

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

W 15b



Filed:	January 5, 1996
49th Day:	February 23, 1996
180th Day:	July 3, 1996
Staff:	Jo Ginsberg
Staff Report:	January 19, 1996
Hearing Date:	February 7, 1996
Commission Action:	

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: **1-95-74**

APPLICANT: **LINDA LOCKEY RYAN AND MEL LOCKEY**

PROJECT LOCATION: 10940 Lansing Street, Town of Mendocino,
APN 119-070-19.

PROJECT DESCRIPTION: Reconstruct a three-unit Bed and Breakfast Inn
destroyed by fire.

Lot area: 40,400 sq.ft.

Building coverage: Existing: 1,200 sq.ft.
New Proposed: 2,672 sq.ft.

Plan designation: Rural Residential-1 *B (RR-1)*B

Ht abv fin grade: 25.25 feet

LOCAL APPROVALS RECEIVED: Mendocino County LCP Consistency Review;
Mendocino City Community Services District
(MCCSD) approval; Mendocino Historical Review
Board approval.

SUBSTANTIVE FILE DOCUMENTS: Mendocino Town Plan.

STAFF NOTE

STANDARD OF REVIEW: The Mendocino Town Plan and the Town Segment Implementation Program have been certified by the Commission. However, the Implementation Program certification has not yet become effective, and the Commission thus retains permit jurisdiction over the Town. Therefore, the

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standard of review for this permit application is the Coastal Act. However, in finding below that the permit application would not prejudice the preparation of an LCP consistent with Chapter 3 of the Coastal Act, the permit application was also reviewed for consistency with the LCP approved by the Commission but not yet effectively certified.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission approve the coastal development permit application for the proposed project on the basis that it is consistent with the policies of the Coastal Act.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions:

The Commission hereby approves the coastal development permit on the grounds that the development with the proposed development is consistent with the requirements of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of Mendocino County to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See attached.

III. Special Conditions: None.

IV. Findings and Declarations.

The Commission hereby finds and declares:

1. Project Description and History:

The applicants are seeking authorization for the reconstruction of a three-unit Bed and Breakfast Inn that was destroyed by fire in the developed portion of the Town of Mendocino. The applicants began operating a

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visitor-serving facility in 1983, prior to certification of the Mendocino Town Plan in 1985. The facility was established in compliance with County planning policies in effect at that time. However, the applicants did not obtain a coastal development permit from the Coastal Commission in 1983 to convert the existing residence to a visitor-serving facility. The inn is listed in the Mendocino Town Plan as having three allowable units.

The project site currently contains a garage/storage structure, gazebo, wood storage shed, and well. The original two-story inn structure was 2,430 square feet and 23'6" in height. The proposed replacement structure will be two stories, 2,672 square feet in size, and 25' 3" in height, which is an increase in square footage and height of approximately 10%.

The subject parcel, which is located west of Highway One within the Town of Mendocino on Lansing Street, is designated Rural Residential-1 *B, indicating that the site is for residential use and may have Bed and Breakfast facility. The site is mostly flat and contains no environmentally sensitive habitat areas.

2. New Development:

Section 30250(a) of the Coastal Act states that new development shall be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects on coastal resources.

The proposed project consists of reconstructing a three-unit Bed and Breakfast inn that was destroyed by fire. The replacement structure will contain the same number of units, and will be no more than 10% larger than the original structure in terms of square footage and height.

An existing well on the subject parcel will provide water for the inn, and sewer service will be provided by the Mendocino City Community Services District (MCCSD), as was the case for the original inn structure. The MCCSD has jurisdiction over the extraction of groundwater within district boundaries and has approved a Groundwater Extraction Permit for the site. The proposed project, therefore, is consistent with Coastal Act Section 30250(a), as the project is located within a developed area able to accommodate it, where adequate water and sewer services exist to support the project, and where there will be no adverse impacts to coastal resources. In addition, the replacement structure, which is not more than 10% larger than the original structure, will not require any additional services beyond those which supported the original structure.

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3. Visual Resources:

Coastal Act Section 30251 requires that the scenic and visual qualities of coastal areas shall be protected, and that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas and to be visually compatible with the character of the surrounding area.

The subject parcel is located west of Highway One in the Town of Mendocino, within the designated Historical Preservation District, wherein additional design review by the Mendocino Historical Review Board may be necessary. The proposed reconstruction of the inn has been approved by the Historical Review Board. The proposed inn will not block any coastal views and is not visible from the beach or other coastal areas.

The Commission finds that the proposed project is consistent with Coastal Act Section 30251, as there will be no adverse impacts on visual resources.

4. Parking:

Section 30252 of the Coastal Act states that the location and amount of new development should maintain and enhance public access to the coast by, among other things, providing adequate parking facilities or providing substitute means of serving the development with public transportation.

The proposed project will authorize reconstruction of an inn that was destroyed by fire but had been operating without a coastal permit. As part of the project, the applicant proposes six off-street parking spaces to serve the three visitor-serving units. As there will be more than ample parking for the three units, the Commission finds that the proposed project is consistent with Coastal Act Section 30252, as there is adequate parking to serve the development.

In addition, Policy 4.13-16 of the County's Land Use Plan requires the provision of off-street parking for new development, where feasible. The Town Zoning Code, which is not yet effectively certified, specifies that there shall be one parking space provided on-site for each overnight visitor accommodation unit. The Commission thus finds that the proposed development is consistent with Town Plan Policy 4.13-16 and with the Draft Zoning Code, as the proposed project is for three visitor-serving units and six off-street parking spaces will be provided.

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5. Mendocino Town Plan:

Although Mendocino County has a certified Local Coastal Program, the Town of Mendocino segment has only a certified LUP (Mendocino Town Plan). The Commission recently approved with Suggested Modifications the Town Zoning Code, but it has not yet been effectively certified. Since the Town's Zoning Ordinance has not yet been effectively certified, the Commission retains permit jurisdiction, and the standard of review that the Commission is applying in its consideration of the application is the Coastal Act. The Mendocino Town Plan policies are considered advisory and are not binding in this case.

As noted above, the subject parcel is located within the Town of Mendocino, and the land use classification in the Town Plan for the subject property is Rural Residential-1 *B (RR-1*B). The RR-1 designation requires a minimum new parcel size of 40,000 square feet. The subject parcel, which is approximately 40,400 square feet, is a legal, conforming lot.

Table 4.13-1 of the certified Mendocino Town Plan designates the subject property as having three allowable visitor-serving units. The proposed development is thus consistent with this designation.

Policy 4.13-22 of the Town Plan states that all new development shall be contingent upon proof of an adequate water supply during dry summer months which will accommodate the proposed development and will not deplete the groundwater table of contiguous or surrounding uses. Water will be provided by an existing well on the property. As noted above, the Mendocino City Community Services District (MCCSD) has jurisdiction over the extraction of groundwater within district boundaries, and has indicated that since the use of the site as an inn has been established, and no increase in water use is proposed, a Groundwater Extraction Permit has been approved. The Commission thus finds the proposed project to be consistent with Policy 4.13-22 of the Town Plan.

As noted above, Policy 4.13-16 requires the provision of off-street parking for new development, where feasible. There are six off-street parking spaces proposed on the site to serve the three visitor-serving units. The Commission therefore finds the proposed project to be consistent with Policy 4.13-16 of the Town Plan.

The Commission finds that the proposed project is consistent with the policies of the certified Mendocino Town Plan.

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6. CEQA:

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

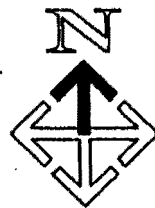
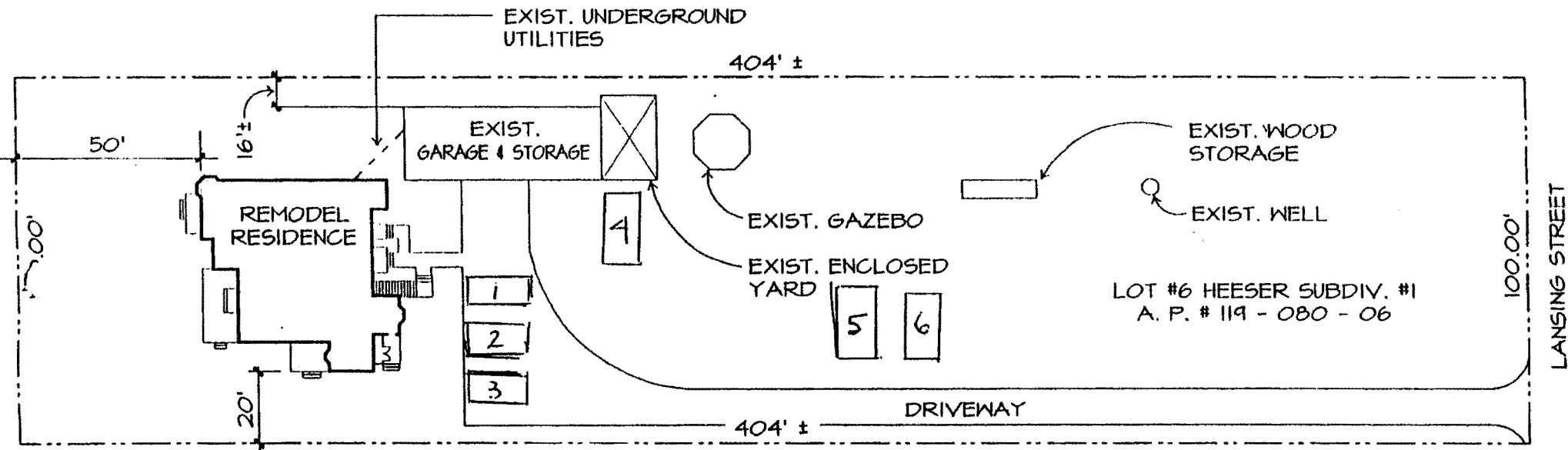
The project, as conditioned, does not have a significant adverse effect on the environment, within the meaning of CEQA, as it is located in an area able to accommodate it, and as there will be no significant adverse impacts on coastal resources.

