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

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**FEBRUARY 24, 2026**

**CDP\_2025-0022**

**PROJECT PLANNER CONTACT**

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**PROJECT SUMMARY**

**OWNER:** Charles & Rosemarie Acker  
PO Box 195  
Elk, CA 95432

**APPLICANT:** Charles Acker  
PO Box 195  
Elk, CA 95432

**REQUEST:** Administrative Coastal Development Permit to legalize an after-the-fact conversion of an existing 640 square foot accessory structure into an Accessory Dwelling Unit (ADU) within a Highly Scenic Area.

**LOCATION:** In the Coastal Zone, 420± feet northeast of Elk town center, 0.2± miles northwest of the intersection of State Route 1 (SR 1) and Philo-Greenwood Road (CR 132), accessed via a private driveway off the east side of State Route 1, located at 6001 S Hwy 1, Elk APN: 127-190-10.

**TOTAL ACREAGE:** 0.5± Acres

**GENERAL PLAN:** Rural Village - RV  
General Plan (Chapter 7 – Coastal Element)

**ZONING:** Rural Village – RV  
Mendocino County Code Title 20, Division II

**CODE REFERENCE:** Accessory Dwelling Unit (ADU)  
Mendocino County Code (MCC) Section 20.458.015(C)

**APPEALABLE** No (Neither appealable to the BOS or CCC)

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption

**RECOMMENDATION:** Find the project Categorical Exempt from CEQA and approve CDP\_2025-0022 for the project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

**PROJECT BACKGROUND & INFORMATION**

**PROJECT DESCRIPTION:** This permit would legalize the installation of a kitchen into an existing, previously legal structure with no exterior changes, converting it into an Accessory Dwelling Unit (ADU). The ADU is located within an LCP-designated Highly Scenic Area and is visible from Highway 1.

**SITE CHARACTERISTICS:** The subject parcel is developed with a primary residence and accessory structures. The applicant has indicated that the septic system leach field for the proposed ADU and existing primary dwelling is located on the adjacent parcel APN 127-190-08 under separate ownership, via deeded easement.

**Public Services:**

Access: State Route 1 (SR 1)  
 Water District: Elk County Water District  
 Sewer/Fire District: Elk Community Services District

**RELATED APPLICATIONS:** The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

**Subject Parcel Projects:**

- **LCP/CCC 1-87-104-A2** – Initial Coastal Commission Permit covering the subject structure, permitting it as a Guest Cottage [Issued]

**AGENCY COMMENTS:** On November 14, 2025, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

<b>TABLE 1: Referral Agency Responses</b>	
<b>REFERRAL AGENCIES</b>	<b>COMMENT</b>
Assessor’s Office	No Response
Building Division Fort Bragg	No Response
Environmental Health (EH)	Comment
Elk Community Services District	Comment
Elk County Water District	No Response
Mendocino County Farm Bureau	No Response
CALFIRE (Land Use)	Comment
California Coastal Commission	No Response
CalTrans	No Response
State Dept of Parks and Recreation	No Response
California Dept. of Fish & Wildlife	No Comment
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

Elk Community Services District provided comment, stating they had no applicable requirements in this case and recommending approval of the project.

**PROJECT ANALYSIS**

**LOCAL COASTAL PROGRAM CONSISTENCY:**

**Land Use and Planning Areas:** The construction of an accessory dwelling unit (ADU) complies with the certified Local Coastal Program. The proposed project allows for residential use of the site, which is consistent with the intent of the Rural Village Classification.

**Zoning:** The Remote Village District is intended to preserve and maintain the character of the rural atmosphere and visual quality of existing coastal rural villages; to provide a variety of community-oriented neighborhood commercial services; and to provide and allow for mixed residential and commercial activities. The creation of an ADU within the limitations of Mendocino County Code Chapter 20.458 is consistent with this goal.

Upon approval of this project, the subject parcel would be allowed one single-family residence and one ADU, and prior to obtaining a building permit for the latter a deed restriction will be required, prohibiting any dwelling on the property from being used for transient habitation (see **Condition 8**). As proposed, the project is fully consistent with the requirements and provisions of Chapter 20.458, subject to the standard conditions proposed.

**Grading, Erosion, and Runoff:** The project proposal involves no exterior changes, and so will have no grading, erosion, or runoff impacts.

**Visual Resources and Special Treatment Areas:** Pursuant to MCC § 20.458.045(C): *An ADU may not be located within a Highly Scenic Area unless the ADU would be permanently and entirely blocked from view from all public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes. An exception to this requirement may be authorized through administrative coastal development permit process in circumstances where the development is consistent with the standards established in [MCC] Chapter 20.504...*

The proposed ADU is located in a Highly Scenic Area and is not blocked from view from all public areas, including Highway 1. However, the structure to be converted into an ADU was legally permitted, and the conversion requires no external changes, so an exception to the standards established in Chapter 20.504 is recommended.

