



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

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## MEMORANDUM

DATE: NOVEMBER 27, 2018  
TO: PLANNING COMMISSION  
FROM: BILL KINSER, SENIOR PLANNER  
RE: IMPLICATIONS OF COMMERCIAL PD CLASSIFICATION

One part of the GP\_2006-0008/R\_2006-0012 application requests that a portion of APNs 131-110-04 and 131-110-36 in the Northwest Area (see attached Figure 1) be changed to a Commercial zoning and land use designation with a Planned Unit Development combining district (C:PD). The Staff Report discusses the implications of the Commercial land use and zoning classifications but does not discuss the Planned Unit Development (PD) combining district.

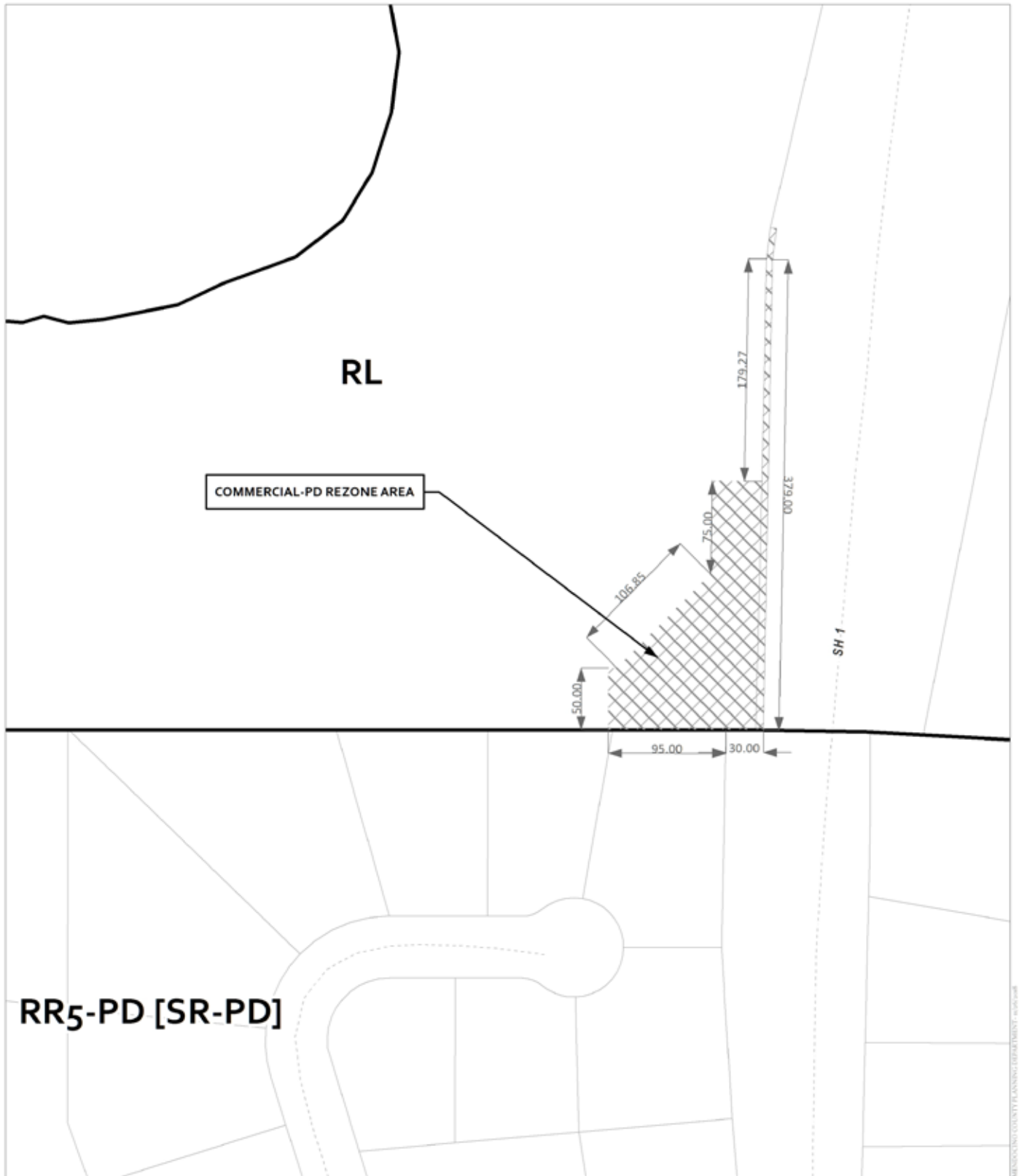
The Planned Unit Development combining district is intended to be used as a combining Land Use Classification with SR, RR-1 (40,000 sq. ft.), RR-2, RR-5, RR-10, Industrial, **Commercial**, and in Agriculture where applicable and consistent with other policies of this plan. In the case of GP\_2006-0008/R\_2006-0012, the intent is to combine the land use with a Commercial classification (Attachment 1).