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ATTACHMENT A

Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



SCALE: 1" = 40'

 *Parking Space*

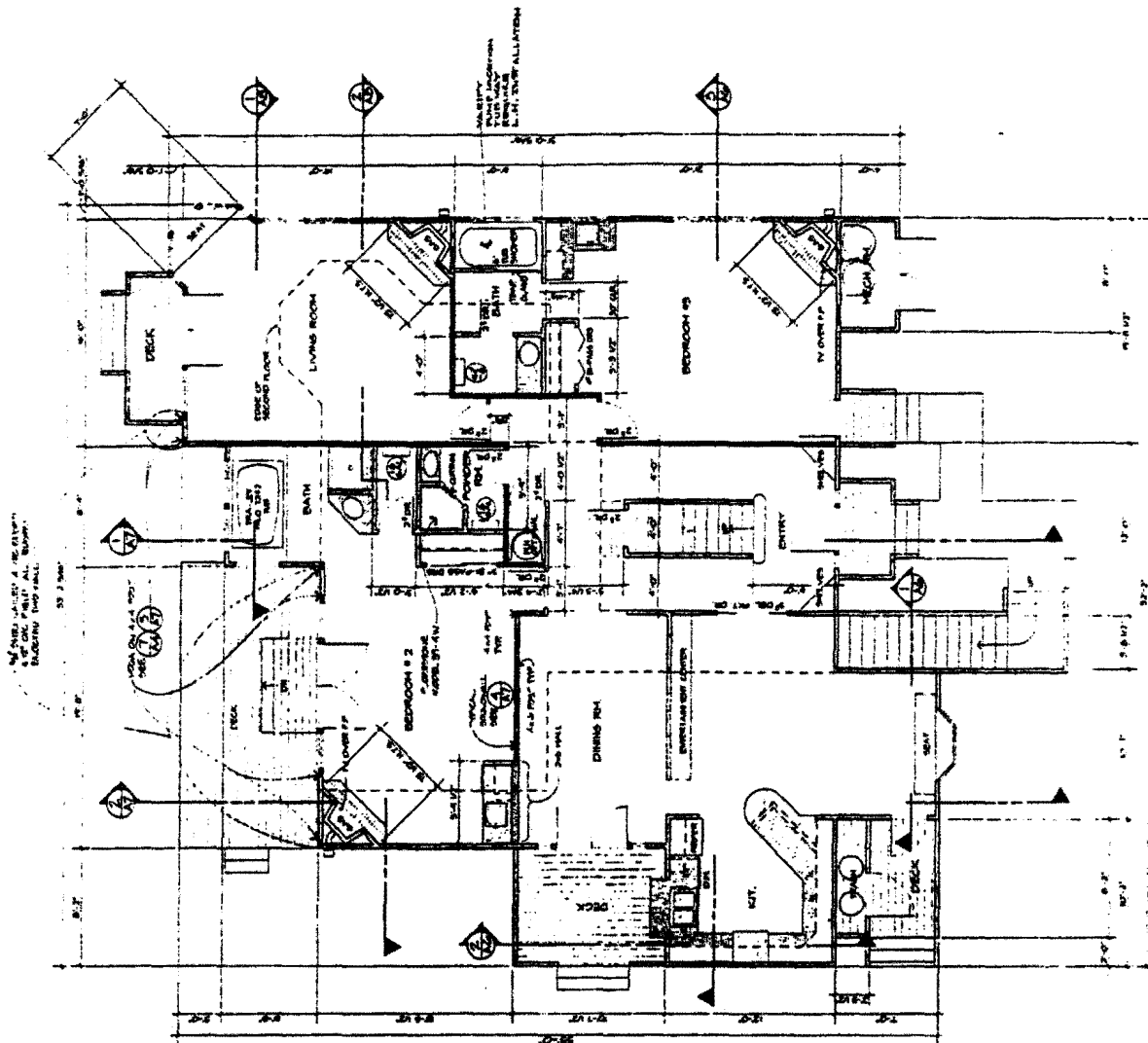
SITE PLAN

FOR
MEL & LINDA LOCKEY
10904 LANSING STREET
MENDOCINO CA

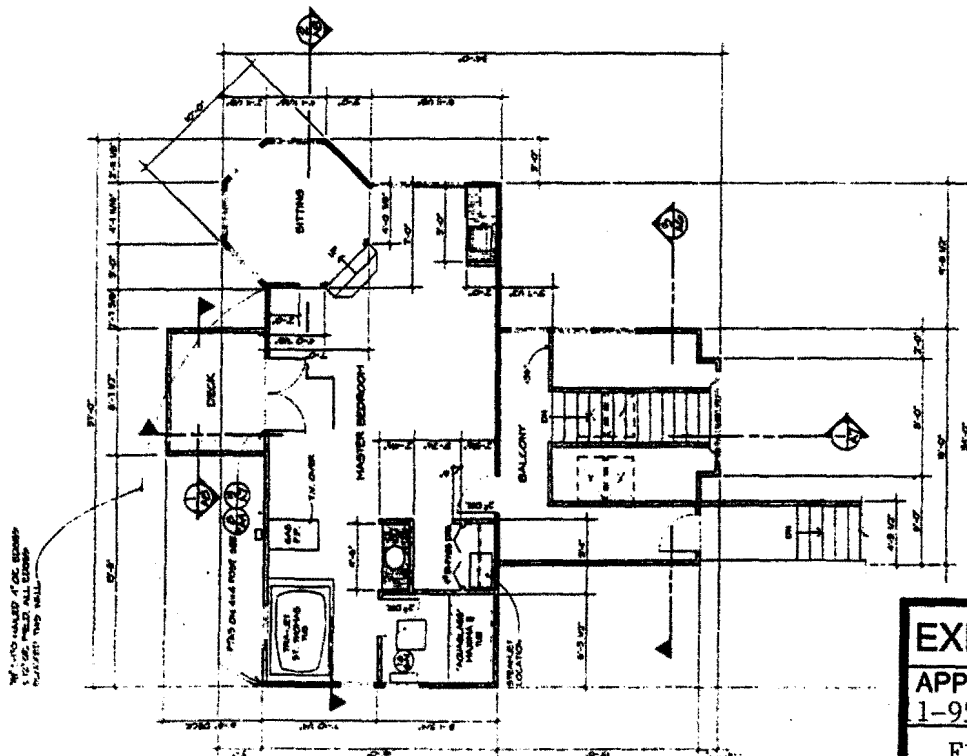
EXHIBIT NO. 2

APPLICATION NO.
1-95-74 (LOCKEY RYAN)

Site Plan



FIRST FLOOR PLAN
DATE: MAR 22 P. 24

[illegible]

