U_2017-0014 MARCH 1, 2018

SUMMARY

OWNER/APPLICANT: NORRIS MICHAEL H TTEES /

3881 WILLIAMS RANCH RD

WILLITS, CA 95490

REQUEST: Use Permit to formalize an existing short term rental in a

private guest room within the existing house. The short-term rental is defined under Mendocino County Code:

Sec. 20.164.015 (L) Room and Board.

DATE DEEMED COMPLETE: June 28th, 2017

LOCATION: ±8.0 miles southwest of the Willits city center,

approximately 500 ft east of Williams Ranch Rd. (Private). The subject parcel is addressed at 3381 Williams Ranch Rd., Willits, CA, 95490 (APN: 147-065-

11).

TOTAL ACREAGE: 39.23 Acres

GENERAL PLAN: Rangeland (RL:160)

ZONING: Rangeland (RL:160)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Section 15301 (Existing Facilities)

and Section 15303 (New Construction or Conversion of

Small Structures)

RECOMMENDATION: Approve w/ Conditions

STAFF PLANNER: Jesse Davis

BACKGROUND

PROJECT DESCRIPTION: The applicant is requesting a use permit to formalize an existing short-term rental, per Section 20.164.015(L) of the Mendocino County Code. The short-term rental would comprise the entirety of a partitioned guest bedroom within the owner-occupied primary dwelling unit. The owners have indicated that they will be on premises full time when guests are present.

<u>APPLICANT'S STATEMENT & SITE CHARACTERISTICS:</u> Please review 'Applicant Description of Project' enclosed in this report for additional information regarding property address, access, and description. The 'Applicant Description of Project' is enclosed as Attachment B of this packet.

RELATED APPLICATIONS:

On-Site: BL 2017-0213 (Short-Term Rental-Business License)

Neighboring Property: There are no related applications on adjacent properties that would affect, or be affected by, this continued use.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RL 160	RL 160	38.83 Acres	Residential
EAST	RL 160	RL 160	39.13 Acres	Residential
SOUTH	RL 160	RL 160	154.8 Acres	Residential
WEST	RL 160	RL 160	16.46 Acres	Residential

PUBLIC SERVICES:

Access: Williams Ranch Rd. (Private)
Fire District: Little Lake Fire District

Water District: NONE Sewer District: NONE School District: NONE

AGENCY COMMENTS: On December 19, 2017 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section:

REFERRAL AGENCIES	COMMENT
Department of Transportation	No Comment
Environmental Health	Approval
Building Inspection	No Response
County Addresser	No Comment
Assessor	No Response
Tax Collector	No Response
CalFire	No Comment
Little Lake Fire District	No Response

- **1. General Plan and Zoning Consistency:** The project site is classified as Rangeland (RL160) with a 160 acre minimum parcel size under the Mendocino County General Plan. This parcel is a legal nonconforming parcel given its 32.93 acres. The project site is zoned Rangeland (RL160), also with a corresponding minimum parcel size of 160 acres (RL160). As provided in Section 20.164.015(L) of the Mendocino County Inland Zoning Code, *Room and Board* is permitted in the RL District with a Use Permit. The Use Permit is only required if the parcel does not have frontage on a publicly maintained road. This parcel is accessed via BlackHawk Dr. (CR 371), which connects to William Ranch Road (Private) approximately 1.3 miles to the north, thereby requiring the Use Permit.
- **2. Nuisances:** The proposed project would allow non-residents to inhabit a guest bedroom for a short term period. This can lead to nuisances to the adjacent properties. Because the proposed project would allow up to four (4) overnight short term rental guests to be present, conditions have been included to help mitigate any nuisance issues. **Conditions 8 through 14** have been included to address issues regarding potentially excessive uses such as guest capacity and special events.
- **3. Environmental Determination:** The applicant proposes use of existing bedrooms as a short term rental. The project is Categorically Exempt from the provisions of CEQA, pursuant to Class 1 of Article 19 of the California Environmental Quality Act Guidelines. The Class 1 exemption finds that "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private

structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination." The proposed project meets the criteria of Section 15301 and has been determined to not have a significant effect on the environment and, therefore, be exempt from the provisions of CEQA. The project would not have any adverse impacts on the environment within the meaning of CEQA.

4. Transportation and Traffic: The project site is located within unincorporated Mendocino County along a private road, Williams Ranch Rd. The driveway entrance for the subject property is located 1.3 miles south of the intersection Blackhawk Road (CR 371) and Williams Ranch Rd. (Private). According to materials provided by the applicant, Williams Ranch Rd. is professionally maintained, and regularly accommodate heavy equipment and fire trucks. Staff considers access to be sufficient, however, clearly marked address numbers is advised by the County Addresser.

RECOMMENDATION

By resolution, adopt the Categorical Exemption and grant Use Permit U_2017-0014 for the Project based on the approved project description and findings and subject to the conditions of approval in Exhibit A.

	_		
DATE		JESSE DAVIS	

Appeal Period: 10 Days Appeal Fee: \$1,616.00

ATTACHMENTS:

- A. 'Applicant Description of Project'
- B. CalFire Documents
- C. Location Map
- D. Topographical Map
- E. Aerial Map
- F. Aerial Vicinity Map
- G. Site/Tentative Map
- H. Adjacent Owner Map
- I. Zoning Map
- J. General Plan
- K. Fire Hazards Map
- L. Soils Map
- M. Diagrams and Photographs

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

DESCRIPTION OF PROJECT

OWNER: Caroline Laib Norris or Michael H Norris

APN: 147-065-1101

ZONING: Rangeland

ADDRESS: 3381 Williams Ranch Rd Willits, CA 95490

PURPOSE OF APPLICATION:

This Use Permit Application is to request use of one (1) existing bedroom in my existing full time residence for a part-time vacation rental business.

PROPERTY LOCATION, ADDRESS AND ACCESS:

This 39.23 acre parcel is accessed from privately maintained south end of Williams Ranch Rd (1 mile) which is accessed from publicly maintained Blackhawk Road, via publicly maintained Black Bart Rd off of Highway 101 near Howard Forest Station and the CHP Weigh Station.

3381 Williams Ranch Road is the official address. Many years ago someone misread a 3 as an 8 so the address is also known as 3881 Williams Ranch Road.

Our property was once part of Ridgewood Ranch, before it was subdivided.

Our south end of Williams Ranch Road is professionally maintained by our closely knit neighborhood road association, which we founded over 20 years ago. We are very active in the association as maintenance coordinators and financial managers. The south end of Williams Ranch Road has approximately 35 full-time residents and many day workers.

UPS and FED EX use Williams Ranch Road daily to service the many residents.

PERSONAL STATEMENT:

We've lived full time in this home since 1992. We are retired, and have a large bedroom suite, in our home, available for a short term rental. This is a 2400 sq. ft. contemporary house, designed and built in 1982, by a Frank Lloyd Wright School architect. It has 2 bedrooms, 2 1/2 baths. No structures or changes are planned.