The Coastal Element provides that Planned Unit Development is intended to require a site plan for new development so that a parcel will be reviewed to ensure maximum:

- 1) preservation of open space,
- 2) protection of views from public roads,
- 3) pygmy vegetation areas where the entire parcel is pygmy soil types, and
- 4) resource protection.

Chapter 20.428 of the MCCZC provides the intent and regulations for the Planned Unit Development Combining District (Attachment 2). The zoning regulations for PD Combining Districts establish that a use permit is required for all development other than a single-family residence, that the development plan submitted with the use permit incorporates all contiguous land under one ownership within the PD Combining District and that no permits will be issued except in accordance with an approved development plan. The regulations allow for a variety of ownership forms, including condominium ownership. The regulations allow for clustering, screening and for development to be located only in specific portions of the PD. The development plan for a PD Combining District may consider location of structures, circulation pattern, parking, provision of utilities, preservation of open space and public views, resource protection, ownership type, as well as operation and maintenance, and improvements. Within the PD Combining District the site development regulations of the base zone (Commercial) apply unless specifically modified by the coastal development use permit. The Principal Permitted Uses and Conditional Uses are the same as the classification with which it is being combined, in this instance, Commercial. Attachment 3 lists the Principal Permitted and Conditional Uses in the Commercial District, as well as other regulations.

Due to the limited developable area on the site and the coastal development regulations that already apply to sensitive coastal resources, the C:PD classification does little to change the type or character of development that would be allowed with just the Commercial classification. Planning could still not support the requested change with the C: PD classification. The requested change, whether to Commercial or to Commercial PD, is inconsistent with and does not conform to MCCE, Coastal Act or Planning Principles of the MCGP. An expansion of the Urban/Rural Boundary is not warranted at this time based on the rate of development in Irish Beach. Further, whether the change is to Commercial or Commercial PD, the types of commercial uses are not limited. While the Applicant has stated that the need for Commercial is for a real estate rental/sales office, there is nothing to prevent another type of commercial use from developing on the site in the future (e.g., Retail Sales, Food and Beverage Retail Sales, Automotive and Equipment Repairs, etc.) Finally, Staff is not convinced that the only viable location for the real estate office is outside the existing Urban/Rural Boundary of Irish Beach.



MISSOURI COUNTY PLANNING DEPARTMENT - 11/14/2008

CASE: GP 2006-0008 / R 2006-0012  
 OWNER: MOORES, William & Tona  
 APN: 131-110-04, et al.  
 APLCT: William Moores  
 AGENT: 14400 S. Hwy. 1, MA  
 ADDRESS:

 Zoning Districts  
 Public Roads

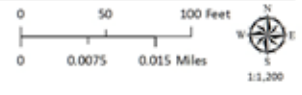


FIGURE 01

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.**  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT 1

**2.2 DESCRIPTION OF LAND USE PLAN MAP DESIGNATIONS**

**LAND USE CLASSIFICATIONS (CONTINUED)**

**COMMERCIAL - COASTAL**

**Map Code: C**

**Intent:** To provide suitable locations within or contiguous to developed areas for commercial development appropriately located in and compatible with unincorporated and rural communities. Housing should be encouraged as a conditional use to encourage retention and construction of affordable housing.

**Principal Permitted Use:** Retail stores, services, and offices.

**Conditional Uses:** Commercial tourist attractions and amusements; public and semi-public facilities and utilities; electrical transmission and distribution lines (see Policy 3.11-9); natural gas pipeline (see Policy 3.11-5); visitor accommodations; residential dwellings.

