



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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

JULIA KROG, 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

March 20, 2023

PUBLIC NOTICE OF PENDING ACTION
MENDOCINO HISTORICAL REVIEW BOARD PERMIT

The Mendocino Historical Review Board, on Monday, April 3, 2023, will perform a site view of the proposed project, beginning at 4:00 PM, or as soon as the Board may assemble. Concluding the site view, the Board will convene for their regular meeting 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, for the below described project that is located in the Town of Mendocino.

CASE#: MHRB_2022-0012

DATE FILED: 10/25/2022

OWNER: DONNA BAYLISS

APPLICANT/AGENT: GARY RATWAY

REQUEST: Mendocino Historic Review Board application to change the exterior body color of the house, garage, and shed to Elmira White and change the trim to Grant Beige; install replacement multi-light windows at the entry porch; construct two low-stature retaining walls and create one on-site parking space with road approach to Carlson Street. Note: this location is listed in the Mendocino Town Plan Appendix 1 as a Category III Historic Resource.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45351 Capella St., Mendocino (APN 119-214-06)

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: MARK CLISER

The staff report and notice will be available 10 days before hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/mendocino-historic-review-board>

As you are an adjacent property owner and/or interested party, you are invited to appear at the hearing and provide comments. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, or 120 West Fir Street, Fort Bragg, California. In order to minimize the risk of exposure, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by April 2, 2023 or orally via telecomment in lieu of personal attendance. All correspondence should contain reference to the above noted case number. All public comment will be made available to the Board, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/mendocino-historic-review-board>

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 would like to be notified of the Mendocino Historical Review Board action, please submit a written request to this office.

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.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section

54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 or (707) 964-5379 at least five days prior to the meeting.

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

JULIA KROG, Director of Planning and Building Services



**MENDOCINO HISTORICAL REVIEW BOARD
STAFF REPORT**

**APRIL 3, 2023
MHRB_2022-0012**

OWNER: DONNA BAYLISS
45351 CAPELLA STREET
MENDOCINO, CA 95460

APPLICANT/AGENT: GARY RATWAY
31101 MIDDLE RIDGE ROAD
ALBION, CA 95410

PROJECT DESCRIPTION: Mendocino Historical Review Board permit for exterior painting of the house and garage / shed in Grant Beige (trim) and Elmira White (body). Replacement of existing single-pane windows at entry way with “multi-lite” windows. Creation of gravel paths and patios, and one parking space with access from Carlson Street. Construction of a three-foot high retaining wall in two locations. The Applicant requests a concurrent variance for a setback reduction to reduce front yard setback requirements to Carlson Street. Note: The existing site is listed in the Mendocino Town Plan Appendix 1 Inventory of Historic Structures as a Category III historic structure.

STREET ADDRESSES: 45351 Capella St., Mendocino (APN 119-214-06)

PARCEL SIZE: 6,400± Square Feet

ENVIRONMENTAL DETERMINATION: Class 31 Categorical Exemption from the California Environmental Quality Act for restoration of a historical resource following the Secretary of the Interior’s Guidelines for Preservation and Restoration of Historic Resources.

HISTORIC STRUCTURES ADJACENT:

Site:	Category III 45351 Calpella Street
North:	Category IIa “H” at 45350 Calpella Street Category IIb 10600 Heeser Street
East:	Category III 10450 Heeser Street
West:	Category IVb 44920 Little Lake Street
South:	Category I “Antonio D Freitas House” at 45350 Ukiah Street

PAST MHRB PERMITS: MHRB_2015-0011 – Replace Guest Cottage (approved with conditions); MHRB_2016-0005 – Install Solar on South Facing Roof (approved with conditions)

HISTORIC ORDINANCE STANDARDS: The Mendocino Historical Preservation District Ordinance provides standards for the MHRB to consider when reviewing applications. 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: VII – Structural Guidelines, Fences and Walls (pg. 9), Windows and Doors (pg. 8), Sidewalks and Driveways (pg. 9); VIII – Non-Structural Guidelines, Exterior Painting (pg. 11), Parking, Access and Egress (pg. 12)

