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## RECORD PACKET COPY

## F12b

Staff:	Ruby Pap
Staff Report:	April 22, 2005
Hearing Date:	May 13, 2005
Commission Action:	

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director  
Robert S. Merrill, North Coast District Manager  
Ruby Pap, Coastal Planner

SUBJECT: **Mendocino County LCP Amendment No. MEN-MAJ-2-99 (Major), Home Occupations and Cottage Industries (Meeting of May 13, 2005)**

SYNOPSISAmendment Description

Mendocino County LCP Amendment No. MEN-MAJ-2-99 proposes changes to provisions of the County's certified Local Coastal Program (LCP) regarding Home Occupations and Cottage Industries to increase the numbers of allowable employees, change space limits, allow additional business types, increase allowable retail sales, and make associated changes. The proposal would (1) amend the LUP regarding standards for Home Occupations and standards and use types for Cottage Industries; and (2) Amend the Implementation Plan, Mendocino County Code, Title 20, Division II (Coastal Zoning) Chapters 20.448 Home Occupations and 20.452 Cottage Industries standards and use types; and (3) amend other sections of the Coastal Zoning Code including adding a "Mail Order Businesses" use type and adding it to Commercial (C) and Industrial (I) districts, revising the "Custom Manufacturing: Light Industrial" use type and adding it to the Commercial district, and adding an "Off-site Service Providers" definition.

Summary of Staff Recommendation

The staff recommends that the Commission, upon completion of a public hearing, **deny the amendment request as submitted and certify the amendment request with suggested**

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**modifications.** As defined by the LCP, Home Occupations are accessory uses of a dwelling for the purposes of gainful employment involving the manufacture, provision, or sale of goods and/or services, which are conducted by occupants of the dwelling unit in a manner which does not change or disturb the residential appearance and character of the site. A home occupation is a principal permitted use in any land use classification where a dwelling exists, and it does not require a coastal development use permit. As defined by the LCP, Cottage Industries are a small-scale businesses operated in or around a residential use which are more extensive than Home Occupations, but which, like Home Occupations, do not alter or disturb the residential or rural nature of the premises or its surroundings. Cottage Industries require Coastal Development Use Permits. The proposed amendment would liberalize standards and add new use types for Home Occupations and Cottage Industries, and modify existing definitions and add new definitions of use types to the implementation plan. Key aspects of the amendment include liberalizing the standards for Home Occupations, including: allowing an increase of one employee for Home Occupations (for parcels 40,00 square feet or larger) and Cottage Industries, allowing Home Occupations to occur within an accessory building on the property, such as a barn, in addition to the primary dwelling, expanding the total area allowed for the Home Occupations to occur on the property, and others as summarized in Section II and detailed in Attachment 1. Additionally, new potential use types are added to Home Occupations, including Mail Order Businesses, and Food and Beverage Preparation: Without Consumption. Furthermore, new use types are added to Cottage Industries, including Horticulture, Business Equipment Sales and Services, Mail Order Businesses, Animal Sales and Services: Veterinary (small and large animals) and others as summarized in Section II and detailed in Attachment 1.

By liberalizing the standards for Home Occupations (Attachment 1), such as allowing an employee to work on the property or allowing the activity to occur in an accessory structure on the property, certain activities that could result in a change in density and intensity of use, and hence are development as defined in Section 30106 of the Coastal Act and the County's definition of "development" in the glossary of the LCP (which uses the Coastal Act definition), could be inadvertently allowed without a coastal development use permit (CDUP), a combined coastal development permit and use permit. By retaining language in the LUP and the IP stating that no use permit is required, the potential activities could occur without being evaluated for their effects on coastal resources, inconsistent with Section 30600(a) of the Coastal Act. Therefore, Staff recommends that the Commission impose Suggested Modification Nos. 1 and 2, which add language to the section of the LUP describing Home Occupations, and the associated IP, which clarify that coastal development permits would be required for all home occupation activities that are "development" as defined by the LCP.

The proposed LUP amendment is consistent with Coastal Act policies regarding the protection of visual resources and agricultural viability, reasonable potential exists for the availability of water and septic capacity to support the activities involved, and the amendment would have no significant adverse impacts on Highway One traffic capacity. These findings are further supported by the fact that any development associated with Home Occupations would require a coastal development permit, and any Cottage Industry is subject to a use permit (i.e. coastal development use permit), as stipulated in the LCP. As part of the permit evaluation process, each individual project would be further evaluated for its impacts on visual resources, agricultural

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viability, and the adequacy of water supply and septic capacity, and other relevant policies in the LCP.

The majority of the proposed amendments to the Implementation Plan (IP) conform with and adequately carry out the LCP as recommended to be modified. However, the proposed amendment includes a proposal to amend Section 20.448.015 of the Mendocino Coastal Zoning Code "Examples of Uses That Frequently Qualify as Home Occupations" by adding three new uses to the list: Off-site Service Providers, Food and Beverage Preparation: Without Consumption, and Mail Order Businesses. The addition of these three new use types without changing the narrative in the opening paragraph of the section to state that home occupations are limited to those uses that are customarily conducted within the home and clearly incidental to its residential use does not adequately carry out the intent of Home Occupations as stipulated in LUP. Therefore, the staff recommends Suggested Modification No. 2, which clarifies that home occupations are limited to those uses that are customarily conducted within the home and clearly incidental to its residential use. Additionally, the proposed amendment to Standard B of LUP Section 2.2, which allows the Home Occupation to be conducted within an enclosed accessory building in addition to the dwelling unit needs to be reflected in the language of the IP, to carry out the intent of the LUP with regard to Home Occupations, which should be clearly incidental to the residential nature of the property. Therefore, the staff recommends that the Commission impose Suggested Modification No. 3, which adds language that clarifies the residential nature of the Home Occupation notwithstanding its allowance in an accessory structure on the property, as proposed in this LCP amendment.

Staff believes the LUP, as modified, is consistent with the Coastal Act and the IP, as modified, and adequately conforms with and carries out the LUP as modified.

### Analysis Criteria

To approve the amendment to the Land Use Plan (LUP), the Commission must find that the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act. To approve the amendments to the zoning ordinance, the Commission must find that the Implementation Plan (IP), as amended, will conform with and is adequate to carry out the LCP.

### Additional Information:

For further information, please contact Ruby Pap at the North Central Coast District Office (415) 904-5260. Mail correspondence should be sent to the North Coast District Office at the above address.

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## **MOTIONS, STAFF RECOMMENDATIONS, RESOLUTIONS AND SUGGESTED MODIFICATIONS**

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**I. MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS FOR LCP  
AMENDMENT NO. MEN-MAJ-2-99**

**A. DENIAL OF LUP AMENDMENT NO. MEN-MAJ-2-99 AS SUBMITTED:**

**MOTION I:**     *I move that the Commission Certify Land Use Plan Amendment No.  
MEN-MAJ-2-99 as submitted by the County of Mendocino.*

**STAFF RECOMMENDATION TO DENY:**

Staff recommends a **NO** vote. Failure of this motion will result in denial of the amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION I TO DENY CERTIFICATION OF LUP AMENDMENT NO.  
MEN-MAJ-2-99 AS SUBMITTED:**

The Commission hereby denies Land Use Plan Amendment No. MEN-MAJ-2-99 as submitted by the County of Mendocino and adopts the findings set forth below on the grounds that the amendment does not conform to the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures, which could substantially lessen any significant adverse impact, which the land use plan amendment may have on the environment.

**B. CERTIFICATION OF LUP AMENDMENT NO. MEN-MAJ-2-99 WITH  
SUGGESTED MODIFICATIONS:**

**MOTION II:** *I move that the Commission certify Land Use Plan Amendment No.  
MEN-MAJ-2-99 for the County of Mendocino if it is modified as  
suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED  
MODIFICATIONS:**

Staff recommends a **YES** vote. Passage of the motion will result in the certification of the land use plan amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

**RESOLUTION II TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies Land Use Plan Amendment No. MEN-MAJ-2-99 for the County of Mendocino if modified as suggested and adopts the findings set forth

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below on the grounds that the land use plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the land use plan amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the land use plan amendment may have on the environment.

**C. DENIAL OF IMPLEMENTATION PLAN AMENDMENT NO. MEN-MAJ-2-99 AS SUBMITTED:**

**MOTION III:**     *I move that the Commission reject Implementation Program Amendment No. MEN-MAJ-2-99 for the County of Mendocino as submitted.*

**STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a YES vote. Passage of this motion will result in rejection of the implementation plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION III TO DENY CERTIFICATION OF THE IMPLEMENTATION PLAN AMENDMENT NO. MEN-MAJ-2-99 AS SUBMITTED:**

The Commission hereby denies certification of the Implementation Program Amendment No. MEN-MAJ-2-99 as submitted for the County of Mendocino and adopts the findings set forth below on grounds that the implementation plan amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified land use plan as amended. Certification of the implementation plan amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the implementation program amendment as submitted.

**D. CERTIFICATION OF IMPLEMENTATION PLAN AMENDMENT NO. MEN-MAJ-2-99 WITH SUGGESTED MODIFICATIONS:**

**MOTION IV:**     *I move that the Commission certify Implementation Plan Amendment No. MEN-MAJ-2-99 for the County of Mendocino if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED  
MODIFICATIONS:**

Staff recommends a YES vote. Passage of this motion will result in certification of the implementation program amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION IV TO CERTIFY THE IMPLEMENTATION PROGRAM WITH  
SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the Implementation Plan Amendment for the County of Mendocino if modified as suggested and adopts the findings set forth below on grounds that the implementation plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified land use plan as amended. Certification of the implementation plan amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the implementation plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

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**II. SUGGESTED MODIFICATIONS**

**SUGGESTED MODIFICATION NO. 1**

Add the following language to the Land Use Plan, Section 2.2, Home Occupations, first paragraph (Language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be deleted by the Commission is shown in bold ~~strike through~~ and added by the Commission is shown in bold underlining):

**HOME OCCUPATIONS**

It is the intent of this section to provide for an accessory use within a dwelling unit or accessory building(s) for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the property dwelling for residential purposes and must not change the character thereof or adversely affect the residential or rural nature of its surroundings. When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation without securing a use permit to do so. However, such ~~person use~~ shall be subject to all applicable policies of this element and to all other permits required under county code, such as building permits, ~~and~~ business licenses, and coastal development permits, where the use constitutes "development" as defined in the Glossary and Coastal Zoning Code Section 20.308.035(D). A home occupation is a principal permitted use in any

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land use classification where a dwelling exists. The following represent the minimum standards for Home Occupations: ...

**SUGGESTED MODIFICATION NO. 2**

Add the following language to Section 20.448.005 of the Mendocino County Coastal Zoning Code (Home Occupations) (Language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be deleted by the Commission is shown in bold ~~strike through~~ and added by the Commission is shown in bold underlining):

Sec. 20.448.005 Declaration

It is the intent of this Chapter to provide for the accessory use of within a dwelling unit or accessory building(s) on the same parcel as the dwelling for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be conducted by the residents of the dwelling unit, and be clearly incidental and secondary to the use of the ~~dwelling premises~~ for residential residence purposes, and must not change the character thereof or adversely affect the residential or rural nature of the property or its surroundings. ~~When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to occupy or reside in the dwelling also have the right to conduct the home occupation without securing a use permit to do so.~~ A use permit is not required to conduct a home occupation, however, such person use shall be subject to all applicable regulations of this Division, such as off-street parking, and to all other permits required under county code, such as building permits and business licenses, and coastal development permits, where the use constitutes "development" as defined in the Glossary and Coastal Zoning Code Section 20.308.035(D).

**SUGGESTED MODIFICATION NO. 3**

Add the following language to the first paragraph of Section 20.448.015 of the Mendocino Coastal Zoning Code (Language to be added by the Commission is shown underlined and bold):

Section 20.448.015 Examples of Uses That Frequently Qualify as Home Occupations

The following are typical examples of uses which often can be conducted within the limits of the restrictions established in this Division and thereby qualify as Home Occupations. Uses which qualify as Home Occupations are not limited to those named in this paragraph (nor does this listing of a use in this section automatically qualify it as a home occupation). Home occupations shall be limited to uses customarily and appropriately conducted within a dwelling unit, notwithstanding allowances for the conduct of Home Occupations within an accessory building:

**III. BACKGROUND AND SUMMARY OF PROPOSED LCP AMENDMENT**

On October 26, 1998, the Mendocino County Board of Supervisors adopted amendments to the Home Occupation and Cottage Industry regulations for the Inland portion of the County, and

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directed County staff to proceed with similar amendments to the Local Coastal Program (LCP). The purposes of these amendments to the LUP and IP are to facilitate County citizens' desires to work at home and to support small business enterprises, by relaxing standards and expanding Home Occupation and Cottage Industries use types, provided that the environment and neighborhood are not impacted.

Home Occupations are defined under the LCP as accessory uses of a dwelling for the purposes of gainful employment involving the manufacture, provision, or sale of goods and/or services, which are conducted by occupants of the dwelling unit in a manner which does not change or disturb the residential appearance and character of the site. A home occupation is a principal permitted use in any land use classification where a dwelling exists, and it does not require a coastal development use permit.

Cottage Industries are defined under the LCP as small-scale businesses operated in or around a residential use which are more extensive than Home Occupations, but which, like Home Occupations, do not alter or disturb the residential or rural nature of the premises or its surroundings. Cottage Industries require Coastal Development Use Permits.

The proposed amendments to the LUP and IP would liberalize the standards for Home Occupations and Cottage Industries, with Home Occupations continuing to be allowed accessory to a dwelling unit, and Cottage Industries would continue to require a Coastal Development Use Permit. Attachment 1 contains the complete text of the amendments to both the LUP and Coastal Zoning Ordinance as proposed by the County. Tables A—C, depicted in Exhibits 2 - 4 compare the existing and proposed criteria and use types for Home Occupations and Cottage Industries. Key aspects of the proposed amendment include:

- A new commercial use type, "Mail Order Businesses," is proposed to be added to the Implementation Plan (Coastal Zoning Code). This use type combines aspects of the "Retail Sales" and the "Wholesaling, Storage and Distribution: Light or Retail Sales" use types. "Mail Order Businesses" allows incidental customer visitation and is more narrowly defined than the "Wholesaling, Storage and Distribution-Light" use type.

