



MENDOCINO COUNTY PLANNING COMMISSION

MINUTES FOR THE MEETING HELD ON:

April 6, 2017

LOCATION:

Mendocino County Board of Supervisors Chambers
501 Low Gap Road, Room 1070
Ukiah, California

COMMISSIONERS PRESENT:

Krueger, Nelson, Warner, Holtkamp, Hall, Ogle

COMMISSIONERS ABSENT:

Little

PLANNING & BLDG SVC STAFF PRESENT:

Nash Gonzalez, Interim Director
Mary Lynn Hunt, Chief Planner
Bill Kinser, Senior Planner
Adrienne Thompson, Administrative Services Manager
Victoria Davis, Commission Services Supervisor
Danielle Fitts, Staff Assistant III

OTHER COUNTY DEPARTMENTS PRESENT:

Matthew Kiedrowski, Deputy County Counsel

1. Roll Call.

The meeting was called to order at 9:01 a.m.

2. Planning Commission Administration.

2a. Determination of Legal Notice.

The Clerk advised the Commission that all items had been properly noticed.

3. Director's Report and Miscellaneous.

Mr. Gonzalez presented a verbal Director's Report and noted that on Tuesday the Board of Supervisors adopted the Cultivation Ordinance. The Blackbird project is currently on hold which postpones its hearing date and cancels next meeting's planned Site view. The next Planning Commission meeting on April 20, 2017 will be held in Board Chambers and not onsite as previously planned. The Flood Plain Ordinance must be adopted prior to FEMA maps which will take effect in July. Mr. Gonzalez stated that he would advise the Planning Commission on the budget process at a future meeting. He noted that Planning and Building Services had received a Development Review application for the pellet manufacturing facility.

Chair Holtkamp asks if Mr. Gonzalez can tell her more about the Sonoma Clean Power.

Mr. Gonzalez states that he is not familiar enough with the Sonoma Clean Power to explain in detail. He will do some research and revisit the questions at a later meeting.

4. Matters from Public.

None

5. Consent Calendar.

None.

6. Regular Calendar.

6a. **CASE#:** GP_2006-0008/R_2006-0012

DATE FILED: 1/1/2011

OWNER/APPLICANT: WILLIAM & TONA MOORES

REQUEST: Amendment to the Coastal Land Use map for a variety of parcels which would include: Coastal Zone: Amend GP from: RL160 to RR5:PD [RR1:PD]; RR5:PD [RR1:PD] to RR5:PD [RR2:PD]; RL160 to FL160. Rezone from: RL160:FP*2C to RR5:PD:FP [RR1:PD:FP]; RR5:PD [RR1:PD] to RR5:PD [RR2:PD]; FL160 to TP160; RL160 to TP160; RL160 to RL160:*2C. Inland: Rezone from RL 160 to TP 160.

ENVIRONMENTAL DETERMINATION: Statutory Exemption

STAFF PLANNER: BILL KINSER

LOCATION: Within the Coastal Zone, between 4± miles north of Manchester, consisting of property on either side of Highway 1, within the general region of the Irish Beach Subdivision; Multiple Addresses assigned.

RECOMMENDED ACTION: DENIAL

Senior Planner Bill Kinser reviews the project Staff Report.

The Applicant, William Moores, provides four (4) handouts to the Commission and staff and makes a verbal presentation in response to the project staff report.

Chair Holtkamp calls for a short break at 10:21 a.m.

Chair Holtkamp calls the meeting back in session at 10:27 a.m.

Chair Holtkamp requests that Mr. Moores speak only to what is addressed in the Staff Report.

Chair Holtkamp states that the Commission can only vote on the matter in front of them in its entirety, pro or con. They cannot consider or vote on a revised version of this project or segment the project and vote only on parts of it.

Interim Director Ignacio Gonzalez agrees with Chair Holtkamp's statement regarding segmentation and need to consider the project in its entirety. He also informs the Commission that this project was never fully evaluated for compliance with the California Environmental Quality Act (CEQA) and that there are a number of reasons that this project is inconsistent with Local Coastal Plan (LCP). The Land Use changes and the Zoning changes must be addressed as a whole package and not segmented out. The information provided today by Mr. Moores would need to be evaluated in relation to CEQA and the LCP, responded to, and re-noticed before the Commission could consider it.

Mr. Gonzalez outlines the options of the possible actions that can be taken today in relation to this project. Option One: the applicant can withdraw the application and resubmit it at a later date with more explanation and clarity. Option Two: the Commission can continue the matter. Option Three: the Commission can vote/take action on the project today as it sits in front of them.

Mr. Moores provides an additional handout and states he does not want to have to resubmit this project and start all over again. He would like the Planning Commission to continue the matter, review the new information and come back at a later date and vote.

Chair Holtkamp says the Commission needs to vote yes or no on what they have today, that is why staff is offering the alternative to withdraw and resubmit the project so that it reflects what is currently happening. Mr. Moores is the only person who can withdraw the application.

Mr. Moores asks if there is any option that would allow for modifications and not make him restart the entire process.

Chair Holtkamp requests the staff address Mr. Moores' question.

Mr. Gonzalez states that the options outlined previously are the options. The staff's recommendation is that the application is withdrawn and submit again at a later date. If the Commission continued the matter before any further consideration of this application could move forward the applicant would need to supply a new deposit and a cost recovery agreement.

Chair Holtkamp directs Mr. Moores to complete his presentation and to stick only to the materials submitted prior to the hearing since the Commission cannot consider additional materials.

Mr. Moores concludes his presentation.

Commissioner Ogle addresses Mr. Moores and says the application is too segmented and informs him of a couple of issues that she would like more analysis and details.

Mr. Moores provides additional information on the subjects requested.

Chair Holtkamp opens the hearing up for any member of the public to speak.

Gordon Moores addresses the Commission

Patricia Wolf addresses the Commission

Kaycee Dison addresses the Commission

Chair Holtkamp closes the public hearing to public comment.

Upon motion by Commissioner Ogle, seconded by Commissioner Hall and carried by the following roll call vote (6-0), IT IS ORDERED: Deny the request to amend the Coastal Zone Map classifications and the request to rezone districts as listed below, without prejudice, based on the facts and findings contained in proposed Resolution.

AYES: Krueger, Nelson Warner, Holtkamp, Hall, Ogle
NOES: None
ABSENT: Little

7. Matters from Staff.

8. Matters from Commission.

At the request of the Commission Chief Planner Mary Lynn Hunt explains which position are currently being recruited on for the Planning and Building Services Department.

Administrative Services Manager then informs the Commission of her promotion to her current position and the addition of Victoria Davis in the position of Commission Services Supervisor.

9. Approval of December 15, 2016 Planning Commission Minutes.

Commissioner Ogle sat with Staff prior to the Hearing and made all necessary corrections to the minutes.

Upon motion by Commissioner Ogle, seconded by Commissioner Hall and carried by the following roll call vote (6-0), IT IS ORDERED: The minutes are approved as corrected.

AYES: Krueger, Nelson Warner, Holtkamp, Hall, Ogle
NOES: None
ABSENT: Little

10. **Adjournment.**

Upon motion by Commissioner Ogle, seconded by Commissioner Warner, and unanimously carried (6-0), IT IS ORDERED that the Planning Commission hearing adjourn at 10:58 a.m.

DRAFT