APPLICABLE SECTIONS OF MENDOCINO TOWN ZONING CODE: Per MCC Section 20.760.030 – Work in Historical Zone A Requiring Approval – subsection (A), permits for the construction, reconstruction, rehabilitation, demolition, enlargement, repair, resisting or removal of a building or structure; or the alteration of the exterior architecture of an building or structure, shall be issued without prior approval of the Review Board, except at specifically provided in MCC Section 20.760.040.

MCC Section	Code	Existing
20.652.010(A) Permitted Residential Use Type	Single-Family Residential	Single-Family Residential
20.652.030 Minimum Front and Rear Yards	10-feet	2-feet (rear yard)
20.652.035 Minimum Side Yard	6-feet	2-feet
20.652.045 Maximum Building Height	28-feet	16.75-feet
20.652.055 Maximum Lot Coverage	25%	37% (current)

STAFF NOTES: The applicant is proposing several items:

- Exterior painting of the house and garage / shed trim in Benjamin Moore Grant Beige (HC-83) and painting the base in Benjamin Moore Elmira White (HC-84). Exterior Paint Color Policy in Town of Mendocino (2020) approves trim colors from the Benjamin Moore Historic Collection. Proposed exterior body color (Elmira White) requires Review Board approval.
- New construction of the porch will include 3-over-5 multi-lite windows that will enclose the porch on all three sides (see Attachment A), installation of a porch door with multi-lite windows (see Attachment B), and extension of the south facing porch opening downward to match the lower level of the house window.
- Construction of a three-foot tall retaining wall in two locations to level the rear garden. The permeable wall will be constructed using rammed earth and the exterior will incorporate a process that will create a mossy patina finish (see Attachment C). The Applicant requests approval for a setback reduction to reduce the setback of the rammed earth wall along Carlson Street from 10 feet to 6 feet. MCC Section 20.656.040 states the following regarding concurrent variances: *Exceptions to the strict application of building setbacks may be allowed or greater setbacks may be required where it is found that strict compliance would have adverse impacts to community character, historic structures, open space or public views.* (see Finding D)
- Development of a parking space on Carlson Street north of the garage / shed. Some grading will occur, and spoils will be used for the rammed earth wall and to level the yard east of the wall. The parking space will be a permeable, Class 2 base. The Applicant understands the parking space will be non-exclusive and can be used by the public. An encroachment permit from Mendocino County of Department of Transportation is required as a condition of approval. MCC Section 20.760.050(A)(5) states driveways of grass, gravel or turfstone pavers is allowed.
- Development of gravel paths and patios in the southern and eastern portions of the property composed of permeable base rock, decompose granite, and rock (see Attachments I & J).
- Alternative proposals for porch enclosure windows without mullions are requested if first choice of multi-lite windows is not available. The Applicant requests the Review Board consider and approve the two alternatives.
- Development will not add to lot coverage. All proposed development will be permeable. Stairs depicted in West Elevation (Attachment B), and stairs depicted in South Elevation (Attachment C) will be

constructed using the same rammed earth method as the walls and will be permeable. The patio areas (Attachment E) will be constructed out of a Class 2 permeable base, decomposed granite and clean 3/8" rock.

RECOMMENDED FINDINGS: The Review Board shall not approve or conditionally approve any application for proposed work unless it affirmatively makes the findings A through C, pursuant with MCC Section 20.760-.065. Finding D is recommended by staff, as the applicant requests a Concurrent Variance.

