

Chapter 20.147 – Community Character Combining District

Sec. 20.147.010 Intent

This district is intended to establish special requirements and regulation to retain and enhance the special features of community areas and commercial places within Mendocino County by:

- (A) Enhancing the visual attractiveness of commercial structures by restricting standardized features that would detract from the distinctive character of the community areas and commercial places in the County.
- (B) Protecting diverse commercial activities of each community area and commercial places by encouraging a variety of commercial land uses that serve the needs of the community.
- (C) Preserve and enhance the established historic character of each of the communities, including the retention and restoration of historic buildings and sites.
- (D) Establish places and facilities that create a sense of community, and encourage building designs that reflect and incorporate historic character of each community.
- (E) Encourage locally owned businesses, and support the creation of economic opportunity, places and facilities that support a sense of community, as well as promoting economic infill opportunities that support infill development and improve the aesthetic character of each of core downtown community areas the communities' downtown cores.

Sec. 20.147.020 Applicability

The CC Combining District may be applied over C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts in the unincorporated areas of the County including but not limited to the following Community Areas or Commercial Places:

- Anderson Valley
 - Boonville
 - Navarro
 - Philo
- Covelo
- Fort Bragg
 - Cleone
- Hopland
- Laytonville
- Potter Valley
- Redwood Valley
- Willits
 - Brooktrails
 - Ridgewood
- Calpella
- Ukiah
 - Lake Mendocino Dr
 - South Ukiah
- Talmage
- Other Commercial Places
 - Bell Springs
 - Comptche

Sec. 20.147.030 Requirement

- (A) The establishment of a new Formula Business on a vacant lot or within a substantially reconstructed structure located within a Community Area or Commercial Place, as defined in this Chapter, is subject to the approval of a Minor Use Permit, pursuant to Mendocino County Zoning Code – Division I, Chapter 20.196, Use Permits.

- (B) All Formula Business establishments are subject to the following requirements unless it is superseded by a more restrictive requirement of the applicable base zoning district.
- a) Site Improvements: Site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements shall be designed to integrate with adjoining properties and provide a desirable environment for existing development in the area.
 - b) Architectural Design. The character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and ~~signing and~~ similar elements have been incorporated in order to ensure the compatibility of the development with its design concept and the character of adjacent buildings and properties.
 - c) Signing shall be established in conformance with Mendocino County Code – Division I, Chapter 20.184 Sign Regulations, with the exception that the following signs are not permitted: (1) cabinet signs; (2) signs that extend beyond roof lines; and (3) the use of free-standing (pole) signs. All signs shall be designed to be architecturally compatible with the architecture and design of buildings/structures on-site, and shall incorporate similar and compatible building materials and colors as utilized in by the buildings/structures on to which they are said signs shall be affixed.
 - d) Landscape Design. Including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public.

Sec. 20.147.025 Exceptions

The provisions of the Community Character Combining District shall not apply to Formula Business in the following instances.

- (A) When an active building permit for a new Formula Business on a vacant lot or within a substantially reconstructed structure is deemed complete prior to September 22, 2015.
- (B) When building and site improvements associated with an existing Formula Business are necessary to comply with fire safety or Americans with Disabilities Act ("ADA") requirements.

Sec. 20.147.015 Definitions

As used in this Chapter, and as used in this Chapter only, the following definitions shall apply unless the context otherwise requires:

- (A) Community Area. "Community Area" includes communities located in unincorporated Mendocino County that are listed and described by Chapter 6, Community-Specific Policies, of the General Plan.
- (B) Commercial Places. "Commercial Places" includes lands designated C-1 (Limited Commercial) or C-2 (General Commercial) that are not located within a Community Area.
- (C) Formula Business. "Formula Business" means any of the following type of commercial use types, as defined by Mendocino County Zoning Code – Division 1, Chapter 20.024, regardless of location or ownership, which along with 10 (ten) or more other establishments maintains two or more Standardized Features.

- 1) Eating and Drinking Establishments (Section 20.024.065)
 - 2) Food and Beverage Retail Sales (Section 20.024.075)
 - 3) Food and Beverage Preparation – Without Consumption (Section 20.024.080)
 - 4) Retail Sales, General (Section 20.024.120)
- (D) Improvement. The term “Improvement,” as used in this article, shall be interpreted and shall include the construction, alteration, and repair of all buildings, structures, and facilities permanently affixed to real property, and appurtenances thereto.
- (E) Person. “Person” means any individual firm, co-partnership, corporation, company, association, joint association, or body politic and includes any trustee, receiver, assignee, or other similar representative thereof.
- (F) Standardized Features. “Standardized Features” include the following:
- 1) Business Name. A trademark name including words, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods from one party from those of others.
 - 2) Color Scheme. A selection of colors used throughout, such as on the furnishings, permanent fixtures, and wall coverings, or as used on the façade.
 - 3) Décor. The style of interior furnishings, which may include but is not limited to, style of furniture, wall coverings or permanent fixtures.
 - 4) Façade. The face or front of a building, including awnings, looking onto a street or an open space.
 - 5) Standardized array of merchandise. An inventory of merchandise of which 50% or more is provided by a single distributor bearing uniform markings.
 - 6) Standardized array of services. A substantially common menu or set of services priced and performed in a consistent manner.
 - 7) Uniforms. Standardized items of clothing including but not limited to standardized aprons, pants, shirts, smocks or dresses, that, and points (other than name tags) as well as standardized colors of clothing uniforms.
- (G) Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground; excepting tents, recreational vehicles and fences less than six (6) feet in height.
- (H) Substantially Reconstructed Structure. “Substantially Reconstructed Structure” means the alternation, removal, replacement of more than 50% of the structure’s existing floor area or exterior walls, whichever occurs first.

Sec. 20.147.040 Prohibitions

No building permit, license, certificate, or other approval or entitlement shall be issued or given by the County, or any department or employee thereof, with respect to any Formula Business subject to the provisions of this chapter. No certificate of use or occupancy or similar approval shall be issued or given for any improvement for any Formula Business unless otherwise provided for by Section 20.147.030 of this chapter.