

**OWNER/APPLICANT:** Fort Bragg Rural Fire Protection District  
141 N. Main Street  
Fort Bragg, CA 95437

**REQUEST:** Construct ~2400 sq. ft garage/storage building with a maximum height of 20 ft above natural grade. Driveway would be extended ~ 60 ft to meet the proposed structure. Existing development include water storage tanks and existing driveway.

**LOCATION:** In the Coastal Zone, approx. 1.5 mile north of the community of Cleone, on the east side of Highway 1, ~ 20' north of its intersection with Little Valley Road (CR# 426), at 33680 Little Valley Rd (APN: 069-101-46)

**APPEALABLE AREA:** Yes – Conditional Use

**PERMIT TYPE:** Conditional Use Permit

**TOTAL ACREAGE:** ~2 acres

**GENERAL PLAN:** FL-160

**ZONING:** TP:L-160

**EXISTING USES:** Minor Impact Utility: Water Storage Tanks

**ADJACENT ZONING:** North, East: FL:L-160  
South, West: RL:L-160

**SURROUNDING LAND USES:** North, East: Forest Lands  
South, West: Range Lands

**SUPERVISORIAL DISTRICT:** 4

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt from CEQA: Class 3

**OTHER RELATED APPLICATIONS:** CDU 10-2003 authorized installation of two 5,000 gallon water storage tanks on a 10x20 foot concrete slab and driveway. A use permit was required as the water storage tanks are associated with the use designation of Minor Impact Utility.

**PROJECT DESCRIPTION:** The applicant proposes to construct ~2400 sq. ft garage/storage building with a maximum height of 20 ft above natural grade. Driveway would be extended ~ 60 ft to meet the proposed structure. Existing development include water storage tanks and existing driveway.

**LOCAL COASTAL PROGRAM CONSISTENCY RECOMMENDATION:** The proposed project is consistent with the applicable goals and policies of the Local Coastal Program (LCP) as described below.

### **Land Use**

The parcel is classified on the Coastal Plan Map as Forest Lands 160 Acres Minimum (FL-160). The parcel is similarly zoned; TP:L-160, with a lot size of two acres the subject parcel is nonconforming to the minimum lot size. The proposed garage and associated development are permitted accessory structures of the established Minor Impact Utility use. The proposed garage would house maintenance equipment for the existing water storage tanks and two fire trucks.

The required yard setbacks for a parcel in a TP zone which is less than five acres are 20 feet from each property line. A corridor preservation setback of 25 feet applies along Little Valley Road, resulting in a front yard setback of either 45 feet from the road corridor centerline or 20 feet from the property line, whichever is greater. As shown on the Site Plan, the structures comply with setbacks required by the County Zoning Code.

The site is not within a designated highly scenic area, therefore the height limit is 28 feet above average finish grade. The proposed 20 foot height of the proposed garage complies with the height limit.

Maximum lot coverage for a lot of 2 acres in size in a TP zone is 15%. Lot coverage is the percentage of the gross lot area covered by structures. The lot is approximately two acres, or 87,120 square feet. The proposed and existing developments are well below the maximum lot coverage. The project complies with lot coverage limits.

Pursuant to Section 10A.13.030 of the Mendocino County Code, the Board of Supervisors finds that it is in the public's interest to preserve and protect agricultural land and operations within the County of Mendocino and to specifically protect these lands for agricultural use. Further, the Coastal Act establishes agriculture as a priority use. Therefore, pursuant to Section 10A.13.040(C) of the County Code, **Special Condition 1** is added to require the applicant to submit, prior to issuance of a building permit, a signed statement of acknowledgement that the residents of the subject parcel may be subject to inconvenience or discomfort arising from adjacent or nearby agricultural operations. Although not specifically required by the County's Local Coastal Program (LCP), this ordinance is uniformly applied throughout the unincorporated areas of the County.

### **Public Access**

The project site is located east of Highway 1 and public access to the shoreline will not be affected by the project.

### **Hazards**

The property is in an area that has a "very high" fire hazard severity rating as determined by the California Department of Forestry and Fire Prevention. The Department of Forestry has submitted recommended conditions of approval (CDF# 17-11) for address standards, driveway

standards, and defensible space standards. Standard Condition #4 is recommended to achieve compliance with CDF fire safe standards.

The proposed structure would be located in a flat area, and the development does not present any hazard issues relative to slope failure. There are no known faults, landslides or other geologic hazards in close proximity to the proposed development.

