



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482  
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

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MEMORANDUM

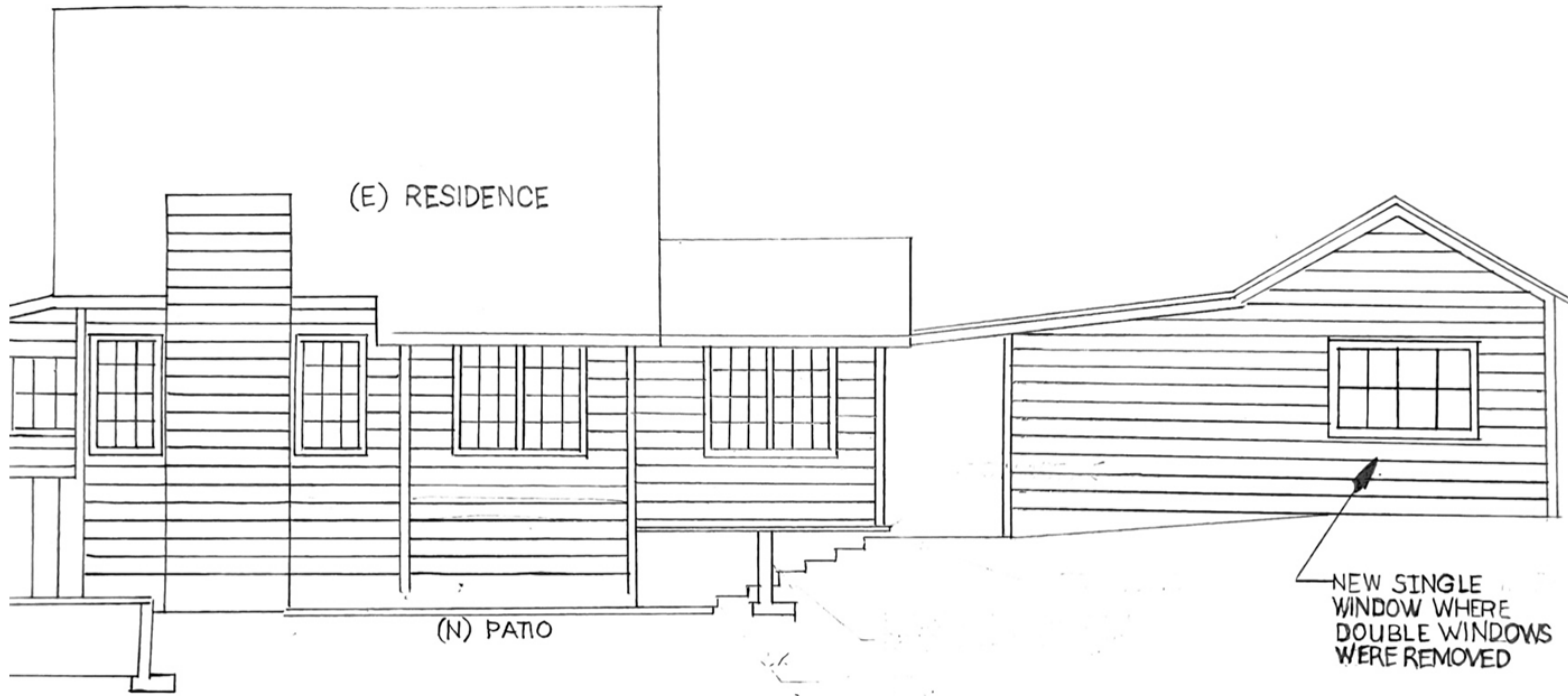
**DATE:** NOVEMBER 6, 2023  
**TO:** MENDOCINO HISTORICAL REVIEW BOARD  
**FROM:** MARK CLISER, PLANNING STAFF  
**SUBJECT:** MHRB\_2022-0012 – REVISED REQUEST

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On October 23, 2023, the Mendocino County Department of Planning & Building Services (PBS) prepared a memo requesting revisions to approved Mendocino Historical Review Board permit number MHRB\_2022-0012 (see Attachment B). Since then, Staff has received a new request from the applicant to revise the request a second time (see Attachment A - Applicant's Revised Proposal to Garage, South Elevation).

Staff recommends that the revised proposed changes are minor and do not conflict with MCC 20.760.050 – Standards; do not conflict with the adopted findings and conditions of approval of MHRB\_2022-0012; and do not conflict with the Mendocino Town Plan.

The proposed window will be fixed and made from redwood. The overall dimensions will be 46.5" high and 70.5" wide, containing 8 individual panes 19" h x 15"w each separated by 1" redwood grilles. There will be 4 across and 2 high with a surrounding 2" redwood window frame and a 3/4" window jam. The overall appearance will coordinate with the other windows in the building.



Attachment B (Applicant's Revised Proposal to Garage, South Elevation)



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MEMORANDUM

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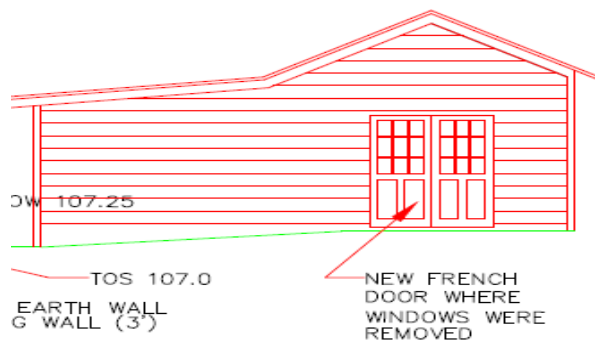
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The Mendocino County Department of Planning & Building Services (PBS) requests, per Minor Alterations in the Town of Mendocino Policy dated April 21, 2023 (see Attachment A), that the Mendocino Historical Review Board consider changes to the garage south elevation previously approved under permit number MHRB\_2022-0012.