Two acres around the house are ornamentally landscaped and irrigated; fully fenced for deer. Over our 25 years in residence, we have hosted the Hospice Garden Tour and other local, charitable, fund raising events, including house concerts, free of charge. We continue to provide free short term housing for touring artists who are performing at local venues. We continue to host study groups to see native plants, fungi, trees, birds, and to hold Board Retreats. We

continuously host, free of charge, dancers, painters, photographers, writers. We also accommodate SERVAS travelers from around the world and have hosted foreign and domestic students.

We are former resort managers and we pride ourselves on our high standards of hospitality. Most of our non-local visitors are first time in the area, and are thrilled to enjoy the unique and lavish natural beauty here. They are here because of us and are very excited to discover Willits. They also spend considerable amount money in the County, particularly in Ukiah and Willits; for food, gifts, gasoline, personal items, restaurant meals, boutique clothing, books, local art and crafts. They use our knowledge and guidebooks. They visit the local museums and attractions. Income from part-time vacation rentals would help us afford to remain in our home; to do necessary maintenance to keep it up properly, and maintain the value of our home.

GUEST ROOM IN OUR HOUSE:

The private guest room in our house is approximately 600 square feet with a private full bath. It is a separate wing of the house, accessed through the living room near the front door of the house. It has separately controlled heating and cooling.

ELECTRICITY, GAS, WELL, SEPTIC SYSTEMS:

Our electricity is provided by 7KW solar system and an automatically operated 12 KW diesel generator. Propane is delivered to tanks. Water is from a strong, excellent well. Septic is adequate for a full time resident family and is serviced periodically by a local pumping company.

WATER SOURCES:

Our excellent well supplies two 3000 gallon domestic storage tanks which gravity feed into the house with 60 lbs. pressure. We have additional 17,000 gallons water storage to supply a CalFire approved fire hydrant 70' from the house.

PARKING AND DRIVEWAY:

There is parking next to the house for up to 6 or more cars, and an easy turnaround. UPS and FED EX use our road and driveway for deliveries. Heavy equipment has been to our house and 50% of the driveway is paved, including the area in front of the house. Turnaround near house will accommodate large emergency vehicles such as tankers, fire engines and heavy equipment.

Our driveway is a half mile, well maintained, rocked, 10'wide road that is paved in the steepest sections. We have created pullouts for convenience and for emergency vehicles in as many locations as possible given the terrain.

FIRE PREVENTION/PROTECTION:

The main house is surrounded by a 2 acres of fenced, lush, irrigated ornamental landscaping, and a firebreak conforming to CalFire standards. Grasses are kept trimmed to reduce fire hazard. We take fire danger seriously, and forbid any open flames (cooking, recreational, warming, etc) on our property. We also forbid smoking anywhere on the property.

We have a CalFire approved hydrant take off for access to all our water storage and well. We

have a domestic firefighting unit next to the hydrant, with tools, 300 feet of standard professional fire hose and nozzle. We also have an additional pumping station 1/10 of a mile from the house on the driveway, with its own water supply and pumping station. Our driveway and water connections are marked with appropriate blue reflectors. They are maintained for fire engines and tankers to access our water takeoff, and to turn around. We also have a large stock pond for collection and are located above Walker Lake.

HOUSE RULES:

We are on the premises full time and do not leave guests alone on the property at any time. We engage with our visitors, and are available to them at all times. We do not allow parties, pets, drugs or smoking, and are very careful about whom we invite to our home. Our guest room is advertised as a quiet retreat for respectful visitors.

NUMBER OF CARS:

The maximum number of guests per night could be as many as four (4) persons, though we expect that two (2) people would be the usual. The number of cars using our private road would be one (1) car, with two (2) being possible.

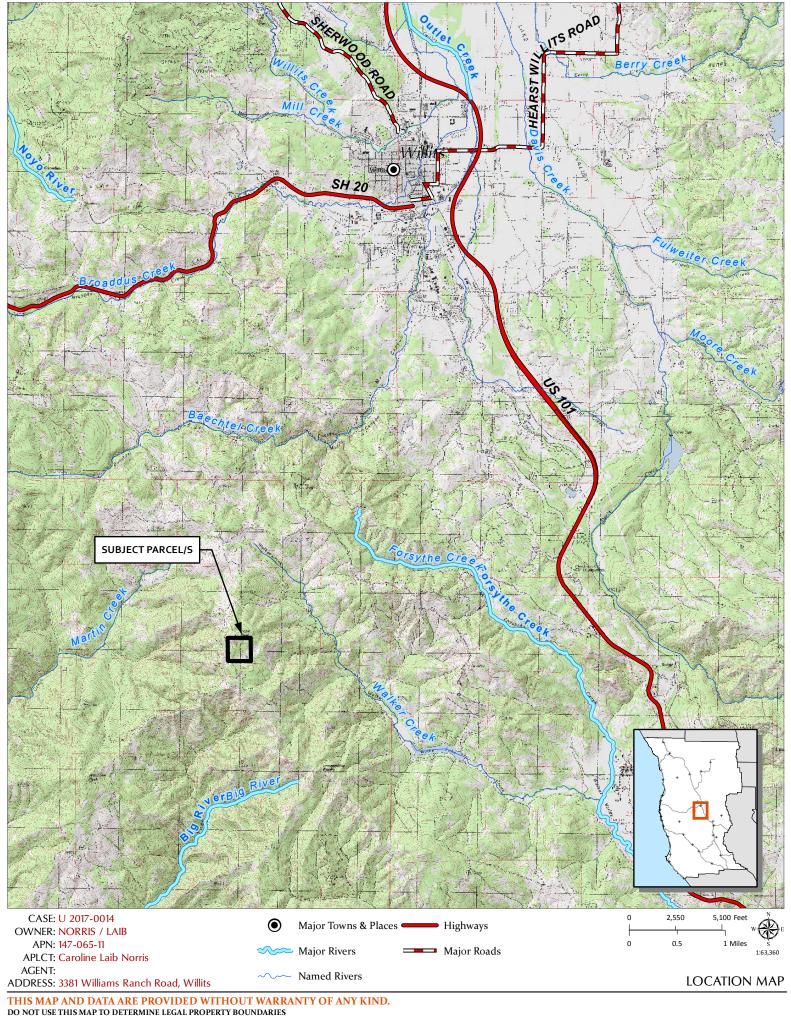
SEASONAL OPERATION & INCOME:

