



# Mendocino County

## Legislation Details (With Text)

**File #:** 17-0935      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Approved

**File created:** 10/2/2017      **In control:** Planning and Building Services

**On agenda:** 10/17/2017      **Final action:** 10/17/2017

**Title:** Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Adopting the Mendocino Town Local Coastal Program (LCP) Amendment, General Plan Amendment GP\_2013-0002 Amending the Mendocino Town Plan (Coastal Element Chapter 4.13 of the General Plan), and Adoption of Ordinance Amendment OA\_2013-0001 Amending the Mendocino Town Zoning Code and Mendocino Town Land Use Map (Division III of Title 20 of the Mendocino County Code), that were Considered by the Board of Supervisors December 2014 and December 2015, Certified by the California Coastal Commission in June 2017, and Recommended by the Planning Commission on September 21, 2017, authorize Chair to sign same  
(Sponsor: Planning and Building Services)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 17-151, 2. Ordinance 4395, 3. 10 BOS Memo Amendments Summarized-1, 4. 11 BOS 10-17-2017 Resolution 20170913-1, 5. 12-0 Reso Exhbt A LUP Amendments mark up, 6. 12-1 Fig 413-1 Aerial Images, 7. 12-2 Fig 413-2 Zone A B, 8. 12-3 Fig 413-3 LU Map, 9. 12-4 Fig 413-4 Maps Charts, 10. 12-5 Fig 413-5 Site Planning, 11. 12-6 Fig 413-6 public access ways, 12. 12-7 Fig 413-7 Trail Emblem, 13. 12-8 Fig 413-8 Cat Ex Map, 14. 13 Reso Exhbt A LUP Apdx 1 Inventory, 15. 14 Reso Exhbt A LUP Apdx 2 VSF, 16. 15 Reso Exhbt A LUP Apdx 3 Marine, 17. 16 Reso Exhbt A LUP Apdx 4 CE, 18. 17 Reso Exhbt A LUP Appendix 5 Access, 19. 18 Reso Exhbt A LUP Apdx 6 Appeal Juris, 20. 19 Reso Exhbt A LUP Apdx 7 Guideline, 21. 20 Reso Exhbt A LUP Apdx 8, 22. 21 Reso Exhbt A LUP Apdx 9 page 1, 23. 22 Reso Exhbt A LUP Apdx 9 page 3, 24. 23 Reso Exhbt A LUP Map, 25. 24 BOS 10-17-2017 Ordinance 20170919 - 10.6.pdf, 26. 25 Ord Exhbt A IP Amendments mark up, 27. 26 Ord Exhbt A Zoning Map, 28. 28 PC Signed Resolution for GP2013-0002 and OA2013-0001 (MTP), 29. FB - Proof of Publication, 30. MB - Proof of Publication, 31. 10-17-17 MTP Handout BOS, 32. REVISED 10-17-18 25 Ord Exhbt A IP Amendments mark up adopted 20171017, 33. REVISED 10-17-18 12-0 Reso Exhbt A LUP Amendments mark up adopted 20171017\_1, 34. MCEO Ord 4395 6047940 Affidavit

Date	Ver.	Action By	Action	Result
10/17/2017	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** Planning and Building Services

**Meeting Date:** October 17, 2017

**Department Contact:** Igancio Gonzalez

**Phone:** 234-6650

**Department Contact:** Bill Kinser

**Phone:** 234-2886

**Item Type:** Noticed Public Hearing

**Time Allocated for Item:** 30 Mins.

**Agenda Title:**

Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Adopting the Mendocino Town Local Coastal Program (LCP) Amendment, General Plan Amendment GP\_2013-0002 Amending the Mendocino Town Plan (Coastal Element Chapter 4.13 of the General Plan), and Adoption of Ordinance Amendment OA\_2013-0001 Amending the Mendocino Town Zoning Code and Mendocino Town Land Use Map (Division III of Title 20 of the Mendocino County Code), that were Considered by the Board of Supervisors December 2014 and December 2015, Certified by the California Coastal Commission in June 2017, and Recommended by the Planning Commission on September 21, 2017, authorize Chair to sign same (Sponsor: Planning and Building Services)

