



SUMMARY

OWNER/APPLICANT: CHESTER COLLINS
2304 RANCHERIA ROAD
REDWOOD VALLEY, CA 95470

REQUEST: Major Use Permit for the short-term rental (provision of room and board) of two guest rooms in an existing single-family dwelling accessed via a private drive.

LOCATION: 5.7± miles north of Redwood Valley town center, on a private easement east off the south branch of Rancheria Road (CR 237A), southwest of its (Rancheria Road's) intersection with West Road (CR 237), located at 2304 Rancheria Rd, Redwood Valley; APN 161-110-32.

GENERAL PLAN: Rural Residential

ZONING: Rural Residential, 5 Acre minimum; Floodplain

SUPERVISORIAL DISTRICT: 1 (McGourty)

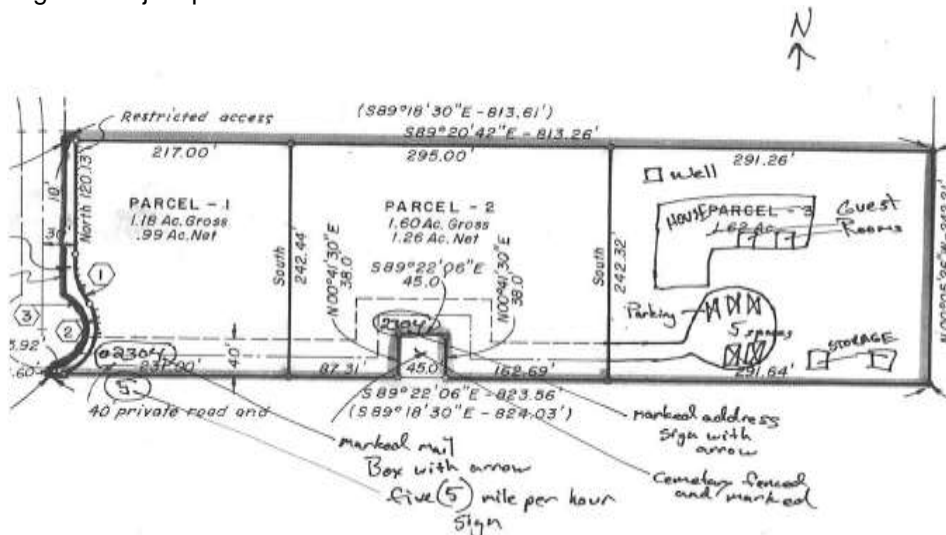
ENVIRONMENTAL DETERMINATION: Categorical Exemption

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: ROB FITZSIMMONS

BACKGROUND

PROJECT DESCRIPTION: Major Use Permit to allow for the short-term rental (provision of Room and Board) of two guest rooms in an existing single-family dwelling. The project site is accessed via a private easement which curves around a small, fenced cemetery and passes through two residential parcels before reaching the subject parcel.



Project Map provided by the applicant. The subject parcel is the easternmost parcel, accessed via the easement along the southern edge of the two neighboring parcels to the west. Note how the easement also curves around a small, fenced cemetery.

SITE CHARACTERISTICS: The heavily-vegetated subject parcel has no alternate access beyond the easement (See Fig. 1 of Attachment A) discussed above. In addition to the single-family dwelling (SFD – Fig. 3), the parcel is developed with two 120-square-foot structures (Fig. 4) that were evidentially previously used as unpermitted short-term rental units. These are identified as “storage” on the Project Map provided by the applicant (above), but there are currently Building Permit applications (BV_2022-0452 and BV_2022-0453) on file to legalize these as a “detached bathroom” and “yoga studio/workshop”, respectively. Per Environmental Health, these structures have an unpermitted septic pump connected to them, and the current septic system onsite is not large enough to accommodate these structures and the SFD. The ramifications of this are discussed in the Use Permit Findings section, below.

The access easement connects the subject parcel to Rancheria Road, running along the southern edge of two other residential parcels and winding around a small cemetery before terminating at a wooden fence, with a sign reading “Welcome to the Magic Ranch” (Fig. 2). Current signage along the road is limited to an address sign on the mailbox at the start of the road and two other signs, with just the address and an arrow, near the cemetery fence (Fig. 5-7). This results in a somewhat ambiguous access path, an issue PBS Staff experienced themselves on the 6/5/2023 Site Visit.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR1)	Rural Residential (RR5)	4.5± Acres	Residential
EAST	Rural Residential (RR5)	Rural Residential (RR5)	1.5± Acres	Residential
SOUTH	Rural Residential (RR1)	Rural Residential: Floodplain (RR1:FP)	3.7± Acres	Agricultural
WEST	Rural Residential (RR1)	Rural Residential (RR5)	1.25± Acres; 1.7± Acres	Residential

PUBLIC SERVICES:

ACCESS: Private easement off Rancheria Road
 FIRE DISTRICT: Redwood Valley/Calpella Fire Protection District
 WATER DISTRICT: Redwood Valley Water District
 SEWER DISTRICT: None (septic)
 SCHOOL DISTRICT: Ukiah Unified School District

AGENCY COMMENTS: On June 6, 2023, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Any comment that would trigger a project modification or denial are discussed in full in the following section.

REFERRAL AGENCIES	COMMENT
Mendocino County Department of Transportation	No Comment
Environmental Health	Comment
Building Services-Ukiah	No Comment
Assessor’s Office	No Response
Air Quality Management District	No Response
Archaeological Commission	No Comment
Redwood Valley/Calpella FPD	No Comment
Redwood Valley MAC	No Response
Redwood Valley Water District	No Response

NWIC CHRIS	Comment
California Dept. of Fish & Wildlife	No Comment
Sherwood Valley Band of Pomo	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response

The Northwest Information Center of the California Historical Resources Information System (NWIC CHRIS) commented, stating that as no ground disturbance is planned or foreseen, further study for archaeological resources is not recommended at this time. They also stated that “(s)ince the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Mendocino County conduct a formal CEQA evaluation.” However, no structural changes are proposed, so Staff did not feel it was necessary to implement this recommendation as a Condition of Approval.

KEY ISSUES

1. General Plan and Zoning Consistency:

The project proposes the renting of two rooms for occupancy by transient guests for compensation or profit (“Room and Board”), on a parcel within the General Plan Land Use Category of Rural Residential, as defined by the Development Element of the Mendocino County General Plan. The Rural Residential General Plan Land Use classification is intended,

“...to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area, and residences should be located to create minimal impact on agricultural viability

General Uses: Residential uses, agricultural uses, cottage industries, residential clustering, public facilities, public services, conservation and development of natural resources, utility installations.”

The primary use of the subject parcel is a single-family residence, and the rented rooms are entirely contained within this structure. General Plan Policy DE-28 also allows for accessory uses, but defers the particulars to “development codes”, i.e. the Zoning Code. The relation between principal and accessory uses and the criteria for regulating accessory uses is established in MCC Chapter 20.164.

MCC 20.164.015: *Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where residential and agricultural use types are permitted: ... (L) Room and Board. The renting of not more than two (2) rooms for occupancy by transient guests for compensation or profit, provided the parcel has frontage on a publicly maintained road. A Major Use Permit is required if the parcel does not have frontage on a publicly maintained road.*

The proposed project is located within the Rural Residential (R-R) Zoning District, as defined by Mendocino County Code (MCC) Chapter 20.048, which allows for residential and agricultural uses. *Room and Board* is an accessory use, meaning it must be incidental or subordinate to the principal use (MCC 20.008.020(D)), and may be permitted in zones where residential and agricultural use types are permitted. The subject parcel does not have frontage on a publicly maintained road and is instead accessed via a private easement, which triggers the requirement of a Major Use Permit per MCC 20.164.015(L), hence the application for U_2023-0007. Note that despite the name, *Room and Board* as defined by the Mendocino County Code does not actually require the provision of food (i.e. board). As a hosted rental, the primary use of the property will remain single-family residential, with the short-term rental subordinate and incidental to this use.

2. Use Permit Findings:

The Mendocino County Code requires certain findings be made before any Use Permit may be granted.

Below is a discussion of each finding and how this use permit meets the requirements.

MCC 20.196.020(A) *That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan;*

For the proposed use to remain consistent with General Plan, it must remain accessory to the primary use of the parcel, Single Family Residential. In order to ensure this remains the case, Staff recommends **Condition 10**, requiring that the owner-operator must continue to reside onsite, or else the requested short-term Room and Board rental shall be capped at 180 days per year.

