



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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MEMORANDUM

Date: October 17, 2017

To: Board of Supervisors

From: Ignacio Gonzalez, Interim Director
Bill Kinser, Senior Planner
Juliana Cherry, Planner III

Subject: Amending Mendocino Town Local Coastal Program, including GP 2013-0002 (Mendocino Town Plan) and OA 2013-0001 (Mendocino Town Zoning Code)

Background: On June 8, 2017 the California Coastal Commission made two motions: one to deny the Mendocino Town Land Use Plan and the other to deny the Implementation Program as proposed by the County. Subsequently, the Commission made two motions to certify the Mendocino Town Land Use Plan and its Implementation Program Amendment if modified as suggested. The Commission adopted findings that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act and that the Implementation Program Amendment with the suggested modifications conforms with and is adequate to carry out the provisions of the Land Use Plan as certified. PBS received notice of the Coastal Commission's action on August 3, 2017.

On September 21, 2017, the Planning Commission (pursuant with MCC Section 20.732.020(D) and Government Code sections 65350 et seq. and 65850 et seq.) reviewed the Land Use Plan and Implementation Program amendments and adopted a resolution (see Resolution Number PC_2017-0007 in packet) recommending that the Board of Supervisor's adopt amendments to the Mendocino Town Local Coastal Program (LCP) and review three changes suggested by the Planning Commission. After consultation with the Coastal Commission staff, two of the three changes recommended by the Planning Commission have been made. Planning Commission Resolution item 3.B. (adding the word "not" to Town Plan Action S-2.1) and item 3.C. (correcting the reference to California Department of Fish and Wildlife on page 254 of the Zoning Code) have been completed. The Planning Commission Resolution item 3.A. (recommending that "braided California Coastal Trail segments" be better defined in the Town Plan) has not been made. The amendments reviewed by the Planning Commission reflect those changes adopted by the Board of Supervisors in 2014 and 2015, for Coastal Act purposes only, and modifications suggested by the California Coastal Commission in 2017.

For the Board of Supervisors' consideration and adoption, the amendments to the Mendocino Town LCP are provided as exhibits to a Resolution approving a General Plan Amendment (GP 2013-0002) and an Ordinance approving an Ordinance Amendment (OA 2013-0001).

Resolution Exhibit A: The Mendocino County General Plan Coastal Element *Chapter 4.13 the Mendocino Town Plan* and the Mendocino Town Land Use Map.

Ordinance Exhibit A: Division III of Title 20 of the Mendocino County Code (Mendocino Town Zoning Code) and the Mendocino Town Zoning Map.

The Board of Supervisor's is asked to consider the Planning Commission's recommendations, the Coastal Commission's suggested modifications, and adopt a resolution and an ordinance amending the Mendocino Town LCP. The Board of Supervisor's action will be transmitted to the California Coastal Commission's Executive Director for his report to the Commission on November 8-10, 2017.

In Resolution Exhibit A and Ordinance Exhibit A, the County proposed amendments to the certified LCP are shown with single ~~striketrough~~ and underline. Coastal Commission suggested LCP modifications are shown with bold, double ~~striketrough~~ and underline. Memorandum Attachment A provides a summary of amendments to the certified land use plan, land use map, implementation program and zoning map.

Resolution Exhibit A contains the Mendocino Town Plan (including Figures 1 through 8 and Appendices 1 through 9) and the Mendocino Town Land Use Map. Ordinance Amendment A contains the Mendocino Town Zoning Code and The Mendocino Town Zoning Map.

Summary of Amendments to the Mendocino Town LCP: Entirely new subject area sections have been added to the Land Use Plan and Implementation Plan addressing Circulation and Parking, Public Access, and Water Quality Protection. Other sections including Definitions and Mendocino Visitor Serving Combining District have been substantially modified. Regulations from Division II of Title 20 (Coastal Zoning Code) addressing Environmentally Sensitive Habitat Areas (ESHA's) have been incorporated into the Mendocino Town Zoning Code with only minor changes, substantially expanding this section and making it largely consistent with Division II. Two zoning district sections have been deleted – Mendocino Forest Lands District "MFL" and Mendocino Bed and Breakfast Combining District "B" – the former because the four parcels in the MFL district were changed to Mendocino Open Space to reflect that they are part of Mendocino Headlands State Park and the later because it was logically combined with the Mendocino Visitor Serving Combining District.

Despite the substantial number of changes to the Mendocino Town Plan and the Mendocino Town Zoning Code, the changes to specific zoning district use types and regulations (e.g., minimum lot area, maximum dwelling density, etc.) are relatively few. The most significant changes to Residential Use Types are the addition of Second Residential Units in the MRR1 and MSR districts and deletion of Student Instructor Housing Facility. Notable changes to the Civic Use Types include addition of Art Center and Community Gardens and modification of Community Recreation to include the Rotary Club properties a 44960 and 44920 Main Street. Commercial Use Types would be expanded to include "tasting rooms" under Food and Beverage Retail Sales. Visitor Accommodation Use Types has added "suites" to Bed and Breakfast

Accommodations. There were no significant changes to Agricultural Use Types or Open Space Use Types.

Coastal Commission Staff identified five primary topic areas with recommended suggested modifications to the Mendocino Town Plan and the Mendocino Town Zoning Code adopted by the Board of Supervisors.

The five primary topic areas are:

1. Visitor Serving Facilities
2. Demonstration of Adequate Water Supply Where No Community Water System
3. Land Use Designation and Zoning District Change from Open Space to Public Facilities
4. Optional Zoning
5. Principally-Permitted, Permitted, and Conditionally-Permitted Uses

On April 5, 2017, the Board of Supervisors Mendocino Town Plan Ad Hoc Committee (Supervisors Brown and Hamburg) met with Coastal Commission Executive Director Jack Ainsworth, Deputy Director Alison Dettmer and District Manager Bob Merrill to discuss the five topic areas. Subsequently, primary topic area 2 (Demonstration of Adequate Water) and topic area 4 (Optional Zoning) were resolved to the satisfaction of the County. The MTP Ad Hoc Committee agreed with the Coastal Commissions changes in topic area 5 (Principally-Permitted, Permitted, and Conditionally-Permitted Uses). The Coastal Commission Staff's suggested modifications to primary topic area 1 (Visitor Serving Facilities) and 3 (Land Use and Zoning District Change from Open Space to Public Facilities) were approved by the Coastal Commission. As a result, a coastal development permit would be required for lodging units that were not listed in the 1992 Mendocino Town Plan and the Mendocino Fire Protection District property (Grindle Park) would remain in the Open Space classification and not changed to the Public Facility classification.

On June 8, 2017, the Coastal Commission accepted a request to amend the Land Use Map and Community Recreation uses for the Rotary Club properties at 44960 and 44920 Main Street.