- (a) Pursuant with MCC Section 20.760.065(A), the exterior painting of the house and garage/shed, replacement of windows, construction of retaining wall, and creation of parking space is in harmony with the exterior appearance and design of existing structures within the District and with that of existing structures on the subject parcel; and
- (b) Pursuant with MCC Section 20.760.065(B), exterior painting of the house and garage / shed trim in Benjamin Moore Grant Beige (HC-83) and base in Benjamin Moore Elmira White (HC-84), as well as the replacement of windows, construction of retaining wall, and creation of parking space, will not detract from the appearance of other properties within the District; and
- (c) Pursuant with MCC Section 20.760.065(C), the demolition of an existing fence and replacement of single-pane windows with "multi-lite" windows will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance; and
- (d) Pursuant with MCC Section 20.724.010(A), a reduced front yard is an incidental and necessary concurrent variance to allow the replacement structure to be sited where there is an existing shed.

The proposed project is on a corner lot. As such, it has two front and two side yards with setbacks of ten (10) and six (6) feet respectively. Existing structures on the subject property have legal, non-conforming setbacks of as little as two (2) feet. Adjacent parcels within the same zoning district also have legal, non-conforming setbacks. The setback for the proposed structure will not stand out in any obvious manner and will blend in with surrounding setbacks.

RECOMMENDED CONDITIONS: The Review Board shall not approve or conditionally approve any application for proposed work unless it affirmatively makes the findings A through C, pursuant with MCC Section 20.760-.065. Finding D is recommended by staff, as the applicant requests a Concurrent Variance.

1. This action shall become final and effective on the 11th 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 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. To establish that site-work satisfies the requirements of MHRB Permit 2022-0012 and the Review Board's action, the property owner shall request a Planning Inspection prior to the expiration of this permit. Prior to this MHRB Permit's expiration (if no Building Permit is obtained) and at the request of the property owner, PBS will furnish, following a site inspection of completed work, a functionally equivalent document demonstrating that the requirements of MHRB Permit 2022-0012 have been satisfied.
6. Any Building Permit request shall include MHRB Permit 2022-0012 (attached to or printed on the plans submitted).
7. Outdoor lighting shall be shielded. Illumination shall be reflected downward and positioned in a manner that does not allow light glare to extend beyond the property boundaries.
8. New or replacement exterior building materials shall not include use of imitation or synthetic materials, such as aluminum or vinyl siding, imitation stone, imitation brick, plastic laminated beams, concrete block or boards, stucco or asbestos shingles or panels, or plywood panels.
9. All new window frames shall be made from wood.
10. Parking improvements on Carlson Street shall not encroach into the County Right-of-Way. Using "No Parking" signs is prohibited. The parking shall be screened from public view using material appropriate to the Historic District (see Residential Parking, page 12, of Appendix 7). Review Board approval of screening is required unless the design is exempt from MCC Chapter 20.760.
11. The Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within the County Right-of-Way.
12. Paint Colors: Benjamin Moore HC-83 (Grant Beige), or similar, shall be use on exterior trim and HC-84 (Elmira White), or similar, shall be used on body.

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: \$2,620.00 (Check payable to County of Mendocino).

Appeal Period: Appeals must be received within 10 days of Review Board Action.

ATTACHMENTS:

- A. Application MHRB_ 2022-0012
- B. West Elevation
- C. South Elevation
- D. Existing Development
- E. Proposed Development
- F. Example of Rammed Earth Wall
- G. Example of Windows
- H. Alternate Windows
- I. Walkway and Patio Construction
- J. Example of Path

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-2022-0012
Date Filed 10/25/22
Fee \$ \$1,801.00
Receipt No. PRJ-052828
Received by Tia Sar

Office Use Only

MHRB APPLICATION FORM

Name of Applicant Gary Ratway	Name of Property Owner(s) Donna Bayliss	Name of Agent Same Applicant
Mailing Address 31101 Middle Ridge Rd. Albion, Ca. 95410	Mailing Address 45351 Capella St. Mendocino, Ca. 95460	Mailing Address
Telephone Number 707-937 4964	Telephone Number 310-963-2540	Telephone Number
Assessor's Parcel Number(s) 119-214-06		
Parcel Size 6,400 ft.sq. <input checked="" type="checkbox"/> Square Feet <input type="checkbox"/> Acres	Street Address of Project 45351 Capella St. Mendocino, Ca. 95460	

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.

Demolition.....N/A

New Signs....N/A

New Copy of Existing Signs.....N/A

Exterior Painting

Painting is going to be part of the application. Ms. Bayliss would like to repaint the exterior of the house and garage to be more compliant with the existing sheds on the property. That is, a weathered look that would be more in harmony with the distressed exteriors of the older outbuildings. The current color is a light blue.

Lighting....N/A

New construction

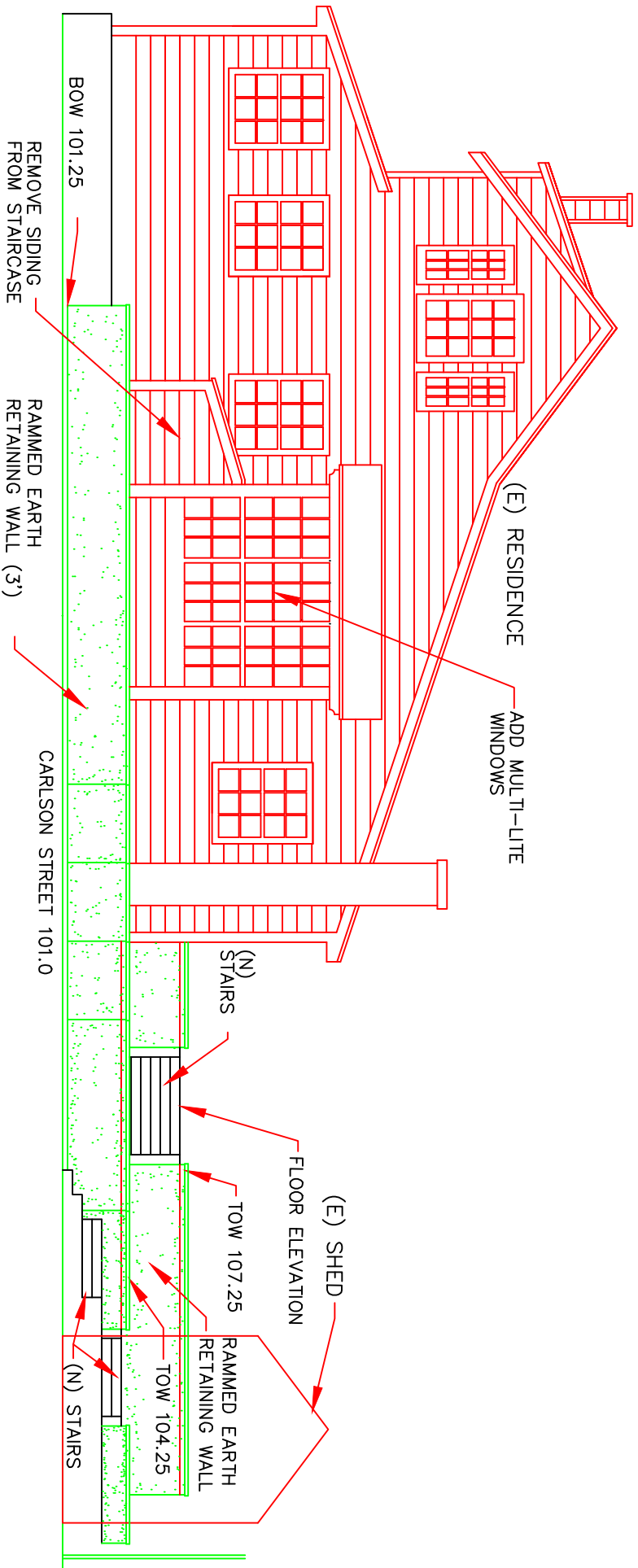
New multi-lite windows to match existing will be added at the entry to the residence to replace large single panes.