Staff recommends that the proposed changes are minor and do not conflict with MCC 20.760.050 – Standards, do not conflict with the adopted findings and conditions of approval of MHRB\_2022-0012 (see Attachment B, pages 3 & 4), nor conflict with the Mendocino Town Plan.

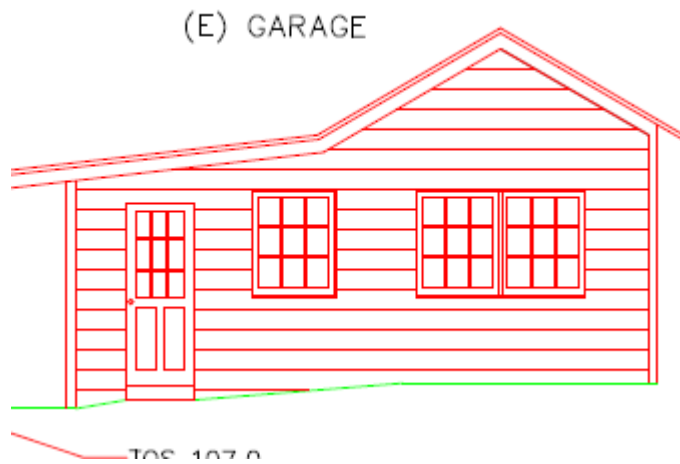
**Approved Project (South Elevation - Garage)**

- See Attachment B, page 9 for entire South Elevation previously approved



**Proposed Changes (South Elevation - Garage)**

- See Attachment C for entire South Elevation proposed



- Attachment 1: MHRB Minor Alterations Policy
- Attachment 2: Approved Project Staff Report
- Attachment 3: Proposed South Elevation



# COUNTY OF MENDOCINO

## DEPARTMENT OF PLANNING & BUILDING SVCS.

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### MINOR ALTERATIONS IN THE TOWN OF MENDOCINO POLICY

**PURPOSE:** Minor alterations<sup>1</sup> to approved MHRB Permits shall be reviewed by the Department to determine their consistency with MHRB adopted findings and conditions<sup>2</sup>, MCC Chapter 20.760, and the goals and policies of the Mendocino Town Plan, as appropriate.

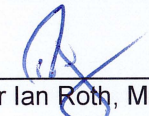
**AUTHORITY:** Coastal Element Chapter 4.13, *Mendocino Town Plan, Subsection 4.3, Mendocino Town Design Guideline Policies* includes Policy DG-1, "All new development shall be designed to be compatible with the historical design character of the town." Pursuant to **MCC Chapter 20.760 –Historical Preservation District for Town of Mendocino**, the Review Board's duty, power, and responsibility is to preserve the architecture and character of the Historic District, protect the landmark status of buildings, and ensure development is compatible with surrounding development. **MCC Section 20.760.020 – Establishment, Power, Duties and Responsibilities of Historical Review Board** states, in part, the Review Board duties are to review all applications for development.

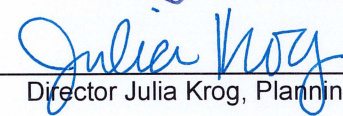
**POLICY:** For the duration of this policy, the Department will assess whether proposed minor alterations are consistent with and are in substantial conformance with an effective MHRB permit, provided the following apply:

- 1) Proposed minor alterations shall not conflict with MCC 20.760.050 –Standards, adopted findings and conditions of the MHRB Permit, and the Mendocino Town Plan, including its Appendix 7.
- 2) Proposed minor alterations to an MHRB Permit shall be considered by the Review Board prior to issuance of a building permit application or its amendment, and before the MHRB permit expires<sup>2</sup> or final building permit inspection occurs. (*Building permit amendments may encompass minor design changes.*)

**PROCEDURE:** Prior to issuance of a building permit or building permit amendment, and before the MHRB permit expires<sup>2</sup> or final building permit inspection occurs, a property owner may propose minor alterations for consideration by the Review Board. These matters will be considered as a Consent Calendar item during an MHRB Meeting. Minor alterations that are inconsistent with the approved MHRB Permit findings and conditions shall require a new MHRB Permit, given MCC Chapter 20.760 requires permit approval for work in the Historic District and the design changes are not minor.

Policy Prepared By: Steven Switzer, Planner II, & Juliana Cherry, Planner III

Policy Reviewed By:  Date: 4/24/2023  
Chair Ian Roth, Mendocino Historical Review Board

Policy Approved By:  Date: 4/4/2023  
Director Julia Krog, Planning and Building Services

**NOTE:** The Review Board shall have the final determination in the event that there are ambiguities that cannot be readily determined related to a particular structure or development and its respective MHRB Permit.