Environmental Determination: Pursuant to CEQA Guidelines sections 15250, 15251(f) and 15265, the preparation, approval and certification of a local coastal program (such as the Mendocino Town LCP Amendment) is exempt from the requirements for preparation of an environmental impact report because the Coastal Commission's review and approval process would be certified by the Secretary of Resources as being the functional equivalent of the EIR process required by CEQA in sections 21080.5 and 21080.9 of the Public Resources Code.

Recommended Motion for the Board of Supervisors: (1) Adopt Resolution amending the General Plan Coastal Element Chapter 4.13 Mendocino Town Plan and Mendocino Town Land Use Map. (2) Adopt an Ordinance Amending Division III of Title 20 of Mendocino County Code and Zoning Map. (3) Direct Planning and Building Services to produce and transmit the adopted Mendocino Town LCP to the California Coastal Commission prior to October 31, 2017.

Effective certification of the Mendocino Town LCP Amendment will occur only after (1) the Board of Supervisors (a) accept and agree to the Coastal Commission suggested modifications; (b) adopt a resolution amending General Plan Coastal Element Chapter 4.13 Mendocino Town Plan and the Mendocino Town Land Use Map; (c) adopt an ordinance amending Division III of Title 20 of Mendocino County Code and the Mendocino Town Zoning Map; (d) agree to issue coastal development permits subject to the approved Mendocino Town LCP; and (e) direct

Planning and Building Services to produce and transmit to the Coastal Commission a final version of Chapter 4.13 Mendocino Town Plan, Mendocino Town Land Use Map, Division III of Title 20 of Mendocino County Code, and Mendocino Town Zoning Map as certified with the suggested modifications adopted by the Commission and accepted and implemented by the Board of Supervisors. And (2) the California Coastal Commission does not object to the Executive Director's determination that the Board of Supervisors' adopted resolution and ordinance is legally adequate and (3) the Coastal Commission Staff files, prior to December 8, 2017, said determination with the Secretary of Resources.

MEMORANDUM ATTACHMENT A:
**SUMMARY OF AMENDMENTS TO THE LAND USE PLAN, LAND USE MAP,
IMPLEMENTATION PROGRAM AND ZONING MAP**

A. AMENDMENTS TO THE LAND USE PLAN.

There are seventeen sections in the June 10, 1992 certified Mendocino County General Plan, Coastal Element *Chapter 4.13 Mendocino Town Plan*. Amendments to each are summarized below:

1. 4.13 MENDOCINO TOWN PLAN [Introduction] (1992, p 220)

Chapter 4.13 Mendocino Town Plan, as certified on June 10, 1992, begins on page 220 of the Coastal Element in the Mendocino County General Plan. The Board of Supervisors in December 2015 adopted, for Coastal Act purposes, a revised introduction to Chapter 4.13 titled *Section 1. Introduction*. The California Coastal Commission, in June 2017, certified the Land Use Plan amendment if modified as suggested by the Commission.

Similar to the 1992 land use plan, amended Chapter 4.13 *Section 1 Introduction* would begin:

“The unincorporated Town of Mendocino, on the Pacific Ocean in the County of Mendocino some 150 road miles north of San Francisco, is a unique historical residential community. Mendocino is designated as a special community, which, because of its unique characteristics, is a popular coastal visitor destination point for recreational uses.”

The amended Mendocino Town Plan Section 1 is divided into six subsections that have similar topic areas to the 1992 land use plan, but it would be revised to include current information.

Section 1. Introduction amended six subsections would be:

- 1.1 Mendocino: A Special Coastal Community
- 1.2 Purpose of the Town Plan
- 1.3 Coastal Act Goals and Standards for Local Coastal Programs
- 1.4 Planning Process
- 1.5 Current Community Issues
- 1.6 Organization of the Town Plan

2. ISSUES: Specificity of Plan, Growth, Design Character, Views from the Town, Water Supply, Sewage Disposal, Affordable Housing (1992, pp 221-224)

The amended Mendocino Town Plan, including Coastal Commission suggested modifications, would include *Section 3. 1992 Town Plan Setting, Description, and*

Background. Section 3 amended subsections would share similar topics to those of the 1992 land use plan ISSUES section.

Section 3. 1992 Town Plan Setting, Description, and Background amended subsections would be:

- | | |
|------------------------------|--|
| 3.1 Introduction | 3.3.1.b. Growth |
| 3.2 Background | 3.3.1.c. Design Character |
| 3.3 Planning Process | 3.3.1.d. Water Supply; Sewage Disposal |
| 3.3.1 Issues: | 3.3.1.e. Affordable Housing |
| 3.3.1.a. Specificity of Plan | |

3. DESCRIPTION: RESIDENTIAL, COMMERCIAL, MIXED USE, PUBLIC FACILITIES, OPEN SPACE, AFFORDABLE HOUSING, VISITOR SERVING FACILITIES, CIRCULATION AND PARKING, DESIGN GUIDELINES (1992, pp 224-228)

Amended *Section 3. 1992 Town Plan Setting, Description, and Background* share topic areas that are a part of the 1992 land use plan DESCRIPTION section. While topic areas are similar, they would be revised to include current information.

Amended *Section 3. 1992 Town Plan Setting, Description, and Background* amended subsections would additionally include:

- | | |
|--------------------------------|----------------------------------|
| 3.4 Mendocino Town Description | 3.4.7 Affordable Housing |
| 3.4.1 Residential | 3.4.8 Visitor Serving Facilities |
| 3.4.2 Commercial | 3.4.9 Circulation and Parking |
| 3.4.3 Mixed Use | 3.4.10 Design Guidelines |
| 3.4.4 Public Facilities | 3.5 Public Access |
| 3.4.6 Open Space | 3.6 Town Plan Administration |

4. COASTAL ELEMENT POLICIES: MENDOCINO TOWN GROWTH MANAGEMENT (1992, pp 228-233)

Amended *Section 4. Town Plan Policies* is divided into ten subsections and it would supersede the 1992 land use plan policy section. The amended nine policy areas would be:

- | | |
|--|---|
| 4.2 GM Town Growth Management Policies | 4.7 Public Facilities |
| 4.3 Mendocino Town Design Guideline Policies | 4.8 Public Access and Recreation |
| 4.4 Circulation and Parking | 4.9 Conservation |
| 4.5 Affordable Housing | 4.10 Mendocino Town Plan Administration |
| 4.6 Sustainability Policies | |

The amended policies listed in subsection 4.2 *GM Town Growth Management Policies* would replace 1992 policies 4.13-1 through 4.13-7 that are listed under the heading “Coastal Element Policies: Mendocino Town Growth Management.” 4.2 *GM Town Growth*

Management Policies would have thirty-one growth management policies; where the 1992 land use plan has seven.

