



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT – CDP STANDARD**

**SEPTEMBER 27, 2018
CDP_2017-0045**

SUMMARY

OWNER/APPLICANT: TIGERLILY JONES
44640 LARKIN ROAD
MENDOCINO, CA 95460

REQUEST: A Coastal Development Permit for the use of a travel trailer (200 sq. ft.) as a family care unit and retroactive permit to convert garage into additional living space (264 sq. ft.) to the existing single family residence.

DATE DEEMED COMPLETE: 08/22/2018

LOCATION: The property is located north of the Town of Mendocino, at the end of Larkin Rd. (CR 443), 0.65± miles east of its intersection with Hwy. 1 (SH 1), located at 44604 Larkin Rd., Mendocino (APN: 119-020-30).

TOTAL ACREAGE: 0.90± acres

GENERAL PLAN: Rural Residential (RR5:2:R)

ZONING: Rural Residential (RR:5)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Categorically Exempt per CEQA Section 15303, Class 3(a)

APPEALABLE: No

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Jessie Waldman

BACKGROUND

PROJECT DESCRIPTION: A Standard Coastal Development Permit for the temporary use of a travel trailer as a *Family Care Unit*, including the connection to existing water, electricity and septic systems, on an existing, developed residential lot. This is an after the fact request. The travel trailer (200 sq. ft.) would be located at the south-east corner of the existing paved driveway, which serves the single family residence. The temporary use of the travel trailer would provide housing for (a) not more than two adult persons who are sixty years of age or older, or (b) an immediate family member or members who requires daily supervision and care, or (c) person or person providing necessary daily supervision and care for the person or person residing in the main residence.

RELATED APPLICATIONS ON-SITE:

- BV_2017-0141 legalize conversion of garage to living space/bathroom
- IC_2017-0289 residence / garage & RV being used as short term rentals
- BF_2008-0098 replace 200 amp panel
- F-9113 addition to single family residence
- F_4204 single family residence
- MS_261-93 minor sub-division

NEIGHBORING PROPERTIES:

- CE_1993-0001 (Single family residence, septic, adjacent parcel to south); LCP_1992-0132 (Adjacent parcel to south east); CE_2003-0029 (Septic repair, adjacent parcel to south east); CE_2003-0072 (Replacement well, adjacent parcel to south); V_2-81 (Building site location variance, adjacent parcel to north east).

SITE CHARACTERISTICS: The project site is located approximately 0.65 mile east of State Highway 1 at the terminus of Larkin Road (CR 443). The lot is developed with a single family residence situated on a gentle sloping coastal plain, landscaped with grass and perimeter trees. The existing single family residence is 1,882 square feet.

SURROUNDING LAND USE AND ZONING: As listed on Table 1 below, the surrounding lands are classified and zoned same as the project site and surrounding lots are developed with residential uses. The proposed temporary *Family Care Unit* is consistent with the surrounding land uses and development.

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RR5-2	RR5-2	1.7 acres; 1 acre	Residential
EAST	RR5-2	RR5-2	1 acre	Residential
SOUTH	RR5-2	RR5-2	1.2 acres; 1.6 acres	Residential
WEST	RR5-2	RR5-2	1 acre	Residential

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed project 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 (RR5(2):R) by the Mendocino County General Plan. The Rural Residential classification is intended to encourage local small scale food production in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, or other characteristics. 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 (Coastal Element Chapter 2.2). The proposed temporary *Family Care Unit* is consistent with allowed temporary uses and allowed accessory uses associated with residential development.

Zoning: The project site is located within a Rural Residential District, which is intended to encourage and preserve local small scale farming in the Coastal Zone on lands which are not well suited for large scale commercial agriculture. Residential uses should be located as to create minimal impact on the agricultural viability (Mendocino County Coastal Code Section 20.376.005). The proposed temporary use, of a travel trailer as a *Family Care Unit*, may be permitted as specified by MCC Section 20.460.040 and Division II of Title 20 of Mendocino County Codes.

The parcel's zoning designation (RR5:2) requires a 5 acre minimum parcel size; however the established parcel is 0.90 acres in size. The project would comply with the minimum front and rear requirements for the RR District for the parcel size, which are 20 feet each and the minimum side yard requirements, which are 6 feet each. The maximum building height allowed in the RR District is 28 feet above the natural grade for non-Highly Scenic Areas, such as the project site. As currently proposed, the *Family Care Unit*, would be a maximum height of 11 feet, which would comply with the maximum building height requirement. The project, as proposed, would result in a lot coverage of 0.5 percent, which would not exceed the maximum allowed lot coverage of 20 percent for parcels of this size located within an RR District. A minimum of two off-street parking spaces are required for the first residential unit and one off street parking space for the FCU. The site has adequate capacity for the require parking.

The Mendocino County Coastal Zoning Code Division II, Chapter 20.460.040 (Family Care Unit) requires the temporary use of a building, structure or trailer coach, not to exceed 1,000 square feet in

size, will be allowed, upon issuance of a Coastal Development Standard Permit, to provide housing for (a) not more than 2 adult persons who are 60 years of age or older, or (b) an immediate family member or members who requires daily supervision and care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.

Visual Resources: The site is not mapped as a Highly Scenic Area and the *Family Care Unit* is a temporary use.

Hazards Management: Mapping does not associate the following with the subject site: faults, bluffs, or tsunami inundation zones.

MCC Section 20.500.025 *Fire Hazard* -- The parcel is located in an area classified as a "Very High Fire Hazard" severity rating (See exhibit Fire Hazard Zones & Responsibility Areas). Fire protection services are provided by the Mendocino Fire Protection District (MFP). The project application was referred to MFP for input; however, no response has been received. The project was also referred to CalFire, who has not responded but has issued a preliminary clearance (CalFire File Number 479-17). A standard condition requiring the property owner to secure all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction ensures any fire protection policy or plan could be addressed (including address standard, driveway standard, and defensible space standard and maintaining defensible space as specified by the preliminary clearance document). Staff recommends with the inclusion of this condition, the project would be consistent with Mendocino County policies for fire protection.

Habitats and Natural Resources: The site is primarily designated as barren and grassland prairie habitat (See exhibit LCP Habitat and Resources). No botanical survey was requested as the mapping does not indicate that the area of proposed development would be adjacent to sensitive coastal resources. The proposed project requires connection to existing electrical, water and septic to be installed for the temporary use of the travel trailer as a *Family Care Unit* and the proposed improvements would occur within already disturbed areas, thereby minimizing impacts to potential sensitive habitats and species within the vicinity. As conditioned, Staff finds the project would not significantly impact sensitive habitats or resources.

Archaeological/Cultural Resources: For small projects such as the temporary use of a travel trailer as a *Family Care Unit* with associated improvements, Mendocino County Department of Planning and Building Services procedure is to not refer these types of projects to either the California Historic Resource Information Center (CHRIS) or the Mendocino County Archaeological Commission. PBS procedure (as detailed in a Staff Memorandum) was reviewed by the Mendocino County Archaeological Commission in 2005 and again in 2014 and it was determined to be an appropriate guidance document for what projects would require archaeological review.

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 of the project. As conditioned, Staff recommends the project as consistent with Mendocino County policies for the protection of the paleontological and archaeological resource.

The project was referred to three local tribes for review and comment, including the Sherwood Valley Rancheria, Redwood Valley Rancheria, and the Cloverdale Rancheria. As of this date, no response has been received from the 3 local tribes.

Groundwater Resources: The project site is located within a mapped Critical Water Resources Area (See exhibit Ground Water Resources). The project application was referred to MC Department of Environmental Health on June 8, 2018 for input; MC Department of Environmental Health recommends conditionally approval for the *Family Care Unit* (ST27073) and that no proof of water would be required.

MC Department of Environmental Health recommended a condition that a replacement septic location be designated upon verifying that the existing septic system was sufficient for the proposed temporary use of a travel trailer as a *Family Care Unit*. The existing septic system proved to be sufficient for 3 bedrooms and 1 temporary bedroom at the proposed *Family Care Unit*.

The original application request submitted on December 4, 2017, included (1) temporary use of a travel trailer as a *Family Care Unit* and (2) the conversion of a garage into additional habitable space to the single family residence. This request exceeded the allotted number of bedrooms and exceeded the existing septic system capacity. Subsequently, the applicant revised the application to only request the *Family Care Unit* and applied for a building permit with the Planning and Building Services to remodel the single family residence to reduce the number of bedrooms to allow for the *Family Care Unit*.

Staff recommends a Condition of Approval that the building permit to remodel the single family residence to reduce the number of bedrooms be finalized and the work complete before the necessary permits to allow for the *Family Care Unit* is finalized. As conditioned, Staff recommends that the proposed project would satisfy County goals and policies for management of groundwater resources.

Grading, Erosion, and Run-Off: No grading is proposed.

Transportation/Circulation: The project would not contribute new sources of traffic on local and regional roadways. The cumulative effects of traffic resulting from residential land uses and its associated development (like accessory structures or temporary *Family Care Units*) were considered when the Coastal Element land use designations were assigned. Staff finds the project would not impact transportation or circulation and would be provided with adequate access. The project application was referred to DOT for input; however, no response has been received.

Public Access: The project site is located near the eastern terminus of Larkin Road, which intersects with State Highway 1. The site is not designated as a potential public access trail location. As shown on LCP Map 15 *Caspar*, existing public access to the shore is located at Russian Gulch Shoreline Access, on the north-west side of Jack Peters Gulch. There will be no impacts to public access.

ENVIRONMENTAL DETERMINATION: The Project meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Section 15303, Class 3(a), conversion of small structures to temporary second dwelling unit.

PROJECT FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, the Coastal Permit Administrator approves the proposed *Family Care Unit* and adopts the following findings and conditions.

FINDINGS:

1. Pursuant with MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Local Coastal Program. Temporary *Family Care Units* are allowed with an approved Coastal Development Standard Permit; and
2. Pursuant with MCC Section 20.532.095(A)(2), the proposed development would be provided with adequate utilities, access roads, drainage, and other necessary facilities. The site is currently developed with a single family home, well, electrical service, and other ancillary development. The proposed temporary use would have access to adequate utilities, access roads, and other necessary facilities as they are already on-site; and
3. Pursuant with MCC Section 20.532.095(A)(3), the proposed development 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, lot coverage, and temporary use regulations; and
4. Pursuant with MCC Section 20.532.095(A)(4), the proposed temporary *Family Care Unit*, if constructed in compliance with the conditions of approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and

5. Pursuant with MCC Section 20.532.095(A)(5), the proposed development would 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 temporary *Family Care Unit* would 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 2 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 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. 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. The applicant shall have the sole responsibility of renewing the *Family Care Unit* permit each year, prior to the expiration date. Prior to the granting of the permit and yearly renewal, a statement must be submitted by the owner of the property and signed under penalty of perjury that the use of the

Family Care Unit is to provide housing for either: (a) not more than two (2) adult persons who are sixty (60) years of age or older, or (b) an immediate family member or members who require daily supervision or care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.