<sup>1</sup> "Alteration" means the addition to, removal of, repair, glazing, painting or removal of paint, and similar modifications of a structure or outdoor advertising sign, or any part thereof, in Historical Zone A and Historical Zone B, as defined in MCC 20.608.020(L).

<sup>2</sup> Each issued MHRB approval shall expire and become null and void at the expiration of two (2) years after the application is granted. For the MHRB approval to remain valid, progress toward completion of the project must be continuous; provided, that any approval that has vested shall not expire. MCC 20.760.075



**MENDOCINO HISTORICAL REVIEW BOARD  
STAFF REPORT**

**JULY 10, 2023  
MHRB\_2022-0012**

**OWNER:** DONNA BAYLISS  
45351 CALPELLA STREET  
MENDOCINO, CA 95460

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

**PROJECT DESCRIPTION:** Mendocino Historic Review Board application to change the exterior body color of the house, garage, and shed to Elmira White with Grant Beige trim. Work on north side includes installation of multi-lite door and windows on garage, and multi-lite door and windows on porch. Work on west side includes replacement multi-light windows at the entry porch, removal of siding from staircase, construction of low stature retaining wall with redwood fence atop, rammed earth wall to enclose propane tank, and creation of one on-site parking space with road approach to Carlson Street. Work on south side includes continuation of retaining wall, new French doors on garage, rammed earth walls on east side of yard, and gravel paths and patio. Note: this location is listed in the Mendocino Town Plan Appendix 1 as a Category III Historic Resource.

**STREET ADDRESSES:** 45351 Calpella 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 proposes the following:

- 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 C), installation of a porch door with multi-lite windows on the north side (see Attachment B), and extension of the south facing porch opening downward to match the lower level of the house window (see Attachment D).
- Proposed work on the north side of the property includes installation of multi-lite doors, recessed side lights, and multi-lite windows on north wall of garage relocated from the south wall of garage.
- Construction of a three-foot tall retaining wall 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 Attachments C, D, & G). The wall will commence near the south end of the porch door then jog east and south along Carlson Street towards the south yard (see Attachment F). 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).
- A five-foot redwood fence will be constructed on top of the rammed earth wall on the west and south facing segments abutting Carlson Street. The fence will be unfinished and unstained and will reach a maximum height of 7 feet 9 inches (Attachment I).
- 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. 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. The applicant proposes a dark grey gravel material.
- In order to screen the propane tank from public view, the applicant will construct a 3-foot high, rammed earth enclosure around the propane tank located south of the proposed parking space. The enclosure will match the design of the rammed earth wall (see Attachment F).
- Development of gravel paths and patios in the southern and eastern portions of the property composed of permeable base rock, decomposed granite, and rock. Materials used will be dark grey. A new French

door will be installed on south side of garage, and rammed earth retaining walls are proposed on either side of the stairs located east of the fire pit.

- Development will not add to lot coverage. All proposed development will be permeable. Stairs depicted in West Elevation (Attachment C), and stairs depicted in South Elevation (Attachment D) will be constructed using the same rammed earth method as the walls and will be permeable. The patio areas (Attachment F) will be constructed out of a dark grey, Class 2 permeable base, decomposed granite and clean 3/8" rock.
- The applicant will landscape with Lily of the Valley Tree (*Clethra arborea*), in front of the rammed earth wall along Carlson Street, and with Taxus X "H.M. Eddie", behind the southern end of the rammed earth wall along Carlson Street. Neither species is native to Mendocino County.

**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 for the rammed earth wall and propane tank enclosure to be sited where proposed and to allow for 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:**

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 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 porch windows shall be multi-lite. All new window frames shall be made from wood.
- 10. Onsite parking shall have a minimum vehicle length of 20 feet as measured from the property line and extending within the property. The applicant shall construct a residential approach to any onsite parking in accordance with Mendocino County Road and Development Standards No. A51A, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt or comparable surfacing to the adjacent road i.e. double chip seal. Concrete driveways shall not be permitted. The residential approach shall extend at a minimum from edge of pavement to the property line.
- 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.
- 13. Gravel paths and patios shall use material which is dark grey in color.

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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: \$2,674.00 (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. North Elevation
- C. West Elevation
- D. South Elevation
- E. Existing Development
- F. Proposed Site Plan
- G. Example of Rammed Earth Wall
- H. Example of Windows
- I. Fence and Wall Section

**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 <b>Gary Ratway</b>	Name of Property Owner(s) <b>Donna Bayliss</b>	Name of Agent <b>Same Applicant</b>
Mailing Address <b>31101 Middle Ridge Rd. Albion, Ca. 95410</b>	Mailing Address <b>45351 Capella St. Mendocino, Ca. 95460</b>	Mailing Address
Telephone Number <b>707-937 4964</b>	Telephone Number <b>310-963-2540</b>	Telephone Number

Assessor's Parcel Number(s)  
**119-214-06**

Parcel Size <input checked="" type="checkbox"/> Square Feet <b>6,400 ft.sq.</b> <input type="checkbox"/> Acres	Street Address of Project <b>45351 Capella St. Mendocino, Ca. 95460</b>
----------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------

