



# Mendocino County

## Legislation Text

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

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**To:** Board of Supervisors

**From:** Planning and Building Services

**Meeting Date:** July 12, 2016

**Department Contact:** Julia Acker

**Phone:** 234-2887

**Department Contact:** Steve Dunncliff

**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](http://www.co.mendocino.ca.us/planning)

**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:** District 5

**Vote Requirement:** Majority

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Christopher Shaver, Deputy CEO

**CEO Review:** Choose an item.

**Comments:**