SECOND FLOOR PLAN

1" NO. 10 WIRE 1" OC SPACING
12" OC FIELD ALL OTHERS
12" OC TOP AND BOTTOM

100

12

10

EXHIBIT NO. 3
APPLICATION NO. 1-95-74 (LOCKEY RYAN
Floor Plans

EXHIBIT NO. 4

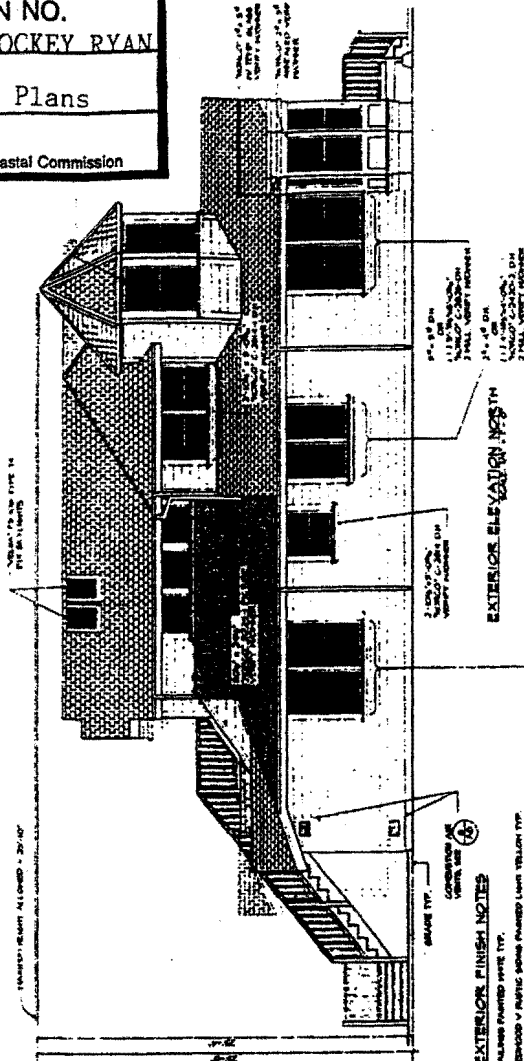
APPLICATION NO.
3-95-74 (LOCKEY RYAN)