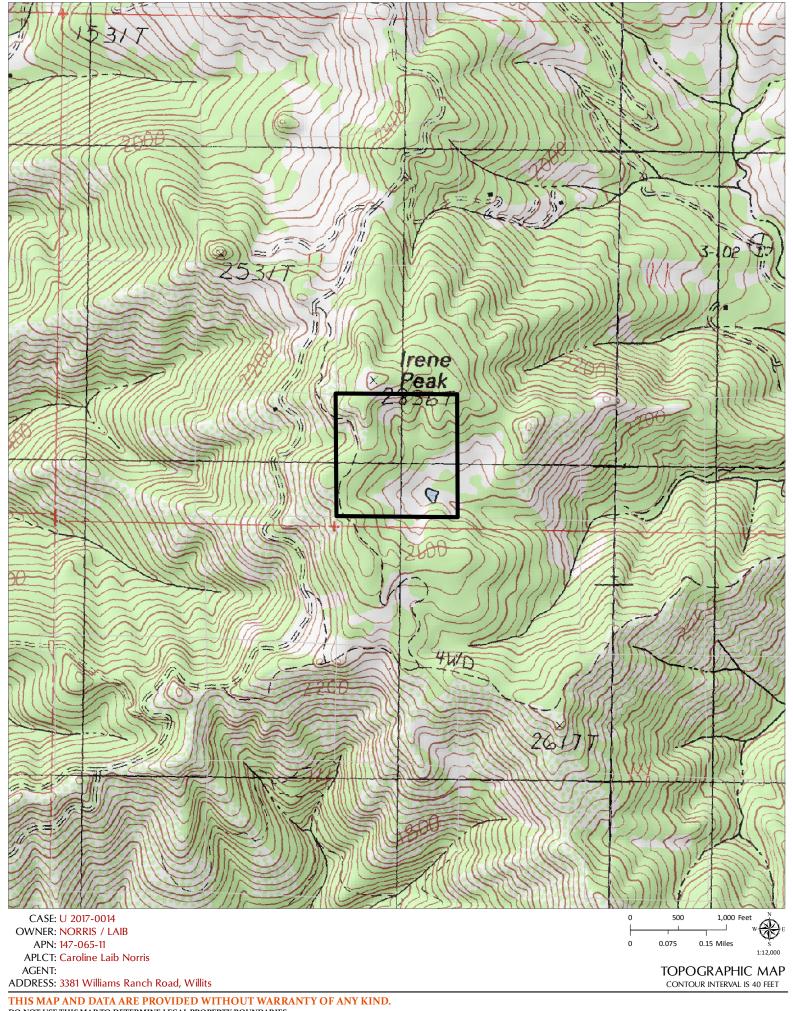
The main months of operation would be May through September, mostly with one or two night reservations on weekends. During the colder months of the year, October through April, we anticipate welcoming very few guests. We project our gross income for the year to be \$20,000 to \$25,000, subject to Transient Occupancy Tax. This income would be supplemental to our retirement benefits (Social Security).

ABOUT WEEKEND and VACATION GUESTS:

Weekend Guests are mostly up from the Bay Area cities for a break in their routine, to enjoy the scenic wonders of our region. There are also vacation tourists from all over year round but mostly during the Summer season; Europeans visit usually in early Fall.

Most are first time visitors, and are delighted with the natural surroundings, the hospitality and the services they find here. They all spend significant money here; on food, restaurant meals, gasoline, gifts, clothing, personal items, local art and crafts. They visit our parks and museums, ride the Skunk Train. They tell their friends about our area, creating word of mouth - the very best form of advertising. They like it well enough here to be return visitors. Vacation rentals are a valuable addition to Mendocino County tourism, and benefit the local economy. This industry is flourishing, and growing very rapidly. It is very popular with the younger working/tech population, which has the discretionary money to spend here. They value spending their time in natural beauty. It is advantageous to Mendocino County to attract and accommodate this demographic. We want to participate in this industry and thus contribute to the local economy and well-being of our county and communities.







