



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482  
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

BRENT SCHULTZ, DIRECTOR  
TELEPHONE: 707-234-6650  
FAX: 707-463-5709  
FB PHONE: 707-964-5379  
FB FAX: 707-961-2427  
pbs@mendocinocounty.org  
www.mendocinocounty.org/pbs

JULY 15, 2019

**PUBLIC NOTICE OF PENDING ACTION**  
**MENDOCINO HISTORICAL REVIEW BOARD PERMIT**

The Mendocino Historical Review Board will perform a site view at the proposed project at 6:15 pm. They will then reconvene for their regular meeting to be held on Monday, August 5, 2019, in the Mendocino Community Center, 10525 School Street (the corner of School and Pine Streets), Mendocino, California, at 7:00 p.m. or as soon thereafter as the item may be heard, will hear the below described project that is located in the Town of Mendocino.

**CASE#:** MHRB\_2019-0006

**DATE FILED:** 6/17/2019

**OWNER/APPLICANT:** MARION BUSH

**REQUEST:** A Mendocino Historical Review Board Permit request to remove one Bishop Pine tree. Note: This location is listed in the Mendocino Town Plan Appendix 1 as a Category I Historic Structure, the "Carroll House."

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 45098 Covelo St (CR 407), Mendocino (APN: 116-160-13)

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** JULIANA CHERRY

As you are an adjacent property owner and/or interested party, you are invited to appear at the hearing, or to direct written comments to Planning and Building Services, 120 West Fir Street, Fort Bragg, CA 95482, attention MHRB Secretary. If you would like to be notified of the Mendocino Historical Review Board action, please submit a written request to this office. All correspondence should contain reference to the above noted case number.

The decision of the Mendocino Historical Review Board shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final.

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 Mendocino Historical Review Board Secretary at or prior to, the public hearing.

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

BRENT SCHULTZ, Director of Planning and Building Services



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**MENDOCINO HISTORICAL REVIEW BOARD  
STAFF REPORT**

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**AUGUST 5, 2019  
MHRB\_2019-0006**

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**OWNER/APPLICANT:** MARION BUSH  
PO BOX 842  
MENDOCINO, CA 95460

**PROJECT DESCRIPTION:** A Mendocino Historical Review Board Permit request to remove one Bishop Pine tree. Note: This location is listed in the Mendocino Town Plan Appendix 1 as a Category I Historic Structure, the "Carroll House."

**STREET ADDRESS:** 45098 Covelo Street (119-160-13)

**PARCEL SIZE:** 8,400-Square-Foot Lot

**ENVIRONMENTAL DETERMINATION:** A Class 4 Categorical Exemption, per Section 15304, for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

**HISTORIC STRUCTURES:** Site: Carroll House, Category I  
North: Not Historic  
South: Not Historic  
East: Goldsam House, Category III  
Southwest: Blair House, Category I

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**PAST PERMIT:** MHRB Permit 89-10 remodel

**HISTORIC ORDINANCE STANDARDS:** The Mendocino Historical Preservation District Ordinance provides standards for the MHRB to consider when reviewing application. Relative to this application, the following issues are raised and should be addressed:

- |   |                    |
|---|--------------------|
| Building Size, Height, Proportions and Form     | Roof Shape         |
| Relationship of Building Masses and Open Spaces | Color(s)           |
| ✓ Relationship to Surrounding Structures        | Sign Size          |
| Materials and Textures                          | Number of Signs    |
| Architectural Details and Style                 | Placement/Location |
| Facade Treatment                                | Lighting           |
| Proportions of Windows and Doors                | Paving/Grading     |
| ✓ Landscaping                                   |                    |

**APPLICABLE SECTIONS OF MHRB GUIDELINES:** IX Review Board Procedures and Required Information (page 13)

**STAFF NOTES:** To better protect public health and safety, it has been the Planning and Building Services Department's policy that removal of hazardous or diseased trees, as determined by a licensed arborist or biologist, may be exempt from Coastal Development Permit processes. Defined *Major Vegetation Removal*, see MTZC Section 20.608.032(C)(3), is typically applied to the removal one or more healthy trees with a diameter exceeding 24 inches. Tatanka Russell, a certified arborist, examined a

Bishop Pine tree located at 45098 Covelo Street and says that the tree should come down. Board Members are asked to consider the removal of this Bishop Pine along Covelo Street, near Ford Street, and located adjacent to the public right-of-way. Staff finds that the Bishop Pine is visually significant to the historic character and streetscape near Covelo and Ford Streets.

