MENDOCINO COUNTY PLANNING COMMISSION

MINUTES FOR THE MEETING HELD ON:	**March 1, 2018**
LOCATION:	Mendocino County Board of Supervisors Chambers 501 Low Gap Road, Room 1070 Ukiah, California
COMMISSIONERS PRESENT:	Krueger, Warner, Holtkamp, Hall
COMMISSIONERS ABSENT:	Ogle, Pernell, Nelson
PLANNING & BLDG SVC STAFF PRESENT:	Ignacio Gonzalez, Interim Director Mary Lynn Hunt, Chief Planner Jesse Davis, Planner III Debra Bieber, Planner III Victoria Davis, Commission Services Supervisor
OTHER COUNTY DEPARTMENTS PRESENT:	Matthew Kiedrowski, Deputy County Counsel Tom Allman, Sheriff of Mendocino County

1. Roll Call.

The meeting was called to order at 9:04 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.

4. Matters from Public.

No one was present from the public who indicated a desire to address the Commission.

5. Consent Calendar.

None.

6. Regular Calendar.

6a. CASE#: UM_2017-0002
DATE FILED: 4/11/2017
OWNER/APPLICANT: MENDOCINO INN & SPA LLC
REQUEST: Use Permit Modification request to modify the conditions of Coastal Development Use Permit CDU 8-86 to allow for public access to the existing restaurant and proposed wine bar associated with the existing 10 unit Mendocino Inn and
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: In the Coastal Zone, 0.5± miles north of the community of Little River, on the east side of Hwy. 1, located at 8211 S. Hwy. 1, Little River (APN: 121-010-13).

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PROJECT COORDINATOR: Debra Bieber

Debra Bieber, Project Coordinator, reviewed the staff report and noted that all Conditions of the original permit would continue to be enforced. She noted the applicant had obtained the permit from Caltrans, as required.

Erik Mayes was in support of the Use Permit.

The **public hearing** was declared open, seeing no one come forward the **public hearing** was declared closed.

Upon motion by **Commissioner Hall**, seconded by **Commissioner Warner** and carried by the following roll call vote (4-0), IT IS ORDERED: To approve the project by resolution, adopt the Categorical Exemption and grant the Use Permit Modification, UM_2017-0002 to Use Permit U_8-86 for the Project based on the project description and findings and subject to the conditions of approval as amended by staff during the public hearing.

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

6b. **CASE#:** U_2017-0014
DATE FILED: 6/28/2017
OWNER/APPLICANT: NORRIS MICHAEL H TTEES
REQUEST: Use Permit to formalize an existing short term rental in a private guest room within the existing house. The short term rental is defined under Mendocino County Code: Sec. 20.164.015 (L) Room and Board.
ENVIRONMENTAL DETERMINATION: Categorically Exempt, Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) Categorically Exempt
LOCATION: ±8.0 miles southwest of the Willits city center, approximately 500 ft. east of Williams Ranch Rd. The subject parcel is addressed at 3381 Williams Ranch Rd., Willits, CA, 95490 (APN: 147-065-11).
PROJECT COORDINATOR: Jesse Davis

Jesse Davis, Project Coordinator, reviewed the staff report.

Commissioner Warner noted that Condition 8 in Exhibit A limits the use permit to 6 people, however the staff report notes the limit is 4 people.

Mr. Davis stated that both Exhibit A and the staff report should state the use permit is limited to 4 people.

Caroline Norris was in support of the project.

Mr. Davis noted that in the staff report the reference to nuisance is related to potential not previously or presently occurring nuisances. He also noted that a typo existed in Condition 20, the chapter number should be 5.20

The **public hearing** was declared open, seeing no one come forward the **public hearing** was declared closed.

Upon motion by **Commissioner Hall**, seconded by **Commissioner Krueger** and carried by the following roll call vote (4-0), IT IS ORDERED: To approve the project by resolution, adopt the Categorical Exemption and grant Use Permit U_2017-0014 for the Project based on the approved project description and findings and subject to the conditions of approval, modifying Condition 8 in Exhibit A to state 4 people.

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

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6c. **CASE#:** OA_2018-0003
DATE FILED: 2/12/2018
APPLICANT: COUNTY OF MENDOCINO
AGENT: DEPARTMENT OF PLANNING AND BUILDING SERVICES
REQUEST: The Mendocino County Board of Supervisors proposes to amend Mendocino County Code Section 20.243.070- Exceptions, Cannabis Facilities, of the Inland Zoning Ordinance (Mendocino County Code, Title 20, Division I). Also amending the Mendocino County Agricultural Presereve and Williamson Act Policies and Procedures.
ENVIRONMENTAL DETERMINATION: Section 15061(b)(3)- General Rule Exemption
LOCATION: All unincorporated inland areas within Mendocino County. The areas not included are, the city limits of Ukiah, Fort Bragg, Willits and Point Arena. Not applicable to those areas within the designated Coastal Zone Areas of the County.
STAFF PLANNER: Mary Lynn Hunt

Mary Lynn Hunt, Staff Planner, reviewed the staff report and noted that this amendment would allow for processing, manufacturing and distribution within the Williamson Act area. She also noted that on page 16 of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, letter (E), would now read: "Cannabis. The cultivation of cannabis, including the planting, growing, harvesting, drying, curing, grading or trimming of cannabis in its natural state. Cannabis processing and manufacturing facilities, including distribution facilities in conjunction with processing and manufacturing, shall only be permitted pursuant to the provisions of Mendocino County Zoning Code Chapter 20.243."

Mr. Kiedrowski reviewed the proposed changes within applicable County and Zoning Codes to confirm that they are in agreeance.

Ms. Hunt noted that the proposed changes would not change CEQA status of the Ordinance.

Commissioner Warner asked if a stand-alone distribution center would be allowed.

Ms. Hunt stated that it would be allowed in industrially zoned areas, and possibly in Commercial, but was not sure.

The **public hearing** was declared open.

Tom Allman spoke in support of FlowCana.

Amanda Rieman was in support of the project and FlowCana.

The **public hearing** was declared closed.

Commissioner Warner noted her support of this project.

Mr. Kiedrowski noted that there was a resolution prepared for the item, and a revised copy of the motion will be attached to it.

Upon motion by **Commissioner Krueger**, seconded by **Commissioner Hall** and carried by the following roll call vote (4-0), IT IS ORDERED: To adopt the resolution making the Planning Commission's recommendation to the Board of Supervisors, that the Board of Supervisors approve Ordinance Amendment No. OA 2018-0003, which will modify Chapter 20 of the Mendocino County Code, specifically section 20.243.070, and that the Board approve amendments to the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts, finding that the actions as proposed do not have the potential to cause a significant effect on the environment, and is therefore not subject to CEQA pursuant to the General Rule Exemption of Section 15061(b)(3) of the CEQA Guidelines including modifications made by staff at the public hearing.

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

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7. Matters from Staff.

None.

8. Matters from Commission.

None.

9. Adjournment.

Upon motion by **Commissioner Hall**, seconded by **Commissioner Warner**, and unanimously carried (4-0), IT IS ORDERED that the Planning Commission hearing adjourn at 9:44 a.m.

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