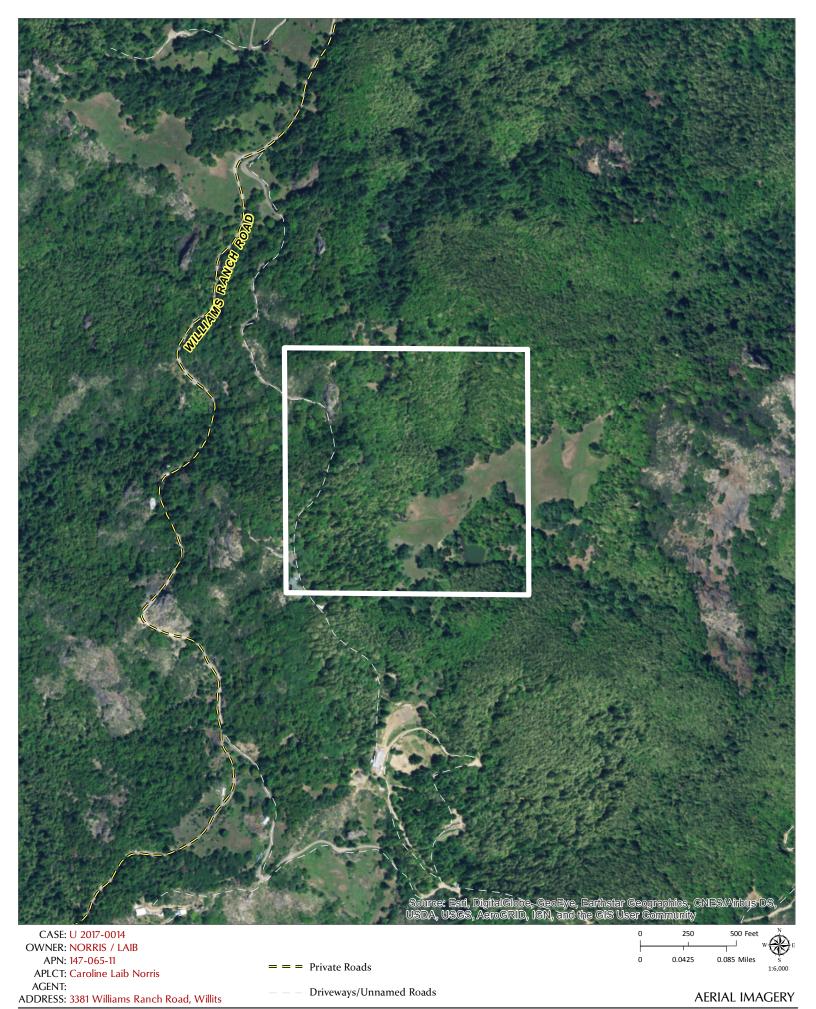
OWNER: NORRIS / LAIB APN: 147-065-11

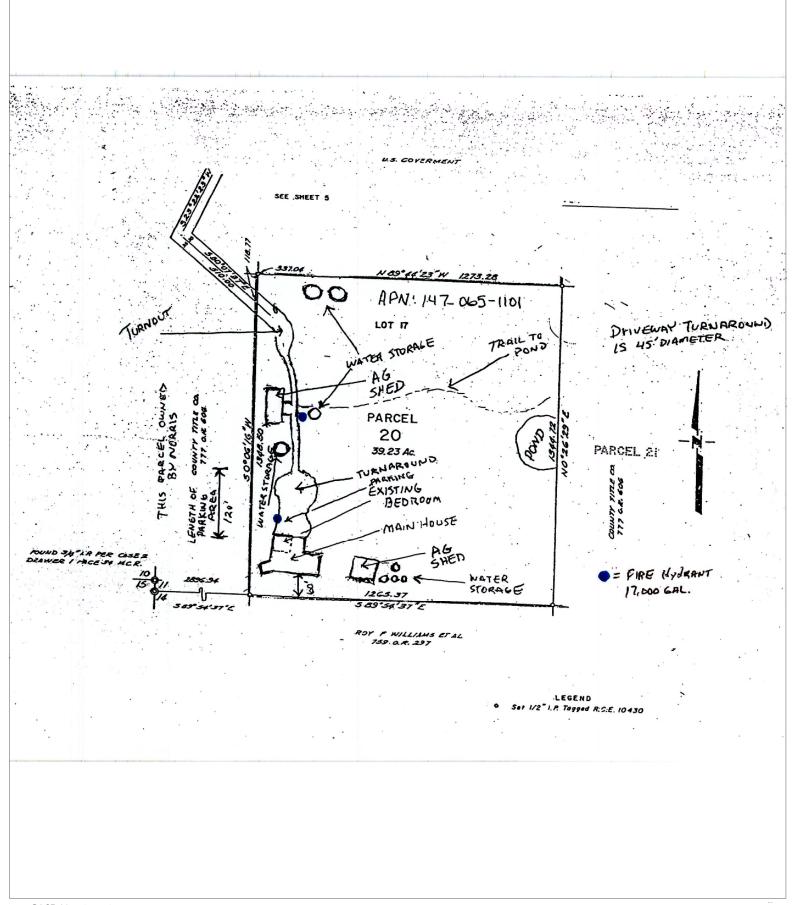
APLCT: Caroline Laib Norris

AGENT: ADDRESS: 3381 Williams Ranch Road, Willits

Driveways/Unnamed Roads







CASE: U 2017-0014

OWNER: NORRIS / LAIB

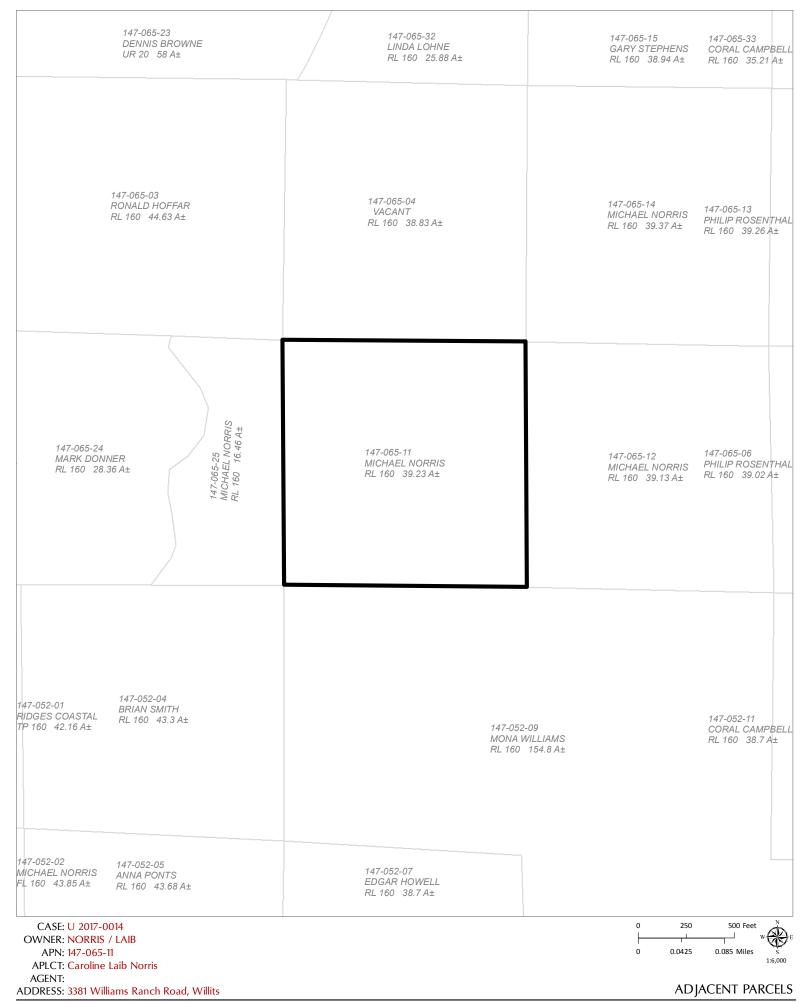
APN: 147-065-11 APLCT: Caroline Laib Norris