If the Bishop Pine needs to be removed, standard practice is a three-to-one (3:1) replacement schedule where at least one of the planted trees thrives five years later. Three planted trees could replace the loss of the one Bishop Pine (See recommended condition #8). The site could accommodate the planting of three five-gallon trees.

If the Bishop Pine needs to be removed, then nesting birds shall not be disturbed. Bird nesting season is between February 1 through August 31 (See recommended conditions #6-7). The urgency of the work may require the trees be removed after February 1 and before August 31; therefore and at that time, a biologist or arborist shall conduct a bird nesting survey and provide assurance that any nesting birds in the Bishop Pine will not be disturbed.

Recommended condition #9 would require the tree stump and root ball to be removed.

**REQUIRED FINDINGS:** The Historical Review Board shall not approve or conditionally approve any application for proposed work unless it affirmatively makes the following findings pursuant with MCC Section 20.760.065:

- A. The exterior appearance and design of the proposed work is in harmony with the exterior appearance and design of the existing structures within the District and with that of existing subject structure, if any; and
- B. The appearance of the proposed work will not detract from the appearance of other property within the District; and
- C. Where the proposed work consists of alteration or demolition of an existing structure, that such work will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance.

**STANDARD CONDITIONS:**

1. This action shall become final and effective on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.760.072 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 or use of the property in reliance on such permit has been completed prior to its expiration.
2. The application along with supplemental exhibits and related material shall be considered elements of this permit, and compliance therewith is mandatory.
3. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division.
4. This permit shall be subject to revocation or modification upon a finding of any one (1) or more of the following:
  - a. That such permit was obtained or extended by fraud.
  - b. That one or more of the conditions upon which such permit was granted have been violated.
  - c. A final judgment of a court of competent jurisdiction has declared one (1) or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one (1) or more such conditions.

5. The property owner shall secure a permit from Mendocino County Department of Transportation for work within the right-of-way prior to commencing work.
6. If feasible, removal of existing trees and shrubs shall occur after August 31 and before February 1 to avoid impacts to nesting birds. If vegetation must be removed during the nesting season (February 1 to August 31), then nest surveys shall be conducted prior to vegetation clearing. Trees/shrubs may be removed between February 1 and August 31 provided that the property owner has a qualified arborist or biologist survey the proposed work area to verify the absence of nesting birds.
7. Prior to August 2021, the property owner shall plant 3 five-gallon Bishop Pine trees. Non-native pines, including Monterey pines, shall not be planted as they are a known source for pathogens and insects that infect Bishop Pines.
8. Prior to August 2021, the tree, tree stump, and root ball shall be removed. Wood chips may be distributed on site.

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The Review Board's action and this permit will not be final and effective and work may not commence on the project until after a ten-day appeal period has ended. You will be notified if a timely appeal is filed.

Appeal Fee: \$1,616.00 (Check payable to County of Mendocino)

Appeal Period: Appeals must be received by the Clerk of the Board of Supervisors within 10 days of Review Board action.

