



## CHAPTER 20.760 HISTORICAL PRESERVATION DISTRICT FOR TOWN OF MENDOCINO

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### **Sec. 20.760.005 Purpose.**

The Board of Supervisors of the County of Mendocino find and declare that the Town of Mendocino and its immediate environs represents a unique and outstanding example of early California architecture and town development associated with the redwood lumber industry along the Mendocino Coast in the last half of the 19th century. The Town of Mendocino exhibits those qualities typical of a small Northern California coastal lumber town from that era by combining a balance of residential and commercial development with the forces of nature and the natural environment.

This Board further finds that much of the unique character of this community rests with the style of architecture which dominates the town and which is representative of early northern California architecture, to the extent that it has achieved recognition by being placed on the National Register of Historic Places. This character is reflected by the Town's distinctive mixture of weathered wooden commercial and residential structures sited to allow some unobstructed views of the ocean, bay and river from public streets, by the balance of the size and scale of its buildings, by its foot paths and back streets, by the presence of native vegetation, and by the architectural mix of its structures which contributes to the historical quality of the community.

Therefore, the Board finds that a Historical Preservation District is needed to preserve the architecture and character of this community. It further finds that the preservation of



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many buildings, representative of early northern California architecture within the Town of Mendocino is essential to the economic and cultural development of Mendocino, and to the economy of the Town and of the County, which is in large measure based on tourism and visitors who have been attracted to the town in substantial numbers. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.010 Designation of District.**

In addition to the use regulations provided in this division there is hereby established the Mendocino Historical Preservation District which shall be an overlay district applying to the following unincorporated areas of the Town of Mendocino:

(A) That area bounded on the north by Slaughterhouse Gulch, on the south by the waters of Big River and Mendocino Bay, on the west by the Pacific Ocean and the east (north of Little Lake Road) by those parcels fronting on the west side of Gurley Street (south of Little Lake Road), following the present Sewer District/Town Plan boundaries as per drawing (Assessor's Parcel Book 119, Pages 10 and 11).

(B) Excepting that subdivision commonly known as Point of View Estates, and Assessor's Parcel Numbers 119-070-12, 119-080-12, 119-080-14, 119-080-15, 119-140-04, 119-140-05 and 119-140-29 (November 28, 1978, Reed vs. County of Mendocino #44860); all that real property situated in the County of Mendocino, State of California, described in Exhibit "A", which is incorporated herein by reference and is available for public inspection at the office of the Mendocino County Office of the Clerk of the Board of Supervisors, Courthouse, Ukiah. Such area shall be subject to the provisions of this Chapter. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.015 Designation of Historical Zones.**

Within the Historical Preservation District as described in [Section 20.760.010](#) of this chapter there are established Historical Zones as follows:

(A) Historical Zone A is all that area within the Historical Preservation District located west of California State Highway One.

(B) Historical Zone B is all that area within the Historical Preservation District located east of California State Highway One. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.020 Establishment, Power, Duties and Responsibilities of Historical Review Board.**

There is hereby established a Historical Review Board, hereinafter called "Review Board," whose function is to preserve the architecture and character of the Historic District, whose duties are to review all applications for development as described in



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[Sections 20.760.030](#) and [20.760.035](#), within the Historical District and whose responsibility is to protect the landmark status of buildings, ensuring development is compatible with surrounding development.

Said Review Board shall consist of five (5) members who shall be electors and residents within the Historic District and, to the extent possible, represent a cross section of the community. In making its appointment(s), the Board of Supervisors may consider the applicant's length of residency within the Historic District as an important element in the selection process.

All Review Board members shall be appointed by the Board of Supervisors to serve a term of three (3) years. No members of the Review Board shall serve more than two (2) full consecutive terms without a break in service, excluding a partial term of less than eighteen (18) months. "Break in service" as used in this section shall mean a period of not less than three (3) years after the time a person has served on the Review Board.

Review Board members must retain their eligibility under the terms of this section throughout their term of office. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.025 Definitions.**

In addition to the definitions provided in [Chapter 20.608](#), the following supplemental terms used in this Chapter shall be defined as set forth herein:

(A) "Alteration" means the addition to or removal of or from a structure or "outdoor advertising sign" or any part thereof, the repair thereof, and glazing, painting or removal of paint, and similar modification.