**Visual Resources**

The parcel is not located in a designated “Highly Scenic Area” east of Hwy 1. Coastal Element Policy 3.5-1 provides general guidelines for all development in the coastal zone, requiring that:

*The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.*

The proposed garage would not be visible from Highway 1, or any park, beach or recreation area, and would not be out of character with surrounding development. Table 1 lists the proposed exterior materials and colors. The proposed exterior finishes for the structures are earthtone colors that would blend in with the surrounding environment.

**Table 1.** Proposed exterior materials and colors.

	Material	Color
Siding	Metal	Hemlock Green
Trim	Metal/plastic	Evergreen
Roofing	Metal	Evergreen
Window Frames	Metal	Evergreen
Doors	Metal/wood	Evergreen

Section 20.504.035 of the Coastal Zoning Code (Exterior Lighting Regulations) states:

- (A) *Essential criteria for the development of night lighting for any purpose shall take into consideration the impact of light intrusion upon the sparsely developed region of the highly scenic coastal zone.*
- (2) *Where possible, all lights, whether installed for security, safety, or landscape design purposes, shall be shielded or shall be positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel on which it is placed.*
- (5) *No lights shall be installed so that they distract motorists.*

Exterior lighting is proposed as downcast adjacent to doors, which are proposed as two on the south and one each on the east and west side of the structure. Although the application indicated the use downcast lights, staff recommends adding **Special Condition 2** because no specific details have been presented. The condition would allow the Planning Division to review

the specific exterior light fixtures prior to issuing the building permit and require that exterior lighting remain downcast and shielded for the life of the project.

### **Natural Resources**

The project site is dominated by non-native grasses. However, since the project site is largely undeveloped and the Dept. of Fish and Game's natural diversity database noted that there was the potential for an endangered plant species, *Horkelia marinensis*, to be present onsite; staff requested a biological scoping survey to be conducted. A Biological Scoping Survey, dated June 2011 and authored by Asa B. Spade was completed and is located in the project file. The Survey found no special status plants, animals, or plant communities present on site. Natural resources would not be adversely impacted by the proposed project.

### **Archaeological/Cultural Resources**

The project was reviewed by the Northwest Information Center of the California Historical Resources Inventory at Sonoma State University. The Information Center responded that the project area has the possibility of containing unrecorded archaeological sites and recommended a study. The application was reviewed by the Mendocino County Archaeological Commission on March 9, 2011 which determined that no survey was necessary. The Archaeological Commission referred to the previous recommendations of the original permit CDU 10-2003. Standard Condition Number 8 is recommended, advising the applicant of the requirements of the County's Archaeological Ordinance (Chapter 22.12 of the Mendocino County Code) in the event that archaeological or cultural materials are unearthed during site preparation or construction activities.

### **Groundwater Resources**

The site is located within an area designated as a Marginal Water Resources area (MWR) as shown in the 1982 Coastal Groundwater Study prepared by the Department of Water Resources. Water is provided by an on-site well. The proposed garage would have a convenience bathroom consisting of a toilet and sink.

Frank Kemper of the Division of Environmental Health commented that the project can be approved by Environmental Health. No adverse impacts to groundwater resources are anticipated.

### **Transportation/Circulation**

The project does not propose a new encroachment onto Little Valley Road (CR# 426). The request does include extending the existing driveway ~ 60' to meet the proposed garage which would require some minor grading. The application was referred to the Mendocino County Department of Transportation for comment. DoT forwarded the recommendation of the original CDU 10-2003 which included a condition of approval for encroachment improvements to be constructed within the County road right-of-way. Review of County records appears to indicate that an encroachment permit was applied for and completed. The driveway encroachment must be maintained for the life of the project, this condition was included in the original CDU 10-2003.

No impacts to transportation/circulation are expected.

**Zoning Requirements**

The project complies with the zoning requirements for the Timber Production District set forth in 20.364, et.seq., and with all other zoning requirements of Division II of Title 20 of the Mendocino County Code.

**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 project, and adopts the following findings and conditions.

**FINDINGS:**

1. The proposed development is in conformity with the certified Local Coastal Program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment, and meets the criteria for Categorical Exemption Class 3 within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.
7. The proposed use is compatible with the long-term protection of resource lands.

**STANDARD CONDITIONS:**

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two 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. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. 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 applicant 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 applicant shall cease and desist from all further excavation and disturbances within one hundred (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.

**SPECIAL CONDITIONS:**

1. Prior to issuance of a building permit, the applicant shall submit a signed "Agricultural Land Disclosure Statement" pursuant to Section 10A.13.040(C) of the Mendocino County Code. The disclosure statements are available at the Mendocino County Department of Planning and Building Services offices.
  