10. Should the use or necessity of the temporary *Family Care Unit* cease, it shall be either removed from the premises or converted to an accessory structure as provided in Chapter 20.456. Should the occupants of the *Family Care Unit* or the main residence move to another off-site residence, the permits for the *Family Care Unit* shall become null and void.
11. Prior to finalization of building permit for *Family Care Unit*, the building permit to remodel the single family residence to reduce the number of bedrooms shall be finalized and the work complete, per MC Department of Environmental Health recommended a conditional approval.

Staff Report prepared by:

09-06-2018

DATE



JESSIE WALDMAN
PLANNER I

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

ATTACHMENTS:

- A. Location Map
- B. Topographic Map
- C. Aerial Imagery
- D. Site Plan
- E. Infrastructure Plan
- F. Floor Plan
- G. Remodel Floor Plan
- H. Trailer Floor Plan
- I. Images
- J. Zoning Display Map
- K. Important Farmland
- L. LCP Habitat & Resources
- M. LCP Land Capabilities & Natural Hazards
- N. LCP Land Use Map 15: Caspar
- O. General Plan Classifications
- P. Adjacent Parcels
- Q. Appealable Areas
- R. Fire Hazard Zones & Responsibility Areas
- S. Wildland-Urban Interface Zones
- T. Local Soils
- U. Ground Water Resources

SUMMARY OF REFERRAL AGENCY COMMENTS:

Original referral packet "Request" included items that were subsequently determined by Staff to not require a Coastal Development Permit.

Planning (Ukiah)	No Response
Department of Transportation	No Comment
Environmental Health (FB)	Comment
Building Inspection (FB)	No Comment

Assessor	No Response
Sonoma State University	Comment
Caltrans	No Response
CalFire	No Comment
Coastal Commission	No Response
Mendocino Unified School District	No Response
Mendocino Fire District MFD	No Response
Sherwood Valley Rancheria	No Response
Redwood Valley Rancheria	No Response
Cloverdale Rancheria	No Response

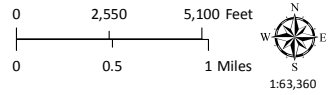
REFERENCES:

- Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. The County of Mendocino General Plan. 1991. Ukiah, CA.
- Chapter 20. Mendocino County, Planning and Building Services, Planning Division. Division II – Mendocino County Coastal Zoning Code. 1991. Ukiah, CA.
- Coastal Zone Application Form for CDP_2017-0045. Filed December 4, 2017.



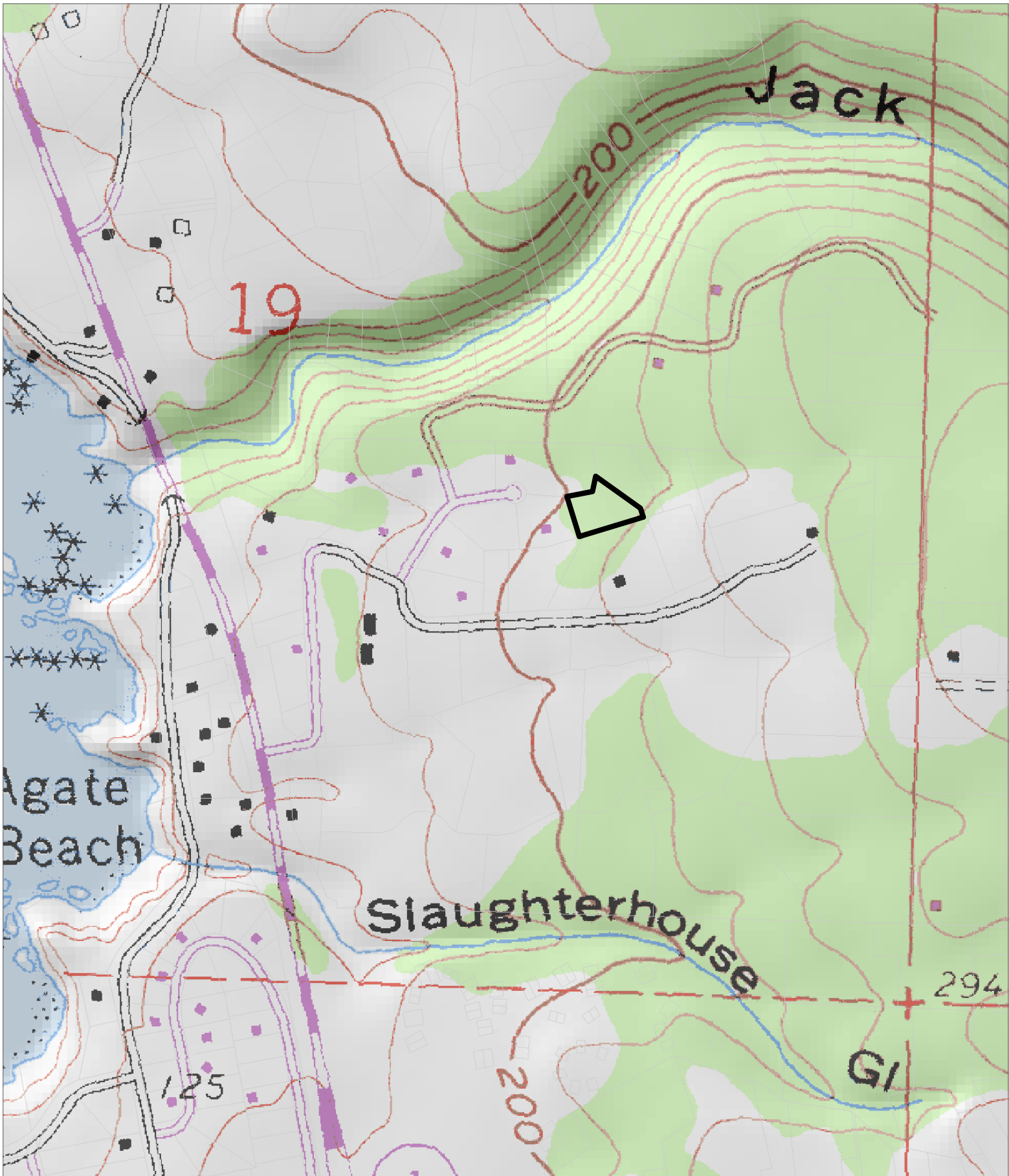
CASE: CDP 2017-0045
 OWNER: JONES, Tigerlily
 APN: 119-020-30
 APLCT: Lily "Tigerlily" Jones
 AGENT:
 ADDRESS: 44640 Larkin Road, Mendocino

- Major Towns & Places
- Major Roads
- Major Rivers
- Highways

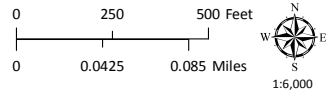


LOCATION MAP

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CASE: CDP 2017-0045
OWNER: JONES, Tigerlily
APN: 119-020-30
APLCT: Lily "Tigerlily" Jones
AGENT:
ADDRESS: 44640 Larkin Road, Mendocino



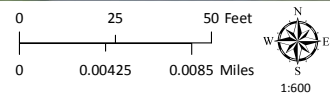
TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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== Private Roads

AERIAL IMAGERY

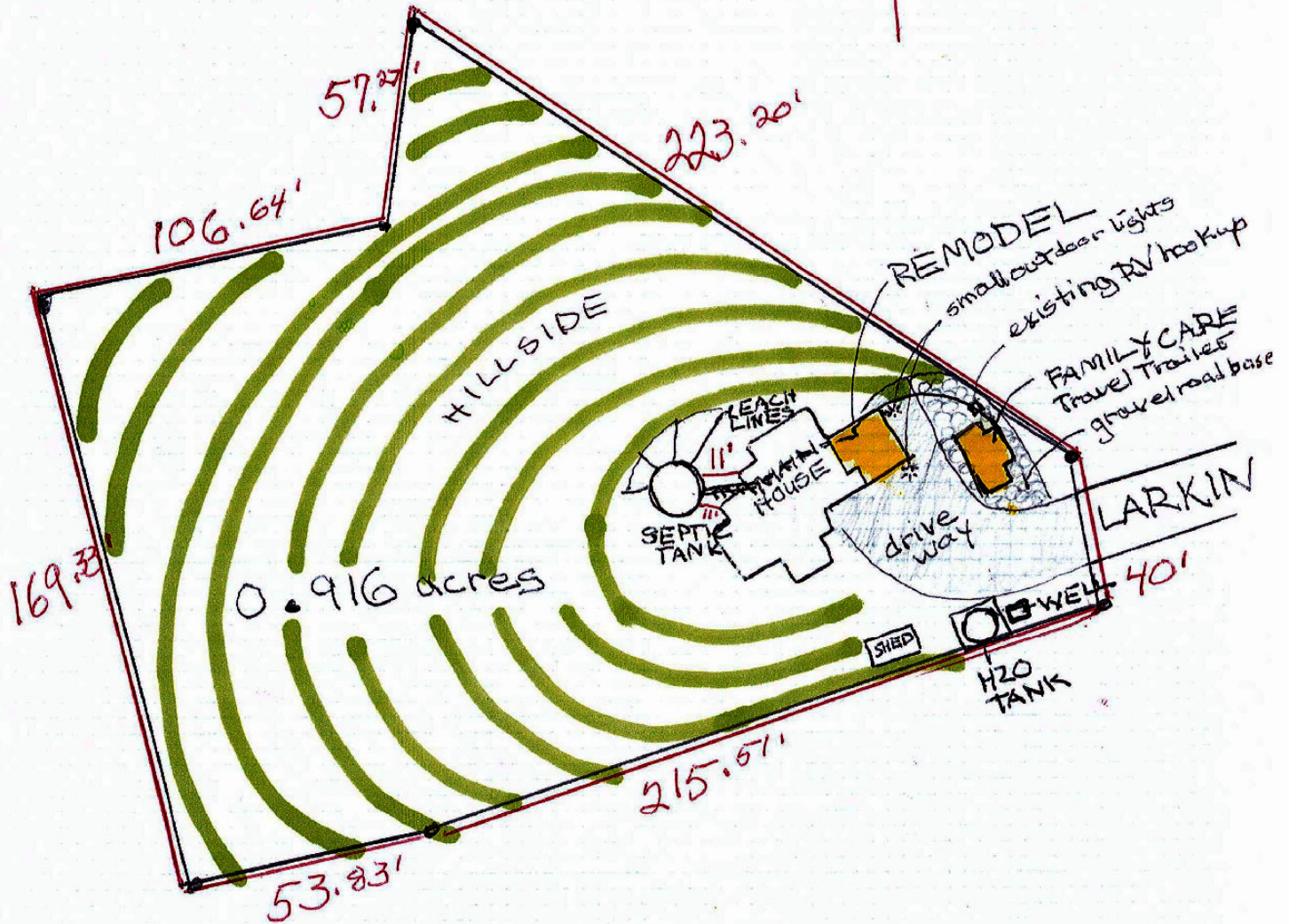
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TIGERLILY JONES