**COUNTY OF MENDOCINO  
DEPT. OF PLANNING & BUILDING  
SERVICES**

120 WEST FIR STREET  
FORT BRAGG, CA 95437  
Telephone: 707-964-5379  
Fax: 707-961-2427

Case No(s) MHRB-2019-0006  
Date Filed 6-17-2019  
Fee \$ 718.<sup>75</sup>  
Receipt No. PRJ-028222  
Received by (Signature)

Office Use Only

**MHRB APPLICATION FORM**

Name of Applicant <b>MARION BUSH</b>	Name of Property Owner(s) <b>MARION BUSH</b>	Name of Agent
Mailing Address <b>P.O. BOX 842 MENDOCINO, CA 95460</b>	Mailing Address <b>P.O. BOX 842 MENDOCINO, CA 95460</b>	Mailing Address
Telephone Number <b>707-937-3846</b>	Telephone Number <b>707-937-3846</b>	Telephone Number

Assessor's Parcel Number(s)  
**119-160-13**

Parcel Size <b>60 X 140</b> <input checked="" type="checkbox"/> Square Feet <b>3400</b> <input checked="" type="checkbox"/> Acres <b>NA</b>	Street Address of Project <b>45098 COVELO ST. MENDOCINO, CA 95060</b>
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**TYPE OF DEVELOPMENT**

(Check appropriate boxes)

Demolition. Please indicate the type and extent of demolition. (see next page)

- Construction of a structure.
- Addition to a structure.
- Alteration of exterior of structure.
- Construction, installation, relocation or alteration of outdoor advertising sign.
- Outdoor lighting.
- Walkways, driveways, parking areas, and grading.
- Exterior painting of a structure.
- Other.

## PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information to the Planning & Building Services Department and the MHRB. Please answer all questions. For those questions which do not pertain to your project, please indicate "Not Applicable" or (N/A). **NOTE: The more complete and clear the submitted information, the more quickly your application can be processed.**

### 1. Describe your project in detail.

- **For demolition**, identify the items to be demolished, the percentage of the structure(s) to be demolished, and explain reason for demolition.
- **For new signs**, provide scaled drawings, describe wording, dimensions, materials, colors, and mounting detail. Indicate specific location on site plan.
- **For new copy on existing signs**, provide wording, graphics, font style, colors, and photographs of existing sign(s).
- **For exterior painting**, describe existing and proposed colors. Provide paint chips for proposed colors.
- **For exterior lighting**, include description/detail of fixtures and indicate locations on the site plan.
- **For new construction**, additions or architectural alterations, include plans, elevations, dimensions, height(s), materials, colors, finishes, trim and window details, walkways and paving locations.
- **For walkways, driveways, paving and grading**, provide dimensions, location and materials.

I wish to cut down one tree for the following reason. There is danger of branches breaking and of dropping large cone clusters. In recent years we've experienced more high winds which add to the danger. This tree now overhangs the entire street and part of the house across the street. In a bad storm, I fear people, dogs and other pets might be injured or killed.