The application is primarily for the construction of a 3' high retaining wall in two locations to level up the rear garden. The lower wall next to Carlson will also provide additional parking. The walls will be made of rammed earth material, which as a retaining wall will develop a mossy patina in just a couple

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

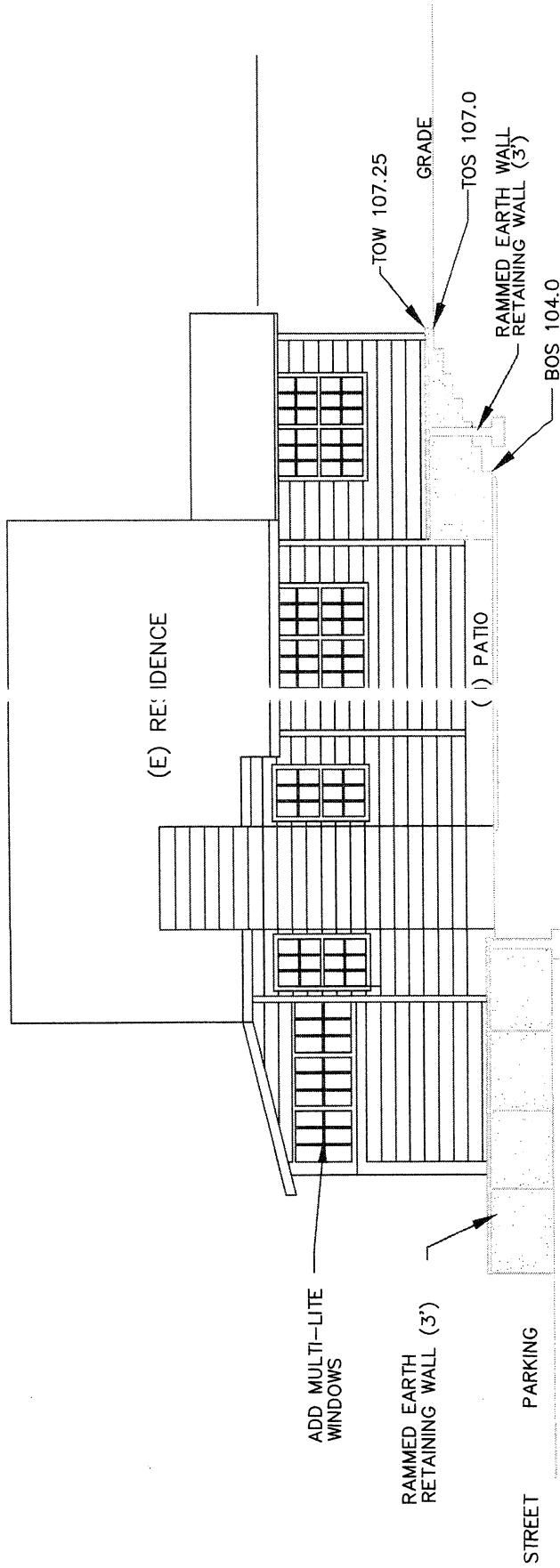
- What is the total lot area presently covered by building(s), decks, walkways, water tanks, and other structures? ~~4070~~ 2570 sq. ft.
- What is the total floor area (internal) of all structures on the property? ~~3000~~ 3009 sq. ft.
- If located within the Mendocino Mixed Use (MMU) zoning district, What is the total floor area on the parcel that is devoted to residential use? N/A sq. ft.