(B) "Exterior of a Structure" means any portion of the outside of a structure or "outdoor advertising sign" or any addition thereto.

(C) "Historically Important" means any structure where the construction date is known or closely estimated, research regarding its history is in progress, and the architecture has been modified.

(D) "Landmark Structure" means any structure where the construction date has been identified, its history has been substantiated, and only minor alterations have been made in character with the original architecture. Landmark structures are identified in Appendix 14 of the Coastal Element of the Mendocino County General Plan.

(E) "Outdoor Advertising Sign" means any sign or structure of any character erected, altered, relocated or maintained for any commercial purposes, whether or not on or attached to a building or structure, except notices lawfully attached to any public notice or public signboard approved by the Review Board.



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(F) "Outdoor Lighting" means any exterior lights or lighting systems designed or maintained to light the exterior of a structure, streets, pedestrian walkways, doorways, stairs, and similar areas.

(G) "Street Vending" means the displaying, offering or solicitation for sale or the actual sale of goods, food, wares, merchandise, artwork or similar items on a public street or sidewalk with the receipt or expectation of consideration. Street vending does not mean the displaying, offering or solicitation for sale or the actual sale of crab, fish, agricultural products and firewood on and east of Lansing Street, and such activities as the distribution or offering, with or without the receipt of consideration, of printed written or similar material of information.

(H) "Structure" means anything constructed or erected, the use of which requires location in or on the ground or attachment to something having location in or on the ground. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.030 Work in Historical Zone A Requiring Approval.**

None of the following activities shall be commenced or continued within Historic Zone A, nor shall any building, demolition or any other permit necessary for such work, be issued without prior approval of the Review Board except as specifically provided in [Section 20.760.040](#).

(A) The construction, reconstruction, rehabilitation, demolition, enlargement, repair, resiting, or removal of any building or structure; or the alteration of the exterior architecture of any building or structure;

(B) Demolition or removal of any structure of a value of over one hundred dollars (\$100.00) or having a square footage area of over one hundred twenty (120) square feet;

(C) Any excavation of, or deposit of material upon, land in such a manner as to materially alter the existing contour or condition of the land, including leveling, grading, piling, paving, or installation of retaining walls;

(D) All fences and/or exterior dividing walls;

(E) Walkways and driveways;

(F) Construction, erection, installation, relocation or alteration of any outdoor advertising sign, whether lighted or unlighted, including new sign copy except as exempted in [Section 20.760.040](#), and any indoor commercial self-contained lighted sign which is visible from a walkway normally used by the public;

(G) Any outdoor lighting as defined herein;



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(H) Any painting of the exterior of a newly constructed building or structure, or any painting of the exterior of an existing building or structure;

(I) Any construction of public utility poles and street lights;

(J) Placement of commercial dumpsters;

(K) Any construction related to landscaping in excess of six (6) feet in height. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.035 Work in Historical Zone B Requiring Approval.**

None of the activities identified in [Section 20.760.030](#) shall be commenced or continued within Historical Zone B, nor shall any building or other permit necessary for such work be issued, without the prior approval of the Review Board where such activity is capable of being seen by a person standing on any point in Historical Zone A. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.040 Exemptions.**

The following activities shall be exempt from the provisions of this Chapter:

(A) Single story detached accessory buildings used as tool and storage sheds, or similar uses, provided the combined roof area does not exceed one hundred twenty (120) square feet, and the height of the building does not exceed ten (10) feet from ground level, roofs do not contain skylights, materials are wood, design is harmonious with existing neighboring structures; and such accessory buildings are located unobtrusively inside of rear yards.

(B) Lean-to firewood storage shelters not exceeding six (6) feet in height and constructed with wood materials harmonious with existing structures.

(C) Routine maintenance of existing structures where materials used match existing, and, where no alteration of height, dimensions, or exterior architecture of such structures will occur.

(D) Wood construction decks, less than one hundred (100) square feet, less than thirty (30) inches high from grade to top of deck floor, without railings.

(E) Fences constructed of wood that are less than six (6) feet in height.

(F) The following temporary signs:



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(1) One (1) temporary real estate sign, not exceeding three (3) square feet, containing the seller's name, address, phone number, and the zoning district of the site may be displayed on each street frontage of real property that is for sale, rental, or lease. Such signs shall be removed within fifteen (15) days of sale or lease of the property.

