

Mendocino County Board of Supervisors

LCP Amendment for Accessory Dwelling Units

GP 2018-0003 – Coastal Element of General Plan

OA 2018-0009 – Title 20, Division II, Coastal Zoning Code

Public Hearing: November 9, 2021



LOCAL COASTAL PROGRAM AMENDMENT – Accessory Dwelling Units

OBJECTIVES OF LCP AMENDMENT

- Create opportunity for development of ADUs and JADUs in coastal zone (outside of Town of Mendocino) to increase stock of affordable housing.
- To the extent feasible, mirror the County's inland ADU regulations.
- Protect coastal resources and satisfy Coastal Commission concerns while allowing for development of as many ADUs as possible.
- Establish as simple a permitting process as possible.
- Per State law, establish a Coastal Development Permit (CDP) process for ADUs that does not require a public hearing.



BACKGROUND

- November 5, 2019 – Board of Supervisors authorized submittal of LCP amendment application to California Coastal Commission (GP 2018-0003; OA 2018-0009)
- June 9, 2021 – Board of Supervisors reviewed Coastal Commission staff’s “suggested modifications” and provided direction to staff
- September 9, 2021 – Coastal Commission certified LCP amendment with suggested modifications
- October 7, 2021 – Planning Commission conducted public hearing and adopted resolution recommending that Board approve LCP amendment with two revisions



NO PUBLIC HEARINGS REQUIRED FOR COASTAL DEVELOPMENT PERMITS (CDPs) FOR ADUs

- Simple checklist review process for Ministerial CDP. Approved by Planning Director or their designee. Not appealable to BOS; may be appealable to Coastal Commission.
- Administrative CDP process with no public hearing for ADU applications that request exception(s) to the objective standards. Approved by Coastal Permit Administrator. Not appealable to BOS; may be appealable to Coastal Commission.



GENERAL ADU REQUIREMENTS

- ✓ 500-unit cap for ADUs outside of Gualala Town Plan area. 100-unit cap for ADUs within Gualala Town Plan area. No cap on JADUs.
- ✓ Blanket prohibition on Vacation Home Rentals on properties with an ADU and/or JADU.
- ✓ No more than one other “accessory living unit” permitted on a parcel, in addition to an ADU and a JADU.
- ✓ Floor area limitations for detached ADUs: 1,200 SF.
- ✓ Floor area limitations for attached ADUs: 1,200 SF or no more than 50% of existing dwelling.



OTHER ADU REQUIREMENTS

- ✓ Division of Environmental Health sign-off on water and septic.
- ✓ CalFIRE and local Fire District preliminary clearance letter.
- ✓ Prohibited in special flood hazard areas.
- ✓ ADUs/JADUs prohibited on parcels west of SR 1 in Gualala Town Plan area (per existing Gualala Town Plan).



COASTAL RESOURCE PROTECTION REQUIREMENTS FOR MINISTERIAL COASTAL DEVELOPMENT PERMITS:

- ✓ >100' from edge of Environmentally Sensitive Habitat Area.
- ✓ >125' from edge of coastal bluff (except if within existing permitted structure).
- ✓ If in designated Highly Scenic Area, must be “permanently and entirely blocked from view” from public road, trail, beach, park, waters used for recreational purposes.
- ✓ Less than 20 cubic yards of grading.
- ✓ Consistency with agricultural and timber resource protection policies.



REQUIREMENTS FOR ADUs ON AGRICULTURAL AND TIMBER LANDS:

- ADUs must be clustered with primary residence or located within existing “legally-authorized residential structure.”
- Detached ADUs on parcels with resource zoning (AG, RL, FL, TPZ) can be setback no more than 100 feet from the existing or proposed primary residence.
- Development associated with ADUs (wells, water storage, septic, parking, driveways, vegetation removal, etc.) must be clustered within “existing residential development footprint.”



PROCESS FOR LCP AMENDMENT

- BOS adopts General Plan amendment GP 2018-0003 – *November 9, 2021*
- BOS adopts Ordinance OA 2018-0009 – *November 9, 2021*
- Coastal Commission Executive Director confirms that final action of Board of Supervisors is consistent with Coastal Commission's certification of LCP Amendment & reports to Coastal Commission – *January 2022*
- LCP Amendment will become effective once the Executive Director's check-off is reported to the Coastal Commission – *February 2022*



RECOMMENDED ACTIONS

1. By motion, adopt resolution approving General Plan amendment GP_2018-0003
2. By motion, adopt Ordinance amending Mendocino County Coastal Zoning Code to implement OA_2019-0009 as recommended by Planning Commission with the exception of the recommended addition of “more than one” to Section 20.458.025(A)