The "Mail Order Businesses" use type is also proposed to be added to the Coastal Zoning Code as a permitted use in the Commercial (C) District and Industrial (I) Districts and as a Cottage Industries use type. The scale and operation of Mail Order Businesses must be conducted within the confines of the Cottage Industries standards and any conditions applied to the Coastal Development Use Permit.

- "Custom Manufacturing: Light Industrial" (as currently defined) is presently a Cottage Industries use type in the Coastal Zoning Code. The definition of "Custom Manufacturing: Light Industrial" is proposed to be amended to eliminate the 2-horsepower restriction and specify that the types, specifications (such as power requirements), or impacts of the equipment used must not exceed that characteristic of a home shop. The proposal also expands Custom Manufacturing: Light Industrial to include light assembly of components manufactured off-premises.



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The proposal also adds Custom Manufacturing: Light Industrial to the Commercial (C) District as a principal permitted use (subject to a Coastal Development Permit).

- A definition for "Off-Site Service Providers" is added to the Coastal Zoning Code to specify that trades-people, instructors and others who conduct their primary business activity at a job site away from their place of residence may maintain an office, equipment or supplies at their residence as long as the activity at the residence complies with the Home Occupation regulations.
- The area allowed for Home Occupations is proposed to be changed from 25% of the dwelling unit to a maximum of 640 square feet of the dwelling unit or accessory buildings(s). The two square-foot-sign currently allowed, would be allowed to be located anywhere on the property rather than on and flush with the dwelling unit. Hours for customer or client visitation are proposed to be added, from 8 a.m. to 8 p.m., and the number of delivery vehicles would be restricted to three per day. "Food and Beverage Preparation-Without Consumption," "Mail Order Businesses," and "Off-Site Service Providers" are proposed to be added to the list of examples of use types frequently considered "Home Occupations" in the Coastal Zoning Code.
- One employee is proposed to be allowed in Home Occupations provided the parcel is 40,000 square feet or larger.
- As amended, Cottage Industries would allow two employees rather than one. The area in which the use may be conducted would be expanded from 640 to 1,000 square feet, and outdoor storage would be allowed to occur as a portion of the 1,000 square foot area as conditioned by the Coastal Development Use Permit. The number of vehicles parked in public view awaiting repair for an auto repair cottage industry would be reduced from two to one, unless otherwise allowed by the Coastal Development Use Permit. Other proposed changes are depicted in Table B.
- The proposal expands the range of uses that may be conducted as Cottage Industries, as shown in Table C and discussed here:
  - The "Administrative and Business Offices", "Business Equipment Sales and Services", "Food and Beverage Preparation-Without Consumption", and "Mail Order Businesses" use types are proposed to be added as Cottage Industries use types on resource lands zoned Agriculture (AG), Range Land (RL), Forest Land (FL) and Timber Production (TP). "Business Equipment Sales and Services", "Mail Order Businesses", and "Horticulture" are proposed to be added as Cottage Industries use types on non-resource lands zoned Rural Residential (RR), Remote Residential (RMR), Suburban Residential (SR), and Rural Village (RV). Horticulture was added as a Cottage Industries use type on non-resource lands (RR, RMR, SR, RV) in response to discussion of the Gualala Municipal Advisory Council regarding small specialty crop operations. In order to meet the Cottage Industries standards that the operations be conducted substantially indoors,

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these operations would likely take the form of greenhouses. Horticulture is already allowed in the resource zones as permitted or conditional uses.

- The Animal Sales and Services: Veterinary (Small and Large Animals) use type is proposed to be added to the Coastal Zoning Code as a Cottage Industries use type on resource lands. This use type is currently a Cottage Industries use type on non-resource lands. The "Large Animals" category would seem especially suited to location on the larger acreage typical of resource lands.
- The Laundry Services use type is proposed to be deleted from the Coastal Zoning Code as a Cottage Industry use type because these uses typically require large amounts of water, a public sewer system, or may involve the use of hazardous chemicals (dry cleaning). These issues may be particularly problematic in areas without sewer, such as resource areas. Small laundries may be conducted under Personal Services, which is currently a Cottage Industries use type.
- The Research Services use type is proposed to be deleted from the Coastal Zoning Code as a Cottage Industries use type. Research Services are defined to as high tech marine, electronic, space and pharmaceutical research laboratories, rather than consulting and information research services.

#### **IV. Projected Number and Types of Uses Associated with the Proposed Amendments to Home Occupations and Cottage Industries**

County Staff submitted information characterizing the number and types of existing and proposed Cottage Industries and Home Occupations as part of this amendment application, in order to characterize the anticipated growth of these businesses as a result of the proposed amendment, and to assist in evaluating the potential impacts on coastal resources discussed in the findings below in Section V. In regards to Cottage Industries, which are controlled through the coastal development use permit process, an estimated ten or fewer applications for Cottage Industries are processed currently each year countywide, and very few are located in the coastal zone. For example, in the five years from 2000 to 2004, six cottage industry use permits were applied for in the inland area and none were applied for in the coastal zone. The "inland" zoning code was liberalized similarly to this proposed amendment in 1998. Since then, County staff has not seen an increase in Cottage Industries applications. Based on the fact that in the past the County has not seen many Cottage Industries applications in the coastal zone, and that even in the inland area, with its more liberalized regulations, they have not seen an increase, County staff believes that the liberalization of the Coastal Regulations will not result in any substantial increase in new Cottage Industries applications.

Home Occupations are not regulated by the coastal development use permit (unless "development" occurs as defined by the LCP and discussed above), and therefore business license applications provide the best available information to evaluate the amount and projected future number of Home Occupations incorporating the proposed liberalized standards. Similar liberalized provisions for Home Occupations went into effect in Mendocino County's inland area

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in 2000. In 2002 and 2003, 15% of business license applications were located in the coastal zone, with 85% in the Inland area. Of those within the Inland area, 32% in 2002 and 25% in 2003 exhibited the use of the following liberalized provisions: (a) One employee may be employed on parcels 40,000 square feet or larger, (b) Home occupations may be conducted within an accessory building, and (c) 'Mail Order Businesses' and 'Food and Beverage Preparation: Without Consumption' are added to Home Occupation Use Types.<sup>1</sup>

The total number of business licenses (for all businesses) granted over the past 12 years was also reviewed to determine any obvious trends that might be attributed to the liberalized home occupation regulations in effect in the "inland" area beginning in 2000 (Table 2, Exhibit 5). Besides the spikes in business licenses in 2001 and 2002, which are attributed to a compliance effort that was undertaken by the Tax Collector, no other trends are evident. The number of business licenses in 2000, 2002, and 2003 do not exhibit the increases that might be expected as a result of the liberalized provisions for Home Occupations, based on the number of Home Occupations incorporating liberalized provisions shown in Table 1 (Exhibit 5).

For comparison, business license applications for Home Occupations for 1998, prior to the enactment of liberalized regulations in the County's inland area, were also reviewed. In 1998, 118 were issued compared with 114 in 2003; the same percentages were located in the coastal zone (15%) and Inland area (85%) in both 1998 and 2003. Only six Home Occupation applications were denied in 1998 because they desired to use an accessory structure rather than confining the Home Occupation to a residence only.

The majority of Home Occupations incorporating the liberalized provisions in the County's Inland area in 2002 and 2003 were professional services such as real estate development, computer, office or business-related functions. Custom manufacturing and crafts also constituted a significant percent, with repair or personal services a much smaller segment. These allocations also held true in 1998 prior to the liberalized regulations. The types of Home Occupations incorporating the liberalized provisions in the inland area 2002 and 2003 were as follows:

- A. With one additional employee: Repair, custom manufacturing, software development, and consulting services. Many of these services rely on the use of the telephone and the Internet or the owner travels to a jobsite or place of business to obtain information, thereby reducing the number of customers visiting the residence.
- B. Use of accessory building: Custom manufacturing and crafts predominate this use. Others include repair, mail order, and computer - related and personal services. As above, many of these services rely on the use of the telephone and the Internet, or the owner travels to a jobsite or place of business rather than customers coming to the residence. Crafts and manufactured items are typically sold at offsite locations. Personal Services, such as massage or beauty services, are provided onsite or offsite.
- C. 'Mail Order Businesses' or 'Food and Beverage Preparation: Without Consumption' Eight mail order businesses were counted in 2002 and 2003. In most cases, it appears that products located offsite are distributed via the Internet or telephone. Where delivery

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<sup>1</sup> The addition of a definition for 'Off-site Service Providers' is a clarification of existing law; offsite service providers predominately represent the construction trades which work at an offsite location.

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vehicles come to the residence, they are limited to a maximum of three per day, which may result in less traffic than for Home Occupations that provide a service at the residence, wherein 10 customers may visit the site each day.

Based on the above analysis, while the types of Cottage Industries and Home Occupations may have changed in the County's inland area, given the advent of advanced telecommunications and liberalized standards, there has not been an associated growth in Home Occupations and Cottage Industries as a result of liberalized standards. These same patterns are expected in the coastal zone, where the overall number of these types of occupations are generally less than the inland area.

V. LAND USE PLAN FINDINGS

A. Proposed LUP Amendment

The proposed Land Use Plan (LUP) amendment as proposed by the County is contained in Attachment 1. The amendment is described in Section III of these findings.

B. Standard of Review

To approve the amendments to the LUP, the Commission must find that the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act.

C. Coastal Development Permits

Coastal Act Section 30106 defines development as:

*On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; **change in the density or intensity of use of land**, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line [emphasis added].*

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Coastal Act Section 30600(a) states that any person wishing to undertake development in the coastal zone must obtain a coastal development permit. This requirement is reflected in Section 20.532.010 of the Coastal Zoning Code.

Regarding the portion of the amendment relating to Home Occupations, the County proposes to liberalize the standards governing uses that would qualify as Home Occupations. As examples, one employee would now be permitted in Home Occupations on properties at least 40,000 square feet, and Home Occupations would now be permitted within accessory structures besides the primary dwelling, such as garages or barns. However, the first paragraph of LUP Section 2.2, as proposed to be modified by the County, states (county proposed language is underlined, and proposed deletion is ~~struck through~~):

*... When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation **without securing a use permit to do so (emphasis added)**. However, such ~~person~~ use shall be subject to all applicable policies of this element and to all other permits required under county code, such as building permits and business licenses...*

By liberalizing the standards for Home Occupations as described in examples above and in the amendment description (Attachment 1), such as allowing an employee or allowing the activity to occur in an accessory structure on the property, certain activities that could result in a change in density or intensity of use of the land, and hence are development as defined in Section 30106 of the Coastal Act and the County's definition of "development" contained in the glossary of the LUP and Section 20.308.035(D) (which use the Coastal Act definition), could be inadvertently allowed without the need to secure a use permit. Within the coastal zone, the County issues combined coastal development permits and use permits called "coastal development use permits (CDUPs)." The language of LUP Section 2.2 stating that no use permit is required, if read without taking into account the definition of development in the LCP, could be misinterpreted to indicate that no coastal development permit is required for those proposed home occupation uses that represent changes in the density or intensity of use of the land. Development could potentially occur without a coastal development permit and without being evaluated for its effects on coastal resources, inconsistent with Section 30600(a) of the Coastal Act. Potential examples include the use of an accessory building to produce a food or beverage product, or for a plant nursery, that increases the intensity of water and septic use, or the use of a garage as an auto repair business that may threaten to impact coastal views. Therefore, the Commission finds that the proposed amendment is inconsistent with 30600(a) and 30106 of the Coastal Act and must be denied. However, if modified to reflect that a coastal development permit is required for all development as defined in the County's LCP, the amendment would be consistent with Section 30600(a) and 30106 of the Coastal Act. Therefore, the Commission imposes Suggested Modification No. 1, which adds language to Section 2.2 of the LUP, the first paragraph describing Home Occupations, which clarifies that coastal development permits would be required for all home occupation activities that are "development" as defined by the Coastal Act and the certified LCP:

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Add the following language to the Land Use Plan, Section 2.2, Home Occupations, first paragraph (Language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be deleted by the Commission is shown in bold ~~strike through~~ and added by the Commission is shown in bold underlining):

**HOME OCCUPATIONS**

It is the intent of this section to provide for an accessory use within a dwelling unit or accessory building(s) for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the property dwelling for residential purposes and must not change the character thereof or adversely affect the residential or rural nature of its surroundings. When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation without securing a use permit to do so. However, such person use shall be subject to all applicable policies of this element and to all other permits required under county code, such as building permits, ~~and~~ business licenses, ~~and coastal development permits, where the use constitutes "development" as defined in the Glossary and Coastal Zoning Code Section 20.308.035(D).~~ A home occupation is a principal permitted use in any land use classification where a dwelling exists. The following represent the minimum standards for Home Occupations:

The inclusion of the language of the suggested modification will make it clear that despite the statement in the section that no use permit is needed for home occupations, a coastal development permit would still be required when the proposed home occupation represents a change in the intensity or density of use as defined under the definition of development in the Coastal Act and the LCP. Therefore, the Commission finds that the proposed LUP amendment to Section 2.2, Home Occupations, as modified, is consistent with Coastal Act Sections 30106 and 30600(a).

Regarding the portion of the LUP amendment pertaining to Cottage Industries, the County also proposes to liberalize the standards governing those uses. However, unlike under the proposed standards for Home Occupations, all potential uses that would come under the category of Cottage Industries are only permitted upon issuance of a conditional use permit (or a coastal development use permit, a combined coastal development permit and use permit used by the County). Since use permits are required, there is less likelihood that the need for a coastal development permit for those proposed cottage industry activities that constitute a change in the density or intensity of use would be overlooked. Therefore, such uses would be evaluated for the uses' effects on resources and subject to all relevant policies of the LCP. Therefore, the Commission finds that the proposed LUP amendment to Section 2.2, Cottage Industries, as modified, is consistent with Coastal Act Sections 30106 and 30600(a).

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### D. Visual Resources

Coastal Act Section 30251 states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas. New development in highly scenic areas shall be subordinate to the character of its setting. Section 30250 requires that development be sited and designed to avoid individual and cumulative impacts on coastal resources.

Regarding the portion of the proposed amendment to Section 2.2. of the LUP, Home Occupations, liberalizing the standards to allow the home occupation to occur within an accessory building to the residence, such as a garage or barn, could result in a general perception of increased activity on the property. Expanding this standard could also precipitate new building applications for such accessory residential structures, which in certain settings or locations could potentially impact views to the coast. In addition, the proposed new standards would permit a sign to be located any place on the property. No significant impacts on visual resources are anticipated because the two-square-foot sign area maximum of the current LUP would not be changed by the amendment, and signs that are only two feet in size are generally too small to cause any significant impacts on views to the ocean. In addition, any proposed development in the coastal zone, as defined in the County's LCP and including changes in density and intensity of use (which would include any increased activity as described in the example above) or the placement or construction of new structures, or the placement of any sign larger than the 2 square foot maximum as stipulated in the proposed Home Occupations standards would require a coastal development permit, which is subject to all the relevant policies of the LCP, including those regarding the protection of visual resources. Additionally, as discussed above in Section IV, a significant growth in Home Occupations as a result of the proposed amendment is not anticipated, minimizing potential threats to visual resources. Therefore, the Commission finds that the proposed amendment to Section 2.2. of the LUP, Home Occupations, as modified, is consistent with Section 30251 of the Coastal Act.

Regarding the portion of the proposed amendment to Section 2.2 of the LUP affecting Cottage Industries, expanding the Cottage Industries use types would create the opportunity for a wider range of small commercial enterprises in rural or resource areas (such as agricultural, range, or timber lands), which could potentially effect visual resources. However, in order to qualify as a Cottage Industry, the activity must not alter or disturb the residential or rural nature of the premises or its surroundings, and Cottage Industries are only permitted upon issuance of a conditional coastal development use permit in the coastal zone, which would require evaluation of the proposed cottage industry for conformance with all relevant policies of the LCP, including the visual resource policies. The proposed deletion of the fifty-foot property line setback requirement from the Cottage Industries standards could potentially impact views to the coast by allowing activities to occur within that 50-foot setback, however, the standards do specify that no outdoor activities may occur besides the outdoor storage of materials, safeguarding visual resources from this impact. The outdoor storage of materials itself could potentially impact visual resources, however, this allowance, as stipulated in the standards, must be specifically provided for by the required coastal development use permit, and would be evaluated to ensure compliance with visual resource policies in the LCP. The use and parking of large vehicles and construction equipment or

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vehicles being repaired could also impact visual resources, however this use, as stipulated in the standards, would be subject to a coastal development use permit and evaluated for conformance with the visual resource policies of the LCP. The allowance of one sign anywhere on the property that is four square feet would be limited to one sign, and would not be permitted to be illuminated. Thus, the effects of such a sign on visual resources would be insignificant. Additionally, as discussed above in Section IV, a significant growth in Cottage Industries as a result of the proposed amendment is not anticipated, minimizing potential threats to visual resources. Therefore, the Commission finds that the proposed amendment to Section 2.2 of the LUP, Cottage Industries, is consistent with Section 30251 of the Coastal Act.

### E. New Development

Section 30250(a) of the Coastal Act requires that new development be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The intent of this policy is to concentrate development in areas able to accommodate it with public or onsite services and where it will minimize adverse impacts on coastal resources.

Regarding the portion of the proposed LUP amendment affecting Home Occupations, liberalizing the Home Occupations standards to allow the home occupation to occur within residential accessory buildings or to allow one employee to work on the property could result in the increased use of water and septic capacity. However, any proposed development in the coastal zone, as defined in the County's LCP and including changes in density and intensity of use (which could include any increased activity as described in the example above) or the placement or construction of new structures, would require a coastal development permit. The proposed development must comply with all the relevant policies of the LCP, including policies requiring that proof of adequate water and septic capacity to serve the proposed development be demonstrated prior to approval of the coastal development permit. Additionally, as discussed above in Section IV, a significant growth in Home Occupations as a result of the proposed amendment is not anticipated, minimizing potential impacts to coastal resources. Therefore, the Commission finds that the proposed amendment to Section 2.2. of the LUP, Home Occupations, as modified, is consistent with Section 30250 of the Coastal Act to the extent that proposed home occupations would be located in areas with adequate water and sewer services able to accommodate the use.

Regarding the portion of the proposed LUP amendment affecting Cottage Industries, liberalizing the Cottage Industries standards to allow the industry to occur on a greater area (1,000 square feet rather than 640 square feet), the addition of one outside employee (for a total of 2) to work on the premises, and the addition of "horticulture" as a Cottage Industry conditional use type in the non-resource lands (e.g. lands designated rural residential, remote residential, suburban residential, and rural village lands) may increase the use of water and/or septic systems. However, since all Cottage Industries are subject to coastal development use permits and coastal development permits (if new structures are proposed), this issue can be evaluated at the permit stage. In addition, the laundry services cottage industry, which has high water usage, is proposed to be deleted as a Cottage Industry, although small-scale "hand" laundries could still be conducted under the Personal Services Cottage Industry. This proposed change would decrease water



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resource impacts. Additionally, as discussed above in Section IV, a significant growth in Cottage Industries as a result of the proposed amendment is not anticipated, minimizing potential threats to coastal resources. Because of all the above stated reasons, the Commission finds that the proposed amendment to Section 2.2 of the LUP, Cottage Industries, is consistent with Section 30250 of the Coastal Act.

### F. Highway One Traffic Capacity

Coastal Act Section 30254 states that it is the intent of the Legislature that State Highway One in rural areas of the coastal zone remain a scenic two-lane road, and that where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development. Section 30250(a) of the Coastal Act also requires that new development not have significant adverse effects, either individually or cumulatively, on coastal resources.

Because the only north-south arterial in coastal Mendocino County is Highway One, the requirements of Section 30254 are a limiting factor on the potential for new development in Mendocino County. In addition, Section 30254 requires that high priority uses of the coast not be precluded by other, lower-priority uses when highway capacity is limited.

Highway capacity has been recognized by the Commission as a constraint that limits new development, as new development generates more traffic that uses more capacity and a lack of available capacity results in over-crowded highways for long periods of time. When it eventually certified the Mendocino County Land Use Plan with Suggested Modifications, the Commission found that too much build out of the Mendocino coast would severely impact the recreational experience of Highway One and its availability for access to other recreational destination points. The Commission reduced by more than half the number of potential new parcels that could be created under the certified LUP, based on its conclusion that, given the information available at that time, approximately 1,500 new parcels was the maximum number of new parcels Highway One could accommodate while remaining a scenic, two-lane road.

The Commission recognized that in the future, a greater or smaller number of potential new parcels might be more appropriate, given that changes might occur that would affect highway capacity, such as new road improvements, or that development might proceed at a faster or slower pace than anticipated. To provide for an orderly process to adjust the number of potential parcels allowed under the LCP to reflect conditions as they change over time, the Commission approved Policy 3.9-4 of the LUP that required a future review of the Land Use Plan.

Policy 3.9-4 of the County's LUP states that:

*Following approval of each 500 additional housing units in the coastal zone, or every 5 years, whichever comes first, the Land Use Plan shall be thoroughly reviewed to determine:*

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*Whether the Highway 1 capacity used by non-resident travel and visitor accommodations is in scale with demand or should be increased or decreased.*

*Whether the plan assumptions about the percentage of possible development likely to occur are consistent with experience and whether the allowable buildup limits should be increased or decreased.*

*Whether any significant adverse cumulative effects on coastal resources are apparent.*

In response to this policy, in 1994 the County hired a transportation consultant firm to do a study (titled the State Route 1 Corridor Study) that would determine the impact to Highway One traffic carrying capacity from the build out of the Coastal Element of the General Plan. The study projected future traffic volumes which would be generated by potential development allowed by the Coastal Element in the coastal zone and by potential development from growth areas outside of the coastal zone that affect traffic conditions on Highway One. The County also has initiated additional studies to determine where appropriate density increases could be allowed without overtaxing Highway One's limited capacity.

The Commission has adopted findings in its actions on previous LCP amendments stating that proposed LCP changes that would result in increases in residential density on a first-come, first-served basis would not ensure that highway capacity would be reserved for higher priority coastal land uses. When looked at in isolation, it may not appear that approving any particular proposal for a density increase would have much impact, when the potential for only a few new parcels is created by each such proposal. However, consistent with Section 30250(a) of the Coastal Act, the cumulative impact of numerous LCP Amendments allowing increases in residential density on highway capacity and other coastal resources must also be addressed. Looking at each new project in isolation fails to take into account the effect numerous projects would have if approved in this fashion.

During its review of Mendocino LCP Amendment No. 1-98(Major) during the Commission meeting of September 9, 1998, the Commission expressed concern regarding the approval of any future density-increasing LCP amendments without having the benefit of the complete review called for by LUP policy 3.4-9. Although a comprehensive review of the Land Use Plan has not yet been completed, the County is progressing toward the development of such a study specified by LUP policy 3.4-9.

In regards to the proposed LUP amendments to Home Occupations and Cottage Industries standards, the allowance of additional types of uses, additional employees, and the allowance of Home Occupations uses to occur within accessory buildings could result in expanded activity and potentially impact traffic capacity on Highway One. Additionally, Home Occupations and Cottage Industries are designed to be located in association with residential uses, and those residential roads may not be designed to handle large traffic volumes or vehicles with heavy loads. As discussed above in Section IV, a significant growth in Home Occupations and Cottage Industries as a result of the proposed amendment is not anticipated, minimizing potential threats

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to traffic capacity on Highway One. The Commission notes that as proposed, Home Occupations would continue to incorporate the prohibition on heavy vehicles, and the proposed Cottage Industries regulations place a maximum on delivery vehicles and exclude heavy vehicles. The Commission also notes that the increase in employees proposed for Cottage Industries from one to two, and the allowance for one employee on parcels 40,000 square feet or larger for Home Occupations still results in a low number of employees and associated trip generation on the roads, and these trips would be scattered throughout the road network. While more traffic could occur in rural areas as a result of the proposed new regulations, the opportunity to work at home or in proximity to the home, and the dispersal of traffic throughout the network rather than concentration in urban areas would help to offset and minimize adverse traffic impacts.

Specifically in regards to Cottage Industries, significant impacts on traffic are not anticipated because very few new Cottage Industries applications are anticipated as a result of the liberalized standards. As discussed in Section IV, in the five years from 2000 to 2004, six cottage industry use permits were applied for in the inland area and none were applied for in the coastal zone. The "inland" zoning code was liberalized similarly to this proposed amendment in 1998. Since then, County staff has not seen an increase in Cottage Industries applications. Based on the fact that in the past the County has not seen many Cottage Industries applications in the coastal zone, and that even in the inland area, with its more liberalized regulations, they have not seen an increase, County staff believes that the liberalization of the Coastal Zoning Code Standards will not result in any substantial increase in new Cottage Industries applications, and thus traffic impacts on Highway One will be insignificant.

In regards to Home Occupations, like Cottage Industries, very few new Home Occupations are anticipated as a result of the liberalized standards, as discussed in Section IV. However, since Home Occupations are more difficult to track because they do not require coastal development use permits from the County, County Staff submitted a thorough analysis of the potential traffic impacts from Home Occupations based on Home Occupations business licenses. Traffic generation for Home Occupations could range from no additional trips (or a net decrease if work at home replaces an offsite job) to a maximum of ten customers and three delivery vehicles per day. Traffic projections are depicted on Table 4 (Exhibit 5). These traffic projections are based on the following assumptions: (1) employee trips are not counted as they are assumed to replace those directed to a commercial business; (2) the part time nature, limited visitation, and short-term duration of some activities tends to limit trips; (3) regarding mail order businesses, in most cases it appears that products located offsite are distributed via the Internet and telephone; (4) where delivery vehicles come to the residence, they would be limited to a maximum of three per day, which may result in less traffic than for Home Occupations that provide a service at a residence, wherein 10 customers may visit the site each day; (5) home occupations also tend to be located outside the community areas, which may spread traffic throughout the network rather than concentrating it within community areas; (6) other mitigating factors that may be associated with rural locations include combining trips to reduce travel to and from less conveniently located sites; and (7) flexible work hours and work at home activities are often cited as a way to mitigate traffic impacts.

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Based on these factors, an average of 6 one-way, or 0.6 peak hour trips (peak hour trips are 10 percent of daily trips) are projected as shown in Table 4 (Exhibit 5). The State Route 1 Corridor Study studied 37 intersections with State Route 1; if distributed throughout the coastal zone, less than 2 'peak hour' trips would be added to each intersection as a result of Home Occupations by 2020, since 'peak hour' trips for Home Occupations may not necessarily occur during the p.m. and weekend peak traffic hours for Highway One.

Due to the facts that significant growth in Home Occupations and Cottage Industries is not anticipated, that several mitigating factors associated with the nature of home occupations and cottage industries serve to limit traffic impacts, and that less than two 'peak hour' trips for Home Occupations would be added to each intersection by 2020, the Commission finds that the LUP amendment as modified is consistent with Sections 30254 and 30250.

**F. Agriculture**

Coastal Act Section 30241 states that the maximum amount of prime agricultural land shall remain in agricultural production, conflicts between agriculture and urban land uses should be minimized, and conversion of agricultural lands to non-agricultural uses should be minimized. Section 30241.5 states that where the viability of existing agricultural uses is an issue in a local coastal program amendment, an economic feasibility analysis shall be conducted. Section 30242 states that all other lands suitable for agriculture shall not be converted to non-agricultural uses unless continued agricultural use is not feasible, or such conversion would preserve prime agricultural land.