44640 LARKIN, Mendocino

APN 119-020-30-00

EST-2017-0529



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ADDRESS: 44640 Larkin Road, Mendocino

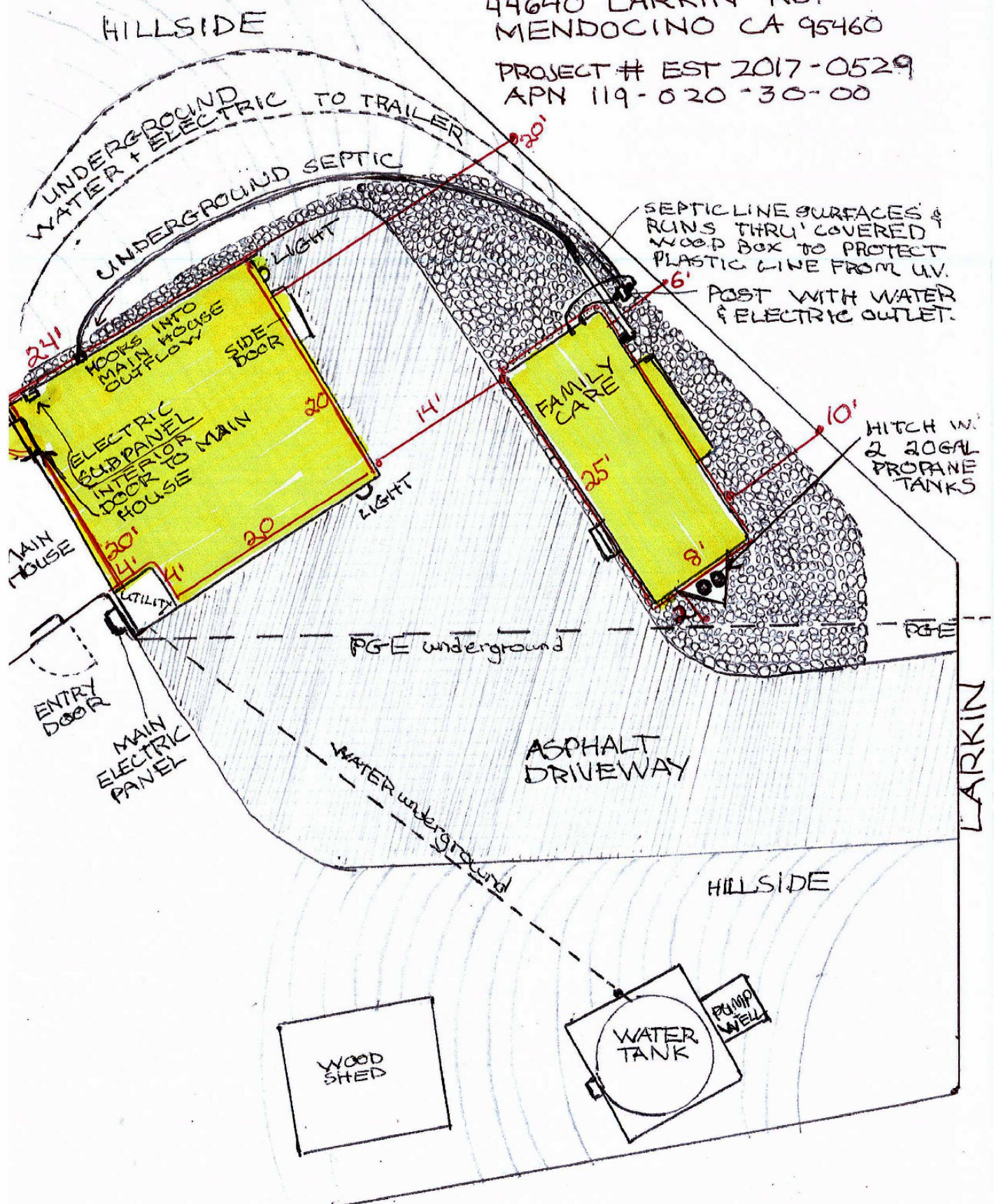
NO SCALE

SITE PLAN

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LILY "TIGERLILY" JONES
 44640 LARKIN RD.
 MENDOCINO CA 95460

PROJECT # EST 2017-0529
 APN 119-020-30-00

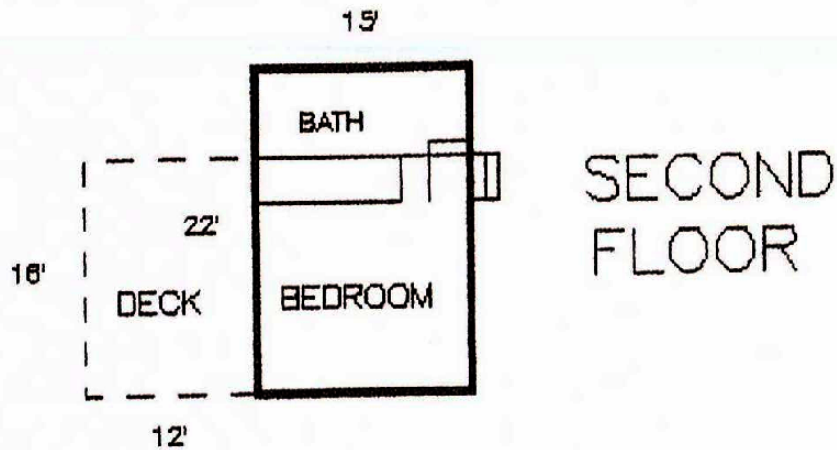


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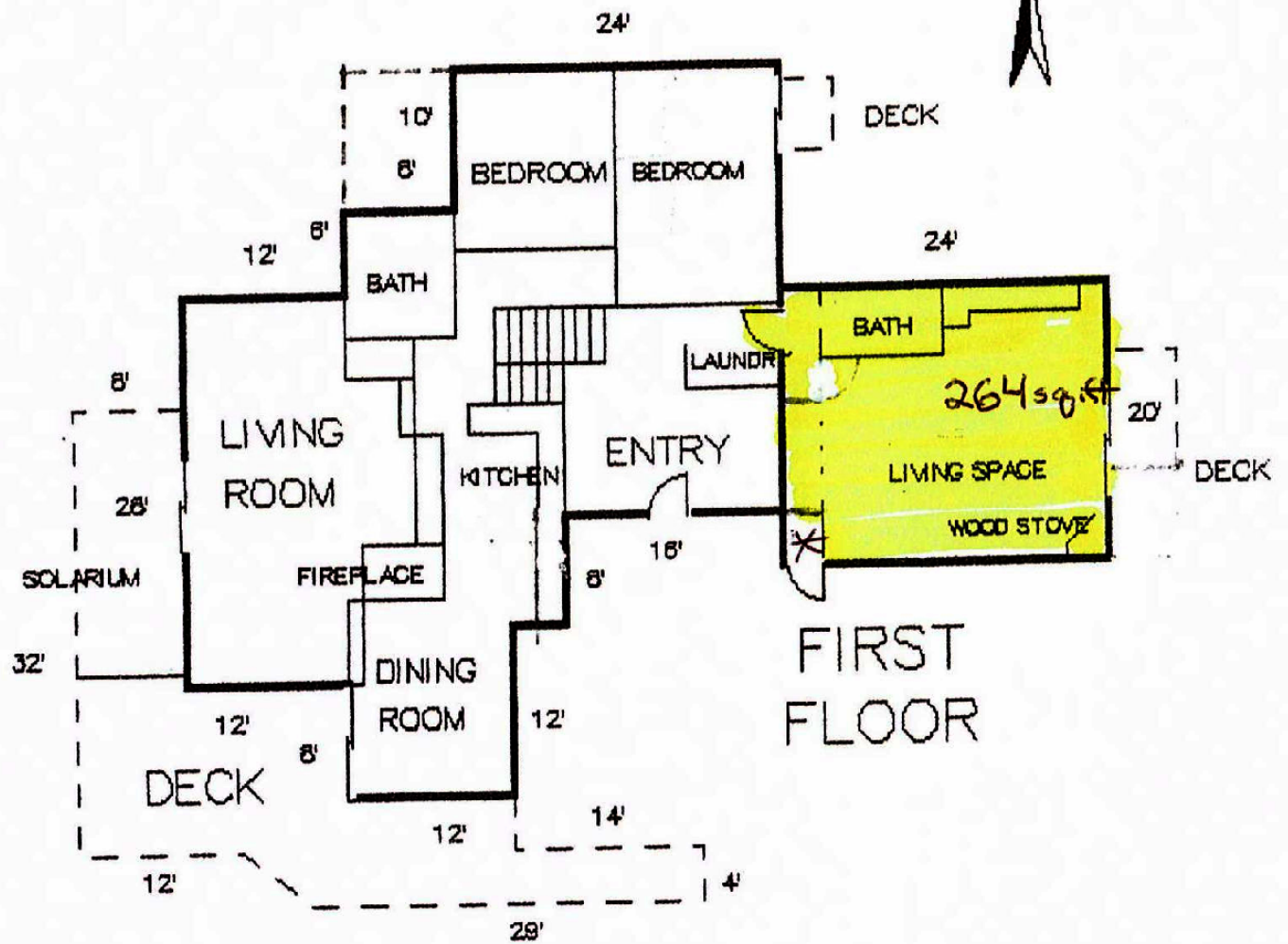
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INFRASTRUCTURE PLAN