Additionally, the Coastal Commission suggests modifications to *4.2 GM Town Growth Management Policies* that would delete policies GM-24 and GM-30. Their suggested modifications would also delete sections of policies GM-9(g), GM-15(c), GM-22.4(b), and delete and replace policy GM-13(b).

The Coastal Commission identified twenty land-use policies or actions that would not directly govern the issuance of coastal development permits and do not provide a basis for reviewing the land use plan consistency with the Coastal Act; for example, Action GM-22.5 seeks agency coordination between the County, California Department of Parks and Recreation, and the California Coastal Commission when Parks and Recreation updates their 1976 Mendocino Headlands State Park General Plan. An advisory note would be added to Action GM-22.5 that could read “Note: Action GM-22.5 does not directly govern the issuance of Mendocino Town Coastal Development Permits.” Similar notes would be added to each of the twenty land-use policies or actions and discussion of each follows in sections, 5, 6, 8, 9 and 10.

5. COASTAL ELEMENT POLICIES: MENDOCINO TOWN DESIGN GUIDELINES (1992, pp 233-234)

The amended policies listed in subsection *4.3 Mendocino Town Design Guideline Policies* would replace 1992 policies 4.13-8 through 4.13-13 that are listed under the 1992 land use plan heading “Coastal Element Policies: Mendocino Town Design Guidelines.” *4.3 Mendocino Town Design Guideline Policies* would have five design guideline policies; where the 1992 land use plan has six policies. Additionally, the Coastal Commission suggests modifications to *4.3 Mendocino Town Design Guideline Policies* to clarify policies and actions, including identifying Action DG-5.3 with an advisory note that would clarify that the County’s coordination with the International Dark Sky Association would not directly govern the issuance of a coastal development permit.

6. COASTAL ELEMENT POLICIES: MENDOCINO TOWN CIRCULATION AND PARKING (1992, pp 234-232)

The amended policies listed in subsection *4.4 Circulation and Parking* would replace 1992 policies 4.13-14 through 4.13-19 that are listed under the 1992 land use plan heading “Coastal Element Policies: Mendocino Town Circulation and Parking.” *4.4 Circulation and Parking* policies would consist of two policies and several actions; the 1992 land use plan has six policies.

The Coastal Commission suggests modifications to *4.4 Circulation and Parking* where policy CP-1, Action CP-1.1, policy CP-2, Action CP-2.1, Action CP-2.2, Action CP-2.3, and Action CP-2.4 would include an advisory note, as these policies and actions do not directly govern the issuance of coastal development permits.

7. COASTAL ELEMENT POLICIES: AFFORDABLE HOUSING (1992, p 235)

The amended policies listed in subsection *4.4 Affordable Housing (Government Code Section 65852.2)* would replace 1992 policies 4.13-20 through 4.13-22 that are listed under the heading “Coastal Element Policies: Affordable Housing.” *4.4 Affordable Housing* would have three affordable housing policies; where the 1992 land use plan has two policies. The Coastal Commission suggests a modification to delete Policy AH-1 and Action AH-2.3 from the amended plan.

8. COASTAL ELEMENT POLICIES: WATER (1992, p 236)

The amended policies listed in subsection *4.5 Sustainability Policies* would be divided into two topic areas: Water Conservation/Stormwater Management and Renewable Energy/Green House Gas Emission Reduction. This subsection supersedes 1992 policy 4.13-22 listed under the heading “Coastal Element Policies: Water.”

Amended *4.5 Sustainability Policies* Water Conservation/Stormwater Management subsection would consist of six policies and several actions. The stormwater management policies and actions would be new to the land use plan and have been written with close collaboration between Planning and Building Services staff and the Coastal Commission’s Water Quality Program Analyst, Dr. Vanessa Metz. The Coastal Commission suggested modifications (additions, clarifications, deletions) are supported by Planning and Building Services.

The Coastal Commission suggests the addition of the following Water Conservation/Stormwater Management policies and actions:

Policy S-1	Policy S-10	Policy S-12
Action S-1.1	Action S-10.1	Policy S-13
Action S-1.2	policy S-11	Policy S-14

The Coastal Commission suggests clarifying the following Water Conservation/Stormwater Management policies and actions:

Action S-2.5	Action S-5.2	Policy S-8
Action S-2.6	Policy S-6	Action 8.1
Action S-2.7	Action S-6.1	Policy S-9
Policy S-3	Policy S-7	Action 9.1
Action S-5.1	Action S-7.1	Action 9.2

The Coastal Commission suggests advisory notes amending Actions S-2.6 and S-2.7 to clarify that these actions do not directly govern the issuance of a coastal development permit. Action S-2.6 directs the Board of Supervisors to amend the County Building Code and Action S-2.7 advises Mendocino City Community Services District to monitor groundwater, fund a reclaimed water program, and other activities.

The Coastal Commission suggests not including (deleting) the following Water Conservation/Stormwater Management policies and actions:

Action S-6.3
Policy S-6

Action S-6.1
Action S-6.2

Action S-6.3
Action S-6.4

Amended 4.5 *Sustainability Policies* Renewable Energy/Green House Gas Emission Reduction subsection would consist of one policy and three actions. Policy S-7 and its complementary actions were adopted by the Board of Supervisors, for Coastal Act purposes, in December 2015.

9. COASTAL ELEMENT POLICIES: PUBLIC FACILITIES (1992, pp 236-237)

The amended policies listed in subsection 4.7 *Public Facilities* would replace 1992 policies 4.13-23 through 4.13-27 that are listed under the 1992 land use plan heading “Coastal Element Policies: Public Facilities.” 4.7 *Public Facilities* would have nine public facility policies; where the 1992 plan has four.

The Coastal Commission suggests advisory notes amending policies PF-2, PF-6, PF-7, and PF-8 to clarify that these policies do not directly govern the issuance of a coastal development permit. For example, PF-2 encourages the County to support arts education and PF-6 recommends standardizing street addresses in Town.

The Coastal Commission suggests clarifying the following public facility policies and actions:

Policy PF-1
Action PF-1.3
Action PF-1.4
Policy PF-2

Action PF-4.1
Action PF-5.1
Policy PF-6
Policy PF-7

Action PF-7.1
Policy PF-8

The Coastal Commission suggests modifying policies PF-2, PF-6, PF-7 and PF-8 to include a clarifying advisory note stating these measures do not directly govern the issuance of a coastal development permit.

The Coastal Commission suggests not including (deleting) the following 4.7 *Public Facilities* policies and actions:

Action PF-2.1

Action PF-2.2

10. NEW LAND USE POLICY TOPIC AREAS

- The eight policies listed in amended subsection 4.8 *Public Access and Recreation* would be added to the land use plan. The introductory paragraph to this subsection of the amended land use plan states:

“Section 4.8, the Public Access Chapter of the Mendocino Town Zoning Code, the Mendocino Town Public Access Map (Figure 4.13-6), the detailed Public Access Maps (Appendix 5), and the parts of the Mendocino Town Land Use Map that depict Highway 1, public roads, streets, and alleys, Mendocino Headlands State Park, passive and active local parks, and recreation facilities constitutes the specific Public Access Component of the Town of Mendocino Local Coastal Program.”

