminary Clearance was provided by CalFire 480-19. The site is mapped within a “Medium Density Intermix” wildland-urban interface zone. Structures within the intermix WUI are interspersed with vegetation, whereas homes in the interface WUI are adjacent to heavy vegetation. A review of surrounding properties indicates that “Medium Density Intermix” designation is appropriate.

With regard to water resources, the area is mapped as a “Marginal Water Resource Area” (See attached *Ground Water Resources*).

Existing improvements on the subject property include a detached storage room (198 sq. ft), horse stalls (432 sq. ft.), shop (672 sq. ft.), pump shed (>100 sq. ft.), and small storage shed (>100 sq. ft.). The manufactured home that is to be removed is approximately 1404 sq. ft. The property is served by PG&E electrical service, as well as by an onsite septic system and domestic water well.

APPLICANT’S STATEMENT: “This is the replacement of a 1978 mobile home with a new home of equal size. The new home will be placed on a permanent foundation. ”

RELATED APPLICATIONS:

On-Site

- BF_2019-0515 (New Modular Home on Foundation)
- BF_2019-0369 (Demolition of Manufactured Home)

SUMMARY OF REFERRAL AGENCIES COMMENTS:

REFERRAL AGENCIES	COMMENT
Air Quality Management District	Comment
Assessor	No Response
Building Division (FB)	No Comment
Cal-Fire (Land Use)	No Response
California Department of Fish and Wildlife	Comments
US Department of Fish and Wildlife	No Response
California Coastal Commission	No Response
Cloverdale Rancheria	No Response
Department of Transportation	No Response
Environmental Health (FB)	Comment
Fort Bragg Fire Department	No Comment
Planning Division (Fort Bragg)	No Comment
Redwood Valley Rancheria	No Response
Sherwood Valley Rancheria	No Response
Fort Bragg Rural Fire District	No Comment

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are classified and zoned Rural Residential (RR) and developed with similar residential uses. The proposed replacement residence is consistent with these surrounding land uses:

Table 1: Surrounding Land Use and Zoning

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential RR5(1)	RR5:U	0.89 ± Acres	Residential
EAST	Rural Residential RR5(2)	RR5:U	2.71 ± Acres	Residential
SOUTH	Rural Residential RR5(1)	RR5:U	2.0 ± Acres	Residential
WEST	Rural Residential RR5(1)	RR5:U	0.88 ± Acres	Residential

LOCAL COASTAL PROGRAM CONSISTENCY: The proposed development is consistent with the goals and policies of the Local Coastal Program, General Plan, and Zoning Codes, as detailed below:

Land Use: The parcel is classified as Rural Residential with a 5 acre minimum parcel size that may be reduced to 1 acre (RR5(1)). The Rural Residential classification is intended to encourage local small-scale food production (farming) in areas not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area, and residences should be located as to create minimal impact on agricultural viability. The proposed project, which involves the demolition and replacement of a single family residence, as well as its connection to existing utilities, is consistent with the Rural Residential Land Use classification.

Zoning: The project site is located within a Rural Residential (RR) District, as shown on the *Zoning Display Map*, which is intended to encourage and preserve local small scale farming in the Coastal Zone on lands not well-suited for large-scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability. The proposed project, which involves the demolition and replacement of a single family residence and connection to existing utilities, is a principally permitted use within the Rural Residential District, pursuant to Mendocino County Code (MCC) Chapter 20.376 *RR -- Rural Residential District*.

The maximum building height allowed in the RR District is 28 feet above the natural grade for non-Highly Scenic Areas. The maximum height of the proposed project components would be 16 feet in height after being adhered to a foundation.

The project would comply with the minimum front and side yard requirements for the RR District. Because this parcel is a corner lot there will be no rear yard setbacks. Per MCC 20.152.015 (H) *“In the case of a corner lot in any district, front yard setbacks shall be maintained from all lot lines having street frontage. Side yard setbacks shall be maintained from all other lot lines not having street frontage”*. There will be two front yard setbacks of 20 feet and the rest of the property lines will be subject to 6 feet setbacks. A corridor preservation setback of 25 feet applies along both Rhoda Lane (Private) and Georges Lane (CR 414 C) resulting in setbacks of 45 feet from the centerlines of each road. As currently planned, the proposed improvement will be located within the existing single family residence footprint, which will comply with the minimum yard setbacks, as shown on the Site Map. The proposed project will not increase the existing lot coverage. The existing combined lot coverage is approximately 6%, which is less than the maximum allowed lot coverage of 20% for parcels of this size located within an RR district.

Visual Resources: Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. This site is not designated as a Highly Scenic Area or Tree Removal Area. The proposed development is located adjacent to similar residential structures in a residential subdivision with a mixture of manufactured and traditionally built improvements. The proposed project is consistent with visual resource policies.

Hazards Management: Six major hazards are critical in the coastal zone: tsunami, seismic activity, landslides, erosion, flooding, and fire. The site is predominantly rated as “Moderate Fire Hazard”, but contains portions considered “Very High Fire Hazard”. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire) and the Fort Bragg Rural Fire Protection District (FBFD). All new development shall meet the requirements for fire protection and fire prevention as recommended by responsible fire agencies. An approved Preliminary Clearance was provided by CalFire (480-19). A standard condition requiring the applicant to secure all necessary permits for the proposed

development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan would be addressed.

The proposed project is consistent with MCC Chapter 20.500 regulations for hazard areas, including geologic hazards (faults, bluffs, tsunamis, landslides, and erosion), fire and flood hazards.