2. Prior to issuance of the building permit, the applicant shall submit an exterior lighting plan and design details or manufacturer's specifications for all the exterior lighting fixtures. Exterior lighting shall be kept to the minimum necessary for safety and security purposes and shall be downcast and shielded in compliance with Section 20.504.035 of the MCCZC.

Staff Report Prepared By:

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Date	Abbey Stockwell Planner I
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Attachments: Exhibit A Location Map  
Exhibit B Zoning Map  
Exhibit C Site Plan  
Exhibit D Floor Plans  
Exhibit E Elevations  
Exhibit F Elevations

Appeal Period: Ten calendar days for the Mendocino County Board of Supervisors, followed by ten working days for the California Coastal Commission following the Commission's receipt of the Notice of Final Action from the County.

Appeal Fee: \$945 (For an appeal to the Mendocino County Board of Supervisors.)

**SUMMARY OF REFERRAL AGENCY COMMENTS:**

Planning – Ukiah	No comment
Department of Transportation	Maintain encroachment.
Environmental Health – Fort Bragg	Approved.
Building Inspection – Fort Bragg	No comment.
Assessor	No response.
Coastal Commission	No response.
Archaeological Commission	No survey required
Fort Bragg City Planning	Supports project

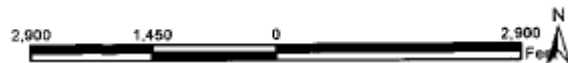
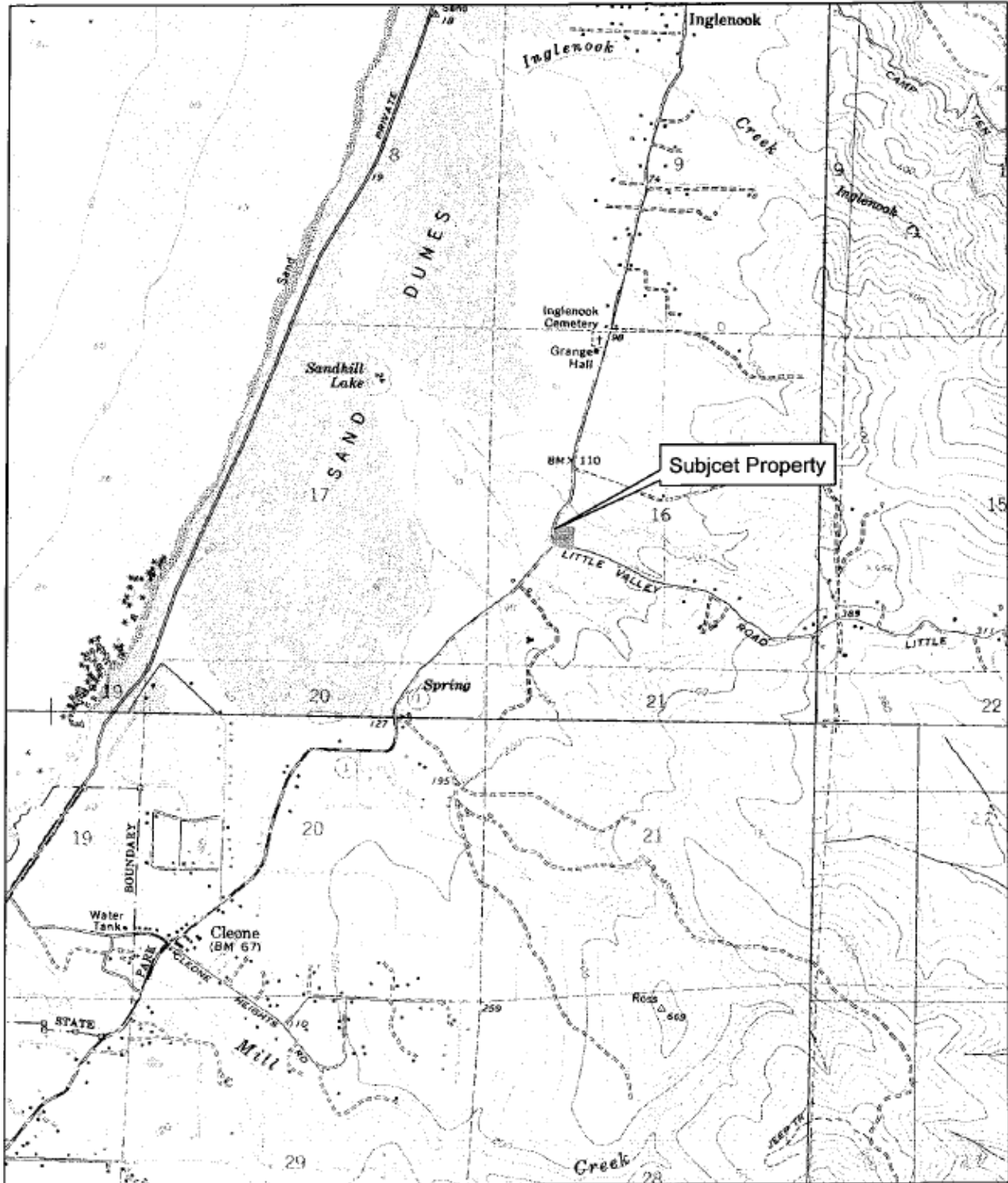


Exhibit A

Location Map

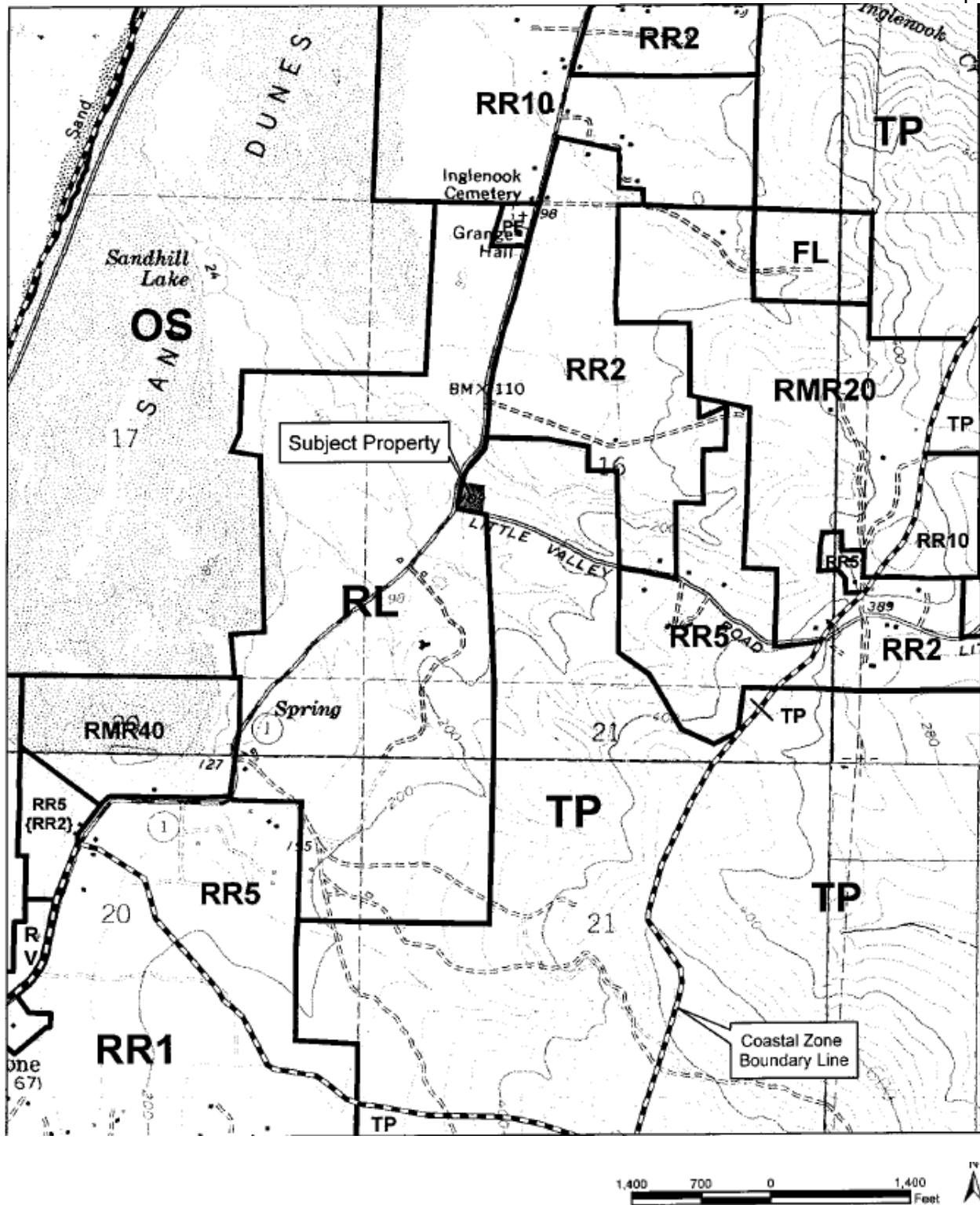