As discussed above in Section IV, a significant growth in Home Occupations and Cottage Industries as a result of the proposed amendment is not anticipated, minimizing potential threats to agricultural viability. The proposed amendment, which liberalizes the standards and expands the range of use types for Cottage Industries (e.g. Mail Order businesses, Food Preparation, or Administrative or Business Offices) and Home Occupations (Off-site Service Providers, Food and Beverage Preparation: Without Consumption, Mail Order Businesses) could increase the potential for new business activities on agricultural lands, or foster requests to convert land uses from agriculture to commercial or industrial uses, potentially conflicting with agricultural operations. However, Cottage Industries and Home Occupations use types, such as the sale of farm products, can enhance the viability of agricultural operations, and strict LCP policies regulating the conversion of agricultural lands that serve to protect the viability of agricultural lands remain unchanged by the proposed amendment. Mendocino County LCP Policy 3.2-4 states:

*3.2-4 Zoning regulations shall not discourage compatible activities that enhance the economic viability of an agricultural operation. These may include cottage industry, sale of farm products, timber harvesting, not subject to the Forest Practices Act and limited visitor accommodations at locations specified in the plan. Visitor accommodations shall be secondary to the agricultural activity. Proposed projects shall be subject to a conditional use permit. Granting of the permit shall require affirmation findings to be made on each of the following standards. The project shall:*

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- *maximize protection of environmentally, sensitive habitats;*
- *minimize construction of new roads and other facilities;*
- *maintain views from beaches, public trails, roads and views from public viewing areas, or other recreational areas;*
- *ensure adequacy of water, sewer and other services;*
- *ensure preservation of the rural character of the site; and*
- *maximize preservation of prime agricultural soils;*
- *ensure existing compatibility by maintaining productivity of on site and adjacent agricultural lands.*

*No permit shall be issued to convert prime land and/or land under Williamson Act to non-agricultural uses, unless all of the following criteria are met:*

- *all agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable; and*
- *agricultural use of the soils can not be successfully continued or renewed within a reasonable period of time, taking into account economic, environmental, social, and technological factors (Section 30108 of the Coastal Act); and*
- *clearly defined buffer areas are developed between agricultural and non-agricultural uses (see Policies 3.2-9, 3.2-12 and 3.2-13); and*
- *the productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing; and*
- *public service and facility expansions and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality; and*
- *in addition, for parcels adjacent to urban areas, the viability of agricultural uses is severely limited by conflicts with urban uses, and the conversion of land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*

LUP Policy 3.2-5 states:

*All other lands suitable for agricultural use shall not be converted to non-agricultural uses*

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*unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

Any proposed Cottage Industry requires a coastal development use permit from the County. Therefore, the County and the Commission on appeal would review the proposed Cottage Industry and Coastal Development Use Permit application for conformance with the above policies. Similarly, any Home Occupation that constitutes "development" as defined in the LCP [see Section V.(C)], including a change in density or intensity of use, also requires a coastal development permit, which is subject to the same policies above.

Furthermore, the standards for Cottage Industries and Home Occupations that require the activities to occur within buildings serve to decrease the effects of noise, dust and other nuisances, which could otherwise create conflict between the Cottage Industry or Home Occupation and the surrounding agricultural uses.

Therefore, the Commission finds that the LUP amendment, as modified, is consistent with Sections 30241 and 30242 of the Coastal Act.

**VI. IMPLEMENTATION PROGRAM FINDINGS**

**A. Proposed IP Amendment**

The proposed Implementation Plan (IP) amendment as proposed by the County is contained in Attachment 1. The amendment is described in Section III of these findings.

**B. Standard of Review**

To approve the amendments to the Implementation Plan (IP), the Commission must find that the IP, as amended, will conform with and be adequate to carry out the Land Use Plan (LUP) as modified.

**B. Consistency with LUP Section 2.2 "Home Occupations"**

As submitted, the proposed IP amendment includes a proposal to amend the first paragraph of Section 20.448.005 "Declaration" of Division II of Title 20 of the Mendocino County Zoning Code regarding Home Occupations. This proposed amendment to the Implementation Plan (IP) is intended to carry out the proposed LUP amendment to the first paragraph of Section 2.2. "Home Occupations" (see Attachment 1 for a full description of the proposed amendments). However, since Suggested Modification No. 1 adds language to this LUP Section to clarify when coastal development permits are required, it is necessary to impose Suggested Modification No. 2 to the Implementation Plan (Section 20.448.005 of the Zoning Code) to ensure that it conforms with and adequately carries out the LUP Section 2.2. as modified.

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Similar to the proposed LUP amendment to the first paragraph of Section 2.2 on Home Occupations, the proposed amendment to the IP (Section 20.448.005 of the Zoning Code) includes (County proposed language is underlined, proposed deletion ~~struck through~~):

*...A use permit is not required to conduct a home occupation, however, such ~~person use~~ shall be subject to all applicable regulations of this Division, such as off-street parking, and to all other permits required under county code, such as building permits and business licenses.*

As submitted, the amendment does not adequately carry out the LUP as modified by Suggested Modification No. 1, and therefore must be denied. However, if modified to reflect the additional language in the LUP imposed by Suggested Modification No. 1, the proposed amendment would adequately carry out Section 2.2. of the LUP. Therefore, the Commission imposes Suggested Modification No. 2 to the Implementation Plan, Section 20.448.005 "Declaration":

### **SUGGESTED MODIFICATION NO. 2**

Add the following language to Section 20.448.005 of the Mendocino County Coastal Zoning Code (Home Occupations) (County proposed changes are underlined, Commission suggested modifications are **underlined and bold**):

Sec. 20.448.005 Declaration

... A use permit is not required to conduct a home occupation, however, such ~~person use~~ shall be subject to all applicable regulations of this Division, such as off-street parking, and to all other permits required under county code, such as building permits **and business licenses, and coastal development permits, where the use constitutes "development" as defined in the Glossary and Coastal Zoning Code Section 20.308.035(D).**

Therefore, the Commission finds that the proposed amendment to the IP, Section 20.448.005 of the Mendocino Coastal Zoning Code, as modified, conforms with and carries out the LUP as modified.

As submitted, the proposed amendment includes a proposal to amend Section 20.448.010 of the Mendocino County Coastal Zoning Code, "Specific Standards" for Home Occupations (the full text of these proposed amendments is included in Attachment 1). These proposed changes are virtually identical to the changes proposed to the standards for Home Occupations in Section 2.2. of the LUP. Therefore, the Commission finds that as submitted, the proposed amendments to Section 20.448.010 of the Mendocino County Coastal Zoning Code conform with and adequately carry out Section 2.2 the Mendocino County LUP, as modified.

As submitted, the proposed amendment includes a proposal to amend Section 20.448.015 of the Mendocino Coastal Zoning Code "Examples of Uses That Frequently Qualify as Home Occupations" by adding three new uses (Subsections I, J, and K):

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*The following are typical examples of uses which often can be conducted within the limits of the restrictions established in this Division and thereby qualify as Home Occupations. Uses which qualify as Home Occupations are not limited to those named in this paragraph (nor does this listing of a use in this section automatically qualify it as a home occupation).*

- (A) Artists and sculptors;*
- (B) Authors and composers;*
- (C) Babysitters;*
- (D) Beauticians and barbers, limited to one chair;*
- (E) Dressmaking, seamstress and tailors;*
- (F) Home crafts, such as model making, rug weaving, lapidary work, or ceramics;*
- (G) Repair or fix-it shop for items normally found in or around the home;*
- (H) Office facility of an architect, attorney, broker, consultant, dance instructor, doctor, dentist, engineer, instructor in arts and crafts, insurance agent, land or marine surveyor, music instructor, real estate agent, tutor, bookkeeper or accountant.*
- (I) Off-site service providers*
- (J) Food and beverage preparation - without consumption*
- (K) Mail order businesses*

The addition of three new use types without accompanying changes to the opening paragraph does not adequately carry out the intent of Home Occupations as stipulated in LUP Section 2.2. As stipulated in the LUP, Home Occupations are limited to those uses that are customarily conducted within the home and clearly incidental to its residential use. Additionally, the proposed amendment to Standard B of LUP Section 2.2, which allows the Home Occupation to be conducted within an enclosed accessory building in addition to the dwelling unit also needs to be clarified by the IP, to carry out the intent of LUP Policy 2.2 that Home Occupations be incidental to the residential nature of the property. Therefore, the Commission finds that the proposed amendment to the Implementation Plan, Section 20.448.015 of the Mendocino Coastal Zoning Code, as submitted, must be denied. However, if the first paragraph of Section 20.448.015 is modified as shown below, by adding language that clarifies the residential nature of the Home Occupation, Section 20.448.015 would adequately carry out Section 2.2. of the LUP.

**SUGGESTED MODIFICATION NO. 3**



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Add the following language to the first paragraph of Section 20.448.015 of the Mendocino Coastal Zoning Code (Commission suggested additions are **underlined and bold**):

### Section 20.448.015 Examples of Uses That Frequently Qualify as Home Occupations

The following are typical examples of uses which often can be conducted within the limits of the restrictions established in this Division and thereby qualify as Home Occupations. Uses which qualify as Home Occupations are not limited to those named in this paragraph (nor does this listing of a use in this section automatically qualify it as a home occupation). **Home occupations shall be limited to uses customarily and appropriately conducted within a dwelling unit, notwithstanding allowances for the conduct of Home Occupations within an accessory building:...**

The Commission finds that the proposed amendment to Section 20.448.015 of the Mendocino Coastal Zoning Code, as modified, conforms with and adequately carries out LUP Section 2.2. as modified.

As submitted, the proposed amendment includes a proposal to amend Section 20.452.020 of the Mendocino County Coastal Zoning Code, "Specific Standards" for Cottage Industries (the full text of these proposed amendments is included in Attachment 1). These proposed changes are virtually identical to the changes proposed to the standards for Cottage Industries in Section 2.2. of the LUP, as modified. Therefore, the Commission finds that as submitted, the proposed amendments to Section 20.448.010 of the Coastal Zoning Code conform with and adequately carry out Section 2.2 of the LUP, as modified.

As submitted, the proposed amendment includes a proposal to amend the IP to add Appendix B, "Exterior Noise Limit Standards" (the full text of this appendix is included in Attachment 1). This proposed addition clarifies the proposed amendment to specific standard (H) for Cottage Industries, as described in LUP Section 2.2, which requires that no equipment or process shall create noise in excess of those customarily generated by single-family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in *Appendix B* at the property line. As submitted, the proposed amendment is consistent with Section 2.2 of the LUP. Therefore, the Commission finds that the proposed amendment adding Appendix B to the Mendocino Coastal Zoning Code conforms with and adequately carries out Section 2.2 of the Mendocino County LUP.

As submitted, the proposed amendment includes a proposal to amend Chapter 20.308 "Definitions" of the Mendocino Coastal Zoning Code (the full text of these proposed amendments is included in Attachment 1). Section 20.308.030 is proposed to be amended by adding a definition for "Custom Manufacturing." Inclusion of this definition is intended to clarify the intent of Cottage Industries, as described in the first paragraph of Section 2.2 of the LUP, which provides for limited commercial and industrial uses in conjunction with a dwelling. "Custom Manufacturing" is an existing conditional use for Cottage Industries, as described in LUP Section 2.2. By adding a definition to the IP and clarifying the intent of this use, the proposed amendment to Section 20.308.030 adequately conforms with and carries out the LUP, as modified.

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Section 20.308.055 is proposed to be amended by changing the definition of "Home Occupation" to reflect the proposed amendment to Section 2.2 of the LUP, specifically the "intent" of Home Occupations. This proposed amendment to Section 20.308.055 adequately conforms with and carries out the LUP, as modified.

Section 20.308.080 is proposed to be amended by adding a definition for "Mail Order Businesses." Mail Order Businesses are proposed to be added to the conditional use types for Cottage Industries in LUP Section 2.2, and as a "Frequent Use" for Home Occupations in Section 20.448.015 of the Coastal Zoning Code (IP). Adding a definition for "Mail Order Businesses" serves to clarify what is allowable for this use, consistent with the intents of Cottage Industries and Home Occupations. Therefore, this proposed amendment to Section 20.308.080 adequately conforms with and carries out the LUP, as modified.

Section 20.308.090 is proposed to be amended by adding a definition for "Off-site Service Providers." "Off-site Service Providers" are proposed to be added to the list of examples of uses that frequently qualify as Home Occupations in Section 20.448.015. The addition of this use conforms to the standards set forth in Section 2.2 of the LUP, and therefore adequately carries out the LUP, as modified. The addition of a definition of "Off-site Service Providers" to the IP serves to clarify what is allowable for this use as a Home Occupation, consistent with the intent of Home Occupations in Section 2.2 of the LUP. Therefore, the proposed amendment conforms with, and adequately carries out the LUP, as modified.

As submitted, the proposed amendment to the IP includes a proposal to add the "Mail Order Businesses" use type to the list of "Commercial" use types in Chapter 20.324 of the Coastal Zoning Code, and to add "Mail Order Businesses" use type to Section 20.396.010, "Principal Permitted uses for Commercial Districts". These changes are consistent with the intent of "Commercial" land use designation in Section 2.2. of the LUP, and the listed principal permitted uses, which include retail stores, services, and offices. Therefore, the proposed amendment to Chapter 20.324 and Section 20.396.010 of the Coastal Zoning Code conforms with and adequately carries out the LUP.

As submitted, the proposed amendment includes a proposal to amend the "Custom Manufacturing: Light Industrial" use type description in Section 20.328.020 of Chapter 20.328 (Industrial Use Types) to eliminate the two horsepower limitation for mechanical equipment, but to clarify that goods produced must be typical of those found in a home shop or that don't create noise, dust, fumes, visual impacts, or excessive use of electricity or water. This change to the text is consistent with the intent of the "Industrial" land use designation in Section 2.2 of the LUP, which requires such facilities to be installed and operated in a manner that will minimize adverse effects upon the communities in which the facilities are situated. In addition, "light industrial" is proposed to be added as an extension to the "Custom Manufacturing" conditionally permitted use for Cottage Industries in Section 2.2 of the LUP (e.g. Custom Manufacturing: light industrial). Clarifying the standards and allowable uses under this use type in the IP serves to carry out the intent of Cottage Industries, and conforms with and adequately carries out the LUP. Additionally, "Coastal Industrial Use Types: Custom Manufacturing: Light Industrial" is proposed to be added to the list of principally permitted uses for the commercial district (Section 20.396.010 of the Coastal Zoning Code). This change to the text is consistent with the intent of the "Commercial" land use designation in Section 2.2. of the LUP, and the "services" principal permitted

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use, and therefore the proposed amendment conforms with, and adequately carries out the LUP, as modified.

V. California Environmental Quality Act (CEQA):

In addition to making a finding that the amendment is in full compliance with the Coastal Act, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) of the Public Resources Code requires that the Commission not approve or adopt an LCP:

*...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects, which the activity may have on the environment.*

As discussed in the findings above, Part D of the amendment request as modified is consistent with the California Coastal Act and will not result in significant environmental effects within the meaning of the California Environmental Quality Act.