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

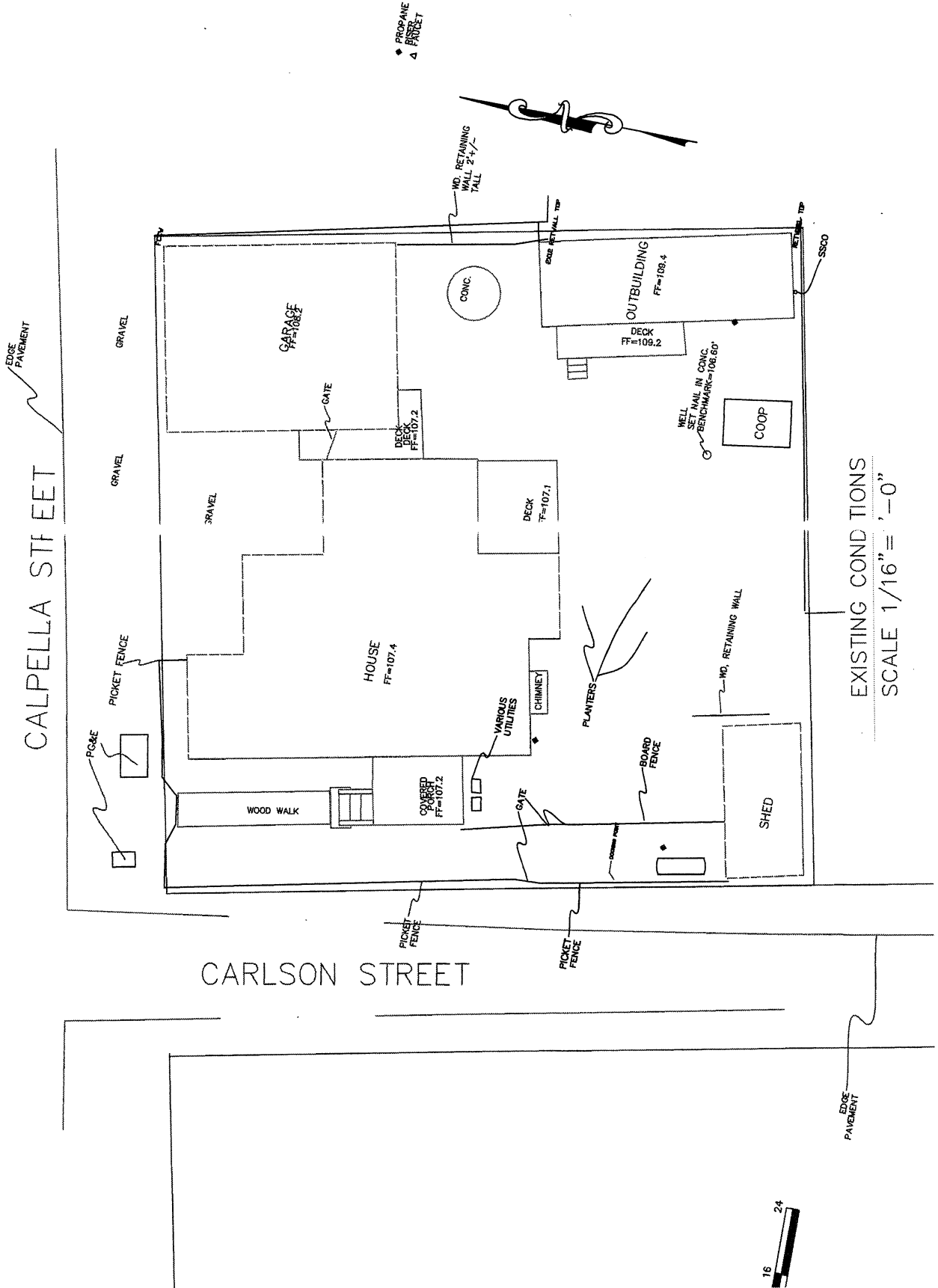


WEST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION / SECTION
 SCALE 1/8" = 1' - 0"