Habitats and Natural Resources: The site is primarily designated as “barren”, as shown on the *LCP Habitats & Resources Map*. No botanical survey was requested based on the project type and that mapping does not indicate sensitive coastal resources on or near this project site. The proposed project requires minor ground disturbance for the replacement of the single family residence and the proposed improvements will occur within previously disturbed areas, thereby minimizing impacts within the vicinity. No new utility connections or demand are needed to facilitate the replacement residence.

The Mendocino County *Air Quality Management District* (AQMD) has requested the applicant obtain an *Asbestos Notification Form* for demolition and renovation. The applicant was able to satisfy this requirement with an approved AQMD asbestos notification application, dated 2/11/2020.

Grading, Erosion, and Run Off The area of the proposed single family residence is relatively flat and only minor ground disturbance will be required. The Mendocino County *Air Quality Management District* requires the project to be in compliance with District Regulation 1, Rule 1-430 which is captured through a standard condition of approval requiring consistency with all requirements of local, state and federal agencies with jurisdiction over the project.

Groundwater Resources: The site is designated as having marginal water resources (MWR) by the Mendocino County Coastal *Groundwater Study*, as shown on the *Ground Water Resources Map*. The subject property is already developed with a single family residence and accessory improvements and the proposed replacement residence will be in conjunction with the existing residential use of the parcel and does not increase the intensity of uses permitted on the parcel.

The Department of Environmental Health has requested the applicant submit a Septic discovery from a qualified site evaluator. The site evaluator will provide the documentation proving the existence and capacity of the septic system. **Condition 9** is recommended to ensure compliance with Environmental Health requirements.

Archaeological/Cultural Resources: For small projects, such as remodels, additions, and small outbuildings (projects with minimal earthwork), Mendocino County Department of Planning and Building Services (PBS) procedure is to not refer these types of projects to either California Historic Resource Information System (CHRIS) or the Mendocino County Archaeological Commission. The proposed project requires minor ground disturbance for the replacement of the single family residence and the proposed improvements will occur within previously disturbed areas, thereby minimizing impacts within the vicinity. No new utility connections or demand are needed to facilitate this replacement. Staff notes that **Condition 8** advises the property owners of a “Discovery Clause,” which prescribes the procedures subsequent to the discovery of any cultural resources during construction activities associated with the project.

Transportation/Circulation: The project will not contribute new sources of traffic on local and regional roadways. The project will not impact transportation or circulation and will be provided with adequate access as it continues the existing residential use of the parcel. The proposed project was referred to Mendocino County Department of Transportation (DOT) and CalFire for input, where DOT responded with “no comment”. CalFire has recommended address standards and driveway standards for the proposed project. The project has been conditioned to require compliance with these requirements. A minimum of two parking spaces are required for the project per MCC Section 20.472.015. The subject property is in conformance with these required parking standards.

ENVIRONMENTAL DETERMINATION: The Secretary for Resources has found that certain classes or 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 meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 3(a), Section 15303 and section 15301 (L). Existing Facilities, demolition of an existing residence.

PROJECT FINDINGS AND CONDITIONS: Pursuant to the provisions of Chapter 20.532 of the Mendocino

County Code, the Coastal Permit Administrator approves the proposed project and adopts the following findings and conditions:

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed replacement of the single family residence is in conformity with the certified Local Coastal Program. The existing single family residence is a principally permitted use within the Rural Residential land use classification, and the proposed single family residence will allow for the continued residential use of the site, which is consistent with the intent of the Rural Residential Classification; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed replacement of the single family residence would be provided with adequate utilities, access roads, drainage, and other necessary facilities; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed replacement of the single family residence is consistent with the purpose and intent of the Rural Residential District, as well as all other provisions of Division II of Title 20 of the Mendocino County Code, including building height, setback from property boundary, and lot coverage; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed replacement of the single family residence, if completed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act and is determined to be Categorically Exempt from further environmental review; and
5. Pursuant with MCC Section 20.532.095(A)(5), the proposed development of the single family residence will not have any adverse impact on any known archaeological or paleontological resources, and **Condition 8** is in place when archaeological sites or artifacts are discovered; and
6. Pursuant with MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the site. The site is currently developed with a single family residence and the proposed replacement of the single family residence will not affect demands on public services; and

CONDITIONS OF APPROVAL:

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 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.
2. To remain valid, progress towards completion of the project must be continuous. The Applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
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 applicants shall secure all required building permits for the proposed development of the roof extension 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. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 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.
9. Prior to issuance of the certificate of occupancy, the applicant shall submit a *Septic Discovery Report* to the Department of Environmental Health for review and approval. The report shall be prepared by a qualified site evaluator approved by Environmental Health.

DATE

MATT GOINES
PLANNER I

DATE

BRENT SCHULTZ
COASTAL PERMIT ADMINISTRATOR

ATTACHMENTS:

- A. Location Map
- B. Aerial Imagery
- C. Topographic Map
- D. Site Map
- E. Zoning Display Map
- F. General Plan Classifications
- G. LCP Land Use Map 14: Beaver
- H. LCP Land Capabilities & Natural Hazards
- I. LCP Habitats & Resources
- J. Appealable Areas
- K. Adjacent Parcels
- L. Fire Hazard Zones & Responsibility Areas
- M. Wildland-Urban Interface Zone
- N. Groundwater Resources
- O. Estimated Slope
- P. Western Soils Classification
- Q. Farmland classification

Appeal Period: 10 Days
Appeal Fee: \$1,616.00