Attachments:

1. Proposed LUP and IP Amendments

Exhibits:

1. County Resolution, Ordinance and Resolution of Transmittal
2. Table A: Comparison of Existing and Proposed Criteria for Home Occupations
3. Table B: Comparison of Existing and Proposed Criteria for Cottage Industries
4. Table C: Cottage Industries Use Types by Zoning (Existing and Proposed)
5. Tables 1-4: Business Licenses for Home Occupations and Traffic Projections



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Mendocino County proposes to amend the Land Use Plan (LUP), Section 2.2, Home Occupations and Cottage Industries, as follows (language proposed to be added is underlined, and language proposed to be deleted is ~~struck through~~):

HOME OCCUPATIONS

It is the intent of this section to provide for an accessory use within a dwelling unit or accessory building(s) for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the property dwelling for residential purposes and must not change the character thereof or adversely affect the residential or rural nature of its surroundings. When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation without securing a use permit to do so. However, such ~~person~~ use shall be subject to all applicable policies of this element and to all other permits required under county code, such as building permits and business licenses. A home occupation is a principal permitted use in any land use classification where a dwelling exists. The following represent the minimum standards for home occupations:

~~The Mendocino County Code Section 20, Article XXXVIII should be updated through the public hearing process within 24 months of LCP adoption, to encourage individuals to provide self-employment in their own homes. The concept of a "rural home occupation" definition should be considered. "Performance" standards should be considered.~~

**Specific Standards:**

- A. No person other than members of the family residing on the premises shall be engaged in ~~such occupation~~ the home occupation, except that one (1) employee shall be permitted when the property on which the home occupation is located is a minimum of forty thousand (40,000) square feet.
- B. The home occupation shall be clearly incidental and subordinate to the use of the ~~dwelling unit~~ premises for residential purposes ~~and that not more than 25 percent of the floor area of the dwelling unit shall be used for such occupation. Use of an accessory building or garage for the purpose of conducting a home occupation shall be prohibited. The total area used for the home occupation shall not exceed six hundred forty (640) square feet. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises.~~

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- C. ~~There shall be no changes, resulting from the home occupation, The home occupation shall not result in any change in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation, other than one (1) nonilluminated sign not exceeding two (2) square feet of area, non-illuminated and attached flat to the main structure or visible through a window.~~
- D. ~~No merchandise (except articles produced on the premises) shall be sold or displayed on the premises. The sale of merchandise not produced on the premises (except mail order businesses) shall be clearly incidental and accessory to the merchandise or service produced by the home occupation, and shall not be advertised in any manner.~~
- E. Not more than ten (10) customers or clients shall come to the dwelling unit premises for service or products during any one day.
- F. Home occupations shall not involve the use of heavy commercial vehicles for delivery of materials to or from the premises.
- G. No mechanical or electrical equipment shall be employed other than machinery or equipment customarily found in the home associated with a hobby or a vocation. typical of the type or specifications used in a hobby or a vocation customarily conducted within the confines of a dwelling unit.
- H. ~~No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, dust, odors, smoke or electrical interference, detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises. No equipment or process used shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood.~~

**COTTAGE INDUSTRIES**

It is the intent of this use to provide for limited commercial and industrial uses in conjunction with a dwelling which are more extensive than home occupations, but which, like home occupations, do not alter or disturb the residential or rural nature of the premises or its surroundings. Such limited commercial and industrial uses are known as Cottage Industries.

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Cottage Industries are permitted upon issuance of a conditional use permit. A use permit for a Cottage Industry may be granted for an unlimited period of years, unless it is determined that a shorter period is more appropriate to insure conformance with the intent and standards of this section or other applicable requirements. The following uses listed and other uses which have a similar impact or lesser impact may be considered through the conditional use permit process.

~~The General Standards, Specific Standards, and Permitted Uses of Cottage Industries should be updated within 24 months of LCP adoption through the public hearing process. "Performance" standards and a "rural cottage industries" definition should be considered, to encourage employment and to recognize the differences of individual situations.~~

**General Standards:**

- A. The particular uses conducted by the Cottage Industry, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surrounding.
- B. The use shall be environmentally compatible with the project site and region.
- C. No additional service demands will be created by the use.

**Specific Standards:**

Cottage Industries shall conform to the following minimum requirements:

- A. Not more than ~~one (1)~~ two (2) outside persons may be employed on the premises in addition to the members of the family residing on the premises.
- B. The Cottage Industry shall be ~~a secondary use~~ clearly incidental and subordinate to the residential use of a parcel containing a dwelling occupied as a principal residence of the owner or operator of the Cottage Industry. ~~Multiple uses may be permitted within a Cottage Industry. Such industry or equipment and storage related thereto should not be located within fifty (50) feet of any property line, excluding buildings constructed prior to the adoption of this plan.~~
- C. Multiple uses are permitted within the Cottage Industry. The total area occupied by all uses within the Cottage Industry, including storage, shall not exceed one thousand (1,000) square feet. No Cottage Industry

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~~permitted pursuant to this subsection may occupy more than 640 square feet of area within any building or buildings on the same parcel.~~

- D. ~~No on-premise signs are allowed except as provided by home occupations. All aspects of the Cottage Industry shall be located and conducted within a dwelling unit or enclosed accessory building(s), with the exception of outdoor storage of materials, products or vehicles as specifically provided by the use permit. There shall be no other change in the outside appearance of the building or premises, except one (1) non-illuminated sign not exceeding four (4) square feet.~~
- E. ~~No merchandise The sale of merchandise not produced on the premises (except mail order businesses articles produced on the premises or those items necessary for repair work in the automotive and equipment repair services, consumer use types and specialty shops) shall be sold or displayed on the premises. shall be incidental and accessory to the merchandise or service produced by the Cottage Industry, and shall not be advertised in any manner.~~
- F. ~~Not more than ten (10) customers or clients shall come to the dwelling unit premises for service or products during any one (1) day. Not more than one vehicle may be parked on the premises or a street adjacent thereto while awaiting or undergoing repair, or awaiting removal after repair.~~
- G. ~~The use and parking of large vehicles and construction equipment (including but not limited to (such as trucks of over one (1) ton rating) or vehicles being repaired shall be regulated by the use permit. Not more than one (1) vehicle for servicing may be parked in public view. , tractor, bulldozer, backhoe, skip loader, well drilling rig, cement mixer, roller, welder, air compressor, forklift, or grader) shall not be operated, maintained, or parked in connection with a Cottage Industry except to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property.~~
- H. ~~Noise generation from within the site shall not exceed 65 dba at the nearest off site residence. No equipment or process used in the cottage industry shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in Appendix B at the property line.~~



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**Examples of Uses Permitted Upon Securing a Use Permit:**

- A. The following are examples of conditional uses that may be permitted in the Rural Residential, Remote Residential, Suburban Residential, and Rural Village ~~and Fishing Village~~ land use classifications:

Administrative and Business Offices  
Animal Sales and Services: Household Pets  
Automotive and Equipment: Light (Excluding SR)  
Building Maintenance Services  
Business Equipment Sales and Services  
Food and Beverage Preparation: Without Consumption  
Horticulture  
~~Laundry Services~~  
Mail Order Businesses  
Medical Services  
~~Personal Improvement Services~~  
Personal Services  
Repair Services, Consumer  
~~Research Services~~  
Custom Manufacturing: Light Industrial ~~and Repairs~~  
~~Specialty Shops~~

- B. The following are examples of conditional uses that may be permitted in Rangeland, Range Lands Agriculture Agricultural, and Forest Lands and Timber Production land use classifications:

Administrative and Business Offices  
Agricultural Sales and Services  
Animal Sales and Services: Household Pets  
Animal Sales and Services: Veterinary (Small Animals)  
Animal Sales and Services: Veterinary (Large Animals)  
Automotive and Equipment: Light  
Automotive and Equipment: Heavy  
Building Maintenance Services  
Business Equipment Sales and Services  
Food and Beverage Preparation: Without Consumption  
~~Laundry Services~~  
Mail Order Businesses  
~~Personal Improvement Services~~  
Personal Services  
Repair Services: Consumer  
Custom Manufacturing: Light Industrial  
Packing and Processing (All types)

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Mendocino County proposes to amend the Implementation Plan as follows (language proposed to be added is underlined, and language proposed to be deleted is ~~struck through~~):

1. Amend Section 20.308.030 of Division II of Title 20 of the Mendocino County Code by adding new subsection (Q) to read:

**Sec. 20.308.030 Definitions (C)**

(Q) "Custom Manufacturing" means the on-site production of individually crafted goods using hand tools or mechanical equipment typical of the types or specifications found in a home shop, or using equipment or processes which do not create noise, dust, fumes, visual impacts or electrical or water use in excess of home shop or hobby equipment, and which may include incidental onsite sales of those goods to retail consumers. Typical uses include ceramic studios, candle-making shops, custom jewelry manufacturing, wood working shops, printing shops, custom textile manufacturing, or light assembly of components manufactured off-premises.

2. Amend Section 20.308.055(D) of Division II of Title 20 of the Mendocino County Code as follows (language proposed to be added is underlined, and language proposed to be deleted is ~~struck through~~):

**Sec. 20.308.055 Definitions (H)**

(D) "Home Occupation" means an occupation accessory use of not more than twenty-five (25) percent of the floor area of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services, which is clearly accessory and incidental to a residential use located on the premises, which is conducted solely by occupants of the dwelling unit, and which is conducted entirely within the dwelling unit or accessory building(s) in a manner which does not change or disturb the residential appearance and character of the site as described in Chapter 20.448. ~~No home occupation shall be conducted in the garage or accessory building.~~

3. Amend Section 20.308.080 of Division II of Title 20 of the Mendocino County Code by adding new subsection (A), Mail Order Businesses, to read:

**Sec. 20.308.080 Definitions (M)**

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(A) "Mail Order Businesses" means the storage, sale and delivery of goods and merchandise produced on or off the premises to retail or wholesale consumers by way of the mails, delivery services, or in any other manner in which visitation to the premises by the wholesale or retail consumers is strictly incidental.

4. Amend Section 20.308.090 of Division II of Title 20 of the Mendocino County Code by adding new subsection (C) to read:

**Sec. 20.308.090 Definitions (O)**

(C) "Off-site Service Providers" means businesses where the primary activity is conducted off-premises from the location of the business office or equipment, vehicle, or supply storage. Such business may include but is not limited to contractors, tradespeople, equipment servicers, or instructors.

5. Amend Division II of Title 20 of the Mendocino County Code by adding Section 20.324.093 to the Commercial Use Types to read:

**Sec. 20.324.093 Mail Order Businesses**

Establishments primarily engaged in the storage, sale and delivery of goods and merchandise produced on or off the premises to retail or wholesale consumers by way of the mails, delivery services, or in any other manner in which visitation to the premises by the wholesale or retail consumers is strictly incidental.

6. Amend Section 20.328.020 of Division II of Title 20 of the Mendocino County Code (Industrial Use Types) to read:

**Sec. 20.328.020 Custom Manufacturing: Light Industrial**

Establishments primarily engaged in on-site production of individually crafted goods by hand manufacturing which involves only the use of using hand tools or mechanical equipment not exceeding two (2) horsepower each or a single kiln not exceeding eight (8) cubic feet in volume and the incidental direct sale of only those goods produced on-site typical of the types or specifications found in a home shop, or using equipment or processes which do not create noise, dust, fumes, visual impacts or electrical or water use in excess of home shop or hobby equipment, and which may include incidental onsite sales of those goods to retail consumers. Typical uses include ceramic studios, candle-making shops, custom jewelry manufacturing, wood working shops, printing shops, and custom textile manufacturing, or light assembly of components manufactured off-premises.

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7. Amend Section 20.396.010 of Division II of Title 20 of the Mendocino County Code by adding Mail Order Businesses and Custom Manufacturing: Light Industrial to the Commercial (C) District as permitted uses:

**Sec. 20.396.010 Principal Permitted Uses for C Districts**

The following use types are permitted in a C District:

**(A) Coastal Commercial Use Types**

Administrative and Business Offices;  
Agricultural Sales and Services;  
Animal Sales and Services: Household Pets;  
Animal Sales and Services: Veterinary (Small Animals);  
Automotive and Equipment: Repairs, Light;  
Building Maintenance Services;  
Business Equipment Sales and Services;  
Communications Services;  
Eating and Drinking Establishments;  
Financial Services;  
Food and Beverage Preparation: Without Consumption;  
Food and Beverage Retail Sales;  
Funeral and Interment Services;  
Laundry Services;  
Mail Order Businesses;  
Medical Services;  
Neighborhood Commercial Services;  
Personal Services;  
Repair Services: Consumer;  
Retail Sales: General.

**(C) Coastal Industrial Use Types**

Custom Manufacturing: Light Industrial

8. Amend Section 20.400.010 of Division II of Title 20 of the Mendocino County Code by adding "Mail Order Businesses" to the Industrial (I) District as a principal permitted use:

**Sec. 20.400.010 Principal Permitted Uses for I Districts**

The following uses are permitted in a I District:

**(A) Coastal Commercial Use Types**

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Research Services;  
Mail Order Businesses

**(B) Coastal Industrial Use Types.**

Coastal-Related Industrial;  
Coastal-Dependent Industrial;  
Custom Manufacturing: Light Industrial.

**(C) Coastal Open Space Use Types.**

Passive Recreation. (*Ord. No. 3785 (part), adopted 1991*)

9. Amend Section 20.448.005 of Chapter 20.448 (Home Occupations) of Division II of Title 20 of the Mendocino County Code to read:

**Sec. 20.448.005 Declaration**

It is the intent of this Chapter to provide for the accessory use of within a dwelling unit or accessory building(s) on the same parcel as the dwelling for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be conducted by the residents of the dwelling unit, and be clearly incidental and secondary to the use of the dwelling premises for residential residence purposes, and must not change the character thereof or adversely affect the residential or rural nature of the property or its surroundings. ~~When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to occupy or reside in the dwelling also have the right to conduct the home occupation without securing a use permit to do so. A use permit is not required to conduct a home occupation, however, such person use shall be subject~~ to all applicable regulations of this Division, such as off-street parking, and to all other permits required under county code, such as building permits and business licenses.

10. Amend Section 20.448.010 of Chapter 20.448 (Home Occupations) of Division II of Title 20 of the Mendocino County Code is amended to read:

**Sec. 20.448.010 Specific Standards**

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- A. No person other than members of the family residing on the premises shall be engaged in ~~such occupation~~ the home occupation, except that one (1) employee shall be permitted when the property on which the home occupation is located is a minimum of forty thousand (40,000) square feet.
- B. The home occupation shall be clearly incidental and subordinate to the use of the ~~dwelling unit premises~~ premises for residential purposes ~~and that not more than 25 percent of the floor area of the dwelling unit shall be used for such occupation. Use of an accessory building or garage for the purpose of conducting a home occupation shall be prohibited. The total area used for the home occupation shall not exceed six hundred forty (640) square feet. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises.~~
- C. ~~There shall be no changes, resulting from the home occupation, The home occupation shall not result in any change in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation, other than one (1) nonilluminated sign not exceeding two (2) square feet of area, non-illuminated and attached flat to the main structure or visible through a window.~~
- D. ~~No merchandise (except articles produced on the premises) shall be sold or displayed on the premises. The sale of merchandise not produced on the premises (except mail order businesses) shall be clearly incidental and accessory to the merchandise or service produced by the home occupation, and shall not be advertised in any manner.~~
- E. Not more than ten (10) customers or clients shall come to the ~~dwelling unit premises~~ premises for service or products during any one day.
- F. Home occupations shall not involve the use of heavy commercial vehicles for delivery of materials to or from the premises.
- G. No mechanical or electrical equipment shall be employed other than machinery or equipment ~~customarily found in the home associated with a hobby or a vocation~~ typical of the type or specifications used in a hobby or a vocation customarily conducted within the confines of a dwelling unit.
- H. ~~No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, dust, odors, smoke or electrical interference, detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if~~

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~~conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises. No equipment or process used shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood.~~

11. Amend Section 20.448.015 of Chapter 20.448 (Home Occupations) of Division II of Title 20 of the Mendocino County Code by adding subsections (I), (J) and (K):

**Sec. 20.448.015 Examples of Uses That Frequently Qualify as Home Occupations**

- (A) Artists and sculptors;
- (B) Authors and composers;
- (C) Babysitters;
- (D) Beauticians and barbers, limited to one chair;
- (E) Dressmaking, seamstress and tailors;
- (F) Home crafts, such as model making, rug weaving, lapidary work, or ceramics;
- (G) Repair or fix-it shop for items normally found in or around the home;
- (H) Office facility of an architect, attorney, broker, consultant, dance instructor, doctor, dentist, engineer, instructor in arts and crafts, insurance agent, land or marine surveyor, music instructor, real estate agent, tutor, bookkeeper or accountant.
- (I) Off-site service providers
- (J) Food and beverage preparation - without consumption
- (K) Mail order businesses

12. Amend Section 20.452.020 of Chapter 20.452 (Cottage Industries) of Division II of Title 20 of the Mendocino County Code to read:

**Sec. 20.452.020 Specific Standards for Cottage Industries**

Cottage Industries shall conform to the following minimum requirements:

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- A. Not more than ~~one~~ (1) two (2) outside persons may be employed on the premises in addition to the members of the family residing on the premises.
- B. The Cottage Industry shall be a ~~secondary use~~ clearly incidental and subordinate to the residential use of a parcel containing a dwelling occupied as a principal residence of the owner or operator of the Cottage Industry. ~~Multiple uses may be permitted within a Cottage Industry. Such industry or equipment and storage related thereto should not be located within fifty (50) feet of any property line, excluding buildings constructed prior to the adoption of this plan.~~
- C. Multiple uses are permitted within the Cottage Industry. The total area occupied by all uses within the Cottage Industry, including storage, shall not exceed one thousand (1,000) square feet. No Cottage Industry permitted pursuant to this subsection may occupy more than 640 square feet of area within any building or buildings on the same parcel.
- D. ~~No on-premise signs are allowed except as provided by home occupations. All aspects of the Cottage Industry shall be located and conducted within a dwelling unit or enclosed accessory building(s), with the exception of outdoor storage of materials, products or vehicles as specifically provided by the use permit. There shall be no other change in the outside appearance of the building or premises, except one (1) non-illuminated sign not exceeding four (4) square feet.~~
- E. ~~No merchandise~~ The sale of merchandise not produced on the premises (except mail order businesses) articles produced on the premises or those items necessary for repair work in the automotive and equipment repair services, consumer use types and specialty shops) shall be sold or displayed on the premises. shall be incidental and accessory to the merchandise or service produced by the Cottage Industry, and shall not be advertised in any manner.
- F. Not more than ten (10) customers or clients shall come to the ~~dwelling unit premises~~ for service or products during any one (1) day. ~~Not more than one vehicle may be parked on the premises or a street adjacent thereto while awaiting or undergoing repair, or awaiting removal after repair.~~
- G. The use and parking of large vehicles and construction equipment (including but not limited to (such as trucks of over one (1) ton rating) or vehicles being repaired shall be regulated by the use permit. Not more than one (1) vehicle for servicing may be parked in public view. , tractor,



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~~bulldozer, backhoe, skip loader, well drilling rig, cement mixer, roller, welder, air compressor, forklift, or grader) shall not be operated, maintained, or parked in connection with a Cottage Industry except to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property.~~

- H. ~~Noise generation from within the site shall not exceed 65 dba at the nearest off site residence. No equipment or process used in the cottage industry shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in Appendix B at the property line.~~

13. Amend Section 20.452.025 of Chapter 20.452 (Cottage Industries) of Division II of Title 20 of the Mendocino County Code by adding and deleting the following use types with regard to subsections A and B:

**Sec. 20.452.025 Examples of Uses Permitted upon Securing a Use Permit**

- (A) ~~Any use listed in Section 20.448.015 which does not conform to the specific standards for a home occupation due to its location in a private garage or accessory building instead of the primary dwelling unit may be permitted as a Cottage Industry, subject to the provisions of this Division. The following are examples of use types that may be treated as Cottage Industries and that may be permitted in the Rural Residential, Remote Residential, Suburban Residential and Rural Village Zoning Districts:~~

Administrative and Business Offices;  
Animal Sales and Services: Household Pets;  
Animal Sales and Services: Veterinary (Large Animals);  
Animal Sales and Services: Veterinary (Small Animals);  
Automotive and Equipment; Repairs, Light (Not allowed in CSR);  
Building Maintenance Services;  
Business Equipment Sales and Services;  
Custom Manufacturing: Light Industrial;  
Food and Beverage Preparation: Without Consumption;  
Horticulture  
~~Laundry Services;~~  
Mail Order Businesses;  
Medical Services  
Personal Services;  
Repair Services: Consumer;

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**PAGE 14**

**Research Services**

- (B) The following are examples of use types that may be treated as Cottage Industries and that may be permitted in Rangeland Range Lands, Agricultural Agriiculture, Forest Land and Timberland Production Zoning Districts:

Administrative and Business Offices

Agricultural Sales and Services

Animal Sales and Services: Veterinary (Small Animals)

Animal Sales and Services: Veterinary (Large Animals)

Automotive and Equipment: Repairs, Light;

Automotive and Equipment: Repairs, Heavy;

Building Maintenance Services

Business Equipment Sales and Services

Custom Manufacturing: Light Industrial;

Food and Beverage Preparation: Without Consumption

Laundry Services

Mail Order Businesses

Packing and Processing: Limited;

Packing and Processing: General;

Packing and Processing: Winery;

Personal Services;

Repair Services: Consumer.

**MENDOCINO COUNTY LCP AMENDMENT  
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ATTACHMENT 1  
PAGE 15**

14. Add Appendix B, Exterior Noise Limit Standards to Division II of Title 20 to read:

**APPENDIX B**

**EXTERIOR NOISE LIMIT STANDARDS**

(Levels not to be exceeded more than 30 minutes in any hour)

Receiving Land Use Category <sup>3,4</sup>	Time Period	Noise Level Standards (dBA) <sup>1,2</sup>	
		Rural/Suburban	Urban/Highways <sup>5</sup>
One and Two Family Residential	10:00 p.m. - 7:00	40	50
	a.m.	50	60
	7:00 a.m. - 10:00		
	p.m.		
Multi-Family Public Spaces	10:00 p.m. - 7:00	45	55
	a.m.	50	60
	7:00 a.m. - 7:00		
	p.m.		
Limited Commercial Some Multi-Family	10:00 p.m. - 7:00	55	
	a.m.	60	
	7:00 a.m. - 10:00		
	p.m.		
Commercial	10:00 p.m. - 7:00	60	
	a.m.	65	
	7:00 a.m. - 10:00		
	p.m.		
Light Industrial	Any time	70	
Heavy Industrial	Any time	75	
<b>Adjustments to Noise Level Standard: <sup>3</sup></b>			
<b>Duration</b>			
L <sub>50</sub>	30 minutes per hour:	Standard	
L <sub>25</sub>	15 minutes per hour:	Standard + 5 dB	
L <sub>0</sub>	Maximum permissible level:	Standard + 20 dB	
<b>Character</b>	Tone, whine, screech, hum, or impulsive, hammering, riveting, or music or speech	Standard - 5 dB	
<b>Ambient Level <sup>1</sup></b>	Existing ambient L <sub>50</sub> , L <sub>25</sub> :	Standard + 5 dB	
	Existing ambient L <sub>0</sub> :	Existing maximum	

**Interpretive Footnotes:**

1. When an acoustical study demonstrates that the ambient noise level exceed the noise

**MENDOCINO COUNTY LCP AMENDMENT**  
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standard, then the ambient noise level becomes the standard.

2. Higher noise levels may be permitted for temporary, short-term or intermittent activities when no sensitive or residential uses will be affected.
3. County staff shall recommend which receiving land use category applies to a particular project, based on the mix of uses and community noise levels. Industrial noise limits are intended to be applied at the boundary of industrial zones, rather than within industrial areas.
4. The "rural/suburban" standard should be applied adjacent to noise sensitive uses, such as hospitals or convalescence homes.
5. "Highways" apply to roads and highways where average daily traffic (ADT) exceeds 10,000.

RESOLUTION NO. 99-201

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF MENDOCINO OF INTENT TO AMEND THE  
LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY  
(GP 23-98/OA 11-98)

EXHIBIT NO. 1

LCP AMENDMENT NO.

MEN-MAJ-2-99

County Resolution, Ord., and  
Resolution of Transmittal

(Page 1 of 13)

WHEREAS, the County of Mendocino has adopted a Local Coastal Program, and

WHEREAS, the Local Coastal Program has been certified by the California Coastal Commission, and

WHEREAS, an application has been prepared by the County requesting amendment of the County's Local Coastal Program, and

WHEREAS, the County Planning Commission has held a public hearing on the requested amendment and submitted its recommendation to the Board of Supervisors, and

WHEREAS, the Board of Supervisors has held a public hearing on the requested amendment and has determined that the Local Coastal Program should be amended,

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of the Board of Supervisors of the County of Mendocino that #GP 23-98/#OA 11-98 be adopted amending the Local Coastal Program as follows:

I. PROPOSAL FOR COASTAL PLAN AMENDMENT #GP 23-98 REGARDING HOME OCCUPATIONS AND COTTAGE INDUSTRIES

The Land Use Plan, Section 2.2, Home Occupations and Cottage Industries, is amended to read:

HOME OCCUPATIONS

It is the intent of this section to provide for an accessory use within a dwelling unit or accessory building(s) for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the property dwelling for residential purposes and must not change the character thereof or adversely affect the residential or rural nature of its surroundings. When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to use the dwelling also have the right to conduct the home occupation without securing a use permit to do so. However, such person use shall be subject to all applicable policies of this element and to all other permits required under county code, such as building permits and business licenses. A home occupation is a principal permitted use in any land use classification where a dwelling exists. The following represent the minimum standards for home occupations:

~~The Mendocino County Code Section 20, Article XXXVIII should be updated through the public hearing process within 24 months of LCP adoption, to encourage individuals to provide self employment in their own homes. The concept of a "rural home occupation" definition should be considered. "Performance" standards should be considered.~~

Specific Standards:

- A. No person other than members of the family residing on the premises shall be engaged in ~~such occupation~~ the home occupation, except that one (1) employee shall be permitted when the

property on which the home occupation is located is a minimum of forty thousand (40,000) square feet.

- B. The home occupation shall be clearly incidental and subordinate to the use of the dwelling unit premises for residential purposes and that not more than 25 percent of the floor area of the dwelling unit shall be used for such occupation. Use of an accessory building or garage for the purpose of conducting a home occupation shall be prohibited. The total area used for the home occupation shall not exceed six hundred forty (640) square feet. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises.
- C. There shall be no changes, resulting from the home occupation, in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation, other than one (1) nonilluminated sign not exceeding two (2) square feet of area, non-illuminated and attached flat to the main structure or visible through a window.
- D. No merchandise (except articles produced on the premises) shall be sold or displayed on the premises. The sale of merchandise not produced on the premises (except mail order businesses) shall be clearly incidental and accessory to the merchandise or service produced by the home occupation, and shall not be advertised in any manner.
- E. Not more than ten (10) customers or clients shall come to the dwelling unit premises for service or products during any one day, restricted to the hours 8:00 a.m. to 8:00 p.m. Not more than three (3) delivery vehicles shall access the premises each day.
- F. Home occupations shall not involve the use of heavy commercial vehicles for delivery of materials to or from the premises.
- G. No mechanical or electrical equipment shall be employed other than machinery or equipment customarily found in the home associated with a hobby or a vocation, typical of the type or specifications used in a hobby or a vocation customarily conducted within the confines of a dwelling unit.
- H. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, dust, odors, smoke or electrical interference, detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises. No equipment or process used shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood.

### COTTAGE INDUSTRIES

It is the intent of this use type to provide for limited commercial and industrial uses in conjunction with a dwelling which are more extensive than home occupations, but which, like home occupations, do not alter or disturb the residential or rural nature of the premises or its surroundings. Such limited commercial and industrial uses are known as Cottage Industries.

Cottage Industries are permitted upon issuance of a conditional use permit. A use permit for a Cottage Industry may be granted for an unlimited period of years, unless it is determined that a shorter period is more appropriate to insure conformance with the intent and standards of this section or other applicable requirements. The

following uses listed and other uses which have a similar impact or lesser impact may be considered through the conditional use permit process.

~~The General Standards, Specific Standards, and Permitted Uses of Cottage Industries should be updated within 24 months of LCP adoption through the public hearing process. "Performance" standards and a "rural cottage industries" definition should be considered, to encourage employment and to recognize the differences of individual situations.~~

#### General Standards:

- A. The particular uses conducted by the Cottage Industry, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surrounding.
- B. The use shall be environmentally compatible with the project site and region.
- C. No additional service demands will be created by the use.

#### Specific Standards:

Cottage Industries shall conform to the following minimum requirements:

- A. Not more than ~~one (1)~~ two (2) outside persons may be employed on the premises in addition to the members of the family residing on the premises.
- B. The Cottage Industry shall be ~~a secondary use~~ clearly incidental and subordinate to the residential use of a parcel containing a dwelling occupied as a principal residence of the owner or operator of the Cottage Industry. Multiple uses may be permitted within a Cottage Industry. Such industry or equipment and storage related thereto should not be located within fifty (50) feet of any property line, excluding buildings constructed prior to the adoption of this plan.
- C. Multiple uses are permitted within the Cottage Industry. The total area occupied by all uses within the Cottage Industry, including storage, shall not exceed one thousand (1,000) square feet. No Cottage Industry permitted pursuant to this subsection may occupy more than 640 square feet of area within any building or buildings on the same parcel.
- D. No on-premise signs are allowed except as provided by home occupations. All aspects of the Cottage Industry shall be located and conducted within a dwelling unit or enclosed accessory building(s), with the exception of outdoor storage of materials, products or vehicles as specifically provided by the use permit. There shall be no other change in the outside appearance of the building or premises, except one (1) non-illuminated sign not exceeding four (4) square feet.
- E. No merchandise. The sale of merchandise not produced on the premises (except mail order businesses) articles produced on the premises or those items necessary for repair work in the automotive and equipment repair services, consumer use types and specialty shops) shall be sold or displayed on the premises. shall be incidental and accessory to the merchandise or service produced by the Cottage Industry, and shall not be advertised in any manner.
- F. Not more than ten (10) customers or clients shall come to the ~~dwelling unit~~ premises for service or products during any one (1) day. ~~Not more than one vehicle may be parked on the premises or a street adjacent thereto while awaiting or undergoing repair, or awaiting removal after repair.~~

- G. The use and parking of large vehicles and construction equipment (including but not limited to (such as trucks of over one (1) ton rating) or vehicles being repaired shall be regulated by the use permit. Not more than one (1) vehicle for servicing may be parked in public view. , tractor, bulldozer, backhoe, skip loader, well drilling rig, cement mixer, roller, welder, air compressor, forklift, or grader) shall not be operated, maintained, or parked in connection with a Cottage Industry except to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property.
- H. Noise generation from within the site shall not exceed 65 dba at the nearest off site residence. No equipment or process used in the Cottage Industry shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in Appendix B at the property line.

**Examples of Uses Permitted Upon Securing a ~~Minor~~ Use Permit:**

- A. The following are examples of conditional uses that may be permitted in the Rural Residential, Remote Residential, Suburban Residential, and Rural Village ~~and Fishing Village~~ land use classifications:

Administrative and Business Offices  
 Animal Sales and Services: Household Pets  
Animal Sales and Services: Veterinary (Large animals)  
Animal Sales and Services: Veterinary (Small animals)  
 Automotive and Equipment: Light (Excluding SR)  
 Building Maintenance Services  
Business Equipment Sales and Services  
 Custom Manufacturing: Light Industrial ~~and Repairs~~  
 Food and Beverage Preparation: Without Consumption  
Horticulture  
~~Laundry Services~~  
Mail Order Businesses  
 Medical Services  
~~Personal Improvement Services~~  
 Personal Services  
 Repair Services, Consumer  
~~Research Services~~  
 Specialty Shops

- B. The following are examples of conditional uses that may be permitted in Rangeland Range Lands, Agriculture and Forest Lands land use classifications:

Administrative and Business Offices  
 Agricultural Sales and Services  
 Animal Sales and Services: Household Pets  
Animal Sales and Services: Veterinary (Small Animals)  
Animal Sales and Services: Veterinary (Large Animals)  
 Automotive and Equipment: Light  
 Automotive and Equipment: Heavy  
 Building Maintenance Services  
Business Equipment Sales and Services



Custom Manufacturing: Light Industrial  
Food and Beverage Preparation: Without Consumption  
Laundry Services  
Mail Order Businesses  
Packing and Processing (All types)  
Personal Improvement Services  
Personal Services  
Repair Services: Consumer

II. PROPOSAL FOR ORDINANCE #OA 11-98 AMENDING SECTIONS WITHIN DIVISION II OF TITLE 20 OF THE MENDOCINO COUNTY CODE (COASTAL ZONING CODE) REGARDING HOME OCCUPATIONS, COTTAGE INDUSTRIES, MAIL ORDER BUSINESSES, CUSTOM MANUFACTURING: LIGHT INDUSTRIAL

Section 20.308.030 of Division II of Title 20 of the Mendocino County Code is amended by adding new subsection (Q) to read (existing paragraph Q to be relettered):

- (Q) "Custom Manufacturing" means the on-site production of individually crafted goods using hand tools or mechanical equipment typical of the types or specifications found in a home shop, or using equipment or processes which do not create noise, dust, fumes, visual impacts or electrical or water use in excess of home shop or hobby equipment, and which may include incidental onsite sales of those goods to retail consumers. Typical uses include ceramic studios, candle-making shops, custom jewelry manufacturing, wood working shops, printing shops, custom textile manufacturing, or light assembly of components manufactured off-premises.

Section 20.308.055(D) of Division II of Title 20 of the Mendocino County Code is amended to read:

- (D) "Home Occupation" means an occupation accessory use of not more than twenty-five (25) percent of the floor area of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services, which is clearly accessory and incidental to a residential use located on the premises, which is conducted solely by occupants of the dwelling unit, and which is conducted entirely within the dwelling unit or accessory building(s) in a manner which does not change or disturb the residential appearance and character of the site as described in Chapter 20.448. No home occupation shall be conducted in the garage or accessory building.

Section 20.308.080 of Division II of Title 20 of the Mendocino County Code is amended by adding new subsection (A), Mail Order Businesses, to read (existing subsections to be relettered):

- (A) "Mail Order Businesses" means the storage, sale and delivery of goods and merchandise produced on or off the premises to retail or wholesale consumers by way of the mails, delivery services, or in any other manner in which visitation to the premises by the wholesale or retail consumers is strictly incidental.

Section 20.308.090 of Division II of Title 20 of the Mendocino County Code is amended by adding new subsection (C) to read (existing subsections to be relettered):

- (C) "Off-site Service Providers" means businesses where the primary activity is conducted off-premises from the location of the business office or equipment, vehicle, or supply storage. Such business may include but is not limited to contractors, tradespeople, equipment servicers, or instructors.

Division II of Title 20 of the Mendocino County Code is amended by adding Section 20.324.093 to the Commercial Use Types to read:

**Sec. 20.324.093 Mail Order Businesses**

Establishments primarily engaged in the storage, sale and delivery of goods and merchandise produced on or off the premises to retail or wholesale consumers by way of the mails, delivery services, or in any other manner in which visitation to the premises by the wholesale or retail consumers is strictly incidental.

Section 20.328.020 of Division II of Title 20 of the Mendocino County Code (Industrial Use Types) is amended to read:

**Sec. 20.328.020 Custom Manufacturing: Light Industrial**

Establishments primarily engaged in on-site production of individually crafted goods by hand manufacturing which involves only the use of using hand tools or domestic mechanical equipment not exceeding two (2) horsepower each or a single kiln not exceeding eight (8) cubic feet in volume and the incidental direct sale to consumers of only those goods produced on-site typical of the types or specifications found in a home shop, or using equipment or processes which do not create noise, dust, fumes, visual impacts or electrical or water use in excess of home shop or hobby equipment, and which may include incidental onsite sales of those goods to retail consumers. Typical uses include ceramic studios, candle-making shops, custom jewelry manufacturing, wood working shops, printing shops, and custom textile manufacturing, or light assembly of components manufactured off-premises.

Section 20.396.010 of Division II of Title 20 of the Mendocino County Code is amended by adding Mail Order Businesses and Custom Manufacturing: Light Industrial to the C District as permitted uses:

**Sec. 20.396.010 Principal Permitted Uses for C Districts**

The following use types are permitted in a C District:

**(A) Coastal Commercial Use Types.**

Administrative and Business Offices;  
Agricultural Sales and Services;  
Animal Sales and Services: Household Pets;  
Animal Sales and Services: Veterinary (Small Animals);  
Automotive and Equipment: Repairs, Light;  
Building Maintenance Services;  
Business Equipment Sales and Services;  
Communications Services;  
Eating and Drinking Establishments;  
Financial Services;  
Food and Beverage Preparation: Without Consumption;  
Food and Beverage Retail Sales;  
Funeral and Interment Services;  
Laundry Services;  
Mail Order Businesses;  
Medical Services;  
Neighborhood Commercial Services;  
Personal Services;  
Repair Services: Consumer;  
Retail Sales: General.

**(B) Coastal Open Space Use Types.**

Passive Recreation.

**(C) Coastal Industrial Use Types.**

Custom Manufacturing: Light Industrial.

Section 20.400.010 of Division II of Title 20 of the Mendocino County Code is amended by adding Mail Order Businesses to the I District as a principal permitted use:

**Sec. 20.400.010 Principal Permitted Uses for I Districts.**

The following use types are permitted in an I District:

**(A) Coastal Commercial Use Types.**

Research Services;  
Mail Order Businesses.

(B) Coastal Industrial Use Types.

Coastal-Related Industrial;  
Coastal-Dependent Industrial;  
Custom Manufacturing: Light Industrial.

(C) Coastal Open Space Use Types.

Passive Recreation.

Section 20.448.005 of Division II of Title 20 of the Mendocino County Code is amended to read:

Sec. 20.448.005 Declaration

It is the intent of this Chapter to provide for the accessory use of within a dwelling unit or accessory building(s) on the same parcel as the dwelling for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be conducted by the residents of the dwelling unit, be clearly incidental and secondary to the use of the dwelling premises for residential residence purposes, and must not change the character thereof or adversely affect the residential or rural nature of the property or its surroundings. ~~When a use is a home occupation it means that the owner, lessee or other persons who have a legal right to occupy or reside in the dwelling also have the right to conduct the home occupation without securing a use permit to do so.~~ A use permit is not required to conduct a home occupation, however, such person use shall be subject to all applicable regulations of this Division, such as off-street parking, and to all other permits required under county code, such as building permits and business licenses.

Section 20.448.010 of Division II of Title 20 of the Mendocino County Code is amended to read:

Sec. 20.448.010 Specific Standards.

Home occupations shall conform to the following requirements:

- (A) No person other than members of the family residing on the premises shall be engaged in such the home occupation, except that one (1) employee shall be permitted when the property on which the home occupation is located is a minimum of forty thousand (40,000) square feet.
- (B) The home occupation shall be clearly incidental and subordinate to the use of the dwelling-unit premises for residential purposes and that not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used for such occupation. Use of an accessory building or garage for purposes of conducting a home occupation shall be prohibited. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises. The total area used for the home occupation shall not exceed six hundred forty (640) square feet.
- (C) There shall be no change, resulting from the home occupation, in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation, other than one (1) non-illuminated sign not exceeding two (2) square feet of area, ~~non-illuminated and attached flat to the dwelling or visible through a window.~~
- (D) The sale of merchandise not produced on the premises (except mail order businesses) shall be clearly incidental and accessory to the merchandise or service produced by the home occupation.

~~and shall not be advertised in any manner. No merchandise (except articles produced on the premises) shall be sold or displayed on the premises.~~

- (E) Not more than ten (10) customers or clients shall come to the ~~dwelling unit~~ premises for services or products during any one (1) day, restricted to the hours 8:00 a.m. to 8:00 p.m. Not more than three (3) delivery vehicles shall access the premises each day.
- (F) Home occupations shall not involve the use of heavy commercial vehicles for delivery of materials to or from the premises.
- (G) No mechanical or electrical equipment shall be employed other than machinery or equipment typical of the types or specifications used in a hobby or a vocation customarily conducted within the confines of a dwelling unit ~~customarily found in the home associated with a hobby or a vocation.~~
- (H) No equipment or process ~~shall be used in such home occupation which creates~~ shall create noise, vibration, glare, fumes, dust, odors, smoke, ~~or electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in a residence other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or if not in a single family residence, outside the unit.~~

Section 20.448.015 of Division II of Title 20 of the Mendocino County Code is amended by adding subsections (I), (J) and (K):

Sec. 20.448.015 Examples of Uses That Frequently Qualify as Home Occupations

- (I) Off-site service providers;
- (J) Food and beverage preparation: without consumption;
- (K) Mail order businesses.

Section 20.452.020 (Cottage Industries - Specific Standards) of Division II of Title 20 of the Mendocino County Code is amended to read:

Sec. 20.452.020 Specific Standards.

Cottage Industries shall conform to the following requirements:

- (A) Not more than ~~one (1)~~ two (2) outside persons may be employed on the premises in addition to the members of the family residing on the premises.
- (B) The Cottage Industry shall be ~~a secondary use~~ clearly incidental and subordinate to the residential use of a parcel containing a dwelling occupied as a principal residence of the owner or operator of the Cottage Industry. ~~Multiple uses may be permitted within a Cottage Industry. Such industry or equipment and storage related thereto should not be located within fifty (50) feet of any property line, excluding buildings constructed prior to the adoption of the Coastal Element of the General Plan on November 20, 1985.~~

- (C) Multiple uses are permitted within the Cottage Industry. The total area occupied by all uses within the Cottage Industry, including storage, shall not exceed one thousand (1,000) square feet. No Cottage Industry permitted pursuant to this Chapter may occupy more than six hundred forty (640) square feet of area within any building or buildings on the same parcel.
- (D) All aspects of the Cottage Industry shall be located and conducted within a dwelling unit or enclosed accessory building(s), with the exception of outdoor storage of materials, products or vehicles as specifically provided by the use permit. There shall be no other change in the outside appearance of the building or premises, except one (1) non-illuminated sign not exceeding four (4) square feet. One (1) sign not exceeding two (2) square feet in area, non-illuminated and attached flat to the main structure or visible through a window. For purposes of this section, "main structure" means a building which contains the principal permitted use or uses or the only building on the lot. Where two (2) or more buildings on a lot are occupied by principal permitted uses, the main structure shall be the dwelling unit.
- (E) The sale of merchandise not produced on the premises (except mail order businesses) shall be incidental and accessory to the merchandise or service produced by the Cottage Industry, and shall not be advertised in any manner. No merchandise (except articles produced on the premises or those items necessary for repair work in the equipment repair services, consumer use types and specialty shops) shall be sold or displayed on the premises.
- (F) Not more than ten (10) customers or clients shall come to the dwelling unit premises for service or products during any one (1) day. Not more than three (3) delivery vehicles shall access the premises each day. Not more than two (2) vehicles may be parked on the premises or a street adjacent thereto while awaiting or undergoing repair, or awaiting removal after repair.
- (G) The use and parking of large vehicles or construction equipment (such as trucks of over one (1) ton rating) or vehicles being repaired shall be regulated by the use permit. Not more than one (1) vehicle for servicing may be parked in public view. Large vehicles and construction equipment (including but not limited to trucks of over one (1) ton rating, tractor, bulldozer, backhoe, skip loader, well drilling rig, cement mixer, roller, welder, air compressor, forklift, or grader) shall not be operated, maintained, or parked in connection with a Cottage Industry except to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property.
- (H) No equipment or process used in the Cottage Industry shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in Appendix B at the property line. Noise generation from within the site shall not exceed sixty five (65) dBA Ldn at the nearest off site residence.