**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

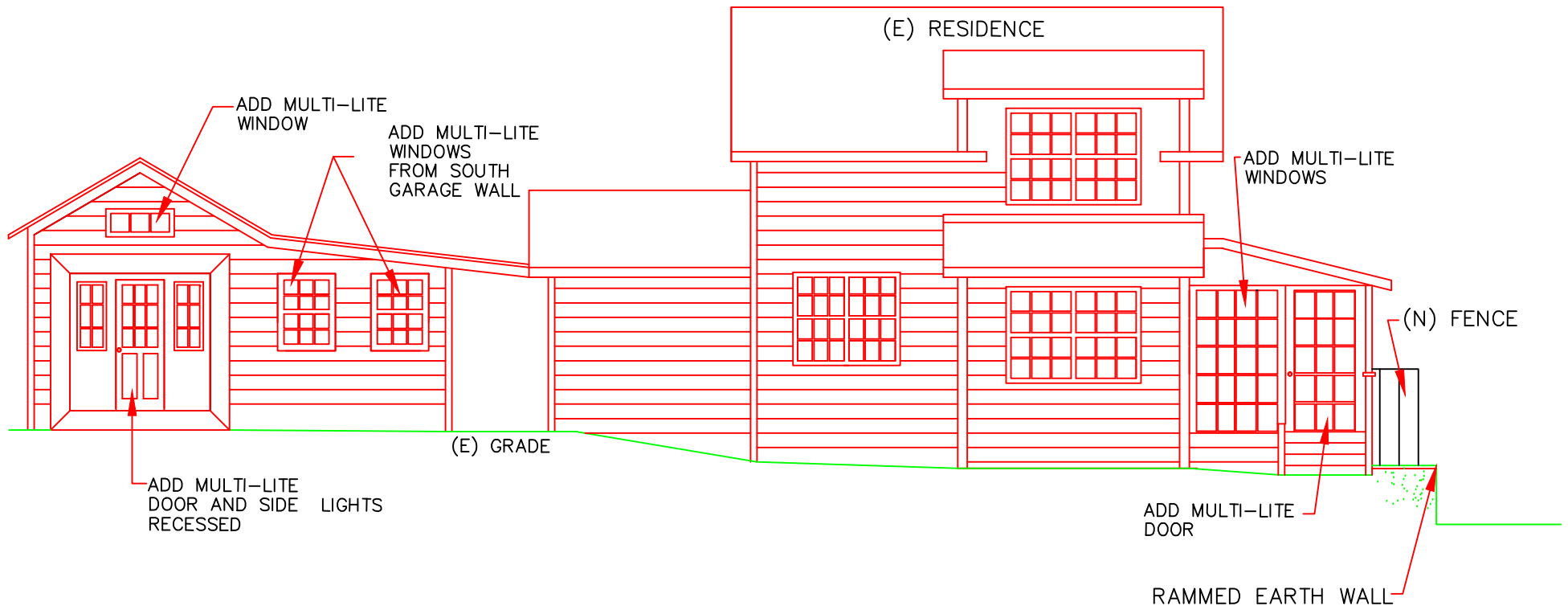
New multi-lite windows to match existing will be added at the entry to the residence to replace large single panes.

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:

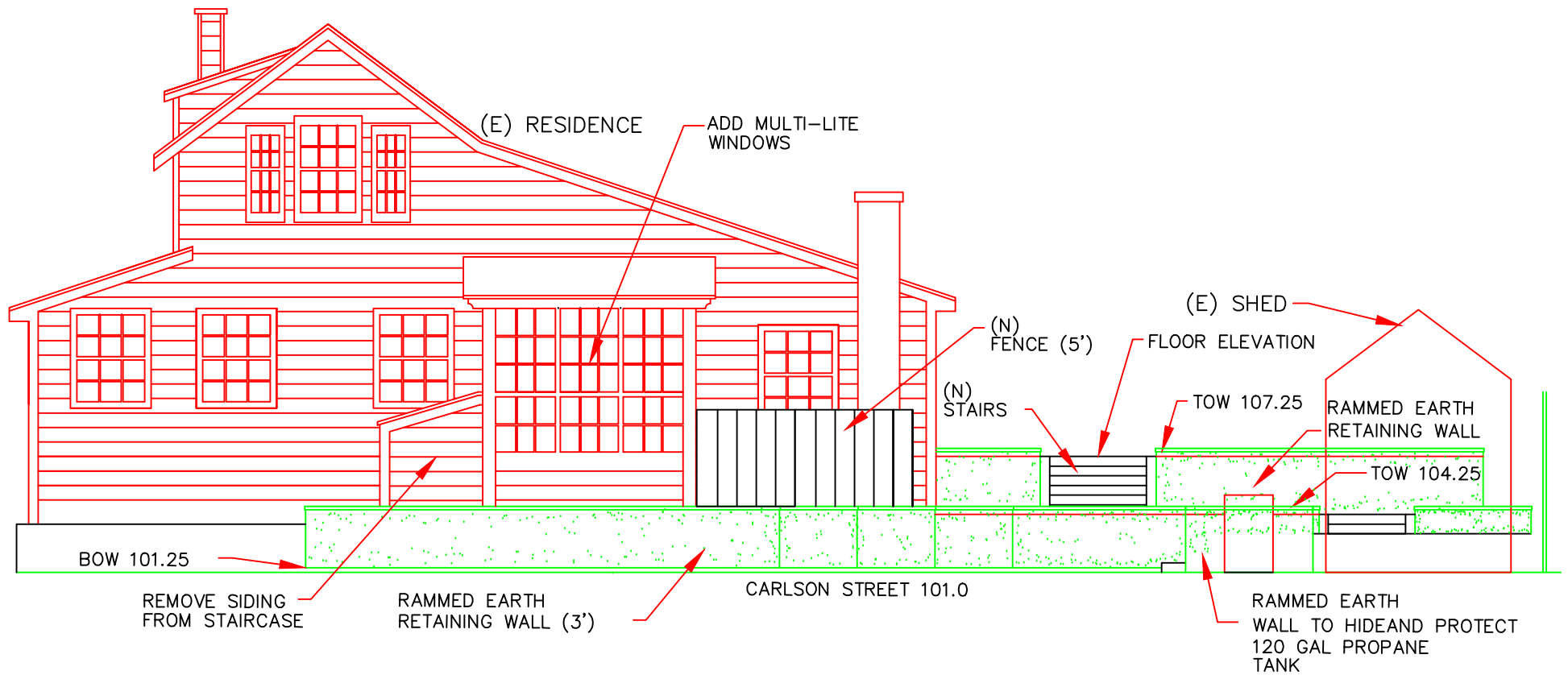
- What is the total lot area presently covered by building(s), decks, walkways, water tanks, and other structures? ~~4070~~ 2570 sq. ft.
- What is the total floor area (internal) of all structures on the property? ~~3000~~ 3009 sq. ft.
- If located within the Mendocino Mixed Use (MMU) zoning district,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



