



Mendocino County

Legislation Text

File #: 18-2125, **Version:** 1

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: October 2, 2018

Department Contact: Jesse Davis

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Department Contact: Brent Schultz

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Item Type: Noticed Public Hearing

Time Allocated for Item: 45 Mins.

Agenda Title:

Noticed Public Hearing - Discussion and Possible Action Including Adoption of an Ordinance Amending the County Inland Zoning Code (Title 20 - Division 1 of the Mendocino County Code), Chapter 20.164 - Accessory Use Regulations with Regard to Second Residential Units/Accessory Dwelling Units
(Sponsor: Planning and Building Services)

Recommended Action/Motion:

Adopt Ordinance amending the County Inland Zoning Code (Title 20 - Division 1 of the Mendocino County Code), Chapter 20.164 - Accessory Use Regulations with regard to second residential units/accessory dwelling units; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

On April 10, 2018, the Mendocino County Board of Supervisors directed staff to amend the County Inland Zoning Code (Title 20 - Division 1 of the Mendocino County Code), Chapter 20.164 - Accessory Use Regulations with regard to 'Second Residential Units/Accessory Dwelling Units', and made a referral to the General Government Committee. On May 16, 2018, the Board of Supervisors undertook discussion regarding a report out from the General Government committee in respect to Accessory Dwelling Units, and provided additional direction with regard to Accessory Dwelling Units and Vacation Short-Term Rentals.

Summary of Request:

On July 19, 2018, the Planning Commission reviewed the Ordinance Amendment (OA_2018-0006), and recommended that the proposed changes be adopted by the Board of Supervisors, with modifications and suggestions as specified in the Commission's resolution. OA_2018-0006 serves as a local complement to actions recently undertaken by the State of California to address housing affordability via Senate Bill 1069 (SB1069), Assembly Bill 2299 (AB2299), and Assembly Bill 2406 (AB2406). Under AB 2299 and SB 1069, proposed changes to the County Inland Zoning Code Chapter 20.164 - Accessory Use Regulations, include updating and aligning important terminology, clarifying parking requirements and establishing fire and size restrictions for ADUs. The following specific updates are proposed:

- Update the Mendocino County Code, Division 1, to align with aspects of Senate Bill 1069 (SB1069), Assembly Bill 2299 (AB2299), and Assembly Bill 2406 (AB2406).
- Update and clarify the definition of an 'Accessory Dwelling Unit' (currently referenced as 'Second Residential Unit).

- Per AB2406, add the 'Junior Accessory Dwelling Unit' Residential Unit as an allowed 'Accessory Use', and amend relevant definitions or improvements for internal consistency.
- Per AB2299, limit the total area of floor space for a detached accessory dwelling unit to 1,200 square feet or less.
- Per SB1069, clarify that fire sprinklers shall not be required in an accessory unit if they are not required in the primary residence.
- Per SB1069, clarify 'Parking Requirements for 'Accessory Dwelling Units' and 'Junior Accessory Dwelling Units' and include 'Parking Exemptions'. Off-street parking cannot be required for units meeting any of the following criteria:
 - The unit is within one-half mile of public transit
 - The unit is within a designated historic district
 - The unit is entirely within the principal residence and results in no net increase in habitable floor area on the property
 - The unit is in an area where on-street permit parking is required, but such permits are not available to the tenant
 - The unit is within one block of a car-share vehicle

See attached Ordinance, Staff Memo, and Planning Commission Hearing Packet with Signed Resolution.

Alternative Action/Motion:

Provide direction to staff.

Supplemental Information Available Online at:

<https://www.mendocinocounty.org/government/planning-building-services/public-notices>

Fiscal Impact:

Source of Funding: N/A

Current F/Y Cost: N/A

Budgeted in Current F/Y: N/A

Annual Recurring Cost: N/A

Supervisory District: All

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:



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Executed By: Meribeth Dermond Final Status: Adopted

Date: **OCTOBER 3, 2018**

Executed Item Number: Ordinance Item Number: 4417