Elevation Plans

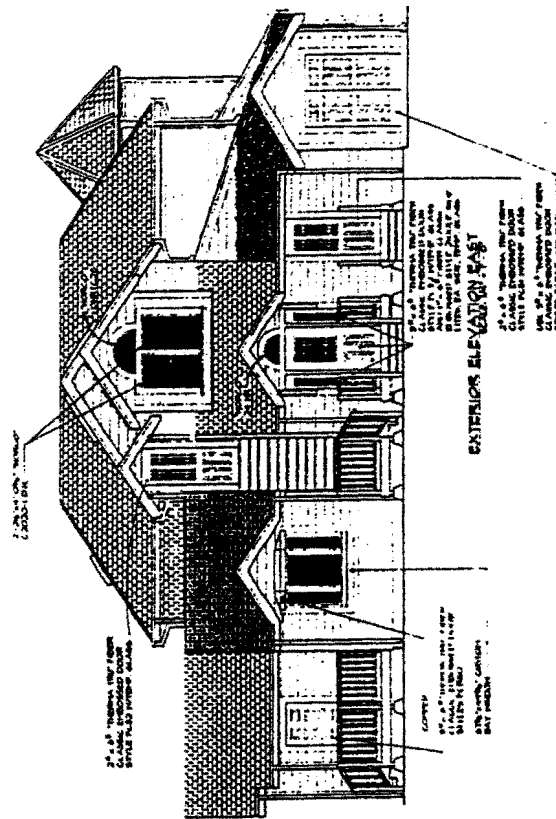
California Coastal Commission

EXTERIOR ELEVATIONS

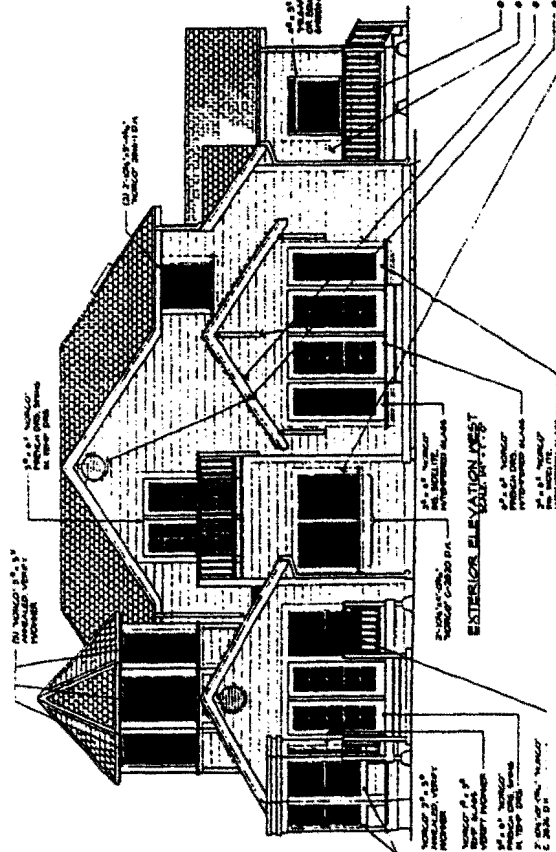
MEL & LINDA LOCKEY



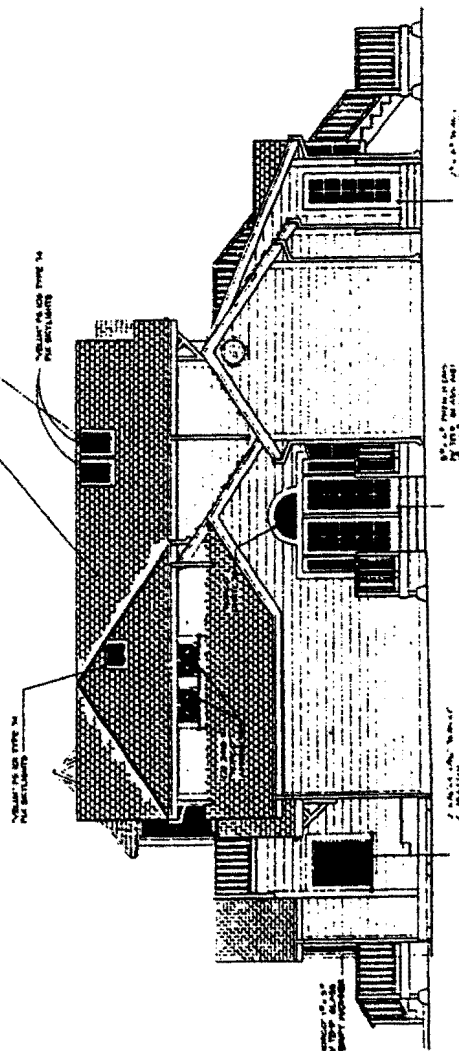
EXTERIOR ELEVATION NORTH



EXTERIOR ELEVATION EAST



EXTERIOR ELEVATION WEST



EXTERIOR ELEVATION SOUTH

EXTERIOR FINISH NOTES

- 1. EXTERIOR WALLS: STUCCO, WHITE.
- 2. EXTERIOR ROOF: ASPH/FLT SHINGLES.
- 3. EXTERIOR FLOORS: 2" X 6" T&G, WHITE.
- 4. EXTERIOR STAIRS: 2" X 6" T&G, WHITE.
- 5. EXTERIOR PORCHES: 2" X 6" T&G, WHITE.
- 6. EXTERIOR TRIM: 1" X 4" T&G, WHITE.
- 7. EXTERIOR DOORS: 6" X 8" T&G, WHITE.
- 8. EXTERIOR WINDOWS: 2" X 4" T&G, WHITE.
- 9. EXTERIOR SILLINGS: 1" X 4" T&G, WHITE.
- 10. EXTERIOR CASINGS: 1" X 4" T&G, WHITE.
- 11. EXTERIOR CORNICES: 1" X 4" T&G, WHITE.
- 12. EXTERIOR GUTTERS: 4" X 6" T&G, WHITE.
- 13. EXTERIOR DOWNSPUTS: 2" X 4" T&G, WHITE.
- 14. EXTERIOR LIGHTS: 6" X 6" T&G, WHITE.
- 15. EXTERIOR VENTS: 12" X 12" T&G, WHITE.
- 16. EXTERIOR RAILS: 2" X 4" T&G, WHITE.
- 17. EXTERIOR BALUSTERS: 1" X 4" T&G, WHITE.
- 18. EXTERIOR HANDRAILS: 2" X 4" T&G, WHITE.
- 19. EXTERIOR KICKERS: 1" X 4" T&G, WHITE.
- 20. EXTERIOR BASES: 1" X 4" T&G, WHITE.
- 21. EXTERIOR SLOTTED BRACKETS: 1" X 4" T&G, WHITE.
- 22. EXTERIOR SCREWS: 1" X 4" T&G, WHITE.
- 23. EXTERIOR NAILS: 1" X 4" T&G, WHITE.
- 24. EXTERIOR ADHESIVE: 1" X 4" T&G, WHITE.
- 25. EXTERIOR SEALANT: 1" X 4" T&G, WHITE.
- 26. EXTERIOR PAINT: WHITE.
- 27. EXTERIOR STAIN: WHITE.
- 28. EXTERIOR VARNISH: WHITE.
- 29. EXTERIOR GLAZE: WHITE.
- 30. EXTERIOR FINISH: WHITE.