**Recommended Action/Motion:**

Adopt Resolution adopting the Mendocino Town Local Coastal Program (LCP) Amendment, General Plan Amendment GP\_2013 0002 amending the Mendocino Town Plan (Coastal Element Chapter 4.13 of the General Plan), and Adopt Ordinance Amendment OA\_2013 0001 amending the Mendocino Town Zoning Code and Mendocino Town Land Use Map (Division III of Title 20 of the Mendocino County Code), that were considered by the Board of Supervisors December 2014 and December 2015, certified by the California Coastal Commission in June 2017, and recommended by the Planning Commission on September 21, 2017' authorize Chair to sign same; and direct Planning and Building Services to produce and transmit the adopted Mendocino Town LCP to the California Coastal Commission prior to October 31, 2017

**Previous Board/Board Committee Actions:**

The Board of Supervisors on December 9, 2014 and December 8, 2015 adopted amendments to the Mendocino Town LCP (for Coastal Act purposes only) and authorized transmittal of the Mendocino Town LCP Amendment to the California Coastal Commission for certification review pursuant to the Coastal Act.

**Summary of Request:**

Planning and Building Services request adoption of an amendment to the Mendocino Town LCP, consisting of a General Plan Amendment (GP\_2013-0002), and Ordinance Amendment (OA-2013-0001). Resolution Exhibit A and Ordinance Exhibit A include California Coastal Commission suggested modifications to the Mendocino Town LCP Amendment No. LCP-1-MEN-14-0840-1. On August 3, 2017, Planning and Building Services received notification of the Coastal Commission's action on the Mendocino Town Plan LCP Amendment, including Coastal Commission Resolution B, which certifies the Land Use Plan Amendment if modified as suggested, and Resolution D, which certifies the Implementation Program Amendment if modified as suggested).

Effective certification of the Mendocino Town LCP Amendment will occur only after the Board of Supervisors (a) accept and agree to the Coastal Commission suggested modifications; (b) adopt a resolution amending General Plan Coastal Element *Chapter 4.13 Mendocino Town Plan* and the Mendocino Town Land Use Map; (c) adopt an ordinance amending Division III of Title 20 of Mendocino County Code and the Mendocino Town Zoning Map; (d) agree to issue coastal development permits subject to the approved Mendocino Town LCP; and (e) direct Planning and Building Services to produce and transmit to the Coastal Commission a final version of Chapter 4.13 Mendocino Town Plan, Mendocino Town Land Use Map, Division III of Title 20 of Mendocino County Code, and Mendocino Town Zoning Map as certified with the suggested modifications adopted by the Commission and accepted and implemented by the Board of Supervisors.

Resolution Exhibit A includes a mark-up of the amendments to the Mendocino Town Plan and Mendocino Town Land Use Map. Ordinance Exhibit A includes a mark-up of the amendments to Division III of Title 20 of Mendocino County Code and Mendocino Town Zoning Map.

Please note that two additional actions are required for effective certification of the Mendocino Town LCP Amendment No. LCP-1-MEN-14-0840-1: (1) at their November 2017 meeting, the Coastal Commission must not object to the Executive Director's determination that the Board of Supervisors' adopted resolution and ordinance is legally adequate and (2) a determination must be filed with the Secretary of Resources by the Coastal Commission Staff prior to December 8, 2017.

**Alternative Action/Motion:**

(1) Identify revisions to the General Plan, Land Use and Zoning Maps, and Ordinance and direct staff to bring proposed revisions back to the Board of Supervisors for adoption by the Board. (2) Direct Planning and Building Services to submit a letter to the Coastal Commission requesting an extension for good cause various time limits for action regarding LCP amendments, including the December 8, 2017 deadline for a local government to accept and agree to suggested modifications, for a period not to exceed one year (Exhibit C). (3) Acknowledge receipt of resolutions as adopted by the California Coastal Commission on June 8, 2017 and transmitted to Mendocino County on August 1, 2017.

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

**Fiscal Impact:**

**Source of Funding:** N/A

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

Choose an item.

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

**Annual Recurring Cost:** N/A

**Supervisorial District:** All

**Vote Requirement:** Majority

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

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

**CEO Review:** Yes

**CEO Comments:**



**FOR COB USE ONLY**

Executed By: Nadia Tipton

Final Status: **Adopted**

Date: October 18, 2017

Executed Item No.: **Resolution** Number: 17-151;

Note to Department:

**Ordinance** Number: 4395

Executed Documents Returned to

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

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

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

Auditor? Y/N