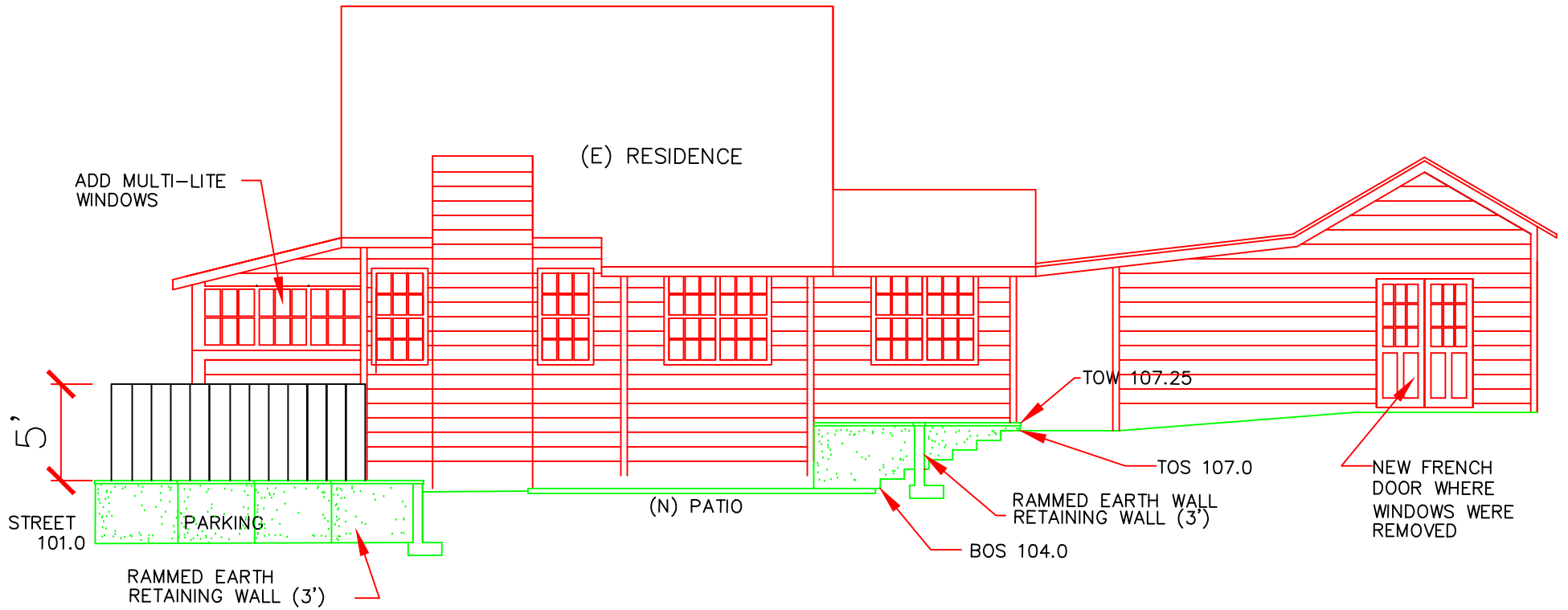
NORTH ELEVATION

SCALE 1/8" = 1'-0"