(2) Strings or individual banners, streamers, pennants, or similar devices shall be permitted for business openings or special events. Such devices must be removed fifteen (15) days after the opening or twenty (20) days after their installation, whichever comes first.

(3) Political signs pertaining to a scheduled election shall be permitted provided that they shall be removed within fifteen (15) days after the election.

(G) The following special purpose signs:

(1) Directional, warning or informational signs required or authorized by law which are erected by federal, state, county or municipal officials.

(2) Official notices issued by a court or public body or office and posted in the performance of a public duty.

(3) Danger signs solely for the purpose of protecting the safety of the public.

(4) House numbers.

(5) "Open" or "closed" sign provided that only one such sign is located at each business entrance, only the words "open" or "closed" appear on the sign and the sign does not exceed forty-eight (48) square inches.

(6) One permanent menu board for each public entrance to a restaurant, cafe or other eating establishment provided the menu board is no larger than two (2) square feet.

(H) Copy changes on legally existing signs provided that the Planning and Building Services Department has determined that the replacement or revised sign:

(1) Conforms to sign size and design standards contained in this Chapter and [Chapter 20.712](#); and

(2) Is similar in color and design to the original sign; and

(3) Is not larger than the original sign; and

(4) Is in the same location on the property as the original sign.



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(I) Routine maintenance repainting of any building or structure in the same basic shade of color.

(J) Outdoor lighting for doorways and stairs provided that the lighting is shielded, reflected downward and positioned in a manner that does not allow light glare to extend beyond the boundaries of the parcel on which it is placed.

(K) Changes to existing roofing materials provided that the Planning and Building Services Department has determined that the roof is to be of wood shingles, or composition or other fire retardant material, which gives the appearance of wood.

(L) New concrete foundations under existing structures where the new foundation does not raise the height of the existing building by more than six (6) inches, and where there will be no more than ten (10) inches of concrete visible.

(M) Window signs located within a structure (See [Chapter 20.712](#)).

(N) Reconstruction of an existing sidewalk and immediate area in exact replication of the undamaged original sidewalk and immediate area. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.045 Activities in All Historical Zones Requiring Approval.**

No mobile home, trailer, camper home, tents, teepees, utility trucks, inoperable cars, satellite dishes, solar collecting devices, metal wind devices and other mechanical equipment shall be constructed, installed, kept or stationed on a regular basis in an uncovered, visible area in any portion of the Historic Preservation District after the effective date of this Ordinance without the prior approval of the Review Board. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.050 Standards.**

It is the intent of this section to provide standards which shall be used by the Review Board when considering applications subject to the provisions of this Chapter:

(A) Size, forms, materials, textures, and colors shall be in general accord with the appearance of structures built in Mendocino prior to 1900. To this end they shall be in general accord with the designs as exemplified, but not limited to, those depicted in the photographs contained in Exhibit "B", a book of photographs which is incorporated herein by reference and is available for public inspection through the Clerk of the Mendocino Historical Review Board. This section shall not be interpreted as requiring construction to be with the forms, materials, textures, colors or design as used in Mendocino prior to 1900, but only that the construction be compatible with and not in disharmony with the architectural standards herein expressed.



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- (1) All activities subject to this Chapter shall relate to the area in which it is located through texture, size, proportion, height, form, style, siting, materials, and relationship to surrounding structures. Contemporary design is not expressly prohibited.
- (2) The excessive use of glass is discouraged.
- (3) The architecture, size, materials, details, proportion, height, texture, color, facade treatment and fenestration of the work proposed insofar as the same affects the appearance of the subject property and other property within the district.
- (4) Fences should be of wood, iron, or plant materials. Retaining walls should be of dry stone, stone masonry or wood.
- (5) Sidewalks of brick, flagstone, or board are allowed. Driveways of grass, gravel or turfstone are allowed. Major coverage of front yard setbacks is prohibited.
- (6) Lighting: If sign lighting is required, it shall be indirected, restricted to business hours only, and shall not create a glare or reflection onto adjacent properties or public streets. Neon lighted signs are prohibited. Indoor lighted signs visible to the public from outside the building are subject to the approval of the Mendocino Historical Review Board.
- (7) Utility poles and street lighting: Street lighting shall be limited to only that necessary for safety to light streets and pedestrian walkways.
- (8) Signs:
  - (a) Signs should be made of wood.
  - (b) Only one (1) sign will be allowed per business when one (1) sign will suffice.
  - (c) Use of a "directory" type sign is recommended for buildings containing more than one (1) business and using a common entrance.
  - (d) Size, design, and location of sign shall be in harmony with the building and surrounding buildings.
  - (e) Signs shall not block public views or lines of sight. Signs flush to building are preferable; signs perpendicular to building are permitted under special circumstances.
  - (f) Signs advertising businesses outside of the Historic District or advertising local businesses not located on the same property are prohibited.
- (9) Exterior painting: In the use of paint color schemes involving more than one (1) color, the "accent" color shall be limited to those parts of the structure, defined herein:



