



# Mendocino County

## Legislation Details (With Text)

**File #:** 17-0176      **Version:** 1      **Name:**

**Type:** Resolution-Ordinance      **Status:** Agenda Ready

**File created:** 3/7/2017      **In control:** Planning and Building Services

**On agenda:** 3/20/2017      **Final action:**

**Title:** Discussion and Possible Direction Regarding Proposed Adoption of Ordinance Amendment OA\_2016-0001 (Formula Business), to Amend the Inland Zoning Code (Title 20, Division I) to Establish a new Community Character (C-C) Combining District Chapter within Division I of the Mendocino County Code (Inland); and Rezone most of the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the C-C Combining Zoning in the County (Sponsor: Planning and Building Services)

**Sponsors:** Planning and Building Services, Steve Dunnicliff

**Indexes:**

**Code sections:**

**Attachments:** 1. 1. OA 2016-0001 & R2016-0002 BOS Staff Memo, 2. 2.OA\_2016-0001 Formula Business Ordinance - Final, 3. PC Staff Report OA\_2016-0001 (June 16, 2016), 4. 5.OA\_2016-0001 Memo to PC 8-18-16, 5. 6.OA\_2016-0001 Draft Ordinance PC 8-18-16, 6. LMAC HMAC RVMAC comments combined, 7. OA\_2016-0001 Exemption Map, 8. 4.OA\_2016-0001 Property owner maps PC 6-16-16, 9. OA\_2016-0001 Parcels to be Rezoned, 10. 4.PC Meeting Minutes - 11-17-16

Date	Ver.	Action By	Action	Result
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**To: Board of Supervisors**

**From:** Planning and Building Services

**Meeting Date:** March 20, 2017

**Department Contact:** Nash Gonzalez

**Phone:** 234-6650

**Department Contact:** Steve Dunnicliff

**Phone:** 234-6650

**Item Type:** Regular Agenda

**Time Allocated for Item:** 45 Mins

**Agenda Title:**

Discussion and Possible Direction Regarding Proposed Adoption of Ordinance Amendment OA\_2016-0001 (Formula Business), to Amend the Inland Zoning Code (Title 20, Division I) to Establish a new Community Character (C-C) Combining District Chapter within Division I of the Mendocino County Code (Inland); and Rezone most of the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the C-C Combining Zoning in the County (Sponsor: Planning and Building Services)

**Recommended Action/Motion:**

Provide direction to staff regarding adoption of proposed Ordinance Amendment OA\_2016-0001 (Formula Business), to amend the Inland Zoning Code (Title 20, Division I) to establish a new Community Character (C-C) Combining District Chapter within Division I of the Mendocino County Code (Inland); and rezone most of the C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts to apply the C-C Combining

Zone in the County and schedule a public hearing for a future date.

**Previous Board/Board Committee Actions:**

On September 22, 2015, the Board of Supervisors adopted an urgency ordinance establishing interim restrictions on the establishment of formula businesses to study and consider zoning regulations to help protect the unique character of rural community areas. This ordinance initially was to expire on September 20, 2016. In order to provide for additional time for the Planning Commission to deliberate the matter, on August 16, 2016, the Board considered the urgency ordinance and extended the moratorium on formula businesses to September 17, 2017.

**Summary of Request:**

Planning and Building Services requests the Board consider and adopt an ordinance amending Division I, of the Mendocino County Code (Zoning Ordinance) to add Chapter 20.147, Community Character (C-C) Combining District, and rezone those properties by adding the Community Character (C-C) Combining District designation over the C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts lying within the Community Areas and Commercial Places as recommended by the Planning Commission. On June 16, 2016, the Planning Commission conducted a public hearing on the proposed zoning text amendment. During the June 16, 2016 Planning Commission hearing several individuals provided comments on the proposed ordinance and most notably requested additional time to review the ordinance, specifically representatives from the newly formed Hopland, Redwood Valley, and Laytonville Municipal Advisory Councils (MACs) requested additional time for review to review the draft ordinance. In addition to additional time to be allotted to the MACs, the Planning Commission directed that staff further elaborate “Community Character” and provide more defined criteria for signs associated with the formula businesses. The Planning Commission continued the hearing to August 18, 2016 to allow the newly formed MACs to meet and review the draft ordinance as well as allowing staff to address the issue of signage. The Commission at their August 16, 2016 meeting reviewed added language and took further public testimony, including the Laytonville, Redwood Valley MACs representatives. It was determined that additional time was needed for the newly formed Redwood Valley and Hopland MACs to review and comment. The MACs were asked to have comments submitted to Planning and Building staff in early October, giving plenty of time for review before the hearing. On November 17, 2016, the Planning Commission took additional public comments and recommended the Board of supervisors adopt the formula business ordinance with modifications as requested by the Planning Commission on a 5-0 vote.

Planning and Building Services requests the Board of Supervisors finds that the Ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) under (a) Section 15060(c)(2) of the CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; (b) Section 15060(c)(3) of the State CEQA Guidelines because it is not a project within the meaning of CEQA since it has no potential for resulting in physical changes in the environment; and (c) Section 15308 of the State CEQA Guidelines because it is a regulatory action taken by the County to assure the maintenance and protection of the environment; and adopt Ordinance Amendment OA\_2016-0001, to Amend the Inland Zoning Code (Title 20, Division I) to establish a new Community Character (C-C) Combining District Chapter within Division I of the Mendocino County Code (Inland); and Rezone most of the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to apply the C-C Combining zoning in the County.

**Alternative Action/Motion:**

Identify revisions to the Ordinance and direct staff to bring proposed revisions back to the Board of Supervisors prior to adoption.

**Supplemental Information Available Online at:** [www.co.mendocino.ca.us/planning](http://www.co.mendocino.ca.us/planning)

**Fiscal Impact:**

**Source of Funding:** N/A

**Budgeted in Current F/Y:** N/A

**Current F/Y Cost: N/A**

**Annual Recurring Cost: N/A**

**Supervisory District: All**

**Vote Requirement: Majority**

**Agreement/Resolution/Ordinance Approved by County Counsel: Yes**

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**CEO Liaison: Kenneth Spain, Administrative Analyst**

**II**

**CEO Review: Yes**

**Comments:**