**Transportation, Utilities, and Public Services:** The ADU will be served by existing electric utilities, water from the Elk County Water District, and a septic tank on the adjacent parcel APN: 127-190-08 under separate ownership, via deeded easement. Elk Community Water District provided comment on this project, stating the following: *“Given the known public water supply, Elk CSD does not require provisions for additional water storage. Similarly, with no change of use or dimensional changes to existing structures, Elk CSD has no additional requirements.”*

As the conversion to an ADU will not result in the creation of additional bedrooms, Environmental Health does not need to approve it, though they did note that a ‘will serve’ letter establishing water supply has been provided by the applicant.

The site is accessed off the east side of State Route 1. CalTrans did not respond to a request for comment on this project. Significant impacts on the County’s transportation network, including state highways, are not anticipated.

**Archaeological and Cultural Resources:** The proposed project involves no ground disturbance; no impact on Archaeological or Cultural Resources is anticipated. Should an archeological site or human remains be discovered onsite at any time, it is the responsibility of the person who makes the find and the property owner to follow the notification and conservation protocols laid out in MCC 22.12.090 and 22.12.100.

**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. The proposed project to convert a guest cottage to an ADU meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under California Code of Regulations Section 15303 for New Construction or Conversion of Small Structures. This conversion of from one residential accessory use to another requires no exterior changes.

## **PROJECT FINDINGS & CONDITIONS OF APPROVAL**

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code, the Coastal Permit Administrator approves CDP\_2025-0022, finds the project Categorically Exempt from the California Environmental Quality Act, and adopts the following findings and conditions.

### **FINDINGS:**

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified local coastal program. The conversion of an existing accessory structure into an accessory dwelling unit (ADU) complies with the certified Local Coastal Program. The proposed project allows for residential use of the site, which is consistent with the intent of the Rural Village Classification. As the conversion involves no exterior changes to the structure as originally permitted, the project will have no impacts on visual resources and is consistent with the standards of MCC Chapter 20.504; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage, and other necessary facilities. As the conversion to an ADU will not result in additional bedrooms being created, the Environmental Health Division of the Mendocino County Public Health Department does not need to approve it – the existing septic system is presumed to be adequate. A will serve letter has been submitted, confirming the water supply for the ADU. The project will be required to fulfil all pertinent requirements of a Building Permit before receiving a Certificate of Occupancy; and
3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the Rural Village zoning district as well as the provisions of this Division, and preserves the integrity of the zoning district. The Rural Village district is intended to preserve and maintain the character of the rural atmosphere and visual quality of existing coastal rural villages; to provide a variety of community-oriented neighborhood commercial services; and to provide and allow for mixed residential and commercial activities. The creation of an ADU within the limitations of Mendocino County Code Chapter 20.458 is consistent with this goal; and
4. Pursuant to MCC Section 20.532.095(A)(4), the project, 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 (CEQA). As a conversion of an existing structure with no exterior changes, the project is Categorically Exempt from CEQA per California Code of Regulations Title 14, §15303. Therefore, no potential effects of the project can be considered significant adverse impacts on the environment within the meaning of CEQA; and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resource. The project involves no ground disturbance. 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, pursuant to MCC 22.12.090; and
6. Pursuant to 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 proposed development. The increase in demand for public services was considered in the adoption of the Ministerial Coastal ADU ordinance, and resulted in a cap being placed on the number of permitted ADUs within the Coastal Zone outside of the Gualala Town Plan area. The cap is currently for 500 ADUs; the proposed project includes the 17th ADU subject to this cap.

### **CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11th day following the decision. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and/or use of the property in reliance on such permit has been initiated prior to its expiration. Such permit vesting shall include approved permits associated with this project (i.e. building permits, septic

permits, well permits, etc.) and physical construction in reliance of such permits, or a business license demonstrating establishment of a use proposed under this project.

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. 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.
4. 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.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
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. Use of any dwelling on the subject parcel for transient habitation shall be prohibited. Prior to obtaining a building permit for the ADU, a deed restriction, approved by the County, shall be recorded with the County Recorder's office, which shall include the prohibition on the use of any dwelling for transient habitation. The deed restriction shall run with the land, and be binding upon any future owners, heirs, or assigns.
9. Conditions approving this permit shall be attached to or printed on any building permit application and shall be a part of on-site construction drawings.

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DATE

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ROB FITZSIMMONS  
PLANNER II

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DATE

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RUSS FORD  
COASTAL PERMIT ADMINISTRATOR

**ATTACHMENTS:**

- A. Location Map
- B. Aerial Map
- C. Site Plan
- D. General Plan Map
- E. Zoning Map
- F. LCP Maps
- G. Adjacent Owner Map
- H. Fire Hazards Map
- I. Highly Scenic/Tree Removal