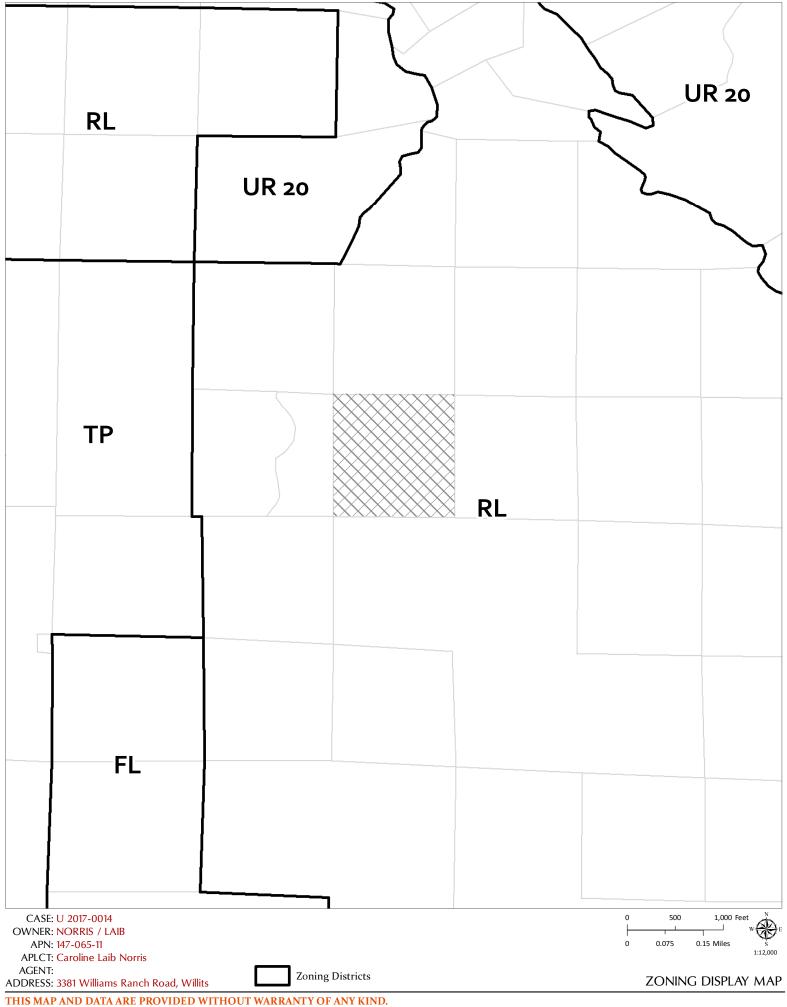
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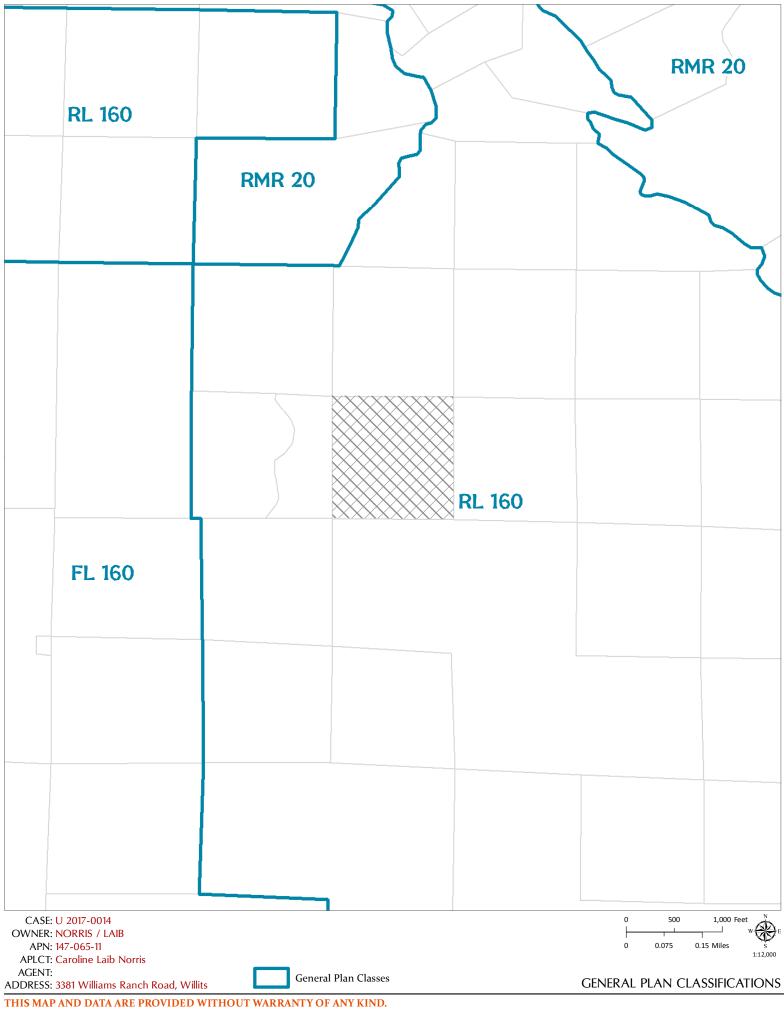
ADDRESS: 3381 Williams Ranch Road, Willits