- The Coastal Commission suggests modifications to some of the public access and recreation policies and action items, including adding a clarifying note to Action PAR-1.2(c) and Action PAR-3.2 that these measures do not directly govern the issuance of a coastal development permit; deleting Action PAR-3.1; and adding policy PAR-8.
- The thirteen policies listed in amended subsection 4.9 *Conservation* would be added to the land use plan. The Coastal Commission suggests modifications to some of the conservation policies and action items, including clarifications to policy CNS-3, Action CNS-4.1, policy CNS-6, policy CNS-7, Action CNS-8.2, policy CNS-9, Action CNS-10.4 and CNS-13; and advising that Action CNS-4.1, Action CNS-4.2, and Action CNS-10.2 do not directly govern the issuance of coastal development permits.
- The seven policies listed in new subsection 4.10 *Mendocino Town Plan Administration* would be added to the land use plan. The Coastal Commission suggests modifications across these seven policies that would clarify their intent.

11. MENDOCINO TOWN LAND USE CLASSIFICATIONS (1992, pp 237-246)

Amended *Section 5. Mendocino Town Land Use Classifications* include nine of the ten land use classifications that are a part of the 1992 land use plan. The Board of Supervisors removed the classification *Forest Lands (FL)* when they adopted, for Coastal Act purposes, amendments to Coastal Element Chapter 4.13.

Each land use classification is detailed across nine subsections, which are:

- | | |
|--|------------------------------|
| 5.1 Open Space | 5.5 Town Residential |
| 5.2 Rural Residential | 5.6 Multi-Family Residential |
| 5.3 Suburban Residential | 5.7 Mixed Use |
| 5.4 Residential Planned Unit Development | 5.8 Commercial |
| | 5.9 Public Facilities |

Amended subsection 5.10 *Development Limitations* is a special combining district to be used only in conjunction with another land use classification.

12. DEFINITIONS (1992, pp 246-247)

The Board of Supervisors adopted, for Coastal Act purposes, amendments to the definition section of Chapter 4.13. The amendment includes relocating definitions to “Section 2. Definitions” and adding several new definitions to the land use plan.

December 2015 Board of Supervisor amendments and June 2017 Coastal Commission suggested modifications would add the following definitions to Section 2 of Chapter 4.13:

Aggrieved Person	Director	Natural Grade
Amendment, Local	Energy Facility	Nonconforming Lot
Coastal Program	Environmentally	Nonconforming
Amendment, Coastal	Sensitive Habitat Area	Structure
Development Permit	Estuary	Nonconforming Use
Approving Authority	Feasible	Paleontological Site
Beach, inland extent	First Public Road	Permitted Use
Bed and Breakfast	Formula Lodging	Person
Accommodations	Formula Restaurant	Principal Permitted
Best Management	Formula Retail	Use
Practices (BMPs)	Grading	Public Works
Building	Hostel	Sea
Building, Height of	Hotel	Second Dwelling Unit
Categorical Exclusion	Hydromodification	Semi-Public Facilities
Order Number E-96-1	Impervious Surface	Significant Effect
Coastal Act	Inn	(Impact) on the
Coastal Bluff	Lateral Access	Environment
Coastal Commission	Local Coastal Program	Shoreline
Coastal Conservancy	Lot	Special District
Coastal-dependent	Low Impact	Standardized Feature
Development	Development (LID)	State Coastal
Coastal-related	Major Energy Facility	conservancy
Development	Major Public Works	State Parks
Coastal Development	Facility	Stream
Permit	Major Use Permit	Structure
Coastal Permit	Major Vegetation	Structure Height
Administrator/Zoning	Harvesting or Removal	Student-Instructor
Administrator	Mean High Tide Line	Housing Facility
Community Gardens	Mendocino Town	Suite
Conditional Use	Local Coastal Program	Town of Mendocino
Cumulative Effect	Mendocino Town Plan	Use Permit
(Cumulative Impact)	Mendocino Town	Vertical Access
Density	Zoning Code	Wetland(s)
Design Storm	Minor Use Permit	Work
Development	Motel	

In addition, the amended definitions of “Residential Use,” “Dwelling Unit,” Single Unit Rental,” “Light Agriculture,” “Vacation Home Rental,” and “Lot Coverage” would include clarifications and suggested modifications.

13. EXCEPTIONS (1992, p 247)

The Board of Supervisors adopted, for Coastal Act purposes, an amendment eliminating the exceptions section of Chapter 4.13. The California Coastal Commission accepts this amendment.

14. FIGURE 4.13-1 MENDOCINO TOWN PLAN EXAMPLE OF USE OF SPECIAL SITE PLANNING STANDARDS TO PRESERVE OPEN SPACE CHARACTER WITHOUT REDUCING ALLOWABLE FLOOR AREA (1992, p 248)

The Board of Supervisors adopted, for Coastal Act purposes, an amendment deleting Figure 4.13-1 from Chapter 4.13. The California Coastal Commission accepts this amendment.

15. TABLE 4.13-1 MENDOCINO TOWN PLAN VISITOR SERVING FACILITIES (1992, p 249)

The Board of Supervisors in December 2015 amended Table 4.13-1 and renamed it “Appendix 2. Mendocino Town Plan Visitor Serving Facilities.” The Coastal Commission suggested additional modifications to the Table to further clarify the number of visitor serving facility units distributed across designated sites in Town. Appendix 2 identifies that 237 visitor serving facility lodging units are allocated across designated sites within the Town. Sites are identified on the Land Use and Zoning Maps with either an asterisk (*) or asterisk-B (*B). The Land Use and Zoning Maps would be amended to include the site of the Nicholson House, 44861 Ukiah Street, as a designated Visitor Serving Facility site with an asterisk (*). The Nicholson House, 44861 Ukiah Street, would also be added to the list of visitor serving facilities in Appendix 2.

16. TABLE 4.13-2 MENDOCINO TOWN INVENTORY OF VISITOR ACCOMMODATIONS SINGLE UNIT VISITOR ACCOMMODATIONS (1992, p 250)

The Board of Supervisors in December 2015 deleted Table 4.13-2 from the amended Chapter 4.13 Mendocino Town Plan. The California Coastal Commission accepts this amendment.