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VIEW



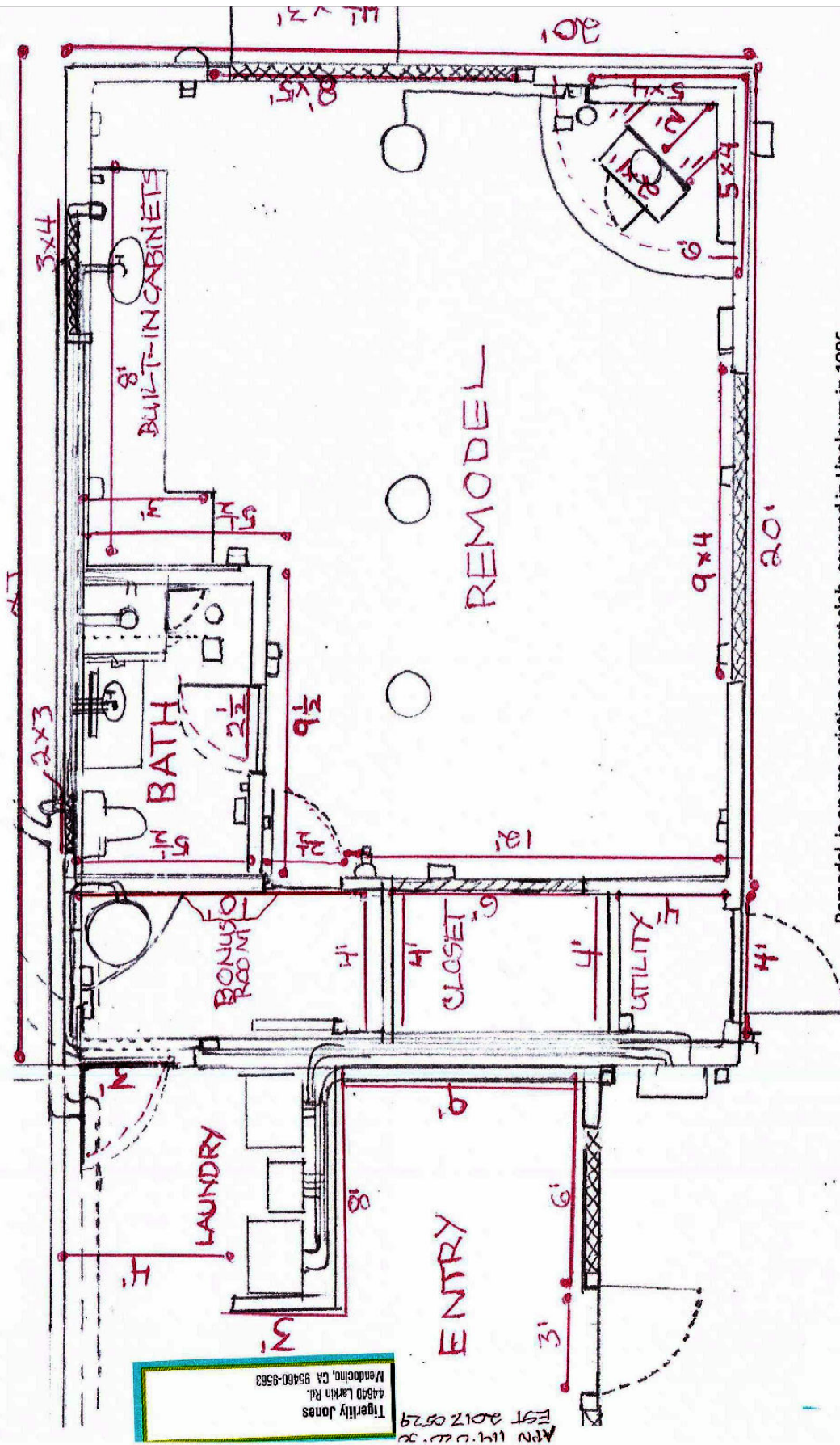
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NO SCALE

FLOOR PLAN

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Remodel is on pre-existing cement slab, covered in Linoleum in 1996.

Entry way is on cement slab covered in terra-cotta tiles installed by former owner.

All framing is standard and walls are insulated with fiberglass. Walls are covered in painted sheetrock.

Windows and doors have reinforced headings. Single-panes replaced with double-panes.

All work done on home performed by licensed contractors/plumbers/electricians/etc.

APN 114-02-30
 EST 2012 0529
 Tigerlily Jones
 44640 Larkin Rd.
 Mendocino, CA 95460-9563

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NO SCALE

REMODEL FLOOR PLAN

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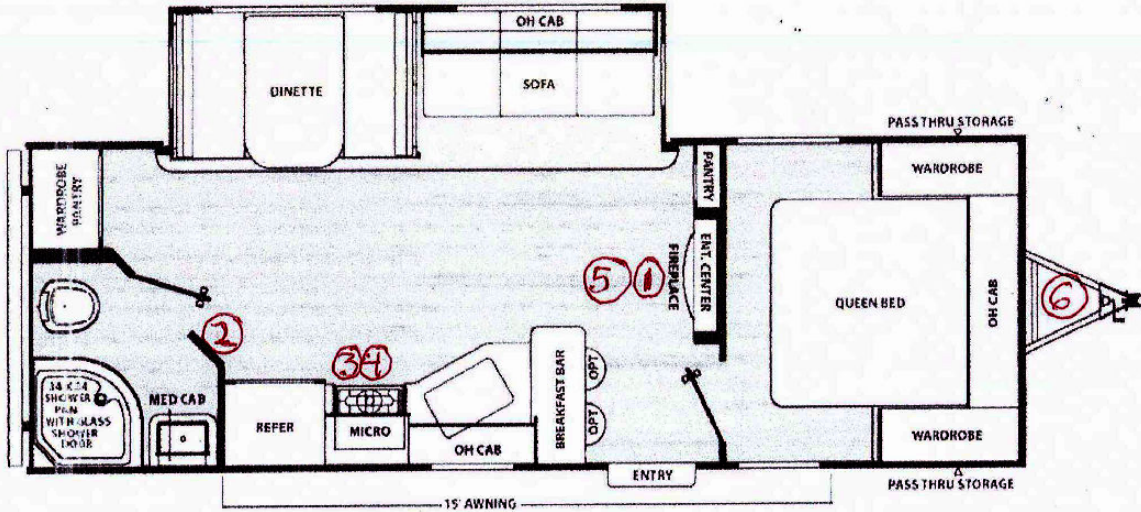
CATALINA

LEGACY EDITION

FAMILY
CARE
UNIT



Tigerlily Jones
44640 Larkin Rd
Mendocino, CA 95460

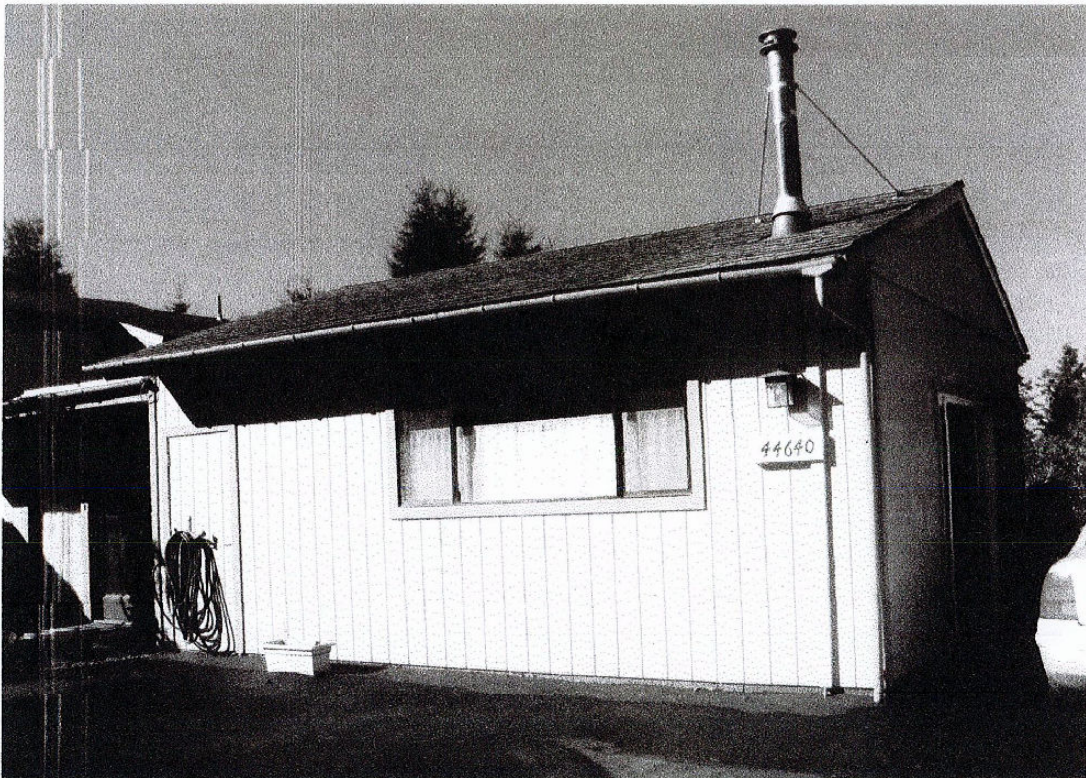


	243RBS	1 Electric "fireplace"
		2 Propane heater
		3 Propane detector
		4 CO2 detector
		5 Smoke alarm
Hitch Weight	687 lbs.	
UVW	5762 lbs.	
GVWR	7600 lbs.	
CCC	1838 lbs.	
Exterior Length	27' 11"	Total Length includes hitch
Exterior Height	11' 1"	
Exterior Width	96"	6 Hitch holds two 20 Gal, Propane tanks
Fresh Water	46 gal.	
Gray Water	40 gal.	
Black Water	30 gal.	
Awning Size	15 ft	