MCC 20.196.020(B) *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;*

On 6/6/2023, requests for comment were sent to both the Mendocino County Department of Transportation and the Department of Public Health's Environmental Health Division. The former declined to comment, but the latter clarified that the onsite septic system has had unpermitted connections and is not adequate to serve all existing development on the parcel. **Condition 4** is recommended, stipulating that prior to receiving a Business License to rent the rooms, the applicant must receive approval from the Division of Environmental Health. This can be accomplished either by expanding the septic system or by disconnecting them from the septic system and removing the structures' plumbing.

The easement road providing access to the parcel appears well-established and adequate for the proposed use, though additional signage is required (see below). The subject property is served by Pacific Gas & Electric and is otherwise provided with water sufficient to support the operations via potable water well(s).

MCC 20.196.020(C) *That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary of the public health, safety or general welfare, the finding shall be to that effect;*

The easement providing access to the parcel lacks clear delineations for where it crosses parcel boundaries, meaning guests can easily get confused and pull up to the neighboring property. Although there is some limited signage with the subject parcel's address, it can be hard to spot and, given the road's curvature, hard to follow. The most direct solution to this would be requiring clearer signage for the rental, but MCC Chapter 20.184 places strict limitations on commercial signage in residential areas. It does, however, allow for the following exemption:

MCC 20.184.025(A)(13) *Directional Signs. In areas where street identification or house numbering systems do not exist or are inadequate to a degree as to make finding particular residences unduly difficult, signs intended solely to provide directional information to a particular residence are permitted. Not more than three (3) single-faced or double-faced signs having an area not greater than two (2) square feet each face may be permitted pertaining to any one (1) property or residence. Such signs shall be limited to the name of the owner or resident and directional information to the property or residence thereof.*

Staff feel that adequate signage can be erected within the bounds of these limitations. Staff recommends that, prior to receiving a Business License for the proposed use, the property owner furnish a signage plan for the review and approval of planning staff that ensures adequate signage for the property to prevent nuisance to adjacent landowners. As applicable, signage should also be consistent with SRA Fire Safe Regulations ("4290 Standards"). This is included in the recommended Conditions of Approval, as **Condition 8**. This may necessitate one or both of the signs near the cemetery (Fig. 6 and 7 of Attachment A) being replaced by one with more explicit directions to prevent lost visitors from presenting a nuisance to neighboring tenants or property owners. Per **Condition 9**, this permit shall be subject to revocation or modification should operation be conducted in such a way as to be a nuisance.

In order to limit the effects of the proposed use on neighbors, Staff recommends the following additional

conditions:

Condition 12, limiting check-in/check-out times to 9AM-10PM.

Condition 13, establishing quiet hours from 10PM-10AM.

Condition 14, limiting visitor parking to the subject parcel.

With the implementation of these conditions, Staff feel the proposed use will not pose a nuisance onto neighboring properties.

MCC 20.196.020(D) *That such use preserves the integrity of the zoning district.*

Allowing the renting of two rooms for transient occupancy within the existing primary residence will not supersede the primarily residential use of the parcel, and so would not pose a hazard to the integrity of the Rural Residential zoning district.

Environmental Determination: The project is Categorically Exempt from the provisions of CEQA, pursuant to Section 15301, Class 1 of Article 19 of the California Environmental Quality Act Guidelines (14 CCR § 15301) – Existing Facilities. The key consideration in determining the applicability of a Class 1 exemption is whether the project involves negligible or no expansion of use. In restricting the room-for-rent count to two, the increase in intensity of use will not be out of step with other residential uses in the area, and can be considered a negligible expansion.

RECOMMENDATION

By resolution, the Planning Commission find the Project to be Categorically Exempt from CEQA and grant Major Use Permit U_2023-0007 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

October 23, 2023

DATE

Rob Fitzsimmons

ROB FITZSIMMONS
PLANNER II

Appeal Period: 10 Days

Appeal Fee: \$2674.00

ATTACHMENTS:

- A. Photos from 6/5/2023 Site Visit
- B. Site Plan
- C. Location Map
- D. Adjacent Map
- E. Aerial Map
- F. Zoning Map
- G. General Plan/LCP Map
- H. Fire Hazards Map

AMENDED RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):