



MEMORANDUM

DATE: MARCH 19, 2019
TO: HONORABLE BOARD OF SUPERVISORS
FROM: JULIA ACKER KROG, CHIEF PLANNER
SUBJECT: GP_2006-0008/R_2006-0012 (MOORES)

The applicant proposes Amendment to the Coastal Land Use Map and Coastal and Inland Zoning Maps for the following General Plan Classifications and Zoning Districts:

Coastal Zone General Plan Amend from: RL160 *2C to RR5:PD [RR1:PD] and C:PD; RR5:PD [RR1:PD] to RR5:PD [RR2:PD]; RL160 to RL160*2C/FL160; and change to the Urban/Rural Boundary.

Coastal Rezone from: RL160:FP*2C to RR5:PD:FP [RR1:PD:FP] and C:PD; RR5:PD [RR1:PD] to RR5:PD [RR2:PD]; FL160 to TP160; RL160 to TP160; RL160 to RL160:*2C/TP.

Inland Rezone from: RL160 to TP160.

On November 27, 2018, the Planning Commission recommended that the Board of Supervisors deny GP_2006-0012, Deny portions of R_2006-0012, and approve the Timberland Production zoning request portions of R_2006-0012. See the attached Resolution, Ordinances, Staff Memo, revised Planning Commission Resolution, Planning Commission Packet and Draft Minutes.

KEY ISSUES

General Plan and Zoning Consistency: The project entails General Plan and Zoning map changes on 18 separate parcels clustered into four distinct areas in and around Irish Beach. The four areas are: Northwest Area, Irish Beach Subdivision Area, Southeast Area and Northeast Area. The key issue is whether the requested changes in the land use classification and/or zoning district are consistent with and conform to the Coastal Element of the General Plan (MCCE), the Mendocino County Coastal Zoning Code (Division II of Title 20), the Coastal Act, the Mendocino County General Plan and/or the Mendocino County Inland Zoning Code (Division I of Title 20). For the Northwest Area and the Southeast Area the requested change includes expansion of the Irish Beach Urban/Rural Boundary. For the Northwest Area the request includes a Commercial Planned Development (C:PD) on a portion of the property, higher density residential development and removal of the *2C Inn designation. For the Southeast Area, the request includes the designation of a portion of the area for the *2C Inn designation. For the Irish Beach Subdivision Area, the request is for reduced residential density within the Urban/Rural Boundary. For the Northeast Area and a portion of the Southeast Area, the request is for a zoning district change to Timberland Production (TP). The Planning Commission recommended approval of the requested rezoning to Timberland Production in the Northeast Area and Southeast Area but denial of all other parts of the project request. The Timberland Production zoning request portions of R_2006-0012 are not dependent upon the requested General Plan amendments.

CEQA Determination: Pursuant to the California Code of Regulations Section 15265 (Adoption of Coastal Plans and Programs) the burden of CEQA compliance is shifted from the local agency to the California

Coastal Commission and no CEQA documentation is required by the County at this stage of permitting. Pursuant to Section 15264 (Timberland Preserves) local agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones under Government Code Sections 51000 *et seq.*, and pursuant to Public Resources Code section 21080(b)(5), the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*; "CEQA") does not apply to projects which a public agency rejects or disapproves.

RECOMMENDATION

Adopt a Resolution denying the General Plan Amendment, adopt an Ordinance for the partial approval of the rezoning request for the Coastal Zone portions, adopt an Ordinance for partial approval of the rezoning request for the Inland portions, and adopt a Resolution authorizing submittal of a Local Coastal Program Amendment application to the California Coastal Commission; for the site located at multiple addresses in the Irish Beach Area (APNs: 131-110-04, 07, 16, 17, and 36, 132-210-37, 38, 39, 40, and 41, and 132-320-06, 07, 24, 26, 27, 42, 43, & 45).

Please see the agenda summary for staff's recommended motion.

ATTACHMENTS:

1. Planning Commission
Resolution PC_2018-0039
2. Revised Memo and Planning
Commission Packet from
November 27, 2018
3. Draft Planning Commission
Minutes from November 27,
2018