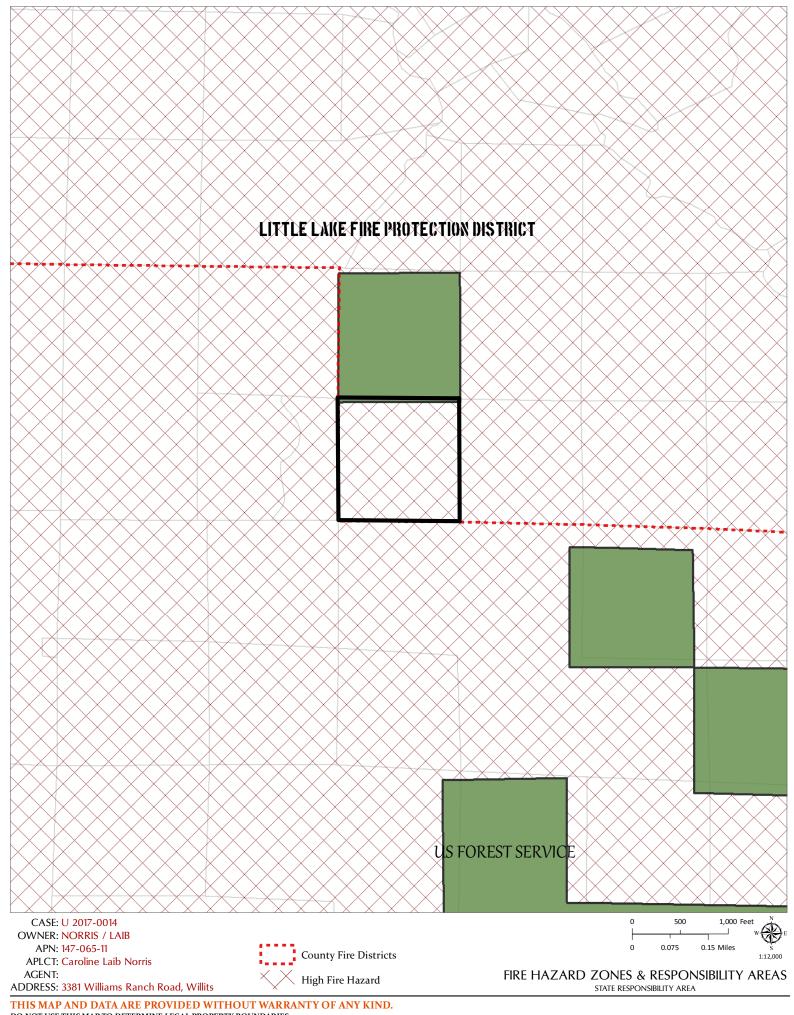
NO SCALE

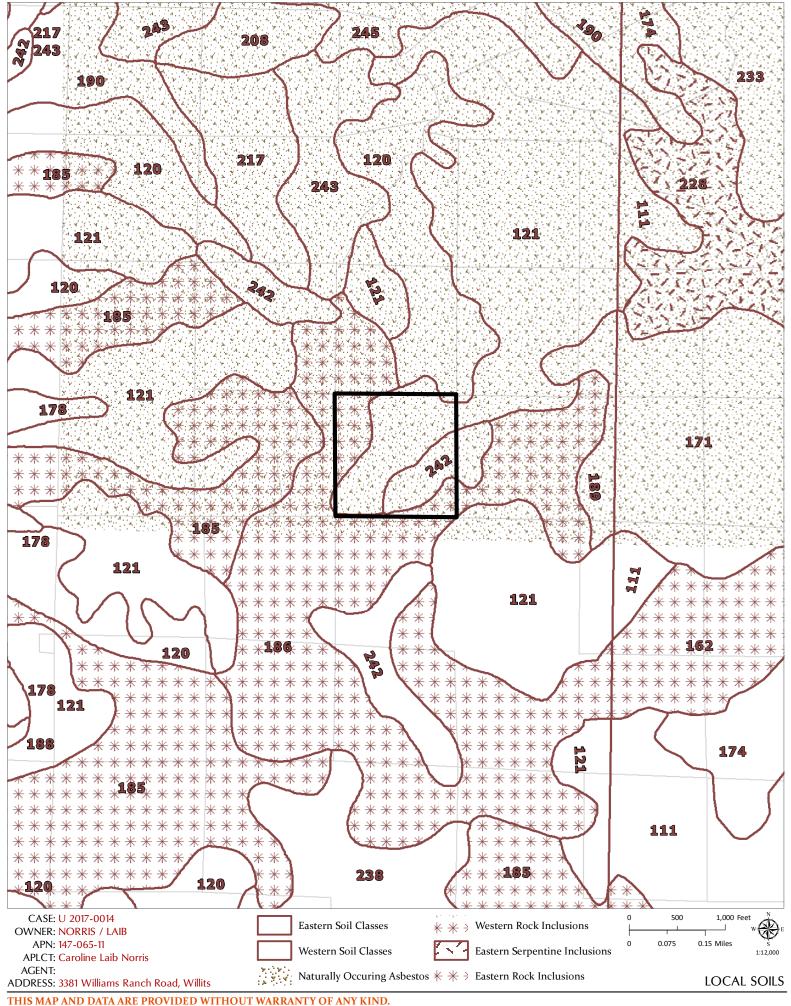
SITE PLAN

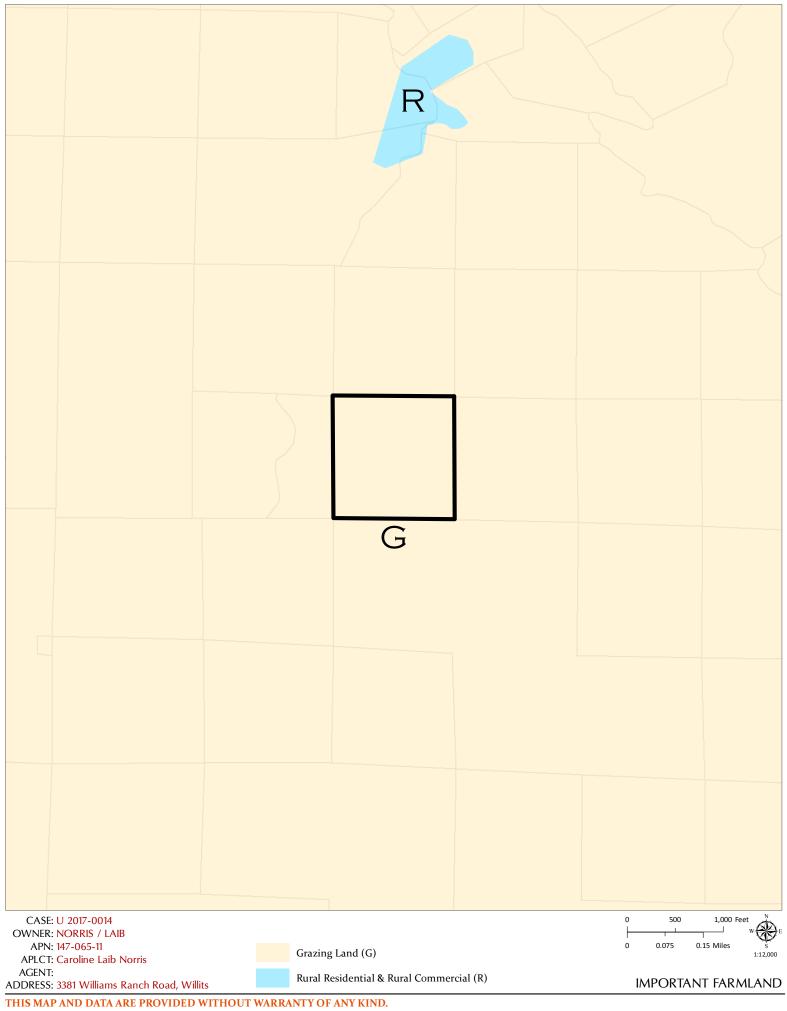


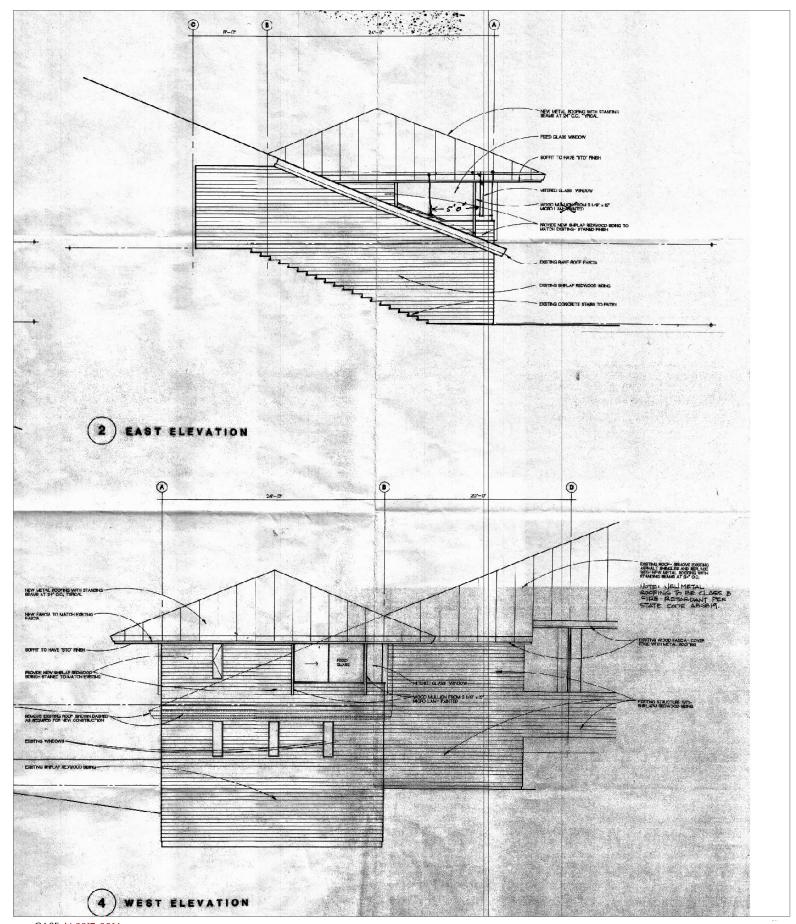












CASE: U 2017-0014 OWNER: NORRIS / LAIB

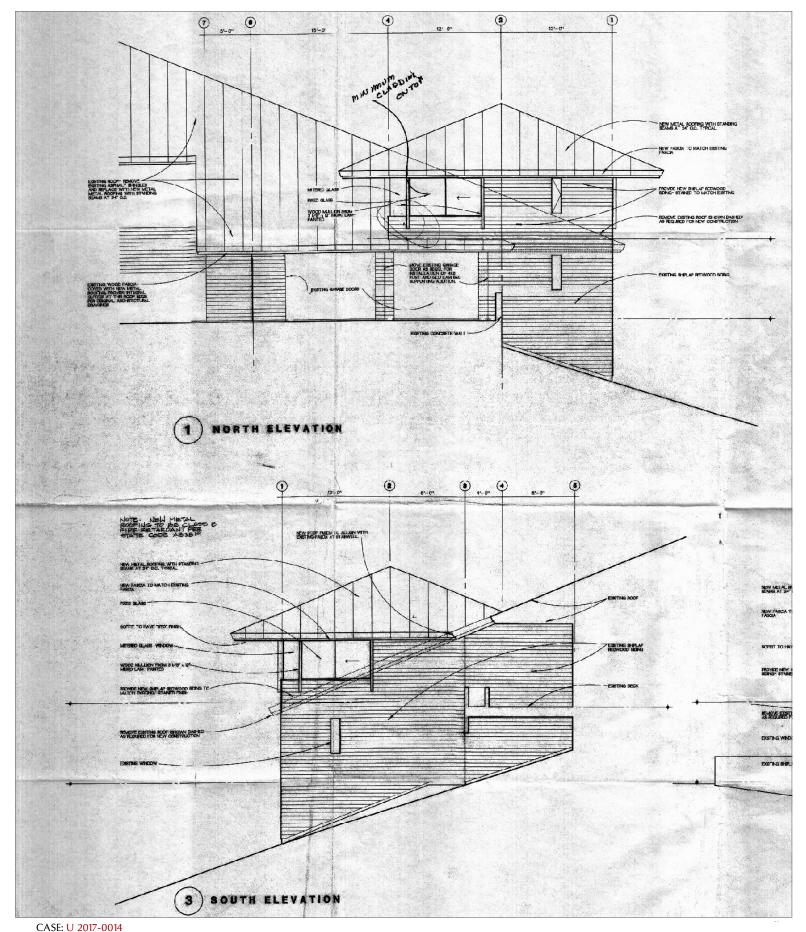
APN: 147-065-11 APLCT: Caroline Laib Norris

AGENT:

ADDRESS: 3381 Williams Ranch Road, Willits

NO SCALE

ELEVATIONS



OWNER: NORRIS / LAIB APN: 147-065-11

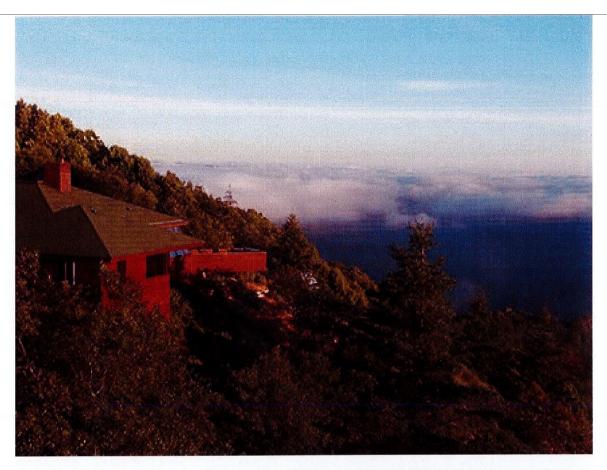
APLCT: Caroline Laib Norris

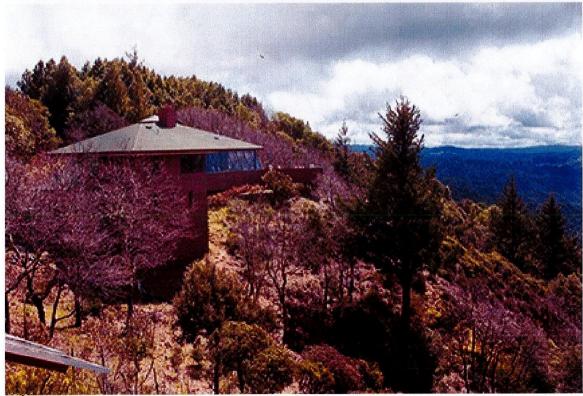
AGENT:

ADDRESS: 3381 Williams Ranch Road, Willits

NO SCALE

ELEVATIONS





APN 147-065-1101 orris Residence

3881 Williams Ranch Rd Willits, CA 95490-3558

CASE: U 2017-0014 OWNER: NORRIS / LAIB APN: 147-065-11

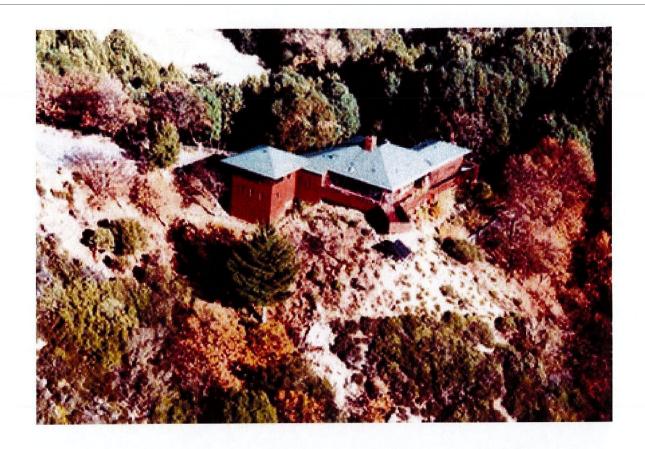
APLCT: Caroline Laib Norris

AGENT:

ADDRESS: 3381 Williams Ranch Road, Willits

NO SCALE

SITE PHOTOS





NORRIS RESIDENCE APN 147-065-1101

3881 Williams Ranch Rd Willits, CA 95490-3558

CASE: U 2017-0014 OWNER: NORRIS / LAIB APN: 147-065-11 APLCT: Caroline Laib Norris

APLC I: Caroline Laib Norris
AGENT:

ADDRESS: 3381 Williams Ranch Road, Willits

NO SCALE

SITE PHOTOS



NORRIS RESIDENCE APN 147-065-1101

3881 Williams Ranch Rd Willits, CA 95490-3558

CASE: U 2017-0014 OWNER: NORRIS / LAIB

APN: 147-065-11 APLCT: Caroline Laib Norris

AGENT:

ADDRESS: 3381 Williams Ranch Road, Willits

NO SCALE

SITE PHOTOS

Resolution	Number	
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County of Mendocino Ukiah, California March 1, 2018

U_2017-0014 - NORRIS MICHAEL H TTEES

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION AND GRANTING A USE PERMIT FOR A SHORT TERM RENTAL.