17. TABLE 4.13-3 MENDOCINO TOWN INVENTORY OF VISITOR ACCOMMODATIONS VACATION HOME RENTALS (WHOLE HOUSE CONVERSIONS) (1992, p 251)

The Board of Supervisors in December 2015 deleted Table 4.13-3 from the amended Chapter 4.13 Mendocino Town Plan. The California Coastal Commission accepts this amendment.

18. APPENDIX: INVENTORY OF HISTORIC STRUCTURES (1992, pp 252-261)

The Board of Supervisors retained the inventory of historic structures without amending the appendix. The inventory is renamed “Appendix 1. Inventory of Historic Structures.”

19. Amendments would include adding six appendices to Chapter 4.13 Mendocino Town Plan

- Appendix 3. California Department of Fish and Wildlife Marine Protected Area Regulations for the Big River Estuary (Mendocino Estuary)
- Appendix 4. California Coastal Commission Adopted Categorical Exclusion Order E-96-1 (November 14, 1996)
- Appendix 5. Public Access Component Detailed Access Way Aerial Maps
- Appendix 6. California Coastal Commission Post-LCP Certification Permit and Appeal Jurisdiction Map 32 (Excerpt) Town of Mendocino Area
- Appendix 7. MHRB Design Guidelines
- Appendix 8. Town of Mendocino Traffic Data November 23-30, 2015
- Appendix 9. California Coastal Commission Repair, Maintenance and Utility Hook-up Exclusion Guideline (1978)

20. Amendments would include eight figures within Chapter 4.13 Mendocino Town Plan.

The amended Mendocino Town Plan would have seven new figures. The 1992 Land Use Plan included Figure 4.13-1 that would be numbered 4.13-5 in the amended Mendocino Town Plan. Note: this figure is corrected. In the 1992 land use plan the two examples shown were identical; the examples differ in the corrected figure to depict how full development with the same lot coverage could preserve open-space character by clustering development.

- Figure 4.13-1 Town of Mendocino Aerial Photographs 2013
- Figure 4.13-2 Historic Zones A and B [map]
- Figure 4.13-3 Mendocino Town Land Use Map
- Figure 4.13-4 Mendocino Historical Maps and Charts
- Figure 4.13-5 Example of use of special site planning standards to preserve open-space character without reducing allowable floor area
- Figure 4.13-6 Vertical aerial photograph depicting coastal access
- Figure 4.13-7 California Coastal Trail Emblem
- Figure 4.13-8 Categorical Exclusion E-96-1 Zones within Town of Mendocino

B. AMENDMENTS TO THE LAND USE MAP.

Notes would be added to the land use map, including “Boundaries shown on this map do not establish or depict State of California ownership boundaries or Post-Town of Mendocino Local Coastal Program certification permit and appeal jurisdiction.”

And including “The Town of Mendocino boundary along the Pacific Ocean, Mendocino Bay, and tidal lower Big River follows the shoreline (Government Code Section 23123).”

The Mendocino Town Land Use Map amendments would include changing the classification of properties as follows:

- Highway 1 eliminate PF classification
- Grindle Park, 44700 Little Lake Road (APN 119-090-07), would retain OS classification
- Williams House, 10575 Lansing Street (APN 119-150-01), from RM and C to C classification
- Mendocino Rotary Foundation, 44960 Main Street (APN 119-250-07), from C to PF classification
- Mendocino Rotary Foundation, 44920 Main Street (APN 119-250-08), from C to PF classification

The Land Use Map amendments would include changing the OS classification to PF on land located at 10705 Palette Drive (APN 119-140-31) and owned by Mendocino City Community Services District.

The Land Use Map amendments would include designating the location of the Nicholson House, 44861 Ukiah Street (APN 119-250-12), as a Visitor Serving Facility by adding an asterisk (*) to the map.

C. AMENDMENTS TO THE IMPLEMENTATION PROGRAM.

1. CHAPTER 20.604 -- BASIC PROVISIONS

There are minor changes to CHAPTER 20.604 – BASIC PROVISIONS.

2. CHAPTER 20.608 – DEFINITIONS

The amendments to the definitions chapter of the Mendocino Town Zoning Code can be categorized as changes to provide consistency with the Town Plan, to provide consistency with Coastal Act requirements, to provide new definitions for areas not previously covered, to delete definitions, and to correct grammar and punctuation.

Amendments would include new definitions for:

Coastal Bluff	Estuary	Local Coastal Program
Coastal-dependent	Exterior of Structure	Major Public Works
Development	First Public Road	Permitted Use
Coastal-Related	Paralleling the Sea	Standardized Feature
Development	Formula Lodging	Suite
Community Garden	Formula Restaurant	Work
Energy Facility	Formula Retail	

Amendments would delete the following definitions:

Principal Use
Pygmy Forest
Pygmy Type Vegetation
Sensitive Coastal Resource Areas

PBS Staff considers the following changes or additions to be important:

Amendment	Second Dwelling Unit
Construction	Semi-Public Facilities and Public Utilities
Grading	Sensitive Coastal Resource Areas
Local Coastal Program	Student Instructor Housing Facility
Major Vegetation	Suite
Removal	Variance
Permitted Use	Visitor Serving Facility
Principal Permitted Use	Wetlands
Public Facilities	

3. CHAPTER 20.612 -- USE CLASSIFICATIONS

Major amendments to CHAPTER 20.612 -- USE CLASSIFICATIONS would include:

- Deleting *Student Instructor Housing Facility* from Residential Use Types, Civic Use Types and Visitor Accommodation Use Types
- Adding *Community Gardens* to Civic Use Types
- Deleting *Forest Production* from Agriculture Use Types

4. CHAPTER 20.616 -- RESIDENTIAL USE TYPES

No major amendment other than acknowledgement of *Second Residential Units* under Family Residential: Single Family and deletion of *Student Instructor Housing Facility*.

5. CHAPTER 20.620 -- CIVIC USE TYPES

Amendments to CHAPTER 20.620 -- CIVIC USE TYPES would include:

- Adding of *Art Center* and *Community Gardens*.
- Modify *Community Recreation* to specifically include Rotary Club properties at 44960 and 44920 Main Street.
- Modify *Major Impact Services and Utilities* to include “private water facilities and commercial communications facilities”.
- Modify *Minor Impact Utilities* to include “groundwater monitoring well installation and management”.

6. CHAPTER 20.624 – COMMERCIAL USE TYPES

Amendments to CHAPTER 20.624 -- COMMERCIAL USE TYPES would include:

- *Animal Sales and Services* would be amended to prohibit the sale of invasive exotic species in any pet store.
- *Food and Beverage Retail Sales* would be amended to include “tasting rooms”.