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- (a) Basic color: applied to exterior siding.
- (b) Trim color: applied to soffits, fascias and trim.
- (c) Accent color: applied to window frames, emullients, muntins and doors.
- (10) Dumpsters shall be effectively screened from public view.
- (11) Landscaping: Any construction related to landscaping in excess of six (6) feet in height shall be compatible with and not in disharmony with the existing structure(s) on the property or other structures in the District.
- (B) In order to further amplify and illustrate the descriptions or definitions of Mendocino architecture prior to 1900, and to furnish more complete details, architectural elements and composition thereof, the Review Board may from time to time submit additional illustrations, photographs and definitions, which, when approved by resolution of the Board of Supervisors of Mendocino County, shall be additional standards applicable in the Historical Preservation District.
- (C) To determine whether activities subject to this chapter will be in conformance with the standards set forth above, the Review Board shall evaluate the following elements of each application proposal:
  - (1) Height. The height of any new development and of any alteration or new construction to a landmark structure shall be compatible with the style and character of the structure and with surrounding structures in the same Historical Zone.
  - (2) Proportions of Windows and Doors. The proportions and relationships between doors and windows of any new development and of any proposed alteration or new construction to a landmark structure shall be compatible with the architectural style and character of the structure and with surrounding structures in the same Historical zone.
  - (3) Relationship of Building Masses and Open Spaces. All new development shall provide open space areas and the relationship of the siting of any development to the open space between it and adjoining structures shall be compatible. All development shall be compatible with public views to the sea and to landmark and historically important structures.
  - (4) Roof Shape. The design of the roof of any new development and of any proposed alteration or new construction to a landmark structure shall be compatible with the architectural style and character of the structure and surrounding structures in the same Historic Zone.



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(5) Landscaping. Landscaping shall be compatible with the architectural character and appearance of adjacent landmark and historically important structures and surrounding structures, landscapes and public views in the same Historic Zone. Landscaping shall be used to effectively screen on-site parking areas where appropriate.

(6) Scale. The scale of any new development or alteration or new construction to an existing structure shall be compatible with the architectural style and character of existing and surrounding structures in the same Historic Zone.

(7) Directional Expression. Facades shall blend with other structures with regard to directional expression and structures shall be compatible with the dominant vertical expression of surrounding structures. The directional expression of a landmark and/or historically important structure after alteration, construction or partial demolition shall be compatible with its original architectural style and character.

(8) Architectural Details. Where any alteration, demolition or new construction is proposed for a landmark or historically important structure, architectural details, including materials, color, textures, fenestration and ornamentation shall be treated so as to make the structure compatible with its original architectural style and character, and to preserve and enhance the architectural style and character of the structure. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.055 Application Procedures.**

Any person proposing to perform any activity subject to the provisions of this Chapter shall submit all of the following to the Department of Planning and Building Services:

(A) Four (4) completed copies of a permit application form.

(B) Four (4) copies of a plot plan drawn to scale and of a size sufficient to determine conformity with this Chapter, depicting the following:

(1) Property lines of the parcel upon which the development is proposed;

(2) Location of all existing structures on the property and the proposed location of all new development;

(3) Location of any easements, right-of-way, utility lines or similar facilities affected by the proposed development;

(C) Four (4) copies of exterior dimensioned building elevations (all sides) and/or sign detail, drawn to scale, including height from grade to peak of roof; sizes, materials and colors to be used for exterior siding, roofs, windows, doors and appurtenances. For new construction on vacant lots and substantial additions to existing structures, a streetscape



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may be required which clearly depicts a comparison of the proposed work in relation to the height and size of structures on adjoining properties.

(D) A statement of the ownership of the subject property, and the applicant's interest in the subject property. If the applicant is not the owner, the owner's signature of consent.