WHEREAS, the applicant, NORRIS MICHAEL H TTEES, filed an application for a Use Permit with the Mendocino County Department of Planning and Building Services to facilitate a short term rental, under the accessory room and board use type. Located ±8.0 miles southwest of the Willits city center, approximately 500 ft east of Williams Ranch Rd. The subject parcel is addressed at 3381 Williams Ranch Rd., Willits, CA, 95490 (APN: 147-065-11); General Plan RL160; Zoning RL160; Supervisorial District 5; (the "Project"); and

WHEREAS, the Secretary for Resources has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and the Project was determined to meet the criteria for a CATEGORICAL EXEMPTION from the California Environmental Quality Act (CEQA) under Class 1; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, March 1, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the CATEGORICAL EXEMPTION and the Project. All interested persons were given an opportunity to hear and be heard regarding the CATEGORICAL EXEMPTION and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Planning Commission regarding the CATEGORICAL EXEMPTION and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

- General Plan and Zoning Consistency Findings: The subject property is classified Rangeland (RL) under the Mendocino County General Plan. The proposed use related to room and board is consistent with the General Plan. Furthermore, the subject property is zoned Rangeland, 160 Acre Minimum (RL:160). The project, which comprises accessory use, *Room and Board*, is consistent with the uses subject to a Use Permit per Section 20.164.015 (L) of the Mendocino County Code.
- 2. **Nuisance Findings:** The proposed project was determined to have some nuisances with regards to noise; however, the Conditions of Approval have been indented to address such concerns.
- 3. **Environmental Determination Findings:** The proposed project has been determined to be Categorically Exempt from a CEQA Initial Study under a Class I exemption.

4. Use Permit Findings:

4.1 That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan.

The project would formally establish an existing *Room and Board* use on the subject property. *Room and Board* is specified as an "accessory use," and is permitted within properties classified under the Remote Residential (RL160) General Plan Classification. Therefore, the project would be in conformance with the Mendocino County General Plan.

4.2 That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

The project site is accessed via a private internal gravel roadway network off of Williams Ranch Rd. The Mendocino County Department of Transportation (MCDOT), and CalFire have reviewed the project. Additional conditions have been recommended by the County Addresser relating to maintaining a clearly addressed and marked driveway. All the above agency conditions have been incorporated into the project Conditions of Approval. With the incorporation of these conditions, this finding can be made.

4.3 That the proposed use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

The site is in an area developed with residential improvements on large, Rangeland zoned parcels. With the application of protective and operational conditions through this Use Permit, it is not anticipated that the project would create a public nuisance, and therefore, this finding can be made.

4.4 That such use preserves the integrity of the zoning district.

Through granting a Major Use Permit, to authorize the proposed use of Room and Board per Section 20.164.015(L) of the Mendocino County Code, and as conditioned, the project would be in conformance with the Rangeland (RL) zoning district and would not undermine the integrity of the zone.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Class I Categorical Exemption and Conditions of Approval. The Planning Commission certifies that the Categorical Exemption has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Categorical Exemption reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.		
ATTEST	: VICTORIA DAVIS Commission Services Supervisor	
Ву:		
BY:	IGNACIO GONZALEZ Interim Director	MADELIN HOLTKAMP, Chair Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL U_2017-0014 – NORRIS MICHAEL H TTEES MARCH 1, 2018

Use Permit with the Mendocino County Department of Planning and Building Services to facilitate a short-term rental, under the accessory room and board use type. Located ±8.0 miles southwest of the Willits city center, approximately 500 ft east of Williams Ranch Rd. (Private). The subject parcel is addressed at 3381 Williams Ranch Rd., Willits, CA, 95490 (APN:

APPROVED PROJECT DESCRIPTION: The applicant is requesting a use permit to formalize an existing short term rental, per Section 20.164.015(L) of the Mendocino County Code. The short term rental would comprise the entirety of a partitioned guest bedroom within the owner occupied primary dwelling unit. The owners have indicated that they will be on premises full time when guests are present.

CONDITIONS OF APPROVAL:

- 1. The permit shall become effective on the 11th day after Planning Commission approval and shall expire and become null and void at the expiration of two years after the effective date except where use of the property in reliance on such permit has been initiated prior to its expiration.
- 2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 20 of the Mendocino County Code.
- 3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.
- 4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
- 5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
- 6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
- 7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

- 8. The maximum overnight occupancy of short term rental guests is limited to six (6) individuals. An increase to the set limit must be made through a modification to this use permit.
- 9. The use of the property for short term rentals shall not include camping and overnight occupancy for paying guests is limited to the residential structures.
- 10. The short-term rental is intended for paying overnight, transient guest accommodations and shall not be used for "special events" or other large celebratory gatherings.
- 11. No permanent off-site signs advertising the site are authorized by this permit. One on-site, non-illuminated sign no larger than two (2) square feet (per Section 20.156.015(C) of the Mendocino County Code) shall be permitted at the property driveway accessed from Williams Ranch Road.
- 12. Parking shall be permitted only in designated parking areas accessed from the driveway. No parking shall occur on Williams Ranch Road.
- 13. Loud noises shall be limited to the hours of 10:00 a.m. through 10:00 p.m. Air horns, and any similar noise creating devices, are prohibited.
- 14. No campfires other than in designated fire rings/pits. Fire rings/pits will have at least a 10 foot circumference of clearance, with bare mineral soil around them.
- 15. The access driveway off of William Ranch Road must be clearly addressed and marked for the purposes of identification by clients and emergency service providers.
- In the event that the use of the facility should cease operation for a period exceeding one year or more, the use shall be deemed invalid and a new use permit will be required for the operation.
- 17. In the event that archaeological resources are encountered on the property, work or any use in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.
- 18. The use of the structures for room and board shall not be so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance. An action to revoke or modify this major use permit may be initiated by order of the Planning Commission or the Board of Supervisors.
- 19. The applicant shall finalize and receive a business license (BL_2017-0213) for operation of the short term rental in accordance with Chapter 6.04 of the Mendocino County Code. The business license shall not be transferable. Failure to maintain a valid business license shall result in the expiration of this permit. The applicant shall submit to Planning and Building Services, a copy of the business license and evidence of the annual renewal(s) within 30 days of issuance of the business license and renewal(s).
- 20. The applicant shall pay all required Uniform Transient Occupancy taxes in accordance with Chapter 520 of the Mendocino County Code.