7. CHAPTER 20.628 – VISITOR ACCOMMODATION USE TYPES

Amendments to CHAPTER 20.628 -- VISITOR ACCOMMODATION USE TYPES would include:

- Expanding the description of *Visitor Accommodation Use Types*
- Adding “suites” to *Bed and Breakfast Accommodations*

- Delete *Student Instructor Temporary Housing Facility*

8. CHAPTER 20.632 – AGRICULTURAL USE TYPES

Amendments to Chapter 20.632 would include deleting *Forest Production*

9. CHAPTER 20.636 – OPEN SPACE USE TYPES

No major additions, deletions or modifications to CHAPTER 20.636 – OPEN SPACE USE TYPES, except for the expansion of *Passive Recreation* and *Active Recreation* use definitions.

10. CHAPTER 20.640 – ESTABLISHMENT OF ZONING DISTRICTS

Amendments to Chapter 20.640 would include deleting Mendocino Forest Lands District and modifying Mendocino Visitor Serving Facilities to include both **(Hotels, Inns, Motels)* and **B (Bed & Breakfast Accommodations)*. Previously, Bed & Breakfast Rooms was a separate combining district.

11. CHAPTER 20.644 – MENDOCINO RURAL RESIDENTIAL “MRR”

Amendments to CHAPTER 20.640 include:

- Expansion of MRM District intent would include an allowance for second residential units (with restrictions) and VSF Combining District for B&B.
- In all zoning districts, *Principal Permitted Uses* would be replaced by *Permitted Uses*. *Permitted Uses* would be divided into the following categories: (A) principal permitted use, and (B) permitted uses.
- *Stormwater Management* would be deleted as a principal use.
- *Groundwater Monitoring*, *Mutual Water Company Facilities*, *Visitor Serving Facilities* and *Bed and Breakfast Accommodations* would be deleted as permitted uses and *Community Gardens* and *Active Recreation* would be added as permitted uses.
- *Stormwater Management* and *Forest Production* would be deleted from Conditional Uses and *Single Unit Rentals* would be added.
- Maximum dwelling density would be amended to allow second residential dwelling units in the MRR-1 district on lots of 40,000 square feet or greater.
- New regulations regarding off-street parking for each visitor accommodation unit (one (1) space per unit or in-lieu fee) would be added.
- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.

12. CHAPTER 20.648 – MENDOCINO SUBURBAN RESIDENTIAL “MSR”

Amendments to CHAPTER 20.648 include:

- Expansion of MSR District intent would include five lots on southwest boundary east of Lansing Street and an allowance for second residential units (with restrictions).
- *Principal Permitted Uses* would be replaced by *Permitted Uses*. *Permitted Uses* would be divided into the following categories: (A) principal permitted use, and (B) permitted uses.
- *Stormwater Management* would be deleted as a principal use.
- *Groundwater Monitoring* and *Mutual Water Company Facilities* would be deleted as permitted uses and *Community Gardens* would be added as a permitted use.
- *Stormwater Management* would be deleted from Conditional Uses and *Single Unit Rentals* would be added.
- Maximum dwelling density would be amended to allow second residential dwelling units in the MSR districts on lots of 20,000 square feet or greater.
- New regulations regarding off-street parking for each visitor accommodation unit (one (1) space per unit or in-lieu fee) would be added.
- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.

13. CHAPTER 20.652 – MENDOCINO TOWN RESIDENTIAL “MTR”

Amendments to CHAPTER 20.652 would include:

- Expansion of MTR district intent supporting existing visitor accommodations in the Visitor Serving Facilities Combining District on sites with an asterisk (*) or asterisk-B (*B).
- *Stormwater Management* would be deleted as a principal use.
- *Light Agriculture* becomes a permitted use and not a principal use.
- *Groundwater Monitoring*, *Visitor Serving Facilities (Existing)*, *Hotels and Inns (*)*, and *Bed and Breakfast Accommodations (*B)* would be deleted as permitted uses and *Community Gardens* would be added as a permitted use.
- *Stormwater Management* would be deleted from Conditional Uses and *Single Unit Rentals* and *Cottage Industries* would be added.
- New regulations regarding off-street parking for each visitor accommodation unit (one (1) space per unit or in-lieu fee) would be added.
- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.

14. CHAPTER 20.656 – MENDOCINO MULTIPLE FAMILY RESIDENTIAL “MRM”

Amendments to CHAPTER 20.656 would include:

- Expansion of MRM district intent to allow a second residential dwelling unit with any primary family dwelling unit and support existing Visitor Services Combining District on sites with an asterisk (*) or asterisk-B (*B).
- *Stormwater Management* would be deleted as a principal use.
- *Light Agriculture* becomes a permitted use and not a principal use.
- *Groundwater Monitoring, Visitor Serving Facilities (Existing), Hotels and Inns (*)*, and *Bed and Breakfast Accommodations (*B)* would be deleted as permitted uses and *Community Gardens* would be added as a permitted use.
- *Stormwater Management* would be deleted from Conditional Uses and *Single Unit Rentals* and *Cottage Industries* would be added.
- Off-street parking for residential units amended to require 2 spaces for first unit and 1 ½ spaces for each additional unit. New regulations regarding off-street parking for each visitor accommodation unit (one (1) space per unit or in-lieu fee) would be added.
- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.

15. CHAPTER 20.660 – MENDOCINO MIXED USE “MMU”

Amendments to Chapter 20.660 would include:

- Expansion of MMU District intent supporting existing Visitor Services Combining District on sites with an asterisk (*) or asterisk-B (*B) and encouragement of moderately priced dwelling by allowing a second residential dwelling unit, subordinate in size and scale, in keeping with the existing pattern of development.
- *Stormwater Management, Visitor Serving Facilities (Existing), Hotels and Inns (*)*, and *Bed and Breakfast Accommodations (*B)* would be deleted as principal permitted uses.
- *Groundwater Monitoring* would be deleted as a permitted use and *Community Gardens* would be added.
- *Single Unit Rental* and *Vacation Home Rentals* would be added as conditional uses subject to issuance of a minor use permit.
- Minimum Vehicle Parking for MMU Districts. Bicycle Parking added as possible mitigation of impact of development on public parking with each bicycle parking space deemed to count as one-tenth of an automobile space subject to design approval by the MHRB. Off-site automobile parking may satisfy on-site parking requirements where development of on-site spaces is infeasible. A reduction in parking requirements may be allowed through joint use or shared automobile parking. One off-street parking space for each visitor accommodation lodging unit or an in-lieu fee.

- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.
- Additional requirements for MMU districts clarify that the requirement for 50 percent of gross floor area to be devoted to residential, the requirement that residential be permitted first, and the requirement that businesses not operate between 6:00 p.m. and 7:00 a.m. do not apply to parcels in the Visitor Serving Combining District with an asterisk (*) or asterisk-B (*B).