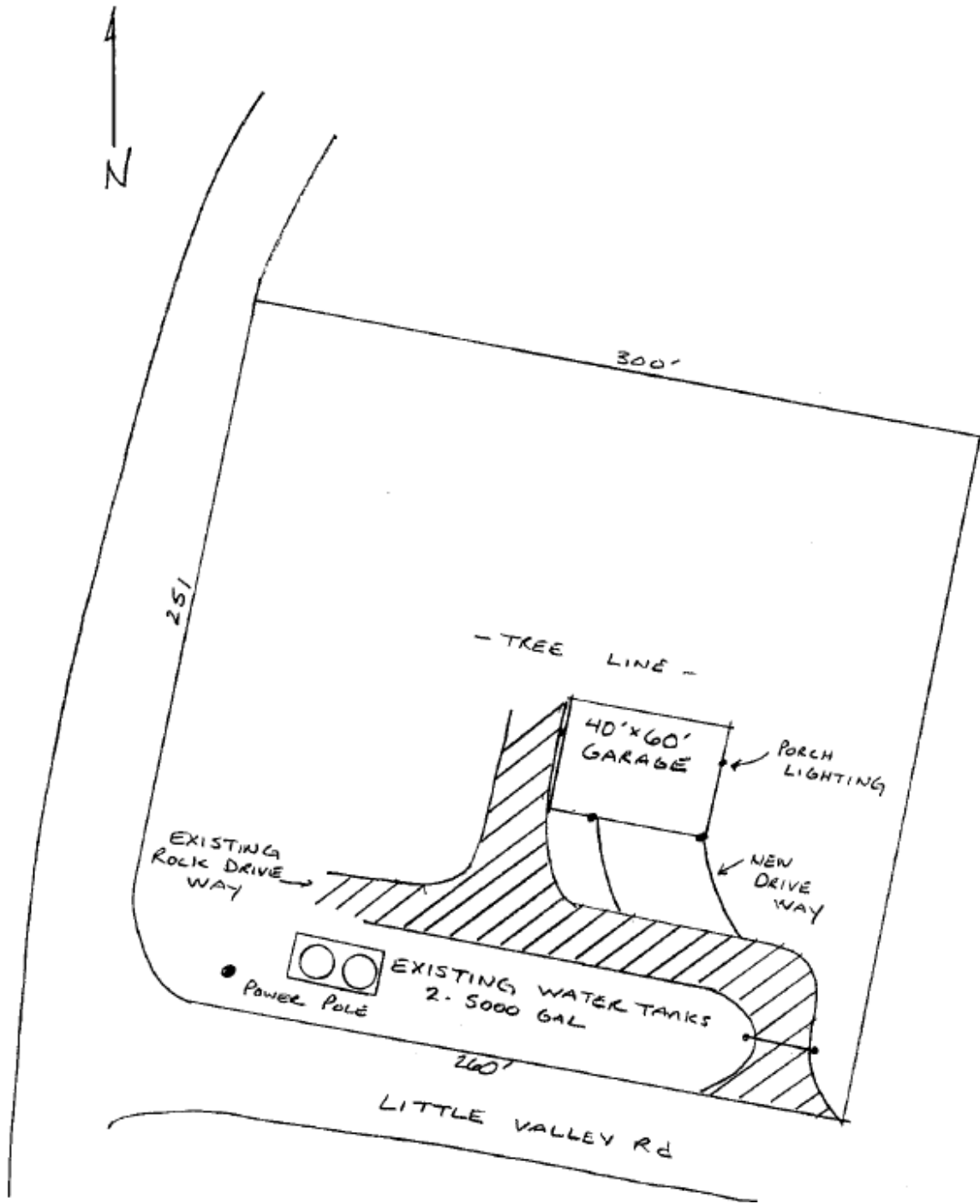