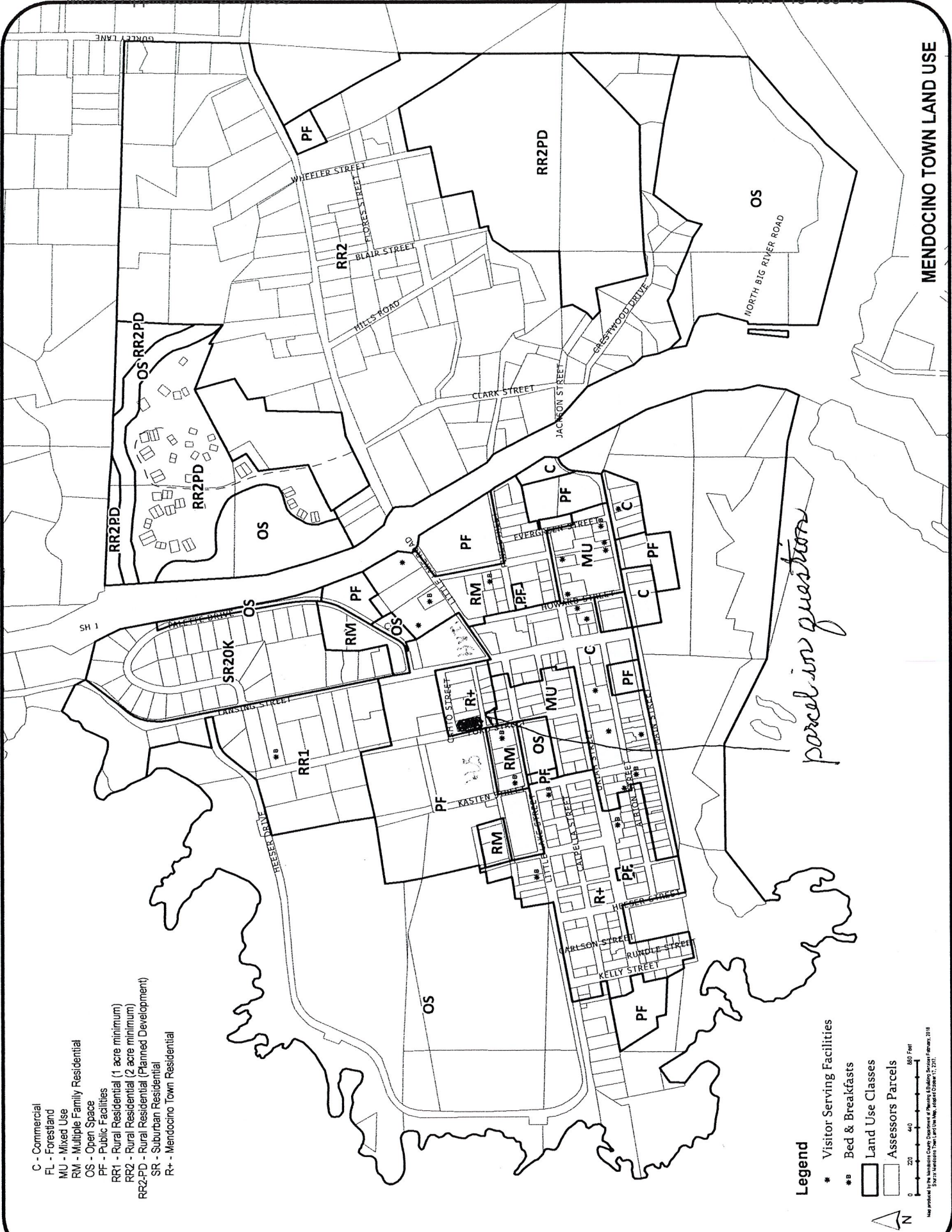
Bear in mind, vehicles and foot traffic is a regular occurrence on Covelo St. as parents drop off and pick up students at the high school.

Moreover, Tantaka Russell, a certified arborist, says the life of this type of tree is pretty much over and therefore it should come down.

### 2. If the project includes new construction, please provide the following information:

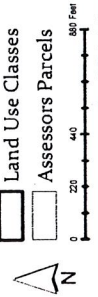
- What is the total lot area presently covered by building(s), decks, walkways, water tanks, and other structures? \_\_\_\_\_ sq. ft.
- What is the total floor area (internal) of all structures on the property? \_\_\_\_\_ sq. ft.
- If located within the Mendocino Mixed Use (MMU) zoning district, What is the total floor area on the parcel that is devoted to residential use? \_\_\_\_\_ sq. ft.

*If you need more room to answer any question, please attach additional sheets*



- C - Commercial
- FL - Forestland
- MU - Mixed Use
- RM - Multiple Family Residential
- OS - Open Space
- PF - Public Facilities
- RR1 - Rural Residential (1 acre minimum)
- RR2 - Rural Residential (2 acre minimum)
- RR2-PD - Rural Residential (Planned Development)
- SR - Suburban Residential
- R+ - Mendocino Town Residential

- \* Visitor Serving Facilities
- \*B Bed & Breakfasts
- Land Use Classes
- Assessors Parcels



*parcel in question*

Google Maps 45098 Covelo St



Imagery ©2019 Google, Map data ©2019 Google 20 ft

*bull pine tree*