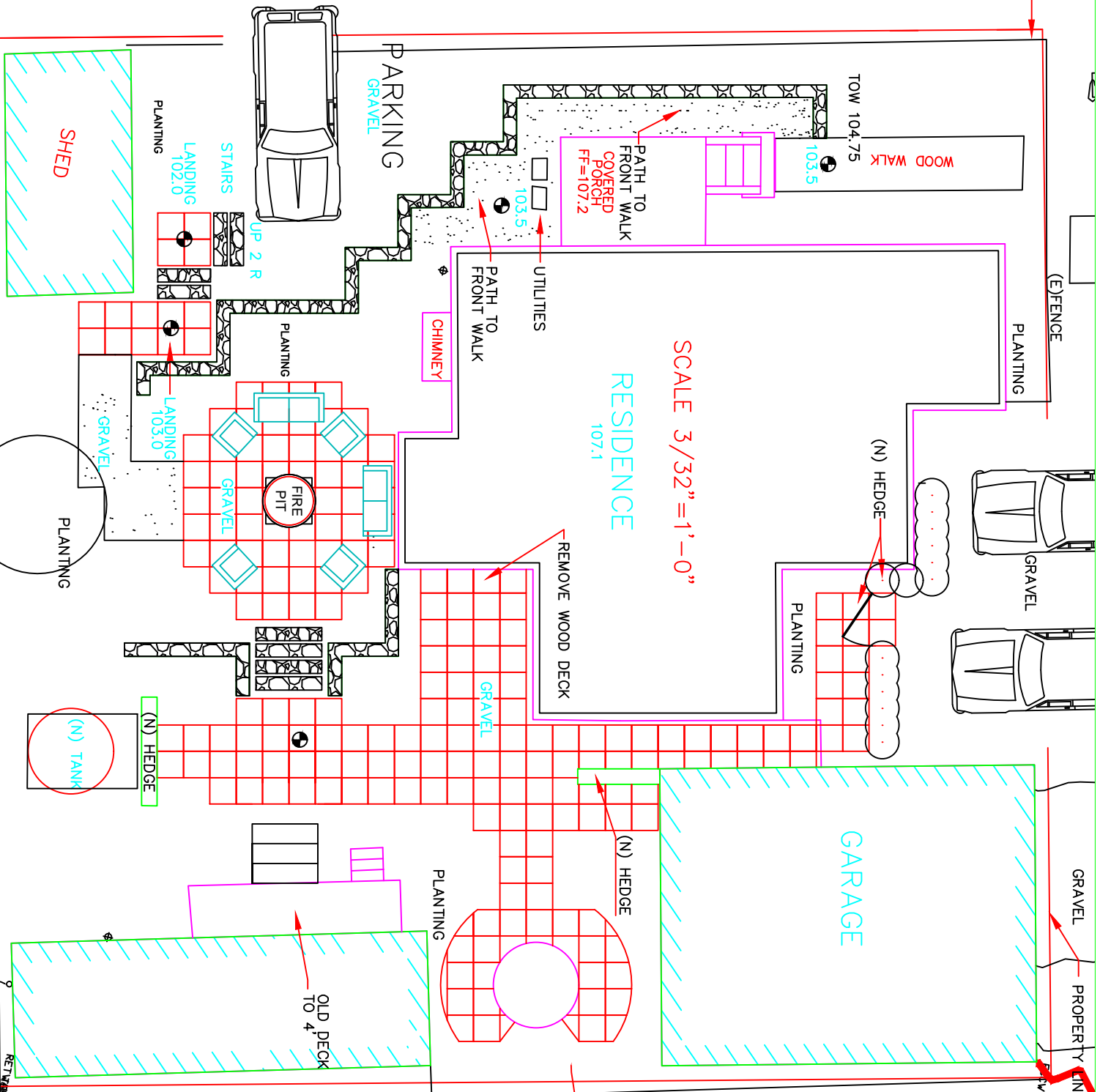


CARLSON STREET

FENCE

(E) FENCE

GRAVEL PROPERTY LINE



SCALE 3/32" = 1'-0"

RESIDENCE 107.1

GARAGE

PARKING GRAVEL

SHED

WD. RETAINING WALL 2'+/- TALL

Attachment E

RETAINING WALL





Porch Enclosure Alternatives