Exhibit B

Zoning Map



Not To Scale 

Exhibit C

Site Plan

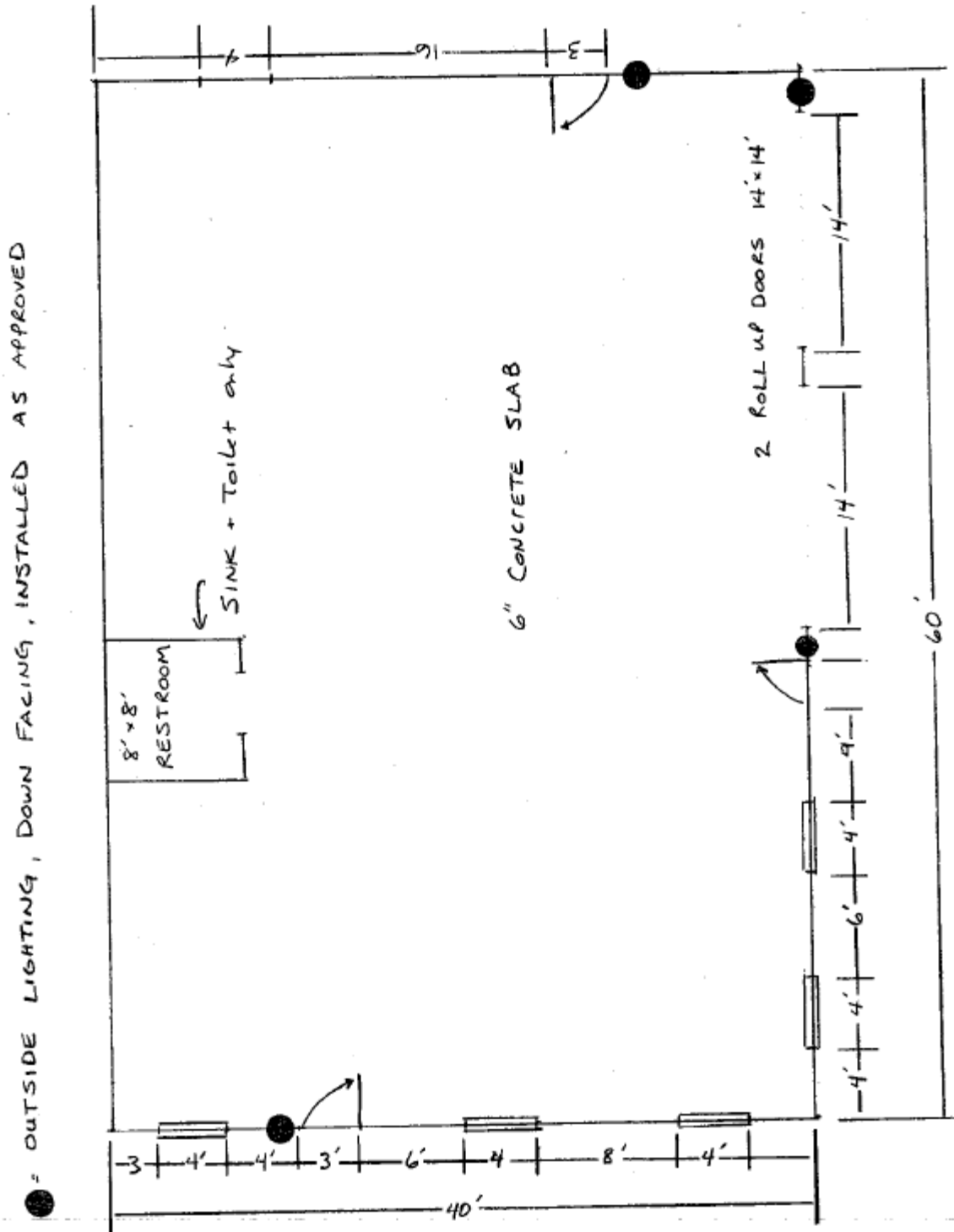


Exhibit D

Floor Plan

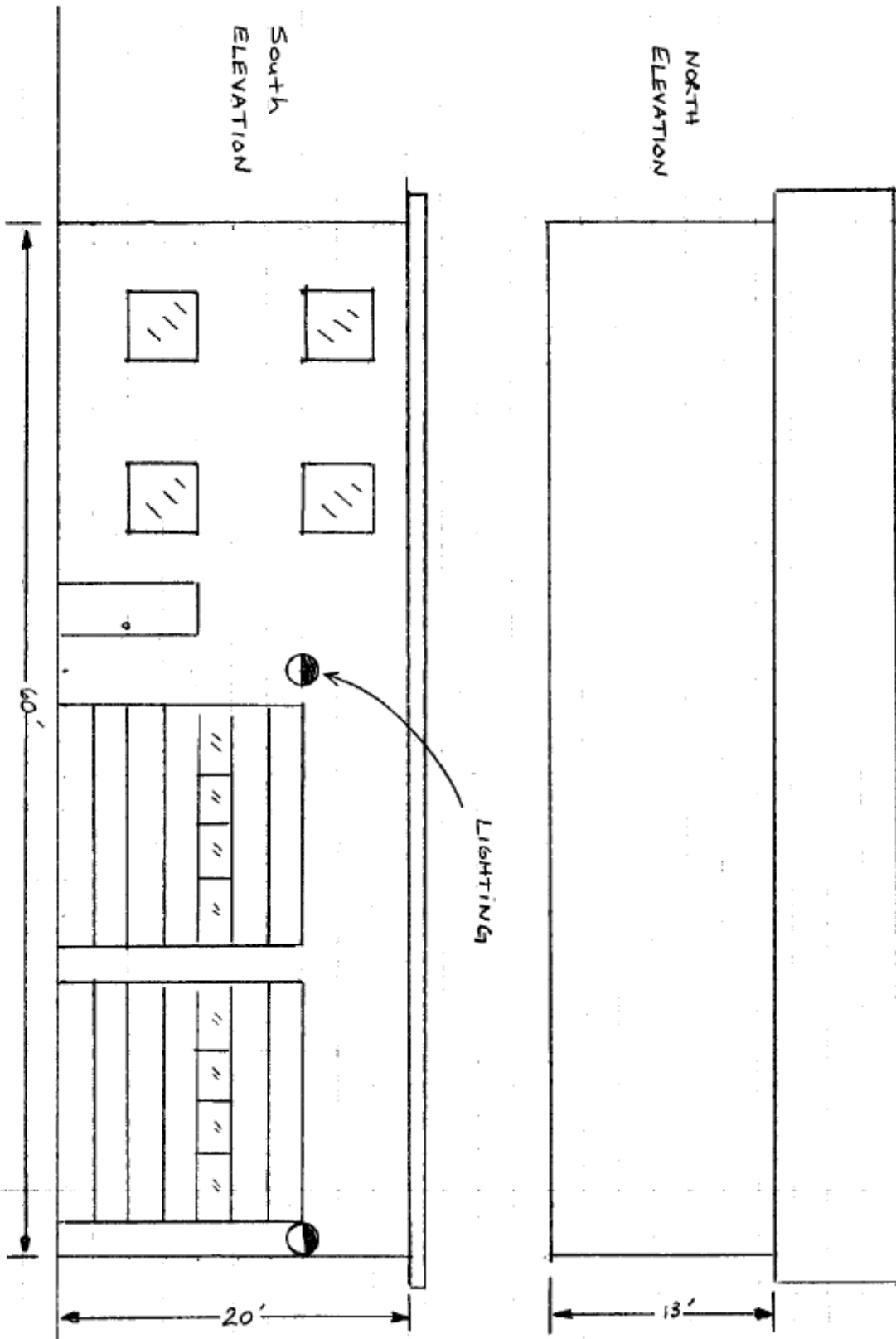


Exhibit E

Elevations

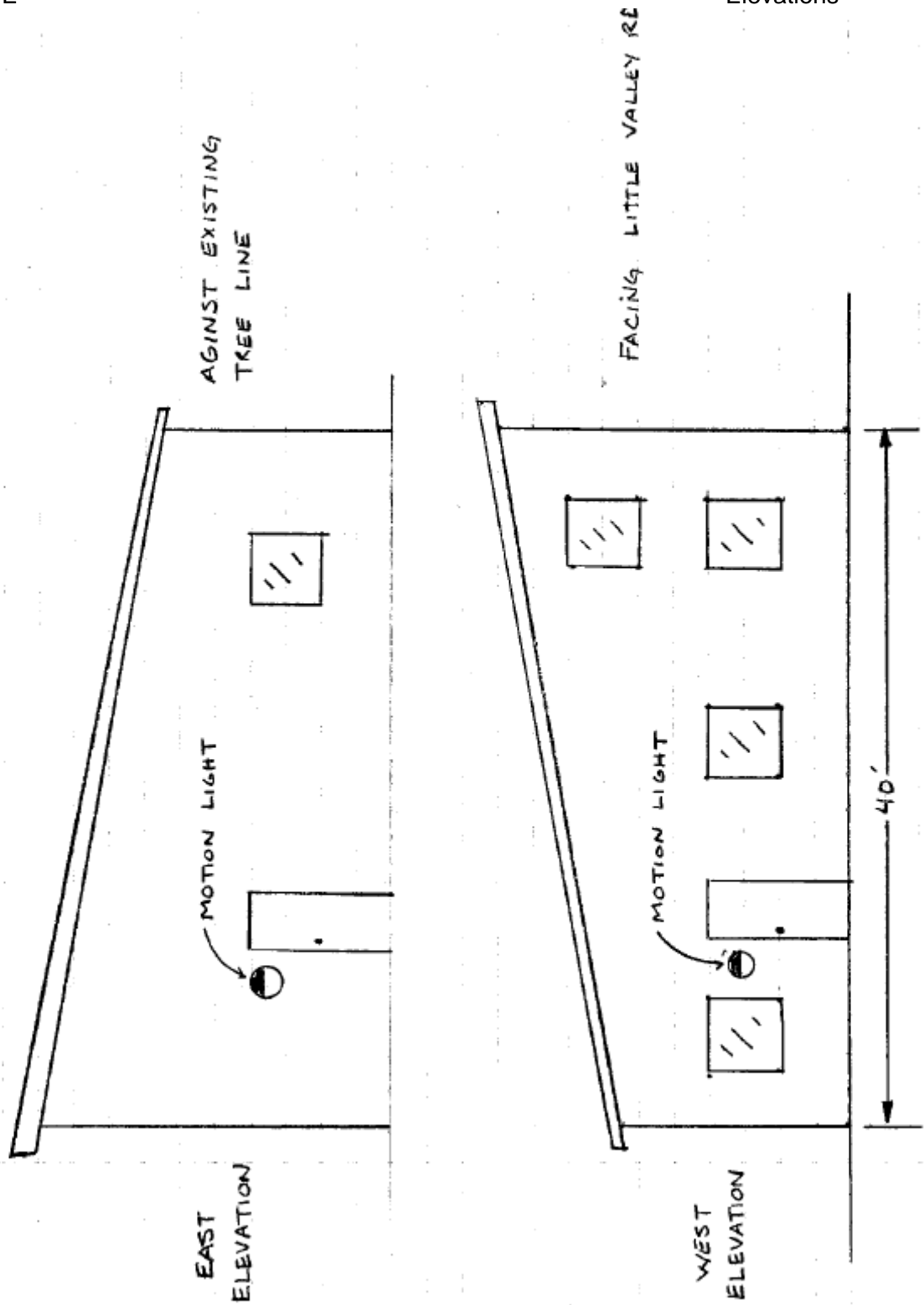


Exhibit F

Elevations



July 29, 2011

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, August 18, 2011, at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project at the time listed or as soon thereafter as the item(s) may be heard.

**CASE#:** CDUM #10-2003(2011)

**OWNER:** FORT BRAGG RURAL FIRE PROTECTION DISTRICT

**APPLICANT:** STEVE ORSI

**REQUEST:** Amend CDU #10-2003 as follows: Construct ~2400 sq. ft garage/storage building with a maximum height of 20 ft above natural grade. Driveway would be extended ~ 60 ft to meet the proposed structure. Existing development include water storage tanks and existing driveway.

**APPEALABLE AREA:** Yes

**LOCATION:** In the Coastal Zone, approx. 