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NO SCALE

TRAILER FLOOR PLAN

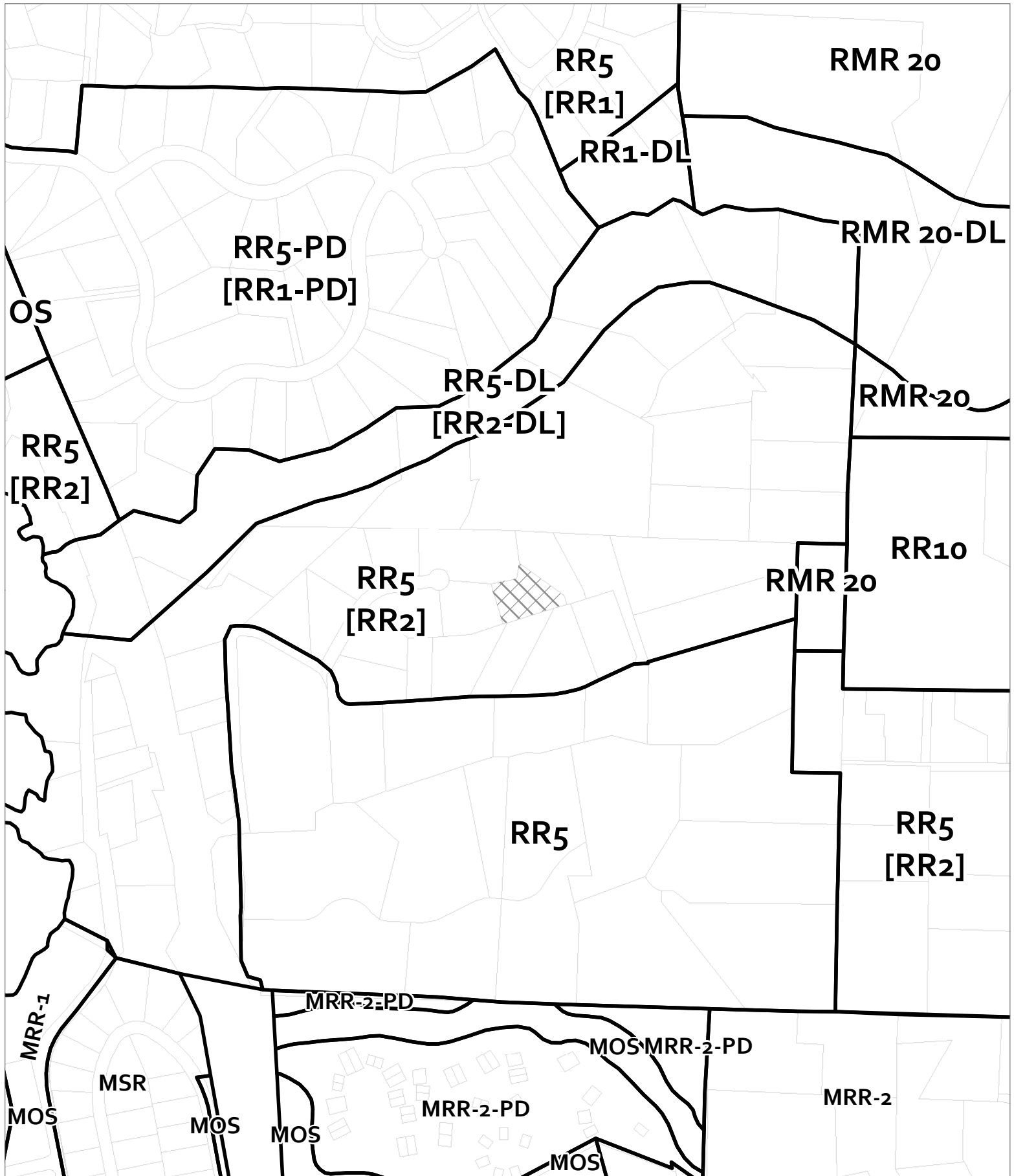


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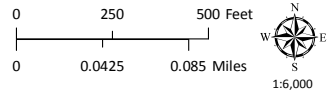
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IMAGES



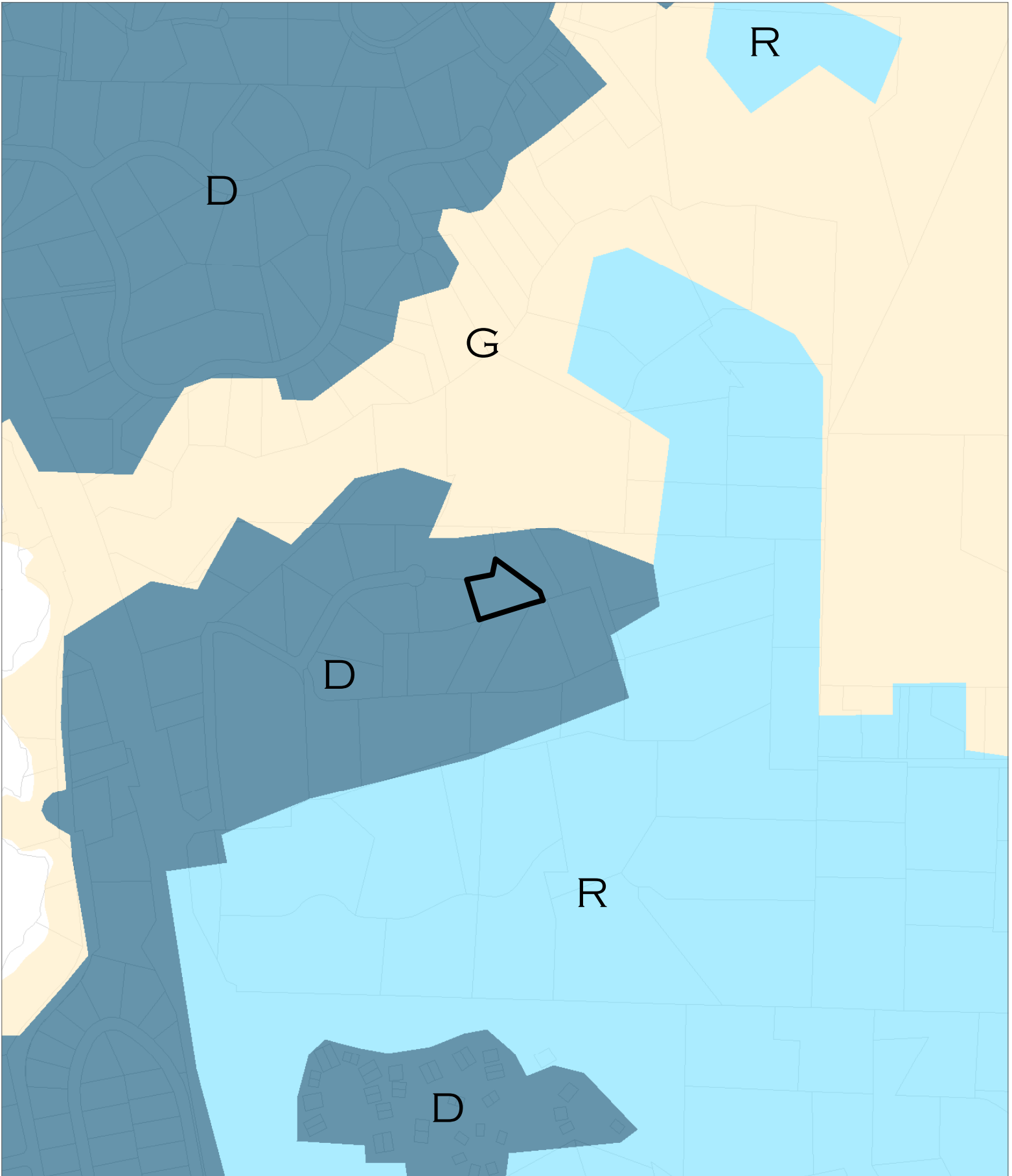
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 Zoning Districts



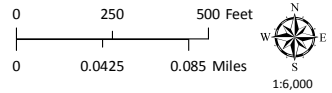
ZONING DISPLAY MAP

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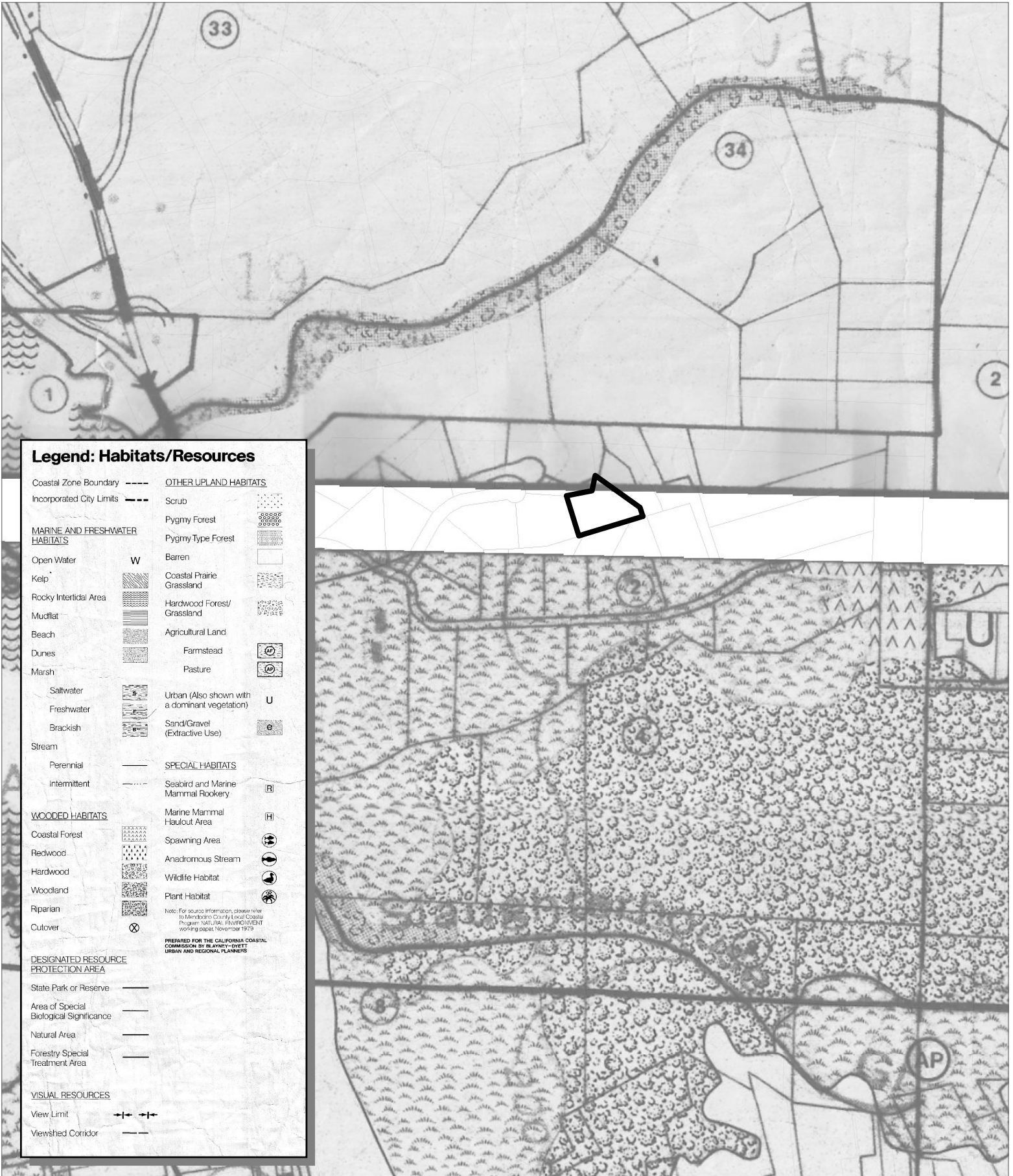
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- Urban & Built-Up Land (D)
- Grazing Land (G)
- Rural Residential & Rural Commercial (R)