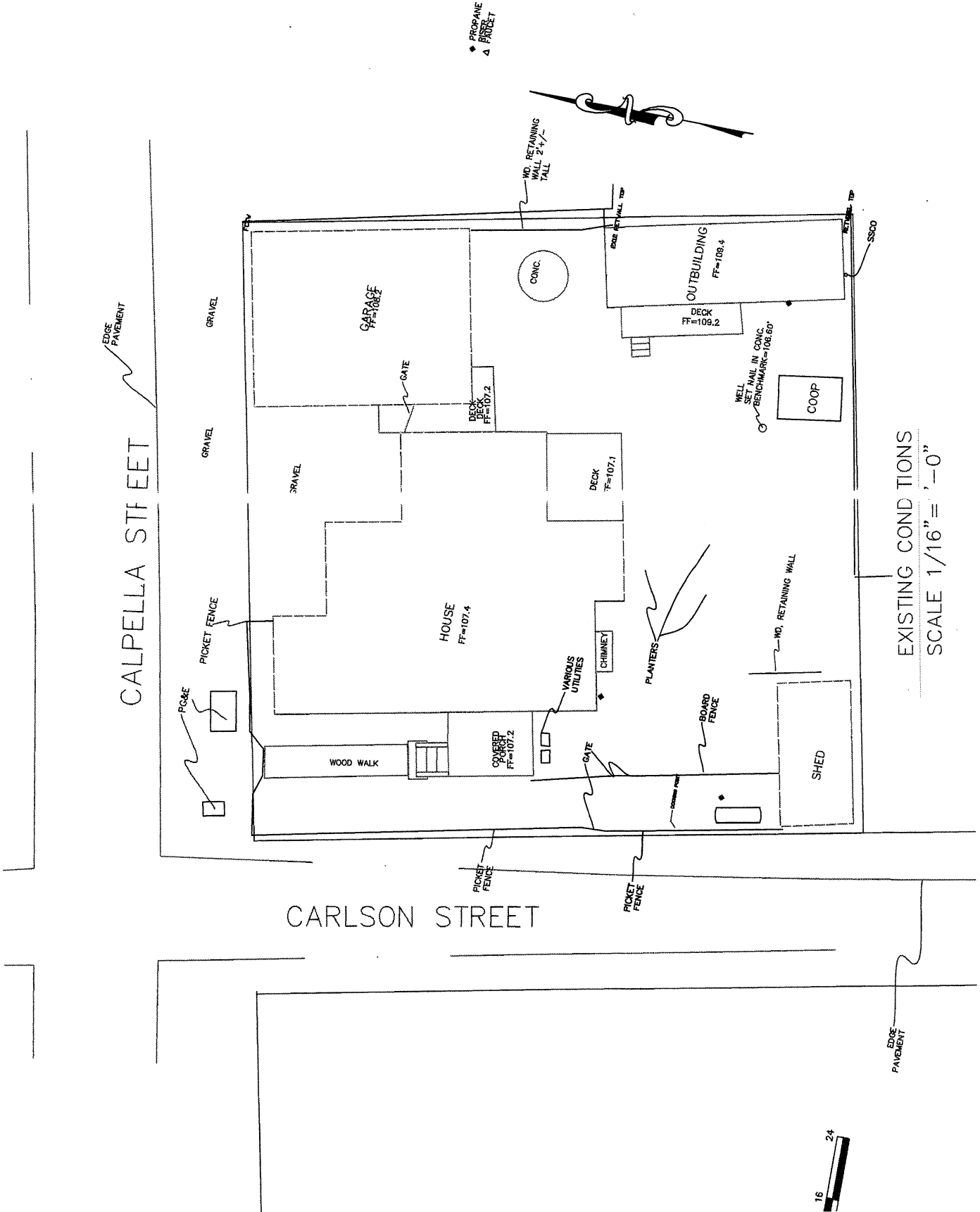
WEST ELEVATION

SCALE 1/8" = 1'-0"