(E) A written statement from the applicant showing the present and proposed use of the property and all contiguous properties.

(F) A fee set by resolution of the Board of Supervisors. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.060 Processing of Applications.**

Upon receipt of an application for an MHRB permit, the application shall be processed as follows:

(A) Application Check. The Planning and Building Services Department shall review all applications for completeness and accuracy before the applications are accepted and officially filed as complete.

The application shall be deemed complete and accepted unless the department finds that the application is not complete and notifies the applicant of such finding by mail within thirty (30) calendar days after receipt of the application. If the application is determined to be incomplete, the department shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

During Application Check, the department shall refer copies of the application to any county department, state or federal agency, or other individual or group that the department believes may have relevant authority or expertise. Along with the referral, the department shall include notification that, if the department does not receive a response within fifteen (15) calendar days, the department will assume that no recommendations or comments are forthcoming.

Where the department has determined that an application is incomplete, and where the applicant believes that the information requested by the department to complete the application is not required under the requirements of this division or under policies adopted by resolution to administer this division, the applicant may file an Administrative Appeal pursuant to [Section 20.728.010](#). The appeal shall be made in writing to the department and accompanied with evidence supporting the applicant's belief that the application is complete shall also be submitted at the time the request for review is made.



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If the application is not completed by the applicant within six (6) months after original receipt of the application, it will be deemed withdrawn. A new application may be made subject to the filing of fees, in accordance with [Section 20.760.055](#) of this chapter.

(B) Project Review. Upon acceptance of an application as complete, the Planning and Building Services Department shall study the project for conformance with all applicable requirements of this chapter. The department shall refer relevant portions of the completed application to those departments, agencies or individuals who received copies of the application during application check, or other individual/group that the department believes may have relevant authority or expertise. The department shall prepare a written report with findings and evidence in support thereof.

(C) Hearing and Notice. Within fifty (50) days from the date an application is deemed complete, the Review Board shall hold a public hearing on the application. At least seven (7) days prior to such hearing, notice of the time and place of the hearing and of the Review Board's intention to consider the application shall be posted on the subject property in a manner best calculated to give public notice and in two (2) other public places within the District, and a copy thereof shall be mailed to the applicant at the address shown on the application.

(D) Action by the Review Board. At the scheduled public hearing, or at any other time to which said public hearing may be continued, the Review Board shall consider the application, shall hear and consider all arguments and evidence presented for or against the proposed work, and shall take action by majority vote of the members of the Review Board present. Any one (1) or a combination of the following four (4) different actions may be made for each application:

(1) Make such findings or determination as is required by this chapter and approve the application; or

(2) Make such findings or determination as is required by this chapter, including performance of, or compliance with, changes, modifications or conditions necessary to assure conformity with this chapter and required for approval of the application; or

(3) Make such findings or determination as is required by this chapter and deny the application if:

(a) The application cannot be conditioned by adequate requirements to insure compliance with this chapter; or

(b) The proposed development cannot be modified to conform with this chapter; or

(c) The proposed development would adversely effect a landmark structure.



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(4) An applicant may withdraw any application prior to the Review Board's action on the application. The withdrawal must be in writing or stated on the record. Withdrawal is effective immediately, is not subject to appeal, and shall be permanent except the applicant may file a new application as provided in this chapter.

(E) Decision by Review Board. The decision of the Review Board shall be in writing and shall specify the basis therefor. In the event that the decision is conditional it shall specify the conditions or requirements to be met by the applicant as a condition of approval.

(F) Time Period. Within one-hundred eighty (180) days of filing of a complete application the Review Board shall take such action as is specified in Subsection (D) of this section. The one-hundred eighty (180) day time period may be extended ninety (90) days with the written consent of the applicant. If the Review Board does not act within the specified time period or extension thereof, the application shall be deemed to have been approved. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.065 Findings.**

The granting or modification of any application by the Review Board shall be supported by findings which establish that:

(A) The exterior appearance and design of the proposed work is in harmony with the exterior appearance and design of existing structures within the District and with that of the existing subject structure, if any; and

(B) The appearance of the proposed work will not detract from the appearance of other property within the District; and

(C) Where the proposed work consists of alteration or demolition of an existing structure, that such work will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.070 Effective Date.**

Decisions of the Review Board shall become final and effective on the eleventh (11th) day following its action to approve or deny the application unless prior to said eleventh (11th) day an appeal of the decision is filed. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.072 Appeals.**

(A) Appeals from a decision of the Review Board shall be based upon the information available in the public record on the date of the Review Board's decision, and no new information shall be submitted except a statement supporting the grounds for appeal. Appeals shall be filed as provided by [Chapter 20.728](#).



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(B) The grounds for appeal shall be limited to one (1) or more of the following allegations:

(1) That the exterior appearance and design of the approved work is not in harmony with the exterior appearance and design of existing structures within the District and with that of the existing subject structure, if any;

(2) That the appearance of the approved work will detract from the appearance of other property within the District;

(3) Where the approved work consists of alteration or demolition of an existing structure, that such work will unnecessarily damage or destroy a structure of historical, architectural or cultural significance;

(4) That the action of the Review Board is inconsistent with a specific section or sections of this Division;

(5) That the project was denied.

(C) All appeals shall be accompanied by a statement which supports one (1) or more of the grounds for appeal. Where a project has been denied, the appellant's statement must demonstrate how the denied proposal would conform with [Section 20.760.065](#). (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.075 Expiration.**

Each valid MHRB permit shall expire and become null and void at the expiration of two (2) years after granting the application except where construction in reliance on such permit has been completed prior to its expiration. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.080 Reapplication.**

No application which has been previously denied and is not substantially changed, will be accepted by the Review Board for a period of six (6) months from the date of denial. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.085 Enforcing Agency.**

The Department of Planning and Building Services for the County of Mendocino shall enforce the provisions of this chapter. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.090 Penalties for Violations.**



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Penalties for violations are regulated by [Chapter 20.736](#). (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.095 Street Vending.**

No person or persons shall, within the Historical Preservation District, engage in the activities defined herein as "street vending". Notwithstanding any other provision of this chapter to the contrary, violation of this section is hereby declared to be an infraction punishable upon conviction by a fine up to fifty dollars (\$50.00); this section of this chapter shall be enforced by the Mendocino County Sheriff. (*Ord. No. 3915 (part), adopted 1995*)

**Sec. 20.760.100 Duty to Maintain.**

All buildings and structures of historic significance, (as described in the Inventory of Historic Buildings, Appendix 14, "Historic Structures" of the Mendocino County Local Coastal Plan dated August 17, 1983, as amended) in the Mendocino Historic Preservation District shall be preserved against decay, deterioration and structural defects.

It shall be the responsibility of the owner or other person(s) having legal possession and control of such buildings and structures to ensure there is reasonable care, maintenance and upkeep appropriate for the preservation, protection, enhancement, re-habilitation, reconstruction, and perpetuation consistent with the intent of this chapter.

(A) Standards. Maintenance and upkeep of all exterior portions of such buildings and structures; and, all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvements to deteriorate, decay, or become damaged or otherwise fall into a state of disrepair.

Those standards of the 1982 Edition of the "Uniform Code for the Abatement of Dangerous Buildings" (Health & Safety Code #17.9 2a3), or any successive statute defining "substandard buildings" and the regulations promulgated thereunder, shall be used as standards for this section.

Maintenance upkeep shall include, in addition to the above, waterproofing of exterior walls, roofs, foundations or floors, replacement of broken windows or doors; weather protection of exterior wall coverings; and correction of any fault or defect in the building/structure which renders it structurally unsafe or not properly watertight.

(B) Hardship Waiver. The owner of real property, subject to this section, who believes an insurmountable financial hardship exists may apply for a waiver of this section by making written application to the County Board of Supervisors.



**-MENDOCINO COUNTY PLANNING AND BUILDING SERVICES-  
DIVISION III OF TITLE 20—MENDOCINO TOWN ZONING CODE**

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The Board of Supervisors shall schedule an appointment within thirty (30) days, in order to make a determination as to whether or not a financial hardship exists. The property owner shall have the burden to establish a financial hardship exists and may submit financial data, cost estimates, and information on availability of public funding to assist in making the repairs.

The Board of Supervisors shall consider all of the information submitted and make a determination in writing as to whether or not a financial hardship exists. If the Board of Supervisors determines that a hardship exists an ordinance enforcement waiver shall be issued for a specified time period of twelve (12) months with provisions for renewal.  
*(Ord. No. 3915 (part), adopted 1995)*