16. CHAPTER 20.664 – MENDOCINO COMMERCIAL “MC”

Amendments to Chapter 20.664 would include:

- Expansion of MC District intent supporting existing *Visitor Services Combining District* on sites with an asterisk (*) or asterisk-B (*B).
- *Stormwater Management* would be deleted as principal permitted uses.
- *Community Gardens* and *Visitor Accommodation Use Types* asterisk (*) and asterisk-B (*B) added as a permitted uses and *Groundwater Monitoring* deleted.
- *Stormwater Management* deleted as a use subject to a minor use permit and *Minor Impact Utilities*, *Single Unit Rentals* and *Vacation Home Rentals* added.
- Minimum Vehicle Parking for MC Districts. Bicycle Parking added as possible mitigation of impact of development on public parking with each bicycle parking space deemed to count as one-tenth of an automobile space subject to design approval by the MHRB. Off-site automobile parking may satisfy on-site parking requirements where development of on-site spaces is infeasible. A reduction in parking requirements may be allowed through joint use or shared automobile parking. One off-street parking space for each visitor accommodation lodging unit or an in-lieu fee.
- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.

17. CHAPTER 20.668 – MENDOCINO PUBLIC FACILITIES “MPF”

Amendments to Chapter 20.668 would include:

- No major changes to MPF District intent.
- *Open Space* added as principal permitted use in MPF and *Groundwater Monitoring* deleted.
- *Community Gardens* added as permitted use and *Permitted Use* added as a new section.
- *Art Center* and *Community Recreation* added as conditional uses and *Protected Natural Area*, *Public Park*, *Stormwater Management* and *Public Highways, Roads, and Streets* deleted as conditional uses.

- Shared parking may be allowed to provide adequate off-street parking for any temporary event or peak use period.

18. CHAPTER 20.670 – MENDOCINO FOREST LANDS DISTRICT “MFL”

Chapter 20.670 would be deleted.

19. CHAPTER 20.672 MENDOCINO OPEN SPACE “MOS”

Amendments to Chapter 20.672 would include:

- Minor changes to intent including naming Mendocino Headlands State Park and Friendship Park.
- Deletion of *Groundwater Monitoring* and *Community Gardens* as principal permitted uses.
- Addition of *Community Gardens* as permitted use.
- Addition of *Cultural Exhibits and Library Services* as condition uses and deletion of *Groundwater Management*, *Museum /Visitor Center* and *Appurtenances*, *Habitat Restoration*, *Overflow Parking*, *Forest Production*, and *Trails*.
- Change to minimum front and rear yards to allow for overflow parking for temporary events or times of peak usage at specific segments on Main Street, Heeser Street and Heeser Drive.
- Addition to automobile and bicycle parking requirements by clearly delineated spaces for persons with disabilities, stormwater runoff controls and installation of vehicle electric charging stations.

20. CHAPTER 20.676 MENDOCINO PLANNED DEVELOPMENT COMBINING DISTRICT “PD”

Amendments to Chapter 20.676 would include:

- Clarification of the intent of the Planned Unit Development Combining District.
- New language regarding conversion of a residential dwelling unit or portion thereof to any other non-residential use would be added.

21. CHAPTER 20.680 – MENDOCINO BED AND BREAKFAST COMBINING DISTRICT “B”

Chapter 20.680 would be deleted and combined with Chapter 20.684 Mendocino Visitor Serving Facilities Combining District.

22. CHAPTER 20.684 – MENDOCINO VISITOR SERVING FACILITIES COMBINING DISTRICT “*”(*and *B)

Between Mendocino County and Coastal Commission changes, Chapter 20.684 would be almost rewritten in its entirety including:

- Addition to intent to provide for, and protect, visitor accommodations within the Town of Mendocino as listed in Appendix 2.
- Addition of *Bed and Breakfasts*.
- Clarification that *Single Unit Rentals* and *Vacation Home Rentals* are Visitor Accommodation Use types but not included in the Visitor Serving Facilities Combining District (MVSFCD).
- Designation as the base zoning district principal permitted use as the principal permitted use in MVSFCD (* and *B).
- Visitor Accommodation Use Types (Visitor Serving Facilities) listed in Appendix 2 of MTP established as permitted uses.
- Additional regulations for Mendocino Visitor Serving Facilities Combining District established the number of visitor serving lodging units for the Town at *237 Inn, Hotel, and Bed and Breakfast* visitor serving facility lodging units.
- One parking space for each visitor serving facility lodging unit or an in-lieu fee for off-site parking
- Any new visitor serving facility on already designation on MT Land use and Zoning with an asterisk (*) or asterisk-B (*B) shall be located in MMU or MC districts.
- An explanation of the derivation of 237 units is provided.
- Provision that any visitor serving facility lodging unit that is operating without a valid coastal development permit where n is required must both submit an application for a CDP and obtain the CDP by June 30, 2019.

23. CHAPTER 20.688 – MENDOCINO DEVELOPMENT LIMITATIONS COMBINING DISTRICT “DL”

No major amendments to Chapter 20.688 Mendocino Development Limitations Combining District.

24. CHAPTER 20.692 – LIMITATIONS AND EXCEPTIONS

Amendments to Chapter 20.692 would include:

- Minor changes to Lot Area and Yards
- Maximize views when developing within 350 feet of Highway 1 right-of-way

- Approval for new development and redevelopment along streets with high levels of pedestrian activity shall require:
 - Renovation of existing sidewalks.
 - Where no sidewalks exist, provision of wheel stops or creation of public walking paths
- Prohibition of *Formula Restaurants*, *Formula Lodging* and *Formula Retail*

25. CHAPTER 20.696 – HOME OCCUPATIONS

There are no major changes to this section other than inclusion or allowance for accessory buildings to be used for home occupations. [Note: inadvertent duplicated language would be deleted]

26. CHAPTER 20.700 – COTTAGE INDUSTRIES

Amendments to Chapter 20.700 would include:

- Minor modifications and/or clarifications
- Expansion of districts where allowed

27. CHAPTER 20.704 – ACCESSORY USE REGULATIONS

Amendments to Chapter 20.704 would include:

- Minor modifications and/or clarifications
- Notice per the California Health and Safety Code and subject to coastal development minor use permit
- Allowance for *Second Residential Dwelling Units* as accessory structures with any primary family dwelling unit

28. CHAPTER 20.708 – TEMPORARY USE REGULATIONS

Amendments to Chapter 20.708 would include:

- Minor modifications and/or clarifications
- Reference to the County's General Plan *Development Element* "Noise Level Standards"
- Requirements for a coastal development permit for events that have the potential for significant adverse impacts on public access to coast

29. CHAPTER 20.712 – SIGN REGULATIONS

Amendments to Chapter 20.712 would include:

- Minor modifications and/or clarifications
- Exceptions to off-site signage for public safety, traffic directional and public access signs within public road or street right-of-way
- Preferred location of directory signs
- CDP exemptions for attached signs (with caveats) pursuant to Section 30610(b) California Public Resources Code and Title 14, California Code of Regulations, Section 13253

30. CHAPTER 20.713 -- OUTDOOR DISPLAY OF MERCHANDISE

Minor modifications and/or clarifications to Chapter 20.713.