**Minimum Parcel Size:**

Within water and sewer service areas: 6,000 square feet

Within water or sewer service areas: 12,000 square feet

Not in a water or sewer service area: 40,000 square feet

**Maximum Dwelling Density:**

Within water and sewer service areas

1 single family dwelling per 6,000 square feet

1 multiple family dwelling unit per 1,500 square feet

Within water or sewer service areas

1 single family dwelling per 12,000 square feet

1 multiple family dwelling unit per 12,000 square feet

Not in a water or sewer service area

-MENDOCINO COUNTY COASTAL ELEMENT-

1 single family dwelling per 40,000 square feet

0 multiple family dwelling units

## ATTACHMENT 2

### CHAPTER 20.428 - PD—PLANNED UNIT DEVELOPMENT COMBINING DISTRICT

#### Sec. 20.428.005 - Intent.

The Planned Unit Development Combining District (PD) is intended to require sensitive development of selected sites where standard residential and commercial and industrial design would be inappropriate to the unique or highly visible nature of the site, and to encourage imaginative development incorporating cluster development and the maximization and preservation of open space and views from public roads. Development on parcels entirely within areas of pygmy vegetation shall be reviewed for mitigation measures to prevent impacts to this resource consistent with all applicable policies of the land use plan and development standards of this Division.

(Ord. No. 3785 (part), adopted 1991)

#### Sec. 20.428.010 - Regulations for PD Combining Districts.

(A) Use Permit Requirements for PD Combining District. A use permit shall be required for all development, other than a single-family residence and accessory uses listed in Chapter 20.456, within a PD Combining District. A development plan submitted with the use permit application shall incorporate all contiguous land under one (1) ownership within a PD Combining District. No permit shall be issued except in accord with an approved development plan. A development plan may authorize phased development within a PD Combining District.

(B) Design Criteria. A development plan may provide for dwelling units on individual lots, for joint ownership of open space parcels, for condominium ownership, or for rental units. Dwelling units will be reviewed to ensure maximum preservation of open space, protection of views from public roads, pygmy vegetation areas where the entire parcel is pygmy soil types and resource protection. Dwelling units may be required to be clustered, screened, or located only in specific portions of the PD Combining District to accomplish the purposes of this Chapter.

(C) Development Plan. The development plan shall encompass such elements as the location of structures, the circulation pattern, parking facilities, provision of utilities, maximum preservation of open space, protection of public views and pygmy soils, location of pygmy type vegetation, preservation of wooded areas, resource protection, and ownership type, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property. All sensitive resource areas and areas designated as environmentally sensitive habitat areas will be required to comply with the applicable provisions of Chapters 20.488, 20.492, 20.496, and 20.500.

(Ord. No. 3785 (part), adopted 1991)

#### Sec. 20.428.015 - Additional Regulations for PD Combining Districts.

Within the PD Combining District, site development regulations of the base zone shall apply except where specifically modified pursuant to a coastal development permit. The following modifications of site development regulations may be allowed:

(A) In Residential Zoning Districts the minimum lot area may be reduced, provided the maximum number of dwelling units within the planned development shall not exceed the number of units attainable under the base zone regulations.

(B) The minimum lot width and depth for any lot within the planned development may be reduced.

(C) The minimum setbacks for any lot within the planned development may be reduced, provided the minimum setbacks for the base zoning district shall be maintained at the perimeter of the planned development site.

(Ord. No. 3785 (part), adopted 1991)

**CHAPTER 20.396 - C—COMMERCIAL DISTRICT**

**Sec. 20.396.005 - Intent.**

The intent of this district is to provide suitable locations within or contiguous to developed areas for commercial development appropriately located in and compatible with unincorporated and rural communities. Housing should be encouraged as a conditional use to encourage retention and construction of affordable housing.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.010 - Principal Permitted Uses for C Districts.**

The following use types are permitted in a C District:

(A) Coastal Commercial Use Types.

Administrative and Business Offices;

Agricultural Sales and Services;

Animal Sales and Services: Household Pets;

Animal Sales and Services: Veterinary (Small Animals);

Automotive and Equipment: Repairs, Light;

Building Maintenance Services;

Business Equipment Sales and Services;

Communications Services;

Eating and Drinking Establishments;

Financial Services;

Food and Beverage Preparation: Without Consumption;

Food and Beverage Retail Sales;

Funeral and Interment Services;

Laundry Services;

Mail Order Businesses;

Medical Services;

Neighborhood Commercial Services;

Personal Services;

Repair Services: Consumer;

Retail Sales: General.

(B) Coastal Industrial Use Types.

Custom Manufacturing: Light Industrial.

(C) Coastal Open Space Use Types.

Passive Recreation.

(Ord. No. 3785 (part), adopted 1991; Ord. No. 4149 (part), adopted 2005)

**Sec. 20.396.015 - Conditional Uses for C Districts.**

The following use types are permitted in the C District with a coastal development use permit:

(A) Coastal Residential Use Types.

Family Residential: Single-family;

Family Residential: Two-family;

Family Residential: Multifamily;

Family Residential: Boardinghouse.

(B) Coastal Civic Use Types.

Administrative Services: Government;

Alternative Energy Facilities: On-site;

Ambulance Services;

Clinic Services;

Community Recreation;

Cultural Exhibits and Library Services;

Day Care Facilities/Small Schools;

Fire and Police Protection Services;

Lodge, Fraternal and Civic Assembly;

Major Impact Services and Utilities;

Minor Impact Utilities;

Religious Assembly.

(C) Coastal Commercial Use Types.

Automotive and Equipment: Cleaning;

Automotive and Equipment: Fleet Storage;

Automotive and Equipment: Gasoline Sales;

Automotive and Equipment: Repairs, Heavy;

Automotive and Equipment: Sales/Rentals;

Commercial Recreation: Indoor Entertainment;

Commercial Recreation: Indoor Sports and Recreation;

Commercial Recreation: Outdoor Sports and Recreation;

Construction Sales and Services;

Recycling Centers;

Wholesaling, Storage and Distribution: Miniwarehouses;

Wholesaling, Storage and Distribution: Light.

(D) Visitor Accommodations and Services Use Types.

Bed and Breakfast Accommodation;

Hostel;

Hotel;

Inn;

Motel;

Visitor-oriented Eating and Drinking Establishments;

Visitor-oriented Retail Sales.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.017 - Maximum Visitor Accommodations and Services Density for C Districts.**

Density of visitor accommodation units shall not exceed twenty (20) units per acre or one (1) unit per two thousand (2,000) square feet of lot area, not to exceed fifty (50) units.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.020 - Minimum Lot Area for C Districts.**

(A) Within water and sewer service areas: Six thousand (6,000) square feet.

(B) Within water or sewer service areas: Twelve thousand (12,000) square feet.

(C) Not in a water or sewer service area: Forty thousand (40,000) square feet.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.025 - Maximum Dwelling Density for C Districts.**

(A) Within water and sewer service areas:

(1) One (1) single-family dwelling per six thousand (6,000) square feet.

(2) One (1) multiple-family dwelling unit per one thousand five hundred (1,500) square feet.

(B) Within water or sewer service areas:

(1) One (1) single-family dwelling per twelve thousand (12,000) square feet.

(2) One (1) multiple-family dwelling unit per twelve thousand (12,000) square feet.

(C) Not in a water or sewer service area:

(1) One (1) single-family dwelling per forty thousand (40,000) square feet.

(2) Zero (0) multiple-family dwelling units.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.030 - Minimum Front, Rear and Side Yards for C Districts.**



None required except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side yard of five (5) feet and a minimum rear yard of twenty (20) feet and buffered from adjoining uses by fencing or plant screening or other appropriate mitigating devices.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.035 - Building Height Limit for C Districts.**

Thirty-five (35) feet.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.040 - Maximum Lot Coverage for C Districts.**

Fifty (50) percent.

(Ord. No. 3785 (part), adopted 1991)

**Sec. 20.396.045 - Special Development Regulations.**

Development in Westport, Caspar, Little River, Albion, Elk, Manchester, Anchor Bay and Gualala shall be subject to the development criteria in Section 20.504.020.

(Ord. No. 3785 (part), adopted 1991)