



# Mendocino County

## Legislation Details (With Text)

**File #:** 17-1213      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 12/22/2017      **In control:** Planning and Building Services  
**On agenda:** 1/2/2018      **Final action:**  
**Title:** Adoption of an Ordinance Amending Section 16.08.015 of Chapter 16.08 - On-Site Sewage Systems to Exempt Certain Structures from the Sewage System Requirement  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 4.Ordinance Summary-13Dec2017, 2. Ordinance Amending 16.08.015 - 12.19.17 - cln, 3. Ordinance Amending 16.08.015 - 12.19.17 - red, 4. affidavit of publication, 5. Affidavit of Adoption of Ordinance, 6. Ordinance 4399

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**To: Board of Supervisors**

**From:** Environmental Health

**Meeting Date:** January 2, 2018

**Department Contact:** Trey Strickland

**Phone:** 234-6639

**Department Contact:** Matthew Kiedrowski

**Phone:** 234-6885

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Adoption of an Ordinance Amending Section 16.08.015 of Chapter 16.08 - On-Site Sewage Systems to Exempt Certain Structures from the Sewage System Requirement

**Recommended Action/Motion:**

Adopt Ordinance amending Section 16.08.015 of Chapter 16.08 - On-Site Sewage Systems to exempt certain structures from the sewage system requirement; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

On August 8, 2017, the Board of Supervisors expressed support in revising County Code to allow portable toilets at agricultural sites with structures, where traditionally an onsite wastewater treatment system or sewer connection is required. On December 19, 2017, the Board of Supervisors Introduced and Waived Reading of this Ordinance.

**Summary of Request:**

The adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*; "CEQA") pursuant to Sections 15308 and 15311 of the State CEQA Guidelines (Title

14, California Code of Regulations, Section 15000 *et seq.*). Section 15311 exempts the construction or replacement of minor structures that are accessory or appurtenant to existing commercial, industrial or institutional facilities, including the placement of seasonal or temporary use items like portable restrooms for certain situations. Section 15308 exempts actions taken by regulatory agencies to assure the maintenance or protection of the environment where the regulatory process involves procedures for protection of the environment. This ordinance would allow for certain qualifying uses to use portable toilets (or nearby permanent bathrooms) instead of permanently installing bathrooms and a septic system for each cultivation or processing facility. This provision protects the environment by allowing for less additional development and ground disturbance on a property in order for qualifying seasonal cultivation and processing facilities to operate. In addition, certain cultivation and/or processing facilities may not continue to operate on a permanent basis, which would likely create unmaintained systems that could harm groundwater.

**Alternative Action/Motion:**

Do not adopt the proposed ordinance; refer the matter to staff for additional research and alternatives.

**Supplemental Information Available Online at:** N/A

**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

**CEO Liaison:** Chamise Cubbison, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**



**FOR COB USE ONLY**

Executed By: Nadia Tipton

Final Status: Adopted

Date: **January 3, 2018**

Executed Item No.: **Ordinance** Number: 4399

Note to Department:

Executed Documents Returned to

Department: Originals \_\_\_\_\_ Copies

\_\_\_\_\_ Hand Delivered \_\_\_\_\_ Interoffice

Mail \_\_\_\_\_ Executed Agreement Sent to

Auditor? Y/N