IMPORTANT FARMLAND

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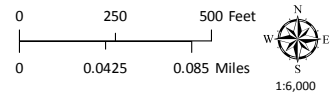
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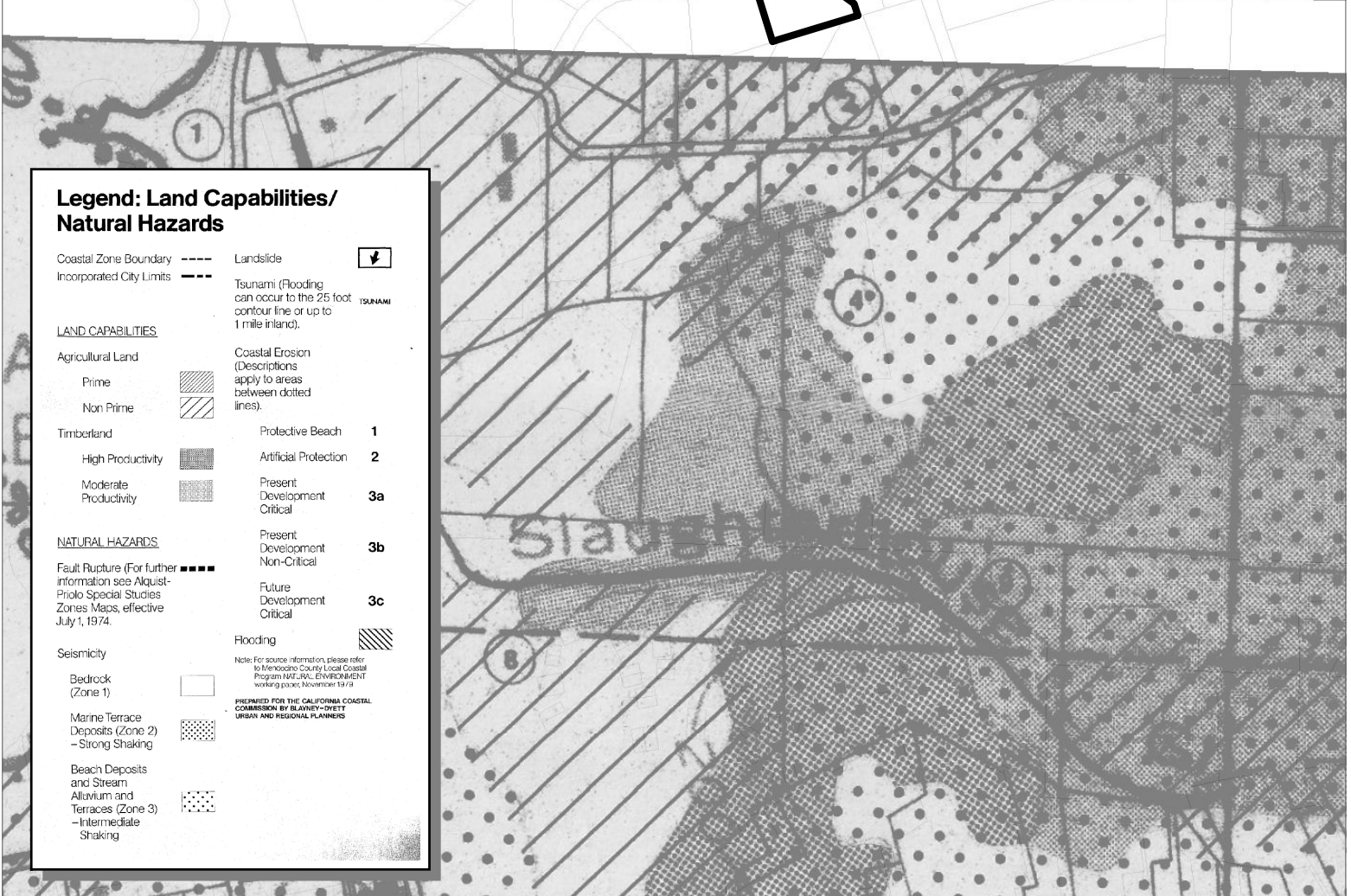
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LCP HABITATS & RESOURCES

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**Legend: Land Capabilities/
Natural Hazards**

Coastal Zone Boundary - - - - -
 Incorporated City Limits - - - - -

LAND CAPABILITIES

Agricultural Land
 Prime [diagonal lines] [1]
 Non Prime [diagonal lines] [2]

Timberland
 High Productivity [cross-hatch] [3a]
 Moderate Productivity [cross-hatch] [3b]

NATURAL HAZARDS

Fault Rupture (For further information see Alquist-Prilo Special Studies Zones Maps, effective July 1, 1974.) [dashed line]

Seismicity
 Bedrock (Zone 1) [white box]
 Marine Terrace Deposits (Zone 2) - Strong Shaking [dotted box]
 Beach Deposits and Stream Alluvium and Terraces (Zone 3) - Intermediate Shaking [dotted box]

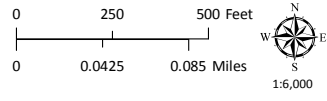
Landslide [downward arrow]
 Tsunami (Flooding can occur to the 25 foot contour line or up to 1 mile inland.) [wavy line]

Coastal Erosion (Descriptions apply to areas between dotted lines).
 Protective Beach [1]
 Artificial Protection [2]
 Present Development Critical [3a]
 Present Development Non-Critical [3b]
 Future Development Critical [3c]

Flooding [diagonal lines]

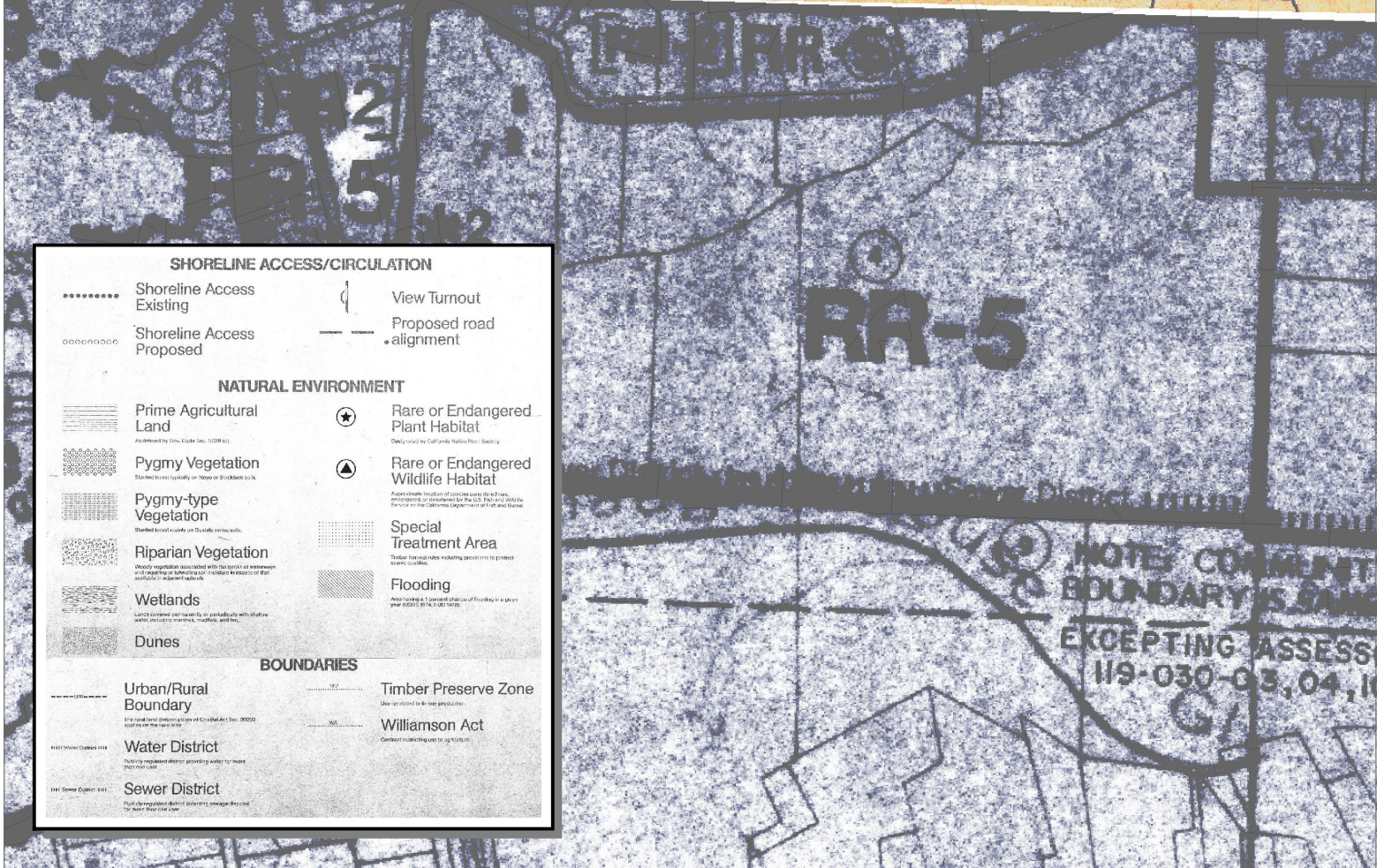
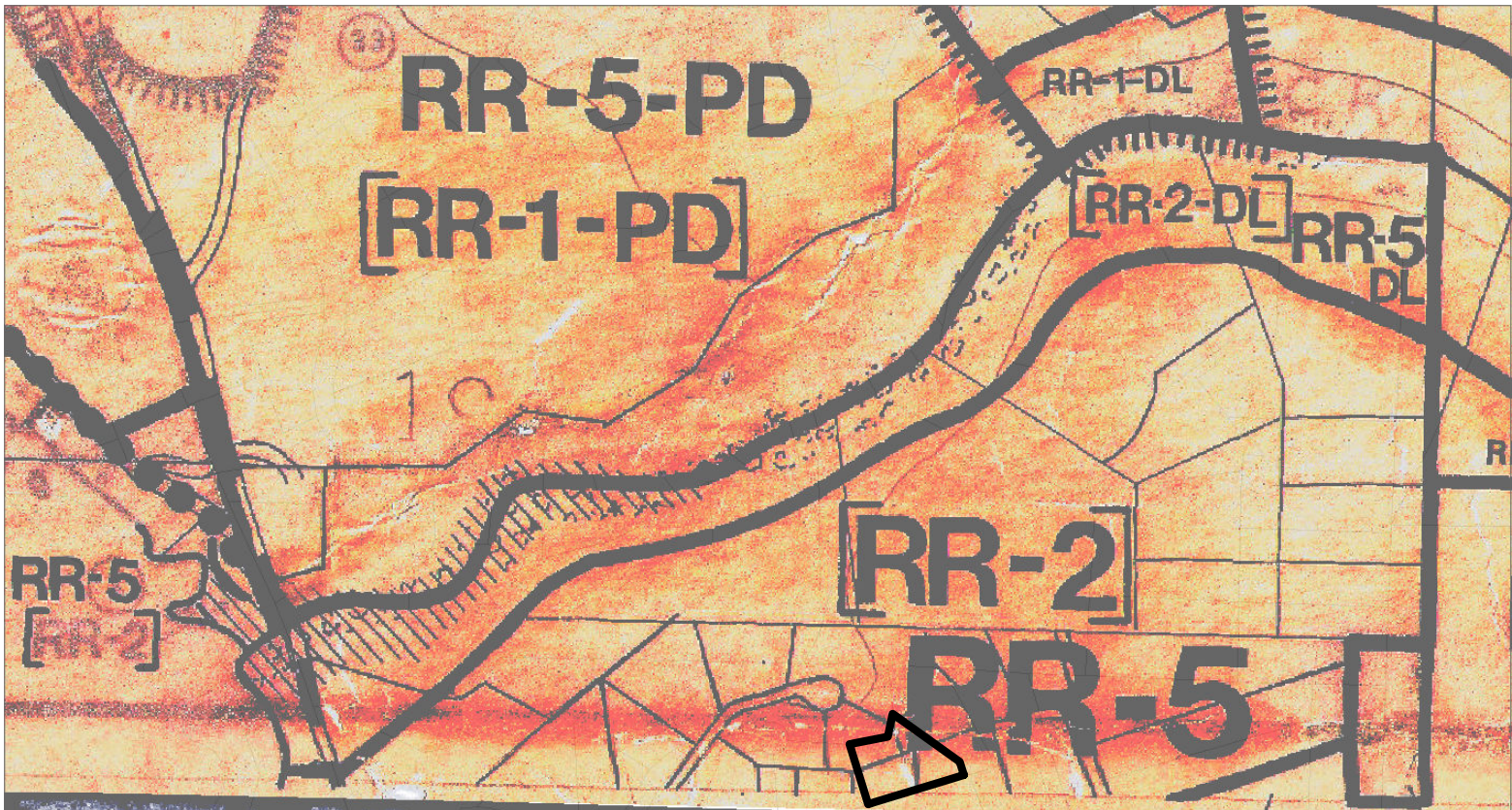
Note: For source information, please refer to Mendocino County Local Coastal Program NATURAL ENVIRONMENT working paper, November 1978.
 PREPARED FOR THE CALIFORNIA COASTAL COMMISSION BY BLAUNY-DRETT URBAN AND REGIONAL PLANNERS