31. CHAPTER 20.714 – CIRCULATION AND PARKING

Chapter 20.714 is an entirely new Chapter that would contain the following sections:

- Purpose
- Parking Requirements
- Methods of Compliance
- Avoidance of Adverse Impacts
- Bicycle Parking
- Avoidance of Impermeable Surfaces and Compaction
- Off-site Parking Requirements
- Implementation
- Improvement and Maintenance of Existing and New Parking

32. CHAPTER 20.716 – NONCONFORMING USES AND STRUCTURES

Amendments to Chapter 20.716 would include:

- Clarification of what constitutes lawfully established or lawfully authorized development.
- Replacement of 50 percent or more of a nonconforming structure is not repair and maintenance.
- Expansion of legal nonconforming structure may be authorized provided the expansion complies with current policies.

- Deletion of policy allowing 10 percent increase in structure destroyed by involuntary means or forces.

33. CHAPTER 20.717 – WATER QUALITY PROTECTION

Chapter 20.717 is an entirely new Chapter that would contain the following sections:

- Purpose
- Applicability
- Definitions
- Water Quality Protection Requirements
- Application Submittal Requirements
- BMP Maintenance and Conditions of Transfer

34. CHAPTER 20.718 - PUBLIC ACCESS

Chapter 20.718 is an entirely new Chapter addressing the following:

- Purpose and Applicability (to implement the public access and recreation policies of Chapter 3 of the Coastal Act and applicable policies of the Town Plan.
- Minimum Access Locations.
 - Mendocino Town Plan Public Access Maps (illustrative).
 - Review proposed development to ensure protection of public access.
 - Where mitigation required, preferred implementation through a recorded grant of easement to the County, another public agency or a designated private nonprofit.
 - VSFs and services on any parcel adjoining the shoreline, or adjacent to a parcel in Mendocino Headlands State Park that adjoins the shoreline shall provide access from the first continuous public road or street that parallels the sea to the nearest sustainable path of trail in Mendocino headlands State Park (with limitations).
 - Public fishing access.
 - Continuous public access ways.
 - A continuous public bike trail shall be located in the Highway 1 right-of-way in the Town.
 - Provisions addressing Highway 1-Big River Bridge Improvements.
 - Public access signage to Mendocino Headlands State Park.
 - Consideration of property purchase to complete public ownership of entire shoreline band in Town, including a public pedestrian access way and bicycle

lane on Lansing Street from northern limit of Town to Lansing and Main and Main Street Enhancement Project.

- Minimum Public Access Standards.
- Exemption from Requirements to Provide Public Access.
- Closure.
- Implied Dedication Arising from Public Use.
- Methods for Securing Access.
- Procedures for Conveyance of Title.
- Access Way Management Plan.

35.CHAPTER 20.719 - ENVIRONMENTALLY SENSITIVE HABITAT AREAS (ESHA'S)

Chapter 20.719 is copied directly from Division II and would be added to Division III with minor changes.

36.CHAPTER 20.720 - COASTAL DEVELOPMENT PERMIT REGULATIONS

Amendments would include clarification of procedures including:

- Content of information on notice
- Completeness of application
- Referral procedure for California Native American Tribal consultation
- Time limits on action for a CDP
- Additional findings for conditional use permits
- Development located within an ESHA

37.CHAPTER 20.724 - VARIANCES

- Minor changes clarifying or elaborating on process

38.CHAPTER 20.728 - APPEALS

- Minor changes clarifying or elaborating on process

39.CHAPTER 20.732 - AMENDMENTS

- Minor changes clarifying or elaborating on variance process

- Deleting of statement on CEQA exemption

40. CHAPTER 20.736 - ENFORCEMENT

- Minor changes, primarily grammatical or clarifications

41. CHAPTER 20.740 - SECOND RESIDENTIAL UNITS

- Clarification that a second residential dwelling unit as an accessory use to a primary residential dwelling where such units are a principal permitted use and permitted through Coastal Development Administrative Permit.

42. CHAPTER 20.744 - GROUND WATER EVALUATION

- Minor changes, primarily clarifications and corrections

43. CHAPTER 20.748 - SINGLE UNIT RENTALS AND VACATION HOME RENTALS

- Limit to 20 Single Unit Rentals and 10 Vacation Home Rentals (reduced from 23 SURs and 23 VHRs).
- New VHRs restricted to MMU and MC districts.
- Clarification and expansion of processing and maintaining a status log for SURs and VHRs.

44. CHAPTER 20.760 - HISTORICAL PRESERVATION DISTRICT FOR TOWN OF MENDOCINO

- Minor changes to definitions.
- Amendment to exemption for storage sheds less than 60 square feet and addition of exemption for rain water, groundwater and or potable water storage tanks in certain locations.
- Addition to application requirements referencing Chapter 20.717 storm water management and erosion control requirements procedure.
- Additions to MHRB noticing requirements as follows:
 - Posting on the Planning and Building Services Department web site.
 - Mailed, by first class mail or email, to all property owners within 100 feet of the boundary of the lot (parcel), excluding any road, street, or alley.
 - Mailed by first class mail to the Coastal Commission.
 - Mailed to any person who has requested notice in writing to the Mendocino Historical Review Board or Planning and Building Services Department.

- Mailed to the applicant at the address shown on the application.

D. AMENDMENTS TO THE ZONING MAP.

Similar to the Land Use Map amendments, notes would be added to the zoning map, including “Boundaries shown on this map do not establish or depict State of California ownership boundaries or Post-Town of Mendocino Local Coastal Program certification permit and appeal jurisdiction.”

And including “The Town of Mendocino boundary along the Pacific Ocean, Mendocino Bay, and tidal lower Big River follows the shoreline (Government Code Section 23123).”

The Mendocino Town Zoning Map amendments would include changing the classification of properties as follows:

- Highway 1 eliminate PF classification
- Grindle Park, 44700 Little Lake Road (APN 119-090-07), would retain OS classification
- Williams House, 10575 Lansing Street (APN 119-150-01), from RM and C to C classification
- Mendocino Rotary Foundation, 44960 Main Street (APN 119-250-07), from C to PF classification
- Mendocino Rotary Foundation, 44920 Main Street (APN 119-250-08), from C to PF classification

The Zoning Map amendments would include changing the OS classification to PF on land located at 10705 Palette Drive (APN 119-140-31) and owned by Mendocino City Community Services District.

The Zoning Map amendments would include designating the location of the Nicholson House, 44861 Ukiah Street (APN 119-250-12), as a Visitor Serving Facility by adding an asterisk (*) to the map.

