



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
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## MEMORANDUM

**DATE:** FEBRUARY 17, 2012

**TO:** BOARD OF SUPERVISORS

**FROM:** ROGER MOBLEY – ACTING DIRECTOR PLANNING & BUILDING

**SUBJECT:** DIRECTOR'S REPORT

**DEPARTMENTAL MATTERS:**

1. **Office Move:** The office move to co-locate with Environmental Health and DOT has been completed and we are in a “settling-in” process to work on functional efficiency. The shared counter reception area is functioning smoothly and presents a good window to the public. Now that the physical move is completed John Morley and I are working on strategies for improved service integration. DOT personnel are not physically in the new space yet but are expected within 30 days.
2. **Mixed-Use Ordinance:** Anticipating the adoption of the UVAP last August, staff developed a draft Mixed-Use Zoning Ordinance amendment to create a zoning classification to implement the UVAP Mixed-use land use designation. The draft Mixed-Use ordinance was reviewed by the Planning Commission in August of last year but has been continued since then to allow time to meet and work with the Brush Street Triangle land owners who expressed concerns about the requirements of the draft ordinance. Four meetings have been held with the owners which have resulted in some revisions to the initial draft ordinance to address some of their concerns.

Recognizing that the Mixed-Use Zoning will likely be necessary to zone sufficient land to meet the Housing Settlement Agreement, the revised draft Mixed-Use Ordinance will come back before the Planning Commission in March to ensure that enough time remains to bring the ordinance amendment to the Board for adoption and then process rezoning of selected properties to help meet the Settlement Agreement requirements.

3. **Harris Quarry EIR, Use Permit and Reclamation Plan:** The Harris Quarry Use Permit renewal/amendment process is moving towards a Planning Commission hearing in March. This project involves the renewal of the mine's use permit and reclamation plan allowing an increase in extraction capacity along with the inclusion of an asphalt processing facility. The inclusion of the proposed asphalt batch plant requires a Zoning Ordinance Amendment and rezoning for a portion of the mine property, as this is not a permitted use under the current Rangeland zoning of the property. To allow the asphalt plant a new overlay “combining” district has to be adopted and then applied as a rezoning to the portion of the property where the plant will be located. This proposed combining district is called the Mineral Processing Combining District.

In order to act on the proposed mine use permit renewal, the ordinance amendment creating the new Mineral Processing Combining District must be adopted first and then the zoning applied to the subject property. This process will require a combination of Planning Commission and Board actions as shown in the follow sequence of actions and approval authority:

<b><i>Order of Actions</i></b>	<b><i>Review/Approval Authority</i></b>
Review project EIR for adequacy	PC review and recommendation to BOS
Review ordinance amendment to create new Combining District	PC review and recommendation to BOS
Review rezoning to apply new Combining District	PC review and recommendation to BOS
Project FEIR certification	Board of Supervisors
Action on ordinance amendment to create new Combining District	Board of Supervisors
Action on rezoning to apply new Combining District to asphalt plant area	Board of Supervisors
Action on use permit & reclamation plan renewal	Planning Commission
Possible appeal of PC action on use permit renewal	Board of Supervisors

4. **CEQA Streamlining per SB 226 Response:** SB 226 proposes CEQA Guidelines revisions to allow for streamlined processing for qualifying infill development, and prior to adopting any Guidelines revisions there is a public comment period until the 24<sup>th</sup> of February. In review of the proposed streamlining revisions it appears that the benefits are almost exclusively for incorporated cities with only very limited application in unincorporated counties. This inequality seems to stem from the perception that counties don't have urban density/intensity development, which is obviously wrong. I have prepared a response letter pointing out this inequality and the incorrect perception that counties don't have qualifying urban intensity development that would benefit from the streamlining provisions. My response also suggests revisions that would allow county areas expanded qualifying criteria to be able to utilize the streamlining provisions. A copy of the response letter is attached and was submitted on February 15<sup>th</sup>.

5. **Mendocino County Resource Conservation District (RCD):** After securing a task and budget breakdown from Janet Olave with RCD, a contract for operational funding has been completed and is being circulated for all internal signatures. The operational funding was in the amount of \$25,200, and the breakdown of tasks and budget is shown in the attached letter from Janet Olave.

Regarding the Prop 84 NCIRWMP Grant Mendocino Jump Start Program, a letter has been sent to NCIRWMP, % Jennifer Jenkins at Humboldt County, advising them that the Mendocino County Water Agency no longer has the staff to manage this project. The letter requests that the responsibility to implement this project be transferred to the Mendocino County Resource Conservation District who has indicated their willingness and capability to assume responsibility for this project. A copy of this letter is attached.

6. **Mendocino Town Plan Update:** On January 26, 2012, staff conducted the second community outreach meeting in the Town of Mendocino. This meeting focused on traffic, circulation and

public facilities and was well attended with just slightly less people than the first community meeting. Supervisors Hamburg and Smith attended as well as Department of Transportation Director Dashiell. In addition to the community meeting staff also met twice with an inn keepers group to better understand their issues in the update process. Supervisor Hamburg attended the second of these two meetings. It is anticipated there will be 1-2 more community meetings before any redrafting of the Town Plan commences.

7. **Housing Settlement Agreement Meeting:** On February 16, 2012, Planning and County Counsel's office met with representatives of Legal Services of Northern California to review progress on meeting the provisions of the Settlement Agreement. Discussion focused on our progress to rezone the required 24 acres of land within the UVAP to accommodate medium density residential development capable of yielding at least 480 dwelling units. We have just finished rezoning the 8 acre RCHDC property on the south side of Brush Street and we explained our progress on the Mixed-Use ordinance that will accommodate the required density to satisfy the Settlement Agreement. We also discussed identifying potential alternative sites to ensure we meet the August 2, 2012 deadline (one year from adoption of the UVAP) to meet the Settlement Agreement. We anticipate bringing the draft Mixed-Use ordinance to the Planning Commission in March and to the Board in April or May. Rezoning will also be brought to the Planning Commission in April and to the Board in May or June.
8. **Land Use Code Update:** Work has started on analyzing the existing code to identify needed revisions and new sections that need to be added. This work involves critical review of the Inland Zoning Code, the Subdivision Ordinance and other Resource management codes and review of other jurisdiction codes. We are also in the process of trying to schedule a series of community outreach meetings which are anticipated to occur in Ukiah, Anderson Valley, Willits, and Fort Bragg. This work is partially funded through the Sustainable Communities Grant that was secured last year in partnership with Health and Human Services and the Cities of Ukiah and Fort Bragg.
9. **Round 2 Sustainable Communities Grant:** On February 15, 2012 we submitted a second grant application as part of Round 2 of the State's Sustainable Communities Grant Program. This application is focused on securing funds to do a county green house gas inventory and Climate Action Plan. This is one of the General Plan implementation actions identified in the recent GP update. Preparation of the grant application was coordinated by Abbey Stockwell with the participation of a consultant who was willing to commit their time in this effort in order to be considered to do the work if we are successful in being awarded the grant money. We hope to hear on the grant selection by early summer.
10. **Personnel Matters:** The department is currently down a coastal planner with the departure of Teresa Spade and also a code enforcement officer with the retirement of Jim McCleary. As a result, we have just started the paper work with HR to recruit for both a coastal planner and a code enforcement officer. We hope to fill these positions within the next 60 days.

Attachments:

- A. SB 226 CEQA Streamlining Response letter

B. RCD Operational Budget letter

C. NCIRWMP Jump Start letter