CASE: CDP 2017-0045
 OWNER: JONES, Tigerlily
 APN: 119-020-30
 APLCT: Lily "Tigerlily" Jones
 AGENT:
 ADDRESS: 44640 Larkin Road, Mendocino

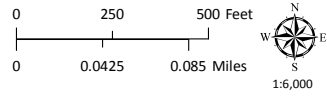


LCP LAND CAPABILITIES & NATURAL HAZARDS

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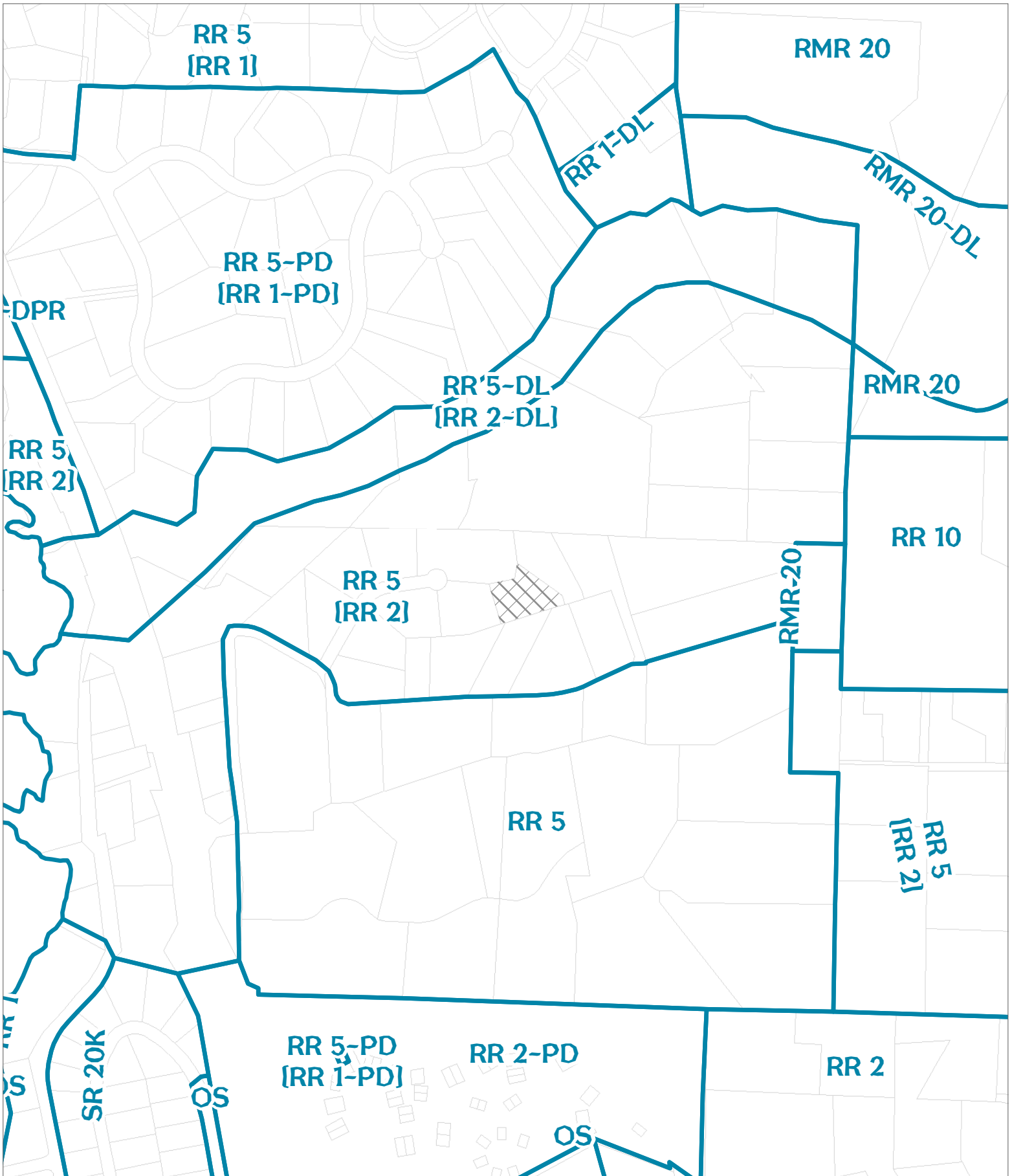


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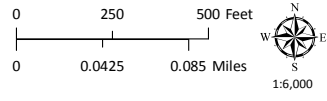
LCP LAND USE MAP 15: CASPAR

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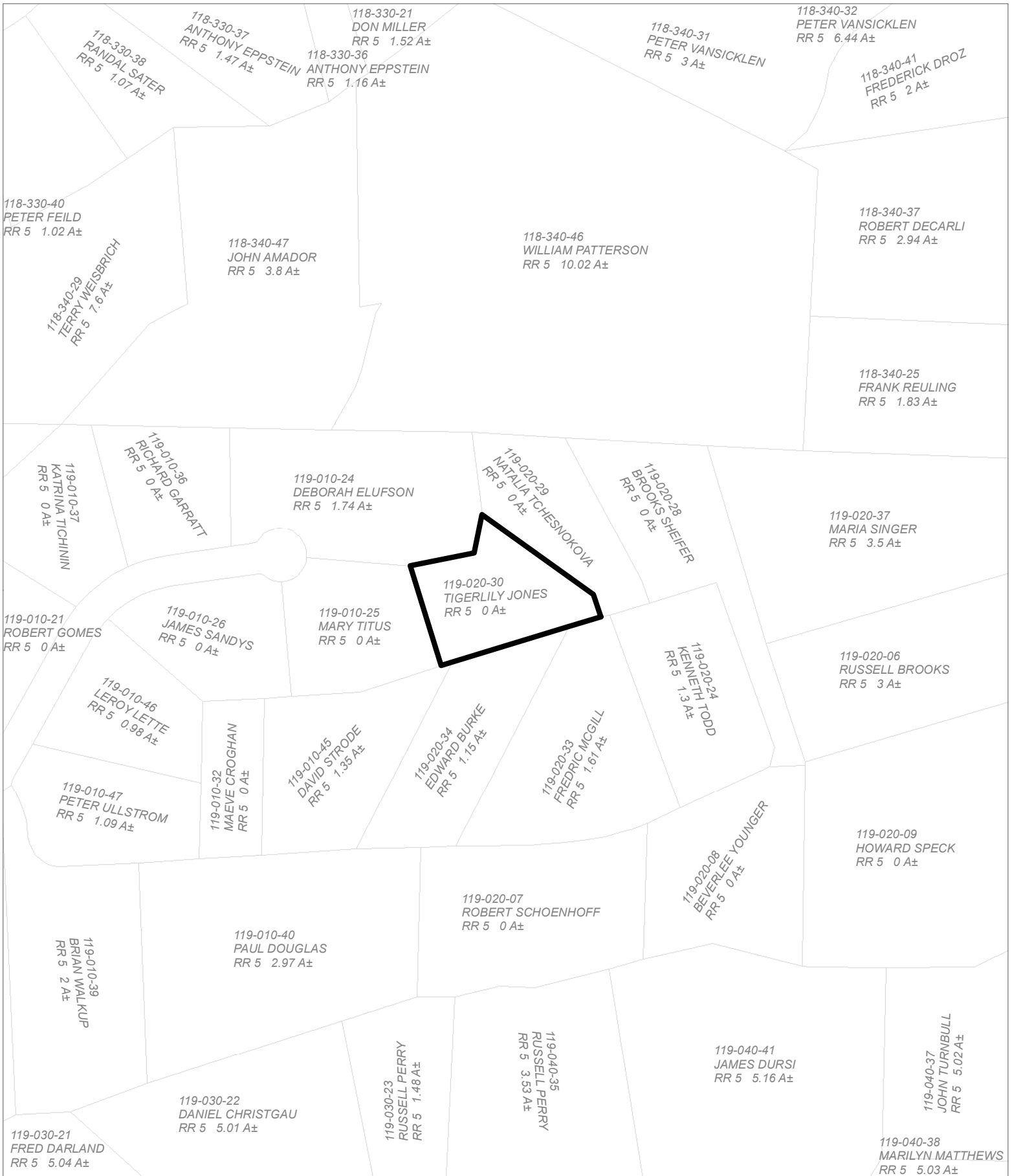
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 General Plan Classes

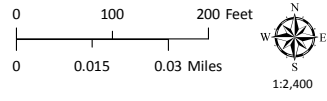


GENERAL PLAN CLASSIFICATIONS

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ADJACENT PARCELS

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**Post LCP Certification
Permit and Appeal Jurisdiction**
County of Mendocino



Permit Jurisdiction

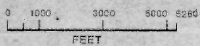
This area includes any lands within the mean high tide line and lands where the public trust may exist.




