



Mendocino County

Legislation Text

File #: 17-0179, **Version:** 1

To: Board of Supervisor s Public Health, Safety, and Resources Committee

From: Planning and Building Services

Meeting Date: March 13, 2017

Department Contact: Steve Dunncliff

Phone: 234-6650

CEO Resource/ Contact: Kenneth Spain

Phone: 463-4441

Time Allocated for Item: 30 mins

Agenda Title:

Presentation, Discussion, and Possible Direction to Staff Regarding Mendocino County Code Governing Limited Density Rural Dwellings Commonly Referred to as the “Class K” Ordinance

Recommendation:

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 matter to committee for review.

Summary of Referral:

Mendocino County’s Class K Ordinance was adopted in 1981, making it 36 years old. The codes used for the ordinance are the 1976 Uniform Building Code, 1976 Uniform Mechanical Code, 1976 Uniform Plumbing Code and the National Electric Code. These codes are antiquated, and the Ordinance does not provide authority to the County to require fire resistant structures in a wild land fire environment or energy compliance.

The current ordinance includes many statements which are difficult to define, difficult to consistently implement, and that require extensive personal judgment. Examples include: “reasonable judgment of conformance”, “based upon the general description and simplified plans”, “It shall be the purpose and intent of this Chapter to permit the use of ingenuity and preferences of the builder, and to allow and facilitate the use of alternatives to the specifications prescribed by the uniform technical codes to the extent that a reasonable degree of health and safety is provided by such alternatives, and that the materials, methods of construction, and structural integrity of the structure shall perform in application for the purpose intended.

Additionally, there is not clarity on the type, amount, and size of structures allowed under this ordinance as it is currently adopted. The primary guiding language is contained within the “intent and application” section of the code. However, that section’s use of the phrase “limited density rural dwellings and appurtenant structures” would be easier to interpret if the word “appurtenant” was replaced with “accessory”.

Finally, the code as written includes a definition for “detached bedroom” which is inconsistent with the

definition for “detached bedroom” within the County’s zoning code.

The Building Codes are the “minimum” requirement when constructing a building and the Class K Ordinance is in need of revision.

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

CEO Liaison: Kenneth Spain, Administrative Analyst

CEO Review: Yes

Comments: