

RESOLUTION NO. 14-102

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING THE COMMUNITY DESIGN GUIDELINES FOR DISCRETIONARY COMMERCIAL DEVELOPMENT WITHIN MIXED USE ZONING DISTRICTS

WHEREAS, the Ukiah Valley Area Plan (UVAP), adopted by the Board of Supervisors on August 2, 2011, establishes goals, policy, and action items that govern land use development within the unincorporated area of Ukiah Valley; and

WHEREAS, UVAP Community Design Policy CD 1.1 calls for the development of Community Design Guidelines, based on the City of Ukiah's *Commercial Design Guidelines*, to help create a sense of place for the community and to protect and enhance the visual character of the Ukiah Valley; and

WHEREAS, UVAP Appendix I calls for design review of landscaping, architecture, parking, and lighting for all projects located in the Mixed Use General land use classification; and

WHEREAS, by Resolution 11-112 the Board of Supervisors certified a final environmental impact report for the UVAP; and

WHEREAS, the Mixed Use General land use classification design review requirement relies on the establishment and application of community design guidelines to help ensure new development will help to create a sense of place for the community and protect and enhance the visual character of Ukiah Valley; and

WHEREAS, in order to implement the UVAP, the Department of Planning and Building Services prepared a proposed zoning ordinance implementing a new Mixed-Use General (MU-2) Zoning District and proposed Community Design Guidelines; and

WHEREAS, on June 5, 2014, the Planning Commission reviewed and voted 6-0-1 to recommend the Board of Supervisors adopt Community Design Guidelines, in the form attached to this resolution as Exhibit A, consistent with the UVAP, that would apply to new discretionary commercial development within the Mixed Use General land use classification located within the UVAP planning area; and

WHEREAS, on July 22, 2014, the Board of Supervisors adopted the Mixed Use General (MU-2) Zoning District to implement the development standards and design review requirements of the UVAP Mixed Use General land use classification; and

WHEREAS, on July 22, 2014, the Board of Supervisors considered public testimony and the Planning Commission's recommendation regarding the adoption of the Community Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that based on the evidence in the record and described in the public hearing, the Board of Supervisors finds that the Final Environmental Impact Report previously adopted for the UVAP, adequately addressed all of the environmental issues associated with the recommended Community Design Guidelines, such that no additional environmental evaluation is required or necessary pursuant to Sections 15162(a) and 15183, California Code of Regulations, Title 14, Chapter 14, Guidelines for the California Environmental Quality Act; as follows:

- 1) The UVAP EIR evaluated the rezone of the 9-acre portion of the Zaina property and found it consistent with the Mixed Use General land use designation, and therefore determined the rezone is exempt from further environmental review, pursuant to California Code of Regulations, Sections 15162.a. and 15183 as follows;
 - a) The proposed Community Design Guidelines have been reviewed in compliance with the California Environmental Quality Act (CEQA) and found to qualify for streamlined review in accordance with CEQA Guidelines Section 15183 because the Community Design Guidelines are consistent with adopted 2011 UVAP and EIR (certified August 2, 2011 SCH# 2003072038) and staff has determined based on current review that any potential impacts of this project were previously and adequately assessed by the UVAP EIR and staff has determined that consistent with the application of CEQA Section 15183: 1) there are no effects peculiar to this project that were not addressed in the Ukiah Valley Area Plan EIR; 2) there are no effects which were not previously analyzed by the UVAP EIR as significant effects; 3) there are no potentially significant cumulative or off-site effects which were not discussed in the UVAP EIR, and 4) there is no new information, which was unknown when the UVAP EIR was certified, that would cause a previously identified significant effect to have a more severe adverse impact.
 - b) The proposed Community Design Guidelines have been reviewed in compliance with the California Environmental Quality Act (CEQA) and found that no additional environmental review is required, in accordance with CEQA Guidelines Section 15162, because the Community Design Guideline is consistent with adopted 2011 UVAP and EIR (certified August 2, 2011 SCH# 2003072038) and staff has determined based on current review that:
 - 1) no substantial change in UVAP policies nor in the local setting that would create new significant environmental effects or make the previously evaluated environmental effects more severe; 2) there is no new information, which was unknown when the UVAP EIR was certified, that shows the Community Design Guidelines:
 - 1) Will have one or more new significant effects not discussed in the UVAP EIR,
 - 2) Will cause a previously identified significant effect to have a more severe adverse impact,
 - 3) Establish that a previously infeasible mitigation measures of the UVAP EIR would in fact be feasible and would substantially reduce one or more significant effects on the environment,
 - 4) Establish new mitigation measures not considered by the UVAP EIR would substantially reduce one or more significant effects on the environment.

BE IT FURTHER RESOLVED, that the recommended Community Design Guidelines are consistent with UVAP Community Design Policy CD 1.1 and Appendix I.

BE IT FURTHER RESOLVED, that the Director of Planning and Building Services (Director) shall have the authority to interpret any provision of the Community Design Guidelines and may issue an official written interpretation, or, in the alternative, may refer the issue to the Planning Commission for interpretation, and the determination of the Director or the Planning Commission, as the case may be, may be appealed to the Board of Supervisors.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopt the Community Design Guidelines attached hereto as Exhibit A to be applied to new discretionary commercial development within the mixed use zoning districts located within the UVAP Planning Area.

The foregoing Resolution introduced by Supervisor Hamburg, seconded by Supervisor Gjerde, and carried this 22nd day of July, 2014, by the following vote:

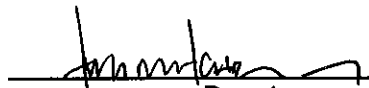
AYES: Supervisors Brown, Pinches, Gjerde, and Hamburg

NOES: None

ABSENT: Supervisor McCowen

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

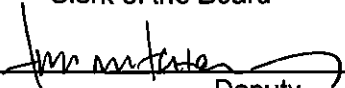
APPROVED AS TO FORM:
DOUGLAS L. LOSAK, Acting County Counsel


Deputy


JOHN PINCHES, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board


Deputy

The seal of Mendocino County is a circular emblem. The outer ring contains the text "MENDOCINO" at the top and "COUNTY" at the bottom in a serif font. The inner circle features a landscape with a mountain range, a winding river, and a large tree. The year "1850" is inscribed at the bottom of the inner circle.

COMMUNITY DESIGN GUIDELINES

**FOR DISCRETIONARY COMMERCIAL
MIXED-USE PROJECTS**

Adopted July 22, 2014, Resolution # 14-102

APPLICABILITY

The following are specific design goals and objectives which apply to discretionary commercial projects within the mixed use zoning districts located within the UVAP Area. Applicants are encouraged to follow these guidelines for all other projects.

The Planning Director, Zoning Administrator, Planning Commission, or Board of Supervisors shall have the authority to apply or modify the following Design Guidelines depending upon the size, scale, intensity, and location of the development project.

SITE PLANNING

Natural Site Features

Generally, a designer should plan a project to fit a site's natural conditions, rather than alter a site to accommodate a stock building plan.

Significant existing site features such as mature trees/ landscaping, lot size and configuration, topography, and the relationship to surrounding development should be compelling factors in determining the development capacity and design of projects.

All required grading and drainage plans shall be prepared by a registered civil engineer or other qualified professional acceptable to the Chief Building Inspector.

Parking

The number of parking spaces and overall parking lot design shall comply with the requirements of the Mendocino County Zoning Code. Deviation from the parking requirements of the Zoning Code can be approved through the discretionary review process provided a finding is made that there is a unique circumstance associated with the use of the property that results in a demand for less parking than normally expected. These circumstances may include uses that would attract young teenagers, bicyclists, or a high number of drop-off patrons.

Parking facilities shall be aesthetically screened and shaded with shrubs, trees, short walls and fences according to the requirements of the Zoning District in which the property is located. Wherever possible, parking lots shall be used as buffers when property is located adjacent to agricultural parcels

The visual prominence of parking areas should be de-emphasized by separating parking areas into small components. The practice of placing the majority of parking areas between the building(s) shall be de-emphasized by separating parking areas into small components. The practice of placing the majority of parking areas between the building(s) and the primary street frontage should be avoided (Exhibit 1).

Parking Lots

Parking lots with twelve (12) or more parking spaces shall have a tree placed between every five (5) parking spaces with a continuous linear planting strip, rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide tree canopy coverage of fifty percent (50%) over all paved areas within ten (10) years of planting. Based upon the design of the parking lot, a reduced number of trees

may be approved through the discretionary review process.

Parking lots shall have a perimeter planting strip with both trees and shrubs. The planting of lawn areas are discouraged but can be acceptable when they are planted with the trees and shrubs associated with a water conservation landscape plan.

Parking lots with twelve (12) or more parking spaces shall have defined pedestrian sidewalks or marked pedestrian facilities within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

Street trees are required. They may be placed on the property proposed for development instead of within the public right-of-way if the location is approved by the Department of Transportation, based upon safety and maintenance factors.

Species of street trees shall be selected from the Master Tree List with the consultation of the County staff.

Pedestrian Orientation

Pedestrian walkways should be included that directly link all parking areas with building entrances, off-site transportation facilities, established sidewalks, and adjacent public rights-of-way. They should also be consistent with uses and architecture from both a functional and aesthetic standpoint.

Outdoor pedestrian spaces should be landscaped and include such features as planters along sidewalks, pedestrian oriented signs, attractive street furniture, low-level lighting, and outdoor seating areas.

Compatibility With Surrounding Development

The placement and layout of buildings, parking areas, landscaping, exterior lighting, and other site design features should be compatible with surrounding land uses and architecture from both a functional and aesthetic standpoint.

Development should not create unattractive views for neighbors or traffic corridors. All exposed elevations should maintain consistent architectural character. Service areas, trash enclosures, utility meters, and mechanical and electrical equipment should be screened from view.

Property owners are strongly encouraged to develop shared facilities such as driveways, parking areas, pedestrian walkways, and outdoor living areas to maximize usable areas and create unique design opportunities.

Setbacks for new development should consider the character of existing frontages. Setbacks deeper than the minimum required are encouraged only in order to allow for sidewalk widening or the creation of special pedestrian areas such as entryways, courtways, outdoor cafes, and other features intended to enhance the pedestrian environment. Non-residential buildings should be located closest to adjacent agricultural lands to act as a buffer.

BUILDING DESIGN

Architecture

Monotonous box-like structures devoid of variety and distinctiveness and without openings and changes in wall planes are discouraged. Architectural features such as arches, raised parapets, decorated cornices, eaves, windows, balconies, entry insets, a variety of roof angles and pitches, and the inclusion of relief features in wall surfaces are strongly encouraged when tied into a comprehensive design theme.

Building Colors

The use of strong or loud colors, especially those with no tradition of local usage, should be reviewed in context with the overall aesthetics of the area.

Colors should be compatible with adjoining buildings. Color work on the side and rear walls should be compatible with the colors on the front or street side walls. Decoration and trim should be painted in order to call attention to it.

Building Materials

The creative use of wood, stucco, masonry (brick, stone, tile), and recycled materials are strongly encouraged.

The use of metal buildings is discouraged, unless they are designed in a creative and unique way that meets the purpose and intent of the Design Guidelines.

Concrete block and exposed concrete are generally acceptable building materials, provided they are treated, textured, painted, and/or used in a pleasing aesthetic way consistent with the Community Design Guidelines. Materials should be selected to create compatibility between the building and adjoining buildings.

Lighting

Exterior lighting should be subdued. It should enhance building design and landscaping as well as provide safety and security. Exterior lighting should not spill out and create glare on adjoining properties, and should not be directed towards the night sky.

Light standard heights should be predicated on the lighting need of the particular location and use. Tall lighting fixtures that illuminate large areas should be avoided.

Lighting fixtures, standards, and all exposed accessories should be harmonious with building design, and preferably historic and innovative in style. All pedestrian and building access areas should be adequately lighted to provide safety, security, and aesthetic quality.

The location, intensity, and shielding of all exterior lighting for buildings, businesses, landscaping, streets and parking lots, and recreational and public areas should be downward shielded and employ approved "Dark Sky Friendly Fixtures" (www.darksky.org) that are operated on a limited night schedule so as to avoid or prevent the illumination of adjoining uses or areas or the night sky.

Energy Conservation

Both active and passive solar designs are encouraged. Natural ventilation and shading should be used to cool buildings whenever possible.

Sunlight should be used for direct heating and illumination whenever possible.

Solar heating equipment need not be screened, but should be as unobtrusive as possible and complement the building design. Every effort should be made to integrate solar panels into the roof design, flush with the roof slope (Exhibit 2). Solar panels are encouraged to be located on parking lots and designed as parking shade structures.

Signs

The amount, type, and location of signage on a site shall comply with the requirements of the Mendocino County Zoning Code. However, sign programs should be designed tastefully and in a way where the overall signage does not dominate the site.

Sandwich board signs shall conform to the requirements of the Mendocino County Zoning Code, and shall be tastefully designed with subdued colors, minimal sign copy, and a creative appearance. Every sign should be designed in scale and proportion with the surrounding built environment. Signs should be designed as an integral architectural element of the building and site to which it principally relates.

The colors, materials, and lighting of every sign should be restrained and harmonious with the building and site. No sign shall be placed within the public right-of-way without the securement of an Encroachment Permit.

Fences & Walls

All sides of perimeter fencing exposed to public view should be finished in a manner compatible with a project's materials, finishes, colors, and architectural styling. Large blank fence walls, and fences and walls that create high visual barriers are strongly discouraged unless necessary to establish a barrier or separation with an adjacent agricultural property. All proposed unpainted wood surfaces should be treated or stained to preserve and enhance their natural colors.

All fencing and walls shall comply with the provisions of the Mendocino County Zoning Code. No fencing or wall shall obstruct the sight distances of motorists, as determined by the Department of Transportation.

Outdoor Storage & Service Areas

Storage areas should be limited to the rear of a site, and from public view with a solid fence or wall using concrete, wood, stone, brick, or other similar material and should be screened. All outdoor storage areas and enclosures should be screened, when possible, with landscaping.

If trash and recycling areas are required in the discretionary review process, they shall be designed to harmonize with the building and landscaping.

Where common mailboxes are provided, they should be located close to the front entrance of building(s). The architectural character should be similar in form, materials, and colors to the surrounding buildings.

Landscaping

All landscaping shall comply with zoning code requirements. Landscaping shall be proportional to the building elevations.

Landscape plantings shall be those which grow well in Mendocino County's climate without extensive irrigation. Native, habitat-friendly flowering plants are strongly encouraged.

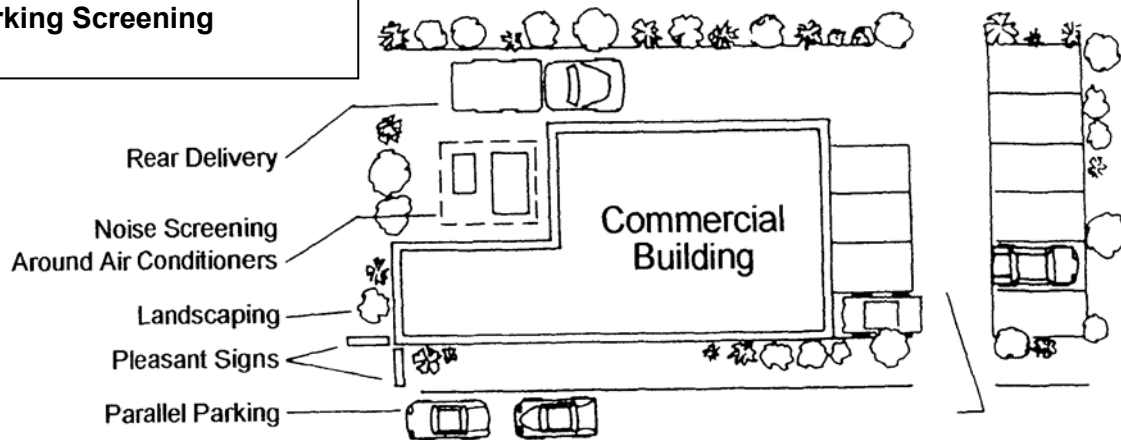
All plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.

Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; non deciduous street tree species shall be restricted to areas that do not inhibit solar access on the project site or abutting properties.

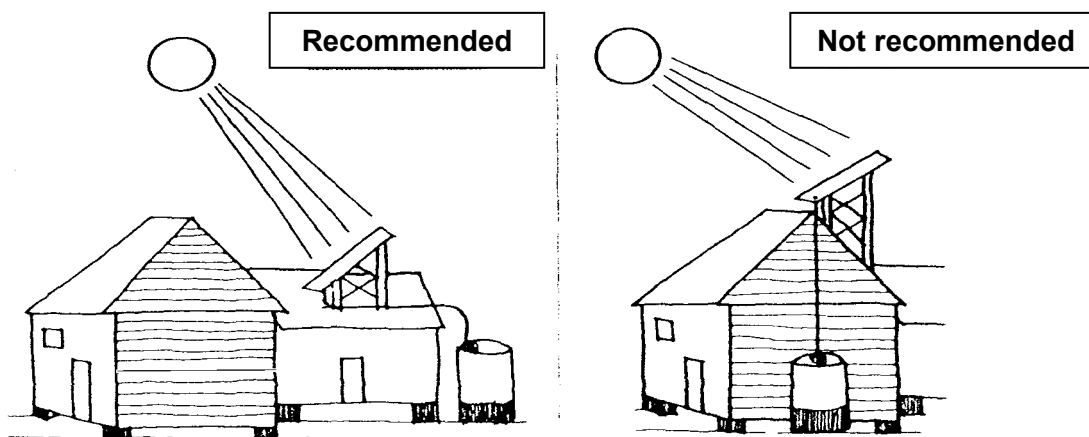
All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless because of the small size of a parcel, such coverage would be unreasonable. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings. New tree planting will assume an average canopy for a 10 year old mature tree. Landscaping plans are subject to the State of California Water Conservation in Landscape Act of 1990.

Projects involving the redevelopment/reuse of existing buildings shall provide as much landscaping as feasible. Landscaping plans shall include an automatic irrigation system and lighting plan. All required landscaping for commercial development projects shall be adequately maintained in a viable condition.

**Exhibit 1-
Parking Screening**



**Exhibit 2-
Energy Conservation-Screening Solar Equipment**



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

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MENDOCINO COUNTY MASTER TREE LIST*Approved July 22, 2014*

The following trees are recommended for planting as part of landscaping requirements for a mixed use project. This list is not intended to be exhaustive.

Scientific Name	Common Name
Abies concolor	Balsam fir, Colorado fir, Concolor fir, Oyamel de California, Silver fir, white Balsam, White fir
Acer buergerianum, rubrum, macrophyllum, negundo	Trident maple, Red maple, Big leaf maple, Box elder
Aesculus californica	California Buckeye
Alnus cordata	Italian Alder
Arbutus menziesii	Pacific madrone, Oregon laurel, Laurelwood
Calocedrus decurrens	Incense cedar
Carpinus betulis Fastigiata	Hornbeam
Celtis chinensis	Chinese hackberry
Cercis Canadensis, occidentalis	Texas redbud, Western Redbud
Cercocarpus montanus	Birch leaf mountain mahogany
Chamaecyparis lawsoniana	Port orford cedar, Lawson falsecypress
Crataegus phaenopyrum	Washington Hawthorne
Cornus florida	Eastern dogwood
Fraxinus oregona	Oregon ash
Gingko biloba (male only)	Maidenhair tree
Juglans hindsii	Black walnut
Juniperus communis	Common juniper
Koeleruteria paniculata	Golden rain tree
Lagerstroemia indica	Crape Myrtle
Laurus nobilis Saratoga	Sweet bay
Magnolia grandiflora, soulangiana	Southern Magnolia, Saucer Magnolia
Myrica californica	Pacific wax myrtle
Nyssa sylvatica	Tupelo
Olea europaea	Dwarf fruitless olive
Pistacia chinensis	Chinese Pistache
Plantanus acerfolia yarwood	London plane tree
Populus fremontii	Fremont poplar
Prunus serrulata Akebono	Flowering cherry
Pyrus calleryana	Bradford pear
Quercus rubra, robur fastigiata, douglasii, kelloggii, lobata, agrifolia	Red oak, English oak, Black oak, Blue oak, Valley oak, Coast Live oak
Salix lasiolepis, laevigata	Arroyo willow, Red willow
Sapium sebiferum	Chinese tallow
Tilia cordata greenspire	Little leaf Linden

Request for alternative species. A species other than those listed on the Master Tree List above may be planted with approval from the Department of Planning and Building Services Director. The request to use an alternate tree must be made in writing and include the following information as applicable:

- Why the alternative species proposed is a preferred and appropriate species based on the following attributes:
 - Ability to provide shade.
 - Ability to tolerate drought conditions.
 - Ability of the species selected to remain healthy and viable in the conditions in which it would be planted (such as size of tree well, landscaped island, soil conditions, location of utilities and overhead lines, proximity to building(s)/structure(s)).