Section 20.452.025 of Division II of Title 20 of the Mendocino County Code regarding cottage industries is amended by adding and deleting the following use types:

#### Sec. 20.452.025 Examples of Uses Permitted Upon Securing a Use Permit

- (A) Any use listed in Section 20.448.015 which does not conform to the specific standards for a home occupation due to its location in a private garage or accessory building instead of the primary dwelling unit may be permitted as a Cottage Industry, subject to the provisions of this Division. The following are examples of use types that may be treated as Cottage Industries and that may be permitted in the Rural Residential, Remote Residential, Suburban Residential and Rural Village Zoning Districts.

Administrative and Business Offices;  
 Animal Sales and Services: Household Pets;  
 Animal Sales and Services: Veterinary (Large Animals);  
 Animal Sales and Services: Veterinary (Small Animals);  
 Automotive and Equipment: Repairs, Light (Not allowed in CSR);  
 Building Maintenance Services;  
Business Equipment Sales and Services;  
 Custom Manufacturing: Light Industrial.  
 Food and Beverage Preparation: Without Consumption;  
Horticulture  
~~Laundry Services~~;  
Mail Order Businesses  
 Medical Services;  
 Personal Services;  
 Repair Services: Consumer;  
~~Research Services~~;

- (B) The following are examples of use types that may be treated as Cottage Industries and that may be permitted in Range Lands ~~Rangeland~~, Agricultural ~~Agriculture~~, Forest Land and Timberland Production Zoning Districts:

Administrative and Business Offices  
 Agricultural Sales and Services;  
 Animal Sales and Services: Household Pets;  
Animal Sales and Services: Veterinary (Small Animals)  
Animal Sales and Services: Veterinary (Large Animals)  
 Automotive and Equipment: Repairs, Light;  
 Automotive and Equipment: Repairs, Heavy;  
 Building Maintenance Services;  
Business Equipment Sales and Services  
 Custom Manufacturing: Light Industrial;  
Food and Beverage Preparation: Without Consumption  
~~Laundry Services~~;  
Mail Order Businesses  
 Packing and Processing: Limited;  
 Packing and Processing: General;  
 Packing and Processing: Winery;  
 Personal Services;  
 Repair Services: Consumer.

Appendix B, Exterior Noise Limit Standards, is hereby added to Division II of Title 20 to read:

## APPENDIX B

### EXTERIOR NOISE LIMIT STANDARDS

(Levels not to be exceeded more than 30 minutes in any hour)

Receiving Land Use Category <sup>3,4</sup>	Time Period	Noise Level Standards (dBA) <sup>1,2</sup>	
		Rural/Suburban	Urban/Highways <sup>5</sup>
One and Two Family Residential	10:00 p.m. - 7:00 a.m.	40	50
	7:00 a.m. - 10:00 p.m.	50	60

Multi-Family	10:00 p.m. - 7:00 a.m.	45	55
Public Spaces	7:00 a.m. - 7:00 p.m.	50	60
Limited Commercial	10:00 p.m. - 7:00 a.m.		55
Some Multi-Family	7:00 a.m. - 10:00 p.m.		60
Commercial	10:00 p.m. - 7:00 a.m.		60
	7:00 a.m. - 10:00 p.m.		65
Light Industrial	Any time		70
Heavy Industrial	Any time		75
<b>Adjustments to Noise Level Standard:<sup>3</sup></b>			
<b>Duration</b>			
L <sub>50</sub>	30 minutes per hour:	Standard	
L <sub>25</sub>	15 minutes per hour:	Standard + 5 dB	
L <sub>0</sub>	Maximum permissible level:	Standard + 20 dB	
<b>Character</b>	Tone, whine, screech, hum, or impulsive, hammering, riveting, or music or speech	Standard - 5 dB	
<b>Ambient Level<sup>1</sup></b>	Existing ambient L <sub>50</sub> , L <sub>25</sub> :	Standard + 5 dB	
	Existing ambient L <sub>0</sub> :	Existing maximum	

**Interpretive Footnotes:**

1. When an acoustical study demonstrates that the ambient noise level exceeds the noise standard, then the ambient noise level becomes the standard.
2. Higher noise levels may be permitted for temporary, short-term or intermittent activities when no sensitive or residential uses will be affected.
3. County staff shall recommend which receiving land use category applies to a particular project, based on the mix of uses and community noise levels. Industrial noise limits are intended to be applied at the boundary of industrial zones, rather than within industrial areas.
4. The "rural/suburban" standard should be applied adjacent to noise sensitive uses, such as hospitals or convalescence homes.
5. "Highways" apply to roads and highways where average daily traffic (ADT) exceeds 10,000.

BE IT FURTHER RESOLVED, the Planning and Building Services staff is directed to include the amendment proposed herein in the next submittal to be made to the California Coastal Commission for certification, and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after the Board of Supervisors of the County of Mendocino acknowledges receipt of the Coastal Commission's action, formally adopts the proposed amendment and accepts any modification suggested by the Coastal Commission, and

BE IT FURTHER RESOLVED, that the Local Coastal Program, as is proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

BE IT FURTHER RESOLVED, that in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied.



The foregoing Resolution was introduced by Supervisor Campbell, seconded by Supervisor Delbar, and carried this 27<sup>th</sup> day of September, 1999, by the following roll call vote:

AYES: Supervisors Delbar, Lucier, Campbell, Colfax and Shoemaker  
NOES: None  
ABSENT: None

WHEREUPON, the Chairman declared said Resolution passed and adopted and SO ORDERED.



Chairman of said Board of Supervisors


ATTEST: KRISTI FURMAN  
Clerk of said Board

By   
Deputy

#GP 23-98/#OA 11-98 - COTTAGE INDUSTRIES/HOME OCCUPATIONS

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

KRISTI FURMAN  
Clerk of the Board

By   
DEPUTY



**TABLE A**  
**COMPARISON OF EXISTING AND PROPOSED CRITERIA**  
**FOR HOME OCCUPATIONS IN COASTAL ZONE <sup>3</sup>**

Criteria	Existing	Proposed
Permit required	None	None
Number of employees	None	One on parcels 40,000 square feet or larger
Place of conduct	Within dwelling	Within dwelling or accessory building(s)
Area (Includes storage)	25% dwelling	Not exceeding 640 square feet
Outdoor activities	No	No
Outdoor storage	No	No
Signs (non-illuminated)	1- 2 square foot maximum attached & flat on dwelling	1- 2 square foot maximum anywhere on property
No. of customers per day	10	10
Hours of customer visitation	None specified	8 AM to 8 PM
Equipment used	Customarily found in a home vocation	Of the type or specifications typically found in a home vocation
Sale of merchandise produced off-site <sup>4</sup>	Not allowed	Clearly incidental to use; may not be advertised in any manner
Vehicles used for deliveries	No heavy commercial vehicles	No heavy commercial vehicles; maximum 3 delivery vehicles per day
Term of use limitation	None	None
Nuisance conditions	General clause	General clause
Change in use types		Add Mail Order Businesses, Off-site Service Providers, Food and Beverage Preparation: Without Consumption

**EXHIBIT NO. 2****LCP AMENDMENT NO.**

MEN-MAJ-2-99

Table A: Comparison of  
Existing & Proposed Criteria  
for Home Occupations

<sup>3</sup> The proposed Coastal Zone Home Occupation regulations are virtually identical to those adopted for the Inland area.

<sup>4</sup> Except Mail Order Businesses.

**TABLE B**  
**COMPARISON OF COTTAGE INDUSTRIES**  
**IN COASTAL ZONE (EXISTING AND PROPOSED) AND INLAND AREA**

CRITERIA	COASTAL ZONE (Existing and Proposed)		INLAND AREA (Adopted)	
	Cottage Industries— Existing	Cottage Industries— Proposed	Cottage industries— Limited	Cottage industries— General
Permit required	Coastal development use permit	Coastal development use permit	Minor use permit	Minor use permit
Zoning Districts	SR, RR, RV, RMR, AG, RL, FL, TP	SR, RR, RV, RMR, AG, RL, FL, TP	SR, RR-1, RR-2, RC, C-1	RR-5, RR-10, AG, RL, FL, TP
Number of employees	1	2	2	3
Area consumed (Includes storage)	640 square feet	1000 square feet	1000 square feet	2000 square feet
Outdoor activities	No	No	No	Per use permit
Outdoor storage	Yes- 50 foot setback	Per use permit	Per use permit	Per use permit
Signs (non-illuminated)	1- 2 square foot maximum	1- 4 square foot maximum	1- 4 square foot maximum	1- 4 square foot maximum
No. of customers per day	10	10	10	10
Sale of merchandise produced off-site <sup>5</sup>	None	Incidental, no advertising	No advertising	No advertising
Visitation by delivery vehicle (no heavy vehicles)	Not stated	Maximum 3 per day	Maximum 3 per day	Maximum 3 per day
Use of heavy vehicles (maintained onsite)	Customary for neighborhood	Per use permit	Customary for neighborhood	Per use permit
Outdoor parking for vehicles under repair in Cottage Industry	2 total, both may be in view	1 may be in view; others per use permit	1 may be in view; screen others (under outdoor storage)	Per use permit
Noise	65 dBA Ldn at nearest offsite residence	Per Appendix B	Per Appendix C	Per Appendix C

<sup>5</sup> Does not apply to Mail Order Businesses

**EXHIBIT NO. 3**

**LCP AMENDMENT NO.**

**MEN-MAJ-2-99**

Table B: Comparison of  
Criteria for Cottage Industries:  
Existing & Proposed

**TABLE C****COTTAGE INDUSTRIES USE TYPES BY ZONING DISTRICT**

Use Types	Non-Resource Lands		Resource Lands	
	Existing	Proposed	Existing	Proposed
	SR, RR, RMR, RV	SR, RR, RMR, RV	AG, RL, FL, TP	AG, RL, FL, TP
Administrative and business offices	X	X		X
Building maintenance services	X	X	X	X
Business equipment sales and services		X		X
Custom manufacturing: light industrial	X	X	X	X
Food and beverage preparation: without consumption	X	X		X
Horticulture		X	Currently allowed with use permit	Currently allowed with use permit
Mail order businesses		X		X
Medical services	X	X		
Personal services	X	X	X	X
Repair services, consumer	X	X		
Animal sales and services: household pets	X	X	X	X
Animal sales and services: veterinary (small animals)	X	X		X
Animal sales and services: veterinary (large animals)	X	X		X
Auto and equipment: repairs, light (not allowed in SR)	X	X	X	X
Agricultural sales & services			X	X
Auto and equipment repairs, heavy			X	X
Packing and processing-all types			X	X
Laundry services <sup>6</sup>	X		X	
Research services <sup>7</sup>	X			

**EXHIBIT NO. 4****LCP AMENDMENT NO.**

MEN-MAJ-2-99

Table C: Cottage Industries

Use Types by Zoning

(Existing &amp; Proposed)

<sup>6</sup> Laundry Services at the scale of a Cottage Industry would be included under Personal Services. The Laundry Services use type encompasses dry cleaning which would not be undertaken as a Cottage Industry.

<sup>7</sup> Research Services as defined includes establishments engaged in industrial or scientific research such as marine, electronic, space or pharmaceutical research laboratories.

**Table 1- Business Licenses for Home Occupations, 2002 and 2003**

Home Occupations	2002			2003		
	Inland area	Coastal Zone	Total	Inland area	Coastal Zone	Total
<b>Total</b>	133	22	155	96	18	114
A. With one additional employee	5	N/A	5	0	N/A	0
B. Use accessory building	33	N/A	33	22	N/A	22
C. 'Mail Order', or 'Food & Beverage Preparation Without Consumption'	10	N/A	10	10	N/A	10
<b>Net total with A, B and/or C</b>	<b>42</b>	<b>N/A</b>	<b>42</b>	<b>28</b>	<b>N/A</b>	<b>28</b>
<b>Total without A, B and/or C</b>	<b>91</b>	<b>N/A</b>	<b>113</b>	<b>68</b>	<b>N/A</b>	<b>86</b>
<b>Location with A, B and/or C</b>						
Community/urban zones	7	N/A	7	5	N/A	5
RR and resource zones	35	N/A	35	24	N/A	24

Source: Mendocino County Planning and Building Services Department

**Table 2: Business Licenses, Mendocino County**

Year	No.	Year	No.
1992	441	1998	397
1993	432	1999	428
1994	408	2000	409
1995	377	2001	625*
1996	391	2002	558*
1997	377	2003	383
<b>Annual Average, 1992 – 2003 = 404 Business Licenses</b>			

Source: Mendocino County Planning & Building Services Department

Notes: \* Increased compliance program undertaken in 2001-2002.

**Table 3: Business Licenses for Home Occupations, 1998 and 2003**

Location	1998	2003
<b>Inland Area</b>	<b>100</b>	<b>96</b>
Community/urban zones	27	22
RR and resource zones	73	74
<b>Coastal Zone</b>	<b>18</b>	<b>18</b>
Suburban/urban zones	2	2
RR and resource zones	16	16

Source: Mendocino County Planning and Building Services Department

**Table 4 – Projected Peak Hour Trips with OA 11-98/GP 23-98 in Coastal Zone**

Home occupations with criteria A, B and/or C (see Table 1)	Home occupations per year	One-way trips per day, 2005	Average daily peak hour trips	
			2005	2020
Projected Total	7	42	4.2	63
Community/urban zones	1	6	0.6	9
RR and resource zones	6	36	3.6	54

Notes: Based on 3 round-trips or 6 one-way trips per home occupation.

Source: Mendocino County Planning & Building Services

**EXHIBIT NO. 5**

**LCP AMENDMENT NO.**

**MEN-MAJ-2-99**

Tables 1 – 4:

Business Licenses &

Traffic Projections