1.5 mile north of the community of Cleone, on the east side of Highway 1, ~ 20' north of its intersection with Little Valley Road (CR# 426), at 33680 Little Valley Rd (APN: 069-101-46).

**PROJECT COORDINATOR:** ABBEY STOCKWELL

**ENVIRONMENTAL DETERMINATION:** The request has been processed through the County Environmental Review Process and it has been determined that the project is Categorical Exempt from environmental review. The staff report and notice are available for public review at 501 Low Gap Road, Room 1440, Ukiah, California and on the Department of Planning and Building Services website at [www.co.mendocino.ca.us/planning](http://www.co.mendocino.ca.us/planning).

Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services, at 501 Low Gap Road, Room 1440, Ukiah, California, 95482, no later than August 17, 2011. Oral comments may be presented to the Planning Commission during the public hearing.

The Planning Commission's action regarding the item shall constitute final action by the County unless appealed to the Board of Supervisors. If appealed, the Board of Supervisors action shall be final except that an approved project may be appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee within 10 calendar days of the Planning Commission's decision. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 463-4281, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

IGNACIO GONZALEZ, Director of Planning and Building Services



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
501 LOW GAP ROAD · ROOM 1440 · UKIAH · CALIFORNIA · 95482

IGNACIO GONZALEZ, DIRECTOR  
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www.co.mendocino.ca.us/planning

**July 28, 2011**

**TO: Fort Bragg Advocate News**  
**FROM: Adrienne Thompson, Commission Services Supervisor**  
**SUBJECT: Publication of Legal Notice.**

**Please publish the following notice one time on August 4, 2011 in the Legal Notices Section of the Fort Bragg Advocate News.**

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IGNACIO GONZALEZ, Director of Planning & Building Services