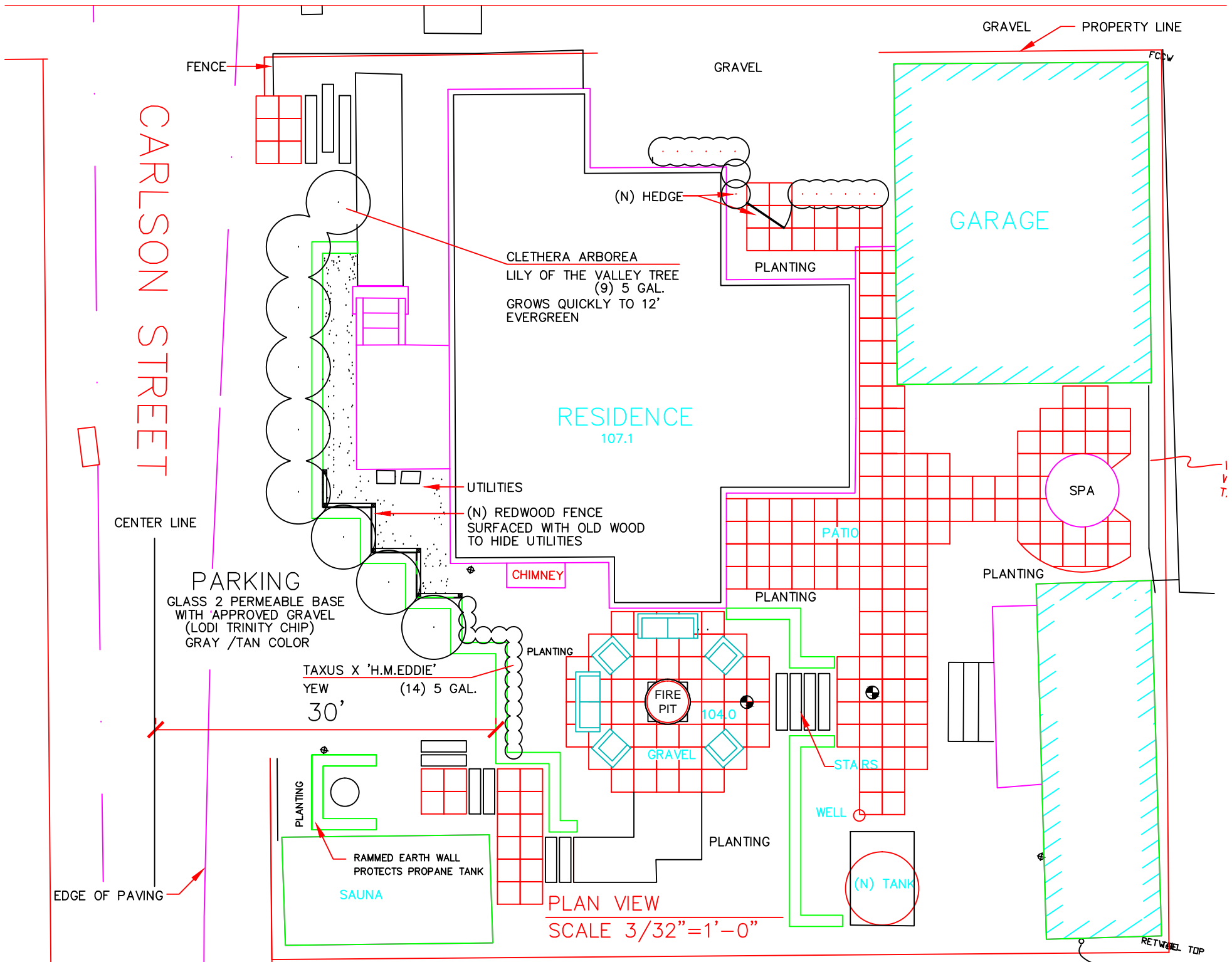
SOUTH ELEVATION

SCALE 1/8" = 1'-0"



EXISTING CONDITIONS  
SCALE 1/16" = 1'-0"





CARLSON STREET

GRAVEL PROPERTY LINE

FENCE

GRAVEL

GARAGE

(N) HEDGE

CLETHERA ARBOREA  
LILY OF THE VALLEY TREE  
(9) 5 GAL.  
GROWS QUICKLY TO 12'  
EVERGREEN

PLANTING

RESIDENCE  
107.1

UTILITIES

(N) REDWOOD FENCE  
SURFACED WITH OLD WOOD  
TO HIDE UTILITIES

SPA

CENTER LINE

PARKING

GLASS 2 PERMEABLE BASE  
WITH APPROVED GRAVEL  
(LODI TRINITY CHIP)  
GRAY /TAN COLOR

PATIO

CHIMNEY

PLANTING

TAXUS X 'H.M.EDDIE'  
YEW  
30'  
(14) 5 GAL.

FIRE PIT  
104.0

PLANTING

PLANTING

GRAVEL

STAIRS

WELL

PLANTING

RAMMED EARTH WALL  
PROTECTS PROPANE TANK

SAUNA

PLANTING

(N) TANK

PLAN VIEW  
SCALE 3/32"=1'-0"

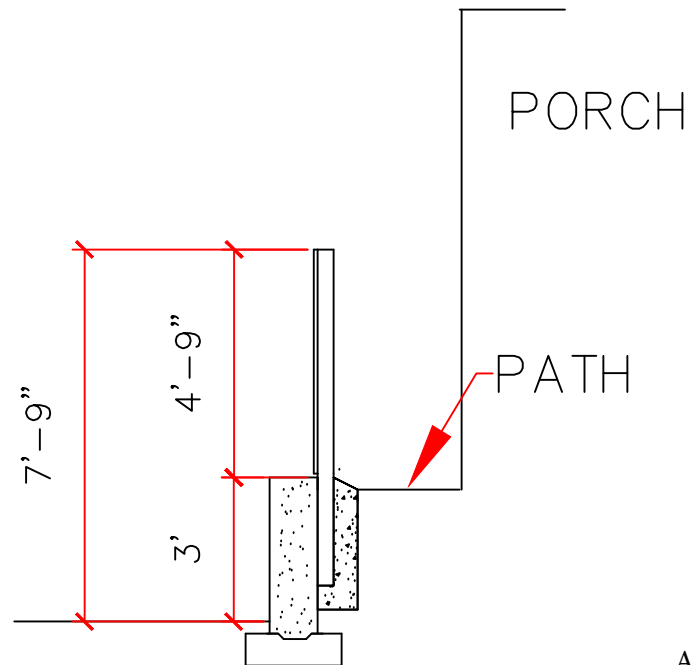
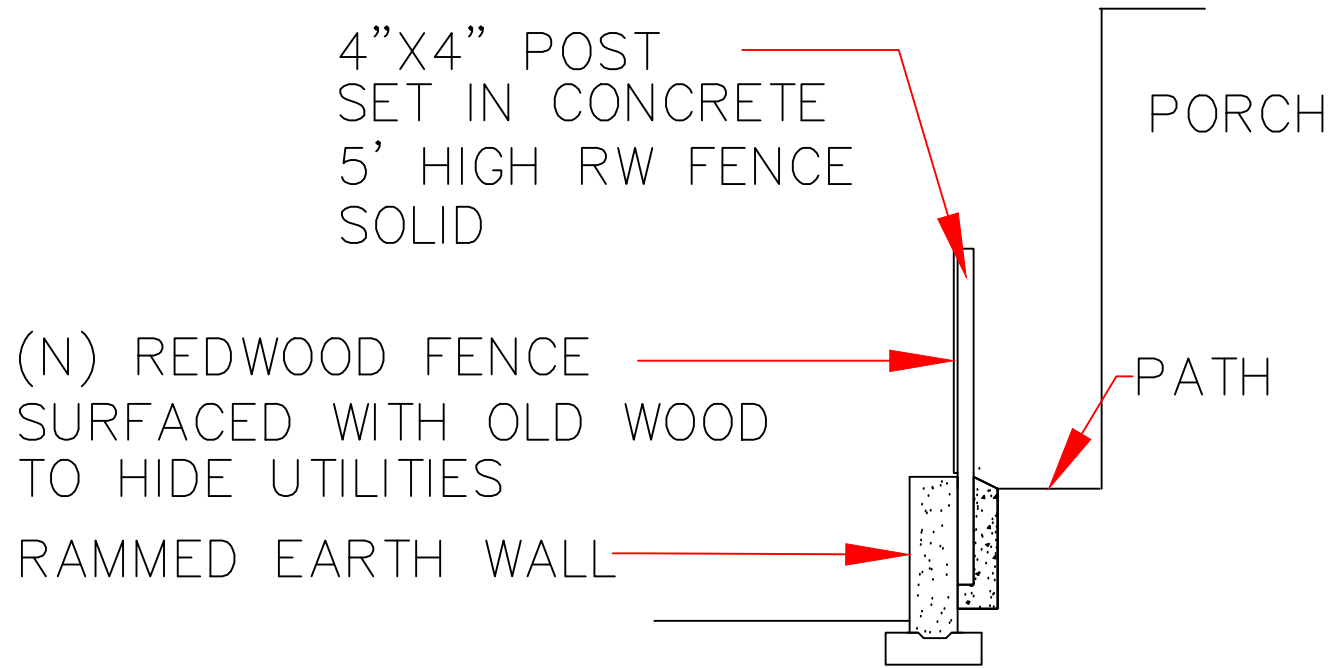
EDGE OF PAVING

