



Mendocino County

Legislation Details (With Text)

File #: 17-0670 **Version:** 1 **Name:**

Type: Ordinance **Status:** Approved

File created: 7/18/2017 **In control:** Planning and Building Services

On agenda: 8/1/2017 **Final action:** 8/1/2017

Title: Noticed Public Hearing - Discussion and Possible Adoption of an Ordinance Amending the Mendocino County Inland Zoning Code (Title 20, Division I) to Add Chapter 20.147, Community Character (CC) Combining District, and Rezone Certain Parcels Within the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the CC Combining District

Sponsors: Planning and Building Services, Steve Dunncliff

Indexes:

Code sections:

Attachments: 1. Ordinance 4390, 2. 3.Ordinance Summary, 3. 2.OA_2016-0001 (Formula Business Ord) Redline, 4. 2.OA_2016-0001 (Formula Business Ord) FINAL, 5. 2A. Exh A. to Ord (Parcel Rezone List), 6. 2B.EXH. B to Ord. (owner maps to rezone), 7. 3.OA 2016-0001 & R2016-0002 (BOS Staff Memo), 8. 3A.B.Attachment A and B to Staff Memo-Exemption Areas and Hopland maps, 9. Planning and Building 7.20 affidavit

Date	Ver.	Action By	Action	Result
8/1/2017	1	Board of Supervisors		

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: August 1, 2017

Department Contact: Mary Lynn Hunt
Department Contact: Nash Gonzalez

Phone: 234-6650
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Item Type: Noticed Public Hearing

Time Allocated for Item: 30 Mins

Agenda Title:

Noticed Public Hearing - Discussion and Possible Adoption of an Ordinance Amending the Mendocino County Inland Zoning Code (Title 20, Division I) to Add Chapter 20.147, Community Character (CC) Combining District, and Rezone Certain Parcels Within the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the CC Combining District (Sponsor: Planning and Building Services)

Recommended Action/Motion:

Adopt Ordinance Amending the Mendocino County Inland Zoning Code (Title 20, Division I) to add Chapter 20.147, Community Character (CC) Combining District, and Rezone Certain Parcels within the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the CC Combining District; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

On September 22, 2015, the Board of Supervisors adopted an urgency ordinance establishing interim

restrictions on the establishment of formula businesses to study and consider zoning regulations to help protect the unique character of rural community areas. This ordinance initially was to expire on September 20, 2016. In order to provide for additional time for the Planning Commission to deliberate the matter, on August 16, 2016, the Board considered the urgency ordinance and extended the moratorium on formula businesses to September 19, 2017. On March 20, 2017, the matter of the proposed Formula Business was brought to the Board of Supervisors for discussion and direction for the adoption of the Formula Business Ordinance, including the amendment of the Inland Zoning Ordinance to establish a new Community Character (CC) Combining District Chapter within Division I of the County Code, and Rezone most of the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts applying the CC Combining District to the community areas in the County.

Summary of Request:

Planning and Building Services requests the Board consider and adopt an ordinance amending Division I, of the Mendocino County Code (Zoning Ordinance) to add Chapter 20.147, Community Character (C-C) Combining District, and rezone those properties by adding the Community Character (C-C) Combining District designation over the C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts lying within the Community Areas and Commercial Places. On June 16, 2016, the Planning Commission conducted a public hearing on the proposed zoning text amendment. During the June 16, 2016 Planning Commission hearing several individuals provided comments on the proposed ordinance and most notably requested additional time to review the ordinance, specifically representatives from the newly formed Hopland, Redwood Valley, and Laytonville Municipal Advisory Councils (MACs) requested additional time for review to review the draft ordinance. In addition to additional time to be allotted to the MACs, the Planning Commission that staff further elaborate "Community Character" and provide more defined criteria for signs associated with the formula businesses. The Planning Commission continued the hearing to August 18, 2016 to allow the newly formed MACs to meet and review the draft ordinance as well as allowing staff to address the issue of signage. The Commission at their August 16, 2016 meeting reviewed added language and took further public testimony, including the Laytonville, Redwood Valley MACs representatives. It was determined at that time that additional time was needed for the newly formed Redwood Valley and Hopland MACs to review and comment. The MACs were asked to have comments submitted to Planning and Building staff in early October, giving plenty of time for review before the hearing. On November 17, 2016, the Planning Commission took additional public comments and recommended the Board of Supervisors adopt the formula business ordinance with modifications as requested by the Planning Commission on a 5-0 vote.

At its March 20, 2017, meeting, the Board directed staff to proceed with the Community Character Combining District, including the application of the rezoning of all applicable C-1 and C-2 parcels adding the CC Combining District, with the exception of those areas along North State Street already excluded by the urgency ordinance and those parcels within the Hopland Municipal Advisory Council (Hopland MAC) area.

The proposed Ordinance is Categorical Exempt from the California Environmental Quality Act (CEQA) under (a) Section 15060(c)(2) of the CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; (b) Section 15060(c)(3) of the State CEQA Guidelines because it is not a project within the meaning of CEQA since it has no potential for resulting in physical changes in the environment; and (c) Section 15308 of the State CEQA Guidelines because it is a regulatory action taken by the County to assure the maintenance and protection of the environment.

Alternative Action/Motion:

Identify revisions to the Ordinance and direct staff to bring proposed revisions back to the Board of Supervisors for adoption by 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: 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: Kenneth Spain, Administrative Analyst II

CEO Review: Yes

CEO Comments:



FOR COB USE ONLY

Executed By: Nicole French

Final Status: Adopted

Date: AUGUST 2, 2017

Executed Item Number: Ordinance 4390

Note to Department: