



# Mendocino County

## Legislation Details (With Text)

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<b>Type:</b>	Presentations	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	3/28/2017	<b>In control:</b>		Planning and Building Services	
<b>On agenda:</b>	4/10/2017	<b>Final action:</b>			
<b>Title:</b>	Discussion and Presentation Regarding Mendocino County Code Governing Limited Density Rural Dwellings Commonly Referred to as the "Class K" Ordinance				
<b>Sponsors:</b>	Planning and Building Services, Steve Dunncliff				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Fire Safe Standards Ch. 7A, 2. Butte County-Limited Density Rural Dwellings, 3. Mendocino County-Limited Density Rural Dwellings, 4. Sonoma County-Limited Density Rural Dwelling, 5. Marin County-Limited Density Rural Dwelling, 6. Correspondence, 7. Correspondence 2				

Date	Ver.	Action By	Action	Result
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**To: Public Health, Safety and Resources Standing Committee**

**From:** Planning and Building Services

**Meeting Date:** April 10, 2017

**Department Contact:** Michael Lockett

**Phone:** 234-6650

**Department Contact:** Nash Gonzalez

**Phone:** 234-6650

**Item Type:** Regular Agenda

**Time Allocated for Item:** 30 Mins

**Agenda Title:**

Discussion and Presentation Regarding Mendocino County Code Governing Limited Density Rural Dwellings Commonly Referred to as the "Class K" Ordinance

**Recommended Action/Motion:**

Receive the presentation from staff and provide further direction.

**Previous Board/Board Committee Actions:**

Ordinance No. 3343 was adopted by the Board of Supervisors in 1981, establishing Chapter 18.23 of the Mendocino County Code, Regulations for Limited Density Rural Dwelling, commonly known as the Class K Ordinance. On January 24, 2017, the Board of Supervisors referred this ordinance to committee for review. On March 13, 2017 the Standing Committee received a presentation and gave direction to staff regarding Limited Density Rural Regulation permits, inspections, fire safe standards and building code standards.

**Summary of Request:**

Many jurisdictions allow for Limited Density Rural Regulations and with the number of Class K permits that are issued in Mendocino County and the abundant wildland areas, there is a need to update the ordinance to

protect the safety, health and welfare of the public. At a minimum, staff suggests that 3 inspections be required; foundation, rough frame, and a final, to ensure compliance with the building code. Further, to legalize an existing single family residence there should be a third party inspector, i.e. Electrical Contractor or Electrical Engineer, to verify the project was done correctly, prior to the final inspection by the County. In addition, it would be prudent to adopt the Fire Safe Standards, Chapter 7A, regarding defensible space.

Overall, the department issues approximately 17% of all permits as Class K. Currently, the department completes one inspection; a final when the structure is completed. A Class K permit cost the same as a regular building permit, which allows the department to provide the necessary inspections without contacting a property owner for additional funds, should additional inspections be requested.

Additionally, staff has notified all local Fire Chiefs regarding the Board's interest in reviewing the Class K requirements and has requested any comments be forwarded to the Board. Attached, please find the General Guidelines for Creating Defensible Space, Fire Safe Standards Chapter 7A, from the State Board of Forestry and CalFire. Staff recommends that this document be included as the standard for wildfire exposure in any State Responsibility Area. There are at least 9 other jurisdictions including Amador, Sonoma, Butte, Nevada, Marin, Humboldt, Mono, Los Angeles and Santa Cruz that have adopted the Limited Density Rural Residential Regulations. Also attached are sample regulations for Limited Density Rural Residential from Butte, Marin, Sonoma and Amador.

**Alternative Action/Motion:**

Provide further direction to staff.

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

**Fiscal Impact:**

**Source of Funding:** N/A

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

**Budgeted in Current F/Y:** No

**Annual Recurring Cost:** N/A

**Supervisory District:** All

**Vote Requirement:** Majority

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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

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**CEO Review:** Yes

**Comments:**