



Mendocino County

Legislation Details (With Text)

File #: 16-736 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 6/27/2016 **In control:** Planning and Building Services

On agenda: 7/12/2016 **Final action:** 7/12/2016

Title: Noticed Public Hearing - Adoption of Ordinance Amendment OA_2015-0003, Amending the County Coastal Zoning Code (Title 20, Division II) Modifying the Permitting Process for Certain Types of Wireless Communication Facilities and Adoption of Resolution Authorizing Planning and Building Services to Submit a Local Coastal Program Amendment to the California Coastal Commission to Certify the Updates Proposed by this Amendment

Sponsors: Planning and Building Services, Steve Dunnicliff

Indexes:

Code sections:

Attachments: 1. Ordinance 4358, 2. Resolution 16-110, 3. 1. OA 2015-0003 Coastal Wireless Board Memo, 4. 3. OA 2015-0003 Coastal Wireless Initial Study, 5. 6. Attachment OA 2015-0003 Coastal Wireless SR (PC 5.pdf, 6. 7. Attachment Ordinance_4341, 7. PC Meeting Minutes - 5-19-16, 8. 8.Proof of Publication

Date	Ver.	Action By	Action	Result
7/12/2016	1	Board of Supervisors		

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: July 12, 2016

Department Contact: Julia Acker

Phone: 234-2887

Department Contact: Steve Dunnicliff

Phone: 234-6650

Item Type: Noticed Public Hearing

Time Allocated for Item: 45 Minutes

Agenda Title:

Noticed Public Hearing - Adoption of Ordinance Amendment OA_2015-0003, Amending the County Coastal Zoning Code (Title 20, Division II) Modifying the Permitting Process for Certain Types of Wireless Communication Facilities and Adoption of Resolution Authorizing Planning and Building Services to Submit a Local Coastal Program Amendment to the California Coastal Commission to Certify the Updates Proposed by this Amendment

Recommended Action/Motion:

Adopt Ordinance Amendment No. OA 2015-0003, to amend the Coastal Zoning Code (Title 20, Division II) and modify the permit process for certain types of wireless communication facilities as recommended by the Planning Commission finding that: (1) An Initial Study has been prepared for the project in accordance with the California Environmental Quality Act; and that a Negative Declaration be adopted, and (2) The proposed amendment is consistent with the applicable goals and policies of the Local Coastal Plan. Adopt a resolution authorizing Planning and Building Services to submit a Local Coastal Program Amendment to amend Title 20, Division II for the authorized changes approved under Ordinance OA_2015-0003; and authorize Chair to sign

same.

Previous Board/Board Committee Actions:

The Board amended the Zoning Code in 1996 (Ordinance No. 3953) to require use permits for wireless communication facilities located in all zoning districts. On December 16, 2014, the Board approved the Department of Planning and Building Services work plan to include preparation of an Ordinance Amendment to refine and streamline this regulation. The Board amended the Inland Zoning Code in August 2015 (Ordinance No. 4341) to create an alternative permit process for certain wireless communication facilities. The Board also adopted by resolution (Resolution No. 15-121) *Guidelines for the Development of Wireless Communication Facilities* in August 2015.

Summary of Request:

Planning and Building Services requests the Board adopt an Ordinance to modify the permit process for certain types of wireless communication facilities. This Ordinance will help facilitate the deployment of broadband and cellular services in the unincorporated coastal areas of Mendocino County. The Ordinance describes the circumstances in which wireless communication facilities may be exempt from development criteria and in some instances discretionary review, subject to Coastal Development Permits, and when a Major Use Permit is required. On May 19, 2015, after considering public testimony, the Planning Commission recommended (5-0, Chair Warner absent) that the Board approve Ordinance Amendment OA 2015-0003. Planning and Building Services also requests the Board adopt a Resolution authorizing Planning and Building Services to Submit a Local Coastal Program Amendment to the California Coastal Commission to Certify the Updates to Title 20, Division II approved by the Ordinance Amendment.

Alternative Action/Motion:

Identify revisions to the Ordinance and direct staff to bring proposed revisions back to the Planning Commission for comments and recommendation to the Board,

Supplemental Information Available Online at: www.co.mendocino.ca.us/planning

Fiscal Impact:

Source of Funding: N/A

Budgeted in Current F/Y: No

Current F/Y Cost: N/A

Annual Recurring Cost: N/A

Supervisory District: District 5

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Christopher Shaver, Deputy CEO

CEO Review: Choose an item.

Comments: