



Mendocino County

Legislation Details (With Text)

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File created: 2/22/2021 **In control:** Planning and Building Services
On agenda: 3/9/2021 **Final action:**
Title: Discussion and Possible Action Including Direction to Staff Regarding the Oak Tree and Oak Woodland Protection Ordinance
(Sponsor: Planning & Building Services)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 02. OA_2020-0001 (CoMendocino) MemoToBOS, 2. 03. OA_2020-0001 (CoMendocino) OakOrdinance_WorkshopDraft, 3. 04. OA_2020-0001 (CoMendocino) RevisedOakOrdinance_Redline, 4. 05. OA_2020-0001 (CoMendocino) RevisedOakOrdinance_Clean, 5. 03-08-21 Sanhedrin CNPS Correspondence, 6. 03-08-21 Mitro Correspondence, 7. 03-08-21 Sierra Club Correspondence, 8. 03-08-21 MCFB Correspondence, 9. 03-08-21 Pepetone Correspondence, 10. 03-09-21 WEC Correspondence, 11. 03-08-21 Kobbe Correspondence, 12. 03-08-21 Marianchild Correspondence, 13. 03-09-21 Farmer Correspondence

Date	Ver.	Action By	Action	Result
3/9/2021	1	Board of Supervisors		

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: March 9, 2021

Department Contact: Sam Vandy Vandewater

Phone: 234-6650

Department Contact: Nash Gonzalez

Phone: 234-6650

Item Type: Regular Agenda

Time Allocated for Item: 60 Minutes

Agenda Title:

Discussion and Possible Action Including Direction to Staff Regarding the Oak Tree and Oak Woodland Protection Ordinance
(Sponsor: Planning & Building Services)

Recommended Action/Motion:

Provide direction to Planning Division staff regarding the Oak Tree and Oak Woodland Protection Ordinance in terms of conducting additional studies or an oak resource inventory; and determine appropriateness of ordinance regulatory language and ordinance adoption deadlines.

Previous Board/Board Committee Actions:

Initial direction for the Ordinance given on April 4, 2017, and the item was subsequently retained as a Department priority by the Board of Supervisors at regular meetings on November 13, 2018, April 19, 2019,

and September 22, 2020.

Summary of Request:

The Department of Planning & Building Services staff are requesting direction be provided by the Board of Supervisors regarding the Oak Tree and Oak Woodland Protection Ordinance. The establishment of an Oak Woodland Protection Ordinance was requested by the Board of Supervisors with the adoption of Cannabis Cultivation Program, but is also included as direction in the Mendocino County General Plan. The County of Mendocino sustains extensive un-fragmented oak woodland habitat that benefit the residence and wildlife of the county by providing numerous ecosystem services. The County seeks to protect its oak habitat while still retaining the key ecosystem services of the oak woodland resources.

After meeting with various stakeholders, PBS staff does not have a clear direction forward and seeks the Board of Supervisors' input on how the ordinance should continue. The ordinance was presented to the Planning Commission at a public workshop on November 5, 2020, where comments were received from commissioners regarding their preferred direction on the Ordinance, but also a number of issues that need to be addressed. Stakeholders have shared some of the same concerns throughout the development of the Ordinance. Issues that have arisen include the need for additional studies or an oak resource inventory; regulatory language that is a concern to different interested parties and stakeholders, including various approaches to oak management and impact mitigation; and the deadline by which the ordinance is intended to be adopted.

Included with the Memorandum are two Oak Tree and Oak Woodland Protection Ordinance draft versions for review by the Board of Supervisors: the draft presented to the Planning Commission at the public workshop that includes public comment from various stakeholders; and a draft that incorporates comments received during the workshop from the Planning Commissioners and the general public.

Alternative Action/Motion:

Provide direction to staff, remove the Oak Tree and Oak Woodland Protection Ordinance from the priorities of the Planning & Building Services Department.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: N/A

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

CEO Liaison: Steve Dunicliff, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Final Status: Direction Given to Staff

Date: March 11, 2021