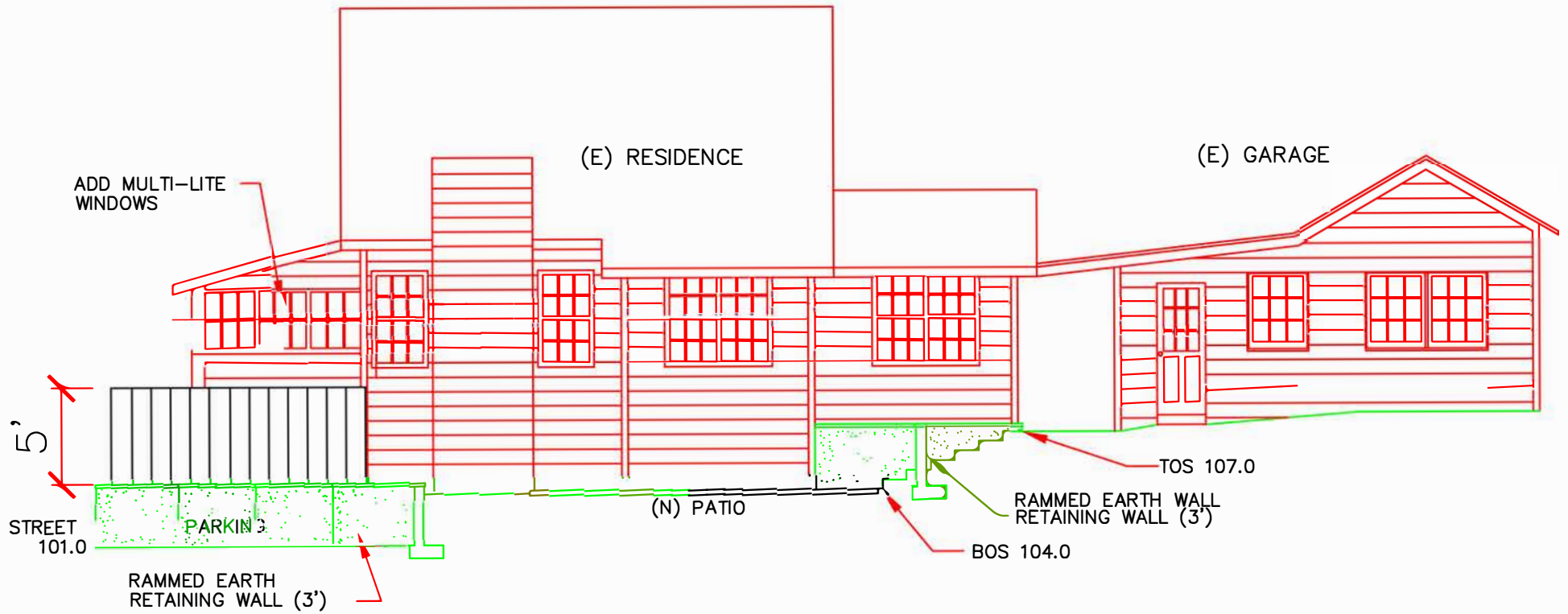
RETAIN TOP











SOUTH ELEVATION

SCALE 1/8" = 1'-0"