Appeal Jurisdiction

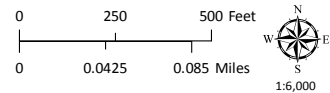
This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 300' of the top of the seaward face of coastal bluff.

This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to P.C. (500193), and (500094)(1) and (2). In addition, developments may also be appealable pursuant to P.C. (500094)(3), (504), and (505). If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This data may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.



 California Coastal Commission

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


APPEALABLE AREAS

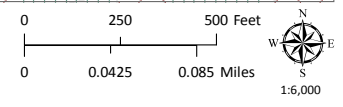
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MENDOCINO FIRE PROTECTION DISTRICT



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AGENT:
ADDRESS: 44640 Larkin Road, Mendocino

-  County Fire Districts
-  Moderate Fire Hazard
-  Very High Fire Hazard
-  High Fire Hazard



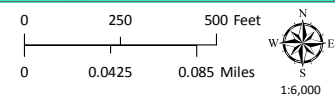
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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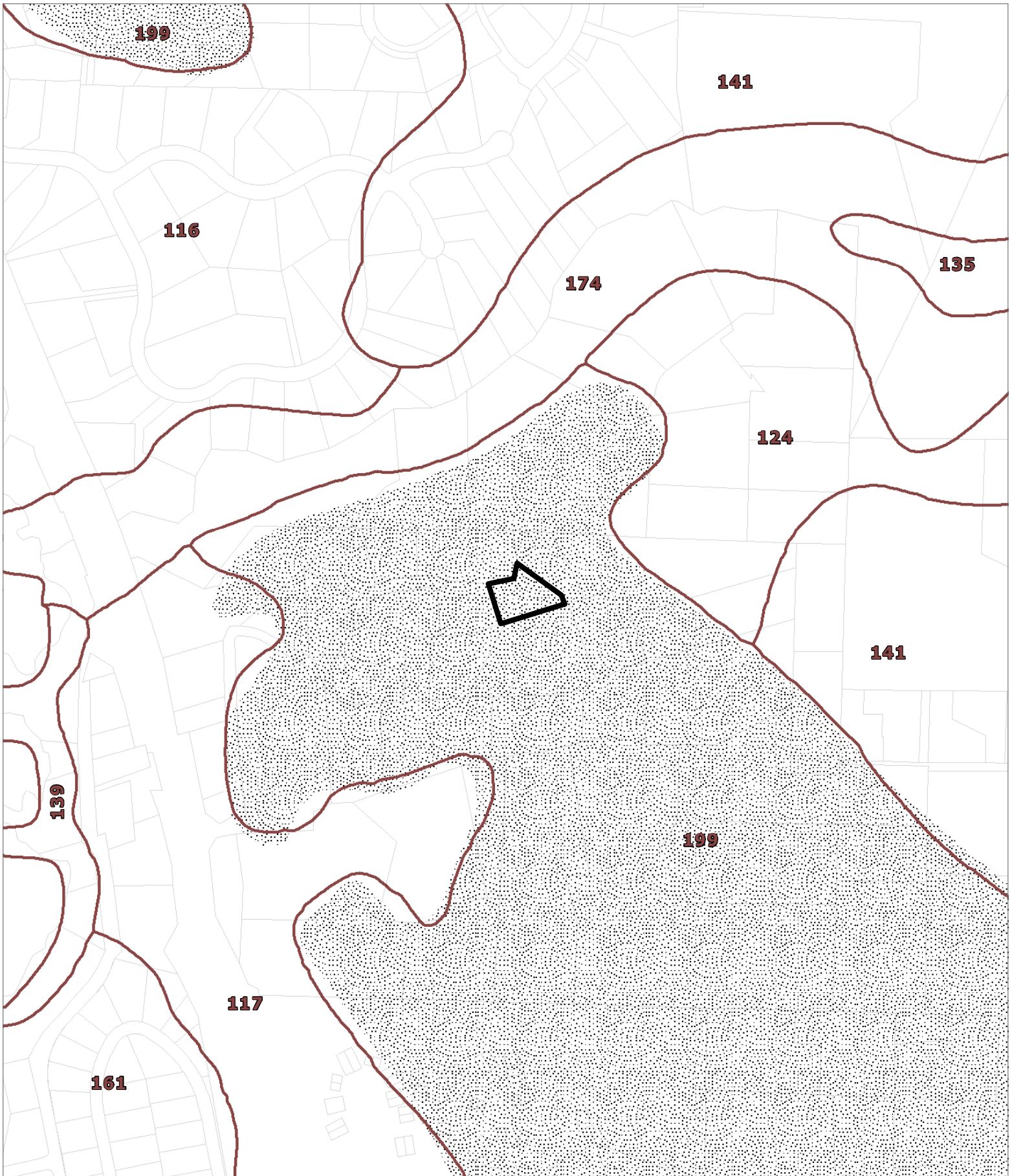
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 Water





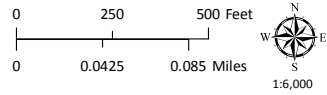
WILDLAND-URBAN INTERFACE ZONES

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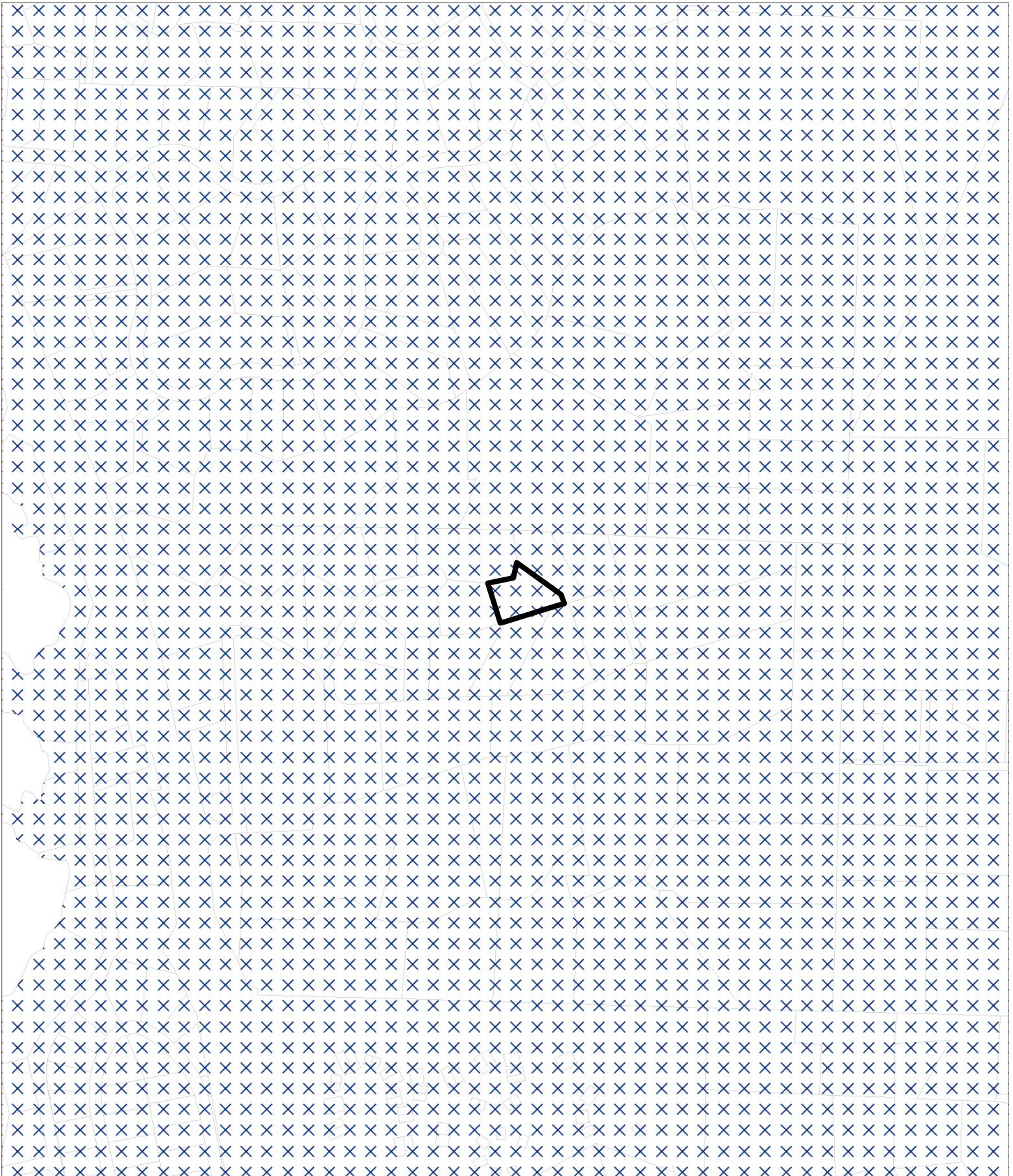
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 Western Soil Classes
 Shinglemill-Gibney Complex



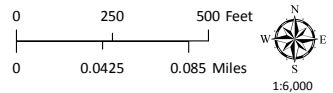
LOCAL SOILS

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X X Critical Water Areas



GROUND WATER RESOURCES

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